

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: A27-07332

Date Received: 5/26/1989

Receipt No: 5021162

Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: RAY BYRNE  
Address: 1224 N 1100 E  
SHELLEY ID 83274

OR

Name: TERRY FRENCH  
Address: 1226 N 1100 E  
SHELLEY ID 83274

OR

Name: BRAD LOFGREEN  
Address: 1230 N 1100 E  
SHELLY ID 83274

OR

Name: MICHAEL HOFFMAN  
Address: 1234 N 1100 E  
SHELLY ID 83274

208-357-7076



2. Date of Priority: DEC 14, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 01N      | 37E   | 35      | NE     | SE     |     |     | BINGHAM |

5. Description of diverting works:  
WELL, PUMP, LINES & SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.040 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.100 |      |        |

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

9.40 A.F.A.

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8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC, 4 HOMES

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 01N      | 37E   | 35      | NE     | SE  |     | IRR | 1.0   |
|          |       |         | SE     | SE  |     | IRR | 1.0   |

Section Acres 2.0

Total Acres 2.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:  
ONE SHARE IN PROGRESSIVE CANAL FOR EACH LOT

14. Remarks:  
DOMESTIC USE FOR 4 HOMES

15. Basis of Claim: LICENSE

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): *Long K. Lora* Date: 6/19/95  
\_\_\_\_\_  
Date: \_\_\_\_\_

MICROFILMED

State of Idaho

County of Bannerville ) SS.

Subscribed and sworn (or affirmed) before me this 19 day

of June 19 95

[Signature]  
Notary Public

Seal

Residing at Heise, Id

My Commission Expires 2/26/96

Log for claim 27-07332

Spatial Dynamics LTD

11/13/00

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|---------|-----|------|------------------|----------------|---------|
| 01n37e  | 35  | NESE | 1                | 3.5            |         |
| 01n37e  | 35  | SESE | 1                | 1.5            |         |
| Totals: |     |      | 2                | 5              |         |

AJ5809NP  
No. A27-07332

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00  
PAGE: 69

| OWNER<br>CODE    | NAME & ADDRESS                                    | PRIORITY<br>DATE | WATER USE              | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE      | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------|------------------|------------------------|----------------------------|------------------------|---------------------|
| C                | BRAD LOFGREEN<br>1230 N 1100 E<br>SHELLY ID 83274 | 12/14/1982       | IRRIGATION<br>DOMESTIC | 04-01 11-01<br>01-01 12-31 | 0.040 CFS<br>0.100 CFS |                     |
| TOTAL DIVERSION: |                                                   |                  |                        |                            | 0.120 CFS              | 9.40 AFA            |

C MICHAEL HOFFMAN  
1234 N 1100 E  
SHELLY ID 83274

C RAY BYRNE  
1224 N 1100 E  
SHELLEY ID 83274

C TERRY FRENCH  
1226 N 1100 E  
SHELLEY ID 83274  
(208) 357-7076

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R37E S35

NESE

BINGHAM County

Place of use Legal Description for: IRRIGATION

| NE          |     |    |   | NW |    |    |    | SW |    |    |    | SE |    |    |    |    |    |     |     |
|-------------|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|-----|
| T           | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | :   | SUM |
| 01N         | 37E | 35 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |     |
| TOTAL ACRES |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 2.0 |     |

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: BINGHAM

Non-Irrigation Uses: DOMESTIC, 4 HOMES

Other Rights: ONE SHARE IN PROGRESSIVE CANAL FOR EACH LOT

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

27-10996 27-11052 A27-10996 A27-11052

Other Water Rights Listing Overlapping Place(s) of Use:

A01-0007520 A01-0007620 A01-0031220 A01-0036820 A01-0036920 A01-0037020 A25-0022420

Conditions of Approval:

- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Remarks: GEN DOMESTIC USE FOR 4 HOMES

AJ5809NP  
No. A27-07332

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00  
PAGE: 70

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|        |                        |                        |                       |
|--------|------------------------|------------------------|-----------------------|
| Dates: | Exam Made Date:        | Verified Date:         | Objection Filed Date: |
| Misc:  | Water District Number: | Field Inspection Flag: | Presumption Flag:     |
| Audit: | 06/23/95 JTHOMPSO      |                        |                       |

