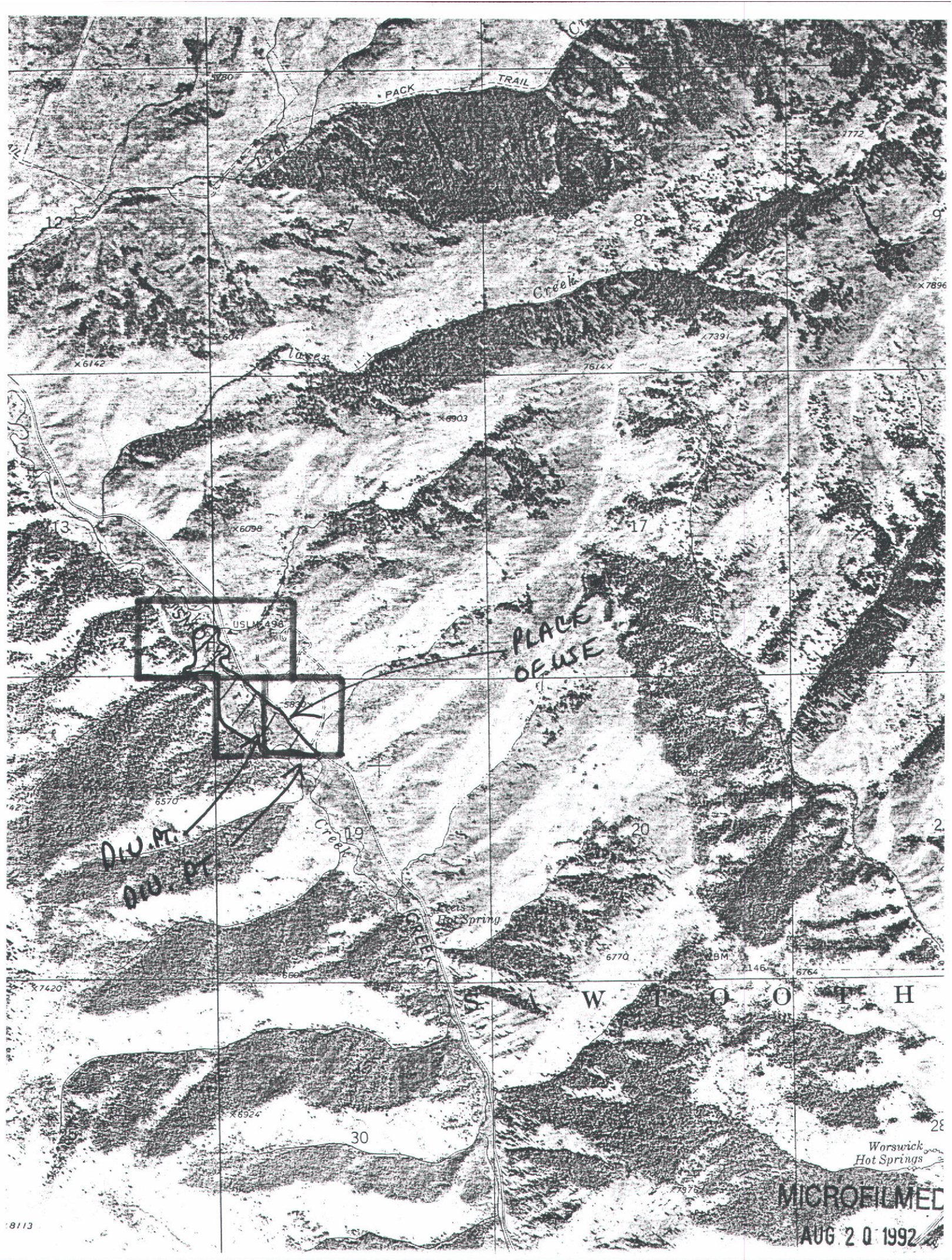
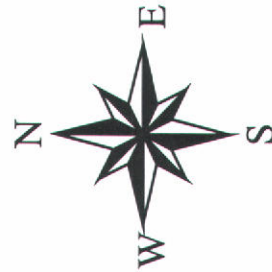




