

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

RIGHT NUMBER: 27-7121

NAME AND ADDRESS: P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

SOURCE: GROUND WATER

TRIBUTARY:

EXP - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 0.070 CFS
50.600 AFY

EXP The right holder shall not divert water exceeding what is reasonably necessary for the beneficial use authorized by this right.

PRIORITY DATE: 02/09/1978

POINT OF DIVERSION:

T06S R43E S36 NWNE Within CARIBOU County

EXP This right does not grant any right-of-way or easement across the land of another.

**PURPOSE AND
PERIOD OF USE:**

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS 1.20 AFY
MINING	01/01 12/31	0.070 CFS 49.40 AFY

EXP - Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.

EXP - Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

PLACE OF USE: MINING Within CARIBOU County

T06S R43E S21	NENE	T06S R43E S21	NWNE
T06S R43E S21	SWNE	T06S R43E S21	SENE
T06S R43E S21	NENW	T06S R43E S21	NWNW
T06S R43E S21	SWNW	T06S R43E S21	SENW
T06S R43E S21	NESW	T06S R43E S21	NWSW
T06S R43E S21	SWSW	T06S R43E S21	SESW
T06S R43E S21	NESE	T06S R43E S21	NWSE
T06S R43E S21	SWSE	T06S R43E S21	SESE
T06S R43E S22	NENE	T06S R43E S22	NWNE
T06S R43E S22	SWNE	T06S R43E S22	SENE
T06S R43E S22	NENW	T06S R43E S22	NWNW
T06S R43E S22	SWNW	T06S R43E S22	SENW
T06S R43E S22	NESW	T06S R43E S22	NWSW
T06S R43E S22	SWSW	T06S R43E S22	SESW
T06S R43E S22	NESE	T06S R43E S22	NWSE
T06S R43E S22	SWSE	T06S R43E S22	SESE
T06S R43E S23	NENE	T06S R43E S23	NWNE
T06S R43E S23	SWNE	T06S R43E S23	SENE

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

T06S R43E S23	NENW	T06S R43E S23	NWNW
T06S R43E S23	SWNW	T06S R43E S23	SENW
T06S R43E S23	NESW	T06S R43E S23	NWSW
T06S R43E S23	SWSW	T06S R43E S23	SESW
T06S R43E S23	NESE	T06S R43E S23	NWSE
T06S R43E S23	SWSE	T06S R43E S23	SESE
T06S R43E S25	NENE	T06S R43E S25	NWNE
T06S R43E S25	SWNE	T06S R43E S25	SENE
T06S R43E S25	NENW	T06S R43E S25	NWNW
T06S R43E S25	SWNW	T06S R43E S25	SENW
T06S R43E S25	NESW	T06S R43E S25	NWSW
T06S R43E S25	SWSW	T06S R43E S25	SESW
T06S R43E S25	NESE	T06S R43E S25	NWSE
T06S R43E S25	SWSE	T06S R43E S25	SESE
T06S R43E S26	NENE	T06S R43E S26	NWNE
T06S R43E S26	SWNE	T06S R43E S26	SENE
T06S R43E S26	NENW	T06S R43E S26	NWNW
T06S R43E S26	SWNW	T06S R43E S26	SENW
T06S R43E S26	NESW	T06S R43E S26	NWSW
T06S R43E S26	SWSW	T06S R43E S26	SESW
T06S R43E S26	NESE	T06S R43E S26	NWSE
T06S R43E S26	SWSE	T06S R43E S26	SESE
T06S R43E S36	NENE	T06S R43E S36	NWNE
T06S R43E S36	SWNE	T06S R43E S36	SENE
T06S R43E S36	NENW	T06S R43E S36	NWNW
T06S R43E S36	SWNW	T06S R43E S36	SENW
T06S R43E S36	NESW	T06S R43E S36	NWSW
T06S R43E S36	SWSW	T06S R43E S36	SESW
T06S R43E S36	NESE	T06S R43E S36	NWSE
T06S R43E S36	SWSE	T06S R43E S36	SESE
T06S R44E S31	NENE	T06S R44E S31	NWNE
T06S R44E S31	SWNE	T06S R44E S31	SENE
T06S R44E S31	NENW	T06S R44E S31	NWNW
T06S R44E S31	SWNW	T06S R44E S31	SENW
T06S R44E S31	NESW	T06S R44E S31	NWSW
T06S R44E S31	SWSW	T06S R44E S31	SESW
T06S R44E S31	NESE	T06S R44E S31	NWSE
T06S R44E S31	SWSE	T06S R44E S31	SESE

DOMESTIC same as MINING

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

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

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 right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

EXPLANATORY MATERIAL: License

In Re SRBA
Case No. 39576

STANDARD FORM 5

1

OBJECTOR(s):

State of Idaho
Dept. of Lands

United State of America
Bureau of Land Management

David J. Barber Date
Attorney of Objector

Larry A. Bown, USDOJ Date
Attorney for Objector

IDWR Concurrence:

Ernest Carlsen *January 18, 07*

Ernest Carlsen Date
Water Resource Program Manager

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

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

1. Original to:

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

2. STATE OF IDAHO DEPT OF LANDS

Represented by:
DAVID J. BARBER
PO BOX 44449
BOISE, ID 83711-4449

P4 PRODUCTION LLC
Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
PO BOX 1391
POCATELLO, ID 83204-1391

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NAT'L RESOURCES
550 WEST FORT STREET, MSC O33
BOISE, ID 83724

P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS, ID 83276

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney mailing the form

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

RIGHT NUMBER: 27-7121

NAME AND ADDRESS:

STATE OF IDAHO
DEPT OF LANDS
700 W JEFFERSON, ROOM 210
PO BOX 44449
BOISE ID 83711-4449

P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

SOURCE: Source: Tributary:
GROUND WATER

~~Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.~~

QUANTITY: 0.070 CFS
50.600 AFY

~~The right holder shall not divert water exceeding what is reasonably necessary for the beneficial use authorized by this right.~~

PRIORITY DATE: 02/09/1978

POINT OF DIVERSION:

T06S R43E S36 NWNE
Within CARIBOU County

~~This right does not grant any right of way or easement across the land of another.~~

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
MINING	01/01 12/31	0.070 CFS 49.40 AFY
DOMESTIC	01/01 12/31	0.020 CFS 1.20 AFY

