

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

In Re SRBA

Case No. 39576

A. Subcase 27-07121
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: P4 Production, LLC
Address: P.O. Box 816; Soda Springs, Idaho 83276

Name:
Address: ;

Name:
Address: ;

Name:
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include ~~this POU~~ *these*

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

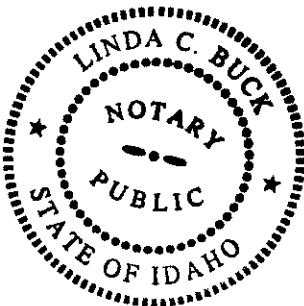
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Paul Noy F. LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

March 15, 2006
Linda C. Buck
Linda C. Buck



Notary Public for Idaho

Residing at: Mountain Home,

My Commission Expires: 12-21-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on 3-16, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: P4 Production, LLC
Address: P.O. Box 816; Soda Springs, Idaho 83276

Name:
Address: ;

Name:
Address: ;

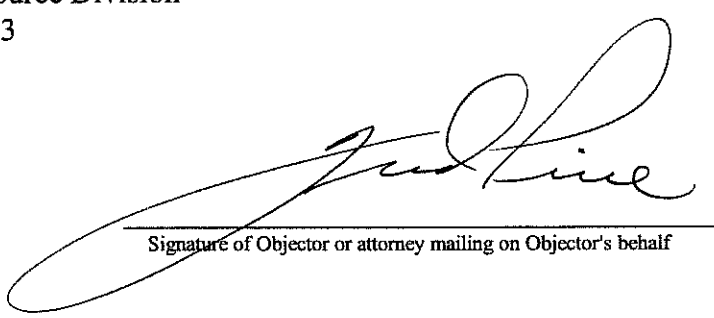
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

11/09/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-7121

NAME AND ADDRESS: P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 0.070 CFS
50.60 AFY

The right holder shall not divert water exceeding what is reasonably necessary for the beneficial use authorized by this right.

PRIORITY DATE: 02/09/1978

POINT OF
DIVERSION: T06S R43E S36 NWNE Within CARIBOU County

This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.020 CFS 1.20 AFY
MINING	01/01 12/31	0.070 CFS 49.40 AFY

Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

PLACE OF USE: MINING Within CARIBOU County

P4 Phosphate Lease	T06S R43E S21	NENE	T06S R43E S21	NWNE	P4 Phosphate Lease
	T06S R43E S21	SWNE	T06S R43E S21	SENE	
	T06S R43E S21	NENW	T06S R43E S21	NWNW	
	T06S R43E S21	SWNW	T06S R43E S21	SENW	
	T06S R43E S21	NESW	T06S R43E S21	NWSW	
	T06S R43E S21	SWSW	T06S R43E S21	SESW	
	T06S R43E S21	NESE	T06S R43E S21	NWSE	
	T06S R43E S21	SWSE	T06S R43E S21	SESE	
	T06S R43E S22	NENE	T06S R43E S22	NWNE	
	T06S R43E S22	SWNE	T06S R43E S22	SENE	
	T06S R43E S22	NENW	T06S R43E S22	NWNW	

Note: BLM manages minerals on all lands described above with the exception of T06S R43E S36. All POU's not under the P4 phosphate lease are not authorized for mining or domestic purposes by P4 Production LLC. For POU's authorized, there needs to be a clarification for location of domestic facilities

