

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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*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

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MAR 11 2008

Department of Water Resources
 Eastern Region

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)

Danall C. Budge Attorney for
New Owner PH 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 [Signature]
Received by [Signature]
Processed by [Signature] AJ

Date 3-11-08
Date 3-11-08
Date 3-11-08 WR

Fee \$150.00
Receipt No. E033835
Date 3-11-08

Refund Requested 4-15-08

WARRANTY DEED

Instrument # 179632

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 Clubway
65th St., Leas, 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 11th day of January, 2008.

J. Frank Scarborough III
J. Frank Scarborough III

Judy Scarborough
Judy Scarborough

STATE OF Wyoming)
) ss.
County of Teton)

ON THIS 9th day of January, 2008, before me, Patricia Barlow Smith a 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 Northwesterly 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 $62^{\circ}35'45''$ 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 $82^{\circ}13'55''$ West 114.12 feet);
- 02) Thence North $07^{\circ}13'32''$ East 10.00 feet to a $5/8''$ rebar with cap;
- 03) Thence North $82^{\circ}46'35''$ 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 $80^{\circ}21'30''$ 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 $30^{\circ}32'02''$ a distance of 525.12 feet (Chord = North $60^{\circ}18'34''$ 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 $40^{\circ}15'40''$ West 243.59 feet);
- 07) Thence North $52^{\circ}08'39''$ East 5.00 feet to a $5/8''$ rebar with cap;
- 08) Thence North $37^{\circ}50'35''$ 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 $38^{\circ}50'20''$ 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 $04^{\circ}46'54''$ a distance of 117.48 feet (Chord = North $43^{\circ}14'05''$ 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 $47^{\circ}37'50''$ West 148.69 feet);
- 12) Thence North $48^{\circ}37'35''$ 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 $46^{\circ}12'41''$ 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 $11^{\circ}30'01''$ a distance of 196.78 feet (Chord = North $35^{\circ}40'35''$ 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 $25^{\circ}08'29''$ West 242.96 feet);
- 16) Thence North $22^{\circ}43'35''$ 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 $23^{\circ}43'20''$ 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 $07^{\circ}20'54''$ a distance of 180.54 feet (Chord = North $29^{\circ}24'05''$ 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 $35^{\circ}04'50''$ West 148.69 feet);
- 20) Thence North $36^{\circ}04'35''$ 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 $40^{\circ}25'43''$ 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 $41^{\circ}10'56''$ a distance of 497.23 feet (Chord = North $69^{\circ}50'50''$ 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 $80^{\circ}44'03''$ West 323.24 feet);
- 24) Thence South $76^{\circ}22'55''$ 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 $73^{\circ}59'53''$ 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 $19^{\circ}40'23''$ a distance of 319.45 feet (Chord = South $59^{\circ}20'43''$ West 317.88 feet);
- 27) Thence South $00^{\circ}06'09''$ 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 $40^{\circ}45'18''$ East;
- 28) Thence Southwesterly along said curve through a central angle of $03^{\circ}55'45''$ a distance of 63.46 feet (Chord = South $47^{\circ}16'48''$ 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 $40^{\circ}29'45''$ West 236.07 feet);
- 30) Thence South $38^{\circ}06'55''$ 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 $39^{\circ}31'23''$ 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 $16^{\circ}07'38''$ a distance of 354.13 feet (Chord = South $50^{\circ}22'40''$ 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 1/4 of the Southeast 1/4 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 1/4 of the Southeast 1/4;

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

GIVENS PURSLEY LLP

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RETIRED
Kenneth L. Pursley
James A. McClure
Raymond D. Givens (1917-2008)

Via Email and U.S. Mail

January 30, 2009

Hon. Brigitte Bilyeu
Special Master
Snake River Basin Adjudication
253 3rd Ave. N.
P.O. Box 2707
Twin Falls, ID 83303-2707

COPY

Re: *SRBA Subcase Nos. 27-00049 (Irrigation) and 27-12039 (Non-Irrigation)*

Dear Special Master Bilyeu:

As I previously notified the Court, our client, Frank Scarborough, no longer owns Water Right Nos. 27-00049 and 27-12039. Randall Budge of the law firm Racine, Olson, Nye, Budge & Bailey, Chartered, filed a Notice of Change in Water Right Ownership on March 5, 2008. A copy is enclosed for your reference.

In the meantime, because our client, Mr. Scarborough, is no longer a party to these claims, I will not be participating in the scheduling conference on March 6, 2009.

I have included two originals of this letter to facilitate your filing under the separate irrigation and non-irrigation use water rights. If there is further action required on my part, I ask that you or counsel for the buyer let me know what that is. Thank you.

Respectfully,



Christopher H. Meyer

cc w/enc.: Frank Scarborough
Randall C. Budge, Esq.
Scott J. Smith, Esq.
Jerry R. Rigby, Esq.
David J. Barber, Deputy Attorney General
Jeanette Wolfley, Special Counsel Shoshone-Bannock Tribe
State of Idaho, Natural Resources Division Chief
Peter C. Monson, US Department of Justice
Idaho Department of Water Resources, Eastern Division

CHM:ch

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RECEIVED
FEB 02 2009

Department of Water Resources
Eastern Region

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**RACINE OLSON NYE BUDGE & BAILEY
CHARTERED**

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TELEPHONE (208) 232-6101
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ALL OFFICES TOLL FREE
(877) 232-6101

LOUIS F. RACINE (1917-2005)
WILLIAM D. OLSON, OF COUNSEL

March 5, 2008

Idaho Department of Water Resources
Eastern Division
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402

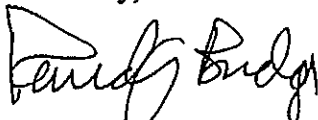
Re: *P4 Production, L.L.C.*
Water Right Nos. 27-00049 (Irrigation), 27-12039 (Non-Irrigation)

To Whom It May Concern:

Enclosed please find the original and extra copy of Notice of Change in Water Right Ownership for the above-referenced rights. Please file the original and conform stamp and return the extra copy. Our check for filing fees in the amount of \$50 is enclosed.

Thank you for your cooperation and assistance. If you have any questions, give me a call.

Sincerely,


RANDALL C. BUDGE

RCB:rr
Enclosures