

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

791.5 ACRES TOTAL

12/21/2006

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This right is limited to the irrigation of 410 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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

11/13/2006

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

RIGHT NUMBER: 75-2034
NAME AND ADDRESS: MYRTLE EDWARDS
PO BOX 299
SALMON ID 83467
EDGAR S EDWARDS
PO BOX 299
SALMON ID 83467

SOURCE: GORLEY CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 2.500 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.

PRIORITY DATE: 02/28/1913

POINT OF DIVERSION:
T21N R21E S23 NWNESW Within LEMHI County
T21N R21E S23 NWSE Within LEMHI County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	2.500 CFS
<i>Diversion to Storage</i>	<i>01/01 12/31</i>	<i>2.5 cfs</i>
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 NENE 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	
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 NENE 12.00		

791.5 ACRES TOTAL

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Irr storage 50 AF 1/1 to 12/31
Irr from Storage 50 AF 4/1 to 10/31
Per License file information

11/13/2006

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

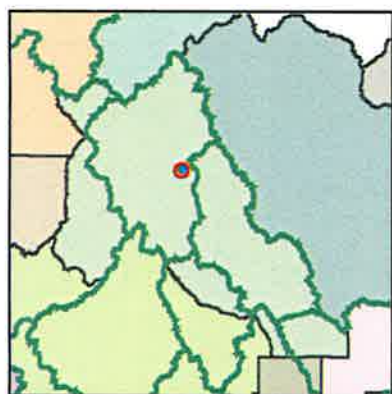


Idaho Department of Water Resources

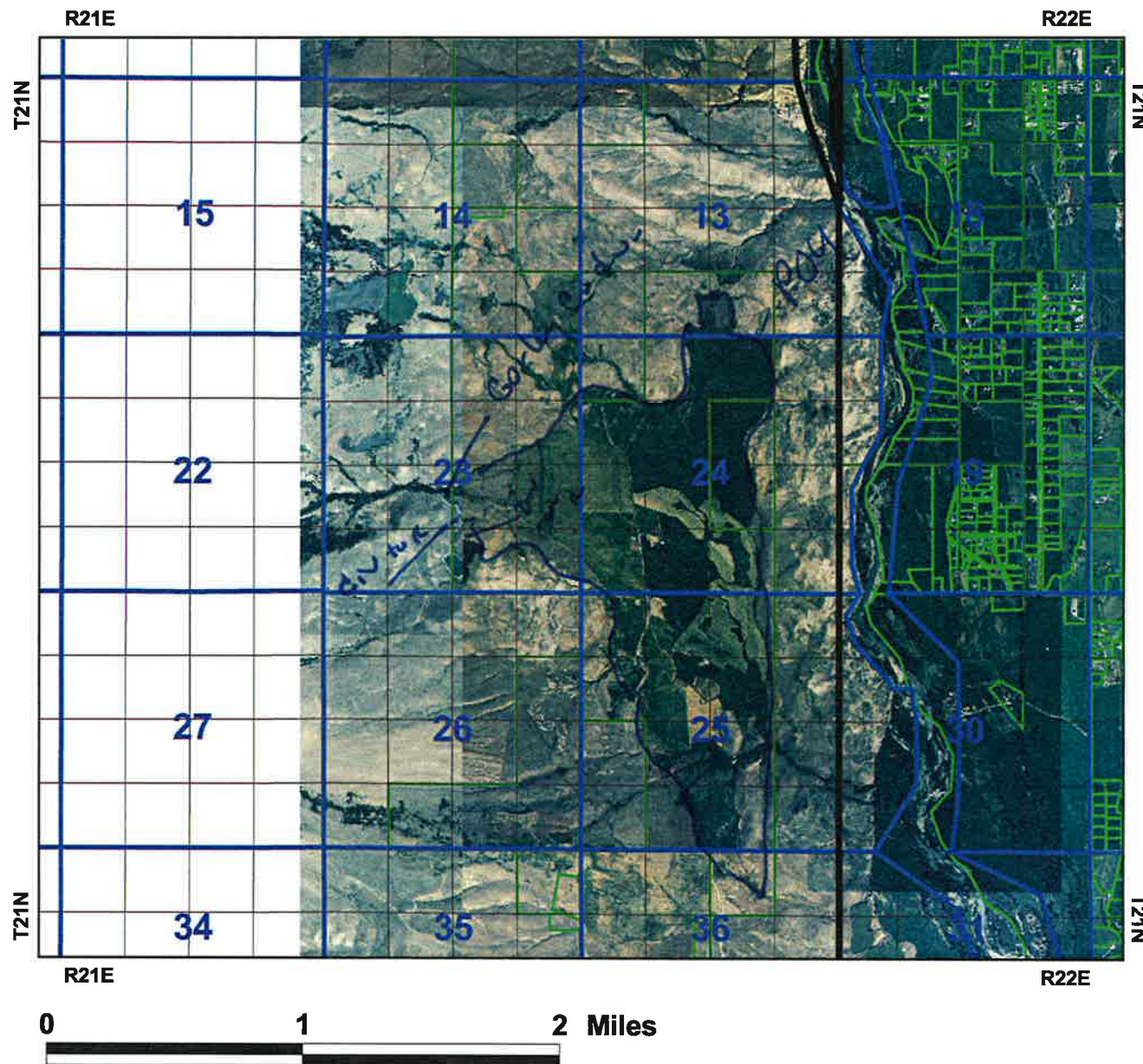
SRBA Claim:
75-14254

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Tuesday, May 16, 2006
1987/88 Aerial Photography

