

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

2ND AMENDED

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 21-02161

RECEIVED

MAR 30 2017

DEPARTMENT OF
WATER RESOURCES

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

MAR 29 2017

By

Clerk

Deputy Clerk

In Re SRBA)
)
Case No. 39576)
_____)

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

SOURCE: HENRYS LAKE TRIBUTARY: HENRYS FORK

QUANTITY: 10650.00 AFY

Total reservoir capacity is 90,000 acre feet when filled to
elevation 6476.9 and measured at the upstream face of the dam.
Right Nos. 21-110, 21-111, 21-112, 21-2154 and 21-12946 are
limited to a total combined annual diversion volume of 79,350 AF.
The rights listed below are limited to a total combined annual
diversion volume of 90,000 AF. Combined Right Nos.: 21-110,
21-111, 21-112, 21-2154, 21-2161, 21-12946 and 21-13193.

PRIORITY DATE: 07/29/1965

POINT OF DIVERSION: T15N R43E S26 LOT 6 (SWNW) Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	10650.00 AFY
	Irrigation from Storage	04-01 TO 10-31	10650.00 AFY

PLACE OF USE:

41098 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.

The rights listed below are limited to the irrigation of a
combined total of 41,098 acres in a single irrigation season.
Combined Right Nos.: 21-110, 21-111, 21-112, 21-2154, 21-2161,
21-12946, 21-12897, 21-12908, 21-12910, 21-12912, 21-12921,
21-12922, 21-12928, 21-12934, 21-12961, 21-12962, 21-12909,
21-12923, 21-12924, 21-13193, 22-428, 22-13342, 22-13343,
22-13344, 22-13347, 22-13349.

Place of use for storage is Henrys Lake, provided, however, that
water under this right may be temporarily held in the unoccupied
space of any of the reservoirs upstream of Milner Dam, located
at T10S, R21E, Sections 28 and 29, when determined by the Water
District 01 Watermaster (as supervised by the Director of the
Department of Water Resources), the Water District 01 advisory
committee, and the United States Bureau of Reclamation that such
temporary storage will maximize the storage of water upstream of
Milner Dam.

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

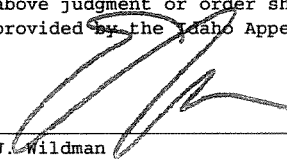
SRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication