

**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: 11-21073

Date Received: 2/5/24

Receipt No: PO0737

Claim Fee: 210.00 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) November 18, 1952 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water (☒) or Other (☐) (a) _____
which is tributary to (b) _____
4. a. Location of point of diversion is: Township 8S, Range 42E, Section 30,
SE 1/4 of SE 1/4, Govt. Lot _____, BM, County of Caribou
Parcel no. 08S42E310001 and 08S42E294300
Additional points of diversion, if any: SWNE, SENE, NESE, SWSE of Section 31
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.
Four production wells with electric pumps and tied into water delivery systems via piping, tanks, and fixtures.
Five plume capture wells which supply water to the treatment facility. This water only pumps treated water
and discharges it into Soda Creek as required by CERCLA. The plume capture water is not used in the
production process. All contain measuring devices.

6. Water is claimed for the following purposes:

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

For Industrial purposes from 01/01 to 12/31 amount 1.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (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.) Industrial

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of 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		I															N/A
8S	42E	29									I	I	I	I					N/A
8S	42E	30	I	I	I	I									I	I	I	I	N/A
8S	42E	31													I	I	I	I	N/A
8S	42E	32					I	I	I			I	I						N/A

Parcel no(s) 08S42E310001, 08S42E295401, 08S42E300601, 08S42E294801, 09S42E060400 Total number of acres irrigated N/A

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.
11-2102, 11-2107A, and 11-2141 or None ()

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

Priority date based off of licensed WR 11-2107B.

~~List of Attachments to Claim Form:~~

1. IDWR Water Right Report of 11-2107B

2. IDWR Map of 11-2107B

~~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 _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-2107B

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.

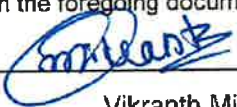
Signature of Claimant (s) _____ Date: _____

_____ 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 : 11-2107-B (License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	MONSANTO CO	C/O MINE SUPERINTENDENT PO BOX 816	SODA SPRINGS	ID	83276

Water Right Status

Priority Date : 11/18/1952
 Basis : License
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	08S	42E	30	0		SE	SE	CARIBOU	
GROUND WATER	08S	42E	31	0		SE	NE	CARIBOU	
GROUND WATER	08S	42E	31	0		SE	NE	CARIBOU	
GROUND WATER	08S	42E	31	0		NE	SE	CARIBOU	
GROUND WATER	08S	42E	31	0		NW	SE	CARIBOU	
GROUND WATER	08S	42E	31	0		SW	SE	CARIBOU	
GROUND WATER	08S	42E	31	0		SW	SE	CARIBOU	
GROUND WATER	08S	42E	31	0		SW	SE	CARIBOU	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
INDUSTRIAL	01/01	12/31	1.60 CFS	
TOTAL			1.60 CFS	

Places of Use

Printable View

Paged View

Place of Use Legal Description : INDUSTRIAL (CARIBOU county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
08S	42E	19		SW	SE		
08S	42E	19		SE	SE		
08S	42E	31		NE	NE		
08S	42E	31		NW	NE		
08S	42E	31		SW	NE		
08S	42E	31		SE	NE		

Conditions

Code Conditions

X35 Rights 11-2102, 11-2107A, 11-2107B and 11-2141 when combined shall not exceed a total annual maximum diversion volume of 5,000 acre-feet.

The instantaneous rate of diversion from the four ground water wells located in the SE1/4 of Section 31, T08S, R42E, shall not exceed 1.80 cfs.

212 Prior to diversion and use of water under Transfer Approval 79037, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.

To mitigate for depletion to Soda Creek resulting from ground water diversion, the right holder shall continuously discharge into Soda Creek an amount of water greater than or equal to the total amount of water diverted from the authorized ground water wells located in the NWSE and SWSE of Section 31, T08S, R42E.

- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of 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.

Dates

Licensed Date :
Decreed Date :
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 : TBD
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
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

P4 Production, L.L.C.

State of Idaho
Department of Water Resources
Water Right

11-2107B

INDUSTRIAL

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.



The USDA-FSA Aerial Photography Field office asks to be credited in derived products



Date created: 6/28/2023



Legend

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

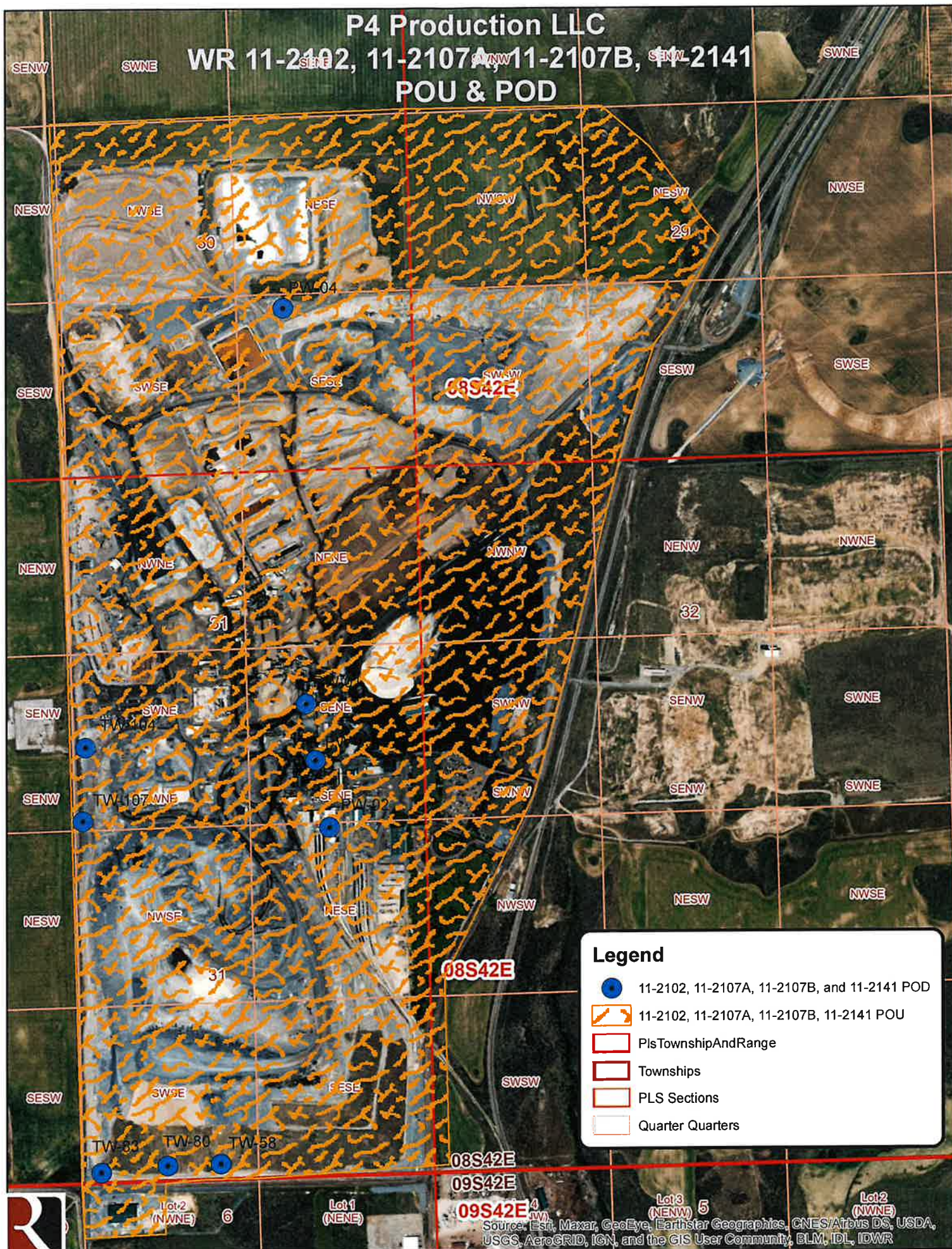
N



P4 Production, L.L.C.

P4 Production LLC

WR 11-2102, 11-2107A, 11-2107B, 11-2141
POU & POD



Legend

- 11-2102, 11-2107A, 11-2107B, and 11-2141 POD
- ▨ 11-2102, 11-2107A, 11-2107B, 11-2141 POU
- PlsTownshipAndRange
- Townships
- PLS Sections
- Quarter Quarters

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



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
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