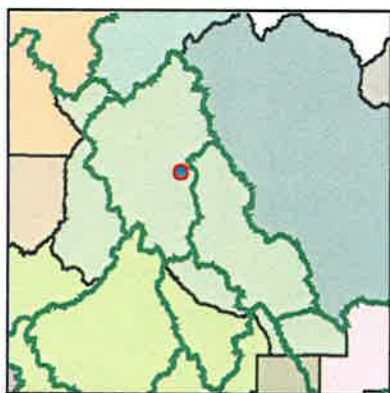


Idaho Department of Water Resources

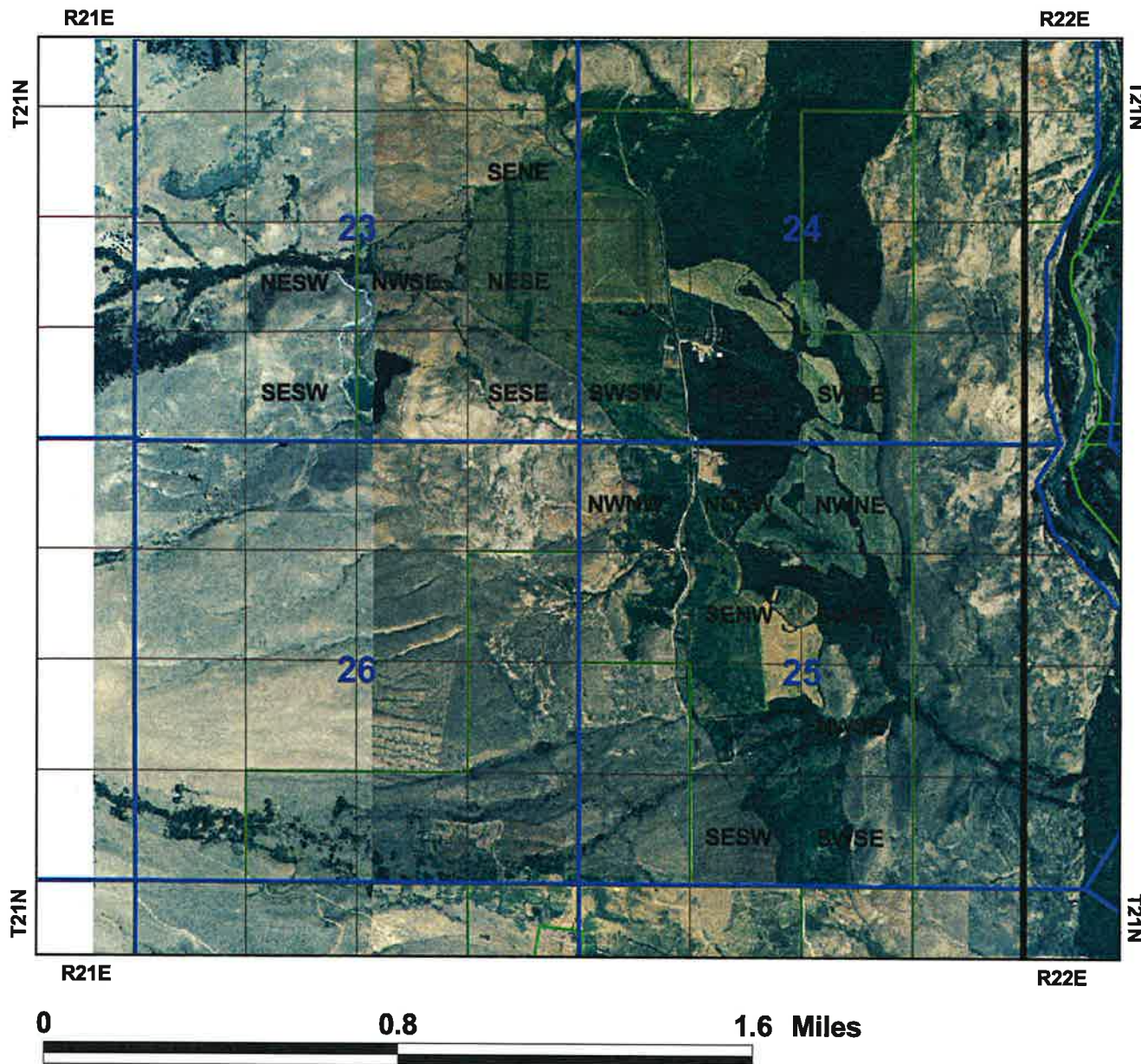
SRBA Claim:
75-2034

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Tuesday, May 16, 2006
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State of Idaho

License and Certificate of Water Right

Water License No. 9132
Water District No. 3-K

Amount 2.5 sec. ft.
Priority Feb. 28, 1913

THIS IS TO CERTIFY that E. S. EDWARDS, Jr.
of Salmon, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 24, 1913; that Permit No. 9132
was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.5
second feet, was issued thereunder on August 20, 1918, showing that said works
were completed on the 28th day of February, 1917; and that on the 28th
day of February, 1919,
E. S. EDWARDS, Jr.

of Salmon, State of Idaho, made proof to the satisfaction of the
State Engineer of Idaho, of a right to the use of the waters of Borley Creek,
a tributary of -----, for the purpose of irrigation & domestic use,
under Use Permit No. 9132 of the State Engineer, and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State
Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2636, on the 13th
day of September, 1920;

The right hereby confirmed dates from February 24, 1913;

The Point of Diversion is located
in the (1) NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, Tp. 21 N., R. 21 E., B. M. County of Lemhi.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed 2.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
21 N.	21 E.	23	SE $\frac{1}{4}$	40	10
			NE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$	40	40
		25	SW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$	40	40

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of
use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation
State Engineer, affixed at Boise, Idaho, this 13th
day of September, 1920.

W. G. SWENDSEN
Commissioner of Reclamation State Engineer

(SEAL)

By S. T. BAER,
Deputy.

PERMIT NO. 9132**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. E. S. Edwards, Jr.; 48 years of age; Residence Salmon, Idaho;
Occupation, Farmer;

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 9132; Approved February 28, 1913. Date of priority
