



Idaho Department of Water Resources

SRBA Recommendation:

- 21-2102
- 21-2104
- 21-2045
- 21-7075
- 21-7076
- 21-12538
- 21-12539 (Irrigation)

Legend

Point of Diversion

Place of Use

Townships

PLS Sections

Quarter Quarters

Fremont County
IDWR Basin 21

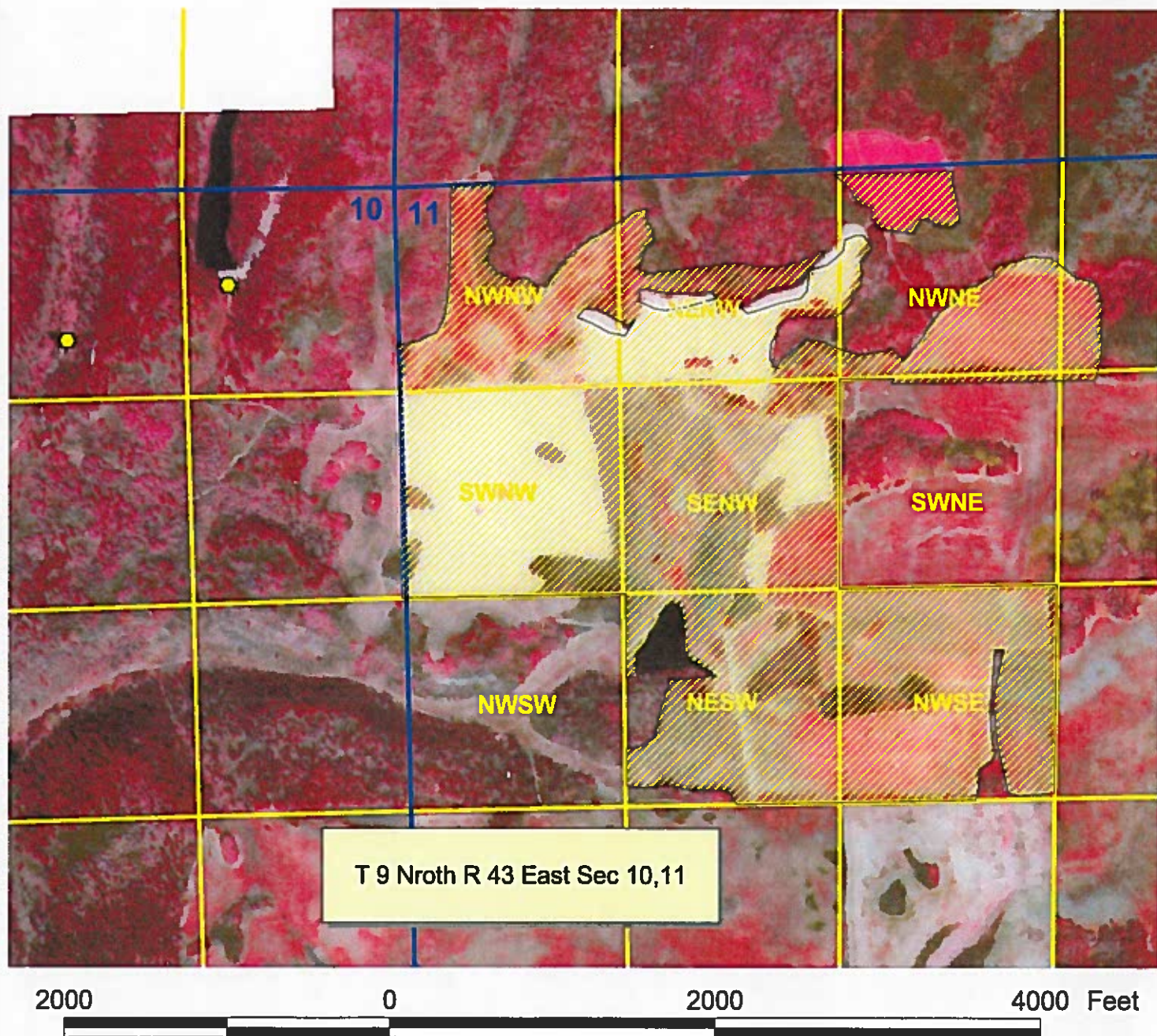
Prepared by T. Galbraith
On Monday, October 16, 2006
1987/88 Aerial Photography



State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 21-2104, 21-2045, 21-2102, 21-7075,
21-7076, 21-12538, 21-12539



- Place of Use
- Sections
- Quarter Quarter
- Points Of Diversion

SCANNED
JUL 07 2006

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: Sept. 2005



Claim No. 21-2102

Document Checklist

☒ Copy License/Decree

☐ Copy Transfer

☒ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

PROFILED

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JUL 07 2006

Claim no. 21-02102

Claimant Contact Log

<u>Date</u>	<u>Remarks</u>	<u>Agent initials</u>
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7-21-05	Mtg w/ Lynn Smith	SAH
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7-22-05	Field Inspection	SAH
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Contacts Data Entry Form

