

Identification No. 27-2136
Transfer No. 1648

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED
OCT 15 1970

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use **APPROVED**

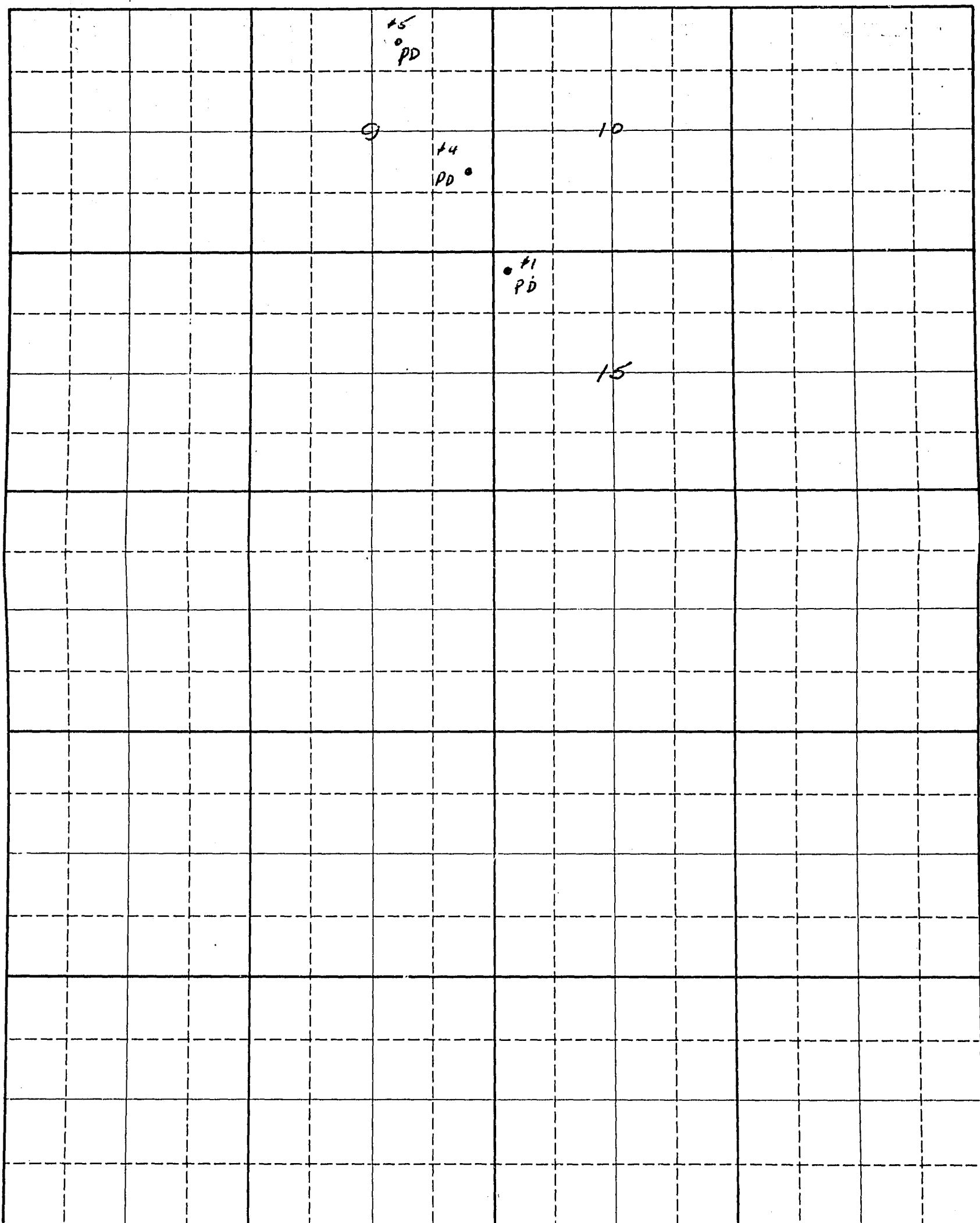
1. Name of Right Holder El Paso Products Service Company
Post office address Post Office Box #3986, Odessa, Texas
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____.
- b. License No. 27-2136 issued by the State of Idaho, Department of Reclamation.
3. Source of water ground water tributary to _____
(Name of stream or source)
4. Date of Priority @2:30 P.M., September 15, 1964
5. Amount of water a. 2.2 c.f.s. and/or
b. _____ acre feet/annum
manufacturing
6. Water is used for fertilizers from Jan. 1 to Dec. 31
(Month, Day) (Month, Day)
7. Original location of point of diversion is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15,
Township 8 S, Range 42 E, B.M., in Caribou County;
Additional points of diversion, if any _____

8. Lands presently irrigated or place of use: W1/2 Sec. 10, T.8 S., R.42 E., B.M.

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres presently irrigated _____
27 2136

27 2136



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

a. Quantity to be diverted at new point: 2.2 c.f.s. and/or _____ acre feet
NE SE 9

b. New point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 8 S
NW NW 15

_____, Range 42 E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: water is used from all wells for fertilizer manufacturing plant

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:
for flexibility of operation of the water system

g. Do you intend to abandon completely the old point of diversion? no

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

a. Describe the new lands on which you wish to use your right.

[illegible]

Total number of acres to be irrigated_____

27 2136

- b. Do you intend to make the transfer permanent? _____
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: _____
- _____

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

EL PASO PRODUCTS SERVICE COMPANY

By John B. Mason
 Vice-President (signature of applicant)

Subscribed and sworn to before me this 20th day of October, 19 70

Barbara Lundvall
 (notary public)

My commission expires June 1, 1971.

APPROVED

**ACTION OF STATE RECLAMATION ENGINEER
 AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 1648/27-2136,
 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

Measuring devices of a type approved by this department shall be permanently
installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____
- _____

Witness my hand this 15th day of December, 19 70.

P. Kirk Higgs
 State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by ef Date 10-23-70

Protest filed by: _____ Date _____

Prelim. check by ef Date 10-23-70

Fee received by ef Date 10-23-70 Fee \$ 20.00

Approved for publication by _____

Published in Carbure County Dates 11-5-72

Hearing held _____

Watermaster Recommendation sent _____

Received by ej Date 10-23-70
Prelim. check by ef Date 10/23/70 Fee \$ 20.00
Approved for publication by ef Date 10-23-70
Published in Carroll County Dates 10 Nov. 5 & 12
Hearing held _____

For Department Use Only

Protest filed by: _____

Date _____

27 2136

Well Log Report

Well #1

El Paso Natural Gas Product Co.

Georgetown, Idaho

Well #1 Caribou County

Owner- El Paso Product Co

Address Georgetown, Idaho

Driller Ivan Bortz Grace, Idaho

Well Location- N/W $\frac{1}{4}$, N.W $\frac{1}{4}$, Sec. 15 T. 58 S, R 42E

Size drilled hole- 20" hole for 31' 1" 18" to 239' balance 16" to 280'

Total depth 280

Standing water depth 38'

Pumping test 1500 GPM Drawdown 1'

Size Pump 10" bowls 8" column

Water will be used for Industrial use

Casing $\frac{1}{2}$ " black steel pipe

Diameter, length, location- 20" for 31' 1" and 18" to 239' and 16" to 280'

Casing record - 20" feet, 2' to 29' 31' length
16" feet, 2' to 239' 6" length 41' 6"
20" casing cemented grout
16" set in 18" hole
40' of 16" hole below pipe

Number and size perforation- 300 $\frac{3}{8}$ x 3", located 45' to 100' from ground
57 $\frac{6}{8}$ x 3" 100' to 240'

Started-September 14, 1964

Completed- October 13, 1964

0'	25'	Black dirt & clay
25'	30'	Broken lava
30'	35'	Hard lava
35'	40'	Hard lava some water
40'	60'	Hard lava
60'	65'	Cracked, and shot the hole
65'	70'	Hard lava
70'	80'	Cinders & clay & more water
80'	90'	Clay & gravel
90'	100'	Clay & big gravel

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Well Log #1 Continued

100'	110'	Clay and glomert
110'	115'	Clay and oaving
115'	150'	Hard formation
150'	155'	Hard olay boulders
115'	160'	Baled every 2 1/2' lots of mud and rocks
160'	175'	Hard glomert
175'	185'	Crevised and broken lava and softer
185'	200'	White olay and hard formation
200'	205'	Hard broken rocks
205'	210'	White olay, broken rock and softer
210'	215'	White olay real hard
215'	220'	Real hard solid white olay
220'	230'	Semi hard olay, real white and crevised
230'	240'	Formation semi hard
240'	260'	Hard white olay
260'	270'	Coarse rock lost all outtings and white olay
270'	275'	White olay and softer
275'	280'	Yellow shale and softer

240' to 100' every 1 1/2' 6 holes to the round
 100' to 45' every 1' 6 holes to the round
 40' of open hole in bottom of hole.

27-2136

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-32065/27-2136

REPORT ON PROOF OF B/U EL PASO PRODUCTS SERVICE COMPANY

The following is a copy of the report of the examiner of the permit for the construction of a dam on the Boise River, Idaho, for the purpose of creating a reservoir for the storage of water for the use of the El Paso Products Service Company.

The report of the examiner is as follows:

The dam is located on the Boise River, Idaho, and is a concrete gravity dam. The dam is 100 feet high and 100 feet wide at the base. The dam is constructed of concrete and is designed to withstand a water pressure of 100 feet. The dam is located on the Boise River, Idaho, and is a concrete gravity dam. The dam is 100 feet high and 100 feet wide at the base. The dam is constructed of concrete and is designed to withstand a water pressure of 100 feet.

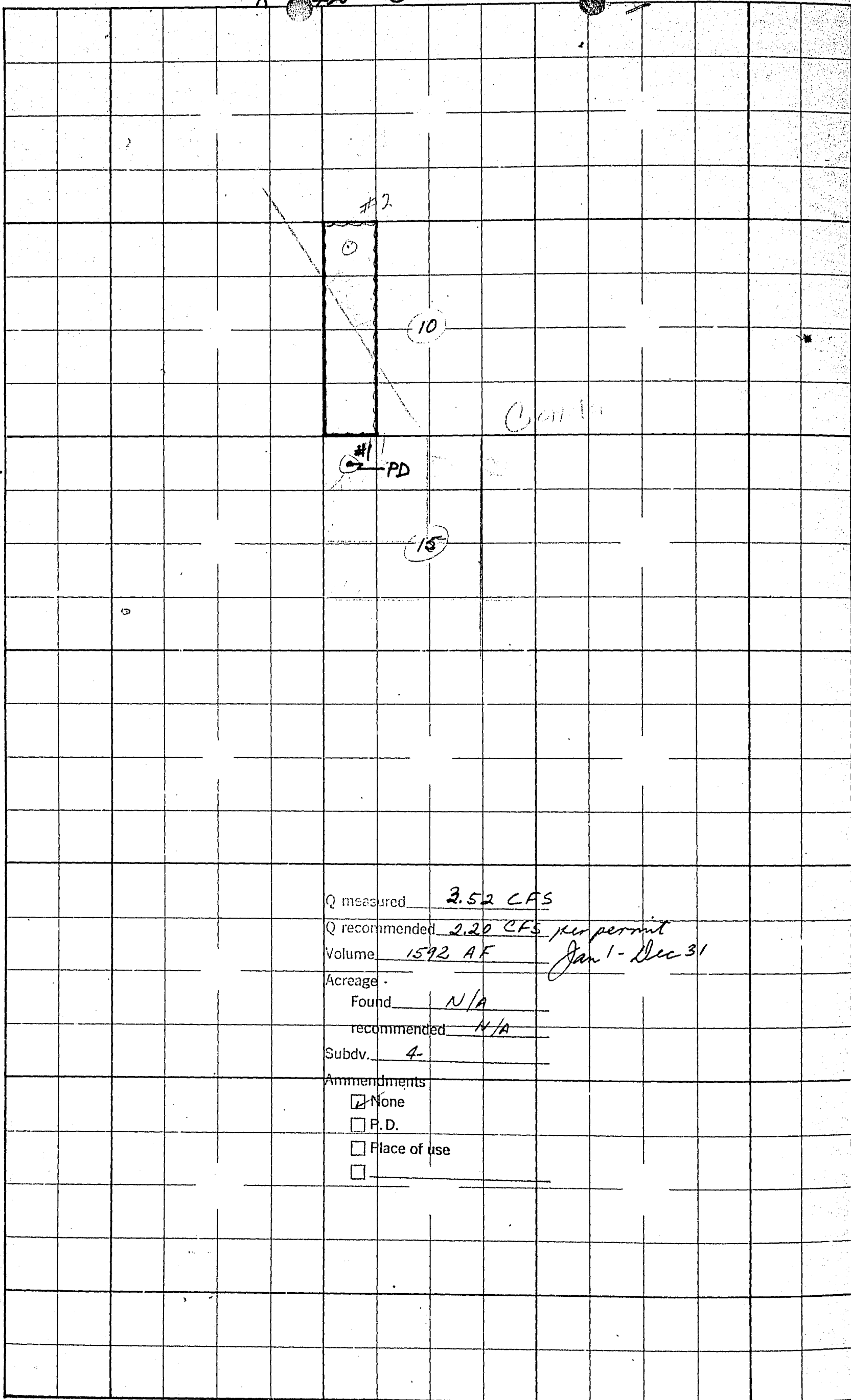
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27-2136

R 42 E

T
8
S



Q measured 2.52 CFS

Q recommended 2.20 CFS per permit

Volume 1592 AF Jan 1 - Dec 31

Acreage -

Found N/A

recommended N/A

Subdv. 4

Amendments

☒ None

☐ P.D.

☐ Place of use

☐

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-32065/27-2136

This proof is for Beneficial Use

In Water District No.

1. Name of applicant EL PASO SERVICE PRODUCTS COMPANY, Box 3986, Odessa, Texas, 79760

2. Source of water supply: ground water

3. Location of point of diversion: Is in the ^{abandon} ~~#1NW1/4NW1/4~~ ^{#1 NW 1/4} ~~#2NW1/4NW1/4~~ of Section ~~#115~~ ^{#115} ~~#210~~ ^{#2 Dec 10}

T. 8 S. R. 42 E. County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same:

deep well pump - wet phosphoric acid plant with associated facilities to

make dry and wet fertilizers

150 HP D.C. Motor # 345324 185' w/ Worthington pump
#13914 10" diameter discharge 24' to orifice plate
with Foxboro meter attached

5. Water is used for: manufacturing fertilizers

6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

W1/2 of Section 10, T. 8 S., R. 42 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: System shown by Mr. Hatt Hirschbunner
Mr. Myrle Kelley

Foxboro meter max $9.3 \times (F/170) = 1581 \text{ gpm} \div 448.8 = 3.52 \text{ CFS}$

Factor used as multiplier was attached to meter
by plastic tape

$V = (3.20) (1.993) (365) = 1592 \text{ AF}$

Q and V recommended as maximum from permit.

