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MAR 12 2008

DEPARTMENT OF
WATER RESOURCES

Randall C. Budge, ISB No. 1949
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Attorneys for P4 Production, LLC

**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

)
) Subcase No. 27-00049
)
)

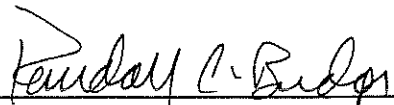
NOTICE OF APPEARANCE
)
_____)

YOU WILL PLEASE TAKE NOTICE that Randall C. Budge of the firm Racine, Olson, Nye, Budge & Bailey, hereby enters his appearance as attorney of record for claimant P4 Production, L.L.C., in the above-entitled action.

P4 Production, L.L.C., acquired on January 8, 2008, certain real property in Caribou County, Idaho, to which this water right is appurtenant and has filed a Notice of Change in Water Right Ownership with the Idaho Department of Water Resources, a copy of which is attached.

DATED this 10th day of March, 2008.

RACINE, OLSON, NYE, BUDGE &
BAILEY, CHARTERED

By 
RANDALL C. BUDGE

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of March, 2008, I mailed a true and correct copy of the foregoing document, postage prepaid, to the following:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, Idaho 83303-2707

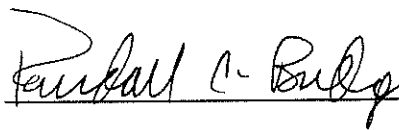
IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

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 & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Jeanette Wolfley
Shoshone-Bannock Tribes
P.O. Box 306
Fort Hall, Idaho 83203

P4 Production, LLC
c/o Dave Farnsworth, Mine Superintendent
Monsanto Company
P.O. Box 816
Soda Springs, Idaho 83276



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

*Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.*

1. Please list the water right number(s) and/or adjudication claim numbers (s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split
27-49		
27-12039		

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent, **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)
J Frank Scarborough
14027 Memorial Drive #440
Houston, TX 77079
4. New Owner/Claimant(s)
New Mailing Address
City, State, Zip code
Name Connector (check one) ☐ and, ☐ or, ☐ and/or
P4 Production, LLC
Monsanto Co. c/o Mine Superintendent
P.O. Box 816
Soda Springs, Idaho 83276
- New Telephone Number 1-208-547-1241
5. Date you acquired the property 1-8-2008

6. If the change in ownership affects the entire water right for each water right or adjudication claim number list in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

*Daniel C. Budge, Attorney for
New Owner P4 Productions, LLC*

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____
 Received by _____
 Processed by _____ AJ

Date _____
 Date _____
 Date _____ WR

Fee _____
 Receipt No. _____
 Date _____

WARRANTY DEED

Instrument # 179832

CARIBOU COUNTY

2008-01-11

08:21:11 No. of Pages: 5

Recorded for: ALLIANCE TITLE

VEDA MASCARENAS

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Fee: 15.00

FOR VALUABLE CONSIDERATION RECEIVED, J. FRANK

SCARBOROUGH III and JUDY SCARBOROUGH, husband and wife, of Houston, Texas,

hereinafter referred to as GRANTORS, do hereby grant, bargain, sell and convey unto P4

PRODUCTION, LLC, a Delaware limited liability company, whose current address is

MONSANTO Company, Tax Department, 6001 Lindbergh
6555 St. Louis, Missouri 63167

hereinafter referred to as GRANTEE, the following

described real property located in the County of Caribou, State of Idaho, to-wit:

See EXHIBIT "A" attached hereto, and made a part hereof.

TOGETHER WITH all water and water rights, ditch and ditch rights appurtenant thereto, whether represented by license, permit or otherwise;

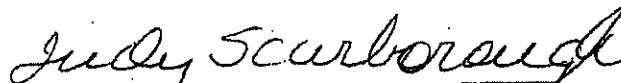
SUBJECT TO: All existing easements or claims of easement, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances, use regulations and restrictions, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey, inspection of the premises or environmental assessment, and accruing taxes and assessments.

TO HAVE AND TO HOLD the said premises with their tenements, hereditaments and appurtenances unto the said Grantee, its successors and assigns forever. Grantors do hereby covenant for themselves and their heirs, to and with the said Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances, except as set forth hereinabove, and that they will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

DATED this 8th day of January, 2008.


J. Frank Scarborough III


Judy Scarborough

STATE OF Wyoming)
) ss.
County of Teton)

ON THIS 9th day of January, 2008, before me, Patricia Barlow Smith Notary Public in and for said State, personally appeared J. FRANK SCARBOROUGH III, and JUDY SCARBOROUGH, husband and wife, known or identified to me to be the persons whose name are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

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

S
E
A
L



Patricia Barlow Smith
Notary Public for ~~Texas~~ WYOMING
Residing at: Teton County
My Commission Expires: 9-30-2011

EXHIBIT A

A parcel of land located in Sections 13, 14 and 24 of Township 7 South, Range 42 East, Boise Meridian, and Sections 19, 29, 30 and 31 of Township 7 South, Range 43 East, Boise Meridian, Caribou County, Idaho and further described as follows:

BEGINNING at the Northwest corner of said Section 24, Township 7 South, Range 42 East, from which the West $\frac{1}{4}$ corner of Section 24 bears South $01^{\circ}15'09''$ West 2596.27 feet;
Thence South $01^{\circ}15'09''$ West 1298.13 feet along the West line of said Section 24, to a $\frac{5}{8}$ " rebar with cap labeled, "A.A. Hudson, PLS 4735" set on the Southwest corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 24;
Thence South $89^{\circ}40'13''$ East, 1272.07 feet to a $\frac{5}{8}$ " rebar with cap set on the Southeast corner of said Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$;
Thence South $00^{\circ}55'48''$ West, 1306.54 feet to a $\frac{5}{8}$ " rebar with cap set on the Southwest corner of the Southeast $\frac{1}{4}$ of said Northwest $\frac{1}{4}$;
Thence South $89^{\circ}17'22''$ East 1279.31 feet to a $\frac{5}{8}$ " rebar with cap set at the center of said Section 24;
Thence South $00^{\circ}36'41''$ West, 1315.51 feet to a $\frac{5}{8}$ " rebar with cap set on the Southwest corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 24;
Thence South $88^{\circ}53'57''$ East 1286.52 feet to a $\frac{5}{8}$ " rebar with cap set on the Southeast corner of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$;
Thence South $00^{\circ}17'33''$ West 1324.28 feet to a $\frac{5}{8}$ " rebar with cap set on the Southwest corner of the Southeast $\frac{1}{4}$ of said Southeast $\frac{1}{4}$ of Section 24;
Thence South $88^{\circ}30'53''$ East 1294.00 feet to the Southeast corner of said Section 24;
Thence South $00^{\circ}01'23''$ East 5332.49 feet along the West line of said Section 30, Township 7 South, Range 43 East, to the Southwest corner of said Section 30;
Thence South $00^{\circ}01'23''$ East 2666.25 feet along the West line of said Section 31 to the West $\frac{1}{4}$ corner of said Section 31;
Thence North $88^{\circ}48'44''$ East 5196.41 feet along the latitudinal center line of said Section 31 to the East $\frac{1}{4}$ corner of said Section 31;
Thence North $01^{\circ}45'49''$ East 2729.24 feet to the Northeast corner of said Section 31;
Thence North $89^{\circ}49'26''$ East 2576.91 feet along the South line of said Section 29 to the South $\frac{1}{4}$ corner of said Section 29;
Thence North $00^{\circ}32'59''$ East 4004.99 feet along the meridional center line of said Section 29 to a $\frac{5}{8}$ " rebar with cap set on the Northeast corner of said Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 29;
Thence South $89^{\circ}25'40''$ West 1305.88 feet to a $\frac{5}{8}$ " rebar with cap set on the Northwest corner of said Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$;

Thence North $00^{\circ}18'05''$ East 780.57 feet along the East line of the Northwest $\frac{1}{4}$ of said Northwest $\frac{1}{4}$ to a $\frac{5}{8}$ " rebar with cap set on the Southerly right of way fence line of Blackfoot River Road;
Thence North $85^{\circ}05'37''$ West 23.19 feet along said fence line to a $\frac{5}{8}$ " rebar with cap;
Thence North $72^{\circ}46'52''$ West 647.22 feet along the said fence line to a $\frac{5}{8}$ " rebar with cap;
Thence North $50^{\circ}45'37''$ West 1184.99 feet along said fence line to a $\frac{5}{8}$ " rebar with cap;
Thence North $53^{\circ}29'20''$ West 415.32 feet along the Southerly right of way line of said Blackfoot River Road to the beginning of a 570.00 foot radius curve concave to the Southwest;
Thence Northwest along said curve through a central angle of $06^{\circ}13'25''$ a distance of 61.91 feet (Chord = North $56^{\circ}35'56''$ West 61.88 feet);
Thence North $62^{\circ}06'56''$ West 41.43 feet along said right of way line to a $\frac{5}{8}$ " rebar with cap set on a fence line;
Thence North $61^{\circ}05'17''$ West 1196.32 feet along said fence line to a $\frac{5}{8}$ " rebar with cap;
Thence North $59^{\circ}54'42''$ West 1263.13 feet along said fence line to a $\frac{5}{8}$ " rebar with cap;
Thence North $56^{\circ}10'43''$ West 284.78 feet along said fence line to a $\frac{5}{8}$ " rebar with cap;

Thence North 62°35'45" West 254.21 feet along said fence line to a 5/8" rebar with cap set on the intersection of said fence line and the Southerly right of way line of the Union Pacific Railroad;

Thence following said right of way line the next 33 courses;

Said intersection point being on a spiral curve to the left;

