

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 788.

THIS IS TO CERTIFY That DR. EVAN M. KACKLEY, of Boise, Idaho, is the owner of and using a certain water right in the amount of Two-tenths (0.2) cubic foot per second of the waters of Soda Creek with priority of May 1, 1910, and One-tenth (0.1) cubic foot per second of the waters of Soda Creek with priority of February 10, 1881, decreed to W. M. Chester and Landi C. Eastman, respectively, by Judge Frank S. Dietrich of the District Court of the United States for the District of Idaho, Eastern Division, in the case of

UTAH POWER & LIGHT COMPANY, et al

Plaintiffs,

vs.

LAST CHANCE CANAL COMPANY, et al

Defendants.

said decree bearing date of July 14, 1920, and being appurtenant to the following described lands to-wit:

Fr. SE $\frac{1}{4}$ Section 6, Township 9 South,
Range 42 East, B.M., and Lots 4, 5, 6,
& 7, of Block 52, City of Soda Springs, Idaho.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 4 of Decrees, beginning at Page 502 thereof.

That said Dr. Evan M. Kackley has become the owner of said water right through purchase.

And that now, upon the application of Dr. Evan M. Kackley of Boise, Idaho, for the transfer of Three-tenths (0.3) cubic foot per second of the waters of Soda Creek, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of Three-tenths (0.3) cubic foot per second of the waters of Soda Creek upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water right hereby confirmed shall become appurtenant, by this certificate, for irrigation and domestic purposes, are described as follows, to-wit:

Lots 3, 4, 5, and 6, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 6, Township 9 South, Range 42 E.B.M.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

11-0449 - 0.2 cubic foot per second with priority of
May 1, 1910.
11-0450 - 0.1 cubic foot per second with priority of
February 10, 1881.

That the water right hereby transferred has heretofore been conducted from Soda Creek to the first above described lands through the Town (or Lau) Ditch, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, Township 8 South, Range 41 East, B.M.

That the water right hereby transferred will hereafter be conducted to the last above described lands through the same ditch and with the same point of diversion.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 28th day of March, 1952.

MARK R. KULP
State Reclamation Engineer

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

In the Matter of the Application of)
)
Dr. Evan M. Kackley of)
Boise, Idaho)
)
For a Transfer of Water Right, in Water)
District No. 5-E, Caribou County, Idaho.)

ORDER GRANTING TRANSFER
No. 788

WHEREAS, On the 8th day of February, 1952, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of DR. EVAN M. KACKLEY, of Boise, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest was filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 20th day of March, 1952.

MARK R. KULP
State Reclamation Engineer

In Equity No. 203

**In the District Court of the United States
for the District of Idaho, Eastern Division**

UTAH POWER & LIGHT COMPANY, a Corporation, *Plaintiff,*

vs.

The Last Chance Canal Company, Limited; The Tanner Canal Company, Limited; The Central Canal Company, The North Extension Canal Company, Limited; West Branch Canal Company, Limited; The Turner Canal Company, Limited; The East Branch Canal Company, The Bench Canal, and Budge Land & Live Stock Company, Limited, corporations; W. H. Larkins, Jas. Ellsmore, Geo. Hogan, Lewis S. Pond and Alex Harris as Trustees of the Gentile Valley Irrigation Company, Limited, late a corporation; The Thatcher Irrigation Company, Limited, a corporation; Nathan D. Thatcher, J. A. Folkman, Milton Robbins and Geo. M. Smith, as Trustees of Thatcher Canal & Power Company, Limited, late a corporation; Nelson Ditch Company, a corporation; A. J. Nielson, B. R. Meek, Henry McCuen, C. S. Burton and Eli Fosgreen, as Trustees of Riverdale-Preston Irrigation Company, late a corporation; The Riverdale Irrigating Company, Nielson-Meek Company and West Cache Irrigation Company, corporations; E. P. Johnson, Albert Johnson, Hyrum Johnson, Geo. D. Anderson, Joseph T. Pond, Frank W. Harris, A. C. Bosen, Hyrum J. Smith, John E. Hill, Melvin Green, Robert L. Smith, Charles Westerburg, Peter Westerburg and David P. Evans.

Horace Howard, Henry Rhinehart, Harvey W. Higley, James Monroe (or Munro), Nellie Simmons, John Baird, William Monroe (or Munro), Orrin Monroe (or Munro), Charles Monroe (or Munro), Charles Foster, Hyrum Foster, Mary Baird, John Woodall (or J. D. Woodall), George Ellis, Skinner Irrigation Company, a corporation; Heber Crane, Fred Bartschi, Charles Bartschi, David Chugg, Phillip Chugg, Fred Stauffer, William Williams, Sr. (or William Morgan Williams), William Williams, Jr. (or William Mormon Williams), Oliver Williams, E. M. Lindsay, Georgetown Irrigation Company, a corporation, and Thomas Freeman.

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

Lau Ditch, diverting from Soda Creek in the Northeast quarter of the Southeast quarter of Section 36, Township 8 South, Range 41 East, B.M. The following named parties are entitled to divert from the said ditch with priorities and in the amounts hereinbelow set forth:

143. Wm. Chester: 1910—May 1 0.2 c.f.s. For the irrigation of 8 acres in the Southeast quarter of Section 6, Township 9 South, Range 42 East. Said water may be diverted through either the Lau ditch or the Town ditch hereinbelow described.

11-0450 1881 Feb. 10.

The several persons hereinafter named are collectively entitled to the use of 4.0 c.f.s. of water from the said Soda Creek to be diverted through the said Lau ditch for the irrigation of 201.2 acres of lots and parts of lots situated in the platted portions of the Village of Soda Springs, Caribou County, Idaho, the individual right of each said person in the use of 4.0 c.f.s. of water awarded, being such proportionate part thereof as the total acreage of the lots and parts of lots owned and irrigated by such individual is to 201.2. The names of the respective persons, description of lots and parts of lots owned and irrigated by each said persons respectively, being as follows:

144. D. A. Anderson	All Block 13	10.0 acres
145. George Albrecht	Lot 8 of Block 19	1.25 acres
146. Minnie O. Blackburn	Lot 4 of Block 36	1.25 acres
147. Margaret F. Cully	Half of Lot 4, Block 19	0.625 acres
148. Elizabeth Dorrien	Lot 3 of Block 36	1.25 acres
149. W. M. Davis	Half of Lot 6, Block 36	0.625 acres
150. George W. Ellis	Half of Lot 7, and half of Lot 8, of Block 36	1.25 acres
151. Landi C. Eastman	Lots 4, 5, 6, 7, Block 52	5.0 acres
152. Sam Gagon	North half Lot 4, Block 34	0.625 acres
153. Leah Gorton	West half Lot 5, Block 19	0.625 acres
154. T. W. Horsley	West four-fifths of Lot 6, Block 45	1.0 acres
155. Samuel Hopkins	East half Lots 1 and 8, of Block 46	1.25 acres
156. W. J. Hopkins	West half Lots 1 and 8, Block 46	1.25 acres
157. Rosina Hopkins	Third of Lots 2, 3, and West half Lot 4, of Block 46	1.45 acres
158. T. H. Horsley	Half Lots 2, 3, Block 46	1.25 acres
159. Anna Hamilton	Half of Lots 2, 3, Block 46	1.25 acres
160. Oren Hansen	Lots 6, 7, 8, of Block 35	3.75 acres
161. Harry Horsley	Lot 5, Block 35	1.25 acres
162. T. H. Horsley	Lots 5, 6, 7, 8, Block 1, Blocks 16 and 17	25.0 acres
163. Ira Hardy	West half Lot 5, Block 19	0.625 acres

Form No. 11-A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Date February 17, 1952

Soda Springs Sun.
Soda Springs, Idaho.

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to **February 8, 1952.** the date set for the hearing, the expense of the publication to be paid by the applicant, **Dr. Evan M. Kaakley, Boise, Idaho,**

to whom you should furnish proof of publication on or prior to the date set for the hearing.

Please acknowledge receipt of this notice, and furnish this department with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By **Roy W. Thompson,**
Supervisor of Water Distribution.

Notice Of Proposed Transfer Of Water Right

Notice is hereby given that Dr. Evan M. Kackley
of Boise Idaho. has applied to the State Reclamation Engineer
of the State of Idaho for a certificate authorizing Him to change the point of diversion
and/or place of use of the waters of Soda Creek,
as follows: Amount: 0.3 cubic feet per second,
Point of diversion: NE ¼ SE ¼, Section 36, Township 8.S.,
Range 42.E. Place of Use:
Fr. SE ¼ Section 6, Twp. 9.S., R. 42.E. and Lots 4-5-6- & 7 of Block
52, City of Soda Springs,

Transfer to

Point of diversion: NE ¼ SE ¼, Section 36, Township 8.S.,
Range 42.E Place of Use:
Lots 3-4-5- & 6 and SE ¼ NW ¼ and NE ¼ SW ¼ Section 6, Twp. 9.S., R. 42.E. B.M.

And that on the 8th, day of February 1952, ~~1947~~
at 10 o'clock A. M., at Room 107 State House, Boise Idaho.
before the State Reclamation Engineer, or his authorized agent, the opportunity will be
given to any and all persons to appear and present, for his consideration any reason or rea-
sons why a certificate should not be issued authorizing such transfer.

MARK. R. KULP.
State Reclamation Engineer.

Application for Transfer of Water Right

STATE OF IDAHO,

County of ADA

} ss.

.....Dr. Evan M. Kackley....., being first duly sworn, deposes and says:

That his name is.....Dr. Evan M. Kackley.....; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is.....Boise Idaho.....

That he is the owner and using a certain water right, bearing date of priority of.....May 1 1910
0.2
 for.....0.1.....cubic feet per second of the waters of.....Soda Creek
W.M. Chester
 County of.....Caribou....., State of Idaho, decreed to.....Landi C. Eastman

by decree of Judge.....Detrich.....of the.....U.S. Dist. Court.....Judicial District of the State of Idaho, in and for the County of....., in the case of.....Utah Power and Light Co.
 vs.....Last Chance Canal Co......, said decree bearing date of.....July 14 1920

(or obtained by virtue of License No....., issued by the State Engineer or the Commissioner of Reclamation of the State of Idaho, dated....., 19....., bearing date of priority

of....., 19.....) for the purpose of irrigating the following described lands situate, lying and being in water District No.....5-E.....in the County of.....Caribou.....and State of Idaho, to-wit:

.....Wm. Chester 0.2 c.f.s. 8 ac. in S.E. 1/4, Sec. 6 T. 9 S.R. 42 E.B.M.
Landi C. Eastman 0.1 c.f.s. 5 Ac. in Lots 4-5-6-7 Blk. 52 City of
Soda Springs and 9.2% of 818 ac. of storage right in 5 M. Meadow
(undeterminate amount of water)

.....and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e.

By purchase

as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said stream in the.....N.E. 1/4 S.E. 1/4.....of Section.....36....., Township.....8....., Range.....42 E......, B. M., and conducted to the above described lands through.....Lau (or Town) Ditch.....as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of.....0.3 more or less.....cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of.....Caribou.....and State of Idaho, to-wit:

.....Lots 3-4-5-6 and S.E. 1/4 of N.W. 1/4 and N.E. 1/4 of S.W. 1/4
Sec. 6 T. 9 S.R. 42 E.B.M.

That his reasons for desiring to make such transfer are as follows:

.....Insufficient water at times due to late priority of
water right.

That he intends to divert and convey said 0.3 more or less second feet of water to the tract of land last above described in the following manner, to-wit:

Through the Town(or Lau) Ditch

as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provisions of Section 5582 of the Idaho Compiled Statutes.

Subscribed and sworn to before me this

A. D. 1952

day of January

Applicant

Notary Public.

residing at Boise, Idaho.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water now diverted? Soda Creek

Where is the diversion point now located? N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ Sec. 36 T. 8 S. R. 41 E. B. M.

Through what ditch is it now conducted? Town (or Lau) Ditch

How much land is now irrigated by the water sought to be transferred? Approx 200 Ac.

Give the description: Part of Lots 3-4-5-6, S.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ and

N.E. $\frac{1}{4}$, S.W. $\frac{1}{4}$ Sec. 6 T. 9 S. R. 42 E. B. M.

What is the total amount of water in inches, or second feet, dedicated to said land? 0.3 c.f.s. 1909
1.6 c.f.s. 1910

What kind of crops are being raised? Alfalfa and grain

How much water per acre is now required to irrigate said land?

What will be the effect on the land now irrigated, if the use of water on it is discontinued?

Give location of new point of diversion, if change is to be made.

Through what ditch will it be conducted after transfer? Town (or Lau) Ditch

How much water will be required per acre to irrigate the land to which this water is transferred?

Do you claim any other water right for the land from which you seek to abandon the use of this water?

NO.

If so, give amount, date and source.

Is there now any other water right for the land to which you seek to make this transfer? If so, give amount,

date and source. 0.3 c.f.s. 1909 Soda Creek, 1.6 c.f.s. 1910 Soda Creek
95 shares Farmers Land and Irr. Co

Signed

Applicant.

STATE OF IDAHO,

County of.....Caribou.....

ss.

T. E. Thompson

and

A. K. Lechtenberg

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at.....

that he is a user of water from.....Soda Creek....., in Water District No. 5-E

County of.....Caribou....., State of Idaho; that he has read or heard read the foregoing affidavit and

petition of.....Dr. Evan M. Kackley.....and is familiar with its allegations and with the water

right and lands therein mentioned and described and is not in any way interested in either, nor in any way re-

lated to said petitioner; that the statements and allegations therein made are true of his own knowledge; and

that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

T. E. Thompson
A. K. Lechtenberg

Subscribed and sworn to before me this.....7th.....day of.....December.....

A. D. 19..51....

J. B. Banks
Notary Public

Soda Springs, Idaho

My Commission Expires: July 28, 1952

STATE OF IDAHO,

County of.....Caribou.....

ss.

I,.....T. E. Thompson.....

Watermaster of.....Soda Creek.....

Water District No. 5-E....., County of.....Caribou....., State of Idaho, whose postoffice address

is.....Soda Springs Idaho....., have read or heard read the foregoing affidavit and petition

of.....Dr. Evan M. Kackley....., and, of my own knowledge, believe the same to be

true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;

and I hereby endorse my approval of said petition, and request that the Commissioner of Reclamation issue

the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed

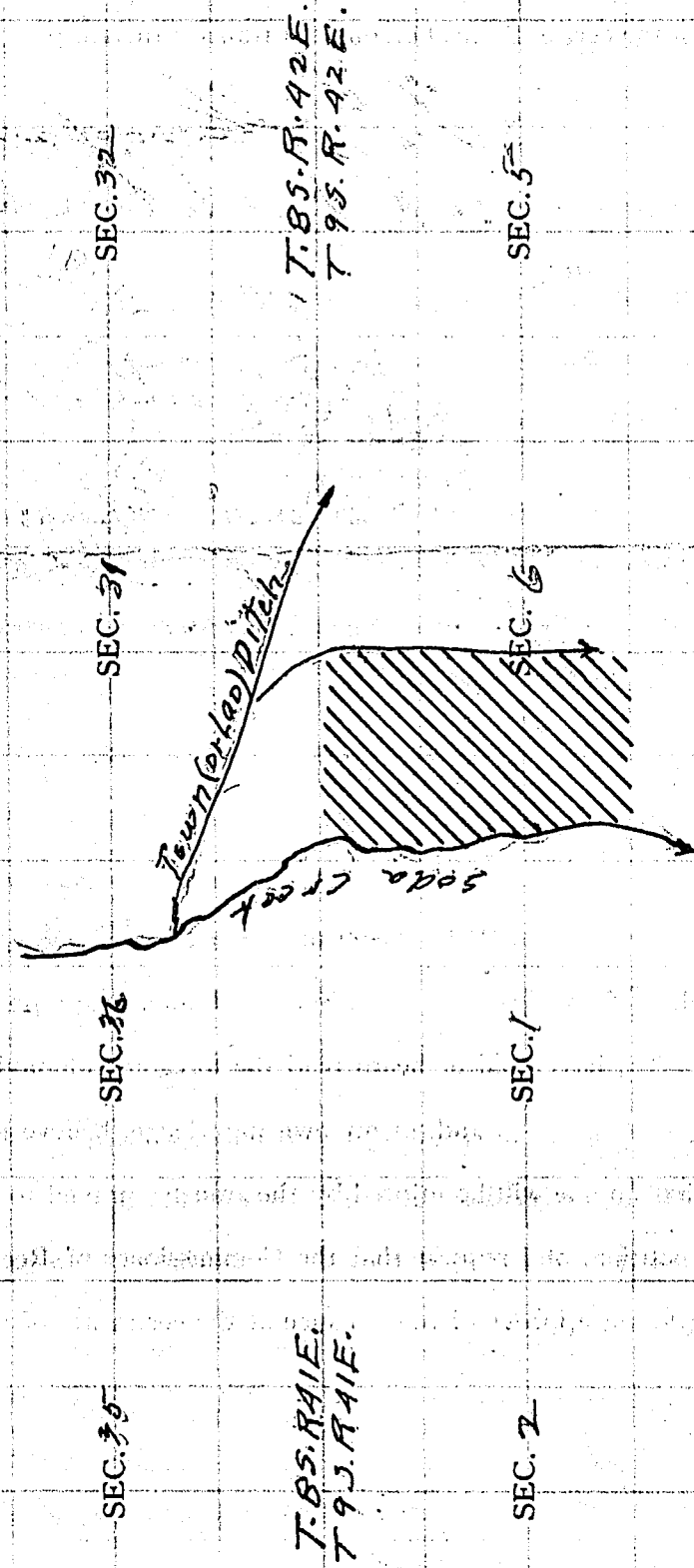
for) for the following reasons:.....

T. E. Thompson

Watermaster Dist. No. 5-E

Dated at.....Soda Springs....., Idaho, this.....7th.....day of.....December....., 19..51

Name of Applicant.....



Scale: 2 Inches—1 Mile. Draw Map in Ink.

Affidavit of Publication

County of Caribou, }
State of Idaho, } SS.

Martha Varner being first duly sworn

on her oath, states:

That she is Principal Clerk of the Soda
(Printer, Foreman or Principal Clerk)

Springs Sun, a newspaper of general circulation 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 seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for two successive weekly issues thereof, the date of the first publication being the 24th day of January, 1952, the date of the last publication being the 31st day of January, 1952

Subscribed and sworn to before me this 26th day of March, 1952

(SEAL)

Notary Public, residing at Soda Springs, Idaho.

My Commission expires the 28th day of July, 1952.

COST: _____ lines at _____ cents a line for the first insertion and _____ cents a line for each of _____ subsequent insertions, total \$_____

RECEIVED
MAR 27 1952
Department of Reclamation

INGS SUN, SODA SPRINGS,

¼, Section 36, Township 8.S. Range 42.E. Place of Use: Fr. SE ¼ Section 6, Twp. 9.S. R. 42, E. and Lots 4-5-6 & 7 of Block 52, City of Soda Springs;

Transfer to: Point of diversion: NE¼ SE ¼, Section 36, Township 8.S., Range 42. E. Place of Use: Lots 3-4-5 & 6 and SE¼NW¼ and NE¼SW¼ Section 6, Twp. 9.S. R. 42.E. B. M.

And that on the 8th day of February, 1952, at 10 o'clock a. m., at Room 107 State House, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Mark R. Kulp,
State Reclamation
Engineer.

2t-j24 31

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Dr. Evan M. Kackley of Boise, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Soda Creek, as follows: Amount: 0.3 cubic feet per second, Point of diversion: NE¼ SE

March 29, 1952

Dr. Evan M. Kackley
Boise
Idaho

Dear Mr. Kackley:

Your Certificate of Transfer of Water Right is ready,
but we do not seem to have your post-office address and we
hesitate to mail it addressed simply to Boise, Idaho.

Please advise us of your mailing address.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

April 2, 1952

Dr. Even M. Kackley
2323 Ellis Avenue
Boise, Idaho

Dear Mr. Kackley:

We enclose Transfer Certificate No. 788, issued in accordance with your application for the transfer of 0.3 of a second foot of the waters of Soda Creek.

We also enclose departmental receipt No. 24308 for the \$1.00 recording fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

fg
Enc.



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

March 29, 1952

RECEIVED
APR 2 1952
Department of Reclamation

Dr. Evan M. Kackley
Boise
Idaho

Dear Mr. Kackley:

Your Certificate of Transfer of Water Right is ready,
but we do not seem to have your post-office address and we
hesitate to mail it addressed simply to Boise, Idaho.

Please advise us of your mailing address.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A:fg

My address is

*2323 Ellis Ave
Boise, Idaho*

Thank you,

Sincerely,

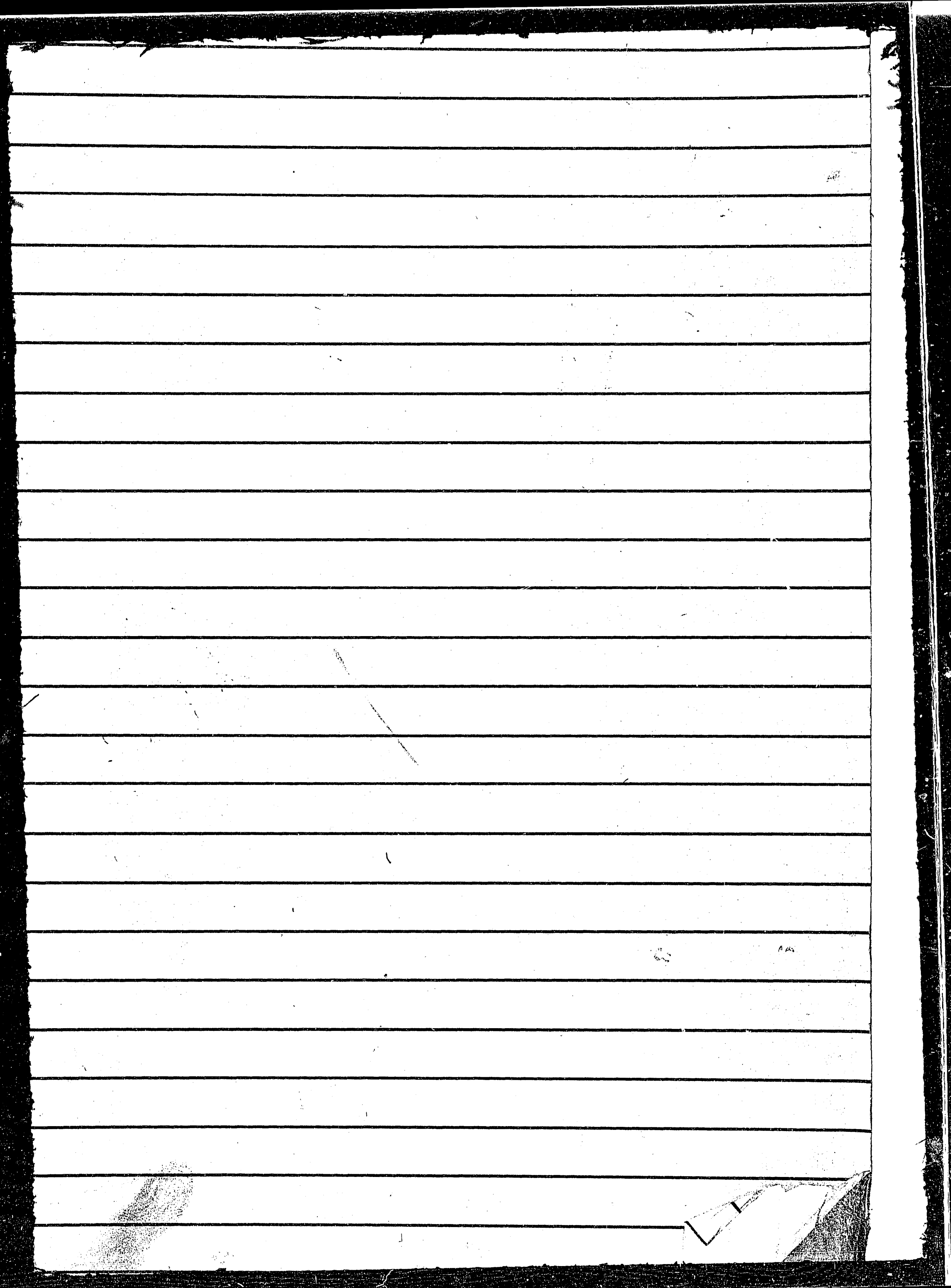
Evan M. Kackley

WILLIAM CHESTER

0.2

11-0449

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
788	Evan M. Kackley	0.2	o	11-0449A



MEMORANDUM

TO: Jim Johnson, Linda Bilbao
FROM: Gary Spackman *Gary*
DATE: July 26, 1991

RE: Transfer No. 788, Water Right No. 11-00450, 11-0449 and 11-0457

Keith Wilson has identified a problem with the attached memorandum. After reviewing the information he has submitted, it appears that transfer no. 788, filed by Dr. Evan Cackley, meant to transfer two water rights, 11-0449 and 11-0457, and not 11-0450. Our records, however, referred to water right no. 11-0450 as the water right transferred.

I suggest the following action:

1. A file should be created on the vault shelf for both 11-0449 and 11-0457. Duplicate copies should be placed in each of the files with the original in one of them.
2. The database should be changed to reflect the transfer of the appropriate water right. Water right no. 11-0450 should not be split.
3. A file for water right no. 11-0450 should not be maintained on the vault shelf.
4. The two additional files created should be routed to microfilm. When received by the microfilm technician, the two files should be filmed, and Darla should discard the old microfilm jacket. The regions should also be informed of our action at the time the diazo copies are sent to the regions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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

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

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

SOURCE
SODA CREEK

TRIBUTARY OF
BEAR RIVER

LOCATION OF POINT(S) OF DIVERSION:

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

PAGE 2

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

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

SOURCE
WASTE WATER

TRIBUTARY OF
SODA CREEK

LOCATION OF POINT(S) OF DIVERSION:

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

CARIBOU County

TOTAL: * 7.12 CFS ** 707.0 AF

PLACE OF USE: IRRIGATION

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

CONDITIONS OF APPROVAL AND REMARKS

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

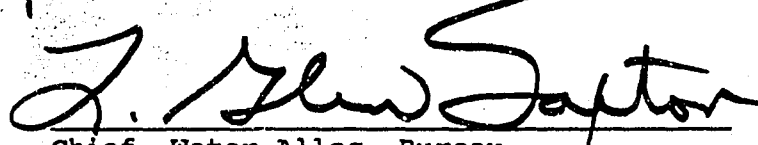
PAGE 3

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

CONDITIONS OF APPROVAL AND REMARKS

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

Dated this 5th day of September, 1996.


Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE 11-00449

FROM: PAM SKAGGS *as*

RE: TRANSFER # 4887

DATE: 08-15-96

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

MEMORANDUM

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

FROM: PAM SKAGGS²/STATE OFFICE

SUBJECT: TRANSFER NO. 4887

DATE: August 29, 1996

=====

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

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

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 5, 1996

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

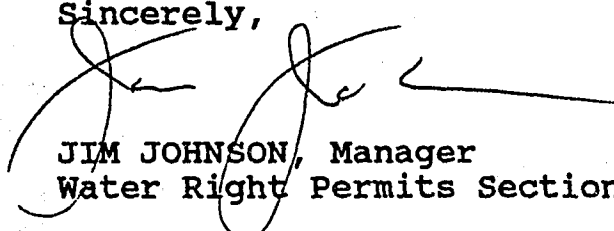
RE: Transfer of Water Right Nos. 11-00448/11-00449/
11-00457/11-00499/11-00471/11-00531B/11-02106

Dear Water Right Holder(s):

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

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

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 10 1999

Transfer No. 5621

APPLICATION FOR TRANSFER OF WATER RIGHT

JUL 14 2000

PART 1

Name of applicant PA Production, L.L.C. Phone 208-547-4300
Post Office address P.O. Box 816, Soda Springs, Idaho 83276

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Change source
2. Describe the reason for the proposed changes Pursuant to a lease agreement between applicant and Last Chance Canal Company.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-------------------|------------------|--------------------|-------------------|-----------------------------|
| <u>T11-00531C</u> | <u>5/01/1892</u> | <u>1.82 cfs</u> | <u>Irrigation</u> | <u>4/15</u> to <u>10/15</u> |
| <u>11-00449</u> | <u>5/01/1910</u> | <u>0.20 cfs</u> | <u>Irrigation</u> | <u>4/15</u> to <u>10/15</u> |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 2.02 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Bear River tributary to Great Salt Lake
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	30	9S	41E	Caribou	
		NE	NE	1	10S	40E	Caribou	

5. Lands irrigated or place of use: See attached sheet of sections for Last Chance Canal.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

*Limited to 101 acres within a permissible place of use. Total acres *

PART 1

6. General Information:

a. Description of diversion system Rock cribbed dam on Bear River commonly known as the "Last Chance Dam".

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:
Water transferred will supplement the existing water rights of Last Chance Canal Company.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

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

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 11-00449

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.20 CFS	72.6 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SODA CREEK	BEAR RIVER

Priority: 05/01/1910

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE																
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
09S	42E	6	:																													
								03-37 04-32 05-30				39								39 06-25												
																												TOTAL ACRES				202.0

CONDITIONS/REMARKS:

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

Water Right No. 11-00449

CONDITIONS/REMARKS:

7. The total instantaneous diversion of water from all points of diversion and combined sources under Transfer No. 4887 shall not exceed 7.12 cfs, nor total combined annual volume of 707.0 af for the irrigation of a combined total of 202.0 acres.
8. That portion of the total combined diversion rate authorized under Transfer No. 4887 from combined sources in excess of 4.04 cfs is limited to use for conveyance losses in delivery of these rights.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 5620 / 11-00531 C which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Soda Creek tributary to Bear River

4. Date or priority 5-01-1892

5. Water is used for the following purpose:

amount 1.82 cfs for Irrigation purposes from 4/15 to 10/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.82 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	36	8S	41E	Carbon	
		NE	SE	36	"	"	"	
		NE	SW	6	9S	42E	"	

8. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres 101

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

P4 PRODUCTION, L.L.C.

Paul C. Budge, authorized attorney
(Signature of Applicant)

Subscribed and sworn to before me this 9th day of December, 19 99.

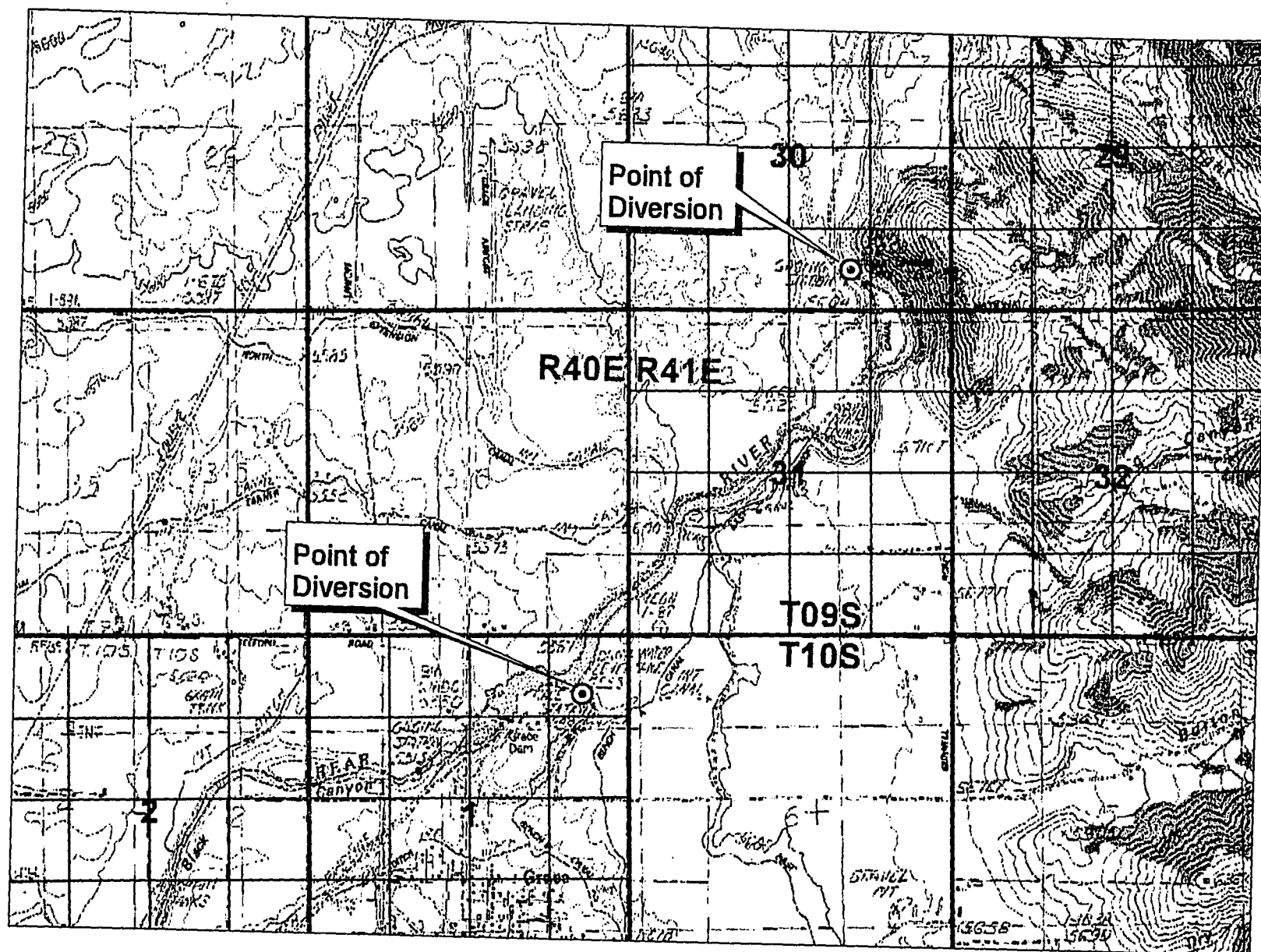
Marie Rogers
(Notary Public)

My commission expires 8/26/00

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and attachments
 Received by HUT Date 12-10-99 Protest filed by
 Prelim. check by Fee \$100.00
 Receipted by HUT #EQ25507 Date 12-10-99
 Published in Carboun County Sun Copies of protest forwarded by
 Pub. dates 1-12 & 1-19-2000 Hearing held by Date
 Watermaster recommendation requested on Recommended for ☒ approval ☐ denial
 rec'd. by RDC
 Copy of transfer sent to lien holder

To: Pam Skaggs, Allotments
From: Paul Meyer, Eastern



1:32000



Transfer T5621
P4 Production, LLC

OD-5803
WR5803NP
SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:11:47
PAGE: 1

TWP	RNG	SECT	TRACT 1\4 1\4	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
08S	39E	21				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
08S	39E	21				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
08S	39E	21				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	21				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	21				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
08S	39E	22				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
08S	39E	22				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
08S	39E	22				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	22				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	22				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
08S	39E	26				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
08S	39E	26				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
08S	39E	26				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	26				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	26				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
08S	39E	27				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
08S	39E	27				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
08S	39E	27				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	27				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	27				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
08S	39E	28				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER

LAST CHANCE CANAL
POU INDEX

T5621

ATTACHMENT 1 OF 32

00-5803
WR5803NP
SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:11:52
PAGE: 2

TWP	RNG	SECT	TRACT 1\4 1\4	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
08S	39E	28				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
08S	39E	28				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	28				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	28				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
08S	39E	34				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
08S	39E	34				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
08S	39E	34				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	34				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	34				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
08S	39E	35				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
08S	39E	35				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
08S	39E	35				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	35				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
08S	39E	35				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	2				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	2				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	2				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	2				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	2				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	3				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	3				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER

T5621
ATTACHMENT 2 OF 32

OD-5803
WR5803NP
SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POJ INDEX

DATE: 12/16/99
TIME: 14:11:57
PAGE: 3

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
			1\4 1\4									
09S	39E	3				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	3				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	3				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	4				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	4				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	4				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	4				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	4				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	9				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	9				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	9				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	9				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	9				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	10				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	10				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	10				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	10				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	10				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	13				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	13				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	13				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

TSW
ATTACHMENT 3 OF 32

OD-5803
WR5803NP
SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:12:01
PAGE: 4

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
09S	39E	13	1\4 1\4			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	13				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	14				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	14				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	14				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	14				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	14				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	15				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	15				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	15				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	15				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	15				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	16				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	16				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	16				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	16				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	16				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	21				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	21				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	21				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	21				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

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SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

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PAGE: 5

TWP	RNG	SECT	TRACT 1\4 1\4	LOT ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
09S	39E	21			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	22			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	22			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	22			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	22			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	22			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	23			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	23			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	23			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	23			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	23			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	24			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	24			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	24			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	24			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	24			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	25			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	25			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	25			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	25			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	25			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER

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SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

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TWP	RNG	SECT	TRACT 1\4 1\4	LOT ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
09S	39E	26			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	26			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	26			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	26			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	26			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	39E	36			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	39E	36			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	39E	36			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	36			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	39E	36			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	19			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	19			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	19			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	19			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	20			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	20			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	20			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	20			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	21			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	21			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER

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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

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TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
09S	40E	21	1\4 1\4			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	21				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	21				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	25				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	25				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	25				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	25				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	25				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	26				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	26				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	26				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	26				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	26				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	27				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	27				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	27				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	27				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	27				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	28				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	28				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	28				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:12:22
PAGE: 8

TWP	RNG	SECT	TRACT 1\4 1\4	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
09S	40E	28				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	28				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	29				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	29				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	29				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	29				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	29				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	30				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	30				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	30				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	30				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	30				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	31				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	31				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	31				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	31				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	31				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	32				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	32				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	32				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	32				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

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TIME: 14:12:26
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TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
			1\4 1\4									
09S	40E	32				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	33				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	33				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	33				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	33				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	33				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	34				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	34				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	34				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	34				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	34				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	35				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	35				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	35				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	35				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	35				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
09S	40E	36				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
09S	40E	36				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
09S	40E	36				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	36				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
09S	40E	36				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER

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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

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TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
09S	41E	31	NE NE		28		13-07288	L	05/30/1980	LAST CHANCE CANAL CO. LTD. LAST CHANCE CANAL CO. LTD.	C O	BEAR RIVER
09S	41E	31	NE NE		28		13-07297	L	02/11/1981	LAST CHANCE CANAL CO. LTD. LAST CHANCE CANAL CO. LTD.	O C	BEAR RIVER
10S	39E	1			01		13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	39E	1			01		13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	39E	1			01		13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	39E	1			01		13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	39E	1			02,03		13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	39E	12			01		13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	39E	12			01		13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	39E	12			01		13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	39E	12			01		13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	39E	12			02,03		13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	39E	13			01		13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	39E	13			01		13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	39E	13			01		13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	39E	13			01		13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	39E	13			02,03		13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	1			01		13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	1			01		13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	1			01		13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

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TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
10S	40E	1	1\4 1\4			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	1				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	2				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	2				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	2				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	2				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	2				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	3				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	3				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	3				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	3				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	3				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	4				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	4				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	4				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	4				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	4				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	5				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	5				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	5				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	5				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

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ATTACHMENT 11 OF 32

OD-5803
WR5803NP
SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:12:43
PAGE: 12

TWP	RNG	SECT	TRACT 1\4 1\4	LOT ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
10S	40E	5			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	6			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	6			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	6			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	6			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	6			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	7			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	7			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	7			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	7			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	7			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	8			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	8			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	8			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	8			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	8			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	9			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	9			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	9			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	9			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	9			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER

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ATTACHMENT 12 OF 32

OD-5803
WR5803NP
SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:12:49
PAGE: 13

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
			1\4 1\4									
10S	40E	10				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	10				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	10				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	10				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	10				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	11				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	11				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	11				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	11				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	11				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	12				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	12				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	12				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	12				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	12				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	13				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	13				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	13				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	13				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	13				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	14				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER

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ATTACHMENT 13 OF 32

OD-5803
WR5803NP
SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:12:54
PAGE: 14

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
10S	40E	14	1\4 1\4			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	14				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	14				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	14				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	15				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	15				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	15				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	15				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	15				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	16				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	16				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	16				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	16				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	16				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	17				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	17				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	17				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	17				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	17				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	18				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	18				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER

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ATTACHMENT 14 OF 32

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SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:12:59
PAGE: 15

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
10S	40E	18	1\4 1\4			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	18				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	18			02,03		13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	19			01		13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	19			01		13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	19			01		13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	19			01		13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	19			02,03		13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	20			01		13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	20			01		13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	20			01		13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	20			01		13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	20			02,03		13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	21			01		13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	21			01		13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	21			01		13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	21			01		13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	21			02,03		13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	22			01		13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	22			01		13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	22			01		13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

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ATTACHMENT 15 OF 32

OD-5803
WR5803NP
SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:13:05
PAGE: 16

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
			1\4 1\4									
10S	40E	22				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	22				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	23				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	23				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	23				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	23				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	23				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	24				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	24				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	24				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	24				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	24				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	25				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	25				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	25				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	25				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	25				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	26				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	26				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	26				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	26				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

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ATTACHMENT 16 OF 32

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SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:13:13
PAGE: 17

TWP	RNG	SECT	TRACT 1\4 1\4	LOT ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
10S	40E	26			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	27			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	27			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	27			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	27			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	27			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	28			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	28			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	28			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	28			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	28			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	29			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	29			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	29			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	29			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	29			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	33			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	33			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	33			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	33			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	33			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER

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ATTACHMENT 17 OF 32

OD-5803
WR5803NP
SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:13:20
PAGE: 18

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
10S	40E	34	1\4 1\4			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	34				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	34				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	34				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	34				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	35				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	35				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	35				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	35				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	35				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	40E	36				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	40E	36				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	40E	36				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	36				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	40E	36				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	5				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	5				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	5				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	5				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	5				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	6				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER

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WR5803NP
SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:13:27
PAGE: 19

TWP	RNG	SECT	TRACT 1\4 1\4	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
10S	41E	6				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	6				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	6				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	6				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	7				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	7				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	7				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	7				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	7				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	8				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	8				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	8				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	8				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	8				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	17				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	17				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	17				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	17				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	17				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	18				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	18				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER

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ATTACHMENT 19 OF 32

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WR5803NP
SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:13:32
PAGE: 20

TWP	RNG	SECT	TRACT 1\4 1\4	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
10S	41E	18				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	18				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	18				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	19				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	19				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	19				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	19				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	19				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	20				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	20				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	20				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	20				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	20				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	28				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	28				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	28				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	28				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	28				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	29				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	29				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	29				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

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ATTACHMENT 20 OF 32

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SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:13:37
PAGE: 21

TWP	RNG	SECT	TRACT 1\4 1\4	LOT ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
10S	41E	29			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	29			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	30			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	30			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	30			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	30			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	30			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	31			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	31			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	31			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	31			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	31			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	32			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	32			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	32			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	32			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	32			02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
10S	41E	33			01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
10S	41E	33			01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
10S	41E	33			01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
10S	41E	33			01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

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SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
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PAGE: 22

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
			1\4	1\4								
10S	41E	33				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	40E	1				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	40E	1				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	1				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	1				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	1				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	40E	2				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	40E	2				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	2				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	2				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	2				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	40E	3				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	40E	3				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	3				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	3				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	3				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	40E	4				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	40E	4				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	4				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	4				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	4				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER

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SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:13:46
PAGE: 23

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
			1\4	1\4								
11S	40E	9				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	40E	9				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	9				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	9				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	9				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	40E	10				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	40E	10				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	10				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	10				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	10				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	40E	11				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	40E	11				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	11				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	11				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	11				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	40E	12				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	40E	12				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	12				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	12				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	12				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	40E	13				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER

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SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:13:51
PAGE: 24

TWP	RNG	SECT	TRACT 1\4 1\4	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
11S	40E	13				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	13				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	13				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	13				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	40E	14				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	40E	14				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	14				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	14				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	14				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	40E	15				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	40E	15				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	15				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	15				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	24				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	40E	24				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	40E	24				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	24				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	40E	24				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	41E	4				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	41E	4				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	41E	4				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

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SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:13:55
PAGE: 25

TWP	RNG	SECT	TRACT 1\4 1\4	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
11S	41E	4				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	4				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	41E	5				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	41E	5				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	41E	5				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	5				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	5				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	41E	6				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	41E	6				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	41E	6				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	6				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	6				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	41E	7				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	41E	7				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	41E	7				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	7				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	7				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	41E	8				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	41E	8				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	41E	8				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	8				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER

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SELECTION FILE: PRM-LASTCHANCE

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS POU INDEX

DATE: 12/16/99
TIME: 14:14:00
PAGE: 26

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O C	WATER SOURCE
11S	41E	8				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	41E	9				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	41E	9				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	41E	9				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	9				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	9				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER
11S	41E	18				01	13-00955	D	08/09/1909	LAST CHANCE CANAL COMPANY LTD BENCH CANAL	C O	BEAR RIVER
11S	41E	18				01	13-00956	D	12/31/1909	BENCH CANAL LAST CHANCE CANAL COMPANY LTD	O C	BEAR RIVER
11S	41E	18				01	13-00991C	D	03/01/1897	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	18				01	13-00992C	D	05/14/1901	LAST CHANCE CANAL COMPANY LTD	C	BEAR RIVER
11S	41E	18				02,03	13-04076	S	04/01/1919	LAST CHANCE CANAL CO INC	C	BEAR RIVER

T 5621
ATTACHMENT 26 OF 32

LEASE OF WATER RIGHTS

Lease Agreement made and entered into April 22, 1999, between P4 PRODUCTION, L.L.C., whose address is P.O. Box 816, Soda Springs, Idaho 83276 (hereinafter "Lessor") and LAST CHANCE CANAL COMPANY, LTD., whose address is P.O. Box 93, Grace, Idaho 83241 (hereinafter "Lessee"):

1. **Leased Property.** Lessor hereby leases to Lessee and Lessee hereby leases from Lessor the following described water rights originally decreed in the District Court of the United States for the District of Idaho, Eastern Division, in Equity No. 201, in the case of Utah Power & Light Company, Plaintiff, vs. The Last Chance Canal Company, Limited, et al., Defendants, commonly known as the "Dietrich Decree", also identified as the following Idaho Department of Water Resource ("IDWR") Water Right Numbers:

Water Right No.	Priority	Quantity
11-00448 ✓	6/01/1909	0.30 cfs/49.0 AF
11-00449 ⊗	5/01/1910	0.20 cfs/72.6 AF
11-00457 ✓	2/10/1881	0.10 cfs/17.5 AF
11-00471 ✓	2/10/1881	0.02 cfs/4.6 AF
11-00499 ✓	5/01/1881	0.60 cfs/105.0 AF
11-00531B ⊗	5/01/1892	*1.80 cfs/355.4 AF
Total:		3.02 cfs/604.1 AF

*(A portion of total right of 3.90 cfs/770AF)

2. **Term.** The term of this Lease shall be for a term of five (5) years, commencing April 20, 1999, and terminating on September 30, 2003. Thereafter, this Lease will be automatically renewed and extended for successive additional one-year terms, unless and until terminated by either party as hereafter provided.

Either party may terminate this Lease at any time upon not less than ninety (90) days advance written notice.

3. **Rent.** For the use of the lease property Lessee shall pay to Lessor on or before April 1 of each year rent in the amount of \$500 per cfs, a total of \$1510 per year. The first year's rent shall be due upon approval of the transfer application described in paragraph 7 allowing Lessee to use the water right.

4. **Non-Use by Lessor.** Lessor covenants that all lands to which the water rights are presently appurtenant shall not be irrigated from the described water right during the term of this Lease.

LEASE OF WATER RIGHTS - I

TS621
ATTACHMENT 27 OF 32

Lease
Last Chance Canal Co.

5. **Use by Lessee.** During the term of this Lease and during any extension, Lessee shall place to beneficial use for irrigation purposes, between April 20th and September 30th of each year, all waters approved for use under the water rights and shall comply with all applicable federal, state and local laws and all rules and regulations of any agency, including IDWR applicable to such water rights, together with all state and federal environmental and water quality laws.

6. **Representations by Lessor.** Lessor covenants and represents that it is the true and lawful owners of the water rights and the land to which they are appurtenant, that these water rights have not lapsed, been abandoned, or forfeited, either in whole or in part and that nothing restricts or precludes Lessor from entering into this Lease and Lessee utilizing the described water rights.

7. **Transfer Application.** The parties acknowledge and agree that it will be necessary to make application and obtain IDWR approval to transfer the existing point of diversion and place of use of said water rights to Lessee's property; and, further, that upon termination of the Lease, it will be necessary to make application and secure IDWR approval to change the point of diversion and place of use back from Lessee's property to the original locations upon Lessor's property.

7.1 Lessee and Lessor will file and process all necessary applications with IDWR to transfer the places of use and points of diversion of the water rights on a temporary basis during the lease term.

7.2 Lessor and Lessee shall cooperate with each other in securing such transfers and processing such application(s) and shall execute any documents necessary to achieving such transfers.

7.3 Lessor shall be responsible for the costs associated with accomplishing the foregoing transfers.

7.4 This Lease is conditioned upon IDWR's approval of a transfer of the water rights from Lessor's present places of use and points of diversion to places of use and points of diversion located on lands owned or leased by Lessee. In the event the transfer to Lessee's property is not granted, this Lease may be terminated at Lessee's option.

8. **Indemnification of Lessor.** Lessee agrees to indemnify and hold harmless Lessor from any and all claims and demands, including legal attorney fees and costs, which may arise directly or indirectly as a result of this lease or the transfer or use of the water rights by Lessee pursuant to this Lease.

9. **Breach.** In the event either party breaches this Lease and such defaults are not cured within thirty (30) days after receipt of written notice thereof, the non-breaching party, at their option, may elect to terminate this Lease and recover any damages or pursue any other remedy available under Idaho law by reason of such breach.

10. **Option to Purchase.** Should Lessor during the term of this Lease or any renewal thereof or at any time within one (1) year from the date of termination of this Lease decide to sell the leased water rights, and should Lessor receive a bona fide offer therefor acceptable to Lessor, the, before making any such sale or any agreement to sell, Lessor shall give Lessee notice in writing by certified or registered mail of Lessor's desire to sell and the complete terms of the offer, and Lessee shall have the exclusive right, for a period of sixty (60) days from the date of delivery of such notice, to purchase the leased water rights at the amount of the offer. If Lessee fails to exercise the option herein granted and the water rights are actually sold by Lessor, such sale shall be made subject to this Lease.

11. **Option to Renew Lease.** Should Lessor decide to re-lease the water rights at the expiration of the lease term or any extension thereof, and should Lessor receive an offer of lease therefor acceptable to Lessor, the, before making any such lease agreement, Lessor shall give Lessee notice in writing by certified or registered mail of Lessor's desire to re-lease the water rights, and Lessee shall have the exclusive right, for a period of sixty (60) days from the date of delivery of such notice, to re-lease the water rights at the amount and under the same terms and conditions of the offer.

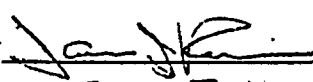
12. **Assignment.** This Agreement may not be assigned by either party without the express written consent of the other.

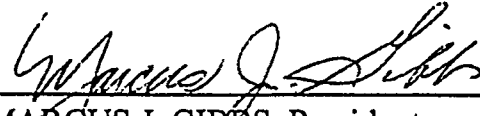
13. **Attorney Fees.** In the event of any litigation over this Lease the prevailing party shall be entitled to recover reasonable attorney fees and costs.

14. **Binding Effect.** This Agreement shall be binding upon the respective heirs, successors and assigns of the parties.

LESSOR:
P4 PRODUCTION, L.L.C.

LESSEE:
LAST CHANCE CANAL COMPANY, LTD.

By  WDL
Name: JAMES J. KAUMAN
Title: VICED PRESIDENT
Date: 4-22-99


MARCUS J. GIBBS, President
Date: 3/26/99
ATTEST:


DeAnn Maughan, Secretary

LEASE OF WATER RIGHTS

Lease Agreement made and entered into April 22, 1999, between P4 PRODUCTION, L.L.C., whose address is P.O. Box 816, Soda Springs, Idaho 83276 (hereinafter "Lessor") and OREGON TRAIL GOLF COURSE OF SODA SPRINGS, IDAHO, whose address is in care of Bill Harris, 279 E. 3rd N., Soda Springs, Idaho 83276 (hereinafter "Lessee"):

1. **Leased Property.** Lessor hereby leases to Lessee and Lessee hereby leases from Lessor a portion of Lessor's right, title and interest in the following described water rights originally decreed in the District Court of the United States for the District of Idaho, Eastern Division, in Equity No. 201, in the case of Utah Power & Light Company, Plaintiff, vs. The Last Chance Canal Company, Limited, et al., Defendants, commonly known as the "Dietrich Decree", also identified as the following Idaho Department of Water Resource ("IDWR") Water Right Number:

Water Right No.	Priority	Quantity
11-00531B	5/01/1892	*1.00 cfs/197.4 AF
*(A portion of total right of 3.90 cfs/770AF)		

2. **Term.** The term of this Lease shall be for a term of five (5) years, commencing April 20, 1999 and terminating September 30, 2003. Thereafter, this Lease will be automatically renewed and extended for successive additional one-year terms, unless and until terminated by either party as hereafter provided.

Either party may terminate this Lease at any time upon not less than ninety (90) days advance written notice.

3. **Rent.** For the use of the lease property Lessee shall pay to Lessor on or before April 1 of each year rent in the amount of \$500 per cfs, a total of \$500 per year. The first year's rent shall be due upon approval of the transfer application described in paragraph 7 allowing Lessee to use the water right.

4. **Non-Use by Lessor.** Lessor covenants that all lands to which the water rights are presently appurtenant shall not be irrigated from the described water right during the term of this Lease.

5. **Use by Lessee.** During the term of this Lease and during any extension, Lessee shall place to beneficial use for irrigation purposes, between April 20th and September 30th each year, all waters approved for use under the water rights and shall comply with all applicable federal, state and local laws and all rules and regulations of any agency, including IDWR applicable to such water rights, together with all state and federal environmental and water quality laws.

LEASE OF WATER RIGHTS - I

T5621
ATTACHMENT 30 OF 32

6. **Representations by Lessor.** Lessor covenants and represents that it is the true and lawful owners of the water rights and the land to which they are appurtenant, that these water rights have not lapsed, been abandoned, or forfeited, either in whole or in part and that nothing restricts or precludes Lessor from entering into this Lease and Lessee utilizing the described water rights.