Claim Number: 21-02102

[illegible]

Current Owner: North Kent Prop Own Assoc Phone No.: 410 Lynn Smith

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

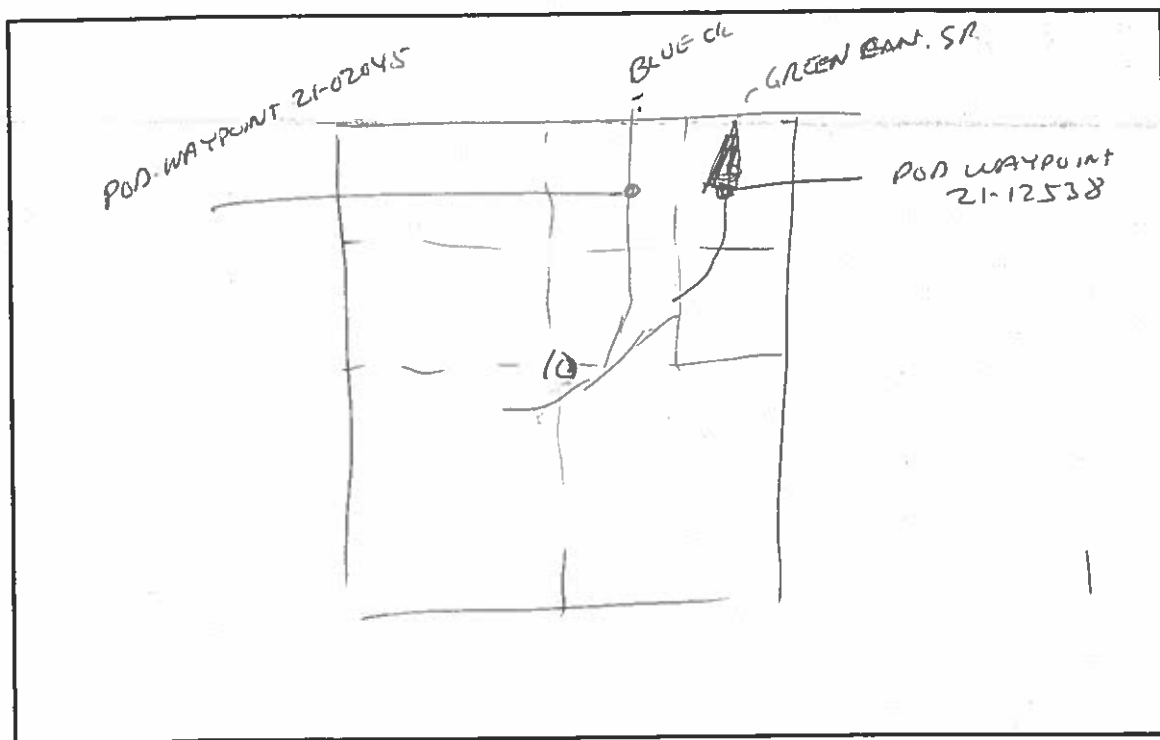
Accompanied By: _____ Phone No: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

Reviewer: _____ Date: _____

Water Right No(s). 21-02102



GPS DATA: WAYPOINTS 21-02045 / 21-12538

Tag # _____ Location: _____

Diversion Data:

Source: BLUE CK GREEN CANYON SP. Trib to: SNAKE R, HENRY'S FOL (21-02045 WAYPOINT)
BLUE CK (21-12538 WAYPOINT)

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Field Exam Date: 7-22-05 Agent: John McLenahan

Point of Diversion and Source Data Entry Form

Claim Number: 21-02102Water Right Point(s) of diversion and Source.Water Right Point of Diversion: T 9N, R 43E, Sec. 10, NW, NE, NE, County: FreSource: Green Canyon Springs, Tributary to: Blue Cr

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, County: _____

Source: _____, Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
9N	43E	10		NW NE NE	Fre	Green Can Sp.	Blue Cr

--	--	--	--	--	--	--	--

--	--	--	--	--	--	--	--

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
9N	43E	10		NW NE NE	Fre	Green Can Sp.	Blue Cr

--	--	--	--	--	--	--	--

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Other rights from this POD? Yes 21-

Transfers Pending or approved: _____

Document how the POD and Source were verified:POD verified by inspection on 7-22-05 by Steve McQuinn

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: 21-02102

Claimed Place Of Use <i>See Claim</i>					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				
9N	43E	11	SW	NW	Fre		40	Tr

Total acres 175.1

Recommended Place of Use <i>Same as map w/ claim 421-12538/12539</i>					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				
9N	43E	11	SW	NW	Fre		40	Tr