- 01) Thence along said spiral curve 114.12 feet (Chord North 82°13'55" West 114.12 feet);
- 02) Thence North 07°13'32" East 10.00 feet to a 5/8" rebar with cap;
- 03) Thence North 82°46'35" West 125.71 feet to the beginning of a spiral curve to the right;
- 04) Thence along said spiral curve 243.77 feet (Chord = North 80°21'30" West 243.60 feet) to the beginning of a 985.37 foot radius circular curve concave to the Northeast;
- 05) Thence Northwesterly along said curve through a central angle of 30°32'02" a distance of 525.12 feet (Chord = North 60°18'34" West 518.93 feet), to the beginning of a spiral curve to the right;
- 06) Thence along said spiral curve 243.77 feet (Chord = North 40°15'40" West 243.59 feet);
- 07) Thence North 52°08'39" East 5.00 feet to a 5/8" rebar with cap;
- 08) Thence North 37°50'35" West 61.01 feet to the beginning of a spiral curve to the left;
- 09) Thence along said spiral curve 148.69 feet (Chord = North 38°50'20" West 148.69 feet), to the beginning of a 1407.68 foot radius circular curve concave to the Southwest;
- 10) Thence Northwesterly along said curve through a central angle of 04°46'54" a distance of 117.48 feet (Chord = North 43°14'05" West 117.45 feet), to the beginning of a spiral curve to the left;
- 11) Thence along said spiral curve 148.69 feet (Chord = North 47°37'50" West 148.69 feet);
- 12) Thence North 48°37'35" West 822.24 feet to the beginning of a spiral curve to the right;
- 13) Thence along said spiral curve 243.14 feet (Chord = North 46°12'41" West 242.97 feet), to the beginning of a 980.37 foot radius circular curve concave to the Northeast;
- 14) Thence Northwesterly along said curve through a central angle of 11°30'01" a distance of 196.78 feet (Chord = North 35°40'35" West 196.45 feet), to the beginning of a spiral curve to the right;
- 15) Thence along said spiral curve 243.14 feet (Chord = North 25°08'29" West 242.96 feet);
- 16) Thence North 22°43'35" West 3225.93 feet to the beginning of a spiral curve to the left;
- 17) Thence along said spiral curve 148.69 feet (Chord = North 23°43'20" West 148.69 feet), to the beginning of a 1407.68 foot radius circular curve concave to the Southwest;
- 18) Thence Northwesterly along said curve through a central angle of 07°20'54" a distance of 180.54 feet (Chord = North 29°24'05" West 180.42 feet), to the beginning of a spiral curve to the left;
- 19) Thence along said spiral curve 148.69 feet (Chord = North 35°04'50" West 148.69 feet);
- 20) Thence North 36°04'35" West 1228.42 feet to the beginning of a spiral curve to the left;
- 21) Thence along said spiral curve 324.24 feet (Chord = North 40°25'43" West 323.24 feet), to the beginning of a 691.78 foot radius circular curve concave to the Southwest;
- 22) Thence Northwesterly along said curve through a central angle of 41°10'56" a distance of 497.23 feet (Chord = North 69°50'50" West 486.59 feet), to the beginning of a spiral curve to the left;
- 23) Thence along said spiral curve 324.24 feet (Chord = South 80°44'03" West 323.24 feet);
- 24) Thence South 76°22'55" West 1006.53 feet to the beginning of a spiral curve to the left;
- 25) Thence along said spiral curve 236.86 feet (Chord = South 73°59'53" West 236.69 feet), to the beginning of a 930.37 foot radius circular curve concave to the Southeast;
- 26) Thence Southwesterly along said curve through a central angle of 19°40'23" a distance of 319.45 feet (Chord = South 59°20'43" West 317.88 feet);
- 27) Thence South 00°06'09" East 6.58 feet to the beginning of a 925.37 foot radius non-tangent circular curve concave to the Southeast, whose center point bears South 40°45'18" East;
- 28) Thence Southwesterly along said curve through a central angle of 03°55'45" a distance of 63.46 feet (Chord = South 47°16'48" West 63.45 feet), to the beginning of a spiral curve to the left;
- 29) Thence along said spiral curve 236.23 feet (Chord = South 40°29'45" West 236.07 feet);
- 30) Thence South 38°06'55" West 1005.95 feet to the beginning of a spiral curve to the right;
- 31) Thence along said spiral curve 182.20 feet (Chord = South 39°31'23" West 182.12 feet), to the beginning of a 1258.11 foot radius circular curve concave to the Northwest;
- 32) Thence Southwesterly along said curve through a central angle of 16°07'38" a distance of 354.13 feet (Chord = South 50°22'40" West 352.96 feet), to the beginning of a spiral curve to the right;

33) Thence along said spiral curve 128.81 feet (Chord = South 60°42'00" West 128.79 feet) to a 5/8" rebar with cap;

Thence South 00°13'08" East 1821.17 feet along the West line of the East ¼ of the Southeast ¼ of said Section 14, Township 7 South, Range 42 East to a 5/8" rebar with cap set on the Southwest corner of said East ¼ of the Southeast ¼;

Thence South 89°55'18" East 1321.00 feet along the South line of said Section 14 to the TRUE POINT OF BEGINNING.

WR 27-12039

POU

POD

