

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 25 2012

Department of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Natural Guardian LLC Phone: 208-528-6635Mailing Address: 2880 N. 55 W., Idaho Falls, ID 83402 Email: _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

- ☐ No Representative

Name of representative Luke H. Marchant Phone: (208) 523-0620Mailing Address: P.O. Box 50130, Idaho Falls, ID 83405 Email: lmarchant@holdenlegal.com

- ☐ Send all correspondence for this application to the representative and not the applicant.

OR

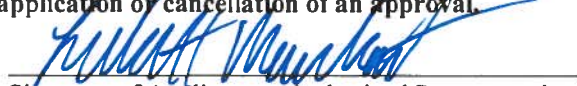
- ☒ Send original correspondence to the applicant and copies to the representative.

- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

- ☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Luke Marchant, Attorney
Print Name and Title if applicable

04/24/12
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change Place of use
☐ Change nature of use ☐ Change period of use ☐ Other: _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label if **Part1A.2**. The purpose of this transfer is to change the place of use for ten of the applicant's water rights. This is being done so that the applicant can install five new pivots. This transfer will not change the stock water component of any of these water rights.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or part					
☒ ☐	32-26	3.64 cfs	Irrigation	04/01 to 10/31	Medicine Lodge Creek/Sinks
☒ ☐	32-27	0.5 cfs	Irrigation	04/01 to 10/31	Medicine Lodge Creek/Sinks
☒ ☐	32-28	1 cfs	Irrigation	04/01 to 10/31	Medicine Lodge Creek/Sinks
☒ ☐	32-38	3 cfs	Irrigation	04/01 to 10/31	Medicine Lodge Creek/Sinks
☒ ☐	32-39	2.5 cfs	Irrigation	04/01 to 10/31	Medicine Lodge Creek/Sinks
☒ ☐	32-40	3.24 cfs	Irrigation	04/01 to 11/01	Medicine Lodge Creek/Sinks
☒ ☐	32-41	0.74 cfs	Irrigation	04/01 to 10/31	Medicine Lodge Creek/Sinks
☒ ☐	32-2022	2.8 cfs	Irrigation	04/01 to 10/31	Medicine Lodge Creek/Sinks
☒ ☐	32-2048	2.9 cfs	Irrigation	04/01 to 10/31	Medicine Lodge Creek/Sinks
☒ ☐	32-2077	5.24 cfs	Irrigation	04/01 to 10/31	Medicine Lodge Creek/Sinks

Total authorized under rights: 25.56 cfs and/or _____ ac-ft.

2. Total amount of water being transferred or changed 25.56 Cubic feet per second and/or _____ acre-foot annum.

3. Point(s) of diversion:

☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Source	Local name for diversion

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5).

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	35E	5									32.4	28	26.9	30.8					118.1
		7	29.5	29.8	26.4	26.6													112.3
		8		19	17.2	17.6	39	12.2	11	39.1	39.2	7.9	6.7	37.7	36.6	23.8	21	14	342
		9							29.7	6	19.4	40	25.3	4.2					124.6
		20	28.4			26									18.2			12.5	85.1
		21						32.9	32.7		8.7	39.7	32.3	5.6					151.9

Total Acres (for irrigation use) 934

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future. These water rights currently divert water out of Medicine Lodge Creek into ditches from two different points on the creek. The lower point of diversion will receive less use since the irrigation system will be piped from the upper point of diversion. Accommodations will be made for any required measuring devices and controlling works.

- b. Who owns the property at the point(s) of diversion? Todd and Carolyn Shenton own the property at the upper point of diversion. The applicant owns the property at the lower point of diversion.

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: The location of the current points of diversion will not change, however, instead of an open ditch at the upper point of diversion, water will be diverted into a pipeline. Due to historical usage of the upper point of diversion, applicant's have an oral agreement for access and use of this point of diversion.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? **If yes,** ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation or legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: Some of the land that is currently irrigated will remain irrigated. Other parts will no longer be irrigated as the place of use is rearranged to accommodate the new pivots.
- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) of use: _____

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ Undergone a period of five or more consecutive years of non-use,
- ☐ ☒ Currently leased to the Water Supply Bank,
- ☐ ☒ Currently used in a mitigation plan limiting the use of water under the right, or
- ☐ ☒ Currently enrolled in a Federal set-aside program limiting the use of water under the rights?

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

- ✓ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ✓ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required in Part 3B above.

[illegible]

Transfer contains _____ pages and _____ attachments.

Received by: _____ Date: _____ Prelim. Check by _____ Date: _____

Fee paid: 2,260.00 Date: 4/25/2012 Received by Km Receipt # E037822

Add'l fee paid _____ Date: _____ Received by _____ Receipt # _____

78048

**Attachment No. 2a
Water Right Ownership
Documentation**

78048

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/2/2012

WATER RIGHT NO. 32-26

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURAL GUARDIAN LLC 2880 N 55 W IDAHO FALLS, ID 83402 (208)528-6635
Original Owner	WEBSTER RANCH 172 WEBSTER RD DUBOIS, ID 83423-5002 (208)374-5452

Priority Date: 10/01/1883
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
MEDICINE LODGE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	3.64 CFS	
STOCKWATER	1/01	12/31	0.02 CFS	
Total Diversion			3.64 CFS	

Location of Point(s) of Diversion:

MEDICINE LODGE CREEK	NWNE	Sec. 06	Township 10N	Range 35E	CLARK County
MEDICINE LODGE CREEK	SENESE	Sec. 06	Township 10N	Range 35E	CLARK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10N	35E	5		NESW	7		NWSW	39		SWSW	36		SESW	9
				NESE	4									
		8		NWNE	36		SWNE	39		SENE	11			
				NENW	39		NWNW	18		SWNW	15		SENE	40
				NESW	40		NWSW	11		SWSW	7		SESW	39
				NESE	26		NWSE	39		SWSE	34		SESE	2
		9		SWNW	3									
				NWSW	31		SWSW	16						
		17		NESE	39		SESE	39						
				NENE	16		SENE	23						
		20		NESE	30		SESE	19						
				NWNE	17		SWNE	36						
				NWNW	29		SWNW	40		SENE	40			
				NESW	40		SESW	25						