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. [REDACTED]

Priority: December 14, 1982

Maximum Diversion Rate:  
Maximum Diversion Volume:<sup>1</sup>

0.12 CFS  
9.4 AF

This is to certify, that RAY BYRNE  
THOMAS MASINO  
TERRY FRENCH  
BARRY SOUTH

1224 N. 1100 E.  
SHELLEY, ID 83274

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 14, 1982; and has submitted Proof of Beneficial Use on February 25, 1985. An examination indicates that the works have a diversion capacity of .120 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/01 to 11/01       | 0.04 CFS                 | 7.0 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.10 CFS                 | 2.4 AF               |
|                       | Totals               | 0.12 CFS                 | 9.4 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 35, Township 01N, Range 37E  
BINGHAM County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 01N                              | 37E        | 35         | NESE 1       | SESE 1       |              | 2            |
| Total number of acres irrigated: |            |            |              |              |              | 2            |

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

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NOV 01 1990

State of Idaho  
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 27-07332

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Domestic use is for 4 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 27<sup>th</sup> day of OCTOBER, 1990.

Acting for

R. Keith Higginson, Director

**MICROFILMED**

NOV 01 1990

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
WATER RIGHT NO. 27-07332

APPROVED

Date of Priority: December 14, 1982

Maximum Diversion Rate:  
Maximum Diversion Volume:<sup>1</sup>

0.12 CFS  
9.4 AF

Comes now

RAY BYRNE  
THOMAS MASINO  
TERRY FRENCH  
BARRY SOUTH

1224 N. 1100 E.  
SHELLEY, ID 83274

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 27-07332, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/01 to 11/01       | 0.04 CFS                 | 7.0 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.10 CFS                 | 2.4 AF               |
|                       | Totals               | 0.12 CFS                 | 9.4 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 35, Township 01N, Range 37E  
BINGHAM County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 01N                              | 37E        | 35         | NESE 1       | SESE 1       |              | 2            |
| Total number of acres irrigated: |            |            |              |              |              | 2            |

PLACE OF USE: DOMESTIC, same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, Idaho, this 5 day of October, 1990.

**MICROFILMED**

NOV 01 1990

*Terry K. French*  
(Signature)

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 27-07332

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

Preliminary check by SC Fee = ✓\$20.00      Received by KCW Date 10-5-90  
# E 015307

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 27-07332 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Domestic use is for 4 homes.

Witness my hand this 27<sup>TH</sup> day of OCTOBER, 1990.

Acting for R. Keith Higginson Director

**MICROFILMED**

NOV 01 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Ray Byrne or Terry French or Thomas Masino or Barry South Phone 357-5402

Post office address Rt. 1, Box 106, Shelley, ID 83274

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 35 Township 1N

Range 37E B.M. Bingham County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.10 for Domestic purposes from 1-1 to 12-3 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount 0.04 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.14 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 3 hp pump/well with lines to 4 homes and sprinklers - static water level at 96'

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 240 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 35 Township 1N  
Range 37E B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water 4

(5) If water is to be used for other purposes describe: \_\_\_\_\_

RECORDED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 1N  | 37E   | 35   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 2   | 2      |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 2

c. Describe any other water rights used for the same purposes as described above. One share in  
Progressive Canal Co. for each lot

