

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST
Transfer #78046, 31-02471

RECEIVED

AUG 10 2012

DEPARTMENT OF
WATER RESOURCES

August 10, 2012

1. Matter being protested

Application for Transfer No. **78046** for Natural Guardian, LLC, involving 31-02471

2. Name of protestant

United States Department of the Interior
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

3. Protestant's Representative for service (if different than protestant)

Fredric W. Price (contact person)

4. Service mailing address

same as above

5. Service telephone no.

(208) 373-3831

6. Basis of protest (including statement of facts and law upon which the protest is based).

Natural Guardian, LLC seeks a new place of use (listed below) which describes land entirely owned by the United States. Natural Guardian, LLC is not authorized to use federal public land.

T10N, R35E, S33, NWNW (10.3 acres)

7. What would resolve your protest?

Amend Application for Transfer to remove the Place of Use describing BLM land within:

T10N, R35E, S33, NWNW (10.3 acres)

In the Application for Transfer the claimant submitted two maps. One map describes the POU in S33 (on BLM) and the other describes the POU in S34 (private). I calculated the acreage of the irrigated field in S34 and found that they match the number of acres being sought in the transfer (10.3 acres in the NWNW, and 29.4 acres in the SWNW). It appears that a clerical error may be present and that the Claimant intends to claim the following legal land descriptions on private land:

T10N, R35E, ~~S33~~, S34, NWNW (10.3 acres)

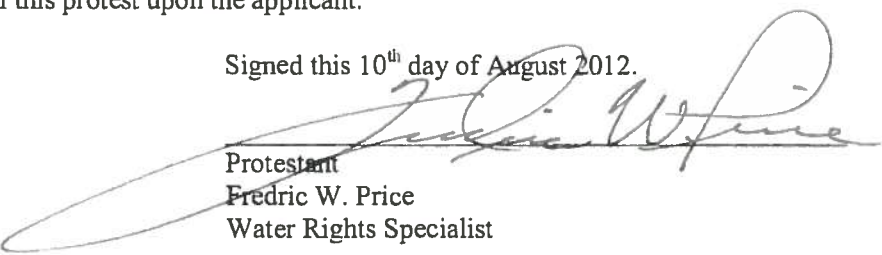
T10N, R35E, ~~S33~~, S34, SWNW (29.4 acres)

T10N, R35E, ~~S33~~, S34, SENW (0.3 acres)

Receipt
CD95874

I hereby, acknowledge that if I, or my designated representative, fail to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 10th day of August 2012.


Protestant
Fredric W. Price
Water Rights Specialist

Attachments:

- ♦Maps prepared by BLM for illustrative purposes.
- ♦Master Title Plat: T10N, R35E

FOR DEPARTMENT USE ONLY

Received by SR7 Date 8/10/2012
Fee Paid \$25.00 Date 8/10/2012 Receipted by SR7 Receipt # 5095874

CERTIFICATE OF SERVICE

I certify that on August 10, 2012, I served a true and correct copy of the **"Protest of Application for Transfer No. 78046"** for Natural Guardian, LLC with enclosures upon the following individuals by placing the documents in the United States mail in Boise, Idaho, postage paid, and addressed as follows:

Original to:

Jeff Peppersack, Administrator
Idaho Department of Water Resources (IDWR)
Idaho State Office
Water Management Division,
P.O. Box 83720
322 East Front Street
Boise, Idaho 83720-0098

Copies to:

Idaho Department of Water Resources (IDWR)
Eastern Regional Office
900 North Skyline Drive
Idaho Falls, ID 83402-1718

