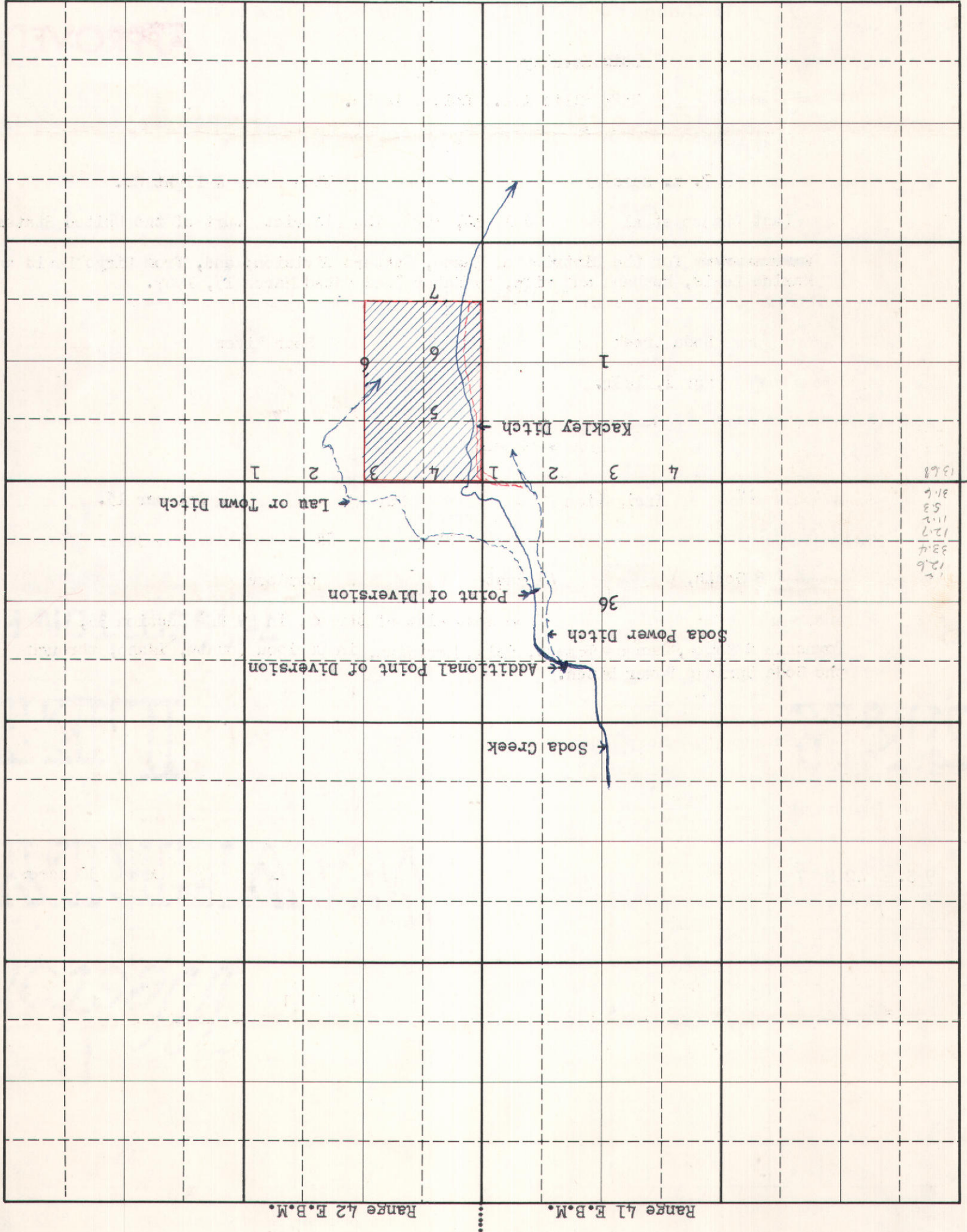


99400

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.



RECEIVED
APR 16 1969
Department of Reclamation

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is ..publisher...
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho pub-
lished weekly at Soda Springs in
said County, that said newspaper
has been published in said county
uninterruptedly and continuously
for over seventy-eight consecu-
tive weeks, prior to the first pub-
lication of the annexed notice or
advertisement:

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for two.....
successive weekly issues thereof,
the date of the first publication

being the 3rd..... day

of ...April....., 19.69

The date of the last publication

being the 10th..... day of

.....April....., 19.69

V. E. Lansberry

Subscribed and sworn to be

fore me this ...10th... day

of ...April....., 19.69

David J. Lansberry

Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

27 day of Oct....

19.70.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that
Lois Kackley of 2323 Ellis Ave.,
Boise, Idaho, has applied to the
State Reclamation Engineer of
the State of Idaho for a certifi-
cate authorizing her to change
the point of diversion and/or
place of use of the waters of
Soda Creek as follows:

Amount: 0.6 cubic feet per sec-
ond. Priority: 5-1-1881. Point of
Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36,
Township 8 S, Range 41 E, B.M.
Place of Use: 30 acres in E $\frac{1}{2}$
SE $\frac{1}{4}$, Section 7, Twp. 9 S, Rge.
42 E, B.M.

To be transferred to:

Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$
and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Town-
ship 8 S, Range 41 E, B.M. Place
of Use: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Section
6; Twp. 9 S, Rge. 42 E, B.M.

And that on or before the 21st
day of April, 1969, any person
may present, either in person or
by letter, to the State Department
of Reclamation, for consideration,
any reason or reasons why the ap-
plication for transfer should not
be approved.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in the Caribou Coun-
ty Sun, Soda Springs, Idaho, on
April 3 and 10, 1969.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5619
WATER RIGHT NO(S) . 11-00448/11-00457/11-00471
11-00499/11-02106

This is to certify that: P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 11-00448 :			
IRRIGATION	04/15 to 10/15	0.30 CFS	49.0 AF
Priority: 06/01/1909			
Right No. 11-00457 :			
IRRIGATION	04/15 to 10/15	0.10 CFS	17.5 AF
Priority: 02/10/1881			
Right No. 11-00471 :			
IRRIGATION	04/15 to 10/15	0.02 CFS	4.6 AF
Priority: 02/10/1881			
Right No. 11-00499 :			
IRRIGATION	04/15 to 10/15	0.60 CFS	105.0 AF
Priority: 05/01/1881			
	SUBTOTAL:	1.02 CFS	176.1 AF
Right No. 11-02106 :			
IRRIGATION	04/15 to 10/15	1.02 CFS	178.5 AF
Priority: 10/11/1952			
	TOTAL:	* 1.02 CFS	178.5 AF *

