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MAR 27 2009

DEPARTMENT OF
WATER RESOURCES

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

MAR 26 2009

By RS

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) Subcase 75-10052
) (Edwards)
Case No. 39576)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

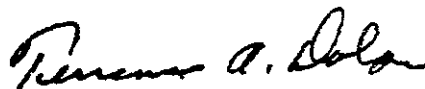
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended the claim to Myrtle and Edgar Edwards, P.O. Box 299, Salmon, Idaho, 83467, for 1.6 cfs from springs for year-'round stockwater use and to irrigate 184 acres in Lemhi County from April 1 to October 31 with a priority date of April 1, 1913, based on beneficial use.

The Edwards' filed an *Objection* on August 10, 2007, objecting to place of use. They were granted leave to amend their claim on December 18, 2008, and on December 24, 2008, IDWR filed its *Amended Director's Report*. No one objected to the *Amended Director's Report*.

Conclusions of Law

The Edwards' are entitled to a partial decree adjudicating a water right as described in the *Amended Director's Report* and the attached *Special Master Recommendation for Partial Decree for Water Right 75-10052*.

DATED March 26, 2009



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 75-10052

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

SOURCE: SPRINGS TRIBUTARY: SINKS

QUANTITY: 1.60 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1913

POINT OF DIVERSION: T21N R21E S24 SESW Within Lemhi County
SWSE
SWSE
SWSE
S25 NENW
NENW
NENW
NENW
NENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.60 CFS
	Stockwater	01-01 TO 12-31	0.07 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T21N R21E S24	SESW 22.0	SWSE 7.0
	S25	NWNE 31.0	SWNE 32.0
		NENW 33.0	NWNW 0.5
		SWNW 1.5	SENW 39.0
		NESW 19.0	NESE 0.5
		NWSE 13.0	
	198.5 Acres Total		
	Stockwater		Within Lemhi County
	T21N R22E S24	SWSE	

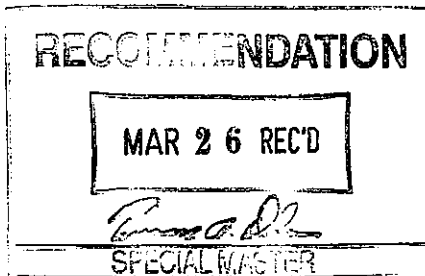
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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

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

MAR 26 2009

By _____

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)
_____)

CERTIFICATE OF MAILING

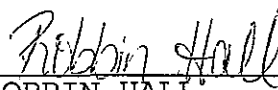
Water Right(s) : 75-10052

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 March 26, 2009, with sufficient first-class postage prepaid to the following:

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

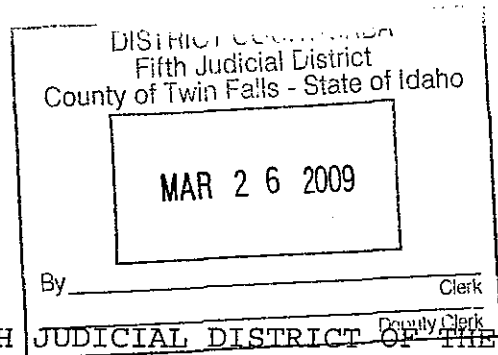
EDGAR & MYRTLE EDWARDS
EDGAR S EDWARDS
MYRTLE EDWARDS
PO BOX 299
SALMON, ID 83467
Phone: 208-756-4728



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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03/26/09



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

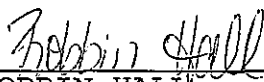
Water Right(s): 75-10052

On March 26, 2009, 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 March 26, 2009.



ROBBIN HALL
Deputy Clerk