

04/29/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-49

NAME AND ADDRESS: J FRANK SCARBOROUGH
14027 MEMORIAL DR #440
HOUSTON TX 77079

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: IRRIGATION Within CARIBOU County

T07S R43E S29	NWNW	22.0	T07S R43E S29	SWNW	34.0
T07S R43E S29	SESW	30.0	T07S R43E S29	NESW	40.0
T07S R43E S29	SESW	19.0	T07S R43E S30	NENE	0.7

145.7 ACRES TOTAL

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

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.

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

EXPLANATORY MATERIAL: Decreed



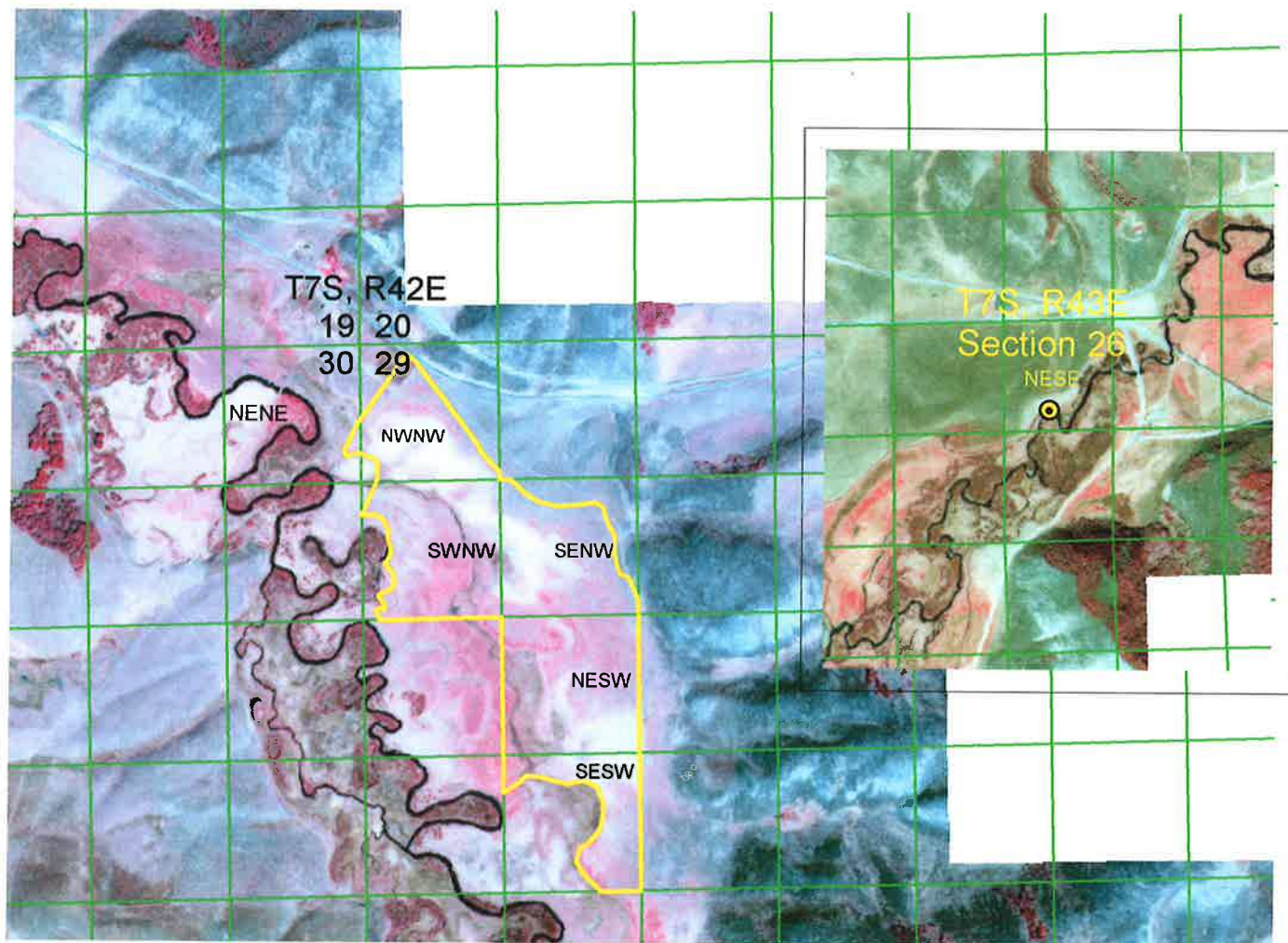
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-49



1000 0 1000 2000 Feet

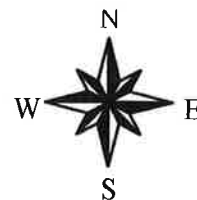
IRRIGATED ACRES 145.7

LEGEND

- Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T7S, R42E:
(part of) Sec. 30, NENE.
(part of) Sec. 29, NWNW,
SWNW, SENW, NESW, SESW.

Point(s) of Diversion: T7S, R43E:
Sec. 26, SWNESE.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: April 2005.

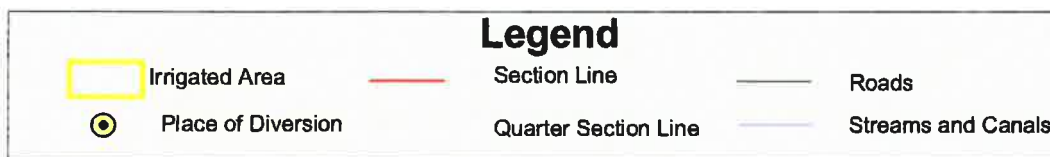
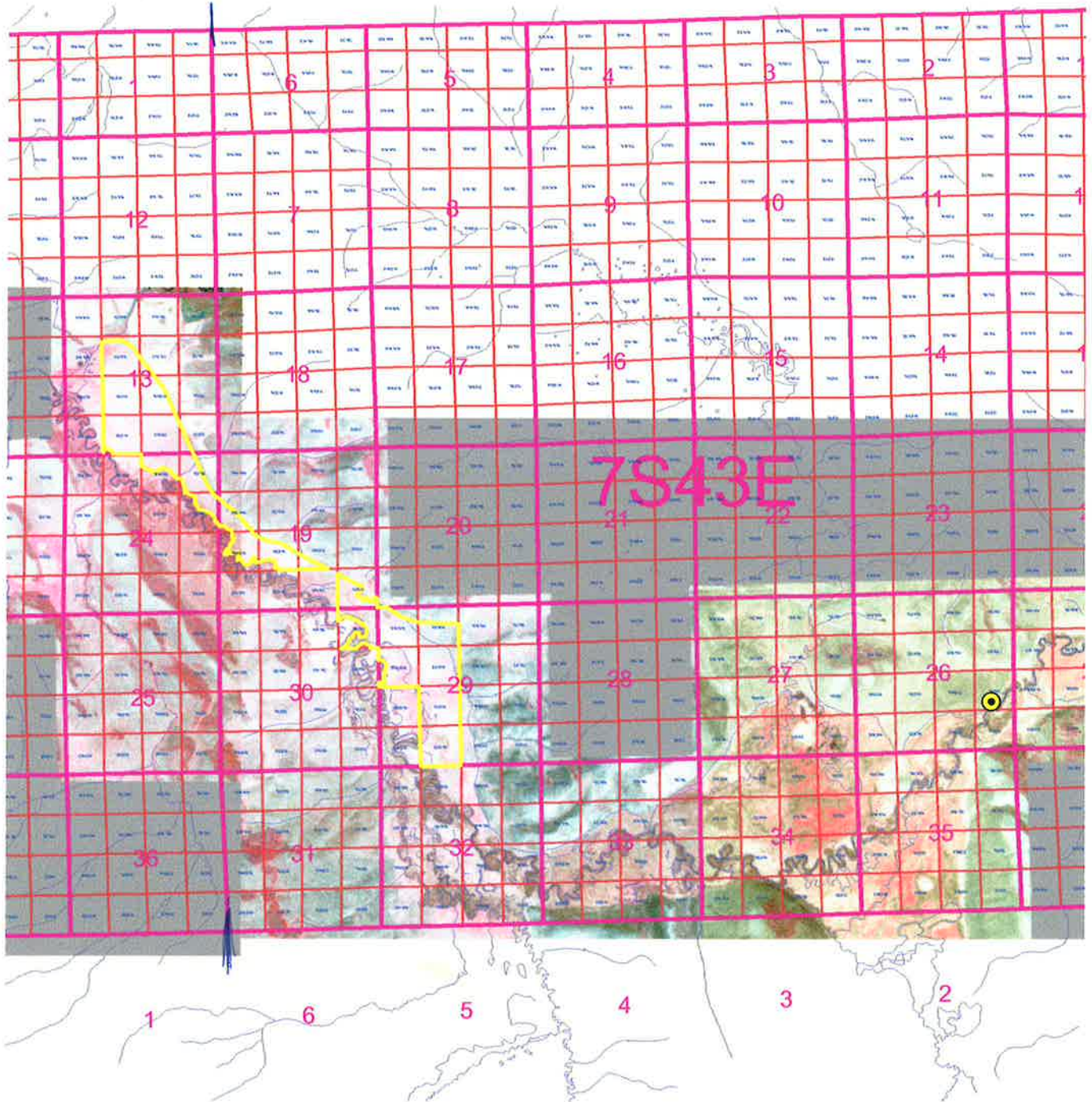
SCANNED

JAN 12 2006

PROFILED

Water Right Claim Number 27-00049
Townships , 7S43E, 7S42E

11/27/2000



3000 0 3000 6000 Feet



Water Right Number - A27-00049

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CORBRIDGE BROTHERS, LIMITED

1 - 264 W. 700 N.
2 -
3 -

City- MALAD CITY
Phone - 208-766-4284

State- ID Zip- 83252

*** O - ORIGINAL OWNER ***
FOX

MAYLAN C.

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

+ - - Priority Date - - +
12/04/1889

+ - - Region - - - +
15 EASTERN

+ - - Stage - - - +
D - DECREED

+ - - Status - - - - +

+ - - - - Source - - - - - +
BLACKFOOT RIVER

+ - - - - Tributary - - - - - +
SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 43E 26 SW NE SE (29) CARIBOU

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 07/01 12.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
12.800 795.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

07S	42E	13	SW NE		4.0	01	IRRIGATION	(29) CARIBOU
07S	42E	13	SE NW		18.0	01	IRRIGATION	(29) CARIBOU
07S	42E	13	NE SW		28.0	01	IRRIGATION	(29) CARIBOU
07S	42E	13	SE SW		6.0	01	IRRIGATION	(29) CARIBOU
07S	42E	13	NW SE		28.0	01	IRRIGATION	(29) CARIBOU
07S	42E	13	SW SE		39.0	01	IRRIGATION	(29) CARIBOU
07S	42E	13	SE SE		6.0	01	IRRIGATION	(29) CARIBOU
07S	42E	24	NE NE		23.0	01	IRRIGATION	(29) CARIBOU
07S	42E	24	NW NE		11.0	01	IRRIGATION	(29) CARIBOU
07S	42E	24	SE NE		10.0	01	IRRIGATION	(29) CARIBOU
07S	43E	19	SW NW		9.0	01	IRRIGATION	(29) CARIBOU
07S	43E	19	NE SW		14.0	01	IRRIGATION	(29) CARIBOU
07S	43E	19	NW SW		2.0	01	IRRIGATION	(29) CARIBOU
07S	43E	19	NW SE		2.0	01	IRRIGATION	(29) CARIBOU
07S	43E	19	SE SE		2.0	01	IRRIGATION	(29) CARIBOU
07S	43E	29	NE NW		1.0	01	IRRIGATION	(29) CARIBOU
07S	43E	29	NW NW		22.0	01	IRRIGATION	(29) CARIBOU

NOV 13 1995

RECORDED

Water right number - A27-00049

Prefix Translation: ADJUDICATION CLAIM

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
07S	43E	29	SW NW		4.0	01	IRRIGATION	(29) CARIBOU
07S	43E	29	SE NW		28.0	01	IRRIGATION	(29) CARIBOU
07S	43E	29	NE SW		29.0	01	IRRIGATION	(29) CARIBOU
07S	43E	29	SE SW		26.0	01	IRRIGATION	(29) CARIBOU
07S	43E	30	NE NE		6.0	01	IRRIGATION	(29) CARIBOU

