

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

RIGHT NUMBER: 21-2054D

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST, STE 103
PO BOX 83720
BOISE ID 83720-0050

NATURAL GUARDIAN LTD PARTNERSHIP
2880 N 55 W
IDAHO FALLS ID 83402

SOURCE: SHERIDAN CREEK

TRIBUTARY: HENRYS FORK

QUANTITY: 0.660 CFS

PRIORITY DATE: 09/24/1912

POINT OF
DIVERSION:

T13N R41E S7 NWSNW 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	0.660 CFS

PLACE OF USE:

IRRIGATION in CLARK County

T13N R40E S12	SWNE	15.00	T13N R40E S12	SENE	15.00
T13N R40E S12	SENE	2.80			

32.8 ACRES TOTAL

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

Access to the place of this water right is governed by a settlement agreement executed by the Idaho Department of Lands and Natural Guardian Limited Partnership dated _____.

The ownership of this water right is governed by a settlement agreement executed by the Idaho Department of Lands and Natural Guardian Limited Partnership dated _____.

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

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

RIGHT NUMBER: 21-2054D

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST
PO BOX 83720
BOISE ID 83720-0050

SOURCE: SHERIDAN CREEK

TRIBUTARY: HENRY'S FORK

QUANTITY: 0.660 CFS

PRIORITY DATE: 09/24/1912

POINT OF
DIVERSION: T13N R41E S7 NWSNW 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	0.660 CFS
PLACE OF USE:	<u>IRRIGATION in CLARK County</u>		
	T13N R40E S12 SWNE 15.00	T13N R40E S12 SENE 15.00	
	T13N R40E S12 SENW 2.80		

32.8 ACRES TOTAL

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 - Decreed

Created By:

Denise Kidman:

Date: 7-23-09

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

RIGHT NUMBER: 21-2054D

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST
PO BOX 83720
BOISE ID 83720-0050

SOURCE: SHERIDAN CREEK

QUANTITY: 0.660 CFS

PRIORITY DATE: 08/12/1889

POINT OF
DIVERSION: T13N R41E S7 NWSNW 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	0.660 CFS
PLACE OF USE:	<u>IRRIGATION in CLARK County</u>		
	T13N R40E S12 SWNE	15.00	T13N R40E S12 SENE 15.00
	T13N R40E S12 SENW	2.80	
	32.8 ACRES TOTAL		

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 - Decreed

Created By:

Denise Kidman:

Date: 10-27-08

COPY

RECEIVED

SEP 10 2007

Department of Water Resources
Eastern Region

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. 21-2054C

(Insert Water Right Number)

Case No. 39576)

CERTIFICATE OF SERVICE

I certify that on this 4th day of September 2007, I caused to be served the originals and/or copies of the Amended Notice of Claim for subcase no. 21-2054C and of the letter dated September 4, 2007 addressed to Diana Delaney, chief Clerk, on the following persons by the indicated method:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: (208) 736-2121
☐ Statehouse Mail

2. Copies to

State of Idaho,
Department of Lands
954 W. Jefferson
P.O. Box 83720
Boise, ID 83720-0050

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile:
☒ Statehouse Mail

James F. Hagenbarth
PO Box 1128
Dillon MT 59725-1128

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile:
☐ Statehouse Mail

John M. Marshall
Givens Pursley LLP
PO Box 2720
Boise ID 83701

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile:
- ☐ Statehouse Mail

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, MSC 033
Boise, ID 83724

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: (303) 312-7379
- ☐ Statehouse Mail

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: _____
- ☒ Statehouse Mail

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

Not Applicable



DAVID J. BARBER
Deputy Attorney General

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
IN AND FOR THE COUNTY OF TWIN FALLS
IN RE THE GENERAL ADJUDICATION
RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

AMENDED NOTICE OF CLAIM

Ident. Number 21-2054C
Date Received:
Receipt No.:
Received By:

1. Name of Claimant(s)

STATE OF IDAHO
DEPT OF LANDS
954 W JEFFERSON
PO BOX 83720
BOISE ID 83720-0050

2. Date of Priority: 09/24/1912

3. Source: ~~DRY CREEK~~
SPRING ~~SHERIDAN CREEK~~

~~TRIBUTARY: SHERIDAN CREEK~~
~~TRIBUTARY: SHERIDAN CREEK~~ ~~ISLAND~~
~~PARK RESERVOIR~~

4. Point of Diversion:

Township	Range	Section	¼ of	¼ of	¼ Lot	County	Type
~~13N~~	~~40E~~	9	~~NW~~	~~SW~~		~~CLARK County~~	
13N	41E	67	~~SW~~	SE	~~SW~~	CLARK	County

