

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

DISTRICT COURT - SRBA

Fifth Judicial District
County of Twin Falls - State of Idaho

APR 11 2012

In Re SRBA

Subcase No. 75-14254

Case No. 39576

By

STANDARD FORM 5

Clerk

Deputy Clerk

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:

Dale Edwards

CLAIMANT:

Laura Edwards

Dale Edwards 3/12/12
Dale Edwards, Pro Se Date

Laura Edwards 3/12/2012
Laura Edwards, Pro Se Date

CLAIMANT:
Myrtle Edwards

INTERVENOR:
City of Salmon

Myrtle Edwards 3/12/12
Myrtle Edwards, Pro Se Date

Josephine P. Beeman 5 Mar 2012
Josephine P. Beeman, Attorney Date

IDWR Concurrence:

Monica Van Bussum 4/9/2012
Monica Van Bussum Date
Senior Water Resource Agent

G. L. Baxter 3/16/2012
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

02/17/2012

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

RIGHT NUMBER: 75-14254

NAME AND ADDRESS: MYRTLE EDWARDS
PO BOX 299
SALMON ID 83467DALE EDWARDS
PO BOX 846
SALMON ID 83467LAURA EDWARDS
PO BOX 846
SALMON ID 83467

SOURCE: GORLEY CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 9.500 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.

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

Right Nos. 75-2034 and 75-14254 are limited to a total combined annual diversion volume of 100 AF.

PRIORITY DATE: 06/01/1952

POINT OF DIVERSION:

T21N R21E S23 NWSE Within LEMHI County

T21N R21E S23 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DIVERSION TO STORAGE	04/01 10/31	9.500 CFS
IRRIGATION FROM STORAGE	04/01 10/31	<u>50.00</u> 70.000 CFS <u>AFY</u>
IRRIGATION	04/01 10/31	9.500 CFS
STOCKWATER	01/01 12/31	0.090 CFS
IRRIGATION STORAGE	04/01 07/31	20.00 <u>50.00</u> AFY

PLACE OF USE:

IRRIGATION in LEMHI County

T21N R21E S13	SESW	6.00	T21N R21E S13	SWSE	10.00
T21N R21E S23	NENE	0.80	T21N R21E S23	SENE	22.00
T21N R21E S23	NESE	38.00	T21N R21E S23	SESE	5.20
T21N R21E S24	NWNE	39.00	T21N R21E S24	SWNE	26.00
T21N R21E S24	NENW	14.00	T21N R21E S24	SWNW	40.00
T21N R21E S24	SENW	40.00	T21N R21E S24	NESW	40.00

02/17/2012

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

T21N R21E S24	NWSW	40.00	T21N R21E S24	SWSW	35.00
T21N R21E S24	SESW	40.00	T21N R21E S24	NWSE	27.00
T21N R21E S24	SWSE	28.00	T21N R21E S25	NWNE	30.00
T21N R21E S25	SWNE	33.00	T21N R21E S25	NENW	40.00
T21N R21E S25	NWNW	24.00	T21N R21E S25	SWNW	21.00
T21N R21E S25	SENW	40.00	T21N R21E S25	NESW	36.00
T21N R21E S25	NWSW	1.50	T21N R21E S25	SESW	40.00
T21N R21E S25	NWSE	31.00	T21N R21E S25	SWSE	32.00
T21N R21E S36	NWNE	12.00			

IRRIGATION FROM STORAGE same as IRRIGATION
STOCKWATER same as IRRIGATION

791.5 ACRES TOTAL

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. Section 42-1412(6), Idaho Code.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

JPB
LB
MVB

CERTIFICATE OF MAILING

I certify that on April 10, 2012, 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:

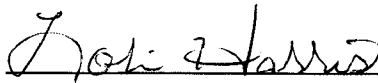
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Copies to:

CITY OF SALMON
Represented by:
JOSEPHINE P BEEMAN
409 W JEFFERSON ST
BOISE, ID 83702

DALE EDWARDS
LAURA EDWARDS
MYRTLE EDWARDS
PO BOX 846
SALMON, ID 83467

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



Signature of person or attorney mailing form