Total Acres: 318.0

+ - - Diversion Means - DAM, DITCH, FLOOD IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - -
POINT OF DIVERSION IS LOCATED ON THE R. ALLEN RANCH.
A COPY OF THE DECREE IS ATTACHED.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
FRED S. STEVENS, ET AL.	EASTERN IDAHO WATER CO., ET AL.	00/00/0000

+ - - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
01/24/90 MOBILE2

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing - 00/00/0000	Field Inspection Made - 00/00/0000	Civil Case Number - 39576
Objection Filed Date - 00/00/0000	Field Inspection Flag -	Old Case Number -
Response Filed Date - 00/00/0000	Verified Date - 04/10/1986	Old Judicial District -
Claim Received Date - 01/24/1990	Last Amended Date - 00/00/0000	Temporary Right - T
	Receipt Number -	Water District - 27
	POU Ownership Flag - Y	Federal/State Indicator - S
	Name Connector -	Presumption Flag -
		Notice of Error Flag -

00013 1000

In Re SRBA	)	
	)	Water Rights: 27-49
Case No. 39576	)	
	)	NOTICE OF COMPLETED 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 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:

Signature of IDWR Representative

SCANNED

FEB 10 2009

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 TD 77079

3. One copy to:

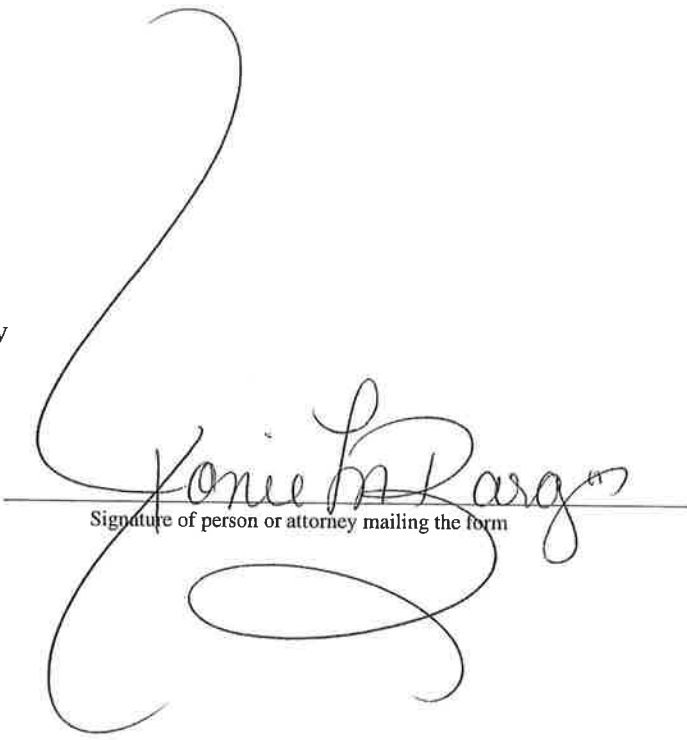
Claimant/Purchaser for Substitution of Party, or attorney of record:
P4 Production LLC
Monsanto Co C/O Mine Superintendent
PO Box 816
Soda Springs ID 83276

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

SCANNED

FEB 10 2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

February 10, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

P4 Production LLC
Monsanto Co.
C/O Mine Superintendent
PO Box 816
Soda Springs ID 83276

RE: Notice of Change of Water Right Ownership (NCO) for 27-49 and 27-12039
and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jonie Barg
Technical Records Specialist

Enclosure

SCANNED

FEB 10 2009

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

DEV ✓

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

RECEIVED

MAR 11 2008

Department of Water Resources
 Eastern Region

FEB 10 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 *[Signature]*
Received by *[Signature]*
Processed by _____ AJ

Date *3-11-08*
Date *3-11-08*
Date _____ WR _____

Fee *\$150.00*
Receipt No. *E033835*
Date _____

SCANNED

Refund Requested 4-15-08 FEB 10 2009

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

MONSANTO
GSE

Company, Tax Department, 2001 Lindbergh
St. Louis Missouri 63167

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
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
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 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: 8-31-2011

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;

SCANNED

FEB 10 2009

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;

SCANNED

FEB 10 2009

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.

SCANNED

FEB 10 2009

GIVENS PURSLEY LLP

LAW OFFICES

601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
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Angela M. Reed
Justin A. Steiner
Scott A. Tschirgi, LL.M.
J. Will Varin
Conley E. Ward
Robert B. White

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)*

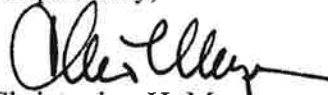
Dear Special Master Bilyeu:

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

S:\CLIENTS\8328\1\CHM Ltr to SM Bilyeu.doc

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FEB 02 2009

Department of Water Resources
Eastern Region

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FEB 10 2009

LAW OFFICES OF

**RACINE OLSON NYE BUDGE & BAILEY
CHARTERED**

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POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
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www.racinelaw.net

SENDER'S E-MAIL ADDRESS: rcb@racinelaw.net

W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
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CONRAD J. AIKEN
RICHARD A. HEARN, M.D.
DAVID E. ALEXANDER
LANE V. ERICKSON
PATRICK N. GEORGE
SCOTT J. SMITH
STEPHEN J. MUHONEN
BRENT L. WHITING
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IDAHO FALLS, ID 83402
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230 NORTHWEST
BOULEVARD, SUITE 106A
COEUR D'ALENE, ID 83814
TELEPHONE: (208) 765-6598

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

SCANNED
FEB 10 2009

Law Offices of

BAKER & HARRIS

Dwight E. Baker

Jared M. Harris *

Jonathan W. Harris

* Also Admitted in Utah

266 W. BRIDGE STREET

BLACKFOOT, ID 83221

Telephone (208) 785-2310

Facsimile (208) 785-6749

E-Mail — debaker@bakerharrislaw.com

August 27, 2007

Ralph Saunders
HKM Engineering
222 N 32nd St. Suite 700
P.O. Box 31318
Billings, MT 59107-1318

Ernie Carlson
Idaho Department of Water Resources
900 N Skyline Dr. Suite A
Idaho Falls, ID 83402-1718

Peter C. Monson
Managing Attorney Denver Field Office
U.S. Department of Justice
Rogers Federal Building
1961 Stout Street - 8th Floor
Denver, CO 80294

RECEIVED
AUG 29 2007
Department of Water Resources
Eastern Region

Re: Snake River Basin Adjudication
Subcase Nos. 27-2069 and 27-2075

Gentlemen:

Mr. Saunders, his associate, and I discussed a possible resolution of the pending litigation regarding the above referenced water rights.

I do not specifically understand how we might implement the proposals we discussed; I have generally explained to Mr. Lake that I thought we could reach an agreement if he would agree that the water rights in question would not be moved or otherwise altered from what now exists. He conceptually agrees the plan appears to have merit. Whether we do this through an acknowledgment that all or a portion of the existing water rights are private water rights not subject to administration, or whether we recognize the waters with a condition that the water rights can not be moved are both possibilities insofar as I am concerned. I believe we would be most comfortable with recognizing the water rights as such, but with the necessary conditions. I believe this approach will provide a higher level of protection for all parties in the future.

I have briefly discussed the proposal with Mr. Carlson; I frankly do not have a good enough understanding of specifically what the Idaho Department of Water Resources will require either in terms of the definition of the right, or the limitations on the right. However, I am generally comfortable that we can proceed along the outlines that we discussed.

J:\LAKE\Water\Saunders-Monson-Carlson.3.wpd

SCANNED

JAN 17 2008

August 27, 2007

Page - 2

I would propose that Mr. Saunders and/or Mr. Monson, make a proposal as to a stipulation that they would find acceptable, and then to forward it to Mr. Carlson and to us for review.

As we are all aware, the court has set this matter for review on September 13, 2007; hopefully we can all expedite a resolution of the matter. In the meantime, if there are any questions or concerns about our position, I would be happy to attempt to respond.

Very truly yours,

BAKER & HARRIS

A handwritten signature in dark ink, appearing to read "Dwight E. Baker".

Dwight E. Baker

DEB/lb

cc: Dennis Lake

SCANNED

JAN 17 2008

Law Offices of
BAKER & HARRIS

Dwight E. Baker
Jared M. Harris *
Jonathan W. Harris
* Also Admitted in Utah

266 West Bridge
BLACKFOOT, ID 83221
Telephone (208) 785-2310
Facsimile (208) 785-6749
E-Mail — debaker@bakerharrislaw.com

September 24, 2007

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SEP 25 2007

Peter C. Monson
Managing Attorney Denver Field Office
U.S. Department of Justice
Rogers Federal Building
1961 Stout Street - 8th Floor
Denver, CO 80294

Ralph Saunders
HKM Engineering
222 N 32nd St. Suite 700
P.O. Box 31318
Billings, MT 59107-1318

Department of Water Resources
Eastern Region

Ernie Carlson
Idaho Department of Water Resources
900 N Skyline Dr. Suite A
Idaho Falls, ID 83402-1718

Re: SRBA Subcase Nos. 27-2075; 27-2069
B & H Matter No. 5354

Gentlemen:

Dennis Lake called to advise that the measured water flow off of the water source for right to 27-2069 was 2.1cfs.

Assuming the water is diverted, and assuming a maximum utilization of .02cfs, I assume that at least 105 acres would be irrigated. Obviously, if because of the conditions of the land more land is irrigated, the acreage may be larger.

Please advise as to how we might be able to move this matter along for final resolution, assuming Mr. Lake agrees that he will not seek any change of place of use for the water right.

We look forward to your response.

Very truly yours,

BAKER & HARRIS



Dwight E. Baker
DEB/cs

cc: Dennis Lake

SCANNED

JAN 17 2008

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DE ✓

*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) Name Connector (check one) ☐ and, ☐ or, ☐ and/or
 New Mailing Address P4 Production, LLC
 City, State, Zip code 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

RECEIVED

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 line7)		
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)

Douglas 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 *JB* _____
Processed by _____ AJ

Date *3-11-08*
Date _____
Date _____

Fee *\$50.00*
Receipt No. *E033835*
Date _____

Refund Requested 4-15-08

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, 8001 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
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 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: 9-31-2011

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 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 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 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 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 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 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 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 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 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 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 5/8" rebar with cap;
Thence North $72^{\circ}46'52''$ West 647.22 feet along the said fence line to a 5/8" rebar with cap;
Thence North $50^{\circ}45'37''$ West 1184.99 feet along said fence line to a 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 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 5/8" rebar with cap;
Thence North $59^{\circ}54'42''$ West 1263.13 feet along said fence line to a 5/8" rebar with cap;
Thence North $56^{\circ}10'43''$ West 284.78 feet along said fence line to a 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 $60^{\circ}42'00''$ West 128.79 feet) to a 5/8" rebar with cap;

Thence South $00^{\circ}13'08''$ East 1821.17 feet along the West line of the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ 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 $\frac{1}{2}$ of the Southeast $\frac{1}{4}$;

Thence South $89^{\circ}55'18''$ East 1321.00 feet along the South line of said Section 14 to the TRUE POINT OF BEGINNING.

LAW OFFICES OF

**RACINE OLSON NYE BUDGE & BAILEY
CHARTERED**

201 EAST CENTER STREET
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

www.racinelaw.net

SENDER'S E-MAIL ADDRESS: rcb@racinelaw.net

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RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
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RICHARD A. HEARN, M.D.
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BRENT L. WHITING
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IDAHO FALLS, ID 83402
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250 NORTHWEST
BOULEVARD, SUITE 108A
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ALL OFFICES TOLL FREE
(877) 232-6101

LOUIS F. RACINE (1917-2008)
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

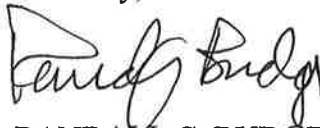
Re: *P4 Production, L.L.C.*
Water Right Nos. 27-00049 (Irrigation), 27-12039 (Non-Irrigation)

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.

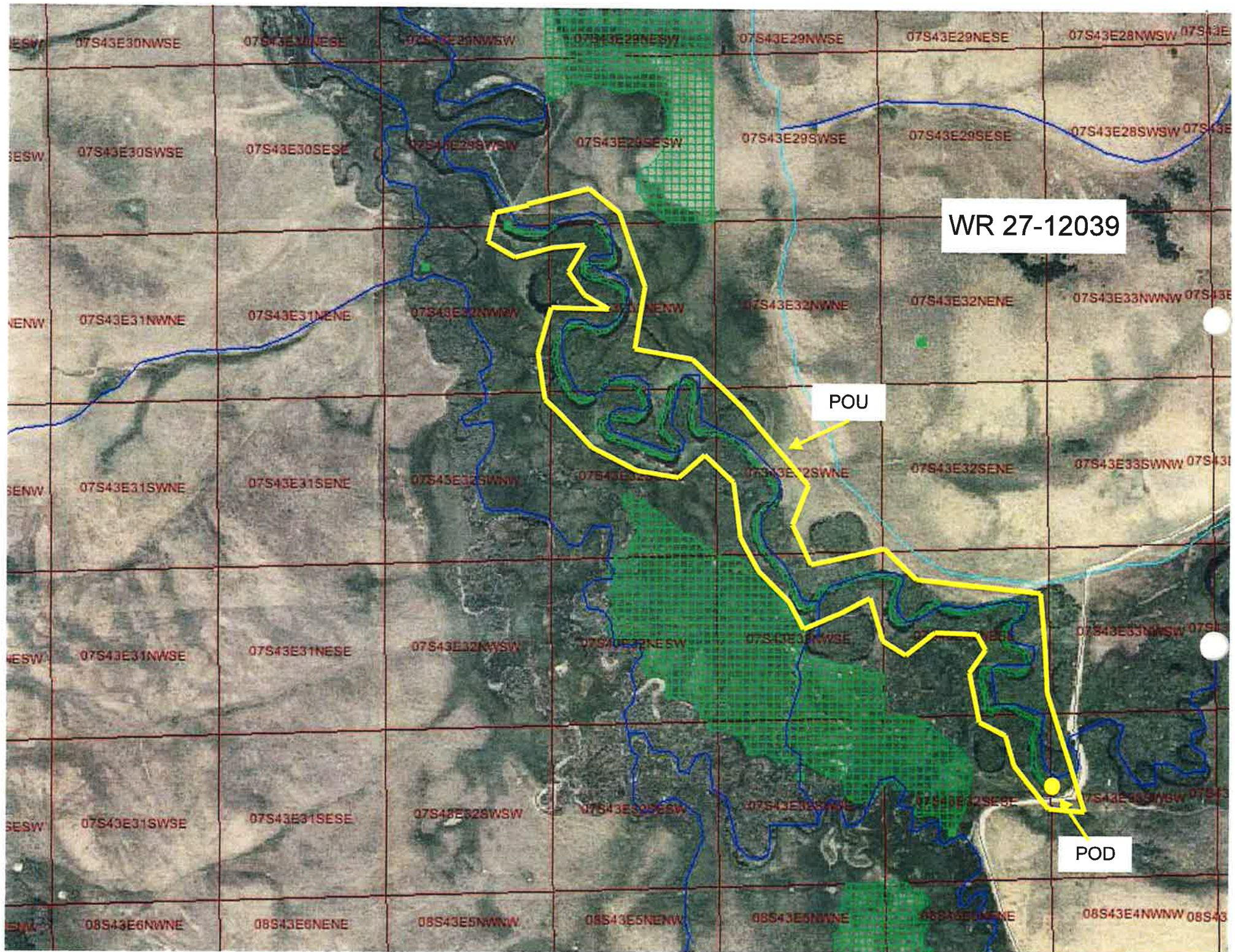
Thank you for your cooperation and assistance. If you have any questions, give me a call.

Sincerely,



RANDALL C. BUDGE

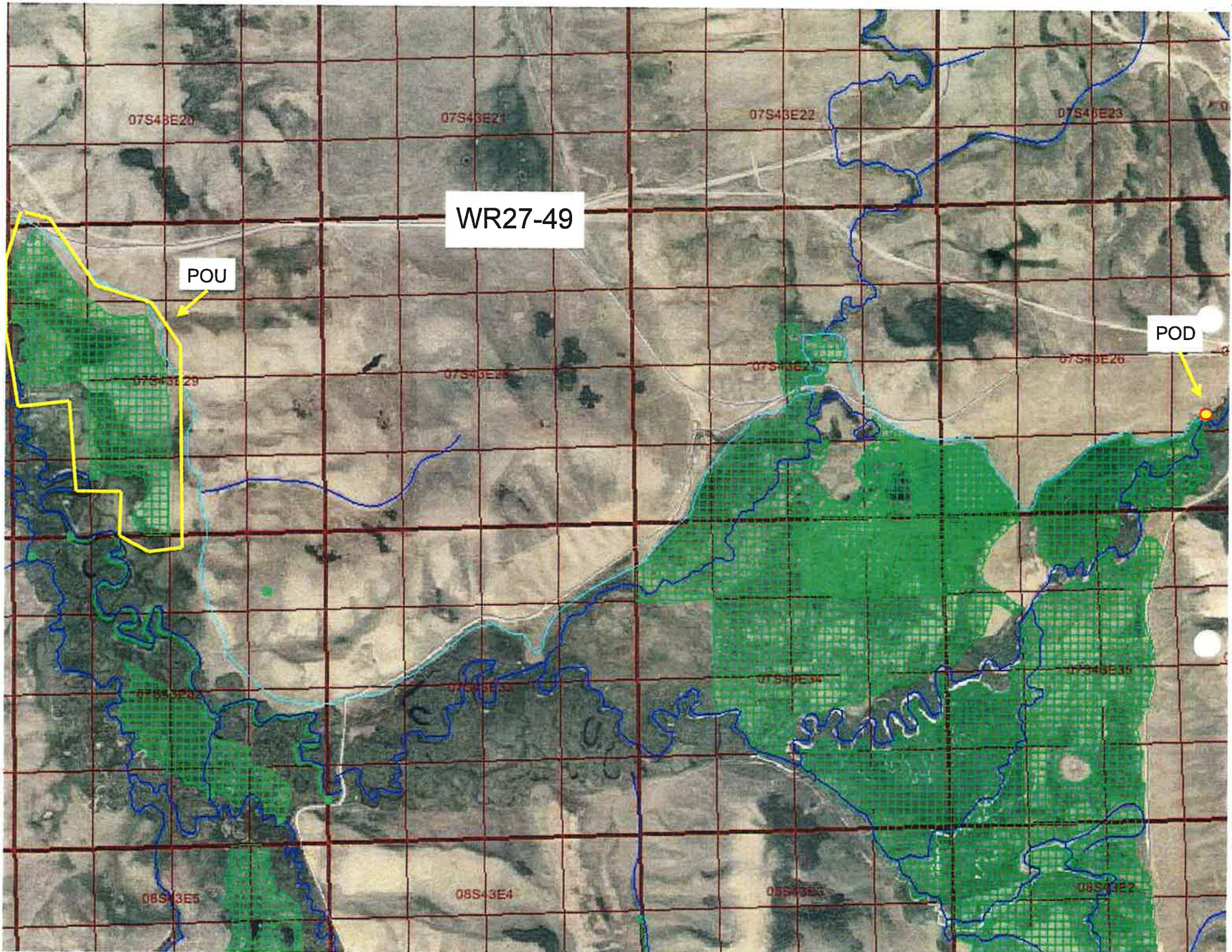
RCB:rr
Enclosures



WR27-49

POU

POD





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 15, 2008

P4 PRODUCTION LLC
MONSANTO CO
C/O MINE SUPERINTENDENT
PO BOX 816
SODA SPRINGS ID 83276

RE: Notice of Change in Water Right Ownership and Notice of
Administrative Proceeding (NAP)

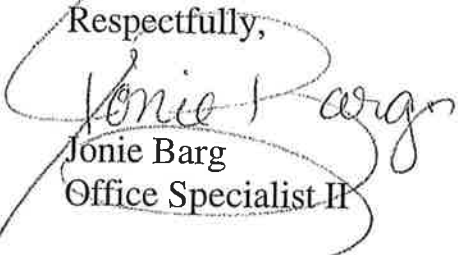
Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) received a Notice
of Change in Water Right Ownership for the above referenced water
right(s).

In response to the Application, this office is sending the enclosed NAP
to the SRBA Court and other parties listed on page 2 of the form. The
intent of this mailing is to notify those parties of the requested change.

Please feel free to contact me if you have any questions concerning this
matter.

Respectfully,


Jonie Barg
Office Specialist II

Enclosure

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 & 27-12039

Case No. 39576

)

)

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative proceeding for the above
mentioned water right(s):

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Address change

☒ Substitution of Party 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 projects the Administrative Proceeding shall be completed no later than: 4-15-2009

DATED: 4-21-08

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 21, 2008, 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

J Frank Scarborough
C/O Christopher Meyer
601 W Bannock St
Boise ID 83701-2720

Shoshone-Bannock Tribes
C/O Jeanette Wolfley
202 N Arthur
Pocatello ID 83202

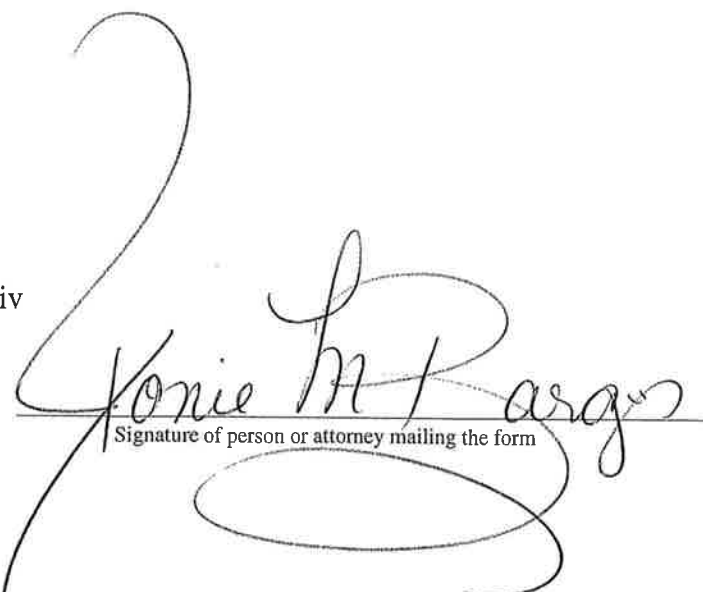
P4 Production LLC
C/O Randall C Budge
201 E Center Ste A2
PO Box 1391
Pocatello ID 83204-1391

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

March 28, 2007
H:\03\M137224\BirdLtr03_19_07.doc



222 N. 32nd Street
Suite 700
P.O. Box 31318
Billings, MT 59107.1318
Phone: 406.656.6399
Fax: 406.656.6398
www.hkminc.com

RECEIVED

FEB 13 2008

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Ms. Cindy E. Bird
Adjudication Bureau
15 West Center Street
Soda Springs, ID 83276

RE: Snake River Adjudication, Basin 27, United States Objection to thirteen claims as listed herein

Dear Ms. Bird:

The United States has directed HKM Engineering to attempt to reach a settlement on thirteen claims in which the U.S. had filed objections. That process is on-going, however HKM has found difficulty in reaching an agreement on some of the thirteen claims. That difficulty is basically due to the differences between HKM's findings and IDWR's Recommendations. Of those thirteen claims HKM has developed a file for eleven of the claims for your review. Not included in these eleven files are claims 27-102 and 27-12108. Those claims are in the process of settlement or have as yet not undergone negotiation investigations.

We have developed a summary datasheet for each of the eleven claims that identifies key issues and information explaining our position on each claim. The information was derived from IDWR documents, notes and comments, HKM's stereo aerial photography analysis results and HKM's field investigations. Included are HKM's recommended acreage and diversion rates associated with our analysis and findings.

HKM is respectfully requesting you to review our findings on the eleven water right recommendations to determine if there is anything you can do to help resolve our differences. If not, future hearings and additional litigation costs will unfortunately be the result. The main issue surrounding these claims is their idle condition and our unwillingness to accept the IDWR recommended irrigated acreages for claims that we believe have been idle since 1980 and longer.

Each of the eleven claims and its associated recommendation is unique, but all of them have a long history of inactivity, or no historic activity, for all or part of the claimed place of use. If our findings indicated current or recent irrigation had occurred as of 1987, the U.S. did not object to those acres.

In one case, a claimant wants to transfer a water right that has not been used in over 30 years as of 2003 (per IDWR documents), to a new proposed wetland project. The USDA indicates the wetland project will be entirely natural with no man induced diversion of water. The claimant also stated he has no interest in irrigation. We have been unable to negotiate with the claimant due to the acreage recommended by IDWR.

