

05/17/2006

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

RIGHT NUMBER: 75-10052

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

EDGAR S EDWARDS
PO BOX 299
SALMON ID 83467

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

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

Recommend as claimed

See PODs attached - 9 PODs

D. Tuthill 12/7/06

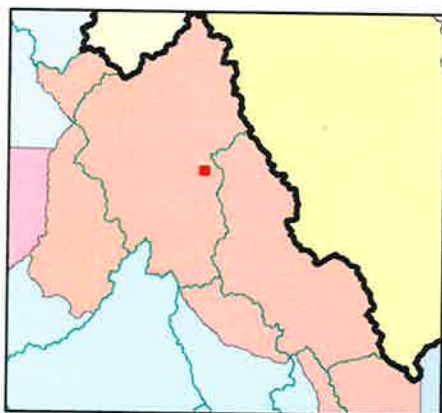


Idaho Department of Water Resources

SRBA Recommendation
75-10052
(IRRIGATION)

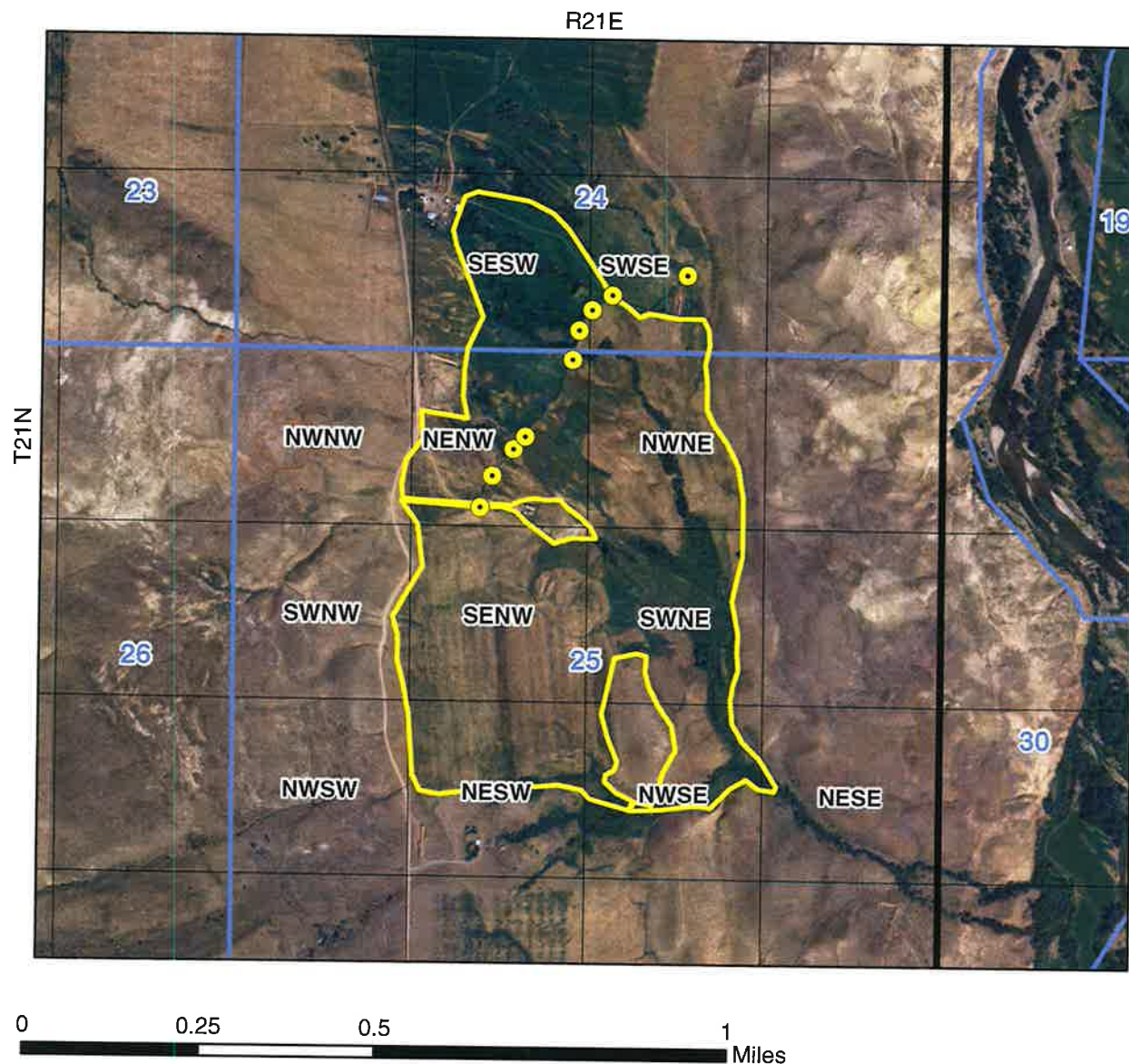
Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters

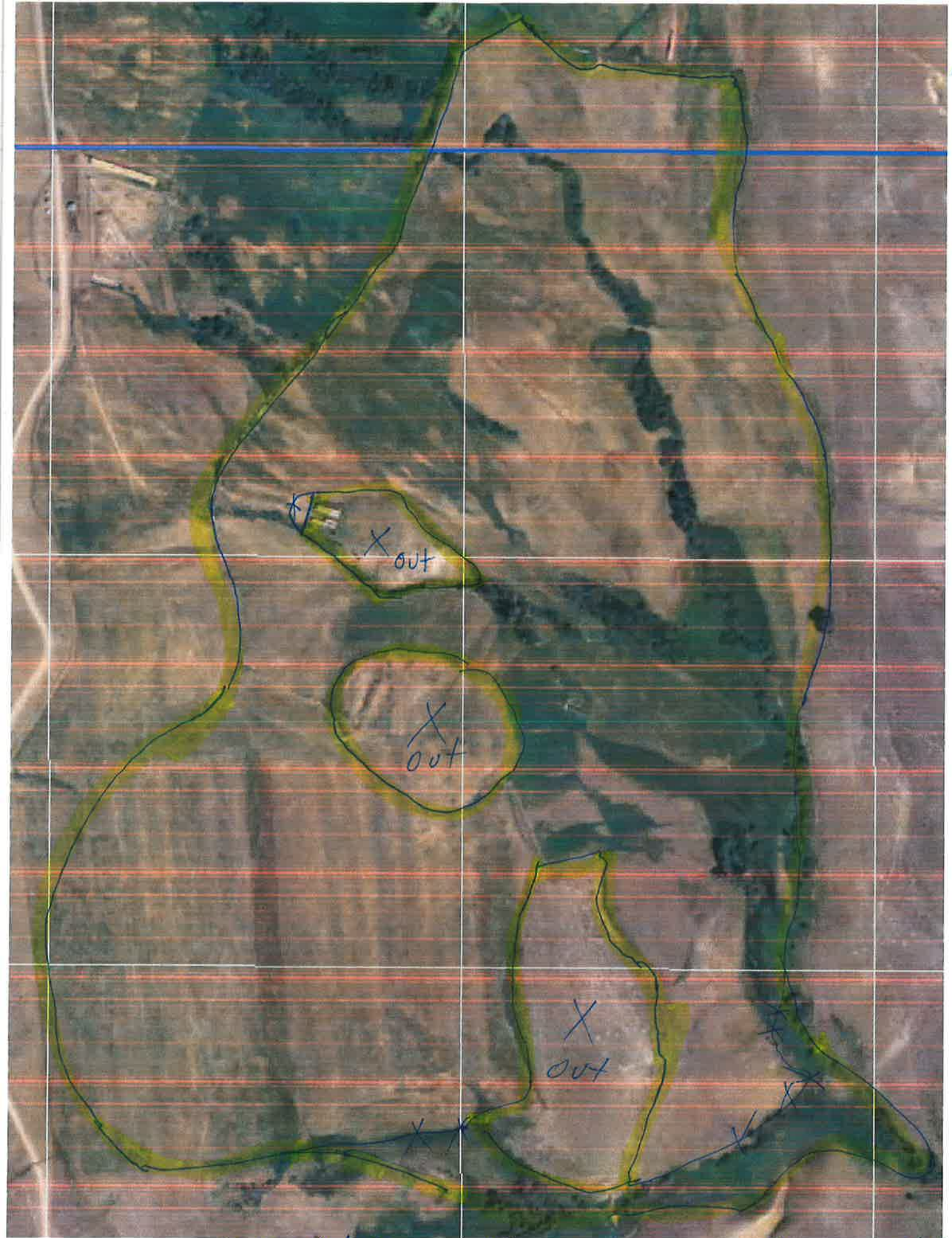


Lemhi County
IDWR Basin 75

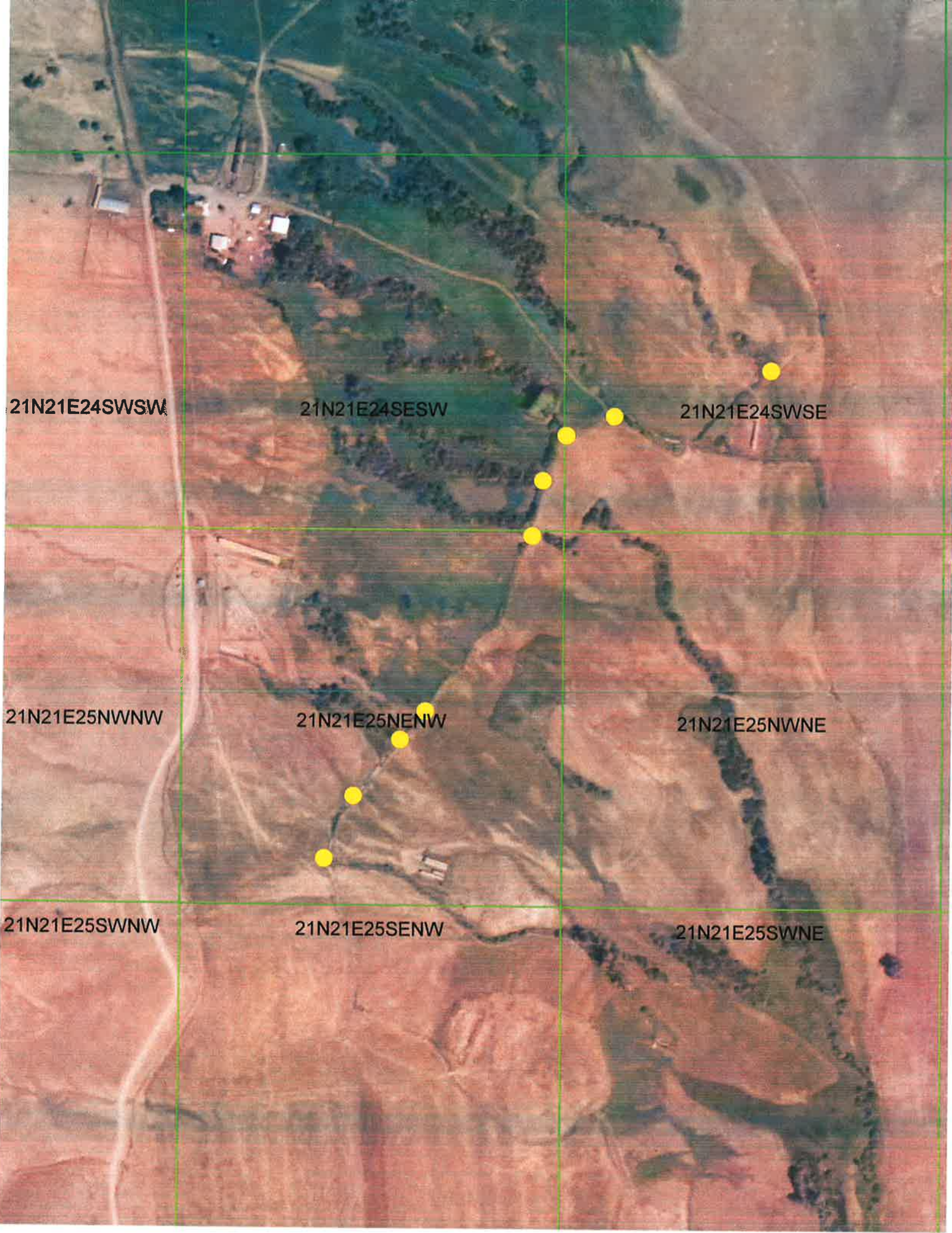
Prepared by Monica Van Bussum
On December 19, 2008
2004 Aerial Photography