This examination was made on the 12th day of June, 1973

(Signed)

John Hirschbunner
W.R. Rhodes

Examiner.

Jan 13, 1974

27-2136

1320
2620 mls

ASCS: Soda Springs Jim Lowry 547-489
SCS: Soda Springs
Permit No. G-32065/27-2136
Examination for B/E EL PASO PRODUCTS SERVICE COMPANY

County Caribou
Quantity Sec. 15 T. 8 S. R. 42 E.
(permit) 2.2 cfs (proof) 4 cfs
Source: ground water

P.D.:
NW 1/4 NW 1/4
Use: manufacturing fertilizers

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: September 15, 1964 Made: October 16, 1967
Due: September 18, 1969 Priority: September 15, 1964

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

27-2136

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3833APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant NU-WEST INDUSTRIES Phone 547-4381
Post Office address 3010 Conda Rd Soda Springs, ID 83276

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes BECAUSE OF POOR WATER QUALITY
& REDUCED PRODUCTIVITY BOTH WELLS #4 & #6 HAVE BEEN CAPPED.
TO OBTAIN THE QUALITY & QUANTITY OF WATER NEEDED FOR THE
SULFURIC PLANTS WE DRILLED WELL #7 & PROPOSE DRILLING WELL #8.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>T347/27-2145</u>	<u>9-27-1965</u>	<u>1.34</u>	<u>Industrial</u> <u>MANUFACTURING</u>	<u>1-1</u> to <u>12-31</u>
<u>27-7038</u>	<u>3-18-1974</u>	<u>3.34</u>	<u>INDUSTRIAL</u>	<u>1-1</u> to <u>12-31</u>
<u>* 27-2136</u>	<u>9-15-1964</u>	<u>2.20</u>	<u>INDUSTRIAL</u>	<u>1-1</u> to <u>12-31</u> *
		<u>6.88</u>		to

2. Total amount of water being transferred 4.68 cubic feet per second and/or _____ acre-feet per annum.3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	SE	10	8S	42E	CARIBOU	Well #7
	NW	NW	SE	10	8S	42E	CARIBOU	Well #8

5. Lands irrigated or place of use: No change

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	42E	10					I	I			I	I							

* r/nAMES MADE 8-7-91 SEE memo DATED 8-7-91

Total acres

PART 1

6. General Information:

a. Description of diversion system Well 7&8 would supply water to a common delivery system for process water in sulfuric acid plants.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

THE AMMONIA PLANT WHERE WELL #6 IS LOCATED HAS BEEN SHUT DOWN PERMANENTLY. THERE IS NO PROPOSED CHANGE IN THE USE OF WELL #7 OTHER THAN TO LIST IT AS A POINT OF DIVERSION ON BOTH LICENSES.

d. Remarks:

SINCE WELL #7&8 WILL PROVIDE WATER TO A COMMON DELIVERY SYSTEM, THIS APPLICATION PROPOSES BOTH WELLS BE RECOGNIZED UNDER THE LICENSES BEING TRANSFERRED.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 27-2145 & 27-7038

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

22nd

day of

July

, 19 91

J. Glen Saxton
CHIEF, WATER ALLOCATION BUREAU

ATTACHMENT
CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 27-2136/2145/7038

Transfer No. 3833

1. The maximum combined rate of diversion under Right Nos. 27-2136, 27-2145 & 27-7038 shall not exceed 6.88 cfs.
2. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 22nd day of July, 1991.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

Page 3 of 8

Transfer No. 3833

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3417/27-2145 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 9-27-1965

5. Water is used for the following purpose:

amount 1.34 cfs for MANUFACTURING purposes from JAN 1 to DEC 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.34 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	SE	10	8S	42E	CARIBOU	WELL #7

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	42E	10					X	X			X	X							

Total acres _____

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 27-7038 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water GROUNDWATER tributary to _____4. Date or priority MARCH 18, 1974

5. Water is used for the following purpose:

amount 3.34 cfs for INDUSTRIAL purposes from JANUARY 1 to DECEMBER 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.34 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	10	85	42E	CARIBOU	WELL #6

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
85	42E	10									X								

Total acres _____

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

- amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

- amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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Transfer No. 3833

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Alan E. St. John MAINTENANCE MANAGER
(Signature of Applicant)

Subscribed and sworn to before me this 22 day of March, 19 91.

Ernest Carlson
(Notary Public)

My commission expires 6-14-1994

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by EALC Date 3/22/91 Protest filed by _____

Prelim. check by KCW Fee \$50.00

Receipted by EMC Date 3/22/91 EO15846

Published in Caribou Cnty Sun Copies of protest forwarded by _____

Pub. dates 5-1-8-91 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by RDG

Copy of transfer sent to lien holder _____ 7-17-91

MEMORANDUM

TO: Files 27-2136 & 27-7038
FROM: Brenda
DATE: July 22, 1991
RE: Transfer No. 3833

=====

See file 27-2145 for all correspondence regarding the above
referenced transfer.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 3833)
OF WATER RIGHT NOS. 27-02136/02145/07038)
IN THE NAME OF NU-WEST INDUSTRIES)

ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER

On July 22, 1991, the Department approved the above referenced Application for Transfer with a condition that:

The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

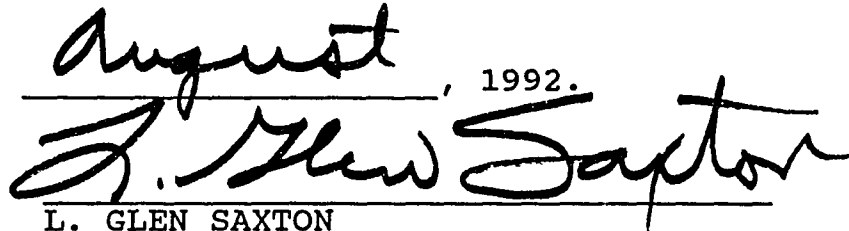
The Department has requested notification that the transfer has been completed.

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 3833 is granted a one year extension period in which to accomplish the transfer.

Dated this 6th day of August, 1992.


L. GLEN SAXTON
Chief, Water Alloc. Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KETH HIGGINSON
DIRECTOR

July 9, 1992

Nu-West Industries
3010 Conda Rd.
Soda Springs, ID 83276

RE: Approved Transfer No. 3833
Water Right No(s). 27-02136/02145/07038

Dear Water Right Holder:

On July 22, 1991, the Department approved an application for transfer of the above referenced water right(s). A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 15 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

SHARLA CURTIS
Sr. Water Resource Agent

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 27-02136/02145/07038

Transfer No. 3833

2. Name of Water Right Holder(s): Nu-West Industries

Address: 3010 Conda Road, Soda Springs, Idaho 83276

3. Water right transfer authorized by Department is:
(check appropriate space or provide description)

Complete _____ Not Complete x

Partially Complete (describe work completed) An 8" test hole was drilled to a depth of 850 ft. Due to a lack of volume required, we are in the process of abandoning this hole as per Mark Slifka.

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: After talking with Mark Slifka, we

would like to move to the South of the test hole and try another test hole.

We are currently looking to see if we can stay in the same quarter section or apply for a different point of diversion.

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

Alan E. Smith
Signature

(& title if on behalf of a company or organization)

7/28/92
Date



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 11, 1992

RE: Water Right Nos. 27-02136/02145/07038

Nu-West Industries
3010 Conda Rd.
Soda Springs, ID 83276

Dear Water Right Holders:

Enclosed is an order granting an extension of time in which to complete your previously approved transfer of water right.

At the end of the extension period, the department will again contact you regarding completion of the transfer.

Sincerely,

SHARLA CURTIS
Sr. Water Resource Agent

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69416Amended **APPLICATION FOR TRANSFER OF WATER RIGHT** Amended
PART 1 **MAY 17 2002**Name of applicant Nu-West Industries (dba Agrium CPO) Department of Water Resources Phone (208) 547-4381
Post Office address 3010 Conda Road; Soda Springs, Idaho 83276**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Clarify actual wells on system
2. Describe the reason for the proposed changes Nu-West has completed drilling a replacement well for water right 27-2136 and is requesting the option of using both wells. The replacement well will be referred to as #9 well and the original will remain #1 well. Both the maximum instantaneous diversion rate and the total annual volume will still apply to the total water used.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>Changed to 11-2187 27-2136</u>	<u>9-15-64</u>	<u>2.20</u>	<u>Industrial</u>	<u>1/1 to 12/31</u>
<u>11-7429</u>	<u>3-18-1974</u>	<u>3.34</u>	<u>" "</u>	<u>" to "</u>
<u>11-2188</u>	<u>9-27-1965</u>	<u>1.34</u>	<u>" "</u>	<u>" to "</u>
				<u>to</u>

2. Total amount of water being transferred 6.88-2.20 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	10	8S	42E	Caribou	<u>#7 Well + #8 well</u>
		NW	NW	15	"	"	"	<u>#1 well + #9 well (new)</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	42E	X						X	X			X	X						

(69416)

Total -----

PART 1

6. General Information:

a. Description of diversion system _____

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 11-7429

Priority Date: 03/18/1974
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

Trib

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
INDUSTRIAL	1/01	12/31	3.34 CFS		
	Total Diversion		3.34 CFS		

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	08S	42E	10	NWSE		CARIBOU
GROUND WATER	08S	42E	10	SWSE		CARIBOU

PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	42E	10						X	X				X	X					

Conditions/Remarks:

1. The maximum combined rate of diversion under Right Nos. 27-7038, 27-2145 and 27-2136 shall not exceed 6.88 cfs.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remove as Basin 11 is not in SRBA

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 11-7429

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NA

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

NA

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 11-2188

Priority Date: 09/27/1965
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

Trib

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
INDUSTRIAL	1/01 12/31	1.34 CFS	969.0 AFA	
	Total Diversion	1.34 CFS	969.0 AFA	

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	08S	42E	10	NWSE		CARIBOU
GROUND WATER	08S	42E	10	SWSE		CARIBOU

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 42E 10						X	X			X	X						

Conditions/Remarks:

- 11-2188, 11-7429 11-2187
- The maximum combined rate of diversion under Right Nos. ~~27-2145~~ 27-7038 and ~~27-2136~~ shall not exceed 6.88 cfs.
 - See remarks for additional conditions of approval.
 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remove, as Basin 11 is not in SRBA.

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 11-2188

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NA

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

NA.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

page 3 of 5

T69416

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 11-2187

Priority Date: 09/15/1964
Origin: Water Right
Basis: License
Status: Active

GROUND WATER

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
INDUSTRIAL	1/01 12/31	2.20 CFS		
	Total Diversion	2.20 CFS		

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	08S	42E	10	SWSE		CARIBOU
GROUND WATER	08S	42E	10	NWSE		CARIBOU

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 42E 10						X	X			X	X						

Conditions/Remarks:

1. The maximum combined rate of diversion under Right Nos. ~~11-2188, 11-7429, 11-2187~~ ~~27-2145, 27-7038, and 27-2138~~ shall not exceed 6.88 cfs.^^
2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remove 95 Basin 11 is not
in SRBA

Page 4 of 5

T69414

Page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 11-2187

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

Page 5 of 5

Transfer No. 69416

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	No Change			to
				to

2. Quantity and quality of return flows and location of discharge:
No Change

3. Describe effects on other water uses resulting from the proposed change:

No Change to location of use-would allow Nu-West the
the opportunity to utilize both cased holes.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

NuWest Industries by [Signature]

(Signature of Applicant)

Subscribed and sworn to before me this 24th day of September, 2001.

[Signature]
(Notary Public)

My commission expires 4/28/04

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 3 attachments

Received by HWT Date 9-25-01 Protest filed by _____

Prelim. check by E02754 Fee 330^{XX} + 160

Receipted by HWT #E027136 Date 9-25-01

Published in Caribou Co. Sun. Copies of protest forwarded by _____

Pub. dates Oct 3 and Nov 7, 2001 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

rec'd. _____

by [Signature]

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

[illegible][illegible]

1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is responsible for the investigation. The investigator must identify the problem and the scope of the investigation. The investigator must also identify the objectives of the investigation and the methods to be used. The investigator must also identify the resources available for the investigation.

SCALE: 2 Inches equal 1 mile. Draw plan in ink.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

Agrium Conda Phosphate Operations*

3010 Conda Road
Soda Springs, ID 83276
Tel: 208-547-4381
Fax: 208-547-2550

File No PS - 01 - 020

Dennis Dunn
Idaho Department of Water Resources
900 N Skyline Dr.
Idaho Falls, ID 83402-1718

September 24, 2001

Dear Dennis:

As a follow up to our previous discussions, enclosed is Agrium's application for an additional point of diversion for Water Right No. 27-2136. The replacement well (now referred to as #9 Well) is complete and in service. The original well (#1 Well) is locked out and is currently not operable. Agrium would like to have the ability to operate both wells for the following reasons:

- Agrium has identified a need for a back up to #9 Well in case of well failure or shut downs for maintenance.
- #1 Well has previously been approved by Idaho DEQ as a Potable Water Well and would serve as a back up to Agrium's Potable Water system.
- Rather than abandon #1 Well, Agrium would prefer to operate #1 and #9 Wells within the limits of Water Right 27-2136 which allows for 2.2 cfs of water to be diverted from 1/1 to 12/31.
- Agrium will have in place a well control system that will ensure that neither the instantaneous rate nor annual volume limits are exceeded.

Agrium is requesting that IDWR approve this additional point of diversion and allow Agrium to operate both wells.