We have found some claims to be inaccurately mapped and the claimant was agreeable to changing the place of use to match the correct place of use. That occurred with claim 27-102 and we prepared a map and submitted it to IDWR. We anticipate that claim to be settled due to insignificant differences.

There are also claimed lands being sub-irrigated without a man-made distribution system or located above the claimed ditch and can't be irrigated. We believe these areas should be deleted from the IDWR recommendations.

For Settlement Purposes-Only

SCANNED

FEB 14 2008

Idaho Department of Water Resources
Ms. Cindy E. Bird
March 28, 2007
Page 2

These types of problems need to be addressed so settlement talks can move forward with the claimants and their attorneys. We, at HKM, do believe our goals are the same as yours and we appreciate your time in helping to resolve these issues. If a settlement can be attained we anticipate a significant cost benefit to all parties in this adjudication.

There are six claims where HKM cannot identify current or historic (post 1980) irrigation and recommends that the claims be awarded no irrigated acres. The claimants are not willing to withdraw their claim if the IDWR maintains their current acreage recommendation. These claim numbers are: 27-49, 27-76, 27-2069, 27-2075, 27-2078, and 27-12045.

Our analysis of the remaining five claims indicate partial irrigation on the claimed lands and we are negotiating with some of the claimants at this time. These claim numbers are: 27-54, 27-2108, 27-2026, 27-2066 and 27-11317. The place of diversion and place of use will need to be modified on these to reflect the correct locations. We have also included some maps from our files on these claims for your review.

HKM would like to schedule a conference call and work session with IDWR personnel to discuss the above claims. We believe that would help us both understand our differences and hopefully resolve them. It may be necessary to schedule a field trip with IDWR and the claimants if possible this field season. We believe the field trip would help to resolve a number of these discrepancies. The window of opportunity for settlement requires that we address these issues at your earliest convenience. The United States has requested that we have responses completed by April 20, 2007.

Please call me with any questions you may have after you have had an opportunity to review our enclosed analysis, findings, and exhibits.

Respectfully submitted,

HKM ENGINEERING INC.


Loring Gurney

Enclosures

cc: Peter Monson
U.S. Attorney

For Settlement Purposes Only

SCANNED
FEB 14 2008

HKM'S FINDINGS AND RECOMMENDATIONS FOR SELECTED CLAIMS

Claim #	IDWR Documents & Comments	HKM Analysis	IDWR Recommended Acres/cfs	HKM Recommended Acres/cfs
27-49	- IDWR notes: "The 1987/88 imagery shows the ditch dead ending in the SWNE, Sec. 27, T.7S., R.43E." 4-30-2005 - IDWR notes: Previous owner stated on 12/11/2003: "hasn't been used for 30 years (since he was a kid)." - IDWR notes 4/30/2005: "Recommending the land in Section 29 only as irrigated prior to 1987."	- The ditch was non-serviceable in 1980, 1987, 1992, 1997 and 1999. - Can IDWR approve a transfer for a water right that has been abandoned for over 30 years to a wetlands project? The wetlands project restricts livestock from the project area. - NRCS indicates the wetland project will have no diversions and that it will be entirely natural. - IDWR appears to not have conducted a field investigation. - Claimant states that he wants to transfer water right to wetlands. No water diverted for wetlands at this time. (statement by claimants attorney 2-21-2007)	145.7/2.91	Irr. = 0.0/0.0 Livestock = 0.0 except for use directly from the river.

NAPP 316-23

9-6-1987

27-49

map generated by HKM "Draft"

SCANNED

FEB 14 2003

sun
angle

sun angle helps expose water
white is reflection off water

less vegetation
no shadow
exposes
dry ditch

water gets as far as here in the
ditch

dark line is
shadow in ditch

dark line is
shadow
in ditch

white is
reflection off water

NAPP 4928-113

7-31-1992

27-49



1-1-3

NHAP80 187-64 8-21-80

27-49

map generated by HKM "Draft"

N

SCANNED

FEB 14 2003

less vegetation
helps expose
bottom of
ditch

sun angle helps with
interpretation

3D view with stereo
helps expose bottom
of ditch.

Sun Angle

ditch
is
dry

Ditch is
wet

Water could
not get beyond
this point on
8-21-1980

dark line is
a shadow
not
water

Notes

4/30/05 The claimed pod is located at the weir at Keith Hunsaker's. The 1987/88 imagery shows the ditch dead ending in the SWNE of Sec. 27, T7S, R43E.

1974 Ortho quad, shows the ditch from the Hunsaker weir ending in the NWNW NW of Section 29, T7S, R43E.

Therefore, from the weir only the land in section 29 owned by Frank Scarborough III could be irrigated from that POD.

Even on the 1974 Ortho quad the land in 19, 24 & 13 doesn't look irrigated.

Recommending the land in Section 29 only as irrigated prior to 1987. CB

Use the Ft Hall irrigation 1987 theme to help determine irrigated areas.

This may need field work if claimant objects. CB.

4/29/05 Please print NOE CB

in I.F.

SCANNED

JAN 12 2006

PROFILED

Point of Diversion and Source Data Entry Form

Claim Number 27-49

Claimed Point of Diversion and Source

T07S R43E S26 SWNESE Within CARIBOU County Source: BLACKFOOT RIVER SNAKE RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 27-49

Claimed Place Of Use

T07S R42E S13	SWNE	4.0	T07S R42E S13	SENE	18.0
T07S R42E S13	NESW	28.0	T07S R42E S13	SESW	6.0
T07S R42E S13	NWSE	28.0	T07S R42E S13	SWSE	39.0
T07S R42E S13	SESE	6.0	T07S R42E S24	NENE	23.0
T07S R42E S24	NWNE	11.0	T07S R42E S24	SENE	10.0
T07S R43E S19	SWNW	9.0	T07S R43E S19	NESW	14.0
T07S R43E S19	NWSW	2.0	T07S R43E S19	NWSE	2.0
T07S R43E S19	SESE	2.0	T07S R43E S29	NENW	1.0
T07S R43E S29	NWNW	22.0	T07S R43E S29	SWNW	4.0
T07S R43E S29	SENE	28.0	T07S R43E S29	NESW	29.0
T07S R43E S29	SESW	26.0	T07S R43E S30	NENE	6.0

Total Acres 318

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T07S R43E S29	NWNW	T07S R43E S29	SWNW
T07S R43E S29	SENE	T07S R43E S29	NESW
T07S R43E S29	NWSW	T07S R43E S29	SWSW
T07S R43E S29	SESW	T07S R43E S30	NENE
T07S R43E S30	NWNE	T07S R43E S30	SWNE
T07S R43E S30	SENE	T07S R43E S30	NENW
T07S R43E S30	NESE	T07S R43E S30	NWSE
T07S R43E S30	SWSE	T07S R43E S30	SESE

Total Acres

Recommended Place of Use

_____ See corrections to claimed POU above

Twps	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
Total Acres _____								

Reviewer: _____

Date: _____



Quick Look	Contacts	Priority	POD	Source	POU	Water Use	Period of Use	Quantity
------------	----------	----------	-----	--------	-----	-----------	---------------	----------

Review/Verify Log

Status

Claim Number Version Number

Check List

☒ Priority Date

☒ Contacts

☐ Point of Diversion

☒ Source

☐ Place of Use

☒ Purpose of Use

☒ Period of Use

☒ Quantity

☐ Summary

Contacts

Comments

Author Text

Subj

Date

Com

27-48
#24.

of Sec. 31, Tp. 6 S. R. 42 E., being 117 acres.

and Carolina Eliason of Lots 2 and 3 Section 31 Tp. 6 S. R. 42 E. B. M., being 57 acres in extent and owned since May 1889. H. C. Mesengale:

27-80 That defendant H. C. Mesengale is a citizen of the U. S. That said defendant is now and has been since June 1, 1891 the owner and in the possession and entitled to the possession of 160 acres of land situate in Bingham County, Idaho, and being the:

$\frac{1}{2}$ of SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of Sec. 4, and E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 9 township 5 S. R. 42 E. Boise Meridian.

Samuel Borup:

27-55
27-47 That in the spring of the year 1885 defendant through his grantors and predecessors in interest was, ever since has been and now is the owner of and in the possession and entitled to the possession of that certain tract of land described as follows to-wit:

That certain tract of unsurveyed government land containing one hundred acres of land, situate at the mouth of Cedar Creek in said County and lying on the North Side of Blackfoot River, and being about $\frac{1}{2}$ miles West of Twitchells Ranch, all in said County.

Moylan C. Fox:

27-49 Moylan C. Fox alleges: That on the 20th day of August 1889, Jessie M. Fox, a citizen of the United States, entered into the possession of the southeast quarter, the southwest quarter of the northeast quarter, the southwest quarter, and the south half of the northwest quarter of section 13; the east half of the southeast quarter, the southeast quarter of the northeast quarter of section 14, and the north half of the northwest quarter of section 24, all in township 7 south of range 42 east from Boise Meridian.

That on the same day Emily C. Fox, a citizen of the United States, entered into the possession of the northeast quarter, the

T7S, R 42E
Sec. 13 SE $\frac{1}{4}$ SE
NW $\frac{1}{2}$ SE, SWNE
E $\frac{1}{2}$ SW, S $\frac{1}{2}$ NW
SE NW
Sec. 14
E $\frac{1}{2}$ SE, SE $\frac{1}{4}$
Sec. 24
N $\frac{1}{2}$ NW
NE SE

S. 13
SE
SW NW
SW
S $\frac{1}{2}$ NW
S. 14
E $\frac{1}{2}$ SE
SE NE
S. 24
N $\frac{1}{2}$ NW
NE
SE
SE SE

Sec. 19

SW
SW NW
W 1/2 SE
SE SE

#25.

southeast quarter, the southeast quarter of the southeast quarter, all of section 24, township 7 south range 42 East, also the southwest quarter and the southwest quarter of the northwest quarter, and the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 19, Township 7 South, Range 43 East Boise Meridian.

Sec 30

E 1/2
NENW
Sec 29

SW
S 1/2 NW
NW NW

That on the 16th day of Nov. 1889 he, the said Moylan C. Fox entered into the possession of the east half, the northeast quarter of the northwest quarter of section 30, the southwest quarter, the south half of the northwest quarter, and the northwest quarter of the northwest quarter of Section 29, all in Township 7 South Range 43 East Boise Meridian.

Peter Morris:

For a cross complaint against the plaintiffs herein the defendant complains and alleges that in the month of March in the year 1882 this defendant, Peter Morris, his grantors and predecessors was the owner in the possession of a tract of land situate lying and being on Wolverine Creek in Bingham County, Idaho, containing about 300 acres of land.

John Lyon:

Defendant for further answer says: That he is the owner and in the possession and entitled to the possession of an undivided one half interest in the following described tract of land to-wit:

That certain tract of land lying on both sides of Cedar Creek, in said County, and being about one and one half miles east from the junction of said Cedar Creek with the Blackfoot River and being bounded on the East by the ranch of Wm. Jimmett, and on the west by the ranch of Wm. Twichell, said land being unsurveyed government land of the United States, and commonly known as Scaly's ranch, said defendant is unable to more particularly describe said land.

+ 75, R43E

Sec 19
N 1/2 SW
SW NW
W 1/2 SE NW
SE SE

Sec. 30

NENE 1/2, NENW

Sec 29
E 1/2 SW 1/2 SW; S 1/2 NW
NW NW

27-50
27-52

Notes

1-16-04 Frank Scarborough 1-307-734-8335
called about 27-49

CB 1-23-04 call Mr. Scarborough and left
a message.

1-26-04 Received ownership change & warranty deed
from Mr. Scarborough. RB

CB 1/30/04 Returned Frank's call. He wanted
to make sure I got his information.
also wanted to know about a stock
claim. He doesn't intend to investigate
he has other plans. 1-307-734-8335.

8/19/04 Watermaster reports show diversion
under 27-49 for Corbridge Bros in the late
seventies; ~~late~~ 80'S.
Freeman: John Burnt

Needs field exam to determine irrigated
POU.

8/23/04 John came in to file the in-stream
stock claim for Frank. Frank needs to sign
the documents.

Notes

11/26/03 The Corbridge Brothers need a letter to them to provide evidence to support the change in the place of use. The water right lists in POB in T7S, R43E Sec. 29 in the NW & SW Q5 and Sec 30. E 1/2.