↑N



75-10052 POU Received from Dale Edwards during initial hearings 9/11/2008
re: POU Gr objection M. Van Bussum 9/11/2008



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-10052 V1

WATER RIGHT NUMBER: 75-10052 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRTLE EDWARDS PO BOX 299 SALMON, ID 83467 (208)756-4728
Current Owner	EDGAR S EDWARDS PO BOX 299 SALMON, ID 83467 (208)756-4728

Priority Date: 04/01/1913

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.070 CFS	
IRRIGATION	04/01 to 10/31	1.600 CFS	
	<u>Total Diversion:</u>	1.600 CFS	

Location of Point(s) of Diversion

SPRINGS	SW1/4SE1/4	Sec. 24, Twp 21N, Rge 21E, B.M.
LEMHI County		
SPRINGS	SE1/4SW1/4	Sec. 24, Twp 21N, Rge 21E, B.M.
LEMHI County		
SPRINGS	NE1/4NW1/4	Sec. 25, Twp 21N, Rge 21E, B.M.
LEMHI County		
SPRINGS	SW1/4SE1/4	Sec. 24, Twp 21N, Rge 21E, B.M.
LEMHI County		
SPRINGS	SW1/4SE1/4	Sec. 24, Twp 21N, Rge 21E, B.M.
LEMHI County		
SPRINGS	NE1/4NW1/4	Sec. 25, Twp 21N, Rge 21E, B.M.
LEMHI County		
SPRINGS	NE1/4NW1/4	Sec. 25, Twp 21N, Rge 21E, B.M.
LEMHI County		
SPRINGS	NE1/4NW1/4	Sec. 25, Twp 21N, Rge 21E, B.M.
LEMHI County		
SPRINGS	NE1/4NW1/4	Sec. 25, Twp 21N, Rge 21E, B.M.
LEMHI County		

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 75-10052 V1

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	24															X		

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	24												22.0			7.0		29.0
21N	21E	25		31.0	32.0		33.0	.5	1.5	39.0	19.0				.5	13.0			169.5

Total Acres: 198.5

Conditions of Approval:

1. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
2. C18 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.
3. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Remarks:Comments:

1. abarton 5/17/2006 Disallow

Comment: Claim was disallowed because there was no evidence of priority.

2. mvanbussum 12/18/2008 Objection

Comment: Claimants have provided evidence of priority and motion to amend claim was granted December 18, 2008.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 75-10052 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			05/17/2006	abarton	Active
Summary			05/17/2006	abarton	Active
Contacts	12/21/2006 9:32:26 AM	awarntje			Active
Priority Date	12/21/2006 9:33:21 AM	awarntje			Active
Source	12/21/2006 10:27:53 AM	awarntje			Active
POU	12/21/2006 10:53:54 AM	awarntje			Active
Use	12/21/2006 10:54:12 AM	awarntje			Active
Season	12/21/2006 10:58:40 AM	awarntje			Active
Quantity	12/21/2006 10:59:12 AM	awarntje			Active
Summary			12/21/2006	awarntje	Active
POD	12/21/2006 11:25:07 AM	awarntje			Active
Contacts	12/18/2008 3:03:03 PM	mvanbussum			Active
POD	12/18/2008 3:03:21 PM	mvanbussum			Active
POU	12/18/2008 3:08:06 PM	mvanbussum			Active
Quantity	12/18/2008 3:22:13 PM	mvanbussum			Active
Summary			12/18/2008	mvanbussum	Active
Summary			12/18/2008	mvanbussum	Active
Summary			12/18/2008	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	12/21/2006 10:50:32 AM	awarntje	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-10052 V1

POU	12/21/2006 10:53:24 AM	awarntje	Updated shape for Active POU
Quantity	12/18/2008 3:22:14 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	12/18/2008 3:27:11 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights?
POD	12/21/2006 9:51:05 AM	awarntje	Updated shape
POD	12/21/2006 10:24:40 AM	awarntje	Updated shape
Summary	12/18/2008 4:49:22 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights?
Contacts	12/21/2006 9:32:26 AM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
POU	12/18/2008 3:20:26 PM	mvanbussum	Updated PLS
General	12/21/2006 9:33:22 AM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-10052 V1

Use	12/21/2006 10:54:13 AM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	12/21/2006 11:07:08 AM	awarntje	Updated shape
POD	12/21/2006 9:46:56 AM	awarntje	Updated shape
POD	12/21/2006 9:50:02 AM	awarntje	Updated shape
POU	12/21/2006 10:53:54 AM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
Season	12/21/2006 10:58:41 AM	awarntje	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	12/21/2006 10:59:13 AM	awarntje	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
POD	12/21/2006 11:07:40 AM	awarntje	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

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POD	12/21/2006 11:08:07 AM	awarntje	Updated shape
POD	12/21/2006 11:08:38 AM	awarntje	Updated shape
POD	12/21/2006 11:10:23 AM	awarntje	Updated shape
POD	12/21/2006 10:25:21 AM	awarntje	Updated shape
POD	12/21/2006 11:09:39 AM	awarntje	Updated shape
POD	12/21/2006 11:25:08 AM	awarntje	(No) 1. Is the basis of this claim a Decree or License?
POU	12/21/2006 10:52:00 AM	awarntje	Updated shape for Active POU
POD	12/21/2006 11:10:44 AM	awarntje	Updated shape
POD	12/21/2006 11:09:09 AM	awarntje	Updated shape
Summary	12/21/2006 11:24:26 AM	awarntje	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	12/21/2006 10:23:19 AM	awarntje	Updated shape
POD	12/21/2006 10:23:59 AM	awarntje	Updated shape
Source	12/21/2006 10:27:53 AM	awarntje	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POD	12/21/2006 9:47:56 AM	awarntje	Updated shape
POD	12/21/2006 9:48:56 AM	awarntje	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-10052 V1

Summary	5/17/2006 2:01:00 PM	abarton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	5/17/2006 2:04:55 PM	abarton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	12/18/2008 3:03:04 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
POD	12/18/2008 3:03:22 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	12/18/2008 3:08:07 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
POU	12/18/2008 3:17:17 PM	mvanbussum	Updated Shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-10052 V1

Summary	12/18/2008 3:30:20 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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SubCase:

SubCase Number: 75-10052
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: awarntje
Basis of Claim: Beneficial Use
Date Filed: 8/6/2007 Objection Status: Active

Water Supply Bank:

RECEIVED

OCT 06 2008

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 75-10052

) (Insert water right number)

Case 39576

) STANDARD FORM 4

) MOTION TO FILE:

) ☐ LATE NOTICE OF CLAIM

) ☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Edgar J. Edwards

My address is Box 299
Salmon, Idaho 83467

My phone number is: Work _____ Home 756-4728

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☒ I must amend my Notice of Claim to the use of water in the SRBA because:

More acres being irrigated

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).

- ☐ Payment of the following additional fees required by IDWR:

no fees due

VERIFICATION (Must be completed)

State of Idaho

County of Lemhi

Edgar S. Edwards

(Insert name of person filing form)

, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Edgar S. Edwards

Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on October 1, 2008

(Insert Date)



Monica Van Bussum

Notary Public for IDWR

Residing at: Boise, ID

My Commission expires: 4/11/2013

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on Oct - 3 - ²⁰⁰⁸ 199, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)


Signature of person or attorney mailing the form

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 75-10052
Date Received: 4/17/1990
Receipt No: M006647
Received By:

AMENDED CLAIM

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MYRTLE EDWARDS Phone: (208) 756-4728

PO BOX 299
SALMON ID USA 83467

EDGAR S EDWARDS Phone: (208) 756-4728

PO BOX 299
SALMON ID USA 83467

2. Date of Priority: 04/01/1913

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	CountyType
21N	21E	24	SE	SW		LEMHI
21N	21E	24	SW	SE		LEMHI
21N	21E	24	SW	SE		LEMHI
21N	21E	24	SW	SE		LEMHI
21N	21E	25	NE	NW		LEMHI
21N	21E	25	NE	NW		LEMHI
21N	21E	25	NE	NW		LEMHI
21N	21E	25	NE	NW		LEMHI
21N	21E	25	NE	NW		LEMHI

