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DEPARTMENT OF
WATER RESOURCES

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

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right: 21-10015

(North Henry's Lake Homeowners Assn. Inc.)

On March 16, 2010, an *Amended Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Amended Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Amended Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 30, 2010.


ERIC J. WILDMAN
Presiding Judge
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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 21-10015

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

APR 30 2010

By _____

Clerk,
Deputy Clerk

NAME AND ADDRESS: NORTH HENRYS LAKE HOMEOWNERS
ASSN INC C/O LANA ESPLIN, SEC.
3897 TETON ROAD
ISLAND PARK, ID 83429

SOURCE: HOWE SPRINGS TRIBUTARY: UNNAMED STREAM
UNNAMED STREAM TRIBUTARY: HENRYS LAKE

QUANTITY: 1.50 CFS

Quantity under this right is limited to 0.50 cfs from the Howe
Springs source and 1.00 cfs from the unnamed stream source for a
combined diversion rate of 1.50 cfs.

PRIORITY DATE: 09/15/1904

POINT OF DIVERSION: T16N R43E S33 SESE Within Fremont County
S34 SWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.50 CFS

PLACE OF USE:
Place of use is within the area served by the public water supply
system of North Henrys Lake Homeowners Association. The place of
use is generally located within: Lot 1, Section 4, Township 15N,
Range 43E; Lot 1 and SESE, Section 33, Township 16N, Range 43E;
and SWSW, Section 34, Township 16, Range 43E.

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. Wilkman
Presiding Judge of the
Snake River Basin Adjudication

2010 APR 30 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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): 21-10015

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 21-10015 was mailed
on April 30, 2010, with sufficient first-class postage prepaid
to the following:

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

NORTH HENRYS LAKE HOMEOWNERS
Represented by:
MARCHANT, LUKE H
HOLDEN KIDWELL HAHN & CRAPO
1000 RIVERWALK DR STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

CERTIFICATE OF MAILING

PAGE 1
04/30/10

NORTH HENRYS LAKE HOMEOWNERS

Represented by:

ROBERT L HARRIS

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IDAHO FALLS, ID 83405

Phone: 208-523-0620

LANA ESPLIN

NORTH HENRY'S LAKE

4317 WINDSONG WAY

ST GEORGE, UT 84790

Phone: 435-669-6643

LANA ESPLIN

3897 TETON RD

ISLAND PARK, ID 83429

Phone: 435-669-6643

JULIE MURPHY

Chief Deputy Clerk