~~Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.~~
~~Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.~~

PLACE OF USE:

MINING within CARIBOU County
T06S R43E S21 NENE
T06S R43E S21 NWNE
T06S R43E S21 SWNE
T06S R43E S21 SENE
T06S R43E S21 NENW
T06S R43E S21 NWNW
T06S R43E S21 SWNW
T06S R43E S21 SENW
T06S R43E S21 NESW
T06S R43E S21 NWSW

EMC

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

T06S R43E S21 SWSW
T06S R43E S21 SESW
T06S R43E S21 NESE
T06S R43E S21 NWSE
T06S R43E S21 SWSE
T06S R43E S21 SESE
T06S R43E S22 NENE
T06S R43E S22 NWNE
T06S R43E S22 SWNE
T06S R43E S22 SENE
T06S R43E S22 NENW
T06S R43E S22 NWNW
T06S R43E S22 SWNW
T06S R43E S22 SENW
T06S R43E S22 NESW
T06S R43E S22 NWSW
T06S R43E S22 SWSW
T06S R43E S22 SESW
T06S R43E S22 NESE
T06S R43E S22 NWSE
T06S R43E S22 SWSE
T06S R43E S22 SESE
T06S R43E S23 NENE
T06S R43E S23 NWNE
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T06S R43E S23 NENW
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T06S R43E S23 NWSW
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T06S R43E S25 NENE
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T06S R43E S25 SENE
T06S R43E S25 NENW
T06S R43E S25 NWNW
T06S R43E S25 SWNW
T06S R43E S25 SENW
T06S R43E S25 NESW
T06S R43E S25 NWSW
T06S R43E S25 SWSW
T06S R43E S25 SESW

Emc

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

T06S R43E S25 NESE
T06S R43E S25 NWSE
T06S R43E S25 SWSE
T06S R43E S25 SESE
T06S R43E S26 NENE
T06S R43E S26 NWNE
T06S R43E S26 SWNE
T06S R43E S26 SENE
T06S R43E S26 NENW
T06S R43E S26 NWNW
T06S R43E S26 SWNW
T06S R43E S26 SENW
T06S R43E S26 NESW
T06S R43E S26 NWSW
T06S R43E S26 SWSW
T06S R43E S26 SESW
T06S R43E S26 NESE
T06S R43E S26 NWSE
T06S R43E S26 SWSE
T06S R43E S26 SESE
T06S R43E S36 NENE
T06S R43E S36 NWNE
T06S R43E S36 SWNE
T06S R43E S36 SENE
T06S R43E S36 NENW
T06S R43E S36 NWNW
T06S R43E S36 SWNW
T06S R43E S36 SENW
T06S R43E S36 NESW
T06S R43E S36 NWSW
T06S R43E S36 SWSW
T06S R43E S36 SESW
T06S R43E S36 NESE
T06S R43E S36 NWSE
T06S R43E S36 SWSE
T06S R43E S36 SESE
T06S R44E S31 NENE
T06S R44E S31 NWNE
T06S R44E S31 SWNE
T06S R44E S31 SENE
T06S R44E S31 NENW
T06S R44E S31 NWNW
T06S R44E S31 SWNW
T06S R44E S31 SENW
T06S R44E S31 NESW
T06S R44E S31 NWSW
T06S R44E S31 SWSW
T06S R44E S31 SESW
T06S R44E S31 NESE
T06S R44E S31 NWSE

EMC

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

T06S R44E S31 SWSE
T06S R44E S31 SESE
DOMESTIC Same As MINING
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.

Domestic use is associated with a mining project.

The use of water for mining purposes is for dust abatement within the place of use described above, and for general mining purposes only within lease boundaries issued by the State of Idaho and the United States.

EMC

~~The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
Domestic use is associated with a mining project.~~

~~Mining use includes dust abatement on access roads.~~

~~Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

The right holder shall not divert water exceeding what is reasonably necessary for the beneficial use authorized by this right.

Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.

This right does not grant any right-of-way or easement across the land of another.

P4 Production LLC is the user of the water right pursuant to written easement agreement with Department of Lands.

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

RIGHT NUMBER: 27-7121

NAME AND ADDRESS:

STATE OF IDAHO
DEPT OF LANDS
700 W JEFFERSON, ROOM 210
PO BOX 44449
BOISE ID 83711-4449

P4-PRODUCTION-LLC
PO BOX 816
SODA SPRINGS ID 83276

SOURCE: Source:
GROUND WATER

Tributary:

~~Right holder shall comply with the drilling permit requirements of Section 12-235, Idaho Code and applicable Well Construction Rules of the Department.~~

QUANTITY: 0.070 CFS
50.600 AFY

~~The right holder shall not divert water exceeding what is reasonably necessary for the beneficial use authorized by this right.~~

PRIORITY DATE: 02/09/1978

POINT OF DIVERSION:

T06S R43E S36 NWNE
Within CARIBOU County

~~This right does not grant any right of way or easement across the land of another.~~

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
MINING	01/01 12/31	0.070 CFS 49.40 AFY
DOMESTIC	01/01 12/31	0.020 CFS 1.20 AFY

~~Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.~~
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PLACE OF USE:

MINING within CARIBOU County
T06S R43E S21 NENE
T06S R43E S21 NWNE
T06S R43E S21 SWNE
T06S R43E S21 SENE
T06S R43E S21 NENW
T06S R43E S21 NWNW
T06S R43E S21 SWNW
T06S R43E S21 SENW
T06S R43E S21 NESW
T06S R43E S21 NWSW

10/06/2003

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-7121

P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276
Telephone Number: (208)547-4300

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 07-18-05 SIGNATURE: David W. Farnsworth FOR P4 PRODUCTION L.L.C.

Please print your name: DAVID W. FARNSWORTH

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



RECEIVED
JUL 25 2005
Department of Water Resources
Eastern Region

KMS
7/25

Notes

8/29/03 T-70241 changed the POP &
POU.

Claimed matches the transfer

no layout needed.