Total acres 175.1

Pending or approved Transfers: _____

Overlapping rights: 21-02045/2102/2104/4025/7075/2076/12538/12539

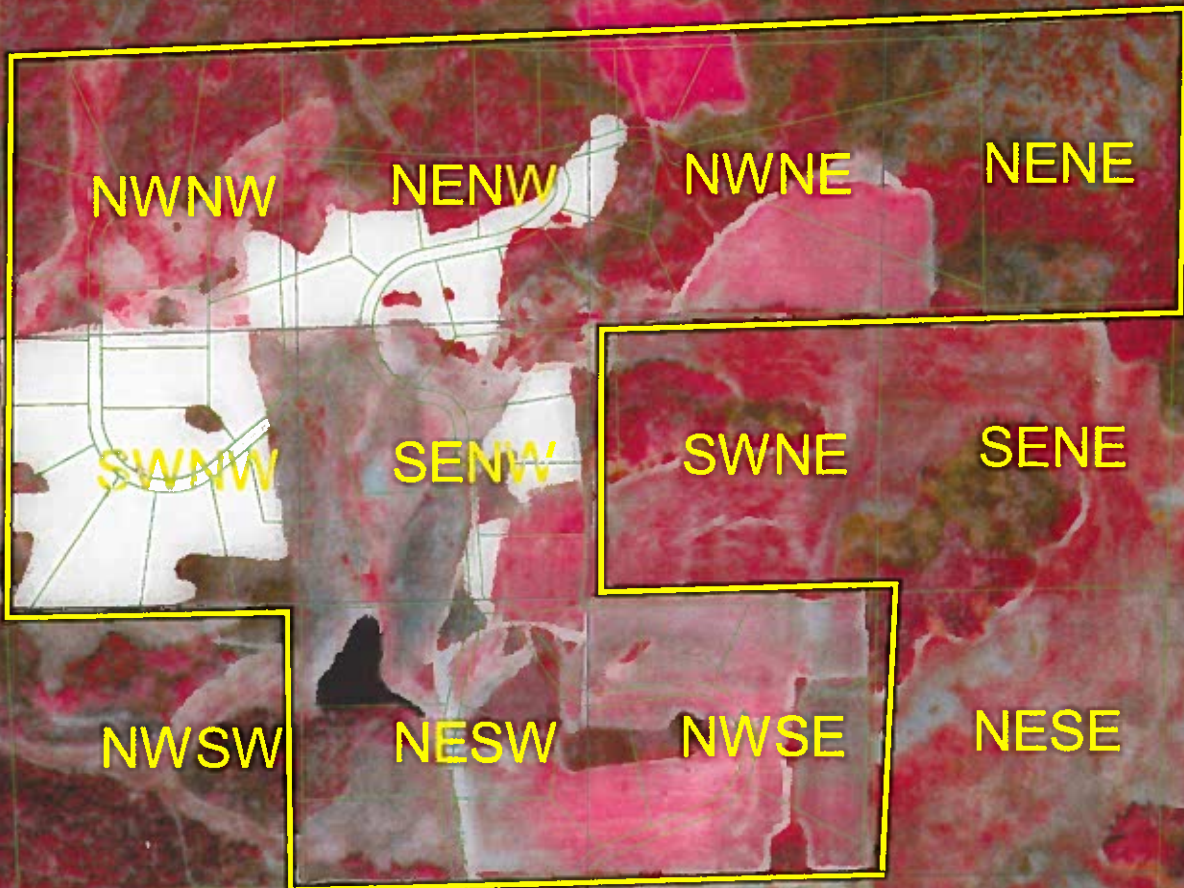
Document how the POU was verified:

POU verified by inspection on 7-22-05 by Steve McCormil

Reviewer: _____ Date: _____

APR 15 2005
SCANNED

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North Fork Highlands Division No. 1

Part of Sec. 11, Twp. 9 N., Rge. 43 E.B.M.



Rd 0016800 20030

State of Idaho

License and Certificate of Water Right

Water License No. 21234

Amount 2 c.f.s.

Water District No.

Priority September 20, 1949

THIS IS TO CERTIFY that LAVAR A. CHERRY and EDWARD J. CHERRY, LAVAR A. CHERRY, Assignee of Rexburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 22, 1949; that Permit No. 21234 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .8 second feet, was issued thereunder on November 29, 1950, showing that said works were completed on the 9th day of November, 1950; and that on the 13th day of December, 1956, LAVAR A. CHERRY

of Rexburg, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Green Canyon Springs, a tributary of, for the purpose of Irrigation, under Use Permit No. 21234 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 10 of Licenses at page 6137, on the 16th day of October, 1957; The right hereby confirmed dates from September 20, 1949;

