

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 11-449
Date Received: 2/5/24
Receipt No: P000737
Claim Fee: 50.00 By: mib

RECEIVED

FEB 05 2024

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) P4 Production, L.L.C. Phone (208) 547-1239
Mailing address PO Box 816 Soda Springs Idaho Zip 83276
Street or Box City State
Email address (optional) jason.maughan@bayer.com
2. Date of priority: (Only one per claim) May 1, 1910 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (☒) (a) Bear River
which is tributary to (b) Great Salt Lake
4. a. Location of point of diversion is: Township 10S, Range 40E, Section 1,
NE 1/4 of NE 1/4, Govt. Lot 1, BM, County of Caribou
Parcel no. No parcel number available
Additional points of diversion, if any: SWSE of Section 30, T09S, R41E
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
Dam on the Bear River commonly known as the Last Chance Dam and diverted into the
Last Chance Canal.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 04/15 to 10/15 amount 0.2 or 72.60

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.2 (cfs) and/or (b) 72.60 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Parcel no(s). N/A Total number of acres irrigated 101 Acre Limit

10. In which county(ies) are lands listed above as place of use located? Caribou

11. Do you own the property listed above as place of use? Yes () No (☒)
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
11-531C or None ()

13. Remarks (Include an explanation of the priority date selected):

This claim is based on Idaho water right no. 11-449, decreed on July 14, 1920, in District Court case of Utah Power & Light Co. v. Last Chance Canal Co.

Water Rights 11-449 and 11-531C are leased to Last Chance Canal Company. The place of use for this right represents a subset of the service are for Last Chance Canal Company.

List of Attachments to Claim Form:

1. IDWR Water Right Report of 11-449

2. IDWR Map of 11-449

3. Map depicting the current point of diversion and place of use

Name of claimant(s) P4 Production, L.L.C.

Claim ID _____

P4 Production, L.L.C.
11-449 and 11-531C
Supplemental Sheet - Large POU
Last Chance Canal Company Service Area

TWP/RGE/SEC	QQ	Total Acres
08S 39E 21	All	640
08S 39E 22	All	640
08S 39E 26	All	640
08S 39E 27	All	640
08S 39E 28	All	640
08S 39E 34	All	640
08S 39E 35	All	640
09S 39E 2	All	640
09S 39E 3	All	640
09S 39E 4	All	640
09S 39E 9	All	640
09S 39E 10	All	640
09S 39E 13	All	640
09S 39E 14	All	640
09S 39E 15	All	640
09S 39E 16	All	640
09S 39E 21	All	640
09S 39E 22	All	640
09S 39E 23	All	640
09S 39E 24	All	640
09S 39E 25	All	640
09S 39E 26	All	640
09S 39E 36	All	640
09S 40E 19	All	640
09S 40E 20	All	640
09S 40E 21	All	640
09S 40E 25	All	640
09S 40E 26	All	640
09S 40E 27	All	640
09S 40E 28	All	640
09S 40E 29	All	640
09S 40E 30	All	640
09S 40E 31	All	640
09S 40E 32	All	640
09S 40E 33	All	640
09S 40E 34	All	640
09S 40E 35	All	640
09S 40E 36	All	640
10S 39E 1	All	640

10S 39E 12	All	640
10S 39E 13	All	640
10S 40E 1	All	640
10S 40E 2	All	640
10S 40E 3	All	640
10S 40E 4	All	640
10S 40E 5	All	640
10S 40E 6	All	640
10S 40E 7	All	640
10S 40E 8	All	640
10S 40E 9	All	640
10S 40E 10	All	640
10S 40E 11	All	640
10S 40E 12	All	640
10S 40E 13	All	640
10S 40E 14	All	640
10S 40E 15	All	640
10S 40E 16	All	640
10S 40E 17	All	640
10S 40E 18	All	640
10S 40E 19	All	640
10S 40E 20	All	640
10S 40E 21	All	640
10S 40E 22	All	640
10S 40E 23	All	640
10S 40E 24	All	640
10S 40E 25	All	640
10S 40E 26	All	640
10S 40E 27	All	640
10S 40E 28	All	640
10S 40E 29	All	640
10S 40E 33	All	640
10S 40E 34	All	640
10S 40E 35	All	640
10S 40E 36	All	640
10S 41E 5	All	640
10S 41E 6	All	640
10S 41E 7	All	640
10S 41E 8	All	640
10S 41E 17	All	640
10S 41E 18	All	640
10S 41E 19	All	640
10S 41E 20	All	640
10S 41E 28	All	640
10S 41E 29	All	640
10S 41E 30	All	640
10S 41E 31	All	640

