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DEPARTMENT OF
WATER RESOURCES

2008 MAY 21 PM 3:30

DISTRICT COURT-SREA
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) Subcases 75-2, 75-2035, 75-2162, 75-10046
Case No. 39576) and 75-10047
) (Edwards)
)
_____) SPECIAL MASTER REPORT

Findings of Fact

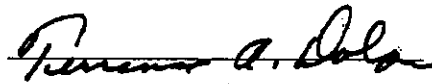
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended the claims to Myrtle and Edgar Edwards, P.O. Box 299, Salmon, Idaho, 83467, for between 1.7 cfs and 10.4 cfs from Chipps Creek and Billy Creek for year-'round irrigation storage and diversion to storage (75-10047) and irrigation from storage (75-10047) and to irrigate 962.8 or 837 acres in Lemhi County from April 1 to October 31 with priority dates between April 1, 1894, and August 31, 1960, based on a decree, licenses or beneficial use.

The United States of America, Department of Interior, Bureau of Land Management filed *Objections* on October 17, 2007, objecting to place of use. The Edwards' and the United States, with IDWR's concurrence, filed *Standard Forms 5* on May 12, 2008, amending the place of use.

Conclusions of Law

The Edwards' are entitled to partial decrees adjudicating water rights as described in the *SF-5's* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 75-2, 75-2035, 75-2162, 75-10046 and 75-10047*.

DATED May 21, 2008.


TERRENCE A. DOLAN
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 75-00002

NAME AND ADDRESS: EDGAR S EDWARDS
MYRTLE EDWARDS
PO BOX 299
SALMON, ID 83467

SOURCE: CHIPPS CREEK TRIBUTARY: POLLARD CANYON

QUANTITY: 1.70 CFS

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

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION: T21N R21E S10 NWSE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.70 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
T21N R21E S12	SWNW 4.4	SENW 5.6
	NESW 40.0	NWSW 36.0
	SWSW 7.8	SESW 32.0
S13	SESW 6.0	SWSE 10.0
S14	SESE 28.0	
S23	NENE 18.0	SENE 22.0
	NESE 38.0	SESE 5.5
S24	NWNE 39.0	SWNE 26.0
	NENW 14.0	SWNW 40.0
	SENW 40.0	NESW 40.0
	NWSW 40.0	SWSW 35.0
	SESW 40.0	NWSE 27.0
	SWSE 28.0	
S25	NWNE 30.0	SWNE 33.0
	NENW 40.0	NWNW 24.0
	SWNW 21.0	SENW 40.0
	NESW 36.0	NWSW 1.5
	SESW 40.0	NWSE 31.0
	SWSE 32.0	
S36	NWNE 12.0	
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.

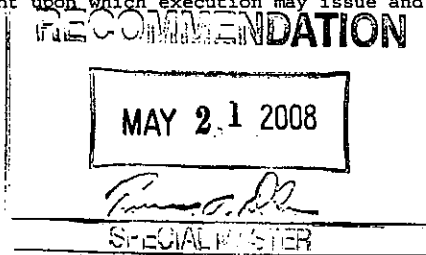
This right is limited to the irrigation of 160 acres within the
place of use described above in a single irrigation season.

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. 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

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
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 75-02035

NAME AND ADDRESS: EDGAR S EDWARDS
MYRTLE EDWARDS
PO BOX 299
SALMON, ID 83467

SOURCE: BILLY CREEK TRIBUTARY: GORLEY CREEK
SPRINGS TRIBUTARY: BILLY CREEK

QUANTITY: 2.40 CFS

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

PRIORITY DATE: 02/24/1913

POINT OF DIVERSION: T21N R21E S14 SENW Within Lemhi County
SENW
NESW
NWSE
SESE
S23 NENE
NENE
S24 NWNW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 2.40 CFS

