

492

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

OCT - 4 2011

By _____

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

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

) Subcase No. 21-13102

) Amended SF5

) 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 initialling each of the attached pages.

CLAIMANT:

Natural Guardian, Ltd.

OBJECTOR

State of Idaho

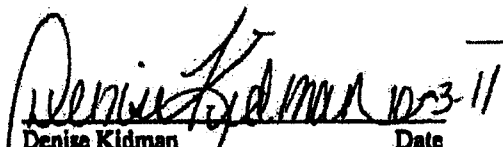
Department of Lands

Robert L. Harris 10/3/2011
Robert L. Harris, Attorney Date
Date

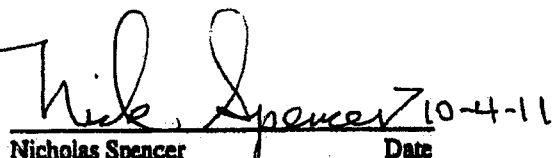
Tyson Nelson 10/4/2011
Tyson Nelson
Deputy Attorney General

STANDARD FORM 5-21-13102

IDWR Concurrence:


Denise Kidman
Agent, IDWR

Date


Nicholas Spencer
Deputy Attorney General

Date

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 35 W
IDAHO FALLS ID 83402

SOURCE: TAYLOR CREEK

TRIBUTARY: SINKS

QUANTITY: 5.000 CFS

PRIORITY DATE: 09/24/1912

POINT OF DIVERSION: T13N R41E S08 NW1/4 Within CLARK County
T13N R41E S8 SE1/4 Within CLARK County
T13N R41E S8 SE1/4 Within CLARK County

DL Ref TKN NBS

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/15	5.000 CFS
PLACE OF USE: IRRIGATION in CLARK County		
T13N R41E S08 SW1/4	25.00	T13N R41E S08 NE1/4 21.00
T13N R41E S08 NW1/4	30.00	T13N R41E S08 SE1/4 14.00
T13N R41E S08 SE1/4	19.00	T13N R41E S08 NE1/4 40.00
T13N R41E S08 NW1/4	37.00	T13N R41E S08 SE1/4 26.00
T13N R41E S08 SE1/4	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 assessment and/or access permit for access and maintenance of the diversion and conveyance works located on state lands.

DL Ref TKN NBS

As of the date of the partial decree of this water right, temporary authorization for maintenance and diversion of the conveyance works located on state lands is evidenced by land use permit No. 80-0557 which expires on December 31, 2012.

DL Ref TKN NBS

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

CERTIFICATE OF MAILING

I certify that on Oct 4, 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