

09/19/2005

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

RIGHT NUMBER: 21-12539

NAME AND ADDRESS: NORTH FORK HIGHLANDS PROPERTY OWNERS ASSOCIATION INC
444 B ST
IDAHO FALLS ID 83402

SOURCE: BLUE CREEK

TRIBUTARY: HENRYS FORK

QUANTITY: 77.35 AFY

Right Nos. 21-7075 and 21-12539 are limited to a total combined diversion rate of 2.41 cfs.

PRIORITY DATE: 07/08/1987

earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T09N R43E S10 NWNENE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	77.35 AFY

PLACE OF USE: IRRIGATION Within FREMONT County

T09N R43E S10	SENE	0.3	T09N R43E S11	NENE	3.3
T09N R43E S11	NWNE	19.0	T09N R43E S11	SWNE	1.1
T09N R43E S11	SENE	0.3	T09N R43E S11	NENW	20.0
T09N R43E S11	NWNW	23.0	T09N R43E S11	SWNW	39.0
T09N R43E S11	SENW	39.0	T09N R43E S11	NESW	33.0
T09N R43E S11	NWSE	38.0			

216 ACRES TOTAL

This right is limited to the irrigation of 22.1 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 216 acres in a single irrigation season. Combined Right Nos.: 21-7076, 21-7075, 21-12538, 21-12539, 21-2102, 21-2104, 21-2045

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

This right is based upon an enlargement of Right No. 21-7075 pursuant to Section 42-1426, Idaho Code.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 22.1 acres within the place of use described for this right.