PLACE OF USE: Irrigation Within Lemhi County
T21N R21E S12 SWNW 4.4 SENW 5.6
NESW 40.0 NWSW 36.0
SWSW 7.8 SESW 32.0
S13 SESW 6.0 SWSE 10.0
S14 SESE 28.0
S23 NENE 18.0 SENE 22.0
NESE 38.0 SESE 5.5
S24 NWNE 39.0 SWNE 26.0
NENW 14.0 SWNW 40.0
SENE 40.0 NESW 40.0
NWSW 40.0 SWSW 35.0
SESW 40.0 NWSE 27.0
SWSE 28.0
S25 NWNE 30.0 SWNE 33.0
NENW 40.0 NWNW 24.0
SWNW 21.0 SENW 40.0
NESW 36.0 NWSW 1.5
SESW 40.0 NWSE 31.0
SWSE 32.0
S36 NWNE 12.0
962.8 Acres Total

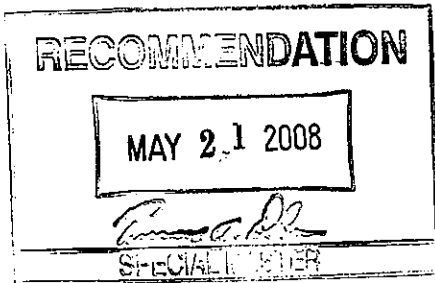
The rights listed below are limited to the irrigation of a
combined total of 962.8 acres in a single irrigation season.
Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035,
75-14254 and 75-10047.
This right is limited to the irrigation of 120 acres within the
place of use described above in 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

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 75-02162

NAME AND ADDRESS: EDGAR S EDWARDS
MYRTLE EDWARDS
PO BOX 299
SALMON, ID 83467

SOURCE: CHIPPS CREEK TRIBUTARY: POLLARD CANYON

QUANTITY: 3.20 CFS
480.00 AFY

The rights listed below are limited to a total combined
diversion rate of 28.88 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:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.20 CFS 480.00 AFY

PLACE OF USE:	Irrigation		Within Lemhi County
	T21N R21E S12	SWNW 4.4	SENW 5.6
		NESW 40.0	NWSW 36.0
		SWSW 7.8	SESW 32.0
	S13	SESW 6.0	SWSE 10.0
	S14	SESE 28.0	
	S23	NENE 18.0	SENE 22.0
		NESE 38.0	SESE 5.5
	S24	NWNE 39.0	SWNE 26.0
		NENW 14.0	SWNW 40.0
		SENW 40.0	NESW 40.0
		NWSW 40.0	SWSW 35.0
		SESW 40.0	NWSE 27.0
		SWSE 28.0	
	S25	NWNE 30.0	SWNE 33.0
		NENW 40.0	NWNW 24.0
		SWNW 21.0	SENW 40.0
		NESW 36.0	NWSW 1.5
		SESW 40.0	NWSE 31.0
		SWSE 32.0	
	S36	NWNE 12.0	
	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

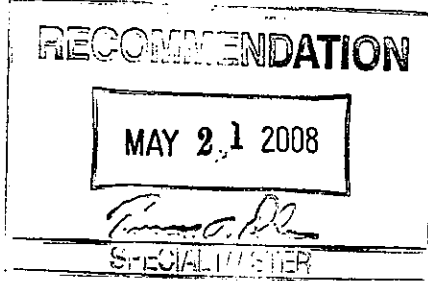
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

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
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 75-10046

NAME AND ADDRESS: EDGAR S EDWARDS
MYRTLE EDWARDS
PO BOX 299
SALMON, ID 83467

SOURCE: CHIPPS CREEK TRIBUTARY: POLLARD CANYON

QUANTITY: 4.32 CFS

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

PRIORITY DATE: 09/14/1914

POINT OF DIVERSION: T21N R21E S10 NWSE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.32 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
T21N R21E S12	SWNW 4.4	SENW 5.6
	NESW 40.0	NWSW 36.0
	SWSW 7.8	SESW 32.0
S13	SESW 6.0	SWSE 10.0
S14	SESE 28.0	
S23	NENE 18.0	SENE 22.0
	NESE 38.0	SESE 5.5
S24	NWNE 39.0	SWNE 26.0
	NENW 14.0	SWNW 40.0
	SENW 40.0	NESW 40.0
	NWSW 40.0	SWSW 35.0
	SESW 40.0	NWSE 27.0
	SWSE 28.0	
S25	NWNE 30.0	SWNE 33.0
	NENW 40.0	NWNW 24.0
	SWNW 21.0	SENW 40.0
	NESW 36.0	NWSW 1.5
	SESW 40.0	NWSE 31.0
	SWSE 32.0	
S36	NWNE 12.0	
962.8 Acres Total		