February 28, 1913.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Gorley Creek. Diversion to Reservoir: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23; To Ditch
in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23; other diversions upon the land, directly from the
natural channel of Gorley Creek.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Ditch, diverting from Gorley Creek in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23, to Reservoir
located in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23; Discharge from Reservoir into watercourse,
returning to stream in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23; Capacity of ditch 2.5 sec.ft.
Capacity of outlet of reservoir 10 sec.ft. Storage capacity of reservoir
50 acre feet.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation; SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, 40 acres; SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24, 20 acres;
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, 10 acres.
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, 30 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, 24 acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25, 25
acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25, 30 acres, which land has actually been irrigated
with the said water. The land so irrigated is cultivated land. The

~~Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.~~ direct result of such irrigation has been the production of

Ans. a fair crop of hay each and every season.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. All of the available water in Gorley Creek is used each and every
season. The minimum amount required is 2.5 sec.ft. continuous flow.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the person.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. During the irrigation seasons of each and every year since and including 1913. The amount used was all of the available water supply which Gorley Creek affords. The excess in high water is stored in the reservoir mentioned herein and used to supplement the low water flow. The capacity of the reservoir is approximately 50 acre feet and the average low water flow of Gorley Creek is approximately 1 1/2 sec.ft. During the spring flood flow all of the available flow is used. The maximum highwater flow is approximately 5 sec.ft.

