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LOUIS F. RACINE (1917-2005)
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March 30, 2009

Tim Luke
Water Distribution Section Manager
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Lyle Swank, Watermaster
James Cefalo, Deputy Watermaster
Water District 27
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402

*Re: Order Requiring Measuring Devices and Controlling Works
On the Blackfoot River, Water District 27
Monsanto (P4) Water Right Nos. 27-49, 1-28F*

Dear Tim, Lyle and James:

On behalf of Monsanto Company (P4) and with respect to Water Right Nos. 27-49 and 1-28F, this will respond to Tim Luke's April 22, 2008 letter and the enclosed Preliminary Order dated April 18, 2008, requiring the water users from the Blackfoot River "submit written plans for measuring devices and controlling works to the Department or Water District 27 no later than April 1, 2009," and "install measuring devices and lockable controlling works of a type acceptable to the Department prior to diverting water during the 2010 irrigation season." Please be advised that Monsanto intends to fully comply with these requirements.

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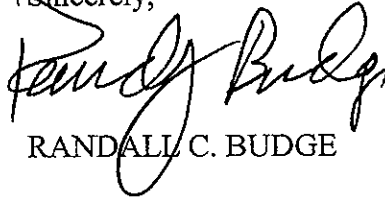
Water Right 27-49 provides irrigation water to property commonly known as the Fox Creek Ranch. At the point of diversion from Blackfoot River there is a weir or flume which has been in existence and used by the Department for many years and is believed to be sufficient and comply with the minimum acceptable standards for open channel measuring devices.

Water Right 1-28F is for mining purposes at Monsanto's Henry Mine. Prior to further use Monsanto will install a flow meter with totalizer which meets the Department's minimum acceptable standards for measuring devices.

With respect to one or both of these water rights, Monsanto anticipates filing in the near future an Application for Transfer for the purpose of moving the points of diversion and place of use to their Blackfoot Bridge Mine nearby which is in the process of being permitted and developed. Once this is accomplished the specifications for the measuring devices will be determined and submitted to the Department for approval.

If you have any questions or need additional information, please contact me or Chris Leatherman of Monsanto who may be reached at 547-1435 (chris.r.leatherman@monsanto.com).

Sincerely,



RANDALL C. BUDGE

RCB:rr

cc: Chris Leatherman