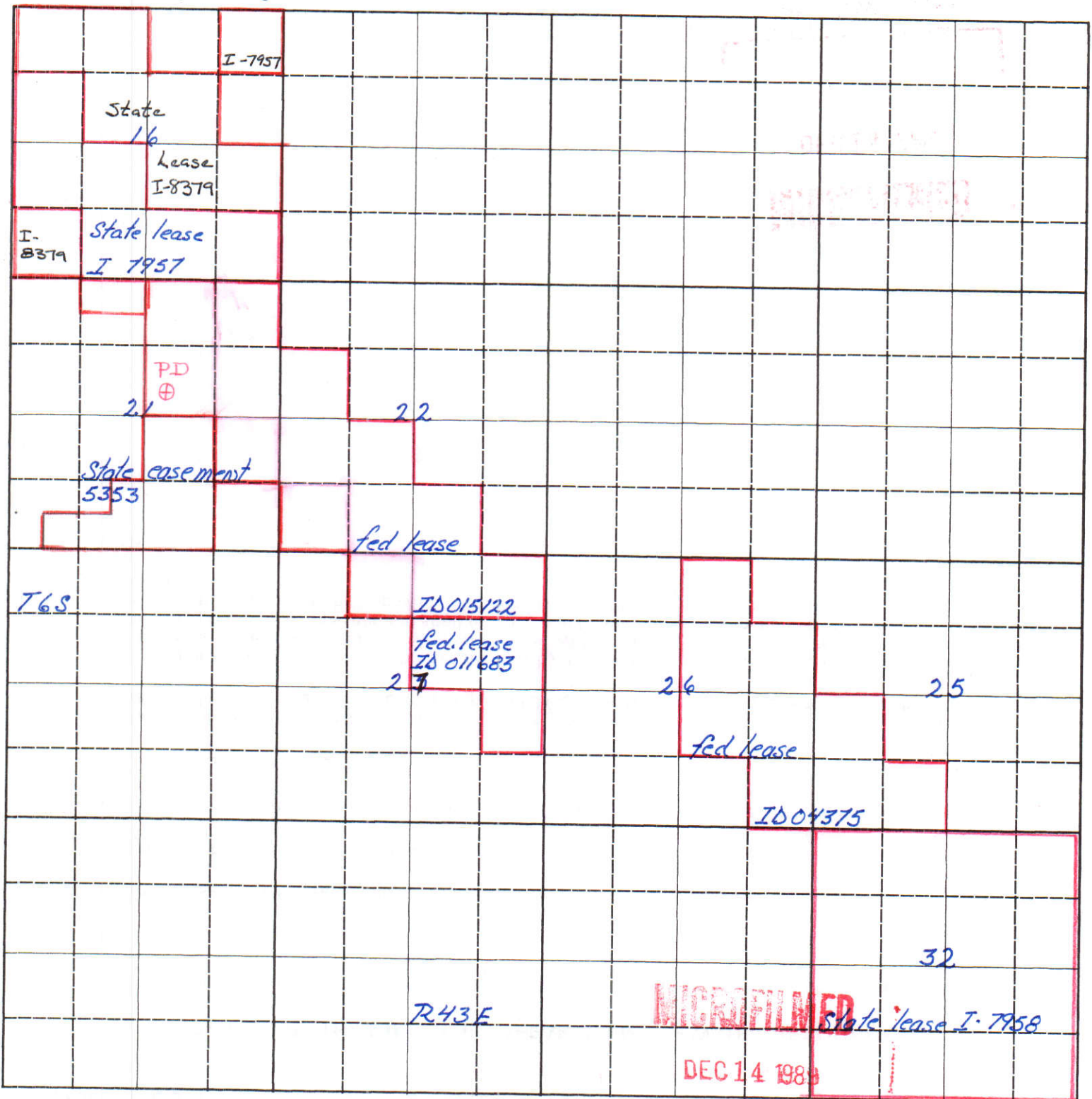


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

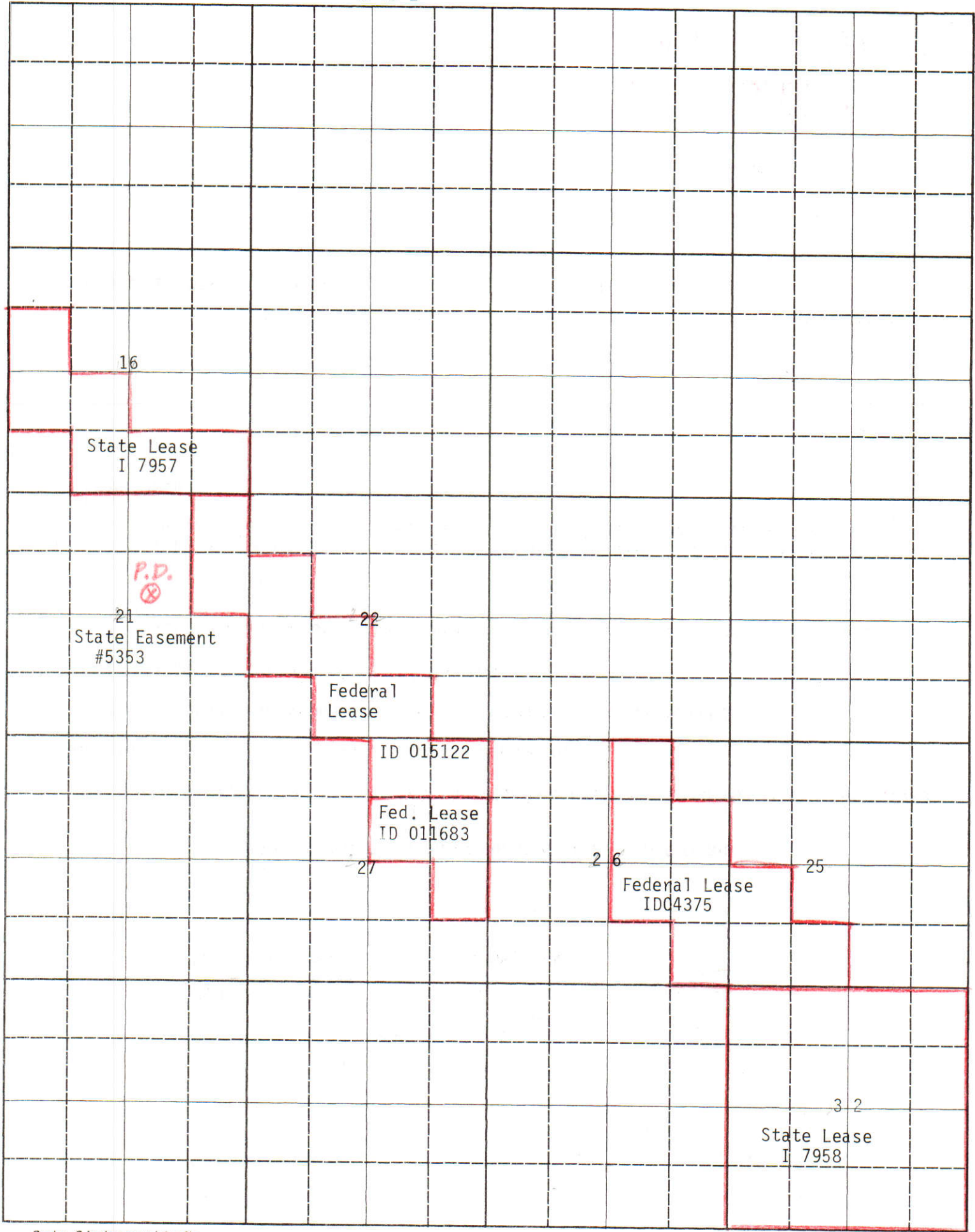


BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

David W. Jansworth
(Applicant)
Mining Supervisor

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R 43 E



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

DEC 14 1989

David W. Jansworth
(Applicant)

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

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 2 successive weekly
issues thereof, the date of the
first publication being the

2nd day of
March, 1989

The date of the last publication
being the 9th day of
March, 1989

On this 5th day of April
in the year of 1989 before

me, a Notary Public, personally
appeared

Mark Steele
known or identified to me to be the
person whose name subscribed to
the within instrument, and being
by me first duly sworn, declared
that the statements therein are
true, and acknowledged to me that
he executed the same.

Clayton Steele
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:
March 11, 1994

PUBLIC NOTICE

First Time Published

NOTICE OF CORRECTION NO. 27-07452

NOTICE IS HEREBY GIVEN that
Application No. 27-07452 in the name
of Monsanto Company was advertised
incorrectly on February 16 and 23,
1989. The place of use was advertised as
being in T. 6S, R. 43E, S21, NENE,
NWNE, SWNE, SENE, NENW,
SWSW, SESW, NESE, NWSE.

Whereas, the actual place of use is
within T. 6S, R. 43E, S21, NENE,
NWNE, SWNE, SENE, NENW,
SWSW, SESW, NESE, NWSE, SWSE.

Any protests against the granting of
this permit as a result of this correction
must be filed with the Idaho Department
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on or
before March 20, 1989.

R. KEITH HIGGINSON
Director

Published March 2 and 9, 1989 in the
Caribou County Sun.

MICROFILMED
DEC 14 1989

RECEIVED

APR 11 1989

Department of Water Resources
Eastern District Office

Affidavit of Publication

MAR 8 1989

Department of Water Resources
Eastern District Office

County of Caribou }
State of Idaho } ss.

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

27-07451

MONSANTO CO.

P.O. BOX 816

SODA SPRINGS, ID 83276

Source: GROUNDWATER

Diversion Pt: SWSE Sec 21 T 06S R
43E

Use: INDUSTRIAL (.080 CFS),
Domestic (.020 CFS)

Date Filed: 1-05-1989

In: T06S R43E S21 SWSE

27-07452

MONSANTO CO.

P.O. BOX 816

SODA SPRINGS, ID 83276

Source: GROUNDWATER

Diversion Pt: SWNE Sec 21 T 06S R
43E

Use: MINING (.300 CFS)

Date Filed: 1-05-1989

In T06S R43E S16, NENE, SWNE,
NENW, NWNW, SWNW, SENW,
NESW, NWSW, SWSW, SESW, NESE,
NWSE, SWSE, SESE.

S21, NENE, NWNE, SWNE,
SENE, NENW, SWSW, SESW, NESE,
NWSE.

S22, SWNW, NESW, NWSW,
SWSW, SESW, SWSE.

S25, NWSW, SWSW, SESW.

S26, NWNE SWNE, SENE, NESE,
NWSE, SESE.

S27, NENE, NWNE, SWNE,
SENE, NENW, NESE.

S32, NENE, NWNE, SWNE,
SENE, NENW, NWNW, SWNW,
SENW, NESW, NWSW, SWSW,
SESW, NESE, NWSE, SWSE, SESE.

The permit(s) will be subject to all
prior water rights. Protests may be
submitted based on the criteria of Sec.

42-203A, Idaho Code and-or the new
public interest criteria of Sec. 42-203C,
Idaho Code. Protests must be filed with
the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before MARCH 6,
1989.

R. KEITH HIGGINSON,
Director

Published Feb. 16, and 23, 1989 in
the Caribou County Sun.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

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 2 successive weekly
issues thereof, the date of the
first publication being the

16th day of

February, 19 89

The date of the last publication

being the 23rd day of

February, 19 89

On this 1st day of March

in the year of 1989 before

me, a Notary Public, personally
appeared

Mark Steele
known or identified to me to be the
person whose name subscribed to
the within instrument, and being
by me first duly sworn, declared
that the statements therein are
true, and acknowledged to me that
he executed the same.

Wendy A. Steele
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:

March 11, 1994

RECORDED

DEC 14 1989

STATE OF IDAHO
EPOCH VALLEY MINE

1 of 2



PLACE OF
USE

POINT OF
DIRECTION
IS TO THE
LEFT, AND
UPON THE HILL,
OF THIS PICTURE.



PLACE OF
USE

VIEW OF
POINT OF
DIRECTION
ON HILL

RECORDED
MAR 10 1997

27-07452

STATE OF IDAHO

25/2



POINT OF
DIVERSION
WELL NEAR
CONTROL
PANEL

←
STORAGE TANK

8.10.95

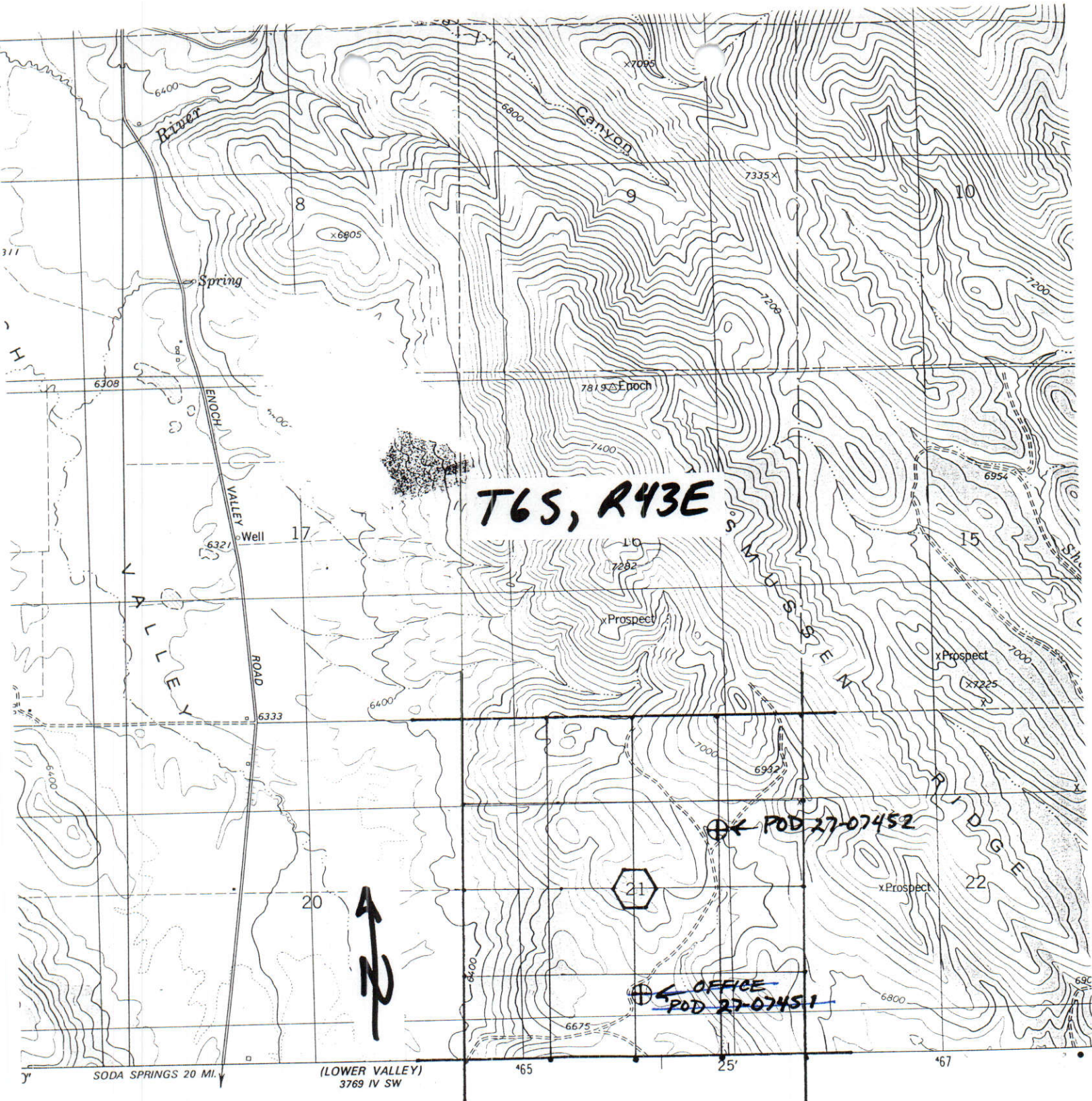


VIEW OF
WELL

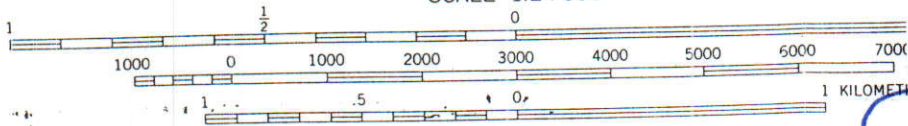
8.10.95

MICROFILMED
MAR 10 1997

27-07452



SCALE 1:24 000



CONTOUR INTERVAL 40 FEET
 DOTTED LINES REPRESENT 20-FOOT CONTOURS
 NATIONAL GEODETIC VERTICAL DATUM OF 1929

27-07451
27-07452

Primary high
 hard surface.
 Secondary high
 hard surface.
 Intersect



QUADRANGLE LOCATION

MAR 10 1937

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 OR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

27-07452

MONSANTO CO.
P.O. BOX 816
SODA SPRINGS, ID 83276

Source: GROUNDWATER

Diversion Pt: SWNE Sec 21 T 06S R 43E

Use: MINING (.300 CFS)

Date Filed: 1/05/1989

In: T06S R43E S16

	NENE	SWNE	NENW	NWNW
	SWNW	SENE	NESW	NWSW
	SWSW	SESW	NESE	NWSE
	SWSE	SESE		
S21	NENE	NWNE	SWNE	SENE
	NENW	SWSW	SESW	NESE
	NWSE			
S22	SWNW	NESW	NWSW	SWSW
	SESW	SWSE		
S25	NWSW	SWSW	SESW	
S26	NWNE	SWNE	SENE	NESE
	NWSE	SESE		
S27	NENE	NWNE	SWNE	SENE
	NENW	NESE		
S32	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENE
	NESW	NWSW	SWSW	SESE
	NESE	NWSE	SWSE	SESE

27-07452

MONSANTO CO.

P.O. BOX 816

SODA SPRINGS, ID 83276

Source: GROUNDWATER

Diversion Pt: SWNE Sec 21 T 06S R

43E

Use: MINING (.300 CFS)

Date Filed: 1-05-1989

In T06S R43E S16, NENE, SWNE,

NENW, NWNW, SWNW, SENW,

NESW, NWSW, SWSW, SESW, NESE,

NWSE, SWSE, SESE.

S21, NENE, NWNE, SWNE,

SENE, NENW, SWSW, SESW, NESE,

NWSE. *505E*

S22, SWNW, NESW, NWSW,

SWSW, SESW, SWSE.

S25, NWSW, SWSW, SESW,

S26, NWNE, SWNE, SESE, NESE,

NWSE, SESE.

S27, NENE, NWNE, SWNE,

SENE, NENW, NESE.

S32, NENE, NWNE, SWNE,

SENE, NENW, NWNW, SWNW,

SENE, NESW, NWSW, SWSW,

SESW, NESE, NWSE, SWSE, SESE.

The permit(s) will be subject to all

prior water rights. Protests may be

submitted based on the criteria of Sec.

42-203A, Idaho Code and/or the new

public interest criteria of Sec. 42-203C.

Idaho Code. Protests must be filed with

the Director, Dept. of Water Resources,

150 Shoup Ave., Suite 15, Idaho Falls,

Idaho 83402 on or before MARCH 6,

1989.

R. KEITH HIGGINSON,

Director

Published Feb. 16, and 23, 1989 in

the Caribou County Sun.

DEC 14 1989

DE LOG HWJ
11-13-98

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

RECEIVED

DEC 24 1998

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

Department of Water Resources

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 ☒ 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): Danall 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:

SEE FILE 27-07369
FOR SUPPORT
DOCUMENTATION

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

MICROFILMED

NOV 24 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07452

Priority: January 6, 1989

Maximum Diversion Rate:

0.30 CFS

Maximum Diversion Volume:

16.8 AF

This is to certify, that STATE OF IDAHO

DEPT OF LANDS

STATEHOUSE

BOISE ID 83720

has complied with the terms and conditions

of the permit, issued pursuant to Application for Permit dated January 5, 1989; and has submitted Proof of Beneficial Use on January 2, 1992. An examination indicates that the works have a diversion capacity of 0.660 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MINING	03/01 to 10/01	0.30 CFS	16.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 21, Township 06S, Range 43E
CARIBOU County

PLACE OF USE: MINING

TWN RGE SEC

06S 43E 16

21

22

25

26

27

32

NENE
NWNW
NESW
SESW
SWSE
NENE
SENE
SESW
SWSE
SWNW
SWSW
NWSW
NWNE
NESE
NENE
SENE
NENE
SENE
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NWSE
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SWSE
SESW
SENE
SESE
SWNE
NESE
NENW
NENW
NESW
SESW
SWSE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07452

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Mining use is for dust abatement.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 28th
day of FEBRUARY, 1997.


Acting for KARL J. DREHER, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 27-07452	)	
	)	
IN THE NAME OF STATE OF IDAHO	)	ORDER OF
DEPARTMENT OF LANDS	)	REINSTATEMENT
	)	

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before January 1, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

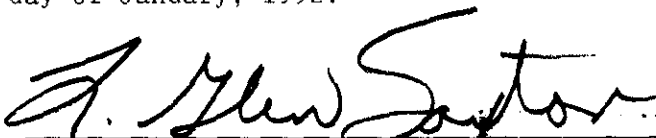
WHEREAS, on January 1, 1992, the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on January 2, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 27-07452 be REINSTATED with an advance in priority to January 6, 1989.

Dated this 7th day of January, 1992.



L. GLEN SAXTON
Chief, Water Allocation Bureau

JAN 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED

JAN - 2 1992

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 27-07452 Telephone No. 334-0200

2. Name(s) of Permit Holder(s): State of Idaho, Department of Lands

3. Post Office Address: Statehouse, Boise, ID 83720

4. Source of Water: Groundwater

a. If ground water, well driller's name: Nelson Drilling Date drilled: 5/16/90

b. Pump horsepower: 30 HP Pressure (psi): _____ Dynamic pumping level (ft.): 420 ft.

5. Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other Primarily dust control and other

industrial uses required incidental to mining operations (Monsanto Inc. Enoch Valley Mine)

6. Total rate and/or volume for which proof is submitted 0.3 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No

8. Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

David w. Farnsworth, Monsanto Chemical Co.
Name

(208) 547-3391
Telephone No.

P.O. Box 818 Soda Springs, ID 83276
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

12/30/91
Date

Robert A. Brown
Signature (and title if on behalf of a company or organization)

Sr. Resource 1602-IDL

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 27-07452

Proposed Priority: January 5, 1989

Maximum Diversion Rate:

0.30 CFS

This is to certify, that **STATE OF IDAHO**
DEPT. OF LANDS
STATEHOUSE
BOISE, ID 83720

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MINING	03/01 to 10/01	0.30 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNE Sec. 21, Township 06S, Range 43E
CARIBOU County

PLACE OF USE: MINING

TWN RGE SEC

06S 43E 16	NENE	SWNE	NENW
	NWNW	SWNW	SENW
	NESW	NWSW	SWSW
	SESW	NESE	NWSE
	SWSE	SESE	
21	NENE	NWNE	SWNE
	SENE	NENW	SWSW
	SESW	NESE	NWSE
	SWSE		
22	SWNW	NESW	NWSW
	SWSW	SESW	SWSE
25	NWSW	SWSW	SESW
26	NWNE	SWNE	SENE
	NESE	NWSE	SESE
27	NENE	NWNE	SWNE
	SENE	NENW	NESE
32	NENE	NWNE	SWNE
	SENE	NENW	NWNW
	SWNW	SENW	NESW
	NWSW	SWSW	SESW
	NESE	NWSE	SWSW
	SESE		

MICROFILMED

CONDITIONS/REMARKS:

DEC 14 1989

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1992.**
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 27-07452

CONDITIONS/REMARKS:

4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

7th day of December, 1989.

for R. Keith Higginson
R. Keith Higginson, Director

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

I, Monsanto Company, hereby assign to Idaho Department of Lands
of 3563 Ririe Highway, Idaho Falls, 83401
Address

All my right, title, and interest in and to Permit No. 27-7452
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 28th day of SEPTEMBER, 1989.

David W. Farnsworth for
Permit Holder
SUPERINTENDENT, MINING
Monsanto Co.
Spouse of Permit Holder

State of Idaho)
County of Caribou) ss

On this 28th day of September, 1989, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

s e a l

Joan A. Crane
Notary Public residing at
Georgetown

My commission expires:
8/22/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Monsanto Company Phone 547-3391
Post office address PO Box 816, Soda Springs, Idaho 83276
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SW _____ 1/4 of NE _____ 1/4, Govt. Lot _____
Sec. 21 Township 6S Range 43E B.M. Caribou County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .3 for Mining purposes from March 1 to Oct 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: well and pump
 - a. Description of ditches, flumes, pumps, headgates, etc. 10,000 gallon storage tank
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 8" inches; proposed depth of well is 300 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

RECORDED

APR 14 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. to water roads for dust suppression and other mining
uses

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	43E	16	X		X		X	X	X	X	X	X	X	X	X	X	X	X	
		21	X	X	X	X	X						X	X	X	X	X		
		22							X		X	X	X	X			X		
		25										X	X	X					
		26		X	X	X									X	X		X	
		27	X	X	X	X	X								X				
		32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

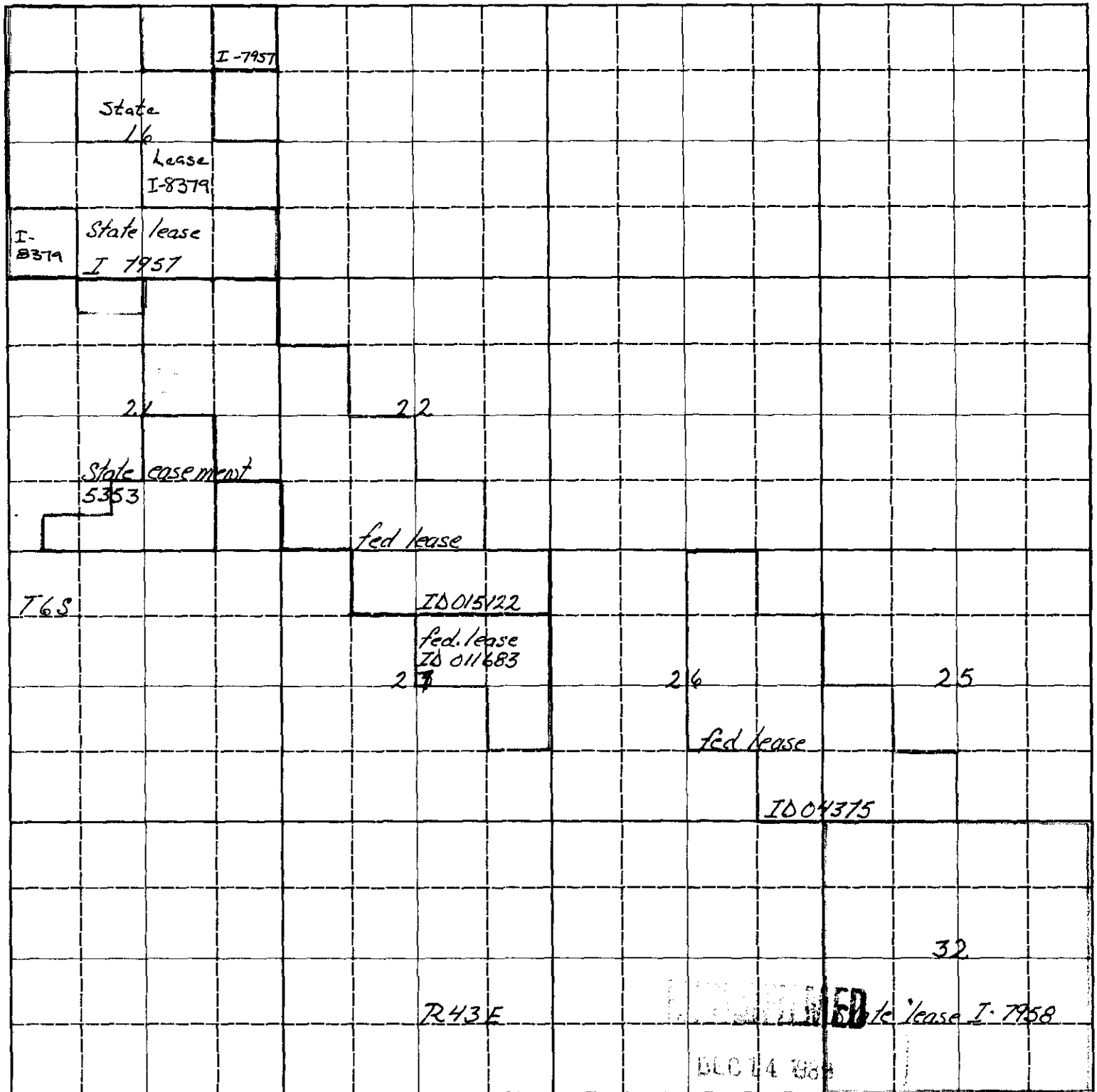
- Who owns the property at the point of diversion? State of Idaho
- Who owns the land to be irrigated or place of use? State of Idaho & federal Government
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. State lease I 7957, State Easement 5353, State lease 7958, State lease I - 8379, Federal lease ID - 015122

12. Remarks: _____

[Signature]

DEC 14 1989

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

David W. Farnsworth
(Applicant)

Mining Supervisor

Received by CW Date 12-8-88 Time 3:00 pm Preliminary check by DD
Fee \$ 45.00 Received by RB # F005614 Date 1-26-89
Publication prepared by RB Date 2-8-89 Published in Calhoun 87y Jan
Publication approved RB Date 4-18-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

RECEIVED

DEC 14 1988

Officers at Monsanto Chemical Company's
Soda Springs, Idaho Plant

C. M. McCullough - Plant Manager
C. M. Davis - Supt., Mfg. & Material Handling
L. G. Duncan - Supt., Maintenance
D. W. Farnsworth - Supt., Mining —
R. G. Grigg - Supt., Personnel
K. V. Lott - Supt., Technical
L. A. Wandersee - Supt., Accounting & Control

RECEIVED
FILMED

DEC 14 1999

STATE OF IDAHO EASEMENT

NO. 5353

RECORDED

DEC 1988

Department of Water Resources
Eastern District Office

THIS INDENTURE, made this 10th day November,
by and between the STATE OF IDAHO, State Capitol Building, Boise,
Idaho 83720, acting by and through the State Board of Land
Commissioners, as party of the first part (Grantor), and MONSANTO
COMPANY, a Delaware Corporation with general offices at 800 North
Lindbergh Boulevard, St. Louis, Missouri 63167, as party of the
second part (Grantee);

The following described land, to-wit:

List No. 1

Section 21, Township 6 South, Range 43 East, B.M.
NE⁴, N²NE⁴NW⁴, SE⁴SW⁴SW⁴, SW⁴SE⁴SW⁴, E²SE⁴SW⁴, N²SE⁴,
SW⁴SE⁴ - 340.00 acres.

List No. 2 - (600 ft. wide corridor - 138.20 acres).
Section 29, Township 6 South, Range 43 East, B.M.
W²SW⁴, SE⁴SW⁴, SE⁴SE⁴

Section 32, Township 6 South, Range 43 East, B.M.
N²N²

was granted to the Grantor from the Federal Government pursuant
to an indemnity selection which contained the following
reservation:

"***excepting and reserving to the United States
all phosphate in the lands so selected, and to
them, or to persons authorized by them, the right
to prospect for, mine and remove such deposits
from the same, upon compliance with the conditions
and subject to the provisions, reservations,
conditions, and limitations of the Act of July 17,
1914, (38 Stat. 509)***"

DEC 14 1988

Page 1 of 10

STATE OF IDAHO } ss 133123
County of Caribou

I Hereby certify that this instrument was filed
at the request of Monsanto Company

at 10:35 o'clock A M this 23rd day of
November, 19 87

In my office and duly
recorded in Microfilm Records

Martha W. Archibald

Dickie Jenkins
Ex-Officio Recorder 30.00 Deputy

State of Idaho
Easement No. 5353
Page 8 of 10

STATE BOARD OF LAND COMMISSIONERS



Governor of the State of Idaho and
President of the State Board of Land
Commissioners

Countersigned:



Secretary of State



Director, Department of Lands

RECEIVED
DEC 14 1983

DEC 14 1983

0019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Monsanto Company Phone 547-3391
Post office address P.O. Box 816, Soda Springs, Idaho 83276
2. Source of water supply Groundwater ^{Dm'D} which is a tributary of Blackfoot River Drainage [?]
3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21 Township 6S
Range 43E B.M. Caribou County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .3 for Industrial purposes from March 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .3 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & Pump
With 10,000 gallon storage tank

b. Height of storage dam None feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 300 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year – maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township 6S
Range 43 B.M.

(2) Amount of power to be generated: None horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered None

(4) Name of municipality to be served None, or number of families to be supplied with domestic water _____.

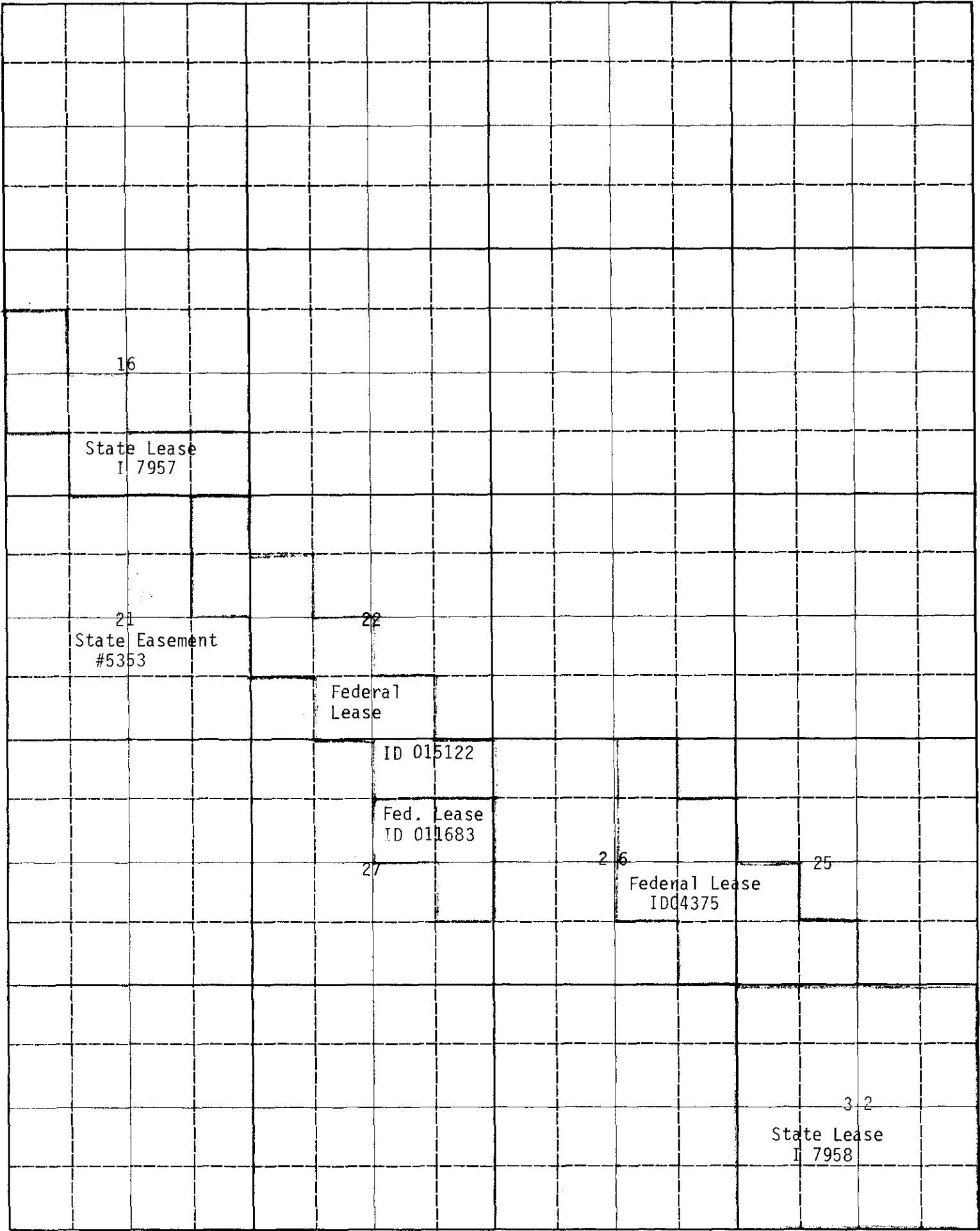
(5) If water is to be used for other purposes describe: Water roads, dust suppressant, and other mining uses

RECEIVED
DEC 14 1988

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R 43 E

T
6
S



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

RECORDED

DEC 14 1966

David W. Farnsworth

(Applicant)

Received by Q.A. Date 12-8-88 Time 3:00 p.
Preliminary check by AMA Fee \$ 45
Receipted by _____ Date _____
Publication prepared by AB Date 2-8-89
Published in Caribou County Sun
Publication dates 2-16 & 2-23-89
Publication approved _____ Date _____
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

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

Director

RECORDED

DEC 14 1988

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

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 2 successive weekly
issues thereof, the date of the
first publication being the

2nd day of
March, 1989

The date of the last publication
being the 9th day of
March, 1989

On this 5th day of April
in the year of 1989 before

me, a Notary Public, personally
appeared

[Signature]
known or identified to me to be the
person whose name subscribed to
the within instrument, and being
by me first duly sworn, declared
that the statements therein are
true, and acknowledged to me that
he executed the same.

[Signature]
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:
March 11, 1994

PUBLIC NOTICE

First Time Published

NOTICE OF CORRECTION NO. 27-07452

NOTICE IS HEREBY GIVEN that
Application No. 27-07452 in the name
of Monsanto Company was advertised
incorrectly on February 16 and 23,
1989. The place of use was advertised as
being in T. 6S, R. 43E, S21, NENE,
NWNE, SWNE, SENE, NENW,
SWSW, SESW, NESE, NWSE.

Whereas, the actual place of use is
within T. 6S, R. 43E, S21, NENE,
NWNE, SWNE, SENE, NENW,
SWSW, SESW, NESE, NWSE, SWSE.

Any protests against the granting of
this permit as a result of this correction
must be filed with the Idaho Department
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on or
before March 20, 1989.

R. KEITH HIGGINSON

Director

Published March 2 and 9, 1989 in the
Caribou County Sun.

Department of Water Resources
Eastern District Office

Affidavit of Publication

MAR 8 1989

Department of Water Resources
Eastern District Office

County of Caribou }
State of Idaho } ss.

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

27-07451

MONSANTO CO.

P.O. BOX 816

SODA SPRINGS, ID 83276

Source: GROUNDWATER

Diversion Pt: SWSE Sec 21 T 06S R

43E

Use: INDUSTRIAL (.080 CFS),

Domestic (.020 CFS)

Date Filed: 1-05-1989

In: T06S R43E S21 SWSE

27-07452

MONSANTO CO.

P.O. BOX 816

SODA SPRINGS, ID 83276

Source: GROUNDWATER

Diversion Pt: SWNE Sec 21 T 06S R

43E

Use: MINING (.300 CFS)

Date Filed: 1-05-1989

In T06S R43E S16, NENE, SWNE,

NENW, NWNW, SWNW, SENW,

NESW, NWSW, SWSW, SESW, NESE,

NWSE, SWSE, SESE.

S21, NENE, NWNE, SWNE,

SENE, NENW, SWSW, SESW, NESE,

NWSE.

S22, SWNW, NESW, NWSW,

SWSW, SESW, SWSE.

S25, NWSW, SWSW, SESW.

S26, NWNE SWNE, SENE, NESE,

NWSE, SESE.

S27, NENE, NWNE, SWNE,

SENE, NENW, NESE.

S32, NENE, NWNE, SWNE,

SENE, NENW, NWNW, SWNW,

SENW, NESW, NWSW, SWSW,

SESW, NESE, NWSE, SWSE, SESE.

The permit(s) will be subject to all

prior water rights. Protests may be

submitted based on the criteria of Sec.

42-203A, Idaho Code and/or the new
public interest criteria of Sec. 42-203C,
Idaho Code. Protests must be filed with
the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before MARCH 6,
1989.

R. KEITH HIGGINSON,

Director

Published Feb. 16, and 23, 1989 in
the Caribou County Sun.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

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 2 successive weekly
issues thereof, the date of the
first publication being the

16th day of
February, 1989

The date of the last publication
being the 23rd day of

February, 1989

On this 1st day of March

in the year of 1989 before

me, a Notary Public, personally
appeared

known or identified to me to be the
person whose name subscribed to
the within instrument, and being
by me first duly sworn, declared
that the statements therein are
true, and acknowledged to me that
he executed the same.

Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 25, 1999

DIRK KEMPTHORNE
GOVERNOR

P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

KARL J. DREHER
DIRECTOR

RE: Water Rights 27-07369/27-07451/27-07452

Dear Water Right Holder(s):

The Department is in receipt of the correspondence changing ownership of the above referenced water rights to you. We have modified our records to reflect these changes in ownership and computer generated reports are enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

MAY 27 1999



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

MARCH 3rd, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE IDAHO 83720

RE: WATER RIGHT NO. 27-07452

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley W. Keen
Water Rights Supervisor

SWK:vrr

c: Eastern Region

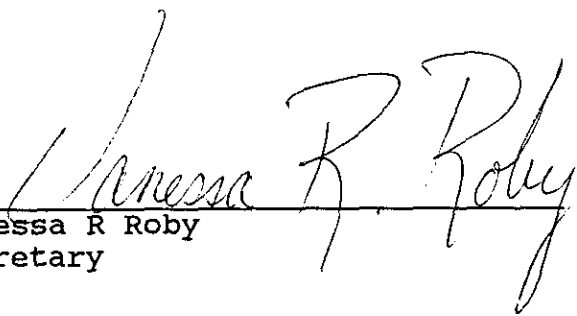
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of MARCH, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 27-07452

**STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE IDAHO 83720**



Vanessa R Roby
Secretary

LICENSE REVIEW CHECKLIST

PERMIT NO. 27-07452

DATE 2/12/97

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE Change OK

Is change clarification of originally intended source? NO

POINT OF DIV Change OK

If not, prepare Notice of Intent to Void NO
Amendment required NO

PLACE OF USE Change OK

Amendment required NO

Does map agree with written description? yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .30 cfs

Fee limit 1.0 cfs \$10000

Measured — cfs

Theoretical .66 cfs

Recommended Total Div Rate .30 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use ✓

Mining

Volume Calculation

16.8 af

— af

— af

— af

SUBTOTAL 16.8 af

Flow rate .30 cfs X 365 days X 1.98 af = 108.7 af

Total volume recommended 16.8 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

M/dust abatement

CONDITIONS Watermaster Control WD#

GW Measurement/Measuring Device

Overlap

Use-specific conditions

Advancement of Priority Date Required yes no

SRBA Claim Filed N/A
Adjustment Memo —

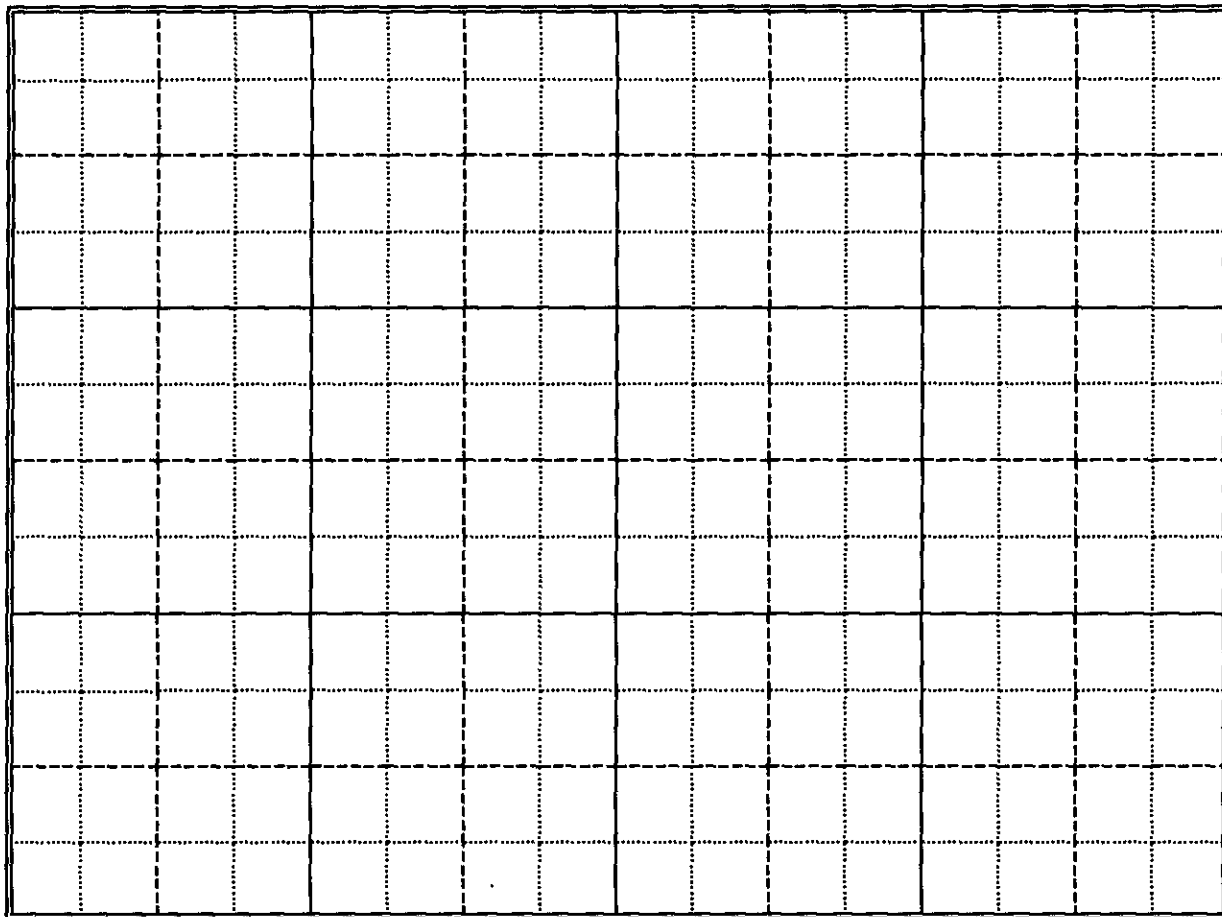
1st Amend Letter N/A
2nd Amend Letter N/A

27-07451 licensed 1/24/97
for domestic (office) &
industrial (steam cleaning
& washing equip.
diff well

048.049

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable. *SEE PHOTO + MAP*



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GRUNDSOS	30	23014600	SUBMERSIBLE	12"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

E. NARRATIVE/REMARKS/COMMENTS

WATER IS PUMPED VIA 30 HP SUBMERSIBLE PUMP TO TWO
30,000 GALLON STORAGE TANKS (OPEN DISCHARGE). WATER IS
SUPPLIED TO PLACE OF USE VIA GRAVITY FEED FROM TANKS
AND IS USED PRIMARILY FOR DUST ABATEMENT.

APPROXIMATE WELL ELEVATION 6,910'
PLACE OF USE ELEVATION 6,720'
190' DROP

PLACE OF USE INCLUDES AREA ENCOMPASSED BY ENOCH VALLEY MINE AND
ASSOCIATED ACCESS ROADS.

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

Measured Method:

 Additional Computation Sheets Attached

$Q = 0.97 \text{ cfs}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

183 DAY OF USE

SUPPLIED USAGE INFORMATION

(3) 10,000 GALLON TANKER TRUCKS / DAY

 $= 30,000 \text{ GPD} \times 183 \text{ DAYS OF OPERATION}$

$= \frac{5,490,000 \text{ GAL/YR}}{325,850 \text{ GLS / AF}} = \boxed{16.8 \text{ AFA}}$

STORAGE TANKS (2)
APPROX. 14' X 26' CYLINDER
30,000 GLS EACH**H. RECOMMENDATIONS** PERMIT LIMITS TO 0.30 CFS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
MINING	3/1	10/1	0.30	16.8
Totals:			0.30 CFS	16.8

2. Recommended Amendments

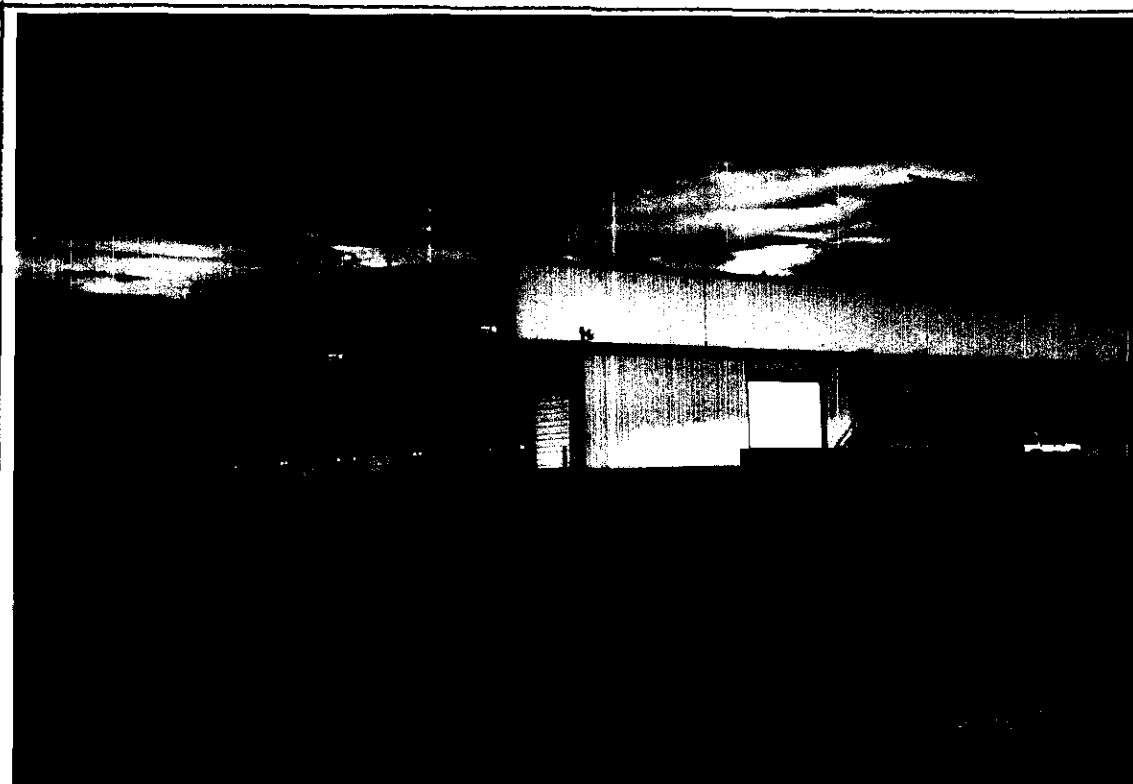
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name SIMPSON Date 1/24/96Reviewer [Signature] Date 2/16/96

SEAL

STATE OF IDAHO
EPOCH VALLEY MINE

1/2



PLACE OF
USE

POINT OF
DIRECTION
IS TO THE
LEFT, AND
UPON THE HILL,
OF THIS PICTURE.



PLACE OF
USE

VIEW OF
POINT OF
DIRECTION
ON HILL

27-07452

STATE OF IDAHO

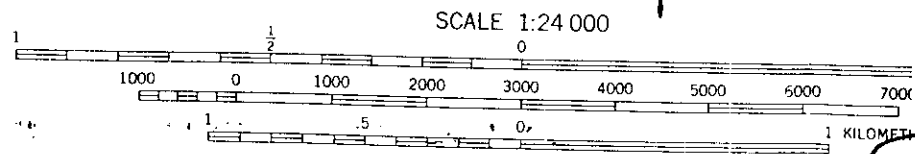
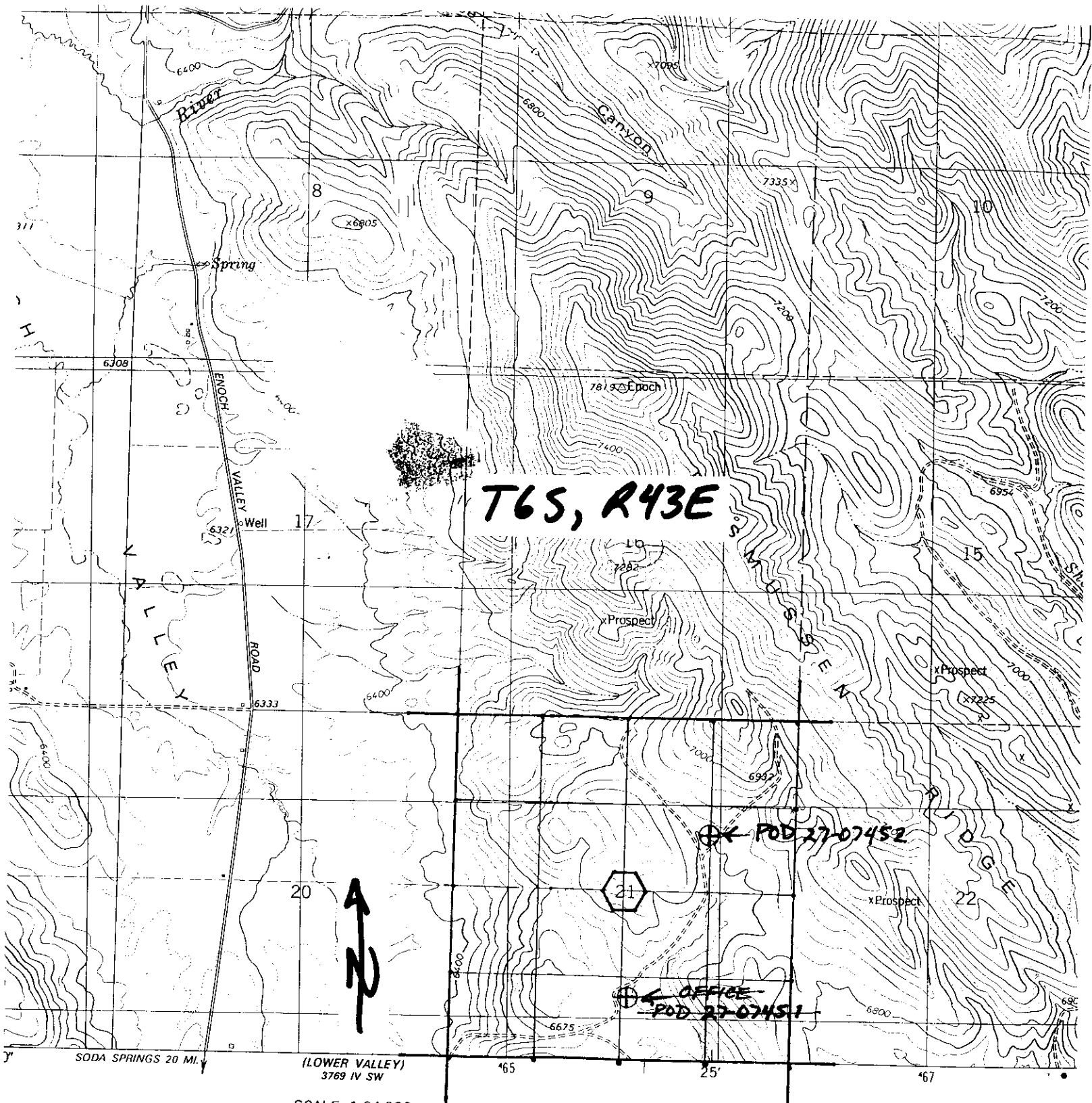
25/2

POINT OF
DIESEL
WELL NEAR
CONTROL
PANEL

←
STORAGE TANK

VIEW OF
WELL

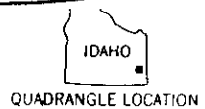
27-07452



SCALE 1:24 000
CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929

27-07451
27-07452

Primary high
hard surface.
Secondary hi
hard surface.
Inters



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
OR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

THEORETICAL PUMP FLOW CALCULATIONS

WELL DEPTH 810'

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \underline{30'}$$

$$Eff = \text{Efficiency} = \underline{.7} \quad (\text{Usually } 70\%)$$

Lift: (Static Level + Assumed Drawdown)

$$\text{Static Water Level} = \underline{260'} \text{ ft.}$$

$$\text{Assumed Drawdown} = + \underline{20'} \text{ ft.}$$

$$\text{Lift} = \underline{280'}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

OPEN DISCHARGE TO TANK

$$psi = \text{Operating Pressure} = \underline{0} \text{ psi}$$

$$Q_{cfs} = \left[\frac{30}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{280'}{Lift} + \left(\frac{0}{psi} \times 2.308 \right) \right]$$

$$\underline{185.09 \cancel{q}}$$

$$Q_{cfs} = \left[\underline{271.42} \right] \div \left[\underline{280} \right]$$

$$\underline{0.66 \cancel{q}}$$

$$Q_{cfs} = \underline{0.47} \text{ cfs}$$

PERMIT LIMITS Q TO 0.30 CFS ✓
OK

27-07452

BY AIR TO THE ORDER OF

00017 151000

DATE

200V SPRINGS, IDAHO 83276

DRY-200V SPRINGS



NELSON DRILLING
RAY OR MITCH NELSON
2083 H. W. 34
SODA SPRINGS, ID 83276
PHONE 208-547-3802

Date 7-8-90

To Davis Soda Springs
Box 975 att: Gary Craig
Soda Springs, Id. 83276

Terms Net 20
Please detach and return upper portion with your remittance. \$

6-29-90	Set 30 HP Grundfos pump				
Motor	460V 380V 3Ø 30HP 2P 60Hz				
23014	60V D90 G89819 TOKYO JAPAN				
Pump	8902 TYPE SP45-225S 300-12				
26-67	7/16" 176-75 MVS				
					5420-

27-7452

January 8, 1992

STATE OF IDAHO
DEPT. OF LANDS
STATEHOUSE
BOISE ID 83720

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07452

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

JAN 15 1992

Permit No. 27-07452 Reviewed by ALG Date 1/6/92

yes Name same as permit?
yes Address same as permit?
no Proof timely received? If not, complete calculation below.

 Surface water source
 ✓ Ground water source

45 Drilling permit required?

yes Copy in the file? Drilling Permit No. 27-40E-001

100 Amount paid for permit yes Correct?

WLS Well log in the file?

yes Required?
100 Amount Submitted
yes Correct?

NA Required?
/ Installed?
 Waiver requested?

Date proof received	<u>1/2/92</u>		<u>2</u>
Date proof due	<u>1/1/92</u>	-	<u>1</u>
No. of days late		=	<u>1</u>
Priority Date	<u>1/5/89</u>	+	<u>5</u>
New Priority Date	<u>1/6/89</u>		<u>6</u>

Driller 215 or 445

prog acceptable

New Address

Proof Made 1422

092 Alg

RECEIVED

JAN 11 1990

State of Idaho
Department of Water Resources 150 Stamp #12. I.F., Id. 83401

Department of Water Resources
Eastern District Office

DRILLING PERMIT

(Authorizing Construction of a Well)*

3 CFM
\$100.00

1. Applicant IDAHO DEPT. OF LANDS
2. Address Statehouse, Boise, Id. 83720 by MINING DEPT., MONSANTO CO. PO Box 816 Soda Springs, Id. 83276
(X) Well Owner (X) Well Operator () Other, specify _____
3. Water right permit no. 27-07452; Injection well permit no. _____
4. Proposed well location 1/4 SE 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 21, Twp. 6S, Rge. 43E, County Caribou,
Lot, block and subdivision _____
5. Proposed use of well: (Check all that apply)
() Domestic () Stockwater () Monitoring
() Irrigation (X) Industrial () Municipal
() Injection () Other, Specify _____
Department of Water Resources
6. Well construction information:
(X) New well () Deepen () Replace
Proposed surface diameter 12" Proposed depth 500
Anticipated bottom hole temperature:
(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
7. Anticipated construction start date 2-15-90
8. Well Driller (if known) Nelson
Address Soda Springs, Id. 83276
Date 12/21/89 Applicant's signature Daniel W. Farnsworth
Title MINING SUPERINTENDENT

RECEIVED
JAN 9 1990

MICROFILMED

JAN 15 1992

#215

The approval of this permit authorizes the construction of all as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

Dated this 5 day of Jan, 1990.

Signed

Title

REGIONAL MANAGER

Received by HWS Fee 100.00 Date 1-5-1990

Receipt No. E 011502 Construction start date _____

Construction start extension to _____

Extension approved by _____

JAN 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

RECEIVED

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well. MAY 28 1990

1. WELL OWNER Name <u>Monsanto Soda Springs - Box 975</u> Address <u>Soda Springs, Id. 83274</u> Owner's Permit No. <u>27-07452</u> 2. NATURE OF WORK ☒ New well Deepened _____ Replacement _____ Well diameter increase _____ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log) 3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☒ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type) _____ 4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____ 5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table style="width: 100%;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>.250 inches</td> <td>14 inches</td> <td>+ 1 feet</td> <td>22 feet</td> </tr> <tr> <td>.250 inches</td> <td>12 inches</td> <td>+ 2 feet</td> <td>461 feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☒ Torch ☐ Gun Size of perforation <u>1/4</u> inches by <u>12"</u> inches <table style="width: 100%;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>120 perforations</td> <td>401 feet</td> <td>461 feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>22</u> Material used in seal: ☒ Cement grout ☒ Bentonite ☐ Puddling clay ☐ Sealing procedure used: ☐ Slurry pit ☒ Form surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port <u>plug in cap</u> 6. LOCATION OF WELL Sketch map location must agree with written location. N Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Caribou</u> SE ¼ NE ¼ Sec. <u>21</u>, T. <u>6</u>, S. ½ R. <u>43</u> E ½	Thickness	Diameter	From	To	.250 inches	14 inches	+ 1 feet	22 feet	.250 inches	12 inches	+ 2 feet	461 feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	120 perforations	401 feet	461 feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	7. WATER LEVEL Static water level <u>260'</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>49° F.</u> Quality <u>Good</u> Describe artesian or temperature zones below. 8. WELL TEST DATA ☐ Pump ☐ Bailor ☒ Air ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td><u>100 - 150</u></td> <td><u>460</u></td> <td><u>4</u></td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> 9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Bore Diam.</th> <th>Depth From To</th> <th>Material</th> <th>Water Yes No</th> </tr> </thead> <tbody> <tr> <td>20"</td> <td>0 10</td> <td>Clay</td> <td>X</td> </tr> <tr> <td>"</td> <td>10 22</td> <td>Clay + overburden</td> <td>X</td> </tr> <tr> <td>15"</td> <td>22 50</td> <td>" "</td> <td>X</td> </tr> <tr> <td>"</td> <td>50 100</td> <td>Oggsandy</td> <td>X</td> </tr> <tr> <td>"</td> <td>100 160</td> <td>" " Clay</td> <td>X</td> </tr> <tr> <td>"</td> <td>160 320</td> <td>" "</td> <td>X</td> </tr> <tr> <td>"</td> <td>320 440</td> <td>Cherty shales</td> <td>X</td> </tr> <tr> <td>"</td> <td>440 510</td> <td>Hard porous chert</td> <td>X</td> </tr> <tr> <td>12"</td> <td>510 720</td> <td>Shale + phosphate</td> <td>X</td> </tr> <tr> <td>"</td> <td>720 722</td> <td>Yard</td> <td>X</td> </tr> <tr> <td>"</td> <td>722 726</td> <td>Broken limestone</td> <td>X</td> </tr> <tr> <td>"</td> <td>726 800</td> <td>Hard limestone</td> <td>X</td> </tr> <tr> <td>"</td> <td>800 810</td> <td>Sandy ls. containing H₂O</td> <td>X</td> </tr> </tbody> </table> 10. Work started <u>4-4-90</u> finished <u>5-16-90</u> 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Nelson Drilling Firm No. 215</u> Address <u>Soda Springs, Id.</u> Date <u>5-21-90</u> Signed by (Firm Official) <u>R. Nelson</u> and (Operator) <u>Roy Nelson</u>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>100 - 150</u>	<u>460</u>	<u>4</u>							Bore Diam.	Depth From To	Material	Water Yes No	20"	0 10	Clay	X	"	10 22	Clay + overburden	X	15"	22 50	" "	X	"	50 100	Oggsandy	X	"	100 160	" " Clay	X	"	160 320	" "	X	"	320 440	Cherty shales	X	"	440 510	Hard porous chert	X	12"	510 720	Shale + phosphate	X	"	720 722	Yard	X	"	722 726	Broken limestone	X	"	726 800	Hard limestone	X	"	800 810	Sandy ls. containing H ₂ O	X
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USE ADDITIONAL SHEETS IF NECESSARY -- FORWARD THE WHITE COPY TO THE DEPARTMENT

138134
October 31, 1991

STATE OF IDAHO
DEPT. OF LANDS
STATEHOUSE
BOISE ID 83720

PROOF DUE NOTICE

RE: PERMIT NO. 27-07452

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Nina Shields
Secretary/Records Manager

Enclosures

JAN 15 1992

Department of Lands
Statehouse
Boise, ID 83720

PLACE
STAMP
HERE



RECEIVED
JAN 15 1992

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

DEC 28 1989

Permit No. P27-07452

Department of Water Resources

Name(s) of Permit Holder(s): State of Idaho, Department of Lands

Post Office Address: Statehouse, Room 121
Boise, ID 83720

Tel. No. (208)334-2933

☒ I hereby certify that construction of diversion works for the above referenced permit will begin on 1-15-1990. I understand that I must

continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is
not an acceptable reason.

12/27/89
Date

J. O. Bilodeau
Signature of Permit Holder
Idaho Department of Lands

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 8, 1989

STATE OF IDAHO
DEPT. OF LANDS
STATEHOUSE
BOISE, ID 83720

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P27-07452

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

RECEIVED

DEC 14 1989

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

PRIME

100-1-389

Dist. for staffing 12-2-88

submitted for adv. 12-5-88

Form No. 202a
/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

27-7452

INITIAL REVIEW BY Dennis Dunn DATE 9 Dec 88 APPLICATION NUMBER _____

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

NOV 02 1989

Department of Water Resources

PROCESSING ☒ Yes ☐ No If form for advertising
☐ Yes ☒ No Statewide advertising
☐ Yes ☐ No Fee amount, receipt date & No. recorded on application

END COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☒ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☐ Yes ☒ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.
Re-ad-
☐ Yes ☒ No Publication dates & paper, recorded on application
☒ Yes ☐ No Protests received Withdrawn
Final date for protest 3-6-89 & 3-20-89
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☒ Yes ☐ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 27
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information
Date of priority recommended 1-05-89
By HWS Date 10-30-89

STATE OFFICE REVIEW P05, P23 P17 46 26 48 49
By KW ☐ See below for additional information
Date 11/30/89

ADDITIONAL INFORMATION

Will need Drilling Permit
App. in NON-TRUST area -
OK to allow 2 yrs. to develop -
file copy discarded -

October 31, 1989

RE: Applications for Permits Nos. 27-7451 & 27-7452

David W. Farnsworth
Mining Superintendent
Monsanto Company
P.O. Box 816
Soda Springs, ID 83276

Dear Mr. Farnsworth:

This letter is to acknowledge receipt of the assignment forms assigning the above referenced applications to Idaho Department of Lands and to inform you that the protest submitted by the Idaho Department of Lands has been withdrawn. The Department has now resumed processing of the above referenced applications.

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

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: Patrick A. Brown
Resource Manager
Idaho Department of Lands

MAILED

OEC 14 1989

IDAHO DEPARTMENT OF LANDS

EASTERN IDAHO AREA
3563 RIRIE HIGHWAY
IDAHO FALLS, IDAHO 83401

Telephone (208) 523-5398

July 10, 1989

STANLEY F. HAMILTON
DIRECTOR

BOARD OF LAND
COMMISSIONERS

CECIL D. ANDRUS
Governor

PETE T. CENARRUSA
Secretary of State

JIM JONES
Attorney General

JOE R. WILLIAMS
State Auditor

JERRY L. EVANS
Sup't of Public
Instruction

Mr. Harold W. Jones
Water Right Supervisor
Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

RE: Protest of Application #'s 27-07451 and 27-07452

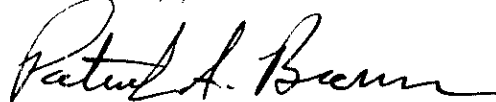
Dear Mr. Jones:

By this letter, and upon receipt by your office of documents assigning all interest in the above applications to the State of Idaho, the Department of Lands withdraws its protest of these applications.

We will issue to Monsanto Chemical Company an amendment to an existing easement allowing them to drill and use the two wells under these applications. If you require a copy of this easement for your records, please let me know.

Thank you for your help.

Sincerely,



Patrick A. Brown
Resource Manager

PAB/sak

MAILED

DEC 14 1989

RECEIVED

SEP 25 1989

Department of Water Resources
Eastern District Office

KEEP IDAHO GREEN
PREVENT WILDFIRE

Willow

April 5, 1989

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

RE: Applications for Permit No. 27-7452, 13-7461
and Applications for Transfer No. 29-7434, 11-0698

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on March 2 & 9, 1989.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Rita Bodell
Office Secretary

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NOTICE OF CORRECTION

No. 27-07452

Notice is hereby given that Application No. 27-07452 in the name of Monsanto Company was advertised incorrectly on February 16 and 23, 1989. The place of use was advertised as being in T. 6S, R. 43E, S21, NENE, NWE, SWNE, SENE, NENW, SWSW, SESW, NESE, NWSE.

Whereas, the actual place of use is within T. 6S, R. 43E, S21, NENE, NWE, SWNE, SENE, NENW, SWSW, SESW, NESE, NWSE, SWSE.

Any protests against the granting of this permit as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before March 20, 1989.

R. Keith Higginson,

Director

Published March 2, and 9, 1989 in the Caribou County Sun.

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MARCH 10 1989

DEC 1 - 1988

[Signature]

February 23, 1989

Monsanto Company
P.O. Box 816
Soda Springs, Idaho 83276

Dear Applicant:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your application Nos. 27-7451 and 27-7452. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the five items. Although representation by legal

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Monsanto Company
February 23, 1989
Page 2

counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If this office can be of further assistance, please contact us.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

February 23, 1989

RE: Application for Permit No. 27-7451 & 27-7452 MONSANTO

Mr. Patrick A. Brown
Resource Manager
Idaho Department of Lands
3563 Ririe Highway
Idaho Falls, ID 83401

Dear Mr. Brown:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
 2. Is the proposed water supply insufficient for the purpose intended?
 3. Is the application made in good faith or for delay or speculative purposes?
 4. Has the applicant sufficient financial resources with which to complete the project?
 5. Will the proposed use under this permit conflict with the local public interest?
- JAMES
1989

Mr. Patrick A. Brown
February 23, 1989
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the five items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If this office can be of further assistance, please contact us.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

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FEB 24 1989

IDAHO DEPARTMENT OF LANDS

EASTERN IDAHO AREA
3563 RIRIE HIGHWAY
IDAHO FALLS, IDAHO 83401

Telephone (208) 523-5398

February 17, 1989

STANLEY F. HAMILTON
DIRECTOR

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FEB 21 1989

Department of Water Resources
Eastern District Office

BOARD OF LAND
COMMISSIONERS

CECIL D. ANDRUS
Governor

PETE T. CENARRUSA
Secretary of State

JIM JONES
Attorney General

JOE R. WILLIAMS
State Auditor

JERRY L. EVANS
Supt of Public
Instruction

Mr. Harold W. Jones
Water Right Supervisor
Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

RE: Application for Permit #'s 27-07451 and 27-07452

Dear Mr. Jones:

We are in receipt of the above listed applications.

This Department's policy is to oppose any water right applications involving State endowment lands that are filed under any name other than the State of Idaho. Therefore, this Department would like to formally protest the above listed applications as they are presently composed.

We are not opposed to the proposed wells per se. We do see the need for these wells. However, we also see the potential future benefits to the livestock grazing resource from these wells. Easement #5353 granted to Monsanto Company specifically mentions that all water wells drilled on State lands covered by the easement will be evaluated for post-production redevelopment as livestock/wildlife watering sources. We feel that any such future uses of these wells will be ensured if the associated water rights are in the name of the State of Idaho.

If Monsanto Company will agree to filing amended applications naming the State of Idaho as the applicant we will withdraw this protest and pay all necessary application fees. We have stated our position and this proposal to Monsanto Company by letter. A copy is attached.

Sincerely,



Patrick A. Brown
Resource Manager

PAB/jk

Attachments

KEEP IDAHO GREEN
PREVENT WILDFIRE

IDAHO DEPARTMENT OF LANDS

EASTERN IDAHO AREA
3563 RIRIE HIGHWAY
IDAHO FALLS, IDAHO 83401

Telephone (208) 523-5398

February 17, 1989

STANLEY F. HAMILTON
DIRECTOR

**BOARD OF LAND
COMMISSIONERS**
CECIL D. ANDRUS
Governor
PETE T. CENARRUSA
Secretary of State
JIM JONES
Attorney General
JOE R. WILLIAMS
State Auditor
JERRY L. EVANS
Sup't of Public
Instruction

Mr. David W. Farnsworth
Mining Superintendent
Monsanto Chemical Company
P. O. Box 816
Soda Springs, Idaho 83276

RE: Application for Permit #'s 27-07451 and 27-07452

Dear Mr. Farnsworth:

This office has received copies of the above listed Application for Permit(s) from the Idaho Department of Water Resources.

We are not opposed to your company drilling these wells as long as the associated water rights are filed in the name of the State of Idaho. We will inform the Department of Water Resources of this position with respect to these two applications.

We would take this opportunity to remind you of Special Stipulation D on page 6 of your Easement #5353 in reference to water wells drilled on the State lands covered by this easement. This Department would be interested in evaluating the feasibility of developing these two proposed wells for livestock/wildlife watering purposes at the conclusion of your company's mining activities.

We would suggest that amended applications be filed naming the State of Idaho as applicant. We would, of course, pay all necessary application fees.

We look forward to hearing from you in regard to this matter.

Sincerely,

Patrick A. Brown
Resource Manager

PAB/jk

c: Idaho Department of Water Resources

**KEEP IDAHO GREEN
PREVENT WILDFIRE**

February 14, 1989

Idaho Department of Lands
Rt. 1, Box 400
Idaho Falls, ID 83401

RE: Application for Permit No. 27-07452

Dear Sir:

This office is currently in the process of publishing notice that the above application for permit was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received by March 6, 1989. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

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February 13, 1989

Monsanto Company
P.O. Box 816
Soda Springs, ID 83276

Application for Permit No. 27-07452

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 27-07452. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Caribou County Sun. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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FEB 14 1989

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 8, 1989

CARIBOU COUNTY SUN
P.O. BOX 815
SODA SPRINGS, ID 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 6, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

The Following appli: tion(s) have been filed t appropriate the public waters of the State of Idaho:

APPROVED
JUL 14 1966

27-07452

MONSANTO CO.
P.O. BOX 816
SODA SPRINGS, ID 83276

Source: GROUNDWATER

Diversion Pt: SWNE Sec 21 T 06S R 43E

Use: MINING (.300 CFS)

Date Filed: 1/05/1989

In: T06S R43E S16	NENE	SWNE	NENW	NWNW
	SWNW	SENW	NESW	NWSW
	SWSW	SESW	NESE	NWSE
	SWSE	SESE		
S21	NENE	NWNE	SWNE	SENE
	NENW	SWSW	SESW	NESE
	NWSE			
S22	SWNW	NESW	NWSW	SWSW
	SESW	SWSE		
S25	NWSW	SWSW	SESW	
S26	NWNE	SWNE	SENE	NESE
	NWSE	SESE		
S27	NENE	NWNE	SWNE	SENE
	NENW	NESE		
S32	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE

27-07452

MONSANTO CO.
P.O. BOX 816
SODA SPRINGS, ID 83276
Source: GROUNDWATER
Diversion Pt: SWNE Sec 21 T 06S R

43E

Use: MINING (.300 CFS)

Date Filed: 1-05-1989

In T06S R43E S16, NENE, SWNE,
NENW, NWNW, SWNW, SENW,
NESW, NWSW, SWSW, SESW, NESE,
NWSE, SWSE, SESE.
S21, NENE, NWNE, SWNE,
SENE, NENW, SWSW, SESW, NESE,
NWSE.

S22, SWNW, NESW, NWSW,
SWSW, SESW, SWSE.
S25, NWSW, SWSW, SESW,
S26, NWNE, SWNE, SENE, NESE,
NWSE, SESE.

S27, NENE, NWNE, SWNE,
SENE, NENW, NESE.
S32, NENE, NWNE, SWNE,
SENE, NENW, NWNW, SWNW,
SENE, NESW, NWSW, SWSW,
SESW, NESE, NWSE, SWSE, SESE.

The permit(s) will be subject to all
prior permit requirements and may be
submitted based on the provisions of Sec.

42-203A, Idaho Code and/or the new
public interest criteria of Sec. 42-203C,
Idaho Code. Protests must be filed with
the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before MARCH 6,
1989.

R. KEITH HIGGINSON,

Director

Published Feb. 16, and 23, 1989 in
the Caribou County Sun.

The permit(s) will be subject to all prior water rights. Protests may be submitted based the criteria of Sec. 42- 3A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 6, 1989.

R. Keith Higginson, Director

Published 2/15/1989 & 2/22/1989

NOTED
1-13