MICROFILMED
AUG 20 1992

Claim: 63-4277a
Date Prepared: 07-10-03
Prepared By: Gene Gibson



● **Point of Diversion**

Place of use

Section

 $\frac{1}{4} \frac{1}{4}$

1987 NAPP



Prepared By: Gene Gibson

1987 NAPP

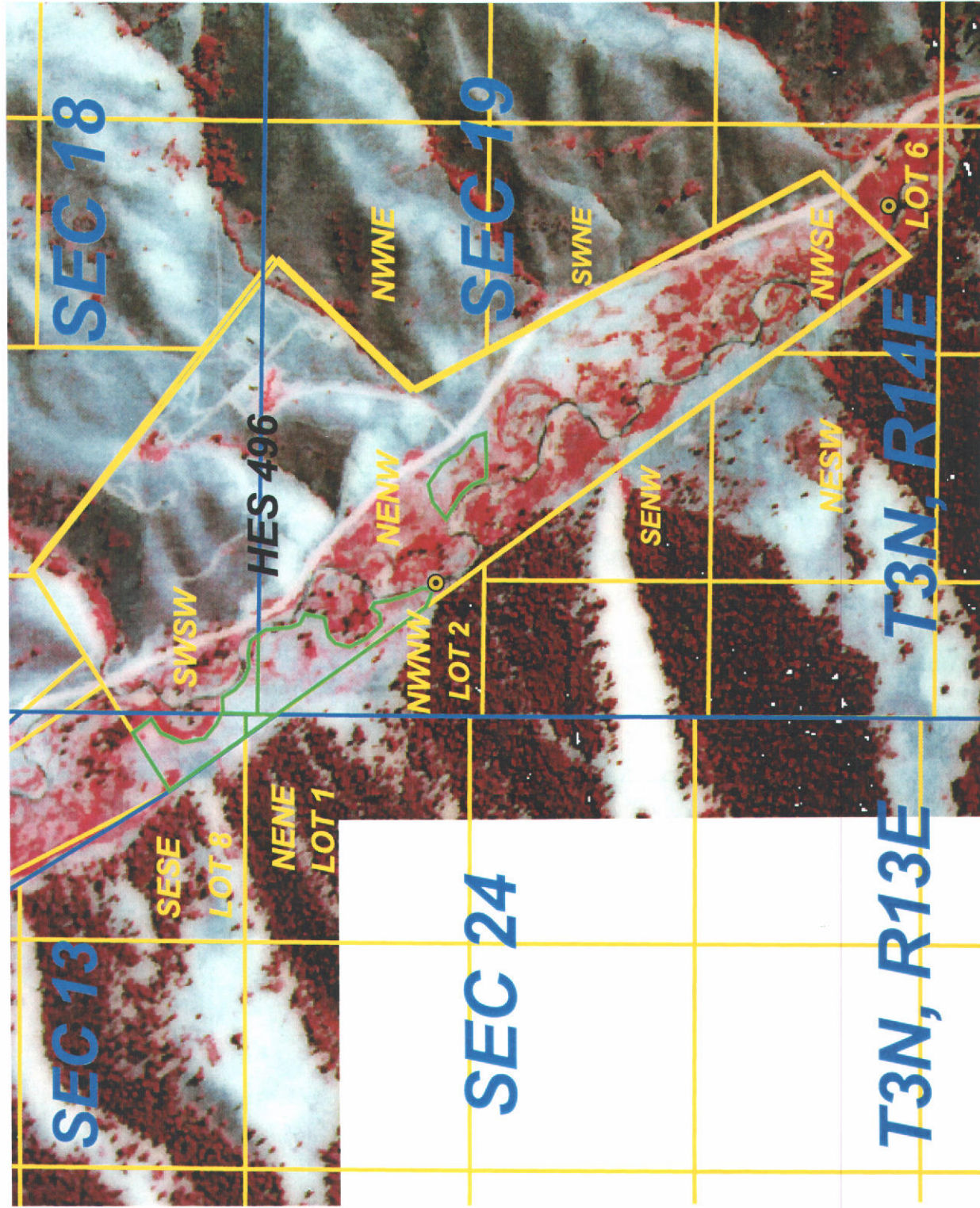


IDAHO DEPARTMENT OF WATER RESOURCES

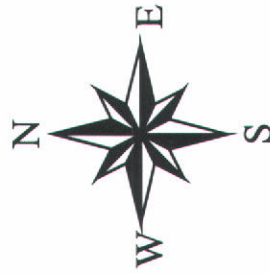
Claim: 63-4277a

Date Prepared: 07-10-03

Prepared By: Gene Gibson



T03N, R13 & 14E
S13,18,19,24



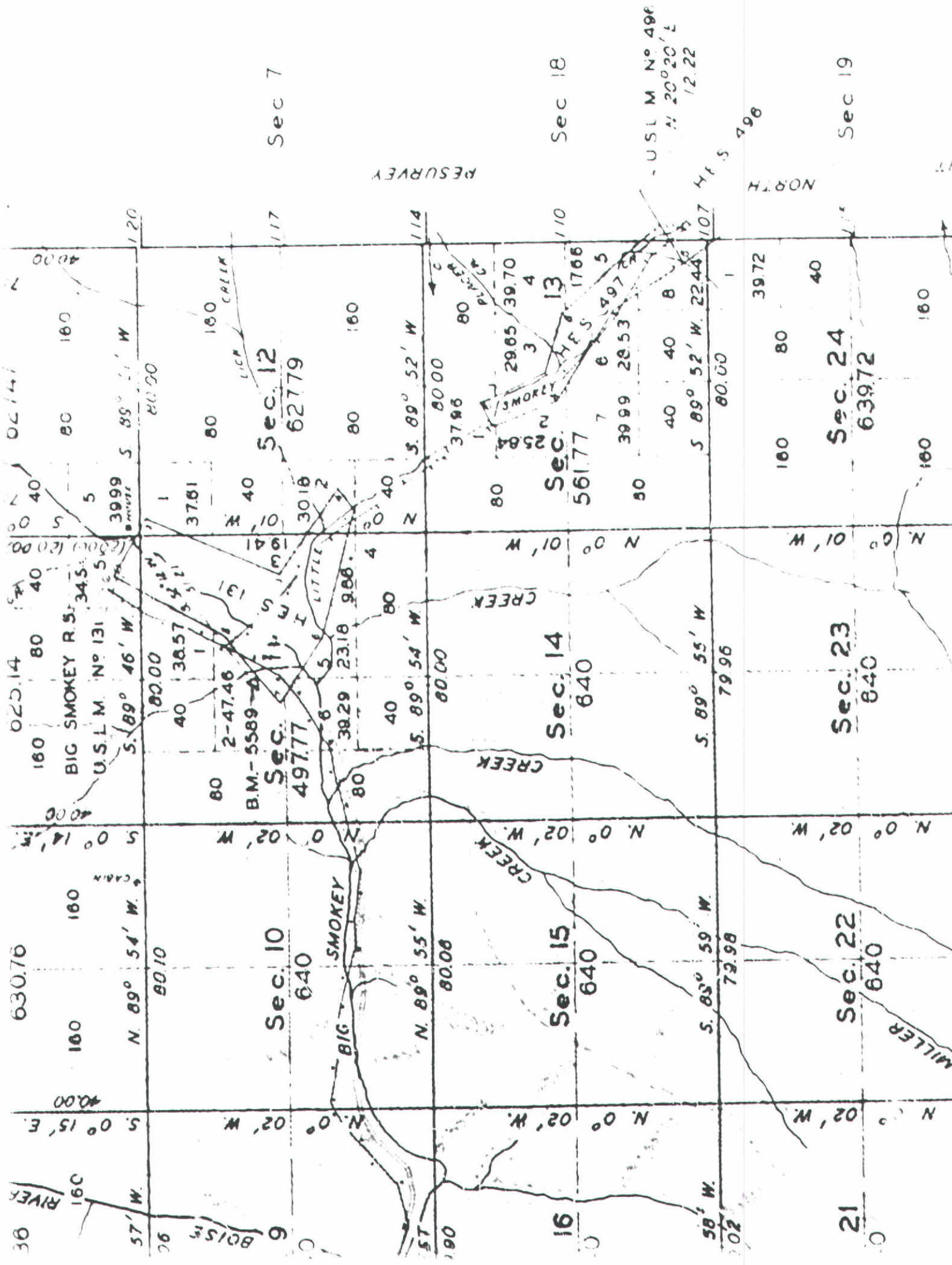
Point of Diversion

Place of use

Section

1/4 1/4

1987 NAPP



Sec 7

Sec 18

Sec 19

Sec. 12

Sec. 13

Sec. 14

Sec. 11

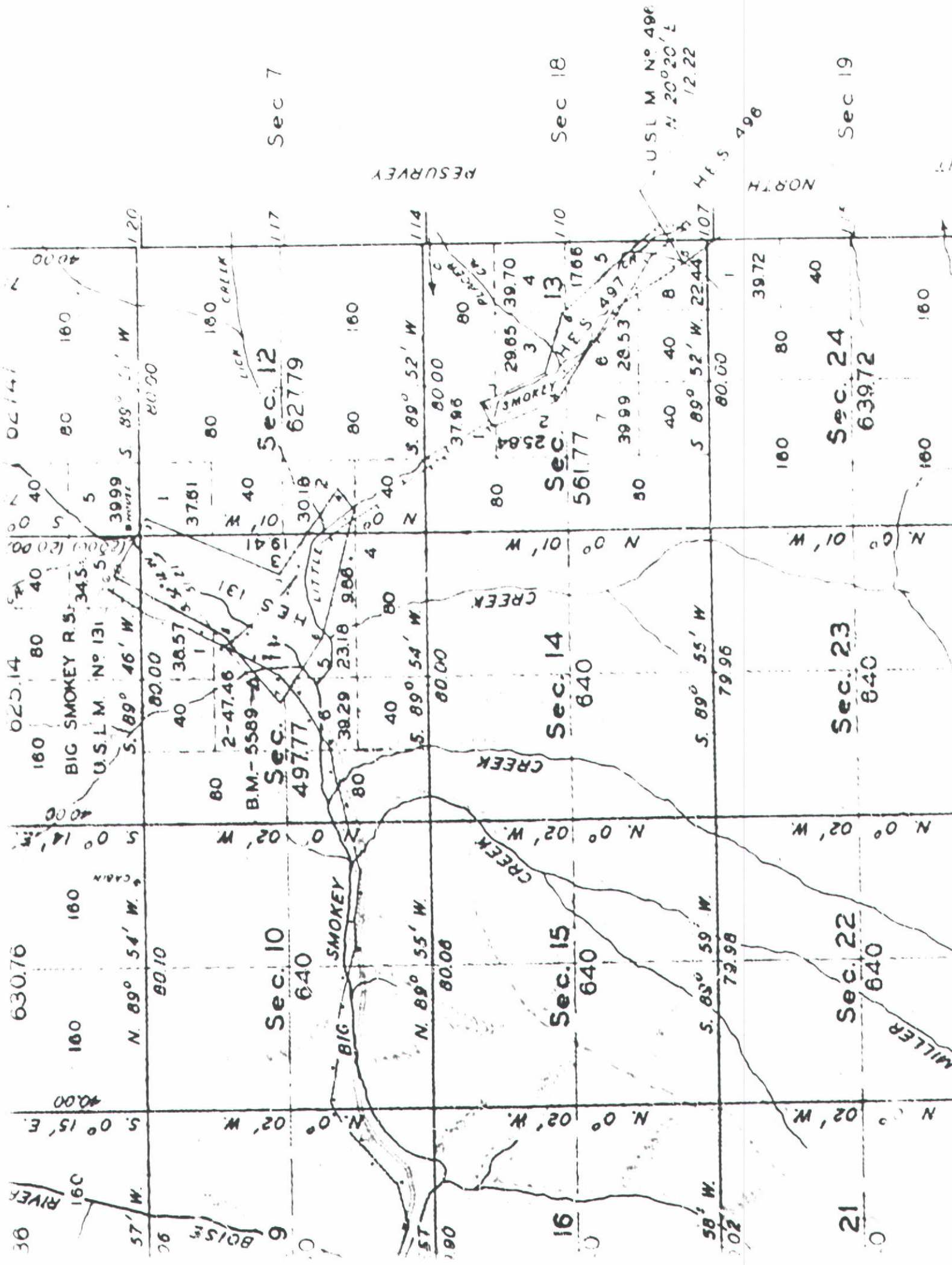
Sec. 10

Sec. 15

Sec. 23

Sec. 24

Sec. 22



Claim No(s): 63-4277A
T03N, R14E, S 19
Prepared by: Sue Bock
Date: 8/20/2001

 Place of Use

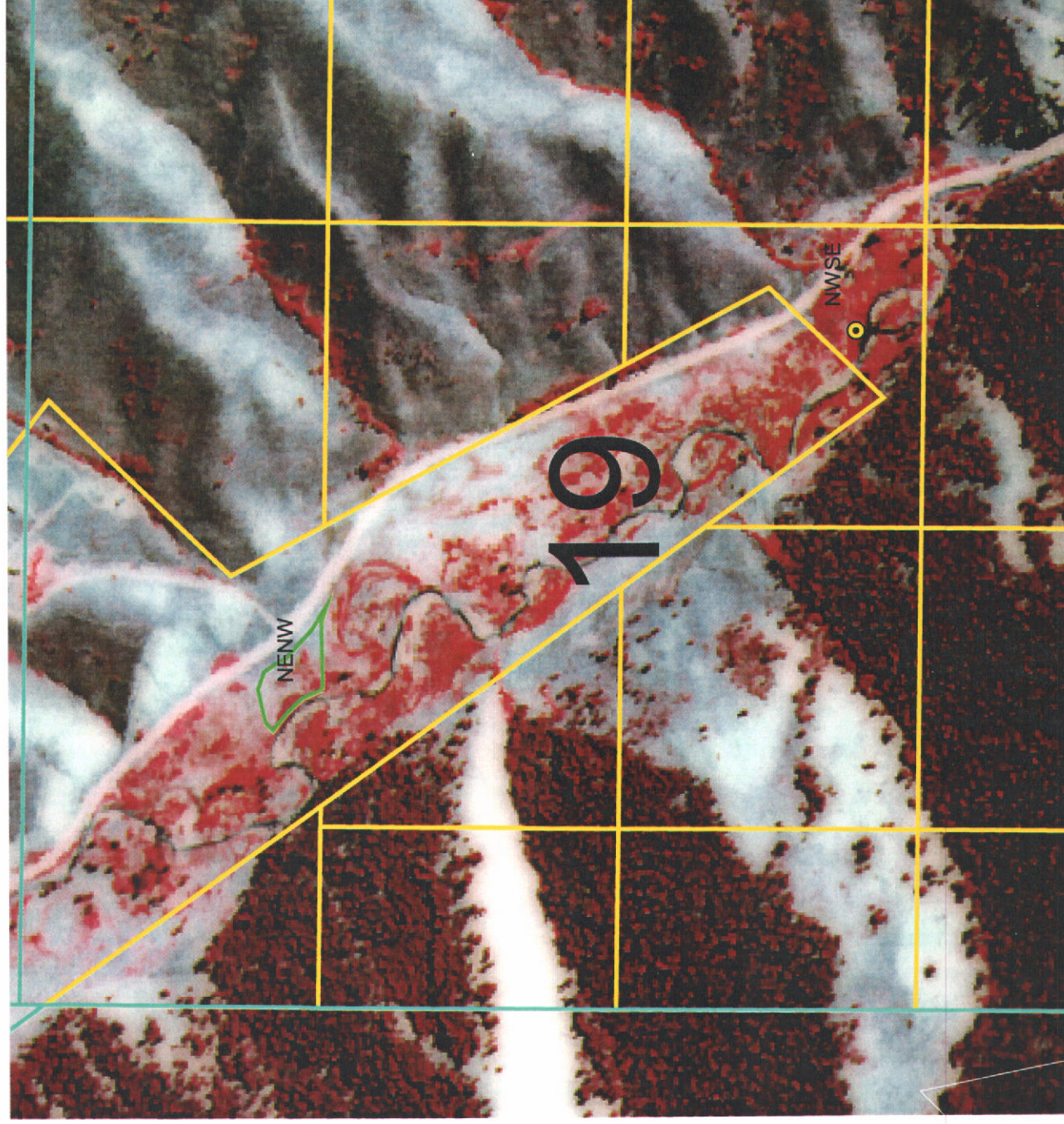
 Point of Diversion

 Section lines

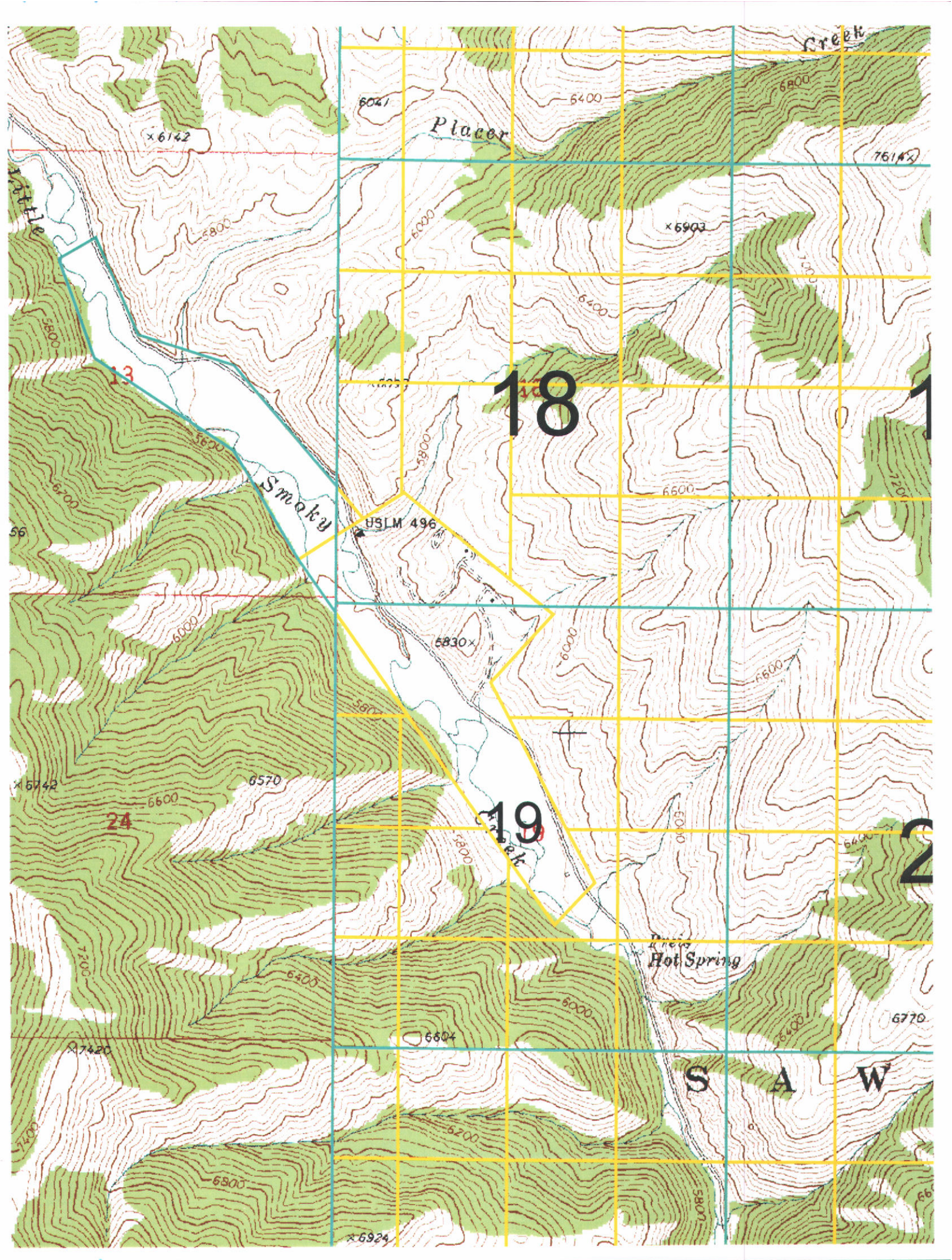
 1/4 1/4 lines



600 0 600 1200 Feet

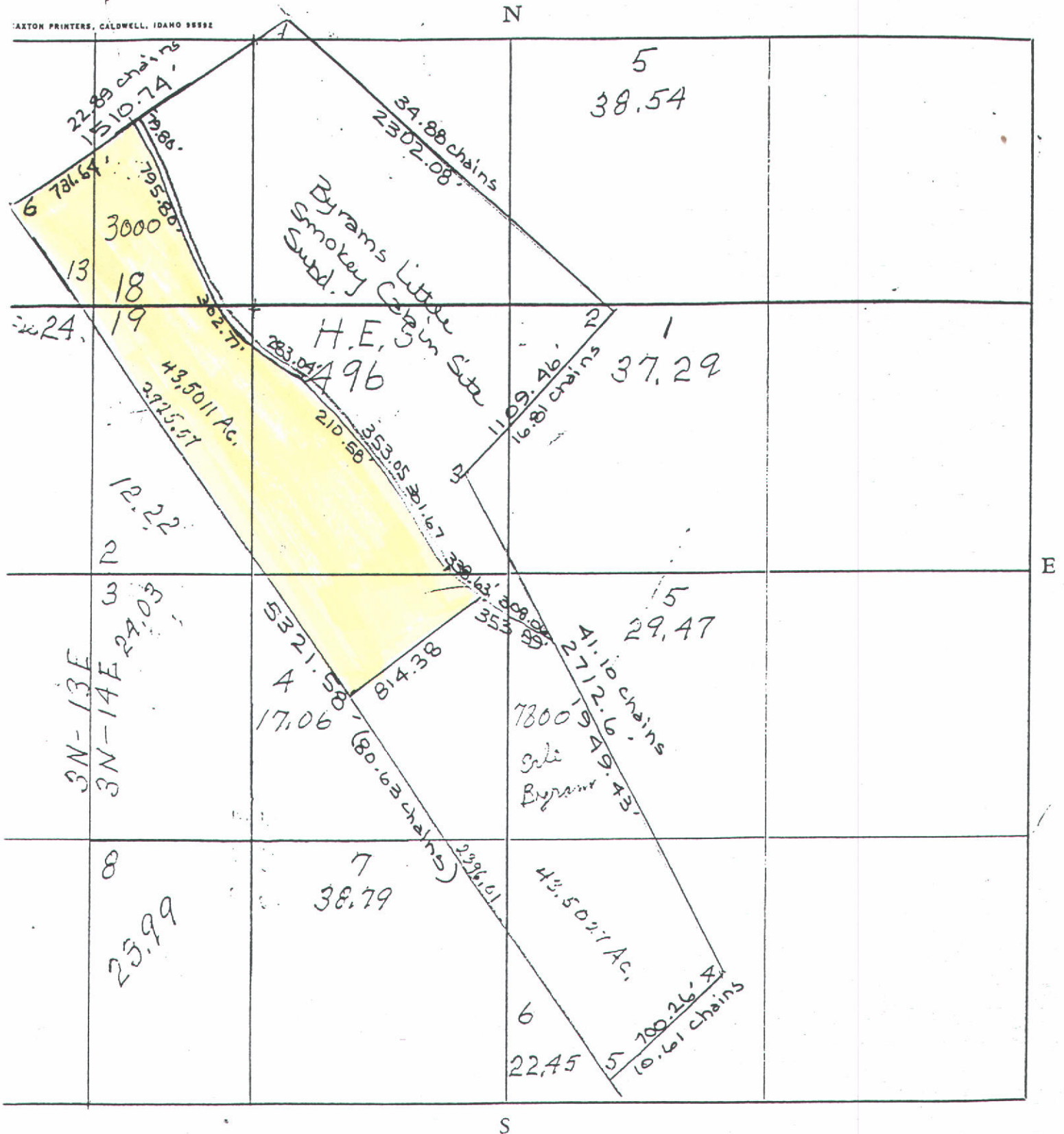


1987 NAPP Photo



13- 3N 13E
 Section 18-19 Township 3N Range 14E

AXTON PRINTERS, CALDWELL, IDAHO 83602



IDWR FIELD EXAM
63-4277A Smoky Creek Ranch Religious Trust
AUG 9, 2001
SUE BOCK AND MEL SCHULTE

Property on West side of
Cr. The pod for this
area has not been used
since the 1970's. Photo
facing North.



POU just north
of where the ditch
coming off of Byram's
land ends.



