

02/10/2005

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

RIGHT NUMBER: 27-12042

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

SOURCE: SPRING TRIBUTARY: WOLVERINE CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1914

POINT OF DIVERSION:

T02S R38E S16 NWSWN Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: DOMESTIC Within BINGHAM County

T02s R38e S16 SWNW

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

Domestic use for 1 home.

EXPLANATORY MATERIAL: Beneficial Use

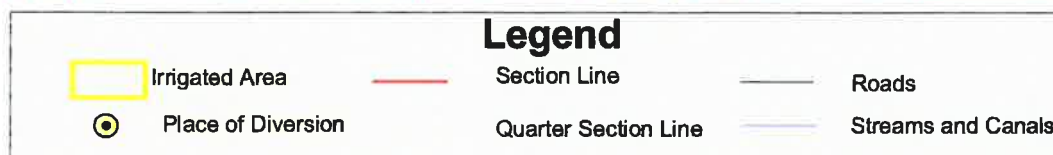
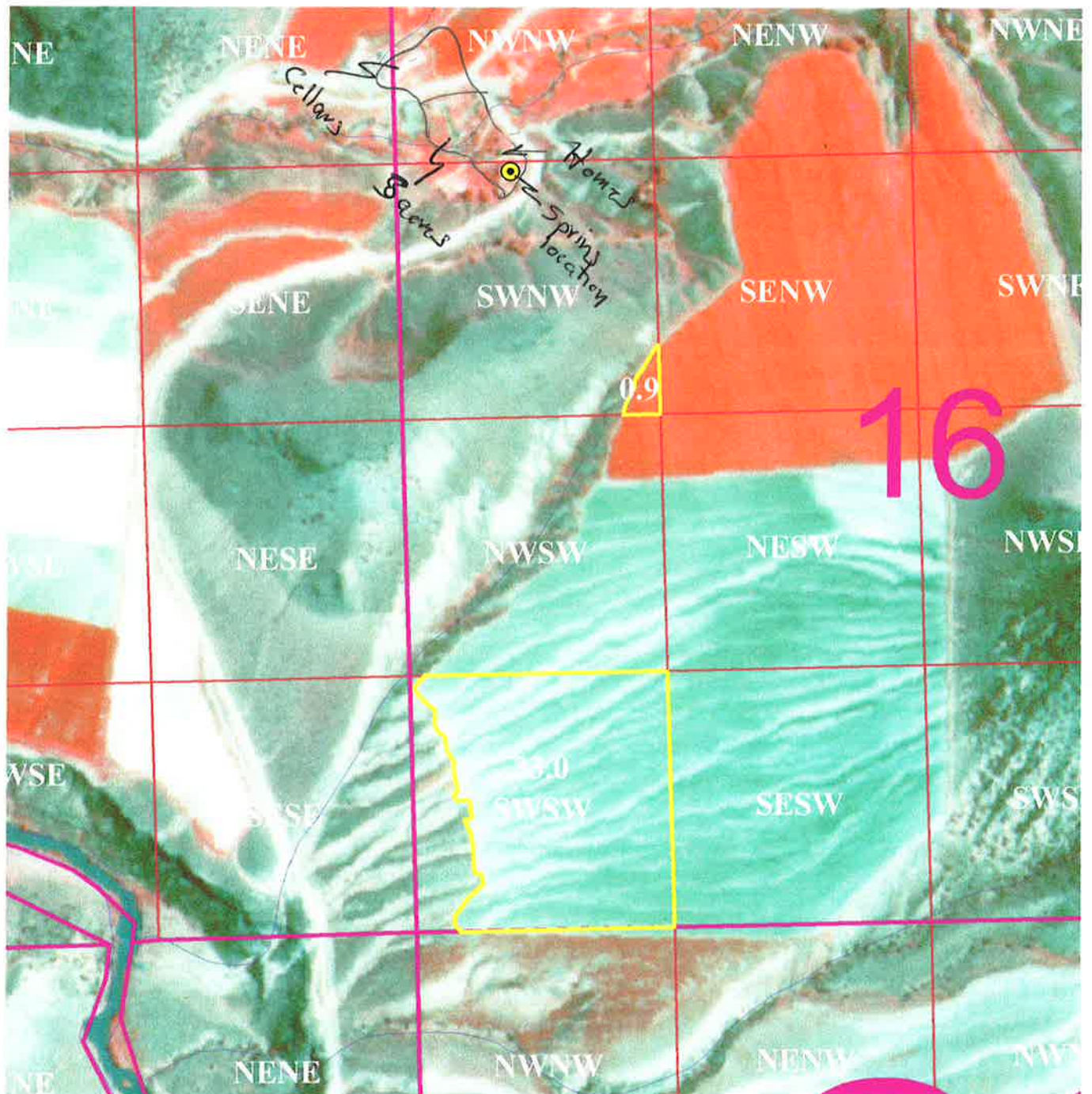
SCANNED

MAY 10 2008

FILED

Water Right Claim Number 27-00053A
Township , 2S38E

11/28/2000

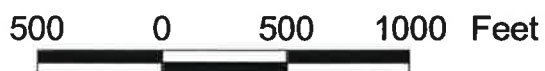
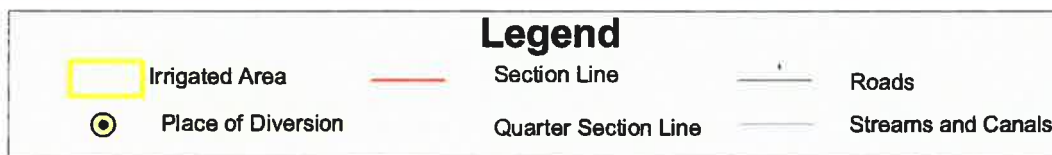
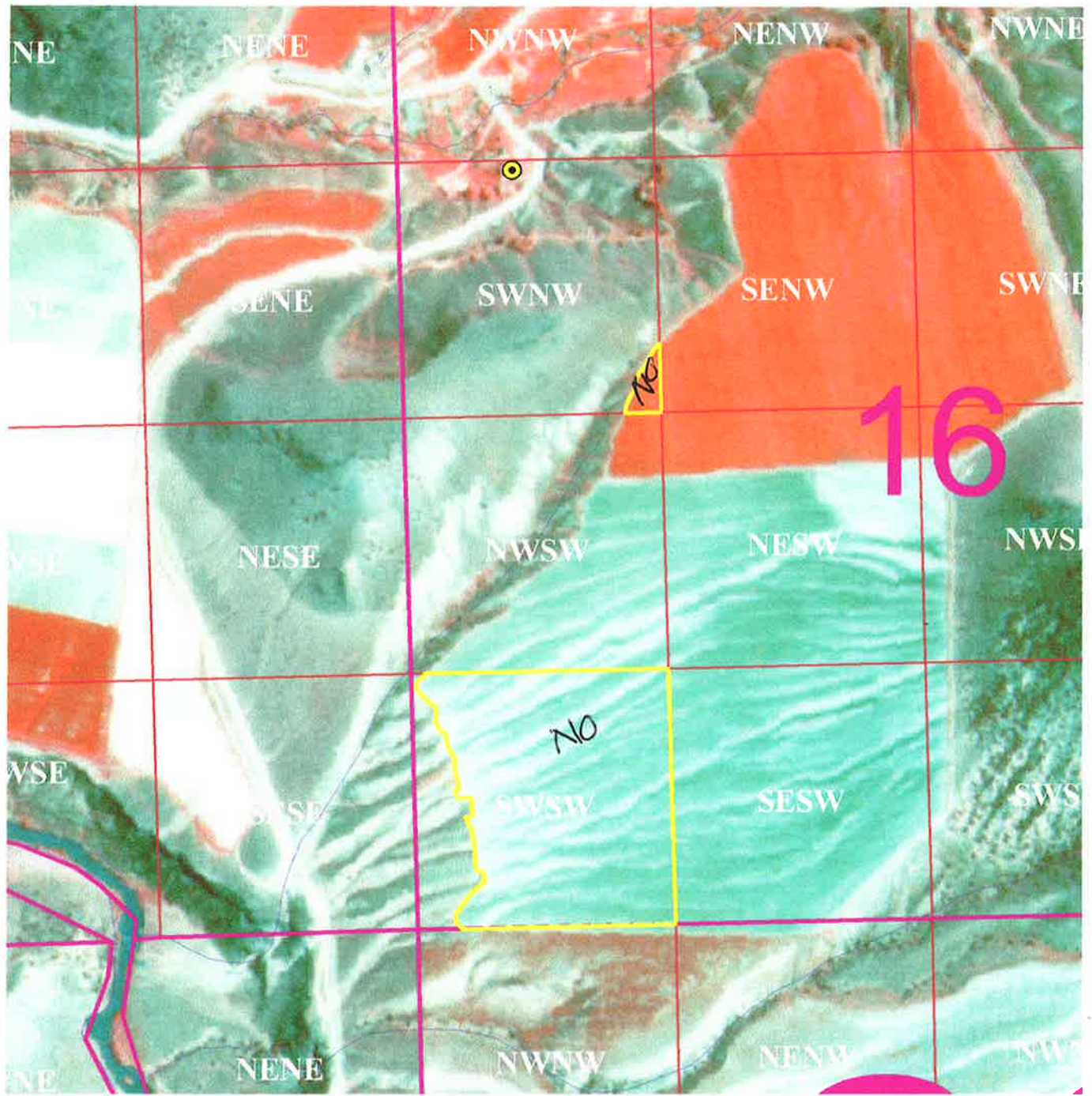