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

P4 Phosphate Lease

T06S R43E S22	SWNW	T06S R43E S22	SENW
T06S R43E S22	NESW	T06S R43E S22	NWSW
T06S R43E S22	SWSW	T06S R43E S22	SESW
T06S R43E S22	NESE	T06S R43E S22	NWSE
T06S R43E S22	SWSE	T06S R43E S22	SESE
T06S R43E S23	NENE	T06S R43E S23	NWNE
T06S R43E S23	SWNE	T06S R43E S23	SENE
T06S R43E S23	NENW	T06S R43E S23	NWNW
T06S R43E S23	SWNW	T06S R43E S23	SENW
T06S R43E S23	NESW	T06S R43E S23	NWSW
T06S R43E S23	SWSW	T06S R43E S23	SESW
T06S R43E S23	NESE	T06S R43E S23	NWSE
T06S R43E S23	SWSE	T06S R43E S23	SESE
T06S R43E S25	NENE	T06S R43E S25	NWNE
T06S R43E S25	SWNE	T06S R43E S25	SENE
T06S R43E S25	NENW	T06S R43E S25	NWNW
T06S R43E S25	SWNW	T06S R43E S25	SENW
T06S R43E S25	NESW	T06S R43E S25	NWSW
T06S R43E S25	SWSW	T06S R43E S25	SESW
T06S R43E S25	NESE	T06S R43E S25	NWSE
T06S R43E S25	SWSE	T06S R43E S25	SESE
T06S R43E S26	NENE	T06S R43E S26	NWNE
T06S R43E S26	SWNE	T06S R43E S26	SENE
T06S R43E S26	NENW	T06S R43E S26	NWNW
T06S R43E S26	SWNW	T06S R43E S26	SENW
T06S R43E S26	NESW	T06S R43E S26	NWSW
T06S R43E S26	SWSW	T06S R43E S26	SESW
T06S R43E S26	NESE	T06S R43E S26	NWSE
T06S R43E S26	SWSE	T06S R43E S26	SESE
T06S R43E S36	NENE	T06S R43E S36	NWNE
T06S R43E S36	SWNE	T06S R43E S36	SENE
T06S R43E S36	NENW	T06S R43E S36	NWNW
T06S R43E S36	SWNW	T06S R43E S36	SENW
T06S R43E S36	NESW	T06S R43E S36	NWSW
T06S R43E S36	SWSW	T06S R43E S36	SESW
T06S R43E S36	NESE	T06S R43E S36	NWSE
T06S R43E S36	SWSE	T06S R43E S36	SESE
T06S R44E S31	NENE	T06S R44E S31	NWNE
T06S R44E S31	SWNE	T06S R44E S31	SENE

BLM does not manage minerals at this location and holds no opinion on these POUs.

Note: BLM manages minerals on all lands described above with the exception of T06S R43E S36. All POUs not under the P4 phosphate lease are not authorized for mining or domestic purposes by P4 Production LLC. For POUs authorized, there needs to be a clarification for location of domestic facilities

11/09/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

T06S R44E S31	NENW	T06S R44E S31	NWNW	P4 Phosphate Lease
T06S R44E S31	<u>Lot 2</u> SWNW	T06S R44E S31	SENW	
T06S R44E S31	NESW	T06S R44E S31	<u>Lot 3</u> NWSW	
T06S R44E S31	SWSW	T06S R44E S31	SESW	
T06S R44E S31	NESE	T06S R44E S31	NWSE	
T06S R44E S31	SWSE	T06S R44E S31	SESE	
DOMESTIC same as MINING				

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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 this water right in the ongoing Snake River Basin Adjudication.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Note: BLM manages minerals on all lands described above with the exception of T06S R43E S36. All POUs not under the P4 phosphate lease are not authorized for mining or domestic purposes by P4 Production LLC. For POUs authorized, there needs to be a clarification for location of domestic facilities

 Nu-West's Lease for Phosphate (not associated with P4)  POD

[illegible]

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

MT PLAT

[illegible]