Name connector: and ____, or ____, and/or ____

Current Owner_

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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Reviewer: _____

Date: _____

Priority Date Data Entry FormClaim Number: A27-7121

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:

T- 70241

Reviewer: CBDate: 8/29/03

Priority Date

Claim No. _____

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ☐ No ☒
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes ☐ No ☐
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes ☐ No ☐
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes ☐ No ☐
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes ☒ No ☐
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes ☒ No ☐
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes ☒ No ☐
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes ☐ No ☐
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes ☐ No ☐
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes ☐ No ☐
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes ☐ No ☐
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes ☐ No ☐
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes ☐ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes ☐ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes ☐ No ☐
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes ☒ No ☐
If Yes, go to 16
If No, Enter the appropriate basis of claim. *verify license*
16. Is a Priority Date remark and/or condition required? Yes ☐ No ☒
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Point of Diversion and Source Data Entry FormClaim Number: A27-7121

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:

T-70241

_____Transfers Changing POD yesReviewer: CBDate: 8/29/03

Point of Diversion

Claim No. 27 - 7121

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the POD as shown on the Permit. Go to 10

Yes (☐) No (☐)

4. Does the parent right have a POD?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7

If No, go to 9

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9

If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes (☐) No (☐)

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10

If No, go to 9

Yes (☐) No (☐)

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10

If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (☐) No (☐)

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete

If No, POD review is complete.

Yes (☐) No (☒)

Source

Claim No. 27 - 7121.

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Source as shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a Source?

If Yes, go to 5

If No, go to 7

Yes (☒) No (☐)

5. Can the claimed Source be verified using the water right file?

If Yes, recommend the Source as shown in the water right file. Go to 11

If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7

If No, go to 7

Yes (☐) No (☐)

7. Is there evidence that there has been a change in the Source?

If Yes, go to 8

If No, go to 10

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C02, go to 10

If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

Yes (☐) No (☐)

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11

If No, go to 10

Yes (☐) No (☐)

10. Does the file contain all of the necessary information to verify the Source?

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11

If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

Yes (☐) No (☐)

11. Is a Source remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Source review is complete.

If No, Source review is complete.

Yes (☐) No (☒)

Place Of Use Data Entry Form

Claim Number:

A27-7121

☒ 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

Total Acres _____

Document how the POU was verified:

T-70241

Transfers Changing POU

yes

Reviewer:

CB

Date:

8/29/03

Place of Use**Claim No.** -

1. Is the basis of claim a Decree or License?

If Yes, go to 2a

If No, go to 2b

Yes (☒) No (☐)

2a. Is a POU required?

If Yes, go to 5

If No, go to 14

Yes (☐) No (☒)

2b. Is a POU required?

If Yes, go to 3

If No, go to 14

Yes (☐) No (☐)

3. Is the basis of claim a Permit or Application?

If Yes, go to 4

If No, go to 7

Yes (☐) No (☐)

4. Has the License been issued?

If Yes, go to 6

If No, recommend the POU as shown on the Permit. Go to 14

Yes (☐) No (☐)

5. Does the parent right have a POU?

If Yes, go to 6

If No, go to 7

Yes (☒) No (☐)

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14

If No, go to 7

Yes (☒) No (☐)

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8

If No, go to 13

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13

If No, go to 9

Yes (☐) No (☐)

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10

If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes (☐) No (☐)

10. Was an enlargement claim filed?

If Yes, go to 13

If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes (☐) No (☐)

11. Did the claimant file an enlargement claim?

If Yes, go to 13

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14

If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes (☐) No (☐)

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/ or condition. POU review is complete.

If No, POU review is complete.

Yes (☐) No (☒)

27-7121

Purpose of Use Data Entry Form

Claim Number: A27-7121☒ 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:

T-70241

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 8/29/03

Purpose of Use

Claim No. 27 - 7121

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes (☐) No (☐)

4. Does the parent right have a Purpose of Use?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7

If No, go to 11

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11

If No, go to 8

Yes (☐) No (☐)

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9

If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes (☐) No (☐)

9. Was an enlargement claim filed?

If Yes, go to 11

If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes (☐) No (☐)

10. Did the claimant file an enlargement claim?

If Yes, go to 11

If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13

If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.

If No, purpose of Use review is complete.

Yes (☐) No (☒)

Period of Use and Quantity Data Entry FormClaim Number: A27-7121☒ 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
<u>FFP</u>				

Overall Diversion Rate 0.70Overall Diversion Volume 1.20

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

T-70241Reviewer: CBDate: 8/29/03

Period of Use

Claim No. _____

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes (☒) No (☐)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes (☐) No (☐)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
Yes (☐) No (☐)
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6
Yes (☒) No (☐)
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6
Yes (☒) No (☐)
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12
Yes (☐) No (☐)
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8
Yes (☐) No (☐)
8. Can the change be recommended as an accomplished transfer?
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
Yes (☐) No (☐)
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
Yes (☐) No (☐)
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes (☐) No (☐)
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes (☐) No (☐)
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
Yes (☐) No (☐)
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15
Yes (☐) No (☐)
14. Is irrigation claimed as a purpose of use?
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
Yes (☐) No (☒)
15. Is irrigation claimed as a purpose of use?
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
Yes (☐) No (☐)
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
Yes (☐) No (☐)
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
Yes (☐) No (☐)
18. Is a Period of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
Yes (☐) No (☒)

Quantity

Claim No. 27 - 7121

1. Is the basis of claim a Decree or License?

Yes (☒) No (☐)

If Yes, go to 4

If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes (☐) No (☐)

If Yes, go to 3

If No, go to 6

3. Has the License been issued?

Yes (☐) No (☐)

If Yes, go to 5

If No, recommend the Quantity shown on the Permit. Go to 11

4. Does the parent right have a diversion rate and/or volume?

Yes (☒) No (☐)

If Yes, go to 5

If No, go to 7

5. Can the claimed diversion rate and/or volume be verified using the water right file?

Yes (☒) No (☐)

If Yes, go to 8

If No, go to 7

6. Is the basis of claim a posted notice?

Yes (☐) No (☐)

If Yes, consult the attorney assigned to the Basin. Go to 7

If No, go to 7

7. Is a flow measurement required?

Yes (☐) No (☐)

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9

If No, describe why a flow measurement is not required. Go to 9

8. Does the parent right have an annual diversion volume limit?

Yes (☒) No (☐)

If Yes, go to 10

If No, go to 9

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

Yes (☐) No (☐)

If Yes, go to 10

If No, go to 11

10. Is irrigation a purpose of use?

Yes (☐) No (☒)

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

Yes (☐) No (☐)

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, go to 12

12. Is a Quantity remark and/or condition required?

Yes (☐) No (☒)

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.

