



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**AMENDED**

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 21-02045

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

SOURCE: BLUE CREEK TRIBUTARY: HENRYS FORK

QUANTITY: 1.00 CFS

PRIORITY DATE: 12/03/1911

POINT OF DIVERSION: T09N R43E S10 NWNENE Within Fremont County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 1.00 CFS |

| PLACE OF USE: | Irrigation        |           | Within Fremont County |
|---------------|-------------------|-----------|-----------------------|
|               | T09N R43E S11     | NENE 3.3  | NWNE 19.0             |
|               |                   | SWNE 1.1  | SENE 0.3              |
|               |                   | NENW 20.0 | NWNW 23.0             |
|               |                   | SWNW 39.0 | SENE 39.0             |
|               |                   | NESW 33.0 | NWSE 38.0             |
|               | 215.7 Acres Total |           |                       |

The rights listed below are limited to the irrigation of a combined total of 215.7 acres in a single irrigation season. Combined Right Nos.: 21-7076, 21-7075, 21-12538, 21-12539, 21-2102, 21-2104, 21-2045, and 21-4025.

This right is limited to the irrigation of 50 acres within the place of use described above in a single irrigation season.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

**DRAFT**

John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**AMENDED**

In Re SRBA                                 )  
                                                      )  
Case No. 39576                             )  
\_\_\_\_\_)                                         Water Right 21-02102

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

SOURCE:                   BLUE CREEK   TRIBUTARY: HENRYS FORK

QUANTITY:                 0.20   CFS

PRIORITY DATE:           09/20/1949

POINT OF DIVERSION:       T09N R43E S10                   NWNENE   Within Fremont County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY   |
|-------------------------------|----------------|----------------|------------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.20   CFS |

| PLACE OF USE: | Irrigation          |           | Within Fremont County |
|---------------|---------------------|-----------|-----------------------|
|               | T09N R43E S11       | NENE 3.3  | NWNE 19.0             |
|               |                     | SWNE 1.1  | SENE 0.3              |
|               |                     | NENW 20.0 | NWNW 23.0             |
|               |                     | SWNW 39.0 | SENW 39.0             |
|               |                     | NESW 33.0 | NWSE 38.0             |
|               | 215.7   Acres Total |           |                       |

The rights listed below are limited to the irrigation of a  
combined total of 215.7 acres in a single irrigation season.  
Combined Right Nos.: 21-7076, 21-7075, 21-12538, 21-12539,  
21-2102, 21-2104, 21-2045 and 21-4025.

This right is limited to the irrigation of 40 acres within the  
place of use described above in a single irrigation season.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance  
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a  
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final  
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

**DRAFT**

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**AMENDED**

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 21-02104

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

SOURCE: UNNAMED STREAM TRIBUTARY: BLUE CREEK

QUANTITY: 0.60 CFS

PRIORITY DATE: 03/20/1953

POINT OF DIVERSION: T09N R43E S10 SWNWNE Within Fremont County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.60 CFS |

| PLACE OF USE: | Irrigation        | Within Fremont County |
|---------------|-------------------|-----------------------|
|               | T09N R43E S11     |                       |
|               | NENE 3.3          | NWNE 19.0             |
|               | SWNE 1.1          | SENE 0.3              |
|               | NENW 20.0         | NWNW 23.0             |
|               | SWNW 39.0         | SENE 39.0             |
|               | NESW 33.0         | NWSE 38.0             |
|               | 215.7 Acres Total |                       |

The rights listed below are limited to the irrigation of a combined total of 215.7 acres in a single irrigation season. Combined Right Nos.: 21-7076, 21-7075, 21-12538, 21-12539, 21-2102, 21-2104, 21-2045 and 21-4025.

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

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Presiding Judge of the  
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**AMENDED**

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
\_\_\_\_\_ ) Water Right 21-07075

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

SOURCE: BLUE CREEK TRIBUTARY: HENRYS FORK

QUANTITY: 2.41 CFS  
459.00 AFY

Right Nos. 21-7075 and 21-12539 are limited to a total  
combined diversion rate of 2.47 cfs.

PRIORITY DATE: 08/08/1975

POINT OF DIVERSION: T09N R43E S10 NWNENE Within Fremont County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 2.41 CFS<br>459.00 AFY |

| PLACE OF USE: | Irrigation        |           | Within Fremont County |
|---------------|-------------------|-----------|-----------------------|
|               | T09N R43E S11     | NENE 3.3  | NWNE 19.0             |
|               |                   | SWNE 1.1  | SENE 0.3              |
|               |                   | NENW 20.0 | NWNW 23.0             |
|               |                   | SWNW 39.0 | SENW 39.0             |
|               |                   | NESW 33.0 | NWSE 38.0             |
|               | 215.7 Acres Total |           |                       |

The rights listed below are limited to the irrigation of a  
combined total of 215.7 acres in a single irrigation season.  
Combined Right Nos.: 21-7076, 21-7075, 21-12538, 21-12539,  
21-2102, 21-2104, 21-2045 and 21-4025.

