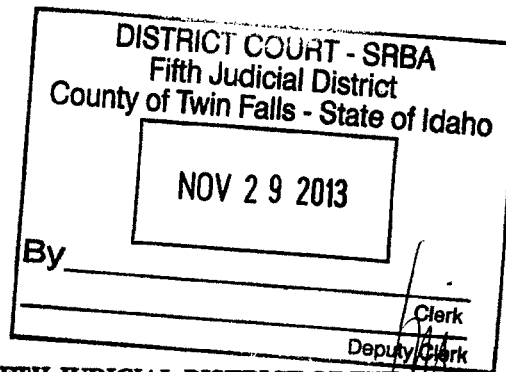




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) SUBCASE NO: 31-7419
) (Now Split into Rights
) 31-7419A and 31-7419B
)
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. 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; and 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.

To resolve the objection, the parties agree and stipulate that the whole of water right 31-7419 shall be split into two water rights and renumbered as 31-7419A and 31-7419B. Water rights 31-7419A and 31-7419B now supersede water right 31-7419, and the recommendation of right 31-7419 should be disallowed. The parties and IDWR have further have indicated their concurrence to these renumbered water rights by signing below and initialing the attached pages.

CLAIMANT:

Natural Guardian, LLC

Luke H. Marchant 11/22/13
Date

Luke H. Marchant
Attorney for Natural Guardian, LLC

OBJECTOR:

State of Idaho, Department of Lands

Tyson K. Nelson 11/22/2013
Date

Tyson K. Nelson
Deputy Attorney General
Attorney for Department of Lands

IDWR CONCURRENCE:

Carter Frischle 11-20-13
Date
Carter Frischle
Adjudication Section Manager

IDWR CONCURRENCE:

Nicholas B. Spencer 11-20-13
Date
Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

Standard Form 5 31-7419 now 31-7419A & 31-7419B

11/20/2013

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
31-7419	NATURAL GUARDIAN LLC 2880 N 55 W IDAHO FALLS ID 83402	Disallowed	Recommended as Right Nos. 31-7419A and 31-7419B.

C1
NBS
LHM
TKN

11/20/2013

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

RIGHT NUMBER: 31-7419A

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
9.40 AFY

Right Nos. 31-7419A and 31-7419B are limited to a total combined diversion rate of 0.04 cfs and to a total combined annual diversion volume of 9.4 AF.

PRIORITY DATE: 04/11/1985

POINT OF
DIVERSION:

T12N R39E S10 NESE Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

04/01 11/01

0.040 CFS

9.40 AFY

PLACE OF USE: STOCKWATER in CLARK County

T12N R39E S10 NESE

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 split from former right 31-7419.

Stockwater use under right nos. 31-7419A and 31-7149B is for 1200 cattle.

Parcel Nos. RP12N39E100010

CF
NBS
LHM
TKN

11/20/2013

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

RIGHT NUMBER: 31-7419B

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

STATE OF IDAHO
DEPARTMENT OF LANDS
300 N 6TH ST STE 103
PO BOX 83720
BOISE ID 83720-0050

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
9.40 AFY

Right Nos. 31-7419A and 31-7419B are limited to a total combined diversion rate of 0.04 cfs and to a total combined annual diversion volume of 9.4 AF.

PRIORITY DATE: 04/11/1985

POINT OF
DIVERSION:

T12N R39E S10 NESE Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

04/01 11/01

0.040 CFS
9.40 AFY

PLACE OF USE:

STOCKWATER in CLARK County

T12N R39E S11 NWSW

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.

Ownership and access to the place of use of this water right is governed by a settlement agreement executed by the Idaho Department of Lands and Natural Guardian LLC dated November 20, 2013.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Stockwater use under right nos. 31-7419A and 31-7419B is for 1200 cattle.

This right is a split from former right 31-7419.

Parcel No. RP12N39E115000

CF
NBS
LHM
TKN

CERTIFICATE OF SERVICE

I certify that on November 26, 2013, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

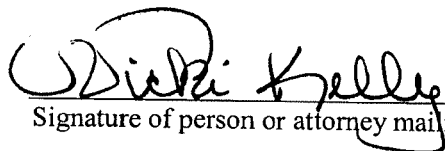
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Luke H. Marchant
Holden, Kidwell, Hahn, & Crapo PLLC
P.O. Box 50130
Idaho Falls, ID 83405-0130

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Tyson K. Nelson
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form