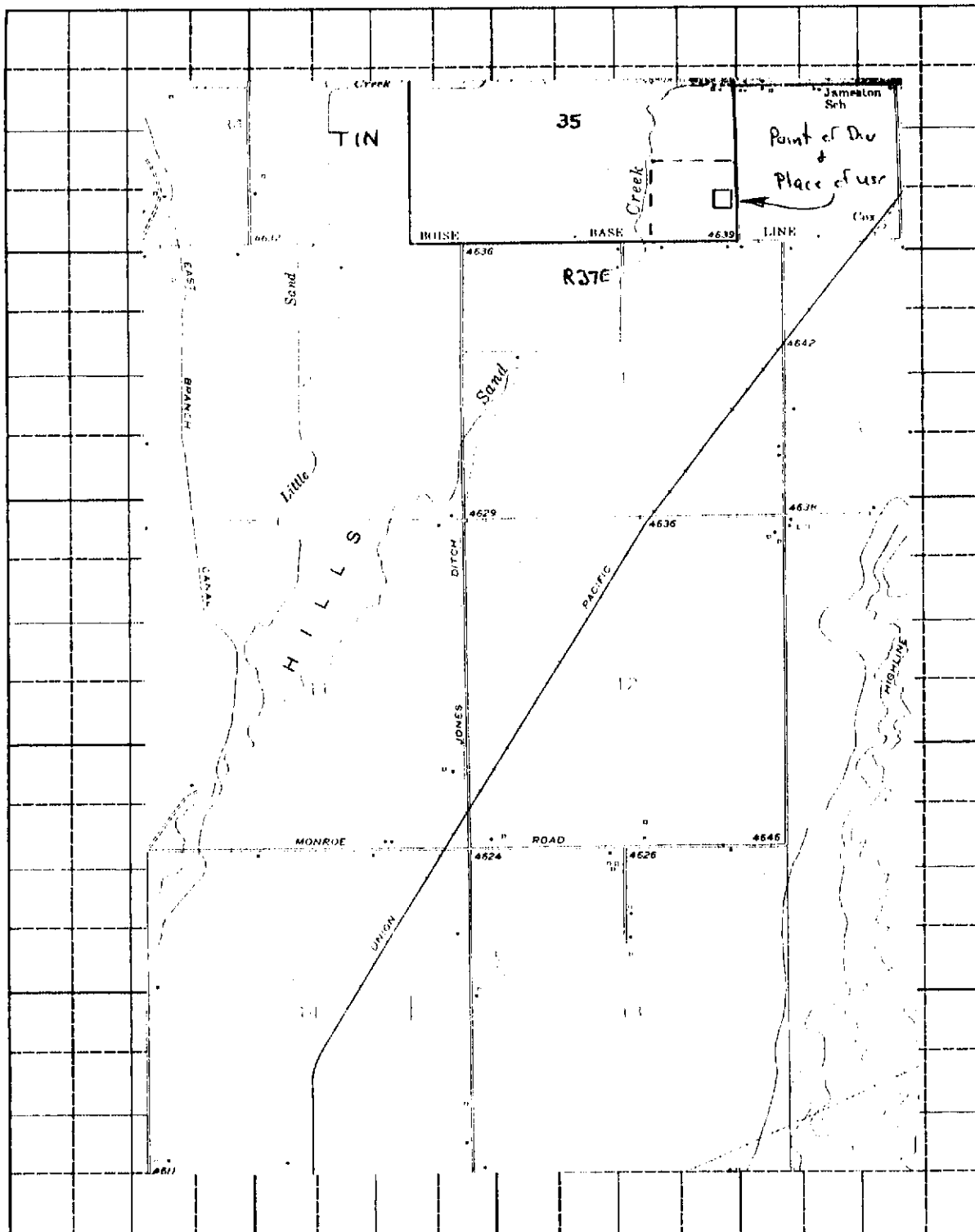
9. a. Who owns the property at the point of diversion Thomas Masino

b. Who owns the land to be irrigated or place of use Applicants

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicants have a well use agreement

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

*Ray Byrne*  
(Applicant)

*Verla Byrne*

Proposed filing 12/14/82

Received by HWT Date 12-14-82 Time 2:59 pm  
Preliminary check by sm Fee \$ 30.00  
Receipted by BP Date 12/14/82 # 23237  
Publication prepared by BP Date 12-15-82  
Published in Blackfoot News  
Publication dates 12-23 & 12-30-82  
Publication approved BP Date 1/4/83  
Protests filed by: none

Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by EMC kw

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 27-7332, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