IDWR FIELD EXAM
63-4277A Smoky Creek Ranch Religious Trust
AUG 9, 2001
SUE BOCK AND MEL SCHULTE

Property facing South
towards Byrams ditch



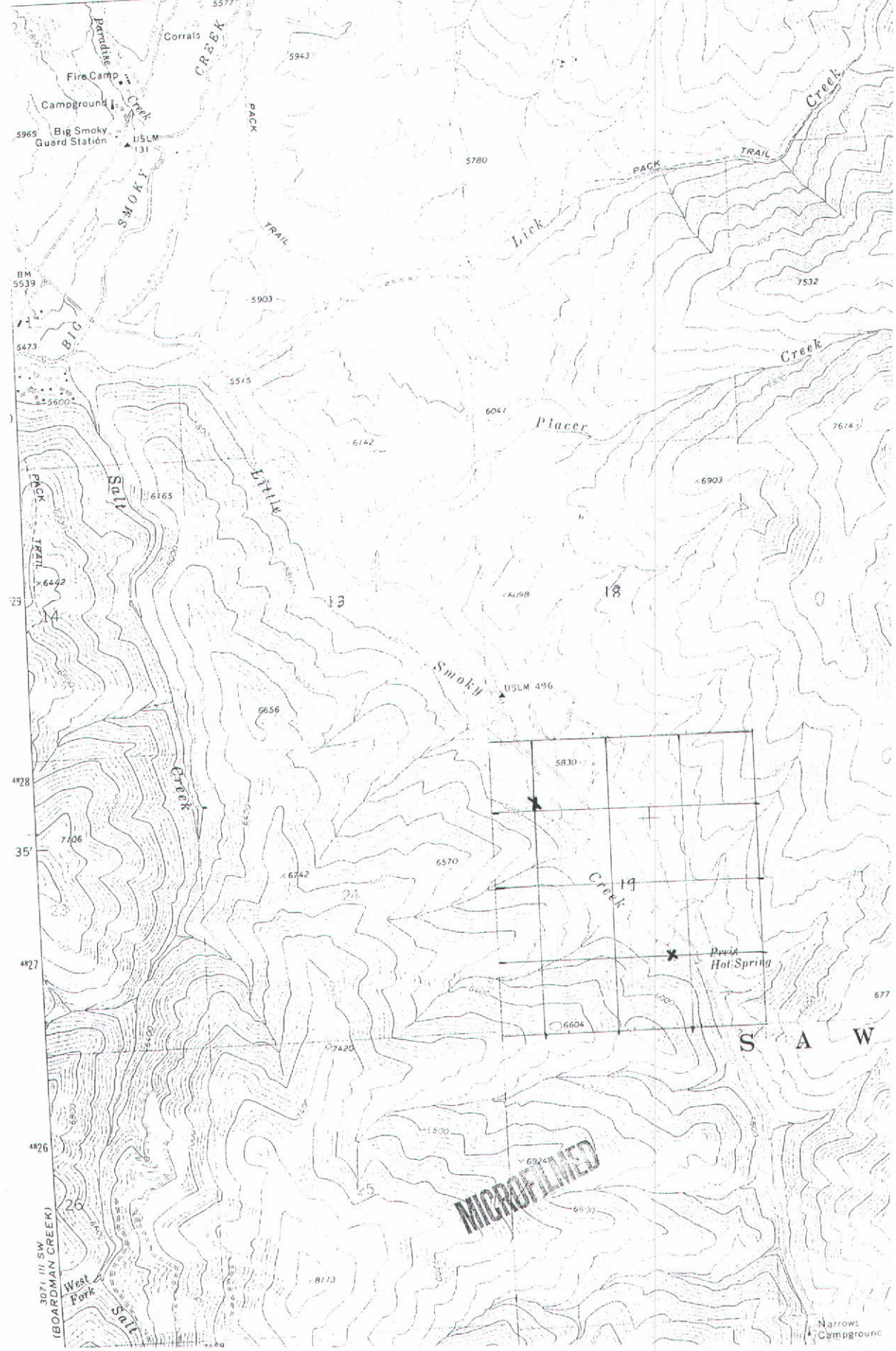
Ditch comping onto property.
Just covers the Southeastern
most tip of property
of where the ditch
coming off of Byram's
land ends.



File here map & mark X

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

30' 5720000 E 573 50' 975 976 (PAR)



AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

GORDON O. GLASCHANN

, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 24 day of October

19 74, and the date of the last publication was on the 31

day of October, 19 74.

Subscribed and sworn to before me this 29

day of October, 19 74.
(SEAL)

Carmen Lida
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 36 36

Number of Insertions 2 2

..... Lines tabular at 315c

36 Lines straight at 36 21c 7.56

36 Subsequent lines at 36 15c 5.40

TOTAL COST 12.96

COPY OF NOTICE

NOTICE OF CLAIM TO A WATER RIGHT NO. 63-4277

Notice is hereby given that Gary and/or Erle Byram 625 Colorado St., Gooding, ID. has filed a claim to a water right established by diversion and application to beneficial use of 5.65 cubic feet per second of water from Little Smokey Creek, trib. to Big Smokey Creek with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, T. 3N, R. 14E, B.M. Camas County.

The water is claimed to be used from June 1 to Oct. 31 for irrigation of 52 acres with a priority of 1930 the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 3N, R. 13E, B.M.; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 3N, R. 14E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON
Director
Pub: 10-24, 31.

NOV 1 1974
Department of Water Resources

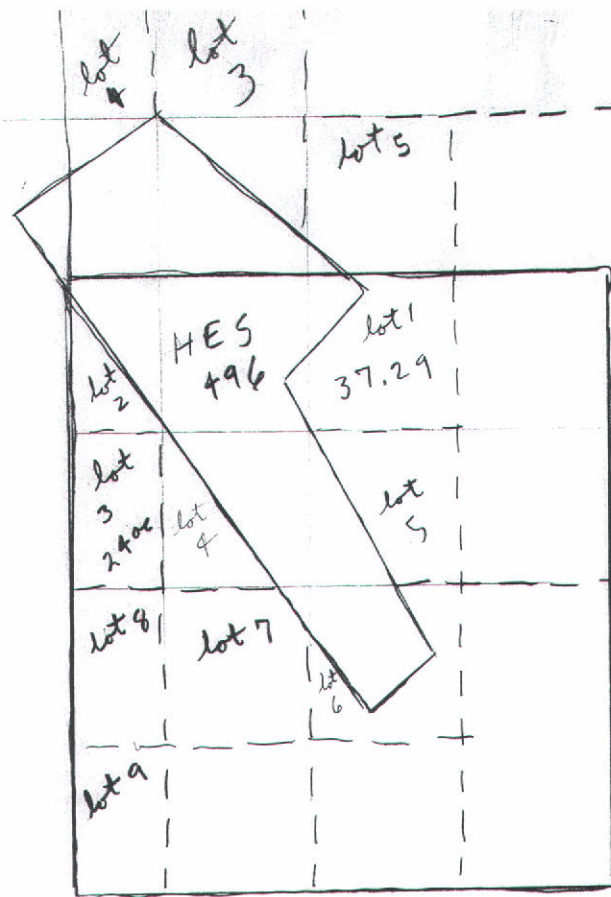
PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

Whiz #3047

No. 220



634277

MICROFILMED

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 63-4277A
Date Received: 9/27/1989
Receipt No: W006056
Received By:

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

1. Name of Claimant(s): SMOKY CREEK RANCH RELIGIOUS TRUST Phone: (208) 939-7807
LIONEL D ROBINSON TRUSTEE
149 S SILVERWOOD WAY
EAGLE ID USA 83616

2. Date of Priority: 06/01/1930

3. Source: LITTLE SMOKY CREEK Trib. to: BIG SMOKY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4Lot	County	Type
03N	14E	19	NW NW	CAMAS	
03N	14E	19	SE NW	CAMAS	

5. Description of diverting works:

DIVERSION BY DITCHES WITH GRAVITY FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	6/01	10/01	0.8	

7. Total Quantity Appropriated is:
0.8 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
03N	13E	13	SE SE		IRRIGATION	5
					Section Acres	5
03N	14E	18	SW SW		IRRIGATION	5
					Section Acres	5
03N	14E	19	NE NW		IRRIGATION	15
			NW NW		IRRIGATION	15
					Section Acres	30
					Total Acres	40

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

Address change by DB 7/30/2001
Ownership changed by DB 8/14/2001

15. Basis of Claim: Statutory Claim

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 63-4277A
Date Received: 9/27/89
Receipt No: W006056
Received By:

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

1. Name of Claimant(s): GARY BYRAM Phone: (208) 746-6077
2250 CAROL DR
LEWISTON ID USA 83501
- JOY A BYRAM Phone: (208) 746-6077
2250 CAROL DR
LEWISTON ID USA 83501

2. Date of Priority: 06/01/1930

3. Source: LITTLE SMOKY CREEK Trib. to: BIG SMOKY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	14E	19	NW NW	CAMAS	
03N	14E	19	SE NW	CAMAS	

5. Description of diverting works:

DIVERSION BY DITCHES WITH GRAVITY FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	6/01	10/01	0.8	

7. Total Quantity Appropriated is:
0.8 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
03N	13E	13	SE SE		IRRIGATION	5
					Section Acres	5
03N	14E	18	SW SW		IRRIGATION	5
					Section Acres	5
03N	14E	19	NE NW		IRRIGATION	15
			NW NW		IRRIGATION	15
					Section Acres	30
					Total Acres	40

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

Address change by DB 7/30/2001

15. Basis of Claim: Statutory Claim

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: A63-04277A
Date Received: 9/27/1989
Receipt No: W006056
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY BYRAM
Address: 105 ALMON ST., #6
MOSCOW, ID

83843

Name: JOY A. BYRAM
Address: 105 ALMON ST., #6
MOSCOW, ID

83843

2. Date of Priority: JUN 01, 1930

3. Source: LITTLE SMOKEY CREEK

Trib. to: BIG SMOKEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	14E	19	NW	NW			CAMAS
			SE	NW			CAMAS

5. Description of diverting works:

DIVERSION BY DITCHES WITH GRAVITY FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	06/01	10/01	0.800		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

INSTREAM STOCKWATERING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	13E	13	SE	SE		IRR	5.0
						Section Acres	5.0
	14E	18	SW	SW		IRR	5.0
						Section Acres	5.0
		19	NE	NW		IRR	15.0
			NW	NW		IRR	15.0
						Section Acres	30.0
						Total Acres	40.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 2

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): Gary B. Byram Date: 9-27-89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 27th day

of September (19 89)

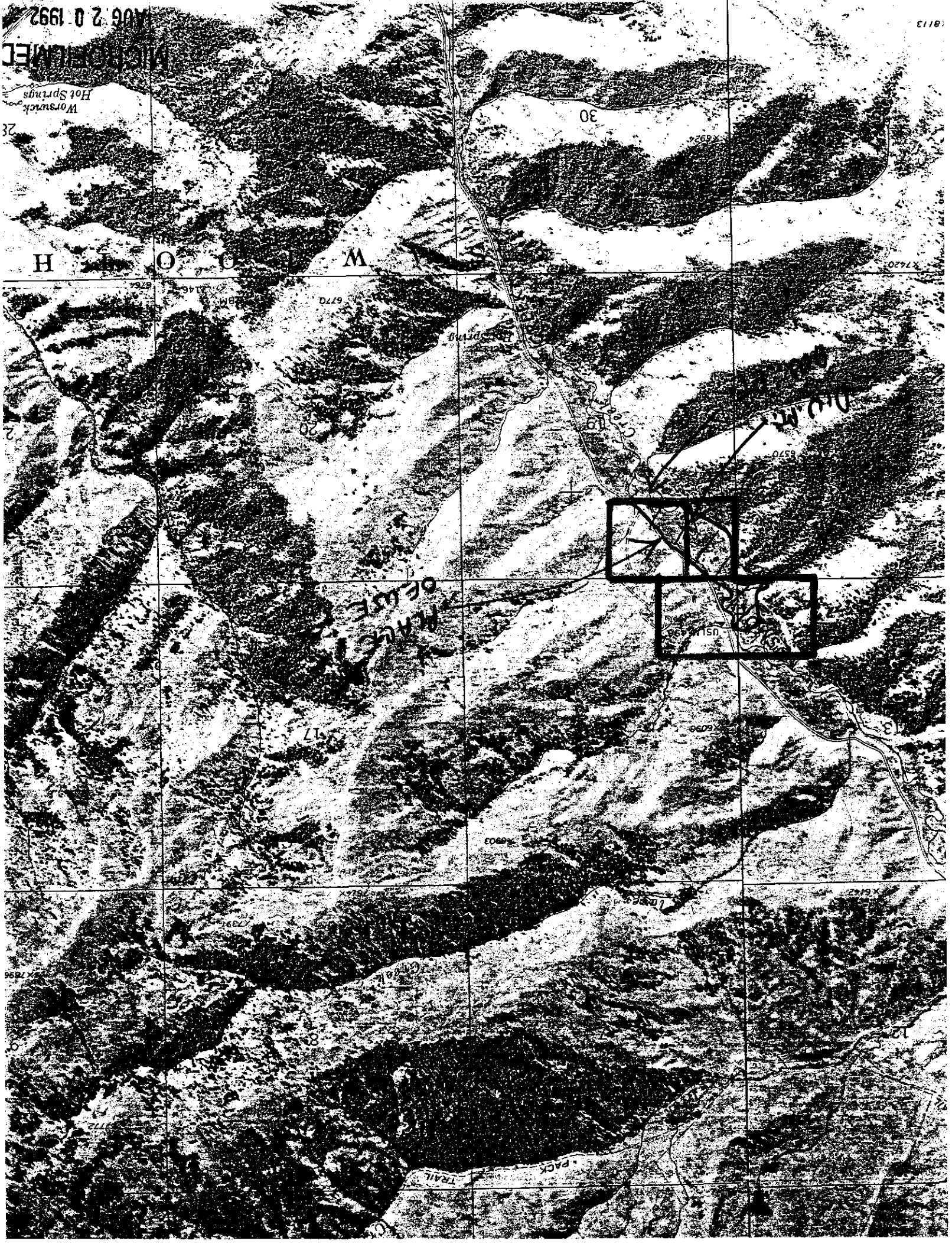
Jan Spurte
Notary Public

Seal

Residing at Meridian ID

My Commission Expires 9-14-94

11/18
MICHOILMEL
AUG 20 1992
Worswick
Hot Springs
28



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**AUG 13 2001**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

**WATER RESOURCES
WESTERN REGION**

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
-----------------------	------------------------------	-------	-----------------------	------------------------------	-------

63-4277A					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *No Fee Required*
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Gary B. Byrum and Joy A. Byrum
105 Almon St. #6, Moscow ID 83843
4. New Owner/Claimant(s) Lionel D. Robinson, Trustee for Smoky Creek Ranch
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or Religious Trust
- New Mailing Address 1495 Silverwood Way
- City, State and ZIP Code Eagle, ID 83616
- New Telephone Number (208) 939-7807
5. Date you acquired the property { Byrum to Robinsons/Harrells → 9-11-92
Robinsons/Harrells to Smoky Creek Ranch
Religious Trust → 11-28-97

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Lyndal D. Robins
Trustee for Smoky Creek Ranch Religious Trust

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

149 S. Silverwood Way
Eagle, Idaho 83616
(208) 939-7807

August 10, 2001

Susan Bock
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

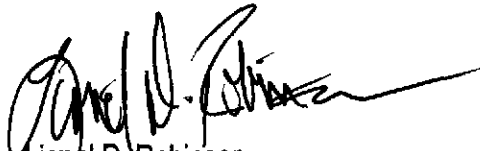
Dear Susan:

Enclosed please find completed form for Notice of Change in Water Right Ownership.

I have also enclosed copy of Warranty Deed transferring ownership of the property from the Byrums to my wife and I and the Harrells, dated 9-11-92, and Quitclaim Deed dated 11-28-97 transferring ownership from those individuals to Smoky Creek Ranch Religious Trust, of which I am the trustee. It appears that both these transfers have taken place since your records were updated.

If there is anything further you need regarding the water rights ownership please contact me.

Very truly yours,



Lionel D. Robinson

WARRANTY DEED

FOR VALUE RECEIVED

Gary B. Byram and Joy Byram, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Lionel D. Robinson and Miriam S. Robinson, husband and wife, as to an undivided 70% interest and Ned Lanier Harrell, Jr. and Pamela Marie Harrell, husband and wife, as to an undivided 30% interest, as tenants in common

GRANTEE(s) whose address is: 7100 Blak Drive, Fort Carson, CO 80913 and 36 Le Muy Street, Fort Bragg, NC 28307, respectively

the following described real property in Camas County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

Subject To: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 11, 1992

Gary B. Byram
Gary B. Byram

Joy Byram
Joy Byram

State of Idaho

County of Nezperce

On this Sept. 14, 1992, before me, a notary public in and for said State, personally appeared Gary B. Byram and Joy Byram personally known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Linda Spritzer
Notary Public
Residing at Julietta, Idaho
Commission Expires: 9-1-1998

Legal description to be attached to Warranty Deed between Byram and Robinson and Harrell.

That portion of Section 18 and 19, Township 3 North, Range 14 East Boise Meridian, in Camas County, Idaho described as follows:

Beginning at a point South 07° 48' East, 481.67 feet from corner No. 3 of Homestead Entry Survey No. 496, the true point of beginning thence;

North 56° 29' West, 308.06 feet to a point, thence;
North 40° 18' West, 338.63 feet to a point, thence;
North 28° 57' West, 301.67 feet to a point, thence;
North 42° 49' West, 353.05 feet to a point, thence;
North 47° 11' West, 210.58 feet to a point, thence;
North 59° 17' West, 283.04 feet to a point, thence;
North 36° 14' West, 302.77 feet to a point, thence;
North 22° 16' West, 795.80 feet to a point, thence;
North 19° 40' West, 79.80 feet to a point, thence;
South 57° 20' West, 731.64 feet to a corner No. 6
H.E.S. 496, thence;
South 35° 56' East, 2925.57 feet to a point, thence;
North 54° 04' East, 814.38 feet to the true point
of beginning.

~~"Except all minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights mining rights and easement rights or other matters relating thereto whether expressed or implied."~~



67573

Recorded at the Request of
CAMAS ABSTRACT
at 1:00 P M
9-22, 19 92,
in Book 28
of DEEDS Page 425
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By [Signature]
Fees \$ 6.00

QUIT CLAIM DEED

For value received LIONEL D. ROBINSON and MIRIAM SUE ROBINSON, husband and wife, as to an undivided 70% interest and NED LANIER HARRELL, JR. and PAMELA MARIE HARRELL, husband and wife, as to their undivided 30% interest, Grantors do hereby grant, bargain, sell and convey unto LIONEL D. ROBINSON as Trustee for the SMOKEY CREEK RANCH RELIGIOUS TRUST. Grantee, whose address is 149 S. Silverwood Way, Eagle, Idaho 83616, the following described real property located in Camas County, Idaho, to wit:

That portion of Section 18 and 19, Township 3 North, Range 14 East Boise Meridian, in Camas County, Idaho described as follows:

Beginning at a point South 07° 48' East, 481.67 feet from corner No. 3 of Homestead Entry Survey No. 496, the true point of beginning thence;

North 56° 29' West, 308.06 feet to a point, thence;
North 40° 18' West, 338.63 feet to a point, thence;
North 28° 57' West, 301.67 feet to a point, thence;
North 42° 49' West, 353.05 feet to a point, thence;
North 47° 11' West, 210.58 feet to a point, thence;
North 59° 17' West, 283.04 feet to a point, thence;
North 36° 14' West, 302.77 feet to a point, thence;
North 22° 16' West, 795.80 feet to a point, thence;
North 19° 40' West, 79.80 feet to a point, thence;
South 57° 20' West, 731.64 feet to a corner No. 6
H.E.S. 496, thence;
South 35° 56' East, 2925.57 feet to a point, thence;
North 54° 04' East, 814.38 feet to the true point of
beginning.

Together with the tenements, hereditaments, and appurtenances.

CONDITIONS AND RESERVATION OF INTEREST:

This transfer is conditional and title shall revert to the Grantors if the Grantee fails in either of the following Two Conditions:

1. That the Trust exercise expediency in building the Camp-Retreat Center. If by the end of the year 2007 the main lodge

is not built, ownership will revert to the ROBINSON and HARRELL families and their heirs.

2. That this property be used perpetually as a camp-retreat center for the churches, associations and conventions of the Southern Baptist Convention. If this property ceases to be used primarily by Southern Baptists, the ownership will revert to the ownership of the ROBINSON and HARRELL families or their heirs.

DATED this 28 day of Nov., 1997.


LIONEL D. ROBINSON


NED LANIER HARRELL, JR.


MIRIAM S. ROBINSON


PAMELA MARIE HARRELL

ACKNOWLEDGEMENT

STATE OF IDAHO)
County of Ada) ss

On the 28th day of NOVEMBER, 1997, before me a notary public in and for said state personally appeared LIONEL D. ROBINSON and MIRIAM S. ROBINSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and seal on the date first above written.


Notary Public for State of Idaho
Residing at Boise, Idaho
My Commission expires 02/24/01

STATE OF Oklahoma)
County of Comanche) ss

On the 23 day of Jan, 1998, before me a notary public in and for said state personally appeared NED LANIER HARRELL, JR. and PAMELA MARIE HARRELL, husband and wife, known to me to be two of the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and seal on the date first above written.

Ruby D. Alving
Notary Public for State of Oklahoma
Residing at Ft. Sill, OK
My Commission expires 5 Sept 99

71550

Recorded at the Request of
Lionel D. Robinson
at 3:20 P.M.
3-31, 1998
in Book 30
of Deeds Page 619
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Korri Blodgett
Fees \$ 9.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 24, 2001

GARY BYRAM
JOY A BYRAM
2250 CAROL DR
LEWISTON ID 83501

RECEIVED

JUL 30 2001

WATER RESOURCES
WESTERN REGION

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 63-4277A
Change of Address

Dear Water Right Holder(s):

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation that this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

(208) 746-6077
Telephone number

Gary Byram

To: David Shaw
From: Danni Smith
Date: January 29, 1990

At about 12:30 p.m today, Joy Byram called you regarding a protest filed by Erle Byram on #63-04277A in Camas County. She asked what the protest letter meant that you had addressed to her and her husband, Gary. I explained that if their notice of claim accurately presented the use of the water source that when the IDWR agents investigated the source in the future (1-2 years) a determination will be made. The brother-in-laws letter just recommended this source be investigated. She stated they have been in previous law suits with Erle and that he was telling everyone in town he was going to get all the water rights he could and sell them for more money later. The source in question is apparently shared by the brothers; Erle has not used the source, but Gary has in the past few years used the source for stockwater. They want to sell the property and make sure the water rights are in place. Promised her no guarantee's, but explained the 5 year abandonment rule to her. Suggested she or Gary might wish to put into writing the dates of use of the source and number of livestock using the source, and mail to your attention, as a rebuttal to the protest. If you feel more is needed you may call her, otherwise she will follow-up with a letter.

Yours truly,


Danni

MICROFILMED

AUG 20 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 19, 1990

Mr. Erle B. Byram
P. O. Box 204
Gooding, ID 83330

RE: A63-04277A *Camas Co.*

Dear Mr. Byram:

I have received your letter of January 10, 1990 regarding the above referenced claim to a water right.

The Department of Water Resources is required to investigate all claims that are filed as part of preparing our report to the Court. The information in your letter will be used as a part of that investigation.

Thank you for taking the time to provide your information to the Department.

Yours truly,

David B. Shaw
Adjudication Bureau Chief

cc: Gary & Joy A. Byram
105 Almon St., #6
Moscow, ID 83843

RECEIVED

JAN 23 1990

Department of Water Resources
Western Regional Office

MICROFILMED

AUG 20 1992

MR SHAW

ADJUDICATION

1301 N. ORCHARD

BOISE, ID 83706

RECEIVED
JAN 16 1990

JANUARY 10, 1990

Department of Water Resources

Dear Mr Shaw;

Recently in completing my water filing. I discovered the following claim was filed on 9-27-1980.

I.D. # A63-04277A

Receipt # W006056

Civil case # 39576

This water right has been abandoned since 1980. There has been no diversion, stock grazing, cash crop, and or irrigation use of any kind.

I CONTEST THIS WATER FILING.

If you need additional info please advise.

EDLE B. BYRAM

P.O. BOX 204

GOODING, ID 83330

MICROFILMED

AUG 20 1992

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Case No. 39576)
Water Right 63-04277A

2003 OCT 14 PM 2:02

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: SMOKY CREEK RANCH RELIGIOUS
TRUST
LIONEL D ROBINSON TRUSTEE
149 S SILVERWOOD WY
EAGLE, ID 83616

SOURCE: LITTLE SMOKY CREEK TRIBUTARY: BIG SMOKY CREEK

QUANTITY: 0.304 CFS

PRIORITY DATE: 05/01/1936

POINT OF DIVERSION: T03N R14E S19 NWNW Within Camas County
LOT 6 (NWSE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.304 CFS

PLACE OF USE:	Irrigation	Within Camas County
	T03N R13E S13 SESE 3.0	
	S24 NENE 0.3	
	R14E S18 SWSW 1.1	
	S19 NENW 2.0	NWNW 6.0
	12.4 Acres Total	

ALL PLACES OF USE ARE ON PRIVATE LAND WITHIN HOMESTEAD ENTRY
SURVEY (HBS) 496.

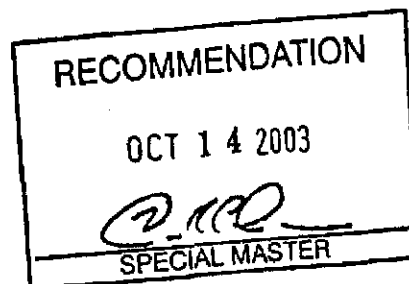
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Presiding Judge of the
Snake River Basin Adjudication



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

RIGHT NUMBER: 63-4277A

NAME AND ADDRESS:

SMOKY CREEK RANCH RELIGIOUS TRUST
LIONEL D ROBINSON TRUSTEE
149 S SILVERWOOD WY
EAGLE ID 83616

SOURCE: LITTLE SMOKY CREEK Tributary: BIG SMOKY CREEK

QUANTITY: 0.304 CFS ~~0.060 CFS~~

PRIORITY DATE: 05/01/1936

POINT OF DIVERSION:

T03N R14E S19 NWNW
Within CAMAS County~~T03N R14E S19 NWSE~~
~~Within CAMAS County~~T03N R14E S19 NWSE Lot 6
Within CAMAS CountyPURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use	Quantity:
IRRIGATION	04/15 10/31	<u>0.304 CFS</u>
		~~0.060 CFS~~

PLACE OF USE:

IRRIGATION within CAMAS County

T03N R13E S13 SESE 3.0T03N R13E S24 NENE 0.3T03N R14E S18 SWSW 1.1T03N R14E S19 NENW 2.0T03N R14E S19 NWNW 6.012.4 ACRES TOTAL~~2 ACRES TOTAL~~All places of use are on private land within Homestead Entry Survey (HES) 496.

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 - Beneficial Use

FROM : ERLE B BYRAM

PHONE NO. : 208 934 4379

2003 JUL 28 PM 3:30

JUL 28 2003 04:02 PM P1
DISTRICT CLERK
TWIN FALLS CO. IDAHO
FILED 107

7-28-2005

mtn to W/D
mtn to file
Late objection

case # 63-4277A.

motion to withdraw late motion
of objection to claim.

Erle B Byram

fax 736-3078

Debbie Lash.

RECEIVED

JAN 31 2010

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: _63-04277A

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724

Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

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

Name: Smoky Creek Ranch Religious Trust

Address: Lionel D. Robinson Trustee
149 S. Silverwood Way
Eagle, ID 83616

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(s) of Diversion**
Should be: See E below.
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Places of Use**
Should be: HES 496. See E below.
11. I object because:
☐ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The point of diversion, NWSE of Section 19, T3N R14E shown on the Directors Report Recommendation is on National Forest System Land. The claimant is not authorized to occupy and use National Forest System lands for this purpose. The place of use is on private land. The proper legal description of the private land is Homestead Entry Survey (HES) 496.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Steve Spencer , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

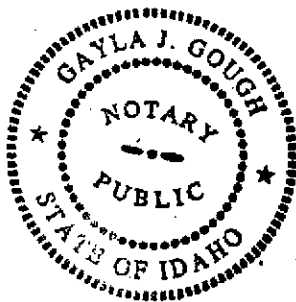
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Steven M. Spencer
(Signature of person filing objections)

Donald V. Nay
(Attorney signing in representative capacity)

Subscribed and sworn before me on:

January 30 2003
Gayla J. Gough
Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

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 1/30/03, 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: Smoky Creek Ranch Religious Trust

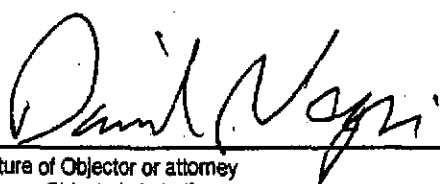
Address: Lionel D. Robinson Trustee
149 S. Silverwood Way
Eagle, ID 83616

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

MAY 22 2003

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

63-4277A
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

ERLE B BYRAM

Address:

PO 204

Gooding, Idaho 83330

Daytime Phone:

208-931-4379

Name & Address of Attorney, if any:

None.

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

Name:

SMITH Creek Ranch Religious Trust

Address:

149 S Ethelwood way

Gooding, ID 83330

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: *not enough water or head*
4. ☐ Priority Date
Should be: *approximately from point A to point of use 1/2 mile
filed for 2' of water not enough head?*
5. ☐ Point(s) of Diversion
Should be: _____
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☐ Place of Use
Should be: _____

11. I object because:

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

head - quantity.
Delivering not possible as is
cost sharing - has not been set out
Amount of \$400. to deliver 2' of water
He has not shared in any cost since he
purchased property - need a repayment plan plus
future agreement

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.