Sincerely,



Alan E. Skinner
Agrium-CPO

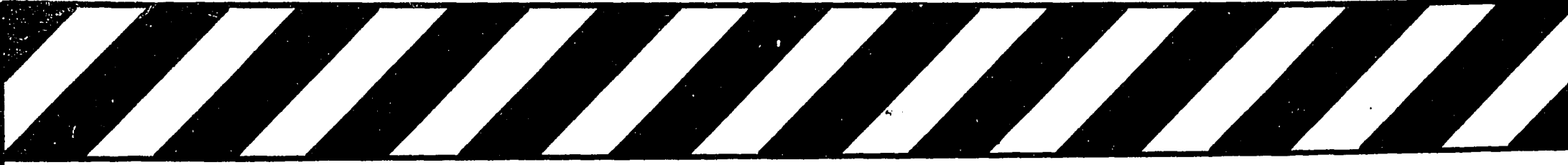
RECEIVED

SEP 25 2001

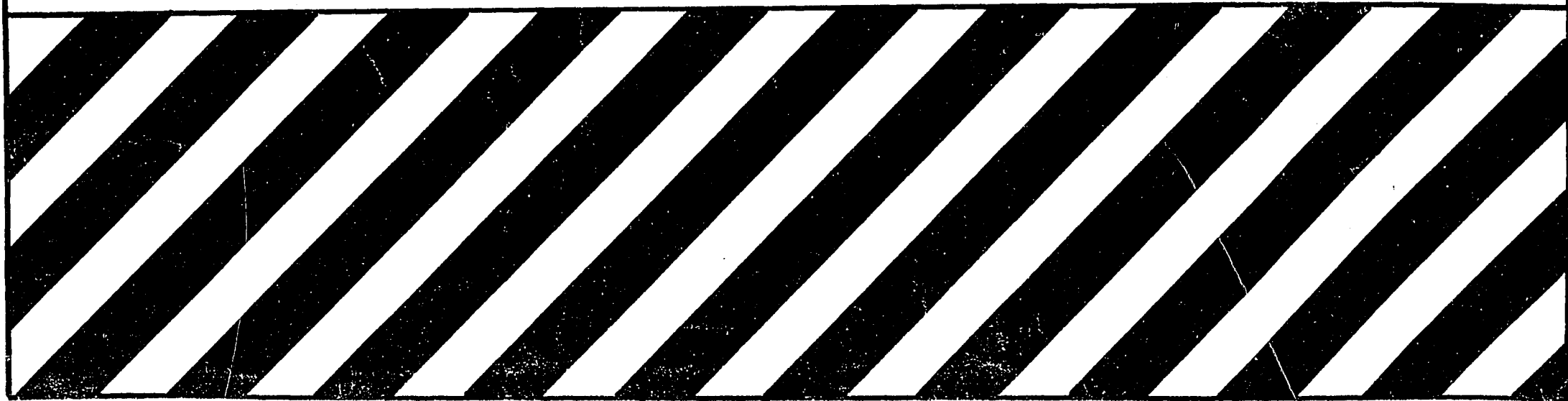
Department of Water Resources
Eastern Region

* A Registered Name of Nu-West Industries, Inc.

T 69416
ATTACHMENT 2 OF 3



**MAP(S) TOO
LARGE TO FILM -
SEE FILE...**



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69416

This is to certify that: NU WEST INDUSTRIES
3010 CONDA RD
SODA SPRINGS ID 83276
(208)547-4381

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
11-2187	WR/License	09/15/1964	2.2 cfs	N/A			GROUND WATER
11-2188	WR/License	09/27/1965	1.34 cfs	969 af			GROUND WATER
11-7429	WR/License	03/18/1974	3.34 cfs	N/A			GROUND WATER

Purpose of Transfer (Changes Proposed)

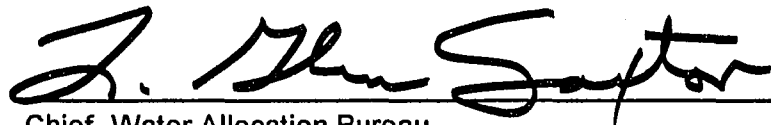
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
11-2187	NO	NO	NO	YES	NO	NO
11-2188	NO	NO	NO	YES	NO	NO
11-7429	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
11-2187	11-2187	2.2 cfs	1590 af	N/A			N/A	N/A	N/A	N/A
11-2188	11-2188	1.34 cfs	969 af	N/A			N/A	N/A	N/A	N/A
11-7429	11-7429	3.34 cfs	2413.8 af	N/A			N/A	N/A	N/A	N/A
TOTALS		6.88 cfs					N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of October, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 11-2187
As Modified by Transfer No. 69416

In accordance with the approval of Transfer No. 69416, Water Right No. 11-2187 is now described as follows.

Right Holder: NU WEST INDUSTRIES
3010 CONDA RD
SODA SPRINGS ID 83276

Priority Date: September 15, 1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	12/31	2.20 CFS	1,590.0 AF
			2.20 CFS	1,590.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 10 Twp 08S	Rge 42E	CARIBOU County
GROUND WATER	SWSE	Sec. 10 Twp 08S	Rge 42E	CARIBOU County
GROUND WATER	NWNW	Sec. 15 Twp 08S	Rge 42E	CARIBOU County
GROUND WATER	NWNW	Sec. 15 Twp 08S	Rge 42E	CARIBOU County

PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	42E	10																	
								X	X				X	X					

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
- After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- The total instantaneous diversion of water from all points of diversion under Rights 11-2187, 11-2188 and 11-7429 shall not exceed 6.88 cfs, nor total combined annual volume of 4972.8 af.
- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- Approval of this transfer does not confirm the validity of this water right.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of October, 2002

J. Glen Saylor
Chief, Water Allocation Bureau

WATER RIGHT NO. 11-7429
As Modified by Transfer No. 69416

In accordance with the approval of Transfer No. 69416, Water Right No. 11-7429 is now described as follows.

Right Holder: NU WEST INDUSTRIES
 3010 CONDA RD
 SODA SPRINGS ID 83276

Priority Date: March 18, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	12/31	3.34 CFS	2,413.8 AF
			3.34 CFS	2,413.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 10 Twp 08S	Rge 42E	CARIBOU County
GROUND WATER	SWSE	Sec. 10 Twp 08S	Rge 42E	CARIBOU County
GROUND WATER	NWNW	Sec. 15 Twp 08S	Rge 42E	CARIBOU County
GROUND WATER	NWNW	Sec. 15 Twp 08S	Rge 42E	CARIBOU County

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 42E 10					X	X			X	X							

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
3. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. The total instantaneous diversion of water from all points of diversion under Rights 11-2187, 11-2188 and 11-7429 shall not exceed 6.88 cfs, nor total combined annual volume of 4972.8 af.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not confirm the validity of this water right.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of October, 2002

J. Glen Saylor
 Chief, Water Allocation Bureau

WATER RIGHT NO. 11-2188
As Modified by Transfer No. 69416

In accordance with the approval of Transfer No. 69416, Water Right No. 11-2188 is now described as follows.

Right Holder: NU WEST INDUSTRIES
 3010 CONDA RD
 SODA SPRINGS ID 83276

Priority Date: September 27, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	1/01	12/31	1.34 CFS	969.0 AF
			1.34 CFS	969.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 10 Twp 08S	Rge 42E	CARIBOU County
GROUND WATER	SWSE	Sec. 10 Twp 08S	Rge 42E	CARIBOU County
GROUND WATER	NWNW	Sec. 15 Twp 08S	Rge 42E	CARIBOU County
GROUND WATER	NWNW	Sec. 15 Twp 08S	Rge 42E	CARIBOU County

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 42E 10							X					X	X				

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
3. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. The total instantaneous diversion of water from all points of diversion under Rights 11-2187, 11-2188 and 11-7429 shall not exceed 6.88 cfs, nor total combined annual volume of 4972.8 af.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not confirm the validity of this water right.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 21st day of October, 2002

J. Glen Saylor
 Chief, Water Allocation Bureau

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69416

NU-WEST INDUSTRIES, 3010 CONDA RD, SODA SPRINGS ID 83276, has filed Application No. 69416 for changes to the following water rights within CARIBOU County:

Right No. 11-2187

Priority 9/15/1964

Source GROUND WATER

Use INDUSTRIAL (0 acres) 2.20 CFS

Total Amount 2.20 CFS

Point(s) of Diversion NWSE S10 T08S R42E
SWSE S10 T08S R42E

Place of Use S10 T08S R42E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicants wish to clarify the amount and location of wells used in their industrial plant. Two wells (#7 and #8) are located in the SWSE SEC 10 T08S R42E. Well #1 will be a back-up well and #9 is a new well, both located in the NWNW SEC 15 SEC 15 T08S R42E.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before November 19, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on October 31 and November 7, 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 24, 2001

Legal Notice Department
CARIBOU COUNTY SUN
PO BOX 815
SODA SPRINGS ID 83276

RE: Transfer No. 69416

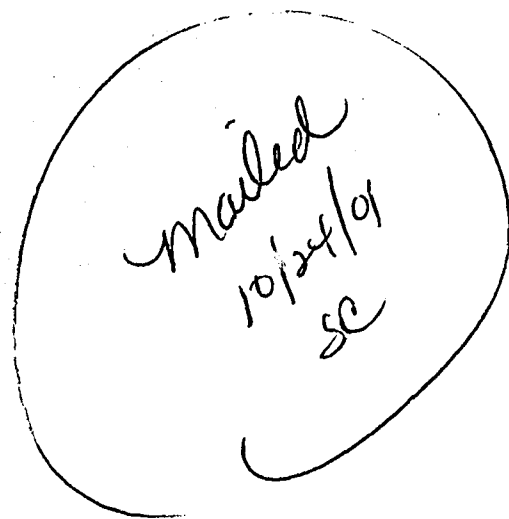
Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before November 19, 2001. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 24, 2001

NU-WEST INDUSTRIES
3010 CONDA RD
SODA SPRINGS ID 83276

RE: Application for Transfer No 69416
Water Right No(s) 11-2187

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Caribou County Sun on October 31 and November 7, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W Jones
Water Right Supervisor

HWJ:sc

RECEIVED
NOV 15 2001
Department of Water Resources
Eastern Region

PUBLIC NOTICE

First Time Published

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 69416**

NU-WEST INDUSTRIES,
3010 CONDA ROAD, SODA
SPRINGS, ID. 83276, has filed
Application No. 69416 for changes
to the following water rights within
CARIBOU COUNTY:

Right No. 11-2187

Priority: 9/15/1964

Source: GROUND WATER

Use: INDUSTRIAL (0 acres)
2.20 CFS

Total Amount: 2.20 CFS

Point(s) of Diversion: NWSE
S10 T08S R42E, SWSE S10 T08S
R42E

Place of Use: S10 T08S R42E

The purpose of the transfer is to
change a portion of the above rights
as follows:

The applicants wish to clarify
the amount and location of wells
used in their industrial plant. Two
wells, (#7 and #8) are located in the
SWSE SEC 10 T08S R42E. Well
#1 will be a back-up well and #9 is

a new well, both located in the
NWNW SEC 15 SEC 15 T08S
R42E.

Protests may be submitted based
on the criteria of Sec. 42-222,
Idaho Code.

Any protest against the pro-
posed change must be filed with the
Department of Water Resources,
Eastern Region, 900 North Skyline
Drive Ste. A, Idaho Falls, ID 83402
together with a protest fee of
\$25.00 for each application on or
before Nov. 19, 2001. The protes-
tant must also send a copy of the
protest to the applicant.

(s) KARL J. DREHER,

Director

Published Nov. 1 and 8, 2001 in
the Caribou County Sun.

**Affidavit of
Publication**

County of Caribou } ss.
State of Idaho }

Mark Steele

being first duly sworn on his
oath, states:

That he is publisher
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho, pub-
lished weekly at Soda Springs in
said County that said newspaper
has been published in said
County uninterruptedly and con-
tinuously for over seventy-eight
consecutive weeks, prior to the
first publication of the annexed
notice or advertisement;

That the annexed notice was
published as per clipping
attached in the regular and entire
edition of said newspaper and
not in any supplement thereof for

two

successive weekly issues there-
of, the date of the first publica-
tion being the

1st day of

November, 2001

The date of the last publication

being the 8th day of

November, 2001

On this 9th day of November

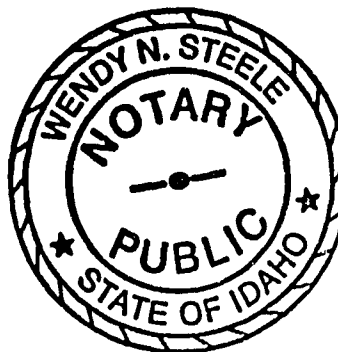
in the year of 2001, before
me, a Notary Public, personally
appeared

Mark Steele
known or identified to me to be
the person whose name sub-
scribed to the within instrument,
and being by me first duly
sworn, declared that the state-
ments therein are true, and
acknowledged to me that he exe-
cuted the same.

Clayton A. Steele
Notary Public for Idaho

Residing at Soda Springs, Idaho
My commission expires:

March 11, 2006



NOTICE OF PROPOSED CHANGE OF WATER RIGHT

AMENDED TRANSFER NO. 69416

NU-WEST INDUSTRIES, 3010 CONDA RD, SODA SPRINGS ID 83276, has filed Application No. 69416 for changes to the following water rights within CARIBOU County:

Right No. 11-2187

Priority 9/15/1964

Source GROUND WATER

Use INDUSTRIAL 2.20 CFS

Total Amount 2.20 CFS

Right No. 11-2188

Priority 9/27/1965

Source GROUND WATER

Use INDUSTRIAL 1.34 CFS 969.0 AFA

Total Amount 1.34 CFS 969.0 AFA

Right No. 11-7429

Priority 3/18/1974

Source GROUND WATER

Use INDUSTRIAL 3.34 CFS

Total Amount 3.34 CFS

Point(s) of Diversion NWSE S10 T08S R42E
SWSE S10 T08S R42E

Place of Use S10 T08S R42E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicants have a unified well system and wish to make each well a function of each of the above rights.

All four (4) wells will then be available for each of the three (3) water rights.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before April 22, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on April 4 and 11, 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 27, 2002

Legal Notice Department
CARIBOU COUNTY SUN
PO BOX 815
SODA SPRINGS ID 83276

RE: Transfer Ads

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before April 22, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

Mailed
3/24/02
SC



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 27, 2002

NU-WEST INDUSTRIES
3010 CONDA RD
SODA SPRINGS ID 83276

RE: Application for Amended Transfer No 69416
Water Right No(s) 11-2187 11-2188 11-7429

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Caribou County Sun on April 4 and 11, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

RECEIVED
APR 22 2002
Department of Water Resources
Eastern Region

RECEIVED

MAY 17 2002

Department of Water Resources

PUBLIC NOTICE

First Time Published

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
AMENDED TRANSFER
NO. 69416**

NU-WEST INDUSTRIES, 3010
CONDA ROAD, SODA
SPRINGS, IDAHO 83276 has filed
Application No. 69416 for changes
to the following water rights within
CARIBOU County:

Right No. 11-2187

Priority: 9/15/1964

Source: GROUND WATER

Use: INDUSTRIAL 2.20 CFS

Total Amount: 2.20 CFS

Right No. 11-2188

Priority: 9/27/1965

Source: GROUND WATER

Use: INDUSTRIAL 1.34 CFS

969.0 AFA

Total Amount: 1.34 CFS 969.0
AFA

Right No. 11-7429

Priority: 3/18/1974

Source: GROUND WATER

Use: INDUSTRIAL 3.34 CFS

Total Amount: 3.34 CFS

Point(s) of Diversion: NWSE
S10 T08S R42E, SWSE S10 T08S
R42E

Place of Use: S10 T08S R42E

The purpose of the transfer is to
change a portion of the above rights
as follows:

The applicants have a unified
well system and wish to make each
well a function of each of the above
rights. All four (4) wells will then
be available for each of the three
(3) water rights. Protests may be
submitted based on the criteria of
Sec. 42-222, Idaho Code.