MICROFILMED

TRANSFER NO. 5619
 WATER RIGHT NO(S). 11-00448/11-00457/11-00471
 11-00499/11-02106

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
Right No. 11-00448, 11-00457, 11-00471, 11-00499 :	
SODA CREEK	BEAR RIVER
Right No. 11-02106 :	
WASTE WATER	SODA CREEK

LOCATION OF POINT(S) OF DIVERSION:

Right No. 11-00448, 11-00457, 11-00471, 11-00499 :	NESW , Sec. 6, Township 09S, Range 42E CARIBOU County
Right No. 11-02106 :	
Injection	Lot 4(NWNW), Sec. 6, Township 09S, Range 42E
Rediversion	Lot 4(NWNW), Sec. 6, Township 09S, Range 42E NESW , Sec. 6, Township 09S, Range 42E CARIBOU County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	42E	6	NESW 31	NWSW 20		51
Total number of acres irrigated:						51 **

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 11B.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ** 6. Right No. 11-00448 is limited to irrigation of 14.0 acres in the place of use described above in a single irrigation season.
- ** 7. Right No. 11-00457 is limited to irrigation of 5.0 acres in the place of use described above in a single irrigation season.

MICROFILMED

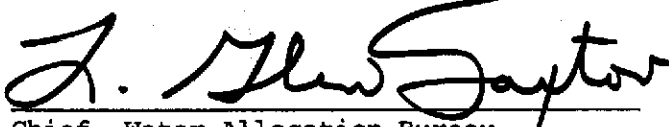
OCT 23 2000

TRANSFER NO. 5619
WATER RIGHT NO(S). 11-00448/11-00457/11-00471
11-00499/11-02106

CONDITIONS OF APPROVAL AND REMARKS

- ** 8. Right No. 11-00471 is limited to irrigation of 1.3 acres in the place of use described above in a single irrigation season.
- ** 9. Right No. 11-00499 is limited to irrigation of 30.0 acres in the place of use described above in a single irrigation season.
- ** 10. The right holder shall cease irrigation of 151.0 acres and shall cease the associated diversion of 0.98 cfs and 386.8 afa of waste water previously authorized under Right 11-02106, and shall consolidate use of water on the remaining 51.0 acres as described on this approval.
- * 11. Rights 11-00448, 11-00457, 11-00471, 11-00499 and 11-02106 when combined shall not exceed a total diversion rate of 1.02 cfs or a total annual maximum diversion volume of 178.5 af at the field headgate from the Soda Creek diversion for the irrigation of 51.0 acres.
- 12. Prior to the diversion and use of water under Right 11-02106, the right holder shall install and maintain acceptable measuring devices at the point of injection into Soda Creek and at the point of redirection from Soda Creek.
- 13. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated late irrigation use and a priority date earlier than the date of this approval.

Dated this 19th day of October, 2000


Chief, Water Allocation Bureau

MICROFILMED

OCT 23 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4887
WATER RIGHT NO(S). 11-00448/11-00449/11-00457/11-00499
11-00471/11-00531B/11-02106

This is to certify that: **MONSANTO CHEMICAL
DETERGENTS & PHOSPHATES DIV
PO BOX 816
SODA SPRINGS ID 83276**

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 11-00448 : IRRIGATION Priority: 06/01/1909	04/15 to 10/15	0.30 CFS	49.0 AF
Right No. 11-00449 : IRRIGATION Priority: 05/01/1910	04/15 to 10/15	0.20 CFS	72.6 AF
Right No. 11-00457 : IRRIGATION Priority: 02/10/1881	04/15 to 10/15	0.10 CFS	17.5 AF
Right No. 11-00499 : IRRIGATION Priority: 05/01/1881	04/15 to 10/15	0.60 CFS	105.0 AF
Right No. 11-00471 : IRRIGATION Priority: 02/10/1881	04/15 to 10/15	0.02 CFS	4.6 AF
Right No. 11-00531B : IRRIGATION Priority: 05/01/1892	04/15 to 10/15	3.90 CFS	707.0 AF
SUBTOTAL:		* 5.12 CFS	** 707.0 AF

SOURCE
SODA CREEK

TRIBUTARY OF
BEAR RIVER

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 36, Township 08S, Range 41E
NESE , Sec. 36, Township 08S, Range 41E
NESW , Sec. 6, Township 09S, Range 42E
CARIBOU County

SEP 11 1986

TRANSFER NO. 4887
 WATER RIGHT NO(S). 11-00448/11-00449/11-00457/11-00499
 11-00471/11-00531B/11-02106

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 11-02106 :			
IRRIGATION	04/15 to 10/15	2.00 CFS	707.0 AF
Priority: 10/11/1952			

SUBTOTAL: * 2.00 CFS ** 707.0 AF

SOURCE
WASTE WATER

TRIBUTARY OF
SODA CREEK

LOCATION OF POINT(S) OF DIVERSION:

Injection	Lot 4(	NWNW),	Sec. 6,	Township 09S,	Range 42E
Exchange	Lot 4(	NWNW),	Sec. 6,	Township 09S,	Range 42E
Exchange		NWNE ,	Sec. 36,	Township 08S,	Range 41E
Rediversion		NESE ,	Sec. 36,	Township 08S,	Range 41E
		NESW ,	Sec. 6,	Township 09S,	Range 42E

CARIBOU County

TOTAL: * 7.12 CFS ** 707.0 AF

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S 42E 6	Lot 3(NENW) 37	Lot 4(NWNW) 32	Lot 5(SWNW) 30	
	SENW 39	NESW 39	Lot 6(NWSW) 25	202
Total number of acres irrigated:				*** 202

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 11B.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

SEP 11 1996

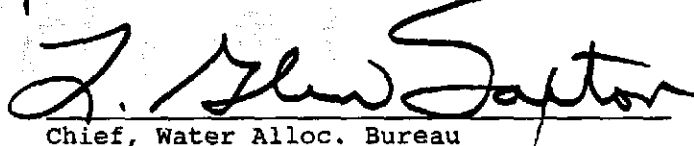
TRANSFER NO. 4887
WATER RIGHT NO(S). 11-00448/11-00449/11-00457/11-00499
11-00471/11-00531B/11-02106

CONDITIONS OF APPROVAL AND REMARKS

- ** 7. The total instantaneous diversion of water from all points of diversion and combined sources under Transfer No. 4887 shall not exceed 7.12 cfs, nor total combined annual volume of 707.0 af for the irrigation of a combined total of 202.0 acres.
- * 8. That portion of the total combined diversion rate authorized under Transfer No. 4887 from combined sources in excess of 4.04 cfs is limited to use for conveyance losses in delivery of these rights.
- 9. Prior to diversion of water under Right No. 11-02106, measuring devices of a type acceptable to the Department shall be permanently installed at the point of injection of wastewater into Soda Creek and at all points of rediversion from Soda Creek.
- *** 10. Right No. 11-00448 is limited to irrigation of 14.0 acres in the place of use described above in a single irrigation season.
- *** 11. Right No. 11-00457 is limited to irrigation of 5.0 acres in the place of use described above in a single irrigation season.
- *** 12. Right No. 11-00471 is limited to irrigation of 1.3 acres in the place of use described above in a single irrigation season.
- *** 13. Right No. 11-00499 is limited to irrigation of 30.0 acres in the place of use described above in a single irrigation season.

Dated this 5th day of

September, 1996


Chief, Water Alloc. Bureau

RECEIVED
SEP 11 1996

29-11
Identification No. 11-0001 **00499**
Transfer No. 1596

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

**APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use**

APPROVED

1. Name of Right Holder Lois Kackley
Post office address 2323 Ellis Ave., Boise, Idaho.
2. Right obtained by:
a. Decree to T. H. Horsley in Case of Utah Power & Light Co.
(Name)
vs. Last Chance et al, Dated July 14, 1920 in The District Court of the United States
(Name of Court)
for the District of Idaho, Eastern Division; and, from Diggs Lewis and Maxine Lewis, husband and wife, by Water Deed dated March 15, 1969.
b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Soda Creek tributary to Bear River
(Name of stream or source)
4. Date of Priority May 1, 1881.
5. Amount of water a. 0.6 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from May 15 to October 15.
(Month, Day) (Month, Day)
7. Original location of point of diversion is NE 1/4 SE 1/4 of Section 36,
Township 8 South, Range 41 East, B.M., in Caribou County;
Additional points of diversion, if any From West side of stream, in NW 1/4 NE 1/4 Section 36,
Township 8 South, Range 41 East, Boise Meridian, in Caribou County, Idaho, through
the Soda Springs Power Ditch.
8. Lands presently irrigated or place of use:

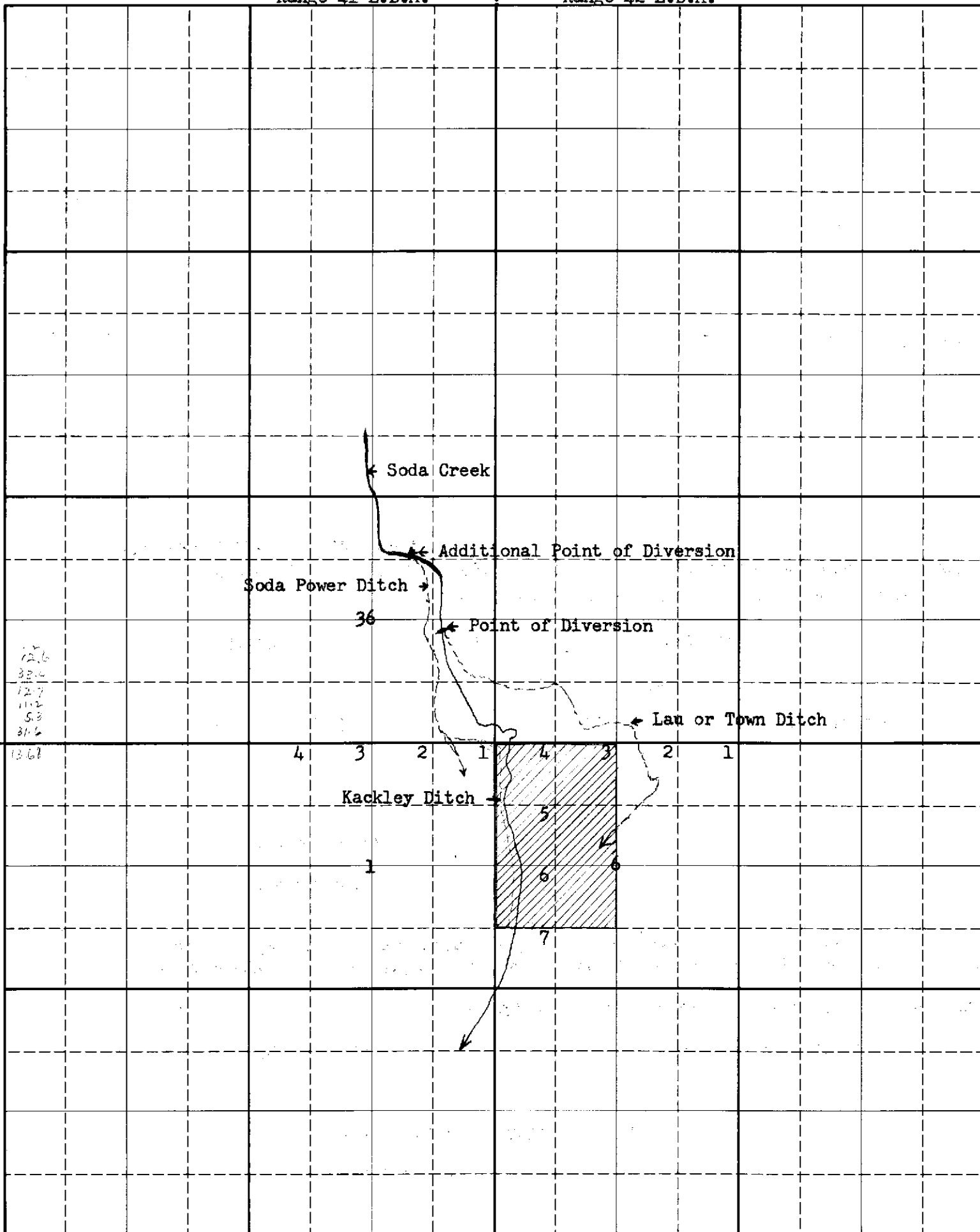
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9 S.	42 E	7													X			X	30 acres

Total number of acres presently irrigated 30 acres

RECORDED

Range 41 E.B.M.

Range 42 E.B.M.



