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JAN 03 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
DEC 30 2010
Clerk Deputy Clerk

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

Case No. 39576

) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION; FINDINGS OF
) FACT AND CONCLUSIONS OF LAW

) FOR WATER RIGHT: 21-110, 21-111,
) and 21-112
) (North Fork Reservoir Company)

I. FINDINGS OF FACT

A notice of claim was filed for each of these water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

Objections were filed by the United States Bureau of Land Management and F. Dave Rydalch. The *Objections* were resolved on October 21, 2010 with the filing of *Standard Forms 5*. All parties to the subcases and IDWR are signatories to the *Standard Forms 5*.

A. Digital Boundary

The place of use for this right is a digital boundary and is illustrated by the map overlay attached to the *Recommendation for Partial Decree*. The digital boundary for the place of use is described on the CD-Rom filed with the court.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that these water rights be decreed with the elements set forth in the attached *Special Master's Recommendations for Partial Decrees*.

DATED: December 30, 2010.


BRIGETTE BIL YEU, Special Master
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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 21-00110

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC 30 2010

By _____ Clerk
Deputy Clerk

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: NORTH FORK RESERVOIR CO
C/O RAY W RIGBY SEC
PO BOX 250
REXBURG, ID 83440

SOURCE: TIMBER CREEK TRIBUTARY: HENRYS LAKE

QUANTITY: 320.00 AFY

Total reservoir capacity is 89,900 acre feet when filled to elevation 6635 and measured at the upstream face of the dam. Right Nos. 21-110 and 21-111 are limited to a total combined annual diversion volume of 320 AF.

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION: T15N R43E S26 SWNW Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	320.00 CFS
	Irrigation from Storage	04-01 TO 10-31	320.00 CFS

PLACE OF USE:

41191 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use for irrigation from storage is within the area served by North Fork Reservoir Company which includes Egin Bench Canal Co., The Salem-Union Canal Co., and the Consolidated Farmers Canal Co. located within Madison and Fremont Counties, Idaho.

Place of use for irrigation storage is Henrys Lake. Right Nos. 21-110 and 21-111 are limited to the irrigation of a combined total of 160 acres 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).

RECOMMENDATION

DEC 30 2010

Bridgette Silvey
SPECIAL MASTER

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 21-00111

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC 30 2010

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JAN 03 2011

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: NORTH FORK RESERVOIR CO
C/O RAY W RIGBY SEC
PO BOX 250
REXBURG, ID 83440

SOURCE: JOHNSON CREEK TRIBUTARY: HENRYS LAKE

QUANTITY: 320.00 AFY

Total reservoir capacity is 89,900 acre feet when filled to
elevation 6635 and measured at the upstream face of the dam.
Right Nos. 21-110 and 21-111 are limited to a total combined
annual diversion volume of 320 AF.

PRIORITY DATE: 06/01/1987

POINT OF DIVERSION: T15N R43E S26 SWNW Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	320.00 AFY
	Irrigation from Storage	04-01 TO 10-31	320.00 AFY

PLACE OF USE:

41191 ACRES TOTAL

The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h).
The data comprising the digital boundary are incorporated herein
by reference and are stored on a CD-ROM disk issued in duplicate
originals on file with the SRBA District Court and the Idaho
Department of Water Resources. A map depicting the place of use
is attached hereto to illustrate the place of use described by
the digital boundary.

Place of use for irrigation from storage is within the area
served by North Fork Reservoir Company which includes Egin Bench
Canal Co., The Salem-Union Canal Co., and the Consolidated
Farmers Canal Co. located within Madison and Fremont Counties,
Idaho.

Place of use for irrigation storage is Henrys Lake.
Right Nos. 21-110 and 21-111 are limited to the irrigation of a
combined total of 160 acres 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).

RECOMMENDATION

DEC 30 2010

Bipette Silvey
SPECIAL MASTER

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 21-00112

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
DEC 30 2010
By _____ Clerk Deputy Clerk

NAME AND ADDRESS: NORTH FORK RESERVOIR CO
C/O RAY W RIGBY SEC
PO BOX 250
REXBURG, ID 83440

SOURCE: JOHNSON CREEK TRIBUTARY: HENRYS LAKE

QUANTITY: 302.72 AFY

Total reservoir capacity is 89,900 acre feet when filled to
elevation 6635 and measured at the upstream face of the dam.

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION: T15N R43E S26 SWNW Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	302.72 AFY
	Irrigation from Storage	04-01 TO 10-31	302.72 AFY

PLACE OF USE:

41191 ACRES TOTAL
The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h).
The data comprising the digital boundary are incorporated herein
by reference and are stored on a CD-ROM disk issued in duplicate
originals on file with the SRBA District Court and the Idaho
Department of Water Resources. A map depicting the place of use
is attached hereto to illustrate the place of use described by
the digital boundary.
Place of use for irrigation from storage is within the area
served by North Fork Reservoir Company which includes Egin Bench
Canal Co., The Salem-Union Canal Co., and the Consolidated
Farmers Canal Co. located within Madison and Fremont Counties,
Idaho.
Place of use for irrigation storage is Henrys Lake.
This right is limited to the irrigation of 151.36 acres within
the place of use described above in a single irrigation season..