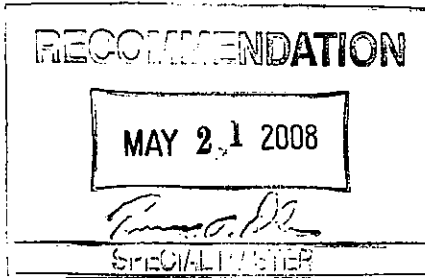
This right is limited to the irrigation of 320 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 962.8 acres in a single irrigation season.
Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035,
75-14254 and 75-10047.

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

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John M. Melanson
Presiding Judge of the
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 75-10047

NAME AND ADDRESS: EDGAR S EDWARDS
MYRTLE EDWARDS
PO BOX 299
SALMON, ID 83467

SOURCE: BILLY CREEK TRIBUTARY: GORLEY CREEK
CHIPPS CREEK TRIBUTARY: POLLARD CANYON

QUANTITY: 10.40 CFS

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

PRIORITY DATE: 05/01/1938

POINT OF DIVERSION: T21N R21E S10 NWSE Within Lemhi County
S14 SENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	10.40 CFS
	Irrigation Storage	01-01 TO 12-31	70.00 AFY
	Irrigation from Storage	04-01 TO 10-31	140.00 AFY
	Diversion to Storage	01-01 TO 12-31	10.40 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T21N R21E S12	SWNW 4.4	SENW 5.6
		NESW 40.0	NWSW 36.0
		SWSW 7.8	SESW 32.0
	S13	SESW 6.0	SWSE 10.0
	S14	SESE 28.0	
	S23	NENE 18.0	SENE 22.0
		NESE 38.0	SESE 5.5
	S24	NWNE 39.0	SWNE 26.0
		NENW 14.0	SWNW 40.0
		SENW 40.0	NESW 40.0
		NWSW 40.0	SWSW 35.0
		SESW 40.0	NWSE 27.0
		SWSE 28.0	
	S25	NWNE 30.0	SWNE 33.0
		NENW 40.0	NWNW 24.0
		SWNW 21.0	SENW 40.0
		NESW 36.0	NWSW 1.5
		SESW 40.0	NWSE 31.0
		SWSE 32.0	
	S36	NWNE 12.0	
	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.

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

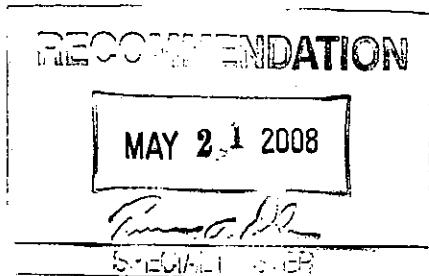
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

2008 MAY 21 PM 3:20

DISTRICT COURT-SREA
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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 75-00002
75-02035 75-02162 75-10046
75-10047

CERTIFICATE OF MAILING

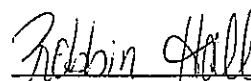
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 21, 2008, with sufficient first-class postage prepaid to the following:

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

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
Phone: 208-756-4728

CERTIFICATE OF MAILING


ROBBIN HALL
Deputy Clerk

PAGE 1
05/21/08

2008 MAY 21 PM 3:31

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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

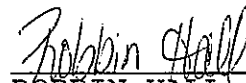
Water Right(s): 75-00002
75-02035 75-02162 75-10046
75-10047

On May 21, 2008, Special Master TERRENCE A. DOLAN 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 May 21, 2008.



ROBBIN HALL
Deputy Clerk