

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 CARBONATE BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED
JAN 29 1990

Ident. Number: A27-07121
Date Received: 1/19/1990
Receipt No: C014284
Received By: J. Garrison

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MONSANTO CO. 208-547-3391
Address: P.O. BOX 816
SODA SPRINGS, ID 83276

2. Date of Priority: FEB 09, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	43E	30	NE	SE	NW		CARIBOU

5. Description of diverting works:
WELL, PUMP & RES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINING	01/01	12/31	0.070		
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.070 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
X/DUST CONTROL & DRILLING, D/MINERS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	42E	11	SW	NW		MINING	
			NE	SW		MINING	

A27-07121

Page 1

Date: 01/19/90

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A2707121

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres			
06S	42E	11	NW		SW		MINING				
			SW		SW		MINING				
			SE		SW		MINING				
			NW		SE		MINING				
			SW		SE		MINING				
			13	SW		NW		MINING			
				NE		SW		MINING			
				NW		SW		MINING			
				SW		SW		MINING			
				SE		SW		MINING			
				SW		SE		MINING			
			14	NE		NE		MINING			
		NW			NE		MINING				
		SW			NE		MINING				
		SE			NE		MINING				
		NE			NW		MINING				
		NW			NW		MINING				
		NE			SE		MINING				
		24		NW		NE		MINING			
				SW		NE		MINING			
				SE		NE		MINING			
				NE		NW		MINING			
				NW		NW		MINING			
			SE		NW		MINING				
			NE		SE		MINING				
			NW		SE		MINING				
			SW		SE		MINING				
			SE		SE		MINING				
			NE		NE		MINING				
			25	NW		NE		MINING			
		19		NW		SW		MINING			
				SW		SW		MINING			
				SE		SW		MINING			
				29	SW		SW		MINING		
					30	NW		NE		MINING	
						SW		NE		MINING	
						SE		NE		MINING	
						NE		NW		MINING	
						NW		NW		MINING	
				SW			NW		MINING		
				SE		NW		MINING			
			NE		SW		MINING				
		NW		SW		MINING					
		SW		SW		MINING					
		SE		SW		MINING					

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	43E	30	NE SE		MINING	
			NW SE		MINING	
			SW SE		MINING	
			SE SE		MINING	
		31	NE NE		MINING	
			NW NE		MINING	
			SE NE		MINING	
		32	NW NW		MINING	
			SW NW		MINING	

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Mining Superintendent of _____
Title

Monsanto Company, that I have signed the foregoing
Organization
document in the space below as Mining Superintendent of
Title

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

David W. Jansma
Signature of Authorized Agent

Mining Superintendent, Monsanto Company
Title and Organization

January 24, 1990
Date

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of January 19 90

James A. Crane
Notary Public

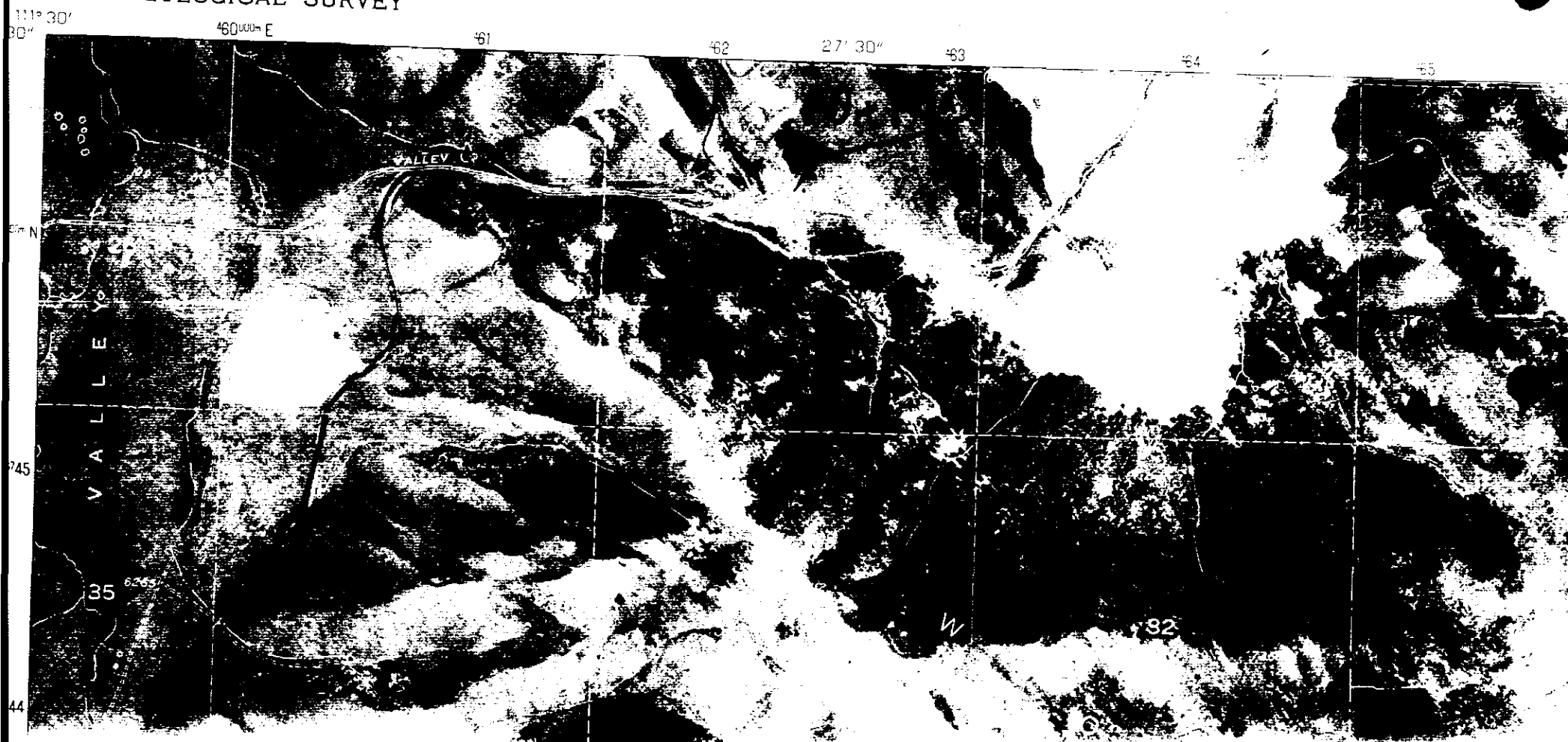
Seal

Residing at Georgetown

My Commission Expires 8/22/92

NOV 12 1992

UNITED STATES R42E R43E
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



AJ0749NP
No. A27-07121

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/22/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	P4 PRODUCTION LLC HWY 34 N PO BOX 816 SODA SPRINGS ID 83276 (208) 547-4300	02/09/1978	MINING DOMESTIC	01-01 12-31 01-01 12-31	0.07 CFS 0.02 CFS	
TOTAL DIVERSION:					0.07 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R43E S30

NESENW

CARIBOU County

Place of use Legal Description for: MINING

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
06S	42E	11	:					:			M		:	M	M	M	M	:		M	M		:
06S	42E	13	:					:			M		:	M	M	M	M	:			M		:
06S	42E	14	:	M		M	M	:	M	M			:					:	M				:
06S	42E	24	:			M	M	:	M	M		M	:					:	M	M	M	M	:
06S	42E	25	:	M		M		:					:					:					:
06S	43E	19	:					:					:		M	M	M	:					:
06S	43E	29	:					:					:			M		:					:
06S	43E	30	:			M	M	:	M	M	M	M	:	M	M	M	M	:	M	M	M	M	:
06S	43E	31	:	M		M		:					:					:					:
06S	43E	32	:					:		M	M		:					:					:

Place of use location for DOMESTIC is the same location as described for: MINING

POU County: CARIBOU

Non-Irrigation Uses: X/DUST CONTROL & DRILLING, D/MINERS.

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JH/12-22-98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 22, 1998

P4 PRODUCTION LLC
HWY 34 N
PO BOX 816
SODA SPRINGS ID 83276

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A27-07019,
A27-07121

Dear Sir:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

27-07121

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
ERIC S. HUNN
DAVID E. ALEXANDER**
JAMES P. PRICE***
LISA M. CRISTON****
RICHARD A. HEARN, M.D.*****
ERIC L. OLSEN

*ALSO MEMBER IL & WY BARS
**ALSO MEMBER NO BAR
***ALSO MEMBER CO BAR
****ALSO MEMBER IL BAR
*****ALSO MEMBER D.C. BAR

LAW OFFICES OF
RACINE, OLSON, NYE, BUDGE & BAILEY
CHARTERED

CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FAX (208) 232-6109

ASSOCIATED WITH
McGRATH, SMITH
& ASSOCIATES
414 SHOUP
P. O. BOX 50731
IDAHO FALLS, ID 83405
TEL (208) 524-0731
FAX (208) 529-4166

STEPHEN J. McGRATH
BRYAN D. SMITH†
NEAL S. RANDALL
†ALSO ADMITTED IN CA

November 10, 1998

Harold Jones
Idaho Department of Water Resources
Eastern Region
900 N. Skyline Drive
Idaho Falls, Idaho 83402

RECEIVED
NOV 12 1998
Department of Water Resources
Eastern Region

Re: *Monsanto-P4 Production, L.L.C.*

Dear Harold:

Enclosed please find for filing a New Property Owner Notice of Change of Water Right Ownership-Form 42-1409(7). This is being submitted on behalf of Monsanto for the purpose of changing ownership to P4 Production, L.L.C.

The water rights to be transferred consist of all known water rights in the name of Monsanto, Monsanto Company, or Monsanto Chemical Company. Those that I am aware of are identified in the attached "Summary of Water Rights". All are in Monsanto's name except for 27-07451 and 27-07452 which I note are in the name of the State of Idaho Department of Lands. I am in the process of contacting the Department of Lands to see if these water rights can be transferred into P4's name. I note that no SRBA claims have been filed on them.

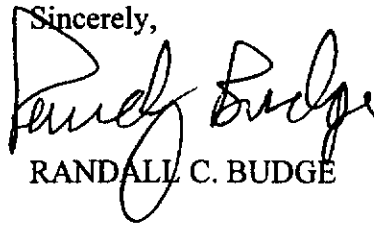
I am preparing proposed SRBA Claims for 27-07451 and 27-07452 (commonly known as the Enoch Valley Wells) and also number 27-07369 (commonly known as the Ballard Mine Office). These three appear to be in the Snake drainage and all require SRBA claims.

On behalf of P4 Production, L.L.C., I am in the process of compiling a summary of water rights together with supporting documentation. Accordingly, I would appreciate it if you would provide for each right a current Water Right Report, together with a copy of each underlying Application, Permit, License, Transfer, etc. If there are any copying or research charges, please provide a statement and I'll promptly remit. I would be happy to meet with you to review and compile this information or discuss any questions you may have by phone.

Dane-HWJ
11-13-98

Harold Jones
November 10, 1998
Page 2

Thank you for your cooperation and assistance.

Sincerely,

RANDALL C. BUDGE

RCB:rr

Enclosures

cc: P4 Production, Inc.:
Robert L. Geddes
David W. Farnsworth



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

OKed by
SK: p

DATE OF CLOSING: 9/1/97

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.
See attached Special Warranty Deed, Instrument No. 154974.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s) _____ Assigned by IDWR: See attached "Water Right Summary"
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): Monsanto/Monsanto Co./Monsanto Chemical Co./
Monsanto Company
- ☐ New Owner/Claimant (Purchaser): P4 Production, L.L.C.
- ☐ New Mailing Address: P.O. Box 816
Highway 34 North
Soda Springs, ID 83276
- ☐ New Telephone Number: (208) 547 - 4300
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: See attached Special Warranty Deed, Instrument No. 154974

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Randall C. Budge, Attorney For Date 11/10/98
P4 Productions, LLC Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

P4 PRODUCTION, L.L.C. **SUMMARY OF WATER RIGHTS**

	<u>Description:</u>	<u>IDWR Water Right No.</u>	<u>Quantity</u>	<u>Priority</u>	<u>Use</u>
1.	Plant Well #1	11-02102 ✓	2.22	10/5/51	Industrial
2.	Plant Well #2	11-2107A ✓	1.00	10/6/52	Industrial
		11-2107B	1.60	11/18/52	Industrial
3.	Plant Well #3	11-2141	<u>4.35</u>	9/27/65	Industrial
	Subtotal:		9.17*		
	(*Combined max = 5000 AF/3107 gpm)				
4.	Quarry Well #1	Lic. #32920 11-2144 Trans. #3483	3.60 cfs	6/10/66	Industrial
5.	Cedar View Trailer Site	11-07058	0.06	4/29/74	Domestic
6.	Envek Valley Well #1 (Idaho Dept. of Lands)	27-07451	0.08 cfs	1/15/89	Industrial
	Subtotal	SRBA Claim Needed	<u>0.02</u> cfs 0.10 cfs		Domestic
7.	Envek Valley Well #2 (Idaho Dept. of Lands)	27-07452 SRBA Claim Needed	0.30 cfs		Industrial
8.	Ballard Mine (Office)	27-07369 (SRBA Claim needed)			

	<u>Description:</u>	<u>IDWR Water Right No.</u>	<u>Quantity</u>	<u>Priority</u>	<u>Use</u>
9.	Waste Water	11-02106✓	2.00 cfs/707.0 AF	10/11/1932	Irrigation
10.	Soda Creek/Kackley	(K) Transfer No. 4887: 11-00448 11-00449 11-00457 11-00471 11-00499 11-00531B	0.30 cfs/49.0 AF 0.20 cfs/72.6 AF 0.10 cfs/17.5 AF 0.02 cfs/4.6 AF 0.60 cfs/105.0 AF 3.90 cfs/770 AF	6/1/1909 5/01/1910 2/10/1881 2/10/1881 5/01/1881 5/01/1892	Irrigation Irrigation Irrigation Irrigation Irrigation Irrigation
11.	Little Blackfoot	01-0028B ✓	30 inches	12/3/1891	
12.	Blackfoot Reservoir Trailer	A 27-7019 <i>done</i>	0.02 cfs	8/6/1971	Domestic
13.	Henry Mine	A 27-7121 <i>done</i> 0.04 cfs 0.04 cfs 0.15 cfs 0.23 cfs		2/9/1978	Domestic Drilling Mining
	Subtotal:				

Adj Name change needed

26/