

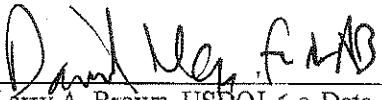
DEC 16 2007
DEPARTMENT OF
WATER RESOURCES

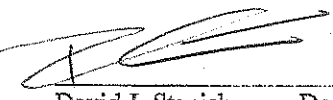
DEC 03 1964
DEPARTMENT OF
WATER RESOURCES

OBJECTOR(s)/RESPONDENT(s):

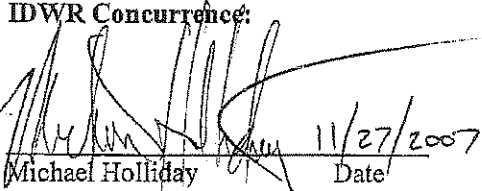
United States of America
Bureau of Land Management

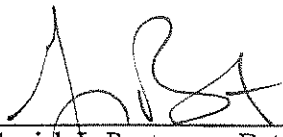
State of Idaho
Department of Lands


Larry A. Brown, USDOJ ^{FWP} Date
Attorney for Objector/Respondent

 11/30/07
David I. Stanish Date
Attorney for Objector/Respondent

IDWR Concurrence:

 11/27/2007
Michael Holliday Date
Senior Water Resource Agent

 11/28/07
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 1-28F

NAME AND ADDRESS: MONSANTO CO
C/O MINE SUPERINTENDENT C/O RAY NELSON
PO BOX 816
SODA SPRINGS ID 83276

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water under this right is diverted from the Snake River into the Reservation Canal, which delivers the water to the point of injection on the Blackfoot River. The point of re-diversion is on the Little Blackfoot River.

~~Point of injection into Blackfoot River. Point of rediversion from Little Blackfoot River.~~

QUANTITY: 0.600 CFS
63.00 AFY

PRIORITY DATE: 02/21/1890

POINT OF
DIVERSION:

T01N R37E S31 SWNE Lot 7 Within BINGHAM County
T02S R36E S24 NESWSE Lot 2 Injection Within BINGHAM County
T06S R42E S14 SENE Rediversion Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINING	04/01 10/15	0.600 CFS 63.00 AFY

PLACE OF USE: MINING in CARIBOU County

T06S R42E S13	NWSW	T06S R42E S14	NWNE
T06S R42E S14	SNNW	T06S R42E S14	NESE

Owner's use of the water and access to the place of use are subject to separate lease and/or easement agreements with the State of Idaho and United States of America. These agreements do not preclude the owner from transferring the place of use off of its current location. Owner must still comply with Idaho law in filing for such a transfer.

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

Diversion of water under this right is subject to the Carrying Capacity Contract I-125-Ind. 127, dated June 7, 1929.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Use of water under this right will be regulated by watermasters with responsibility for the distribution of water among appropriators within State Water Districts No. 1 and 27

The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works at the point of rediversion on Little Blackfoot River.

CERTIFICATE OF MAILING

I certify that on December 07, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P O BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P O BOX 44449
BOISE, ID 83711-4449

MONSANTO CO
Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
P O BOX 1391
POCAHELLO, ID 83204-1391

STATE OF IDAHO DEPT OF LANDS
Represented by:
STATE OF IDAHO
700 W JEFFERSON ROOM 210
P O BOX 44449
BOISE, ID 83711-4449

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NAT'L RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

MONSANTO CO
C/O ~~RAY NELSON~~ *Mine Supervisor*
P.O. BOX 816
SODA SPRINGS, ID 83276

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form