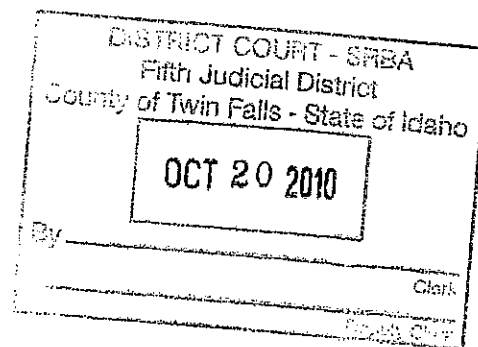


RECEIVED

OCT 21 2010

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) Subcase 75-4089
Case No. 39576) (Edwards)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

On October 20, 2009, former-SRBA Presiding Judge John M. Melanson set aside the *Partial Decree* for the Edwardses' water right "so that IDWR can evaluate the 'Hubble Analysis' to determine whether a higher quantity is warranted." On October 18, 2010, the Edwardses, with IDWR's concurrence, filed a *Standard Form 5* agreeing to 51.7 cfs from the Salmon River to irrigate 360.4 acres in Lemhi County from April 1 to October 31 with a priority date of July 25, 1888, based on beneficial use.

Conclusions of Law

Eugene and Viola Edwards, P.O. Box 1145, Salmon, Idaho, 83467, are entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 75-4089*.

DATED October 20, 2010.

A handwritten signature in cursive script, reading "Terrence A. Dolan".

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 75-04089

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 51.70 CFS

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 LOT 3 (NESE) Within Lemhi County

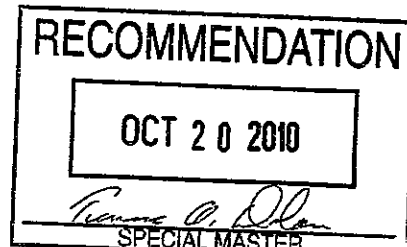
PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	51.70 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T21N R22E S30	NENE 9.0	NWNE 40.0
	LOT 2	(SWNE) 58.7	SENE 13.0
	LOT 1	(NENW) 43.0	NESE 7.8
	LOT 3	(NWSE) 46.5	LOT 4 (SWSE) 47.0
		SESE 13.0	
	S31 LOT 1	(NENE) 49.0	LOT 2 (SENE) 33.4
	360.4 Acres Total		

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

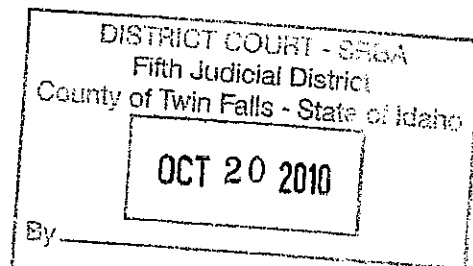
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).



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.

Eric J. Wildman
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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

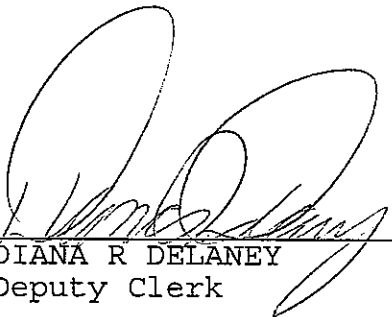
Water Right(s): 75-04089

On October 20, 2010, 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.

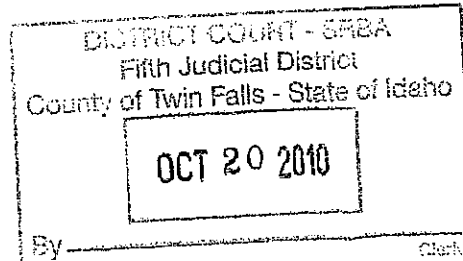
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 October 20, 2010.



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

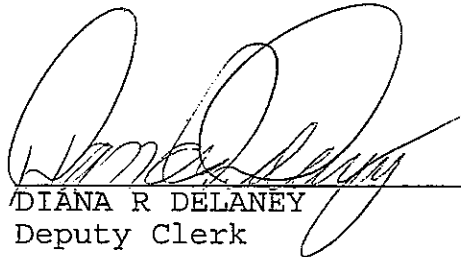
Water Right(s): 75-04089

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 October 20, 2010, with sufficient first-class postage prepaid to the following:

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

EUGENE F EDWARDS
PAUL EDWARDS
VIOLA M EDWARDS
Represented by:
MILTON A. SLAVIN
ATTORNEY AT LAW
116 N CENTER ST.
SALMON, ID 83467
Phone: 208-756-2030


DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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10/20/10