The Point of Diversion is located

in the NE 1/4 NE 1/4, Sec. 10, Tp. 9 N., R. 43 E., B. M. County Fremont

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 N.	43 E.	11	SW 1/4 NW 1/4	40	40
Total number of acres irrigated				40	40

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

16th day of October, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

21-2102

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21234This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Lester A. Cherry
2. Source of water supply: Grass Canyon Springs
3. Location of point of diversion: Is in the NE 1/4 of NE 1/4 of Section 10
T. 9 N. R. 43 E. S. R.M. County of Fremont
4. Describe works as they exist, giving dimensions and capacities of same: Source of water about 1/4 mile of ditch from pond fed by spring.
Pump: Fairbanks-Morse horizontal centrifugal #? Portable -
Power: D-4 Cat. - Sprinkler system 5" main (portable) 4" lateral
with 37 sprinkler heads (30 at time of measurement)
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: _____
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW 1/4 of Sec. 11, Twp. 9 N., Rge. 43 E., S. R.M.
→ D.K. → A.K.

Sec 23234 = license for 0.6 cfs.
for Blue Cr. Priority = Mar 20-53

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: Actually irrigating a little more than the 40
acres.

The locations of springs and reservoir obtained from C.S.A
maps.

The only time there is run-off in the water course where the
springs are located is in early spring during snow melting.

This examination was made on the 15th day of July, 1957

(Signed) _____

Examiner

21234



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

April 15, 2005

KARL J. DREHER
Director

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP FOR NOTICE(S) OF CLAIM TO A WATER RIGHT

Dear Claimant:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

A handwritten signature in cursive script that reads "Katy Jackson".

Katy Jackson
Office Specialist 1

Enclosure

OK JC
4-12-05

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	21-2045 ✓			21-7076 ✓	
	21-2102 ✓			21-12538 ✓	
	21-2104 ✓			21-12539 ✓	
	21-4025 ✓				
	21-7075 ✓				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights(s) or claims(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use your water rights(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county.)
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

 CHANGE COMPLETED
 DATE: 4/12/05
 KMD

3. Name and Address of Former Owner/Claimant North Fork Highlands Partnership
4. New Owner/Claimant(s) North Fork Highlands Property Owners Association, Inc.
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address 444 B. Street
 City, State and ZIP Code Idaho Falls, ID 83402
 New Telephone Number _____
5. Date you acquired the property _____

SCANNED

APR 14 2005

PROFILE

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) Or Claimant(s) North Fork Highlands Property Owners Association, Inc.
(include title if applicable) By: [Signature] Treasurer

For Snake River Basin Adjudication Claims: Please attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ Date _____ WR _____ Date _____

PROFILE

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APR 14 2005

QUITCLAIM DEED FOR WATER RIGHTS

THIS INDENTURE is made this 20 day of August, 2004, between, North Fork Highlands Partnership, referred to herein as the "GRANTOR" and North Fork Highlands Property Owners Association, Inc., whose business mailing address is 444 B. Street, Idaho Falls, Idaho 83402, referred to herein as the "GRANTEE",

WITNESSETH, that the GRANTOR, for an 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 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 successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described water rights or portions thereof in the County of Fremont, State of Idaho, to-wit:

<u>Water Right No.</u>	<u>Priority Date</u>	<u>Source</u>	<u>Amount</u>
21-2045	Dec. 3, 1911	Spring Creek	1.0 cfs
21-2102	Sept. 20, 1949	Green Canyon Springs	0.8 cfs
21-2104	March 20, 1953	Blue Creek	0.6 cfs
21-4025	May 1, 1960	Blue Creek	1.83 cfs
21-7075	Aug. 8, 1975	Green Canyon Springs	2.41 cfs
21-7076	Aug. 8, 1975	Blue Creek	2.47
21-12538			
21-12539			

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

PROFILE

490509

490321

30 Day Aug 2004

11:00 O'Clock

ABBIE MACE
FREMONT CO RECORDER

Recorded at Request of
Kent W. Foster

SCANNED

APR 14 2005

Halden Kidwell Hahn

PO Box 50130

IFI 83405-0130

TO HAVE AND TO HOLD the said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

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 the day and year first above written.

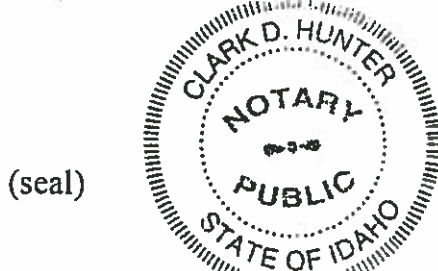
North Fork Highlands Partnership

By: [Signature]
Its: General Partner

STATE OF IDAHO)
)ss.
County of Bonneville)

On this 20 day of August, 2004, before me a notary public in and for said State, personally appeared D. Lynn Smith known or identified to me (or proved to me on the oath of [Signature]) to be the ~~president, or vice-president, or secretary or assistant secretary~~ ^{a general partner} of the ~~corporation~~ ^{partnership} that executed the instrument or the person who executed the instrument on behalf of said ~~corporation~~ ^{partnership}, and acknowledged to me that such ~~corporation~~ ^{partnership} 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.