Also ask why or if there has been a reduction in the number of irrigated acres; at 1" per acre it should do 640 acre, claimed 318? Has anyone else claimed this water, did they sell any of this water?

12-8-03 Ltr to claimant re Pole & Quantities. RB

12/11/03 Curt Corbridge hasn't been used for 30 years (since he was a kid). Frank Scarborough - about 2 years ago purchased the property. Curt will check with his dad and the new owner on this place. Lets give him until 12-22-03. Then call Bingham Co for new owner; send ownership change & copy of letter to Corbridge Bro.

1-6-03 Checked with Presdon, Caribou Co. Assessor. J. Frank Scarborough III purchased this property. 14027 Memorial Drive #440 Houston, TX 77079, Sent ownership change letter. RB

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	J. Frank	Scarborough III				(307) 734-8385
Name connector: and	_____, or	_____, and/or				
Current Owner	1400 27	Memorial Dr.	#440			
Current Owner	Houston, TX	77079				

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: CB

Date: 13/01/04

Priority Date Data Entry Form

Claim Number: A27-49

Water Right Priority Date: _____ **Water Right Basis:** _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis _____

☒ **Use Claimed Priority Date and Basis as Recommended Priority Date and Basis**

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

decree

Reviewer: _____

Date: 150/09/

Priority Date Data Entry Form

Purpose of Use Data Entry Form

Claim Number: A 27-49☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 4/29/05

Purpose of Use Data Entry Form

Point of Diversion and Source Data Entry FormClaim Number: A27-49

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____



Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Place Of Use Data Entry Form

Claim Number: A27-49☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
79	42E	30						
		29						

Total Acres 145.7

Document how the POU was verified:

See drawing
Et Hall Irrigation - 1987
1987/88 Napp photography
TOPO.
1974 Orthoquad.

Transfers Changing POU _____

Reviewer: CBDate: 4/29/05

Period of Use and Quantity Data Entry Form

Claim Number: A27-49☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	7/1	2.91	

Overall Diversion Rate 2.91 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

done.
 $145.7 \text{ ac} \times 0.02 = 2.91 \text{ cfs}$

Reviewer: CBDate: 4/29/05

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

CB

C18

P19

1974 to 2005

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

27-49

Reviewer

CB

Date

4/29/09

	OWNER OR DITCH	Water Right Ident. No.	DESCRIPTION OF LAND			
			Subdivision	Sec.	Twp.	Rge.
1.	Earl Ockerman		27-018			
2.	Don Esplin		27-0004			
3.	Barlow Cook		27-001-002-003-004-005-Blackfoot Irrig.			
4.	Arvel Fielding		27-004-013			
5.	Vin Reid		27-004-014-022-023-028-021			
56.	Fred Reid		27-004-014-021-022-029			
7.	Wallace Reid		27-004-014-021-022-028			
68.	Everett Lyon		27-028-029			
9.	James Mattson		Blackfoot Irrigation			
710.	J.D. Robertson		27-016			
11.	John Taney		27-027			
812.	Lloyd W. Young		27-029			
13.	Joe Oleson		27-4077			
914.	Vera Belnap, Sec.		27-022-035			
15.	Rex Hale		27-004			
1016.	Herchell Mynarcik		27-004			
17.	Fred Poindexter		27-023			
1118.	Neal Powell		27-004			
19.	Annette Stephenson		27-004			
1220.	Francis Whitten		27-023			
21.	Adrian Young		27-023			
1322.	Merrill Packer		27-004			
23.	Lambert Produce		27-004 013 Blackfoot Irrigation			
1424.	LeRoy Howell, Sec.		27-022-035-038-29-040-041			
25.	Eloise Hamilton, Sec		27-003-004-017-020-022-029		Corbet Slough	
1526.	Shingley & Coles		27-012		Blkft. Irrig	
27.	Harvey Coffman		27-027			
1628.	O.E. Cook		27-004			
29.	Gordon Durney		27-027			
1730.	Dan Daniels		27-027			
31.	Cordell Stewart		27-027			
1832.	Darwin Thompson		27-027			
33.	Norman Wright		27-027-023			
1934.	Stan McDaniels, Sec.		27-004-025-027-037 Blackfoot Irrigation			
35.	Albert Bell, Sec.		27-003-004-022-023-026-037		Blkft. Irrig.	
2036.	Layne Hamilton, Sec.		Smith Maxwell			
37.	Walt Hamilton		27-7129			
2138.	Chesterfield Land & Livestock		27-4016			
39.	Neil Bithell		27-023			
2240.	Joe Oleson		27-4079			
41.	Merlin Frandsen		27-049			
2342.	Gene Rishel		27-023-056			
43.	Earl Hunter		27-022			
2444.	Ron Jensen		27-047-055			
45.	Lloyd Stolworthy		27-054			
2546.	Clinton Cox		27-050-051-004-022-035-016-029			
47.	Lloyd Stolworthy		27-051			
2648.	Vera P. Belnap		Sand Creek			
49.	Basil Poulsen		Sand Creek			
50.	Bruce Bradshaw		Sand Creek			
51.	Florian Wernette		Sand Creek			
52.	Don Allen		27-0073-2132			
2853.	Calvin Dredge		27-0074-0080			
54.	Alma Hubbard		27-0076			
2955.	L.W. White		27-0075			
56.	Mary Sheridan		27-2009-2040			
3057.	Lake & Ellis		27-2069-2075			
58.	Sydney Thompson		27-0094			
3159.	Grant Lloyd		27-203-20238-2028			
60.	Stauffer Chemical		27-7008 A&B			
61.	Jouglard Sheep Co.		27-4115			
3262.	Harris Bros.		27-2011			
63.	E.S. Stuckl		27-2003			
3364.	D.W. Beckstead		27-2054-2052			
65.	Calvin Bennett		27-0070			
3466.	Preston Allen		27-2042-0043-0062-0063-0066-0070			
67.	Roland Allen		27-0060-0061-0065-0066-0067-0058-0069			
3568.	Bear Lake Cattle Assn.		27-0060-0061-0065-0066-0067-0058-0069			
69.	Tom Cellan		27-0033			
70.	Corbridge Bros		27-0049			
71.	Monsanto Chemical		Trans. #1641 W.R. #35-001			
72.	J.H. Stockings		27-097-098			
73.	Galen Christensen		27-7127-7118 Trans. #2433 W.R. #01-0028A			

~~1.108304091~~
1.1243119

PAST SEASON'S COSTS						Average Cost for 5 Yr. Period	Proposed Next Year's Budget
19_81	19_82	19_83	19_84	1985			
1.	43 79	48 55	54 13	13 12	42 51	40 42	45.44
1.2	115 34	136 19	180 43	173 22	202 65	161 57	181.65
3	151 65	151 58	189 45	78 74	101 32	134 55	151.28
2.4	56 60	65 13	66 16	78 74	92 11	71 75	80.67
5	115 87	125 53	126 30	126 51	161 84	131 21	147.52
3.6	79 03	88 82	93 22	72 44	95 66	85 83	76.50
7	79 03	88 82	93 22	154 33	170 06	117 04	131.65
4.8	49 12	53 29	54 13	55 12	75 25	57 38	64.51
9	5 34	5 92	9 02	10 50	11 34	8 42	9.47
510	29 37	32 57	39 09	39 37	42 23	36 53	41.07
11	9 61	9 47	12 02	10 50	12 33	10 79	12.13
12	12 28	13 62	13 83	16 40	12 33	13 69	15.39
13				10 50	11 34	10 92	12.28
714	744 47	792 47	805 93	922 41	898 61	832 78	736.30
15	20 29	22 50	24 06	15 75	22 53	31 03	34.89
816	42 71	47 37	9 02	10 50	11 34	24 19	27.20
17	5 34	5 92	9 02	10 50	11 34	8 42	9.47
918	21 36	24 82	31 28	19 68	28 00	25 07	28.16
9	21 36	23 69	24 06	19 68	28 00	23 37	26.28
10	41 65	46 19	57 14	47 24	63 77	51 20	57.56
2.1	18 69	23 09	24 06	17 72	25 30	21 78	24.49
1122	32 04	35 53	39 09	19 68	17 72	28 81	32.39
23	109 46	124 35	138 33	150 91	132 30	131 08	147.37
1224	390 55	412 12	471 79	564 20	553 29	478 30	537.76
25	287 92	313 83	335 72	390 80	367 89	339 21	381.40
1326	59 80	71 06	78 19	101 70	114 65	85 08	95.66
27	18 26	20 13	27 07	25 31	27 35	23 69	26.57
1428	5 34	5 92	9 02	10 50	11 34	8 42	9.47
29	5 34	5 92	9 02	10 50	11 34	8 42	9.47
1530	5 34	5 92	9 02	10 50	11 34	8 42	9.47
31	5 34	5 92	9 02	10 50	11 34	8 42	9.47
1632	5 34	5 92	9 02	10 50	11 34	8 42	9.47
33	17 09	18 95	21 05	31 23	33 73	24 41	27.44
1734	223 95	221 10	261 57	286 21	299 87	256 57	290.68
35	297 95	322 35	334 40	406 29	339 97	340 19	382.48
1836	174 18	152 62	124 86	102 75	117 76	135 43	152.27
37				10 50	11 34	10 92	12.28
1938	17 09	18 95	21 05	22 97	24 80	20 97	23.58
39	10 68	11 84	12 03	10 50	11 34	11 28	12.68
2040				10 50	11 34	10 92	12.28
41	18 69	23 70	24 06	13 12	14 17	18 75	21.08
2142	18 69	20 72	24 06	13 12	14 17	18 15	20.41
43	9 08	11 84	21 05	10 50	11 34	12 76	14.35
2244	37 38	17 76	18 05	19 68	21 26	22 83	25.67
45	16 02	17 76	18 05	19 68	21 26	18 59	20.83
2346	158 61	165 53	182 37	254 19	281 30	208 40	234.31
47	26 70	29 61	42 10	45 93	49 60	38 79	43.61
2448	20 29	22 50	24 06	13 12	14 17	18 83	21.17
49	30 97	34 34	34 88	38 06	41 10	35 87	40.33
2550	10 15	11 25	12 03	10 50	11 34	11 09	12.42
51	40 05	47 37	54 13	59 05	63 77	52 87	59.44
2652	16 02	17 76	18 04	19 69	21 26	18 59	20.85
53	42 72	53 29	66 16	72 17	77 94	62 46	70.22
2754	32 04	35 53	36 09	65 61	70 80	48 07	54.06
55	16 02	17 76	18 04	19 69	21 26	18 59	20.83
2856	42 72	47 37	48 11	52 49	56 68	49 47	55.62
57	16 02	17 76	18 04	19 69	21 26	18 59	20.86
2958	42 72	47 37	48 11	52 49	56 68	49 47	55.62
59	37 38	41 45	42 10	45 93	49 60	43 29	48.67
3060	32 04	41 45	42 10	45 93	49 60	42 22	47.47
61				13 12	14 17	13 65	15.35
3162	44 85	23 70	24 06	26 25	28 34	29 44	33.19
63	42 72	53 29	54 13	65 61	70 80	57 32	64.45
3264	34 17	37 90	38 49	19 69	21 26	30 30	34.07
65	16 02	17 76	18 04	19 69	21 26	18 59	20.83
3366	154 85	171 72	174 42	190 28	205 44	179 35	201.64
67	170 87	189 48	192 46	190 28	205 44	189 72	213.50
3468	117 47	130 47	132 32	65 61	70 80	103 38	116.20
69	42 72	47 37	48 11	10 50	11 34	32 01	35.94
3570	42 72	41 45	42 10	10 50	11 34	29 61	32.30
71	21 36	41 45	42 10	52 49	56 68	42 82	48.14
72	37 38	41 45	42 10	45 93	49 60	43 29	48.67
73	70 48	82 90	102 24	118 10	127 54	100 25	112.71
74		44 37	48 11	52 49	56 68	50 44	56.71
75				19 69	21 26	20 48	23.02