Natural Guardian, LLC
2880 N. 55 W.
Idaho Falls, ID 83402

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

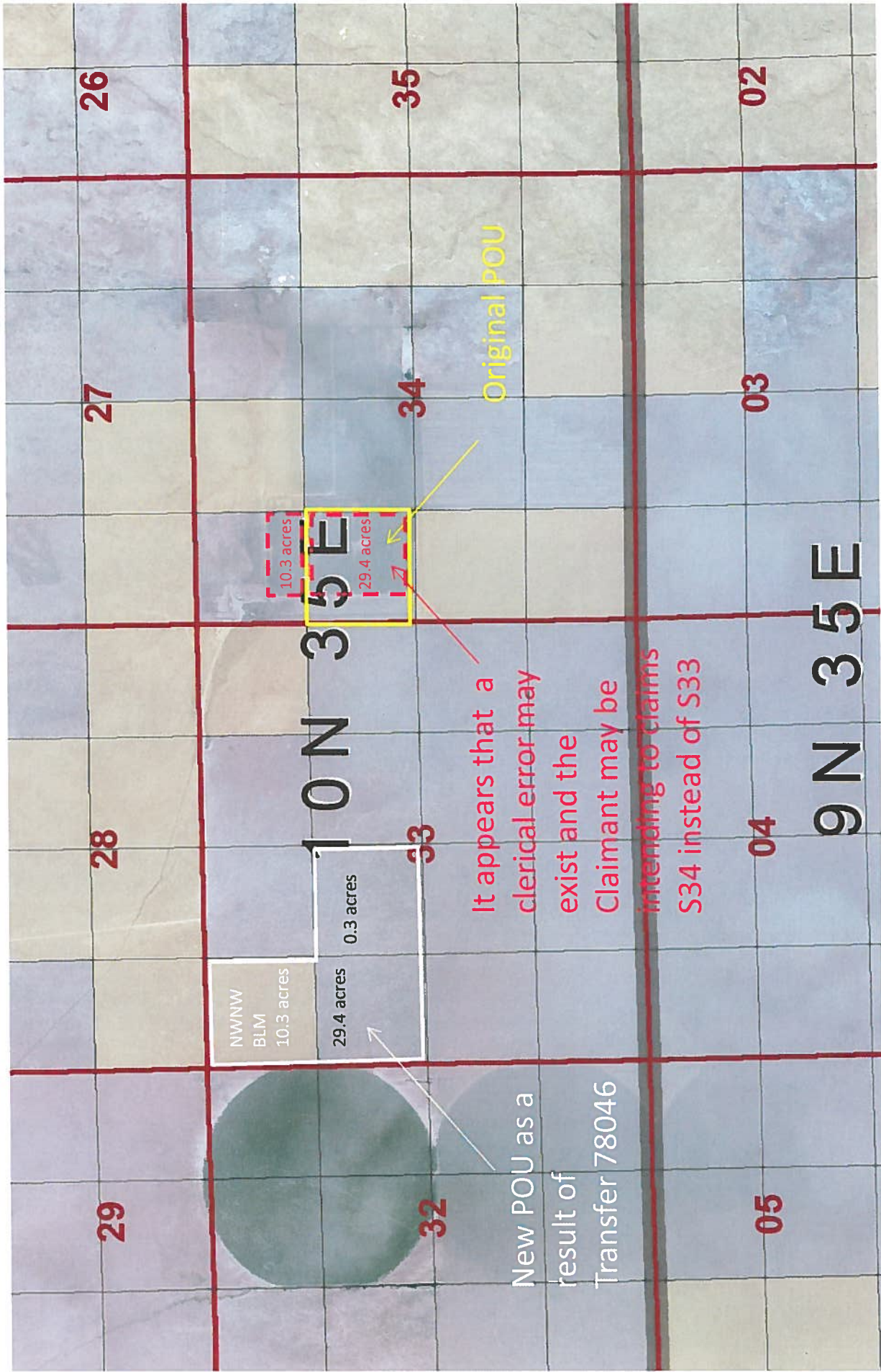
Harley Bateman, Range Technician
U.S., Department of the Interior,
Bureau of Land Management,
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, ID 83401

Rebecca L. Lazdauskas, Realty Specialist
U.S., Department of the Interior,
Bureau of Land Management,
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, ID 83401

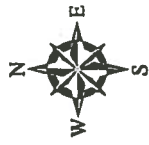
Brandon Anderson
Person Serving Documents (print name)

Brandon Anderson
Signature of Person Serving Documents

Natural Guardian, LLC, Transfer 78046



NATURAL GUARDIAN TRANSFER



Legend

- 31-2471 PODs
- 40 Acre Proposed POU
- 31-2471 Current POU
- Sections



2011 NAIP Photo



Prepared by:
Luke H. Marchant
04/17/2012

CLARK COUNTY 033
IDAHO FALLS DISTRICT SEC 3STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

