

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM**
RECEIVED

CIVIL CASE NUMBER: 79576

Claim ID: 11-2114

Date Received: 10/18/23

Receipt No: E649560

Claim Fee: \$100.00 By: CA

OCT 18 2023

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of claimant(s) Nu-West Mining Inc. Phone (208) 547-4123

Mailing address P.O. Box 758, Soda Springs, Idaho Zip 83276
Street or Box City State

Email address (optional) _____

2. Date of priority: (Only one per claim) 9/29/1955 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____
which is tributary to (b) _____

4. a. Location of point of diversion is: Township 10S, Range 44E, Section 24,
SE 1/4 of SW 1/4, Govt. Lot 4, BM, County of Bear Lake

Parcel no. _____

Additional points of diversion, if any: 10S 44E SEC 24 SESW L4 (Two adjacent wells)

If available, GPS Coordinates N42 32'04.3" W111 15'41.0"

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,

Govt. Lot _____, BM, County of _____

Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,

Govt. Lot _____, BM, County of _____

5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Two adjacent wells can divert water for industrial uses. Both wells are historic wells, and well log data is uncertain. However, there is a well log in the name of the original water right holder, which is attached. Another well log is available in the water right backfile that may pertain to the second well. On site verification indicates the wells are both 16" diameter. The pump is not installed in the wells at this time.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Industrial purposes from 1/01 to 12/31 amount 0.5 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.5 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Mining phosphate and manufacturing and associated uses (i.e. dust abatement, etc.)

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

See attached POU Legal Description

Parcel no(s). _____ Total number of acres irrigated _____

10. In which county(ies) are lands listed above as place of use located? Bear Lake

11. Do you own the property listed above as place of use? Yes (☒) No (☐)
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (☒)

13. Remarks (Include an explanation of the priority date selected):

Priority date reflects original licensed priority date.

Attachments:

1) Narrative

2) Tabulation of POU Subdivisions

3) Evidence of original beneficial use

4) Well log

Name of claimant(s) Nu-West Industries, Inc.