5. Description of diverting works:

SPRING FLOW COLLECTED INTO SMALL STOCK POND & DRAINAGE DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.6	
STOCKWATER	1/01	12/31	0.07	

7. Total Quantity Appropriated is:

1.6 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	21E	24	SW	SE	STOCKWATER	
			SE	SW	IRRIGATION	22.0
			SW	SE	IRRIGATION	7.0
			Section Acres		29.0	
21N	21E	25	NW	NE	IRRIGATION	31
			SW	NE	IRRIGATION	32
			NE	NW	IRRIGATION	33
			SE	NW	IRRIGATION	39
			NW	NW	IRRIGATION	0.5
			SW	NW	IRRIGATION	1.5
			NE	SW	IRRIGATION	19
			NE	SE	IRRIGATION	0.5
			NW	SE	IRRIGATION	13
Section Acres		168.0				
Total Acres		198.5				

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:

14. Remarks:

THIS DITCH COLLECTS WATER FROM A SERIES OF SPRINGS. WATER IS REDIVERTED FROM SPRINGS TO FLOOD IRRIGATE THE PLACE OF USE. WATER FROM OTHER RIGHTS ON THIS PROPERTY FROM OTHER SOURCES IS MINGLED TOGETHER IN THIS SAME DITCH.

15. Basis of Claim: Beneficial Use

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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 S. Edwards Date: 10-1-08

Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 1st
of October 2008

Monica Van Busum

Notary Public

Residing at Boise, ID
My commission Expires 4/11/2013



RECEIVED

AUG 13 2007

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

Case No. 39576

A. Subcase 75-10052
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Edgar and Myrtle Edwards
Address: P.O. Box 299
Salmon, Idaho 83467
Daytime Phone: 756-4728

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Edgar and Myrtle Edwards
Address: P.O. Box 299
Salmon, Idaho 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: T21 N R21 E S24 SE SW-5, SW SE-15.
T21 N R21 E Sec 25 NW NE-35, SW NE-35, NE NW-15,
10. ☐ **I object because:** SE NW-30, NESW-15, NWSE-20
☐ This water right Should not exist.
☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** This correction will accurately describe where the water is used.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Lemhi)

Edgar S. & Myrtle C. Edwards, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

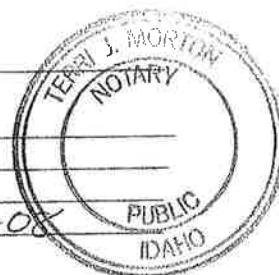
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Edgar S. Edwards
(Signature of person filing objection)
Myrtle C. Edwards

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 7-5-2007

Terry J. Morton
Notary Public for Idaho
Residing at: Salmon
My Commission Expires: 4-25-08



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on August 9, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: myself
Address: P.O. Box 299
Salmon, Id. 83467

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449


Signature of objector or attorney
mailing on Objector's behalf

75-10052

→ make new shape

→ amended claim

→ ~~SES~~ ADR

New acres based on shape drawn by Edwards

21N 21E	24	SESW	1
	24	SWSE	6.5
	25	NWNE	31
	25	SWNE	30
	25	NE NW	13
	25	SE NW	26
	25	NE SW	19
	25	NE SE	0.5
	25	NWSE	13
			140 ac.

Tuthill, Dave

To: gorley@centurytel.net
Subject: SRBA Recommendations

Dear Edgar, Dale and Laura,

Attached please find (finally) the updated recommendations for your water rights based on our discussions in Salmon. Since that day I had been working on other basins in the state -- just yesterday I was able to turn attention to your area.

We plan to file these with the Court next week. If further changes are needed, you will have a chance to file objections to our recommendations (we will send instructions on how to do this when you mail you your copies of these recommendations in early January). However, as you will see most (if not all) of the changes that I agreed to in our discussions are incorporated in these revised recommendations.

Merry Christmas!

Dave Tuthill



Edwards Revised
Recommendation...

EDGAR S EDWARDS
P.O. BOX 846
SALMON, IDAHO 83467

Edwards Ranch

RECEIVED

AUG 16 2005

Department of Water Resources

August 12, 2005

ROXANNE BROWN
STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 83720
BOISE, ID 83707-9815

Dear Roxanne:

In response to your letter of June 29, 2005 regarding Evidence of Priority Date (Adjudication Claim Report 75-10052 page 644.) These springs have been used for as long as I can remember for both irrigation and stock water. They rise in section 24 and 25 and are diverted into a ditch and then distributed in both sections 24 and 25. I have located and enclosed tax records for the year 1913 showing irrigated property in both these sections.

Sincerely,



Edgar S Edwards
Claimant

Enclosure



Subscribed and Sworn to before the
undersigned on the day of Aug 12, 2005.


Notary Public for the State of Idaho

Commission Expires 06-08-10

SCANNED

AUG 16 2005

Line No.	Owner's Name and Address	Subdivision or Tax No.	Sec. R.	Ac. E.
1	Quinn, J. H.	2171/14	1	11
2	Pope, Horace	2171/14	1	11
3	Salmon, Ida	2171/14	1	21
4	Logg, Alois	2171/14	1	21
5	Salmon, Ida	2171/14	1	21
6	Benjamin, Geo. W. Sr.	2171/14	1	21
7	Benjamin, Geo. W. Sr.	2171/14	1	21
8	Benjamin, Geo. W. Sr.	2171/14	1	21
9	Benjamin, Geo. W. Sr.	2171/14	1	21
10	Benjamin, Geo. W. Sr.	2171/14	1	21
11	Benjamin, Geo. W. Sr.	2171/14	1	21
12	Benjamin, Geo. W. Sr.	2171/14	1	21
13	Benjamin, Geo. W. Sr.	2171/14	1	21
14	Benjamin, Geo. W. Sr.	2171/14	1	21
15	Benjamin, Geo. W. Sr.	2171/14	1	21
16	Benjamin, Geo. W. Sr.	2171/14	1	21
17	Benjamin, Geo. W. Sr.	2171/14	1	21
18	Benjamin, Geo. W. Sr.	2171/14	1	21
19	Benjamin, Geo. W. Sr.	2171/14	1	21
20	Benjamin, Geo. W. Sr.	2171/14	1	21
21	Benjamin, Geo. W. Sr.	2171/14	1	21
22	Benjamin, Geo. W. Sr.	2171/14	1	21
23	Benjamin, Geo. W. Sr.	2171/14	1	21
24	Benjamin, Geo. W. Sr.	2171/14	1	21
25	Benjamin, Geo. W. Sr.	2171/14	1	21

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: A75-10052

Date Received: 2/15/1990

Receipt No: 11006647

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: MURTLE EDWARDS 208-756-4728
Address: P.O. BOX 299
SALMON, ID 83467

2. Date of Priority: APR 01, ~~1938~~ 1913

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	21E	24	NW	SW	SE		LEMHI
			SW	SW	SE		LEMHI
		25	SE	NE	NW		LEMHI
			SW	NE	SW		LEMHI

5. Description of diverting works:
SPRING FLOW COLLECTED INTO SMALL STOCK POND & DRAINAGE DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is 460.0 Acre Feet Per Annum.

9. Non-irrigation uses:
300 HEAD RANGE CATTLE

A75-10052

Page 1

Date: 04/12/90

MICROFILMED
DEC 15 1992

A7510052



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
21N	21E	24	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		NW		IRR	20.0
			SE		NW		IRR	34.0
			NE		SW		IRR	20.0
			NW		SE		IRR	20.0
			SW		SE		STOCK	
			SW		SE		IRR	10.0

Section Acres 184.0

Total Acres 184.0

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:

A75-10052, 02034, 02035, 00010, 00012

14. Remarks:

THIS DITCH COLLECTS WATER FROM A
SERIES OF SPRINGS. WATER IS REDIVERTED FROM SPRINGS TO FLOOD
IRRIGATE THE PLACE OF USE. WATER FROM OTHER RIGHTS ON THIS
PROPERTY FROM OTHER SOURCES IS MINGLED TOGETHER IN THIS SAME
DITCH.

15. Basis of Claim: BENEFICIAL USE

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 S. Edwards Date: 4/17/90
Myrtle C. Edwards Date: 4/17/90

State of Idaho)
County of Lemhi) SS.

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

of April 19 90

Gaura Hendricks
Notary Public

Seal

Residing at Salmon

My Commission Expires 10-21-94