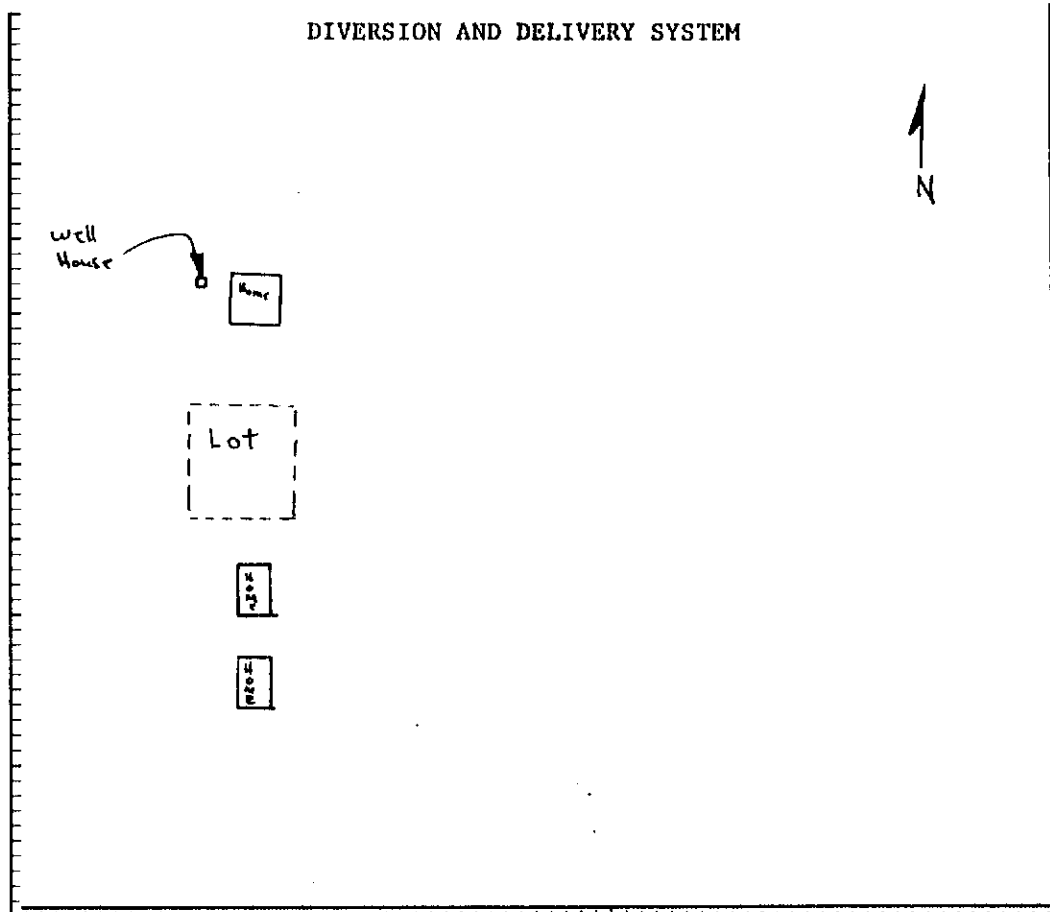
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 3<sup>rd</sup> day of January, 1985.

J. Glen Saxton  
Chief, Operations Bureau



10. Other water rights on these lands Progressive Canal share
11. Other water right diverted from same p.d. N.A.
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached  
or Map of Irrigated Acreage Attached

14. Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☒ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature H. U. Jones Date 2-06-86

Consultant's License Number \_\_\_\_\_

IDWR Director's Authorization to Conduct

Beneficial Use Examination \_\_\_\_\_

Date

RECEIVED

CONSULTANT SEAL

NOV 11 1986

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
LICENSING REPORT

RECEIVED

FEB 20 1988

27-7332  
Permit No.

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$Q = \frac{3hp (8.814) (80\%)}{96'_{11ft} + (2.308 \times 35psi)}$$

$$Q = \frac{21.153}{176.78} = 0.12 \text{ cfs } \text{theoretical capacity}$$

a/ allow 0.108 for 2 existing homes & stubbed-in lot  
for Domestic use

b/ allow 0.04 cfs for irrigation of 2 acres

Non-additive total 0.12 cfs

(limited by theoretical capacity)

b) Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2 \text{ acres} \times 3.5 \text{ af/a} = 7.0 \text{ af}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \text{ cfs} \times 214 \times 1.9835 = 16.4$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 7.0 \text{ af}$$

c) Volume Calculations for Other Uses:

$$4 \text{ domestic uses; } 4 \times 0.6 \text{ af} = 2.4 \text{ af} \\ (\text{in-house})$$

2. Overlap Review

a) Other water rights with same place of use: Progressive Canal share

b) Other water rights with same point of diversion:

c) Analysis:

RIS (3.5)