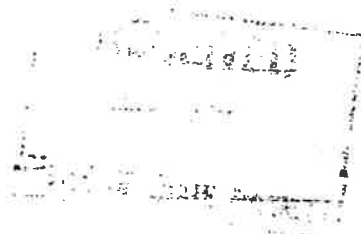
Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. The waters of Billy Creek diverted under Permit No. 9134 are used in conjunction with the waters of Gorley creek under the said Permit No. 9132. / The waters of both said creeks being intermingled. Diversion on the land directly from the channel of the said Gorley Creek and Billy Creek are made to use the flood waters.

(Sign) E. L. Edwards Jr.

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Salmon, County of Lemhi State of Idaho, on this 28th day of February A. D. 1919.

Allen M. Harris
Notary Public for the State of Idaho



REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 38

1. State name of applicant and number of permit: E. S. Edwards, Jr., -Permit 9132
2. State source of water supply: Gorley Creek
3. Location of point of diversion: To reservoir- NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23, T. 21 N., R. 21 E.
To ditch- NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T. 21 N., R. 21 E.
4. Describe works as they exist, giving dimensions and capacities of same: _____
_____ 22" pipe outlet, 29' long. Also 100' 24" tile
Cap. reservoir, 50 A.R.
From reservoir to land in Creek channel. No dam or H.G. in channel.
3 Ditches, 1' E. 1' S. Cap. 4 sec. 11, 6000.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23; W $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24; E $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25;
T. 21 N., R. 21 E.B.M.
Sec. 23, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 10 A. cult.
Sec. 24, All land in cultivation.
Sec. 25, All land in cultivation.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right: E.S. Edwards, Jr.
10. What large stream would the water here appropriated finally reach? Snake River.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:
From land to Salmon River, to Snake River.

Remarks: _____

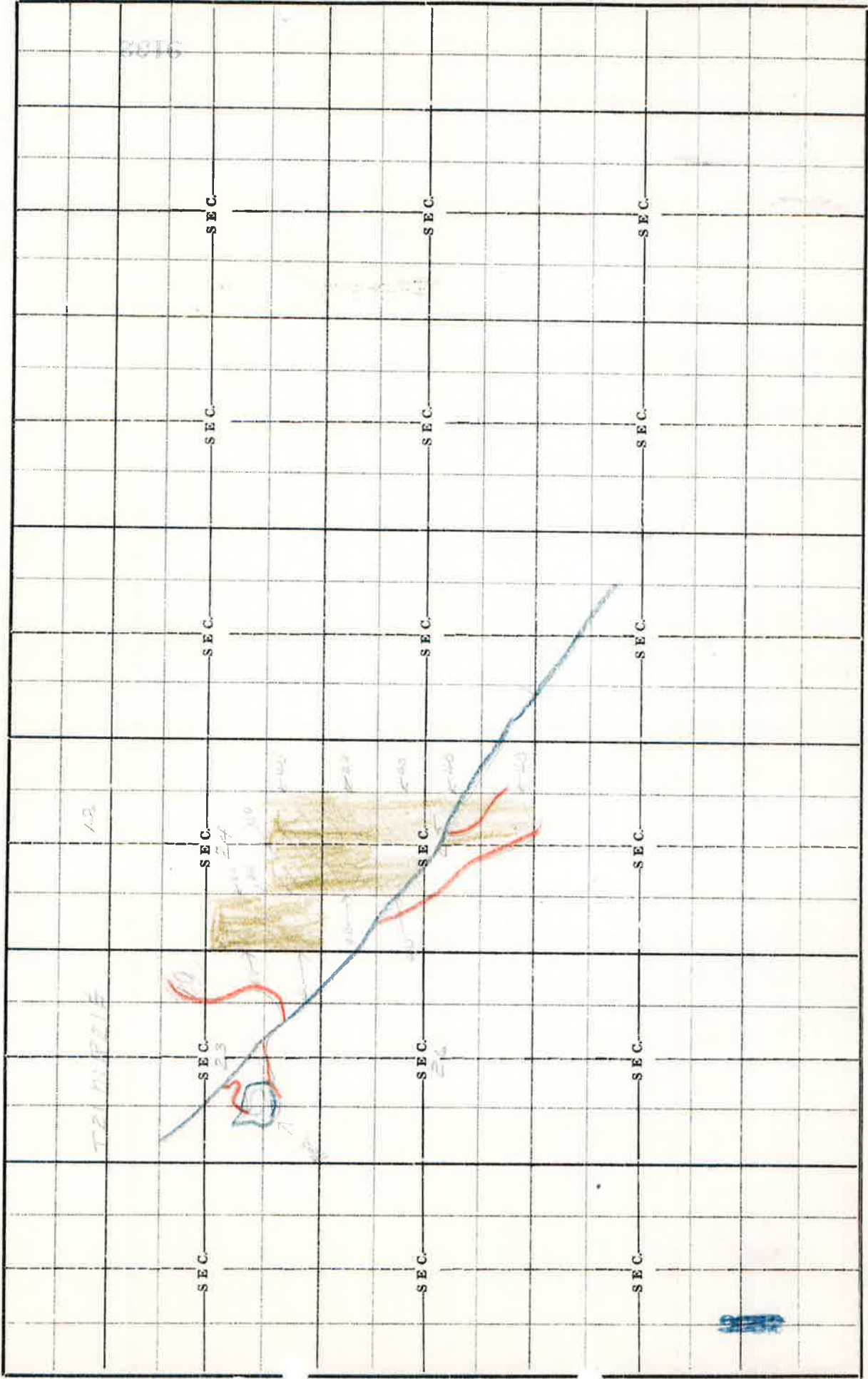
This examination was made on the 26 th day of June 19-20.