Any protest against the pro-
posed change must be filed with the
Department of Water Resources,
Eastern Region, 900 North Skyline
Drive Ste. A, Idaho Falls, ID 83402
together with a protest fee of
\$25.00 for each application on or
before April 22, 2002. The protes-
tant must also send a copy of the
protest to the applicant.

(s) KARL J. DREHER
Director

Published on April 11,
2002 in the Caribou County Sun

**Affidavit of
Publication**

County of Caribou } ss.
State of Idaho }

Mark Steele

being first duly sworn on his
oath, states:

That he is publisher
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho, pub-
lished weekly at Soda Springs in
said County that said newspaper
has been published in said
County uninterruptedly and con-
tinuously for over seventy-eight
consecutive weeks, prior to the
first publication of the annexed
notice or advertisement;

That the annexed notice was
published as per clipping
attached in the regular and entire
edition of said newspaper and
not in any supplement thereof for

two

successive weekly issues there-
of, the date of the first publica-
tion being the

4th day of
April, 2002

The date of the last publication
being the 11th day of

April, 2002

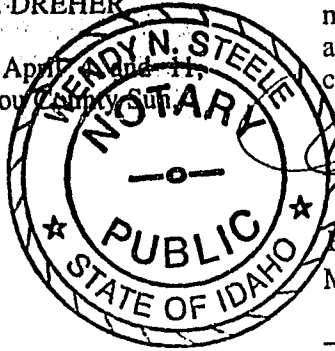
On this 12th day of April

in the year of 2002, before
me, a Notary Public, personally
appeared

Mark Steele
known or identified to me to be
the person whose name sub-
scribed to the within instrument,
and being by me first duly
sworn, declared that the state-
ments therein are true, and
acknowledged to me that he exe-
cuted the same.

Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:

March 11, 2006



INTER-DEPARTMENT MEMO

TO: Transf File # 69416 -Nucorst

SUBJECT: _____

FROM: H.W. Jones

DATE: 12-17-01

When we did up this transfer we only advertised 11-2187.
Rts should include # 11-7429 & # 11-2188. I didn't think
that a read would be necessary as there were no
objections.

As for the fees, I would have proposed a lesser fee
anyway as all we were doing was clarifying the
points of diversion.

☒ For your information

() Response required

H.W. Jones
signature

MEMORANDUM

Date: October 18, 2002
To: Transfer 69416
From: Sharla
Re: Misc. Info

Per a telecon with Harold Jones, the contact person for Nu-West Industries is Allan Skinner (Ext 301).

After discussing this transfer with Mr. Skinner, Harold informed me that the plant (production of fertilizer) operates 24 hrs/day, 365 days/yr. The total volume approved under this transfer will be a reflection of that. Only 11-2188 was licensed with a volume that was based on 24-hr diversion at full capacity. The other two rights will contain volumes based on the same criteria.

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 23, 2002

NU WEST INDUSTRIES
3010 CONDA RD
SODA SPRINGS ID 83276

RE: Transfer No.: 69416 - Water Rights 11-2187, 11-2188, 11-7429
Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

for 
Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

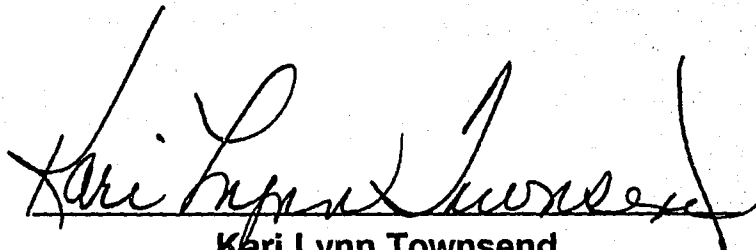
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69416 - WATER RIGHTS 11-2187, 11-2188, 11-7429

**NU WEST INDUSTRIES
3010 CONDA RD
SODA SPRINGS ID 83276**

A handwritten signature in cursive script, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40198
Permit No. G- 32065
District No.

1. Name of Applicant: El Paso Natural Gas Products Company
Postoffice address: P. O. Box 3986, Odessa County: Ector State: Texas
2. Quantity of water claimed: 200 gpm, 2.2 cfs
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean wells
4. Location of point of diversion/or well is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15
Twp. 8 S. , Rge. 42 E. , B.M., County of Caribou
5. Water is to be used for: Manufacturing Fertilizers
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of Section 10 , Twp. 8 S. ,
Rge. 42 E. , B.M.
(b) Waste water or sewage effluent is to be returned to Slurry Pond
at a point in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 10 , Twp. 8 S. , Rge. 42 E. , B.M.
7. Kind of works: Wet phosphoric acid plant with associated facilities to make dry and wet
fertilizers.
8. Estimated cost of works: \$ Multimillion dollar plant (estimate of cost is not complete)
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five
years.
11. If applicant is a corporation, give:
 1. (a) Date and place of incorporation: September 27, 1956 - Texas
 - (b) Amount of capital stock: \$ See File (c) Amount paid in: \$ See File
 - (d) Names and addresses of directors: See file
11. The financial resources of the applicant are (a) Cash onhand: \$6,327,048.00
(b) Treasury stock: None (c) Bonds to be issued: None
(d) Other resources: \$106,627,395.00 (net)
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplied
mental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

El Paso Natural Gas Products Company *Applicant.*

By *s/* C. L. Moore, Vice-President *Agent.*

Date of first receipt at Department of Reclamation: 2:30 P.M. September 15, 1964

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G- 32065

Recorded in Book 112 Page 32065 Approved September 18, 1964

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before

and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before

March 18, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before

September 18, 1969

Witness my hand this

18th

day of September, 1964

s/ RALPH W. THOMAS, Deputy
STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, ROBERT E. SMYTHE

ARNOLD WILLIAMS

and Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 18th day of September 19 64.

Countersigned:

STATE OF IDAHO

(SEAL)

By *s/* ARNOLD WILLIAMS

Secretary of State

By *s/* ROBERT E. SMYTHE

Governor

12.

Twp.	Range	Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	Totals
			NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	NE 1/4 NW 1/4 SW 1/4 SE 1/4	

Comes now El Paso Natural Gas Products Company and represents to the State Reclamation Engineer of the State of Idaho:

That it is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-32065.

That the points of diversion is described in said Permit as being located: NW 1/4 NW 1/4, Section 15, Township 8 South, Range 42 East, Caribou County, Idaho.

That it now requests the change to include a point located in SW 1/4 SW 1/4, Section 10, Township 8 South, Range 42 East, B. M.

That the reason for desiring to make such change is as follows: To include a second point of diversion which is primarily a standby well.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Odessa, Texas, this 24 day of November, 1964

s/ J. M. Stricklen

Vice President

El Paso Natural Gas Products Co.

Date of Receipt at Department of Reclamation Nov. 27, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-32065. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS

Deputy State Reclamation Engineer

Recorded: December 3, 1964

Membrane Layout and Joint Details
of GYP POND LINER.

(Butyl to Polyethylene)

Permit G-32065

El Paso Natural Gas Prod. Co.

Fieldin Plan File 1, G-32065 - 2 - 46

El Paso Natural Gas Products Company

Attachment to Application For Permit

Dated September 14, 1964

PERMIT NO. G-32065

1. (a) September 27, 1956 - Texas

(b) <u>Class</u>	<u>Authorized</u>	(c) <u>Issued & Paid In</u>
Common	\$100,000,000.00	\$82,900,000.00
Odessa Preferred	613,500.00	613,500.00
5.60% Preferred, Series of 1963	5,000,000.00	5,000,000.00
5.60% Preferred, Second Series of 1963	5,000,000.00	1,607,200.00

(d)

C. L. Perkins (Chairman), P. O. Box 1492, El Paso, Texas 79999
 Howard Boyd, 1 Chase Manhattan Plaza, New York 5, New York
 Paul Kayser, P. O. Box 1492, El Paso, Texas 79999
 C. L. Moore, P. O. Box 3986, Odessa, Texas
 W. D. Noel, P. O. Box 3908, Odessa, Texas
 H. F. Steen, P. O. Box 1492, El Paso, Texas 79999

II.

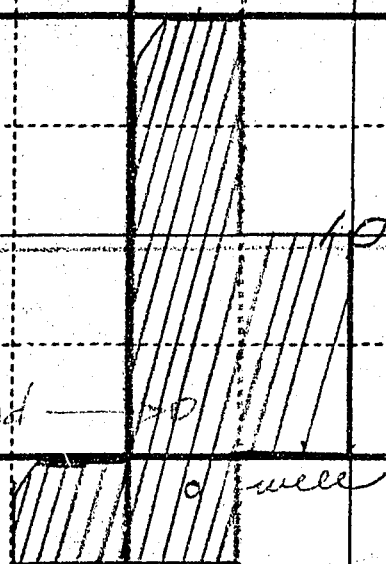
- (a) \$6,327,048.00
- (b) None
- (c) None
- (d) \$106,627,395.00

32065

NAME OF APPLICANT *El Paso Natural Gas Products Company*

Form No. 0

Amend
to include



T. 8 S 42 E B M
CARIBOU County

Order Map No. *32065*
As Approved
GEO. J. HAN
State Registration Engineer

September 23, 1964

Re: Permit No. G-32065
El Paso Natural Gas Products Co.,

Mr. Max Lattig,
P. O. Drawer H,
Montpelier, Idaho.

Dear Mr. Lattig:

We enclose Permit No. G-32065 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~Enclosed~~ Departmental Receipt No. G-3890 which was issued covering payment in the amount of \$ 5.50 for the filing fee of the above mentioned permit, was given to you while in our office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

cc: El Paso Natural Gas Products Co.
P. O. Box 3986
Odessa, Texas

32065

November 12, 1964

Re: Permit No. C-32065

L/D 64045

E. H. Lassetter, Mgr.
Property Management Dept.
El Paso Natural Gas Products Co.
Box 3986, Odessa, Texas

Dear Mr. Lassetter:

Enclosed is form to amend the point of diversion
on Permit No. C-32065 to include the SW 1/4, Sec. 10, T. 8 S.,
R. 12 E., E. H.

Complete the form and return with \$1.00 fee for
recording.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ev

Enc. amendment form

32065

EL PASO NATURAL GAS PRODUCTS COMPANY

POST OFFICE BOX 3986, ODESSA, TEXAS

November 11, 1964

RECEIVED
NOV 13 1964

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
State of Idaho, 107 State House
Boise, Idaho

Department of Reclamation

Attention: Mr. Ralph Thomas

Re: L/D 64045

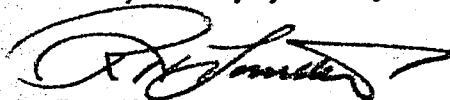
Dear Sir:

El Paso Natural Gas Products Company has recently been issued Permit No. G-32065 to appropriate waters of the State of Idaho near Soda Springs, Idaho. The application and permit anticipated the construction of more than one well. The first well has been drilled and completed within the subdivision as designated under #4 of the permit.

I discussed with Mr. Ralph Thomas the location of the second well anticipated, and it is as follows: SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10, T. 8 S., R. 42 E., B. M. In all particulars the permit filed is correct other than the location of the second well.

Please advise whether the permit issued may be amended to show the correct location of the second well, or if we must file another application to cover the new well.

Very truly yours,



R. H. Lassetter

Manager

Property Management Department

RHL/gc

32065

EL PASO NATURAL GAS PRODUCTS COMPANY

POST OFFICE BOX 3986, ODESSA, TEXAS

November 24, 1964

RECEIVED
NOV 27 1964

Department of Reclamation

Mr. Ralph W. Thomas, Deputy
State Reclamation Engineer
State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

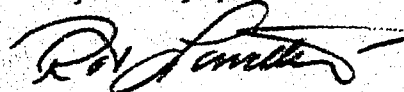
Re: L/D 64045

Dear Mr. Thomas:

Enclosed is Application for Amendment, POINT OF DIVERSION, which has been signed by the Company. The application was amended to indicate that the request was to clarify the location of the second well being drilled under Permit No. G-32065.

Our Draft No. 0160 in the amount of \$1.00 is also enclosed as fee for recording.

Very truly yours,



R. H. Lassetter
Manager
Property Management Department

RHL/gc
Enclosures

32065

RECEIVED
NOV 27 1964

Application for Amendment

POINT OF DIVERSION

Department of Reclamation

Permit No. G-32065

Comes now El Paso Natural Gas Products Company and
represents to the State Reclamation Engineer of the State of Idaho:

That ~~he~~^{it} is ~~(are)~~ the owner and holder of Permit to Appropriate the Public
Waters of the State of Idaho, No. G-32065.

That the point of diversion is described in said Permit as being located:

NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, Township 8 South, Range 42 East, Caribou County, Idaho.

That ~~he~~^{it} now requests ~~that the point of diversion be changed to a point~~
located SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 8 South, Range 42 East, B. M.

That the reason for desiring to make such change is as follows:

To include a second point of diversion which is primarily a standby well.

That no one will be injured by such change, and that such change will be made
at Permit Holder's own risk.

Signed at Odessa, Texas, this 24 day of November 1964

By: [Signature]
Vice President

El Paso Natural Gas Products
Company

Date of receipt at Department Of Reclamation:

Nov. 27, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

RALEIGH A. THOMAS, Deputy

I, ~~RALEIGH A. THOMAS~~^{RALEIGH A. THOMAS} State Reclamation Engineer of the State of Idaho, HEREBY APPROVE
the above and foregoing application for amendment to Permit to Appropriate the Public
Waters of the State of Idaho, No. G-32065. This approval constitutes a new
permit and is issued as an amendment to the original permit, to which it refers and of
which it becomes a part, and said application is approved only insofar as the rights of
others will not be adversely affected thereby.

Recorded in Book 112 of

Permits, at Page 32065

December 3, 1964

[Signature]
Deputy State Reclamation Engineer

32065

December 3, 1964

Re: Permit No. G-32065

R. H. Lassetter, Mgr.
Property Management Dept.
El Paso Natural Gas Products Co.
Box 3986, Odessa, Texas

Dear Sir:

Enclosed is the Amendment to the Point of Diversion
which has been recorded in this office.

Also departmental receipt No. G-9013, in the amount
of \$1.00 covering the fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendment
receipt

32065

RECEIVED

SEP 6 1967

Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Caribou County Sun of Soda Springs, Idaho; published in the county in which the works are situated.

El Paso Products Company

By: R. H. Lassetter

(signature)

R. H. Lassetter
Attorney-in-factP. O. Box 3986
Odessa, Texas 79760

(address)

August 18, 1967

(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

32065

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

DECEIVED

SEP 8 1967

Department of Reclamation

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than September 18, 1969.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.

R. Keith Higgins
State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

32065

SEP 6 1967

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on October 10, 1967 at Soda Springs,
County of Caribou, State of Idaho, before notary public (name & address) Dee Ann Baker, 30 N 1st East, Soda Springs, Idaho, proof will be
submitted of the completion of works for the diversion of ^{2.2}~~xxxxxx~~ c.f.s. of the waters
of ~~Subterranean~~ two wells, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G32065, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is El Paso Products Company
(formerly El Paso Natural Gas Products Company) P. O. Box 3986,
Odessa, Texas 79760.

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
2.2 ~~4x46x~~ cubic feet per second.

3. The use to which said water has been applied is manufacturing
fertilizers purposes, and the amount applied to beneficial
use is ^{2.2}~~xxxx~~ A c.f.s.

4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Twp. 8 S.,
Rge. 42 E., B.M., County of Caribou.

5. The place where said water is used is W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 10, Twp. 8 S.,
Rge. 42 E., B.M.

6. The date of priority which said user is prepared to establish is September 15,
1964.

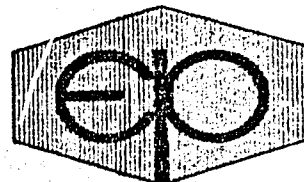
R. KEITH HIGGINSON

State Reclamation Engineer

32065

EL PASO PRODUCTS COMPANY

PROCESSING THE PAST INTO YOUR FUTURE



POST OFFICE BOX 3506
ODESSA, TEXAS 79762

September 5, 1967

RECEIVED

SEP 8 1967

Department of Reclamation

Mr. Russell Bosch
Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

Re: Permit G32065 (L/D 64045)
Permit G32615 (L/D 65027)

Dear Mr. Bosch:

Enclosed are notices of Proof of Completion of Works and Application of Water to Beneficial Use in connection with Permits G32065 and G32615 which I neglected to file last week.

G32615 covers our primary well and G32065 covers the standby.

Once again I wish to thank you for the courtesies extended during our recent visit.

Very truly yours,

R. H. Lassetter
Manager
Property Management Department

RHL:bl
Enclosures

32065

September 7, 1967

Re: Permit No. G-32065
El Paso Products Co.

R. H. Lassetter, Attorney-in-fact
P. O. Box 3986
Odessa, Texas 79760

Dear Mr. Lassetter:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit G-32065.

We have mailed the notice to the Caribou County Sun to be published once a week for four consecutive weeks prior to October 10, 1967, which is the hearing date when the permit holder

El Paso Products Company and two disinterested witnesses must appear before Dee Ann Baker, 30 N 1st East, Soda Springs, Idaho, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by R. H. Lassetter for El Paso Products Co.

Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Notary

32065

September 7, 1967

Re: Permit No. G-32065
El Paso Products Co.

Caribou County Spa
Soda Springs, Idaho 83276

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to October 10, 1967. The expense of the publication is to paid by R. H. Lassetter, Attorney-in-fact,
P. O. Box 3986, Odessa, Texas 79760,
to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

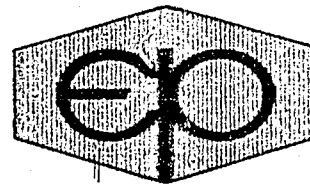
Donald W. McEldowney
Water Rights Clerk

DWM:dj

32065

EL PASO PRODUCTS COMPANY

PROCESSING THE PAST INTO YOUR FUTURE



POST OFFICE BOX 1716
ODESSA, TEXAS 79760

October 13, 1967

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Attention: Mr. Donald W. McEldowney
Water Rights Clerk

Re: Permit No. G-32065
El Paso Products Company
L/D 64045

Gentlemen:

In connection with the filing of Proof of Completion of Works
and Application of Water to Beneficial Use for Permit No. G-32065
the following are enclosed.

1. Deposition of Holder.
2. Deposition of Witness, John G. Cowan.
3. Deposition of Witness, Basil Wofford.
4. Affidavit of Publication, Caribou County Sm.

Very truly yours,

R. H. Lassetter
Manager
Property Management Department

RHL:bl
Enclosures

OCT 16 1967
Department of Reclamation

32065

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-32065

✱ ✱ ✱ ✱ ✱ ✱ ✱

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: R. H. Lassetter,

Property Manager Post Office Box 3986, Odessa, Texas 79760

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

El Paso Products Company, P.O. Box 3986, Odessa, Texas 79760 (See Below)

Ques. 3. State number, approval date of permit, and date of priority: G-32065,

September 18, 1964, September 15, 1964

Ques. 4. State source of water supply: subterranean

Give location of point of diversion, showing subdivision, section, township and range

NW $\frac{1}{4}$ NW $\frac{1}{2}$ of Section 15, Twp. 8 S., Rge. 42 E., B.M.

Ques. 5. Describe your works of diversion: Deep Well Pump

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 4 C.F.S. ; Give name of canal or ditch _____

or other works by which water is conducted to such place of use: Pipeline

_____ ; if a well, state depth of well 280 Feet ; depth and size of casing 20" to 31 ft., 18" to 239 ft., 16" to 280 ft. ; depth to water 38' ; if pump is used,

state discharge of pumps: 1800 rpm @ 87 psi; tell how it was measured or determined

by orifice plate _____; if sprinkler irrigation, give number and size
of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Manufacturing Fertilizers
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

Statutory Agent is: Mr. T. H. Eberle, 711½ Bannock, Boise, Idaho

R. H. Laesetter, Manager Property Management Department and Attorney-in-fact
(filed in Caribou County)

27-11-1919

32065

State nature of all improvements which have been made as a direct result of said use:

Raw water for fertilizer production

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Ivan Bortz, Post Office Box 226, Grace, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 10, Twp. 8 S., Rge. 42 E., B.M.

Manufacturing Fertilizers

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: August, 1965 1800 gpm - Time used since first use:

Standby and intermittent use; also fire water system.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

Permit No. G-32536

Permit No. G-32615

(sign)

R. J. Lovette
Attorney-in-fact

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Soda Springs, Idaho, County of Caribou

State of Idaho, on this 10th day of October, A. D. 1967.

My commission expires: 10-25-70

Alvin S. Baker
Notary Public for the State of Idaho
30 North 1st East
Residing Soda Springs, Idaho 83276

32065

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. _____

* * * * *

OCT 13 1967
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Name: Mr. Basil Wofford, Age: 41, Residence: 601 Keele, Montpelier, Idaho 83254

Occupation: Accountant -- Ref-Chem Company, Post Office Box 486, Soda Springs, Idaho 83276

Ques. 2 Are you acquainted with El Paso Products Company, the holder of
Permit No. G-32065 ? How long have you known him and where does he reside?

Odessa, Texas

Ques. 3. Have you read or heard said Permit No. G-32065 read, and are you familiar
with its provisions and conditions: Yes Yes No. _____

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Twp. 8 S., R. 42 E., B.M.

Describe works for conveying water to place of use: Pipeline

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4 How much water have you seen being so
conveyed? Same

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

32065

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 10, Twp. 8 S., R. 42 E., B.M.

Manufacturing Fertilizers

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? No
If so, in what way and to what extent? _____

Ques. 10. When did you first see this water used? January 1965

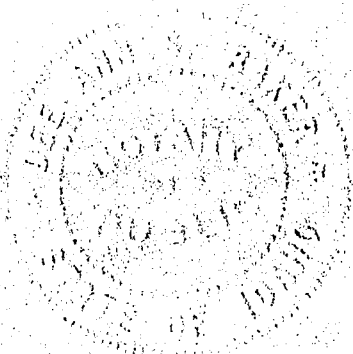
Other times you have seen such use: frequently

(Signed):

Basil Wofford

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Soda Springs

_____, County of Caribou, State of Idaho, on
this 10th day of October, A. D. 19 67



Lee Ann S. Baker

Notary Public for the State of Idaho
30 North 1st East
Residing Soda Springs, Idaho 83276

My commission expires 10-25-70

32065

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-32065

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Name: Mr. John G. Cowan Age: 56, Residence: Post Office Box 486, Soda Springs,
Idaho 83276, Occupation: Maintenance Manager - Ref-Chem Company, Box 486, Soda Springs,
Idaho 83276

Ques. 2 Are you acquainted with El Paso Products Company, the holder of
Permit No. G-32065 ? How long have you known him and where does he reside? ←

Odessa, Texas

Ques. 3. Have you read or heard said Permit No. G-32065 read, and are you familiar
with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Twp. 8 S., R. 42 E., B.M.

Describe works for conveying water to place of use: Pipeline

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4 How much water have you seen being so
conveyed? Same

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

32065

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 10, Twp. 8 S., R. 42 E., B.M.

Manufacturing Fertilizers

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? No
If so, in what way and to what extent? _____

Ques. 10. When did you first see this water used? January 1965

Other times you have seen such use: Frequently

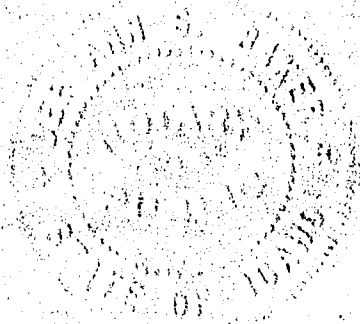
(Signed):

John G. Cowan

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Soda Springs

_____, County of Caribou, State of Idaho, on

this 10th day of October, A. D. 1967



W. L. Baker

Notary Public for the State of Idaho
30 North 1st East
Residing Soda Springs, Idaho

My commission expires 10-25-70

32065

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is Publisher...
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho pub-
lished weekly at Soda Springs in
said County, that said newspaper
has been published in said county
uninterruptedly and continuously
for over seventy-eight consecu-
tive weeks, prior to the first pub-
lication of the annexed notice or
advertisement:

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for Four...
successive weekly issues thereof,
the date of the first publication

being the 14th... day

of September..., 1967.

The date of the last publication

being the 5th... day of

October..., 1967.

V. E. Lansberry

Subscribed and sworn to be-

fore me this 5th... day

of October..., 1967.

Noel J. Lansberry

Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

27 day of Oct...

1970..

PUBLIC NOTICE

NOTICE OF PROOF OF COM- PLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on
October 10, 1967, at Soda Springs,
County of Caribou, State of Ida-
ho, before notary public Dee Ann
Baker, 30 N. 1st East, Soda
Springs, Idaho, proof will be sub-
mitted of the completion of works
for the diversion of 2.2 c.f.s. of
the waters of two wells, and the
application to beneficial use of
said water, in accordance with
the terms and conditions of per-
mit G32065, heretofore issued by
the Department of Reclamation
of the State of Idaho.

1. The name and address of
permit holder is El Paso Prod-
ucts Company (formerly El Paso
Natural Gas Products Company),
P.O. Box 3986, Odessa, Texas
79760.

2. Said works of diversion will
be fully completed on the date
for such completion, and the
amount of water which said
works are capable of conveying
to the place of use is 2.2 cubic
feet per second.

3. The use to which said water
has been applied is manufactur-
ing fertilizers purposes, and the
amount applied to beneficial use
is 2.2 c.f.s.

4. The point of diversion of

said water is NW¼NW¼ of Sec-
tion 15, Twp. 8 S, Rge. 42 E,
B.M., County of Caribou.

5. The place where said water
is used is W½W½ of Section 10,
Twp. 8 S., Rge. 42 E., B.M.

6. The date of priority which
said user is prepared to estab-
lish is September 15, 1964.

R. KEITH HIGGINSON
State Reclamation
Engineer

S14-21-28, 05

OCT 18 1967
DEPARTMENT OF RECLAMATION

G 32065 32065

October 16, 1967

Re: Permit No. G-32065

El Paso Natural Gas Products Company
P. O. Box 3986
Odessa, Texas 79760

Gentlemen:

We acknowledge receipt of the depositions and affidavit of publication in the
Caribou County Sun submitted as proof of com-
pletion of works and beneficial use on Permit G-32065.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

32065

**NOTICE OF PROOF OF COM-
PLETION OF WORKS AND
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that on October 10, 1967, at Soda Springs, County of Caribou, State of Idaho, before notary public Dee Ann Baker, 30 N. 1st East, Soda Springs, Idaho, proof will be submitted of the completion of works for the diversion of 2.2 c.f.s. of the waters of two wells, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G32065, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is El Paso Products Company (formerly El Paso Natural Gas Products Company), P.O. Box 3336, Odessa, Texas 79760.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.2 cubic feet per second.

3. The use to which said water has been applied is manufacturing fertilizers purposes, and the amount applied to beneficial use is 2.2 c.f.s.

4. The point of diversion of said water is NW 1/4 of Section 15, Twp. 8 S., Rge. 42 E., B.M., County of Caribou.

5. The place where said water is used is W 1/2 of Section 10, Twp. 8 S., Rge. 42 E., B.M.

6. The date of priority which said user is prepared to establish is September 15, 1964.

R. KEITH HIGGINSON
State Reclamation
Engineer

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, EL PASO PRODUCTS COMPANY (formerly El Paso Natural Gas Products Company), a Texas corporation, does hereby sell, assign, transfer and set over to EL PASO PRODUCTS SERVICE COMPANY, a Texas corporation, all of the undersigned's water rights, licenses, permits and applications for permits for the appropriation of water in the State of Idaho, which permits include, without limitation, those granted under the following permit numbers:

Caribou County, Idaho

G-32536

G-32615

G-32065

27-2136 ✓

TOGETHER WITH all of the undersigned's pipe and water lines, pumps, equipment, installation and related facilities used in diverting and utilizing the water to which said permits and licenses are applicable.

IN WITNESS WHEREOF, the Assignor has executed this Assignment as of the 1st day of May, 1969.