WATERMASTER				ASSISTANT WATERMASTER				Total	
Year	Days	Salary	Total	Days	Salary	Total	Other Expense	Costs	
19-81		7,000 00					5,417 04	12,417 04	
19-82		7,700 00					5,911 20	13,611 20	
19-83		8,000 00					6,084 74	14,084 74	
19-84		8,000 00					6,700 00	14,700 00	
19-85		7,650 00					7,132 23	15,452 23	
Average		7,670 00					6,253 04	14,053 04	
WATERMASTER'S PROPOSED BUDGET									
Next Year		7,200 00					1,000 00	7,500 00	
								15,800 00	

1985

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 number(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	Water Right No(s).	Adjudication Claim No(s).	Split
27-00049					

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)

Corbridge Brothers LTD
264 W 700 N, Malad, ID

4. New Owner/Claimant(s)

J FRANK SEABOROUGH III

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

14027 Memorial DR #440

City, State and ZIP Code

Houston TX 77079

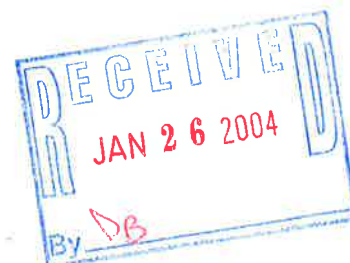
New Telephone Number

(281) 497 2747 307 734 8335

713 2530377 -MOSIK

5. Date you acquired the property

1/25/01



6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

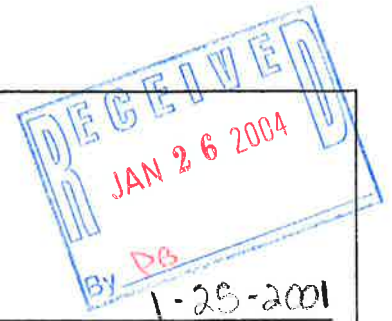
7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Frank Seaman

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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



WARRANTY DEED

GRANTOR, CORBRIDGE BROTHERS, LIMITED PARTNERSHIP, an Idaho limited partnership, who took title to the following described property as CORBRIDGE BROTHERS LTD., a Limited Partnership, (the general partners of said partnership are Eldon D. Corbridge and Lon W. Corbridge) of Oneida County, Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto J. FRANK SCARBOROUGH, III, a married person, whose current mailing address is 502 Rancho Bauer, Houston, Texas 77079, as GRANTEE, and to Grantee's heirs and assigns forever, all of the following described real estate located in Caribou County, Idaho:

The property description is set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER WITH Grantor's interest in Irrigation Water Claim A27-00049 as per the Idaho Division of Water Rights, and together with Grantor's interest, if any, to the gas, oil and mineral rights.

ALSO TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof, and SUBJECT TO the 2001 and subsequent years general taxes and assessments, all existing patent reservations, mineral oil and gas reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations, rights or easements of public over navigable streams or rivers, claims arising from the Trail Creek or Blackfoot River, including adverse claims on assertion that Trail Creek or Blackfoot River have moved or arising from the difference in the high water lines, any rights of the public to Blackfoot River Road, and rights of way of Union Pacific Railroad and Monsanto Haul Road.

GRANTOR, for itself, its successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

IN WITNESS WHEREOF, GRANTOR has hereunto subscribed its name to this instrument this 25th day of January, 2001.

"Grantor"

CORBRIDGE BROTHERS, LIMITED PARTNERSHIP, an Idaho limited partnership, a/k/a CORBRIDGE BROTHERS LTD.

By:


Eldon D. Corbridge, Partner

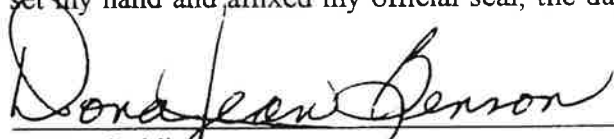
By:


Lon W. Corbridge, Partner

STATE OF IDAHO)
) ss.
County of Caribou)

On this 25th day of January, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ELDON D. CORBRIDGE and LON W. CORBRIDGE, known to me to be the two General Partners of CORBRIDGE BROTHERS, LIMITED PARTNERSHIP, an Idaho limited partnership, a/k/a CORBRIDGE BROTHERS LTD. and known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of said Partnership.

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



Notary Public
Residing At Soda Springs, ID
My Commission Expires: 8/15/2003

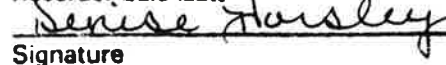
C:\My Documents\Corbridge\warranty.dedrev.wpd



STATE OF IDAHO } ss 162888
County of Caribou }

I hereby certify that this instrument was filed at the request
of Caribou Title
at 2:55 o'clock P m this 25 day of
January, 2001 in my office and duly
recorded official Records

Recorder Edie Izatt


Signature

Deputy 1500

15631

Caribou County, Idaho:

Township 7 South, Range 42 East of the Boise Meridian:

- Section 13: S½N½, S½, EXCEPT THEREFROM, the following described tract:
 A strip of land 50 feet wide and all the land between said strip and the existing county road and Monsanto Haul Road Rights of way, the centerline of which is described as follows:
 Beginning at a point in the South line of said Section 13, which point bears West a distance of 795.33 feet from the Southeast corner of said Section 13;
 thence North 22°05' West a distance of 2152.87 feet to the point of spiral of a spiral curve to the left;
 thence along the arc of the spiral curve to the left, whose total central angle is 13°21' and whose degree of curvature is 4°00' a distance of 483.75 feet to the point of tangency of the spiral curve;
 thence North 35°26' West a distance of 1228.42 feet to the point of spiral of a spiral curve to the left;
 thence along the arc of the spiral curve to the left, whose total central angle is 67°32'30" and whose degree of curvature is 8°00' a distance of 1174.27 feet to the point of tangency of the spiral curve;
 thence South 77°01'30" West a distance of 542.14 feet to a point at which the centerline of said strip of land becomes parallel to the South right of way line of the Monsanto Haul Road;
 thence South 77°01'30" West a distance of 1007.25 feet to a point in the West line of said Section 13, which point bears South a distance of 2131.25 feet from the Northwest corner of said Section 13.
 EXCEPT THEREFROM, all that portion of said premises lying North and East of the Blackfoot River County Road as presently located.
- Section 14: SE½NE½, E½SE½. EXCEPT THEREFROM, all of that land lying North and West of the Monsanto Haul Road in the SW½NW½ of Section 13 and in the SE½NE½, and NE½SE½ of Section 14.
- Section 24: NE½, N½NW½, SE½NW½, N½SE½, SE½SE½, EXCEPT THEREFROM the following described tract:
 A strip of land 50 feet wide and all the land lying between said strip and existing county road rights of way, the centerline of which is described following:
 Beginning at a point in the East line of said Section 24, which point bears South 1550.44 feet from the Northeast corner of the said NE½ of said Section 24, said point being in the arc of a spiral curve to the right;
 thence along the arc of the spiral curve to the right, whose total central angle is 25°58' and degree of curvature is 6°00' a distance of 648.91 feet to the point of tangency

of the spiral curve;
thence North 22°05' West a distance of 1073.06 feet to a
point in the North line of said Section, which point bears
West a distance of 795.33 feet from the Northeast corner
of said Section 24.

ALSO, EXCEPT THEREFROM, all that part of the E&N&E lying
North and East of the Blackfoot River County Road as
presently located.

Township 7 South, Range 43 East of the Boise Meridian:

Section 19: Lots 2, 3 and 4, E&SW&, W&SE&, SE&SE&, EXCEPT THEREFROM the
following described tract:

A strip of land 100 feet wide, the centerline of which is
described as follows:

Beginning at a point in the East line of said Section 19,
which point bears North a distance of 1038.66 feet from the
Southeast corner of said Section 19, and running

thence along the arc of a spiral curve to the left, whose
total central angle is 50°00' and degree of curvature is
8°00' a distance of 139.65 feet at which point the strip
of land narrows to 60 feet;

thence along the same spiral curve to the left a distance of
519.78 feet to the point of tangency of the spiral curve;

thence North 87°44'30" West a distance of 130.09 feet to the
point of spiral of a spiral curve to the right;

thence along the arc of the spiral curve to the right, whose
total central angle is 24°49' and degree of curvature is
6°00' a distance of 653.61 feet to the point of tangency
of the spiral curve;

thence North 62°55'30" West a distance of 1303.56 feet to a
point on tangent at which point the strip of land widens
to 80 feet;

thence North 62°55'30" West a distance of 330.68 feet to the
point of spiral of a spiral curve to the left;

thence along the arc of the spiral curve to the left, whose
total central angle is 19°16'30" and degree of curvature
is 6°00' a distance of 561.25 feet to the point of
tangency of the spiral curve, at which point the strip of
land narrows to 60 feet;

thence North 82°12' West a distance of 171.71 feet to the
point of spiral of a spiral curve to the right;

thence along the arc of the spiral curve to the right, whose
total central angle is 44°56' and degree of curvature is
6°00' a distance of 988.89 feet to the point of tangency
of the spiral curve, at which point the strip of land
narrows to 50 feet;

thence North 37°16' West a distance of 69.43 feet to the
point of spiral of a spiral curve to the left;

thence along the arc of the spiral curve to the left, whose

162888

PAGE 3
15631

total central angle is $10^{\circ}47'$ and degree of curvature is $4^{\circ}00'$ a distance of 419.58 feet to the point of tangency of the spiral curve;
thence North $48^{\circ}03'$ West a distance of 822.24 feet to the point of spiral of a spiral curve to the right;
thence along the arc of the spiral curve to the right, whose total central angle of $25^{\circ}58'$ and degree of curvature is $6^{\circ}00'$ a distance of 23.86 feet to a point in the West line of said Section, which point bears South 1550.44 feet from the Northwest corner of the said NW $\frac{1}{4}$ of Section 19.

ALSO, EXCEPT THEREFROM, all that part of said premises lying North and East of the Blackfoot River County Road as presently located.

Section 29: W $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$.

EXCEPT THEREFROM the following described tract:

A strip of land 120 feet wide, the centerline of which is described as follows:

Beginning at a point on the East line of the said NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 29, which point bears South a distance of 304.35 feet from the Northeast corner of the said NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 29, and running

thence along the arc of a spiral curve to the right whose total central angle is $44^{\circ}47'30''$ and degree of curvature is $3^{\circ}20'$ a distance of 596.75 feet to the point in the North line of said Section, which point bears East a distance of 822.12 feet from the Northwest corner of said Section 29.

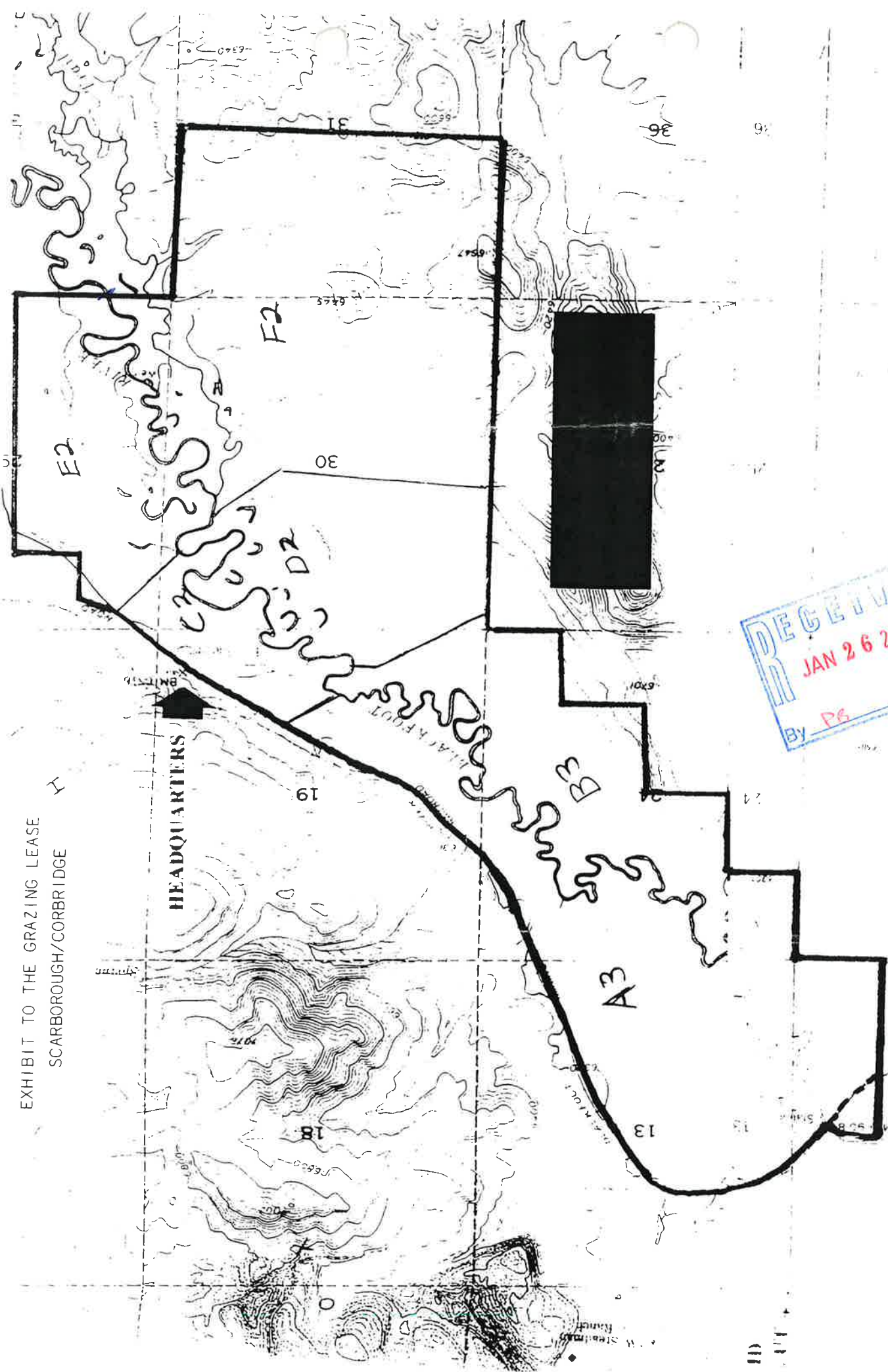
EXCEPT THEREFROM, all that part of said premises lying North and East of the Blackfoot River County Road as presently located.

