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JUL 03 2014

Department of Water Resources  
Eastern RegionSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 21 2014

ID No.

TP-11-20.

## APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(For a use not intended to become an established water right, not to exceed a total diverted volume of five (5) acre-feet, and not to exceed one (1) year duration in accordance with Section 42-202A, Idaho Code.)

Name of applicant: P4 Production, L.L.C. Phone: 547-1207  
 Mailing address: P. O. Box 816 City: Soda Springs  
 State Idaho ZIP 83276 Email: jim.r.smith@Monsanto.com

1. Source of water: groundwater tributary to N/A

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
8S	42E	31			NW	SE	Caribou	Groundwater	TW-75

3. Location of place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	42E	31	1	1	1	1													

4. Describe proposed use of water testing of water filtration equipment designed to remove selenium from groundwater supply

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 10 gpm.

Maximum daily volume \_\_\_\_\_ AF; total volume 4 AF.

6. Duration of diversion: from Aug 1st, 2014 (day-month) to November 15, 2014 (day-month).

7. Describe proposed diverting works: existing groundwater monitoring well

8. a. Who owns the property at the requested point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:  
N/A

9. Additional remarks: See attached memo

I hereby acknowledge that I assume all risk if the diversion and use of the water under this approval injures other water rights. I certify this is a temporary use and that I am not seeking a continuing right to use water.

Thomas J. Smith Attorney for P4 July 8, 2014  
 Signature of applicant Date

Received by SC Date 7/9/14 Time \_\_\_\_\_  
 \$50.00 fee received by SC # 66400 27 Date 7/9/14  
 Watermaster comments received? \_\_\_\_\_ Date \_\_\_\_\_

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that the department has examined this application for temporary approval to use water under the provisions of Section 42-202A, Idaho Code, and has determined that:

☐ A. The application for temporary approval should be denied.

☒ B. The application for temporary approval should be approved, since

1. The temporary approval can be properly administered.
2. Other water sources are not readily available.
3. The approval is in the public interest.
4. The approval will not injure known public values associated with the water source or any known water rights.

This application is therefore hereby:

☐ A. DENIED

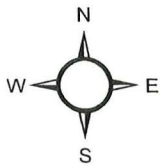
☒ B. APPROVED, subject to the following conditions:

1. Diversion and use of water under this approval is subject to all valid existing water rights.
2. The applicant assumes all risk the use of the water under this approval may injure other water rights.
3. This approval authorizes a maximum diversion of 4.0 AF and a maximum rate of diversion of \_\_\_\_\_ cfs.
4. This approval does not grant a right-of-way across the land of another, does not create a continuing right to use the water and may not be used in connection with a use which requires a continuing water supply.
5. The department may cancel this approval at any time if the department identifies injury to other water rights.
6. This approval does not create a continuing right to use water.
7. The holder of this temporary permit shall not divert at a rate or in a manner that will significantly reduce the flow in the water source or otherwise adversely affect fish, wildlife or other public values.
8. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. This approval expires on November 15, 2014

Signed this 15th day of July, 2014.

Lyle Swank  
For the Director





### Legend

- TW-75
- TR Lines
- Section Lines
- Quarters







## TECHNICAL MEMORANDUM

**Date:** July 3, 2014  
**To:** T.J. Budge, Legal Counsel  
**From:** Paul Pigeon, P.E., Karen Budgell  
**cc:** Jason Maughan, James McCulloch, Monsanto  
Tom Rutkowski, David Banton, Golder  
**Project No.:** 91311101-003  
**Company:** Racine, Olson, Nye, Budge,  
Bailey Law  
**Email:** [ppigeon@golder.com](mailto:ppigeon@golder.com)  
**RE: SELENIUM PILOT STUDY – TEST WATER SUPPLY FROM MONITORING WELL TW-75**

Monsanto Company (Monsanto) has authorized Golder Associates Inc. (Golder) to plan and implement a pilot test of a biological selenium treatment process for removal of selenium from groundwater at the Soda Springs plant (the Site). The biological treatment process selected for testing is a packed bed biofiltration technology known as ABMet™, supplied by GE Water and Process Technologies. The process will test selenium contaminated groundwater treatment at a low flow rate. Test Well 75 (TW-75), installed in 2013 for ground water monitoring, was selected based on its representative selenium concentrations and proximity to the selected location for pilot testing. A test period of three months (13 weeks) was selected as a sufficient period to obtain data from pilot operations.

The ABMet pilot is sized to take an influent flow rate of up to 10 gpm. Although the flow rate will be varied throughout the three-month test period to assess treatment capabilities for a range of selenium loading rates, the maximum potential flow rate of 10 gpm would necessitate pumping of a maximum of about 4 acre-feet (1,310,040 gallons) of groundwater from TW-75 during pilot testing. The actual volume pumped will be less as lower flow rates will be used during parts of the 13-week period. The pumped water will be fed to a supply tank at the pilot plant location and pumped to the top of the ABMet biofilter for gravity downflow filtration. A mixed nutrient liquid will be dosed at less than ¼ gallon per minute into the biofilter feed pipe to promote biological growth in the filter. The nutrient liquid will be supplied from an off-site source by GE Water and Process Technologies.

The water extracted from TW-75 will be monitored using a local-indicating flow meter and totalizer. Daily records will be maintained at the pilot location of flow rate in gallons per minute and total gallons used.

The biofilter effluent will be collected in an effluent/backwash tank for sampling and used as the backwash water for the biofilter. Periodically, effluent will be pumped into the bottom of the biofilter for short periods of time, for two purposes:

i:\09\09131101003\0122\91311101003 pilot test supply from tw-75 03jul14.docx

Golder Associates Inc.  
44 Union Boulevard, Suite 300  
Lakewood, CO 80228 USA  
Tel: (303) 980-0540 Fax: (303) 985-2080 [www.golder.com](http://www.golder.com)

Golder Associates: Operations in Africa, Asia, Australasia, Europe, North America and South America

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- Degassing – The biofilter is operated under anaerobic conditions, which result in generation of gas bubbles in the bed and excess biomass, causing an increasing head loss in the biofilter. On a frequency of less than 1 day to 3 days, the back wash pump will be turned on for 30 seconds to one minute to purge gas from the filter bed and re-distribute the filter media.
- Backwash – On a frequency of 1 to 2 months, a full backwash of the biofilter will be accomplished to remove excess biomass, with a duration of 15 to 30 minutes.

Because degassing and backwashing will utilize biofilter effluent, these periodic steps will not add to the total volume of groundwater pumped from TW-75.

Essentially all groundwater processed through the ABMet equipment will be collected in a holding tank; small samples, totaling 1 to 5 gallons per day, will be collected and shipped off-site for analysis of selenium and other water quality parameters. Monsanto will handle the disposition of the treated test water.

## SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

P4 Production, L.L.C., hereby appoints Randall C. Budge of the law firm of RACINE OLSON NYE BUDGE & BAILEY, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow him to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on its behalf. Unless previously withdrawn, this Special Power of Attorney for Water Rights will expire on November 30, 2018.

DATED this 12 day of November 2013.

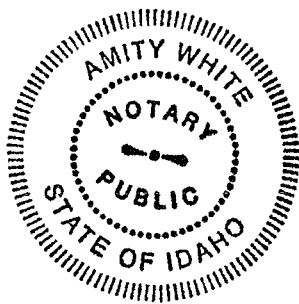
P4 PRODUCTION, L.L.C.

By: Sheldon Alver  
Name: Sheldon Alver  
Title: Vice President Operations

STATE OF IDAHO )  
 ) ss  
County of Caribou )

On this 12<sup>th</sup> day of November 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Sheldon Alver, known or identified to me to be the Vice President Operations of P4 Production, L.L.C., who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



NOTARY PUBLIC FOR DAHO  
Commission expires: 7/14/14



RACINE  
OLSON  
NYE  
BUDGE  
BAILEY

201 E. Center St.  
P.O. Box 1391  
Pocatello, ID 83204  
O 208.232.6101  
F 208.232.6109  
racinelaw.net

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JUL 09 2014

Department of Water Resources  
Eastern Region

Thomas J. Budge  
tjb@racinelaw.net

July 8, 2014

Idaho Department of Water Resources  
Eastern Region  
900 North Skyline Drive, Suite A  
Idaho Falls, Idaho 83402-1718

**Re: Application for Temporary Approval of Water Appropriation  
P4 Production, L.L.C.**

Dear IDWR:

Enclosed please find an Application for Temporary Approval of Water Appropriation for P4 Production, L.L.C.

Sincerely,

THOMAS J. BUDGE

TJB:bh  
Enclosures



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718**

**Phone: (208) 525-7161 FAX: (208) 525-7177 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)**

**C.L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Director

July 16, 2014

P4 Production  
Jim R Smith  
PO Box 816  
Soda Springs ID 83276

**Applicant:**

Enclosed is your approved copy of Temporary Permit TP-11-20. Please take note of the effective dates on line 6 and the conditions on the back.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sharla Cox', is written over a large, light blue circular stamp or seal.

**Sharla Cox**  
Water Resource Administrative Assistant

Enclosure