500 0 500 1000 Feet



Water Right Claim Number 27-00053A
Township , 2S38E

11/28/2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 16, 2005

Natural Guardian LTD Partnership
2880 N 55 W
Idaho Falls, ID 83402

REF: Snake River Basin Adjudication
Claim 27-12042

Subject: Domestic for one home.

Dear Claimants;

The above referenced claim was filed in the SRBA for domestic from a spring tributary to Wolverine Creek. Since the source for this domestic claim is a spring it requires a water right. The above referenced claim was filed in the SRBA for 4 homes, farm shop and two potato cellar humidifiers with an April 1, 1888 priority date. According to Bingham County assessor's office the original home built in 1914. Therefore this claim is being recommended for one home with a 1914 priority date. The additional trailer houses, farm shop and potato cellars were added much later to the property according to our field examiner Harold Jones. Therefore they require that you file for a water right on them when they were established. If they were established prior to May 20th, 1971 you can file a beneficial use claim on them in the SRBA. If they were developed after the above date then you will need to file an application for permit with our Idaho Falls office. I suggest you contact Roger Warner in our Idaho Falls Office to discuss a water right from the spring for the additional uses. Roger can be contacted at 525-7161.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Cc: Roger Warner
IDWR, Idaho Falls

SCANNED

MAY 10 2006

FILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 4, 2004

Natural Guardian LTD Partnership
P.O. Box 50305
Idaho Falls, ID 83405

COPY

Ref: Snake River Basin Adjudication (SRBA)
Notice of Claim 27-53A

Subject: Beneficial Use Right
Evidence of Priority

RESPONSE DATE: May 25, 2004

Dear Claimant(s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "DECREE". On April 16th Harold Jones did a field exam on this SRBA claim. The decreed source for 27-53 is Wolverine Creek not a spring. This right is not based on a decreed right but a beneficial use right and requires evidence of priority to support the claimed priority date. Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

This office must receive your response by the response date shown above. If no response is received, then your claim will be recommended as **DISALLOWED** for lack of proof of priority date.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/

Enclosure: Brochure on "Evidence of Priority"

COPY

COX, OHMAN & BRANDSTETTER, Chartered

ATTORNEYS & COUNSELORS AT LAW

ROGER D. COX
JOHN M. OHMAN*
DEAN C. BRANDSTETTER

510 "D" STREET
POST OFFICE BOX 51600
IDAHO FALLS, IDAHO 83405-1600

SHEILA COOPER
Paralegal

TELEPHONE (208) 522-8606
FAX (208) 522-8618

*MEMBER OF THE NEBRASKA BAR
*CERTIFIED TRIAL SPECIALIST

September 17, 2003



Ms. Cindy E. Bird
Adjudication Agent
Idaho Department of Water Resources
15 West Center Street
Soda Springs, ID 83276

**Re: Snake River Basin Adjudication Claim (SRBA)
Claim 27-53A**

**Subject: Evidence of Ownership, T2S, R38E, Section 16,
SWNW, SWNW, SWSW, SWSW**

Response Date: 15 October 2003

Dear Ms. Bird:

Cox Enterprises, Inc. no longer exists as an Idaho Corporation. The real property and existing water rights that are subject of the above claim were sold to Mr. Frank Vandersloot several years ago. We are thus transmitting a copy of your letter to Frank Vandersloot, attention David Kuhn by facsimile in order that he may respond to you on this matter. We assume that you will not take any action on the matter until you have been contacted by Mr. Vandersloot or his agent, Mr. Kuhn. Should there be a problem with the above, please advise immediately. Thank you for your attention.

Very truly yours,

Roger D. Cox
Attorney at Law

RDC/kcp

Notes

5/12/04 Beneficial Use right, this right
should be renumber to a 10,000-series.
due date 5-25-04 CB.

10-14-04 Jennifer reassign 27-53A to 27-12042. BP

2-10-05 Called Benham County. House
was built in 1914. BP

2/10/05 Dave Kuhn, Natural Guardian.
when were the potato cellars, 4 homes,
and shop. built. It's not 1888, because
the county has the home built in 1914.
Dave will have to do some research and
get back to me. CB.

2/10/05 I spoke with Skip on this right.
He said that the trailers and potato
cellars are a recent addition. So
we agreed they will need to contact
Roger Warner to register the additional
trailers and potato cellars.

Recommend 1 home with 1914
priority date per Benham Co. CB

Notes

A27-00053A

1/ Claimant is Natural Guardian Ltd 4-16-04

2/ Source is a spring which flows into a concrete collection box + pressure tank to one home, a trailer house, shop + 2 potato cellars.

3/ None of the above structures is of April 1, 1888 origin, so priority should be modified to reflect added uses.

4/ GPS data - 2660963 File 24-53A
1340434 GPS Tag A0009099

5/ Irrigation water comes from ditch above house that supplies A27-00016. (Wolverine Creek)

4/29/04 4/24 or earlier Ship spoke with Kent Foster and told him they should abandon the 27-53 claim and file this as a B.U. claim.

INTER-DEPARTMENT MEMO

TO: Harold Jones

SUBJECT: 27-53

FROM: Cindy

DATE: 9/19/03

Skip, please check this out because the Stolorthy's have already completely claimed the 27-53 right under 27-11918 & 27-11919. The decreed source is Wolverine Creek.

9/22/03 David Kuhn, for Natural Guardian called to ask what was requested in the letter.

() For your information

(X) Response required

CB
signature

Notes

9/14/03 - (8:15am) They do have a spring that is piped under the road. Kelly Bingham - returned my call.

9/19/03 Received a letter from Roger Cox stating that they sold this property and water to Frank Vanderloot several years ago.

The decreed source is Walerine Ck not a Spring tub to Walerine Ck. 27-53 was completely claimed in the adjudication then split between Jay Stolworthy (27-11919) and Lloyd Stolworthy family ~~trust~~ partnership (27-11918). So, this claim doubles the right.

9/22/03 9:21am. David Kuhn called on the letter sent to Cox Enterprise; the property was sold to Nantual Gerardian about 1988.

* Cox contends that Stolworthy's should have no claim on this right.

This is a Daniel Taylor claim

Owner Type	Full Name	Address	City	State	Zip	Phone
						528-6635

Current Owner: Natural Guardian LTD Partnership
Name connector: and _____, or _____, and/or _____
Current Owner: P.O. Box 50305
Current Owner: Idaho Falls, ID 83405

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: _____

Date: _____

Contacts Data Entry Form

POU COMPARISON REPORT
T2S, R38E, SEC. 16

Type	WR #	Owner	Source	1/8S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	27-53A	NATURAL GUARDIAN LTD PARTNERSHIP,	SPRING	02538E16							1				2						3
Claim	27-4L	NATURAL GUARDIAN LTD PARTNERSHIP,	WOLVERINE CREEK	02538E16						7.5											7.5
Claim	27-35D	EASTERN IDAHO WATER CO.,	BLACKFOOT RIVER, MINER CREEK, WOLVERINE CREEK	02538E16						9											9
Claim	27-22D	EASTERN IDAHO WATER CO.,	BLACKFOOT RIVER, MINER CREEK, WOLVERINE CREEK	02538E16						9											9
Claim	27-52	NATURAL GUARDIAN LTD PARTNERSHIP,	WOLVERINE CREEK	02538E16	15.5	14.6	19.5	21	15	7		32.5	40	16.3	33.7	37.5	2.5	6	3		264.1
Claim	27-29E	NATURAL GUARDIAN LTD PARTNERSHIP,	WOLVERINE CREEK	02538E16	15.5	14.6	19.5	21	15	7		32.5	40	16.3	33.7	37.5	2.5	6	3		264.1

POU COMPARISON: T2S, R38E, SEC 17

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	27-16	NATURAL GUARDIAN LTD PARTNERSHIP,	WOLVERINE CREEK	02S38E17			32	14	20			30.5	34			4.5		38	15		188
Claim	27-4L	NATURAL GUARDIAN LTD PARTNERSHIP,	WOLVERINE CREEK	02S38E17	11																11
Claim	27-50	NATURAL GUARDIAN LTD PARTNERSHIP,	WOLVERINE CREEK	02S38E17			32	14	20			30.5	34			4.5		38	15		188

A27-53A



GPS Tag

Spring House

Springs Collection Tank



A27-S3A

A27-53A



Shop

Photo cell #2



A-27-53A

A27-53A



Farm House

Travis House



A-7-53A

A27-53A



Potato cellar #1

SCANNED

Log for claim 27-00053A

Spatial Dynamics LTD

11/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s38e	16	SWNW	1	0.9	
02s38e	16	SWSW	2	33	Indiscernible
Totals:			3	33.9	

AJ5809NP
No. A27-00053A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00
PAGE: 17

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	04/01/1888	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.090 CFS 0.110 CFS	
TOTAL DIVERSION:					0.200 CFS	
CONSUMPTIVE USE:						7.50 AFA

Water Source: SPRING

Tributary to: WOLVERINE CREEK

Stage: DECREED

Point(s) of Diversion: T02S R38E S16 NWSWN 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	16	:					:			01		:			02		:						:	3.0
TOTAL ACRES																							3.0		

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE													
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
02S	38E	16	:					:			D		:			D		:						:	
02S	38E	17	:	D				:					:					:						:	

POU County: BINGHAM

Non-Irrigation Uses: D/ 4 HOMES, FARM SHOP, HUMIDIFIERS FOR TWO CELLARS

Other Rights: NONE

Remarks: GEN OWNERSHIP QUESTION OF THIS CLAIM AND A27-00053 (STOLWORTHY,LTD).
REFER TO DEEDS AND JUDGEMENT IN A27-00053.
**** DELETE THIS ENTRY WITH VERIFICATION OF OWNERSHIP.

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

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

AJ0749NP
No. A27-00053A

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	04/01/1888	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.09 CFS 0.11 CFS	
TOTAL DIVERSION:					0.20 CFS	
CONSUMPTIVE USE:						7.50 AFA

Water Source: SPRING

Tributary to: WOLVERINE CREEK

Stage: DECREED

Point(s) of Diversion: T02S R38E S16 NWSWNW

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	16	:					:			01		:			02		:					:	3.0
TOTAL ACRES																							3.0	

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
02S	38E	16	:					:			D		:			D		:					:	
02S	38E	17	:	D				:					:					:					:	

POU County: BINGHAM

Non-Irrigation Uses: D/ 4 HOMES, FARM SHOP, HUMIDIFIERS FOR TWO CELLARS

Other Rights: NONE

Remarks: GEN OWNERSHIP QUESTION OF THIS CLAIM AND A27-00053 (STOLWORTHY, LTD).
REFER TO DEEDS AND JUDGEMENT IN A27-00053.
**** DELETE THIS ENTRY WITH VERIFICATION OF OWNERSHIP.

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.

OK
SUT
4-13-98

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) Andy Armour, Sec. Date 4-10-98
Tesamen Enterprises, Inc., Gen. Mgr. Date _____
8. 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.

05/19/89
16:45:06

COX ENTERPRISES, INC.

ADJUDICATION FEE

0410162 9337 6490

\$792.60

\$792.60

CHECK 2781

WR/NO: A27-00016 A27-00050 A27-00004L A27-00029E A27-00052
A27-00053A

Idaho Department of Water Resources

Region: EASTERN

Signature: *Ernest Carlson*

23 Aug 89.

Number changed from A27-00053.

MICROFILMED

NOV 12 1992

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 27-12042
Date Received: 10/14/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NATURAL GUARDIAN LTD PARTNERSHIP Phone: (208)528-6635

2880 N 55 W
IDAHO FALLS ID USA 83402

2. Date of Priority: 04/01/1888

3. Source: SPRING Trib. to: WOLVERINE CREEK

4. Point of Diversion:

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

5. Description of diverting works:

SPRING BOX, 1500 GAL. STORAGE TANK AND DISTRIBUTION SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.09	
DOMESTIC	01/01	12/31	0.11	

7. Total Quantity Appropriated is:
0.2 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
02S	38E	16	SW	NW	IRRIGATION	1
			SW	SW	IRRIGATION	2
			SW	NW	DOMESTIC	
			SW	SW	DOMESTIC	
Section Acres						3
02S	38E	17	NE	NE	DOMESTIC	
Total Acres						3

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:

14. Remarks:

15. Basis of Claim: Beneficial Use

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 27-53A

WATER RIGHT NUMBER: 27-53A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURAL GUARDIAN LTD PARTNERSHIP 2880 N 55 W IDAHO FALLS, ID 83402 (208) 528-6635
Original Owner	COX ENTERPRISES 448 W LOCUST SHELLEY, ID 83274 (208)357-5773

Priority Date: 04/01/1888

Basis: Decreed

Status: **See Remarks**

<u>Source</u>	<u>Tributary</u>
SPRING	WOLVERINE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.090 CFS	
DOMESTIC	1/01 to 12/31	0.110 CFS	
<u>Total Diversion:</u>		0.200 CFS	

Location of Point(s) of Diversion

SPRING	NW1/4SW1/4NW1/4	Sec. 16, Twp 02S, Rge 38E, B.M.
BINGHAM County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	38E	16							1.0				2.0						3.0

Total Acres: 3

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	38E	16							X				X						
02S	38E	17	X																

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

Changed to A27-00053A
Ident. Number: A27-00053

Date Received: 5/19/1989

Receipt No: *E007737*

Received By: *ENC*

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: APR 01, 1888

3. Source: SPRING

Decreased Source
Trib. to: WOLVERINE CREEK
Jones Creek

4. Point of Diversion:

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

5. Description of diverting works:
SPRING BOX, 1500 GAL. STORAGE TANK AND DISTRIBUTION SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.110		
IRRIGATION	04/01	11/01	0.090		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 4 HOMES, FARM SHOP, HUMIDIFIERS FOR TWO CELLARS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02S	38E	16	SW	NW		DOMEST	
			SW	NW		IRR	1.0

A27-00053

Page 1

Date: 05/19/89

MICROFILMED

NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	38E	16	SW	SW		DOMEST	
			SW	SW		IRR	2.0
						Section Acres	3.0
		17	NE	NE		DOMEST	
						Total Acres	3.0

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: 8/01/1891

FRED S. STEVENS ET AL
Decree Plaintiff

vs

EASTERN IDAHO WATER CO. ET AL
Decree Defendant

NOV 12 1992
570 000
FILMED

A27-00053

47 89000m.N
43°15'

SPRINGS

X
X
X

17 16
8 9

8 9

RCF 38E

11.0 25

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 X 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} that I have signed the foregoing
Cox Enterprises Inc. ^{Organization} document in the space below as Vice Pres. of
Cox Enterprises Inc. ^{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 Carlson
Notary Public

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

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: A27-00053A

Date Received: 5/19/1989

Receipt No: 8007737

Received By: EMC

RECEIVED

APR 19 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

Eastern District Office

1. Name: COX ENTERPRISES, INC.

208-522-8606

Address: P.O. BOX 51600

IDAHO FALLS, ID

83405

2. Date of Priority: APR 01, 1888

3. Source: SPRING

Trib. to: WOLVERINE CREEK

4. Point of Diversion:

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

5. Description of diverting works:

SPRING BOX, 1500 GAL. STORAGE TANK AND DISTRIBUTION SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.110		
IRRIGATION	04/01	11/01	0.090		

7. Total Quantity Appropriated is:

0.200 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

7.5 Acre Feet Per Annum.

9. Non-irrigation uses:

D/ 4 HOMES, FARM SHOP, HUMIDIFIERS FOR TWO CELLARS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02S	38E	16	SW	NW		DOMEST	
			SW	NW		IRR	1.0

A27-00053A

Page

1

Date: 08/17/89

MICROFILMED

NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	38E	16	SW	SW		DOMEST	
			SW	SW		IRR	2.0
						Section Acres	3.0
		17	NE	NE		DOMEST	
						Total Acres	3.0

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:

FRED S. STEVENS ET AL
Decree Plaintiff

vs

EASTERN IDAHO WATER CO. ET AL
Decree Defendant

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 Secretary of
Cox Enterprises, Inc. Organization, that I have signed the foregoing
document in the space below as Secretary of
Cox Enterprises, Inc. Organization and that the statements contained in the
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Secretary of Cox Enterprises, Inc.
Title and Organization

8/21/89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18 day
of August 19 89

Wendy R. Herrman
Notary Public

Seal

Residing at Idaho Falls, Idaho

My Commission Expires 8/1/95