

04/08/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-4L
NAME AND ADDRESS: NATURAL GUARDIAN LTD PARTNERSHIP
2880 N 55 W
IDAHO FALLS ID 83402
SOURCE: WOLVERINE CREEK TRIBUTARY: BLACKFOOT RIVER
QUANTITY: 0.570 CFS
79.100 AFY
PRIORITY DATE: 06/01/1885
Pursuant to a call in times of scarcity on Wolverine Creek, this right has a
priority date of October 31, 1980.

POINT OF DIVERSION:
T02S R38E S16 NENW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.570 CFS 79.10 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County
T02S R38E S09 SWSW 11.0 T02S R38E S16 NWNW 3.7
T02S R38E S17 NENE 7.9

22.6 ACRES TOTAL

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

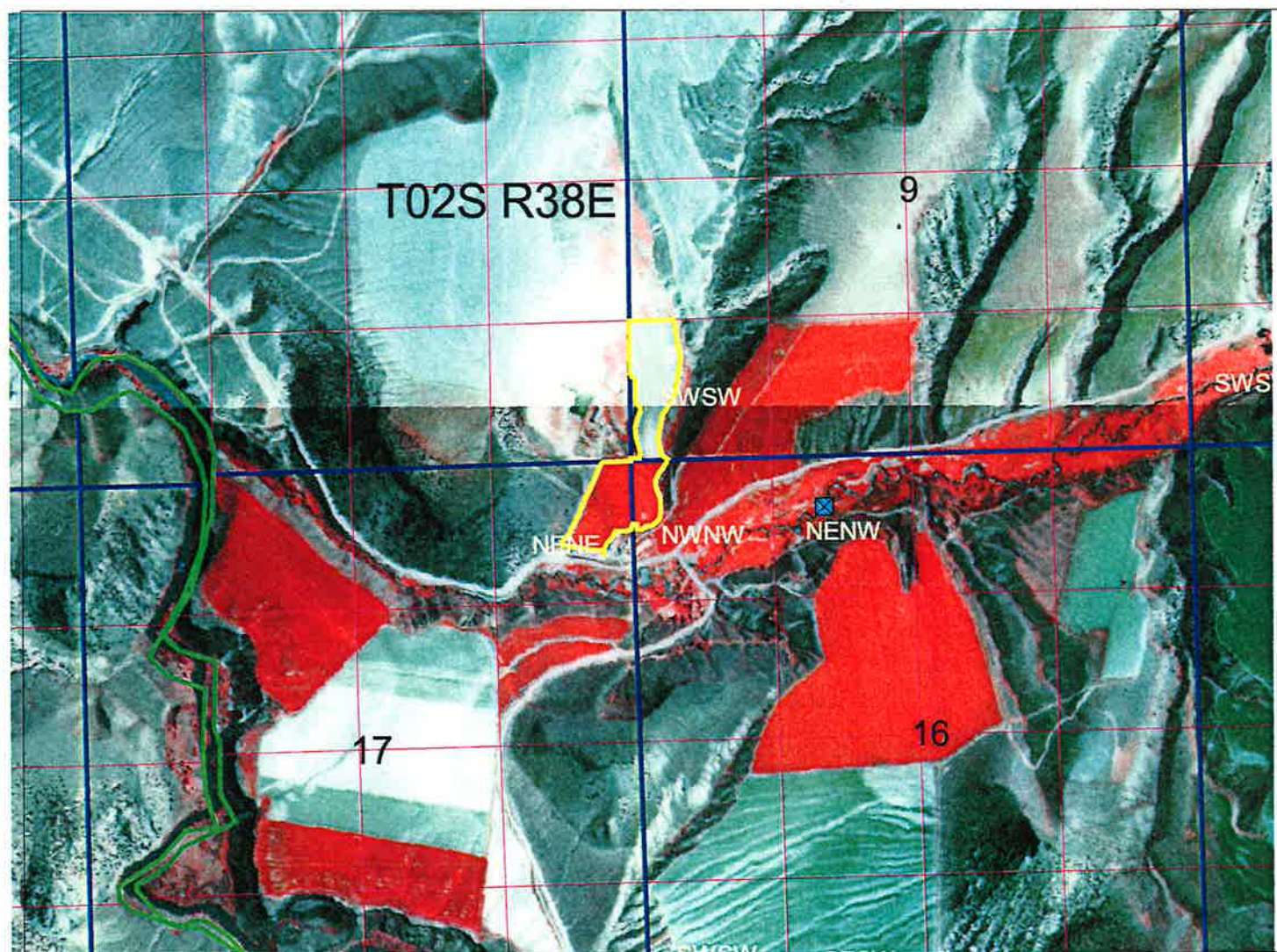
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.