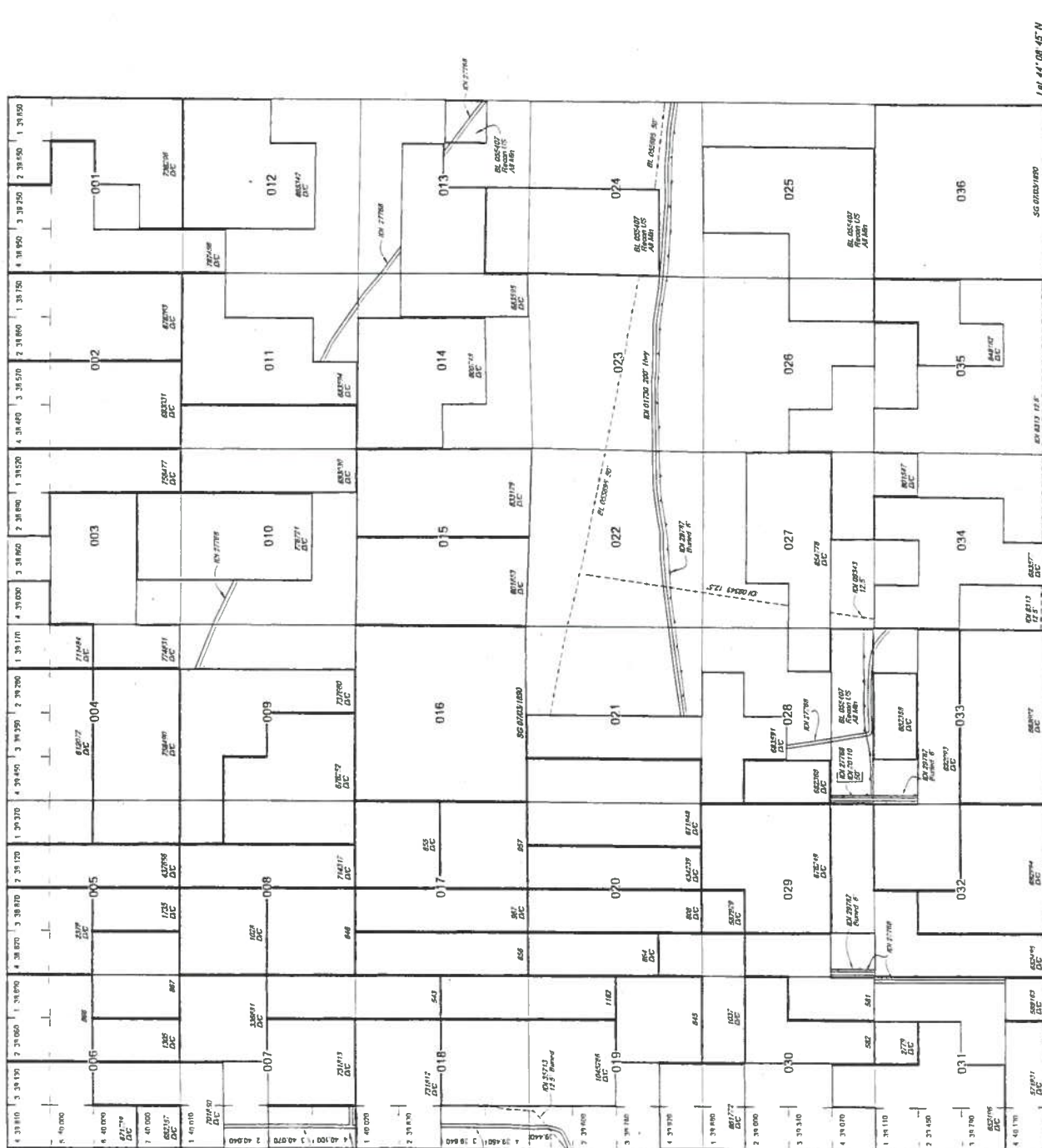
HDI 2448 BLM O Cj Mult Use, Clark County:
Sgr from appropriation under DLE, HE, IA, & PS
An unappropriated public land within

Secs 11 to 14 Ind
Sec 21: E2, E2W2
Secs 22 to 27 Ind
Sec 28: E2, E2W2
Sec 33: N2NE, NENW
Sec 34: E2, N2NW
Secs 35, 36

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF: 1065010900303C/M/100000.dmg
CONVERTED REF: 17002058 BY: UJM
LAST UPDATED: 17002058 BY: UJM
QACC #1:
QACC #2: November 14, 2008
POSTED TO PUBLIC WEBSITE: 6/1
PROJECT AND SURVEY SYSTEMS (P ST)
RM CAS ACQUIRED 10-26-2005
OTHER: N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 37N, MAG 1983
NOTES:
USE PLATS:

10/18/87
T 10 N
B 35 E



HARRY ALLEN

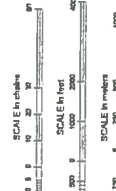
This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and Leasehold survey data. Records herein do not reflect title changes which may have been affected by lateral movements of these or other bodies of water. Refer to cadastral surveys for official information.

The notation shown on withdrawals represent the last action taken, but may not be the effective date. See the historical index for the date of original withdrawal order.

No warranty is made by The Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or for any other purpose is not guaranteed. The use of these data for any purpose other than that for which they were collected is not recommended.



NORTH



SCALE IN CHINESE



U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinell Way Boise, Idaho 83709
(208) 373-1000

(2001) 373-4000