County of Gooding)

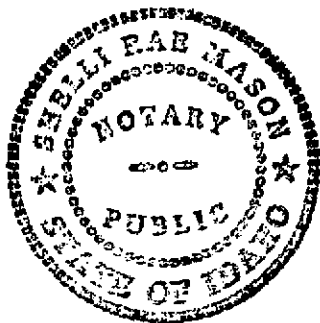
[Signature], duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 21, 2003



Shelli Rae Mason
Notary Public for Idaho
Residing at: Gooding, Idaho
My Commission Expires: 6-24-2005

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 May 21, ²⁰⁰³~~199~~, 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:

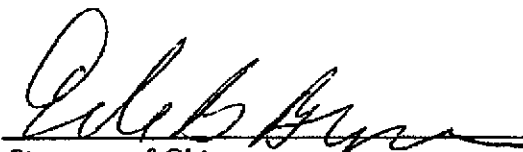
Name: Smoky Creek Ranch Reclamation Trust
Address: Leah D. Robinson / Trustee
149.5 Selover road, u/y
Dagle, ID 83616. (208) 939-7807

3. 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

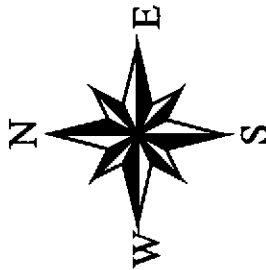


Signature of Objector or attorney
mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-4277a
Date Prepared: 07-10-03
Prepared By: Gene Gibson

T03N, R13 & 14E
S13,18,19,24



● Point of Diversion

Place of use

Section

1/4 1/4

1987 NAPP



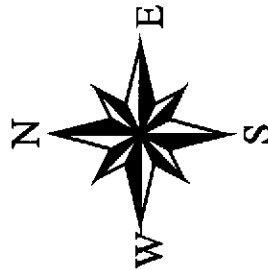
0 0.2 0.4 0.6 0.8 1 1.2 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-4277a
Date Prepared: 07-10-03
Prepared By: Gene Gibson



T03N, R13 & 14E
S13, 18, 19, 24



© Point of Diversion

Place of use

Section

1/4 1/4

12.4 acres

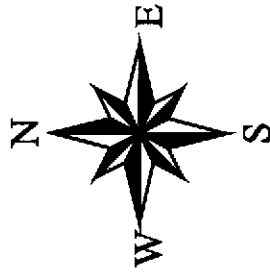
1987 NAPP

0 0.2 0.4 0.6 0.8 1 1.2 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-4277a
Date Prepared: 07-10-03
Prepared By: Gene Gibson

T03N, R13 & 14E
S13, 18, 19, 24



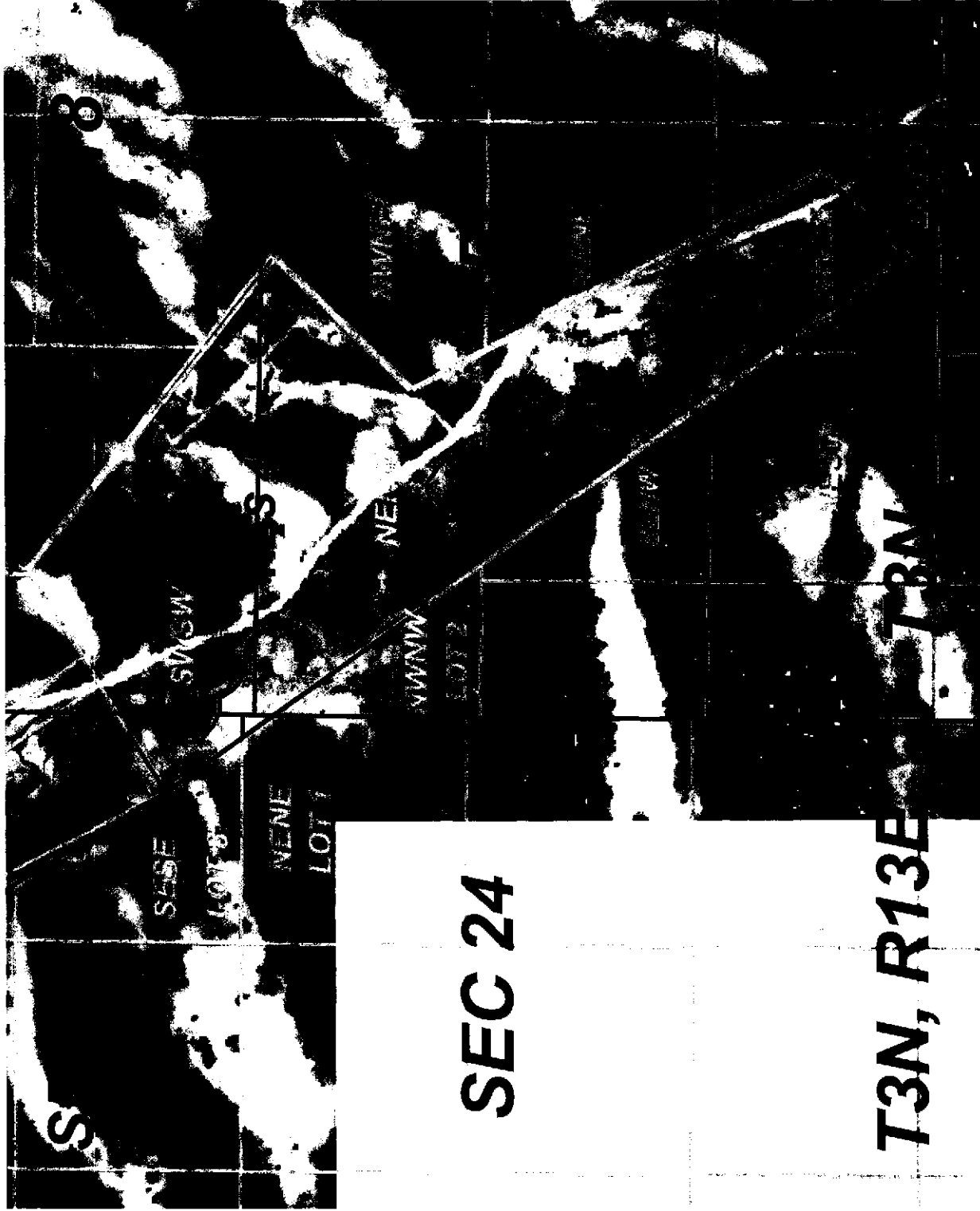
● Point of Diversion

□ Place of use

□ Section

1/4 1/4

1987 NAPP



0 0.2 0.4 0.6 0.8 1 1.2 Miles

ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER: Melvin Gene Gibson

FIELD EXAM DATE: May 20, 2003

FOR CLAIM(S)

FORMULA: $S = (W)(i)(0.0667)$

Where: S = Loss in CFS per Mile

W = The top width of the high water mark in feet

i = The loss rate in feet per day (see table)

0.0667 is a factor used to convert to CFS per mile

TABLE:

Type of Soil	Loss Rate i (Ft/Day)
Medium clay loam.....	0.5 to 1.5
Impervious clay.....	0.5
Medium soils.....	1.0
Somewhat pervious soils.....	1.5 to 2.0
Gravel.....	2.5 to 5.0

WORK SHEET

W = (FT) i = (FT/DAY)(0.0667)

S = CFS/MILE

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = (CFS/MILE)(MILE)

CONVEYANCE LOSS = CFS

TOP OF DITCH = W

MAP MEASUREMENT

Section 1 =

Length in Inches = = A

Section 2 =

Section 3 =

Map Scale: In. = 1 Mile = B

Total.... =

A/X: B/5,280 = Ft./5,280 = Mile

/2or 3... = = W

Feet/5,280 = Mile

Data/forms/Conv.loss.doc

FIELD EXAMINER: GENE GIBSON

FIELD EXAM DATE: May 20, 2003

FOR CLAIM(S): 63-4277a

MEASURED DITCH LENGTH: .2112 feet from POD to POU.

FORMULA: $S = (W)(i)(0.0667)$

Where: S = Loss in CFS per Mile

W = The top width of the high water mark in feet

i = The loss rate in feet per day (see table)

0.0667 is a factor used to convert to CFS per mile

TABLE:

Type of Soil	Loss Rate i (Ft/Day)
Medium clay loam.....	0.5 to 1.5
Impervious clay.....	0.5
Medium soils.....	1.0
Somewhat pervious soils.....	1.5 to 2.0
Gravel.....	2.5 to 5.0

WORK SHEET

$W = (4.0 \text{ FT}) \quad i = (1 \text{ FT/DAY})(0.0667)$

$S = .2668 \text{ CFS/MILE}$

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = (.2668 CFS/MILE) (.2112 MILE)

CONVEYANCE LOSS =

.0563 cfs

TOP OF DITCH = W

MAP MEASUREMENT

Section 1 = 4.0

Length in Inches = 6.75 = A

Section 2 = NA

Map Scale: 8 In. = 1 Mile = B

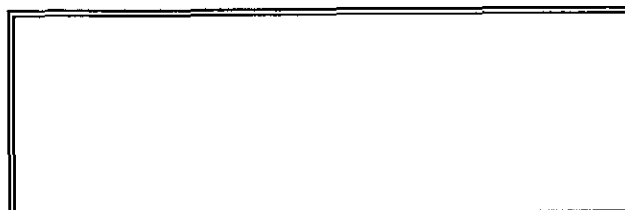
Section 3 = NA

A/X: B/5,280 = Ft./5,280 = Mile

Total.... = 4.0

/2or 3... = 4.0 = W

Data/forms/Conv.los.doc



MANNING EQUATION CHANNEL CAPACITY RESULTS

07-11-2003

File Number: 63-4277a

Claimant: Smoky Creek Ranch Religious Trust

Channel measured: Irrigation ditch

Date of measurement: July 2

Measurement location:

In the ditch 30 feet from the POD

Calculation prepared by: Gene Gibson

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 100 feet.

The upstream and downstream rod readings are 9.82 and 10.17 feet.

The channel cross section is 4.85 ft-sq.

The wetted perimeter is 5.80 feet.

The hydraulic radius is 0.84 feet.

The slope is 0.0035

The roughness coefficient is 0.0350

The flow velocity is 2.235 ft/sec.

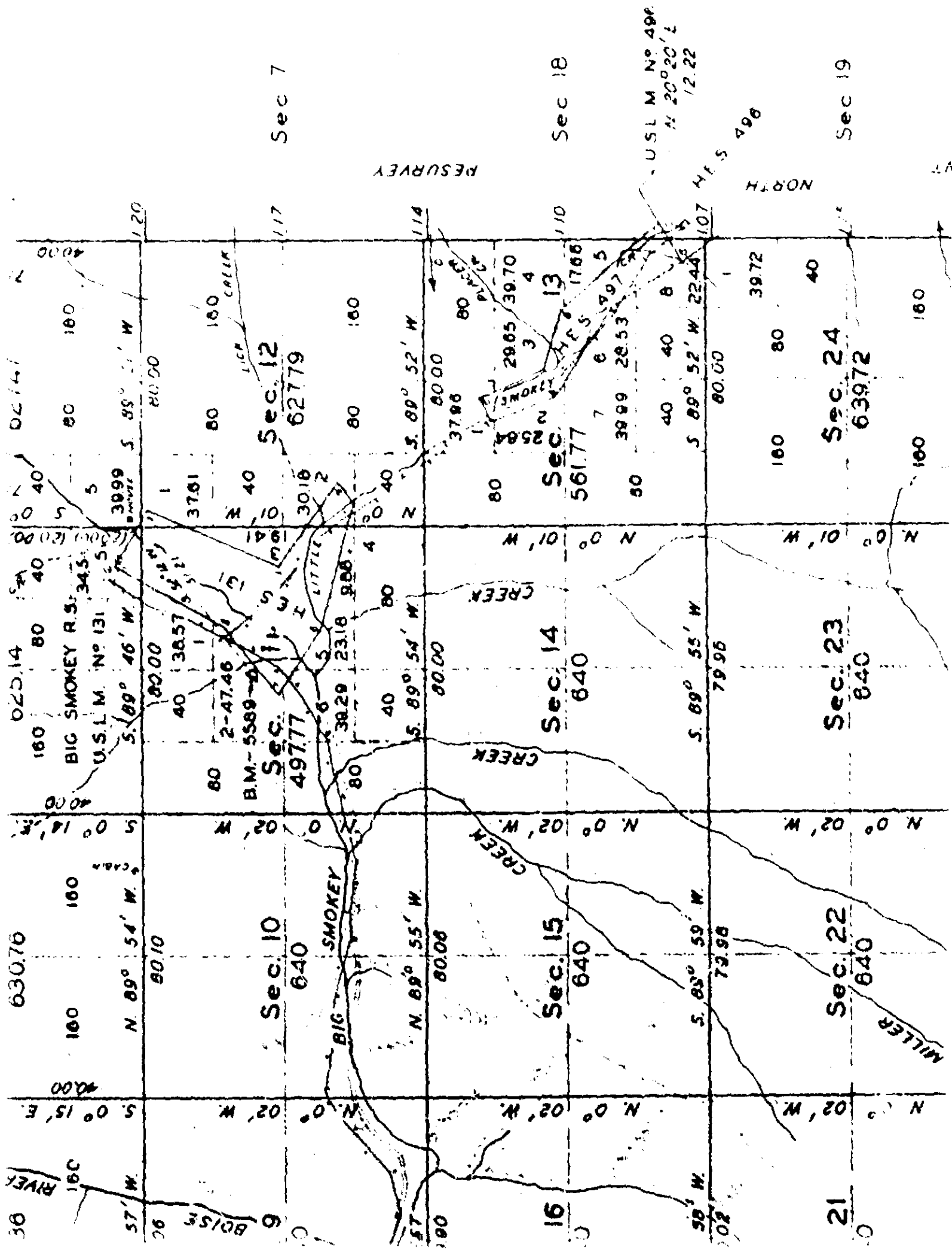
The rate of flow is 10.84 cfs.

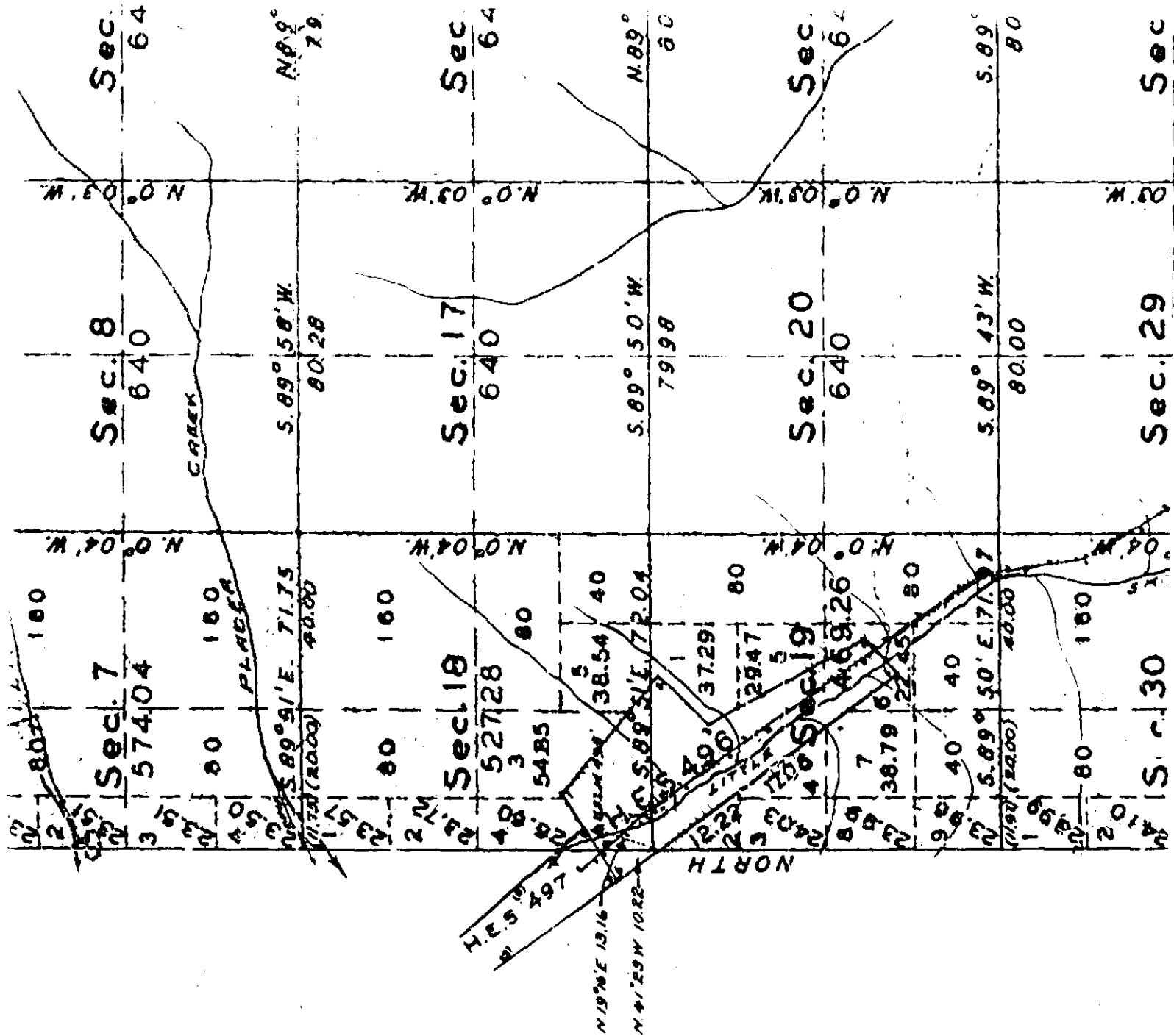
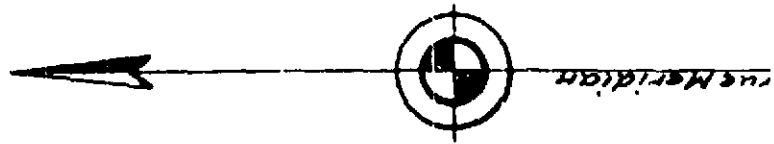
CROSS SECTION NUMBER 1

For File Number 63-4277a for the Irrigation ditch

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.70	0.70	0.50
3	1.40	1.40	1.00
4	1.80	1.80	1.50
5	2.00	2.00	2.00
6	1.70	1.70	2.50
7	1.20	1.20	3.00
8	0.90	0.90	3.50
9	0.00	0.00	4.00

The area for this cross section is 4.85 square feet
and the wetted perimeter is 5.80 feet.





