

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     | ) | Subcase No. 75-02162     |
|                | ) |                          |
| Case No. 39576 | ) |                          |
|                | ) | STANDARD FORM 5          |
|                | ) |                          |
|                | ) | STIPULATED ELEMENTS OF A |
|                | ) | WATER RIGHT              |

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

**CLAIMANT:**  
Edgar Edwards

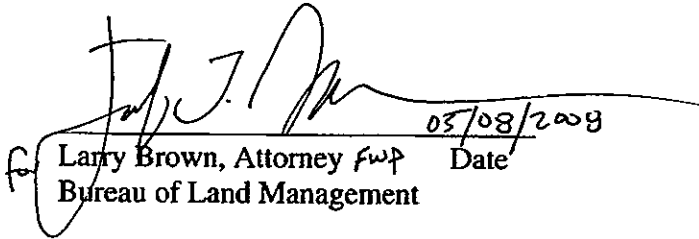
**CLAIMANT:**  
Myrtle Edwards

Edgar S. Edwards 5-2-08  
Edgar Edwards Date  
Pro Se

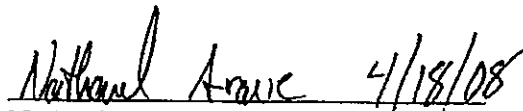
Myrtle Edwards 5-2-08  
Myrtle Edwards Date  
Pro Se

**OBJECTOR**

United States of America

  
Larry Brown, Attorney fwp Date 03/08/2008  
Bureau of Land Management

**IDWR Concurrence:**

  
Nathaniel Arave Date 4/18/08  
Senior Water Resource Agent

  
Garrick L. Baxter Date 4/18/08  
Deputy Attorney General  
Attorney for IDWR

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

RIGHT NUMBER: 75-2162  
NAME AND ADDRESS: EDGAR S EDWARDS  
PO BOX 299  
SALMON ID 83467  
  
MYRTLE EDWARDS  
PO BOX 299  
SALMON ID 83467

*N/A*  
*AB*

SOURCE: CHIPPS CREEK  
QUANTITY: 3.200 CFS  
480.00 APY

TRIBUTARY: POLLARD CANYON

*Fwp*  
*ED*  
*ME*

*(RM)*

28.88 The rights listed below are limited to a total combined diversion rate of cfs.  
Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.

PRIORITY DATE: 08/31/1960

POINT OF DIVERSION: T21N R21E S10 NWSE Within LEMHI County

PURPOSE AND PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 10/31          | 3.200 CFS<br>480.00 APY |

PLACE OF USE: IRRIGATION in LEMHI County

|                          |                 |                     |                          |                 |                  |
|--------------------------|-----------------|---------------------|--------------------------|-----------------|------------------|
| T21N R21E S12            | SWNW            | 4.40                | T21N R21E S12            | SENW            | 5.60             |
| T21N R21E S12            | NESW            | 40.00               | T21N R21E S12            | NWSW            | 36.00            |
| T21N R21E S12            | SWSW            | 7.80                | T21N R21E S12            | SESW            | 32.00            |
| T21N R21E S13            | SESW            | 6.00                | T21N R21E S13            | SWSE            | 10.00            |
| T21N R21E S14            | SESE            | 28.00               | T21N R21E S23            | NENE            | 18.00            |
| T21N R21E S23            | SENE            | 22.00               | T21N R21E S23            | NESE            | 38.00            |
| T21N R21E S23            | SESE            | 5.50 <del>5.2</del> | T21N R21E S24            | NWNE            | 39.00            |
| T21N R21E S24            | SWNE            | 26.00               | T21N R21E S24            | NENW            | 14.00            |
| T21N R21E S24            | SWNW            | 40.00               | T21N R21E S24            | SENW            | 40.00            |
| T21N R21E S24            | NESW            | 40.00               | T21N R21E S24            | NWSW            | 40.00            |
| T21N R21E S24            | SWSW            | 35.00               | T21N R21E S24            | SESW            | 40.00            |
| T21N R21E S24            | NWSE            | 27.00               | T21N R21E S24            | SWSE            | 28.00            |
| T21N R21E S25            | NWNE            | 30.00               | T21N R21E S25            | SWNE            | 33.00            |
| T21N R21E S25            | NENW            | 40.00               | T21N R21E S25            | NWNW            | 24.00            |
| T21N R21E S25            | SWNW            | 21.00               | T21N R21E S25            | SENW            | 40.00            |
| T21N R21E S25            | NESW            | 36.00               | T21N R21E S25            | NWSW            | 1.50             |
| T21N R21E S25            | SESW            | 40.00               | T21N R21E S25            | NWSE            | 31.00            |
| T21N R21E S25            | SWSE            | 32.00               | T21N R21E S36            | NWNE            | 12.00            |
| <del>T21N R21E S14</del> | <del>NBSE</del> | <del>00.20</del>    | <del>T21N R21E S24</del> | <del>NWNW</del> | <del>00.10</del> |

962.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 962.8 acres in a single irrigation season. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.

This right is limited to the irrigation of 160 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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

NLA  
AB  
FWP

ELB

(JTH)

me

## CERTIFICATE OF MAILING

I certify that on MAY 8<sup>TH</sup>, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

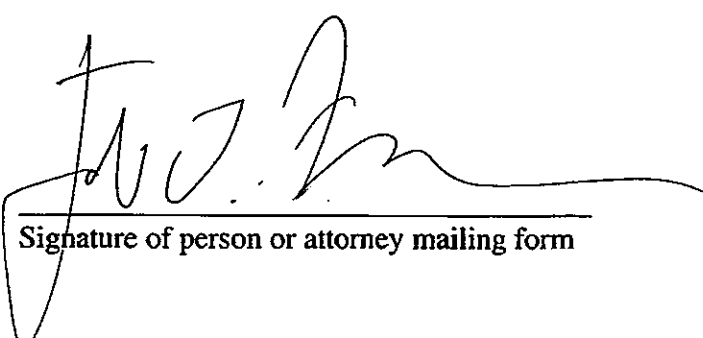
1. Original to:

CLERK OF THE DISTRICT COURT  
SNAKE RIVER BASIN ADJUDICATION  
253 THIRD AVENUE NORTH  
P.O. BOX 2707  
TWIN FALLS, IDAHO 83303-2707

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

EDGAR S EDWARDS  
MYRTLE EDWARDS  
PO BOX 299  
SALMON, ID 83467

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



Signature of person or attorney mailing form