

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: 11-448
Date Received: 2/5/24
Receipt No: P000737
Claim Fee: 101.00 By: MB

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) June 1, 1909 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (☒) (a) Soda Creek
which is tributary to (b) Bear River
4. a. Location of point of diversion is: Township 9S, Range 42E, Section 6,
NE 1/4 of SW 1/4, Govt. Lot _____, BM, County of Caribou
Parcel no. 09S42E062401
Additional points of diversion, if any: _____
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.
Sump pump with electric pump.

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 0.3 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.3 (cfs) and/or (b) _____ (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	
9S	42E	6								28	23								51

Parcel no(s). 09S42E062401 Total number of acres irrigated 51

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.
11-457, 11-471, 11-499, and 11-2106 or None (☐)

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

This claim is based on Idaho water right no. 11-448, decreed on July 14, 1920, in District Court case of Utah Power & Light Co. v. Last Chance Canal Co.

List of Attachments to Claim Form:

1. IDWR Water Right Report of 11-448

~~2. IDWR Map of 11-448~~

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

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

Claim ID _____

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 11-448 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: 4

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 : 11-448(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
Original Owner	KACKLEY, ELLIS			ID	

Water Right Status

Priority Date : 6/1/1909
 Basis : Decreed
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SODA CREEK		BEAR RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
SODA CREEK	09S	42E	6	0				NE SW CARIBOU	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/15	0.30 CFS	49.00 AFA
TOTAL			0.30 CFS	49.00 CFS

Places of Use

Printable View

Paged View

Place of Use Legal Description : IRRIGATION (CARIBOU county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
09S	42E	6				NE SW	31
09S	42E	6				NW SW	20

Irrigation Totals

Total Acres	Acre Limit
51.00	14.00

Conditions

Code Conditions

R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Right No. 11-00448 is limited to irrigation of 14.0 acres in the place of use described above in a single irrigation season. Right No. 11-00457 is limited to irrigation of 5.0 acres in the place of use described above in a single irrigation season. Right No. 11-00471 is limited to irrigation of 1.3 acres in the place of use described above in a single irrigation season. Right No. 11-00499 is limited to irrigation of 30.0 acres in the place of use described above in a single irrigation season. 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. 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. 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. 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.

- 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.
- 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.
- 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 :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal :
Water District Number : 11B
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Combined Acre Limit : 51.00
Combined Volume Limit: 178.50
Combined Rate Limit: 1.02
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

6/28/2023

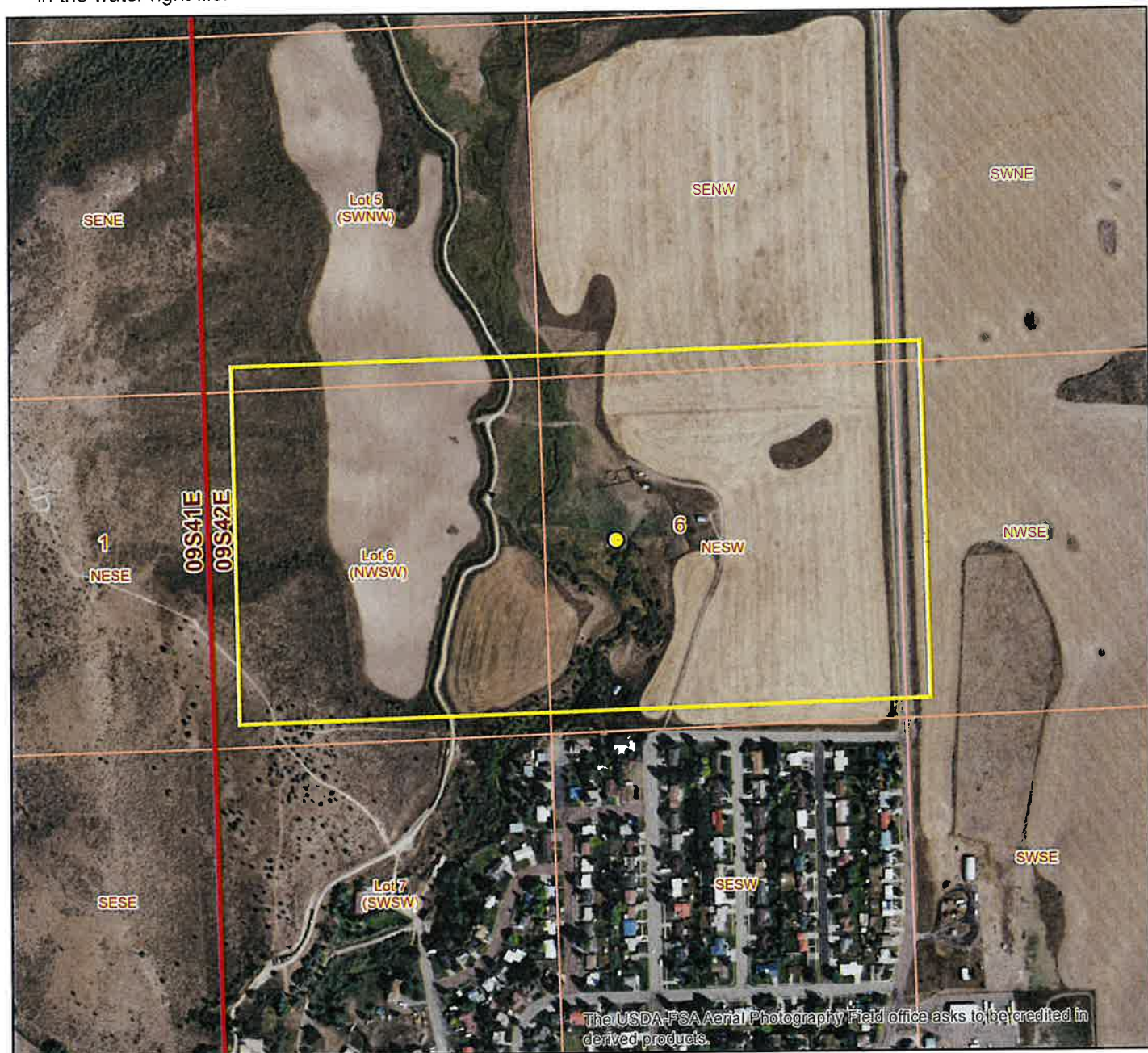
State of Idaho
Department of Water Resources

Water Right

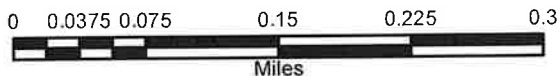
11-448

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



P4 Production, L.L.C.

Legend

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



P4 Production LLC
WR 11-448, 11-457, 11-471, 11-499 and 2106
POU & POD





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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