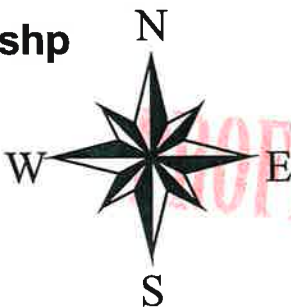
Idaho Department of Water Resources

Claim No.: 27-4L



0 1320 2640 3960 5280 Feet

-  Point of diversion.shp
-  Place of use.shp
-  Township/Range
-  Sections
-  QQ



1987-88 NAPP Photography
Prepared by: Ernest Carlsen
Date Prepared: February 2005

SCANNED
DEC 23 2005

PEDIGREE

PRIORITY DATE

06/01/1885

27-00004(WR)	27-00004a (WR)	27-10293	renumbered to	27-00004v	renumbered to 27-12116
				27-00004aa	disallowed
		27-00004w		27-00004ab	disallowed
	27-00004b (WR)				
	27-00004c (WR)	27-00004ac			
	27-00004d (WR)				
	27-00004e (WR)	27-00004r			
		27-00004f			
	27-00004f (WR)				
		27-00004h			
	27-00004g (WR)	27-00004g	renumbered to	27-10539	
	27-00004h (WR)	27-10505			
		27-10388			
		27-10390			
	27-00004j (WR)	27-00004t	renumbered to	27-12064	
		27-00004y			
		27-00004z			
		27-00004k			
	27-00004k (WR)				
		27-10389	Combined with 27-00004r then renumbered to	27-12064	
	27-00004l (WR)	27-00004l			
		27-00004N (WR)			
	27-00004m (WR)	27-00004P (WR)			
		27-00004Q (WR)			
		27-00004n	renumbered to	27-00004u	renumbered to 27-12029
	27-00004n (WR)				
		27-00004p	renumbered to	27-12030	
	27-00004q (WR)	27-00004q	renumbered to	27-12027	
		27-10555			
		27-10116			
		27-10362			
	27-00004s (WR)				
		27-10728			
		27-10790			
		27-11236			
	27-00004t (WR)				
		27-00004s			
	27-00004u (WR)				
		27-00004m			

27-00004	Water right #	to adjudication #	Miscellaneous info
	27-00004a	27-10293	renumbered to 27-00004v
		27-00004w	27-00004aa disallowed
			27-00004ab disallowed
	27-00004b		
	27-00004c	27-00004ac	
	27-00004d		
	27-00004e	27-00004r	
	27-00004f	27-00004f	
		27-00004h	
	27-00004g	27-00004g	renumbered to 27-10539
	27-00004h	27-10505	
	27-00004j	27-10388	
		27-10390	
		27-00004t	renumbered to 27-12064
		27-00004y	
		27-00004z	
	27-00004k	27-00004k	
		27-10389	
	27-00004l	27-00004l	
	27-00004m	27-00004m split to n/p/q on water rights side	
	27-00004n	27-00004n	renumbered to 27-00004u
		27-00004p	renumbered to 27-12030
	27-00004q	27-00004q	renumbered to 27-12027
	27-00004s	27-10555	
		27-10116	
		27-10362	
		27-10728	
		27-10790	
		27-11236	
	27-00004t		
	27-00004u	27-00004s	
		27-00004m	

Notes

5/12/04 10:09AM I emailed Vicki Musci
to see how the research on Fox & Whitten
water is coming?

-2-14-05- Include caution to prevent injury.

PROFILED

SCANNED
DEC 23 2005

Notes

Claim A27-4L

1/ Exam done on 4-14-04.

2/ P.O.D site is disassembled. Motor is gone
+ power box is on the ground. There is
underground mainline + risers on property.

3/ GPS data - 2661411

GPSTag A0009096

1340742

File 27-4L

4/ Source is Cuddevine Creek

4/29/04 Transfer 2445 moved the water to
Walverine Ck. CR

POD is different than transferred POD. The
POD is on the creek. The ditch is no longer
used by this property. It is however used by
~~other~~ ^{other} Natural Guardian rights.

When did POD change?

5/4/04 Ran POU Comparison report.

see enclosed reports:

27-4L was transferred under T2445.

Point of Division site



74-47

A27-46



Point of diversion site

A 27-4L

Risers
From Mainline
which runs North
from P.O.D



Photo looking North

A27-4L

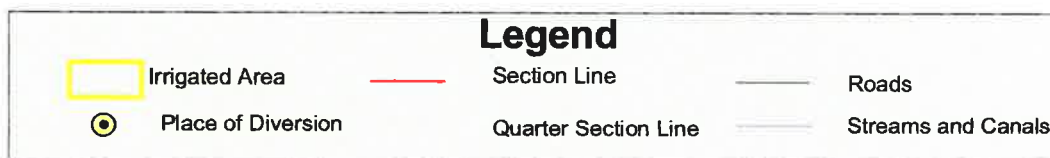
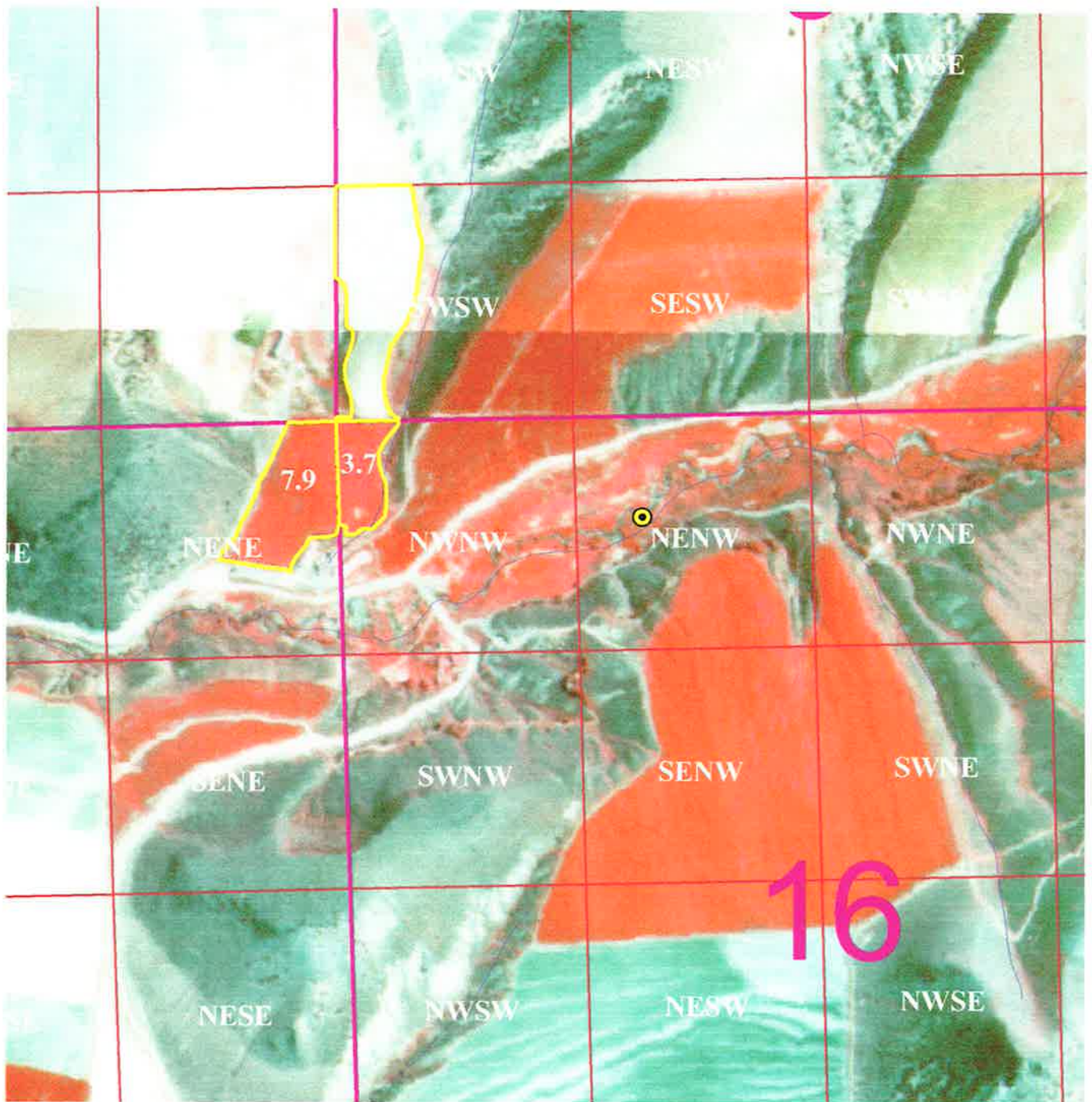


GPS Tag

Tag site next to pod.

Water Right Claim Number 27-00004L
Township , 2S38E

11/22/2000



600 0 600 1200 Feet



SCANNED

JUL 13 2001

Log for claim 27-00004L

Spatial Dynamics LTD

11/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s38e	9	SWSW	10	11	
02s38e	16	NWNW	7	3.7	
02s38e	17	NENE	11	7.9	
Totals:			28	22.6	

Beant Stiller
runs place

* This shape file is correct





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1913 Lincoln Hwy.
Idaho Falls, Idaho 83401
Phone 825-7161
525-7161
150 Shoup
Idaho Falls, ID 83401

November 17, 1980

Ed Hall, Watermaster
Water District 27
Box 6
Firth, Idaho 83236

Dear Ed:

Enclosed please find a copy of an application for transfer of water right in the name of Cox Enterprises, Inc. of Firth, issued within your district.

If you have need of further information, do not hesitate to call this office.

Sincerely,


BOBBIE R. STEPHENS
Sr. Clerk

enclosure: 1



NOV 7 1980

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 2445

Water Right No. 27-0004

watermaster copy

APPLICATION FOR TRANSFER OF WATER RIGHT *APPROVE*

To Change the Point of Diversion and/or the Place of Use

Name of applicant Cox Enterprises, Inc. Phone 346-6014

Post office address Route #1, Box 226, Firth, ID 83236

A. DESCRIPTION OF RIGHT AS RECORDED T 237, #246, #328, 465

1. Right evidenced by: 27-0004 (minus T. #531, #852, #853, #1561 & #1962)
- a. Decree to P.B. Fox Jr., William Howard, A. Whitten, Susan Whitten, Calvin Mills
(Name)
in case of Fred S. Stevens et al. vs Eastern Idaho Water Co. et al.
dated 8/1/1891 in Fifth Judicial Dist. county of Bingham
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Copy of deed attached from LaVerelle Stecklein to Cox Enterprises, dated 2/26/79.
3. Source of water Blackfoot tributary to SNAKE RIVER
4. Date of priority 6/1/1885
5. Water is used for the following purposes:
amount 21.95 cfs for irrigation purposes from _____ * _____ to _____
amount *17.56 for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)
* 10-20-80 J.J.
6. Total amount of water under right: a. 17.56 cubic feet per second
21.95 &/or
b. _____ acre feet per annum
7. Location of original point of diversion is _____ * _____ ¼ of _____ ¼ of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any _____
8. Lands irrigated or place of use: *

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

2. Describe any other water rights used for the same purposes as described above _____

* *not stated in* decree.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT ☐ the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.57 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18 Township 3S
Range 35E, B.M., Bingham County
Additional points Headworks for Riverton Ditch

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3S	34E	23		L.1 5	40					35	L.5 40	L.4 40	20			L.6 30			210

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted 0.57 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10 Township 2S
Range 38E, B.M., Bingham County
Additional points _____
- c. Description of diverting works Headgate diverting water from Wolverine Creek into gravity flow ditch.
- d. Describe the reasons for applying for a change in the point(s) of diversion Water was purchased for irrigation of property which previously has had no water.

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2S	38E	16	12	9	22	20	7			29	35	13	31	32					210

Total number of acres to be irrigated 210

WARRANTY DEED

259056A

~~259057~~ 9-26-1979

For Value Received Laverelle Stecklein and Deanna Stecklein, husband and wife, of Blackfoot, Bingham County, Idaho,

the grantors, do hereby grant, bargain, sell, and convey unto COX ENTERPRISES, INC., an Idaho corporation, with principal place of business and post office address, Rt. 2, Box 102, Shelley, Idaho 83274,

the grantee, the following described ~~premises, to wit~~ real property, to wit:

28.5 inches of the water of Blackfoot River, with priority of June 1, 1885, being the same water right conveyed to the Grantors by warranty deed from J. C. Osguthorpe and Mary M. Osguthorpe, husband and wife, dated February 15, 1973, and recorded in the official records of Bingham County, Idaho, as instrument No. 179568. Fox and Whitten Water.

43 2nd AC.
78 OCT 3 11 33
259056A
RECORDED IN BOOK 11 OF
Roger D. Cox
P.O. Box 621
Idaho Falls, Idaho 83406

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors ~~here~~ and assigns forever. And the said Grantors, do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said ~~premises~~ water right; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: September 26, 1979.

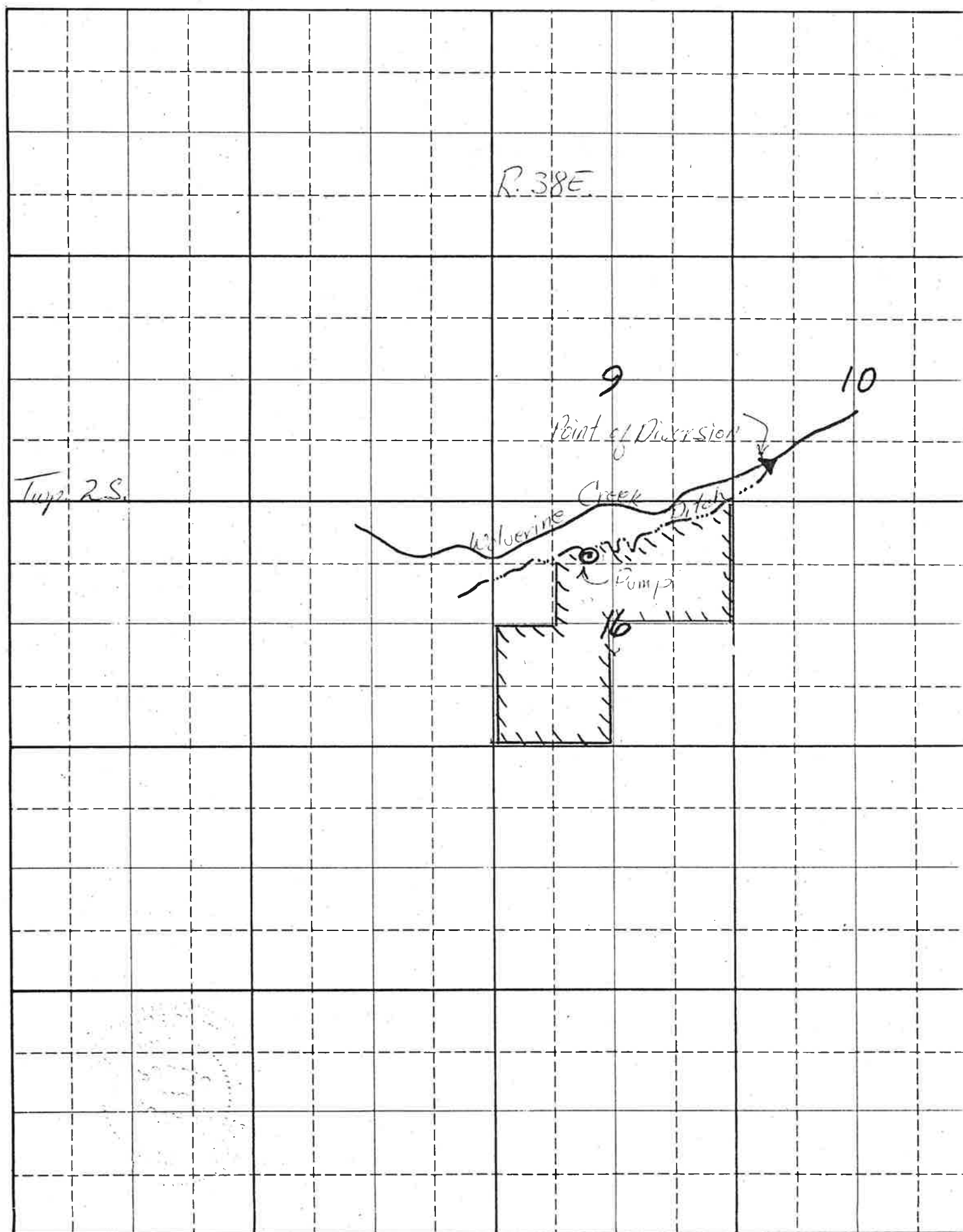
11.10

Laverelle Stecklein
Deanna Stecklein

STATE OF IDAHO, COUNTY OF BINGHAM.
On this 26th day of September, 1979,

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks Cox Enterprises purchased water from LaVerelle Stecklein, who was
using the water as described in Section B. The applicant is filing to transfer
this water up to their point of diversion on Wolverine Creek tributary to the
Blackfoot River, keeping it appurtanent to 210 acres. Cox Enterprises will
be limited to a total annual volume of 99.75 acre feet under this right.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Subscribed and sworn to before me this 10 day of May, 19 80.
Harry L. Cook D.P. & Treas.
(Signature of applicant)

Kathleen A. Walker
(Notary public)

My commission expires 2/15/83

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 27-0004
and said application is hereby approved, subject to the following limitations and conditions:
totalizing measuring device of a type approved by this Department shall be permanently
installed and maintained as part of the diverting works. (2) Use of water under this
right is subject to control by the watermaster of State Water District # 27, Blackfoot
River. (3) The quantity of water diverted under this transfer shall not exceed 100
acre feet per annum. (4) Land irrigated under this transfer shall not exceed 28.5
acres per irrigation season. (5) The change in point of diversion identified by this
transfer shall not be allowed to injure any existing waterusers on Wolverine Creek
or Blackfoot River.

Witness my hand this 31ST day of October, 19 80.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Drafted by EMC
Received by KW Date 5/16/80 Protest filed by _____
Prelim. check by _____ Fee 35.00 _____
Receipted by KW Date 5/14/80 #14802 _____
Published in Blackfoot Herald Copies of protest forwarded by _____
Pub. dates 2/24 & 5/10/80 6/14 & 6/26 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
_____ rec'd. _____ by Jim DPR

AJ5809NP
No. A27-00004L

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NATURAL GUARDIAN LTD PARTNERSHIP PO BOX 50305 IDAHO FALLS ID 83405 (208) 528-6635	06/01/1885	IRRIGATION	04-01 11-01	0.570 CFS	
TOTAL DIVERSION:					0.570 CFS	
CONSUMPTIVE USE:						71.20 AFA

Water Source: WOLVERINE CREEK

Tributary to: BLACKFOOT RIVER

Stage: DECREED

Point(s) of Diversion: T02S R38E S16 NENW BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
02S	38E	9	:					:					:			10		:						:	10.0	
02S	38E	16	:					:		07			:					:						:	7.5	
02S	38E	17	:	11				:					:					:						:	11.0	
																							TOTAL ACRES	28.5		

POU County: BINGHAM

Other Rights: NONE

Remarks: GEN OWNERSHIP CHANGED BY SVH 4/13/98

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 30, 1998

NATURAL GUARDIAN LTD PARTNERSHIP
PO BOX 50305
IDAHO FALLS ID 83405

RE: CHANGE IN OWNERSHIP FOR A27-00004L, A27-00016,
A27-00029E, A27-00050, A27-00052, A27-00053A, A27-10059,
A27-10061

Dear Sir/Madam:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim

RECEIVED

APR 10 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A27-10059, A27-10061, A27-00029E,
A27-00050, A27-00052, A27-00053A
2. The following REQUIRED information must be submitted with this form.
A27-00004 L, A27-00016
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Cox Enterprises.
448 W. Locust Shelley ID
4. New Owner/Claimant(s) Natural Guardian Ltd. Partnership.
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 50305
City, State and ZIP Code Idaho Falls ID 83405
New Telephone Number (208) 528-6635
5. Date you acquired the property Nov. 1993.
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Lindy Armour, Sec. Date 4-10-98
Tesamen Enterprises, Inc., Gen Mgr. Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

420649

For Value Received COX ENTERPRISES, INC., an Idaho Corporation

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
HEARTHSTONE, an Idaho Limited Partnership
whose address is: PO BOX 50305 Idaho Falls ID 83405

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

FEE 6.00 DEP KB

93 NOV 19 PM 2:02

SEE ATTACHED EXHIBIT A

RECORDED AT THE REQUEST OF

FIRST AMERICAN TITLE COMPANY

SUBJECT TO all existing easements, claims of easements, rights of-way, patent reservations, protective covenants, zoning ordinances and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes, restrictive covenants of Wolverine Canyon Estates filed in Bingham County Idaho, and other matters pertaining thereto.

TOGETHER with all water rights appurtenant thereto listed and described as follows, and all irrigation equipment located thereon.

WATER RIGHTS

CERT. NO.	INCHES	NAMES	PRIORITY DATE
27-0050	60	PETER MORRIS	3/1/1882
27-0051	60	PETER MORRIS	4/1/1887
27-0053	10	DANIEL TAYLOR	4/1/1888
27-0004	28.5	FOX & WHITTIER	6/1/1885
27-0022 & 0035	46	EASTERN IDAHO	6/1/1887
27-0016	128	LEON MISSEN	4/1/1873
27-0029	100	LEON MISSEN	5/1/1885

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: NOVEMBER 10, 1993

COX ENTERPRISES, INC., an Idaho Corporation

BY: W. Harrison Cox
W. HARRISON COX, PRESIDENT

Roger Cox
ROGER COX, SECRETARY

STATE OF IDAHO

COUNTY OF Bonneville ss.

On this 17 day of NOVEMBER, 1993, before me a Notary Public in and for said State, personally appeared W. HARRISON and ROGER COX, known or identified to me to be the PRESIDENT AND SECRETARY, respectively of COX ENTERPRISES, INC. the corporation who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.

D. H. HARRISON
Notary Public for Idaho

Residing at: Idaho Falls

Commission expires: 9-18-97

13.5

EXHIBIT A

TRACT A:

Township 2 South, Range 38 E.B.M., Bingham County, Idaho

Section 9: ~~S $\frac{1}{2}$ S $\frac{1}{2}$~~

Section 16: ~~N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$~~

Section 17: Lots 1, 2, 3, 4, 5, ~~E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$~~

EXCEPTING AND RESERVING to the United States all the coal and other minerals in said Lot 1;

Township 2 South, Range 39 E.B.M., Bingham County, Idaho

Section 6: Lots 3 and 4, **EXCEPTING AND RESERVING** to the United States all phosphate in said lot 4; AND

EXCEPTING AND RESERVING to the United States all the coal and other minerals in said Lot 3;

ALSO EXCEPTING THEREFROM any portion lying within the boundaries of Wolverine Canyon Estates Subdivision

Township 1 South, Range 39 E.B.M., Bingham County, Idaho

Section 31: ~~E $\frac{1}{2}$ N $\frac{1}{2}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 1, 2, 3 and 4,~~

EXCEPTING AND RESERVING to the United States all phosphate in said Lots 2, 3, 4, ~~SE $\frac{1}{4}$ SW $\frac{1}{4}$, and EXCEPTING AND RESERVING~~ to the United States all the coal and other minerals in ~~NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 1:~~

EXCEPTING THEREFROM any portion lying within the boundaries of Wolverine Canyon Estates Subdivision

ALSO EXCEPTING THEREFROM Beginning at the NW corner of Lot 5 Block 3 of Wolverine Canyon Estates as recorded in Bingham County, Idaho, that is S. 348.86 feet along the section line and E. 1114.34 feet from the W $\frac{1}{4}$ corner of said Section 31 and running thence N. 68°20'00" E. 450.00 feet along the N. line of said Lot 5 to the NE corner of said Lot 5; thence N. 68°20'00" E. 420.00 feet; thence N. 16°17'15" W. 450.00 feet; thence S. 68°20'00" W. 1087.71 feet to the E. line of West Taylor Mountain Road as platted; thence S. 43°55'45" E. 411.81 feet along said E. line to the P.C. of a curve; thence to the right along said curve 69.82 feet (Curve Data: Delta=12°00'47", Radius=333.00 feet) Chord bears S. 37°55'22" E. 69.69 feet along said E. line to the point of beginning.

ALSO EXCEPTING THEREFROM: Part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 1 South, Range 39 E.B.M., Bingham County, Idaho, described as:

Beginning at the SW corner of said Section 31 and running thence N. 0°00'00" W. 744.19 feet along the section line; thence N. 89°47'09" E. 783.85 feet to the SW corner of Lot 14 Block 1 of Wolverine Canyon Estates as recorded in Bingham County, Idaho; thence S. 26°00'00" W. 830.00 feet along the west line of said Block 1 to the SW corner of Lot 17 of said Block 1; thence S. 89°50'47" W. 420.00 feet along the N. line of Lot 18 to the point of beginning.