Erle Byram
May 20, 2003

P.O.D.
get Sample KY

Diversion 426704 5673 Skunk Creek
282970

P.O.U. 426958 5494
282818

430339 278907 Finkner 5526

3'

10 yds 4.22

20 yds 4.26

30 yds 5.00

40 yds 5.32

50 yds 5.52

60 yds 5.84

70 yds 5.82

80 yds 5.89

.4 mile Pod - Pou

West
Side
to S.C.

432096

5656

0276312

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4277A V1

WATER RIGHT NUMBER: 63-4277A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GARY BYRAM 2250 CAROL DR LEWISTON, ID 83501 (208) 746-6077
Current Owner	SMOKY CREEK RANCH RELIGIOUS TRUST LIONEL D ROBINSON TRUSTEE 149 S SILVERWOOD WAY EAGLE, ID 83616
Original Owner	JOY A BYRAM 2250 CAROL DR LEWISTON, ID 83501 (208) 746-6077

Priority Date: 05/01/1936

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SMOKY CREEK	BIG SMOKY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.060 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

LITTLE SMOKY CREEK	NW1/4SE1/4	Sec. 19, Twp 03N, Rge 14E, B.M.
CAMAS County		

Place of UseIRRIGATION Within CAMAS County

T03N R14e S19 NENW 2.0

Total Acres: 2

Conditions of Approval:

1. 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4277A V1

Comments:

1. sboc 8/20/2001 field exam

Comment: See file 63-4277B for pod and mannings readings.

2. sboc 8/20/2001 claimant

Comment: Original claimant was Gary Byram, Earls brother. Gary sold this property about 16 years ago. The new owners have never irrigated and Gary Byram said it had been many years since he had. The ditch leaving Earls place does go onto this parcel in the S.E. corner of the property. The other diversion on the West side of the creek has not been used since the 1970s. Only recommending that portion which can be irrigated by Earls ditch.

3. sboc 8/20/2001 pou

Comment: Pou recommended as to what can be irrigated and what might have been irrigated prior to the claim being filed. The ditch comes onto the se corner of the property and can irrigate just past the road that goes up to the subdivision on the East. Recommending 2 acres at .03 per acre.

4. sboc 10/16/2001 recommendation change

Comment: See memo in file regarding possible change of recommendation, for next field season.

5. sboc 10/16/2001 priority

Comment: This claim and 4227B should share the same priority date. The earliest mention of water rights use can be found for Paradise Gold Dredging in May 1936. Also see 4227B for further evidence of priority.

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:

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

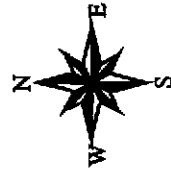
Claim No(s): 63-4277A
T03N, R14E, S 19
Prepared by: Sue Bock
Date: 8/20/2001

☐ Place of Use

☒ Point of Diversion

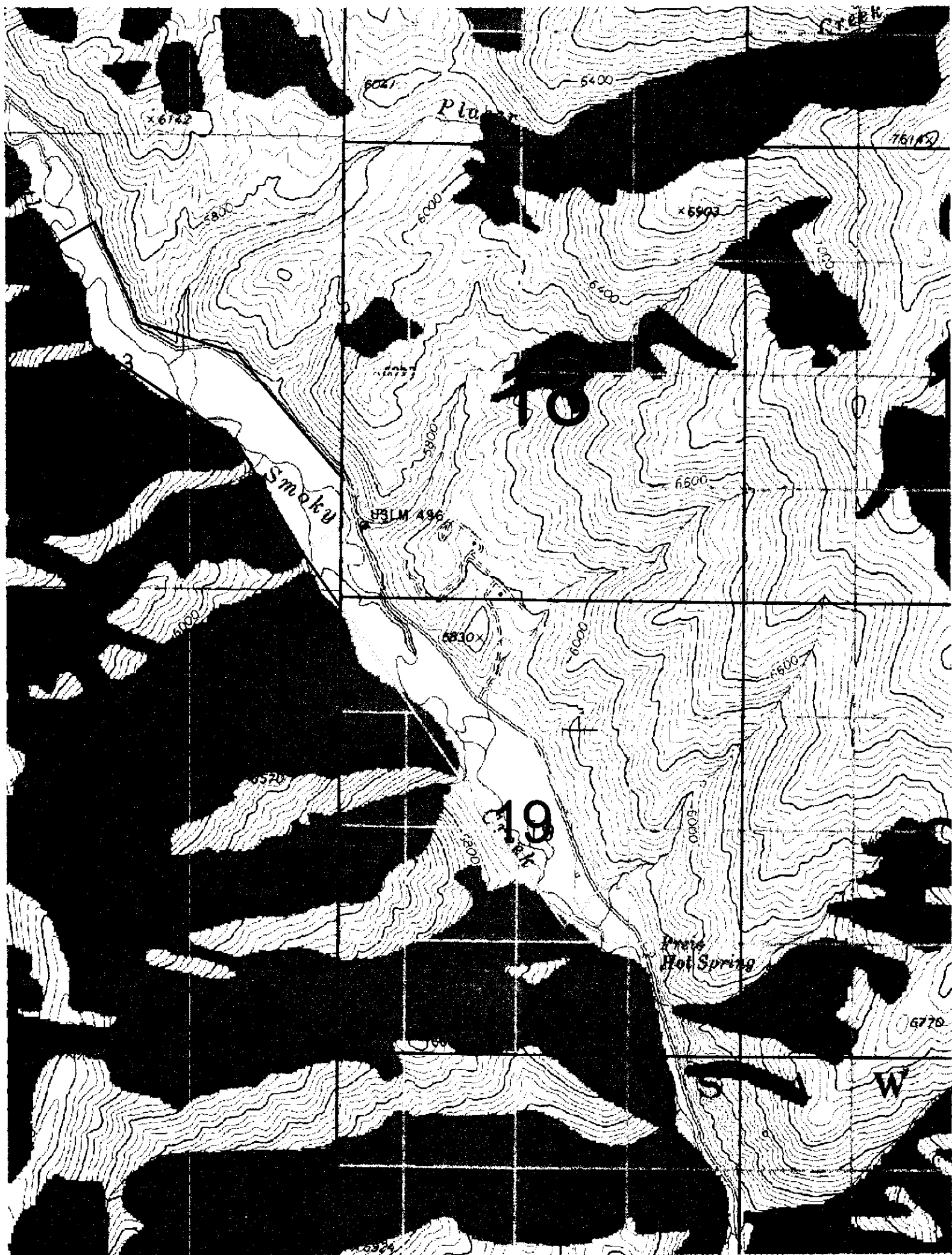
☐ Section lines

☐ 1/4 1/4 lines



1987 NAPP Photo





Memo to file 63-4277A

Date: October 16, 2001

From: Sue Bock

Dan Robinson came into the office yesterday to deliver evidence of priority for this claim. I went over my preliminary recommendation with him. He had no personal knowledge of the water right or when it was last used. He thought that it might not have been used for the last 30 years, but didn't know.

The affidavit submitted by the former owner claims that they were irrigating and that they sold the property to Robinson in 1992. Robinson wishes to use this information to substantiate his water right. I told him that when I was in the field the only evidence of any irrigation that I could see was the water that came off of Erle Byrams place and onto the NENW corner of his property, amounted to 2 acres.

Mr. Robinson feels the only irrigation that has taken place or that he will continue will be in the NWNW on the West side of the creek. This amounts to almost 6 acres. He said that ditches are out there although he has no idea where the pod would be. He is not able to make it back up to the property this season. I told him that my recommendation would stand and that he could respond to the notice of error, at which time I may be able to get back out into the field and he could show me the pod and I could measure the ditches. If the notice of error occurs in the winter time then he will probably need to file an objection to his right when the director's report comes out. I told him to watch his mail for the recommendation. Mr. Robinson is also aware that it will be up to him to justify the use of this right if it is objected to.

May 1936 appears to be the earliest evidence of priority, for Paradise Gold Dredging. Since Erle Byram's claim and this claim are split, if Byram is able to produce evidence for an earlier date, that date can be applied to this right also.

149 S. Silverwood Way
Eagle, Idaho 83616
(208) 939-7807

October 15, 2001

RECEIVED
OCT 15 2001
WATER RESOURCES
WESTERN REGION

Adjudication Section
Department of Water Resources
Western Region Office
2735 Airport Way
Boise, Idaho 83705-5082

In re: Claim No. 63-4277A

Ladies and Gentlemen:

Attached please find Affidavits in support of the above referenced Water Right Claim executed by Gary and Joy Byram, Carol Rae Goeckner, and Lester Sliman.

As you can see from these statements, we have contacted former owners of the property under discussion who have knowledge as far back as 1957. To our knowledge, all owners before this time are deceased.

We also enclose copies of documents recently prepared on our behalf by Twin Falls Title and Escrow Company showing the Chain of Title of this land. It appears that this property was homesteaded in 1922 by Frederick Preis. During his ownership, mining rights were transferred to W.M. McIntosh, and then to Paradise Gold Dredging Co. Subsequently, the land was transferred in 1936 to Paradise Gold Dredging Co, and in 1946 to J. W. Newman, before transfer to Lester Sliman, et al, in 1957.

We submit these documents with the understanding that a field examination has previously been performed by your office, and that you will inform us of any further evidence or documentation necessary to preserve our water rights on this property.

Very truly yours,



Lionel Dan Robinson, Trustee
Smoky Creek Ranch Religious Trust

RECEIVED

OCT 15 2001

WATER RECORDS
WESTERN REGION

In the Matter of)
)
NOTICE OF CLAIM TO WATER RIGHT)
Claim No. 63-4277A)
_____)

AFFIDAVIT

State of Idaho,)
)
County of Nez Perce) ss.

The undersigned, GARY BYRAM and JOY A. BYRAM, currently residing at 2250 Carol Drive, Lewiston, Idaho 83501, being first duly sworn, do depose and say:

That we were legal owners of 43.5 acres situated in Camas County, Idaho, designated as Parcel No. RP03N14E183000A during the period March 17, 1982 through September 22, 1992;

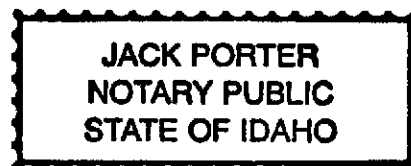
And, that during our ownership we exercised our statutory right to irrigate this property from Little Smoky Creek for agricultural purposes.

DATED this 10 day of October, 2001.

Gary Byram
GARY BYRAM

Joy A. Byram
JOY A. BYRAM

SUBSCRIBED AND SWORN To before me this 10 day of October, 2001.



[Signature]
Notary Public for State of Idaho
Residing at: Lewiston
My Commission expires: 6-26-06

RECEIVED
OCT 15 2001
WATER RESOURCES
WESTERN REGION

In the Matter of)
NOTICE OF CLAIM TO WATER RIGHT)
Claim No. 63-4277A)
_____)

AFFIDAVIT

State of Idaho,)
County of Gooding.) ss.

The undersigned, CAROL RAY^E (BYRAM) GOECKNER, currently residing at 563 Avenue A, Wendell, Idaho 83355, being first duly sworn, does depose and say:

That my parents, H. C. and PAULINE BYRAM, were the legal owners of 43.5 acres situated in Camas County, Idaho, designated as Parcel No. RP03N14E183000A (Exhibit A attached) during the period August 8, 1962 through April 23, 1971;

And, that following my father's death, my mother (and subsequently her estate) held the property with my brothers GARY BYRAM and ERLE BYRAM during the period April 23, 1971 through March 17, 1982;

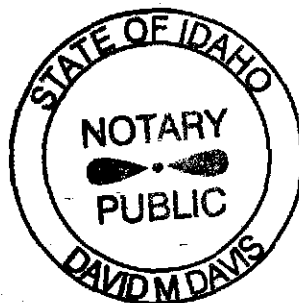
And, that upon settlement of my mother's estate, this parcel devolved to my brother GARY BYRAM;

And, that I have personal knowledge that during these periods, my family exercised their statutory right to irrigate this property from Little Smoky Creek for agricultural purposes.

DATED this 9 day of October, 2001.

Carol Ray Goeckner
CAROL RAY (BYRAM) GOECKNER
^E

SUBSCRIBED AND SWORN To before me this 9 day of October, 2001.



David M. Davis
Notary Public for State of Idaho
Residing at: Jerome, Idaho
My Commission expires: 3/25/05

EXHIBIT A

That portion of Section 18 and 19, Township 3 North, Range 14 East Boise Meridian, in Camas County, Idaho, described as follows:

Beginning at a point South 07 degrees 48 minutes East, 481.67 feet from corner No. 3 of Homestead Entry Survey No. 496, the true point of beginning thence;

North 56 degrees 29 minutes West, 308.06 feet to a point; thence,
North 40 degrees 18 minutes West, 338.63 feet to a point; thence,
North 28 degrees 57 minutes West, 301.67 feet to a point; thence,
North 42 degrees 49 minutes West, 353.05 feet to a point; thence,
North 47 degrees 11 minutes West, 210.58 feet to a point; thence,
North 59 degrees 17 minutes West, 283.04 feet to a point; thence,
North 36 degrees 14 minutes West, 302.77 feet to a point; thence,
North 22 degrees 16 minutes West, 795.80 feet to a point; thence,
North 19 degrees 40 minutes West, 79.80 feet to a point; thence,
South 57 degrees 20 minutes West, 731.64 feet to a corner No. 6 H.E.S. 496; thence,
South 35 degrees 56 minutes East, 2925.57 feet to a point; thence,
North 54 degrees 04 minutes East, 814.38 feet to the true point of beginning.

