

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 SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 21-12843

Date Received _____

Receipt Number _____

AMENDED NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) Natural Guardian Ltd. Partnership Phone (208) 528-6635

Mailing Address 2880 N. 55 W, Idaho Falls, ID Zip 83402

2. Date of Priority (Only (1) per claim) October 31, 1965

3. Source of water supply (a) Myers Creek

which is tributary to (b) Blind Creek

which is tributary to (c) Schneider Creek

which is tributary to (d) Willow Creek

4.a. Location of existing point of diversion is:

Township 13N., Range 41E., Section 3, SE $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, Point of Diversion from Myers Creek
Township 13N., Range 41E., Section 3, NW $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot 6, Injection into Blind Creek

Points of Rediversion:

Township 13N., Range 41E., Section 3, SW $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot 6, "Lower Schneider"

Township 13N., Range 41E., Section 10, NW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, "Center Willow"

Township 13N., Range 41E., Section 10, SW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, "Lower Willow"

Township 13N., Range 41E., Section 15, SW $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot _____, "East Willow"

Township 13N., Range 41E., Section 16, NE $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot _____, "South Willow"

County of Clark

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., 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. Headgates into ditches for flood irrigation.

6. Water is claimed for the following purposes: (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/15 to 10/15 amount 4.0 cfs or

7. Total quantity claimed (a) 4.0 (cfs) and/or (b) (acre feet)

8. Non-Irrigation uses; describe fully (eg. Domestic: give number of households served; stockwater: type and number of livestock, etc.) None

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 instruction for standard symbols.

SEE ATTACHED SPREADSHEET FOR PLACE OF USE

10. In which county(ies) are lands listed above as place of use located? Fremont and Clark Counties

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.
21-30B and 21-10011 or None ()

13. Remarks:

All water rights listed above are used on the Sheridan Ranch and are diverted through the listed points of diversion. Water from Sheridan Creek, Willow Creek, Schneider Creek, and Taylor Creek is also used on the property. The diversion system was installed because if water is left in the natural channel of Myers Creek, the water will sink before it reaches Blind Creek. Many years ago, a canal and point of diversion were constructed on an upland area to convey the Myers Creek water such that it would make it to Blind Creek. Once the water was in Blind Creek, it travels downstream to Blind Creek's confluence with Schneider Creek, which is just above the diversion heading for the Lower Schneider canal heading (which has been referred to as the "Upper Willow Canal", but is actually on Schneider Creek). The Myers Creek water is then rediverted through the Lower Schneider diversion on Schneider Creek, and the other Willow Creek diversion headings located further downstream.

14. Basis of Claim (Check one) Beneficial Use ☒ Posted Notice Permit Decree License
If applicable provide IDWR Water Right Number
Court Case Number Decree Date
Plaintiff vs Defendant

15. For Organizations: I do solemnly swear or affirm that I am the attorney of Natural Guardian Ltd. Partnership, that I have signed the foregoing document in the space below as attorney of Natural Guardian Ltd. Partnership and that the statements contained in the foregoing document are true and correct.

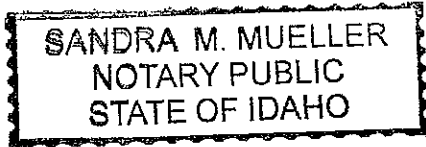
Signature of Authorized Agent Robert L. Flannery

Title and Organization: Attorney, Natural Guardian Ltd. Partnership Date: March 27, 2009

Last Name Natural Guardian Ltd. Partnership Ident. Number

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 27th day of March, 2009.



Sandra M. Mueller
Notary Public for Idaho
Residing at: Idaho Falls, Idaho
My Commission Expires: ~~July 7, 2009~~
June 7, 2010

17. Notice of Appearance:

Notice is hereby given that I, Robert L. Harris, 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 Robert L. Harris
Address: PO Box 50130, Idaho Falls, ID 83405-0130
Date: March 27th, 2009

G:\WPDATA\RLH\11692 Natural Guardian\08 Spencer, Kilgore, Sheridan\2009 Amended Claims\21-12843.Myers.wpd:cdv

Last Name Natural Guardian Ltd. Partnership Ident. Number _____

NATURAL GUARDIAN WATER RIGHTS PLACE OF USE DESCRIPTION: MYERS CREEK WATER RIGHT

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	41E	9									40	40	40	40					160
		10							18		2.1	37	40	6.5					103.6
		15					0.5	31	6.2										37.7
		16	40	40	40	37	40	30	0.4	31	27			36	20	40	40	30	451.4
		21	39	40	40	40	39	1.3	4.9	40	40	5.1	1.4	38	40	40	40	40	488.7
															TOTAL				1241.4