

**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

Subcase No. 63-4278B

STANDARD FORM 5

**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.

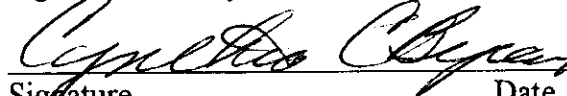
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions 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(s)/OBJECTOR(s):

Erle & Cynthia Byram

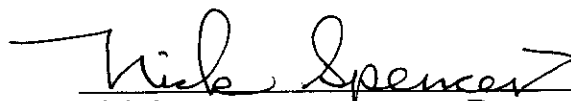
 7-25-2003
Signature Date

 7-25-03
Signature Date

STANDARD FORM 5 – 63-4278B

IDWR Concurrence:

 7-28-03
Gene Gibson Date
Agent

 7-28-03
Nick Spencer Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on 7-28, 2003, 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:

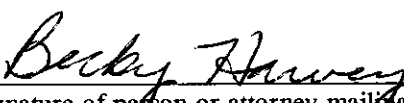
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

via fax

2. Copies to:

Erle & Cynthia Byram
P.O. Box 204
Gooding, ID 83330

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 63-4278B

NAME AND ADDRESS:

CYNTHIA C BYRAM
PO BOX 204
GOODING ID 83330ERLE B BYRAM
PO BOX 204
GOODING ID 83330

SOURCE: BOISE RIVER SOUTH FORK Tributary: BOISE RIVER

QUANTITY: 1.810 CFS ~~1.460 CFS~~

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

PRIORITY DATE: 08/16/1916

POINT OF DIVERSION:

T04N R13E S22 SESW
Within CAMAS CountyT04N R13E S27 SWNW
Within CAMAS CountyT04N R13E S27 NWSW
Within CAMAS CountyPURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/15 10/31	<u>1.780 CFS</u>
		~~1.460 CFS~~
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE:

IRRIGATION within CAMAS County

T04N R13E S22 SESW 4.5

T04N R13E S27 NENW 12.0

T04N R13E S27 NWNW 5.7

T04N R13E S27 SWNW 6.2

T04N R13E S27 NWSW 21.0

T04N R13E S27 SWSW 24.0

T04N R13E S28 SESE 0.7T04N R13E S33 NENE 9.8T04N R13E S34 NWNW 4.9

STOCKWATER Same As IRRIGATION

88.8 ACRES TOTAL~~73.4 ACRES TOTAL~~All places of use are on private land within Mineral Survey (MS) 2940.

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

Stockwater is for 100 range cattle.

Handwritten signature and initials, possibly "NBS", with a large "NBS" written below it.