Permit Holder:

ATTEST:

EL PASO PRODUCTS COMPANY

John B. Mason
Assistant Secretary

By M. M. HITCHESON
Vice-President

STATE OF TEXAS)
COUNTY OF ECTOR)

On this 26th day of September, 1969, before me, a Notary Public, personally appeared M. M. HITCHESON, Vice-President of the corporation that executed the above instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

June Bowers
Notary Public

My Commission Expires:

67515

JUNE BOWERS
Notary Public, County of Ector, Texas.
My Commission Expires June 1, 1971.

REG. NO. 1593

STATE OF IDAHO)
County of Caribou)
I hereby certify that this instrument was filed of the record of
El Paso Products at 9:15 o'clock A.
this 7th day of November, 1969 in my office and
duly recorded in Microfilm Records Caribou County
67515 Kenneth M. Fowler
Ex-Officio Recorder

27-2136
32065

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINS
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 26, 1970

Re: Permits No. G-32536/27-2145 23082/24-2040
G-32615/27-2147 23083/24-2041
G-32065/27-2136 24160/27-2105
G-26003/11-2114 24311/24-2043
G-30138/11-2126 24502/27-2106
21981/27-2103 24886/24-2044
25038/27-2108 25915/24-2045

John M. Green, Supervisor
Property Management Department
El Paso Products Company
Box 3986
Odessa, Texas 79760

Dear Mr. Green:

With referenced to your letter of December 9, 1969, please be advised that Idaho law no longer requires a filing fee for the processing of assignments. Therefore, we are returning enclosed your firm's check in the amount of \$7.00.

All assignments submitted with the exception of two have been accepted and recorded. We are not able to officially record the assignments for the following Water Licenses: G-26003/11-2114 and 25915/24-2045.

The office of the Idaho Attorney General has advised us that there is no statutory provision or authority showing ownership changes in a licensed water right. Any rights established under a water license are vested in the real property and the owner of that property controls the water right. Therefore, we are filing a copy of these two assignments for information purposes only, but are not officially recording the documents as official assignments.

If we may be of further assistance, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/jmb

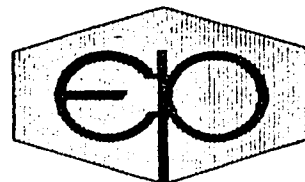
Enc. Check - \$7.00

97-2136

32065

EL PASO PRODUCTS COMPANY

PROCESSING THE PAST INTO THE FUTURE



HEAD OFFICE 801 N. 100th
DALLAS, TEXAS 75243

December 9, 1969

RECEIVED
JAN 14 1970
Department of Reclamation

State Reclamation Engineer
State of Idaho
Boise, Idaho 83701

Re: Assignment of Water Rights-
El Paso Products Service Co.

Dear Sir:

The El Paso Products Company is assigning to its subsidiary, El Paso Products Service Company, the water rights in Bear Lake County and Caribou County, Idaho under certain permits granted by the Bureau to our company.

We are enclosing copies of the assignment, covering twelve permits in Caribou County and two permits in Bear Lake County. There is also enclosed our Check No. 77388 for \$7.00 covering the recording fee of \$.50 for each of the permits to be recorded in the records of the Department of Reclamation.

We trust that this procedure is still in effect, but if any further information is required from us we will be happy to cooperate. Thank you for your attention to this matter.

Very truly yours,

John M. Green
Supervisor
Property Management Department

JMG:bl

Enclosures

27-2136

32065

WATER LICENSE

Water License No. G-32065/27-2136 Priority September 15, 1964 Amount 2.2 c.f.s.THIS IS TO CERTIFY, that El Paso Products Service Company

of Odessa, Texas, made application for a permit to appropriate the public waters of the State of Idaho, dated September 15, 1964, that Permit G-32065/27-2136 was issued pursuant to said application, that the proposed works were completed on or about August 1965, with a storage or carrying capacity of 2.2 c.f.s., said works consisting of wells, pumps, and pipelines, and that on October 10, 1967

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1,590 acre feet per season, with a maximum rate of diversion of 2.2 cubic feet per second of the waters of a ground water source, tributary of

for the purpose of manufacturing fertilizers from January 1 to December 31

and for from to ; and for

from to ; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation the point of diversion is

located in NW 1/4 Sec. 14, T. 4 S., R. 42 E., B.M. and other additional points SW 1/4 Sec. 10, T. 4 S., R. 42 E., B.M. in the County of

Caribou, and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially

used for said purposes and shall not exceed 1,590 acre feet per year

Description and location of place of use

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
S S	42 E	10						X	X			X	X						

Total number of acres irrigated

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23 day of September, 1970

Deputy State Reclamation Engineer

27-2136

32065

September 23, 1970

Re: Permit No. 27-2136 (G-32065)

El Paso Products Service Company
P.O. Box 3986
Odessa, Texas

Gentlemen:

Enclosed herewith is the Water License issued on the above numbered permit.

Very truly yours,

C. Stephen Allred
Deputy Director

CSA:KE

Enclosure

27-2136
32065

September 16, 1970

Re: Permit No. 27-2136 (G-32065)

El Paso Products Service Company
P.O. Box 3986
Odessa, Texas

Dear Sirs:

A representative of this department has made an examination of the works covered by your Permit No. 27-2136 and has found the following:

Quantity of water diverted: 2.2 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 2.2 c.f.s.

The maximum quantity of water diverted shall not exceed 1,590 acre feet per season.

Beneficial Use: Manufacturing fertilizers within the W&W Sec. 10,
T. 8 S., R. 42 E., B.M.

The priority date established is : September 15, 1964

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

Fee Paid
9-16-70
Receipt given
to SISI
27-2136
32065

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

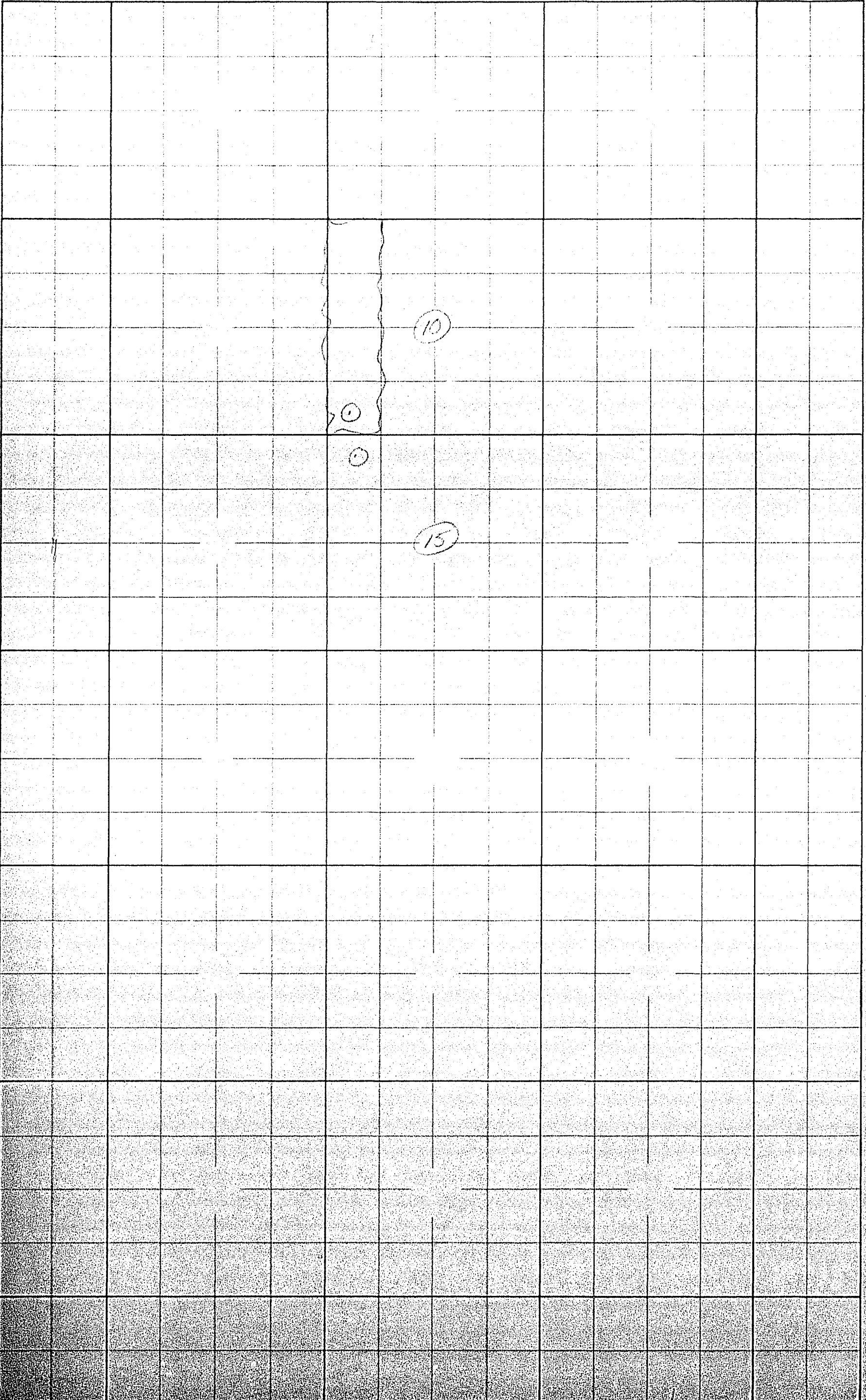
PERMIT NO. G-32065/27-2136

REPORT ON PROOF OF B/U - El Paso Products Service Co.

27-2136
32065

R. 42 E

T
8
S



STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-32065/27-2136

This proof is for b/u

In Water District No.

1. Name of applicant El Paso Products Service Co. Box 3986, Odessa, Texas

2. Source of water supply: ground water

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, 10

T. 8 S R. 42 E County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same: pipeline,

well 280' deep, casing 20" to 31', 18" to 239', 16" to 280', pump 1800 GPM

5. Water is used for: manufacturing fertilizers

6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 8 S, R. 42 E Sec. 10 W $\frac{1}{2}$ W $\frac{1}{2}$

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: check amount of water used

Well in Section has been abandoned
 use of water based on information supplied by
 applicant. See attached letter

This examination was made on the 22 day of Sept, 1970

(Signed) *[Signature]* Examiner.

27-2136

32065

ASCS : Soda Springs
SCS : Soda Springs

Permit No. G-32065/27-2136 - El Paso Products Service Co.

Examination for B/U

County Caribou 10,

Quantity: (permit) 2.2 c.f.s. (proof) 4.0
Sec. 15 T. 8S R. 42E

Source: ground water

P.D.: NW $\frac{1}{4}$ NW $\frac{1}{4}$ - Sec. 15
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - Sec. 10

Use: manufacturing fertilizers

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: Sept. 15, 1964 MADE: Oct. 16, 1967

Due: Sept. 18, 1969 PRIORITY: Sept. 15, 1964

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

August 24, 1970

Re: Permit No. 27-2147
27-2145
27-2136

C El Paso Natural Gas Products Co.
Post Office Box # 3986
Odessa, Texas

O ATTENTION: R. H. Lassetter, Manager - Property Management Department

Dear Mr. Lassetter:

P With reference to your letter of July 29, 1970, please be advised; we have evaluated the applications for extension of time, submitted under Section 42-225a of the Idaho Code. We find that we are not able to process the extension, inasmuch as a water right has not been established under the ground water filings referenced above. If the license had been issued, and a water right confirmed, then we could have processed this nature of extension.

Y A normal extension of time under a permit requiring additional time for submitting of evidence of beneficial use, as indicated under Section 42-218, Idaho Code, would only apply in cases where additional time is sought prior to the date when proof is due.

27-2136
32065

August 24, 1970
El Paso Natural Gas Products Co.
ATTENTION: R. H. Lassetter, Manager -
Property Management Department

Re: Permit No. 27-2147
27-2145
27-2136

After discussing this matter with the Attorney General's Office, we feel that possibly the only way to resolve your problem would be for you to petition the Director of the Department of Water Administration, stating, in detail, the reason you need the additional time before the examination and licensing, in that, under the powers of the Director of the Department of Water Administration, there is a possibility for an extension of time to be granted.

C Other than this, we are at a loss to find a means by which the permits in question can be held without action. The only other solution, would be that if a license were not issued under these permits, and the permits were cancelled, for new permits to be filed on the project..

O We are returning your check in the amount of \$60.00, and your application for extension of time under 42-222, of the Idaho Code. If you have any questions in the matter, please do not hesitate to contact us.

Very truly yours

P Dorian Clay
Appropriation Examiner

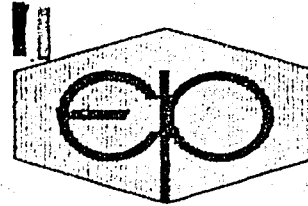
DC:cm

Y Enc: check in the amount of \$60.00
application for an extension of time

27-2136
32065

EL PASO PRODUCTS COMPANY

PROCESSING THE PAST INTO YOUR FUTURE



POST OFFICE BOX 248
ODESSA, TEXAS 79661

July 29, 1970

Department of Reclamation

Mr. Donald McEldowney
Appropriation Supervisor
Department of Reclamation
State of Idaho
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permits 27-2147
27-2136
27-2145

Dear Mr. McEldowney:

After my visit with you and Mr. Clay regarding the Department's letter of October 28, 1969, I conferred with our engineering people relative to the information requested.

After several attempts to analyze our experiences with the Plant, it became apparent that we could not give the needed figures. Ours was a new plant and was under constant change up until the time of shutdown. Therefore, a water balance had never been achieved.

It appears that the logical thing to do is ask for an extension of time. After the plant has been put back in operation we should be in a position of more certainty with respect to the quantity involved.

Enclosed are Application for Extensions on the permits listed along with the required fee of \$60.00. Inadvertently, I might have misunderstood the new number 27-2136 (old number G-32065) since it does not fall in order. It might be 27-2146.

If our judgment of the situation does not agree with yours, would you please call me collect at Odessa, Texas, Area Code 915, 337-2811.

Yours very truly,

R. H. Lassetter
Manager

Property Management Department

RHL:bk

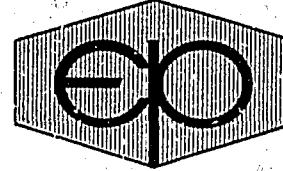
Enclosures

27-2136
32065



EL PASO PRODUCTS COMPANY

PROCESSING THE PAST INTO YOUR FUTURE



POST OFFICE BOX 3986
ODESSA, TEXAS 79760

October 21, 1970

RECEIVED
OCT 28 1970

Department of Water Administration

Mr. C. Stephen Allred
Deputy Director
Department of Water Administration
State of Idaho
Boise, Idaho 83707

Re: License No. 27-2136

Dear Mr. Allred:

Enclosed, in duplicate, is Application to Change the Point of Diversion - License No. 27-2136 along with El Paso Products Service Company's Check No. 406 in the amount of \$20.00 to cover the filing fee.