This right is limited to the irrigation of 153 acres within  
the place of use described above in a single irrigation season.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

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Presiding Judge of the  
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**AMENDED**

In Re SRBA )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Case No. 39576 )  
Water Right 21-07076

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

SOURCE: UNNAMED STREAM TRIBUTARY: BLUE CREEK

QUANTITY: 2.47 CFS  
459.00 AFY

Right Nos. 21-7076 and 21-12538 are limited to a total  
combined diversion rate of 2.47 cfs.

PRIORITY DATE: 08/08/1975

POINT OF DIVERSION: T09N R43E S10 SWNWNE Within Fremont County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 2.47 CFS<br>459.00 AFY |

| PLACE OF USE: | Irrigation        | Within Fremont County |
|---------------|-------------------|-----------------------|
|               | T09N R43E S11     |                       |
|               | NENE 3.3          | NWNE 19.0             |
|               | SWNE 1.1          | SENE 0.3              |
|               | NENW 20.0         | NWNW 23.0             |
|               | SWNW 39.0         | SENW 39.0             |
|               | NESW 33.0         | NWSE 38.0             |
|               | 215.7 Acres Total |                       |

This right is limited to the irrigation of 153 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 215.7 acres in a single irrigation season.  
Combined Right Nos.: 21-7076, 21-7075, 21-12538, 21-12539,  
21-2102, 21-2104, 21-2045 and 21-4025.

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. I.C. SECTION 42-1412(6).

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 21-12538

AMENDED

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

SOURCE: UNNAMED STREAM TRIBUTARY: BLUE CREEK

QUANTITY: 0.36 CFS  
77.35 AFY

Right Nos. 21-7076 and 21-12538 are limited to a total  
combined diversion rate of 2.47 cfs.

PRIORITY DATE: 07/08/1982

This water right is subordinate to all water rights with a  
priority date 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 SWNWE Within Fremont County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|-------------------------------|----------------|----------------|-----------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.36 CFS<br>77.35 AFY |

| PLACE OF USE: | Irrigation        | Within Fremont County |
|---------------|-------------------|-----------------------|
|               | T09N R43E S11     |                       |
|               | NENE 3.3          | NWNE 19.0             |
|               | SWNE 1.1          | SENE 0.3              |
|               | NENW 20.0         | NWNW 23.0             |
|               | SWNW 39.0         | SENW 39.0             |
|               | NESW 33.0         | NWSE 38.0             |
|               | 215.7 Acres Total |                       |

The rights listed below are limited to the irrigation of a  
combined total of 215.7 acres in a single irrigation season.  
Combined Right Nos.: 21-7076, 21-7075, 21-12538, 21-12539,  
21-2102, 21-2104, 21-2045 and 21-4025.

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

This right is based upon an enlargement of Right No. 21-7076  
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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

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John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 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: 0.35 CFS  
77.35 AFY

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

PRIORITY DATE: 07/08/1982

This water right is subordinate to all water rights with a  
priority date 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<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|-------------------------------|----------------|----------------|-----------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.35 CFS<br>77.35 AFY |

| PLACE OF USE: | Irrigation                                                  | Within Fremont County                                        |
|---------------|-------------------------------------------------------------|--------------------------------------------------------------|
| T09N R43E S11 | NENE 3.3<br>SWNE 1.1<br>NENW 20.0<br>SWNW 39.0<br>NESW 33.0 | NWNE 19.0<br>SENE 0.3<br>NWNW 23.0<br>SENW 39.0<br>NWSE 38.0 |
|               | 215.7 Acres Total                                           |                                                              |

The rights listed below are limited to the irrigation of a  
combined total of 215.7 acres in a single irrigation season.  
Combined Right Nos.: 21-7076, 21-7075, 21-12538, 21-12539,  
21-2102, 21-2104, 21-2045 and 21-4025.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DRAFT

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John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREES AND NOTICE OF HEARING THEREON was mailed on September 02, 2008, with sufficient first-class postage to the following:

NORTH FORK HIGHLANDS PROPERTY  
OWNERS ASSOCIATION INC  
444 B ST  
IDAHO FALLS, ID 83402

UNITED STATES OF AMERICA  
Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".