

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76819

This is to certify that: NATURAL GUARDIAN LTD PARTNERSHIP
 2880 N 55 W
 IDAHO FALLS ID 83402
 (208) 528-6635

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-8863	WR/License	07/03/1989	6.68 cfs	N/A	334.0	482.5	GROUND WATER
35-8942	WR/License	04/17/1991	0.22 cfs	N/A	68.0	482.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

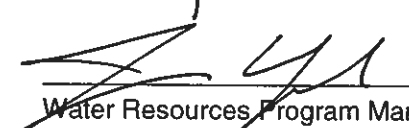
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-8863	NO	NO	YES	NO	NO	NO
35-8942	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-8863	35-8863	6.68 cfs	1336 af	334.0	425.9		N/A	N/A	N/A	N/A
35-8942	35-8942	0.22 cfs	272 af	68.0	425.9		N/A	N/A	N/A	N/A
COMBINED TOTALS		6.9 cfs	1608 af	402.0	425.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of January, 2011


 Water Resources Program Manager

SUPPORT DATA
 IN FILE # 35-8863

WATER RIGHT NO. 35-8863
As Modified by Transfer No. 76819

In accordance with the approval of Transfer No. 76819, Water Right No. 35-8863 is now described as follows.

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

Priority Date: July 03, 1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	6.68 CFS	1,336.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 9 Twp 02N Rge 36E BONNEVILLE 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	
02N	36E	9			.6	3.6									39.4	24.4	17.3	34.7	120.0
02N	36E	10									31.0	14.7	27.4	40.0		9.0	14.4		136.5
02N	36E	15			10.1		39.1	13.0	29.6	34.4	22.5	9.0				7.2			164.9
02N	36E	16	2.8			1.6									.1				4.5

Total Acres: 425.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 334 acres within the authorized place of use in a single irrigation season.
2. Rights 35-8863 and 35-8942 when combined shall not exceed a total annual maximum diversion volume of 1608 af at the field headgate, and the irrigation of 402 acres.
3. Rights 35-8863 and 35-8942 are limited to the irrigation of a specific 402 acres within the 425.9 acre place of use authorized by these rights in a single irrigation season. The specific 402 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 402 acres to be irrigated within the 425.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

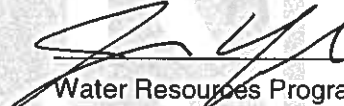
WATER RIGHT NO. 35-8863
As Modified by Transfer No. 76819

CONDITIONS OF APPROVAL

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 76819, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of January, 20 11


Water Resources Program Manager

WATER RIGHT NO. 35-8942
As Modified by Transfer No. 76819

In accordance with the approval of Transfer No. 76819, Water Right No. 35-8942 is now described as follows.

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

Priority Date: April 17, 1991

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.22 CFS	272.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 9 Twp 02N Rge 36E BONNEVILLE 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	
02N 36E 9			.6	3.6									39.4	24.4	17.3	34.7	120.0
02N 36E 10									31.0	14.7	27.4	40.0		9.0	14.4		136.5
02N 36E 15			10.1		39.1	13.0	29.6	34.4	22.5	9.0				7.2			164.9
02N 36E 16	2.8			1.6									.1				4.5

Total Acres: 425.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 68 acres within the authorized place of use in a single irrigation season.
2. Rights 35-8863 and 35-8942 when combined shall not exceed a total annual maximum diversion volume of 1608 af at the field headgate, and the irrigation of 402 acres.
3. Rights 35-8863 and 35-8942 are limited to the irrigation of a specific 402 acres within the 425.9 acre place of use authorized by these rights in a single irrigation season. The specific 402 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 402 acres to be irrigated within the 425.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 35-8942
As Modified by Transfer No. 76819

CONDITIONS OF APPROVAL

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 76819, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of January, 20 11


Water Resources Program Manager