Subject to a 25 foot easement more particularly described as: Beginning at the SW corner of Lot 17 Block 1 of Wolverine Canyon Estates and running thence N. 26°00'00" E. 830.00 feet along the W. line of said Block 1; thence S. 89°47'09" W. 27.87 feet; thence S. 26°00'00" W. 829.97 feet; thence N. 89°50'47" E. 27.85 feet along the N. line of Lot 18 to the point of beginning.

420649

TRACT B:

Township 2 South, Range 38 E.B.M., Bingham County, Idaho

Section 16: ~~S $\frac{1}{2}$ S $\frac{1}{2}$; N $\frac{1}{2}$ S $\frac{1}{2}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; and SE $\frac{1}{4}$ NW $\frac{1}{4}$~~

TRACT C:

All of Blocks 1, 2, 3 and 4 in Wolverine Canyon Estates, Bingham County, Idaho, according to the recorded Plat thereof, recorded as Instrument No. 336817, and re-recorded as Instrument No. 338195, **EXCEPT** Lots 13, 14 & 16 in Block 1 and Lot 9 in Block 2 of said Subdivision,

EXCEPTING AND RESERVING to the United States all phosphate as to that portion lying within Lot 4 of Section 6, Township 2 South, Range 39 E.B.M., **ALSO EXCEPTING AND RESERVING** to the United States all the coal and other minerals lying within lot 3 of Section 6, Township 2 South, Range 39 E.B.M., and within W $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 1 South, Range 39 E.B.M.



Department of the Treasury
Internal Revenue Service
OGDEN, UT 84201

Date of this notice: MAR. 13, 1995
Taxpayer Identifying Number 82-0457654
Form: 2363 Tax Period:



For assistance you may
call us at:

1-800-829-1040 ST. OF ID

NATURAL GUARDIAN LIMITED
PARTNERSHIP
PO BOX 50305
IDAHO FALLS ID 83405-0305057

WE CHANGED YOUR NAME AND/OR ADDRESS

THANK YOU FOR YOUR CORRESPONDENCE. AS YOU REQUESTED, WE'VE MADE THE FOLLOWING
CHANGES TO YOUR NAME AND/OR ADDRESS:

NAME AND ADDRESS PREVIOUSLY
SHOWN ON YOUR ACCOUNT

NAME AND ADDRESS NOW
SHOWN ON YOUR ACCOUNT

HEARTHSTONE PARTNERSHIP
PO BOX 50305
IDAHO FALLS ID 83405-0305057

NATURAL GUARDIAN LIMITED
PARTNERSHIP
PO BOX 50305
IDAHO FALLS ID 83405-0305057

IF YOU DON'T AGREE WITH THIS CHANGE, PLEASE LET US KNOW.

SD-0601-2 Last Name: COX ENTERPRISES

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	COX ENTERPRISES						
-		C	A27-10059	01/01/1895	SPRINGS	0.070	04 STOCK
-					WOLVERINE C		
-		C	A27-10061	01/01/1880	SPRING	0.040	43 DOMEST
-	COX ENTERPRISES	INC					
-		&	A27-00029E	05/01/1885	WOLVERINE C	2.000	01 IRR
-		&	A27-00050	03/01/1882	WOLVERINE C	1.200	01 IRR
-		? C	A27-00052	04/01/1887	WOLVERINE C	1.200	01 IRR
-		&	A27-00004L	06/01/1885	WOLVERINE C	0.570	01 IRR
-		&	A27-00016	04/01/1873	WOLVERINE C	2.560	01 IRR
-	COX ENTERPRISES						
-		C	R27-10059	01/01/1895	SPRINGS	0.070	04 STOCK
-					WOLVERINE C		
-		C	R27-10061	01/01/1880	SPRING	0.040	43 DOMEST
-							
-							

A27-00053A.

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

JUL 13 2001

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: A27-00004L *ok*
Date Received: 5/19/1989
Receipt No: E007737
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: COX ENTERPRISES, INC. 208-522-8606
Address: P.O. BOX 51600
IDAHO FALLS, ID 83405

2. Date of Priority: JUN 01, 1885

3. Source: WOLVERINE CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	38E	16	NE	NW			BINGHAM

5. Description of diverting works:
PUMP, 100 HP. MOTOR, PIPELINE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.570		

7. Total Quantity Appropriated is:
0.570 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 71.2 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	38E	9	SW	SW		IRR	10.0
						Section Acres	10.0
		16	NW	NW		IRR	7.5
						Section Acres	7.5

A2700004L



MICROFILMED

NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	38E	17	NE	NE		IRR	11.0
Section Acres							11.0
Total Acres							28.5

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 8/01/1891FRED S. STEVENS ET AL
Decree Plaintiff

vs

EASTERN IDAHO WATER CO. ET AL
Decree Defendant

MICROFILMED

NOV 12 1992

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: 1

For Organizations:

I do solemnly swear or affirm that I am Vice Pres. of
Cox Enterprises Inc. ^{Title}
Organization, that I have signed the foregoing
document in the space below as Vice pres of
Cox Enterprises Inc. ^{Title}
Organization and that the statements contained in the
foregoing document are true and correct.

W. Harrison Cox
Signature of Authorized Agent

VP Cox Enterprises Inc.
Title and Organization

5-19-89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of May 19 89
Seal

Ernest Carlan
Notary Public

Residing at Idaho Falls, ID.
My Commission Expires 14 June 1994.

AJ0749NP
No. A27-00004L

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/13/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NATURAL GUARDIAN LTD PARTNERSHIP PO BOX 50305 IDAHO FALLS ID 83405 (208) 528-6635	06/01/1885	IRRIGATION	04-01 11-01	0.57 CFS	
					TOTAL DIVERSION:	0.57 CFS
					CONSUMPTIVE USE:	71.20 AFA

Water Source: WOLVERINE CREEK

Tributary to: BLACKFOOT RIVER

Stage: DECREEED

Point(s) of Diversion: T02S R38E S16 NENW

BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
02S	38E	9	:					:					:			10		:					:	10.0
02S	38E	16	:					:			07		:					:					:	7.5
02S	38E	17	:	11				:					:					:					:	11.0
																							TOTAL ACRES	28.5

POU County: BINGHAM

Other Rights: NONE

Remarks: GEN OWNERSHIP CHANGED BY SVH 4/13/98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

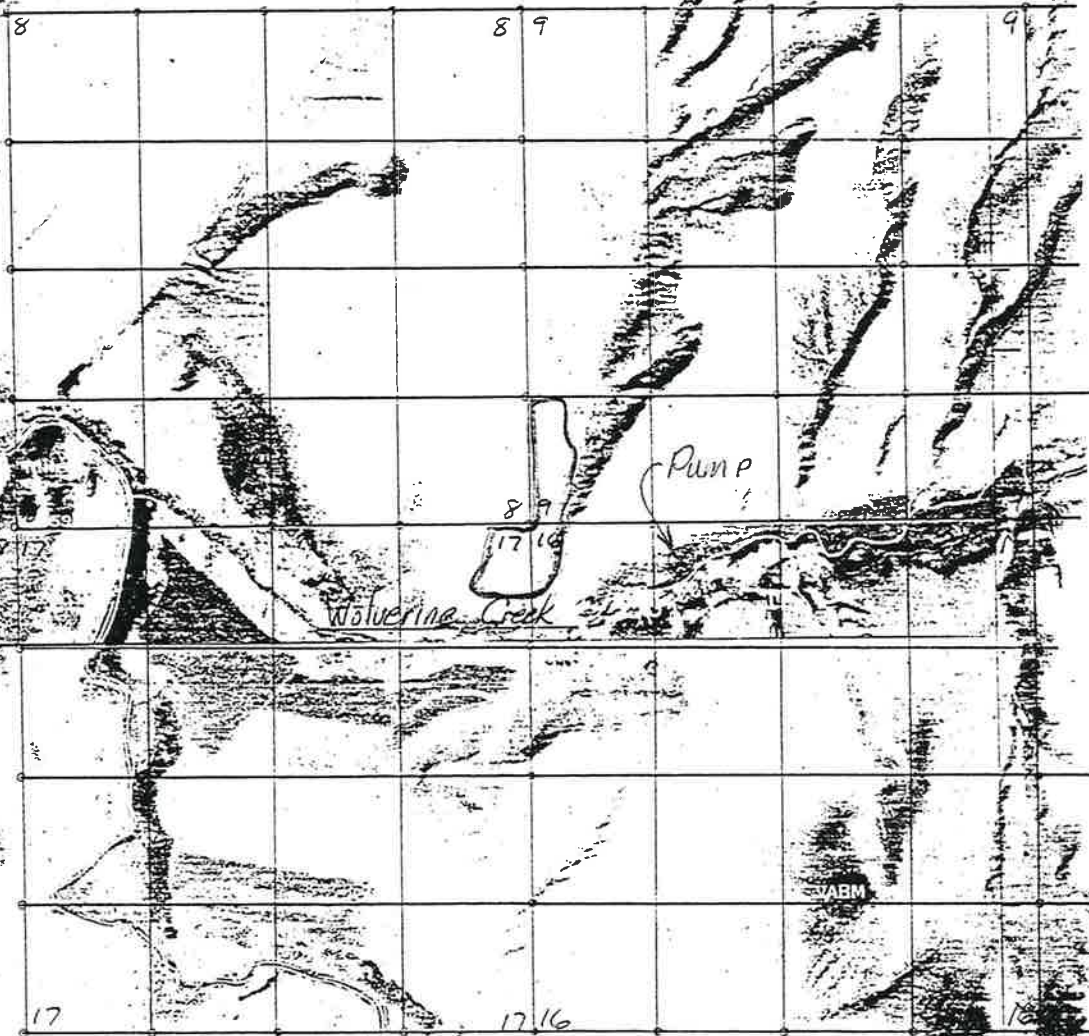
Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

T

RGE 38E.

Twp 2 S.



47 89000m.N

43°15'

A27-00004 L

570 000

FEET

PHOTOFILMED

NOV 12 1992