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DEPARTMENT OF
WATER RESOURCES

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August 16, 2010

Monica VanBussum
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720

Re: Affidavit of Dale C. Edwards

Dear Monica:

Enclosed please find the original Affidavit in Support of Water Right No. 75-22.

If you have any questions, please contact our office. Thanks.

Sincerely yours,



Mandy Davis,
Assistant to Jerry R. Rigby

/md
Enclosure

sb/arrowhead.ltr

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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 39576

)
)
)
) **Subcase: 75-22**
)
)
) **AFFIDAVIT IN SUPPORT OF WATER**
) **RIGHT NO. 75-22**
)

STATE OF IDAHO)

ss

County of Lemhi)

Dale C. Edwards, being first duly sworn, deposes and says:

1. I reside at 287 Sunrise Rd., Salmon, Idaho.
2. I was born in Salmon, Idaho on October 23, 1960, am 49 years of age and have lived on the family ranch southwest of Salmon in Lemhi County my entire life.
3. I was raised on my father's ranch and have recollection from when I was a young boy of about 6 years old working initially for my father and a few years later on my own doing all normal farm and ranch work, including riding horses, herding and feeding cattle, mending fences, irrigating and raising hay. When I was in high school I bought my first cows from my father in about 1975. I have been ranching at this location since that time.
4. I have personal knowledge of the diversion and use of water from Chipps Creek from the late 1960s to date based on my observations during the irrigation season as we diverted and

Affidavit in Support of Water Right No. 75-22

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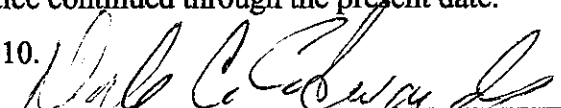
used our water rights from Chipps Creek. Since I was in high school I have done most of the watering on the north end of the ranch and observed the Chipps Creek diversions on an almost daily basis. During this period I also observed Arrowhead's diversion of water from Chipps Creek at their separate diversion approximately ¼ mile downstream from our diversion. The ditch from Arrowhead's Chipp's Creek diversion at that time was small and unkempt and was in a steep rocky area. I estimate the amount of water the ditch could have carried was about 1 cfs.

5. The ditch occasionally would wash out in the spring. On one occasion when the ditch washed out in the early 1980s they did not get around to repairing it until the following spring. During that time Arrowhead diverted from their downstream point of diversion which I understand now was on Pollard Creek.

6. The Chipps Creek ditch remained in poor condition until approximately 1980 when Mr. Smedley purchased the ranch and replaced the ditch with a concrete pipe. The Arrowhead Reservoir was built by Mr. Smedley at about this same time and water from Chipps Creek was diverted into the concrete pipe and transported to the reservoir.

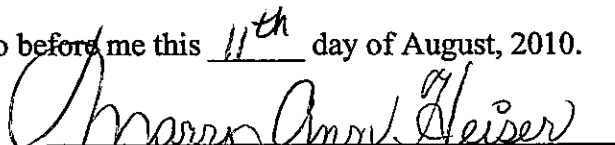
7. When the Arrowhead reservoir was completely full, their 75-22 right was mainly delivered from Pollard Canyon Creek. Water rises in between my diversion in Chipps and Arrowheads diversion below which I believe was used to maintain their reservoir. I have never been asked to release water from Chipps Creek for delivery to the reservoir to fill their 75-22 right when the reservoir was full. This practice continued through the present date.

DATED this 11 day of August, 2010.


Dale C. Edwards

SUBSCRIBED AND SWORN To before me this 11th day of August, 2010.




Notary Public for Idaho
Residing at: Salmon, Id. 83467
Commission Expires: 10-30-2013

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