



## 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

NATURAL GUARDIAN LTD PARTNERSHIP  
320 MEMORIAL DR  
IDAHO FALLS ID 83402

RE: Notice of Change of Water Right Ownership (NCO) for  
35-02586A, 35-02586E, 35-02586F, 35-02586B, 35-02586C, 35-  
02586D, 35-07364A, 35-07364E, 35-07364F, 35-07364B, 35-07364C,  
35-07364D, 35-10054, 35-10054A, 35-10054B and Notice of  
Completed Administrative Proceeding (NCAP)

Dear Sir:

On September 16, 1999, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

  
Jennifer Crabtree  
Technical Records Specialist

cc: J Ward & Mary V Johnson

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

In Re SRBA )

35-02586E, 35-02586F; 35-02586B, 35-02586C, 35-02586D; 35-07364A, 35-07364E, 35-  
07364F; 35-07364B, 35-07364C, 35-07364D; 35-10054, 35-10054A, 35-10054B )

Case No. 39576 )

Water Rights: 35-02586A,

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

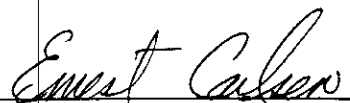
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party ☒ Split **JOHNSON – NATURAL GUARDIAN & BLM**
- ☐ I.C. § 42-222 transfer
- |                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> point of diversion   | <input type="checkbox"/> place of use        |
| <input type="checkbox"/> period of use        | <input type="checkbox"/> nature of use       |
| <input type="checkbox"/> split of water right | <input type="checkbox"/> change in ownership |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 10 Feb 2008



Signature of IDWR Representative

**CERTIFICATE OF MAILING**

I certify that on 2/11, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:  
J WARD & MARY V JOHNSON  
246 HARTERT DR  
IDAHO FALLS ID 83404

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:  
NATURAL GUARDIAN LTD PARTNERSHIP  
320 MEMORIAL DR  
IDAHO FALLS ID 83402

UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE ID 83709-1657

4. One copy to:

Each party in the subcase, or attorney of record  
JOHN ROSHOLT  
ROSHOLT ROBERTSON & TUCKER  
PO BOX 1906  
TWIN FALLS ID 83303-1906

5. One copy each to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

  
Signature of person or attorney mailing the

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING

5/21/96

35-02586A, 35-02586E, 35-02586F, 35-02586B, 35-02586C, 35-02586D, 35-07364A, 35-07364E, 35-07364F, 35-07364B, 35-07364C, 35-07364D, 35-10054, 35-10054A, 35-10054B

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AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-7-2000  
PAGE: A-5

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-02586E

NAME & ADDRESS: NATURAL GUARDIAN LTD PARTNERSHIP  
320 MEMORIAL DR  
IDAHO FALLS ID 83402

SOURCE: GROUNDWATER

QUANTITY: 3.09 CFS  
968.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 35-07364E IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 5.66 CFS AND A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 1132 AF.

PRIORITY DATE: 03/22/1960

POINT OF DIVERSION: T02N R36E S28      SENWSE      Within BONNEVILLE County

|                               |                              |                              |                                   |
|-------------------------------|------------------------------|------------------------------|-----------------------------------|
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE<br>IRRIGATION | PERIOD OF USE<br>04-01 10-31 | QUANTITY<br>3.09 CFS<br>968.0 AFY |
|-------------------------------|------------------------------|------------------------------|-----------------------------------|

|               |                 |                          |         |         |         |
|---------------|-----------------|--------------------------|---------|---------|---------|
| PLACE OF USE: | IRRIGATION      | Within BONNEVILLE County |         |         |         |
|               | T02N R36E S28   | NWNE 38                  | SWNE 36 | SENE 33 | NENW 36 |
|               |                 | NWNW 24                  | NESE 35 | NWSE 14 | SWSE 32 |
|               |                 | SESE 35                  |         |         |         |
|               | 283 ACRES TOTAL |                          |         |         |         |

USE OF THIS RIGHT WITH RIGHT NO. 35-07364E IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 283 ACRES IN A SINGLE  
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 242 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO  
SECTION 42-1425, IDAHO CODE.

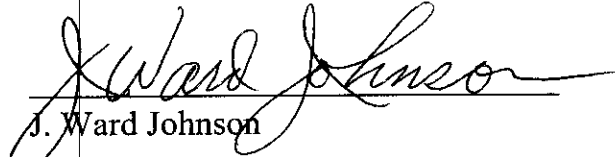
RIGHT NOS. 35-02586F, 35-07364E AND 35-07364F ARE ALSO  
DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

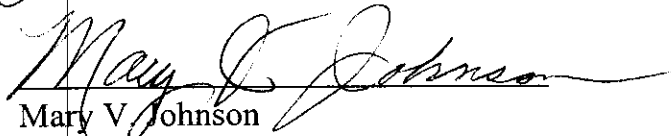
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ASSIGNMENT OF NOTICE OF CLAIMS

The undersigned, J. Ward Johnson and Mary V. Johnson, whose mailing address is 246 Hartert Drive, Idaho Falls, ID 83404, hereby assign to Natural Guardian, limited partnership, whose mailing address is 320 Memorial Drive, Idaho Falls, ID 83402, the following Notices of a Claim to a Water Right:

Claim No. A35-02586C; Claim No. A35-02586E;  
Claim No. A35-07364E; Claim No. A35-07364C;  
Claim No. A35-10054A.

Made this 9th day of September, 1999.

  
J. Ward Johnson

  
Mary V. Johnson

STATE OF IDAHO            )  
                                      )ss.  
County of Bonneville    )

On the 9th day of September, 1999, before me, the undersigned, a notary public in and for said State, personally appeared J. Ward Johnson and Mary V. Johnson, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.

  
Notary Public for Idaho  
Residing at Idaho Falls, Idaho  
My Commission Expires: 02-01-03

**STATE OF IDAHO**  
**IDAHO DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
 Incomplete forms will be returned.

1. Water Right Number(s) 35-02586C; 35-02586E; 35-07364E; 35-07364C; 35-10054A  
 Adjudication Claim Number(s) A35-02586C; A35-02586E; A35-07364E; A35-07364C; A35-10054A
2. The following **REQUIRED** information must be submitted with this form.
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
  - AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
  - OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) J. Ward Johnson and Mary V. Johnson  
246 Hartert Drive, Idaho Falls, ID 83404
4. New Owner/Claimant(s) Natural Guardian, limited partnership  
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR  
 New Mailing Address 320 Memorial Drive  
 City, State and ZIP Code Idaho Falls, ID 83402  
 New Telephone Number ( ) -
5. Date you acquired the property 9/9/99
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
 Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
 Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Natural Guardian, limited partnership Date \_\_\_\_\_  
 By: *Frank J. Van Houten* Date 9/9/99  
 Its: President, Tesamen Enterprises, Inc, General Partner  
 (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

HOPKINS RODEN CROCKETT HANSEN & HOOPES, PLLC  
LAWYERS

SALISBURY BUILDING - 428 PARK AVENUE

P.O. BOX 51219

IDAHO FALLS, IDAHO 83405-1219

TELEPHONE (208) 523-4445

FAX (208) 523-4474

E-MAIL IFLaw@hrchh.com

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KATHERINE STEELE MORIARTY  
REED E. ANDRUS  
CURTIS R. SMITH  
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ROBERT A. deGROOT  
REGISTERED PATENT AGENT

SEWARD H. FRENCH (1941-1984)  
TED C. SPRINGER (1943-1984)

OF COUNSEL

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RECEIVED

SEP 16 1999

Department of Water Resources  
Eastern Region

September 13, 1999

Al Rowberry  
Idaho Department of Water Resources  
Eastern Region  
900 N. Skyline Drive, Suite A  
Idaho Falls, ID 83402-1718

Dear Mr. Rowberry:

This confirms various communications last week on behalf of our clients J. Ward Johnson and Mary V. Johnson. Last Thursday we closed the sale of real property from J. Ward Johnson and Mary V. Johnson to Natural Guardian, limited partnership, including all water rights/licenses appurtenant to the property. I enclose Page 1 of the Real and Personal Property Sale Agreement showing the description of the real property sold.

I enclose an original document entitled State of Idaho, Idaho Department of Water Resources, Assignment of Notice of Claims which has been signed by J. Ward Johnson and Mary V. Johnson and notarized by myself and also an original Notice of Change of Water Right Ownership signed on behalf of the purchaser Natural Guardian, limited partnership. I am advised that Frank L. Vandersloot is President of Tesamen Enterprises, Inc., the General Partner of Natural Guardian, limited partnership.

We would ask that the ownership of the water rights/licenses in question be formally transferred to the purchaser, Natural Guardian, limited partnership.

Al Rowberry  
September 13, 1999  
Page 2

If you have any questions or need additional information, you may contact the undersigned or Mike Wheeler, attorney for Frank L. Vandersloot at 522-1230. Thanking you for your assistance in this matter, I am

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Hansen", with a large, loopy initial "J" and a long horizontal flourish extending to the right.

John D. Hansen

JDH/ts  
Enclosure  
cc: J. Ward Johnson  
J. Michael Wheeler  
David Kuhn