Section 30: Lots 1, 2, 3, and 4, E $\frac{1}{4}$ W $\frac{1}{4}$, E $\frac{1}{4}$.

Section 31: N $\frac{1}{4}$.

EXHIBIT TO THE GRAZING LEASE
SCARBOROUGH/CORBRIDGE

HEADQUARTERS



RECEIVED
JAN 26 2004
By P6



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

COPY

J. Frank Scarborough III
14027 Memorial Drive #440
Houston, TX 77079

January 6, 2004

Reference: Snake River Basin Adjudication (SRBA)
Adjudication No. A27-00049

Subject: Change in Ownership

Response Date: January 30, 2004

Dear Claimant(s),

According to Caribou County records, you are the current owner of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property, we need form 42-248/42-1409(6) completed, signed and returned. I have enclosed the form for your convenience.

In the adjudication review process there is no filing fee. However, we will need a copy of the plat, survey map or aerial photo with the appropriate area marked and a copy of the warranty deed.

Please fill out the highlighted areas on the notice of change form and submit with the necessary documents by the response date stated above.

If you have any questions not covered by this letter, please feel free to contact me at (208) 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

cc: Corbridge Brothers
Malad, Idaho

CEB/pb

Enclosure: form 42-248/42-1409(6) "Change in Water Right Ownership"



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

5 December 2003

COPY

Corbridge Brothers, Ltd.
264 West 700 North
Malad City, ID 83252

Re: Snake River Basin Adjudication (SRBA)
Claim 27-49

Subject: CHANGE IN PLACE OF USE (POU) & Quantity of Use

Response Date: 31 December 2003

Dear Claimant (s):

The Idaho Department of Water Resources investigation of the Notice of Claim listed above indicates that there has been a change in the place of use.

The decree allowed for watering 640 acres. However, your SRBA Claim is for 318 acres. If there has been a reduction in the number of irrigated acres, IDWR needs to know which acres are actually under irrigation. The evidence supporting this claim needs to include an aerial photography indicating the irrigated areas claimed.

Further, if this is a reduction in the number of irrigated areas, IDWR needs to know if you sold any of the water. If so, to whom and when.

This office must receive your response by the above referenced response date. If no response is received, then your claim of the place of use of the water will not be recommended to be decreed. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp
Enclosure:

Copy of Claim 27-49

		T7S, R42E Section 14															
		NE				NW				SW				SE			
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
27-49 Decree																	
27-49 Decree	Corbridge Brothers, Ltd.																
CLAIMS																	
27-49	Corbridge Brothers, Ltd.																
27-11307	Corbridge Brothers, Ltd.																
27-11308	Corbridge Brothers, Ltd.																
27-11309	Corbridge Brothers, Ltd.																
27-11344	Torgeson Ranch, Inc.																
27-11619	BLM			X				X									
27-11884	Corbridge Brothers, Ltd.																

		T7S, R43E Section 19															
		NE				NW				SW				SE			
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
27-49 Decree																	
27-49 Decree	Corbridge Brothers, Ltd.																
CLAIMS																	
27-49	Corbridge Brothers, Ltd.							9		14	2				2		2
27-11307	Corbridge Brothers, Ltd.																x
27-11308	Corbridge Brothers, Ltd.							x									
27-11309	Corbridge Brothers, Ltd.																
27-11344	Torgeson Ranch, Inc.																
27-11619	BLM																
27-11884	Corbridge Brothers, Ltd.																x

		T7S, R42E Section 24															
		NE				NW				SW				SE			
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
27-49 Decree																	
27-49 Decree	Corbridge Brothers, Ltd.																
CLAIMS																	
27-49	Corbridge Brothers, Ltd.	23	11		10												
27-11307	Corbridge Brothers, Ltd.																
27-11308	Corbridge Brothers, Ltd.																
27-11309	Corbridge Brothers, Ltd.	x															
27-11344	Torgeson Ranch, Inc.							x		x	x	x	x			x	
27-11619	BLM																
27-11884	Corbridge Brothers, Ltd.																

		T7S, R43E Section 29															
		NE				NW				SW				SE			
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
27-49 Decree																	
27-49 Decree	Corbridge Brothers, Ltd.						X	X	X	X	X	X	X				
CLAIMS																	
27-49	Corbridge Brothers, Ltd.					1	22	4	28	29				26			
27-11307	Corbridge Brothers, Ltd.																
27-11308	Corbridge Brothers, Ltd.																
27-11309	Corbridge Brothers, Ltd.																
27-11344	Torgeson Ranch, Inc.																
27-11619	BLM																
27-11884	Corbridge Brothers, Ltd.																

T7S, R43E
Section 30

[illegible]

T7S, R42E
Section 13

[illegible]

		T7S, R42E Section 36															
		NE				NW				SW				SE			
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
27-49 Decree																	
27-49 Decree	Corbridge Brothers, Ltd.																
CLAIMS																	
27-49	Corbridge Brothers, Ltd.																
27-11307	Corbridge Brothers, Ltd.																
27-11308	Corbridge Brothers, Ltd.																
27-11309	Corbridge Brothers, Ltd.																
27-11344	Torgeson Ranch, Inc.		X			X											
27-11619	BLM																
27-11884	Corbridge Brothers, Ltd.																

T7S, R43E
Section 18

		NE				NW				SW				SE			
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
27-49 Decree																	
27-49 Decree	Corbridge Brothers, Ltd.																
CLAIMS																	
27-49	Corbridge Brothers, Ltd.																
27-11307	Corbridge Brothers, Ltd.																
27-11308	Corbridge Brothers, Ltd.																
27-11309	Corbridge Brothers, Ltd.											X					
27-11344	Torgeson Ranch, Inc.																
27-11619	BLM																
27-11884	Corbridge Brothers, Ltd.																

		T7S, R42E Section 23															
		NE				NW				SW				SE			
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
27-49 Decree																	
27-49 Decree	Corbridge Brothers, Ltd.																
CLAIMS																	
27-49	Corbridge Brothers, Ltd.																
27-11307	Corbridge Brothers, Ltd.																
27-11308	Corbridge Brothers, Ltd.																
27-11309	Corbridge Brothers, Ltd.																
27-11344	Torgeson Ranch, Inc.	X			X								X				
27-11619	BLM																
27-11884	Corbridge Brothers, Ltd.																

		T7S, R42E Section 26															
		NE				NW				SW				SE			
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
27-49 Decree																	
27-49 Decree	Corbridge Brothers, Ltd.																
CLAIMS																	
27-49	Corbridge Brothers, Ltd.																
27-11307	Corbridge Brothers, Ltd.																
27-11308	Corbridge Brothers, Ltd.																
27-11309	Corbridge Brothers, Ltd.																
27-11344	Torgeson Ranch, Inc.					X			X	X			X				
27-11619	BLM																
27-11884	Corbridge Brothers, Ltd.																

Samuel Borrup	April 1st, A. D. 1887	50 Inches
Jacob Eliason)		
: May 1st, A. D. 1889	145 Inches	
Caroline Eliason)		
Maylan C. Fox	December 4th A. D. 1889 /	640 Inches

That the following rights hereinbefore set forth,
to-wit:

The right of H. R. Lewis, dating from the 1st day of March A. D. 1875, for 100 inches; the right of W. W. Ritter dating from the 23d day of July A. D. 1885 for 560 inches; the right of Thomas G. Webber, dating from the 23 day of July, A. D. 1885 for 480 inches; the right of H. R. Lewis and Sarah Lewis dating from the 1st day of March A. D. 1886 for 160 inches; the right of F. Little dating from the 4th day of October, A. D. 1886, for 240 inches; the right of Chas. S. Burton, dating from the 4th day of October, A. D. 1886 for 240 inches; the right of John Sharp Sr. dating from the 1st day of November, A. D. 1886 for 320 inches; the right of F. W. Jennings, dating from the 1st day of November 1886 A. D., for 400 inches; the right of Donald Tolmie, dating from the 1st day of April A. D. 1887 for 100 inches; the right of Jacob Eliason and Caroline Eliason dating from the 1st day of May A. D. 1889 for 145 inches; and the right of Maylan C. Fox, dating from the 4th day of December 1889 for 640 inches, shall only extend to the 1st day of July in each year for irrigating purposes, and the said H. R. Lewis, W. W. Ritter, Thomas G. Webber, Sarah Lewis, F. Little Charles S. Burton, John Sharp Sr., F. W. Jennings, Donald Tolmie, Jacob Eliason, Caroline Eliason, Maylan C. Fox, and each and all of them are hereby enjoined from diverting or using in any manner any part of the said water rights aforesaid, after the 1st day of July of each and every

SE 1/4, SW 1/4,
N 1/4, SWNE
S 1/2 NW
Sec. 13.
E 1/2 SE
SENE
Sec. 14
N 1/2 NW
Sec. 24.
T 75 R 42 E

MAY 15 1996

year thereafter, for irrigating or any other than domestic purposes.

It is further ordered, Adjudged and Decreed that the following parties are entitled to divert from the Wolverine Creek a tributary of said Blackfoot River, the amount of water herein indicated, and the right of each party dates from the time hereinafter stated and set opposite each name, to-wit:

Peter Morris	March 1st, A. D. 1882	60 Inches
Samuel Orr	July 1st, A. D. 1882	80 Inches
Peter Morris	April 1st, A. D. 1887	60 Inches
Daniel M. Taylor	April 1st, A. D. 1888	10 Inches

It is further ordered adjudged and decreed that the following parties are entitled to divert from Cedar Creek, a tributary of Blackfoot River, the amount of water herein indicated and the right of each party dates from the times hereinafter stated and set opposite each name to-wit:

George Monroe)	April 1st, A. D. 1884	100 Inches
& :		
John Lyon)		
Samuel Borup	April 1st, A. D. 1887	50 Inches

It is ordered, adjudged and decreed that George Heaton is entitled to divert from the east fork of Brush Creek, a tributary of Blackfoot River, one hundred and twenty-five (125) inches of water, said rights dating from the 1st day of May A. D. 1888, but the said right shall only extend to the 1st day of July in each year, for irrigating purposes, and the said Heaton is hereby enjoined from diverting or using in any manner any part of the said water right after the 1st day of July in each and every year hereafter for irrigating or any other than domestic purposes.