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## RECOMMENDED AMOUNTS

| 3. | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|----|------------|----------|--------|-----------|----------------------|-----------------|
|    |            |          |        |           |                      |                 |

4. Permit Holder: \_\_\_\_\_

**Address:** \_\_\_\_\_

5. Source: \_\_\_\_\_ tributary to \_\_\_\_\_

| 6. Beneficial Use       | Period of Use |       | Rate of Diversion | Annual Volume |
|-------------------------|---------------|-------|-------------------|---------------|
|                         | From          | To    | Q (cfs)           | V (afa)       |
| Irrigation              | 4-1           | 11-1  | 0.04              | 7.0           |
| Domestic<br>(4 hookups) | 1-1           | 12-31 | 0.10              | 2.4           |

Allowable Maximums: 0.12 cfs 9.4 afg

**7. Point(s) of Diversion:**

[illegible]

**8. Place(s) of Use**

[illegible]

9. Recommended Conditions/Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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~~NOV 01 1990~~

## 10. Recommended Amendments

☒ Change P.D. as reflected above    ☐ Add P.D. as reflected above    ☐ None

☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

### 11. Examiner's Signature

Checked in Regional Office by

Approved in State Office by \_\_\_\_\_

Date 2-06-86

Date 2-18-86

Date 4/24/89

A-383  
101A  
T-188

20.7

11.2

UNCLASSIFIED

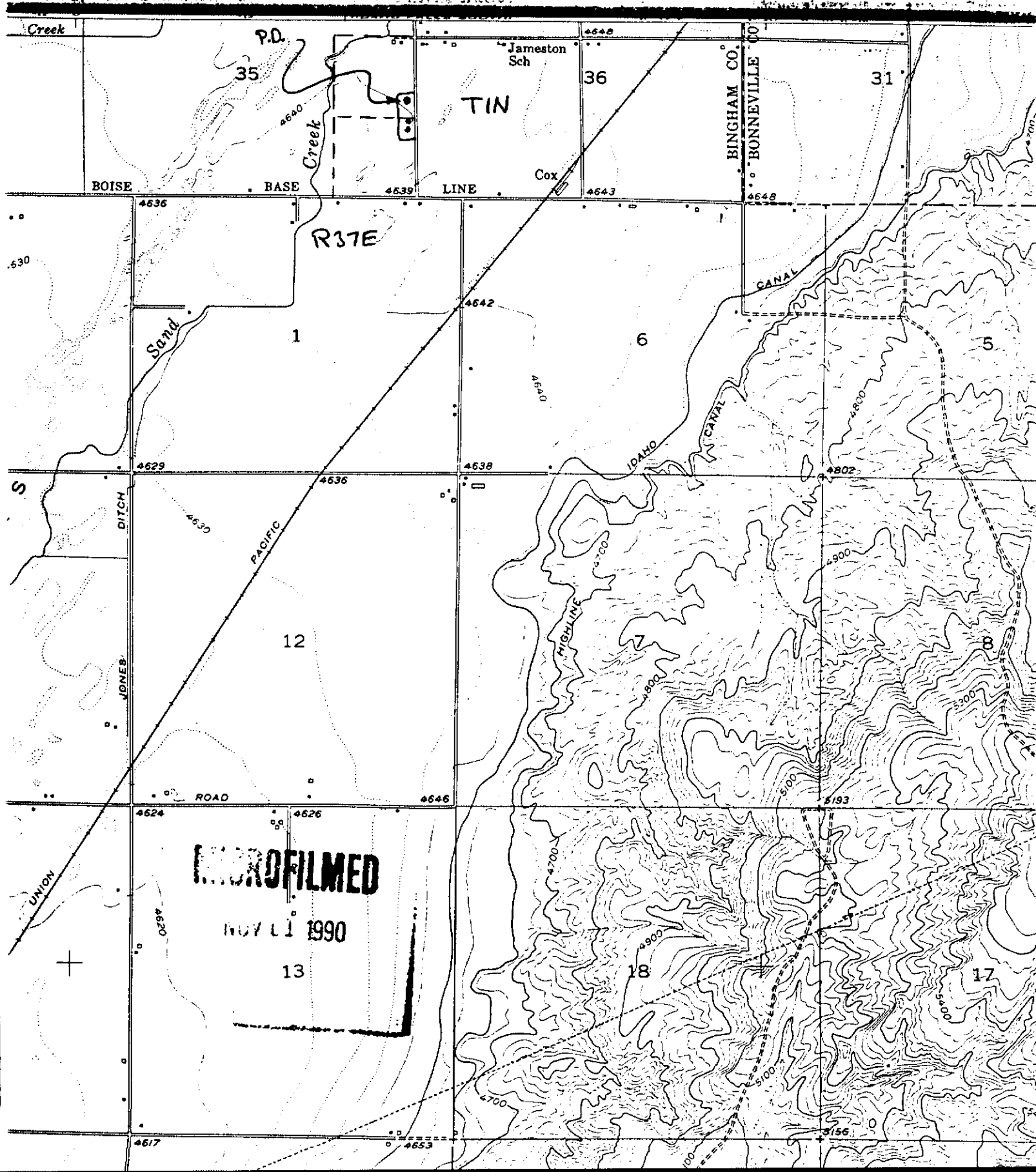
1990

D  
19.4

A-383

J-241

J-241



JUNE 5, 1995

RAY BYRNE ET AL  
1224 N 1100 E  
SHELLEY ID 83274

*(Terry French) Name also on claim*

RE: SNAKE RIVER BASIN ADJUDICATION - LICENSE 27-07332

Dear Mr. Byrne:

After reviewing our files, we have found a copy of a Notice of Claim based on the Permit referenced above. This Notice is not valid at this time because the fees were never paid. A Notice of Claim must be filed in the Snake River Basin Adjudication (SRBA) in order to preserve the water right. Please follow the directions below if you wish to file the Notice and preserve your water right.