7. **Transfer Application.** The parties acknowledge and agree that it will be necessary to make application and obtain IDWR approval to transfer the existing point of diversion and place of use of said water rights to Lessee's property; and, further, that upon termination of the Lease, it will be necessary to make application and secure IDWR approval to change the point of diversion and place of use back from Lessee's property to the original locations upon Lessor's property.

7.1 Lessee and Lessor will file and process all necessary applications with IDWR to transfer the places of use and points of diversion of the water rights on a temporary basis during the lease term.

7.2 Lessor and Lessee shall cooperate with each other in securing such transfers and processing such application(s) and shall execute any documents necessary to achieving such transfers.

7.3 Lessor shall be responsible for the costs associated with accomplishing the foregoing transfers.

7.4 This Lease is conditioned upon IDWR's approval of a transfer of the water rights from Lessor's present places of use and points of diversion to places of use and points of diversion located on lands owned or leased by Lessee. In the event the transfer to Lessee's property is not granted, this Lease may be terminated at Lessee's option.

8. **Indemnification of Lessor.** Lessee agrees to indemnify and hold harmless Lessor from any and all claims and demands, including legal attorney fees and costs, which may arise directly or indirectly as a result of this lease or the transfer or use of the water rights by Lessee pursuant to this Lease.

9. **Breach.** In the event either party breaches this Lease and such defaults are not cured within thirty (30) days after receipt of written notice thereof, the non-breaching party, at their option, may elect to terminate this Lease and recover any damages or pursue any other remedy available under Idaho law by reason of such breach.

10. **Option to Purchase.** Should Lessor during the term of this Lease or any renewal thereof or at any time within one (1) year from the date of termination of this Lease decide to sell the leased water rights, and should Lessor receive a bona fide offer therefor acceptable to Lessor, the, before making any such sale or any agreement to sell, Lessor shall give Lessee notice in writing by certified or registered mail of Lessor's desire to sell and the complete terms of the offer, and Lessee shall have the exclusive right, for a period of sixty (60) days from the date of delivery of such notice,

to purchase the leased water rights at the amount of the offer. If Lessee fails to exercise the option herein granted and the water rights are actually sold by Lessor, such sale shall be made subject to this Lease.

11. **Option to Renew Lease.** Should Lessor decide to re-lease the water rights at the expiration of the lease term or any extension thereof or within one (1) year from the date of termination of this lease, and should Lessor receive an offer of lease therefor acceptable to Lessor, the, before making any such lease agreement, Lessor shall give Lessee notice in writing by certified or registered mail of Lessor's desire to re-lease the water rights, and Lessee shall have the exclusive right, for a period of sixty (60) days from the date of delivery of such notice, to re-lease the water rights at the amount and under the same terms and conditions of the offer.

12. **Assignment.** This Agreement may not be assigned by either party without the express written consent of the other.

13. **Attorney Fees.** In the event of any litigation over this Lease the prevailing party shall be entitled to recover reasonable attorney fees and costs.

14. **Binding Effect.** This Agreement shall be binding upon the respective heirs, successors and assigns of the parties.

LESSOR:
P4 PRODUCTION, L.L.C.

By [Signature] WXL
Name: James S. Kaimowitz
Title: Vice President
Date: 4-22-99

LESSEE:
OREGON TRAIL GOLF COURSE OF
SODA SPRINGS, IDAHO

By [Signature]
Name: BILLY J HARRIS
Title: President
Date: 31 March 1999

ATTEST:

LEASE OF WATER RIGHTS - 3

T 5621
ATTACHMENT 32 OF 32

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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

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

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

SOURCE
* BEAR RIVER

TRIBUTARY OF
GREAT SALT LAKE

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

TWN RGE SEC

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

CONDITIONS OF APPROVAL AND REMARKS

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

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

CONDITIONS OF APPROVAL AND REMARKS

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

Dated this 19th day of October, 2000.


Chief, Water Allocation Bureau

**NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5621**

Notice is hereby given that P4 Production LLC, PO Box 816, Soda Springs ID 83274, has applied to the Department of Water Resources to change the point of diversion, to change the place of use and to change the source of a surface water source. The rights sought to be changed are evidenced by a decree and recorded as follows:

Decree No.: 11-00449 Source: Soda Creek/Bear River
Amount: 0.20 cfs Priority: 05/01/1910
Point(s) of Diversion: NWNE SEC 36 T08S R41E, CARIBOU COUNTY
 NESE SEC 36 T08S R41E, CARIBOU COUNTY
 NESW SEC 6 T09S R42E, CARIBOU COUNTY

The water is used for irrigation of 202 acres within SEC 6 T09S R42E, B.M.

Decree No.: 11-00531C Source: Soda Creek/Bear River
Amount: 1.82 cfs Priority: 05/01/1892
Point(s) of Diversion: NWNE SEC 36 T08S R41E, CARIBOU COUNTY
 NESE SEC 36 T08S R41E, CARIBOU COUNTY
 NESW SEC 6 T09S R42E, CARIBOU COUNTY

The water is used for irrigation of 101 acres within SEC 6 T09S R42E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to transfer both rights to be used by the Last Chance Canal and diverted at their headgates at the SWSE Sec 30 T09S R41E and the NENE Sec 1 T10S R40E.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before January 31, 2000. The protestant must also send a copy of the protest to the applicant.

**KARL J. DREHER
Director**

Published in the Caribou County Sun on January 12 and 19, 2000.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 4, 2000

CARIBOU COUNTY SUN
PO BOX 815
SODA SPRINGS ID 83276

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the dates indicated 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 January 31, 2000.

Respectfully submitted,

Sharla Cox
Administrative Assistant

Enc.

Mailed
1/5/2000
SC

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 4, 2000

P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83274

RE: Application for Transfer #5619, 5620 and 5621

Dear Applicant:

This office is currently in the process of advertising the application in the Caribou County Sun on January 12 and 19, 2000. The advertisement will be published once a week 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 4, 2000

PETE PETERSON
WATERMASTER #11
2483 RIVERDALE
PRESTON ID 83263

RE: Applications for Transfer #5620 and 5621

Dear Pete:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department by January 31, 2000.

If you have any questions, please feel free to contact us.
Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ:sc

enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 4, 2000

IDAHO FISH & GAME
1345 BARTON RD
POCATELLO ID 83201

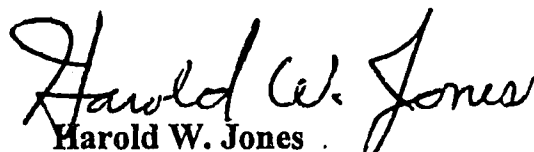
RE: Applications for Transfer #5620 and 5621

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is January 31, 2000, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 4, 2000

JODY L WILLIAMS
KRUSE LANDA & MAYCOCK LLC
50 W BROADWAY 8TH FLOOR
SALT LAKE CITY UT 84101

RE: Applications for Transfer #5620 and 5621

Dear Jody:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is January 31, 2000, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 4, 2000

CRAIG HILL
WATERMASTER #11-B
220N 3RD E
SODA SPRINGS ID 83276

RE: Applications for Transfer #5619, 5620 AND 5621

Dear Craig:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department by January 31, 2000.

If you have any questions, please feel free to contact us.
Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ:sc

enc.



IDAHO FISH & GAME
SOUTHEAST REGION
1345 Barton Road
Pocatello, Idaho 83204-1819

Jerry Mallet / Interim Director

January 26, 2000

Mr. Harold Jones
Water Right Supervisor
Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

RECEIVED
JAN 28 2000
Department of Water Resources
Eastern Region

RE: Applications for Transfer #5620 and 5621

Dear Harold:

We have reviewed the above applications for transfer of water rights. It is our understanding that P4 Production, L.L.C. proposes to transfer 1.00 cfs. to the Oregon Trail Golf Course of Soda Springs and 2.02 cfs. to the Last Chance Canal Company. The existing water right is apparently connected to Soda Creek. With the transfer, water would come directly out of Alexander Reservoir and the Bear River.

We have no concern with this proposal as long as it can be demonstrated that the additional 3.02 cfs. will remain in Soda Creek and be delivered to the Bear River system, to balance out the 3.02 which will be pumped or diverted directly from Alexander Reservoir and the Bear River. Thank you for the opportunity to comment.

Sincerely,

Dexter R. Pitman
Southeast Regional Supervisor

DRP/HJH/hjh

Cc: Richard Scully
Jerome Hansen
Larry Hlavaty
Natural Resources Policy Bureau
Lynn Van Every, DEQ

Providing Excellent Public Service and Healthy Sustainable Wildlife Through Partnerships and Sharing

Fax: 208-233-6430 • TDD: 1-800-377-3529 • <http://www.state.id.us/fishgame/fishgame.html>

APPLICATION FOR TRANSFER OF
WATER RIGHT NO.

11-00531C
11-00449
11-00531D

WATER DISTRICT: 11

WATERMASTER: Pete Peterson

DATE: 1/7/00

HAS THIS WATER RIGHT(S) BEEN DELIVERED WITHIN THE LAST FIVE YEARS?

YES _____ NO ?

COMMENTS: _____

_____ I do endorse approval of this change.

☒ I do not endorse approval of this change.

I recommend the following conditions of approval:

During summer no water from Soda
Creek ever makes it to Bear River. there
must be a measuring device put in place
on north right-of-way line of the intersection
on Soda Creek & US Hwy # 30.

Pete Peterson
Watermaster

APPLICATION FOR TRANSFER OF
WATER RIGHT NO.

RECEIVED

JAN 14 2000

Department of Water Resources
Eastern Region

WATER DISTRICT: 11-B

WATERMASTER: Craig Hill

DATE: Jan. 13th 2000

HAS THIS WATER RIGHT(S) BEEN DELIVERED WITHIN THE LAST FIVE YEARS?

YES ☒ NO ☐

COMMENTS: Water has been Delivered, but one
of the points of Diversion has not been
used for more than 5 years.

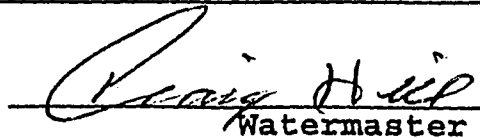
☐ I do endorse approval of this change.

☒ I do not endorse approval of this change.

I recommend the following conditions of approval:

F.L+I Canal Company takes all of the
Water in the heart of the irrigation season.
No Water Goes past their Diversion.

If this Change Does go through, I
have to have a Weir or something to
measure the Water, Below F.L+I Diversion


Watermaster

LAW OFFICES OF

**RACINE, OLSON, NYE, BUDGE & BAILEY
CHARTERED**

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
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*ALSO MEMBER IL & WY BARS

CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

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

ERIC S. HUNN
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WARREN W. DOWDLE
LANE V. ERICKSON

**ALSO MEMBER MO BAR
***ALSO MEMBER IL BAR
****ALSO MEMBER D.C. BAR

February 3, 2000

RECEIVED

FEB 04 2000

Department of Water Resources
Eastern Region

Transmitted Via Fax and Mail:

Jody L. Williams
Kruse, Landa & Maycock, L.L.C.
P.O. Box 45561
Salt Lake City, Utah 84101-2034
Fax: 801-359-3954

Re: *P4 Production, L.L.C. - IDWR Transfer Application Nos. 5620, 5621*

Dear Jody:

This will follow up on our phone conversation regarding the above matter and provide additional information in support of our request that PacifiCorp withdraw its recently-filed protest to this transfer. I was surprised to see PacifiCorp's protest which appears to have been based upon misinformation which I wish to address and correct. This transfer will not have any effect on Bear River flows.

The Applicant, P4 Production, L.L.C. ("P4"), is a joint venture between Monsanto and Solutia Inc. pertaining to the ownership and operation of the phosphate plant and related assets formerly owned and operated by Monsanto. P4 is the owner of record of all real property, water rights and other assets. Solutia is the operator of the plant.

Water rights owned by P4 include a number of early priority water rights on Soda Creek. These are commonly referred to as the "Kackley rights" because they were originally owned by Dr. Evan Kackley. The Kackley rights were acquired along with the Kackley property purchased by Monsanto several years ago. The property lies adjacent to Soda Springs directly north of the city limits.

P4 has entered into a lease agreement with the Soda Springs Golf Course to lease 1.0 cfs of Right No. 11-00531D which has a priority date of 5/01/1881. It also entered into a lease agreement with Last Chance Canal Company for the balance of 1.82 cfs of Right No. 11-00531-C having the

Jody L. Williams
February 3, 2000
Page 2

same priority of 5/01/1881, and also 0.20 cfs of Right No. 11-00449 which has a priority date of 5/01/1910. The total to be transferred is 2.02 cfs. The purpose is to move the point of diversion and place of use a short distance downstream.

The water would be delivered via Soda Creek into the Alexander Reservoir and Bear River system. There are no diverters between the existing point of diversion and the proposed new point of diversion, except for Farmers Land & Irrigation Company which has a later priority date of 5/01/1882 for 80 cfs under Dietrich-decreed Right No. 224, copy of which is enclosed. The purpose of this transfer is to ensure that these early priority Bear River decreed water rights continue to be fully and beneficially used for irrigation purposes.

As you are well aware, the golf course is unhappy with its new lease from PacifiCorp because of what PacifiCorp is charging them for irrigation water obtained from Bear Lake storage. The transfer to the golf course would replace that storage water. Accordingly, the storage water the golf course has used would remain in Bear Lake and be available for other contract holders.

Soda Creek waters are diverted into and transported by the Farmers Land and Irrigation Company canal. PacifiCorp protested the transfer to preserve the record. The protest was based upon information apparently received from Skip Jones to the effect that the transferred water would not end up in the Bear River. That information turns out to be incorrect. Just west of Soda Springs there is a headgate in the canal which releases water into the natural channel of Soda Creek which then runs into the Alexander (Soda Point) Reservoir. The diversion headgate is located in the NE1/4 NE1/4, Section 12, Township 9 South, Range 41 East, as depicted on the enclosed map. I have also verified this with the Soda Creek Watermaster, Craig Hill. He indicates that the headgate or cutout lacks an accurate measuring device and should be replaced with a weir or other diversion structure with an accurate measuring device. Additionally, Solutia is in the process of obtaining a photograph of the cutout headgate on the canal which I should have shortly and will send you a copy of. No other protests have been filed. The last date to protest was January 31.

P4 is willing to pay the cost of installing the measuring device at the cutout so that the transferred water can be accurately delivered. I have also informed Harold Jones of this and that P4 will stipulate to the Transfer Application being granted conditional upon a measuring device being installed at the cutout on the Farmers Land & Irrigation Company canal. Assuming this is sufficient to satisfy the protest of PacifiCorp, would you please write IDWR and withdraw your protest subject to that condition.

I am contacting the Board of Farmers Land in order to make arrangements for the installation of the measuring device suitable to the needs of the Watermaster. If for some physical or other unknown reason the water to be transferred could not be passed downstream through Bear River to the new points of diversion, of course P4 would not proceed.

Jody L. Williams
February 3, 2000
Page 3

I should note at the time the application was filed, we were unaware that Soda Creek return flow downstream from the Kackley place was diverted into the Farmers canal, or that a cutout in the canal was used to direct water back into Soda Creek.

By copy of this letter and the enclosures I am advising Cheryl Willis of U.S.F.W.S. and Brent Rose of the same so they can follow your lead. If any of you have questions, please call.

Sincerely,


RANDALL C. BUDGE

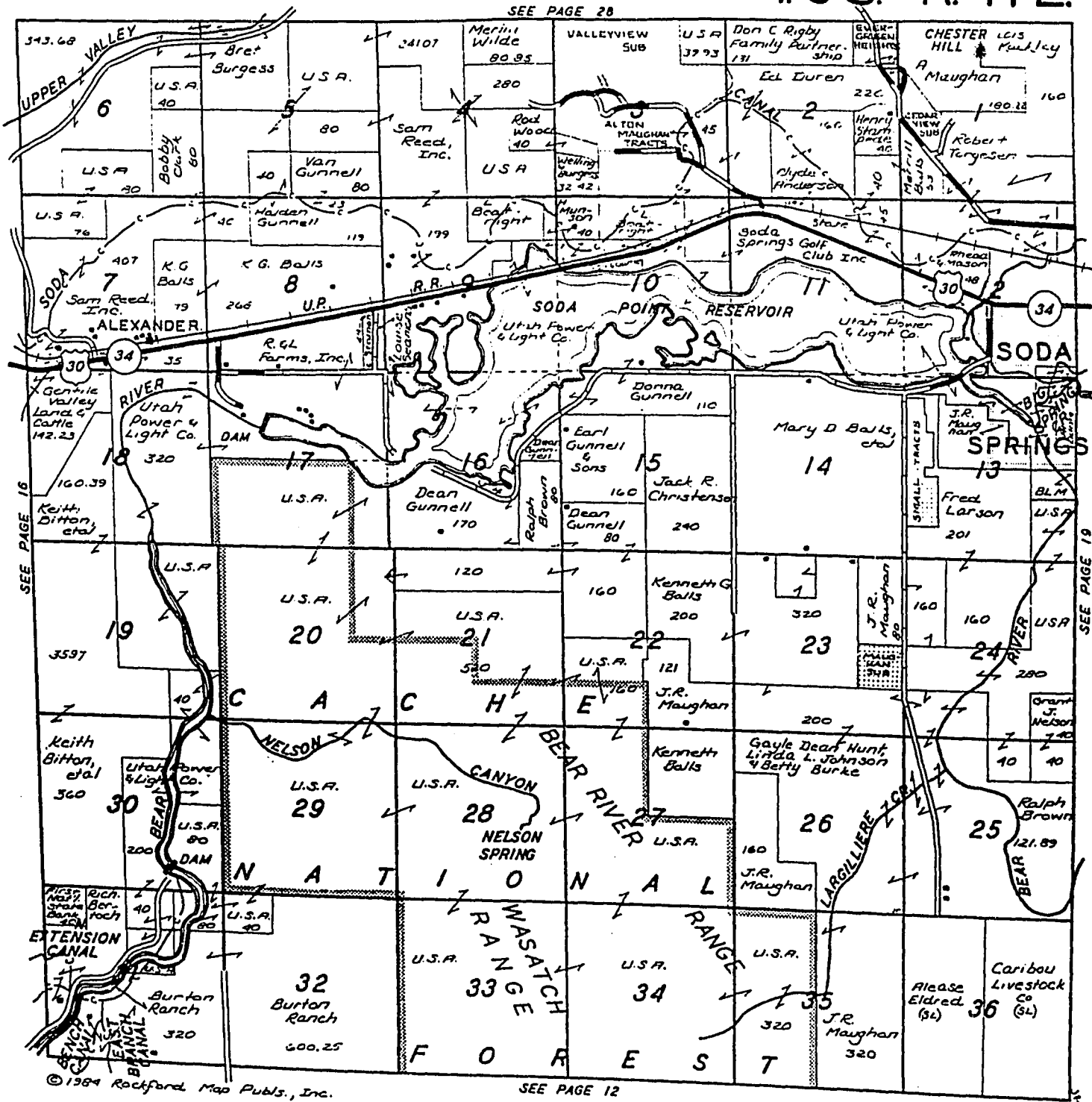
RCB:rr

Enclosures

cc: D. Brent Rose
Cheryl Willis, U.S.F.W.S.
P4/Solutia - Dave Farnsworth
Last Chance Canal Company - Marc Gibbs
Harold Jones, IDWR

T.9S.-R.41E.

17



DATE OF PRIORITY	AMOUNT IN SECOND FEET	POINT OF DIVERSION AND PLACE OF USE
223. <i>Herbert Horsley:</i> 1889—May 1	25 c.f.s.	To be diverted from Soda Creek through the ditch last above mentioned and used for power purposes in the saw-mill owned and operated by said party, situate in the Northwest quarter of the Northwest quarter of Section 7, Township 9 South, Range 42 East, B.M., and thence returned to the channel of Soda Creek in the Northwest quarter of said Section 7, above the intake of the canal of the Farmers Land & Irrigation Company.
224. <i>Farmers Land and Irrigation Company, of Alexander, Idaho, Limited:</i> 1892—May 1	80 c.f.s.	To be diverted from the natural flow of said Soda Creek through a canal commonly known as the Soda Canal, diverting therefrom at a point near the center of the Northeast quarter of Section 12, Township 9 South, Range 41 East, B.M., to be used for the irrigation of 4000 acres of land in Sections 21, 22, 23, 26, 27, 28, 29, 33, 34 and 35, Township 8 South, Range 40 East, B.M., Sections 1, 2, 3, 9, 10, 11, 15, 16, 21, 22 and 27, Township 9 South, Range 40 East, and in Section 7, Township 9 South, Range 41 East, B.M. Provided, however, that the 80 c.f.s. from Soda Creek hereby awarded to the said Farmers Land & Irrigation Company shall be diminished by whatever quantity of water up to 20 cubic feet per second, it shall be able to obtain from Big Spring Creek, under its right thereon dating from July 1st, 1905, the intent of this decree being to establish said company's right to 80 c.f.s. from Soda Creek as of May 1st, 1892, but to require the reduction of the amount it shall divert under such right to the extent of the quantity up to 20 cubic feet per second said company is able to obtain from Big Spring Creek under its 1905 right.
225. W. J. Davis, Kenneth Balls, Daniel Balls, James Bigler, George Nelson, D. W. Seamons, R. B. Gunnell and A. C. Davis, residents of Davisville are entitled to divert from Soda Creek through the canal of the Farmers Land & Irrigation Company, herein described in the paragraph immediately preceding, with priorities and in the amounts hereinbelow set forth:		
1892—May 1	3.0 c.f.s.	To be diverted through the said canal for the irrigation of 350 acres of land. The individual rights, interests, acreages and de-
1907—May 1	4.0 c.f.s.	

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February 3, 2000

RECEIVED

FEB 04 2000

Department of Water Resources
Eastern Region

Harold Jones
Senior Water Rights Analyst
Idaho Department of Water Resources
Eastern Region
900 N. Skyline Drive
Idaho Falls, Idaho 83402

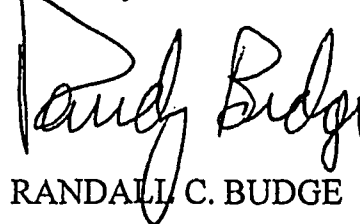
Re: *Monsanto-P4 Production, L.L.C - Water Right Leases.*

Dear Harold:

Per our phone conversation and your request, I am enclosing a copy of the Form 42-1409(7), New Property Owner Notice of Change of Water Right Ownership, together with the attached Deed evidencing the transfer of the subject property from Monsanto to P4. Also enclosed is my previous transmittal letter concerning the same dated November 10, 1998.

It is my understanding that this has been misplaced. Based on this letter and the enclosures, please update the Department's records to reflect P4 as the owner of all water rights in the name of Monsanto, Monsanto Company or Monsanto Chemical Company.

Sincerely,


RANDALL C. BUDGE

RCB:rr

Enclosures

cc: Dave Farnsworth (w/o encls.)

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
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*ALSO MEMBER IL & WY BARS
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***ALSO MEMBER CO BAR
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*****ALSO MEMBER D.C. BAR

LAW OFFICES OF
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CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-8101
FAX (208) 232-8109

ASSOCIATED WITH
MCGRATH, SMITH
& ASSOCIATES
414 SHoup
P. O. BOX 50731
IDAHO FALLS, ID 83405
TEL (208) 524-0731
FAX (208) 529-4166

STEPHEN J. McGRATH
BRYAN D. SMITH
NEAL S. RANDALL
ALSO ADMITTED IN CA

November 10, 1998

Harold Jones
Idaho Department of Water Resources
Eastern Region
900 N. Skyline Drive
Idaho Falls, Idaho 83402

RECEIVED

FEB 04 2000

Department of Water Resources
Eastern Region

Re: *Monsanto-P4 Production, L.L.C.*

Dear Harold:

Enclosed please find for filing a New Property Owner Notice of Change of Water Right Ownership-Form 42-1409(7). This is being submitted on behalf of Monsanto for the purpose of changing ownership to P4 Production, L.L.C.

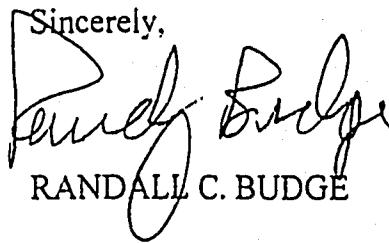
The water rights to be transferred consist of all known water rights in the name of Monsanto, Monsanto Company, or Monsanto Chemical Company. Those that I am aware of are identified in the attached "Summary of Water Rights". All are in Monsanto's name except for 27-07451 and 27-07452 which I note are in the name of the State of Idaho Department of Lands. I am in the process of contacting the Department of Lands to see if these water rights can be transferred into P4's name. I note that no SRBA claims have been filed on them.

I am preparing proposed SRBA Claims for 27-07451 and 27-07452 (commonly known as the Enoch Valley Wells) and also number 27-07369 (commonly known as the Ballard Mine Office). These three appear to be in the Snake drainage and all require SRBA claims.

On behalf of P4 Production, L.L.C., I am in the process of compiling a summary of water rights together with supporting documentation. Accordingly, I would appreciate it if you would provide for each right a current Water Right Report, together with a copy of each underlying Application, Permit, License, Transfer, etc. If there are any copying or research charges, please provide a statement and I'll promptly remit. I would be happy to meet with you to review and compile this information or discuss any questions you may have by phone.

Harold Jones
November 10, 1998
Page 2

Thank you for your cooperation and assistance.

Sincerely,

RANDALL C. BUDGE

RCB:rr

Enclosures

cc: P4 Production, Inc.:
Robert L. Geddes
David W. Farnsworth



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

FEB 04 2000

Department of Water Resources
Eastern Region

DATE OF CLOSING: 9/1/97

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

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) _____ Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ 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:

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

Monsanto

FROM (NAME, LOCATION, PHONE) Roy G. Cooper E2NK 4-2805

DATE: October 24, 1997 cc: Luke KISSAM (Deed Enclosed)
SUBJECT: Soda Springs, Idaho Dave Farnsworth 1850
TO: Charlotte Keating E3SA

Enclosed for the Central Real Estate Files please find the following:

1. Commitment for Title Insurance which covers the Soda Springs Plant and all related properties except two small tracts of land which were discovered later but which were included in the Deed.
2. Special Warranty Deed from Monsanto Company to P4 Production, L.L.C. which shows recording data.

Roy G. Cooper
Roy G. Cooper

Enclosure

*Transfer
all water rights
to P4*

THIS INSTRUMENT FILED FOR RECORD BY
CARIBOU LAND TITLE INC. AS AN
ACCOMMODATION ONLY. IT HAS NOT BEEN
EXAMINED AS TO ITS EXECUTION OR AS
TO ITS EFFECT UPON THE TITLE.

SPECIAL WARRANTY DEED
(Idaho)

104974

STATE OF IDAHO
County of Caribou

Date: Sept. 2 1997

Time: 2:00 P.M.

Microfilm Records

Recorder: Edie Izatt

Deputy: Denise Haisley

Fee: 117.00 CT

For Value Received, MONSANTO COMPANY, a Delaware corporation, the Grantor, does hereby bargain, sell and convey unto P4 Production, L.L.C., a Delaware Limited Liability Company, whose current address is Highway 34 North, Soda Springs, ID 83276, the Grantee, the following described premises, in Caribou County, Idaho, to wit:

The real estate described in Exhibit A attached hereto and incorporated herein by reference.

TOGETHER WITH (i) all reversionary, underlying or other right, title and interest of Grantor in and to the rights-of-way of all public roads, streets, or ways, and of all railroads or easements, abutting upon the above described property or any part thereof, and (ii) all right, title and interest of Grantor in and to any and all lands lying beneath, or constituting the bed of any waterway or body of water, abutting upon the above described property or any part thereof.

SUBJECT TO (i) easements, rights-of-way, restrictions and all other matters of record, (ii) matters which a survey or inspection of the property would reveal, (iii) general real estate taxes payable in the current year and thereafter, and (iv) special taxes assessed or becoming a lien after the date hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it will warrant and defend the premises from all lawful claims of all persons claiming by, through or under Grantor but none other, excepting, however the matters above set forth.

Dated: As of September 1, 1997

ATTEST:

[Notary Seal]

Henry M. Davis

Assistant Secretary

MONSANTO COMPANY

By [Signature]

Vice President

(Idaho Deed)

STATE OF MISSOURI)
) ss:
COUNTY OF ST. LOUIS)

On this 27th day of August, in the year 1997, before me, Andrea Groppe
a Notary Public, personally appeared Michael W. Windel, to me known to
be a Vice President of MONSANTO COMPANY and known to me to be the person who executed the
above instrument on behalf of said corporation, and acknowledged to me that such 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.

Andrea Groppe
Notary Public, residing at
St. Louis Co., MO

My Commission expires on _____, 1997.

ANDREA GROPPE
Notary Public - Notary Seal
STATE OF MISSOURI
ST. LOUIS COUNTY
MY COMMISSION EXP. JAN. 4, 2000

Caribou County, Idaho:

TRACT I:

Township 8 South, Range 42 East of the Boise Meridian:

Section 19: S $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 29: W $\frac{1}{2}$ SW $\frac{1}{4}$, ALSO, all that portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying Westerly of the Westerly right of way line of State Highway No. 34.
ALSO, all that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying Westerly of the Westerly right of way line of State Highway No. 34, more particularly described as follows:

Beginning at the center of said Section 29, said corner being North 89°53'59" West 2676.01 feet from the East Quarter corner of said Section 29, said point of beginning being a 5/8" rebar with cap labelled "A.A. HUDSON, PLUS 4735", and running
thence South 89°53'59" East 316.45 feet along the latitudinal centerline of said Section 29 to a 5/8" rebar with cap set on the Westerly right of way of Idaho State Highway No. 34;
thence South 32°32'19" West 1364.70 feet along said right of way line to a 5/8" rebar with cap set at the beginning of a 5782.20 foot radius curve concave to the Southeast;
thence continuing along said right of way line Southwesterly along said curve through a central angle of 01°52'33" a distance of 189.30 feet (Chord=South 31°43'42" West 189.29 feet) to a 5/8" rebar with cap set on the South one-sixteenth line of said Section 29;
thence South 89°47'47" West 791.87 feet along said one-sixteenth line to a 5/8" rebar with cap set at the Southwest one-sixteenth corner of said Section 29;
thence North 00°46'26" West 1317.30 feet along the West one-sixteenth line of said Section 29 to a 5/8" rebar with cap set at the Center West one-sixteenth corner of said Section 29;
thence South 89°53'59" East 1326.79 feet along said latitudinal centerline, to the point of beginning.

ALSO, All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying East of the Monsanto Haul Road.

Section 30: Lots 2 and 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$,
EXCEPT THEREFROM, a strip of land 50 feet wide, being 25 feet on each side of the centerline lying over and across the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 8 South, Range 41 East of the Boise Meridian, and over and across Lots 2 and 3, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 8 South, Range 42 East of the Boise Meridian, said centerline being more particularly described as follows:

Beginning at a point on the West fence line of grantor's land, which point is 25 feet South of the intersection of the said West fence line with the North line of the said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 25, and

154974

1285 feet, more or less, West of the East line of said Section 25, and running
thence Easterly, parallel to and 25 feet distance Southerly from the said North line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 25 and 25 feet distant Southerly from and parallel to the North line of Lot 2 of said Section 30, to a point 25 feet West of the Westerly base of a lava reef in the Northeasterly portion of said Lot 2;
thence Southeasterly parallel to and 25 feet distant Westerly from the base of said lava reef to the Southerly surface end of said lava reef;
thence continuing Southeasterly to and around and 25 feet distant from the Southerly and Westerly side of a second lava reef situated in or near the Southeast corner of said Lot 2 and in or near the Northeast corner of said Lot 3 of said Section 30;
thence Southeasterly between two additional lava reefs to a point 25 feet East of the Easterly side thereof;
thence running Northeasterly to a point 25 feet South of the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 30;
thence Easterly parallel to and 25 feet distant Southerly from the said North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 30, to a point 25 feet West of the East fence line of grantor's land in the said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 30;
thence Southerly, parallel to and 25 feet distance Westerly from said East fence line of Grantor's land to the South line of the said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 30, Township 8 South, Range 42 East of the Boise Meridian.

Section 31: E $\frac{1}{4}$.

Section 32: All that portion of the NW $\frac{1}{4}$ and the W $\frac{1}{2}$ SW $\frac{1}{4}$ lying Westerly of the Westerly right of way of State Highway 34 as the same now exists.

ALSO, Beginning at the Southwest corner of Section 32; thence North 00°33'26" East 60 feet to a found 5/8" rebar, the True Point of

Beginning, and running

thence North 00°25'51" West 654.08 feet along the East right of way line of Highway No. 34 to a highway right of way monument, which is the P.C. of a 1860.00 foot radius curve to the right;

thence Northerly along said curve through a central angle of 02°05'01", an arc length of 67.64 feet, the chord of which bears North 01°17'53" East, and having a chord distance of 67.64 feet to a point of tangency, which is a 5/8" rebar with cap labelled "A.A. HUDSON PLUS 4735";

thence South 37°20'30" East 804.98 feet to a 5/8" rebar with cap;

thence South 16°32'26" East 81.09 feet to a found 5/8" rebar;

thence South 90°33'07" West 507.99 feet, to the true point of beginning.

ALSO, a tract of land 200 feet in width, adjoining the westerly side of the Conda-Soda Springs Railroad right of way and running Northwesterly therefrom to and adjoining the Easterly side of State Highway No. 34 and situated in the

154974

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, and further described as situated 100 feet on each side of the following described centerline, to-wit:

Beginning at a point on the West boundary line of said Conda-Soda Springs railroad right of way located 439 feet East and 358 feet North of the Southwest corner of said Section 32, and running thence Northwesterly to a point 933.4 feet North of said Southwest corner of Section 32, which last point intersects the Easterly boundary line of said State Highway No. 34;

Township 8 South, Range 41 East of the Boise Meridian:

Section 25: Beginning at the East Quarter corner of said Section 25, and running thence South 89°24' West along the South line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 25, 733 feet, more or less, to the Easterly boundary line of State Highway, as the same presently exits; thence North 21°25' West along said Easterly boundary line of said State Highway a distance of 1438 feet, more or less, to the North line of the said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25; thence South 89°48' East along said North line, a distance of 1285 feet, more or less, to the Northeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 25; thence South along the East line of said Section 25, a distance of 1326 feet, more or less, to the point of beginning.
ALSO, Beginning at the East Quarter corner of said Section 25, and running thence West 750 feet, more or less, to the Easterly right of way line of the Soda Springs-Hooper-North Highway; thence Southeasterly along said Easterly right of way 1420 feet, more or less, to an intersection with the South 1/16th line of said Section 25; thence East along said South 1/16th line 240 feet, more or less, to the East line of said Section 25; thence North along the East line of Section 25, 1320 feet, to the point of beginning.

Township 9 South, Range 41 East of the Boise Meridian:

Section 1: Lots 1 and 2, the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Township 9 South, Range 42 East of the Boise Meridian:

Section 6: Lots 1, 2, 3, 4, 5 and 6, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.
EXCEPT THEREFROM, the following tracts:
1. Beginning at the point of intersection of the West line of State Highway No. 34, and the South line of Hooper Springs Road, which point is approximately 86 feet West and 100 feet South from the Northeast corner of said Section 6; thence

continuing South along the Westerly right of way line of said Highway No. 34, a distance of 208.7 feet, to the True Point of Beginning, and running thence continuing South along the Westerly right of way line of Highway No. 34, a distance of 1011.3 feet, more or less, to the South line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 6;

thence West along said South line 440 feet;

thence North 1011.3 feet;

thence East 440 feet, to the point of beginning.

2. Beginning at a point on the South boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 6, 316 feet East of the Southwest Corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, said point of beginning is on the extended West line of Second East Street and 100 feet North of the Northeast Corner of Lot 16 of Lover's Delight Subdivision, according to the official plat thereof, as recorded in the office of the County Recorder of Caribou County, Idaho, under recorder's instrument No. 31035, and running

thence North 30 feet; thence West 135 feet;

thence South 30 feet; thence East 135 feet,

to the point of beginning.

3. Beginning at a point on a fence line on the West side of a hydroelectric power plant diversion canal for Soda Springs, City, called Feeney Ditch, said point being North 31°26'32" East 1643.95 feet from the Southwest Corner of said Section 6, and running:

thence Northerly along the West side of said ditch and the

West side of Soda Creek through the following 43 courses:

thence North 13°19'26" West 35.727 feet;

thence North 31°06'26" West 62.457 feet;

thence North 17°30'16" West 48.516 feet;

thence North 0°53'56" East 43.818 feet;

thence North 20°37'29" East 89.416 feet;

thence North 7°10'05" East 75.188 feet;

thence North 15°05'22" East 113.638 feet;

thence North 20°48'41" East 99.585 feet;

thence North 21°17'18" East 57.130 feet;

thence North 51°06'59" East 41.072 feet;

thence North 86°27'00" East 56.782 feet;

thence North 48°42'39" East 26.779 feet;

thence North 15°48'53" East 29.311 feet;

thence North 4°17'03" West 104.345 feet;

thence North 35°39'38" West 74.546 feet;

thence North 15°44'25" East 38.717 feet;

thence North 59°49'51" East 39.418 feet;

thence North 4°09'38" East 95.954 feet;

thence North 8°40'26" West 61.980 feet;

thence North 21°58'28" West 50.618 feet;

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thence North 12°45'42" West 63.222 feet;
thence North 42°26'30" East 33.824 feet;
thence South 84°52'56" East 42.025 feet;
thence North 59°17'26" East 30.011 feet;
thence North 20°35'17" East 60.713 feet;
thence North 9°16'23" West 69.973 feet;
thence North 27°10'29" West 137.201 feet;
thence North 25°09'05" West 111.388 feet;
thence North 35°21'37" West 149.842 feet;
thence North 19°47'40" West 68.129 feet;
thence North 2°48'00" East 78.494 feet;
thence North 25°38'06" East 140.616 feet;
thence North 1°54'56" West 64.073 feet;
thence North 10°38'25" West 53.671 feet;
thence North 0°18'22" East 88.561 feet;
thence North 47°10'09" West 78.897 feet;
thence North 43°10'11" West 59.379 feet;
thence North 26°35'45" West 153.022 feet;
thence North 18°03'30" West 186.528 feet;
thence North 17°27'10" West 146.095 feet;
thence North 1°47'04" West 106.375 feet;
thence North 18°32'19" West 75.045 feet;
thence North 61°23'47" West 128.858 feet;
thence North 23°41'40" East 78.316 feet across Soda Creek;
thence Southerly along Soda Creek and the East side of "Feeney

Ditch" through the following 38 courses:

thence South 66°06'24" East 94.330 feet;
thence South 23°58'59" West 50.037 feet;
thence South 66°06'42" East 74.050 feet;
thence South 22°40'14" East 80.690 feet;
thence South 1°02'21" East 114.400 feet;
thence South 17°41'12" East 161.210 feet;
thence South 16°27'50" East 150.470 feet;
thence South 29°08'23" East 166.010 feet;
thence South 56°13'49" East 42.870 feet;
thence North 63°39'35" East 64.490 feet;
thence South 26°20'25" East 60.000 feet;
thence South 63°39'35" West 30.000 feet;
thence South 1°10'58" East 278.680 feet;
thence South 22°33'17" West 149.730 feet;
thence South 1°59'22" East 46.470 feet;
thence South 31°30'51" East 170.880 feet;
thence South 28°39'06" East 148.800 feet;
thence South 24°55'33" East 164.380 feet;

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thence South 2°40'36" West 78.000 feet;
thence South 25°07'52" West 74.540 feet;
thence South 80°00'11" East 50.000 feet;
thence South 10°00'00" West 50.000 feet;
thence North 80°00'00" West 77.610 feet;
thence South 4°03'10" West 86.300 feet;
thence South 13°30'53" East 90.390 feet;
thence South 21°29'49" West 111.140 feet;
thence South 11°27'46" East 59.850 feet;
thence South 5°54'53" East 123.360 feet;
thence South 26°15'49" West 33.600 feet;
thence South 47°02'44" West 55.570 feet;
thence South 73°30'37" West 51.810 feet;
thence South 39°35'50" West 41.680 feet;
thence South 21°11'11" West 126.080 feet;
thence South 14°40'26" West 109.440 feet;
thence South 7°45'02" West 96.180 feet;
thence South 18°11'45" West 72.300 feet;
thence South 23°34'28" East 168.590 feet;
thence North 87°16'09" West 70.283 feet,
to the point of beginning.

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Caribou County, Idaho:

TRACT II:

Township 8 South, Range 41 East of the Boise Meridian:

Section 25: SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, ALSO, Beginning at a point 1482 feet West of the Northeast corner of the SW $\frac{1}{4}$ of Section 25, and running
thence South 00°51' East 280 feet;
thence South 44°38' East 200 feet;
thence South 36°05' East 423 feet;
thence South 22°17' East 212 feet;
thence South 04°59' East 214 feet;
thence South 02°05' East 162 feet;
thence South 01°27' West 500 feet;
thence South 03°49' East 414 feet;
thence South 02°51' East 372 feet, more or less, to the South line;
thence West along the South section line 1360 feet, more or less, to a point 330 feet East of the Southwest corner of said Section 25;
thence North parallel to the West section line, 2640 feet, more or less, to a point on latitudinal centerline of said Section 25;
thence East along said latitudinal centerline 828 feet, more or less, to the point of beginning.
ALSO, the North 50 feet of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT any portion thereof lying Easterly of the Westerly right of way line of State Highway.

ALSO, a strip of land 50 feet wide, being 25 feet on each side of the centerline lying over and across the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 25, Township 8 South, Range 41 East of the Boise Meridian, over and across Lots 2 and 3, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 8 South, Range 42 East of the Boise Meridian, said centerline being more particularly described as follows:

Beginning at a point on the West fence line of grantor's land, which point is 25 feet South of the intersection of the said West fence line with the North line of the said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 25, and 1285 feet, more or less, West of the East line of said Section 25, and running

thence Easterly, parallel to and 25 feet distance Southerly from the said North line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 25 and 25 feet distant Southerly from and parallel to the North line of Lot 2 of said Section 30, to a point 25 feet West of the Westerly base of a lava reef in the Northeasterly portion of said Lot 2;
thence Southeasterly parallel to and 25 feet distant Westerly from the base of said lava reef to the Southerly surface end of said lava reef;
thence continuing Southeasterly to and around and 25 feet distant from the

- Southerly and Westerly side of a second lava reef situated in or near the Southeast corner of said Lot 2 and in or near the Northeast corner of said Lot 3 of said Section 30;
 thence Southeasterly between two additional lava reefs to a point 25 feet East of the Easterly side thereof;
 thence running Northeasterly to a point 25 feet South of the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 30;
 thence Easterly parallel to and 25 feet distant Southerly from the said North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 30, to a point 25 feet West of the East fence line of grantor's land in the said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 30;
 thence Southerly, parallel to and 25 feet distance Westerly from said East fence line of Grantor's land to the South line of the said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 30, Township 8 South, Range 42 East of the Boise Meridian:
- Section 26: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.
- Section 27: E $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPT THEREFROM, the following tract:
 Beginning at the Northeast corner of Section 27, and running
 thence West 330 feet;
 thence Southeasterly to the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27;
 thence North along the East boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1320 feet, more or less, to the point of beginning.
- Section 35: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$,
 ALSO, Beginning at the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 35, and running
 thence East 330 feet;
 thence Northwesterly to the Northwest corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 thence South along the West line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1320 feet, more or less, to the point of beginning.
 EXCEPT THEREFROM, the N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.
 EXCEPT THEREFROM, Beginning at the Northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 35, and running
 thence West 330 feet;
 thence Southeasterly to the Southeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 thence North along the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 1320 feet, more or less, to the point of beginning.

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Caribou County, Idaho:

TRACT III:

Township 8 South, Range 43 East of the Boise Meridian:

Section 13: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Township 8 South, Range 44 East of the Boise Meridian:

Section 7: Lots 3 and 4 (W $\frac{1}{2}$ SW $\frac{1}{4}$).

Section 18: Lots 1, 2, 3 and 4, E $\frac{1}{2}$ W $\frac{1}{2}$.

Section 19: Lots 1, 2, 3 and 4, E $\frac{1}{2}$ W $\frac{1}{2}$.

Section 30: Lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, EXCEPT THEREFROM, the following tract:

Beginning at the Northeast corner of the NW $\frac{1}{4}$ of said Section 30,
and running

thence due West for a distance of 652 feet to a point on the
fence line due East of Slug Creek Road;

thence on a bearing of South 30°25' East for a distance of
1920 feet following the fence line paralleling the road;

thence on a bearing of South 50°35' East for a distance of
660 feet following the fence line to a point on the
quarter section line dividing the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of said
Section 30;

thence North on this quarter section line for a distance of
2332 feet to the point of beginning.

Township 7 South, Range 43 East of the Boise Meridian:

Section 6: Lot 6, ALSO, a tract in the E $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 6 described as follows:

Beginning at a point which is the South Quarter corner of said
Section 6, and running

thence North 660 feet;

thence North 31°13' West 1447.59 feet;

thence North 89°32' West 578 feet;

thence South 1848 feet;

thence South 89°32' East 1320 feet, to the point of beginning.

Section 7: Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 18: Lot 1, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Township 7 South, Range 42 East of the Boise Meridian:

Section 12: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, ALSO, a triangular shaped tract of land in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 12, described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ of said Section 12 (Y = 424,759.26, X = 680,528.05); and running thence South 0°05'13" East along the East line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 12, a distance of 1200 feet; thence North 22°43'06" West a distance of 1299.37 feet to the North line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 12; thence North 89°50'06" East along the North line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12 a distance of 500 feet, more or less, to the point of beginning. (The bearings as shown in this description are from the Idaho East Zone Coordinate System, modified to elevation 6600 with combined factor of 1.0003334. To convert to geodetic bearings subtract 0°28'55" from all Northwest and Southeast bearings and add 0°28'55" to all Northeast and Southwest bearings.)

Section 13: N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, ALSO, a tract of land in the S $\frac{1}{2}$ NE $\frac{1}{4}$ lying North of the Southerly boundary line of the presently existing Monsanto Haul Road, more particularly described as follows:

Beginning at a point South 1350 feet and West 1555.95 from the Northeast corner of Section 13, and running thence West 2261.58 feet; thence South 24°15' East 140.76 feet; thence South 78°10' East 283 feet; thence South 85°26' East 503.30 feet; thence South 86°26' East 288.42 feet; thence North 81°06' East 499.45 feet; thence North 80°08' East 499.36 feet; thence North 62°02' East 170.47 feet, to the point of beginning.

Section 22: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 23: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 26: W $\frac{1}{2}$ W $\frac{1}{2}$.

Section 27: NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT any portion lying within Monsanto's Haul Road.

Township 6 South, Range 42 East of the Boise Meridian:

Section 10: A tract of land in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, more particularly described as follows:

Beginning at the Northeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, and running thence North 89°45' West along the centerline of Section 10 1455.3 feet, more or less, to the Easterly right of way

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line of State Highway No. 34 (80 ft. wide);
thence South 58°23' West along said right of way line 274.9 feet;
thence South 36°05' East 1465.8 feet more or less, to the South line of the
NW¼SE¼ of Section 10;
thence North 89°50' East along said South line 821.6 feet to the Southeast
corner of the NW¼SE¼;
thence North 0°13' East along the East line of NW¼SE¼, 1320 feet, more or
less, to the point of beginning.

Sections 10: A tract in the E½ of Section 10 and the SW¼ of Section 11, more particularly
and 11: described as follows:

Beginning at the Southwest corner of Section 11, and running
thence South 89°51' East along the South line of Section 11
2640 feet, to the South Quarter corner of Section 11;
thence North 0°12' East 1034.4 feet along the centerline Section 11;
thence along the crest of a ridge to a point North 58°58' West 2461.8 feet;
thence North 50°32' West 1044.1 feet;
thence North 60°14' West 1600 feet, more or less, to the Easterly right of way
line of State Highway No. 34 (80 ft wide), said point being a point on a
curve to the left having a radius of 778.6 feet;
thence Southerly along said curve 128.6 feet to the point of tangency of said
curve;
thence South 11°13' West 42.4 feet to the point of curvature
of a curve to the right having a radius of 756.3 feet;
thence Southwesterly along said curve 622.6 feet;
thence South 58°23' West 829.7 feet along said right of way line;
thence South 89°45' East along the centerline of Section 10
1455.8 feet to the Northeast corner of the NW¼SE¼;
thence South 0°13' West along the East line of said NW¼SE¼
1320 feet to the Southeast corner thereof;
thence South 28°08' East 653.2 feet;
thence South 52°54' East 1253.2 feet, more or less,
to the point of beginning.

EXCEPT THEREFROM, Beginning at the Southwest corner of Section 11;
thence North 52°54' West 1253.2 feet to the TRUE POINT OF BEGINNING,
and running
thence North 44°52'11" East 2173.9 feet;
thence North 50°32' West 1044.1 feet;
thence North 60°14' West 1600 feet, more or less, to the Easterly right of way
line of State Highway No. 34, said point being a point on a curve to the left
having a radius of 778.6 feet;
thence Southerly along said curve 128.6 feet to the point of tangency of curve;
thence South 11°13' West 42.2 feet to the point of curvature of a curve to the
right having a radius of 756.3 feet;
thence Southwesterly along said curve 622.6 feet;

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thence South 58°23' West 1104.6 feet along said right of way line;
thence South 36°05' East 1465.8 feet;
thence North 89°50' East 821.6 feet;
thence South 28°08' East 653.2 feet,
to the TRUE POINT OF BEGINNING.

Section 25: A tract of land in the SE¼NW¼ and E¼SW¼ of Section 25,
more particularly described as follows:

Beginning at a point on the South line of said Section 25 (Y = 436,148.05,
X = 682,899.73) from which point the Southwest corner of said Section 25
(Y = 436,132.64, X = 681,497.06) bears South 89°22'13" West a distance
of 1402.76 feet; and running
thence along the arc of a circular curve to the right having a radius of 1030.37
feet and a central angle of 20°23'44", a distance of 366.78 feet, said arc
being subtended by a chord bearing North 33°00'08" East a distance of
364.85 feet;
thence along the arc of a spiral curve to the right having a central angle of
7°12', a distance of 249.42 feet, said arc being subtended by a chord bearing
North 47°48'38" East a distance of 249.25 feet;
thence North 50°24' East a distance of 171.58 feet;
thence along the arc of a spiral curve to the left having a central angle of 7°12',
a distance of 230.58 feet, said arc being subtended by a chord bearing North
47°53'35" East a distance of 230.42 feet;
thence along the arc of a circular curve to the left having a radius of 880.37 feet
and a central angle of 53°18', a distance of 818.97 feet, said arc being
subtended by a chord bearing North 16°33' East, a distance of 789.75 feet;
thence along the arc of a spiral curve to the left having a central angle of 7°12',
a distance of 230.58 feet, said arc being subtended by a chord bearing North
14°47'35" West, a distance of 230.42 feet;
thence North 17°18' West a distance of 523.29 feet;
thence along the arc of a spiral curve to the right having a central angle of
9°00', a distance of 281.78 feet, said arc being subtended by a chord bearing
North 14°04'38" West, a distance of 281.48 feet;
thence along the arc of a circular curve to the right having a radius of 934.92
feet and a central angle of 78°05'18" a distance of 1274.20 feet, said arc
being subtended by a chord bearing North 30°43'49" East, a distance of
1178.33 feet to a point on the East line of the W¼ of Section 25;
thence South 0°15'11" East along said East line of the W¼ of said Section 25,
a distance of 3488.35 feet to the South line of said Section 25;
thence South 89°22'13" West along the said South line of said Section 25, a
distance of 1246.21 feet, to the point of beginning.

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Township 6 South, Range 43 East of the Boise Meridian:

Section 17: A tract of land in the NE¼ of Section 17, described as follows:

Beginning at the East Quarter corner of Section 17, which is a 3½" aluminum cap monument recorded under document No. 137723, in the official records of Caribou County, Idaho;

thence North 00°26'34" West 48 feet along the East line of said Section 17, THE TRUE POINT OF BEGINNING, and running

thence North 84°19'00" West 878.02 feet to a 5/8" rebar with cap labelled "A.A. HUDSON PLUS 4735";

thence North 24°12'38" East 2092.92 feet to a 5/8" rebar with cap set on the East line of said Section 17;

thence South 00°26'34" East 1995.85 feet along said East line, to the TRUE POINT OF BEGINNING.

ALSO, Beginning at the East Quarter corner of Section 17; and running thence South 00°26'34" East 1500 feet along the East line of said Section 17 to a 5/8" rebar with cap labelled "A.A. HUDSON PLUS 4735";

thence North 49°26'34" West 949.48 feet to a 5/8" rebar with cap;

thence North 39°52'26" West 233.42 feet to a 5/8" rebar with cap;

thence North 23°42'26" West 233.42 feet to a 5/8" rebar with cap;

thence North 07°32'25" West 233.42 feet to a 5/8" rebar with cap;

thence North 08°37'34" East 233.41 feet to a 5/8" rebar with cap set on the East-West center section line of said Section 17;

thence North 88°20'11" East 949.30 feet along said center Section line, to the point of beginning.

Section 19: Lot 4, and

A tract of land in Lot 3 (NW¼SW¼) of Section 19, described as follows:

Beginning at the West Quarter corner of Section 19, and running thence South 44°36' East 1915.3 feet to the Southeast corner of Lot 3 of Section 19;

thence North 89°54' West along the South 1/16th line of Section 19, 1344.8 feet, more or less, to the Southwest corner of Lot 3;

thence North along the West line of Section 19, 1361.2 feet, more or less, to the point of beginning.

ALSO, A tract of land in the SE¼SW¼ of Section 19, more particularly described as follows:

Beginning at the South Quarter corner of Section 19, and running

thence North 89°48' West along the South line of Section 19, 1255.2 feet to the Southwest corner of the SE¼SW¼;

thence North 0°04' East 1363.6 feet to the Northwest of the SE¼SW¼;

thence South 42°31' East 1856.0 feet, more or less, to the point of beginning.

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Section 30: Lots 1, 2, and 3, E $\frac{1}{2}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ SE $\frac{1}{4}$;

ALSO, A tract in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, more particularly described as follows:

Beginning at the North Quarter corner of Section 30, and running
thence South 42°47' East 1854.5 feet to the Southeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence South 42°45' East 1846.5 feet to the East Quarter corner of Section 30;
thence South 0°03' East along the East line of Section 30, 1320 feet to the
Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$;
thence North 89°54' West along the South line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2492.1 feet to
the Southwest corner;
thence North 0°18' West along the centerline of Section 30, 1320 feet to the
center of Section 30;
thence West 1243 feet to the Southwest corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$;
thence North 0°42' West 1360.8 feet along the West line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ to
the Northwest corner thereof;
thence South 89°54' East 1252.5 feet to the Northeast corner thereof;
thence North 0°18' West along the centerline of Section 30, 1358.8 feet,
to the point of beginning.

ALSO, Lots 6, 7, and 8, Block 4 and Lots 1, 2 and 3, Block 6, Caribou Blue Landing
Subdivision, according to the official plat thereof, as recorded in the office of the County
Recorder of Caribou County, Idaho, under recorder's instrument No. 71394.

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Caribou County, Idaho:

TRACT IV: (HAUL ROAD)

Township 8 South, Range 42 East of the Boise Meridian:

Section 29: A tract of land in the W $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{4}$ SW $\frac{1}{4}$, 50 feet on each side of the following described center line:

(43435) Beginning at a point on a fence which is West 2010 feet from the Southeast corner of the NE $\frac{1}{4}$ of Section 29, and running thence South 33°13' West 208.56 feet to the P.S. of a curve left; thence 905 feet along a 2°00' curve with 200 foot spirals at each end to the P.T. of curve;

thence South 19°07' West 514.54 feet to the P.S. of a curve right; thence 693.35 feet on a 16°00' curve with 200 foot spirals on each end to a point, on the Conda Railroad right of way fence, which is South 1767 feet and West 3214 feet from the Southeast corner of the NE $\frac{1}{4}$ of Section 29.

ALSO, a parcel in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, extending 50 feet on each side of the following described centerline, to-wit:

(42595) Beginning at a point on a which is South 1580 feet and West 1320 feet from the Northeast corner of Section 29, thence Southwesterly 142 feet on a 1°59'06" curve right to a point which is the P.T. of said curve;

thence South 33°13'30" West 1128 feet to a point on a fence line, which is West 2013 feet and South 2640 feet from the Northeast corner of Section 29.

(43435) ALSO, Beginning at a point which is South 161 feet and West 2164 feet from the Southeast corner of the NE $\frac{1}{4}$ of said Section 29, and running thence 905 feet Southwesterly along a 2°00' curve left, with 200 foot spirals at each end, to the P.T. of the curve;

thence South 19°07' West 514.54 feet to the P.S. of a curve right; thence 693.35 feet on a 16°00' curve with 200 foot spirals on each end; thence North 33°13' East 1868 feet, more or less, to the point of beginning.

(42477) ALSO, a parcel in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ extending 50 feet on each side of the following described centerline:

Beginning at a point on a curve which is South 1320 feet and West 1164 feet from the Northeast corner of said Section 29, and running

thence Southwesterly 302.90 feet on a 0°59'06" curve right to a point which is South 1580 feet, and West 1320 feet from the Northeast corner of Section 29.

(42595) ALSO, a parcel in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{4}$ SE $\frac{1}{4}$, 50 feet on each side of the following described centerline, to-wit:

Beginning at a point which is South 161 feet and West 2164 feet from the Southeast corner of the NE $\frac{1}{4}$ of Section 29, and running

thence 905.00 feet Southwesterly along a $2^{\circ}00'$ curve left, with 200 foot spirals at each end, to the P.T. of the curve;
 thence South $19^{\circ}07'$ West 514.54 feet to the P.S. of a curve right;
 thence 693.35 feet on a $16^{\circ}00'$ curve with 200 foot spirals on each end;
 thence North $33^{\circ}13'$ East 1868 feet, more or less,
 to the point of beginning.

Section 29: A parcel in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, being and 20: described as follows:

(42595) Beginning at a point which is North 1116 feet from the Northeast corner of Section 29, and running
 thence Southwesterly 751.49 feet on a $1^{\circ}32'06''$ curve left to a point which is the P.T. of said curve;
 thence South $23^{\circ}22'$ West 1385.96 feet to a point which is the P.C. of a curve;
 thence 556 feet on a $1^{\circ}59'06''$ curve right to a point on the curve, which is South 1320 feet and West 1164 feet from the Northeast corner of Section 29.

Section 21: A parcel in the W $\frac{1}{2}$ SW $\frac{1}{4}$, 50 feet on each side of the following described centerline, to-wit:

(42477) Beginning at a point which is North 2640 feet and East 1101 feet from the Southwest corner of Section 21, and running
 thence South $35^{\circ}59'$ West 1832 feet to a point which is the P.C. of a curve;
 thence 66 feet, on a $1^{\circ}32'06''$ curve left to a point which is North 1116 feet from the Southwest corner of said Section 21.

(42291) ALSO, a parcel in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, described as follow:

Beginning at a point and which is on the Easterly boundary of the Anaconda Company Rail Road Right-of-Way on the South boundary line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, from said-point the quarter corner between Section 20 and 21, bears South $89^{\circ}58'$ West a distance of 1004.7 feet;
 thence North $89^{\circ}58'$ East 315.3 feet;
 thence North $0^{\circ}10'$ West 434 feet;
 thence South $35^{\circ}53'$ West 536 feet,
 to the point of beginning.

(42595) ALSO, a tract in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 21, being 50 feet on each side of the following described centerline, to-wit:

Beginning at a point which is West 145 feet from the North quarter (N $\frac{1}{4}$) corner of Section 21,
 thence South $13^{\circ}43'$ West 715.28 feet to a point which is the P.C. of a curve;
 thence 890.67 feet on a $2^{\circ}30'$ curve right to a point which is the P.T. of said curve;
 thence South $35^{\circ}59'$ West 1031 feet to a point which is South 2336 feet and West 1320 feet from the North Quarter corner of Section 21.

Section 16: A tract in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 16, described as follows:

(42599) Beginning at a point on a fence line, which is South 629 feet and West 1320 from the Northeast corner of said Section 16, and running
 thence South $28^{\circ}19'30''$ West 300.63 feet to a point which is a P.C. of curve;

thence 393.70 feet on a $4^{\circ}00'$ curve left to a point on the said curve and a fence line, which is South 1222 feet and West 1579 feet from the Northeast corner of said Section 16.

The right of way is a parcel of land extending 50 feet on each side of the above described centerline.

(42595)

ALSO, a tract in the $SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$ of Section 16, described as follows:

Beginning at a point which is North 1320 feet and East 177 feet from the South Quarter corner of Section 16,
thence South $13^{\circ}43'$ West 1360 feet to a point which is West 145 feet from the South Quarter corner of Section 16.

(42026)

ALSO, a tract in the $SW\frac{1}{4}NE\frac{1}{4}$ and $NW\frac{1}{4}SE\frac{1}{4}$ of Section 16, as follows:

Beginning at a point on the railroad right of way fence line, which is South 1768 feet and West 1644 feet from the Northeast corner of Section 16, and running
thence Southwesterly 374 feet on a $4^{\circ}00'$ curve right, whose radius is 1432.40 feet to a point which is the P.T. of curve;
thence South $27^{\circ}45'$ West 868.07 feet to a point which is the P.C. of a curve left;
thence 909.29 feet on a $1^{\circ}32'36''$ curve whose radius is 3719.72 feet to a point which is the P.T. of curve;
thence South $13^{\circ}43'$ West 227 feet to a point which is South 1320 feet and East 177 feet from the Northeast corner of the $SW\frac{1}{4}$ of Section 16.

The land above described is a parcel of land extending 50 feet on each side of the above described centerline and is parallel to, adjacent to and immediately Easterly to the Conda Railroad spur.

(42598)

ALSO, a tract of land in the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 16, described as follows:

Beginning at a point which is West 1575 feet and South 1320 feet from the Northeast corner of said Section 16, and running
thence South $3^{\circ}20'$ West 74 feet;
thence North $30^{\circ}00'$ East 86 feet;
thence West 39 feet, more or less,
to the point of beginning.

ALSO, a parcel of land extending 50 feet on each side of the following described centerline, to-wit:

(41434)

Beginning at a point which is West 979 feet from the Northeast corner of said Section 16, and running

thence South $28^{\circ}19'30''$ West 713 feet to a point on a fence line, which is

South 629 feet and West 1320 feet from the Northeast corner of Section 16.

ALSO, all of that portion of the $NE\frac{1}{4}NE\frac{1}{4}$ lying and being Westerly of said 100 foot strip of land above described.

Section 10: A parcel of land in the $W\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$ of Section 10, being 50 feet on each side of the following described centerline, to-wit:

(41906)

Beginning at a point on centerline which is East 574 feet from the Northwest corner of Section 10 and running,

154974

- thence South $34^{\circ}57'$ West 186.76 feet to the P.S. of a curve left;
 thence 1406.67 feet on a $3^{\circ}00'$ curve left with 200 foot spirals on each end to
 the P.T. of the curve;
 thence South $1^{\circ}15'$ East 1525.76 feet to the P.S. of a curve right;
 thence 539.61 feet on a $3^{\circ}00'$ curve right with a 200 foot spiral on the North
 end to a point on the curve and centerline which is South 3475 feet from the
 Northwest corner of Section 10.
- (41906) ALSO, Beginning at the Northwest corner of Section 10, and running
 thence East 510 feet;
 thence South $34^{\circ}57'$ West 151.81 feet to the P.S. of a curve left;
 thence 1406.67 feet on a $3^{\circ}00'$ curve left with 200 foot spirals on each end to
 P.T. of the curve;
 thence North $1^{\circ}15'$ West 1359 feet,
 to the point of beginning.
- Sections 9: A tract in the $E\frac{1}{4}SE\frac{1}{4}$ of Section 9 and $W\frac{1}{2}SW\frac{1}{4}$ of Section 10, as follows:
 and 10: Beginning at a point on the centerline which is North 1805 feet from the
 (42600) Southeast corner of said Section 9, and running
 thence 594.84 feet on a $3^{\circ}00'$ curve right with a 200 foot spiral on the South
 end, to the P.T. of the curve;
 thence South $26^{\circ}57'$ West 1430.36 feet to a point on the centerline which is
 West 897 feet from the Southeast corner of said Section 9.
 The right of way is a parcel of land extending 50 feet on each side of the above
 described centerline a linear distance of 2025.20 feet from the point of
 beginning to the point on centerline which is West 897 feet from the Southeast
 corner of said Section 9.
- (42600) ALSO, Beginning at a point which is North 1644 feet from the Southeast corner
 of said Section 9, and running
 thence 440.91 feet Southwesterly along a $3^{\circ}00'$ curve right with
 200 foot spiral on the South end, to the P.T. of the curve;
 thence South $26^{\circ}57'$ West 1404.94 feet;
 thence East 841 feet;
 thence North 1644 feet, more or less, to the point of beginning.
- Section 3: Beginning at a point which is East 1320 feet and North 1086 feet from the
 (42600) Southwest corner of Section 3, and running
 thence Southwesterly along a $3^{\circ}00'$ curve right, with a 200
 foot spiral on the South end, 719.36 feet to the P.T. of the curve;
 thence South $34^{\circ}57'$ West 524.98 feet;
 thence East 685 feet;
 thence North 1086 feet, more or less,
 to the point of beginning.
- (54114) ALSO, a parcel of land extending 50 feet on the Westerly side and 70
 feet on the Easterly side of the following described survey line, to-wit:
 Beginning at a point which is North 2640 feet and West 1124 feet from
 the South Quarter corner of Section 3, and running

thence 871 feet on a 2°30' curve left to a point which is the P.T. of said curve;
 thence South 0°51' West 25.18 feet to a point which is the P.C. of a curve;
 thence 485 feet on a 2°30' curve right to a point on the said curve and fence
 line, which is North 1298 feet and West 1320 feet from the South Quarter
 corner of said Section 3.

ALSO, a parcel of land extending 50 feet on each side of the following
 described centerline, to-wit:

- (41434) Beginning at a point which is North 2640 feet and West 1124
 feet from the South Quarter corner of Section 3, and running
 thence 871 feet on a 2°30' curve left to a point which is the P.T. of said curve;
 thence South 0°51' West 25.18 feet to a point which is the P.C. of a curve;
 thence 485 feet on a 2°30' curve right to a point on said curve and fence line,
 which is North 1298 feet and West 1320 feet from the South Quarter corner
 of Section 3.

ALSO, all that portion of the E½SW¼ lying and being Westerly of said 100
 foot strip of land above described.

- (42600) ALSO, Beginning at a point on a curve and centerline which is East 1320 and
 North 1236 feet from the Southwest corner of said Section 3, and running
 thence Southwesterly 856.73 feet on a 3°00' curve right with a 200 foot spiral
 on the South end to the P.T. of the curve;
 thence South 34°57' West 559.92 feet to a point on centerline which is East
 574 feet from the Southwest corner of said Section 3.

The right of way is a parcel of land extending 50 feet on each side of the above
 described centerline a linear distance of 1416.65 feet from the point of beginning
 to the point on centerline which is East 574 feet from the Southwest corner of
 said Section 3.

- (69607) ALSO, Beginning at the intersection of the Westerly right of way line of
 Monsanto's mine haul road, which is 50.0 feet radially distance Westerly from
 thence centerline of said haul road, and the South line of the NW¼SW¼ of said
 Section 3, which point is 1320 feet North and approximately 1284 feet East from
 the Southwest corner of said Section 3, and running
 thence Northerly 100 feet along a straight line to a point 53.3 feet radially
 distant Westerly from said centerline;
 thence Northerly 100 feet along a straight line to a point 53.3 feet radially
 distant Westerly from said centerline;
 thence Northerly 100 feet along a straight line to a point 60 feet radially
 distant Westerly from said centerline;
 thence Northerly 100 feet along a straight line to a point 60 feet radially
 distant Westerly from said centerline;
 thence Northerly 100 feet along a straight line to a point 62.5 feet radially
 distant Westerly from said centerline;
 thence Northerly 100 feet along a straight line to a point 64 feet radially
 distant Westerly from said centerline;
 thence Northerly 100 feet along a straight line to a point 53 feet radially

distant Westerly from said centerline;
 thence Northerly 160 feet along a straight line to a point 51.5 feet radially
 distant Westerly from said centerline;
 thence Northerly 40 feet along a straight line to a point on the Westerly right
 of way line of said haul road which point is 50.0 feet radially distant
 Westerly from said centerline;
 thence Southerly 900 feet, more or less, along said Westerly right of way line,
 which is 50 feet distant radially and/or parallel to said centerline,
 to the point of beginning.

Sections 34 A tract of land in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T. 7 S., R. 42 E., B.M., and in
 and 3: Lot 3 of Section 3, T. 8 S., R. 42 E., B.M., as follows:

(42600) Beginning at a point on the center which is North 525 feet from
 and East 2640 feet from the Southwest corner of said Section 34, and running
 thence Southwesterly 132.90 feet on a 4°00' curve right with a 200 foot spiral
 on the South end to the P.T. of the curve;
 thence South 41°35' West 589.55 feet to the P.S. of a curve left;
 thence 1447.38 feet on a 4°00' curve with 200 foot spirals on each end to a
 point on the curve and centerline which is East 1750 feet and South 1320 feet
 from the Southwest corner of said Section 34.

The right of way is a parcel of land extending 50 feet on each side of the above
 described centerline a linear distance of 2169.83 feet from the point of beginning
 to the point on centerline which is South 1320 feet and East 1750 feet from the
 Southwest corner of said Section 34.

(54119) ALSO, a tract of land 50 feet on the Westerly side and 70 feet on the Easterly
 side of the survey in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T. 7 S., R. 42 E., B.M.,
 and in Lot 3, of Section 3, T. 8 S., R. 42 E., B.M., described as follows:

Beginning at a point on the survey line which is North 525 feet and East 2640
 feet from the Southwest corner of said Section 34, and running
 thence Southwesterly 132.90 feet on a 4°00' curve right with a 200 foot spirals
 on the South end to the P.T. of the curve;
 thence South 41°35' West 589.55 feet to the P.S. of a curve left;
 thence 1447.38 feet on a 4°00' with 200 foot spirals on each end to a point on
 the curve and survey line which is East 1750 feet and South 1320 feet from

the Southwest corner of said Section 34. EXCEPT any portion thereof
 previously deeded in Warranty Deed No. 42600 above set forth.

Township 7 South, Range 42 East of the Boise Meridian:

Sections 34 Beginning at a point on the centerline which is North 3559 feet and West 1320
 and 27: feet from the Southeast corner of Section 27, and running

(41552) thence Southwesterly 49.61 feet along a 6°00' curve right with 200 foot spirals
 on each end to the P.T. of the curve;
 thence South 72°10' West 13.02 feet to the P.S. of a curve left;
 thence 465.71 feet on a 7°00' curve with 200 foot spirals on each end to the

P.T. of the curve;
 thence South 53°34' West 255.59 feet to the P.S. of a curve left;
 thence 546.45 feet on a 23°00' curve with 250 foot spirals on each end to the
 P.T. of the curve;
 thence South 14°37' East 519.02 feet to the P.S. of a curve right;
 thence 671.08 feet on a 14°00' curve with 300 foot spirals on each end to the
 P.T. of the curve;
 thence South 57°20' West 30.94 feet to the P.S. of a curve left;
 thence 426.67 feet on an 8°00' curve with 200 foot spirals on each end to the
 P.T. of the curve;
 thence South 19°12' West 64.68 feet to the P.S. of a curve left;
 thence 510.00 feet on a 4°00' curve with 200 foot spirals on each end to the
 P.T. of the curve;
 thence South 6°48' West 412.79 feet to the P.S. of a curve left;
 thence 727.78 feet on a 3°00' curve with 200 foot spirals is on each end of the
 P.T. of the curve;
 thence South 9°02' East 3085.05 feet to the P.S. of a curve right;
 thence 1332.51 feet on a 4°00' curve with 200 curve spirals on each end to a
 point on the centerline which is South 4755 and East 2640 feet from the
 Southeast corner of said Section 27:

The right of way is a parcel of land extending 75 feet on each side of the
 above described centerline and linear distance of 7478.90 feet from the point
 of beginning Southerly along the centerline to a point on the centerline from
 the point of beginning from this point extending 50 feet on each side of the
 above described centerline a linear distance of 1632.00 feet, Southerly along
 the centerline to the point of ending.

Section 27: A strip of land being 75 feet on each side of a centerline described as follows:
 (54015)

Beginning at a point on the centerline which is North 3559 and West 1320
 feet from the Southeast corner of Section 27, and running
 thence Southwesterly 49.61 feet along a 6°00' curve right with 200 foot spirals
 on each end to the P.T. of the curve;
 thence South 72°10' West 13.02 feet to the P.S. of a curve left;
 thence 465.71 feet on a 7°00' with 200 foot spirals on each end to the P.T. of
 the curve;
 thence South 53°34' West 61.66 feet at which point the strip of land widens to
 130 feet on the Easterly side and 75 feet on the Westerly side of the
 centerline;
 thence along said centerline 193.93 feet to the P.S. of the curve left;
 thence 546.45 feet on a 23°00' curve with 250 foot spirals on each end to the
 P.T. of the curve;
 thence South 14°37' East 9.62 feet at which point the strip of land narrows to
 90 feet Easterly and 75 feet Westerly of the said centerline;
 thence continuing on said centerline 509.40 feet to the P.S. of a curve right;

thence 671.08 feet on a $14^{\circ}00'$ curve with 300 foot spirals on each end to the P.T. of the curve;
 thence South $37^{\circ}20'$ West 30.94 feet to the P.S. of a curve left;
 thence 426.67 feet on an $8^{\circ}00'$ curve with 200 foot spirals on each end to the P.T. of the curve;
 thence South $19^{\circ}12'$ West 64.68 to the P.S. of a curve left;
 thence 510.00 feet on a $4^{\circ}00'$ curve with 200 foot spirals on each end to the P.T. of the curve;
 thence South $6^{\circ}48'$ West 412.79 feet to the P.S. of a curve left;
 thence 727.78 feet on a $3^{\circ}00'$ curve with 200 foot spirals on each end to the P.T. of the curve;
 thence South $9^{\circ}02'$ East 846.66 feet at which point the strip of land narrows to 75 feet on the Easterly and 75 feet on the Westerly side of the centerline;
 thence continuing on said centerline 1939.00 feet at which point the strip of land narrows to 70 feet Easterly and 50 feet Westerly of said centerline;
 thence continuing on said centerline 299.39 feet to the P.S. of a curve right;
 thence 1332.51 feet on a $4^{\circ}00'$ curve with 200 foot spirals on each end to the point on the centerline which is South 4735 feet and East 2640 feet from the Southeast corner of said Section 27. EXCEPT any portion previously conveyed by Warranty Deed No. 41552 above set forth.

(42639)

ALSO, Beginning at a point on a curve left and a fence line, which is South 886 feet, more or less, from the Northeast corner of Section 27, and running thence Southwesterly 432 feet, more or less, on a $4^{\circ}00'$ curve left, whose radius is 1432.40 feet to a point which is the P.T. of curve;
 thence South $54^{\circ}47'$ West 675.86 feet to a point which is the P.C. of a curve right;
 thence 408 feet, more or less on a $4^{\circ}00'$ curve whose radius is 1432.40 feet to a point on the curve which is South 1652 feet, more or less, and West 1320 feet, more or less, from the Northeast corner of said Section 27.
 The right of way is a parcel of land extending 50 feet on each side of the above described centerline.

Sections 26: A parcel of land extending 50 feet on each side of the following and 23: described centerline, to-wit:

(42600)

Beginning at a point on the centerline which is North 1320 feet and East 1369.4 feet from the Northwest corner of said Section 26, and running thence Southeasterly 231.72 feet on a $3^{\circ}00'$ curve left with a 200 foot spiral on the South end to the P.T. of the curve;
 thence South $19^{\circ}36'30''$ East 1028.19 feet to the P.S. of a curve right;
 thence 999.33 feet on a $15^{\circ}00'$ right with 300 foot spirals on each end to the P.T. of the curve;
 thence South $85^{\circ}17'30''$ West 219.83 feet to a point on the centerline which is South 540.6 feet and East 1320 feet from the Northeast corner of Section 26.
 The right of way is a parcel of land extending 50 feet on each side of the above described centerline a linear distance of 2479.07 feet from the point of beginning

to the point on centerline which is South 540.6 feet and East 1320 feet from the the Northwest corner of said Section 26.

(54119)

ALSO, Being 50 feet on each side of the survey line, described as follows:

Beginning at a point on the survey line which is North 1320 feet and East 1369.4 feet from the Northwest corner of said Section 26, and running thence Southeasterly 231.72 feet on a 3°00' curve left with a 200 foot spiral on the South end to the P.T. of the curve right; thence South 19°36'30" East 1028.19 feet to the P.S. of a curve right; thence 140.00 feet on a 15°00' curve right with 300 foot spirals on each end at which point the parcel of land widens and extends 80 feet on the Westerly side of the survey line and 50 feet on the Easterly side of the survey line; thence continuing on said survey line a distance of 740.00 feet at which point the parcel of land narrows to 50 feet on each side of the survey line; thence continuing on said survey line 119.33 feet to the P.T. of a curve; thence South 85°17'30" West 219.83 feet to a point on the survey line which is South 540.6 feet and East 1320 feet from the Northwest corner of said Section 26. EXCEPT therefrom any portion thereof previously deeded by Warranty Deed No. 42600 above set forth.

Section 23: A strip of land situated in the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, adjoining Westerly (69557) the Westerly boundary of the parcel of land conveyed and identified as Microfilm No. 54100, and described as follows:

Said strip of land is described as being 1000 feet long and 20 feet wide, except for the 100 feet on each end that tapers from 0.0 feet wide on the terminal ends to 20.0 feet wide at a distance of 100.0 feet in from said terminal ends and is subtended by a certain (hereinafter to be described) portion of the survey line described in said Warranty Deed as being situated between a point 896.37 feet South 24°18' West from Survey Sta. 3 and a point 113.20 feet Southerly on the arc of a spiral from Survey Sta. 6 referred to in said Warranty Deed.

Said certain portion of said survey line is described as follows:

Beginning at a point North 1821 feet and East 3960 feet (such point being referred to as Survey Sta. 1) from the Southwest corner of Section 14, and running thence South 62°38' West 1883.47 feet to a point of spiral of a curve left (such point being referred to as Survey Sta. 2); thence Southerly 679.16 feet on an 8°00' curve having 200 foot spirals on each end to the point of tangency of said curve (such point being referred to as Survey Sta. 3) and South 24°16' West 896.37 feet from the Southwest corner of Section 14, which is the Northwest corner of Section 23; thence South 24°18' West 35.93 feet to a point of spiral of a curve left (said point being referred to as Survey Sta. 4); thence Southerly 600 feet on a 4°00' curve having 200 foot spirals at each end to the point of tangency of said curve (said point being referred to as Survey Sta. 5);

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thence South $8^{\circ}18'$ West 250.87 feet to the point of spiral of a curve left (said point being referred to as Survey Sta. 6);

thence Southerly 113.20 feet along the arc of said last mentioned spiral.

ALSO, a parcel of land situated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, adjoining Westerly the Westerly side line, which is 50.0 feet radially distant Westerly from the survey line of a parcel of land described in Warranty Deed identified as Microfilm No. 54100, described as follows:

Beginning at the intersection of said above mentioned Westerly sideline and the South boundary line of said grantors land which point is South 3960 feet East 1369.4 feet (to a point referred to in said above mentioned Warranty Deed as Survey Sta. 11), and West 51 feet, more or less, from the Southwest corner of said Section 14, which is the Northwest corner of Section 23;

thence West 56.0 feet along the said South boundary line;

thence Northerly 390 feet, more or less, along a straight line to the intersection of said Westerly sideline at a point 390.0 feet Northerly from said point of beginning;

thence Southerly along said Westerly existing sideline 390.0 feet, to the point of beginning.

Sections 14: Beginning at a point on a fence line which is South 1320 feet and

and 13: East 1460 feet from the Northeast corner of Section 14,, and running

thence South $52^{\circ}4'$ West 121 feet to a point which is the PC of a curve;

thence 661.58 feet on a $3^{\circ}40'$ curve right to a point which is the PT of said curve;

thence South $76^{\circ}21'$ West 182.93 feet to a point which is the PC of a curve;

thence 800.52 feet on a $4^{\circ}47'$ curve left to a point which is the PT of said curve;

thence South $38^{\circ}05'$ West 943.08 feet to a point which is the PC of a curve;

thence 860 feet on a $3^{\circ}00'$ curve right to a point on a fence line which is

South 780 feet and East 1320 feet from the Northwest corner of the

SE $\frac{1}{4}$ of said Section 14.

The above and foregoing tract of land is 100 feet wide, being 50 feet on each side of the above described centerline.