[Signature]
Notary Public for Idaho
Residing at Idaho Falls, ID
My commission expires: 8-7-2008

G:\WPDATA\KWF4973 NORTH FORK HIGHLANDS, LLC\Quitclaim Deed NFHPOA.wpd.cdv

PROFILE

SCANNED
APR 14 2005

T 9 N

900 000
FEET

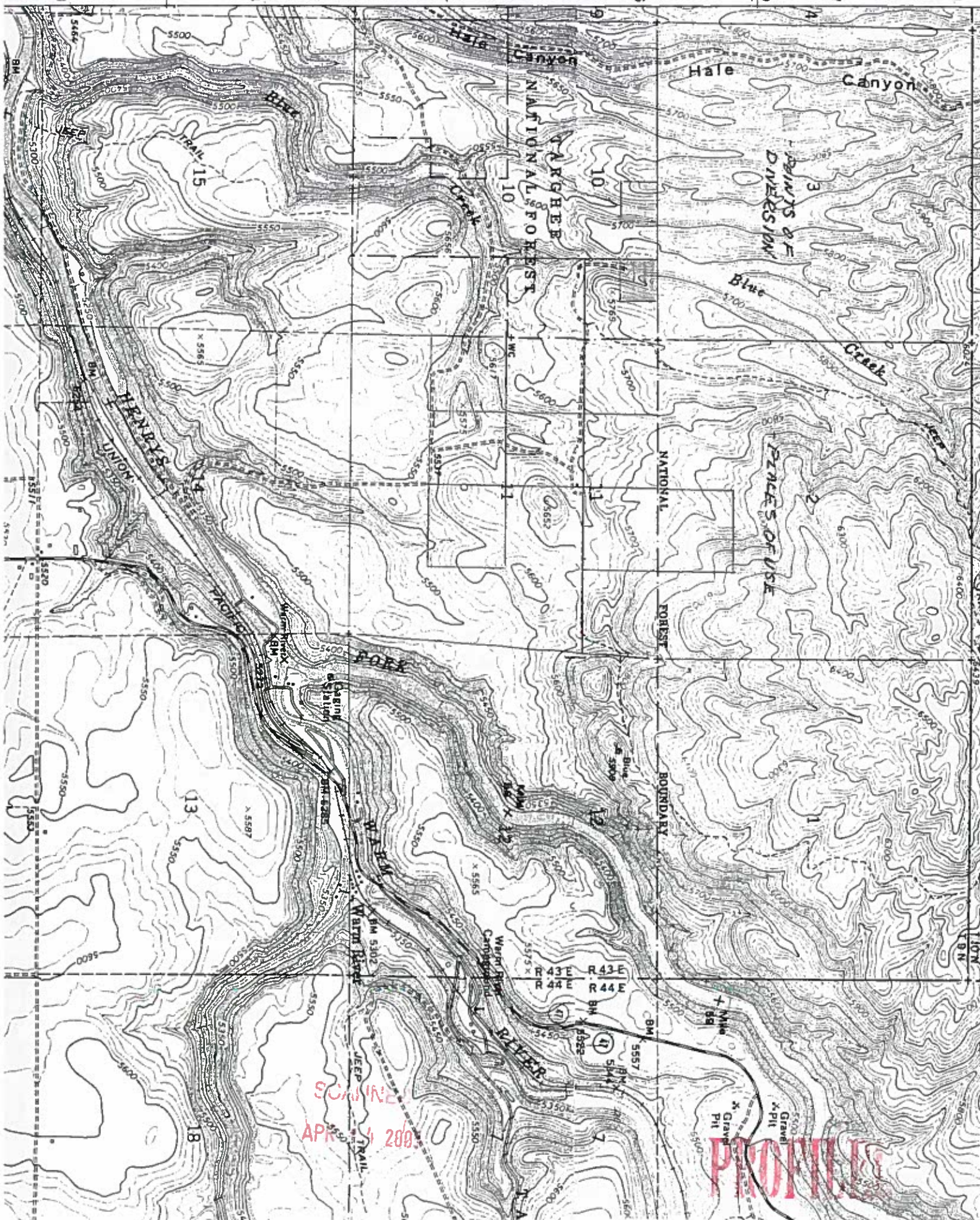
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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

SCANNED

AUG 1 2008

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 19, 1999

NORTH FORK HIGHLANDS PARTNERSHIP
PO BOX 50699
IDAHO FALLS ID 83405

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A21-02045,
A21-02102, A21-02104, A21-04025, A21-07075, A21-07076,
21-10750

Dear Sir:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUN 22 1998

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

Partial Deeds issued.

1. Water Right Number(s) A21-07076, A21-10750, A21-10750
Adjudication Claim Number(s) A21-02045, A21-02102, A21-07075, A21-02104, A21-04025,
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) DONNA T. SUMMERS, PERSONAL REPRESENTATIVE OF THE ESTATE OF FRANK T. SUMMERS, DECEASED
DONNA SUMMERS, aka DONNA T. SUMMERS
4. New Owner/Claimant(s) NORTH FORK HIGHLANDS PARTNERSHIP
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
New Mailing Address PO BOX 50699
City, State and ZIP Code Idaho Falls, Idaho 83405
New Telephone Number () -
5. Date you acquired the property June 15, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) [Signature] Date June 18, 1998
[Signature] Date _____
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 23, 1998

TO: NORTH FORK HIGHLANDS PARTNERSHIP
PO BOX 50699
IDAHO FALLS ID 83405

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR A21-07076, A21-02045, A21-10750, A21-02102, A21-07075, A21-02104, A21-04025 HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

☒ COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER LEGAL DOCUMENT indicating your ownership of the property and water rights in question,

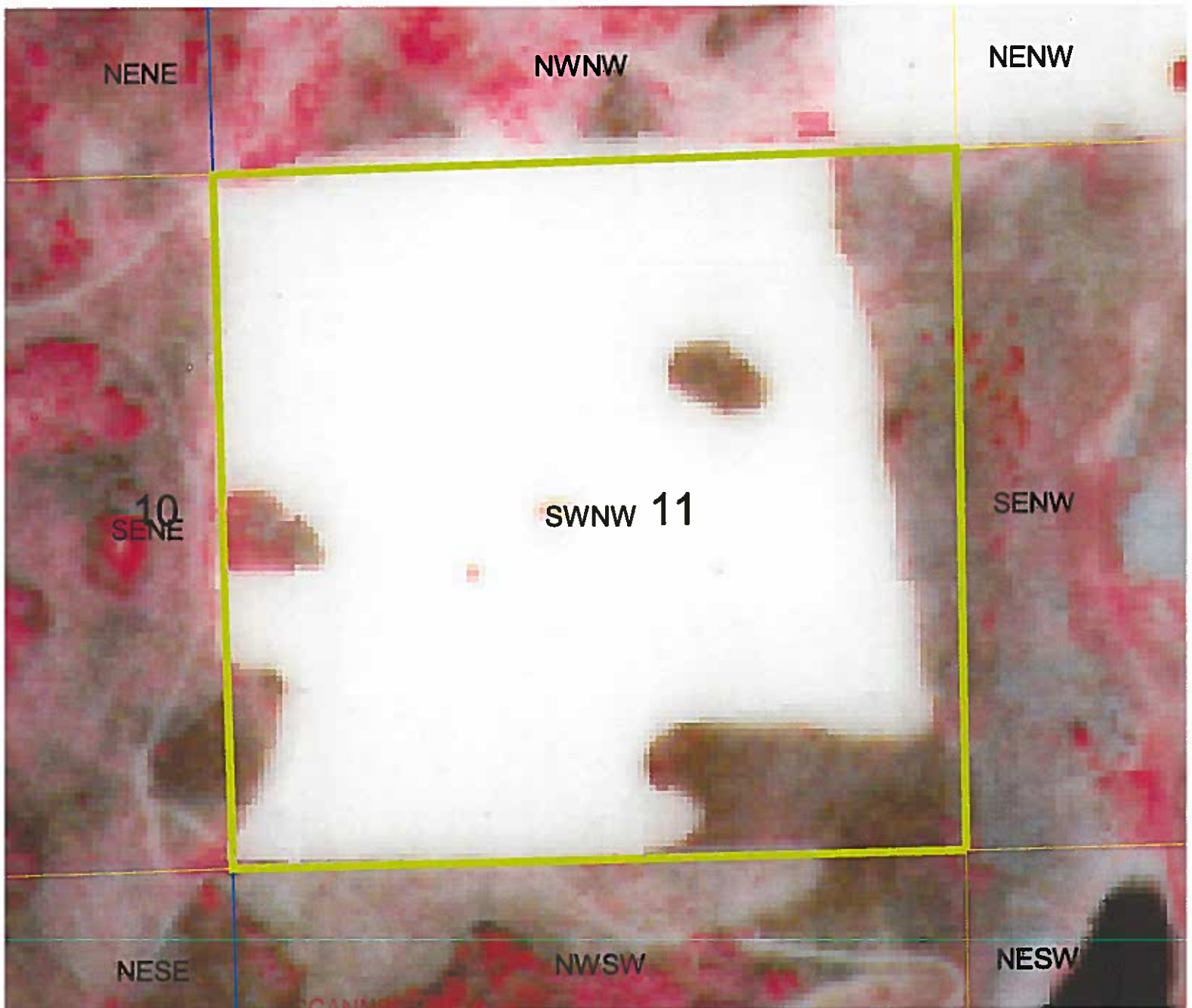
☒ LEGAL DESCRIPTION OF PROPERTY

☒ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

☐ USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE ENTIRE PACKET TO THIS OFFICE AND WE WILL PROCESS YOUR CHANGE OF OWNERSHIP AS SOON AS POSSIBLE.

