



STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WASDEN

October 18, 2010

Clerk of Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, ID 83303-2707

*Sent via facsimile and regular mail*

*RE: Subcase No. 75-4089 (Edwards)*

Dear Julie:

I am enclosing a Standard Form 5 ("SF5") for filing. You will note that there are two copies of the revised recommendation attached to the SF5. The contents are the same, but because the document has been faxed previously, the image quality is not that good. Therefore, we are also providing a more legible copy.

If you should have any questions, please don't hesitate to contact me at 287-4815.

Sincerely,

A handwritten signature in blue ink that reads "Ray Williams". The signature is fluid and cursive, with the first name "Ray" and last name "Williams" clearly distinguishable.

Ray Williams  
Paralegal

Enclosure

cc: Jock Slavin

**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**

**Subcase No. 75-4089**

**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:**

**Eugene F. Edwards**  
**Viola M. Edwards**

**INTERVENOR:**

## Paul Edwards

Milton A. Slavin 10/18/10  
Milton A. Slavin Date  
Attorney for Claimant

Milton A. Slavin 10/18/12  
Milton A. Slavin Date  
Attorney for Intervenor

**IDWR Concurrence:**

Monica P. Van Bussum 10/18/2010  
Monica Van Bussum Date  
Senior Water Resource Agent

Garrick L. Baxter 10/18/2010  
Garrick L. Baxter Date  
Deputy Attorney General  
Attorney for IDWR

## CERTIFICATE OF MAILING

I certify that on October 18, 2010, 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:

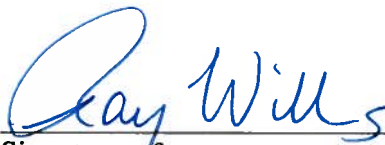
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

VIA FACSIMILE & MAIL

2. Copies to:

EUGENE F. EDWARDS  
PAUL EDWARDS  
VIOLA M. EDWARDS  
Represented by:  
MILTON A. SLAVIN  
ATTORNEY AT LAW  
116 N. CENTER ST.  
SALMON, ID 83467

DIRECTOR OF IDWR  
P.O. BOX 83720  
BOISE, ID 83720-0098



Signature of person or attorney mailing the form

10/13/2010

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

RIGHT NUMBER: 75-4089

NAME AND ADDRESS: VIOLA M EDWARDS  
PO BOX 1145  
SALMON ID 83467

EUGENE F EDWARDS  
PO BOX 1145  
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 44-42 51.700 CFS

*MVB*  
*RSK*

The diversion rate for this water right recognizes and maintains the historical diversion rate for irrigation of the 360.4 acre place of use for this water right. No future transfer can remove all or any portion of this water right from this place of use or change the nature of use of all or any portion of this water right without removing the irrigation water from and drying up a proportional number of irrigated acres within this place of use. If all or part of this water right is transferred to a new place of use or a new nature of use, the quantity of water available for transfer shall be limited to no more than 0.02 cfs per acre unless a greater quantity can be justified for the new use based on acceptable irrigation practices or contemporary standards for efficient use of water.

PRIORITY DATE: 07/25/1988

POINT OF DIVERSION:

T21N R22E S31 NESE Lot 3 within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY         |
|----------------|---------------|------------------|
| IRRIGATION     | 04/01 10/31   | 44-42 51.700 CFS |

PLACE OF USE:

IRRIGATION in LEMHI County

|                     |      |       |                     |      |       |
|---------------------|------|-------|---------------------|------|-------|
| T21N R22E S30       | NENE | 9.00  | T21N R22E S30       | NWNE | 40.00 |
| T21N R22E S30 Lot 2 | SWNE | 58.70 | T21N R22E S30       | SENE | 13.00 |
| T21N R22E S30 Lot 1 | NEEW | 43.00 | T21N R22E S30       | NENE | 7.80  |
| T21N R22E S30 Lot 3 | NWSE | 46.50 | T21N R22E S30 Lot 4 | SWSE | 47.00 |
| T21N R22E S30       | SESE | 13.00 | T21N R22E S31 Lot 1 | NENE | 49.00 |
| T21N R22E S31 Lot 2 | SENE | 33.40 |                     |      |       |

360.4 ACRES TOTAL

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 - Beneficial Use

10/13/2010

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

RIGHT NUMBER: 75-4089

NAME AND ADDRESS: VIOLA M EDWARDS  
PO BOX 1145  
SALMON ID 83467

EUGENE F EDWARDS  
PO BOX 1145  
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: ~~14.42~~ 51.700 CFS

*MVB*

The diversion rate for this water right recognizes and maintains the historical diversion rate for irrigation of the 360.4 acre place of use for this water right. No future transfer can remove all or any portion of this water right from this place of use or change the nature of use of all or any portion of this water right without removing the irrigation water from and drying up a proportional number of irrigated acres within this place of use. If all or part of this water right is transferred to a new place of use or a new nature of use, the quantity of water available for transfer shall be limited to 0.02 cfs per acre unless a greater quantity can be justified for the new use based on acceptable irrigation practices or contemporary standards for efficient use of water.

PRIORITY DATE: 07/25/1888

POINT OF DIVERSION:

T21N R22E S31 NESE Lot 3 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          | <del>14.42</del> 51.700 CFS |

PLACE OF USE: IRRIGATION in LEMHI County

|                     |      |       |                     |      |       |
|---------------------|------|-------|---------------------|------|-------|
| T21N R22E S30       | NENE | 9.00  | T21N R22E S30       | NWNE | 40.00 |
| T21N R22E S30 Lot 2 | SWNE | 58.70 | T21N R22E S30       | SENE | 13.00 |
| T21N R22E S30 Lot 1 | NENW | 43.00 | T21N R22E S30       | NESE | 7.80  |
| T21N R22E S30 Lot 3 | NWSE | 46.50 | T21N R22E S30 Lot 4 | SWSE | 47.00 |
| T21N R22E S30       | SESE | 13.00 | T21N R22E S31 Lot 1 | NENE | 49.00 |
| T21N R22E S31 Lot 2 | SENE | 33.40 |                     |      |       |

360.4 ACRES TOTAL

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 - Beneficial Use

MVB