(41451) ALSO, Beginning at a point on a fence line which is South 1320 feet and East

1460 feet from the Northeast corner of said Section 14, and running

thence in a Southerly direction along said centerline for a distance of 1208.82 feet;

thence continuing in a Southerly direction along said centerline, said tract of land is 150 feet wide, being 75 feet on each side of the said centerline for a linear distance of 2361.18 feet to a point which is South 3420 feet and West 1320 feet from the Northeast corner of said Section 14.

Sections 14: Beginning at a point in a fence, which is North 1821 feet and East 3960 feet and 23: from the Southwest corner of said Section 14, and running

(41588) thence South $62^{\circ}38'$ West 1833.47 feet to the P.S. of a curve left;

thence 679.16 feet on an $8^{\circ}00'$ curve with 200 foot spirals on each end to the

P.T. of the curve;
 thence South $24^{\circ}18'$ West 932.30 feet to the P.S. of a curve left;
 thence 600 feet on a $4^{\circ}00'$ curve with 200 foot spirals on each end to the P.T.
 of the curve;
 thence South $8^{\circ}18'$ West 250.87 feet to the P.S. of a curve left;
 thence 568.96 feet on an $8^{\circ}21'$ curve with 200 foot spirals on each end to the
 P.T. of the curve;
 thence South $22^{\circ}31'$ East 264.79 feet to the P.S. of a curve right;
 thence 610.05 feet on a $7^{\circ}23'$ curve with 200 foot spirals on each end to the P.T.
 of the curve;
 thence South $7^{\circ}45'30''$ West 490.44 feet to the P.S. of a curve left;
 thence 880.50 feet on a $3^{\circ}00'$ curve with a 200 foot spiral on the Northerly end
 to a point in a fence, which is South 3960 feet and East 1369.4 feet from
 the Southwest corner of said Section 14.

The right of way is a parcel of land extending 50 feet on each side of the above
 described centerline for a linear distance of 4660.54 feet, EXCEPT that portion
 beginning at a point on the centerline, which is North 530 feet and East 1749
 feet from the Southwest corner of said Section 14, and following the centerline
 a linear distance of 2500 feet to a point on the centerline which is South 1830
 feet and East 1297 feet from the Southwest corner of said Section 14, where the
 right of way parcel is a parcel of land extending 75 feet on each side of the
 above described centerline.

ALSO, a tract of land which embraces land on the Westerly side and Easterly
 side of the following described line:

(54100)

Beginning at a point on the East line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 14,
 which point is North 1821 feet and East 3960 feet from the Southwest corner of
 said Section 14 (such point being referred to as Survey Sta. 1), and running
 thence South $62^{\circ}38'$ West 1883.47 feet to the point of spiral of a curve left
 (such point is referred to as Survey Sta. 2);
 thence 679.16 feet on an $8^{\circ}00'$ curve having 200 foot spirals on each end to the
 point of tangency of said curve (such point is referred to as Survey Sta. 3);
 thence South $24^{\circ}18'$ West 932.30 feet to the point of spiral of a curve left
 (such point is referred to as Survey Sta. 4);
 thence 600 feet on a $4^{\circ}00'$ curve having 200 foot spirals at each end to the point
 of tangency of said curve (such point is referred to as Survey Sta. 5);
 thence South $8^{\circ}18'$ West 250.87 feet to the point of spiral of a curve left (such
 point is referred to as Survey Sta. 6);
 thence 568.96 feet on an $8^{\circ}21'$ curve having 200 foot spirals on each end to the
 point of tangency of said curve (such point is referred to as Survey Sta. 7);
 thence South $22^{\circ}31'$ East 264.79 feet to the point of spiral of a curve right
 (such point is referred to as Survey Sta. 8);
 thence 610.05 feet on a $7^{\circ}23'$ curve having 200 foot spirals on each end to the
 point of tangency of the curve (such point is referred to as Survey Sta. 9);

thence South $7^{\circ}45'30''$ West 490.44 feet to the point of spiral of a curve left (such point is referred to as Survey Sta. 10);
 thence 880.50 feet on a $3^{\circ}00'$ curve having a 200 foot spiral on the Northerly end to a point on the South line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, (which point is referred to as Survey Sta. 11) and which point is 3960 feet South and 1369.4 feet East from the Southwest corner of said Section 14.

The linear distance of said survey line from point of beginning to the point of termination is 7160.54 feet and the width of the hereby conveyed parcel and its position with respect to said survey line is as follows:

Between Survey Station 1 and a point on said survey line 224.53 feet Southerly from Survey Sta. 2, the parcel is 120 feet in width, with 50 feet on the Westerly side and 70 feet on the Easterly side of said survey line;

Between said last mentioned point and a point on said survey line 14.37 feet Southerly from Survey Sta. 3, the parcel is 140 feet in width, with 50 feet on the Westerly side and 90 feet on the Easterly side of said survey line;

Between said last mentioned point and a point on said survey line 446.37 feet Southerly from Survey Sta. 3, the parcel is 165 feet in width, with 75 feet on the Westerly side and 90 feet on the Easterly side of said survey line;

Between said last mentioned point and a point on said survey line 114.07 feet Southerly from Survey Sta. 4, the parcel is 150 feet in width, with 75 feet on the Westerly side and 75 feet on the Easterly side of said survey line;

Between said last mentioned point and a point on said survey line 514.07 feet Southerly from Survey Sta. 4, the parcel is 165 feet in width, with 75 feet on the Westerly side and 90 feet on the Easterly side of said survey line;

Between said last mentioned point and a point on said survey line 44.24 feet Southerly from Survey Sta. 7, the parcel is 150 feet in width, with 75 feet on the Westerly side and 75 feet on the Easterly side of survey line;

Between said last mentioned point and a point on said survey line 480.50 feet Southerly from Survey Sta. 10, the parcel is 120 feet in width, with 50 feet on the Westerly side and 70 feet on the Easterly side of said survey line;

Between said last mentioned point and a point Southerly along said survey line to Survey Sta. 11, the point of termination, the parcel is 140 feet in width, with 50 feet on the Westerly side and 90 feet on the Easterly side of said survey line.

ALSO, Beginning at a point on a fence line which is South 1320 feet and East 1460 feet from the Northeast corner of Section 14, and running thence in a Southerly direction along said center line for a distance of 1208.32 feet;

thence continuing in a Southerly direction along said center line, said tract of land is 150 feet wide, being 75 feet on each side of the said center line for a linear distance of 2361.18 feet to a point which is South 3420 feet and West 1320 feet from the Northeast corner of said Section 14.

The above and foregoing tract of land is 100 feet wide, being 50 feet on each side of the above described centerline, beginning at a point on a fence line

which is South 1320 feet and East 1460 feet from the Northeast corner of Section 14, and running in a Southerly direction along said centerline for a distance of 1208.82 feet;

thence continuing in a Southerly direction along said centerline, said tract is 150 feet wide, being 75 feet on each side of the said centerline for a linear distance of 2361.18 feet to a point which is South 3420 feet and West 1320 feet from the Northeast corner of said Section 14.

Section 13: A tract of land located in the $S\frac{1}{2}N\frac{1}{2}$ lying and being North of the Southerly (41451) boundary line of the presently existing Monsanto Haulage Road, as follows:

Beginning at a point which is South 1350 feet and West 555.95 feet from the Northeast corner of Section 13, and running

thence West 2261.58 feet;

thence South $24^{\circ}15'$ East 140.76 feet;

thence South $78^{\circ}10'$ East 283 feet;

thence South $85^{\circ}26'$ East 503.3 feet;

thence South $86^{\circ}26'$ East 288.42 feet;

thence North $81^{\circ}06'$ East 499.45 feet;

thence North $80^{\circ}08'$ East 499.36 feet;

thence North $62^{\circ}02'$ East 170.47 feet,

to the point of beginning.

Section 1: A tract of land in the $NE\frac{1}{4}SW\frac{1}{4}$ of Section 1, described as follows:

(65777)

Beginning at a point on the South line of the $NE\frac{1}{4}SW\frac{1}{4}$ of Section 1 ($Y = 428,736.91$, $X = 680,483.08$), from which point the South Quarter Corner of said Section 1 ($Y = 427,414.45$, $X = 680,524.02$) bears South $1^{\circ}46'25''$ East, a distance of 1323.09 feet;

thence North $2^{\circ}02'$ East along the Westerly right of way line of the Monsanto Co. Haul Road, a distance of 1165.61 feet to a point on East line of the $NE\frac{1}{4}SW\frac{1}{4}$ of Section 1;

thence South $0^{\circ}00'30''$ West along the East line of the $NE\frac{1}{4}SW\frac{1}{4}$ of said Section 1, a distance of 1164.43 feet to the Southeast corner of the $NE\frac{1}{4}SW\frac{1}{4}$ of Section 1;

thence South $89^{\circ}23'$ West along the South line of the $NE\frac{1}{4}SW\frac{1}{4}$ of Section 1, a distance of 41.17 feet, to the point of beginning.

Township 6 South, Range 42 East of the Boise Meridian:

Section 25: A parcel of land in the $SE\frac{1}{4}NW\frac{1}{4}$ and the $E\frac{1}{2}SW\frac{1}{4}$ of Section 25, as follows:

(65774)

Beginning at a point on the South line of said Section 25 ($Y = 436,148.05$, $X = 682,899.73$) from which point the Southwest corner of said Section 25 ($Y = 436,132.54$, $X = 681,497.06$) bears South $89^{\circ}22'13''$ West, a distance of 1402.76 feet;

thence along the arc of a circular curve to the right having a radius of 1030.37 feet and a central angle of $20^{\circ}23'44''$, a distance of 366.73

feet, said arc being subtended by a chord bearing North $33^{\circ}00'08''$ East, a distance of 364.85 feet;
 thence along the arc of a spiral curve to the right having a central angle of $7^{\circ}12'$, a distance of 249.42 feet, said arc being subtended by a chord bearing North $47^{\circ}48'38''$ East, a distance of 249.25 feet;
 thence North $50^{\circ}24'$ East, a distance of 171.58 feet;
 thence along the arc of a spiral curve to the left having a central angle of $7^{\circ}12'$, a distance of 230.58 feet, said arc being subtended by a chord bearing North $47^{\circ}53'35''$ East, a distance of 230.42 feet;
 thence along the arc of a circular curve to the left having a radius of 880.37 feet and a central angle of $53^{\circ}18'$, a distance of 818.97 feet, said arc being subtended by a chord bearing North $16^{\circ}33'$ East, a distance of 789.75 feet;
 thence along the arc of a spiral curve to the left having a central angle of $7^{\circ}12'$, a distance of 230.58 feet, said arc being subtended by a chord bearing North $14^{\circ}47'35''$ West, a distance of 230.42 feet;
 thence North $17^{\circ}18'$ West, a distance of 523.29 feet;
 thence along the arc of a spiral curve to the right having a central angle of $9^{\circ}00'$, a distance of 281.78 feet, said arc being subtended by a chord bearing North $14^{\circ}04'38''$ West, a distance of 281.48 feet;
 thence along the arc of a circular curve to the right having a radius of 934.92 feet and a central angle of $78^{\circ}05'18''$, a distance of 1274.20 feet, said arc being subtended by a chord bearing North $30^{\circ}43'49''$ East, a distance of 1178.33 feet to a point on the East line of the West Half of Section 25;
 thence South $0^{\circ}15'11''$ East along said East line of the West Half of said Section 25, a distance of 3488.35 feet to the South Line of said Section 25;
 thence South $89^{\circ}22'13''$ West along the said South line of said Section 25, a distance of 1246.21 feet, to the point of beginning.
 ALSO, a strip of land 110 feet wide being 60 feet on the left side and 50 feet on the right side of the centerline of the Monsanto Company Haul Road as shown on the plans thereof and being a portion of the $S\frac{1}{2}NE\frac{1}{4}$ of said Section 25, said centerline being described as follows:

Beginning at a point on the West line of the $SW\frac{1}{4}NE\frac{1}{4}$ of said Section 25 at Sta. 312.39.22 ($Y = 439,569.80$, $X = 684,130.81$) of the said haul road, from which point the Northwest corner of said Section 25 ($Y = 441,270.51$, $X = 681,444.15$) bears North $57^{\circ}40'$ West a distance of 3179.70 feet, and running thence North along the arc of a circular curve to the right having a radius of 859.92 feet and a central angle of $22^{\circ}26'15''$ a distance of 336.75 feet, said arc being subtended by a chord bearing North $79^{\circ}10'53''$ East a distance of 334.60 feet;

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thence along the arc of a spiral curve to the right having
a central angle of $9^{\circ}00'$ a distance of 270 feet, said arc
being subtended by a chord bearing South $83^{\circ}45'00''$ East
a distance of 269.71 feet;
thence South $80^{\circ}36'$ East a distance of 996.82 feet;
thence along the arc of a spiral curve to the left having
a central angle of $3^{\circ}00'$ a distance of 150 feet, said arc
being subtended by a chord bearing South $81^{\circ}42'00''$ East
a distance of 149.98 feet;
thence along the arc of a circular curve to the left having
a radius of 1432.69 feet and a central angle of $4^{\circ}16'$ a
distance of 106.69 feet, said arc being subtended by a
chord bearing South $85^{\circ}44'00''$ East a distance of 106.66 feet;
thence along the arc of a spiral curve to the left having a
central angle of $3^{\circ}00'$ a distance of 150 feet, said arc being
subtended by a chord bearing South $89^{\circ}46'00''$ East a distance
of 149.98 feet;
thence North $89^{\circ}08'$ East a distance of 683.64 feet to a point
on the East line of said Section 25 at Sta. 339+33.12
($Y = 439,799.34$) of the said haul road, from which point
the East Quarter corner of said Section 25 ($Y = 438,767$,
 $X = 686,798.39$) bears South $0^{\circ}05'$ West a distance of
653.52 feet.

ALSO, an additional strip of land 15 feet wide being on the
left side of the above described centerline beginning at said
Sta. 312+39.22 and ending at Sta. 332+49.48.

ALSO, an addition strip of land 25 feet wide being on the right
side of the above described centerline being at said Sta.
312+39.22 and ending at Sta. 318.45.97.

ALSO, an additional strip of land 10 feet wide being on the
right side of the above described centerline beginning at
Sta. 318+45.97 and ending at Sta. 332+49.48.

Section 35: A strip of land 135 feet wide being 60 feet on the left side and 75 feet on
(65775) right side of the centerline of the Monsanto Company Haul Road, being a
portion of the E $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, described as follows:

Beginning on the south line of said Section 35 at Sta. 212+80.53
($Y = 430,901.94$, $X = 680,619.98$) of said haul road, from which point the
Southeast corner of said Section 35 ($Y = 430,907.40$, $X = 681,524.34$)
bears North $89^{\circ}39'$ East, a distance of 904.33 feet;
thence North $2^{\circ}02'$ East, a distance of 255.08 feet;
thence along the arc of a spiral curve to the right having a central
angle of $3^{\circ}00'$, a distance of 150 feet, said arc being subtended by
a chord bearing North $3^{\circ}08'$ East a distance of 149.98 feet;

thence along the arc of a circular curve to the right having a radius of 1432.69 feet and a central angle of $2^{\circ}14'$, a distance of 55.84 feet, said arc being subtended by a chord bearing North $6^{\circ}09'$ East a distance of 55.84 feet;
 thence along the arc of a spiral curve to the right having a central angle of $3^{\circ}00'$, a distance of 150 feet, said arc being subtended by a chord bearing North $9^{\circ}10'$ East, a distance of 149.98 feet;
 thence North $10^{\circ}16'$ East a distance of 225.19 feet;
 thence along the arc of a spiral curve to the right having a central angle of $3^{\circ}00'$, a distance of 150 feet, said arc being subtended by a chord bearing North $11^{\circ}22'$ East a distance of 149.98 feet;
 thence along the arc of a circular curve to the right having a radius of 1432.69 feet and a central angle of $22^{\circ}06'$, a distance of 552.61 feet, said arc being subtended by a chord bearing North $24^{\circ}19'$ East, a distance of 549.19 feet;
 thence along the arc of a spiral curve to the right having a central angle of $3^{\circ}00'$ a distance of 150 feet, said arc being subtended by a chord bearing North $37^{\circ}18'$ East, a distance of 149.98 feet;
 thence North $38^{\circ}22'$ East, a distance of 739.88 feet to a point on the East line of said Section 35 at Sta. 237+09.13 ($Y = 433,078.78$, $X = 681,513.00$) of said haul road from which point the East Quarter of said Section 35 ($Y = 433,520.02$, $X = 681,510.70$) bears North $0^{\circ}18'$ West, a distance of 441.24 feet.

ALSO, an additional strip of land 25 feet wide being on the right side of the above described centerline beginning at said Sta. 212+80.53 and ending at Sta. 215+35.61.

ALSO, an additional strip of land 25 feet wide being on the right side of the above described centerline beginning at Sta. 229+69.25 and ending at said Sta. 237+09.13.

ALSO, an additional strip of land 40 feet wide being on the left side of the above described centerline beginning at Sta. 229+69.25 and ending at said Sta. 237+09.13

Section 36: A strip of land 120 feet wide being 60 feet on each side of the centerline of the Monsanto Co. Haul Road, being a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of said Section 36, said centerline being described as follows:

Beginning on the West line of said Section 36 at Sta. 237+09.13 ($Y = 433,078.78$, $X = 681,513.00$) of the said Haul Road, from which point the West Quarter Corner of said Section 36 ($Y = 433,520.02$, $X = 681,510.70$) bears North $0^{\circ}18'$ West, a distance of 441.24 feet;
 thence North $38^{\circ}22'$ East, a distance of 1584.46 feet;
 thence along the arc of a spiral curve to the left having a central angle of $7^{\circ}12'$, a distance of 240 feet, said arc being subtended by a chord bearing North $35^{\circ}49'$ East, a distance of 239.84 feet;
 thence along the arc of a circular curve to the left having a radius of 955.37 feet, and a central angle of $16^{\circ}30'$, a distance of 275.13 feet, said arc being

subtended by a chord bearing North $22^{\circ}55'$ East, a distance of 274.18 feet;
thence along the arc of a spiral curve to the left having a central angle of
 $7^{\circ}12'$, a distance of 240 feet, said arc being subtended by a chord bearing
North $10^{\circ}01'$ East, a distance of 239.84 feet;
thence North $7^{\circ}28'$ East, a distance of 756.54 feet;
thence along the arc of a spiral curve to the right having a central angle of
 $7^{\circ}12'$, a distance of 240 feet, said arc being subtended by a chord bearing
North $10^{\circ}01'$ East, a distance of 239.84 feet;
thence along the arc of a circular curve to the right, having a radius of 955.37
feet and a central angle of $10^{\circ}06'08''$, a distance of 168.45 feet, said
arc being subtended by a chord bearing North $19^{\circ}43'04''$ East, a distance of
168.23 feet to a point on the North line of said Section 36, at Sta.
272+13.71 ($Y = 436,148.96$, $X = 682,982.08$) of said haul road, from
which point the Northwest corner of said Section 36 bears South
 $89^{\circ}22'$ West, a distance 1485.11 feet.

ALSO, an additional strip of land 40 feet wide being on the left side of the
above described centerline beginning at Sta. 237+09.13 and ending at Sta.
242+00.00.

ALSO, an additional strip of land 40 feet wide being on the left side of the
above described centerline beginning at Sta. 252+93.59 and ending at
Sta. 268.05.26.

ALSO, an additional strip of land 15 feet wide being on the left side of the
above described centerline beginning at Sta. 268+.05.26 and ending at said
Sta. 13.71.

ALSO, an additional strip of land 40 feet wide being on the right side of the
above described centerline beginning at Sta. 237+09.13 and ending at
Sta. 242+00.00.

ALSO, an additional strip of land 15 feet wide being on the right side of the
above described centerline beginning at Sta. 252+93.59 and ending at said
Sta. 272+13.71.

Caribou County, Idaho:

Tract V: Easement Interests:

1. An Easement for a haul road crossings disclosed by Agreement executed by Oregon Short Line Railroad Company, a Utah corporation, dated May 5, 1960, recorded March 7, 1961, under recorder's instrument No. 45966, in Book 5 of Agreements at page 33, records of Caribou County, Idaho. Said easement is as follows:

"Said road will cross over the right of way and tract of the Conda Branch at two locations, MP 2.96 and MP 5.88" shown on attached plats.

2. Easement for haul road disclosed by Easement granted by El Paso Products Company, a Texas corporation, dated December 8, 1967, recorded January 3, 1968, under recorder's instrument No. 62456, in the microfilm records of Caribou County, Idaho. Said easement affects the following described tract:

Township 7 South, Range 42 East of the Boise Meridian:

Section 13: A tract of land in the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 13, described as follows:

Beginning at the Northwest corner of said Section 13, the Idaho East Zone Coordinates (modified to Elevation 6,600 feet) of which are North 422,113.3, E 677,992.4; thence South 00°07' East 1319.3 feet along the West line of said Section 13 to the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 13, the Idaho East Zone Coordinates (modified to Elevation 6,600 feet) of which are North 420,794.0, East 677,994.9 and which 1/16 corner lies 18 feet North of a fence described by Warranty Deed of 12 August 1958 as being 1320 feet South of the Northwest corner of said Section 13 (Northeast corner of Section 14); thence South 89°35' East 1410 feet, more or less, to the point of intersection of the E-W 1/16 line of the NW $\frac{1}{4}$ of said Section 13 with the Southeast right of way boundary of the Monsanto Company haul road, the REAL POINT OF BEGINNING, and running

thence South 89°35' East 160 feet to a point on said 1/16 line of said Section 13;

thence South 52°04' West 350 feet to a point which point is the intersection of this line with a line 25 feet North of and parallel to the centerline of the El Paso railroad spur track;

thence South 77°01' West 260 feet to a point, which point is the intersection of the line 25 feet North of and parallel to the El Paso spur track centerline and the Monsanto Company haul road South right of way boundary;

thence 250 feet, more or less, in a Northeasterly direction along the arc of a 3°40' curve to the left to the P.C. of said curve on said Monsanto Company haul road right of way South boundary;

thence North 52°04' East 210 feet along said haul road boundary, to the point of beginning.

3. An Easement for a haul road disclosed by Easement executed by State of Idaho Easement, dated November 21, 1968, recorded April 1, 1969, under recorder's instrument No. 66052, more particularly described as follows:

Township 6 South, Range 42 East of the Boise Meridian:

Section 25: A strip of land 110 feet wide being 60 feet on the left side and 50 feet on the right side of the centerline of the Monsanto Co. Haul Road, being a portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, said centerline being described as follows:

Beginning at a point on the West line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 25 at Sta. 312+39.22 (Y = 439,569.80, X = 684,130.81) of the said haul road, from which point the Northwest corner of said Section 25 (Y = 441,270.51, X = 681,444.15) bears North 57°40' West, a distance of 3179.70 feet; thence along the arc of a circular curve to the right having a radius of 859.92 feet and a central angle of 22°26'15", a distance of 336.75, said arc being subtended by a chord bearing North 79°10'53" East, a distance of 334.60 feet; thence along the arc of a spiral curve to the right having a central angle of 9°00', a distance of 270.00 feet, said arc being subtended by a chord bearing South 83°46'00" East, a distance of 269.71 feet; thence South 80°36' East, a distance of 996.82 feet; thence along the arc of a spiral curve to the left having a central angle of 3°00', a distance of 150.00 feet, said arc being subtended by a chord bearing South 81°42'00" East, a distance of 149.98 feet; thence along the arc of a circular curve to the left having a radius of 1432.69 feet and a central angle of 4°16', a distance of 106.69 feet, said arc being subtended by a chord bearing South 85°44'00" East, a distance of 106.66 feet; thence along the arc of a spiral curve to the left having a central angle of 3°00', a distance of 150.00 feet, said arc being subtended by a chord bearing South 89°46'00" East, a distance of 149.98 feet; thence North 89°08' East, a distance of 683.64 feet to a point on the East line of said Section 25 at Sta. 339+33.12 (Y = 439,420.66, X = 686,799.34) of the said haul road, from which point the East Quarter corner of said Section 25 (Y = 438,767.14, X = 686,798.39) bears South 0°05' West, a distance of 653.51 feet.

ALSO, an additional strip of land 15 feet wide being on the left side of the above described centerline beginning at said Sta. 312+39.22 and ending at Sta. 332+49.48.

ALSO, an additional strip of land 25 feet wide being on the right side of the above described centerline beginning at said Sta. 312+39.22 and ending at Sta. 318+45.97.

ALSO, an addition strip of land 10 feet wide being on the right side of the above described centerline beginning at Sta. 313+45.97 and ending at Sta. 332+49.48.

Township 7 South, Range 42 East of the Boise Meridian:

Section 1: A strip of land 110 feet wide being 50 feet on the left side and 60 feet on the right side of the centerline of the Monsanto Company Haul Road, being a portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and Lot 2 of Section 1, said centerline being described as follows:

Beginning at a point on the South line of said Section 1, at Sta. 177+66.81 (Y = 427,412.47, X = 680,313.45) of said haul road, from which point the South Quarter corner of said Section 1 (Y = 427,414.45, X = 680,524.02) bears North 89°27'41" East, a distance of 210.58 feet, and running thence North 12°18' East a distance of 820.36 feet; thence along the arc of a spiral curve to the left having a central angle of 3°00' a distance of 150 feet, said arc being subtended by a chord bearing North 11°06' East a distance of 149.98 feet; thence along the arc of a circular curve to the left having a radius of 1432.69 feet and a central angle of 4°16' a distance of 106.69 feet, said arc being subtended by a chord bearing North 7°10' East a distance of 106.66 feet; thence along the arc of a spiral curve to the left having a central angle of 3°00', a distance of 150 feet, said arc being subtended by a chord bearing North 3°08' East distance of 149.98 feet; thence North 2°02' East a distance of 2286.67 feet to a point on the North line of said Section 1 at Sta. 212+80.53 (Y = 430,901.94, X = 680,619.98) of said haul road, from which point the North Quarter corner of Section 1 (Y = 430,901.32, X = 680,518.62) bears South 89°39' West a distance of 101.36 feet.

ALSO, an addition strip of land 10 feet wide being on the left side of the above described centerline beginning at Sta. 185+87.17 and ending at said Sta. 212+80.53. EXCEPT, that portion of the above described strip of land which is situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1, being more particularly described as follows:

Beginning at a point on the South line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1 (Y = 428,736.91, X = 680,483.08) from which point the South Quarter corner of said Section 1 (Y = 427,414.45, X = 680,524.02) bears South 1°46'25" East a distance of 1323.09 feet, and running thence North 2°02' East along the Westerly right of way line of the Monsanto Company Haul Road, a distance of 1165.61 feet to a point on the East line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1;

154974

thence South $0^{\circ}00'30''$ West along the East line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1 a distance of 1164.43 feet to the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1;

thence South $89^{\circ}23'$ West along the South line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1 a distance of 41.17 feet; to the point of beginning.

Section 12: A strip of land 110 feet wide being 50 feet on the left side and 60 feet on the right side of the centerline of the Monsanto Company Haul Road, being a portion of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 12, said centerline being described as follows:

Beginning at a point on the South line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12 at Sta. 150+58.16 (Y = 424,758.46, X = 680,252.06) of the said haul road, from which point the North Quarter corner of said Section 12 (Y = 427,414.45, X = 680,524.02) bearings North $5^{\circ}51'$ East a distance of 2669.88 feet, and running

thence along the arc of a spiral curve to the right having a central angle of $1^{\circ}11'20''$ a distance of 71.68 feet, said arc being subtended by a chord bearing North $21^{\circ}17'14''$ West a distance of 71.67 feet;

thence along the arc of a circular curve to the right having a radius of 2864.93 feet and a central angle of $31^{\circ}00'$ a distance of 1550.08 feet, said arc being subtended by a chord bearing North $5^{\circ}18'$ West a distance of 1531.24 feet;

thence along the arc of a spiral curve to the right having a central angle of $2^{\circ}06'$ a distance of 210 feet, said arc being subtended by a chord bearing North $11^{\circ}36'$ East a distance of 209.99 feet;

thence North $12^{\circ}18'$ East a distance of 876.90 feet to a point on the North line of said Section 12, at Sta. 177+66.81 (Y = 427,412.47, X = 680,313.45) of said haul road, from which point the North Quarter corner of Section 12 bears North $89^{\circ}27'41''$ East a distance of 210.58 feet.

ALSO, an additional strip of land 10 feet wide being on the left side of the above described centerline beginning at Sta. 150+58.16 and ending at Sta. 168+89.91.

ALSO, an additional strip of land 15 feet wide being on the right side of the above described centerline beginning at Sta. 150+58.16 and ending at Sta. 168+89.91.

ALSO, Beginning at the Southwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12 (Y = 423,431.66, X = 680,530.07) from which point the Southwest corner of said Section 12 (Y = 422,113.32, X = 677,992.41) bearings South $62^{\circ}32'52''$ West a distance of 2859.67 feet, and running

thence North $0^{\circ}05'13''$ West along the West line of the said NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12 a distance of 862.64 feet;

thence South $22^{\circ}54'$ East a distance of 517.72 feet;

thence South $0^{\circ}01'19''$ West a distance of 385.80 feet to the South line of the said NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12;

thence North 89°58'41" West along the South line of said
NW¼SE¼ of said Section 12 a distance of 200 feet,
to the point of beginning.

4. An Easement for mining phosphate deposits disclosed by State of Idaho Easement disclosed by State of Idaho Easement, dated May 13, 1969, recorded June 5, 1969, under recorder's instrument No. 66615, more particularly described as follows:

Township 6 South, Range 42 East of the Boise Meridian:

Section 13: SW¼NW¼, SW¼.

Section 14: NE¼SE¼, NE¼, N¼NW¼.

Section 24: E¼NW¼, W¼NE¼, SE¼NE¼, E¼SE¼, NW¼SE¼, NW¼NW¼, SW¼SE¼.

Section 25: NW¼NE¼, NE¼NE¼.

Township 6 South, Range 43 East of the Boise Meridian:

Section 29: SW¼SW¼.

Section 32: W¼NW¼.

5. An Easement for a road granted by the Idaho Citizens Grazing Association, dated October 2, 1987, recorded October 6, 1987, under recorder's instrument No. 132767, more particularly described as follows:

Township 6 South, Range 43 East of the Boise Meridian:

A strip of land called the Enoch Valley Haul Road Extension, situated in the W¼SW¼, W¼NW¼ and NE¼NW¼ of Section 28, Township 6 South, Range 43 East of the Boise Meridian, being 200 feet in width and lying 100 feet on each side of the centerline, more particularly described as follows:

Beginning at a point on said Enoch Valley Haul Road Extension, which point is South 306 feet, more or less, and West 1406 feet, more or less, from the Southwest corner of said Section 28 (said point being referred to as Station 97+14.67 on the plat of said Enoch Valley Haul Road Extension on file in the Soda Springs Plant Mining Department of Monsanto Company.), and running
thence on a 3°29'37" curve to the left 2382.17 feet (Station 120+96.83);
thence North 4°26'09" East 2818.87 feet (Station 149+15.70);
thence on a 3°59'44" curve to the right 1657.19 feet (Station 165+72.89);
thence North 70°38'57" East 415.77 feet (Station 169+83.66);
thence on a 3°59'44" curve to the left 835.12 feet (Station 178+23.78), which point is North 722 feet, more or less, and East 2442 feet, more or less, from the Northwest corner of said Section 28.

6. An Easement for a road and mining phosphate deposits disclosed by State of Idaho Easement, dated November 10, 1987, recorded November 22, 1987, under recorder's instrument No. 133123, more particularly described as follows:

Township 6 South, Range 43 East of the Boise Meridian:

Section 21: NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 29: A 600 foot corridor over the following:
W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 32: N $\frac{1}{2}$ N $\frac{1}{2}$.

Sections 29: A strip of land called the Enoch Valley Haul Road Extension, situated in the
and 32: the W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 and the N $\frac{1}{2}$ N $\frac{1}{2}$ of Section 32, being 600 feet in width and lying 300 feet on each side of the centerline described as follows:

Beginning at a point on the said Enoch Valley Haul Road Extension, which point is North 1526 feet, more or less, and West 257.00 feet, more or less, from the Southwest corner of said Section 29, said corner being 5280.00 feet West of the Southeast corner of said Section 29 (said point being referred to as Sta. 48+80.61 on a plat of said Enoch Valley Haul Road Extension on file in Soda Springs Plant Mining Department Office of Monsanto Company, and running

thence South 43°22'15" East 122.38 feet to Sta. 50+03.44;

thence on a 0°45'00" curve left 814.58 feet to Sta. 58+18.02;

thence South 49°28'47" East 1188.36 feet to Sta. 70+06.30;

thence on a 2°51'53" curve left 1496.10 feet to Sta. 85+02.47;

thence North 87°39'37" East 1212.20 feet to Sta. 97+14.67;

thence on a 3°42'27" curve left 2382.17 feet to Sta. 120+96.83;

thence North 4°26'09" East 2818.87 feet to Sta. 149+15.70, which point is North 4016.00, more or less, and East 381.00 feet, more or less, from the Southeast corner of said Section 29.

**SODA CREEK
AT THE MOUTH**

	January	February	March	April	May	June	July	August	Sept.	October	Nov.	Dec.
DATE											11/20/91	
CFS											43.74	
DATE	01/08/85	02/20/85		04/09/85	05/20/85	06/04/85		08/14/85	09/13/85	10/08/85		
CFS	92.47	86.21		127.04	115.99	94.9		61.65	87.9	88.38		
						06/26/85						
						4.30						
DATE						06/20/84			09/11/84	10/09/84	11/28/84	
CFS						30.0			106.47	112.44	111.83	
DATE		02/01/83	03/15/83	04/27/83		06/06/83	07/27/83	08/30/83		10/20/83		
CFS		77.70	73.48	91.23		80.08	23.00	90.51		99.40		
DATE	01/19/82		03/02/82	04/19/82	05/26/82		07/07/82	08/17/82		10/05/82	11/17/82	12/21/82
CFS	57.59		62.41	66.71	82.59		8.64	49.68		87.77	80.16	80.77
DATE	01/13/81	02/26/81		04/07/81	05/13/81	06/16/81		08/04/81		10/07/81	11/10/81	12/08/81
CFS	59.44	52.34		60.84	45.37	13.8		2.11		50.17	44.65	48.12
DATE	01/02/80	02/06/80	03/17/80	04/29/80		06/09/80	07/22/80		09/03/80	10/02/80	11/19/80	
CFS	47.67	48.26	50.53	69.90		102	2.08		44.22	52.20	57.92	
DATE	01/23/79		03/05/79	04/17/79	05/30/79		07/10/79	08/20/79		10/01/79	11/13/79	
CFS	27.70		53.5	67.06	23.20		2.33	13.02		47.0	49.12	

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**SODA CREEK
AT THE MOUTH**

	January	February	March	April	May	June	July	August	Sept.	October	Nov.	Dec.
DATE	01/17/78		03/01/78	04/11/78	05/16/78	06/06/78		08/15/78		10/03/78		12/12/78
CFS	50.70		53.73	67.20	72.20	39.0		11.97		42.38		
						06/27/78				10/31/78		
						3.63				63.1		
DATE	01/04/77	02/08/77	03/21/77		05/03/77	06/14/77	07/27/77	08/30/77		10/18/77	11/29/77	
CFS	65.65	64.68	53.46		13.6	4.50	2.37	16.62		57.96	51.37	
DATE	01/27/76		03/09/76	04/20/76	05/24/76		07/12/76	08/23/76		10/04/76	11/16/76	
CFS	72.49		72.59	108.35	95.10		9.52	52.07		76.39	78.30	
DATE	01/15/75	02/25/75		04/08/75	05/21/75	06/25/75		08/14/75	09/24/75		11/05/75	12/09/75
CFS	82.14	76.35		75.91	92.96	19.60		17.23	77.90		78.70	86.40
									09/25/75			
									67.5			
DATE	01/09/74	02/27/74		04/02/74	05/15/74	06/19/74		08/01/74	09/10/74	10/22/74		12/03/74
CFS	118.69	79.31		92.31	87.39	1.36		2.37	43.10	77.99		80.71
				04/24/74								
				0								
DATE	01/11/73		03/06/73	04/25/73		06/06/73	07/16/73	08/29/73		10/11/73	11/14/73	
CFS	90.3		88.3	113		16.92	1.60	9.37		140.85	86.70	
	01/31/73											
	85.9											

**SODA CREEK
AT THE MOUTH**

	January	February	March	April	May	June	July	August	Sept.	October	Nov.	Dec.
DATE	01/18/72	02/29/72		04/12/72	05/24/72	06/27/72		08/17/72		10/05/72	11/07/72	
CFS	81.00	87.73		104.10	82.8	7.59		22.9		77.3	105	
DATE	01/12/71	02/16/71	03/31/71	04/21/71	05/20/71	06/28/71		08/03/71	09/23/71		11/01/71	12/08/71
CFS	69.0	63.3	74.4	74.4	79.2	18.6		6.58	72.70		83.80	82.90
DATE	01/26/70		03/10/70	04/28/70		06/09/70	07/22/70		09/01/70	10/12/70		
CFS	67.80		71.90	71.50		1.03	1.69		1.53	59.8		
DATE	01/21/69		03/05/69	04/16/69	05/28/69		07/18/69	08/26/69		10/02/69	11/13/69	12/18/69
CFS	74.3		73.0	85.0	0.85		22.9	5.46		67.20	65.40	75.80
DATE	01/10/68	02/20/68		04/04/68	05/14/68	06/25/68		08/07/68	09/15/68		11/06/68	12/12/68
CFS	70.2	63.5		63.4	33.6	1.43		1.50	65.6		63.2	73.2
				04/15/68								
				67.5								
DATE	01/31/67		03/14/67	04/18/67		06/07/67	07/18/67	08/25/67		10/12/67	11/24/67	
CFS	53.0		57.7	59.6		1.00	20.5	1.77		64.7	57.3	
				04/25/67		06/07/67						
				66.7		1.10						
DATE	01/19/66		03/01/66	04/12/66	05/24/66		07/09/66	08/29/66		10/05/66	11/02/66	
CFS	60.2		61.6	76.8	4.11		1.17	5.83		36.6	50.7	
				04/15/66								
				81.0								

**SODA CREEK
AT THE MOUTH**

	January	February	March	April	May	June	July	August	Sept.	October	Nov.	Dec.
DATE	01/05/65	02/16/65	03/30/65	04/22/65	05/12/65	06/29/65			09/14/65		11/02/65	12/06/65
CFS	80.3	89.8	79.2	112	99.5	26.7			41.2		74.9	61.1
DATE	01/28/64		03/10/64	04/14/64		06/02/64	07/13/64	08/27/64	09/09/64	10/03/64	11/10/64	
CFS	58.0		58.5	72.7		1.76	1.10	6.46	26.0	41.5	66.4	
				04/16/64								
				144								
DATE	01/04/63	02/13/63	03/24/63	04/21/63	05/14/63	06/26/63	07/15/63		09/26/63		11/20/63	12/16/63
CFS	46.6	53.1	68.6	65.5	59.6	2.19	1.68		29.9		49.9	53.3
DATE	01/11/62		03/01/62	04/09/62	05/03/62		07/14/62	08/19/62		10/04/62	11/18/62	
CFS	36.8		48.2	87.7	80.6		1.55	1.46		1.71	49.8	
				04/17/62	05/22/62							
				72.0	0.81							
DATE	01/20/61		03/06/61	04/20/61		06/09/61	07/28/61		09/12/61	10/22/61		12/02/61
CFS	42.4		44.8	62.1		0.5	0.8		1.16	35.6		39.3
				04/26/61								
				60.9								
DATE	01/18/60	02/27/60		04/11/60	05/21/60	06/22/60		08/06/60	09/23/60		11/06/60	12/10/60
CFS	49.6	49.6		84.0	1.13	0.8		0.8	10.5		43.1	41.0
				04/20/60								
				73.5								

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**SODA CREEK
AT THE MOUTH**

	January	February	March	April	May	June	July	August	Sept.	October	Nov.	Dec.
DATE	01/15/59		03/01/59	04/09/59	05/20/59	06/25/59		08/02/59	09/20/59	10/27/59		12/03/59
CFS	53.6		52.6	78.2	1.0	0.7		0.81	19.9	54.2		53.4
				04/23/59								
				63.2								
				04/29/59								
				47.3								
DATE	01/27/58	02/27/58		04/11/58	05/22/58	06/24/58		08/07/58	09/04/58		11/02/58	12/03/58
CFS	62.9	65.0		80.2	46.5	1.0		0.6	21.2		52.2	58.0
				04/16/58	05/26/58				09/22/58			
				154	18.3				13.9			
				04/25/58								
				79.5								
DATE	01/10/57	02/15/57		04/04/57	05/03/57		07/13/57	08/17/57		10/04/57		12/12/57
CFS	54.1	55.5		76.5	83.5		1.14	5.48		35.8		69.2
					05/15/57			08/29/57		10/30/57		
					85.8			31.1		60.6		
					05/17/57							
					83.2							
					05/22/57							
					94.0							
					05/28/57							
					46.4							

**SODA CREEK
AT THE MOUTH**

	January	February	March	April	May	June	July	August	Sept.	October	Nov.	Dec.
DATE	01/21/56		03/04/56	04/10/56	05/10/56		07/10/56	08/17/56		10/10/56	11/29/56	
CFS	57.2		51.9	68.1	76.8		1.56	23.4		44	52.1	
				04/23/56	05/23/56			08/26/56				
				69.5	9.57			16.4				
DATE	01/20/55		03/03/55	04/18/55	05/14/55	06/04/55		08/11/55	09/09/55		11/06/55	12/11/55
CFS	50.6		52.8	68.5	51.0	32.8		.8	16.5		38.6	49.2
				04/30/55	05/23/55	06/26/55			09/25/99			
				68.3	51.0	1.0			19.9			
					05/25/55							
					15.3							
					05/28/55							
					.96							
DATE	01/22/54		03/07/54	04/18/54	05/22/54		07/08/54	08/24/58	09/28/54		11/05/54	12/11/54
CFS	59.3		58.5	70.8	.91		1.0	8.30	15.6		47.5	57.5
DATE	01/26/53		03/09/53	04/21/53	05/13/53	06/27/53		08/12/53	09/28/53		11/05/53	12/13/53
CFS	78.7		76.6	78.0	79.0	1.0		0.8	14.3		57.2	62.1
					05/21/53							
					30.4							
DATE					05/05/52							12/14/52
CFS					96.8							73.3

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FAX NO. 8013590388

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**SODA CREEK
AT THE MOUTH**

	January	February	March	April	May	June	July	August	Sept.	October	Nov.	Dec.
DATE					05/12/51							
CFS					108							
DATE				04/16/50	05/26/50							
CFS				145								
DATE							07/08/46					
CFS							73.8					

F. L. & I. CO. CANAL BROKE 07/06/48

GRAND TOTAL	63.42	67.49	62.53	81.58	53.92	18.19	5.81	16.11	37.95	63.0	63.06	63.63
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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 7, 2000

FARMERS LAND & IRRIGATION COMPANY
1770 JORGENSEN ROAD
GRACE ID 83241

RE: Application for Transfer No. 5621

Dear Protestant:

This letter acknowledges receipt of the protest filed by you against the above referenced applications for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute enlargement in the use of the original right?
3. Is the change consistent with the conservation of water resources within the state of Idaho?
4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

In addition, Rule 302 of the Department's Rules of Procedure requires a protestant to send a copy of the protest to the applicant in question. The address is as follows:

PR PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

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If we may be of further assistance, please contact us.

Respectfully submitted,


HAROLD W. JONES
Water Rights Supervisor

HWJ:sc

cc: IDWR - State Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 3, 2000

BILL HARRIS
OREGON TRAIL COUNTRY CLUB
PO BOX 567
SODA SPRINGS ID 83276

RE: Application for Transfer No.: 5619, 5620 and 5621

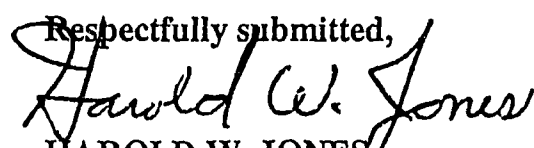
Dear Applicant:

Enclosed please find copies of the protests filed against the above referenced application for transfer of a water right. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

- 1) Are other water rights injured by the transfer?
- 2) Does the change constitute enlargement in the use of the original water right?
- 3) Is the change consistent with the conservation of water resources within the state of Idaho?
- 4) Does the change conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the four items should an additional hearing be necessary. You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ:sc

cc: IDWR State Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 3, 2000

P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

RE: Application for Transfer No.: 5619, 5620 and 5621

Dear Applicant:

Enclosed please find copies of the protests filed against the above referenced application for transfer of a water right. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

- 1) Are other water rights injured by the transfer?
- 2) Does the change constitute enlargement in the use of the original water right?
- 3) Is the change consistent with the conservation of water resources within the state of Idaho?
- 4) Does the change conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the four items should an additional hearing be necessary. You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

Harold W. Jones
HAROLD W. JONES
Water Rights Supervisor

HWJ:sc

cc: IDWR State Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 3, 2000

UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
PO BOX 25486
DENVER CO 80225

RE: Application for Transfer No. 5619, 5620 and 5621

Dear Protestant:

This letter acknowledges receipt of the protest filed by you against the above referenced applications for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute enlargement in the use of the original right?
3. Is the change consistent with the conservation of water resources within the state of Idaho?
4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

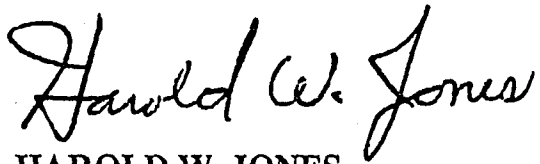
In addition, Rule 302 of the Department's Rules of Procedure requires a protestant to send a copy of the protest to the applicant in question. The address is as follows:

PR PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

Page 2

If we may be of further assistance, please contact us.

Respectfully submitted,

A handwritten signature in cursive script that reads "Harold W. Jones".

HAROLD W. JONES
Water Rights Supervisor

HWJ:sc

cc: IDWR - State Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 3, 2000

JODY L WILLIAMS
KRUSE LANDA & MAYCOCK
PO BOX 45561
SALT LAKE CITY UT 84145-0561

RE: Application for Transfer No. 5620 and 5621

Dear Protestant:

This letter acknowledges receipt of the protest filed by you against the above referenced applications for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute enlargement in the use of the original right?
3. Is the change consistent with the conservation of water resources within the state of Idaho?
4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

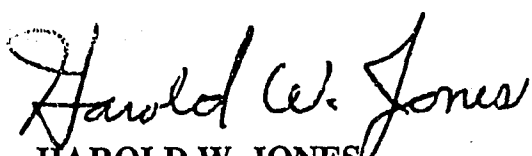
In addition, Rule 302 of the Department's Rules of Procedure requires a protestant to send a copy of the protest to the applicant in question. The address is as follows:

PR PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

Page 2

If we may be of further assistance, please contact us.

Respectfully submitted,


HAROLD W. JONES
Water Rights Supervisor

HWJ:sc

cc: IDWR - State Office

PUBLIC NOTICE

First Time Published

**NOTICE OF PROPOSED
CHANGE OF A
WATER RIGHT
NO. T5621**

Notice is hereby given that P4 Production LLC, P.O. Box 816, Soda Springs, Idaho 83276 has applied to the Department of Water Resources to change the point of diversion, to change the place of use and to change the source of a surface water source. The rights sought to be changed are evidenced by a decree and recorded as follows:

Decree No.: 11-00449

Source: Soda Creek/Bear River

Amount: 0.20 cfs

Priority: 5/1/1910

Point(s) of Diversion: NWNE

Sec. 36 T08S R41E, CARIBOU COUNTY

NESE Sec. 36 T08S R41E, CARIBOU COUNTY

NESW Sec. 6 T09S R42E, CARIBOU COUNTY

The water is used for irrigation of 202 acres within Sec. 6 T09S R42E, B.M.

Decree No.: 11-00531C

Source: Soda Creek/Bear River

Amount: 1.82 cfs

Priority: 5/1/1892

Point(s) of Diversion: NWNE

Sec. 36 T08S R41E, CARIBOU COUNTY

NESE Sec. 36 T08S R41E, CARIBOU COUNTY

NESW Sec. 6 T09S R42E, CARIBOU COUNTY

The water is used for irrigation of 101 acres within Sec. 6 T09S R42E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to transfer both rights to be used by the Last Chance Canal and diverted at their headgates at the SWSE Sec. 30 T09S R41E and the NENE Sec. 1 T10S R40E.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 North Skyline Drive, Idaho Falls, Idaho 83402, together with a protest fee of \$25 on or before Jan. 31, 2000. The protestant must also send a copy of the protest to the applicant.

(s) KARL J. DREHER
Director

Published in the Caribou County Sun on Jan. 13 and 20, 2000.

**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 circulation 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 seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached 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

13th day of January, 2000

The date of the last publication being the 20th day of

January, 2000

On this 7th day of February

in the year of 2000, 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 acknowledge to me that he executed the same.

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

March 1, 2006

LAW OFFICES OF

**RACINE, OLSON, NYE, BUDGE & BAILEY
CHARTERED**

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL*
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN

*ALSO MEMBER IL & WY BARS

CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

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

ERIC S. HUNN
DAVID E. ALEXANDER**
LISA M. CHRISTON***
RICHARD A. HEARN, M.D.****
ERIC L. OLSEN
WARREN W. DOWDLE
LANE V. ERICKSON

**ALSO MEMBER MO BAR
***ALSO MEMBER IL BAR
****ALSO MEMBER D.C. BAR

February 10, 2000

RECEIVED

FEB 11 2000

Department of Water Resources
Eastern Region

Willard J. Cheirrett, President
Farmers Land & Irrigation Company
1998 Ivins Road
Grace, Idaho 83241

Re: *P4 Production, L.L.C. - IDWR Transfer Application Nos. 5620, 5621*

Dear Will:

As you may be aware, P4 Production, L.L.C. ("P4") is a joint venture between Monsanto and Solutia which owns the Soda Springs phosphate plant formerly owned by Monsanto. Solutia is the plant operator.

When Monsanto acquired the Kackley property north of Soda several years ago, they also acquired a number of water rights in Soda Creek which are commonly referred to as the Kackley rights which were originally decreed in the Dietrich Decree. P4 wishes to ensure that all of its water rights are placed to beneficial use. Because the current lessee of the Kackley property does not need all available water, P4 decided to lease the excess to other users in need who have offered to lease the water.

Lease Agreements have been entered into to lease 1.0 cfs under Water Right No. 11-00531D, with a priority date of 5/01/1881 to the Soda Springs Golf Course. The remaining 2.02 cfs, consisting of 1.82 cfs from Right No. 11-00531C with the same priority of 5/01/1881, plus 0.20 cfs under Right No. 11-00449 with a priority of 5/01/1910 have been leased to Last Chance Canal Company. The balance of these rights consisting of 1.02 cfs have been retained on the Kackley property for irrigation purposes by the current lessee Larry Hopkins. (Note: The Farmers Land and Irrigation Company water right decreed under the Dietrich Decree under Right No. 224 is for 80 cfs with a priority date of 5/01/1892, copy enclosed.)

In order to change the point of diversion and place of use for these water rights as required by the Idaho Department of Water Resources, P4 filed Transfer Application Numbers 5620 and 5621. These transfer applications were published in the Caribou County Sun. The last date to

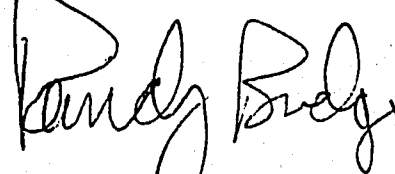
Willard J. Cheirrett
February 10, 2000
Page 2

protest was January 31, 2000. Accordingly transfer applications are being processed by IDWR which should be completed prior to the next irrigation season. The golf course desires to use this water to replace storage water they've been leasing from PacifiCorp, the price of which was substantially raised recently. The lease will save the golf course thousands of dollars.

The 3.02 cfs of water being transferred will need to be delivered into Soda Creek and Alexander Reservoir. I discussed this with the current Soda Creek Watermaster, Craig Hill, who indicated that there is currently no measuring device on the cutout or headgate through which water is released from the Farmers Canal into Soda Creek just west of town. The enclosed map identifies the cutout located in the NE1/4 NE1/4, Section 12, Township 9 South, Range 41 East, B.M. IDWR will require a measuring device on the structure so that the flows can be accurately measured and distributed by the watermaster on Soda Creek and Bear River. Solutia will pay the cost of the device and the installation. We would like to make arrangements with you for this to be accomplished as soon as weather permits in the spring.

Your cooperation is appreciated. If you have any questions or would like to discuss this matter, feel free to contact me.

Sincerely,


RANDALL C. BUDGE

RCB:rr

Enclosure

cc: Dave Farnsworth, Solutia
Craig Hill, Soda Creek Watermaster
Pete Peterson, Bear River Watermaster
Harold Jones, IDWR
Marc Gibbs, Last Chance Canal
Bill Harris, Soda Springs Golf Course

LAW OFFICES OF

**RACINE, OLSON, NYE, BUDGE & BAILEY
CHARTERED**

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WILLIAM D. OLSON
W. MARCUS W. NYE
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SENDER'S E-MAIL ADDRESS: randy-b@racinelaw.net

ERIC S. HUNN
DAVID E. ALEXANDER**
LISA M. CHRISTON***
RICHARD A. HEARN, M.D.****
ERIC L. OLSEN
WARREN W. DOWDLE
LANE V. ERICKSON

**ALSO MEMBER MO BAR
***ALSO MEMBER IL BAR
****ALSO MEMBER D.C. BAR

March 1, 2000

RECEIVED

MAR 02 2000

Department of Water Resources
Eastern Region

Jerry R. Rigby
Rigby, Thatcher, Andrus, Rigby,
Kam & Moeller
P.O. Box 250
Rexburg, Idaho 83440-0250

Re: *P4 Production, L.L.C. - IDWR Transfer Application Nos. 5620 and 5621
Farmers Land & Irrigation Co.*

Dear Jerry:

I received your voice mail message that you were representing Farmers Land & Irrigation Company regarding the above-referenced Transfer Applications we are handling on behalf of P4 Production, L.L.C. I am sorry we have not been able to make connection by phone. I'll be on vacation and unavailable until March 7. Please give me a call then so we can discuss the matter.

Being unaware of what information you may have been provided by Farmers Land, I would suggest you get in touch with Senior Water Right Agent Harold Jones in the IDWR Eastern Region Office, who can provide you with background information. Additionally, I am enclosing the following documents from my file in order to bring you up to speed:

1. P4 Transfer Application No. 5620 pertaining to Water Right No. 11-00531(D). This pertains to the lease of 1.0 cfs by P4 to the Oregon Trail Golf Course of Soda Springs.
2. P4 Transfer Application No. 5621 pertaining to Water Right Nos. 11-00531(C) and 11-00449. This pertains to a lease by P4 of 2.02 cfs to Last Chance Canal Company.
3. Protest of PacifiCorp. This was timely filed but is ready to be withdrawn.
4. February 2, 2000 letter from Farmers Land to IDWR (untimely filed after the protest date).

Jerry R. Rigby
March 1, 2000
Page 2

5. My February 3, 2000 letter to PacifiCorp's attorney Jody L. Williams with attached map and pages from the Dietrich Decree identifying the water rights involved.

6. My February 10, 2000 letter to Willard J. Cheirrett, Farmers Land President. I assume this is what gave rise to your contact.

7. February 22, 2000 letter from Jody L. Williams to Willard Cheirrett.

8. Map identifying Soda Creek, Alexander Reservoir, the Farmers Land Canal and the canal cutout discussed in the letters (red circle).

At this point I am unsure and uninformed regarding what concern Farmers Land may have. I look forward to discussing the matter with you and addressing and resolving them promptly.

Sincerely,

RANDALL C. BUDGE

RCB:rr

Enclosures

cc: ✓ Harold Jones, IDWR (w/o encls.)
Jody L. Williams (w/o encls.)
Dave Farnsworth (w/o encls.)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

**IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 5619, 5620, 5621 AND 5622) NOTICE OF
IN THE NAME OF P4 PRODUCTION AND) PREHEARING CONFERENCE
RANDY PANTER)**

The Department has scheduled this matter for a prehearing conference at 10:00 a.m. on May 12, 2000, at the Pocatello Airport in Pocatello, ID, in accordance with the provisions of the adopted Rules of Procedure of the Department of Water Resources.

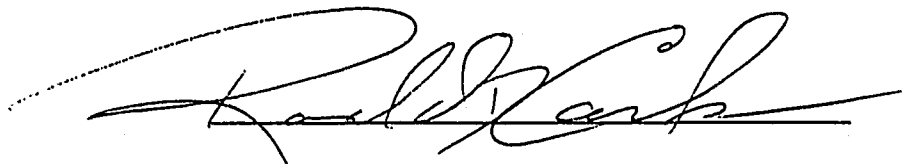
Agenda items for this prehearing conference will include:

- 1. Identify spokesman and/or counsel representing the protestant.**
- 2. Review of the application.**
- 3. Identify issues of protest.**
- 4. Designate date for identifying witnesses.**
- 5. Designate target date for conducting administrative hearing if resolution is not possible during the prehearing conference.**

The hearing will be conducted in a facility, which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the Department within ten (10) days prior to the conference.

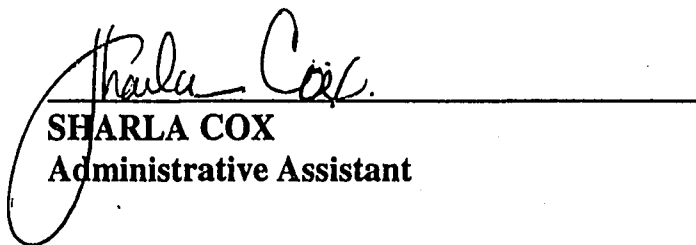
NOTICE OF PREHEARING CONFERENCE 1

Dated this 4th day of April, 2000.



RONALD D. CARLSON
Regional Manager

I hereby certify that on the 5th day of April 2000, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed below:



SHARLA COX
Administrative Assistant

CERTIFIED MAIL

Farmers Land & Irrigation Company
1770 Jorgenson Rd
Grace ID 83241

Jerry Rigby
PO Box 250
Rexburg ID 83440

Jana Varner
C/O US Fish & Wildlife Service
PO Box 25486
Denver Federal Center
Denver CO 80225

Jody Williams
C/O Kruse, Landa & Maycock
50 West Broadway Ste 800
Salt Lake City UT 84101

Randall Budge
PO Box 1391
Pocatello ID 83204-1391

NOTICE OF PREHEARING CONFERENCE 2

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

FARMERS LAND & IRRIGATION
1770 Jorgenson Rd
GRACE ID 83241

4a. Article Number
70000520001570570038

4b. Service Type

☐ Registered ☒ Certified

☐ Express Mail ☐ Insured

☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
04-07-00

5. Received By: (Print Name)
BLANK BINDLISBAKER

6. Signature: (Addressee or Agent)
Blank Bindlisbaker

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JERRY RIGBY
PO BOX 250
REXBURG ID 83440

4a. Article Number
70000520001570570069

4b. Service Type

☐ Registered ☒ Certified

☐ Express Mail ☐ Insured

☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
04-07-00

5. Received By: (Print Name)
Jerry Rigby

6. Signature: (Addressee or Agent)
Jerry Rigby

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

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I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JODY WILLIAMS
C/O KRUSE LANDA & MAYCOCK
50 W BROADWAY STE 800
SALT LAKE CITY UT 84101

4a. Article Number
70000520001570570076

4b. Service Type

☐ Registered ☒ Certified

☐ Express Mail ☐ Insured

☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
04-07-00

5. Received By: (Print Name)
Jody Williams

6. Signature: (Addressee or Agent)
Jody Williams

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

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USPS
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• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

RECEIVED
APR 10 2000

Department of Water Resources
Eastern Region

ATTN: PRE-HEARING CONF T5619 5620 5621 5622

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DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

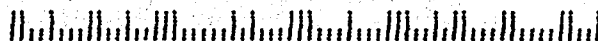
RECEIVED

APR 12 2000

Department of Water Resources
Eastern Region

ATTN: PRE-HEARING CONFER. T5619, 5620, 5621, 5622

340 1712



UNITED STATES POSTAL SERVICE



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USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

RECEIVED

APR 12 2000

Department of Water Resources
Eastern Region

ATTN: PRE-HEARING NOTICE T5619, 5620, 5621, 5622



SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: JANA VARNER C/O US FISH & WILDLIFE SER PO BOX 25486 DENVER FEDERAL CENTER DENVER CO 80225		4a. Article Number 70000520001570570045 4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD 7. Date of Delivery	
5. Received By: (Print Name) 6. Signature: (Addressee or Agent) X		8. Addressee's Address (Only if requested and fee is paid)	
PS Form 3811, December 1994		102595-98-B-0229 Domestic Return Receipt	

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: RANDALL BUDGE PO BOX 1391 POCATELLO ID 83204-1391		4a. Article Number 70000520001570570052 4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD 7. Date of Delivery 08 APR 2000	
5. Received By: (Print Name) 6. Signature: (Addressee or Agent)		8. Addressee's Address (Only if requested and fee is paid)	
PS Form 3811, December 1994		102595-98-B-0229 Domestic Return Receipt	

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DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

RECEIVED
APR 13 2000
Department of Water Resources
Eastern Region

ATTN: PRE-HEARIN CONF T5629 5620 5621 5622

20

UNITED STATES POSTAL SERVICE

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• Print your name, address, and ZIP Code in this box •

RECEIVED DEPARTMENT OF WATER RESOURCES
APR 07 2000 EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

Department of Water Resources
Eastern Region

ATTN: PRE-HEARING CONF. T5619 5620 5621 5622

SARLA —

2-5-2000

RECEIVED

FEB 07 2000

Department of Water Resources
Eastern Region

Thank you for the information
and help on the Water Rights
and Petition to Intervene

Any information or help in this
matter would be appreciated.

Farmer Irrigation have been using
the said water for 100 + years
as I've stated —

Now some water pirates
are trying to make of with
our life blood!!!?

I thank you Again —
Wick Chevrolet Press

Please find Check From
Farmer-Land Irrigation
for \$25⁰⁰ Enclosed —

ISOMETRIC

No. 1242 8 1/2" x 11" 35° 16'

ADVIN

FEBRUARY 2, 2000

TO: IDAHO DEPT. OF WATER RESOURCES
900 NORTH SKYLINE DRIVE
IDAHO FALLS, IDAHO 83402

DEAR KARL J. DREHER
IN REFERENCE TO PROPOSED CHANGE OF WATER RIGHT NO.
T 5621.

WE OF FARMERS LAND AND IRRIGATION COMPANY DO HERE BY
PETITION TO INTERVENE SAID TRANSFER OF WATER RIGHT.

FARMER LAND AND IRRIGATION COMPANY HAVE USED THIS WATER
THROUGH OUR CANAL SYSTEM FOR 100 PLUS YEARS.

SINCERELY

Willard Cheirrett/Pres.

FARMERS LAND & IRRIGATION COMPANY
1770 JORGENSEN ROAD
GRACE, IDAHO 83241

DIRECTORS:

TERRY RINDLISBAKER	208-425-3255
VON SIMMONSON	208-425-3510
WILLARD CHEIRRETT	208-425-3206

ED 25595

Law Offices

**RIGBY, THATCHER, ANDRUS
RIGBY, KAM & MOELLER, Chartered**

RECEIVED

JUN 28 2000

Department of Water Resources
Eastern Region

Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam
Gregory W. Moeller

P.O. Box 250
25 North Second East
Rexburg, ID 83440

Telephone: (208) 356-3633
Fax: (208) 356-0768
E-Mail: Rexlaw@srv.net

June 27, 2000

Harold Jones
Department of Water Resources
900 N. Skyline Drive, Ste. A
Idaho Falls, ID 83402-1718

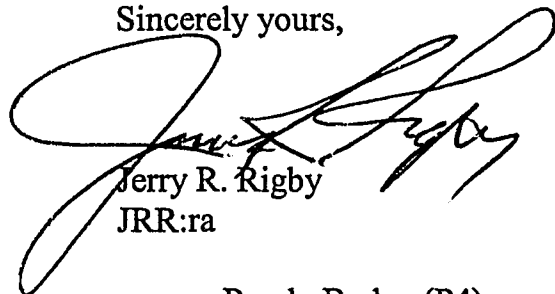
RE: Protest of Application for Transfer No. 5621

Dear Harold:

Pursuant to our telephone conversation, this letter is to acknowledge that my client, Farmers Land & Irrigation Company hereby withdraws its protest of P4 Production, LLC under the following conditions:

- 1) That the carrying water required by the Department to be left in Soda Creek from the Cackly Diversion shall be allowed to be diverted by junior water users (i.e. Farmers Land & Irrigation Company) up to its decreed water rights.
- 2) That P4 be required to work in conjunction with Farmers Land & Irrigation Company in constructing and establishing its measurement device below Farmers Land & Irrigation Company diversionary works in Soda Creek.

Sincerely yours,



Jerry R. Rigby
JRR:ra

cc: Randy Budge (P4)
Brent Rose (Last Chance)
Jodi Williams (Pacific Corp.)

F:\WP6\SB\FARMERS.LT3



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

June 28, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RIGBY THATCHER ANDRUS RIGBY KAM & MOELLER
PO BOX 250
REXBURG ID 83440

RE: Withdrawal of protest on Application for Transfer No.: 5621

Dear Protestants:

This Department has received your withdrawal of protest against the application of P4 Production. We will continue to hold this application due to other protests.

If you have any questions, please call our office.

Sincerely,

Harold W Jones
Water Rights Supervisor

HWJ/sc



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

June 28, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

RE: Withdrawal of protest on Application for Transfer No. 5621

Dear Sir:

This Department has received a withdrawal of protest from Farmers Land & Irrigation Company.

Our office will continue to hold your application due to other protests.

If you have any questions, please call our office.

Sincerely,

A handwritten signature in cursive script that reads 'Harold W. Jones'.

Harold W Jones
Water Rights Supervisor

HWJ/sc

2. Protestant owns water rights in the Bear River, the tributaries to Bear Lake, and Bear Lake decreed in the matter of *Utah Power & Light Company v. The Last Chance Canal*

Company, Limited, et al, in Equity No. 203, July 14, 1920, and *Utah Power & Light Company v. Richmond Irrigation Company, et al*, February 21, 1922, as well as other rights in the Bear River above and below the confluence of Soda Creek and the Bear River.

3. Applicant proposes to bypass part of the flow (3.02 cfs) previously diverted to the Kackley farm it owns, and allow the water to flow to Bear River. Once in Bear River, it will be diverted downstream by two lessees.

4. Protestant is informed that flow bypassed at the Applicant's existing point of diversion is diverted at downstream points of diversion prior to Soda Creek's confluence with Bear River, so water not diverted at the Kackley farm will not flow to the Bear River.

5. Approving the transfer will allow Applicant's downstream lessees to divert Bear River natural flow water that should be available for early priority water right owners without sufficient replacement through Applicant's water rights in Soda Creek. This causes Protestant to release more Bear Lake Storage Water to the existing early priority water right owners under their Bear Lake Storage Water contracts.

6. Protestant's supplemental storage water supply from Bear Lake is fully allocated, and Protestant will not offer a new supplemental storage water contract to Applicant to replace Bear River natural flow water its lessees would use out of priority under the transfer.

7. In addition to diminishing the quantity of Bear Lake water available to satisfy prior existing water rights and contracts, Protestant believes that granting the above-referenced application would conflict with the local public interest in the three following areas by reducing surface water inflow into Bear Lake: First, reliance by existing users on supplemental irrigation water delivered from Bear Lake will be impaired. Second, when the level of Bear Lake drops in extended droughts, recreation and other non-consumptive uses at the lake are adversely affected.

The Idaho State Parks & Recreation boat launch becomes unusable; the State park receives little use due to its distance from the water; facilities built with State funds are unusable, and visitor days and the attendant revenue they produce for the State plummet. The local economy at the lake suffers. Third, traditional habitat for indigenous fish in Bear Lake is decreased. Other wildlife species which depend on the lake will have similar problems due to habitat loss. The spread of noxious weeds and tamarisk is accelerated along the lake shore.

WHEREFORE, Protestant respectfully protests the above-referenced applications for transfer and requests that they be denied.

DATED this 26th day of January 2000.

PACIFICORP, dba
UTAH POWER & LIGHT COMPANY

By Jody L. Williams
Jody L. Williams, Attorney
Kruse, Landa & Maycock, L.L.C.
50 West Broadway, Suite 800
Salt Lake City, Utah 84101
Telephone: (801) 531-7090

MAILING CERTIFICATE

On this 26th day of January, 2000, I mailed a true and correct copy of the foregoing Protest, postage prepaid, to:

Idaho Department of Water Resources
Eastern Division
900 North Skyline Drive
Idaho Falls, Idaho 83402

Randall Landolt
PacifiCorp
825 NE Multnomah, Suite 1500
Portland, OR 97232

Randall C. Budge, Esq.
Racine, Olson, Nye, Cooper & Budge
P.O. Box 1391
Pocatello, ID 83204-0391

P4 Production, L.L.C.
P O Box 816
Soda Springs, ID 83276

Barbara Wall



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Mountain-Prairie Region



IN REPLY REFER TO:

BA WTR
WR UT
Mail Stop 60189

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225

STREET LOCATION:
134 Union Blvd.
Lakewood, Colorado 80228

RECEIVED

FEB 01 2000

Department of Water Resources
Eastern Region

JAN 31 2000

Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive
Idaho Falls, Idaho 83402

Dear Sir or Madam:

The Fish and Wildlife Service protests the Proposed Change of Water Right Nos. T5619 (change the point of diversion and place of use of surface water sources), T5620, and T5621 (change the point of diversion, place of use, and source of surface water source), filed by P4 Production LLC.

It is the position of the Service that approval of these applications would increase the consumptive use of water in the Bear River Basin and has the potential to adversely affect the water rights held by the United States of America for the Bear River Migratory Bird Refuge.

Enclosed is a Money Order in the amount of \$75 to cover the required protest fee.

If you have questions or require further information, please contact me at
(303) 236-5321 extension 223.

Sincerely,

Cheryl C. Willis
Chief, Division of Water Resources

Enclosure

cc:P4 Production LLC
Box 816
Soda Springs, ID 83274

2025582

JUL-07-2000 FRI 03:00 PM KRUSE, LANDA & MAYCOCK

FAX NO. 8013590388

P. 02

KRUSE, LANDA & MAYCOCK, L.L.C.

50 WEST BROADWAY (300 SOUTH)
EIGHTH FLOOR, BANK ONE TOWER
SALT LAKE CITY, UTAH 84101-2034

JODY L. WILLIAMS
WRITER'S E-MAIL
jwilliams@kmlaw.com

MAILING ADDRESS:
Post Office Box 45561
Salt Lake City, Utah 84145-0561

TELEPHONE: (801) 531-7090
TELECOPY: (801) 531-7091
(801) 359-3954

WRITER'S VOICE MAIL
Extension 234

July 7, 2000

Harold Jones
Water Right Supervisor
Idaho Dept. Water Res. Eastern Region
900 No. Skyline Dr.
Idaho Falls, Idaho 83402-1718

Re: Transfer Nos. 5620 and 5621

Dear Mr. Jones:

PacifiCorp withdraws its protest of the above referenced P4 Production, LLC's Applications for Transfer pursuant to the following conditions:

1. That a measuring device is properly installed at a point below the last diversion on Soda Creek to insure that historic flows from Soda Creek to the Bear River continue unimpeded. Records of diversion must be kept; and
2. That the 3.02 cfs of water that is the subject of Transfer 5620 and 5621 is measured past the device and allowed to flow into the Bear River to replace the water diverted from the Bear River by Oregon Trail Golf Course and Last Chance Canal Company.
3. No expansion of irrigated acreage from historical uses is allowed.

Very truly yours,

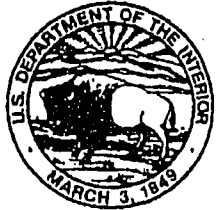
KRUSE, LANDA & MAYCOCK, L.L.C.

Jody L. Williams

Jody L. Williams

JLW:bjw

cc: Randy Budge
Cheryl Williss
Jerry Rigby



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Mountain-Prairie Region

IN REPLY REFER TO:

BA WTR
WR UT
Mail Stop 60189MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225-0486STREET LOCATION:
134 Union Blvd.
Lakewood, Colorado 80228-1807

JUL 10 2000

Mr. Harold Jones
Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive
Idaho Falls, Idaho 83402

Dear Mr. Jones:

The Fish and Wildlife Service protested Change Application Nos. T5619, T5620, and T5621, filed by P4 Production LLC, because of its concern that the changes would result in an expansion of irrigated acreage and/or a reduction of return flows to the Bear River. The Service hereby withdraws its protests, provided that the following conditions are made a part of the approved permits:

1. A measuring device is properly installed at a point below the last diversion on Soda Creek to insure that historic flows from Soda Creek to Bear River continue unimpeded, with records properly maintained; and
2. The 3.02 cfs of water that is the subject of T5620 and T5621 is measured past the device and allowed to flow into the Bear River to replace the water diverted from the Bear River by Oregon Trail Golf Course and Last Chance Canal Company.
3. No expansion of irrigated acreage from historical uses is allowed.

Sincerely,

Cheryl C. Willis
Chief, Water Resources Divisioncc: Jerry Rigby
Rigby, Thatcher, Andrus,
Rigby & Kam, Chartered
P.O. Box 250
25 North Second East
Rexberg, ID 83440Jody Williams
Kruse, Landa & Maycock, LLC
P.O. Box 45561
Salt Lake City, UT 84145-0561Randy Budge
P4 Production
Box 816
Soda Springs, ID 83274



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 12, 2000

UNITED STATES DEPARTMENT OF INTERIOR
FISH AND WILDLIFE SERVICE
PO BOX 25486
DENVER CO 80225-0486

RE: Withdrawal of protest on Application for Transfer No.: 5619, 5620 and 5621

Dear Protestants:

This Department has received your withdrawal of protest against the application of P4 Production, L.L.C. We will continue to process this application.

If you have any questions, please call our office.

Sincerely,

Harold W. Jones
Water Rights Supervisor

HWJ/cv



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 12, 2000

KRUSE, LANDA & MAYCOCK, L.L.C.
50 W BROADWAY SUITE 800
SALT LAKE CITY UT 84101

RE: Withdrawal of protest on Application for Transfer No.: 5619, 5620 and 5621

Dear Protestants:

This Department has received your withdrawal of protest against the application of P4 Production, L.L.C. We will continue to process this application.

If you have any questions, please call our office.

Sincerely,

Harold W. Jones
Water Rights Supervisor

HWJ/cv



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 12, 2000

P4 PRODUCTION, L.L.C.
PO BOX 816
SODA SPRINGS ID 83276

RE: Withdrawal of protest on Application for Transfer No. 5619, 5620, and 5621

Dear Sir:

This Department has received withdrawals of protests from Fish and Wildlife Service and Kruse, Landa & Maycock, L.L.C.

Our office will continue to process you application.

If you have any questions, please call our office.

Sincerely,

Harold W. Jones
Water Rights Supervisor

HWJ/cv

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 19, 2000

CRAIG HILL
WATERMASTER
220 N 3RD E
SODA SPRINGS ID 83276

RE: TRANSFER OF WATER RIGHTS 11-00449/11-00531C
(Transfer 5621)

Dear Craig:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights (Transfer 5621) in the name P4 Production, LLC.

If you have any questions, please call me at 208-327-7940.

Sincerely,

Camela S. Seaggs
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 19, 2000

PETE PETERSON
WATERMASTER
2483 RIVERDALE RD
PRESTON ID 83263

RE: TRANSFER OF WATER RIGHTS 11-00449/11-00531C
(Transfer 5621)

Dear Craig:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights (Transfer 5621) in the name P4 Production, LLC.

If you have any questions, please call me at 208-327-7940.

Sincerely,

Camilla S. Skaggs

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 19, 2000

P4 PRODUCTION LLC
PO BOX 816
SODA SPRINGS ID 83276

RE: TRANSFER OF WATER RIGHTS 11-00449/11-00531C (Transfer 5621)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer 5621). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

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 of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Samuel S. Seagys
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

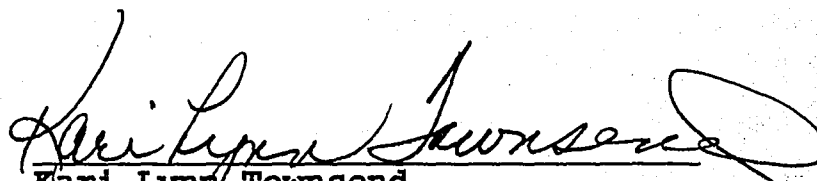
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of October, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: TRANSFER OF WATER RIGHTS 11-00449/11-00531C/ (Transfer 5621)

P4 PRODUCTION
PO BOX 816
SODA SPRINGS ID 83276


Kari Lynn Townsend
Secretary

RECEIVED
JUL - 2 2003

LAW OFFICES OF

**RACINE, OLSON, NYE, BUDGE &
BAILEY
CHARTERED**

CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

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

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
ERIC L. OLSEN
DAVID E. ALEXANDER
LISA M. CHRISTON
RICHARD A. HEARN, M.D.
LANE V. ERICKSON
PATRICK N. GEORGE
SCOTT J. SMITH
LISA A. WOOD, CPA
STEPHEN J. MUHONEN

Department of Water Resources

BOISE OFFICE

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

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

June 30, 2003

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

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

Dear Glen:

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

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

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

L. Glen Saxton
June 30, 2003
Page 2

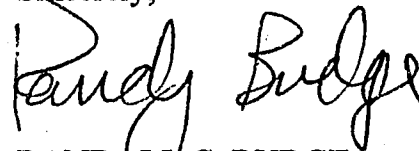
Subsequently the irrigated acres were reduced from 202.0 to 51.0 acres, as reflected by Transfer No. 5619.

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

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

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

Sincerely,


RANDALL C. BUDGE

RCB:rr
Enclosures

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

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

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

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

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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

RECEIVED

SEP 09 1996

Department of Water Resources
Eastern Region

TRANSFER NO. 4887

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

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

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

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

SOURCE
SODA CREEK

TRIBUTARY OF
BEAR RIVER

LOCATION OF POINT(S) OF DIVERSION:

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

PAGE 2

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

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

SUBTOTAL: * 2.00 CFS ** 707.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WASTE WATER	SODA CREEK

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	
Injection	Lot 4(NWNW), Sec. 6, Township 09S, Range 42E
Exchange	Lot 4(NWNW), Sec. 6, Township 09S, Range 42E
Exchange	NWNE , Sec. 36, Township 08S, Range 41E
Rediversion	NESE , Sec. 36, Township 08S, Range 41E
	NESW , Sec. 6, Township 09S, Range 42E
	CARIBOU County

TOTAL: * 7.12 CFS ** 707.0 AF

PLACE OF USE: IRRIGATION

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

CONDITIONS OF APPROVAL AND REMARKS

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

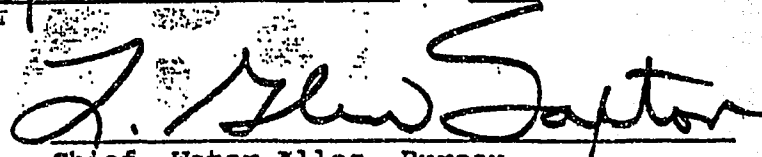
TRANSFER NO. 4887
WATER RIGHT NO(S). 11-00448/11-00449/11-00457/11-00499
11-00471/11-00531B/11-02106

CONDITIONS OF APPROVAL AND REMARKS

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

Dated this 5th day of

September, 1996


Chief, Water Alloc. Bureau

MEMORANDUM

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

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4887

DATE: August 29, 1996

=====

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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

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

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

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PAGE 2

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

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

Right No. 11-02106 : WASTE WATER	SODA CREEK
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LOCATION OF POINT(S) OF DIVERSION:

Right No. 11-00448, 11-00457, 11-00471, 11-00499 :
NESW , Sec. 6, Township 09S, Range 42E
CARIBOU County

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

PLACE OF USE: IRRIGATION

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

CONDITIONS OF APPROVAL AND REMARKS

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

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

CONDITIONS OF APPROVAL AND REMARKS

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

Dated this

19th day of

October

, 2000

J. M. Saylor
Chief, Water Allocation Bureau

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907 3 / 2000

Golf Course

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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

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

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

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

Priority: 05/01/1892 *

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

PLACE OF USE: IRRIGATION

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

CONDITIONS OF APPROVAL AND REMARKS

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

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

CONDITIONS OF APPROVAL AND REMARKS

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

Dated this 19th day of October, 2000.


Chief, Water Allocation Bureau

MICROFILMED

OCT 23 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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

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

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

SOURCE
* BEAR RIVER

TRIBUTARY OF
GREAT SALT LAKE

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

TWN RGE SEC

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

CONDITIONS OF APPROVAL AND REMARKS

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

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

CONDITIONS OF APPROVAL AND REMARKS

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

Dated this 19th day of

October, 2000.

Z. M. Saylor
Chief, Water Allocation Bureau

MICROFILMED

NOV 13 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 31, 2003

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

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

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

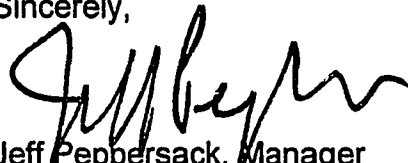
Dear Mr. Budge:

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

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

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure