

[illegible]

DEC 18 1989

undersigned hereby makes application
as herein set forth.

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

T
6
S

21
State Easement
#5353

P.D.
⊗

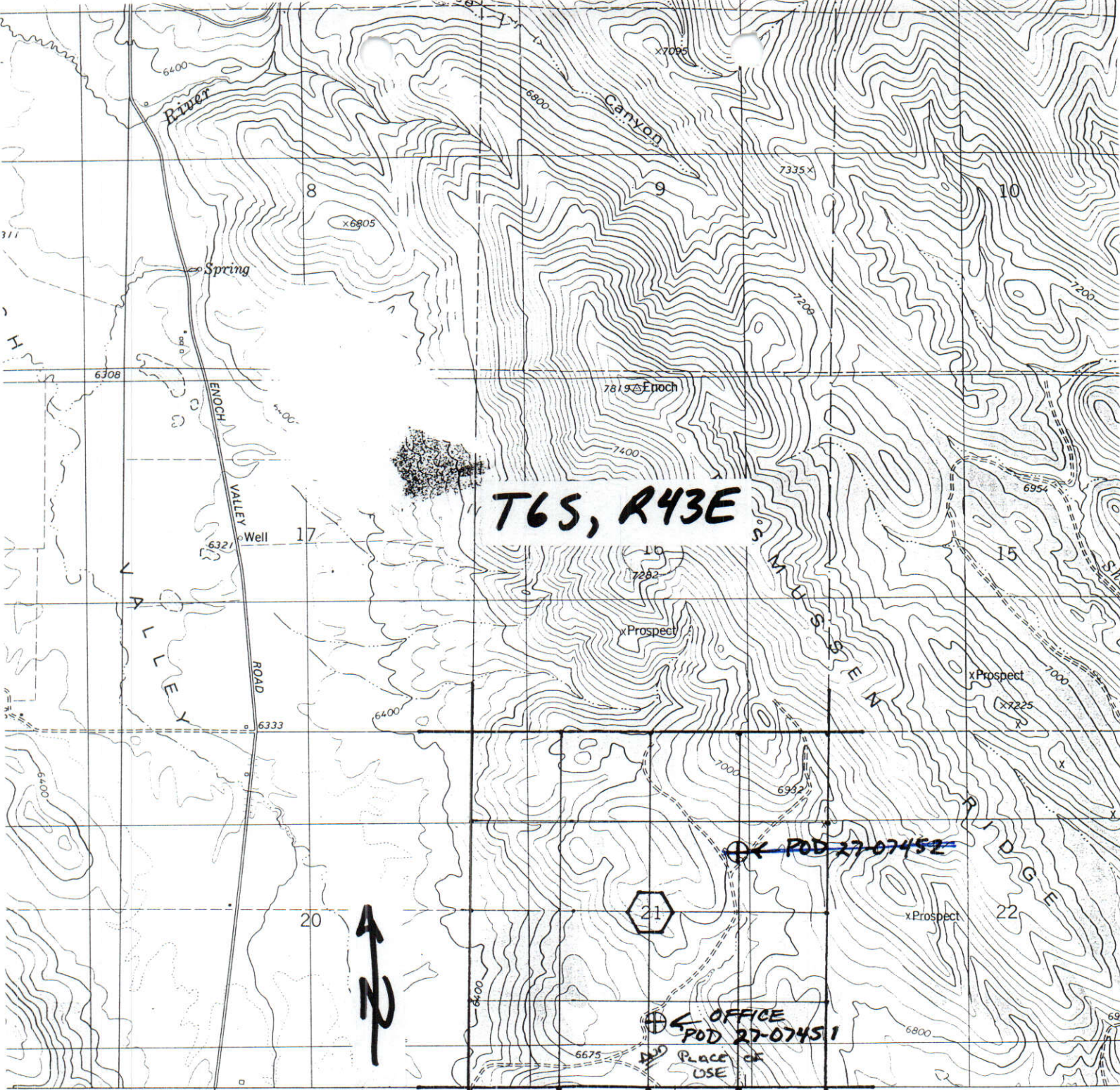
Scale: 2 inches equal 1 mile.

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.

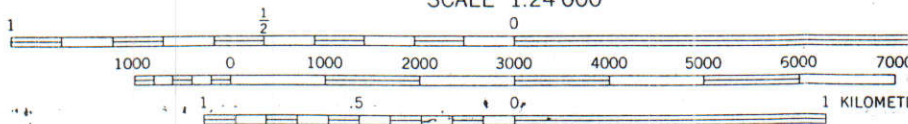
MICROFILMED

DEC 18 1989

David W. Jansworth
(Applicant)



SCALE 1:24 000



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

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

27-07451
27-07452

IDAHO
QUADRANGLE LOCATION
MICROFILMED
FEB 24 1997

Primary high
hard surface.
Secondary high
hard surface.
Inter

STATE OF IDAHO
ENOCH VALLEY MINE

15/2



DOMESTIC/
INDUSTRIAL
PLACE OF
USE



POINT OF
DIRECTION
WELL

MICROFILMED
FEB 24 1997

27-07451

STATE OF IDAHO
ENOCH VALLEY MINE

2012



PRESSURE
TANKS
INSIDE OF
MAIN SHOP
BUILDING.
INDUSTRIAL
PLACE OF
USE

MICROFILMED
FEB 24 1997

27-07451

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

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

MICROFILMED

DEC 18 1989



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DE LOG HWJ
11-13-98

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): Randall C. Budge, Attorney for Date 11/10/98
P4 Products, 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

MICROFILMED

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

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07451

Priority: January 6, 1989

Maximum Diversion Rate:

0.10 CFS

Maximum Diversion Volume:

5.4 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 0.230 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>
INDUSTRIAL	01/01 to 12/31	0.08 CFS	4.8 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.10 CFS	5.4 AF

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

06S 43E 21

SWSE

PLACE OF USE:

DOMESTIC, same as INDUSTRIAL use

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.

RECORDED

FEB 11 1987

State of Idaho
Department of Water Resources

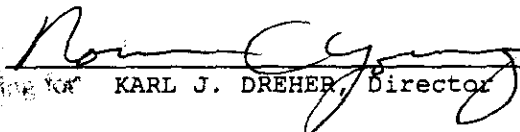
WATER RIGHT LICENSE

WATER RIGHT NO. 27-07451

CONDITIONS OF APPROVAL AND REMARKS

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. Industrial use is for steam cleaning and washing mine equipment.
8. Domestic use is for an office.

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 24TH day of JANUARY, 1997.


KARL J. DREHER, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 27-07451)
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, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

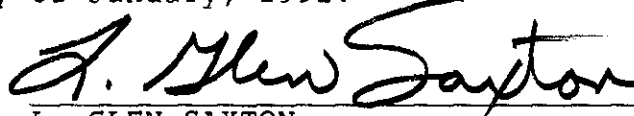
WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

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. 27-07451 be REINSTATED with an advance in priority to January 6, 1989.

Dated this 7th day of January, 1992.

JAN 15 1992


L. GLEN SAXTON
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED

JAN - 2 1992

Department of Water Resources
Eastern District Office

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 27-07451 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: 6/01/90

b. Pump horsepower: 10 HP Pressure (psi): _____ Dynamic pumping level (ft.): 170 ft

5. Extent of Use:

Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other Domestic use by commercial
firm at shop and office facilities (Monsanto Corp. Enoch Valley Mine)

6. Total rate and/or volume for which proof is submitted 0.1 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: \$ 50.00 (See License Examination Fee Schedule)

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

David W. Farnsworth, Monsanto Chemical Co. (208) 547-3391

Name

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 L. Brown Sr. Resource Mgr. - IDL
Signature (and title if on behalf of a company or organization)

RECEIVED
JAN 15 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 27-07451

Proposed Priority: January 5, 1989 Maximum Diversion Rate: 0.10 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>
INDUSTRIAL	01/01 to 12/31	0.08 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSE Sec. 21, Township 06S, Range 43E
CARIBOU County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

06S 43E 21 SWSE

PLACE OF USE: DOMESTIC, same as INDUSTRIAL use

CONDITIONS/REMARKS:

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.
4. 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.
5. 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.
6. 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.
7. Commercial use is for washing equipment and use on blast hole drills and diamond drills.

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DEC 18 1989

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07451

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

14th day of December, 1989.

J. Glen Saxton

for R. Keith Higginson, Director

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1989

State of Idaho

Department of Water Resources

Dep. _____
Eastern District Office

ASSIGNMENT OF PERMIT

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

All my right, title, and interest in and to Permit No. 27-7451
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.

Ariel W. Jamison 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

MICROFILMED

DEC 16 1989

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 (208) 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 _____ $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, 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 .02 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .08 for Industrial purposes from Jan 1 to Dec 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)
5. Total quantity to be appropriated is (a) .1 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well and pump
 - 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 6" inches; proposed depth of well is 250' 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
.02 years (minimum 1 year).

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DEC 18 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. 02 Domestic

08 Commercial; Shop use, washing equipment, use in conjunction with a blast hole drill and diamond drills during the winter months.

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.	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	
6S	43E	21																D/I	

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? the state of Idaho

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. state easement 5353

12. Remarks: _____

MICROFILMED

DEC 18 1989

[illegible]

RECEIVED

DEC 18 1989

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. Fauson
(Applicant)

Mining Supervisor

1-5-89

Received by CL Date 12-8-88 Time 3:00 pm Preliminary check by DMD
Fee \$ 30.00 Received by RB # E00-5614 Date 1-26-89
Publication prepared by RB Date 2-08-89 Published in Caribou Co. Sun
Publication approved 2a Date 3-8-89

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:

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DEC 18 1989

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

MICROFILMED

DEC 18 1989

STATE OF IDAHO EASEMENT

NO. 5353

RECORDED

DEC 5 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)**"

Willard L. ...

DEC 18 1988

Page 1 of 10

STATE OF IDAHO }
County of Caribou }

88 133123

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

Mary 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

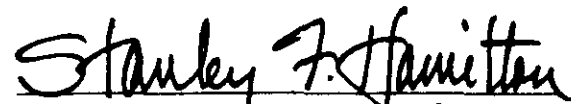


Governor of the State of Idaho and
President of the State Board of Land
Commissioners

Countersigned:


Secretary of State




Director, Department of Lands



NOTED

0010

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 DMS ^{9 Dec 1988} which is a tributary of ~~Blackfoot River~~ Drainage ^{9 Dec 1988}
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ 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 .02 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .08 for Industrial purposes from Jan. 1 to Dec. 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)
5. Total quantity to be appropriated:
a. .1 cubic feet per second and/or b. _____ acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well and Pump

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 6 inches; proposed depth of well is 250 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: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township T6S
Range 43E 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 if not to be supplied with domestic water _____
DEC 18 1989
(5) If water is to be used for other purposes describe: .02 Domestic
.08 Commercial, Shop Use, Wash Equ.; also for use on blasthole drill and diamond
drills during winter months.

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated None

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion State of Idaho

b. Who owns the land to be irrigated or place of use State of Idaho

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing State Easement #5353

10. Remarks

MICROFILMED
DEC 18 1989

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

21
State Easement
#5353

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 18 1989

Daniel W. Jansworth
(Applicant)

Received by FW Date 12-8-88 Time 3:00 p.
Preliminary check by DMA Fee \$ 5
Receipted by _____ Date _____
Publication prepared by GB 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

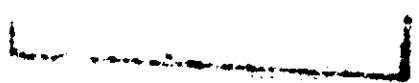
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

MICROFILMED
DEC 18 1989



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,
SESW, 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.

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

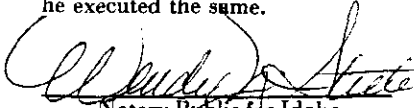
February, 1989

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:

March 11, 1994

MICROFILMED

DEC 18 1989



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 27, 1997

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 83720

RE: WATER RIGHT NO. 27-07451

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

LICENSE REVIEW CHECKLIST

PERMIT NO. 27-07451

DATE 1/21/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.10</u> cfs
Fee limit	<u>.20</u> cfs <u>\$5000</u>
Measured	<u>—</u> cfs
Theoretical	<u>.23</u> cfs

NO GOVT LOTS

Recommended Total Div Rate .10 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use ✓

<u>Indust.</u>	<u>4.8</u> af
<u>Dom</u>	<u>.6 (in house)</u> af
<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u> af
SUBTOTAL	<u>5.4</u> af

Flow rate .10 cfs X 365 days X 1.98 = 72.3 af

Total volume recommended 5.4 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1/ Steam cleaning & washing
mine equip.
Office

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

— Overlap

— Use-specific conditions 048,049

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA

1st Amend Letter NA

Adjustment Memo —

2nd Amend Letter NA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 13 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 27-07451

1. Owner: STATE OF IDAHO (DEPT. OF LANDS) Phone No. (208) 334-0200

Current Address: STATEHOUSE, BOISE, IDAHO 83720

2. Accompanied by: RAY PETRUN EXAM DATE: 8/10/95

Address: P.O. Box 816, SODA SPRINGS, ID 83276 Phone No. (208) 547-4300
Ext. 341

Relationship to Permit Holder: SENIOR GEOLOGIST

3. Source: GROUND WATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SW	SE	21	6S	43E	CARIBOU	U.S.G.S. TOPO MAP

2. Place(s) of Use:

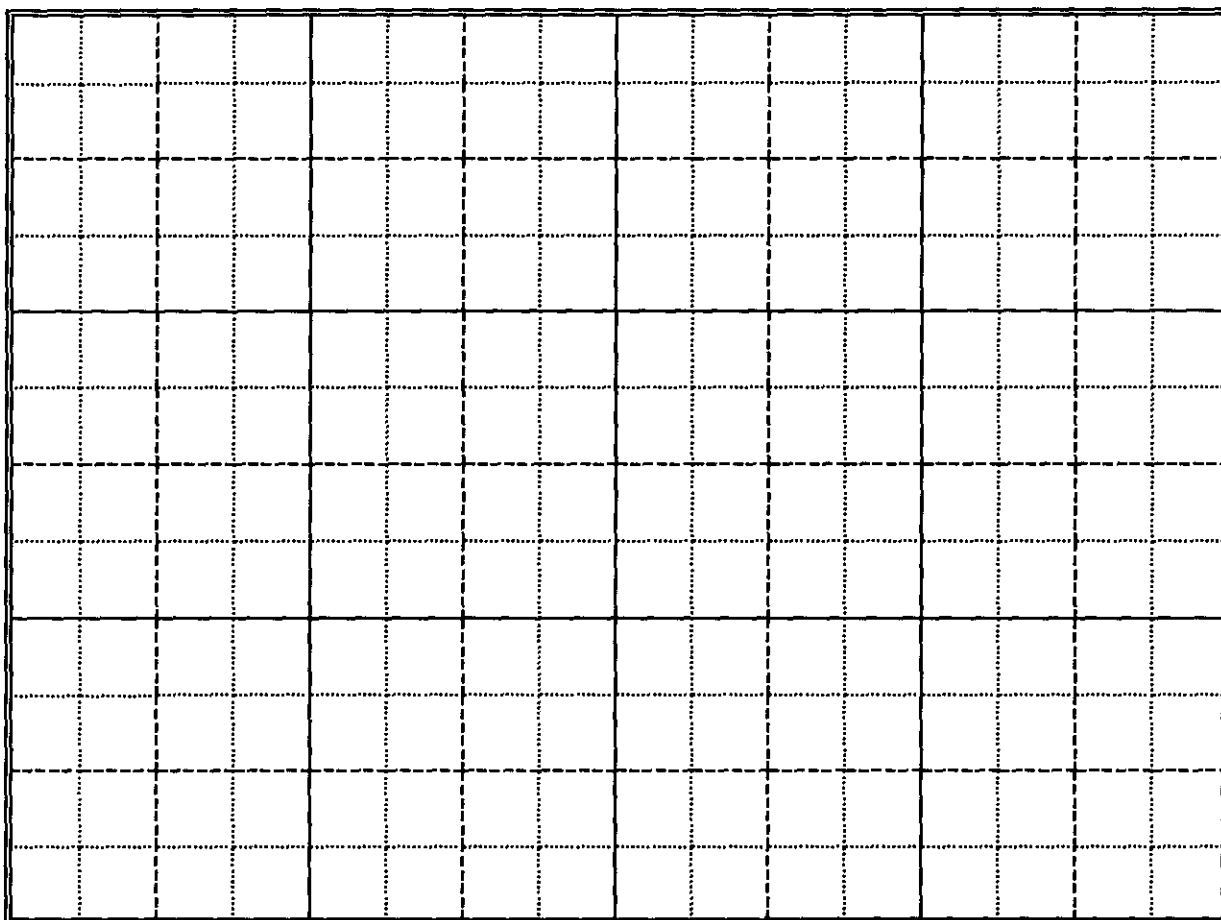
Indicate Method of Determination ON SITE INSPECTION

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	43E	21															D/L		
				</															

UNRECORDED

1995

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. *SEE PHOTOS + 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
<i>OFFICE</i>	<i>GRUNDFOS</i>	<i>10</i>	<i>90185</i>	<i>SUBMERSIBLE</i>	<i>2"</i>

*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: *PRESSURE GAGE AT PRESSURE TANKS IN SHOP REGISTERED*
47 PSI.

10/1/10

401-1-80

E. NARRATIVE/REMARKS/COMMENTS

WATER IS PUMPED FROM WELL VIA A 10 HP SUBMERSIBLE
PUMP TO A BURIED MANIFOLD WHICH SPLITS THE SUPPLY,
PART BEING DELIVERED TO THE SHOP AND PART GOING TO
THE OFFICE.

OFFICE IS DOMESTIC USE
SHOP IS FOR STEAM CLEANING AND WASHING OF MINE EQUIPMENT.

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

NOTED
FEB 14 1967

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

$$Q = 0.23 \text{ CFS}$$

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:

DOMESTIC USE .02 CFS 0.6 AFA

INDUSTRIAL - ASSUME 0.08 CFS AT 2 HRS/DAY 365 DAYS/YR.

$$0.08 \times 448.8 = 35.904 \text{ PM} \times 120 \text{ MIN} = 4,308.48 \text{ P2HRS} \times 365 = 1,572,595.20 \text{ C PY}$$
$$\underline{325,850 \text{ GLS/AF}}$$

H. RECOMMENDATIONS

* PERMIT LIMITS TO 0.10 CFS = 4.8 AFA

1. Recommended Amounts

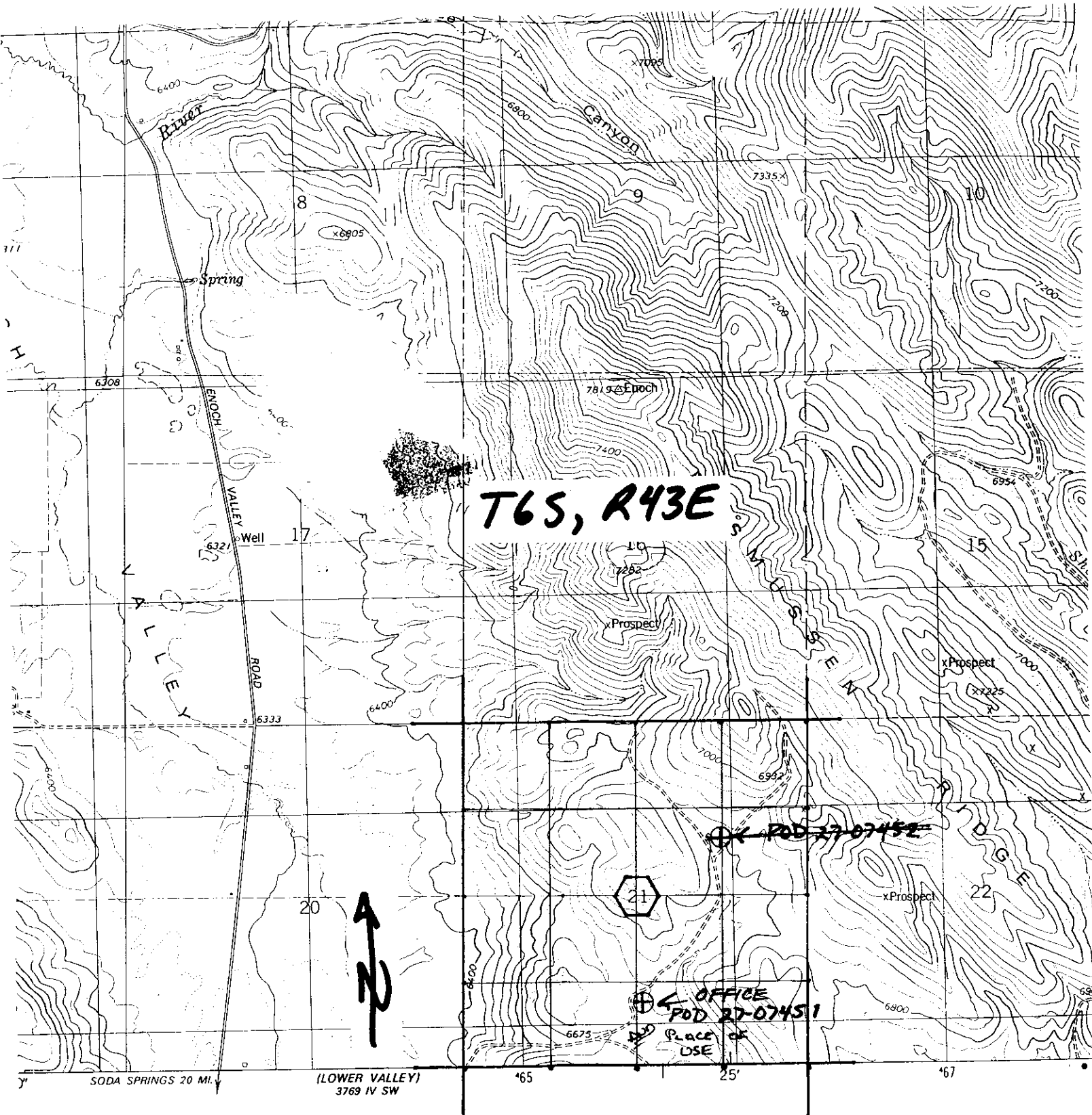
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
INDUSTRIAL	1/1	12/31	0.08	4.8
DOMESTIC	1/1	12/31	0.02	0.6
Totals:			0.10 CFS	5.4 AFA

2. Recommended Amendments

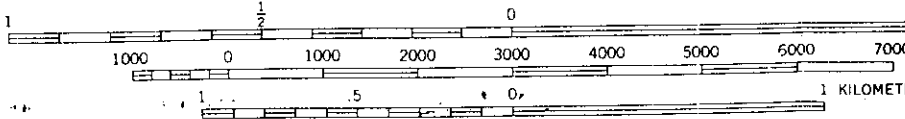
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

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

SEAL



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
 Inter



QUADRANGLE LOCATION

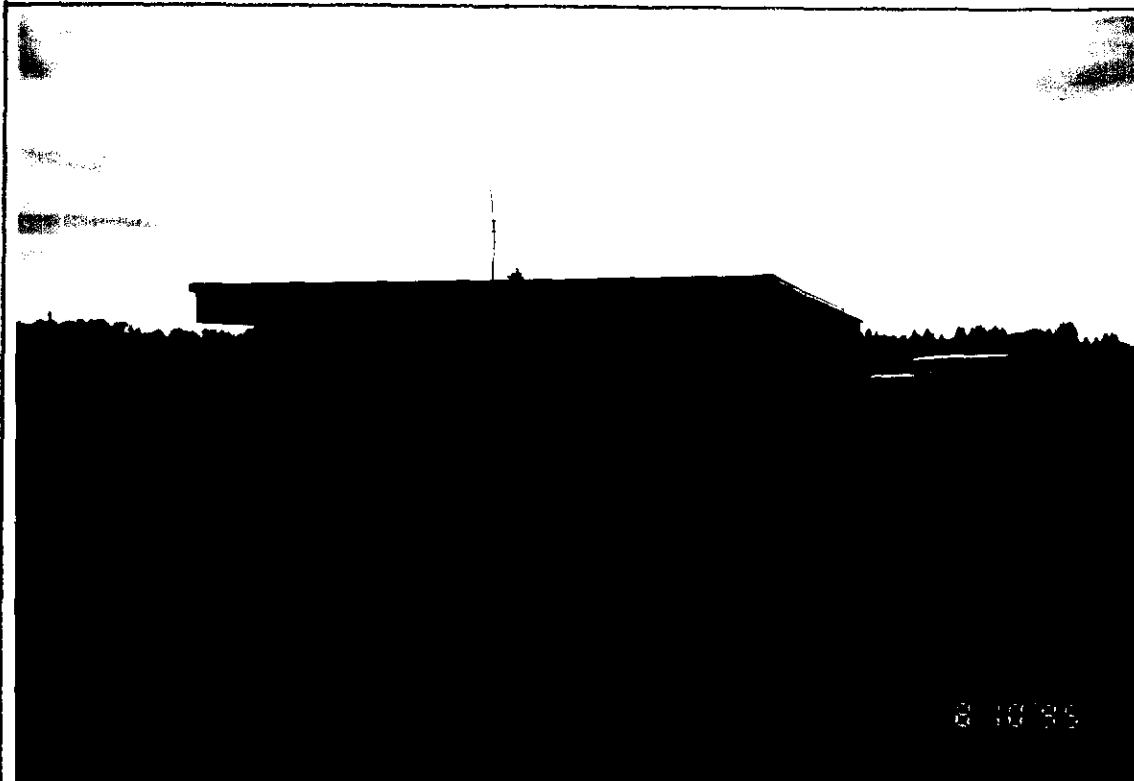
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

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

STATE OF IDAHO
ENOCH VALLEY MINE

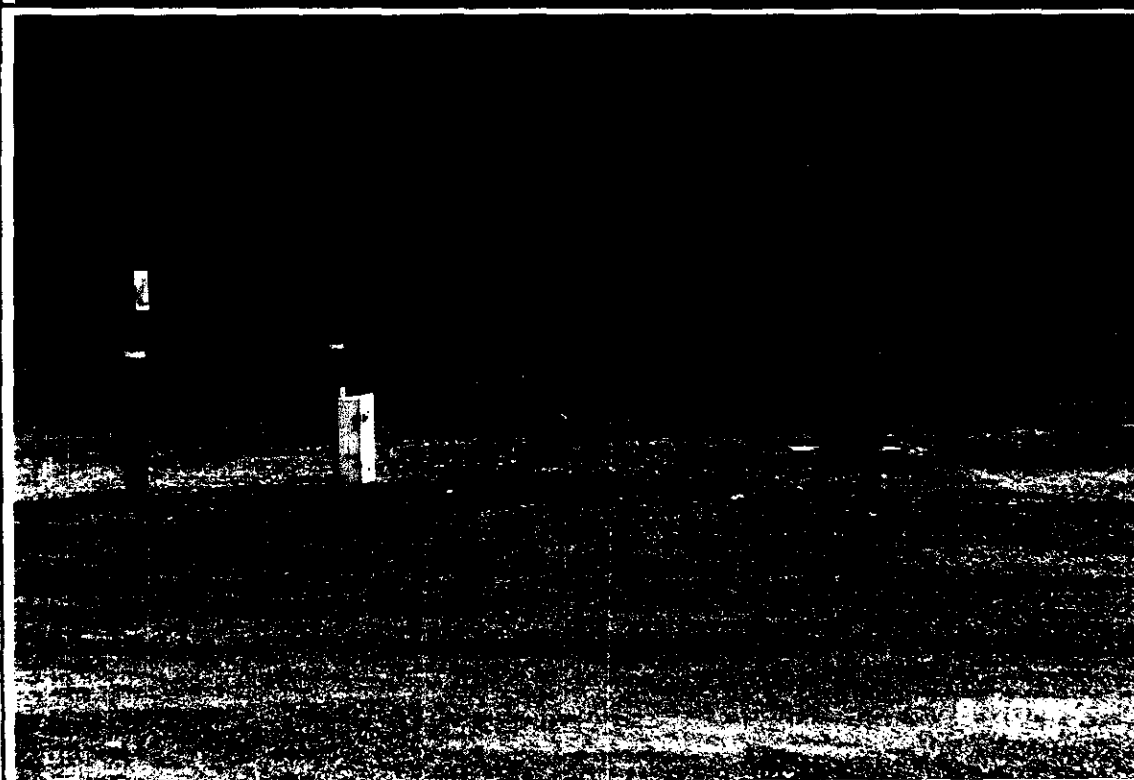
15/2

DOMESTIC /
INDUSTRIAL
PLACE OF
USE



8 10 86

POINT OF
DIVERSION
WELL



27-07451

STATE OF IDAHO
ENOCH VALLEY MINE

2012

58.01 8

PRESSURE
TANKS
INSIDE OF
MAIN SHOP
BUILDING.
INDUSTRIAL
PLACE OF
USE

27-07451

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

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

$$Hp = \text{Horsepower} = \underline{10}$$

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

$$\text{Lift: (Static Level + Assumed Drawdown)}$$

$$\text{Static Water Level} = \underline{137} \text{ ft. well log}$$

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

$$\text{Lift} = \underline{157}$$

OR

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

$$psi = \text{Operating Pressure} = \underline{47} \text{ psi}$$

$$Q_{cfs} = \left[\frac{10}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{157}{Lift} + \left(\frac{47}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{66.698} \right] \div \left[\underline{265.48} \right]$$

$$Q_{cfs} = \underline{0.23} \text{ cfs} \checkmark$$

27-07451

To Dravo S.S.
Box 975
Soda Springs, Id. 83274

Date
 8-14-90

Terms Net 20

Please detach and return upper portion with your remittance. \$ 8445.51

Shop + Office well					
Grundfos 10 HP 80 GPM Sub pump	2950	-			
NO 9018S Type 80S100-10 Motor L89					
G89381E Date L89S HP 10 KW 7.5 HZ 60					
Voltage 460 PH 3					
3" CR Valve 103.40 3" Sleeve 25.14			128	54	
221 ft. 3" US galv. drop pipe		613	1354	73	

27-07451

January 8, 1992

STATE OF IDAHO
DEPT. OF LANDS
STATEHOUSE
BOISE ID 83720

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07451

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

RECEIVED
JAN 15 1992

Permit No. 27-07451 Reviewed by llg Date 1/6/92

Yes Name same as permit?
Yes Address same as permit?
AD Proof timely received? If not, complete calculation below.

Surface water source _____
✓ Ground water source _____
yes Drilling permit required? _____
yes Copy in the file? Drilling Permit No. 27-90-E-023
no Amount paid for permit no Correct? _____
yes Well log in the file? OK per Mark

405 Required?
50 Amount Submitted
40.5 Correct?

 N/A 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>1/5/84</u>	+	<u>5</u>
New Priority Date	<u>1/6/89</u>		<u>6</u>

Proof acceptable

Proof Made 2/12

9/89

Drilling Permit No. 27-90-E-023

Water Right Permit No. _____

Injection Permit No. _____

5-24-90 DWR IF

RECEIVED

MAY 28 1990

State of Idaho
Department of Water Resources

DRILLING PERMIT

Department of Water Resources
Eastern District Office

1. Applicant MONSANTO Co.
2. Mailing Address BOX 816
Soda Springs, Id. 83276 Telephone 547-3391
(X) Well Owner () Well Operator () Other, specify _____
3. Proposed well location SW 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 21, Twp. 6S, Rge. 43E, County Caribou,
Street Address of Well Site Enoch Valley,
Lot, block and subdivision _____
4. Proposed use of well:
() Single family or stockwater use (less than 13,000 gallons per day)
() Irrigation (more than 1/2 acre)
() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
(X) Other (describe fully) SHOP + OFFICE (DOMESTIC)
5. Well construction information:
 - A. (X) New well () Deepen () Replace - See Condition 9.
 - B. Proposed surface diameter 10" Maximum depth 3 ft
 - C. 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)
6. Construction Start Date 5-24-90
7. Anticipated Well Driller Nelson Drilling
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Ray Nelson Date 5-24-90
Title Owner
(Owner, Firm Representative, Other)

JAN 15 1992

ACTION OF DEPARTMENT OF WATER RESOURCES

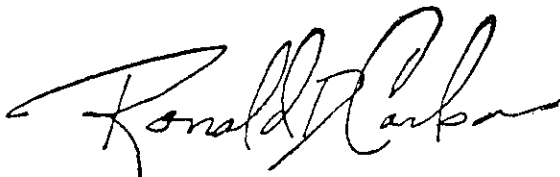
This Permit is APPROVED Date 6-4-90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

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 the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
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. Approval 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.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:



Signature of Authorized Department Representative

EASTERN REGIONAL MANAGER
Title

Receipt No. EO14238 Received by RB Fee \$10.00 Date 6-4-90

EXTENSION OF DRILLING PERMIT

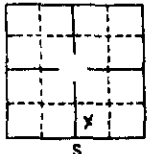
Extension approved by _____ Approval Date JAN 15 1992

This extension is good for 60 days beyond the above extension approval date.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

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.

1. WELL OWNER Name <u>Edward Sada Springs, Monticello</u> Address <u>Sada Springs, Id. 83276</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>137</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>50</u> °F. Quality <u>Good</u> Describe artesian or temperature zones below: _____																																																																
2. NATURE OF WORK <u>Drill Permit 27-90-E-023</u> ☒ New well ☐ Deepened ☐ Replacement Well diameter increase _____ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☒ Air ☐ Other _____ <table border="1"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td><u>300</u></td> <td><u>175</u></td> <td><u>8</u></td> </tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>300</u>	<u>175</u>	<u>8</u>																																																										
Discharge G.P.M.	Pumping Level	Hours Pumped																																																															
<u>300</u>	<u>175</u>	<u>8</u>																																																															
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type) _____	9. LITHOLOGIC LOG <table border="1"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>20"</td> <td>0</td> <td>11</td> <td>Fill</td> <td></td> <td>X</td> </tr> <tr> <td>"</td> <td>11</td> <td>20</td> <td>Clay</td> <td></td> <td>X</td> </tr> <tr> <td>15"</td> <td>20</td> <td>76</td> <td>"</td> <td></td> <td>X</td> </tr> <tr> <td>"</td> <td>76</td> <td>108</td> <td>" + Rock</td> <td></td> <td>X</td> </tr> <tr> <td>"</td> <td>108</td> <td>189</td> <td>"</td> <td></td> <td>X</td> </tr> <tr> <td>"</td> <td>189</td> <td>217</td> <td>BROKEN ROCK - MAJOR BASALT</td> <td>X</td> <td></td> </tr> <tr> <td>"</td> <td>217</td> <td>230</td> <td>Hard Rock</td> <td>X</td> <td></td> </tr> <tr> <td>"</td> <td>230</td> <td>234</td> <td>BROKEN ROCK</td> <td>X</td> <td></td> </tr> <tr> <td>9 7/8"</td> <td>234</td> <td>255</td> <td>Hard Rock</td> <td>X</td> <td></td> </tr> </tbody> </table>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	20"	0	11	Fill		X	"	11	20	Clay		X	15"	20	76	"		X	"	76	108	" + Rock		X	"	108	189	"		X	"	189	217	BROKEN ROCK - MAJOR BASALT	X		"	217	230	Hard Rock	X		"	230	234	BROKEN ROCK	X		9 7/8"	234	255	Hard Rock	X	
Bore Diam.	Depth		Material	Water																																																													
	From	To		Yes	No																																																												
20"	0	11	Fill		X																																																												
"	11	20	Clay		X																																																												
15"	20	76	"		X																																																												
"	76	108	" + Rock		X																																																												
"	108	189	"		X																																																												
"	189	217	BROKEN ROCK - MAJOR BASALT	X																																																													
"	217	230	Hard Rock	X																																																													
"	230	234	BROKEN ROCK	X																																																													
9 7/8"	234	255	Hard Rock	X																																																													
5. WELL CONSTRUCTION Casing schedule: ☐ Steel ☒ Concrete ☐ Other _____ <table border="1"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>2.50</u> inches</td> <td><u>14</u> inches</td> <td><u>1</u> feet</td> <td><u>20</u> feet</td> </tr> <tr> <td><u>2.50</u> inches</td> <td><u>10</u> inches</td> <td><u>2</u> feet</td> <td><u>235</u> 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>7/8</u> inches by <u>12</u> inches <table border="1"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>120</u> perforations</td> <td><u>175</u> feet</td> <td><u>235</u> 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 packer? ☒ Yes ☐ No ☐ Size of gravel <u>3/8"</u> Placed from <u>235</u> feet to <u>35 (top)</u> feet Surface seal depth <u>20</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☒ _____ 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>	Thickness	Diameter	From	To	<u>2.50</u> inches	<u>14</u> inches	<u>1</u> feet	<u>20</u> feet	<u>2.50</u> inches	<u>10</u> inches	<u>2</u> feet	<u>235</u> feet	Number	From	To	<u>120</u> perforations	<u>175</u> feet	<u>235</u> feet	10. Work started <u>5-21-90</u> finished <u>6-1-90</u>																																														
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Number	From	To																																																															
<u>120</u> perforations	<u>175</u> feet	<u>235</u> feet																																																															
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County _____ <u>SW</u> 1/4 <u>SE</u> 1/4 Sec. <u>21</u> , T. <u>4</u> N. R. <u>43</u> E.	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</u> Firm No. <u>215</u> Address <u>Sada Springs</u> Date <u>6-16-90</u> Signed by (Firm Official) <u>R. Nelson</u> and (Operator) <u>R. Nelson</u>																																																																

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

January 6, 1992

STATE OF IDAHO
DEPT. OF LANDS
STATEHOUSE
BOISE ID 83720

LAPSE NOTICE

RE: PERMIT NO. 27-07451

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated October 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 1/6/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

JAN 11 1992

KLG

138133

October 31, 1991

STATE OF IDAHO
DEPT. OF LANDS
STATEHOUSE
BOISE ID 83720

PROOF DUE NOTICE

RE: PERMIT NO. 27-07451

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

1

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 15, 1989

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

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P27-07451

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.

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DEC 18 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

MICROFILM

DEC 18 1969

Form No. 202a
'87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

277451

INITIAL REVIEW BY Dennis J. Davis DATE 12 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
- 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 In 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.

☒ Yes ☐ No Publication dates & paper, recorded on application
☒ Yes ☐ No Protests received *Withdrawn*
Final date for protest *3-6-89*
☒ 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-P25*
☐ Yes ☒ No Special conditions of approval or cover letter below.

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

STATE OFFICE REVIEW *P05, P23* *P17* *46* *48* *49* *26*
☐ See below for additional information
By *kw* 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

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DEC 18 1989



IDAHO DEPARTMENT OF LANDS

EASTERN IDAHO AREA
3563 RIRIE HIGHWAY
IDAHO FALLS, IDAHO 83401

Telephone 208 523-5398

October 4, 1989

STANLEY F. HAMILTON
DIRECTOR

OCT 5 1989

Department of Water Resources
Eastern District Office

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Attorney General

JOE R. WILLIAMS
State Auditor

JERRY L. EVANS
Supt of Public
Instruction

Mr. Harold W. Jones
Idaho Department of Water Resources
150 Shoup avenue, Suite 15
Idaho Falls, Idaho 83401

Re: Application for Permit #'s 27-7451 and 27-7452

Dear Harold:

Please find enclosed a copy of an amendment to Easement #5353 issued to Monsanto Chemical Company. The amendment deals with water rights on the easement -- more specifically the above captioned applications.

Thanks for your patience and help in this.

Sincerely,


Patrick A. Brown
Resource Manager

PAB/sak

Enclosures

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DEC 18 1989

STANLEY F. HAMILTON
DIRECTOR

OCT 5
Department of Water Resources
Eastern District Office

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Secretary of State
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Attorney General
J.D. WILLIAMS
State Auditor
JERRY L. EVANS
Sup't. of Public
Instruction

September 29, 1989

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

SUBJECT: Amendment to State of Idaho Easement No. 5353
(Section 21, Township 6 South, Range 43 East, B.M.)

Dear Mr. Farnsworth:

Enclosed is the executed subject amendment outlining the
procedures for obtaining the water rights in conjunction with
State of Idaho Easement No. 5353.

Thank you for your continued cooperation.

Sincerely yours,

Donald F. McNarie

Donald F. McNarie
Real Estate Specialist
Bureau of Real Estate

DFM:dg

Enclosure

cc: AS-EI

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DEC 18 1989

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OCT 2 1989

Department of Lands
Idaho State Capitol

OCT 5 1989

Department of Water Resources
Eastern District Office

AMENDMENT TO
STATE OF IDAHO
EASEMENT NO. 5353

THIS AMENDMENT is made this 29th day of September, 1989 by and between the STATE OF IDAHO, acting by and through the State Board of Land Commissioners (hereinafter State), and MONSANTO COMPANY, a Delaware Corporation (hereinafter Monsanto),

WITNESSETH

WHEREAS, State and Monsanto entered into that certain easement (State of Idaho Easement No. 5353) dated November 10, 1987 (hereinafter Easement) for the purpose of setting forth the terms and conditions under which Monsanto can mine phosphate deposits lying in and under a parcel of public school endowment land owned by the State, and

WHEREAS, the parties desire to amend the Easement to clarify the procedures for managing water rights on the property.

NOW, THEREFORE, State and Monsanto mutually agree to add the following terms to the Easement:

1. Water Right Application Permit No. 27-07451 and 27-07452 for appropriation of water from wells on the property included in the Easement have been filed in Monsanto's name and, upon execution of this Amendment, will be transferred to the State of Idaho.
2. In consideration of the mutual covenants herein contained, the State of Idaho grants to Monsanto the exclusive right to make use of all waters appropriated under said permits during the term of the Easement.
3. All necessary water right filing fees will be paid by Monsanto, and Monsanto will maintain the permits so long as it intends to make use of the same.
4. Upon completion of use of the wells by Monsanto, all pumping and associated equipment shall be removed and the well casings shall be left in place and shall be sealed with a welded cap. The State of Idaho will be solely responsible for such permits thereafter.
5. Upon relinquishment, abandonment, or cancellation of the Easement in accordance with the terms thereof, ownership of the wells will revert to the State.

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DEC 18 1989

IN WITNESS WHEREOF, the parties hereto have executed this Amendment
the day and year first above written.

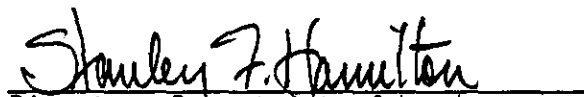
STATE BOARD OF LAND COMMISSIONERS

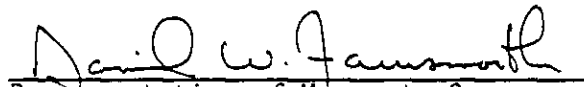

Governor of the State of Idaho
and President of the State Board
of Land Commissioners

Countersigned:


Secretary of State




Director, Department of Lands


Representative of Monsanto Company

Mining Superintendent
Title

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DEC 18 1989

Amendment to
State of Idaho Easement No. 5353
Page 3 of 3

STATE OF IDAHO)
)
COUNTY OF ADA) ss.

On this 29th day of September, 1989,
before me, a Notary Public in and for said State, personally
appeared CECIL D. ANDRUS, known to me to be the Governor of the
State of Idaho and President of the State Board of Land
Commissioners; PETE T. CENARRUSA, known to me to be the Secretary
of State of the State of Idaho; and STANLEY F. HAMILTON, known to
me to be the Director of the Department of Lands of the State of
Idaho, that executed the said instrument and acknowledged to me
that such State of Idaho and State Board of Land Commissioners
executed same.

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


JOHN B. BROGAN, Notary Public
residing at Idaho City, Idaho

My Commission expires 8-25-1992.

* * * * *

STATE OF IDAHO)
)
COUNTY OF Caribou) ss.

On this 31st day of August, 1989, before me,
the undersigned, a Notary Public in and for said State,
personally appeared David W. Fernsworth known to me to the
Representative Mining Supt. of Monsanto Company, a Delaware
corporation, that executed the above instrument on behalf of said
corporation and acknowledged to me that said corporation executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year in this certificate first above
written.

FILED

DEC 18 1989


Notary Public for Idaho
Residing at Idaho City
My commission expires 8/22/92

Monsanto

DETERGENTS/PHOSPHATES DIVISION

MONSANTO CHEMICALS CO.
P. O. Box 816
Soda Springs, Idaho 83276
Phone: (208) 547-3391

107-153

Dept. of Water Resources
Eastern District Office

September 28, 1989

Mr. Harold W. Jones
Idaho Dept. of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83401

Dear Mr. Jones:

Attached are the signed assignment documents for Permit Numbers 27-7451 and 27-7452. Your prompt issuance of these permits will be appreciated. Also, please let me know when we can begin drilling as we need water for dust control immediately.

Your patience and assistance with this matter is appreciated.

Sincerely,



David W. Farnsworth
Mining Superintendent

c.c. Patrick Brown - Dept. of Lands
w/o enc.

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DEC 18 1989

a unit of Monsanto Company

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

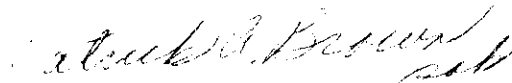
Dear Mr. Jones:

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

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Department of Water Resources
Eastern District Office

**KEEP IDAHO GREEN
PREVENT WILDFIRE**

Withdrawn

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

MICROFILMED

DEC 18 1989

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

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DEC 18 1989

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):

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2. Is the proposed water supply insufficient for the purpose intended?
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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?

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DEC 18 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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FILMED

DEC 18 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

RECEIVED

FEB 21 1989

Department of Water Resources
Eastern District Office

**BOARD OF LAND
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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: 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,

Pat Brown
Patrick A. Brown
Resource Manager

MICROFILMED

DEC 18 1989

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

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Governor

PETE T. CENARRUSA
Secretary of State

JIM JONES
Attorney General

JOE R. WILLIAMS
State Auditor

JERRY L. EVANS
Supt 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

RECEIVED

DEC 18 1989

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. 27-07451

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

RECEIVED

DEC 18 1989

February 13, 1989

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

Application for Permit No. 27-07451

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. 27-07451. 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

MICROFILMED

DEC 18 1989

STATE OF IDAHO
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.

MICROFILMED

DEC 18 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

REFILMED

DEC 18 1989

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

First Time Published

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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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

FILED

JAN 18 1989

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 2/15/1989 & 2/22/1989

FILED

FEB 1989

Monsanto

DETERGENTS/PHOSPHATES DIVISION

MONSANTO CHEMICALS CO.

P. O. Box 816

Soda Springs, Idaho 83276

Phone: (208) 547-3391

January 3, 1989

RECEIVED

JAN 6 1989

Department of Water Resources
Eastern District Office

Mr. Dennis Dunn
Water Resource Agent
Idaho Dept. of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83401

Dear Mr. Dunn:

Attached are the two "Application for Permit" which you sent me. I've added State Lease I-8379, the outline of Easement #5353, and corrected the description of Federal Lease ID-015122. Both applications are also signed.

I appreciate your assistance with this matter.

Sincerely,

David W. Farnsworth

David W. Farnsworth
Mining Superintendent

DWF:ls

Attach.

RECEIVED

DEC 18 1989