5. Description of diverting works:

Headgate and Ditches

6. Water is used for the following purposes:

Purpose	From	To	C.F. S. (or) A.F.A.
IRRIGATION	05/01	10/31 ~~15~~	<u>0.624</u> ~~2.87~~ CFS

7. Total Quantity Appropriate is: 0.624 ~~2.87~~ C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	¼ of	¼	Lot	Use	Acres
~~13N~~	~~40E~~	~~10~~	~~SW~~	~~SW~~		~~IRRIGATION~~	~~26.00~~
						~~Section Acres~~	~~26.00~~
13N	40E	~~12~~	SW	NE		IRRIGATION	~~109.500~~
			SE	NE		IRRIGATION	16.700
			~~SE~~	~~NW~~		~~IRRIGATION~~	~~4.000~~
						Total Acres	~~6131.2~~

11. Place of use in counties: CLARK

12. Do you own the property listed as above place of use? Yes.

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License.

Signature(s)

SCANNED
SEP 05 2007

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication."

(b.) I/We do not wish to receive an pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: One.

For Organizations"

I do solemnly swear or affirm that I am Patrick A. Brown of
State of Idaho, Department of Lands, that I have signed the foregoing
Organization
document in the space below as Area Supervisor - Eastern Idaho of
Title
State of Idaho, Department of Lands and that the statements contained in the
Organization
Foregoing document are true and correct.

Patrick A. Brown
Signature of Authorized Agent
Area Supervisor - EI
Title
State of Idaho, Department of Lands
8/13/07
Date

State of Idaho)
County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 13th day of AUGUST 2007

ALLEN B. RUBERRY
Notary Public
Residing at BOONE FALLS, ID
My commission expires: 9/23/09



SCANNED

SEP 05 2007



Idaho Department of Water Resources

MEMORANDUM

File: 21-2054D
Date: October 27, 2008
Subject: Recommendation

POU was claimed as 21-2054C and owned by State of Idaho but was split from 21-108 (Hagenbarth) into 21-108A (State of Idaho). Same POU was claimed by both Hagenbarth and State of Idaho which caused the confusion. Hagenbarth has an agreement with State of Idaho for POU.

21-108A was disallowed and recommended as 21-2054D.

A claim was created to correct the confusion for 21-108A and filed under 21-2054D. The shapefile was updated to include 2.8 acres in T13N R40E S12 SENW which is State of Idaho land. Copy of recommendation was sent to David Barber for review. These corrections should solve the objections.

Copy of the recommendation will be sent to the legal department.