(Signed)

L.R. Annett
L.R. Annett.

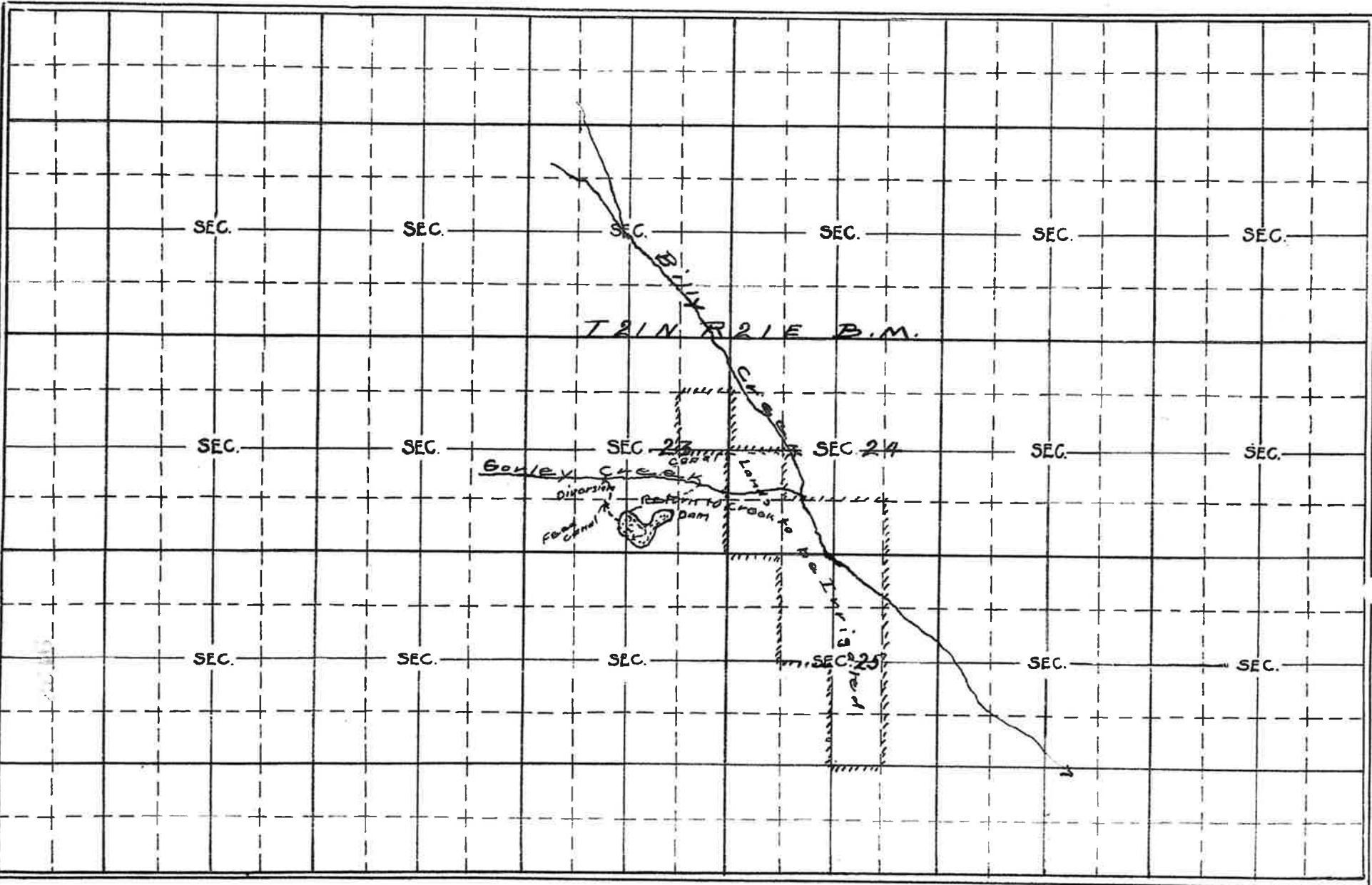
Examiner.

SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.



NAME OF APPLICANT F. S. L. ARDS Tr. # 9130

Name of Applicant: E. S. E. Wards



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK

There is not a redoubt
The water is directed to reservoir
but taking water from reservoir is
not a re-doubt.

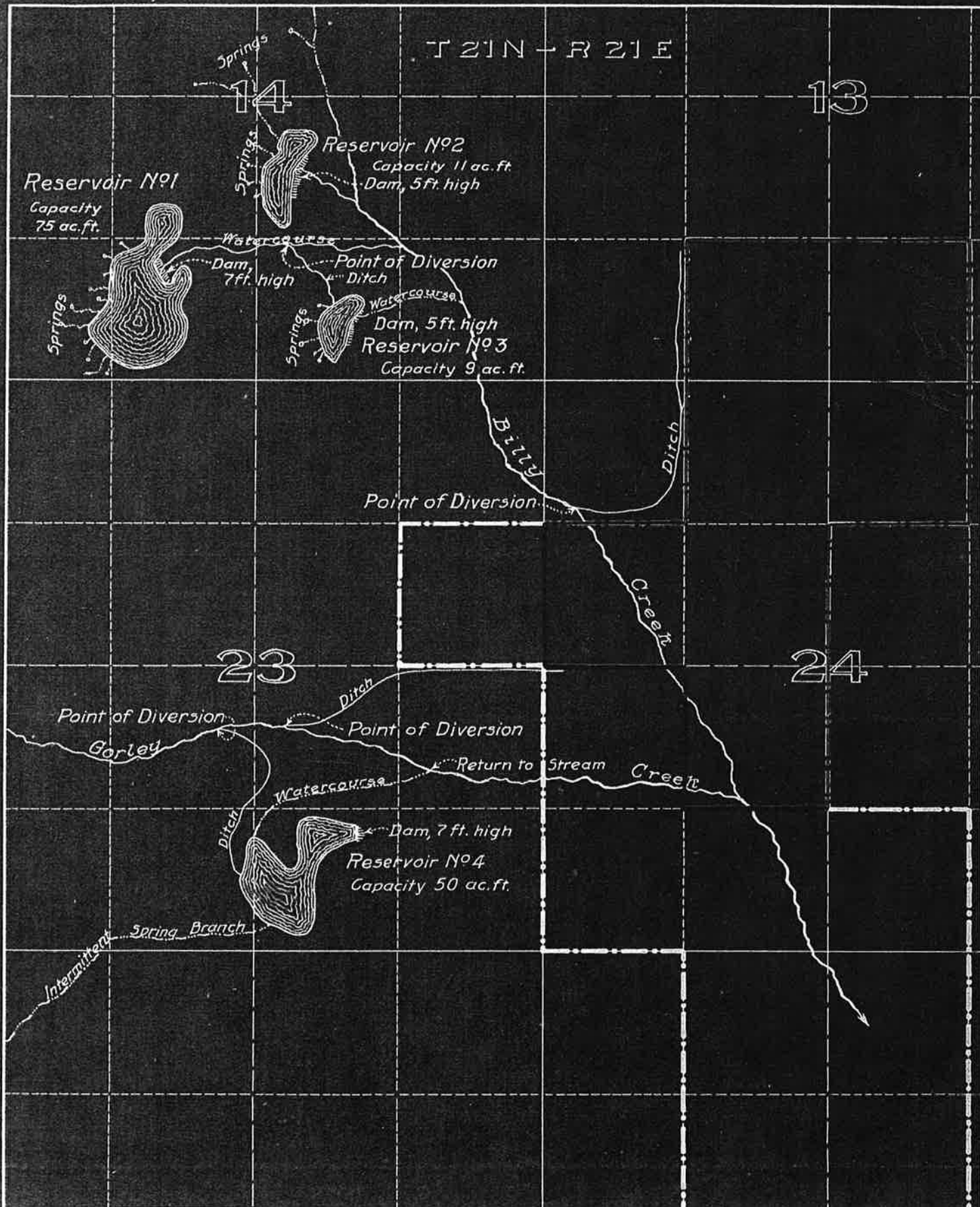
9134

to appropriate the waters of Billy Creek, Lemhi County, Idaho.

Permit received:

2/24/1913

Scale: 1200 ft to 1 inch



SCANNED

OCT 05 2011

14000
cc.
320 p2. A75-10046

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-02034
Date Received: 2/15/1990
Receipt No: 1006647
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDGAR S. EDWARDS 208-756-4728
Address: P.O. BOX 299
SALMON, ID 83467
OR
Name: MYRTLE EDWARDS 208-756-4728
Address: P.O. BOX 299
SALMON, ID 83467



2. Date of Priority: FEB 28, 1913

3. Source: GORLEY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	21E	23	NW	NE	SW		LEMHI
			NE	SE	SW	R	LEMHI
			NE	NW	SE		LEMHI

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES. CAN DIVERT INTO SMALL RESERVOIR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.500		
DIVERSION TO STORAGE	01/01	12/31	2.500		
IRRIGATION FROM STORAGE	01/01	12/31	2.500		
IRRIGATION STORAGE	04/01	11/01			70.00

7. Total Quantity Appropriated is:
2.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1025.0 Acre Feet Per Annum.

9. Non-irrigation uses:

INCIDENTAL STOCKWATER FOR 500 HEAD OF RANGE CATTLE
