

492
County of Twin Falls - State of Idaho

AUG 25 2011

By

Clara
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

Subcase No. 21-13102

Case No. 39576

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.

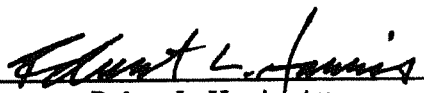
CLAIMANT:

Natural Guardian, Ltd.

OBJECTOR

State of Idaho

Department of Lands

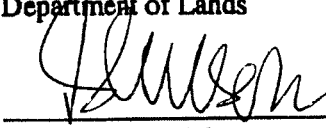


Robert L. Harris Attorney

Date 8/18/2011

Date

8/22/2011


Tyson Nelson

Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on August 24, 2011, 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:

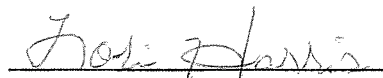
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

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: 21-13102

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

SOURCE: TAYLOR CREEK

TRIBUTARY: SINKS

QUANTITY: 5.000 CFS

PRIORITY DATE: 09/24/1912

POINT OF
DIVERSION:

T13N R41E S8 NWSWN Within CLARK County
T13N R41E S8 SESWNW Within CLARK County
T13N R41E S8 SESWNW Within CLARK County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	IRRIGATION		04/15 10/15		5.000 CFS
PLACE OF USE:	<u>IRRIGATION in CLARK County</u>				
	T13N R41E S08	SWNE	25.00	T13N R41E S08	NESW 21.00
	T13N R41E S08	NWSW	30.00	T13N R41E S08	SWSW 14.00
	T13N R41E S08	SESW	19.00	T13N R41E S08	NESE 40.00
	T13N R41E S08	NWSE	37.00	T13N R41E S08	SWSE 26.00
	T13N R41E S08	SESE	36.00		

248 ACRES TOTAL

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

The exercise of this right is subject to the water right holder obtaining and maintaining a state land use easement and/or access permit for access and maintenance of the diversion and conveyance works located on State lands.

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 - Beneficial Use