The deadline for filing Notices of Claim in the SRBA was May, 1990. Because the filing is considered to be "late", it is necessary to assess a late fee of \$50.00, in addition to the normal fees of \$50.00 to file and \$1.00 for each acre, bringing the total fees to \$102.00.

Under the circumstances, it is possible you could get a waiver on the late fees. I am enclosing a "Request for Extension of Time" form for this use. If you wish to have the "late" fees waived, you may submit the extension of time form to the state office. If the extension is granted, the \$50.00 late fee will not apply. However, please wait to hear from the state office before submitting your claim. When the extension form is returned to you, sign the Notice of Claim (where highlighted) in the presence of a Notary Public and return the form to my attention, along with the appropriate fees and a copy of the "extension request form".

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Ray Byrne  
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If you have any questions regarding this matter, please  
call me a 208-525-7161.

Respectfully submitted,

Jo Thompson  
Adjudication Secretary

Enclosure: Extension of Time Form  
NOTICE OF CLAIM

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BASIN 27

HOST TEMPORARY FILE

NO. A27-0733 2 DATE: 5-22-95

HARD COPY IN X2 FILE? YES        NO X

RECORD IN MASTER HOST? YES        NO X  
USE ~~AJQ7~~ OR AJQ5 TO CHECK FOR SPLITS

IF NO, PRINT PROOF REPORT, USING AJ2..

CHECK FOR A RECEIPT USING CLAIMANTS NAME IN AR  
YES        NO X

DID CLAIMANT FILE OTHER NOTICES YES        NO X

COMPARE DATA ENTRY FOR AJ& WR  
IS IT DIFFERENT? YES        NO X

IF THERE IS NO DIFFERENCE AND DATA IS NOT TO STANDARD,  
NUMBER CAN BE DELETED (IF NOT 10,000 NO.) OR COPIED AS  
P16 IN "R" RECORD.

IF DATA ENTRY FOR AJ REFLECTS CHANGES, CONTACT CLAIMANT  
ABOUT INTENT TO FILE NOTICE.

REMARKS: Ray Byrne, Thomas Masino, Jerry Frank,  
Barry Smith - Permit Stage - No receipt Temp  
P. Meyer - 5-26-89

ACTION TAKEN: Data in AJ is up to standard - same  
as water right license. May try to call 357-5402  
? HAS LICENSE BEEN ISSUED?

Q. NOTICE IS NOT REQUIRED IF PROOF OF BENEFICIAL USE  
WAS FILED AFTER NOV 1987. CHECK IN WRS.

*Need to file*

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