21-2102, 21-2104



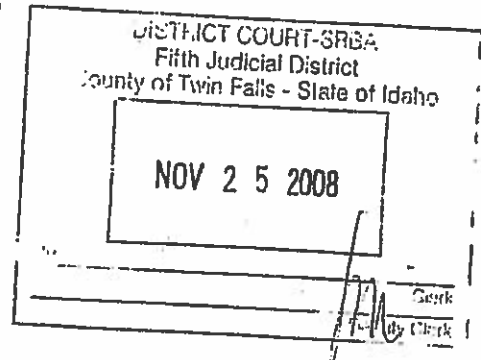
SCANNED
DEC 14 2004

PROFILED

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 21-02102



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 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
	SENE 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.

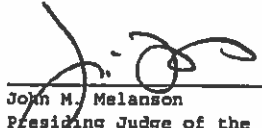
This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

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.


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

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-2102
NAME AND ADDRESS: NORTH FORK HIGHLANDS PROPERTY
OWNERS ASSOCIATION INC
444 B ST
IDAHO FALLS ID 83402
SOURCE: Source: BLUE CREEK Tributary: HENRYS FORK
QUANTITY: 0.200 CFS
0.000 AFY
PRIORITY DATE: 09/20/1949
POINT OF DIVERSION: T09N R43E S10 NWNE Within FREMONT County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/01 10/31	0.200 CFS

PLACE OF USE: IRRIGATION within FREMONT County

T09N R43E S11 NENE 3.3
T09N R43E S11 NWNE 19.0
T09N R43E S11 SWNE 1.1
T09N R43E S11 SESE 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

~~T09N R43E S10 SESE 0.3~~

CKK
EMC
NBS
DN

215.7 ACRES TOTAL

216 ACRES TOTAL

This right is limited to the irrigation of 40 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

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

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

09/19/2005

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

RIGHT NUMBER: 21-2102

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

SOURCE: BLUE CREEK

TRIBUTARY: HENRYS FORK

QUANTITY: 0.200 CFS

PRIORITY DATE: 09/20/1949

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	0.200 CFS

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

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

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 21-2102

WATER RIGHT NUMBER: 21-2102

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NORTH FORK HIGHLANDS PROPERTY OWNERS ASSOCIATION INC 444 B ST IDAHO FALLS, ID 83402
Original Owner	FRANK G SUMMERS 2839 E CEMETERY RD SUGAR CITY, ID 83448 (208)356-6875
Original Owner	NORTH FORK HIGHLANDS PARTNERSHIP PO BOX 50699 IDAHO FALLS, ID 83405

Priority Date: 09/20/1949

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GREEN CANYON SPRINGS	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

GREEN CANYON SPRINGS	NW1/4NE1/4NE1/4	Sec. 10, Twp 09N, Rge 43E, B.M.
FREMONT County		

Place of Use

IRRIGATION Within FREMONT County

T09N R43E S11 SWNW 40.0

Total Acres: 40

Conditions of Approval:

Remarks:

1. General CHANGED OWNERSHIP PER REQUEST/JC/11-19-99

Comments: OWNERSHIP CHANGE COMPLETED 04/13/2005 KMJ.

SCANNED
APR 14 2005

PROFILED

DATE: 11/19/99
PAGE: 1

DIVERSION
VOLUME

100.00 AFA

Stage: LICENSE

FREMONT County

40.0

Other Rights: 21-2104, 21-2045, 21-7075, 21-7076, 21-4025.

Objection Filed Date:

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A21-02102
Date Received: 10/24/1988
Receipt No: 1002991
Received By: TD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK G. SUMMERS 208-356-6875
Address: 2839 E. SUGAR CEMETERY RD.
SUGAR CITY, ID 83448

2. Date of Priority: SEP 20, 1949

3. Source: GREEN CANYON SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	43E	10	NW	NE	NE		FREMONT

5. Description of diverting works:
SPRING FLOW, RUNOFF DIVERTED TO DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	43E	11	SW	NW		IRR	40.0
						Section Acres	40.0

A2102102

10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

21-2104, 21-2045, 21-7075, 21-7076, 21-4025.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 21234

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Frank G. Summers Date: 3, 9, 89

Date: _____

State of Idaho)
County of Tremont) SS.

Subscribed and sworn (or affirmed) before me this 9th day

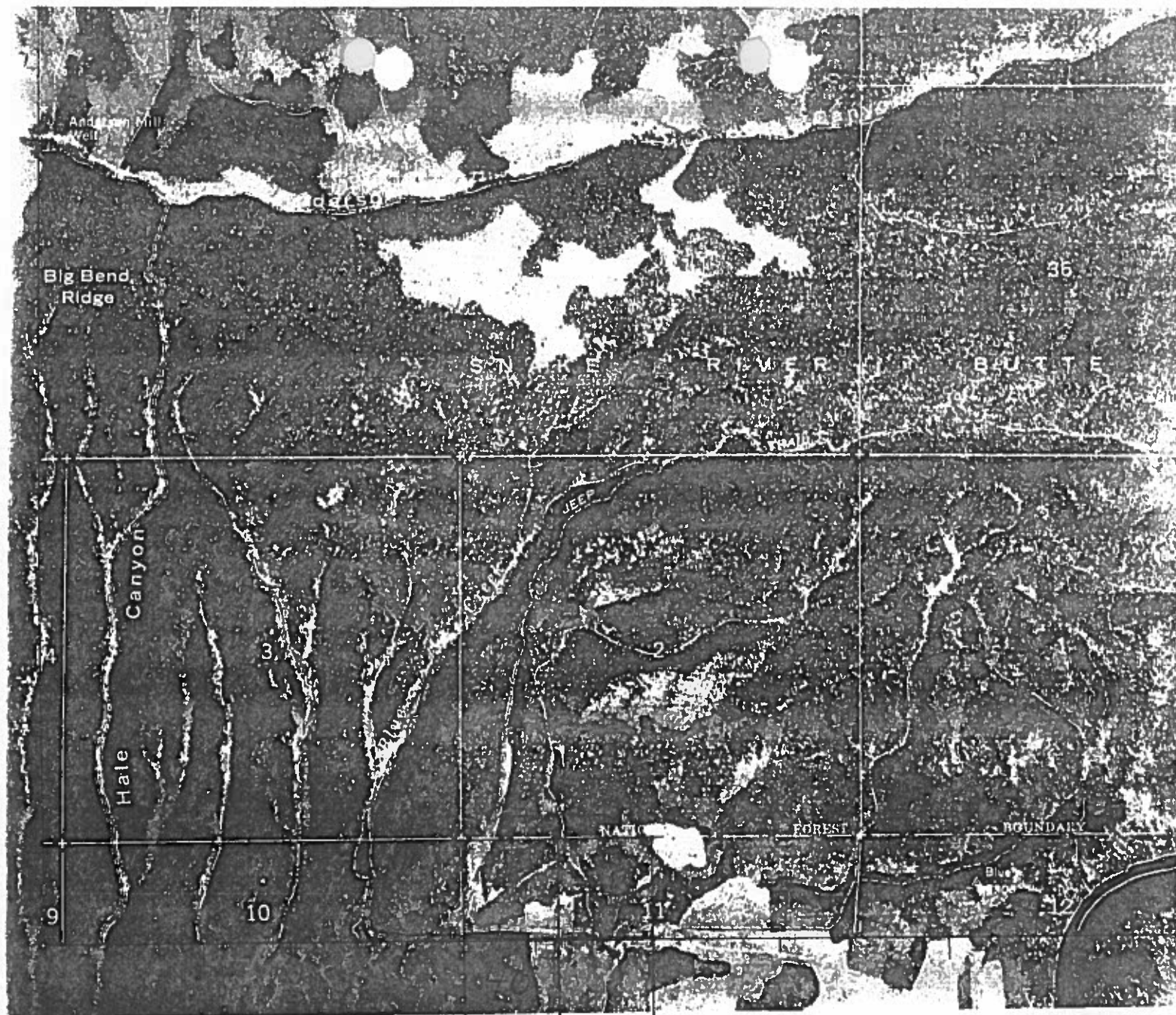
of March 19 89

Anthony F. Clemens
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 9/12/1994



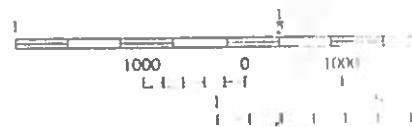
11°22'30" 710 000 FEET

Produced and published by the Geological Survey
in cooperation with the U.S. Forest Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken September 2, 1974

Projection and 10,000-foot grid ticks: Idaho coordinate
system, east zone (transverse Mercator)
1,000-metre Universal Transverse Mercator grid ticks,
zone 12. 1927 North American datum

Photoimagery transformed by scanning techniques
which may produce double or mismatched images;
use the mean of image positions for map point.



NORTH

MICROFILMED

OCT 20 1992

Copies Of These
At Bonneville

Department of Water Resources pursuant to
notice of claims and objections in the Snake
Express or implied, is made and no legal
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