10S 41E 32	All	640
10S 41E 33	All	640
11S 40E 1	All	640
11S 40E 2	All	640
11S 40E 3	All	640
11S 40E 4	All	640
11S 40E 9	All	640
11S 40E 10	All	640
11S 40E 11	All	640
11S 40E 12	All	640
11S 40E 13	All	640
11S 40E 14	All	640
11S 40E 15	All	640
11S 40E 24	All	640
11S 41E 4	All	640
11S 41E 5	All	640
11S 41E 6	All	640
11S 41E 7	All	640
11S 41E 8	All	640
11S 41E 9	All	640
11S 41E 18	All	640

14. Basis of claim (Check one) Beneficial Use () Posted Notice () License () Permit () Decree (☒)

Court District Court Decree Date 7/14/1920 Plaintiff v. Defendant Utah Power & Light Co. v. Last

If applicable provide IDWR Water Right Number 11-449

Chance Canal Co

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not (☒) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

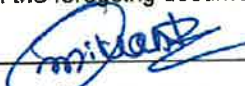
Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

President of P4 Production, L.L.C.
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date 1/31/24

Printed Name of Authorized Agent Vikranth Michael

16. Notice of Appearance:

Notice is hereby given that I, (please print) Thomas J. Budge, Attorney, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature  Date 1/31/2024

Address PO Box 1391, Pocatello, Idaho 83204-1391, tj@racineolson.com

Name of claimant(s) P4 Production, L.L.C. Claim ID _____

Close

Water Right Report : 11-449(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Attorney	BUDGE, RANDALL C	PO BOX 1391	POCATELLO	ID	83204-1391
Current Owner	P4 PRODUCTION LLC	PO BOX 816	SODA SPRINGS	ID	83276-0816
Lessee	LAST CHANCE CANAL CO LTD	C/O MARK MATHEWS 670 MINGO RD	GRACE	ID	83241-5334
Original Owner	CHESTER, WILLIAM P	2650 N MERIDIAN RD	EAGLE	ID	83616

Water Right Status

Priority Date : 5/1/1910

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
BEAR RIVER		GREAT SALT LAKE	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
BEAR RIVER	09S	41E	30	0		SW	SE	CARIBOU	
BEAR RIVER	10S	40E	1	0		NE	NE	CARIBOU	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/15	10/15	0.20 CFS	72.60 AFA
TOTAL			0.20 CFS	72.60 CFS

Places of Use

Printable View

Paged View

Place of Use Legal Description : IRRIGATION (CARIBOU county)

Township Range Section Lot QQQ QQ Q Acres

08S	39E	21
08S	39E	22
08S	39E	26
08S	39E	27
08S	39E	28
08S	39E	34
08S	39E	35
09S	39E	2
09S	39E	3
09S	39E	4
09S	39E	9
09S	39E	10
09S	39E	13
09S	39E	14
09S	39E	15
09S	39E	16
09S	39E	21
09S	39E	22

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
09S	39E	23					
09S	39E	24					
09S	39E	25					
09S	39E	26					
09S	39E	36					
09S	40E	19					
09S	40E	20					
09S	40E	21					
09S	40E	25					
09S	40E	26					
09S	40E	27					
09S	40E	28					
09S	40E	29					
09S	40E	30					
09S	40E	31					
09S	40E	32					
09S	40E	33					
09S	40E	34					
09S	40E	35					
09S	40E	36					
10S	39E	1					
10S	39E	12					
10S	39E	13					
10S	40E	1					
10S	40E	2					
10S	40E	3					
10S	40E	4					
10S	40E	5					
10S	40E	6					
10S	40E	7					
10S	40E	8					
10S	40E	9					
10S	40E	10					
10S	40E	11					
10S	40E	12					
10S	40E	13					
10S	40E	14					
10S	40E	15					
10S	40E	16					
10S	40E	17					
10S	40E	18					
10S	40E	19					
10S	40E	20					
10S	40E	21					
10S	40E	22					
10S	40E	23					
10S	40E	24					
10S	40E	25					
10S	40E	26					
10S	40E	27					

P4 Production, L.L.C.

Township Range Section Lot QQQ QQ Q Acres

10S	40E	28
10S	40E	29
10S	40E	33
10S	40E	34
10S	40E	35
10S	40E	36
10S	41E	5
10S	41E	6
10S	41E	7
10S	41E	8
10S	41E	17
10S	41E	18
10S	41E	19
10S	41E	20
10S	41E	28
10S	41E	29
10S	41E	30
10S	41E	31
10S	41E	32
10S	41E	33
11S	40E	1
11S	40E	2
11S	40E	3
11S	40E	4
11S	40E	9
11S	40E	10
11S	40E	11
11S	40E	12
11S	40E	13
11S	40E	14
11S	40E	15
11S	40E	24
11S	41E	4
11S	41E	5
11S	41E	6
11S	41E	7
11S	41E	8
11S	41E	9
11S	41E	18

Irrigation Totals

Total Acres Acre Limit

Conditions**Code Conditions**

- R43 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.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

P4 Production, L.L.C.

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. 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. 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. 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. 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. 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.

- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- R63 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.

Dates

Licensed Date :
Decreed Date : 7/14/1920
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
IDAHO DEPARTMENT OF WATER RESOURCES
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal :
Water District Number : 11
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Combined Acre Limit : 101.00
Combined Volume Limit: 353.50
Combined Rate Limit: 2.02
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

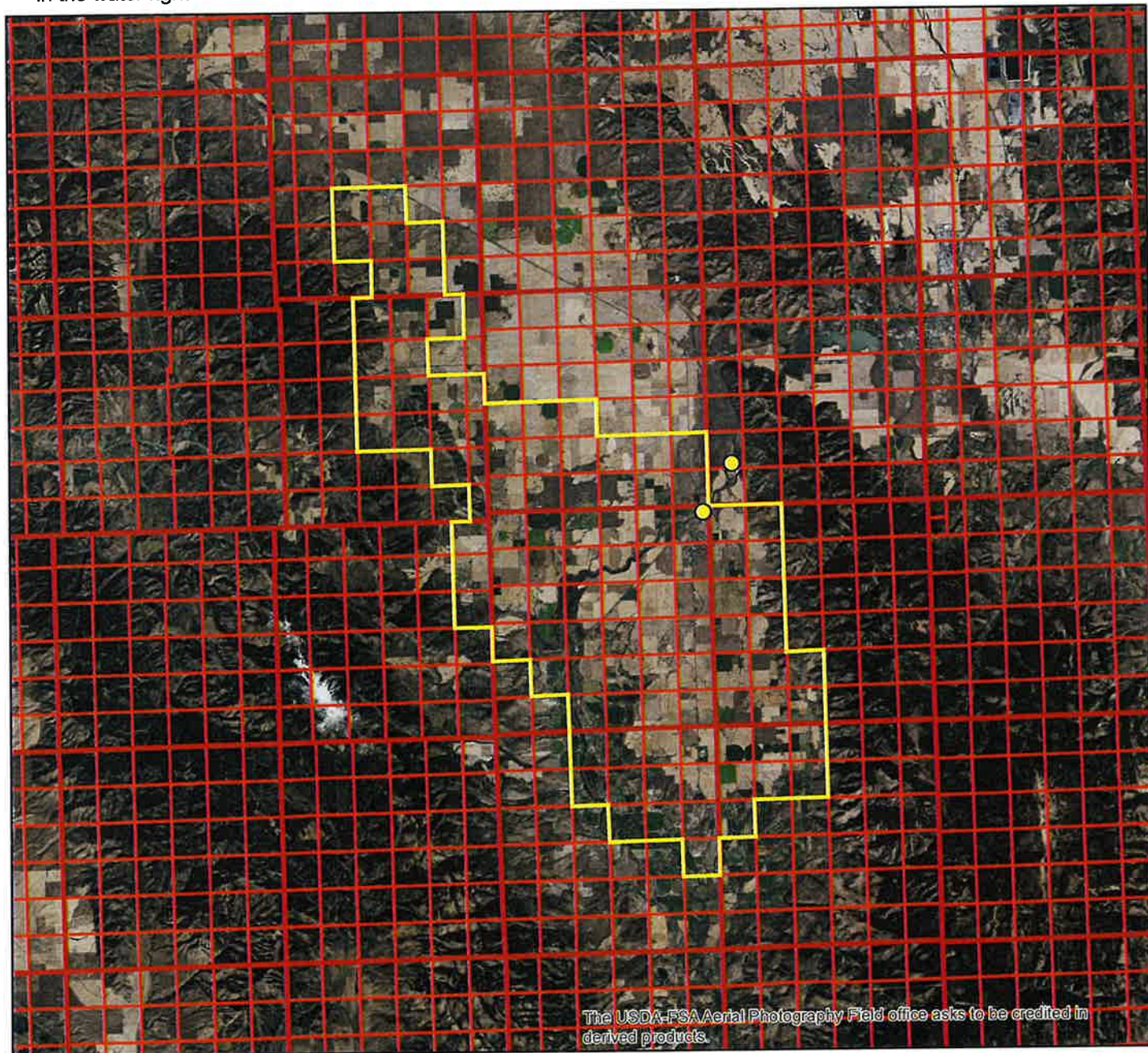
6/28/2023

State of Idaho
Department of Water Resources
Water Right

11-449

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 6/28/2023



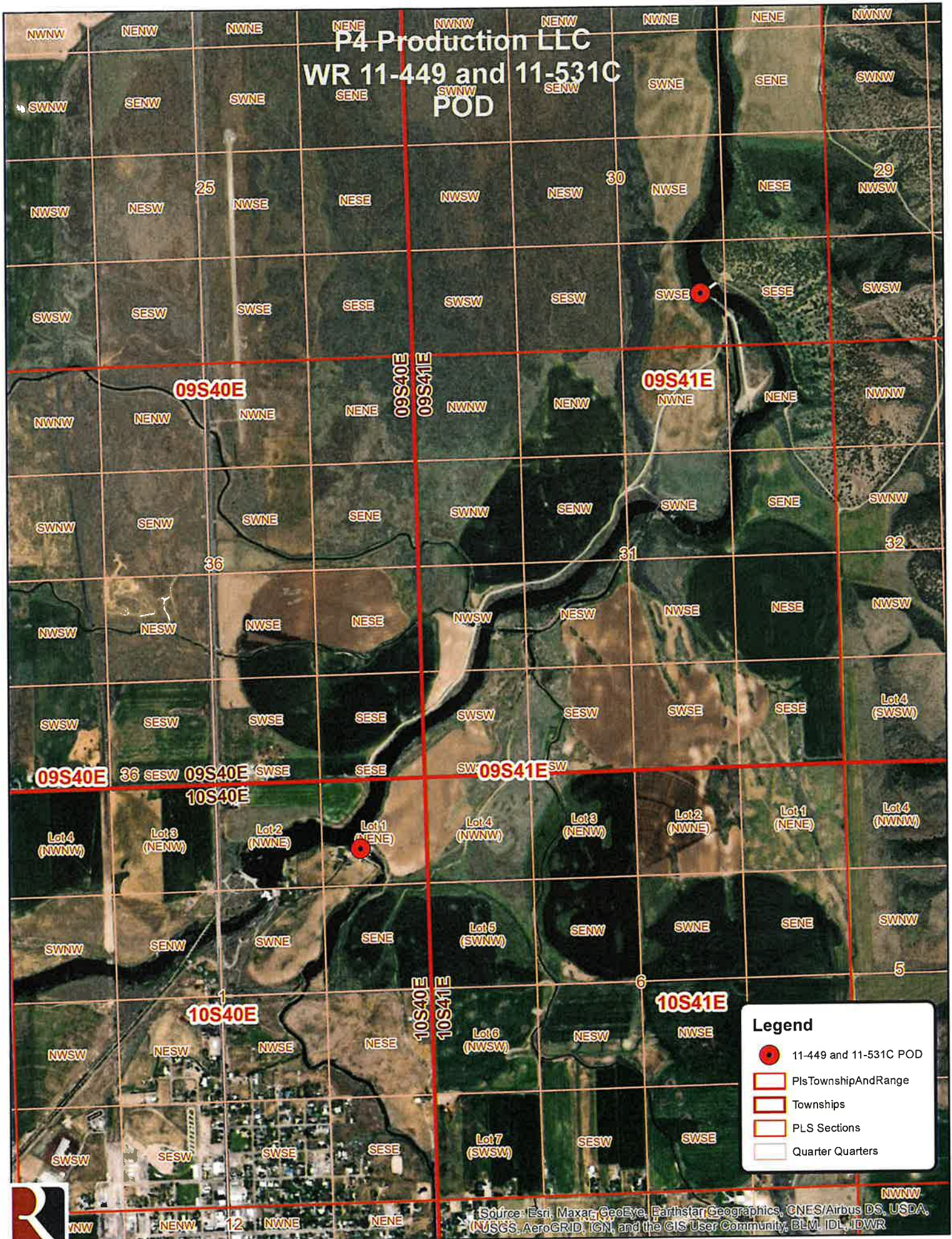
Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections

P4 Production, L.L.C.



P4 Production LLC WR 11-449 and 11-531C POD



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, NUSGS, AeroGRID, IGN, and the GIS User Community, BLM, IDL, IDWR

P4 Production LLC
WR 11-449 and 11-531C
POU & POD

Legend

- 11-449 and 11-531C POD
- 11-449 and 11-531C
- PlsTownshipAndRange
- Townships
- PLS Sections

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, BLM, IDL, IDWR

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, BLM, IDL, IDWR



RACINE OLSON

ATTORNEYS

February 1, 2024

Idaho Department of Water Resources
325 East 600 South, Ste 300
Preston, Idaho 83263-4921
marion.beck@idwr.idaho.gov

RECEIVED

FEB 05 2024

IDWR/Preston

**Re: P4 Production, L.L.C.
Notices of Claims to Water Rights
Bear River Basin Adjudication**

To whom it may concern:

Enclosed for filing please find the originals of twelve Notices of Claims to Water Rights on behalf of P4 Production, L.L.C., together with a check in the amount of \$2,453.00 for the filing fees, broken down as follows:

Claim 1 (11-448): \$50 flat fee + (\$1.00 per acre x 51 acres) = \$101
Claim 2 (11-457 & 11-471): \$50 flat fee + (no variable fee, claiming same POU acres) = \$50
Claim 3 (11-499): \$50 flat fee + (no variable fee, claiming same POU acres) = \$50
Claim 4 (11-2106): \$50 flat fee + (no variable fee, claiming same POU acres) = \$50
Claim 5 (11-531D): \$50 flat fee + (\$1.00 per acre x 48 acres) = \$98
Claim 6 (11-531C): \$50 flat fee + (\$1.00 per acre x 101 acres) = \$151
Claim 7 (11-449): \$50 flat fee + (no variable fee, claiming same POU acres) = \$50
Claim 8 (11-2144): \$50 flat fee + (\$100 per cfs x 3.68 industrial) + (\$100 per cfs x 3.68 mining)
= \$786
Claim 9 (11-2102): \$50 flat fee + (\$100 per cfs x 2.22 industrial) = \$272
Claim 10 (11-2107A): \$50 flat fee + (\$100 per cfs x 1 industrial) = \$150
Claim 11 (11-2107B): \$50 flat fee + (\$100 per cfs x 1.6 industrial) = \$210
Claim 12 (11-2141): \$50 flat fee + (\$100 per cfs x 4.35 industrial) = \$485
Total: \$2,453.00

Please file the originals and email the claim numbers assigned to tessa@racineolson. Thank you for your assistance. Please contact us if you have any questions.

Sincerely,


TESSA SPARROW
Paralegal

Enclosures

c: Jason Maughan, P4 Production, L.L.C.



201 E. Center Street / P.O. Box 1391
Pocatello, Idaho 83204
(208)232-6101 - Phone
(208)232-6109 - Fax

racineolson.com

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