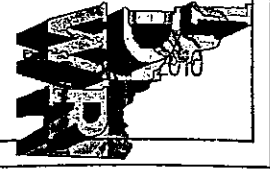
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

RECOMMENDATION
DEC 30 2010
<i>Lucretia Silbey</i> SPECIAL MASTER

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DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho



Clerk
Deputy Clerk

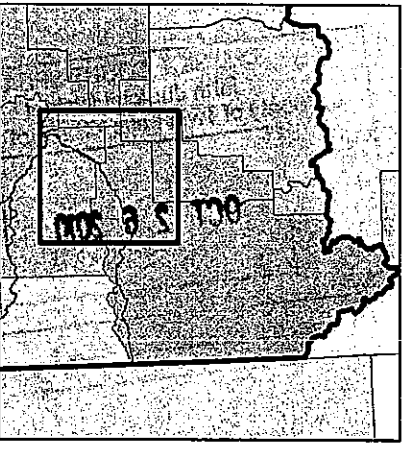
Irrigation From Storage Service Area Boundary
By GIS Place of Use Illustration

North Fork Reservoir Co

Adjudication Recommendations: 21-110, 21-111, 21-112

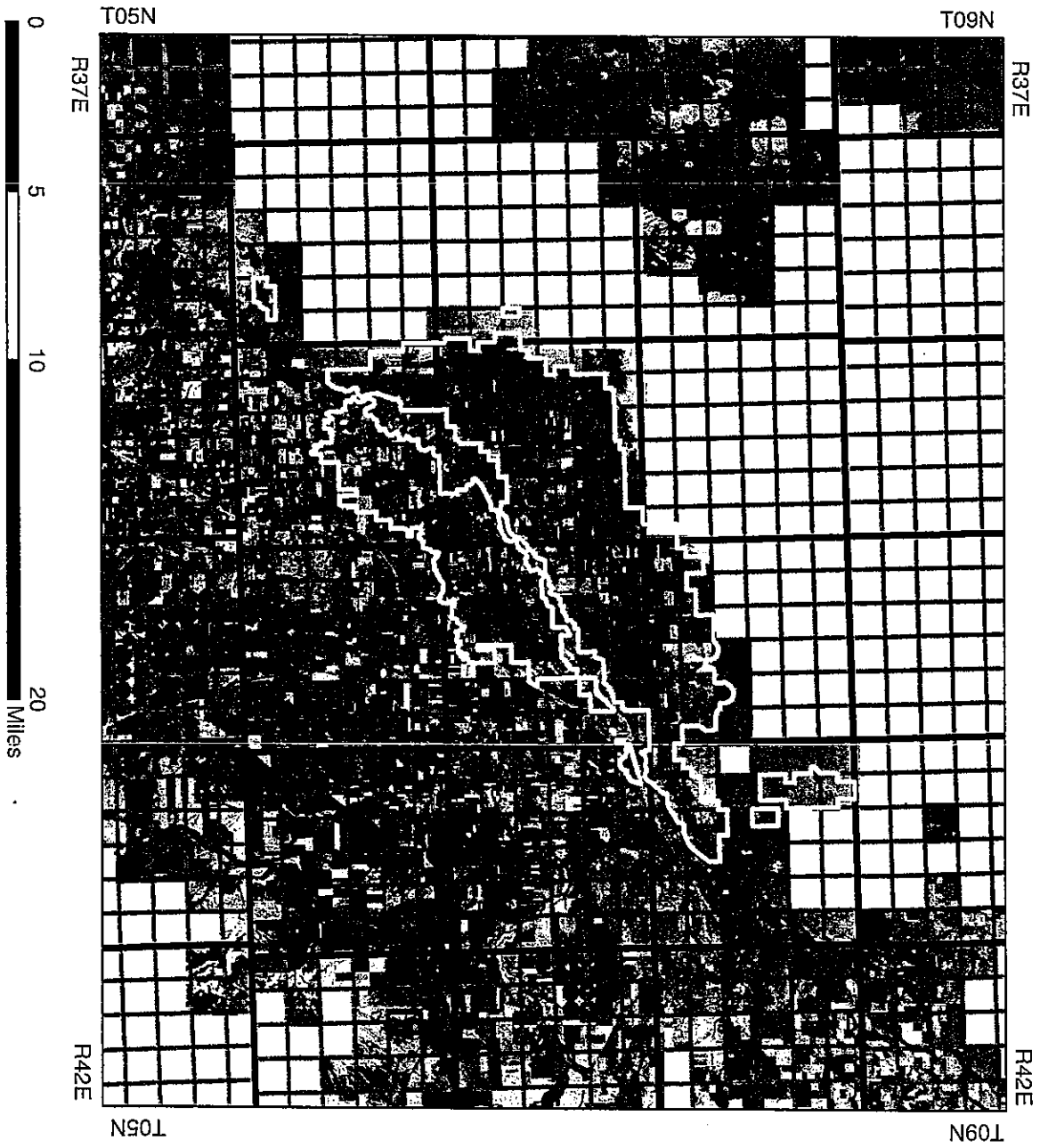
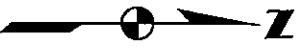
Legend
Service Area
State Outline
Townships
PLS Sections

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WATER RESOURCES



Fremont, Madison Counties
IDWR Basin 21

Prepared by Danielle Favreau
On January 06, 2010
1987/88 Aerial Photography



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DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
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By _____	Clerk Deputy Clerk

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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

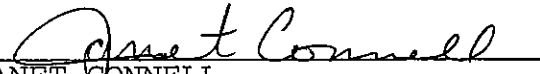
Water Right(s): 21-00110
21-00111 21-00112

On December 30, 2010, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED December 30, 2010.


JANET CONNELL
Deputy Clerk

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WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
DEC 30 2010
By _____ Clerk Deputy Clerk

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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 21-00110
21-00111 21-00112

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on December 30, 2010, with sufficient first-class postage prepaid to the following:

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

NORTH FORK RESERVOIR CO

Represented by:

JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

CERTIFICATE OF MAILING

PAGE 1
12/30/10

F DAVE RYDALCH

Represented by:

RAY W. RIGBY

25 N 2ND E

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724


JANET CONNELL
Deputy Clerk