From the desk of Denise Kidman

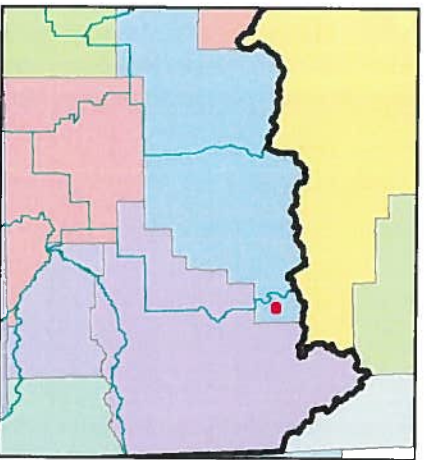
Idaho Department of Water Resources



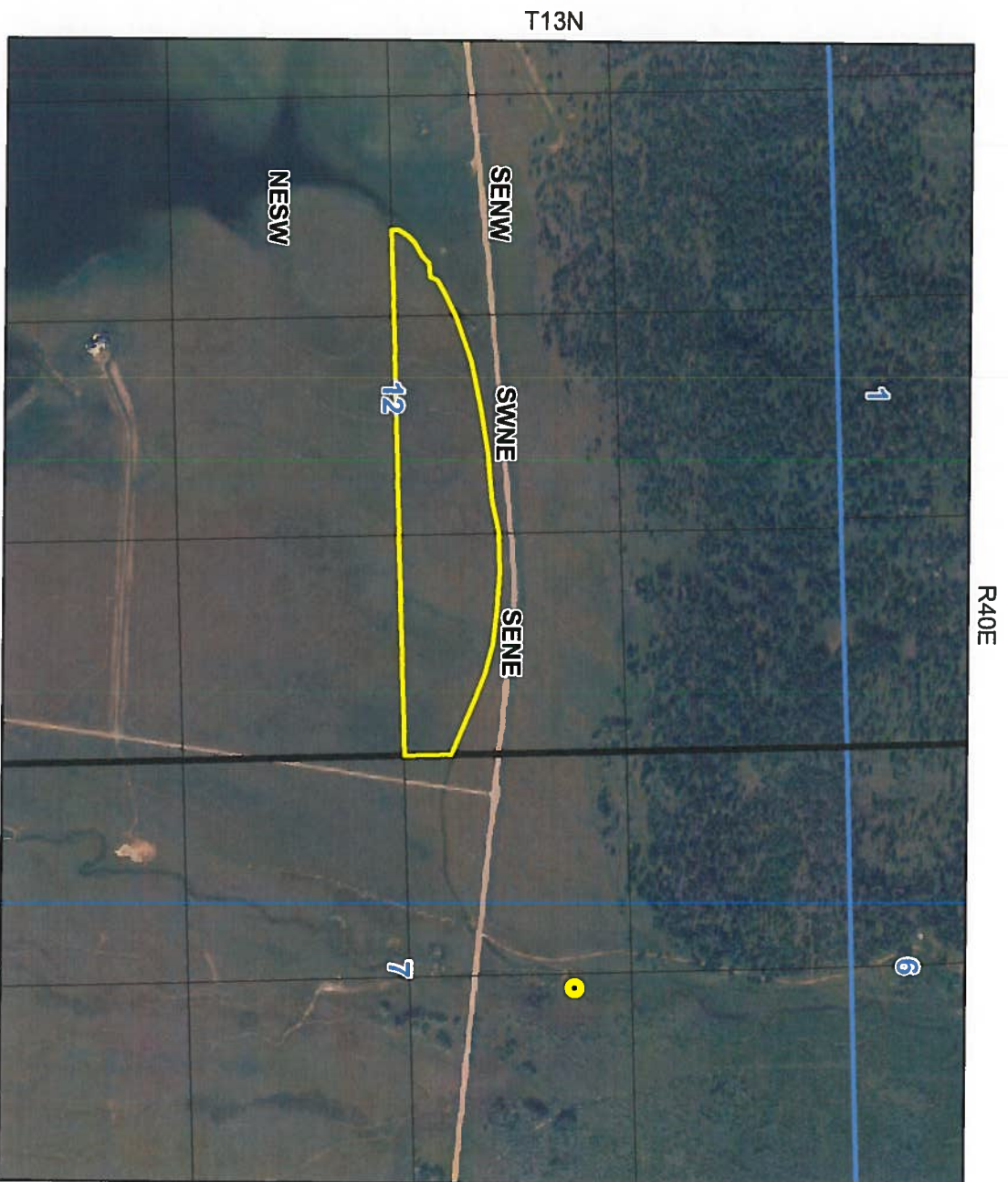
SRBA Recommendation
21-2054D
(IRRIGATION)

Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Clark County
IDWR Basin 21



Prepared by Denise Kidman
On October 27, 2008
2004 Aerial Photography

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 21-2054D
Date Received: 10/24/2008
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STATE OF IDAHO Phone: (208)334-0200

DEPT OF LANDS
300 N 6TH ST
PO BOX 83720
BOISE ID USA 83720-0050

2. Date of Priority: 08/12/1889

3. Source: SHERIDAN CREEK Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
13N	41E	7	NE	SW	NW	CLARK	

5. Description of diverting works:

Ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.66	

7. Total Quantity Appropriated is:
0.66 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
13N	40E	12	SW	NE		IRRIGATION	15
			SE	NE		IRRIGATION	15
			SE	NW		IRRIGATION	2.8
						Section Acres	32.8
						Total Acres	32.8

11. Place of use in counties: CLARK

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization

document in the space below as _____ of
Title

_____, and that the statements contained in the
Organization

foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____