I understand from our meeting of September 16, 1970, that this procedure will take approximately six or seven weeks.

If the application is approved, I understand we will be permitted to take the 2.2 C.F.S. from any combination of our three wells and that the 1.15 C.F.S. upon which you are to issue us a license under Permit No. 27-2145 will also permit us to take from any of the same wells.

Upon issuance of the license under Permit No. 27-2145 I understand that we should request termination of Permit No. 27-2147.

Sincerely yours,

R. H. Lassetter
Manager
Property Management Department

RHL:bk

Enclosures

27 2136

Identification No. _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

OCT 22 1970

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Department of Water Administration

1. Name of Right Holder El Paso Products Service Company
Post office address Post Office Box #3986, Odessa, Texas
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____.
- b. License No. 27-2136 issued by the State of Idaho, Department of Reclamation.
3. Source of water ground water tributary to _____
(Name of stream or source)
4. Date of Priority @2:30 P.M., September 15, 1964
5. Amount of water a. 2.2 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for manufacturing fertilizers from Jan. 1 to Dec. 31
(Month, Day) (Month, Day)
7. Original location of point of diversion is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15,
Township 8 S, Range 42 E, B.M., in Caribou County;
Additional points of diversion, if any _____

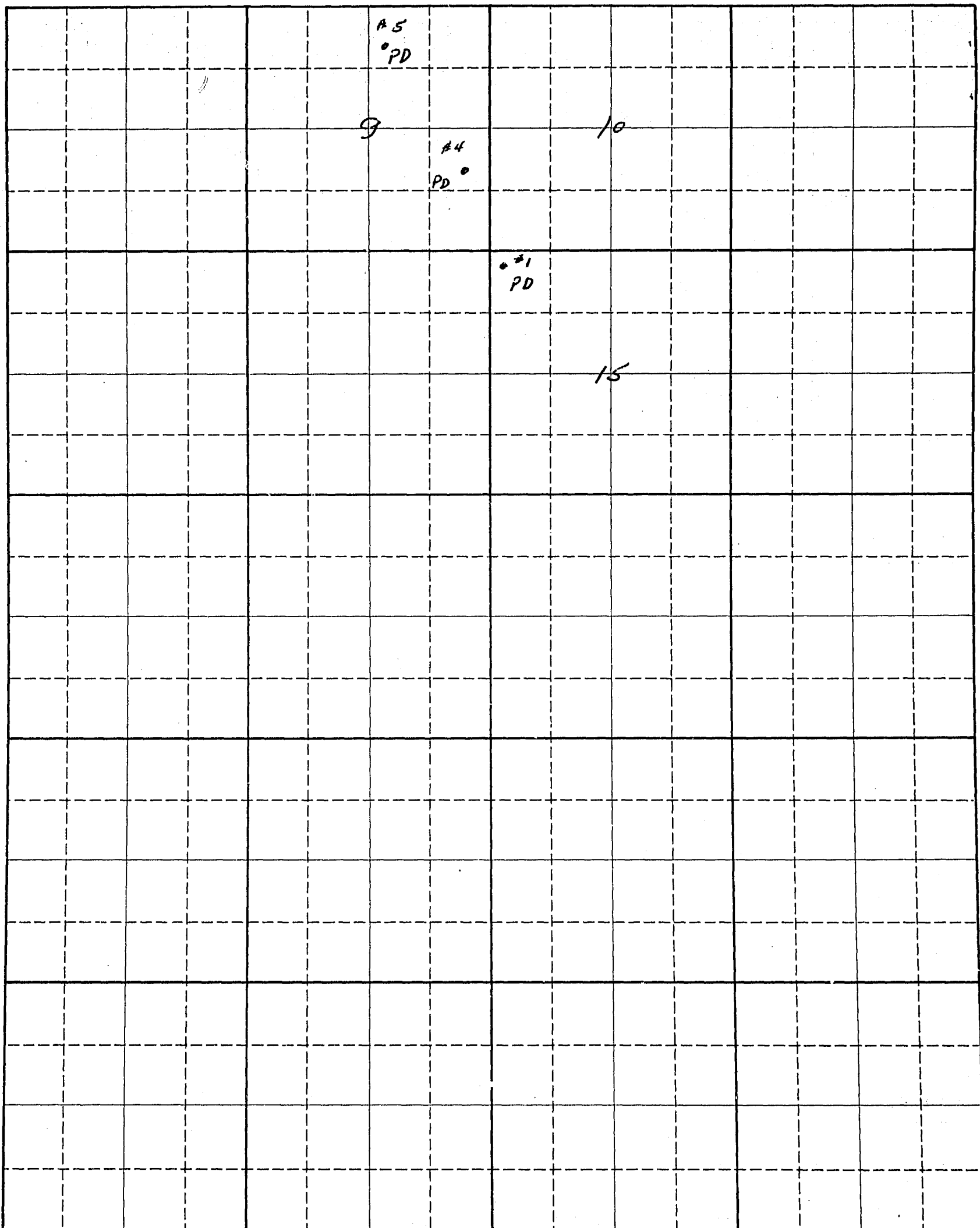
8. Lands presently irrigated or place of use: W1/2 Sec. 10, T.8 S., R.42 E., B.M.

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres presently irrigated _____

27 2136

27 2136



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: _____

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 2.2 c.f.s. and/or _____ acre feet

b. New point of diversion: NE SE 9
NW 1/4 NE 1/4, Section 9, Township 8 S
NW NW 15
_____, Range 42 E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: _____

water is used from all wells for fertilizer manufacturing plant

d. Is water to be conveyed to the lands previously irrigated? Yes _____ No _____

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

for flexibility of operation of the water system

f. Do you intend to make the transfer permanent? yes

g. Do you intend to abandon completely the old point of diversion? no

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

27 2136

27 2106

- b. Do you intend to make the transfer permanent?_____
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:_____

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

EL PASO PRODUCTS SERVICE COMPANY

By John B. Mason
Vice-President (signature of applicant)

Subscribed and sworn to before me this 20th day of October, 19 70

Barbara Kuykendall
(notary public)

My commission expires June 1, 1971.

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. _____,
and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:_____

Witness my hand this _____ day of _____, 19 _____.

State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by <u>ej</u>	Date <u>10-23-70</u>	Protest filed by:	Date
Prelim. check by <u>JMC</u>	Date <u>10-23-70</u>	<u>Copy only</u>	
Fee received by <u>ej</u>	Date <u>10-23-70</u>	Fee \$ <u>20.00</u>	
Approved for publication by _____			
Published in _____	Dates _____		
Hearing held _____			
Watermaster Recommendation sent _____			

7

PLEASE DETACH HERE BEFORE PRESENTING THIS CHECK

FORM P-1-201 (5-69) EL PASO PRODUCTS SERVICE COMPANY, ODESSA, TEXAS, REMITTANCE STATEMENT

INVOICE DATE	INVOICE NUMBER OR DESCRIPTION	AMOUNT	DISC. OR DEDUCTION	NET AMOUNT
10/20/70	FILING FEE - APPLICATION TO CHANGE POINT OF DIVERSION LICENSE 27-2136	20.00		20.00
	OK TO BARBARA			

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 1648

Notice is hereby given that El Paso Products Service Company
of Odessa, Texas has applied to the Department of Water
Administration for a change of point of diversion of the waters of
a ground-water source.

The right sought to be changed is evidenced by Water License No. 27-2136
and is recorded as follows.

Amount: 2.2 c.f.s. Priority: September 15, 1964

Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, T. 8 S., R. 42 E., B.M., Caribou County

The water is used for manufacturing fertilizers purposes within the W $\frac{1}{2}$ Sec. 10,
T. 8 S., R. 42 E., B.M.

TO BE CHANGED AS FOLLOWS

Amount: 2.2 c.f.s.

Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, T. 8 S., R. 42 E., B.M.

The water will be used for manufacturing
fertilizers purposes

Any protests against approval of the proposed change of water right appli-
cation must be filed with the Department of Water Administration on or before
November 23, 1970.

R. KEITH HIGGINSON
Director

Published in the Caribou County Sun, P.O. Box 815, Soda Springs, Idaho
on November 5 and November 12, 1970.

27 2136

October 27, 1970

Re: Transfer Application No. 1648

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

27 2136

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 1648**

Notice is hereby given that El Paso Products Service Company of Odessa, Texas, has applied to the Department of Water Administration for a change of point of diversion of the waters of a ground-water source. The right sought to be changed is evidenced by Water License No. 27-2136 and is recorded as follows: Amount: 2.2 c.f.s. Priority: September 15, 1964. Point of Diversion: NW $\frac{1}{4}$ -NW $\frac{1}{4}$ Sec. 15, T. 8 S., R. 42 E., B. M., Caribou County. The water is used for manufacturing fertilizers purposes within the W $\frac{1}{2}$ Sec. 10, T. 8 S., R. 42 E., B. M.

TO BE CHANGED AS FOLLOWS:

Amount: 2.2 c.f.s.

Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, T. 8 S., R. 42 E., B. M. The water will be used for manufacturing fertilizers purposes.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before November 23, 1970.

R. KEITH HIGGINSON
Director

Published in the Caribou County Sun, P. O. Box 815, Soda Springs, Idaho on November 5 and November 12, 1970.

ok
N.H.
11-4-70

23
2136

November 24, 1970

Re: Application for Transfer No. 1648

C
O
P
Y
Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

Dear Sirs:

As of this date we have not received the certified bill or affidavit of publication on the above numbered application for transfer. This transfer application was to have been advertised in your paper on the 5th and 12th of November. Please submit the above requested promptly.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

27 1970

December 16, 1970

Re: Transfer No. 1648/27-2136

C

El Paso Products Service Company
P.O. Box 3986
Odessa, Texas

O

Gentlemen:

Enclosed herewith is a copy of your approved transfer of water right No. 1648/27-2136.

Also enclosed is departmental receipt No. 5253 in the amount of \$20.

P

If you have any questions, please feel free to contact us.

Very truly yours,

Y

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures

27 2136

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

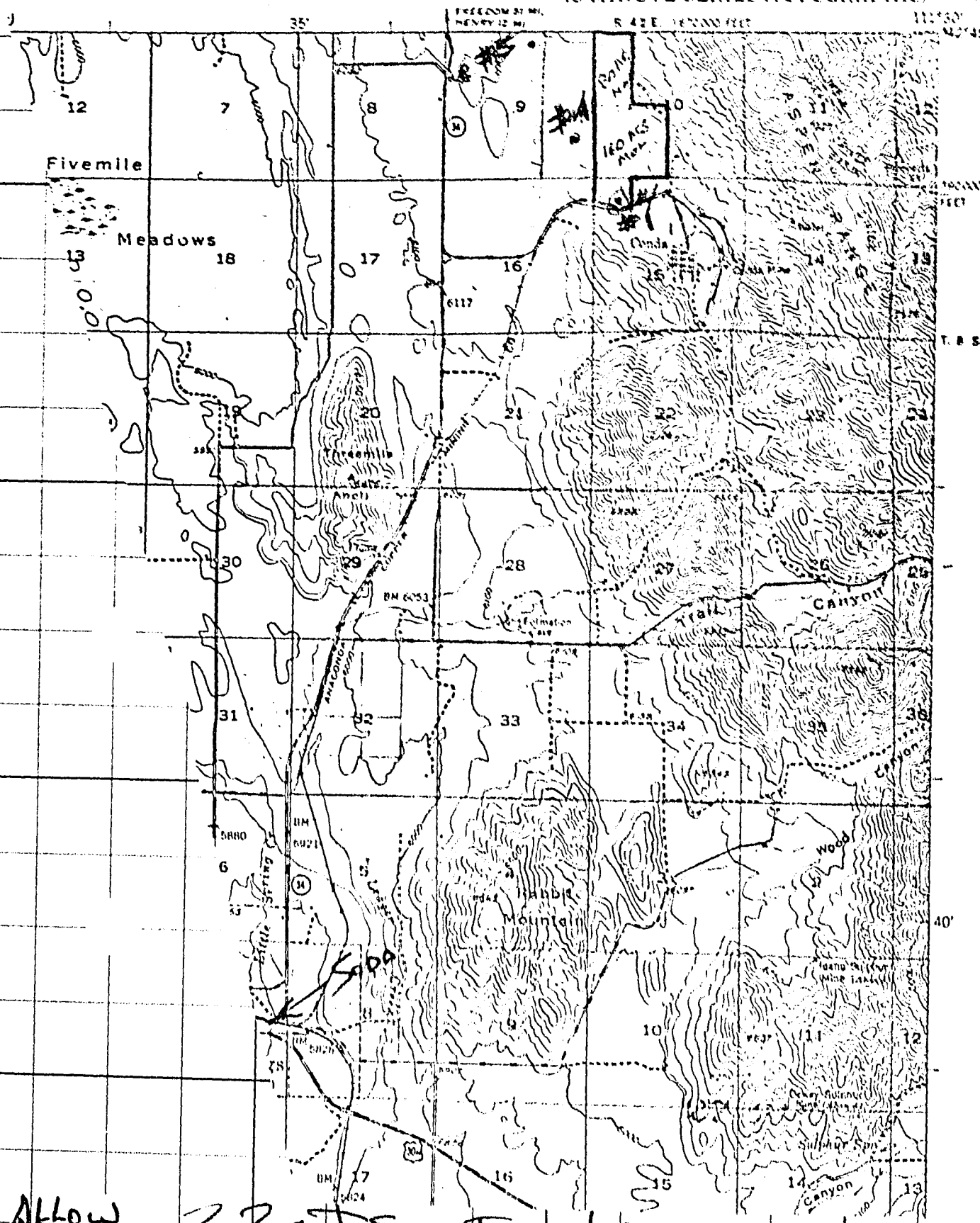
REPORT OF EXAMINER

PERMIT NO. G-32065

REPORT ON PROOF OF Completion of Works & Beneficial Use

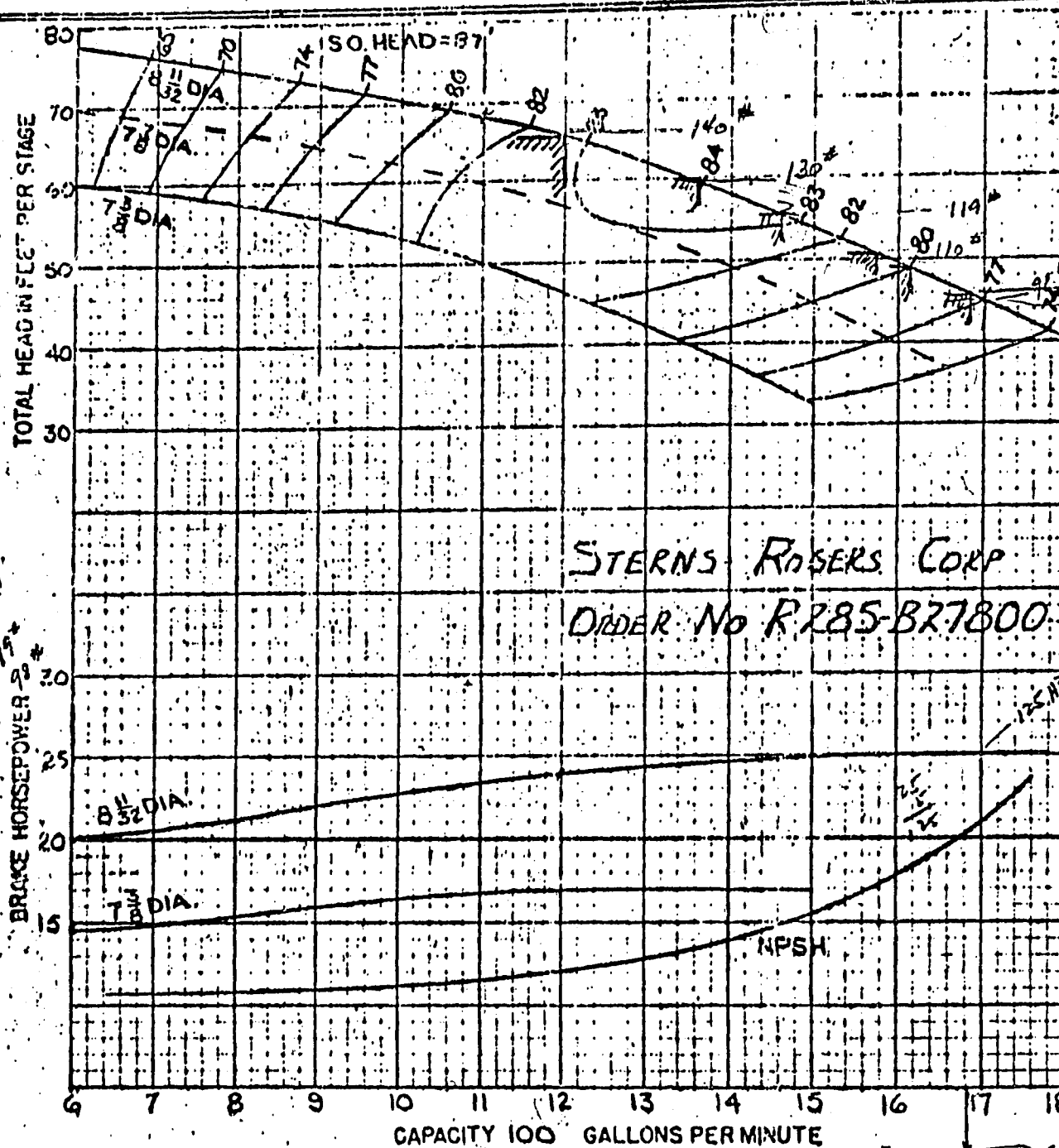
27 2136

SODA SPRINGS QUADRANGLE
IDAHO
15 MINUTE SERIES (TOPOGRAPHIC)



ALLOW 2.2 C.T.S. - FOR MANUFACTURING.
Priority September 15, 1964

12H-135
1760 RPM



STERNS	ROSEN	CORP
ORDER No	R285-B27800	

DTP 25846 / DEN-17096

NP5H-FFFF

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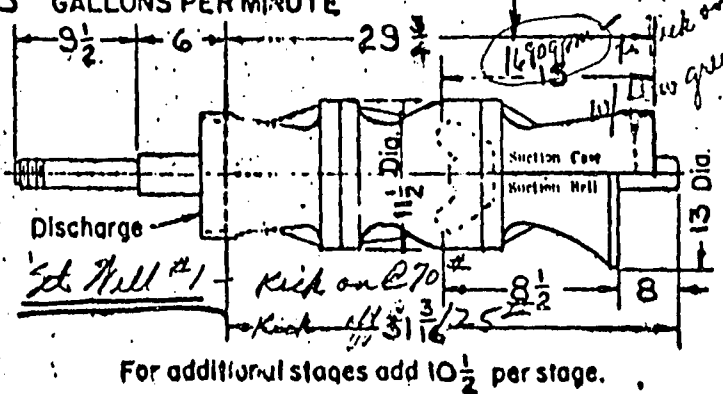
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—

Efficiency shown is for 3 stages or more, with standard materials. For fewer stages or other materials change efficiency as shown.

No. of stages	Eff. change	MATERIAL	Eff. change	Standard materials
6	—	Impeller—bronze	—	Impeller—bronze
5	—	Impeller—c.i.	—	Bowl—cast iron/enamelled
4	—	Impeller—c.i.enm.	—	Thrust factor
3	—	Bowl—c.i.enm.	—	Rotor wt. per stage (lbs.)
2	—	Bowl—cast iron	—	Bowl wt. 1st stage (lbs.)
1	—	Bowl—bronze	—	Bowl wt. add'l. stage (lbs.)
				Max. bowl horsepower
				Impeller eye area (sq. in.)

VERTICAL ENGINE PUMP DIVISION, DENVER, COLORADO
 Made in U.S.A.



For additional stages add $10\frac{1}{2}$ per stage.

Impeller shaft diameter	1.75	Column pipe	8	10
Minimum impeller shaft play	.53	Suction pipe	10	

WORTHINGTON

24 26

ALLOW 2.2 CTS - For MANUFACTURING

Priority September 15, 1962

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32065

This proof is for C/W & B/U

In Water District No. _____

1. Name of applicant El Paso Natural Gas Products Co.

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15
T. 8 S R. 42 E County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same:

NOTE ATTACHMENTS. 150 HP G.E. ELEC
MOTOR - VERTICAL TURBINE PUMP

5. Water is used for: manufacturing fertilizers ✓

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

W $\frac{1}{2}$ W $\frac{1}{2}$, Sec. 10, T. 8 S, R. 42 E, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

MR. MIKE O'HARA CONTACTED. CONTACT MR. GREEN
ODISSA, TEXAS FOR FURTHER INFORMATION
THE PLANT MANUFACTURES PHOSPHATE FERTILIZER WHEN
IN OPERATION. THE PLANT IS PRESENTLY
CLOSED BECAUSE OF AN ECONOMIC SITUATION
(NO MARKET FOR FERTILIZER)
ONLY #1 WELL IS PRESENTLY BEING USED.

This examination was made on the 19TH day of AUG., 1968 22

(Signed) _____ Examiner.

27 2126

El Paso Natural Gas Products Co.

Box 3986

Odessa, Texas

Permit No. G-32065

24-2134

Examination for C/W & B/U

deep well, pump

20"-280'

H - 38'

Q - 1800 gpm

PH - SA73315

1

County Caribou

Sec. 15 T. 8S R. 42E

Quantity: 2.2 c.f.s.

27-

Source: subterranean

J. W. Lowery

Mrs. Mike O'Jara

Mrs. Cassanova }
Mrs. Green } RENE

SW

P.D.: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 8 S, R. 42 E, B.M.

(amendment make after advertising to include another P.D.)

Use: manufacturing fertilizers

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: September 15, 1964

Due: September 18, 1969

Made: October 10, 1967

Priority: September 15, 1964

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public road.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

27 2200

State of Idaho

RECEIVED

Department of Water Administration

JUL 5 1973

ASSIGNMENT OF PERMIT

Department of Water Administration

Eastern District Office

We, El Paso Products Service Company, hereby assign to Agricultural Products Corporation

of Conda, Idaho 83230

Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. G32065/27-2136 to appropriate the public waters of the State of Idaho. WELL #1

☐ The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Describe that portion of the permit being assigned by listing the acreage within each 40-acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage.)

as of the 19th day
Made ~~this~~ _____ day of _____, 19 72.

EL PASO PRODUCTS SERVICE COMPANY

By John B. Mason

Permit Holder (Vice President)

Spouse of Permit Holder

Texas
State of ~~Idaho~~)
County of Ector) ss.

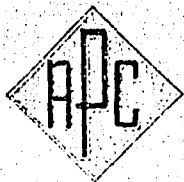
On this 28th day of June, 19 73, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Barbara Luykendaal
Notary Public residing at

Odessa, Texas

My commission expires: June 1, 1975

27 2136



AGRICULTURAL PRODUCTS CORPORATION

A BEKER INDUSTRIES CORP. SUBSIDIARY

35 MASON STREET, GREENWICH, CONNECTICUT 06830

TELEPHONE 203-661-5700

RECEIVED

JUL 5 1973

Department of Water Administration
Eastern District Office

July 2, 1973

State of Idaho
Department of Water Administration
240 South Holmes Avenue
Idaho Falls, Idaho 83401

Gentlemen:

Some time ago you requested that forms for assignment of water well permits be executed by El Paso Products Service Company. These relate to water wells at our Conda, Idaho plant.

We have procured the necessary assignments, and you will find enclosed herewith individual original assignments for each of the three water permits in question.

I also enclose a photocopy of two assignments, both dated May 19, 1972, executed by El Paso to our company, covering various permits and licenses dealing with the appropriation of water in the State of Idaho.

I trust that with these documents your records are now in order, but if there is anything else which we should file or any fees involved with respect to these filings, please communicate with the undersigned.

Thanking you for your attention to this matter, I am

Very truly yours,

A. J. Asche

AJA:gh
c.c. Mr. Myrlen E. Kelly

27 2136

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

July 18, 1973

Re: Permit No. 32536/27-2145
32615/27-2147
License No. 32065/27-2136

Agricultural Products Corp.
Attn: Mr. A.J. Asche
35 Mason Street
Greenwich, Connecticut 06830

Gentlemen:

We received the assignments conveying the above referenced permits to Agricultural Products Corp. The assignments have been recorded and the Departments' records changed. Enclosed please find copies of the Water License issued on these permits.

With reference to License No. 32065/27-2136, we wish to advise you that the Department has no procedure for changing the records of ownership once a permit has been licensed. When a license is issued, it becomes appurtenant to the land and ownership is automatically conveyed with the land unless it is specifically withheld in the sale transaction. However, we will place the assignment in our file for future reference as to present ownership.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/DR:bjg

Enclosure: Copy of license (2)

27 2136

State of Idaho

WATER LICENSE

Water License No. G-32065/27-2136 Priority September 15, 1964 Amount 2.2 c.f.s.

THIS IS TO CERTIFY, that El Paso Products Service Company
of Odessa, Texas, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 15, 1964; that Permit G-32065/27-2136 was issued pursuant
to said application; that the proposed works were completed on or about August 1965
with a storage or carrying capacity of 2.2 c.f.s., said works consisting of
wells, pumps, and pipelines; and that on October 10, 1967,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1,590
acre feet per season, with a maximum rate of diversion of 2.2 cubic feet per second of the waters
of a ground water source, tributary of _____,
for the purpose of manufacturing fertilizers from January 1 to December 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is
located in NW 1/4 NW 1/4 Sec. 15, T. 8 S., R. 42 E., B.M. and
other additional points SW 1/4 Sec. 10, T. 8 S., R. 42 E., B.M., in the County of
Caribou; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 1,590 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8 S	42 E	10						X	X			X	X						

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23 day of September, 1970.

[Signature]
Deputy State Reclamation Engineer

27 2136

27-2136

32065

10
RECEIVED
Affidavit of
Publication 30 1970

County of Caribou } Department of Water Administration
State of Idaho }

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is ... publisher ...
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho, pub-
lished weekly at Soda Springs in
said County, that said newspaper
has been published in said Coun-
ty uninterruptedly and continu-
ously for over seventy-eight con-
secutive weeks, prior to the first
publication of the annexed notice
or advertisement;

That the annexed notice was
published as per clipping attached
in the regular and entire edition
of said newspaper and not in any

supplement thereof for ... two ...
successive weekly issues thereof,
the date of the first publication

being the ... 5th ... day

of ... November ... 1970

The date of the last publication

being the ... 12th ... day of

... November ... 1970

V. E. Lansberry
Subscribed and sworn to be

fore me this ... 27th ... day

of ... November ... 1970

Elaine S. Johnson

Notary Public, residing
at Soda Springs, Idaho.
(SEAL)

My Commission expires the

1st day of ... November ...

1974.

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 1648**

Notice is hereby given that El
Paso Products Service Company
of Odessa, Texas, has applied to
the Department of Water Admin-
istration for a change of point
of diversion of the waters of a
ground-water source. The right
sought to be changed is evidenced
by Water License No. 27-2136 and
is recorded as follows. Amount:
2.2 c.f.s. Priority: September 15,
1964. Point of Diversion: NW¼-
NW¼ Sec. 15, T. 8S., R. 42 E.,
B. M., Caribou County. The water
is used for manufacturing fertil-
izers purposes within the W¼
Sec. 10, T. 8 S., R. 42 E., B. M.

TO BE CHANGED AS FOL-
LOWS:

Amount: 2.2 c.f.s.
Point of Diversion: NE¼SE¼,
NW¼NE¼ Sec. 9; NW¼NW¼
Sec. 15, T. 8 S., R. 42 E., B. M.
The water will be used for manu-
facturing fertilizers purposes.

Any protests against approval
of the proposed change of water
right application must be filed
with the Department of Water
Administration on or before No-
vember 23, 1970.

R. KEITH HIGGINSON
Director

Published in the Caribou Coun-
ty Sun, P. O. Box 815, Soda
Springs, Idaho on November 5
and November 12, 1970.

27 2136

STATEMENT

Caribou County Sun

PRINTERS - PUBLISHERS

OFFICIAL NEWSPAPER FOR COUNTY OF CARIBOU,
CITIES OF SODA SPRINGS, GRACE AND BANCROFT

Soda Springs, Idaho 83276

December 1, 1970

Transfer Application No. 1648
El Paso Products Service Company

Publish Transfer No. 1648

Proposed Change of Water Right \$9.20

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

V. E. Lansberry
V. E. Lansberry

State of Idaho
Dept. of Water Administration
Statehouse--Annex 2
Boise, Idaho 83707
ATTN: Donald W. McEldowney

27 2136