If No, quantity review is complete.

Summary

Claim No. 27 - 7121

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2

If No, go to 3

Yes (☒) No (☐)

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4

If No, status will be set as Active. Go to 5

Yes (☐) No (☒)

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5

If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes (☐) No (☐)

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5

If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes (☐) No (☐)

5. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 6

If No, go to 6

Yes (☒) No (☐)

6. Would you like to view the recommended right?

If Yes, go to 7

If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (☒) No (☐)

7. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8

If No, go to 8

Yes (☐) No (☒)

8. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 9

If No, go to 9

Yes (☐) No (☒)

9. Would you like to set the verification date?

If Yes, the review is complete.

If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (☒) No (☐)

Claim No.: 27-7121

Summary Data Entry Form

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

C18

Split or Combined Right Analysis:

none

Attached Field Notes or Other Documents:

disk top review

Claim No.: 27-7121

Reviewer CB

Date 8/29/03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 70241APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant P4 Production, L.L.C. Phone 208-547-4300
 Post Office address PO Box 816, Soda Springs, Idaho 83276

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Water will be used for dust control on mining haul roads and drilling fluid for core drills in newly-expanded portions of the mine, and also for domestic use for mine.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- | | | | | |
|-----------------|-------------------|-------------|-----------------|---------------------------------|
| <u>27-07121</u> | <u>02/09/1978</u> | <u>.070</u> | <u>mining</u> | <u>Jan. 1</u> to <u>Dec. 31</u> |
| | <u>02/09/1978</u> | <u>.020</u> | <u>domestic</u> | <u>Jan. 1</u> to <u>Dec. 31</u> |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred .070 cubic feet per second and/or 1.20 acre-feet per annum.
3. Source of water ground water tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	36	6S	43E	Caribou	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6S	43E	21	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	~~640~~
6S	43E	22																	~~640~~
6S	43E	23																	~~640~~
6S	43E	25																	~~640~~
6S	43E	26																	~~640~~
6S	44E	31																	~~640~~
6S	43E	36																	~~640~~

Total acres 4,480

PART 1

6. General Information:

a. Description of diversion system By pump and other devices to convey water into vehicular carriers to transport to place of use.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 27-7121

Priority Date: 02/09/1978

Origin: Adjudication Claim

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC ✓	1/01	12/31	0.02 CFS ✓		
MINING ✓	1/01	12/31	0.07 CFS ✓		
Total Diversion			0.07 CFS ✓		

Source and Point(s) of Diversion:

GROUND WATER ✓ NESENW ✓ 06S 43E 30 CARIBOU

PLACE OF USE: MINING

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 42E 11							X		X	X	X	X		X	X		
06S 42E 13							X		X	X	X	X			X		
06S 42E 14	X	X	X	X	X	X							X				
06S 42E 24		X	X	X	X	X		X					X	X	X	X	
06S 42E 25	X	X															
06S 43E 19									X	X	X						
06S 43E 29											X						
06S 43E 30		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
06S 43E 31	X	X		X													
06S 43E 32						X	X										

Conditions/Remarks:

1. CHANGED OWNERSHIP PER REQUEST/JH/12-22-98

page 4 of 7

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. 70241
Receipt No. _____

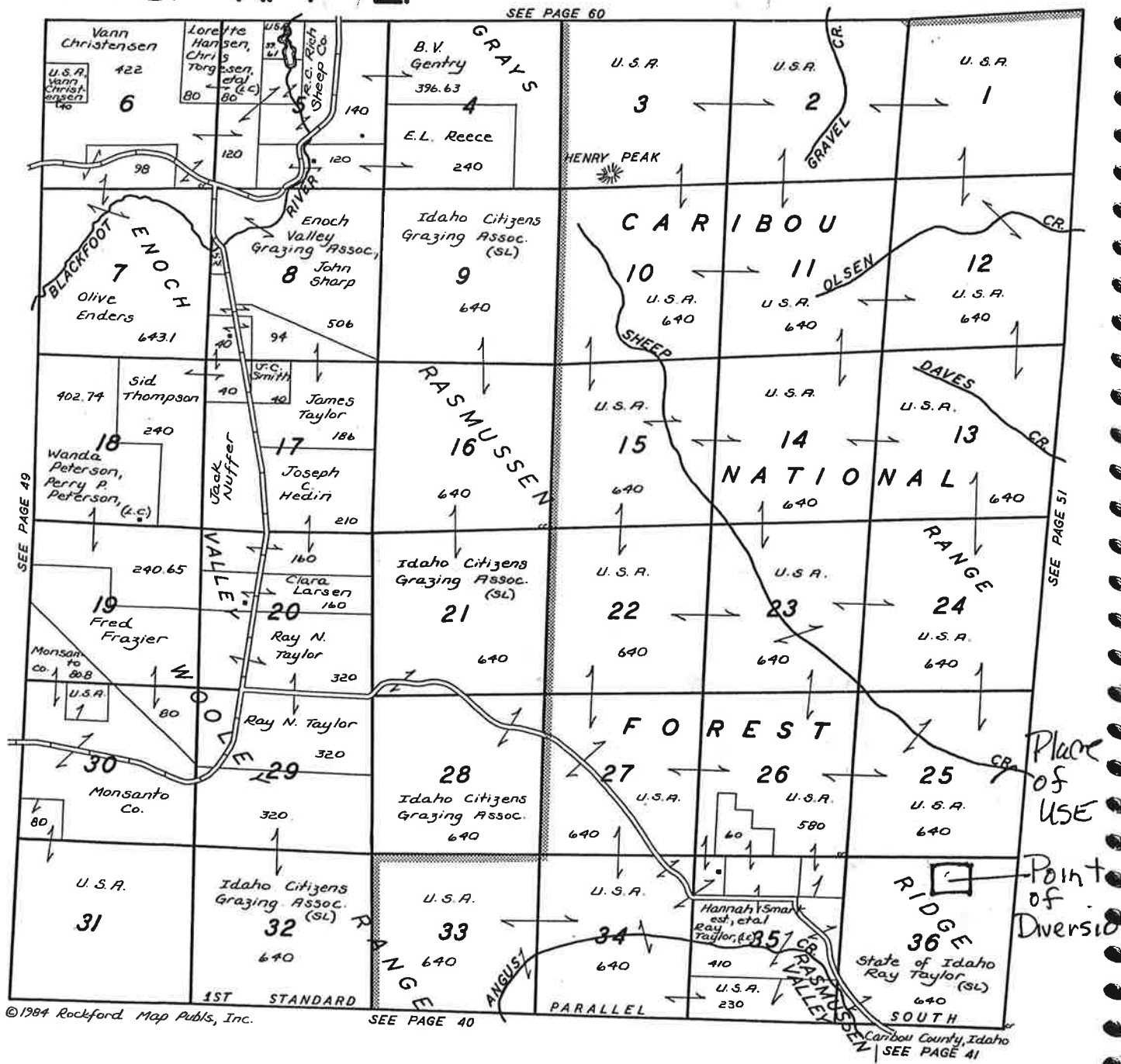
Current Water Right No. 27-7121

Documentation of Ownership of the Current Place of Use NA

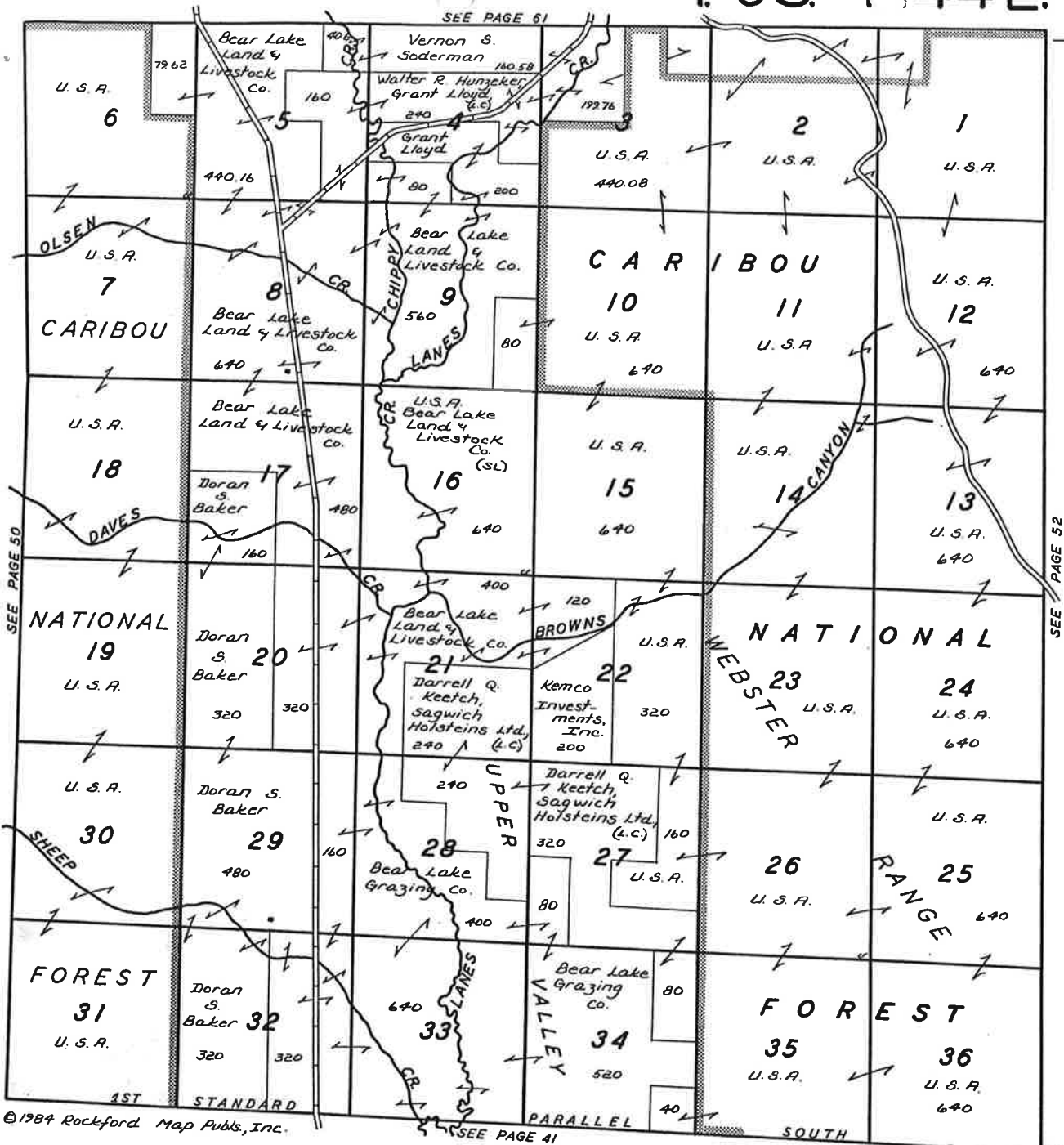
Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO - USFS

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer Mining area is being changed

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO



SEE PAGE 61



PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft) _____ to _____
 _____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Randall C. Budge - Attorney For P4 Production, LLC
 (Signature of Applicant)

Subscribed and sworn to before me this _____

31st

day of

October

, 19 2002

ROBIN ROEBUCK
 NOTARY PUBLIC
 STATE OF IDAHO

Robin Roebuck

(Notary Public)

My commission expires

8/18/2006

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 5 attachments

Received by HWS Date 11-1-02

Protest filed by _____

Prelim. check by _____ Fee 100.00

Receipted by HWS # E028284 Date 11-1-02

Published in Caribou Co. Sun

Copies of protest forwarded by _____

Pub. dates Nov 14 & 21, 2002

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

rec'd.

by _____

Copy of transfer sent to lien holder _____

0000 0000 0253

(11/12/90) A/90

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 JACOBSON BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-07121
Date Received: 1/19/1990
Receipt No: C-01428
Received By: J. J. JACOBSON

Department of Water Resources

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

1. Name: MONSANTO CO. 208-547-3391
Address: P.O. BOX 816
SODA SPRINGS, ID 83276

2. Date of Priority: FEB 09, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	43E	30	NE	SE	NW		CARIBOU

5. Description of diverting works:
WELL, PUMP & RES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINING	01/01	12/31	0.070		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum

9. Non-irrigation uses:
X/DUST CONTROL & DRILLING, D/MINERS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	42E	11	SW	NW		MINING	
			NE	SW		MINING	

A27-07121

Page 1

Date: 01/19/90

25x10

32x10

32x10

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	42E	11	NW	SW		MINING	
			SW	SW		MINING	
			SE	SW		MINING	
			NW	SE		MINING	
		13	SW	SE		MINING	
			SW	NW		MINING	
			NE	SW		MINING	
			NW	SW		MINING	
		14	SW	SW		MINING	
			SE	SW		MINING	
			SW	SE		MINING	
			NE	NE		MINING	
		24	NW	NE		MINING	
			SW	NE		MINING	
			SE	NE		MINING	
			NE	NW		MINING	
		25	NW	NW		MINING	
			NE	SE		MINING	
			NW	NE		MINING	
			SE	NE		MINING	
		19	NE	NW		MINING	
			NW	NW		MINING	
			SE	NW		MINING	
			NE	SE		MINING	
		29	NW	SE		MINING	
			SW	SE		MINING	
			SE	SE		MINING	
			NE	NE		MINING	
	43E	30	NW	NE		MINING	
			SW	NE		MINING	
			SE	NE		MINING	
			NE	NW		MINING	
			NW	NW		MINING	
			SW	NW		MINING	
			SE	NW		MINING	
			NE	SW		MINING	
			NW	SW		MINING	
			SW	SW		MINING	
			SE	SW		MINING	
			SE	SW		MINING	

A27-07121

Page 2

Date: 01/19/90

25x10

32x10

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	43E	30	NE	SE	MINING	
			NW	ST	MINING	
			SW	ST	MINING	
		31	SE	ST	MINING	
			NE	NE	MINING	
			NW	NE	MINING	
		32	SE	NE	MINING	
			NW	NW	MINING	
			SW	NW	MINING	

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:

14. Remarks:

15. Basis of Claim: LICENSE

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 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 Mining Superintendent of

Monsanto Company, that I have signed the foregoing
Organization document in the space below as Mining Superintendent of

Monsanto Company and that the statements contained in the
Organization foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Mining Superintendent, Monsanto Company
Title and Organization

January 24, 1990
Date

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of January 19 90

[Signature]
Notary Public

Seal

Residing at Georgetown

My Commission Expires 8/22/02

32x10

25x10

EAST AJ

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70241**

This is to certify that: P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276
(208)547-4300

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
27-7121	AJC/License	02/09/1978	0.07 cfs	N/A			GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
27-7121	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
27-7121	27-7121	0.07 cfs	50.6 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.07 cfs	50.6 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18 day of March, 20 03

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 27-7121
As Modified by Transfer No. 70241

In accordance with the approval of Transfer No. 70241, Water Right No. 27-7121 is now described as follows.

Right Holder: P4 PRODUCTION LLC
 PO BOX 816
 SODA SPRINGS ID 83276

Priority Date: February 09, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01 to 12/31		0.02 CFS	1.2 AF
MINING	01/01 to 12/31		0.07 CFS	49.4 AF
			0.07 CFS	50.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNE Sec. 36 Twp 06S Rge 43E CARIBOU County

PLACE OF USE: MINING

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	43E	21	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
06S	43E	22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
06S	43E	23	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
06S	43E	25	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
06S	43E	26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
06S	43E	36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
06S	44E	31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
4. This right does not grant any right-of-way or easement across the land of another.
5. The right holder shall not divert water exceeding what is reasonably necessary for the beneficial use authorized by this right.

WATER RIGHT NO. 27-7121
As Modified by Transfer No. 70241

CONDITIONS OF APPROVAL

- ✓6. Domestic use is associated with a mining project.
- ✓7. Mining use includes dust abatement on access roads.
- 8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18 day of March, 20 03

For 
Chief Water Allocation Bureau



State of Idaho

SCANNED

JUL 18 2001

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 22, 1998

P4 PRODUCTION LLC
HWY 34 N
PO BOX 816
SODA SPRINGS ID 83276

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A27-07019,
A27-07121

Dear Sir:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

27-07121

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
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
ERIC S. HUNN
DAVID E. ALEXANDER**
JAMES P. PRICE***
LISA M. CHRISTON****
RICHARD A. HEARN, M.D.*****
ERIC L. OLSEN

*ALSO MEMBER IL & WY BARS
**ALSO MEMBER MO BAR
***ALSO MEMBER CO BAR
****ALSO MEMBER IL BAR
*****ALSO MEMBER D.C. BAR

LAW OFFICES OF
RACINE, OLSON, NYE, BUDGE & BAILEY
CHARTERED

CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

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

ASSOCIATED WITH
McGRATH, SMITH
& ASSOCIATES
414 SHOUP
P. O. BOX 50731
IDAHO FALLS, ID 83405
TEL (208) 524-0731
FAX (208) 529-4166

STEPHEN J. McGRATH
BRYAN D. SMITH†
NEAL S. RANDALL
†ALSO ADMITTED IN CA

November 10, 1998

Harold Jones
Idaho Department of Water Resources
Eastern Region
900 N. Skyline Drive
Idaho Falls, Idaho 83402

RECEIVED
NOV 12 1998
Department of Water Resources
Eastern Region

Re: *Monsanto-P4 Production, L.L.C.*

Dear Harold:

Enclosed please find for filing a New Property Owner Notice of Change of Water Right Ownership-Form 42-1409(7). This is being submitted on behalf of Monsanto for the purpose of changing ownership to P4 Production, L.L.C.

The water rights to be transferred consist of all known water rights in the name of Monsanto, Monsanto Company, or Monsanto Chemical Company. Those that I am aware of are identified in the attached "Summary of Water Rights". All are in Monsanto's name except for 27-07451 and 27-07452 which I note are in the name of the State of Idaho Department of Lands. I am in the process of contacting the Department of Lands to see if these water rights can be transferred into P4's name. I note that no SRBA claims have been filed on them.

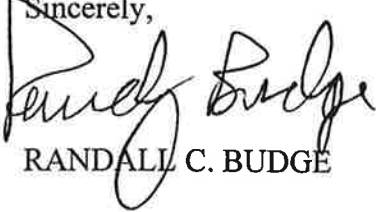
I am preparing proposed SRBA Claims for 27-07451 and 27-07452 (commonly known as the Enoch Valley Wells) and also number 27-07369 (commonly known as the Ballard Mine Office). These three appear to be in the Snake drainage and all require SRBA claims.

On behalf of P4 Production, L.L.C., I am in the process of compiling a summary of water rights together with supporting documentation. Accordingly, I would appreciate it if you would provide for each right a current Water Right Report, together with a copy of each underlying Application, Permit, License, Transfer, etc. If there are any copying or research charges, please provide a statement and I'll promptly remit. I would be happy to meet with you to review and compile this information or discuss any questions you may have by phone.

Done-HWT
11-13-98

Harold Jones
November 10, 1998
Page 2

Thank you for your cooperation and assistance.

Sincerely,

RANDALL C. BUDGE

RCB:rr

Enclosures

cc: P4 Production, Inc.:
Robert L. Geddes
David W. Farnsworth



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

Oked by
SK:p

DATE OF CLOSING: 9/1/97

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

See attached Special Warranty Deed, Instrument No. 154974.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s) _____
Assigned by IDWR: See attached "Water Right Summary"

☒ Name and Address of Former Owner/Claimant(s)(Seller): Monsanto/Monsanto Co./Monsanto Chemical Co./
Monsanto Company

☐ New Owner/Claimant (Purchaser): P4 Production, L.L.C.

☐ New Mailing Address: P.O. Box 816
Highway 34 North
Soda Springs, ID 83276

☐ New Telephone Number: (208) 547 - 4300

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: See attached Special Warranty Deed, Instrument No. 154974

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Randall C. Budge, Attorney for Date 11/10/98
P4 Productions, LLC Date _____

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

P4 PRODUCTION, L.L.C. **SUMMARY OF WATER RIGHTS**

	<u>Description:</u>	<u>IDWR Water Right No.</u>	<u>Quantity</u>	<u>Priority</u>	<u>Use</u>
1.	Plant Well #1	11-02102 ✓	2.22	10/5/51	Industrial
2.	Plant Well #2	11-2107A ✓	1.00	10/6/52	Industrial
		11-2107B	1.60	11/18/52	Industrial
3.	Plant Well #3	11-2141	<u>4.35</u>	9/27/65	Industrial
	Subtotal:		9.17*		
	(*Combined max = 5000 AF/3107 gpm)				
4.	Quarry Well #1	Lic. #32920 11-2144 Trans. #3483	3.60 cfs	6/10/66	Industrial
5.	Cedar View Trailer Site	11-07058	0.06	4/29/74	Domestic
6.	Envek Valley Well #1 (Idaho Dept. of Lands)	27-07451	0.08 cfs	1/15/89	Industrial
	Subtotal	SRBA Claim Needed	<u>0.02</u> cfs 0.10 cfs		Domestic
7.	Envek Valley Well #2 (Idaho Dept. of Lands)	27-07452 SRBA Claim Needed	0.30 cfs		Industrial
8.	Ballard Mine (Office)	27-07369 (SRBA Claim needed)			

	<u>Description:</u>	<u>IDWR Water Right No.</u>	<u>Quantity</u>	<u>Priority</u>	<u>Use</u>
9.	Waste Water	11-02106 ✓	2.00 cfs/707.0 AF	10/11/1932	Irrigation
10.	Soda Creek/Kackley	(K) Transfer No. 4887: 11-00448 11-00449 11-00457 11-00471 11-00499 11-00531B	0.30 cfs/49.0 AF 0.20 cfs/72.6 AF 0.10 cfs/17.5 AF 0.02 cfs/4.6 AF 0.60 cfs/105.0 AF 3.90 cfs/770 AF	6/1/1909 5/01/1910 2/10/1881 2/10/1881 5/01/1881 5/01/1892	Irrigation Irrigation Irrigation Irrigation Irrigation Irrigation
11.	Little Blackfoot	01-0028B ✓	30 inches	12/3/1891	
12.	Blackfoot Reservoir Trailer	A 27-7019 <i>done</i>	0.02 cfs	8/6/1971	Domestic
13.	Henry Mine	A 27-7121 <i>done</i> 0.04 cfs 0.04 cfs <u>0.15 cfs</u> 0.23 cfs		2/9/1978	Domestic Drilling Mining
	Subtotal:				

Adj Name change needed

26/

JUL 18 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 STATE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-07121

Date Received: 1/19/1990

Receipt No: 201284

Received By: J. Larison

RECEIVED
JAN 29 1990

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MONSANTO CO. 208-547-3391
Address: P.O. BOX 816
SODA SPRINGS, ID 83276

2. Date of Priority: FEB 09, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	43E	30	NE	SE	NW		CARIBOU

5. Description of diverting works:
WELL, PUMP & RES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINING	01/01	12/31	0.070		
DOMESTIC	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
X/DUST CONTROL & DRILLING, D/MINERS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	42E	11	SW	NW		MINING	
			NE	SW		MINING	

A27-07121

Page 1

Date: 01/19/90

MICROFILMED
NOV 12 1992

A2707121



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	42E	11	NW	SW		MINING	
			SW	SW		MINING	
			SE	SW		MINING	
			NW	SE		MINING	
			SW	SE		MINING	
		13	SW	NW		MINING	
			NE	SW		MINING	
			NW	SW		MINING	
			SW	SW		MINING	
			SE	SW		MINING	
			SW	SE		MINING	
		14	NE	NE		MINING	
			NW	NE		MINING	
			SW	NE		MINING	
			SE	NE		MINING	
			NE	NW		MINING	
			NW	NW		MINING	
			NE	SE		MINING	
		24	NW	NE		MINING	
			SW	NE		MINING	
			SE	NE		MINING	
			NE	NW		MINING	
			NW	NW		MINING	
			SE	NW		MINING	
			NE	SE		MINING	
			NW	SE		MINING	
			SW	SE		MINING	
			SE	SE		MINING	
		25	NE	NE		MINING	
			NW	NE		MINING	
	43E	19	NW	SW		MINING	
			SW	SW		MINING	
			SE	SW		MINING	
		29	SW	SW		MINING	
		30	NW	NE		MINING	
			SW	NE		MINING	
			SE	NE		MINING	
			NE	NW		MINING	
			NW	NW		MINING	
			SW	NW		MINING	
			SE	NW		MINING	
			NE	SW		MINING	
			NW	SW		MINING	
			SW	SW		MINING	
			SE	SW		MINING	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	43E	30	NE		SE		MINING	
			NW		SE		MINING	
			SW		SE		MINING	
			SE		SE		MINING	
		31	NE		NE		MINING	
			NW		NE		MINING	
			SE		NE		MINING	
		32	NW		NW		MINING	
			SW		NW		MINING	

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:

14. Remarks:

15. Basis of Claim: LICENSE

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 X 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 _____ Mining Superintendent _____ of _____ Title _____

Monsanto Company _____, that I have signed the foregoing Organization document in the space below as _____ Mining Superintendent _____ of _____ Title _____

Monsanto Company _____ and that the statements contained in the Organization foregoing document are true and correct.

