

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

FEB 17 2009

By _____ Clerk
_____ Deputy Clerk

RECEIVED

FEB 19 2009

DEPARTMENT OF
WATER RESOURCES

COPY

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

)

Water Rights: 27-49

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party J Frank Scarborough-P4 Production LLC

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

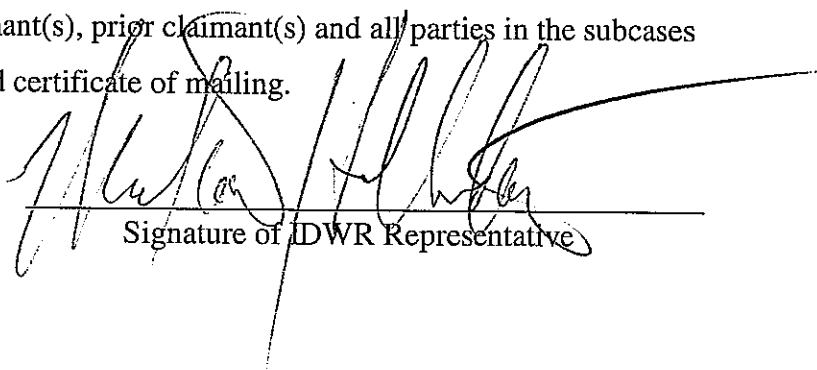
☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 2/10/2009


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 13, 2009, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
J Frank Scarborough
14027 Memorial Dr # 440
Houston TX 77079

3. One copy to:

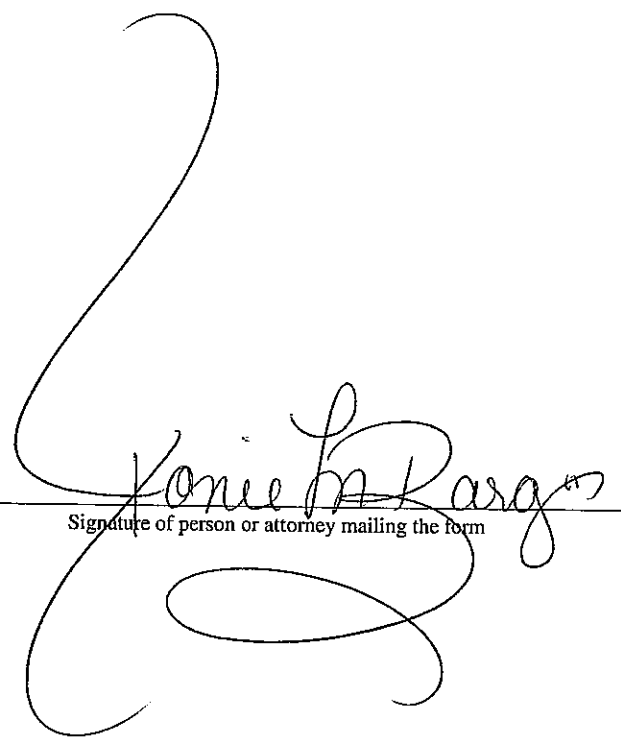
Claimant/Purchaser for Substitution of Party, or attorney of record:
P4 Production LLC
Monsanto Co C/O Mine Superintendent
PO Box 816
Soda Springs ID 83276

4. One copy to:

Each party in the subcase, or attorney of record	
Committee of Nine	J Frank Scarborough
Represented by:	Represented by
Barker, Rosholt & Simpson LLP	Christopher H Meyer
PO Box 485	601 W Bannock St
Twin Falls ID 83303-0485	PO Box 2720
	Boise ID 83701-2720

Shoshone-Bannock Tribes	P4 Production LLC
Represented by:	Represented by:
Jeanette Wolfley	Randall C Budge
Special Counsel	201 E Center, Ste A2
Shoshone-Bannock Tribe	PO Box 1391
202 N Arthur	Pocatello ID 83204-1391
Pocatello ID 83202	

4. (Continued) One copy to:
Each party in the subcase, or attorney of record
Committee of Nine
Represented by:
Ray W. Rigby
25 N 2nd E
PO Box 250
Rexburg ID 86440-0250
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

02/10/2009

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

RIGHT NUMBER: 27-49

NAME AND ADDRESS: P4 PRODUCTION LLC
MONSANTO CO. C/O MINE SUPERINTENDENT
PO BOX 816
SODA SPRINGS ID 83276

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.910 CFS

PRIORITY DATE: 12/04/1889

POINT OF
DIVERSION:

T07S R43E S26 SWNESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 07/01	2.910 CFS
PLACE OF USE:	<u>IRRIGATION in CARIBOU County</u>		
	T07S R43E S29 NWNW 22.00	T07S R43E S29 SWNW	34.00
	T07S R43E S29 SENW 30.00	T07S R43E S29 NESW	40.00
	T07S R43E S29 SESW 19.00	T07S R43E S30 NENE	0.70
	145.7 ACRES TOTAL		

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

THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM
1974 TO 2005.

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