RECEIVED
OCT 15 2001
WATER RESOURCES
WESTERN REGION

In the Matter of)

NOTICE OF CLAIM TO WATER RIGHT)
Claim No. 63-4277A)

AFFIDAVIT

State of Idaho,)

County of Gooding.)

ss.

The undersigned, LESTER SLIMAN, currently residing at 1220 Montana, Gooding, Idaho 83330, being first duly sworn, does depose and say:

That I was legal co-owner of 43.5 acres situated in Camas County, Idaho, designated as Parcel No. RP03N14E183000A (Exhibit A attached) during the period August 11, 1957 through August 8, 1962;

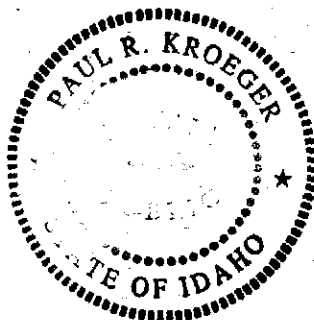
And, that during my ownership we exercised our statutory right to irrigate this property from Little Smoky Creek for agricultural purposes.

DATED this 9 day of October, 2001.

Lester Sliman

LESTER SLIMAN

SUBSCRIBED AND SWORN To before me this 9 day of October, 2001.



Paul R. Kroeger
Notary Public for State of Idaho
Residing at: Wendell, Idaho
My Commission expires: 1/5/2005

EXHIBIT A

That portion of Section 18 and 19, Township 3 North, Range 14 East Boise Meridian, in Camas County, Idaho, described as follows:

Beginning at a point South 07 degrees 48 minutes East, 481.67 feet from corner No. 3 of Homestead Entry Survey No. 496, the true point of beginning thence;

North 56 degrees 29 minutes West, 308.06 feet to a point; thence,
North 40 degrees 18 minutes West, 338.63 feet to a point; thence,
North 28 degrees 57 minutes West, 301.67 feet to a point; thence,
North 42 degrees 49 minutes West, 353.05 feet to a point; thence,
North 47 degrees 11 minutes West, 210.58 feet to a point; thence,
North 59 degrees 17 minutes West, 283.04 feet to a point; thence,
North 36 degrees 14 minutes West, 302.77 feet to a point; thence,
North 22 degrees 16 minutes West, 795.80 feet to a point; thence,
North 19 degrees 40 minutes West, 79.80 feet to a point; thence,
South 57 degrees 20 minutes West, 731.64 feet to a corner No. 6 H.E.S. 496; thence,
South 35 degrees 56 minutes East, 2925.57 feet to a point; thence,
North 54 degrees 04 minutes East, 814.38 feet to the true point of beginning.

Claim No. 63-4277A



**TWIN FALLS
TITLE & ESCROW
COMPANY**

Date: October 3, 2001

RECEIVED

OCT 15 2001

WATER RESOURCES
WESTERN REGION

**SMOKEY CREEK RANCH, RELIGIOUS TRUST
ATTN: LIONEL
149 SOUTH SILVERWOOD WAY
EAGLE, ID 83616**

**RE: CAMAS COUNTY ORDER NO. C010095
ROBINSON**

Dear Mr. Robinson:

Please find attached the following:

- | | |
|--|---|
| ☐ Commitment for Title Insurance | ☐ Trustee's Sale Guarantee |
| ☒ Copies of Chain of Title | No. |
| ☐ Original of Deed of Trust | ☐ Jr. Loan Policy |
| No. | No. |
| ☐ 6 MONTHS CHAIN OF TITLE | ☐ Lot Book Guarantee |
| ☐ Restrictive Covenants | |
| ☒ Copy of Map | ☐ JR1 for Jr. Loan Policy |
| ☐ Copy of Deed of Trust | No. |
| ☐ Privacy Letter | |

If you have any questions, please do not hesitate to contact our office.

Thank you for the opportunity of serving you.

Sincerely,

Twin Falls Title & Escrow Company

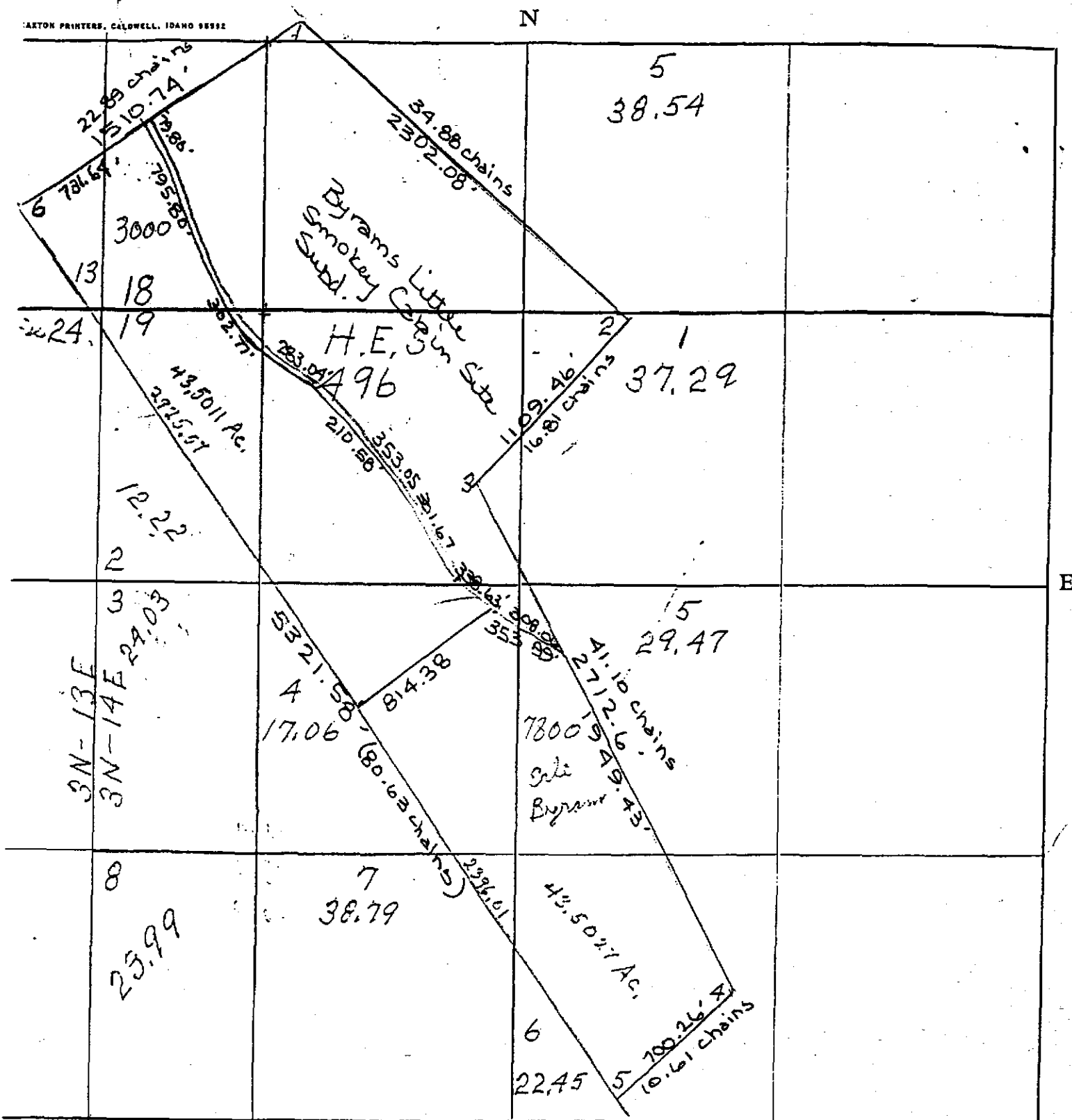
**Helen Turner, Title Officer
Twin Falls Title & Escrow Company
Gooding Title & Escrow Company
Camas County Title, L.L.C.**

Enclosures/Attachments

Legal Description:			File Number:		Date	By:
18 & 19-3N-14E			C010095			
GI Search:			Searched By:	Commitment:		
			Examined By:	Policy		
Grantor			Grantee		Comments	
Inst. #	Date	Type				
17545	9-8-35	Ag.	Archie Preis		Wm McEntee	
200356	9-28-35	Ag.				
17546	9-28-35	Ag.				
200357	9-28-35	Ag.				
17547	9-28-35	Ag.	Wm McEntee		Paradise Fred Dredging C.	
200358	11-3-32	Pat.	USA		Fredrick Preis	
200475	5-21-36	WD	Fredrick Preis		Paradise Fred Dredging C.	
18036	1-6-46	WD	Paradise Fred Dredging Co		J.W. Newman	
150589	8-11-57	WD	J.W. Newman & Model		Lester Skinner et al & J.W. Skinner	
170618	3-10-61	WD	J.W. Skinner & Thomas		Lester Skinner - Adelle	
33173	1-27-82	WD	J.W. Skinner			
190484	8-8-62	WD	Lester Skinner & Adelle		H.G. Byram & Pauline	
34935	4-23-71	WD	Harry Clifford Byram		Pauline Byram	
200305	1-17-71	WD	Pauline Byram & Gary Byram			
47525	1-27-82	WD	Pauline Byram		U.S. Byram	
240461	1-27-82	WD	Pauline Byram		Gary Byram	
47537	1-27-82	WD	Pauline Byram		Gary Byram	
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240613	1-27-82	WD	Pauline Byram		Gary Byram	
240614	1-27-82	WD	Pauline Byram		Gary Byram	
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240618	1-27-82	WD	Pauline Byram		Gary Byram	
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240633	1-27-82	WD	Pauline Byram		Gary Byram	
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240641	1-27-82	WD	Pauline Byram		Gary Byram	
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240647	1-27-82	WD	Pauline Byram		Gary Byram	
240648	1-27-82	WD	Pauline Byram		Gary Byram	
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240656	1-27-82	WD	Pauline Byram		Gary Byram	
240657	1-27-82	WD	Pauline Byram		Gary Byram	
240658	1-27-82	WD	Pauline Byram		Gary Byram	
240659	1-27-82	WD	Pauline Byram		Gary Byram	
240660	1-27-82	WD	Pauline Byram		Gary Byram	

13- 3N 13E
 Section 18-19 Township 3N Range 14E

AXTON PRINTERS, CALDWELL, IDAHO 83302



S



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

SMOKY CREEK RANCH RELIGIOUS
TRUST
LIONEL D ROBINSON TRUSTEE
149 S SLIVERWOOD WAY
EAGLE ID 83616

Re: Claim No(s) 63-4277A

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin ~~as accurately as possible. Field exams to verify~~ claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

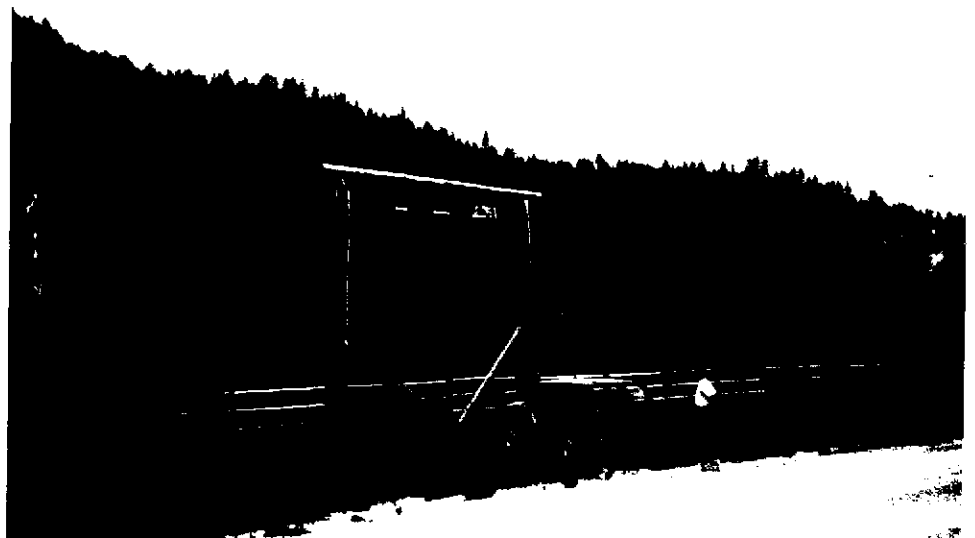
JS:lh
Enclosures

IDWR FIELD EXAM
63-4277A Smoky Creek Ranch Religious Trust
AUG 9, 2001
SUE BOCK AND MEL SCHULTE

Property on West side of
Cr. The pod for this
area has not been used
since the 1970's. Photo
facing North.



POU just north
of where the ditch
coming off of Byram's
land ends.



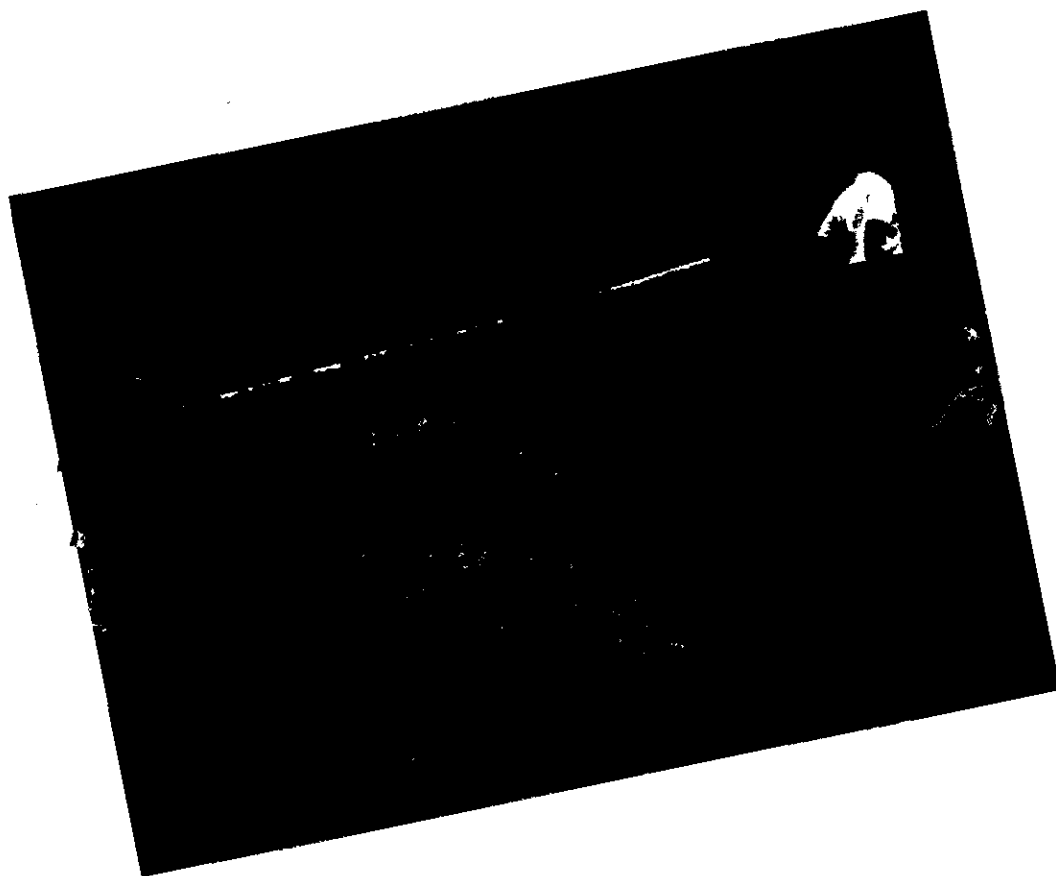
page 2 of 2

IDWR FIELD EXAM
63-4277A Smoky Creek Ranch Religious Trust
AUG 9, 2001
SUE BOCK AND MEL SCHULTE

Property facing South
towards Byrams ditch



Ditch comping onto property.
Just covers the Southeastern
most tip of property
of where the ditch
coming off of Byram's
land ends.



