

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76399

This is to certify that: P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276
(208) 547-1241

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>
27-7452	WR/Decreed	01/06/1989	0.3 cfs	16.8 af	N/A	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>
27-7452	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>
27-7452	27-7452	0.3 cfs	16.8 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.3 cfs	16.8 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of June, 20 10



Water Resources Program Manager

SUPPORT DATA

IN FILE # 27-7452

WATER RIGHT NO. 27-7452
As Modified by Transfer No. 76399

In accordance with the approval of Transfer No. 76399, Water Right No. 27-7452 is now described as follows.

Right Holder: STATE OF IDAHO
 DEPT OF LANDS
 300 N 6TH ST, STE 103
 PO BOX 83720
 BOISE ID 83720-0050

Priority Date: January 06, 1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MINING	03/01	to 10/01	0.30 CFS	16.8 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				
06S	43E	22									X	X	X				X	X	
06S	43E	23										X	X						
06S	43E	25									X	X		X					
06S	43E	26	X	X	X	X	X								X				
06S	43E	36		X	X	X	X	X		X					X	X			

WATER RIGHT NO. 27-7452
As Modified by Transfer No. 76399

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. 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.
3. P4 Production LLC is user of water right pursuant to written easement agreement with Department of Lands.
4. This right does not grant any right-of-way or easement across the land of another.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 30th day of June, 20 10



Water Resources Program Manager