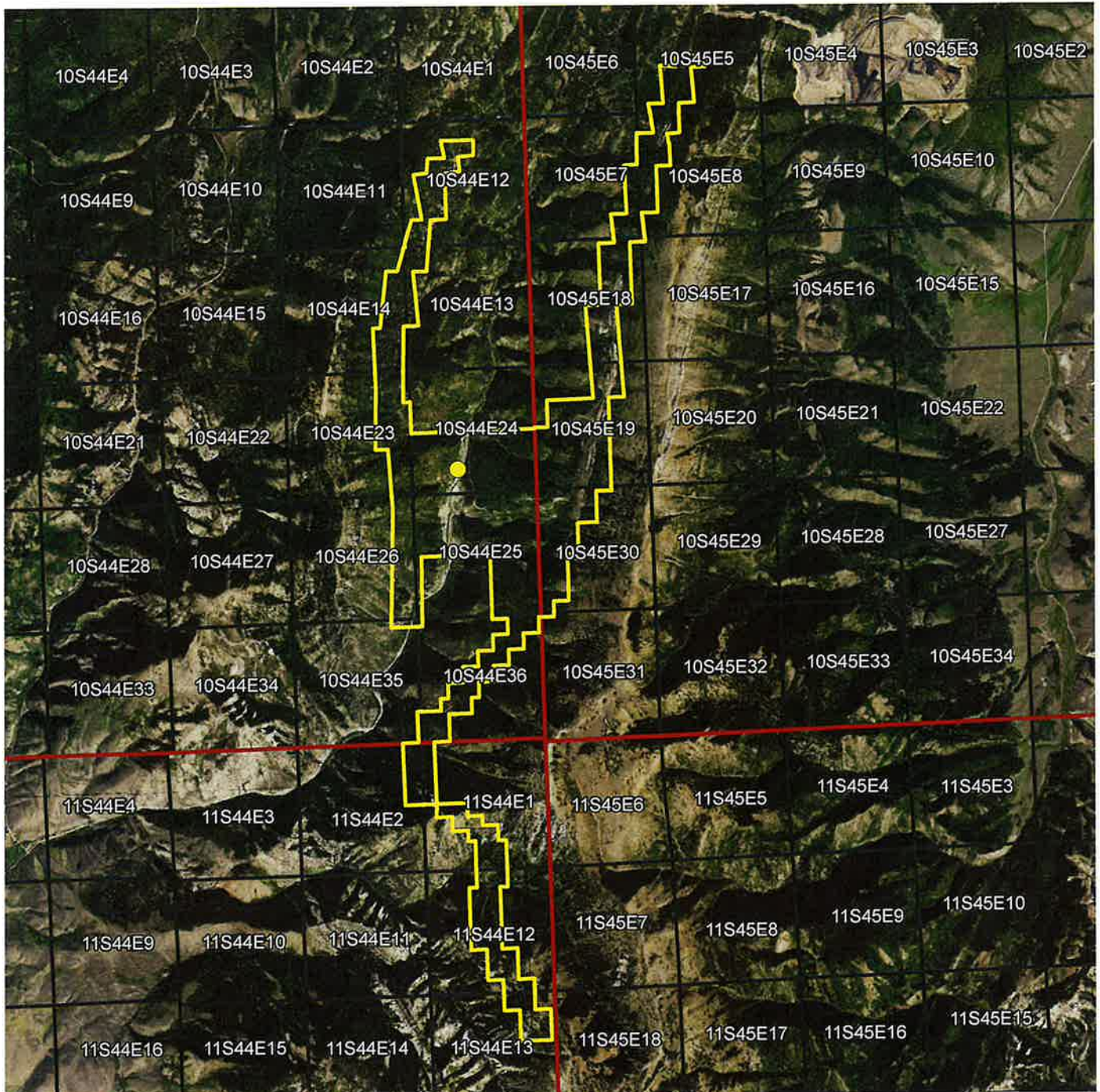
Claim ID _____

Claim Map

Based on WR Number: 11-2114

Claimant: Nu-West Mining, Inc.

Claim No: _____



10,000 5,000 0 10,000 Feet



Date Created: 9/19/2023

- Townships
- PLSS Sections
- Quarter Quarters
- POD
- POU

Base Map: USDA NAIP 2021



Claim Map - Zoomed

Based on WR Number: 11-2114

Claimant: Nu-West Mining, Inc.

Claim No: _____



690 345 0 690 Feet



Date Created: 9/19/2023

- Townships
- PLSS Sections
- Quarter Quarters
- POD
- POU

Base Map: USDA NAIP 2021



14. Basis of claim (Check one) Beneficial Use () Posted Notice () License (☒) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-2114

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Vice-President _____ of Nu-West Mining Inc. _____
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Bart T. Wilking Date 10/17/23

Printed Name of Authorized Agent Bart T. Wilking

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) Nu-West Industries, Inc. Claim ID _____

Narrative to Accompany BRBA Water Right Claim to Provide Additional Information

Claim based on WR#: 11-2114

Claimant: Nu-West Mining, Inc.

2. Priority Date. Priority date is based upon the original licensed right 11-2114.

6. Purposes. License 11-2114 was approved for "Industrial" purposes. During the development and proof of development of the original permit, multiple documents were submitted that described the use of the water right as it was developed. These include the following:

a. Proof of Application of Water to Beneficial Use and Completion of Works: Deposition of Holder submitted by Don F. Bartschi of Nounan, Idaho. This document indicates that water was used for "mining and milling" at the plant site.

b. Proof of Application of Water to Beneficial Use and Completion of Works: Deposition of Witness submitted by Wilford Hayes of Georgetown, Idaho (and also the deposition submitted by Bert A. Westlake of Bennington, Idaho). This document describes water used "For process and cooling water for phosphorous production plant, and any and all other incidental uses in connection with such plant." Other incidental uses can include dust abatement on the property from which the phosphorous was being mined. This deposition also indicates that the water was used in the construction process of the facility. Historical use of this water has also been used for reclamation projects of the mining and industrial processing property as they have been required.

This claim maintains the purpose of "Industrial," which use reflects the historical use for the production plant and other associated uses, such as dust abatement, etc.

9. Place of Use. The place of use originally authorized under license 11-2114 only included the 40-acre tract in the NENW of Section 25, T10S R44E, where the industrial complex was located for processing of mining materials. However, actual use of the water also includes dust abatement on mining roads throughout the property. Therefore, while the majority of the water is still used near the original place of use, this claim includes the entire property as a place of use to recognize the historical practices.

The aliquots parts of Sections of the Public Land Survey System in this area are defined irregularly and include an extensive list of patented mining claims, government lots and additional divisions of a single quarter-quarter section that are not government lots. Rather than represent those on the claim form, an additional list is provided that was extracted using GIS to identify all of the legal descriptions more fully. Note, there may be multiple duplicates listed for a single quarter-quarter, which was not in error.

13. Remarks. Mining is not currently active at this site. However, the site has been maintained as a source of phosphate for future mining and was purchased by the claimant with the intention of future production, when mineral prices allow this to be economically feasible. Since early 2000s, currently, and into the foreseeable future, this site has been through extensive remediation efforts. Water was diverted from the points of diversion as recently as 2010 during a remediation project of the mining processing facility. Water is also used during occasional summer months for maintenance and improvement on the property. Remediation efforts have been performed and are on-going at the site.

Future permitting for mining to continue at this site is a possibility as abundant phosphate reserves remain at the property.

Idaho Code § 42-223(11) states that “no portion of any water right with a beneficial use related to mining, mineral processing or milling shall be lost or forfeited for nonuse, so long as the nonuse results from a closure, suspension or reduced production of the mine, processing facility or mill due in whole or in part to mineral prices, if the mining property has a valuable mineral, as defined in section 47-1205, Idaho Code, and the water right owner has maintained the property and mineral rights for potential future mineral production.” The claimant asserts that the property has been maintained for future production and that this claimed Industrial water right is valid and protected from forfeiture by statute as it relates to mining.

Place of Use Legal Description

Claim based on WR#: 11-2114

TWP	RGE	SEC	QQ	Q	GOVT LOT
10S	44E	11	SE	SE	
10S	44E	12	NW	NE	
10S	44E	12	SW	NE	
10S	44E	12	NE	NW	
10S	44E	12	SE	NW	
10S	44E	12	SW	NW	
10S	44E	12	NE	SW	
10S	44E	12	NW	SW	
10S	44E	12	SE	SW	
10S	44E	12	SW	SW	
10S	44E	13	NW	NW	
10S	44E	13	NW	NW	
10S	44E	13	SW	NW	
10S	44E	13	NW	SW	
10S	44E	14	NE	NE	
10S	44E	14	NE	NE	
10S	44E	14	SE	NE	
10S	44E	14	NE	SE	
10S	44E	14	NW	SE	
10S	44E	14	SE	SE	
10S	44E	14	SW	SE	
10S	44E	23	NE	NE	
10S	44E	23	NE	NE	
10S	44E	23	NW	NE	
10S	44E	23	NW	NE	
10S	44E	23	SE	NE	4
10S	44E	23	SE	NE	
10S	44E	23	SW	NE	
10S	44E	23	NE	SE	4
10S	44E	23	NE	SE	
10S	44E	23	NW	SE	
10S	44E	23	SE	SE	
10S	44E	24	NE	SE	1
10S	44E	24	NW	SE	
10S	44E	24	SE	SE	1
10S	44E	24	SE	SE	
10S	44E	24	SE	SE	
10S	44E	24	SW	SE	5
10S	44E	24	SW	SE	
10S	44E	24	NE	SW	
10S	44E	24	NW	SW	2
10S	44E	24	NW	SW	
10S	44E	24	SE	SW	4
10S	44E	24	SE	SW	
10S	44E	24	SW	SW	3
10S	44E	24	SW	SW	
10S	44E	25	NE	NE	
10S	44E	25	NE	NE	
10S	44E	25	NW	NE	1
10S	44E	25	NW	NE	
10S	44E	25	NW	NE	
10S	44E	25	SE	NE	
10S	44E	25	SE	NE	
10S	44E	25	SW	NE	6
10S	44E	25	SW	NE	
10S	44E	25	SW	NE	
10S	44E	25	NE	NW	1
10S	44E	25	NE	NW	2
10S	44E	25	NE	NW	
10S	44E	25	NW	NW	3
10S	44E	25	NW	NW	
10S	44E	25	NW	NW	
10S	44E	25	NW	NW	

TWP	RGE	SEC	QQ	Q	GOVT LOT
10S	44E	25	SE	NW	5
10S	44E	25	SE	NW	
10S	44E	25	SW	NW	4
10S	44E	25	SW	NW	
10S	44E	25	NE	SE	
10S	44E	25	NE	SE	
10S	44E	25	NW	SE	
10S	44E	25	NW	SE	
10S	44E	25	SE	SE	
10S	44E	25	SE	SE	
10S	44E	25	SW	SE	
10S	44E	25	SW	SE	
10S	44E	25	NW	SW	
10S	44E	25	NW	SW	
10S	44E	26	NE	NE	
10S	44E	26	NE	NE	
10S	44E	26	SE	NE	
10S	44E	26	NE	SE	
10S	44E	26	SE	SE	
10S	44E	35	NE	NE	
10S	44E	35	NE	SE	
10S	44E	35	SE	SE	
10S	44E	36	NE	NE	
10S	44E	36	NE	NE	
10S	44E	36	NW	NE	
10S	44E	36	NW	NE	
10S	44E	36	NW	NE	
10S	44E	36	SE	NE	
10S	44E	36	SW	NE	
10S	44E	36	NW	NW	
10S	44E	36	SE	NW	
10S	44E	36	NW	SE	
10S	44E	36	NE	SW	
10S	44E	36	NW	SW	
10S	44E	36	SE	SW	
10S	44E	36	SW	SW	
10S	45E	5	NW	SE	
10S	45E	5	NE	SW	
10S	45E	5	NW	SW	
10S	45E	5	SE	SW	
10S	45E	5	SW	SW	
10S	45E	7	SE	NE	
10S	45E	7	NE	SE	
10S	45E	7	NE	SE	
10S	45E	7	SE	SE	
10S	45E	8	NE	NW	
10S	45E	8	NW	NW	
10S	45E	8	SW	NW	3
10S	45E	8	SW	NW	
10S	45E	8	NW	SW	
10S	45E	8	NW	SW	
10S	45E	8	SW	SW	
10S	45E	17	NW	NW	
10S	45E	18	NE	NE	
10S	45E	18	NW	NE	
10S	45E	18	SE	NE	
10S	45E	18	SW	NE	
10S	45E	18	NE	SE	
10S	45E	18	NE	SE	
10S	45E	18	NW	SE	
10S	45E	18	NW	SE	
10S	45E	18	SE	SE	
10S	45E	18	SW	SE	

TWP	RGE	SEC	QQ	Q	GOVT LOT
10S	45E	19	NE	NE	
10S	45E	19	NW	NE	
10S	45E	19	SE	NE	
10S	45E	19	SW	NE	
10S	45E	19	SE	NW	
10S	45E	19	SE	NW	
10S	45E	19	SW	NW	
10S	45E	19	NW	SE	
10S	45E	19	NW	SE	
10S	45E	19	SW	SE	
10S	45E	19	NE	SW	
10S	45E	19	NE	SW	
10S	45E	19	NW	SW	7
10S	45E	19	NW	SW	
10S	45E	19	SE	SW	9
10S	45E	19	SE	SW	
10S	45E	19	SE	SW	
10S	45E	19	SW	SW	8
10S	45E	19	SW	SW	
10S	45E	30	NW	NE	
10S	45E	30	SW	NE	
10S	45E	30	NE	NW	2
10S	45E	30	NE	NW	
10S	45E	30	NW	NW	
10S	45E	30	SE	NW	
10S	45E	30	SE	NW	
10S	45E	30	SW	NW	
10S	45E	30	SW	NW	
10S	45E	30	NW	SW	
10S	45E	30	NW	SW	
10S	45E	30	NE	SW	
10S	45E	30	NW	SW	
10S	45E	30	NW	SW	
10S	45E	30	SE	SW	
10S	45E	30	SW	SW	
10S	45E	31	NW	NW	
11S	44E	1	NW	NW	
11S	44E	1	SE	NW	
11S	44E	1	SW	NW	
11S	44E	1	SW	NW	
11S	44E	1	NW	SE	
11S	44E	1	SW	SE	
11S	44E	1	NE	SW	
11S	44E	1	NW	SW	
11S	44E	1	SE	SW	
11S	44E	2	NE	NE	
11S	44E	2	SE	NE	
11S	44E	12	NW	NE	
11S	44E	12	SW	NE	
11S	44E	12	SW	NE	
11S	44E	12	NE	NW	
11S	44E	12	SE	NW	
11S	44E	12	SE	NW	
11S	44E	12	NW	SE	
11S	44E	12	SE	SE	
11S	44E	12	SW	SE	
11S	44E	12	NE	SW	
11S	44E	12	SE	SW	
11S	44E	13	NE	NE	
11S	44E	13	NW	NE	
11S	44E	13	SE	NE	
11S	44E	13	SW	NE	

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 3 1961
Department of Reclamation

Permit No. G 26003

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.

Ans. Don F. Bartschi, Nounan, Idaho Geologist
P.O. - Nounan, Idaho

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

Ans. Central Farmers Fertilizer Company, Georgetown, Idaho
I, Don Bartschi, am employed by CFPC as Development Geologist

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. G 26003, October 13, 1955 -- Priority date, September 29, 1955

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Well waters located at southline of section 24, T. 18 N., R. 44 E., B.M.
(SE 1/4 section 24)

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Depth of well = 215' with 101 feet of 18 inch I.D., 5/16 inch wall
and 103 feet of 12 inch I.D., .330 inch wall
Depth to water is - 159' below top of well casing.
Discharge of 1012 GPM was measured by installation of 90° V-Notch weir.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Said water to be used for mining and milling at Central Farmers Fertilizer
Company's fertilizer plant site at Georgetown, Idaho, in the manufacturing of
phosphate fertilizers.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. Bert A. Westlake, Bennington, Idaho

1326003

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Mining and milling purposes for manufacturing phosphate fertilizers.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 1273 GPM

Ques. 9. 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.

Ans. I am a representative of the corporation to whom the above mentioned permit was originally issued.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Under normal operations the water is used 90% of each year for mining and milling in the amount of 155 GPM;

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Certain water under the authority of the Georgetown Irrigation Company has been delivered to the plant site for use in manufacturing fertilizer.

Water shares in the Georgetown Irrigation Company are held by Central Farmers under ownership and lease.

(Sign)

Don F. Bartchick
Geologist

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 Georgetown, County of Blaine, State of Idaho, on this 30 day of December, A. D. 1960.

State of Idaho, on this 30 day of December, A. D. 1960.

Donald D. Smalley

My commission expires

July 20, 1964

26003

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 26003

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.

Ans. Wilford Hayes, 65, Georgetown, Idaho, employee of Central Farmers Fertilizer Company, Georgetown, Idaho.

Ques. 2. Are you acquainted with Central Farmers Fertilizer Company, the holder of Permit No. G 26003? How long have you known him and where does he reside?

Ans. For Past 8 years

Ques. 3. Have you read or heard read said Permit No. G 26003, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Well, SE 1/4, Sec. 24, Twp. 10 S., R. 44 E.B.M. Pump and pipes

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

Ans. 2.22 Cu. Ft. per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 2.22 cu. ft. per second. Was present when it was measured with 90° V-notch Weir.

P 26003

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. For Process and cooling water for phosphorous production plant, and any and all other incidental uses in connection with such plant.

Used at plant site on South line of Sec. 24, Twp. 10 S., R. 44 E.B.M.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Plant is now under construction and water is being used during construction.

Ques. 9. (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.

Ans. _____

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. Only as an employee of the corporation.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Is being used now while plant is under construction.

(Signed) Wilfred Hayes

I hereby certify that the foregoing testimony was read to the above subscriber before his 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 Pocatello, County of Bannock, State of Idaho, on this 27th day of February, A. D. 19 56.

[Signature]
Notary Public.

My commission expires July 15-1960 for Idaho, residing at Pocatello, Idaho.

826003

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 26003

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.

Ans. Bert A. Westlake, 36, Bennington, Box 40, Idaho, well driller, P.O.
same as residence.

Ques. 2. Are you acquainted with Central Farmers Fertilizer Company, the holder of Permit No. G 26003? How long have you known him and where does he reside?

Ans. Known of the corporation since 1950, and have been acquainted with the people in charge since the corporation came into the area in 1950.

Ques. 3. Have you read or heard read said Permit No. G 26003, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Well, SE 1/4 SW 1/4, Sec. 24, Twp. 10 S., R. 44 E.B.M., pump and pipes.

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

Ans. 2.22 cu. ft. per second.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 2.22 Cu. Ft. per second, 90° V-notch weir

26003

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. For process and cooling water for phosphorous production plant, and any other incidental uses in connection with such plant.
Used at plant site on South line of Sec. 24, Twp. 10 S., R. 44 E.B.M.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Plant is now under construction and water is being used during construction.

Ques. 9. (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.

Ans. _____

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Used while plant is being constructed.

(Signed)

Bert A. Westlake

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 Pocatello, County of Bannock, State of Idaho, on this 27 day of February, A. D. 1956.

D. H. Baum

Notary Public

for Idaho, residing at Pocatello, Idaho.

My commission expires Aug 15 - 1956

B26003

Well #9

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Department of Reclamation

WELL LOG AND REPORT OF THE
STATE RECLAMATION ENGINEER OF IDAHO

Permit No. _____ Well No. _____ County Bear Lake
Owner Central Farmers Fertilizer Company
Address Montpelier, Idaho
Driller United Drilling Company
Address 711 First Security Building, Salt Lake City, Ut.
Well location SE 1/4 SW 1/4 Sec. 24, T. 10 S N/5, R. 44 E E/W
Size of drilled hole 16"

Locate well in section

NW 1/4	NE 1/4
SW 1/4	SE 1/4

Total depth of well 250

Give depth to standing water from the ground _____ Water temp _____ °Fahr.

On "Pumping Test" delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet.

Size of pump and motor used to make test _____

Length of time of test _____ hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for _____ Weight of casing per lineal foot _____

Thickness of casing 25 Casing material Steel
(STEEL, CONCRETE, WOOD, ETC.)Diameter, length and location of casing 16" to 233'
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)Type of Well Rig: Cable Tools used from 0 to 250' or total depthGen. Information: Ran pump test and well pumped 350 g.p.m. for 8 mins.
and broke section. No water.
CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
16	0	233	233	Casing driven with Cable Tool Rig
				Sealed with Bentonite

Number and size of perforations 85 - 1/2" x 2 1/2" located 141' feet to 100' feet from groundDate of commencement of well 9/19/58 Date of completion of well 12/12/58

10 S - 44 E - 24 SE SW

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time		Water-bearing Formation Ass. Yes or No	Casing Perforated Ass. Yes or No
			Hrs.	Min.		
0	6	Broken Rock	2			
6	13	Black Lime (hard)	4			
13	20	Boulders	6	15		
20	28	Boulders and Clay	4	20		
28	35	Grey Lime (hard)	6	15		
35	50	" " "	12			
50	60	" " "	6			
60	70	Blue Shale and Lime Shells	6			
70	85	" " " "	12			
85	105	Lime Shale Shells	12			
105	115	" " "	3			
115	130	Red Limestone	5			
130	135	Grey Lime	4			
135	142	Blue Clay and Boulders	4			
142	145	Boulders	3			
145	152	Shale	3			
152	155	Phosphoria	4			
If more space is required use Sheet No. 2						

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed UNITED DRILLING COMPANY
By Carl Ransdell
Carl Ransdell

Dated Oct. 15, 1959

License No. 160

098337

Well Driller

Well Location _____

[illegible]

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105 - 44G - 24

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Claimant:

Nu-West Mining Inc.

Remember that only the first four de minimis stockwater claims require the \$25 fee.

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Claim ID	\$ for Claim
11-2114	\$100.00
11-AAAA (BU - Instream Stock, GeorgetownCrk)	\$25.00
11-BBBB (BU - Stockwater Grant Spring)	\$25.00
11-CCCC (BU - Mining- Syncline Spring)	\$100.00
0	\$0.00
Total	\$250.00

Claimant:
Claim ID:

Nu-West Mining Inc.
11-2114

Instructions for Form No. 42-1409-1

Revised January 30, 2023

FILING FEES

Each claim submitted must include the filing fee. The filing fee for domestic and/or stockwater use claims diverting less than 13,000 gallons of water per day is \$25.00. However, if you are filing more than four (4) claims in which the only purpose of use listed is stockwater, only the first four (4) claims require the \$25.00 filing fee. All additional stockwater claims are fee exempt once the \$100.00 in filing fees has been paid for the first four (4) stockwater only claims filed after July 1, 2017.

The flat fee for filing all other claims filed is \$50.00 per claim. An additional variable filing fee based upon acreage, power generating nameplate capacity, cubic feet per second (cfs) amount, or an equivalent volume of storage water is required for claims for water uses other than domestic and/or stockwater uses diverting less than 13,000 gallons of water per day. Use Table 3 to calculate the variable fee. Add the calculated variable fee to the \$50.00 flat fee to determine the total fee for the claim. The exceptions are fire protection or ground water recharge which have a \$50.00 flat fee, and no variable fee.

Examples for a single claim to a water right with single source and same priority date:

Single family domestic and stockwater use, less than
13,000 gallons per day in total \$25.00
100 acres irrigation, domestic and stockwater as above . . . \$150.00
Fish propagation, 4.2 cfs \$92.00
Multiple family domestic, 1.6 cfs,
irrigation of yards and gardens, 14 acres \$224.00

TABLE 3. VARIABLE FEE SCHEDULE

	\$1.00 per acre	Each acre is charged only once.
Irrigation		
Power generation	\$3.50 per kilowatt of capacity	Manufacturer's nameplate rating, or \$250,000.00, whichever is less.
Aquaculture	\$10.00 per cfs	
Domestic, stockwater use in excess of 13,000 gallons per day	\$100.00 per cfs	
Municipal, industrial, commercial, mining, heating, cooling	\$100.00 per cfs	
Public instream flow, public lake level maintenance, wildlife	\$100.00 per cfs	

Exceptions: No variable fee is charged for fire protection or ground water recharge.

De Minimis	Rate/Unit	Unit	# Units	\$ Amount
Non-De Minimis	\$25 Claim			
Irrigation	\$50 Claim		1	\$50.00
Power Generation	\$1 Acre			
	\$3.50 KW of Capacity			
Aquaculture	\$10 cfs			
Municipal, industrial, commercial, mining, heating, cooling	\$100 cfs		0.5	\$50.00
Public instream flow, public lake level maintenance, wildlife	\$100 cfs			
Fire protection	\$0 cfs			
Groundwater recharge	\$0 cfs or afa			
Total				<u>\$100.00</u>

Duplicate this worksheet once
for each claim.

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