A75-02034 Page 1 Date: 04/12/90

MICROFILMED
DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
21N	21E	23	SE		NE		IRR	10.0
			NE		SE		IRR	40.0
			SE		SE		IRR	10.0
			Section Acres					60.0
		24	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SW		SE		IRR	40.0
			Section Acres					120.0
		25	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	30.0
			SE		NW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			Section Acres					310.0
			Total Acres					490.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

35-00012, 00010, 02162, 02035 BENEFICIAL USE RT. FOR STORAGE

14. Remarks:

THIS STORGAE PORTION OF THIS RIGHT WAS NOT DIRECTLY RECORDED UNDER THE LICENSE. HOWEVER, THE STORAGE POND IS MENTIONED IN THE LICNESING REPORT AND THE USE OF THE POND WAS DEVELOPED AS PART OF THE ORIGINAL RIGHT. THIS NOTICE IS ADDING THE STORAGE USE TO CLARIFY ACTUAL PRACTICES ASSOCIATED WITH THE RIGHT.

15. Basis of Claim: LICENSE

Water Right Number: 9132

16. Signature(s)

(a.). By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Edgar L Edwards Date: 4/17/90

Myrtle C. Edwards Date: 4/17/90

State of Idaho)
County of Lampi) SS.

Subscribed and sworn (or affirmed) before me this 17th day

of April 19 90

Laura Hendricks
Notary Public

Seal

Residing at Salmon

My Commission Expires 10-21-94

R21E

POINT OF DIVERSION

Ромо.

ET	57'30"
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R21E R22E

TZIN
TZON

MICROFILMED
 DEC 15 1992