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: This water came, by mesne conveyances, with the land, to Diggs Lewis. Diggs Lewis and Maxine Lewis, husband and wife, have conveyed, by Water Deed, the specific water covered hereby.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 0.6 c.f.s. and/or _____ acre feet
- b. New point of diversion: NW ¼ NE ¼, Section 36, Township 8 South,
Range 41 East, B.M. This is an alternative diversion point, the original point being also still used, as noted in No. 7, above.
- c. Description of method of diversion and conveyance from new points of diversion: _____
Through the Soda Springs Power Ditch to the Kackley Ditch, to the place of use.
- d. Is water to be conveyed to the lands previously irrigated? Yes _____ No X
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
Part of the lands owned by applicant can be better served by diversion through the City of Soda Springs Power Ditch. Applicant already has a right in said ditch.
- f. Do you intend to make the transfer permanent? Yes.
- g. Do you intend to abandon completely the old point of diversion? No. Part of applicant's land can still be best served by taking water from the original point of diversion.
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 S	42 E	6					40	40	40	40	40	40							240 acres

Total number of acres to be irrigated 240 acres

b. Do you intend to make the transfer permanent? Yes.

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
Yes.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: I have approximately 310 inches of water for the lands to be irrigated; but said water rights are late and subject to many fluctuations with heavy cuts almost every year. Heavy cuts are the rule, not the exception. The Monsanto water used hereon is particularly subject to fluctuation and cuts. This water is for supplemental use only.

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Lois Hackley
(signature of applicant)

Subscribed and sworn to before me this 15th day of March, 19 69.

Ronald L. Tunney
(notary public)

My commission expires 12-20-72 ~~August 21, 1969~~ Residence: Boise, Idaho.
Boise

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

APPROVED

This is to certify that I have examined Application for Transfer of Water Rights No. 1596,
and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons: _____

Witness my hand this 1 day of July, 19 69.

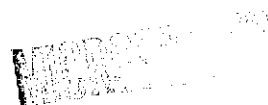
F. Kirk Higinbotham
State Reclamation Engineer

The following is an excerpt from the final decree in the case of Utah Power & Light Company, Plaintiff - versus - The Last Chance Canal Company, Limited, et al, Defendants.

Date of Priority	Amount in Second Feet	Point of Diversion and Place of Use
193. T. H. Horsley: 1881 - May 1	0.6 c.f.s.	For the irrigation of 30 acres of land in the East half of the South-east quarter of Section 7, Township 9 South, Range 42 East, B. M. Said water may be used through either the said Town ditch or the Lau ditch hereinabove described.

11 0001

Decree file 5-1





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 31, 2003

RANDALL C BUDGE
RACINE, OLSON, NYE, BUDGE & BAILEY CHARTERED
PO BOX 1391
POCATELLO ID 83204-1391

Re: Transfer Nos. 4887, 5619, 5620, and 5621

Water Right Nos. 11-448, 11-449, 11-457, 11-471, 11-499, 11-531B (C & D), 11-2106

Dear Mr. Budge:

This letter is a response to your letter of June 30, 2003 regarding the transfers referenced above. I have attached a table summarizing the transfers that I think will help clarify the results of the transfers.

In summary, transfer 4887 authorized irrigation of 202 acres with a quantity of 7.12 cfs and 707 af. The approval included a condition limiting 3.08 cfs for use as conveyance loss. Transfers 5619, 5620 and 5621 superseded transfer 4887 and, in combination, authorize irrigation of 202 acres with a quantity of 4.04 cfs and 707 af. The diversion rate was reduced because the conveyance loss was no longer necessary.

Please give me a call if you have additional questions related to this matter.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

AUG 14 2003

RECEIVED

JUL - 2 2003

Department of Water Resources

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
FACSIMILE (208) 232-6109

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

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 S. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
ERIC L. OLSEN
DAVID E. ALEXANDER
LISA M. CHRISTON
RICHARD A. HEARN, M.D.
LANE V. ERICKSON
PATRICK N. GEORGE
SCOTT J. SMITH
LISA A. WOOD, CPA
STEPHEN J. MUHONEN

BOISE OFFICE

CONRAD J. AIKEN
THEODORE C. PETERS
DEBORAH L. LEHOSIT

101 SOUTH CAPITOL
BOULEVARD
U.S. BANK PLAZA, SUITE 202
BOISE, IDAHO 83702
TELEPHONE: (208) 395-0011
FACSIMILE: (208) 433-0167

June 30, 2003

L. Glen Saxton, Chief
Water Allocation Bureau
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, Idaho 83706

Re: *P4 Production, L.L.C./Monsanto Company - Water Rights
Transfer Numbers 4887, 5619, 5620, 5621
Right Nos. 11-00448, 11-00449, 11-00457, 11-00471, 11-00531B, 11-02106*

Dear Glen:

I am writing on behalf of P4 Production, L.L.C., and Monsanto Company to the Department to request a review of the above-referenced transfers and water rights for the purpose of reconciling and understanding apparent discrepancies.

I am enclosing copies of each of these transfers. With the exception of Right No. 11-2106, which is waste water from the plant, all other water rights are decreed rights in Soda Creek, tributary to the Bear River, and are commonly known as the "Kackley Rights", since the property was owned by the Kackley family and several of the original rights were originally decreed to the Kackley family.

Transfer No. 4887 reflected the six Soda Creek rights for a total of 7.12 cfs/707 AF, plus Right No. 11-02106 for 2.00 cfs/707 AF, for the irrigation of a combined total of 202.0 acres. Condition 8 appears to apply the "duty of water", indicating the right is 4.04 cfs for irrigation (0.02 cfs/acre) with the balance (3.08 cfs) "limited to use for conveyance losses in delivery of these rights".

MICROFILMED

SEP 3 1 2003

L. Glen Saxton
June 30, 2003
Page 2

Subsequently the irrigated acres were reduced from 202.0 to 51.0 acres, as reflected by Transfer No. 5619.

Monsanto leased to the Soda Springs-Oregon Trail Golf Course 1.0 cfs as reflected by Transfer No. 5620. At the same time, Monsanto intended to lease all of the balance to Last Chance Canal Company, with Transfer No. 5621 reflecting this to be 2.02 cfs.

I am enclosing a chart which summarizes these transfers. You will note Transfer Nos. 5619, 5620 and 5621, which were all approved October 10, 2000, do not appear to reconcile with the prior Transfer 4887 approved September 5, 1996. While it appears that the discrepancy may relate to the conveyance losses in delivery of these rights, it is unclear. The intent of the prior transfers was to ensure that all of the Monsanto water rights not retained on their irrigated property be leased to the Golf Course to meet their needs of 1.0 cfs, with all of the balance leased to Last Chance Canal Company. I expect the Department's files will contain more detailed information regarding these transfers, which I don't have, and would aid in an explanation.

Thank you for your cooperation and assistance. If you have any questions or need any additional information in the meantime, please don't hesitate to contact me.

Sincerely,


RANDALL C. BUDGE

RCB:rr

Enclosures

cc: David Farnsworth, Monsanto
James R. Smith, Monsanto

MICROFILMED
JUN 1 1 2003

SUMMARY OF P4 PRODUCTION, L.L.C. WATER RIGHTS
IN SODA CREEK FOLLOWING APPROVAL OF
TRANSFER NOS. 5619, 5620, 5621

A. RETAINED FOR IRRIGATION OF KACKLEY PROPERTY PURSUANT TO TRANSFER NO. 5619:

<u>Right No.</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>	<u>Priority Date</u>	<u>Use</u>	<u>Period of Use</u>
11-00448	0.30 cfs	49.0 AF	06/01/1909	Irrigation	4/15-10/15
11-00457	0.10 cfs	17.5 AF	02/10/1881	Irrigation	4/15-10/15
11-00471	0.02 cfs	4.6 AF	02/10/1881	Irrigation	4/15-10/15
11-00499	0.60 cfs	105.0 AF	05/01/1881	Irrigation	4/15-10/15
Subtotal	1.02 cfs	176.10 AF			
11-2106 (Wastewater)	1.02 cfs	178.5 AF			
TOTAL	1.02 cfs*	178.5 AF*			

*See conditions/restrictions per Transfer No. 5619.)

B. LEASED TO GOLF COURSE PER TRANSFER NO. 5620:

<u>Right No.</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>	<u>Priority Date</u>	<u>Use</u>	<u>Period of Use</u>
11-00531D	1.00 cfs	175.0 AF	05/01/1892	Irrigation	4/15-10/15

MICROFILMED
1992 11 22

C. LEASED TO LAST CHANCE CANAL COMPANY PER TRANSFER NO. 5621:

<u>Right No.</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>	<u>Priority Date</u>	<u>Use</u>	<u>Period of Use</u>
11-00449	0.20 cfs	72.6 AF	05/01/1910	Irrigation	4/15-10/15
11-00531C	2.02 cfs	353.5 AF	05/01/1892	Irrigation	4/15-10/15
TOTAL	2.22 cfs	426.0 AF			
TOTALS OF A, B, C:	4.22 cfs	779.50 AF			

MICROFILMED

APR 2 1 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

TRANSFER OF WATER RIGHT

SEP 09 1996

Department of Water Resources
Eastern Region

TRANSFER NO. 4887

WATER RIGHT NO(S). 11-00448/11-00449/11-00457/11-00499
11-00471/11-00531B/11-02106

This is to certify that: MONSANTO CHEMICAL
DETERGENTS & PHOSPHATES DIV
PO BOX 816
SODA SPRINGS ID 83276

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 11-00448 :			
IRRIGATION	04/15 to 10/15	0.30 CFS	49.0 AF
Priority: 06/01/1909			
Right No. 11-00449 :			
IRRIGATION	04/15 to 10/15	0.20 CFS	72.6 AF
Priority: 05/01/1910			
Right No. 11-00457 :			
IRRIGATION	04/15 to 10/15	0.10 CFS	17.5 AF
Priority: 02/10/1881			
Right No. 11-00499 :			
IRRIGATION	04/15 to 10/15	0.60 CFS	105.0 AF
Priority: 05/01/1881			
Right No. 11-00471 :			
IRRIGATION	04/15 to 10/15	0.02 CFS	4.6 AF
Priority: 02/10/1881			
Right No. 11-00531B :			
IRRIGATION	04/15 to 10/15	3.90 CFS	707.0 AF
Priority: 05/01/1892			
SUBTOTAL:		* 5.12 CFS	** 707.0 AF

SOURCE
SODA CREEK

TRIBUTARY OF
BEAR RIVER

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 36, Township 08S, Range 41E
NESE , Sec. 36, Township 08S, Range 41E
NESW , Sec. 6, Township 09S, Range 42E
CARIBOU County

MICROFILMED

TRANSFER NO. 4887
 WATER RIGHT NO(S). 11-00448/11-00449/11-00457/11-00499
 11-00471/11-00531B/11-02106

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 11-02106 :			
IRRIGATION	04/15 to 10/15	2.00 CFS	707.0 AF
Priority: 10/11/1952			

SUBTOTAL: * 2.00 CFS ** 707.0 AF

SOURCE
 WASTE WATER

TRIBUTARY OF
 SODA CREEK

LOCATION OF POINT(S) OF DIVERSION:

Injection	Lot 4(NWNW), Sec. 6, Township 09S, Range 42E
Exchange	Lot 4(NWNW), Sec. 6, Township 09S, Range 42E
Exchange	NWNE , Sec. 36, Township 08S, Range 41E
Exchange	NESE , Sec. 36, Township 08S, Range 41E
Rediversion	NESW , Sec. 6, Township 09S, Range 42E

CARIBOU County

TOTAL: * 7.12 CFS ** 707.0 AF

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	42E	6	Lot 3(NENW) 37	Lot 4(NWNW) 32	Lot 5(SWNW) 30	
			SEnw 39	NESW 39	Lot 6(NWSW) 25	202
Total number of acres irrigated:						*** 202

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 11B.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

MIDGON

TRANSFER NO. 4887
WATER RIGHT NO(S). 11-00448/11-00449/11-00457/11-00499
11-00471/11-00531B/11-02106

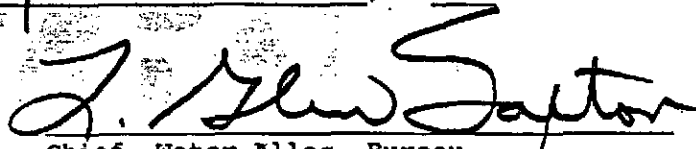
CONDITIONS OF APPROVAL AND REMARKS

- ** 7. The total instantaneous diversion of water from all points of diversion and combined sources under Transfer No. 4887 shall not exceed 7.12 cfs, nor total combined annual volume of 707.0 af for the irrigation of a combined total of 202.0 acres.
- * 8. That portion of the total combined diversion rate authorized under Transfer No. 4887 from combined sources in excess of 4.04 cfs is limited to use for conveyance losses in delivery of these rights.
- 9. Prior to diversion of water under Right No. 11-02106, measuring devices of a type acceptable to the Department shall be permanently installed at the point of injection of wastewater into Soda Creek and at all points of redirection from Soda Creek.
- *** 10. Right No. 11-00448 is limited to irrigation of 14.0 acres in the place of use described above in a single irrigation season.
- *** 11. Right No. 11-00457 is limited to irrigation of 5.0 acres in the place of use described above in a single irrigation season.
- *** 12. Right No. 11-00471 is limited to irrigation of 1.3 acres in the place of use described above in a single irrigation season.
- *** 13. Right No. 11-00499 is limited to irrigation of 30.0 acres in the place of use described above in a single irrigation season.

Dated this

5th day of

September, 1996


Chief, Water Alloc. Bureau

MICROFILMED

AUG 11 1996

MEMORANDUM

TO: FILE NOS. 11-00448/449/457/471/499/531B & 02106

FROM: PAM SKAGGS²/STATE OFFICE

SUBJECT: TRANSFER NO. 4887

DATE: August 29, 1996

=====

Transfer No. 4887 was filed to add a point of diversion and change the place of use under the rights referenced above to create a permissible place of use for the rights with a small number of acres.

All of these rights are from Soda Creek except 11-02106 whose source of water is waste water from the Monsanto plant. This waste water is diverted into Soda Creek and a similar amount is being diverted upstream through this combined system from Soda Creek.

The additional point of diversion is being added to assist in irrigation practices. The total rate of diversion transferred is in excess of the standard 0.02 cfs/acre and is needed when water is diverted through the original points of diversion and ditches. The applicant explained the extra rights and water are needed because of conveyance losses over a basalt outcrop in the Lau ditch. A cement ditch was constructed over portions with greatest losses, but additional rate is required to successfully deliver the water.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include watermaster control, irrigation overlap, multiple points of diversion/measuring devices, combined limits, conveyance losses, permissible place of use and standard transfer conditions.

MICHAEL L. LEE

200 1 1 200

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5619
WATER RIGHT NO(S). 11-00448/11-00457/11-00471
11-00499/11-02106

This is to certify that: P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 11-00448 :			
IRRIGATION	04/15 to 10/15	0.30 CFS	49.0 AF
Priority: 06/01/1909			
Right No. 11-00457 :			
IRRIGATION	04/15 to 10/15	0.10 CFS	17.5 AF
Priority: 02/10/1881			
Right No. 11-00471 :			
IRRIGATION	04/15 to 10/15	0.02 CFS	4.6 AF
Priority: 02/10/1881			
Right No. 11-00499 :			
IRRIGATION	04/15 to 10/15	0.60 CFS	105.0 AF
Priority: 05/01/1881			
	SUBTOTAL:	1.02 CFS	176.1 AF
Right No. 11-02106 :			
IRRIGATION	04/15 to 10/15	1.02 CFS	178.5 AF
Priority: 10/11/1952			
	TOTAL:	* 1.02 CFS	178.5 AF *

MICROFILMED

NOV 07 2000

MICROFILMED

TRANSFER NO. 5619
 WATER RIGHT NO(S). 11-00448/11-00457/11-00471
 11-00499/11-02106

SOURCETRIBUTARY OF

Right No. 11-00448, 11-00457, 11-00471, 11-00499 :
 SODA CREEK

BEAR RIVER

Right No. 11-02106 :
 WASTE WATER

SODA CREEK

LOCATION OF POINT(S) OF DIVERSION:

Right No. 11-00448, 11-00457, 11-00471, 11-00499 :

NESW , Sec. 6, Township 09S, Range 42E
 CARIBOU County

Right No. 11-02106 :

	Lot 4 (NWNW), Sec. 6, Township 09S, Range 42E
Injection	Lot 4 (NWNW), Sec. 6, Township 09S, Range 42E
Rediversion	NESW , Sec. 6, Township 09S, Range 42E CARIBOU County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	42E	6	NESW 31	NWSW 20		51
Total number of acres irrigated:						51 **

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 11B.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ** 6. Right No. 11-00448 is limited to irrigation of 14.0 acres in the place of use described above in a single irrigation season.
- ** 7. Right No. 11-00457 is limited to irrigation of 5.0 acres in the place of use described above in a single irrigation season.

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APR 11 1968

TRANSFER NO. 5619
 WATER RIGHT NO(S). 11-00448/11-00457/11-00471
 11-00499/11-02106

CONDITIONS OF APPROVAL AND REMARKS

- ** 8. Right No. 11-00471 is limited to irrigation of 1.3 acres in the place of use described above in a single irrigation season.
- ** 9. Right No. 11-00499 is limited to irrigation of 30.0 acres in the place of use described above in a single irrigation season.
- ** 10. The right holder shall cease irrigation of 151.0 acres and shall cease the associated diversion of 0.98 cfs and 386.8 afa of waste water previously authorized under Right 11-02106, and shall consolidate use of water on the remaining 51.0 acres as described on this approval.
- * 11. Rights 11-00448, 11-00457, 11-00471, 11-00499 and 11-02106 when combined shall not exceed a total diversion rate of 1.02 cfs or a total annual maximum diversion volume of 178.5 af at the field headgate from the Soda Creek diversion for the irrigation of 51.0 acres.
- 12. Prior to the diversion and use of water under Right 11-02106, the right holder shall install and maintain acceptable measuring devices at the point of injection into Soda Creek and at the point of rediversion from Soda Creek.
- 13. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated late irrigation use and a priority date earlier than the date of this approval.

Dated this 19th day of October, 2000

A. New Saylor
 Chief, Water Allocation Bureau

MICROFILMED

NOV 9 1990

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5620
WATER RIGHT NO. 11-00531D

This is to certify that: P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.00 CFS	175.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
* BEAR RIVER	GREAT SALT LAKE

Priority: 05/01/1892 *

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 11, Township 09S, Range 41E
CARIBOU County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	41E	10	SENE 6			6
		11	NWNW 18	SWNW 18	SENW 8	44
Total number of acres irrigated:						50

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 11.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

MICROFILMED

MICROFILMED

TRANSFER NO. 5620
WATER RIGHT NO. 11-00531D

CONDITIONS OF APPROVAL AND REMARKS

- * 6. Diversion of water from the Bear River is limited to those times water is available for diversion under this right and priority from the original source, Soda Creek, and the amount of water that is measured flowing into the Bear River from Soda Creek.
- 7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department of measuring the flow in Soda Creek below the last diversion on the creek and above the confluence with Bear River.
- 8. The right holder shall cease irrigation of 51.0 acres and shall cease the associated diversion of 0.88 cfs and 178.5 af of water previously authorized under Right 11-00531B, and consolidate use of water on the remaining 50.0 acres under Right 11-00531D and 101.0 acres under Right 11-00531C.
- 9. The period of use for the irrigation described in this approval may be extended to a an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Dated this 19th day of October, 2000.


Chief, Water Allocation Bureau

MICROFILMED

MICROFILMED

OCT 23 1990

APR 1 1992

Last Change

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5621
WATER RIGHT NO(S). 11-00449/11-00531C

This is to certify that: P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 11-00449 :			
IRRIGATION	04/15 to 10/15	0.20 CFS	72.6 AF
Priority: 05/01/1910 *			
Right No. 11-00531C :			
IRRIGATION	04/15 to 10/15	2.02 CFS	353.5 AF
Priority: 05/01/1892 *			
TOTAL:		** 2.02 CFS	353.5 AF **

SOURCE
* BEAR RIVER

TRIBUTARY OF
GREAT SALT LAKE

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 30, Township 09S, Range 41E
NENE , Sec. 1, Township 10S, Range 40E
CARIBOU County

PLACE OF USE: IRRIGATION

TWN RGE SEC

08S 39E 21, 22, 26, 27, 28, 34, 35
09S 39E 2, 3, 4, 9, 10, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 36
40E 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
10S 39E 1, 12, 13
40E 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17
18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 33, 34, 35, 36
41E 5, 6, 7, 8, 17, 18, 19, 20, 28, 29, 30, 31, 32, 33
11S 40E 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 24
41E 4, 5, 6, 7, 8, 9, 18

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 11.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

MICROFILMED

MICROFILMED

1991 2 / 1991

TRANSFER NO. 5621
WATER RIGHT NO(S). 11-00449/11-00531CCONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ** 6. Rights 11-00449 and 11-00531C when combined shall not exceed a total combined diversion rate of 2.02 cfs, a total annual maximum diversion volume of 353.5 af at the field headgate from all authorized points of diversion, and the irrigation of 101.0 acres within the Last Chance Canal Co. Ltd. service area as described above.
- * 7. Diversion of water from the Bear River is limited to those times water is available for diversion under these rights and priorities from the original source, Soda Creek, and the amount of water that is measured flowing into the Bear River from Soda Creek.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department of measuring the flow in Soda Creek below the last diversion on the creek and above the confluence with Bear River.
9. The right holder shall cease irrigation of 101.0 acres previously authorized under Right 11-00499, and consolidate use of water on the remaining 101.0 acres.
10. The right holder shall cease irrigation of 51.0 acres and shall cease the associated diversion of 0.88 cfs and 178.5 af of water previously authorized under Right 11-00531B, and consolidate use of water on the remaining 50.0 acres under Right 11-00531D and 101.0 acres under Right 11-00531C.
11. The period of use for the irrigation described in this approval may be extended to a an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Dated this 19th day of October, 2000.
Chief, Water Allocation Bureau

MICROFILMED

SEP 11 1999

MICROFILMED

SEP 11 1999

MEMORANDUM

TO: FILE 11-00499

FROM: VAULT

RE: TRANSFER # 5619

DATE: January 10, 2000

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 11-00448

MICROFILMED
OCT 23 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 5, 1996

MONSANTO CHEMICAL
DETERGENTS & PHOSPHATES DIV
PO BOX 816
SODA SPRINGS ID 83276

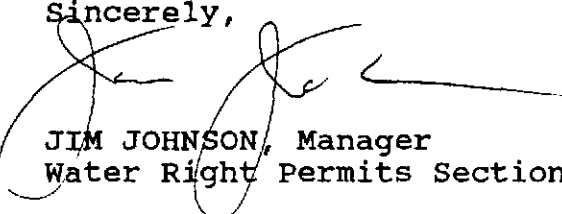
RE: Transfer of Water Right Nos. 11-00448/11-00449/
11-00457/11-00499/11-00471/11-00531B/11-02106

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer No. 4887). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

If you have any questions, please feel free to contact me.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

Enclosure

SEP 11 1996

MEMORANDUM

TO: FILE NOS. 11-00448/449/457/471/499/531B & 02106

FROM: PAM SKAGGS²/STATE OFFICE

SUBJECT: TRANSFER NO. 4887

DATE: August 29, 1996

=====

Transfer No. 4887 was filed to add a point of diversion and change the place of use under the rights referenced above to create a permissible place of use for the rights with a small number of acres.

All of these rights are from Soda Creek except 11-02106 whose source of water is waste water from the Monsanto plant. This waste water is diverted into Soda Creek and a similar amount is being diverted upstream through this combined system from Soda Creek.

The additional point of diversion is being added to assist in irrigation practices. The total rate of diversion transferred is in excess of the standard 0.02 cfs/acre and is needed when water is diverted through the original points of diversion and ditches. The applicant explained the extra rights and water are needed because of conveyance losses over a basalt outcrop in the Lau ditch. A cement ditch was constructed over portions with greatest losses, but additional rate is required to successfully deliver the water.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include watermaster control, irrigation overlap, multiple points of diversion/measuring devices, combined limits, conveyance losses, permissible place of use and standard transfer conditions.

11-00448-1211
SEP 12 1996

MEMORANDUM

TO: FILE 11-00499

FROM: PAM SKAGGS ²⁸

RE: TRANSFER # 4887

DATE: 08-15-96

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 11-00448.

SEP 11 1996

July 1, 1969

Mr. T. E. Thompson, Watermaster
Water District 5-E
Soda Springs, Idaho 83276

Dear Mr. Thompson:

We enclose a copy of Lois Kackley's approved transfer of
water right No. 11-0001.

11-00499

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:mjl

Enclosure

July 1, 1969

Lois Kackley
2323 Ellis Avenue
Boise, Idaho

Dear Ms. Kackley:

We enclose a copy of your approved transfer of water right
No. 11-0001.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:mjl

Enclosure

RECEIVED

APR 23 1969

Slide Springs, Idaho.

Department of Reclamation

Apr. 22 - 1969

Dept. of Reclamation
 Boise, Idaho.

Dear Mr. Hamilton

I regard the statement under d to be false and also the map to irrigated 240 acres described on the map to be false. Please check their cultivated acres and you will find they have access water for the same. Their Triple A office map shows 106.8 acres of cultivation

Yours Truly
J. E. Thompson.

MICROFILMED

RECEIVED

Identification No. _____

Transfer No. _____

Department of Reclamation

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, _____, watermaster of _____,
of Water District No. _____, County of _____, State of Idaho,
whose address is _____,
have read the attached copy of the application for transfer of water right for
_____, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse Application for Transfer and recommend that the State
Reclamation Engineer approve the Transfer subject to the following conditions:

OR

B. I do not endorse approval of this Application for Transfer as requested
for the following reasons: under d in which Mrs. Kaskley says
she has 310 in of water and the statement that the
water is late and subject to cuts and therefore is not
the case and the statement made here is not the
truth
Dated at Lea Springs, Idaho, this 22 day of Apr., 1969

J. E. Thompson.
(Signature)

MICROFILMED

April 16, 1969

Mr. T. E. Thompson
Secretary & Watermaster
Water District 5-E
Soda Springs, Idaho 83276

Dear Mr. Thompson:

Find enclosed a copy of Lois Kackley's application for transfer of water right and a form asking for your recommendations as to approval or disapproval of the said application.

Please fill out the enclosed form and return it to us as soon as possible.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:mjl

Enclosure

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

V. E. Lansberry
being first duly sworn on his
oath, states:

That he is publisher...
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho pub-
lished weekly at Soda Springs in
said County, that said newspaper
has been published in said county
uninterruptedly and continuously
for over seventy-eight consecu-
tive weeks, prior to the first pub-
lication of the annexed notice or
advertisement:

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for two
successive weekly issues thereof,
the date of the first publication

being the 3rd day

of April, 1969

The date of the last publication

being the 10th day of

April, 1969

V E Lansberry

Subscribed and sworn to be

fore me this 10th day

of April, 1969

Ralph J. Lansberry

Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

22 day of Oct.

1970

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that
Lois Kackley of 2323 Ellis Ave.,
Boise, Idaho, has applied to the
State Reclamation Engineer of
the State of Idaho for a certifi-
cate authorizing her to change
the point of diversion and/or
place of use of the waters of
Soda Creek as follows:

Amount: 0.6 cubic feet per sec-
ond. Priority: 5-1-1981. Point of
Diversion: NE 1/4 SE 1/4, Section 36,
Township 8 S, Range 41 E, B.M.
Place of Use: 30 acres in E 1/2
SE 1/4, Section 7, Twp. 9 S, Rge.
42 E, B.M.

To be transferred to:

Point of Diversion: NW 1/4 NE 1/4
and NE 1/4 SE 1/4, Section 36, Town-
ship 8 S, Range 41 E, B.M. Place
of Use: NW 1/4, N 1/2 SW 1/4, Section
6, Twp. 9 S, Rge. 42 E, B.M.

And that on or before the 21st
day of April, 1969, any person
may present, either in person or
by letter, to the State Department
of Reclamation, for consideration,
any reason or reasons why the ap-
plication for transfer should not
be approved.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in the Caribou Coun-
ty Sun, Soda Springs, Idaho, on
April 3 and 10, 1969.

KACKLEY
OLD WILLIAMSBURG
WAYAN, IDAHO 83285

SODA SPRINGS
IDAHO 83276

2323 Ellis Avenue
Boise, Idaho

2323 ELLIS AVENUE
BOISE, IDAHO 83702

April 15, 1969

Office of the Idaho State Reclamation Engineer
State House
Boise, Idaho

Gentlemen:

Per your notice, and letter to me, I am forwarding the
certified copy of the publication in the Caribou County
Sun of an application to transfer water.

I thank you and remain,

Very truly yours,

Lois Kackley
Lois Kackley

Enc/

Proof

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**

Notice is hereby given that Lois Kackley of 2323 Ellis Ave., Boise, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing her to change the point of diversion and/or place of use of the waters of Soda Creek as follows:

Amount: 0.6 cubic feet per second. Priority: 5-1-1881. Point of Diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 8 S, Range 41 E, B.M. Place of Use: 30 acres in E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 7, Twp. 9 S, Rge. 42 E, B.M.

To be transferred to:

Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 8 S, Range 41 E, B.M. Place of Use: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 6, Twp. 9 S, Rge. 42 E, B.M.

And that on or before the 21st day of April, 1969, any person may present, either in person or by letter, to the State Department of Reclamation, for consideration, any reason or reasons why the application for transfer should not be approved.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Caribou County Sun, Soda Springs, Idaho, on April 3 and 10, 1969.



March 26, 1969

Re: Application for transfer

Lois Kackley
2323 Ellis Avenue
Boise, Idaho

Dear Mrs. Kackley:

We have mailed the notice of proposed transfer of water right to the Caribou County Sun, Soda Springs, Idaho, to be published once a week for two consecutive weekly issues, April 3 and April 10, 1969.

Please furnish the Department of Reclamation with an affidavit of publication on or prior to April 21, 1969.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:mjl

March 26, 1969

Re: Application for transfer

Caribou County Sun
Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

The expense of the publication is to be paid by Lois Kackley, 2323 Ellis Avenue, Boise, Idaho, to whom you should furnish an affidavit of publication on or prior to April 21, 1969.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:mjl

Enc: Legal Notice

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Lois Kackley
of 2323 Ellis Ave., Boise, Idaho has applied to the State
Reclamation Engineer of the State of Idaho for a certificate
authorizing her to change the point of diversion and/or
place of use of the waters of Soda Creek
as follows:

Amount: 0.6 cubic feet per second. Priority: 5-1-1881
Point of Diversion: NE 1/4 SE 1/4, Section 36, Township 8 S,
Range 41 E, B.M.
Place of Use: 30 acres in E 1/4 SW 1/4, Section 7, Twp. 9 S, Rge.
42 E. B.M.

To Be Transferred To
Point of Diversion: NW 1/4 NE 1/4 &
NE 1/4 SE 1/4, Section 36, Township 8 S,
Range 41 E, B.M.
Place of Use: NW 1/4, NW 1/4 SW 1/4, Section 6, Twp. 9 S, Rge. 42 E. B.M.

And that on or before the 21 day of April,
1969, any person may present, either in person or by letter
to the State Department of Reclamation, for consideration, any
reason or reasons why the application for transfer should not
be approved.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Caribou County Sun, Soda Springs, Idaho, on
April 3 and 10, 1969.

MICROFILMED