



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

|                                                                                         |                       |
|-----------------------------------------------------------------------------------------|-----------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |                       |
| MAR 15 2011                                                                             |                       |
| By _____                                                                                | Clerk<br>Deputy Clerk |

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576- )  
 )  
 ) Water Right 21-00059

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

SOURCE: SHERIDAN CREEK TRIBUTARY: ISLAND PARK RESERVOIR

QUANTITY: 3.20 CFS

The rights listed below are limited to a total combined  
diversion rate of 77.15 cfs. Combined Right Nos.: 21-59, 21-108,  
21-116, 21-2017, 21-2054A and 21-2158.

PRIORITY DATE: 03/19/1902

POINT OF DIVERSION: T13N R40E S13 NESENE (Injection) Within Clark County  
NESENE  
SWNESE  
SWNESE  
SESENE  
S24 SESENE  
R41E S06 SWSWSE  
S07 LOT 2 (NESWNW)  
LOT 4 (SWSWSW)  
S18 LOT 1 (SWNWNW)

|                               |                |                |          |
|-------------------------------|----------------|----------------|----------|
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|                               | Irrigation     | 05-01 TO 10-31 | 3.20 CFS |

|                |             |                     |
|----------------|-------------|---------------------|
| PLACE OF USE:  | Irrigation  | Within Clark County |
| T13N R40E S12  | NESW 19.0   | SESW 5.7            |
|                | NESE 40.0   | NWSE 40.0           |
|                | SWSE 33.0   | SESE 40.0           |
| S13            | NENE 36.0   | NWNE 5.1            |
|                | SWNE 0.2    | SENE 36.0           |
|                | NESE 40.0   | NWSE 4.4            |
|                | SWSE 4.7    | SESE 40.0           |
| S24 LOT 1      | (NENE) 40.0 | LOT 2 (NWNE) 12.0   |
|                | SWNE 13.0   | SENE 40.0           |
|                | NESE 40.0   | NWSE 8.4            |
|                | SWSE 0.8    | SESE 38.2           |
| R41E S07 LOT 2 | (SWNW) 9.6  | SENE 5.6            |
|                | NESW 33.0   | LOT 3 (NWSW) 40.0   |
| LOT 4          | (SWSW) 40.0 | SESW 38.0           |
| S08            | SWSW 24.8   | SESW 22.8           |
|                | SWSE 15.1   | SESE 0.4            |
| S16            | NWNW 11.0   | SWNW 40.0           |
|                | SENE 9.5    | NESW 34.0           |
|                | NWSW 40.0   | SWSW 40.0           |
|                | SESW 40.0   | NWSE 9.6            |
|                | SWSE 7.8    |                     |
| S17            | NENE 29.0   | NWNE 40.0           |
|                | SWNE 40.0   | SENE 40.0           |
|                | NENW 40.0   | NWNW 40.0           |
|                | SWNW 40.0   | SENE 40.0           |
|                | NESW 40.0   | NWSW 40.0           |
|                | SWSW 40.0   | SESW 40.0           |
|                | NESE 40.0   | NWSE 40.0           |

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

|       |             |       |             |
|-------|-------------|-------|-------------|
|       | SWSE 40.0   |       | SESE 40.0   |
| S18   | NENE 40.0   |       | NWNE 40.0   |
|       | SWNE 40.0   |       | SENE 40.0   |
|       | NENW 40.0   | LOT 1 | (NWNW) 40.0 |
| LOT 2 | (SNNW) 40.0 |       | SENW 40.0   |
|       | NESW 40.0   | LOT 3 | (NWSW) 40.0 |
| LOT 4 | (SWSW) 40.0 |       | SESW 40.0   |
|       | NESE 40.0   |       | NWSE 40.0   |
|       | SWSE 40.0   |       | SESE 40.0   |
| S19   | NENE 40.0   |       | NWNE 40.0   |
|       | SWNE 40.0   |       | SENE 40.0   |
|       | NENW 40.0   | LOT 1 | (NWNW) 40.0 |
| LOT 2 | (SNNW) 40.0 |       | SENW 40.0   |
|       | NESW 40.0   | LOT 3 | (NWSW) 40.0 |
| LOT 4 | (SWSW) 40.0 |       | SESW 40.0   |
|       | NESE 40.0   |       | NWSE 40.0   |
|       | SWSE 40.0   |       | SESE 40.0   |
| S20   | NENE 40.0   |       | NWNE 40.0   |
|       | SWNE 40.0   |       | SENE 40.0   |
|       | NENW 40.0   |       | NWNW 40.0   |
|       | SNNW 40.0   |       | SENW 40.0   |
|       | NESW 40.0   |       | NWSW 40.0   |
|       | SWSW 40.0   |       | SESW 40.0   |
|       | NESE 40.0   |       | NWSE 40.0   |
|       | SWSE 40.0   |       | SESE 40.0   |
| S21   | NWNE 5.0    |       | SWNE 0.4    |
|       | NENW 40.0   |       | NWNW 40.0   |
|       | SNNW 40.0   |       | SENW 38.6   |
|       | NESW 35.0   |       | NWSW 40.0   |
|       | SWSW 39.0   |       | SESW 33.0   |

3857.7 Acres Total

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 3857.7 acres in a single irrigation season. Combined Right Nos.: 21-59, 21-108, 21-116, 21-2017, 21-2054A and 21-2158.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

RECOMMENDATION

MAR 15 2011

*Bridgette Silvey*  
SPECIAL MASTER

Eric J. Wildman  
Presiding Judge of the  
Snake River Basin Adjudication

RECEIVED

MAR 16 2011

DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

MAR 15 2011

By \_\_\_\_\_  
Clerk  
Deputy Clerk

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 )  
\_\_\_\_\_ )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

Water Right(s): 21-00059

On March 15, 2011, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED March 15, 2011.

  
JANET CONNELL  
Deputy Clerk

RECEIVED

MAR 16 2011

DEPARTMENT OF  
WATER RESOURCES

|                                                                                         |                       |
|-----------------------------------------------------------------------------------------|-----------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |                       |
| MAR 15 2011                                                                             |                       |
| By _____                                                                                | Clerk<br>Deputy Clerk |

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )

Case No. 39576 )  
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CERTIFICATE OF MAILING

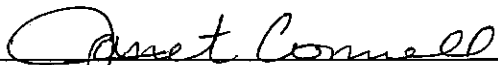
Water Right(s): 21-00059

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on March 15, 2011, with sufficient first-class postage prepaid to the following:

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

NATURAL GUARDIAN LTD  
Represented by:  
ROBERT L HARRIS  
1000 RIVERWALK DR, STE 200  
PO BOX 50130  
IDAHO FALLS, ID 83405  
Phone: 208-523-0620

  
JANET CONNELL  
Deputy Clerk

CERTIFICATE OF MAILING

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03/15/11