

FEB 10 2011

By

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

Case No. 39576

Subcase No. 21-10011
(Parent Right to 21-10011A)

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

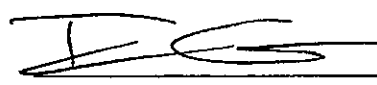
CLAIMANTS/OBJECTORS:

Natural Guardian, LTD Partnership

 12/15/10
Robert Harris, Attorney

RESPONDENT:

State of Idaho
Department of Lands

 2/7/11
David Stanish Date
Deputy Attorney General

IDWR Concurrence:

Denise Kidman 10-4-10
Denise Kidman Date
Agent, IDWR

Nick Spencer 2-8-11
Nicholas Spencer Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on February 9, ²⁰¹¹2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

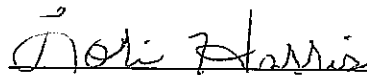
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

NATURAL GUARDIAN LTD
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405

STATE OF IDAHO DEPT OF LANDS
Represented by:
STATE OF IDAHO
JRW BUILDING, SECOND FLOOR
700 W STATE ST, PO BOX 44449
BOISE, ID 83711-4449

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person mailing the form

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

RIGHT NUMBER: 21-10011

NAME AND ADDRESS: NATURAL GUARDIAN LTD PARTNERSHIP
2880 N 55 W
IDAHO FALLS ID 83402

SOURCE: WILLOW CREEK

TRIBUTARY: SHERIDAN CREEK

QUANTITY: 9.000 CFS ~~10.000~~ CFS

PRIORITY DATE: 01/19/1906

POINT OF
DIVERSION:

T13N R41E S10 NWSESW Within FREMONT County
T13N R41E S10 SWSESW Within FREMONT County
T13N R41E S15 SWNNW Within FREMONT County
T13N R41E S16 NESENE Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

05/01 10/31

9.000 CFS
~~10.000~~

PLACE OF USE:

IRRIGATION in CLARK County and FREMONT County

T13N R41E S09	SWSW	15.00	T13N R41E S09	SESW	19.00
T13N R41E S10 Lot 4	SWSW	19.00	T13N R41E S10	SESW	5.00
T13N R41E S15	NENW	0.50	T13N R41E S15	NWNW	31.00
T13N R41E S15	SWNW	6.20	T13N R41E S16	NENE	40.00
T13N R41E S16	NWNE	40.00	T13N R41E S16	SWNE	40.00
T13N R41E S16	SENE	37.00	T13N R41E S16	NENW	40.00
T13N R41E S16	NWNW	29.00	T13N R41E S16	SWNW	0.40
T13N R41E S16	SENW	30.00	T13N R41E S16	NESW	28.00
T13N R41E S16	SESW	36.00	T13N R41E S16	NESE	20.00
T13N R41E S16	NWSE	40.00	T13N R41E S16	SWSE	40.00
T13N R41E S16	SESE	31.00	T13N R41E S21	NENE	39.00
T13N R41E S21	NWNE	40.00	T13N R41E S21	SWNE	40.00
T13N R41E S21	SENE	40.00	T13N R41E S21	NENW	40.00
T13N R41E S21	NWNW	1.20	T13N R41E S21	SWNW	4.60
T13N R41E S21	SENW	40.00	T13N R41E S21	NESW	40.00
T13N R41E S21	NWSW	4.30	T13N R41E S21	SWSW	1.10
T13N R41E S21	SESW	39.00	T13N R41E S21	NESE	40.00
T13N R41E S21	NWSE	40.00	T13N R41E S21	SWSE	40.00
T13N R41E S21	SESE	40.00			

1036.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1240.1 acres in a single irrigation season. Combined Right Nos.: 21-30B, 21-10011 and 21-12843.

This right is limited to the irrigation of 560 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a combination of old Right Nos. 21-2018A and 21-2018B.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.