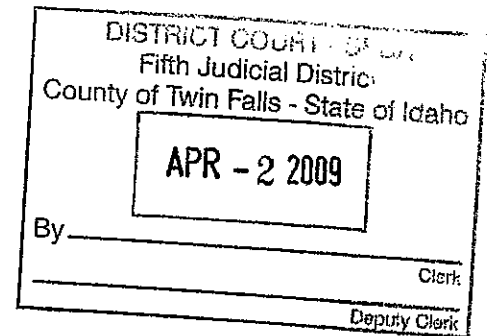


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APR 03 2009

DEPARTMENT OF
WATER RESOURCES



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

) Subcases 75-10046 and 75-10047
) (Edwards)
)
) AMENDED 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 claims 75-2, 75-2035, 75-2162, 75-10046 and 75-10047 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.

The Special Master entered a *Special Master Report and Recommendations* in subcases 75-2, 75-2035, 75-2162, 75-10046 and 75-10047 on May 21, 2008. However, on September 5, 2008, IDWR filed an *Amended Director's Report* in subcase 75-10047 amending the priority date; no one objected to the *Amended Director's Report*. Then, on September 11, 2008, the Edwards' and the United States, with IDWR's concurrence, filed an *Amended SF-5* in subcase 75-10046 amending the quantity and place of use. There were no amendments in subcases 75-2, 75-2035 and 75-2162 since the filing of the May 21, 2008 *Special Master Report and Recommendations*.

Conclusions of Law

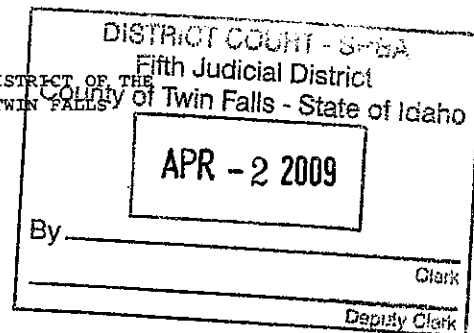
The Edwards' are entitled to partial decrees adjudicating water rights as described in the *Amended Director's Report* (75-10047) and the *Amended SF-5* (75-10046) and the attached *Amended Special Master Recommendations for Partial Decrees for Water Rights 75-10046 and 75-10047*.

DATED April 2, 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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
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: 4.23 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	4.23 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.

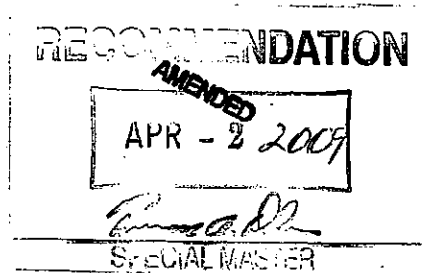
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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

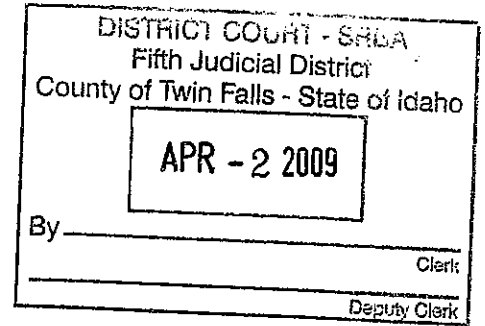


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

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

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: 04/01/1916

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

Irrigation from Storage Within Lemhi County
Same as Irrigation

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

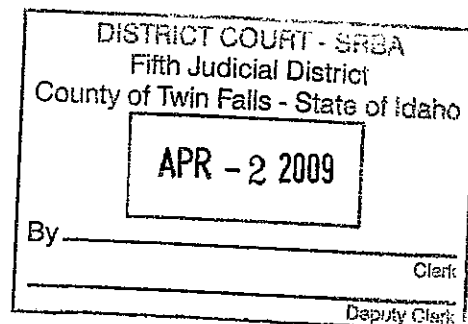
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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

RECOMMENDATION
AMENDED

APR - 2 2009

John M. Melanson
SPECIAL AGENT



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

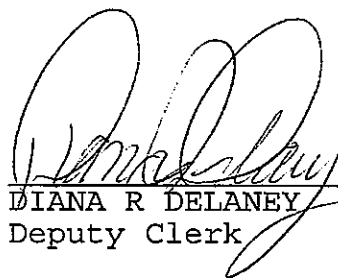
Water Right(s): 75-10046
75-10047

On April 02, 2009, Special Master JOHN M MELANSON issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

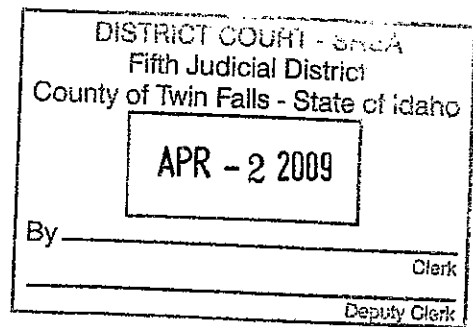
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 April 02, 2009.



DIANA R DELANEY
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)
_____)

CERTIFICATE OF MAILING

Water Right(s) : 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 April 02, 2009, 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


DIANA R DELANEY
Deputy Clerk

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04/02/09