

**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 No. 63-31282
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
_____	)	WATER RIGHT

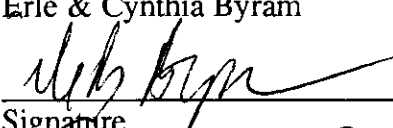
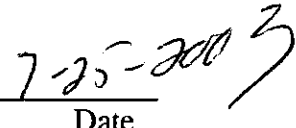
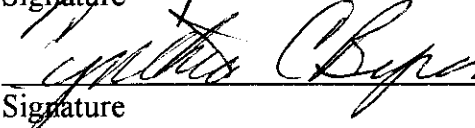
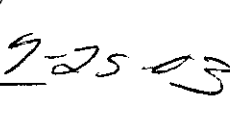
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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.

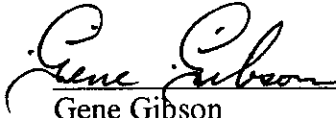
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

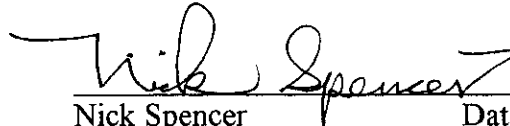
CLAIMANT(s)/OBJECTOR(s):

Erle & Cynthia Byram

	
Signature	Date
	
Signature	Date

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:

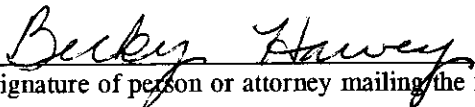
1. Original to:

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

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: 63-31282

NAME AND ADDRESS:

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

SOURCE: SKUNK CREEK Tributary: BOISE RIVER SOUTH FORKQUANTITY: 0.027 CFSPRIORITY DATE: 08/16/1916

POINT OF DIVERSION:

T04N R13E S33 NWNE
Within CAMAS County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use: Quantity:

IRRIGATION04/15 10/310.027 CFS

PLACE OF USE:

IRRIGATION

within CAMAS County

T04N R13E S33 NENE 0.90.9 ACRES TOTALAll 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.

~~NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.~~
~~NO BENEFICIAL USE FOUND.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use