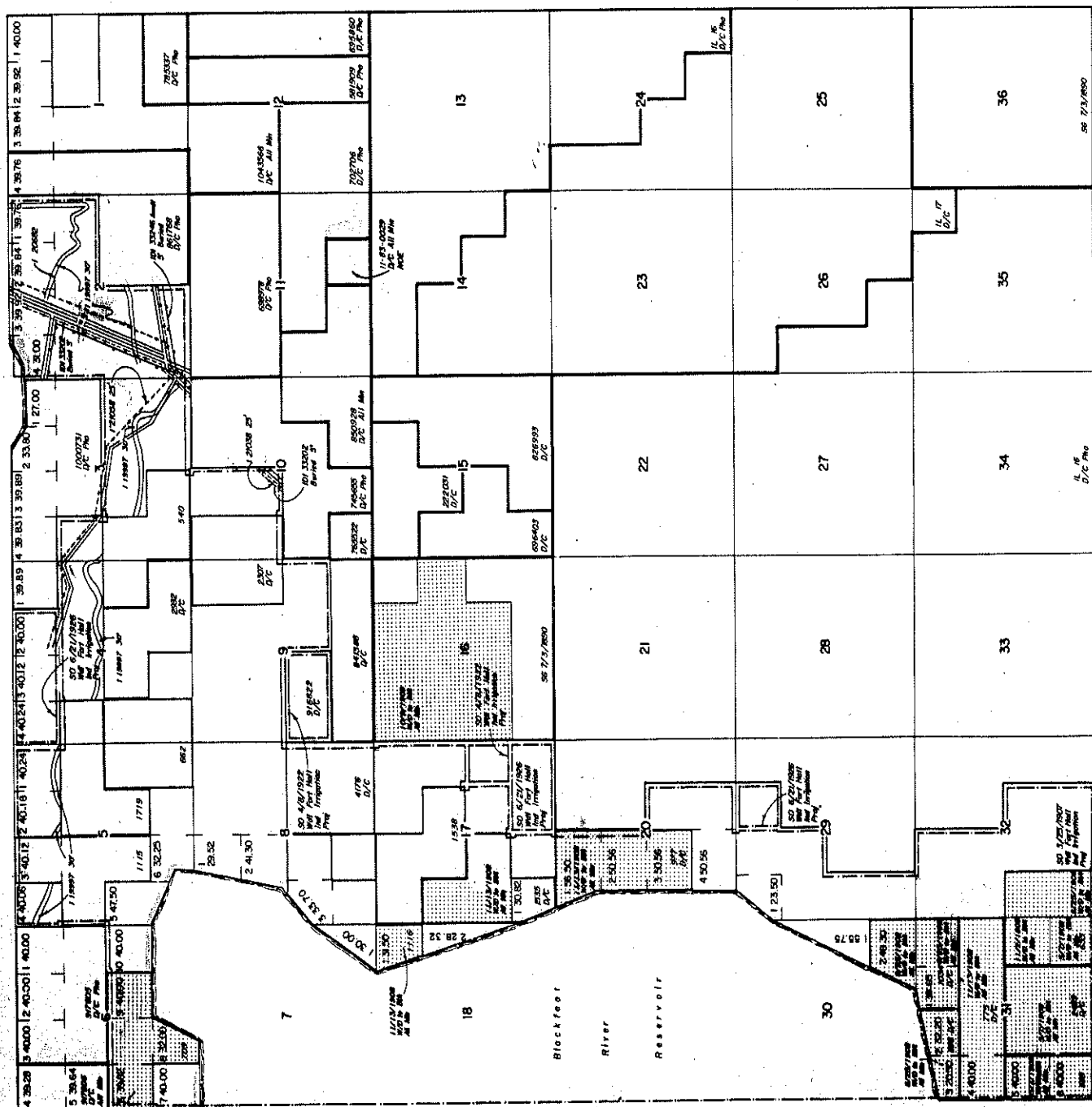
20418 KPA 4-ways Range Hooley Range
See 10: NI/2SE1/4, SE1/4SE1/4
See 11: NW1/4SW1/4, S1/2SW1/4, SW1/4SE1/4
See 13: SW1/4NW1/4, NW1/4SW1/4, S1/2SW1/4
See 14: NE1/4, N1/2NW1/4, NE1/4SE1/4
See 24: NW1/4NE1/4, S1/2NE1/4, N1/2NW1/4,
SE1/4NW1/4, SE1/4

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO SEP 4 2008	CURRENT TO SEP 4 2008
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USE PLAYS."

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUY MAY NOT BE THE EFFECTIVE DATE. SEE THE DATE OF THE ORIGINAL WITHDRAWAL FOR THE EFFECTIVE DATE.



75 - 42 E

CRUISE in Chinese

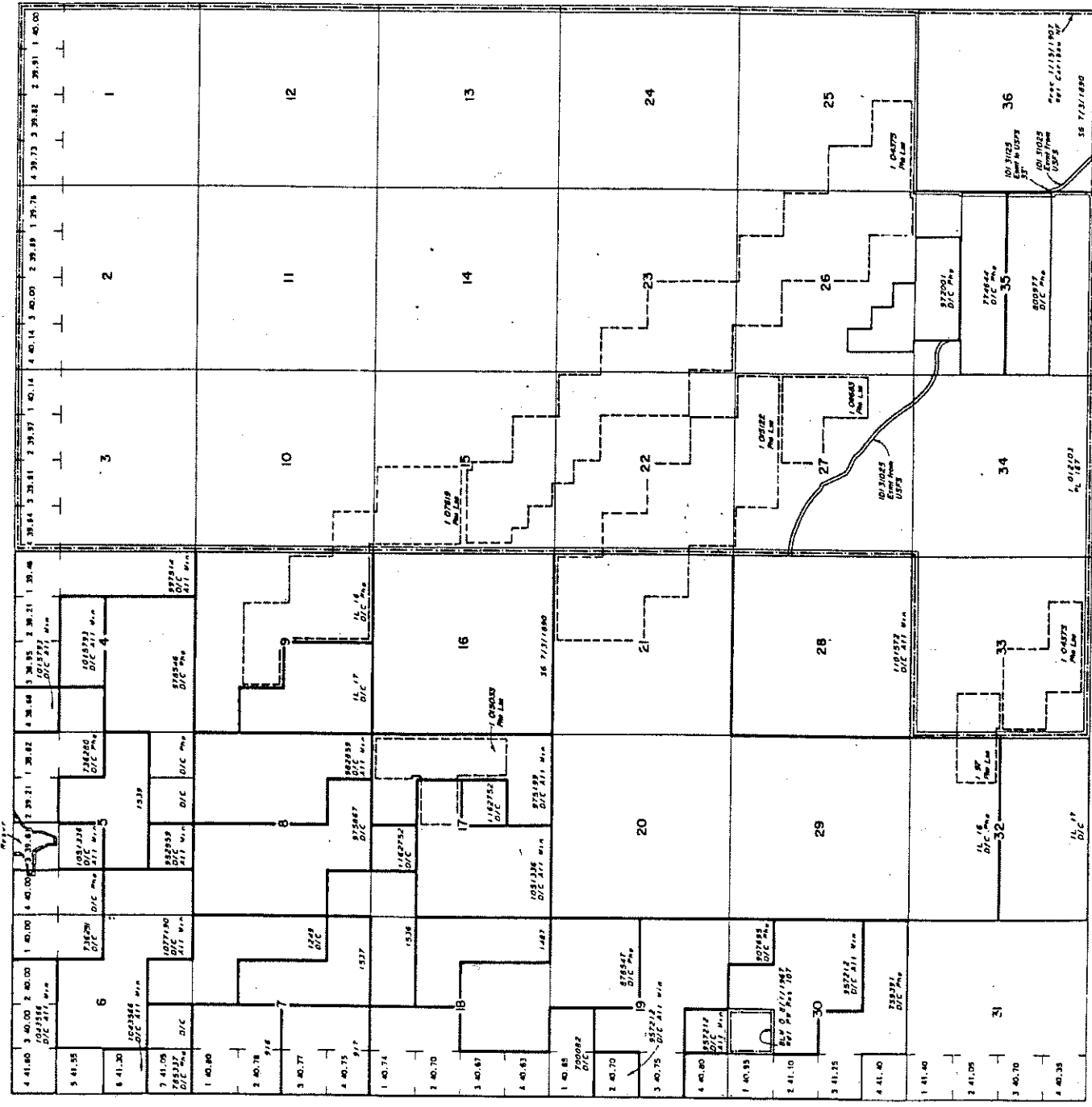
7 S - 42 E	7 S - 43 E
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TOWNSHIP 6 SOUTH RANGE 43 EAST OF THE BOISE MERIDIAN, IDAHO

CARIBOU COUNTY 029
IDAHO FALLS DISTRICT SEC 15

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

POCATELLO RAN



LSBL MIN PLAT

INDEX TO SEGREGATED TRACTS	
RESURVEY	ORIGINAL SURVEY
TRACT NO.	SECTION
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36	36

1. 012103 Dtd PL 167 Sec 1 of Long 7/23/1955
COMPLIES 6/20/1961. ALL HP SURFACE RIGHT BY USFS

2. 012103 RPLA Group Range-Woolley Range
Sec 2, Lot 4
Sec 3, Lot 1, 2
Sec 5, SHI/ANM/1, N1/2SM/1, N1/2SE/1
Sec 6, SEI/NE/1, N1/2SE/1
Sec 7, SHI/NE/1, SEI/ANM/1, NEI/ASH/1
Sec 10, SHI/ASH/1
Sec 15, SHI/ANM/1, S1/2NM/1, N1/2SM/1
Sec 16, NEI/NE/1, N1/2SE/1, SEI/SE/1
Sec 17, E1/2NE/1, N1/2SE/1, SEI/SE/1
Sec 18, Lot 3, 4
Sec 21, NE1/4, NE1/4SE/1
Sec 22, N1/2NE1/4, SE1/4NE1/4, SW1/4, SW1/4SE/1
Sec 23, SHI/ANM/1, SHI/1
Sec 25, N1/2SM/1, S1/2NM/1
Sec 26, N1/2NE/1, S1/2NE/1, N1/2NM/1
Sec 27, N1/2SE/1, SEI/SE/1
Sec 28, SHI/ASH/1
Sec 30, Lot 1, 2, SHI/NE/1, S1/2NM/1
Sec 31, E1/2NE/1
Sec 32, N1/2NM/1
Sec 33, S1/2NM/1, N1/2SE/1, SEI/ASH/1
Sec 34, N1/2NE/1, S1/2NE/1, N1/2NM/1
Sec 35, SHI/ANM/1, SEI/ASH/1, SEI/1

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

CURRENT TO MAY 11 1961	CURRENT TO
USE PLATE	

Lat 42° 51' N
Long 111° 15' W

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-
DRAWAL ORDER

SCALE in Chains
0 10 20 30 40

0 10 20 30 40

0 10 20 30 40

27-07121

T06S R42E

-  Notice of Claim POU
-  Current Director's Report POU
-  P4 Production's Leases for Phosphate
-  Nu-West's Lease for Phosphate (not associated with P4)
-  POD