Place of Use Legal Description: STOCKWATER CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09N	35E	3		NWNW			SWNW							
				NWSW			SWSW							
10N	35E	10		NWNE										
				NENW										
				NESW			NWSW			SWSW			SESW	
				NESE										
		8		NWNE			SWNE			SENE				
				NENW			NWNW			SWNW			SENE	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		9		SWNW										
				NWSW			SWSW							
		17		NESE			SESE							
				NENE			SENE							
		20		NESE			SESE							
				NWNW			SWNW							
		28		NWSW										
				NWNE			SWNE							
		34		NWNW			SWNW			SENE				

NESW

SESW

Total Acres: 934

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 25.56 CFS. COMBINED RIGHT NOS.: 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 934 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077
4. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5. C18 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.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. WATER IS DELIVERED THROUGH MEDICINE LODGE 6NESE THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077 STOCKWATER 1000 CATTLE
8. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 10/27/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/2/2012

WATER RIGHT NO. 32-27

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURAL GUARDIAN LLC 2880 N 55 W IDAHO FALLS, ID 83402 (208)528-6635
Original Owner	WEBSTER RANCH 172 WEBSTER RD DUBOIS, ID 83423-5002 (208)374-5452

Priority Date: 10/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MEDICINE LODGE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.5 CFS	
Total Diversion			0.5 CFS	

Location of Point(s) of Diversion:

MEDICINE LODGE CREEK	NWNE	Sec. 06	Township 10N	Range 35E	CLARK County
MEDICINE LODGE CREEK	SENESE	Sec. 06	Township 10N	Range 35E	CLARK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10N	35E	5		NESW	7		NWSW	39		SWSW	36		SESW	9
		6		NESE	4									
		8		NWNE	36		SWNE	39		SENE	11			
				NENW	39		NWNW	18		SWNW	15		SENE	40
				NESW	40		NWSW	11		SWSW	7		SESW	39
				NESE	26		NWSE	39		SWSE	34		SESE	2
		9		SWNW	3									
				NWSW	31		SWSW	16						
		17		NESE	39		SESE	39						
		20		NENE	16		SENE	23						
				NESE	30		SESE	19						
		34		NWNE	17		SWNE	36						
				NWNW	29		SWNW	40		SENE	40			
				NESW	40		SESW	25						

Total Acres: 934

Conditions of Approval:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 25.56 CFS. COMBINED RIGHT NOS.: 32-00026, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 934 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00026, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077
- C18 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.
- C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- WATER IS DELIVERED THROUGH MEDICINE LODGE 6NESE THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00026, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/2/2012

WATER RIGHT NO. 32-28

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURAL GUARDIAN LLC 2880 N 55 W IDAHO FALLS, ID 83402 (208)528-6635
Original Owner	WEBSTER RANCH 172 WEBSTER RD DUBOIS, ID 83423-5002 (208)374-5452

Priority Date: 08/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MEDICINE LODGE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	1 CFS	
Total Diversion			1 CFS	

Location of Point(s) of Diversion:

MEDICINE LODGE CREEK	NWNE	Sec. 06	Township 10N	Range 35E	CLARK County
MEDICINE LODGE CREEK	SENESE	Sec. 06	Township 10N	Range 35E	CLARK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	35E	5		NESW	7		NWSW	39		SWSW	36		SESW	9
				NESE	4									
				NWNE	36		SWNE	39		SENE	11			
		8		NENW	39		NWNW	18		SWNW	15		SENE	40
				NESW	40		NWSW	11		SWSW	7		SESW	39
				NESE	26		NWSE	39		SWSE	34		SESE	2
		9		SWNW	3									
				NWSW	31		SWSW	16						
				NESE	39		SESE	39						
		17		NENE	16		SENE	23						
				NESE	30		SESE	19						
				NWNE	17		SWNE	36						
		20		NWNW	29		SWNW	40		SENE	40			
				NESW	40		SESW	25						
		34												

Total Acres: 934

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 25.56 CFS. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 934 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077
3. C18 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.
4. WATER IS DELIVERED THROUGH MEDICINE LODGE 6NESE THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00026, 32-00027, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/2/2012

WATER RIGHT NO. 32-38

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURAL GUARDIAN LLC 2880 N 55 W IDAHO FALLS, ID 83402 (208)528-6635
Original Owner	WEBSTER RANCH 172 WEBSTER RD DUBOIS, ID 83423-5002 (208)374-5452

Priority Date: 10/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MEDICINE LODGE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	3 CFS	
Total Diversion			3 CFS	

Location of Point(s) of Diversion:

MEDICINE LODGE CREEK	NWNE	Sec. 06	Township 10N	Range 35E	CLARK County
MEDICINE LODGE CREEK	SENESE	Sec. 06	Township 10N	Range 35E	CLARK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	35E	5		NESW	7		NWSW	39		SWSW	36		SESW	9
		6		NESE	4									
		8		NWNE	36		SWNE	39		SENE	11			
				NENW	39		NWNW	18		SWNW	15		SENE	40
				NESW	40		NWSW	11		SWSW	7		SESW	39
				NESE	26		NWSE	39		SWSE	34		SESE	2
		9		SWNW	3									
				NWSW	31		SWSW	16						
		17		NESE	39		SESE	39						
		20		NENE	16		SENE	23						
				NESE	30		SESE	19						
		34		NWNE	17		SWNE	36						
				NWNW	29		SWNW	40		SENE	40			
				NESW	40		SESW	25						

Total Acres: 934

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 25.56 CFS. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 934 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077
3. C18 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.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. WATER IS DELIVERED THROUGH MEDICINE LODGE 6NESE THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00026, 32-00027, 32-00028, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/2/2012

WATER RIGHT NO. 32-39

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURAL GUARDIAN LLC 2880 N 55 W IDAHO FALLS, ID 83402 (208)528-6635
Original Owner	WEBSTER RANCH 172 WEBSTER RD DUBOIS, ID 83423-5002 (208)374-5452

Priority Date: 02/01/1884
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
MEDICINE LODGE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	2.5 CFS	
Total Diversion			2.5 CFS	

Location of Point(s) of Diversion:

MEDICINE LODGE CREEK	NWNE	Sec. 06	Township 10N	Range 35E	CLARK County
MEDICINE LODGE CREEK	SENESE	Sec. 06	Township 10N	Range 35E	CLARK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10N	35E	5		NESW	7		NWSW	39		SWSW	36		SESW	9
		6		NESE	4									
		8		NWNE	36		SWNE	39		SENE	11			
				NENW	39		NWNW	18		SWNW	15		SENE	40
				NESW	40		NWSW	11		SWSW	7		SESW	39
				NESE	26		NWSE	39		SWSE	34		SESE	2
		9		SWNW	3									
				NWSW	31		SWSW	16						
		17		NESE	39		SESE	39						
		20		NENE	16		SENE	23						
				NESE	30		SESE	19						
		34		NWNE	17		SWNE	36						
				NWNW	29		SWNW	40		SENE	40			
				NESW	40		SESW	25						

Total Acres: 934

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 25.56 CFS. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 934 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077
3. C18 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.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. WATER IS DELIVERED THROUGH MEDICINE LODGE 6NESE THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00026, 32-00027, 32-00028, 32-00038, 32-00040, 32-00041, 32-02022, 32-02048, 32-02077

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/2/2012

WATER RIGHT NO. 32-40

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURAL GUARDIAN LLC 2880 N 55 W IDAHO FALLS, ID 83402 (208)528-6635
Original Owner	WEBSTER RANCH 172 WEBSTER RD DUBOIS, ID 83423-5002 (208)374-5452

Priority Date: 05/03/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MEDICINE LODGE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	3.24 CFS	
Total Diversion			3.24 CFS	

Location of Point(s) of Diversion:

MEDICINE LODGE CREEK	NWNE	Sec. 06	Township 10N	Range 35E	CLARK County
MEDICINE LODGE CREEK	SENESE	Sec. 06	Township 10N	Range 35E	CLARK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	35E	5		NESW	7		NWSW	39		SWSW	36		SESW	9
		6		NESE	4									
		8		NWNE	36		SWNE	39		SENE	11			
				NENW	39		NWNW	18		SWNW	15		SENW	40
				NESW	40		NWSW	11		SWSW	7		SESW	39
				NESE	26		NWSE	39		SWSE	34		SESE	2
		9		SWNW	3									
				NWSW	31		SWSW	16						
		17		NESE	39		SESE	39						
		20		NENE	16		SENE	23						
				NESE	30		SESE	19						
		34		NWNE	17		SWNE	36						
				NWNW	29		SWNW	40		SENW	40			
				NESW	40		SESW	25						

Total Acres: 934

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 25.56 CFS. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00041, 32-02022, 32-02048, 32-02077
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 934 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00041, 32-02022, 32-02048, 32-02077
3. C18 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.
4. WATER IS DELIVERED THROUGH MEDICINE LODGE 6NESE THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00041, 32-02022, 32-02048, 32-02077
5. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/2/2012

WATER RIGHT NO. 32-41

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURAL GUARDIAN LLC 2880 N 55 W IDAHO FALLS, ID 83402 (208)528-6635
Original Owner	WEBSTER RANCH 172 WEBSTER RD DUBOIS, ID 83423-5002 (208)374-5452

Priority Date: 11/01/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MEDICINE LODGE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.74 CFS	
Total Diversion			0.74 CFS	

Location of Point(s) of Diversion:

MEDICINE LODGE CREEK	NWNE	Sec. 06	Township 10N	Range 35E	CLARK County
MEDICINE LODGE CREEK	SENESE	Sec. 06	Township 10N	Range 35E	CLARK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10N	35E	5		NESW	7		NWSW	39		SWSW	36		SESW	9
				NESE	4									
				NWNE	36		SWNE	39		SENE	11			
		8		NENW	39		NWNW	18		SWNW	15		SENW	40
				NESW	40		NWSW	11		SWSW	7		SESW	39
				NESE	26		NWSE	39		SWSE	34		SESE	2
		9		SWNW	3									
				NWSW	31		SWSW	16						
				NESE	39		SESE	39						
		17		NENE	16		SENE	23						
				NESE	30		SESE	19						
				NWNE	17		SWNE	36						
		20		NWNW	29		SWNW	40		SENW	40			
				NESW	40		SESW	25						
		34												

Total Acres: 934

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 25.56 CFS. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-02022, 32-02048, 32-02077
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 934 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-02022, 32-02048, 32-02077
3. C18 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.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. WATER IS DELIVERED THROUGH MEDICINE LODGE 6NESE THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-02022, 32-02048, 32-02077
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/2/2012

WATER RIGHT NO. 32-2022

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURAL GUARDIAN LLC 2880 N 55 W IDAHO FALLS, ID 83402 (208)528-6635
Original Owner	WEBSTER RANCH 172 WEBSTER RD DUBOIS, ID 83423-5002 (208)374-5452

Priority Date: 03/31/1909

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MEDICINE LODGE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	2.8 CFS	
Total Diversion			2.8 CFS	

Location of Point(s) of Diversion:

MEDICINE LODGE CREEK	NWNE	Sec. 06	Township 10N	Range 35E	CLARK County
MEDICINE LODGE CREEK	SENESE	Sec. 06	Township 10N	Range 35E	CLARK County

IRRIGATION Use:
Acre Limit: 140

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10N	35E	5		NESW	7		NWSW	39		SWSW	36		SESW	9
		6		NESE	4									
		8		NWNE	36		SWNE	39		SENE	11			
				NENW	39		NWNW	18		SWNW	15		SENE	40
				NESW	40		NWSW	11		SWSW	7		SESW	39
				NESE	26		NWSE	39		SWSE	34		SESE	2
		9		SWNW	3									
				NWSW	31		SWSW	16						
		17		NESE	39		SESE	39						
		20		NENE	16		SENE	23						
				NESE	30		SESE	19						
		34		NWNE	17		SWNE	36						
				NWNW	29		SWNW	40		SENE	40			
				NESW	40		SESW	25						

Total Acres: 934

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 25.56 CFS. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02048, 32-02077
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 934 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02048, 32-02077 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. C18 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.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. WATER IS DELIVERED THROUGH MEDICINE LODGE 6NESE THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02048, 32-02077

Dates:

Licensed Date:

Decreed Date: 10/27/2000

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 32C

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 934

Combined Volume Limit:

Combined Rate Limit: 25.56

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/2/2012

WATER RIGHT NO. 32-2048

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURAL GUARDIAN LLC 2880 N 55 W IDAHO FALLS, ID 83402 (208)528-6635
Original Owner	WEBSTER RANCH 172 WEBSTER RD DUBOIS, ID 83423-5002 (208)374-5452

Priority Date: 10/06/1913

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MEDICINE LODGE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	2.9 CFS	
Total Diversion			2.9 CFS	

Location of Point(s) of Diversion:

MEDICINE LODGE CREEK	NWNE	Sec. 06	Township 10N	Range 35E	CLARK County
MEDICINE LODGE CREEK	SENESE	Sec. 06	Township 10N	Range 35E	CLARK County

IRRIGATION Use:
Acre Limit: 145

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10N	35E	5		NESW	7		NWSW	39		SWSW	36		SESW	9
		6		NESE	4									
		8		NWNE	36		SWNE	39		SENE	11			
				NENW	39		NWNW	18		SWNW	15		SENW	40
				NESW	40		NWSW	11		SWSW	7		SESW	39
				NESE	26		NWSE	39		SWSE	34		SESE	2
		9		SWNW	3									
				NWSW	31		SWSW	16						
		17		NESE	39		SESE	39						
		20		NENE	16		SENE	23						
				NESE	30		SESE	19						
		34		NWNE	17		SWNE	36						
				NWNW	29		SWNW	40		SENW	40			
				NESW	40		SESW	25						

Total Acres: 934

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 25.56 CFS. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02077
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 934 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02077 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. C18 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.
4. WATER IS DELIVERED THROUGH MEDICINE LODGE 6NESE THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED

- ABOVE: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041,
32-02022, 32-02077
5. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT
TO SECTION 42-1425, IDAHO CODE.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 10/27/2000

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 32C

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 934

Combined Volume Limit:

Combined Rate Limit: 25.56

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/2/2012

WATER RIGHT NO. 32-2077

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATURAL GUARDIAN LLC 2880 N 55 W IDAHO FALLS, ID 83402 (208)528-6635
Original Owner	WEBSTER RANCH 172 WEBSTER RD DUBOIS, ID 83423-5002 (208)374-5452

Priority Date: 04/03/1928

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MEDICINE LODGE CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	5.24 CFS	
Total Diversion			5.24 CFS	

Location of Point(s) of Diversion:

MEDICINE LODGE CREEK	NWNE	Sec. 06	Township 10N	Range 35E	CLARK County
MEDICINE LODGE CREEK	SENESE	Sec. 06	Township 10N	Range 35E	CLARK County

IRRIGATION Use:
Acre Limit: 262

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10N	35E	5		NESW	7		NWSW	39		SWSW	36		SESW	9
		6		NESE	4									
		8		NWNE	36		SWNE	39		SENE	11			
				NENW	39		NWNW	18		SWNW	15		SENE	40
				NESW	40		NWSW	11		SWSW	7		SESW	39
				NESE	26		NWSE	39		SWSE	34		SESE	2
		9		SWNW	3									
				NWSW	31		SWSW	16						
		17		NESE	39		SESE	39						
		20		NENE	16		SENE	23						
				NESE	30		SESE	19						
		34		NWNE	17		SWNE	36						
				NWNW	29		SWNW	40		SENE	40			
				NESW	40		SESW	25						

Total Acres: 934

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 25.56 CFS. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 934 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 262 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. C18 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.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. WATER IS DELIVERED THROUGH MEDICINE LODGE 6NESE THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00026, 32-00027, 32-00028, 32-00038, 32-00039, 32-00040, 32-00041, 32-02022, 32-02048

Dates:

Licensed Date:

Decreed Date: 10/27/2000

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 32C

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 934

Combined Volume Limit:

Combined Rate Limit: 25.56

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Attachment No. 7b

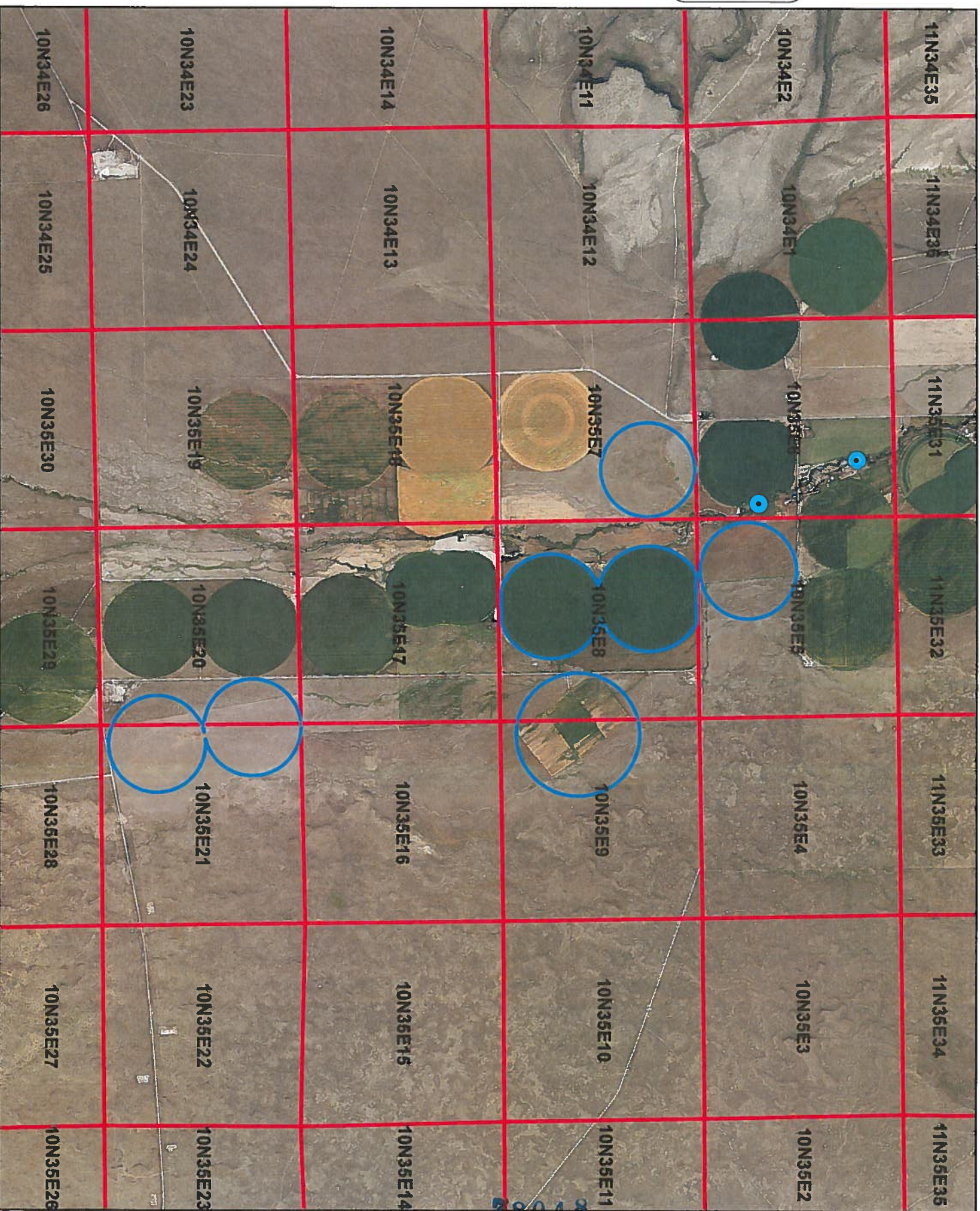
GIS Shape File

NATURAL GUARDIAN TRANSFER



Legend

- PODs
- 934 Acre
- Proposed POU
- Sections



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

2011 NAIP Photo

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

73018

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from an Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

***Means the item is always required and must be included with the application.**

Yes N/A

- ✓ * Completed Application for Transfer of Water Right form, Part 1.
- ✓ * Signature of Applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ✓ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ✓ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ✓ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ✓ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer).

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9

- ✓ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder (see Part 1.)
- ✓ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ✓ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ✓ □ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ✓ □ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ✓ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>
- ✓ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer (See Part 1.5.c)
- ✓ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A).
- ✓ □ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ✓ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B). Additional fee required for proposed changes to nature of use; see fee schedule.
- ✓ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- □ #9 Other. Please describe: _____

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**CERTIFICATE OF ORGANIZATION
LIMITED LIABILITY COMPANY**

(Instructions on back of application)

2011 AUG 10 AM 11:02

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

Natural Guardian, LLC

2. The complete street and mailing addresses of the initial designated/principal office:

2880 N. 55th West, Idaho Falls, Idaho, 83402

(Street Address)

(Mailing Address, if different than street address)

3. The name and complete street address of the registered agent:

Jim Dalton

(Name)

2880 N. 55th West, Idaho Falls, Idaho, 83402

(Street Address)

4. The name and address of at least one member or manager of the limited liability company:

NameAddressMichael D. Batt2880 N. 55th West, Idaho Falls, Idaho, 83402

5. Mailing address for future correspondence (annual report notices):

2880 N. 55th West, Idaho Falls, Idaho, 83402

6. Future effective date of filing (optional): _____

Signature of a manager, member or authorized person.

Signature Michael D. BattTyped Name: Michael D. Batt

Signature _____

Typed Name: _____

Secretary of State use only

IDAHO SECRETARY OF STATE

08/10/2011 05:00

CK: NONE CT: 12945 BH: 1205950

1 @ 30.00 = 30.00 CONVERSION # 2
1 @ 20.00 = 20.00 EXPEDITE C # 3

cert_Loq_3e Rev. 07/2010

78048

W105705

STATEMENT OF CONVERSION

2011 AUG 10 AM 11:02

SECRETARY OF STATE
STATE OF IDAHO

This Statement of Conversion is filed pursuant to Idaho Code § 30-18-405.

- (a) Name of converting entity: Natural Guardian Limited Partnership
Jurisdiction of organization: Idaho
Type of the converting entity: Limited Partnership
- (b) Name of converted entity: Natural Guardian, LLC
Jurisdiction of organization: Idaho
Type of the converted entity: Limited Liability Company
- (c) This conversion is to be effective upon the date of filing of the Statement of Conversion with the Idaho Secretary of State.
- (d) The Plan of Conversion was approved in accordance with Title 30, Chapter 18, Part 4 of the Idaho Code.
- (e) Natural Guardian, LLC, the converted entity, is a domestic filing entity, so the text of its public organic document is attached hereto as Attachment A.

Dated this 30th day of July, 2011.NATURAL GUARDIAN LIMITED PARTNERSHIP,
an Idaho limited partnership

By: TESAMEN ENTERPRISES, INC., General Partner

By: Frank L. VanderSloot
Frank L. VanderSloot, PresidentBy: THE FRANK L. VANDERSLOOT TRUST, u/t/a
August 17, 2010, Limited PartnerBy: Frank L. VanderSloot
Frank L. VanderSloot, Trustee

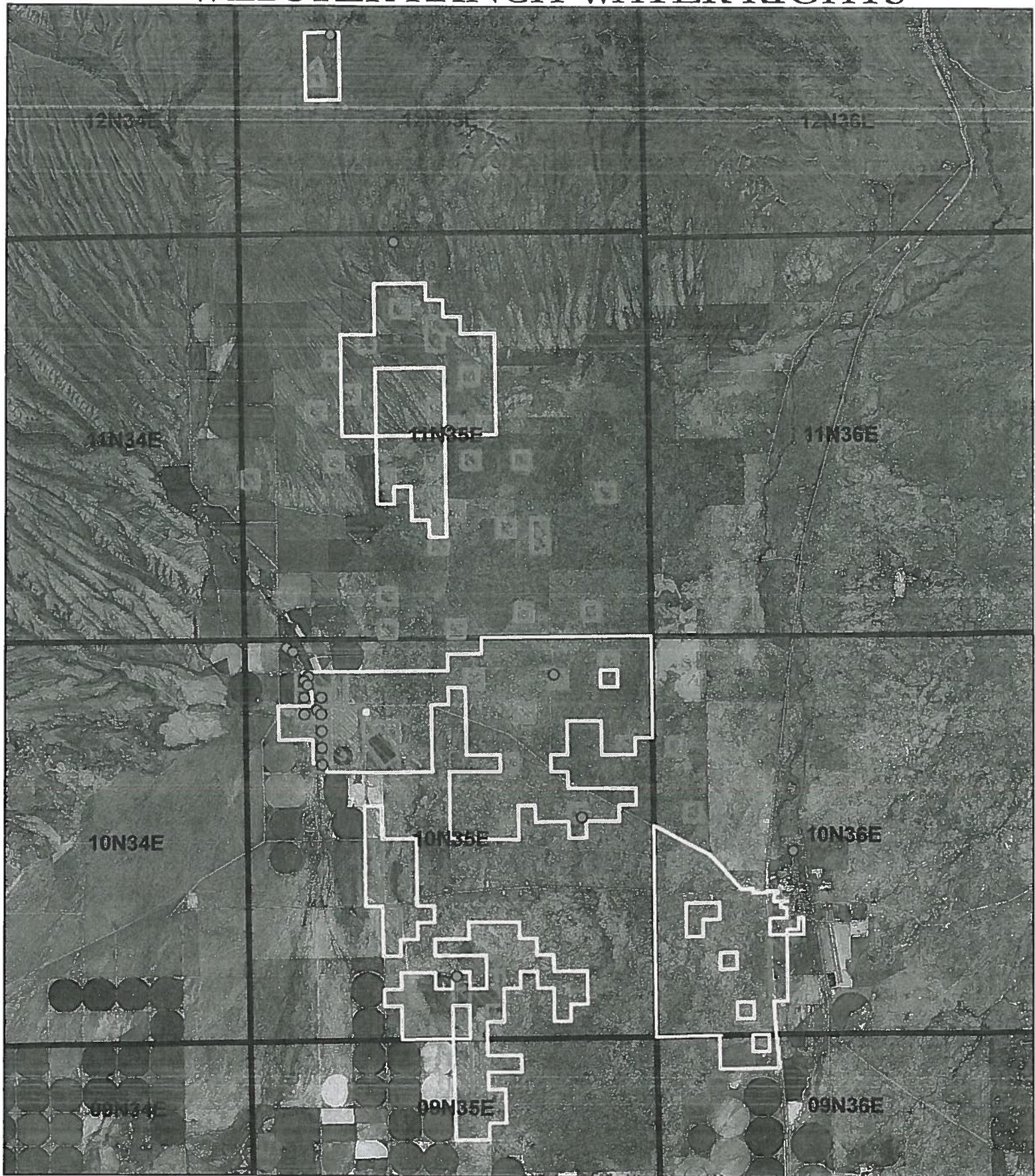
G:\WPDATA\RB\M\Natural Guardian\statement of conversion.wpd:

IDAHO SECRETARY OF STATE
08/10/2011 05:00
CK: NONE CT: 12945 BH: 1205950
1 @ 30.00 = 30.00 CONVERSION # 2
1 @ 20.00 = 20.00 EXPEDITE C # 3

78048

L2447

WEBSTER RANCH WATER RIGHTS



Legend

- Webster_Ranch_PODS
- Webster Ranch Property
- ▨ Webster_Ranch_WR_POU
- ▭ gddb_tr



ownership change
2011.

2009 NAIP Photo



78048

MWT 2010103394
ALLIANCE TITLE & ESCROW CORP
3061020962

SPECIAL WARRANTY DEED

Microfilm No. 054017
30 Day NOV - 20 10
At 4:34 O'Clock P M
LISA BLACK
Clark Co. Recorder
Fee \$ 28.00
[Signature] Deputy
Recorded at Request of
Alliance

THIS DEED, made this 30th day of November 2010, between (i) ALICE MARIE WEBSTER, not individually, but as Personal Representative of THE ESTATE OF JACK H. WEBSTER and (ii) ALICE MARIE WEBSTER, a single woman, (collectively "Grantor"), for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, CONVEY AND WARRANT to NATURAL GUARDIAN, LP, an Idaho limited partnership, whose mailing address for purposes of this deed is 2880 N. 55th West, Idaho Falls, ID 83402 ("Grantee"), the following described real estate, situate in the County of Clark, State of Idaho, hereby waiving and releasing all rights under and by virtue of the homestead exemption laws of the State of Idaho, to-wit:

See Exhibit "A" attached hereto and by this reference made part hereof, subject to the following matters:

1. Real property taxes for the current year which are not due and payable on or before the date hereof;
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof;
3. Easements, claims of easement or encumbrances which are not shown by the public records, and of which Grantor has no knowledge;
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records;
5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof;
6. Canals and ditches;
7. Any rights, interest or easements in favor of the public which exist or are claimed to exist over any part of said land covered by water.

054017

All warranties made, given or implied in this deed are limited to the period of Grantor's ownership, i.e. Grantor gives no warranty of any type, kind, or extent whatsoever with regard to (i) any defect of title against the Property, (ii) any encumbrance against the Property, or (iii) any claim against the Property arising from facts which occurred before title to the Property was vested in Grantor.

Grantor waives all homestead rights in the property described herein.

WITNESS my hand this 30th day of November 2010.

THE ESTATE OF JACK H. WEBSTER

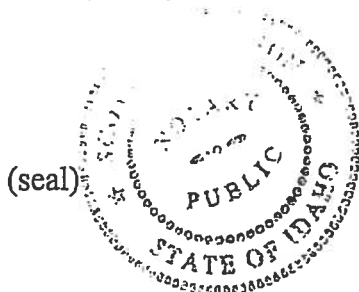
By: Alice Marie Webster
ALICE MARIE WEBSTER
Personal Representative

Alice Marie Webster
ALICE MARIE WEBSTER, Individually

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 30th day of November 2010, before me, the undersigned, a notary public, in and for said State, personally appeared **ALICE MARIE WEBSTER**, known or identified to me to be the person whose name is subscribed to the within instrument, as personal representative of the **ESTATE of JACK H. WEBSTER** and acknowledged to me that she executed the same as such personal representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Scott H. Exelby
Notary Public for Idaho
Residing at: St. Falls
My Commission Expires: 10-25-2011

054017

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 30th day of November, 2010, before me, the undersigned, a notary public, in and for said State, personally appeared **ALICE MARIE WEBSTER** known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(seal)



Scott A. Guelton
Notary Public for Idaho
Residing at: St. Falls
My Commission Expires: 10-25-2011

S:\Wendy's My Files\SPE-Client's\0946\Webster Ranch LLC\Deed-Special Warranty.wpd

Order No.: 3061020962KB

LEGAL DESCRIPTION
EXHIBIT 'A'

Township 12 North, Range 35 East of the Boise Meridian, Clark County, Idaho.
Section 20: W $\frac{1}{2}$

Township 11 North, Range 35 East of the Boise Meridian, Clark County, Idaho.

Section 4: S $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: SE $\frac{1}{4}$

Section 9: All

Section 10: SW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 15: W $\frac{1}{2}$; W $\frac{1}{2}$ E $\frac{1}{4}$

Section 17: E $\frac{1}{2}$

Section 21: N $\frac{1}{2}$; SE $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 28: N $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$

Township 10 North, Range 35 East of the Boise Meridian, Clark County, Idaho.

Section 1: All except NE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 2: All

Section 3: E $\frac{1}{2}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 4: S $\frac{1}{2}$

Section 5: S $\frac{1}{2}$

Section 6: Beginning at a point which is the Quarter Section Corner of Sections 5 and 6 Township 10 North, Range 35 East of the Boise Meridian thence South 0°15' West between Sections 5 and 6 for a distance of 23.82 chains; thence North 42°45' West for a distance of 3.02 chains to the center of the channel of Medicine Lodge Creek; thence Northward along the center line or thread of this channel of Medicine Lodge Creek to its intersection with the North boundary of NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, Township 10 North, Range 35 East of the Boise Meridian; thence Eastward along this Boundary for a distance of 11.59 chains to the point of beginning.

Section 7: NE $\frac{1}{4}$

Section 8: All, except the following described tracts of land; (1) beginning at a point on the Section line between Sections 8 and 17, Township 10 North, Range 35 East of the Boise Meridian, 18 rods East of the Southwest Corner of said Section 8, thence East on said Section line 46 rods; thence Northwesterly 28 rods and 10 feet; thence West 42 rods; thence South 32 rods and 13 feet to the point of beginning; (2) beginning at a point which is the Section Corners of Section 7, 8, 17, 18, Township 10 North, Range 35 East of the Boise Meridian, thence along the Section line of Section 8 and Section 17, which bears North 89°51' East a distance of 18 rods; thence North 0°15' East for a distance of 40 rods; thence South 89°51' West for a distance of 18 rods; thence South 0°15' West for a distance of 40 rods to the point of beginning; (3) starting at the Section Corner common to Section 7, 8, 17, and 18, Township 10 North, Range 35 East of the Boise Meridian and along said Section line which bears North 89°51' East for a distance of 297 feet, thence North 0°15' East for a distance of 514.5 feet to the point of beginning, thence North 0°15' East for a distance of 145.5 feet; thence North 89°51' East for a distance of 619 feet; thence South 2°35' East for a distance of 212 feet; thence North approximately 82°25' West for a distance of 629 feet to the point of beginning.

Excepting Therefrom: A parcel of land located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 10 North, Range 35 East of the Boise Meridian, Clark County, Idaho, and more particularly described as follows: Commence at the Northeast Corner of said Section; thence South 90°0'0" West along the North line of said Section 1307.34 feet to the Northwest Corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence South 0°28'12" East 444.20 feet; thence North 90°0'0" East 100.00 feet to the true point of beginning; thence South 0°28'12" East along the easterly right of way of the County Highway 250.00 feet; thence North 90°0'0" East 250.00 feet; thence North 0°28'12" West 250.00 feet; thence South 90°0'0" West 250.00 feet to the point of beginning.

Excepting therefrom: Section 8: Beginning at the Northwest Corner of Section 8; thence East 500 feet; thence South 500 feet; thence West 500 feet; thence North 500 feet to the Point of Beginning.

Section 9: W $\frac{1}{2}$; W $\frac{1}{2}$ E $\frac{1}{2}$

Section 10: NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 11: W $\frac{1}{2}$; N $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 12: NE $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 13: SW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$

Section 14: SE $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 15: All

Section 17: E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 20: E $\frac{1}{2}$ E $\frac{1}{2}$ less county road rights of way

Section 21: W $\frac{1}{2}$ less road rights of way

Section 26: W $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 27: S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$

Section 28: NW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 33: NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$; SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 34: N $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 35: NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 9 North, Range 35 East of the Boise Meridian, Clark County, Idaho.

Section 3: S $\frac{1}{2}$ NE $\frac{1}{4}$; W $\frac{1}{2}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 10: NW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$

Township 10 North, Range 36 East of the Boise Meridian, Clark County, Idaho.

Section 18: All that portion lying South of U.S. Highway #91.

Section 19: All that portion lying South of U.S. Highway #91, except the former U.S. Highway No. 22. (now abandoned and also known as the old Medicine Lodge Creek Road)

Section 20: That portion of the W $\frac{1}{2}$ lying South of U.S. Highway 91, excepting a strip of land 200 feet wide contiguous to and parallel with the Southerly right of way line of said U.S. Highway 91 as it extends through the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 20.

Also that portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$ lying South of former Idaho State Highway No. 22 and U.S. Highway 91.

Excepting Therefrom a strip of land 200 feet wide contiguous to and parallel with the Southerly right of way line of said highways through the S $\frac{1}{2}$ SE $\frac{1}{4}$ and further excepting the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Excepting therefrom: Township 10 North, Range 36 East Boise Meridian, Clark County, Idaho.

Section 20, a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows: Beginning at a point on the West right of way line of Interstate Highway 15 which bears North 59°08' West 1818.0 feet from the SE corner of said Section, thence North 89°04' West 1000.0 feet; thence South 0°56' West 200.0 feet, thence South 89°04' East 1000.5 feet to the West right of way line of said highway, thence North

32°31' West along said right of way line 146.0 feet; thence North 0°56' East along said right of way line 78.2 feet to the point of beginning

Excepting therefrom: Beginning at a point of intersection 200 feet South of the South right of way of the Old Butte Highway, F.A.P. (US 91) and the East line of Section 20, Township 10 North, Range 36 East of the Boise Meridian, Clark County, Idaho, said point being measured 907.95 feet North along said East section line from the Southeast corner of Section 20 (and also being the Northeast corner of the property described in that certain Warranty Deed recorded as Instrument No. 44436, records of Clark County, Idaho); running thence South 250 feet, more or less to the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 20; thence West along the North line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ extended 895 feet more or less, to the East line of Interstate 15, thence Northeasterly along the East line of Interstate 15 to the Southwest corner of the property described in that certain Warranty Deed recorded as Instrument No. 44436, records of Clark County, Idaho; thence South 89°00'31" East along the South line of said property 753.43 feet to the point of beginning.

Excepting therefrom: Part of the Southeast Quarter of Section 20 Township 10 North Range 36 East Boise Meridian, Clark County, Idaho, described as follows:

Beginning at a point that is North 01°24'25" West 659.92 feet along the section line and North 89°09'56" West 664.70 feet from the Southeast corner of said Section 20 running thence South 01°24'25" East 659.92 feet; thence North 89°09'56" West 368.37 feet to the easterly right of way line of Interstate 15; thence along said right of way the following 3 courses: (1) North 00°55'17" East 274.86 feet; (2) thence North 15°58'04" East 385.23 feet; (3) thence North 30°00'20" East 14.53 feet; thence South 89°09'56" East 234.49 feet to the Point of Beginning.

Section 28: SW $\frac{1}{4}$ NW $\frac{1}{4}$, less the following described tracts: (1) Commencing at a point 60 feet South of the Southwest corner of Lot 15, Block 12, Thomas Addition to the Village of Dubois, according to the official plat thereof, and thereafter in this description conforming to the directional variations of the official survey of said Thomas Addition; running thence Southward 291.2 feet; thence Eastward 150 feet; thence Northward 291.20 feet; thence Westward 150 feet to the point of beginning; (2) beginning at the W $\frac{1}{4}$ corner of Section 28, Township 10 North, Range 36 East, Boise Meridian, thence North 0°00' East 406.20 feet along the West line of said Section 28, thence North 90°00' East 30.00 feet to a point in a line parallel with and 30 feet Easterly from the West line of said Section 28 and which point is the real point of beginning; thence North 0°00' East along said parallel line 912.60 feet, more or less, to a point in grantor's Northerly fence line, thence North 89°43' East along said fence line a distance of 911.00 feet, thence South 0°54' East 902.45 feet; thence South 89°06' West 925.28 feet more or less, to the real point of beginning. Excepting therefrom the aforementioned exception Tract No. 1 to this Section 28, Township 10 North, Range 36 East Boise Meridian property.

Section 29: All, except the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Excepting therefrom: Beginning at the Northeast corner of Section 29, Township 10 North, Range 36 East of the Boise Meridian, Clark County, Idaho; running thence South 00°06'48" East along the section line 26.66 feet to the True Point of Beginning; running thence North 89°20'47" West 466.70 feet; thence South 00°06'43" East 466.75 feet; thence South 89°21'02" East 466.71 feet to the East line of said Section 29; thence North 00°06'48" West 466.72 feet to the True Point of Beginning.

Section 30: All, except N $\frac{1}{2}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$.

054017

Section 31: All

Section 32: All, except NE $\frac{1}{4}$ SW $\frac{1}{4}$ and that portion of the SE $\frac{1}{4}$ lying East of the East right of way line of U.S. Highway I-15.

Township 9 North, Range 36 East, Boise Meridian, Clark County, Idaho.

Section 5: That portion of the N $\frac{1}{2}$ lying West of the West right of way line of U.S. Highway No. I-15, excepting Lot 2 thereof.

ALLIANCE TITLE & ESCROW CORP

3061020962

QUITCLAIM DEED
(WITH AFTER ACQUIRED PROVISION)

Microfilm No. 054016
30 Day Nov 20 10
At 4:32 O'Clock P M
LISA BLACK
Clark Co. Recorder
Fee \$ 116.00
US Deputy
Recorded at Request of Alliance

THIS INDENTURE, made this 30th day of November, 2010, by (i) ALICE MARIE WEBSTER, not individually, but as Personal Representative of THE ESTATE OF VERLA L. WEBSTER and (ii) ALICE MARIE WEBSTER, not individually, but as Personal Representative of THE ESTATE OF JACK H. WEBSTER, (collectively the "Grantor"), and NATURAL GUARDIAN, LP, an Idaho limited partnership, whose mailing address for purposes of this deed is 2880 N. 55th West, Idaho Falls, ID 83402, the "Grantee".

W I T N E S S E T H:

That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Grantee, and to Grantee's heirs and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described real estate in the County of Clark, State of Idaho, to-wit:

All water rights held by the Estate of Verla L. Webster, Verla L. Webster as the surviving widow of Hugh Russell Webster, and any interest of Jack H. Webster, as sole surviving son of Hugh Russell Webster and Verla L. Webster, in the following property:

Township 10 North, Range 35 E.B.M.
Section 5: W1/2SW1/4

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

TO HAVE AND TO HOLD said premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

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In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument on the date set forth below.

THE ESTATE OF VERLA L. WEBSTER

By: Alice Marie Webster
ALICE MARIE WEBSTER
Personal Representative

THE ESTATE OF JACK H. WEBSTER

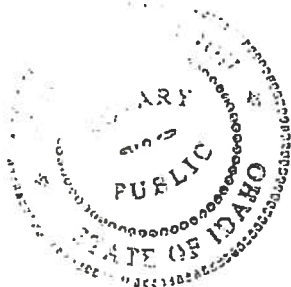
By: Alice Marie Webster
ALICE MARIE WEBSTER
Personal Representative

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 30th day of November 2010, before me, the undersigned, a notary public, in and for said State, personally appeared ALICE MARIE WEBSTER, known or identified to me to be the person whose name is subscribed to the within instrument, as personal representative of the ESTATE OF VERLA L. WEBSTER and acknowledged to me that she executed the same as such personal representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(seal)



Scott G. Gullett
Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 10-25-2011

2 - QUITCLAIM DEED

It has not been examined as to its execution, insurability or effect on title.

78048

054016

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 30th day of November 2010, before me, the undersigned, a notary public, in and for said State, personally appeared ALICE MARIE WEBSTER, known or identified to me to be the person whose name is subscribed to the within instrument, as personal representative of the ESTATE OF JACK H. WEBSTER and acknowledged to me that she executed the same as such personal representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(seal)



Scott H. Exelsson
Notary Public for Idaho
Residing at: *Id Falls*
My Commission Expires: *10-25-2011*