AJ5809NP
No. A63-04277A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/01
PAGE: 19

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY BYRAM	06/01/1930	IRRIGATION	06-01 10-01	0.800 CFS	
C	JOY A BYRAM					
	105 ALMON ST #6					
	MOSCOW ID 83843					
				TOTAL DIVERSION:	0.800 CFS	

Water Source: LITTLE SMOKEY CREEK Tributary to: BIG SMOKEY CREEK Stage: STATUTORY CLAIM
Point(s) of Diversion: T03N R14E S19 NW SENW CAMAS County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	
T R S	NENE NWNE SENE	NENW NWNW SWNW SENW	NESW NWSE SWSW SESW	NESE NWSE SENE	SUM
	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	
03N 13E 13	:	:	:	05	5.0
03N 14E 18	:	:	05	:	5.0
03N 14E 19	:	15	15	:	30.0
					40.0
					TOTAL ACRES

POU County: CAMAS

Non-Irrigation Uses: INSTREAM STOCKWATERING.

Other Rights: NONE.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
		01/28/1985	
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

WR5809NP
No. 63-04277

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/22/01
PAGE: 3

OWNER CODE NAME & ADDRESS
C GARY BYRAM
C ERLE BYRAM
625 COLORADO ST.
GOODING ID 83330

PRIORITY DATE WATER USE
06/01/1930 IRRIGATION

USE PERIOD FROM TO
06/01 10/01

DIVERSION RATE
5.650 CFS

DIVERSION VOLUME
5.650 CFS

TOTAL DIVERSION: 5.650 CFS

Water Source: LITTLE SMOKEY CREEK Tributary to: BIG SMOKEY CREEK Stage: STATUTORY CLAIM

Point(s) of Diversion: T03N R14E S19 NWSE CANAS County

Place of use Legal Description for: IRRIGATION																							
NE				NW				SW				SE											
T		R		S		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		SUM	
03N		13E		13		:		:		:		:		:		:		:		:		5.0	
03N		14E		18		:		:		:		:		:		:		:		:		5.0	
03N		14E		19		:		:		:		:		:		:		:		:		10.0	
												TOTAL ACRES											

Pou County: CANAS

Remarks: GEN AC. IRR.=52.

Dates: App. Received: 06/01/1930
Proof Due Date:
Exam Made Date:
Exam Sent to S.O.:

Misc: Water District Number: Field Exam Fee:

IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION

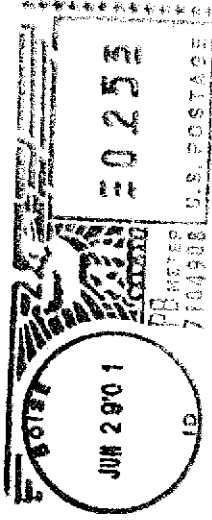
2735 Airport Way

Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

UNDELIVERABLE AS
ADDRESSED
NO FORWARDING
ORDER ON FILE

PRESORTED
FIRST CLASS



RECEIVED

JUL 24 2001

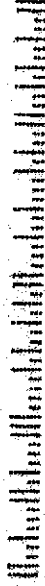
WATER RESOURCES
WESTERN REGION

JOY A.
GARY BYRAM
105 ALMON ST #6
MOSCOW, ID 83843

63-4277A

2250 Carol Dr.
Lewiston 83501

Sent address chg
letter 7/24/01





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 30, 2001

GARY BYRAM
JOY A BYRAM
2250 CAROL DR
LEWISTON ID 83501

Re: Notice of Claim to a Water Right No. 63-4277A

Dear Claimants:

Enclosed is a copy of the above referenced claim, which reflects your change in address.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

November 13, 1974

RECEIVED

FEB 20 2003

WATER RESOURCES
WESTERN REGION

Mr. Gary Byram
625 Colorado St.
Gooding, ID 83330

Re: Claim to a Water Right No. 63-4277

Dear Mr. Byram:

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not in itself guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing for your records a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF: cla

Enclosure

MICROFILMED

SCANNED

OFF 0117

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 18, 1974

Gooding County Leader
Box 56
Gooding, ID 83330

Re: Claim to a Water Right No. 63-4277 - Gary &/or Erle Byram

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

MICROFILMED

Bill submitted

11-1-74

CW

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~63-4277~~

Notice is hereby given that ~~GARY &/OR ERLE BYRAM~~
~~625 Colorado St., Gooding, ID~~
has filed a claim to a water right established by diversion and application
to beneficial use of ~~5.65~~ cubic feet per second ~~acre feet of water~~
from ~~Little Smokey Creek, trib. to Big Smokey Creek~~
with the point of diversion in the ~~NW¹/₄SE¹/₄, SE¹/₄NW¹/₄, Sec. 19, T. 3 N, R. 14 E,~~
~~B.M. Camas County~~
The water is claimed to be used from ~~June 1 to Oct. 31~~
for ~~irrigation of 52 acres~~

with a priority of ~~1930~~;
the place of use is within the ~~SE¹/₄SE¹/₄, Sec. 13, T. 3 N, R. 13 E, B.M.; SW¹/₄SW¹/₄,~~
~~Sec. 18, NW¹/₄NW¹/₄, SE¹/₄NW¹/₄, NW¹/₄SE¹/₄, Sec. 19, T. 3 N, R. 14 E, B.M.~~

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the ~~Gooding County Leader, Gooding, ID~~
on ~~Oct. 24, 1974~~ and ~~Oct. 31, 1974~~

September 27, 1974
625 Colorado St.
Gooding, ID 83330

*corrected
on
main copy*

Re: Claim to a Water Right No. 63-4277

Dear Mr. Byram:

We received your Claim to a Water Right and noted that the date of application to beneficial use was filled in, but we still need the claim notarized.

We are sending your claim back to be notarized and ask that you send it back as soon as possible, so that we may continue the processing of your claim.

Sincerely,

CATHY L. ATKINSON
Stenographer

LA:c

Enclosure

MICROFILMED

September 23, 1974

Mr. Gary Byram
625 Colorado St.
Gooding, ID 83330

Re: Claim to a Water Right No. 63-4277

Dear Mr. Byram:

Before we can advertise your claim to a water right, we need a date of application to beneficial use.

Please complete item 4 and have the claim notarized, and return the claim to us immediately.

Very truly yours,

ERVIN E. BALLOU
W. R. Technician II

EEB:cla

Enclosure

MICROFILMED

(continued)

Scale: 2 inches equal 1 mile.

State of Idaho)
) ss.
County of Ada)

Sworn to before me this 16th day of October, 1974. (Claimant)

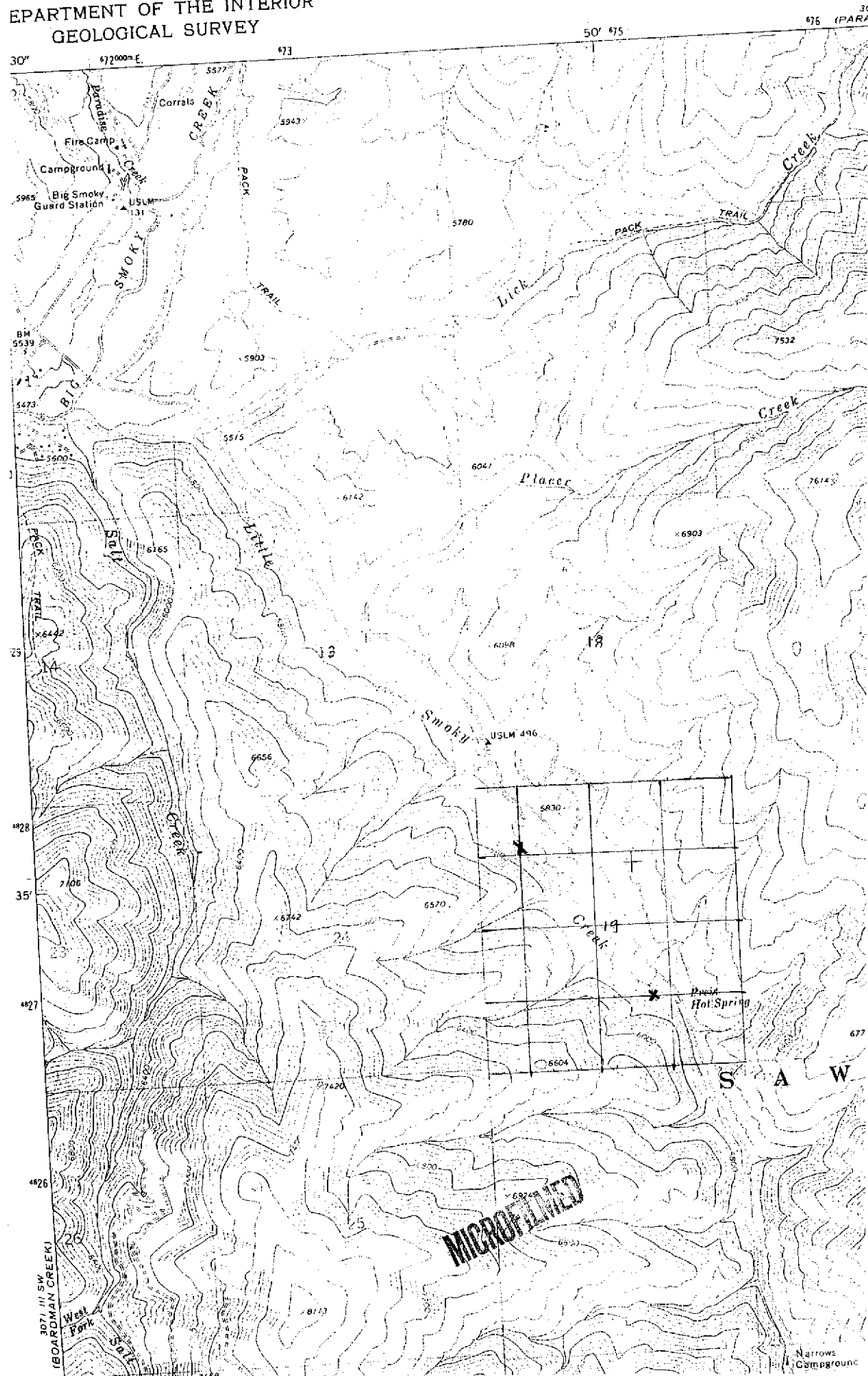
Residing at 1101 E. 1st St.

Rec #33

Received by <u>ef</u>	Date <u>9-25-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ef</u>	Date		claimant by:	
\$10.00 fee received by <u>ef</u>	Date <u>9-25-74</u>			
Approved for publication by <u>ef</u>	Date <u>11-1-74</u>			
Published in <u>Reading</u>	<u>11-1-74</u>			
Dates <u>Vol 1, 1974</u>	<u>8</u>			

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

File here map is mark X



AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Gooding } SS.

GORDON O. GLASMANN

being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 24 day of October

19 74, and the date of the last publication was on the 31 day of October, 19 74

Subscribed and sworn to before me this 29

day of October, 19 74.
(SEAL)

NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 36 36

Number of Insertions 2 2

Lines tabular at 315c

36 Lines straight at 36 21c 7.56

36 Subsequent lines at 36 15c 5.40

TOTAL COST 12.96

COPY OF NOTICE

Notice is hereby given that Gary and/or Erle Byram 625 Colorado St. Gooding, ID. has filed a claim to a water right established by diversion and application to beneficial use of 5.65 cubic feet per second of water from Little Smokey Creek, trib. to Big Smokey Creek with the point of diversion in the NW 1/4 SE 1/4, SE 1/4 NW 1/4, Sec. 19, T. 3N, R. 14E, B.M. Camas County

The water is claimed to be used from June 1 to Oct. 31 for irrigation of 52 acres with a priority of 1930 the place of use is within the SE 1/4 SE 1/4, Sec. 13, T. 3N, R. 14E, B.M.; SW 1/4 SW 1/4, Sec. 18, N. 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 SE 1/4, Sec. 19, T. 3N, R. 14E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho 83720.

R. KEITH HIGGINSON
Director
Pub: 10-24, 31.

NOV 1 1974

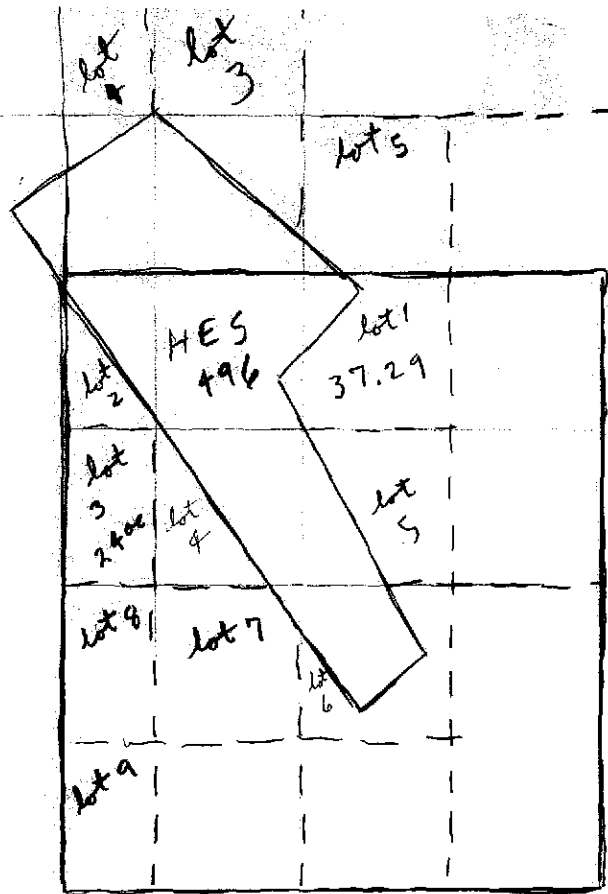
PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight 21c
7 pt. per line, tabular 315c
7 pt. per line, successive insertions 15c

Whiz #3047

No 220



634277

RECEIVED