MAILED
MAY 15 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-49

WATER RIGHT NUMBER: 27-49

Owner Type Name and Address
 Current Owner MAYLAN C FOX

, ID

Priority Date: 12/04/1889

Basis: Decreed

Status: Active

Source Tributary
 BLACKFOOT RIVER SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to 7/01	12.800 CFS	
DOMESTIC	1/01 to 12/31		
	<u>Total Diversion:</u>	12.800 CFS	

Location of Point(s) of Diversion
 BLACKFOOT RIVER

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	43E	29						X	X	X	X	X	X	X	X				
07S	43E	30	X	X	X	X	X								X	X	X	X	

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General P/D NOT GIVEN IN DECREE.
 LANDS DESCRIBED IN DECREE UNDER NAME OF MOYLAN C. FOX.

Comments:Dates and Other Information:

JUL 13 2007

Log for claim 27-00049

Spatial Dynamics BTD

11/27/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s42e	13	SWNE	4	3.3	
07s42e	13	SENW	18	31	Indiscernible
07s42e	13	NESW	28	38	Indiscernible
07s42e	13	SESW	6	37	Indiscernible
07s42e	13	NWSE	28	25	
07s42e	13	SWSE	39	37	
07s42e	13	SESE	6	4.6	
07s42e	24	NENE	23	20	
07s42e	24	NWNE	11	17	Indiscernible
07s42e	24	SENE	10	12	
07s43e	19	SWNW	9	14	Indiscernible
07s43e	19	NESW	14	22	Indiscernible
07s43e	19	NWSW	2	19	Indiscernible
07s43e	19	NWSE	2	6.1	Indiscernible
07s43e	19	SESE	2	20	Indiscernible
07s43e	29	NENW	1	23	Indiscernible
07s43e	29	NWNW	22	33	Indiscernible
07s43e	29	SWNW	4	37	Indiscernible
07s43e	29	SENW	28	40	Indiscernible
07s43e	29	NESW	29	40	Indiscernible
07s43e	29	SESW	26	40	Indiscernible
07s43e	30	NENE	6	25	Indiscernible
Totals:			318	544	

AJ5809NP
No. A27-00049

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00
PAGE: 10

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CORBRIDGE BROTHERS LTD 264 W 700 N MALAD CITY ID 83252 (208) 766-4284	12/04/1889	IRRIGATION	04-01 07-01	12.800 CFS	
TOTAL DIVERSION:					12.800 CFS	
CONSUMPTIVE USE:						795.00 AFA

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07S R43E S26 SWNESE CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																														
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM																						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:																					
07S	42E	13	:				04	:				18	:	28			06	:	28	39	06	:			:	129.0																				
07S	42E	24	:	23		11		:					:					:							:	44.0																				
07S	43E	19	:					:			09		:	14	02			:	02			02	:			:	29.0																			
07S	43E	29	:					:	01	22	04	28	:	29			26	:							:	110.0																				
07S	43E	30	:	06				:					:					:							:	6.0																				
																							TOTAL ACRES																							318.0

POU County: CARIBOU

Other Rights: NONE

Remarks: GEN POINT OF DIVERSION IS LOCATED ON THE R. ALLEN RANCH.
A COPY OF THE DECREE IS ATTACHED.
SENT COPY TO CLAIMANT FOR SIGNATURE AND PAYMENT. 8/28/95/JT

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 27 Field Inspection Flag:
Presumption Flag:

AUGUST 28, 1995

CORBRIDGE BROTHERS LTD
264 W 700 N
MALAD CITY ID 83252

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM #A27-00049

Dear Claimants:

As we discussed by telephone this morning, I have enclosed a typed copy of your Notice of Claim. Please review the Notice for any possible errors. Should you need to make changes, make the change and initial and date it. Sign the Notice in the presence of a Notary Public and return the Notice with the proper fees to this office as soon as possible.

Since the filing is considered to be late, (the cutoff date was May, 1990) there is a late filing fee in addition to the regular fees. The break-down is as follows:

Filing fee.....	\$ 50.00
Irrigated land (\$1.00 per acre) ..	\$318.00
Late fee.....	\$ 50.00
Total	<u>\$418.00</u>

If you need further assistance, please do not hesitate to call me at (208) 525-7161.

Respectfully,

Jo Thompson
Adjudication Secretary

Enclosure

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-00049
Date Received: 1/24/1990
Receipt No: _____
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: CORBRIDGE BROTHERS LTD 208-766-4284
Address: 264 W 700 N
MALAD CITY ID 83252

2. Date of Priority: DEC 4, 1889

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	43E	26	SW	NE	SE		CARIBOU

5. Description of diverting works:
DAM, DITCH, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	07/01	12.800		

7. Total Quantity Appropriated is:
12.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 795.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	42E	13	SW	NE		IRR	4.0
			SE	NW		IRR	18.0
			NE	SW		IRR	28.0
			SE	SW		IRR	6.0
			NW	SE		IRR	28.0

AUGUST 28, 1995

CORBRIDGE BROTHERS LTD
264 W 700 N
MALAD CITY ID 83252

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM #A27-00049

Dear Claimants:

As we discussed by telephone this morning, I have enclosed a typed copy of your Notice of Claim. Please review the Notice for any possible errors. Should you need to make changes, make the change and initial and date it. Sign the Notice in the presence of a Notary Public and return the Notice with the proper fees to this office as soon as possible.

Since the filing is considered to be late, (the cutoff date was May, 1990) there is a late filing fee in addition to the regular fees. The break-down is as follows:

Filing fee.....	\$ 50.00
Irrigated land (\$1.00 per acre)...	\$318.00
Late fee.....	\$ 50.00
Total	<u>\$418.00</u>

If you need further assistance, please do not hesitate to call me at (208) 525-7161.

Respectfully,

Jo Thompson
Adjudication Secretary

Enclosure

RECEIVED
NOV 13 1995

CORBRIDGE ALSO FILED ON: 11307, 11308, 11309 (ALL DOM/STOCK)
FOX ↑ SPG ↑ LAWRENCE J E ↑ SPG ↑

075 43E 26 SW NESE - POD (ON R. ALLEN RANCH)
BASIN 27 318 AC

HOST TEMPORARY FILE
CORBRIDGE BROS LTD - MALAD CITY (address) 766-4284

NO. A27-00049 DATE: 8-28-95

HARD COPY IN X2 FILE? YES _____ NO X

RECORD IN MASTER HOST? YES _____ NO X

USE AJQ7 OR AJQ5 TO CHECK FOR SPLITS

NO NO splits

IF NO, PRINT PROOF REPORT, USING AJ2.

CHECK FOR A RECEIPT USING CLAIMANTS NAME IN AR

YES _____ NO _____

DID CLAIMANT FILE OTHER NOTICES YES X NO _____

COMPARE DATA ENTRY FOR AJ& WR

IS IT DIFFERENT? YES _____ NO _____

IF THERE IS NO DIFFERENCE AND DATA IS NOT TO STANDARD,
NUMBER CAN BE DELETED (IF NOT 10,000 NO.) OR COPIED AS
P16 IN "R" RECORD.

IF DATA ENTRY FOR AJ REFLECTS CHANGES, CONTACT CLAIMANT
ABOUT INTENT TO FILE NOTICE.

REMARKS: *Comparison report shows no one has filed on
this property.*

ACTION TAKEN: *Called Corbridge. They do own property. Am
sending proof report for perusal. They will
call me back soon. In the field.*

*8-28-95 - Sent the claim to file 418
+ Watary*

*9-19-95 A27-00049 filed today w/skip.
Fees Paid. When updated it will be in "P"
file. Transfer may be made later.*

NOV 13 1995

AJ0734NP
(00-734)

IDAHO DEPARTMENT OF WATER RESOURCES
T-R-S PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 08/28/95
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

=====

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
T07S R43E S29																		

NO MATCHES FOR THIS POU IN AJ-POU

NO MATCHES FOR THIS POU IN AJ-POU-TEMP

2700049 BLACKFOOT : : I I I : I I I I :

IDAHO DEPARTMENT OF WATER RESOURCES
8/29/95 13:00

AJ0734NP
(00-734)

IDAHO DEPARTMENT OF WATER RESOURCES
T-R-S PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 08/28/95
PAGE: 2

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

```
=====
              NE              NW              SW              SE
        NE  NW  SW  SE  NE  NW  SW  SE  NE  NW  SW  SE  NE  NW  SW  SE
WR-NUMBER  SOURCE  Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac  SUM
-----
T07S R43E S30
      NO MATCHES FOR THIS POU IN AJ-POU
      NO MATCHES FOR THIS POU IN AJ-POU-TEMP
2700049  BLACKFOOT :   I   I   I   I :   I   :   I   I   I   I :
-----
```

NOV 13 1990

SD-0605-2		Township: 07S		Range: 43E		Section: 26		Tract: SWNESE		Lot:	
S	L	R	STATE		O	S	Max # Records		10		
E	O	D	Water	Name	W	T	Priority	Total			
L	Tract	T	V	Right No.	Last, First	N	G	Date	Source	Diversions	
-	NESE			A27-00066A	ALLEN, PRESTON	C	D	10/04/1886	LANES CREEK	3.60	
-	NESE			A27-00070A	ALLEN, PRESTON	C	D	10/17/1886	LANES CREEK	6.40	
-	NESE			A27-00004Q	ALLEN, PRESTON	C	D	06/01/1885	BLACKFOOT R	2.00	
-	NESE			A27-04137	ALLEN, PRESTON	C	S	06/01/1941	BLACKFOOT R	2.34	
-	NESE			A27-10096	ALLEN, PRESTON	C	D	10/04/1886	HOME SPRING	12.40	
-									DUCK SPRING		
-									BLACKFOOT R		
-	NESE			A27-10097	ALLEN, PRESTON	O		10/17/1886	LANES CREEK	6.40	
-					RENUMBERED,	C					
-	NESE			A27-10098	ALLEN, PRESTON	O		10/04/1886	LANES CREEK	3.60	
-					RENUMBERED,	C					
-											
-											
-											
-											
-											

(Enter=Continue)

(GOLD7=This Query)

(Menu)

MICROFILMED
 NOV 13 1990

SCANNED

JUL 13 2001

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-00049
Date Received: 1/24/1990
Receipt No: EO 21519/JO
Received By: 9-19-95

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ~~CORBRIDGE BROTHERS LTD~~ *Frank Scarborough* 208-766-4284
Address: 264 W 700 N
MALAD CITY ID 83252

2. Date of Priority: DEC 4, 1889

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	43E	26	SW	NE	SE		CARIBOU

5. Description of diverting works:
DAM, DITCH, FLOOD IRRIGATION, *Pump*

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	07/01	12.800		

7. Total Quantity Appropriated is:
12.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 795.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	42E	13	SW	NE		IRR	4.0
			SE	NW		IRR	18.0
			NE	SW		IRR	28.0
			SE	SW		IRR	6.0
			NW	SE		IRR	28.0

A2700049



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NOV 13 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	42E	13	SW	SE		IRR	39.0
			SE	SE		IRR	6.0
						Section Acres	129.0
		24	NE	NE		IRR	23.0
			NW	NE		IRR	11.0
			SE	NE		IRR	10.0
						Section Acres	44.0
	43E	19	SW	NW		IRR	9.0
			NE	SW		IRR	14.0
			NW	SW		IRR	2.0
			NW	SE		IRR	2.0
			SE	SE		IRR	2.0
						Section Acres	29.0
		29	NE	NW		IRR	1.0
			NW	NW		IRR	22.0
			SW	NW		IRR	4.0
			SE	NW		IRR	28.0
			NE	SW		IRR	29.0
			SE	SW		IRR	26.0
						Section Acres	110.0
		30	NE	NE		IRR	6.0
						Section Acres	6.0
						Total Acres	318.0

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

POINT OF DIVERSION IS LOCATED ON THE R. ALLEN RANCH.
A COPY OF THE DECREE IS ATTACHED.

SENT COPY TO CLAIMANT FOR SIGNATURE AND PAYMENT. 8/28/95/JT

NOV 13 1996

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FRED S. STEVENS, ET AL.
Decree Plaintiff

EASTERN IDAHO WATER CO., ET A
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ___ do not ___ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am General Partner of
Title
Cambridge Bros. LTD., that I have signed the foregoing
Organization
document in the space below as General Partner of
Title
Cambridge Bros. LTD. and that the statements contained in the
Organization
foregoing document are true and correct.

Ellen Carby
Signature of Authorized Agent
Cambridge Bros LTD.
Title and Organization

Sept 19 / 95
Date

MICROFILMED
NOV 13 1996

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of Sept 19 95

Betty J. Thompson
Notary Public

Seal

Residing at, BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires NOV 13 1996

MICROFILMED
NOV 13 1996