David W. Jansone
Signature of Authorized Agent

Mining Superintendent, Monsanto Company
Title and Organization

January 24, 1990
Date

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of January 19 90

John S. Crane
Notary Public

Seal

Residing at Georgetown

My Commission Expires 8/22/92

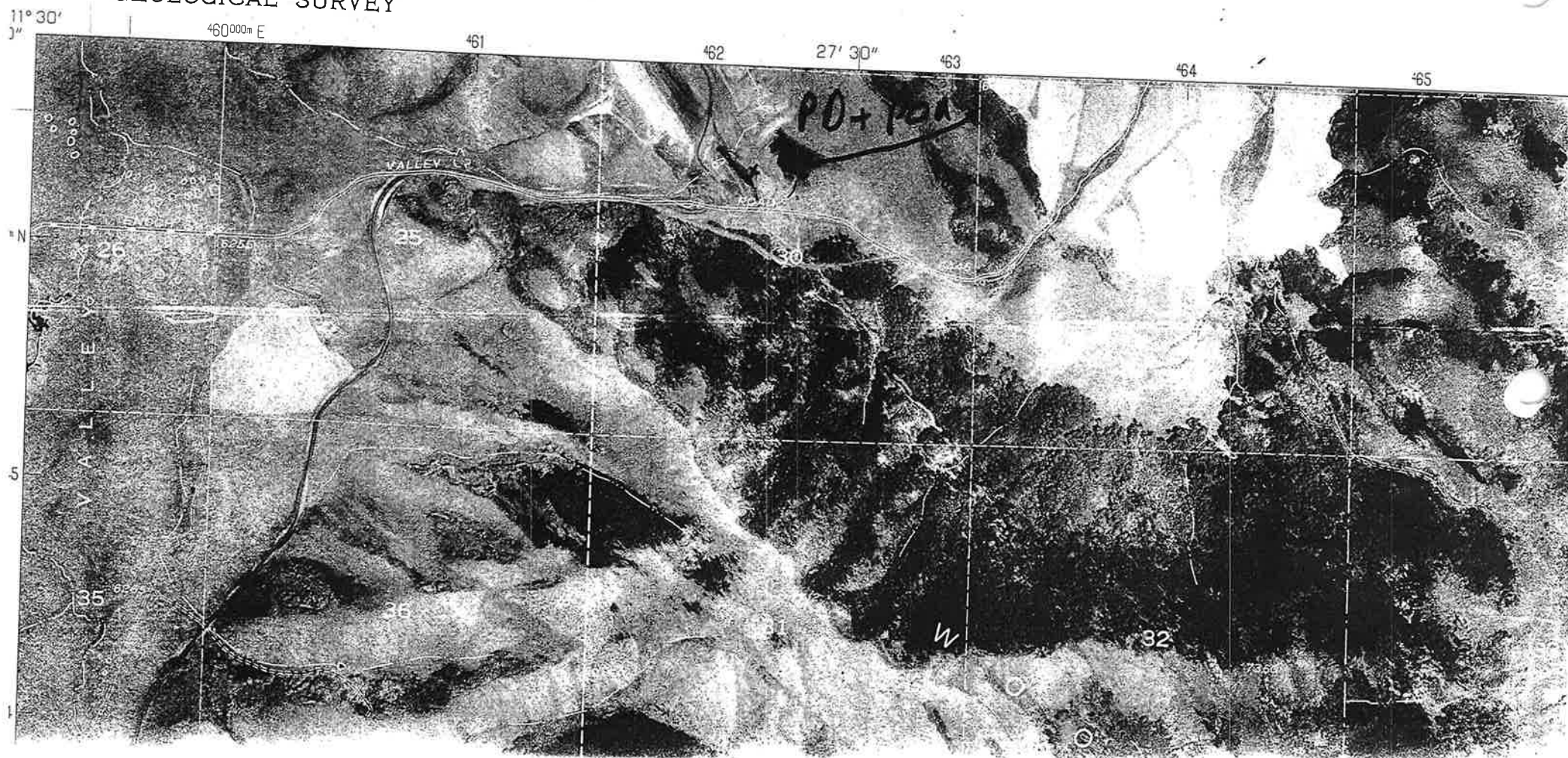
MICROFILMED

NOV 12 1992

OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R42E R43E



AJ0749NP
No. A27-07121

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/22/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	P4 PRODUCTION LLC HWY 34 N PO BOX 816 SODA SPRINGS ID 83276 (208) 547-4300	02/09/1978	MINING DOMESTIC	01-01 12-31 01-01 12-31	0.07 CFS 0.02 CFS	
TOTAL DIVERSION:					0.07 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R43E S30

NESENW

CARIBOU County

Place of use Legal Description for: MINING

		NE				NW				SW				SE			
T	R S	NE NE	NW NE	SW NE	SE NE	NENW	NWNW	SWNW	SE NW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
06S	42E 11							M		M	M	M	M		M	M	
06S	42E 13							M		M	M	M	M			M	
06S	42E 14	M		M	M	M	M							M			
06S	42E 24			M	M	M			M					M	M	M	M
06S	42E 25	M		M													
06S	43E 19										M	M	M				
06S	43E 29											M					
06S	43E 30			M	M	M	M	M	M	M	M	M	M	M	M	M	M
06S	43E 31	M		M													
06S	43E 32						M	M									

Place of use location for DOMESTIC is the same location as described for: MINING

POU County: CARIBOU

Non-Irrigation Uses: X/DUST CONTROL & DRILLING, D/MINERS.

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JH/12-22-98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: