

**NOTICE OF**

**PROPOSED CHANGE OF  
WATER RIGHTS**

**NOS. 31-2410 & 31-7085**

Notice is hereby given that Dale &/or Linda Murdock, Terreton, Idaho, have applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of groundwater source. The rights sought to be changed are evidenced by License Nos. 31-2410 and 31-7085 and are recorded as follows:

**31-2410**

AMOUNT: 4.0 cfs

PRIORITY: 2/22/1964

POINT OF DIVERSION:

SW 1/4 NW 1/4, Sec. 12, Twp. 6N, Rge. 35E, Jefferson County.

The water is used from April 1 to November 1 for the irrigation of 200 acres within the E 1/2 NE 1/4, E 1/2 SE 1/4, Sec. 11; W 1/2 NW 1/4, NW 1/4 SW 1/4, Sec. 12; Twp. 6N, Rge. 35E.

**31-7085**

AMOUNT: 6.0 cfs

PRIORITY: 4/3/1973

POINT OF DIVERSION:

SW 1/4 NW 1/4, Sec. 12, Twp. 6N, Rge. 35E, Jefferson County.

The water is used from April 1 to November 1 for the irrigation of 379 acres within the W 1/2 NE 1/4, SE 1/4 NE 1/4, W 1/2 NW 1/4, E 1/2 SW 1/4, W 1/2 SE 1/4, SE 1/4 SE 1/4, Sec. 11; W 1/2 NW 1/4, NW 1/4 SW 1/4, Sec. 12; Twp. 6N, Rge. 35E.

**TO BE CHANGED  
AS FOLLOWS**

Only 5.34 cfs of the water will be diverted within the SE 1/4 SE 1/4, Sec. 11; SW 1/4 NW 1/4, Sec. 12; Twp. 6N, Rge. 35E; to be used for the irrigation of 296 acres within the NE 1/4, SE 1/4 SE 1/4, Sec. 11; W 1/2 NW 1/4, NW 1/4 SW 1/4, Sec. 12; Twp. 6N, Rge. 35E, Jefferson County.

Any protest against approval of the above proposed change of water rights must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before May 18, 1981.

A. Kenneth Dunn  
Director

Published April 30 and May 7,  
1981

**Affidavit of Publication**

**THE RIGBY STAR**

**RECEIVED**

**MAY 26 1981**

Department of Water Resources  
Eastern District Office

STATE OF IDAHO,

County of Jefferson

SS

I, Marie B. Nye, do solemnly swear that I am the Publisher of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Thirteenth day of April, 19 81

and the last publication on the

Seventh day of May, 19 81

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Marie B. Nye

Publisher

Subscribed in my presence and sworn to before me this Seventh day of May, 19 81.

[SEAL]

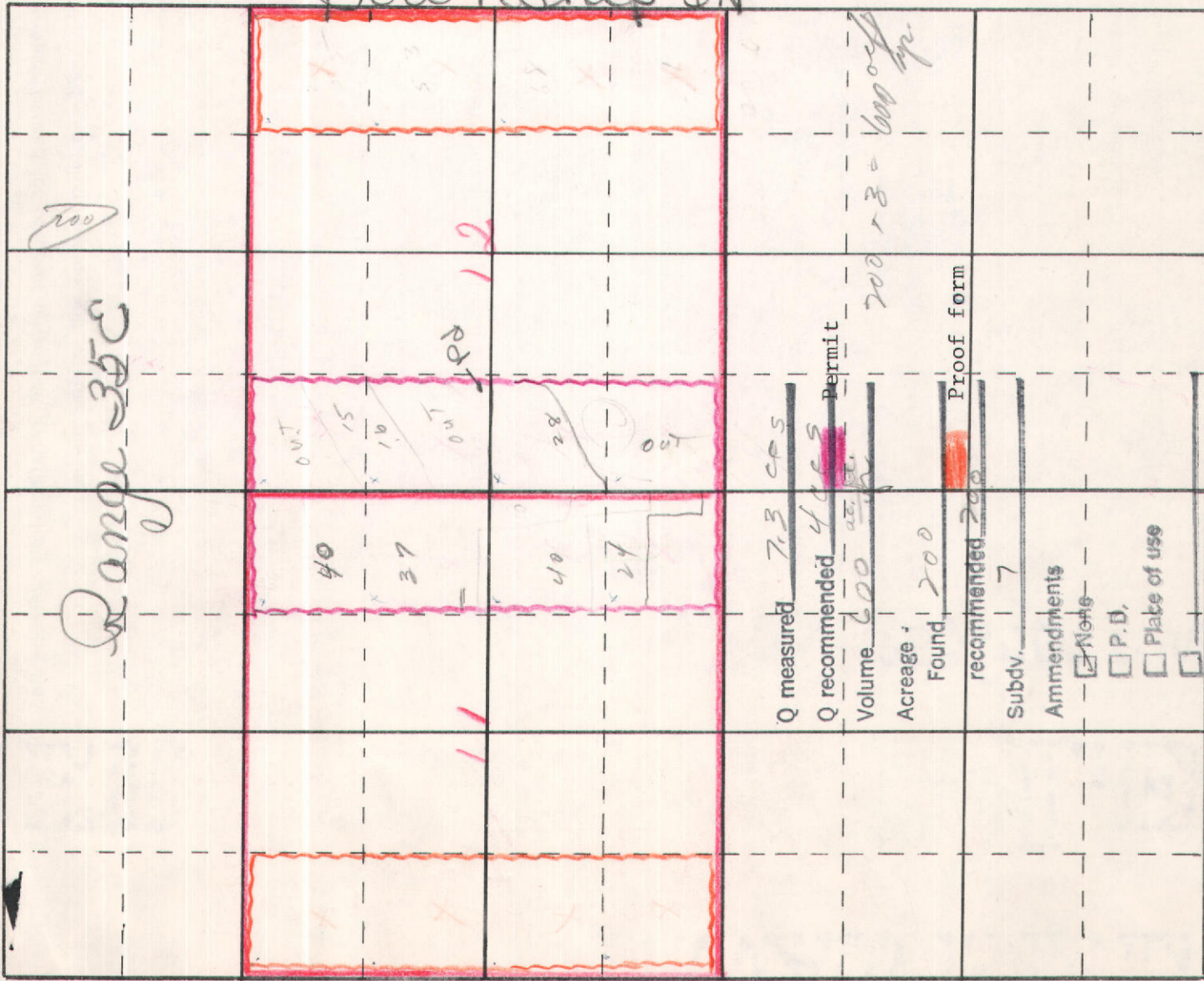
Aldon O. Nye

Notary Public for the State of Idaho  
Residence and P. O. Address, Rigby, Idaho.

My commission expires Life, 19     

Publication Fee: \$ 27.06

**MILWAUKEE**



Permit No. G-31636/31-2410  
 Name of Applicant Ray E. and Verla Byrne Terreton, Idaho  
 Source of Water Subterranean  
 a tributary of \_\_\_\_\_  
 Location of P.D. SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 12, T. 6N, R. 35E.B.M. Jefferson  
 County \_\_\_\_\_

Water is used for Irrigation  
 Quantity of water claimed: Permit 6.0 c.f.s. Depositions 6.0 c.f.s.  
 Type of measuring device installed or method of measurement and general description of diversion works Pump size 16", motor 125hp, well casing 18", depth of well 150', 92' lift. measuring device not required

| Land to be irrigated or place of use: |      | Description (proof form)                                                                                                                         |
|---------------------------------------|------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| TWP.                                  | RGE. | SEC.                                                                                                                                             |
| 6N                                    | 35E  | 11 NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6N                                    | 35E  | 12 NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$                                     |
| Description-permit                    |      |                                                                                                                                                  |
| 6 N                                   | 35 E | 11 E $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$                                                                           |
|                                       |      | 12 W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ ,                                                                         |

Date Filed: January 7, 1964  
 Date Made: February 25, 1969  
 Total acreage 181  
 Date Due: January 10, 1969  
 Priority: February 22, 1964 (late proof)

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)  
 None  
Holly Canal Co. water 250 shares.

January 9, 1969

Re: Permit No. G-31636

663-4310

Ray E. and Verla Byrne  
Terreton, Idaho

Dear Mr. and Mrs. Byrne:

Please be advised once again that proof of beneficial use of the water to be appropriated under the above referenced permit is due January 10, 1969.

If you fail to submit proof to the Department before this date, and the permit has lapsed you may petition the Department within 60 days from the date that a notice of lapse was sent to you, to reinstate your permit. In order for the Department to reinstate a permit, you must show reasonable cause why such permit should be reinstated. Submitting proof of beneficial use of water within 60 days will automatically be considered by the Department as cause for reinstatement. The priority of all reinstated permits will be advanced a time equal to the number of days that such showing is subsequent to the date set for proof. After 60 days there is no way for the Department to reinstate the permit.

The Department has withheld the advertising of the existence of your permit since, as today is the 9th of January and we have not received your proof, we do not wish to cause you to go to any extra expense. We will promptly do so upon your request.

b

We have enclosed a form to be used to submit proof of the application of water to beneficial use.

The Department is at your disposal if you have any questions.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:TG

Enc: beneficial use forms

31636

| TRANSFER NO. | NAME                                 | AMOUNT<br>C.F.S. | BALANCE<br>C.F.S. | RIGHT<br>NO.       |
|--------------|--------------------------------------|------------------|-------------------|--------------------|
|              | <del>Byrne, Ray E. &amp; Verla</del> | <del>4.0</del>   |                   | <del>31-2410</del> |
| 2546         | Murdock, Dale & Linda                | 4.0*             |                   | 31-2410            |

\* The amount under this right is reduced to. 3.16 because of non irrigation of 42 acres.

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PUBLIC NOTICE OF  
 PROPOSED DIVERSION  
 OF WATER RIGHTS  
 Notice is hereby given that  
 the State of Idaho, hereinafter  
 referred to as the Department of Water  
 Resources, has applied to the  
 Department of Water Resources for a change in the  
 point of diversion and place  
 of use of the waters of  
 groundwater sources. The  
 rights sought to be changed  
 are evidenced by Licenses  
 Nos. 31-2410 and 31-7005 and  
 are recorded as follows:  
 31-2410  
 AMOUNT: 4.0 cfs  
 POINT OF DIVERSION:  
 SE 1/4 NW 1/4, Sec. 12, Twp. 6N,  
 Rge. 35E, Jefferson County.  
 The water is used from  
 April 1 to November 1 for the  
 irrigation of 200 acres within  
 the SE 1/4 NW 1/4, Sec. 11;  
 NW 1/4 NW 1/4, NW 1/4 SW 1/4, Sec.  
 12, Twp. 6N, Rge. 35E,  
 Jefferson County.  
 AMOUNT: 6.0 cfs  
 POINT OF DIVERSION:  
 SE 1/4 NW 1/4, Sec. 12, Twp. 6N,  
 Rge. 35E, Jefferson County.  
 The water is used from  
 April 1 to November 1 for the  
 irrigation of 370 acres within  
 the SE 1/4 NW 1/4, SE 1/4 NE 1/4,  
 NW 1/4 NW 1/4, SE 1/4 SW 1/4,  
 NW 1/4 SE 1/4, Sec. 11;  
 NW 1/4 NW 1/4, NW 1/4 SW 1/4, Sec.  
 12, Twp. 6N, Rge. 35E,  
 Jefferson County.  
 TO BE CHANGED  
 AS FOLLOWS:  
 Only 5.34 cfs of the water  
 will be diverted within the  
 SE 1/4 SE 1/4, Sec. 11;  
 SE 1/4 NW 1/4, Sec. 12, Twp. 6N,  
 Rge. 35E; to be used for the  
 irrigation of 896 acres within  
 the NE 1/4, SE 1/4 SE 1/4, Sec. 11;  
 NW 1/4 NW 1/4, NW 1/4 SW 1/4, Sec.  
 12, Twp. 6N, Rge. 35E,  
 Jefferson County.  
 Any protest against  
 approval of the above  
 proposed change of water  
 rights must be filed with the  
 Idaho Department of Water  
 Resources, 160 Shoup Ave.,  
 Boise, Idaho 83725, on  
 or before May 10, 1981.  
 A. Kenneth Dunn  
 Director  
 Published April 30 and May 7,  
 1981

# Affidavit of Publication

**RECEIVED**  
 MAY 26 1981  
 Department of Water Resources  
 Eastern District Office

THE RIGBY STAR

STATE OF IDAHO,

County of Jefferson

ss

I, Marie B. Nye, do solemnly swear that I am the  
Publisher of THE RIGBY STAR, a weekly  
 newspaper as defined by Idaho Codes Annotated Section 58-106 as  
 amended, and that said newspaper is a weekly newspaper, printed and  
 published at Rigby, Jefferson County, Idaho, having a general circulation in  
 said county, and that said newspaper has been printed and published as a  
 weekly newspaper, in said county for more than 78 consecutive weeks prior  
 to the first publication of the attached notice.

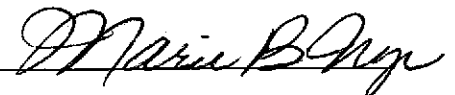
And affiant further says that at the times herein mentioned said  
 publication as per clipping attached, was published in said newspaper in the  
 regular and entire issue thereof, and not in any supplement issue thereof,  
 for 2 consecutive issues thereof; first publication having been made on  
 the

Thirteenth day of April, 19 81

and the last publication on the

Seventh day of May, 19 81

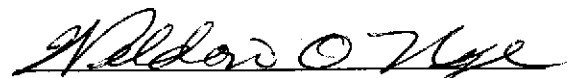
And affiant further says that at the times herein mentioned said  
 newspaper was made up of at least four pages of at least five columns each  
 printed from type matter of at least seventeen and three-fourths inches  
 depth; and that there are at least two hundred bonafide subscribers in  
 Jefferson County.



Publisher

Subscribed in my presence and sworn to before me this Seventh  
 day of May, 19 81.

[SEAL]



Notary Public for the State of Idaho  
 Residence and P. O. Address, Rigby, Idaho.

My commission expires Life, 19     

Publication Fee: \$ 27.06

FILED  
 MAY 26 1981  
 DEPARTMENT OF WATER RESOURCES  
 EASTERN DISTRICT OFFICE

RECEIVED

MAR 13 1969

# Affidavit of Publication

THE RIGBY STAR

Department of Reclamation

STATE OF IDAHO }  
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof; first publication having been made on the

6th day of March, 1969

and the last publication on the

13th day of March, 1969

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 14th

day of March, 1969  
(SEAL)

J. B. Hummer

Notary Public for the State of Idaho,  
Residence and P. O. Address, Rigby, Idaho.

My commission expires \_\_\_\_\_, 19\_\_\_\_

Publication Fee: \$598

MY COMMISSION EXPIRES JULY 15, 1969

**NOTICE OF APPROVED APPLICATION FOR WATER**  
Notice is hereby given that Ray E. Byrne and Verla Byrne, Terreton, Idaho, has received an approved permit No. G-31638 to divert 6.0 cubic feet per second of water from ground water. The priority to be established under this permit is January 7, 1964. Water will be diverted by well and pump within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 12, T. 6 N., R. 35 E., B.M., Jefferson County and is to be used for irrigation in the E $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 11, W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 12, T. 6 N., R. 35 E., B.M.  
Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.  
**R. KEITH HIGGINSON**  
State Reclamation Engineer  
Published in the Rigby Star, Rigby, Idaho on March 6 and March 13, 1969.

31638

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31636/31-2410 Priority Feb. 22, 1964 Amount 4.0 cfs  
(late proof)

THIS IS TO CERTIFY, that RAY E. & VERLA BYRNE  
of Terreton, Idaho, have, ~~xxx~~ complied with the terms and conditions of Permit  
No. 31636/31-2410 issued pursuant to Application for Permit dated January 7, 1964,  
and has submitted proof to the Department of Water Administration on February 25, 1969,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 7.3 cfs, and that the water has in fact been applied to a  
beneficial use; a right to the use of water from a ground water source  
tributary of \_\_\_\_\_, is hereby confirmed in the following amounts:

Amount 4.0 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Subject, however, to the condition that no more than 4.0 cfs of water be diverted at  
any one time, said waters to be diverted within the \_\_\_\_\_

SW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 12, Twp. 6 N, Rge. 35 E, B.M.

in the county of Jefferson, and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 600 acre feet per year or \_\_\_\_\_  
3.0 acre feet per acre.

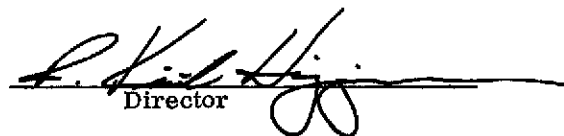
Description and location of place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 6N   | 35E   | 11   | 40               |                  |                  | 37               |                  |                  |                  |                  |                  |                  |                  |                  | 40               |                  |                  | 24               | 141    |
|      |       | 12   |                  |                  |                  |                  | 15               | 16               |                  |                  | 28               |                  |                  |                  |                  |                  |                  |                  | 59     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 200

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands  
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21<sup>ST</sup> day of  
February, 19 73.

  
Director

31 2410

RECEIVED  
MAY 15 1967

Department of Reclamation

**A S S I G N M E N T**

For value received, We hereby assign all of our right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 31636 to Ray E. Byrne and Verla Byrne, husband and wife.

Address: Terreton, Idaho

Heber C. Williams  
Permit Holder

Lola Williams  
Wife of Permit Holder

STATE OF IDAHO,     )  
                              : ss  
County of Clark,    )

On this 28th day of April, 1967, before me, a Notary Public for the State of Idaho, residing at Dubois, Idaho, personally appeared Heber C. Williams and Lola Williams known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

[Signature]  
Notary Public  
Residing at Dubois, Idaho

My Commission expires: 5/1/69

Note:  
If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

31636

31-2410

# APPLICATION FOR PERMIT

## To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39749  
Permit No. G- 31636  
District No.

Assigned to:

*Ray & Lela*  
*Byrne*  
*Secretary*

83450  
13-4310

1. Name of Applicant: Heber C. Williams  
Postoffice address: Hamer County: Jefferson State: Idaho
2. Quantity of water claimed:
  - (a) Rate of withdrawal in cubic feet per second 6 or Idaho  
Miners' inches or gallons per minute
  - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well
4. Location of point of diversion or well is in the SW 1/4 of the NW 1/4 of Section 12  
Twp. 6 N , Rge. 35 E , B.M., County of Jefferson
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
  - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.  
Rge. , B.M.
  - (b) Waste water or sewage effluent is to be returned to  
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well and pump
8. Estimated cost of works: \$ 10,000
9. (a) Is reservoir to be used? No  
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
  - I. (a) Date and place of incorporation:  
(b) Amount of capital stock: \$ (c) Amount paid in: \$  
(d) Names and addresses of directors:
  - II. The financial resources of the applicant are (a) Cash on hand: \$  
(b) Treasury stock: (c) Bonds to be issued:  
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: License No. G-24677
  - (a) 1.7 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
  - (b) 4.3 (cubic feet per second, inches or gallons per minute) is for new lands.

Read remarks

| Twp.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Range | Sec.     | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | Totals            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|-------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |       |          | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |                   |
| 6 N                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 35 E  | 11<br>12 | 40                             |                                | 40                             |                                |                                | 40                             | 40                             |                                |                                | 40                             | 40                             |                                |                                | 40                             |                                | 40                             | 160<br>160<br>320 |
| A S S I G N M E N T ✓                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       |          |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                   |
| <p>For value received, we hereby assign all of our right, title and interest in and to Permit to Appropriation of the Public Waters of the State of Idaho, No. G-31636 to Ray E. Byrne and Vera Byrne, Address: Terreton,</p> <p style="text-align: right;">/s/ HEBER C. WILLIAMS,<br/>Permit Holder</p> <p style="text-align: right;">LOLA WILLIAMS,<br/>Wife of Permit Holder</p> <p>State of Idaho )<br/>                              : ss<br/>County of Clark )</p> <p style="text-align: right;">LICENSE ISSUED FOR <u>7.0</u> SEC. FT.<br/>LICENSE PAGE NO. _____</p> <p>On this 28th day of April, 1967 , before me, a Notary Public for the State of Idaho, residing at Dubois, personally appeared Heber C. Williams and Lola Williams, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same. IN WITNESS WHEREOF I HAVE hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.</p> <p style="text-align: right;">/s/ H. R. HARN. Notary Public<br/>residing at Dubois, Idaho</p> <p>My commission expires: 5-1-69</p> |       |          |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                   |

Identification No. \_\_\_\_\_

Permit No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

FEB 25 1969

Department of Reclamation

1. a) Name of Permit Holder Ray E and Verla Byrne
- b) Post Office Address Terreton
2. Permit Number G-31636
3. Date of Priority that you are prepared to establish Jan. 7, 1964
4. a) Source from which water was appropriated Subterranean
- b) Location of the point of diversion: SW 1/4 NW 1/4, Section 12  
Township 6 N, Range 35 E, Boise Meridian, Other points of diversion: \_\_\_\_\_

5. a) The amount of water and use to which the water has been applied:  
amount 6 cfs. for irrigation purposes from April 1 to Oct. 30 incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated 6 cfs. cfs and/or acre feet per annum  
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Irrigation service of Idaho Falls.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:  
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: \_\_\_\_\_  
b) Describe the agreement or understanding by which you take water from the works: \_\_\_\_\_

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pump size 16 in.  
motor 125 HP. Well casing 18 in. Depth of well 50 ft.  
92 ft lift.  
b) Describe the type and size of measuring device which you have installed at your point of diversion: \_\_\_\_\_

- c) Give well drillers name and address and date the well was completed Robert Wade, Hamer, Idaho  
1964

31636

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place

of use.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

**!uo!\$**

[illegible]

10. Remarks:

Total number of acres irrigated.

621  
179

The above information is a true statement of the extent to which the above numbered permit has been developed.

(Date) Tuesday 27/02/20

2207-77877-97877

\_\_\_\_\_

5-110

(Date)

ss.

| Age Group | Percentage |
|-----------|------------|
| 18-24     | 10         |
| 25-34     | 25         |
| 35-44     | 45         |
| 45-54     | 65         |
| 55-64     | 80         |
| 65-74     | 85         |
| 75+       | 88         |

*[Handwritten signature]*

1. *Chlorophyll a* (Chl *a*)

signer(s) of the above instrument, who

1. *Chlorophyll a* (Chl *a*)

0

~~10/10/10~~ ~~seize mission~~

1

1. *Journal of the American Medical Association*, 1997; 277: 1033-1036.

**1** **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19** **20** **21** **22** **23** **24** **25** **26** **27** **28** **29** **30** **31** **32** **33** **34** **35** **36** **37** **38** **39** **40** **41** **42** **43** **44** **45** **46** **47** **48** **49** **50** **51** **52** **53** **54** **55** **56** **57** **58** **59** **60** **61** **62** **63** **64** **65** **66** **67** **68** **69** **70** **71** **72** **73** **74** **75** **76** **77** **78** **79** **80** **81** **82** **83** **84** **85** **86** **87** **88** **89** **90** **91** **92** **93** **94** **95** **96** **97** **98** **99** **100** **101** **102** **103** **104** **105** **106** **107** **108** **109** **110** **111** **112** **113** **114** **115** **116** **117** **118** **119** **120** **121** **122** **123** **124** **125** **126** **127** **128** **129** **130** **131** **132** **133** **134** **135** **136** **137** **138** **139** **140** **141** **142** **143** **144** **145** **146** **147** **148** **149** **150** **151** **152** **153** **154** **155** **156** **157** **158** **159** **160** **161** **162** **163** **164** **165** **166** **167** **168** **169** **170** **171** **172** **173** **174** **175** **176** **177** **178** **179** **180** **181** **182** **183** **184** **185** **186** **187** **188** **189** **190** **191** **192** **193** **194** **195** **196** **197** **198** **199** **200** **201** **202** **203** **204** **205** **206** **207** **208** **209** **210** **211** **212** **213** **214** **215** **216** **217** **218** **219** **220** **221** **222** **223** **224** **225** **226** **227** **228** **229** **230** **231** **232** **233** **234** **235** **236** **237** **238** **239** **240** **241** **242** **243** **244** **245** **246** **247** **248** **249** **250** **251** **252** **253** **254** **255** **256** **257** **258** **259** **260** **261** **262** **263** **264** **265** **266** **267** **268** **269** **270** **271** **272** **273** **274** **275** **276** **277** **278** **279** **280** **281** **282** **283** **284** **285** **286** **287** **288** **289** **290** **291** **292** **293** **294** **295** **296** **297** **298** **299** **300** **301** **302** **303** **304** **305** **306** **307** **308** **309** **310** **311** **312** **313** **314** **315** **316** **317** **318** **319** **320** **321** **322** **323** **324** **325** **326** **327** **328** **329** **330** **331** **332** **333** **334** **335** **336** **337** **338** **339** **340** **341** **342** **343** **344** **345** **346** **347** **348** **349** **350** **351** **352** **353** **354** **355** **356** **357** **358** **359** **360** **361** **362** **363** **364** **365** **366** **367** **368** **369** **370** **371** **372** **373** **374** **375** **376** **377** **378** **379** **380** **381** **382** **383** **384** **385** **386** **387** **388** **389** **390** **391** **392** **393** **394** **395** **396** **397** **398** **399** **400** **401** **402** **403** **404** **405** **406** **407** **408** **409** **410** **411** **412** **413** **414** **415** **416** **417** **418** **419** **420** **421** **422** **423** **424** **425** **426** **427** **428** **429** **430** **431** **432** **433** **434** **435** **436** **437** **438** **439** **440** **441** **442** **443** **444** **445** **446** **447** **448** **449** **450** **451** **452** **453** **454** **455** **456** **457** **458** **459** **460** **461** **462** **463** **464** **465** **466** **467**

Transfer No. 2546Water Right No. 31-2410  
31-7085

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT** **APPROVED**  
To Change the Point of Diversion and/or the Place of Use

Name of applicant Dale &/or Linda Murdock Phone 663-4609  
Post Office address Terreton, ID 83450

**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_ (Name)  
in case of \_\_\_\_\_ vs \_\_\_\_\_  
dated in \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_  
(Name of court)

b. License No. 31-2410 & 31-7085 issued by the Idaho Department of Water Resources

c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant \_\_\_\_\_  
Acquired rights through purchase from original holder. See  
attached contract of sale.

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Date of priority 31-2410 (2/22/1964) 31-7085 (4/3/1973)

**5. Water is used for the following purposes:**

31-2410 amount 4.0 cfs for irrigation purposes from April 1 to Nov. 1  
31-7085 amount 6.0 cfs for irrigation purposes from April 1 to Nov. 1  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day — both dates inclusive)

6. Total amount of water under right: a. 10.0 cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum

7. Location of original point of diversion is SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 12  
Township 6N Range 35E, B.M., in Jefferson County  
Additional points of diversion, if any \_\_\_\_\_

**8. Lands irrigated or place of use:**

| TWP.    | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |       |
|---------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|-------|
|         |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |       |
| 31-2410 | 6N    | 35E  | 11  | 40  |     |     | 37  |     |     |     |     |     |     |     |     | 40  |     |     | 24     | 141   |
|         |       |      | 12  |     |     |     |     |     | 15  | 16  |     |     | 28  |     |     |     |     |     |        | 59    |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        | (200) |
| 31-7085 | 6N    | 35E  | 11  |     | 39  | 39  | 3   |     | 30  | 40  |     | 34  |     |     | 39  |     | 39  | 39  | 16     | 318   |
|         |       |      | 12  |     |     |     |     |     | 25  | 24  |     |     | 12  |     |     |     |     |     |        | 61    |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        | (379) |

Total number of acres to be irrigated 579

\* Describe any other water rights used for the same purpose as described above none

\* To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? yes If yes, describe in item D, REMARKS.

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B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (if the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 7.69 cubic feet per second &/or acre feet per annum

b. SW 1/4 NW 1/4 Section 12 Township 6N Range 35E B.M., Jefferson County

Additional points \_\_\_\_\_

3. Place of use: \_\_\_\_\_

| TWP.    | RANGE | SEC. | NEW |    |    | NW  |    |    | SW  |    |    | SE  |    |    | TOTALS |
|---------|-------|------|-----|----|----|-----|----|----|-----|----|----|-----|----|----|--------|
|         |       |      | NEW | NW | SW | NEW | NW | SW | NEW | NW | SW | NEW | NW | SW |        |
| 31-2410 | 6N    | 35E  | 11  | 38 |    | 37  |    |    |     |    | 40 |     |    | 24 | 139    |
|         |       | 12   |     |    |    |     |    | 15 | 16  |    | 28 |     |    |    | 59     |
|         |       |      |     |    |    |     |    |    |     |    |    |     |    |    | (198)  |
| 31-7085 | 6N    | 35E  | 11  |    | 39 | 39  | 3  |    |     |    |    | 39  | 39 | 16 | 175    |
|         |       |      |     |    |    |     |    |    |     |    |    |     |    |    | 61     |
|         |       |      |     |    |    |     |    |    |     |    |    |     |    |    | (236)  |

Total number of acres to be irrigated 434

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

a. Amount of water to be diverted 5.34 c.f.s. &/or        acre feet

b. Description of diverting works Circle pivot sprinkler and flood irrigation.

c. Describe the reasons for the proposed changes Applicant is installing a circle pivot sprinkler system that will be distinct from the previous system, and wishes to have the new system on a new well.

2. Change in point of diversion

Point of diversion SE 1/4 SE 1/4 Section 11 Township 6N County Jefferson Range 35E B.M., Jefferson Additional points SW 1/4 NW 1/4, Sec. 12, Twp. 6N, Rge. 35E

3. Change in place of use

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes        No XX If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

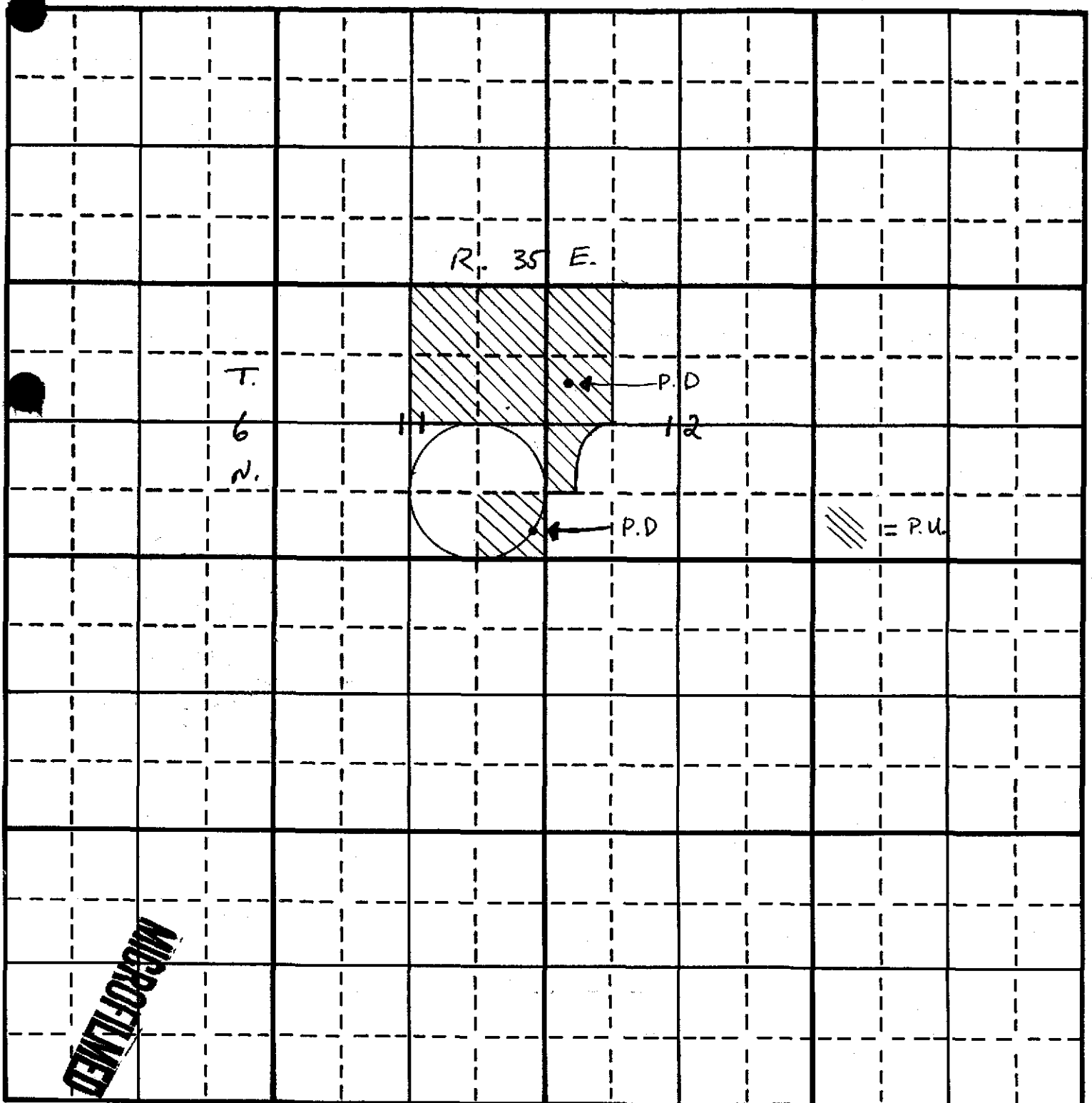
b. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer. This transfer will consolidate the 32 acres into the SE 1/4 SE 1/4, Sec. 11, Twp. 6N, Rge. 35E. The remaining lands in the SE 1/4, Sec. 11, Twp. 6N, Rge. 35E will be covered by a new application for permit.

c. Describe the lands place of use to which the right will be transferred:

| TWP.    | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS      |
|---------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
|         |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |             |
| 31-2410 | 6N    | 35E  | 11  | 38  |     | 37  |     |     |     |     |     |     |     |     |     |     |     | 24  | 99          |
|         |       | 12   |     |     |     |     | 15  | 16  |     |     | 28  |     |     |     |     |     |     |     | 59          |
| 31-7085 | 6N    | 35E  | 11  |     | 39  | 39  | 3   |     |     |     |     |     |     |     |     |     |     | 8   | (158)<br>89 |
|         |       | 12   |     |     |     |     | 25  | 24  |     |     |     |     |     |     |     |     |     |     | 49<br>(138) |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |             |

Total number of acres to be irrigated 296

4. Describe any other water rights used for the same purpose as described above. none
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

Lands not irrigated (from section A-10):

31-2410: 20 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$  & 20 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 11, T. 6N, R. 35E

31-7085: 31 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ , 39 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ , 16 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 11; 12 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 12, T. 6N, R. 35E

\* I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Dale S. Murdock  
(Signature of Applicant)

Subscribed and sworn to before me this 17<sup>th</sup> day of April, 19 81

Mary E. Loop  
(Notary Public)

My commission expires lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-2410 & 31-7085 and said application is hereby approved, subject to the following limitations and conditions:

Diversion of water under this transfer shall be limited to 3.16 cfs for Right No. 31-2410 and 2.18 cfs for Right No. 31-7085.

Witness my hand this 23<sup>rd</sup> day of July, 19 81

L. Glen Saxton  
L. GLEN SAXTON  
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Prepared  
Received by JK Date 4/13/81 Protest filed by \_\_\_\_\_  
Prelim. check by Kew Fee \_\_\_\_\_  
Receipted by KW Date 4/13/81 # 17168  
Published in Rigby Star Copies of protest forwarded by \_\_\_\_\_  
Pub. date 4/30 & 5/07/81 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Watermaster recommendation requested on \_\_\_\_\_ Recommended for approval denial  
\_\_\_\_\_ rec'd. by EMC

MICROFILMED

PLATED BY  
DAVID KINGHORN, ASTORIA  
BY *ef &*

Microfilm No. 280277  
19 Day Sept 1979  
At 1:25 P  
Robert J. Burns  
Johanna S.  
Fee \$18.00 ca  
Recorded At 012 Jones

CONTRACT OF SALE

THIS AGREEMENT is made and entered into this 24th day of August, 1979, by and between J. RAY BYRNE and D'ANNA CAROL BYRNE, his wife, of Terreton, Idaho, hereinafter referred to as SELLERS, and DALE STERLING MURDOCK and LINDA JEAN MURDOCK, his wife, hereinafter referred to as PURCHASERS.

WITNESSETH:

1. CONSIDERATION AND PROPERTY DESCRIPTION: For and in consideration of the sum of Three Hundred Thousand Dollars (\$300,000.00), lawful money of the United States of America, to be paid by the purchasers as is hereinafter provided; the sellers agree to sell and convey, and the purchasers agree to purchase all that certain lot, piece and parcel of land, situate, lying and being in Jefferson County, Idaho, described as follows:

SEE ATTACHED EXHIBIT "A"

2. PURCHASE PRICE - INTEREST - ACCELERATION: The purchasers agree to pay the purchase price of Three Hundred Thousand Dollars (\$300,000.00) as follows, to wit:

A. Seventy-five Thousand Dollars (\$75,000.00) upon execution of this agreement, the receipt of which is hereby acknowledged.

B. Interest shall commence with the 1st day of December, 1979, and there shall be an interest payment for the period of time--  
December 1, 1979 to April 1, 1980--which shall be made on  
April 1, 1980.

C. The balance of \$225,000.00 shall be paid in forty (40) equal annual installments of \$18,870.75 each. The first annual installment shall be due April 1, 1981, and a like payment each year thereafter for forty (40) consecutive years. The unpaid principal shall earn interest at eight percent (8%) per annum, and each payment shall be applied first to the interest due and the balance to the principal.

*1 May*  
MICROFILMED

EXHIBIT "A

Township 6 North, Range 35, East of the Boise Meridian, Jefferson County, Idaho.

Section 11: The East Half (E1/2).  
EXCEPTING THEREFROM: Beginning at a point 225 feet East of the Northwest Corner of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4), running thence South 250 feet; thence East 400 feet; thence North 250 feet; thence West 400 feet to the point of beginning.

Section 12: The West Half of the Northwest Quarter (W1/2NW1/4).  
The Northwest Quarter of the Southwest Quarter (NW1/4SW1/4).

TOGETHER WITH the wells and water appurtenant thereto.

MICROFILMED

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year in the acknowledgements hereinafter set forth.

SELLERS:

J Ray Byrne  
D'Anna Carol Byrne

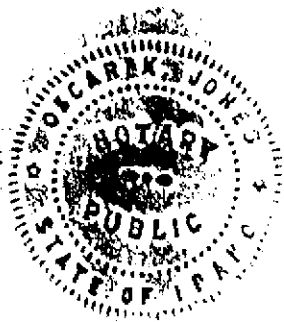
PURCHASERS:

Rale Sterling Murdock  
Linda Jean Murdock

STATE OF IDAHO           )  
County of Jefferson ) ss

On this 24th day of August, 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared J. Ray and D'Anna Carol Byrne, known to me to be the persons whose names are subscribed to the foregoing Contract of Sale, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in the acknowledgement first above written.



Oscar A. Jones  
Notary Public for Idaho  
Residing at Rigby, Idaho  
Non-expiring Commission

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# *The Rigby Star*

PRINTERS - PUBLISHERS

DIAL 745-7011

RIGBY, IDAHO

March 14, 1969

RECEIVED

Ray E. Byrns  
Terreton, Idaho

MAR 16 1969

Department of Reclamation

Notice of Approved Application for Water -

\$5.98

*Paid  
Mar 14, 1969  
Rigby Star  
BB*

31636

July 27, 1981

Dale & Linda Murdock  
Terreton,  
Idaho 83450

Dear Mr. & Mrs. Murdock,

RE: Transfer of Water Right No.'s 31-2410 & 31-7085

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 2546). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.  
Supervisor, Water Allocation Section

Enclosure

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: K.C. Wilson

1. Right number 31-2410 / 31-7085 Applicant Dale S Murdock
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Other \_\_\_\_\_

4. Check:

- (a) ☒ Source ☒ Priority ☒ Amount ☐ Purpose ☒ Period of use
- (b) ☒ Description of original point of diversion.
- (c) ☒ Description of original place of use.

5. Amount of land &/or water transferred:

- a. ☐ All of right.
- (b) ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- (c) ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use. ✓
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- (f) ☒ Check for correct signature, notarization, and fee. ?
- (g) ☒ Check proof of ownership of right &/or land from which water is transferred.
- (h) ☒ Check for expansion in use of right. Comments NONE

- (i) ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) NONE

- (j) ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? \_\_\_\_\_

FINAL PROCESSING REVIEW BY: \_\_\_\_\_

1. Watermaster recommendation requested on \_\_\_\_\_ Received on \_\_\_\_\_
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve  
☐ Deny

Conditions\* Diversion of water under this transfer shall be limited to 3.16 cfs  
for right 31-2410 & 2.18 cfs for right 31-7085.

4. By Ernest Carlson Date June 8, 1981

Jan 7/21/81 use above conditions  
\* All uses within Watermaster Districts require special conditions.

Department of Water Resources

May 20, 1981

RE: Application for Permit No. 31-7363 SAUREY  
Application for Transfer No. 31-2410/31-7085 MURDOCK

Rigby Star  
P.O. Box 37  
Rigby, Idaho 83422

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on April 30 and May 7, 1981.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER  
Secretary

CW:kw

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NOS. 31-2410 & 31-7085

31-2410

PRIORITY: 2/22/1964

The water is used from April 1 to November 1 for the irrigation of 200 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 11; W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 12; Twp. 6N, Rge. 35E.

31-7085

PRIORITY: 4/3/1973

The water is used from April 1 to November 1 for the irrigation of 379 acres within the  $W\frac{1}{2}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$ ,  $W\frac{1}{2}NW\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$ , Sec. 11;  $W\frac{1}{2}NW\frac{1}{4}$ ,  $NW\frac{1}{4}SW\frac{1}{4}$ , Sec. 12; Twp. 6N, Rge. 35E.

Only 5.34 cfs of the water will be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 11; SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 12; Twp. 6N, Rge. 35E; to be used for the irrigation of 296 acres within the NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 11; W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 12; Twp. 6N, Rge. 35E, Jefferson County.

A. KENNETH DUNN

Director

# MICROFILMED

IDENT. NO.

I D A H O   D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

[illegible]

# WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 31636 / 31-2410  
Old No. New No.

## Record

1. Original Owner: Heber E. Williams

Present Owner: Ray E. + Verda Byrne

2. Address:

3. City: Torrington State: Id Zip:

4. A. Source of Water: groundwater

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 2-22-1964

D. County: SI

E. Total Diversion Rate: 4.

F. Total Diversion Volume: 600.

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

|                          | Tract       | Sec.      | Twp.      | Rge.       | Gov't Lot | Rediv. |
|--------------------------|-------------|-----------|-----------|------------|-----------|--------|
| 6. A. Point of Diversion | <u>SWNW</u> | <u>12</u> | <u>6N</u> | <u>35E</u> |           |        |
|                          |             |           |           |            |           |        |
|                          |             |           |           |            |           |        |
|                          |             |           |           |            |           |        |
|                          |             |           |           |            |           |        |

7. Period of Use, Use, Diversion Rate/Volume:

|      |            |    |             |     |          |           |                   |           |
|------|------------|----|-------------|-----|----------|-----------|-------------------|-----------|
| from | <u>4-1</u> | to | <u>11-1</u> | for | <u>A</u> | purposes. | Amount            | <u>4.</u> |
|      |            |    |             |     |          |           | (cfs or AC-FT/yr) |           |
| from |            | to |             | for |          | purposes. | Amount            |           |
| from |            | to |             | for |          | purposes. | Amount            |           |
| from |            | to |             | for |          | purposes. | Amount            |           |
| from |            | to |             | for |          | purposes. | Amount            |           |
| from |            | to |             | for |          | purposes. | Amount            |           |

8. Use Code: A

| TWP. | RANGE | SEC. | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | TOTALS |
|------|-------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|      |       |      | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
| 16 N | 35 E  | 11   | 40    |       |       | 37    |       |       |       |       |       |       |       |       | 40    |       |       | 24    | 141    |
|      |       | 12   |       |       |       |       | 15    | 10    |       |       |       | 28    |       |       |       |       |       |       | 59     |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       | 200    |

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.  
B.  
C.  
D.  
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: \_\_\_\_\_  
\_\_\_\_\_

14. Diversion Means (brief narrative):

February 22, 1973

Re: Permit No. 31636/31-2410

Ray E. & Verla Byrne  
Terreton,  
Idaho 83450

Dear Mr. & Mrs. Byrne:

Enclosed is a copy of the Water License issued on the above referenced permit.

Pursuant to your letter of February 13th, we are enclosing an application for permit form for your use in filing on the additional 480 acres. If you need assistance in the completion of this application, please contact us or our Eastern District Office at 240 South Holmes, Idaho Falls, Idaho.

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

BDF:DR

Enc: Copy of license  
Application form w/ins.

31 2410

Terreton, Idaho

Feb. 13, 1973

RECEIVED

Feb 14 1973  
Department of Water Administration

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse\_ Annex 2

Boise, Idaho 83707

Dear Mr. Bobby D. Fleenor:

Concerning our water permit No. 31636/31-2410.

The amount of water and ground as examined by your representative was satisfactory. However, we have brought other ground under cultivation and would like to be advised on procedure for completion of our license.

We have been trying to water 480 acres :  $W\frac{1}{2} E\frac{1}{2}; E\frac{1}{2}SW\frac{1}{2};$   
 $W\frac{1}{2} NW\frac{1}{2}$  south of Canal Sec. 11 Twp. 6 N. Rge. 35 E. B. M.  
 $NW\frac{1}{2} SE\frac{1}{2}; NE\frac{1}{2}SW\frac{1}{2}; SW\frac{1}{2} NE\frac{1}{2}; SE\frac{1}{2} NW\frac{1}{2};$  Sec. 10 Twp. 6 N. Rge.  
35 E.B.M. with 250 shares (250") of Holley Water Users  
Association water which was not adequate. We have been using  
water from our well on the ground adjoining.

Please advise us on the correct procedure to complete  
this.

Yours truly,

Ray Byrne

31 2410

**STATE OF IDAHO**

**DEPARTMENT OF WATER ADMINISTRATION**

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



**R. Keith Higginson**  
Director

Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Flood Plain Management  
Irrigation and  
Flood Control Districts

February 8, 1973

**Ray E. & Verla Byrne**  
Terreton,  
Idaho 83450

Dear Mr. & Mrs. Byrne:

A representative of this Department has made an examination of the works covered by your Permit No. 31636/31-2410 and has found the following:

Quantity of water diverted: 7.8 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 4.0 cfs

The maximum quantity diverted shall not exceed 600 acre feet per season.

Beneficial use: Irrigation of 200 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$  (77), E $\frac{1}{2}$ SE $\frac{1}{4}$  (64), Sec. 11; W $\frac{1}{2}$ NW $\frac{1}{4}$  (31), NW $\frac{1}{4}$ SW $\frac{1}{4}$  (28), Sec. 12; Twp. 6N, Rge. 35E, B. M.

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 12, Twp. 6N, Rge. 35E, B. M.

The priority date established is: Feb. 22, 1964 (late proof)

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

**BOBBY D. FLEENOR**  
Assistant Director

**BDF:DR**

Range 35E

Township 6N

|                                                                                                                                                                      |    |    |    |    |    |    |    |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|----|----|----|----|----|
| 11                                                                                                                                                                   | 40 | 37 | 40 | 27 | 28 | 00 | 00 | 12 |
| <div style="display: flex; justify-content: space-between;"> <span>OUT</span> <span>15</span> <span>10</span> <span>00</span> <span>00</span> <span>00</span> </div> |    |    |    |    |    |    |    |    |
| <div style="display: flex; justify-content: space-between;"> <span>OUT</span> <span>28</span> <span>00</span> </div>                                                 |    |    |    |    |    |    |    |    |
| <div style="display: flex; justify-content: space-between;"> <span>OUT</span> <span>28</span> <span>00</span> </div>                                                 |    |    |    |    |    |    |    |    |

Q measured 7.3 c.f.s.

Q recommended 40 c.f.s.

Volume 600 ac.

Acreage Found 200

recommened 200

Subdv. 7

Ammdments None

☒ None ☐ P.D. ☐ Plate of use

Permit No. G-31636/31-2410 31

Name of Applicant Ray E. and Verla Byrne Terreton, Idaho

Source of Water Subterranean

a tributary of \_\_\_\_\_

Location of P.D. SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 12, T. 6N, R. 35E.9.M. Jefferson

County \_\_\_\_\_

Water is used for Irrigation

Quantity of water claimed: Permit 6.0 c.f.s. Depositions 6.0 c.f.s.

Type of measuring device installed or method of measurement and general description of diversion works Pump size 16", motor 125hp, well casing 18", depth of well 150', 92' lift. measuring device not required

| Land to be irrigated or place of use: |      | Description (proof form)                                                                                                                         |
|---------------------------------------|------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| TWP.                                  | RGE. | SEC.                                                                                                                                             |
| 6N                                    | 35E  | 11 NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 6N                                    | 35E  | 12 NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$                                     |
| Description-permit                    |      |                                                                                                                                                  |
| 6 N                                   | 35 E | 11 E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ E $\frac{1}{2}$                                                                           |
|                                       |      | 12 W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$                                                                           |

Date Filed: January 7, 1964 Total acreage 181

Date Made: February 25, 1969 Date Due: January 10, 1969

Priority: February 22, 1964 (late proof)

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

None

Holly Canal Co. water 250 shares.

Source of supply GROUND WATER

a tributary of \_\_\_\_\_

Location of P.D.(s) SW NW SEC 12 6N 35 E

Water is used for IRRIGATION

Quantity of water found \_\_\_\_\_

How was the measurement made? CO-ORDINATE method used

Measurement calculations \_\_\_\_\_

CO-ORDINATE method 12" id 28" = 330 Gpm

Diversion works description and diagram

U.S. Motors 125 HP Ser. No. 1341837

Layne-Bowler pump, ser. no D11124

Model 14FHH

12" discharge 10' to open ditch west or south

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated \_\_\_\_\_

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

RAY BYRNE

Recommended allowance for licensing \_\_\_\_\_

Description of required amendments. Comments. \_\_\_\_\_

MR Byrne plans to sell Canal Co. share to use well completely.

Land list will be enlarged when work is finished and water can be put to beneficial use.

Land list should be E 1/2 of NE 1/4 SEC 11 W 1/2 of NW 1/4 SW 1/4 SEC 12 6N 35 E.

Report checked? \_\_\_\_\_

Examination date 28 July '70

Signature William Salvia

May 5, 1969

Re: Permit No. G-31636

Ray E. and Verla Byrne  
Terreton,  
Idaho

Dear Mr. & Mrs. Byrne:

Enclosed please find an ORDER OF REINSTATEMENT reinstating your permit no. G-31636.

We acknowledged receipt of your affidavit submitted as proof of beneficial use received in our office on February 25, 1969. As the proof was due on or before January 10, 1969, the above referenced permit automatically lapsed on that date.

Therefore we have reinstated this permit and reduced the priority date to February 22, 1964.

Prior to the issuance of the license a field examination must also be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:DR

Enc: Order of Reinstatement

31636  
*exam typed*

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF REINSTATEMENT OF PERMIT NO. )

ORDER OF REINSTATEMENT

G-31636 in the name of RAY E. AND VERLA BYRNE )

WHEREAS, Ray E. and Verla Byrne applied to the Department of Reclamation on January 7, 1964, for a permit to appropriate the public waters of the State of Idaho, proposing the diversion of 6.0 cubic feet per second of the waters of a ground water source for use in Sections 11 and 12, T. 6 N, R. 35 E, B.M., Jefferson County, Idaho; and,

WHEREAS, on January 10, 1964, Permit G-31636 was approved with the condition that one-fifth of the work was to be completed on or before July 10, 1966, and that the whole of said works was to be completed and the water applied to beneficial use on or before January 10, 1969; and,

WHEREAS, on November 4, 1968, the Department of Reclamation forwarded to the permit holder by certified mail an order modifying the requirements for completion of Permit G-31636 as adopted under the Rules of Practice and Procedures on August 1, 1968, notifying the permit holder that he was required to submit proof of the application of the water to beneficial use and instructing him as to the steps to be taken to make that proof; and,

WHEREAS, the required proof was not received on January 10, 1969; and,

WHEREAS, the permit lapsed as proof was not received on or before the required date; and,

WHEREAS, on February 25, 1969, the Department of Reclamation received the required proof of beneficial use of the water; and,

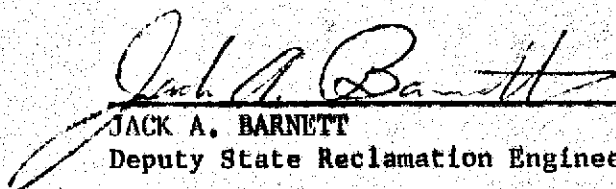
WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of lapsing; and,

WHEREAS, submission of an affidavit of proof of beneficial use is considered as a reasonable showing as to why the permit should be reinstated;

THEREFORE, IT IS HEREBY ORDERED that Permit G-31636 be REINSTATED and the priority reduced to February 22, 1964.

Dated this 20<sup>th</sup> day of July, 19 69.

R. KEITH HIGGINSON  
State Reclamation Engineer

  
JACK A. BARNETT  
Deputy State Reclamation Engineer

CSA:DWM:DR

31636

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
STATEHOUSE - ANNEX 2  
BOISE, IDAHO 83707

February 1, 1969

Re: Permit No. G-31636

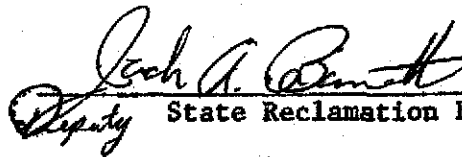
Ray E. and Verla Byrne  
Terreton,  
Idaho

**LAPSED**

Dear Mr. & Mrs. Byrne:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, Permit G-31636 has lapsed.

You are further advised that the department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.

  
Deputy State Reclamation Engineer

RKH:DR

Form 7

31636

February 1, 1969

Re: Permit No. G-31636

**LAPSED**

Ray H. and Verla Byrne  
Terreton,  
Idaho

Dear Mr. & Mrs. Byrne:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, Permit G-31636 has lapsed.

You are further advised that the department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.

---

State Reclamation Engineer

RKH:DR

Form 7

310.36

March 27, 1969

Re: Permit No. G-31636

Ray E. and Verla Byrne  
Terreton, Idaho

Dear Mr. and Mrs. Byrne:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:tg

31636

exam typed

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
STATEHOUSE - ANNEX 2  
BOISE, IDAHO 83707

February 26, 1969

Re: Permit No. G-31636

Ray E. And Verla Byrne  
Terreton, Idaho

Dear Mr. and Mrs. Byrne:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit G-31636.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney  
Appropriation Examiner

DWM:tg

Enc: copy of letter to newspaper (Please read note marked in red)

(over)

31636  
exam typed

Jerreton, Idaho  
March, 17, 1969

Dept. of Reclamation  
Boise, Idaho

Dear Sirs:

Enclosed find affidavit of  
Publication and paid receipt for  
same. Permit G-31636

Yours truly,

Ray Byrne

Jerreton, Idaho

February 26, 1969

Re: Permit No. ~~G-31636~~ 36

Ray E. And Verla Byrne  
Terreton, Idaho

Dear Mr. and Mrs. Byrne:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit G-31636.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:tg

Enc: copy of letter to newspaper (Please read note marked in red)

31636

*exam typed*

February 26, 1969

Re: Permit No. G-31636

Rigby Star  
Rigby, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published 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 our 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 date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

Ray E. and

The expense of the publication is to be paid by \_\_\_\_\_  
Verla Byrne, Terreton, Idaho

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:tg

Enc: legal notice

cc: Ray E. and Verla Byrne

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

**NOTICE OF APPROVED  
APPLICATION FOR WATER**

Notice is hereby given that Ray E. Byrne and Verla Byrne, Terreton, Idaho has received an approved permit No. G-31636 to divert 6.0 cubic feet per second of water from ground water. The priority to be established under this permit is January 7, 1964. Water will be diverted by well and pump within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 12, T. 6 N., R. 35 E., B.M., Jefferson County and is to be used for irrigation in the E $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 11, W $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 12, T. 6 N., R. 35 E., B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Rigby Star, Rigby, Idaho on March 6 and March 13, 1969.

31636

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Ray E. Byrne and Verla Byrne,  
Terreton, Idaho

has received an approved permit No. G-31636 to divert //////  
6.0 cubic feet per second ////// of water from  
ground water

        . The priority to be established  
under this permit is January 7, 1964.

Water will be diverted by well and pump  
         within the SW1/4NW1/4, Sec. 12,  
T. 6 N., R. 35 E., B. M., Jefferson County

and is to be used for irrigation  
in the E1/2NE1/4, E1/2SE1/4, Sec. 11; W1/4NW1/4, W1/4SW1/4, Sec. 12; T. 6 N,  
R. 35 E., B. M.

Any protests against the intent of the permit must be filed with the  
Department of Reclamation within ten days from the last date of publication  
of this notice.

R. KEITH HIGGINSON  
State Reclamation Engineer

Published in the Rigby Star, Rigby, Idaho  
on                      and                     , 1969.

State Reclamation Engineer:          Permit No. G-31636

You are hereby authorized to have the attached notice published at my expense  
in the Rigby Star of Rigby, Idaho;  
published in the county in which the works are situated.

Ray Byrne  
(signature)

Terreton Idaho  
(address)

Jan 5 1969  
(date)

31636

January 30, 1969

Re: Permit No. G-31636

Ray E. and Verla Byrne  
Terreton, Idaho

Dear Mr. and Mrs. Byrne:

Please find enclosed forms to be used in making proof of the application of water to beneficial use.

Very truly yours,

Donald W. McEldeaney  
Appropriation Examiner

DWM:TG  
Enc: proof forms

31636

January 9, 1969

Re: Permit No. G-31636

663-4310

Ray E. and Verla Byrne  
Terreton, Idaho

Dear Mr. and Mrs. Byrne:

Please be advised once again that proof of beneficial use of the water to be appropriated under the above referenced permit is due January 10, 1969.

If you fail to submit proof to the Department before this date, and the permit has lapsed you may petition the Department within 60 days from the date that a notice of lapse was sent to you, to reinstate your permit. In order for the Department to reinstate a permit, you must show reasonable cause why such permit should be reinstated. Submitting proof of beneficial use of water within 60 days will automatically be considered by the Department for reinstatement. The priority of all reinstated permits will advance a time equal to the number of days that such showing is subsequent to the date set for proof. After 60 days there is no way for the Department to reinstate the permit.

The Department has withheld the advertising of the existence of your permit since, as today is the 9th of January and we have not received your proof, we do not wish to cause you to go to any extra expense. We will promptly do so upon your request.

b

We have enclosed a form to be used to submit proof of the application of water to beneficial use.

The Department is at your disposal if you have any questions.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:TG

Enc: beneficial use forms

31636

**November 4, 1968**

**Re: Permit No. G-31636**

**Ray E. Byrne and Verla Byrne  
Terreton, Idaho 83450**

**Dear Mr. and Mrs. Byrne:**

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with those rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

**Donald W. McEldevney  
Appropriation Examiner**

**DWM:tg**

**Enc: Order**

**Proof due notice**

**Proof package**

**Advertising package**

31636

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. **G-31636**  
in the name of **Ray E. and Verla Byrne**  
**Terreton, Idaho**

)  
) ORDER MODIFYING REQUIREMENTS  
) FOR COMPLETION OF PERMIT TO  
) APPROPRIATE WATER  
)

WHEREAS, the 39<sup>th</sup> Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. **G-31636** was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39<sup>th</sup> Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
  - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
  - b. **The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before January 10, 1969. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
**R. KEITH HIGGINSON**  
State Reclamation Engineer

\_\_\_\_\_  
**WACK A. BARNETT, Deputy**  
State Reclamation Engineer

31636

November 4, 1968

Re: Permit No. G-31636

Ray E. Byrne and Verla Byrne  
Terreton, Idaho 83450

Dear Mr. and Mrs. Byrne:

One of the conditions of the approval of your permit G-31636 was that proof of application of the water to beneficial use be submitted to this office on or before January 10, 19 69.

Enclosed is an affidavit form which must be used to submit this proof. You may also request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension must be received by this department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



State Reclamation Engineer

Enclosure: Proof form

# INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom, date, and  
address where delivered



Deliver **ONLY**  
to addressee

*(Additional charges required for these services)*

## RECEIPT

*Received the numbered article described below.*

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

*Prof. J. Byrnes*

*20518*

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

*Byrnes*

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

*11-23-68*

3

655-16-71648-10

GPO

*11-31696*

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex # 2 Benton use

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

124-31496

May 19, 1967

RE: Permit G-31636  
Ray E. and Verla Byrne  
Terreton, Idaho

H. R. Harn  
P.O. Box 297  
Dubois, Idaho

Dear Mr. Harn:

Enclosed herewith is the assignment on the above referenced permit which has been recorded in this department.

Departmental receipt No. G-11618 is also enclosed. This receipt is in the amount of 50¢ and this amount covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH  
Office Manager

MRB:ejw

Encl: Assignment  
Receipt

31636

H. R. HARN  
LOANS — REAL ESTATE  
P. O. Box 297 — Tel. FRontier 4-5740  
DUBOIS, IDAHO

May 11, 1967

RECEIVED  
MAY 15 1967

Department of Reclamation

Department of Reclamation  
State Capitol Building  
Boise, Idaho

Re: Idaho Permit No. G-31636,  
Heber C. Williams, Hamer, Idaho.

Gentlemen:

Mr. Williams has sold the property described  
in captioned Permit to Ray E. Byrne and Verla M.  
Byrne, husband and wife, as of April 28, 1967.

In connection with the assignment of captioned  
Permit, I am enclosing the following:

1. Trust Account W-B Check no. 7 in the amount  
of ~~\$1.00~~ *50cts*
2. Assignment of Idaho Permit No. G-31636,  
Ray E. Byrne and Verla M. Byrne, husband  
and wife.

Yours very truly,

H. R. Harn

HRH/pl

31636

June 30, 1966

Re: Permit No. G-31636  
Heber C. Williams

Mr. H. R. Harn,  
P. O. Box 297,  
Dubois, Idaho.

Dear Mr. Harn:

In reply to your letter of June 28, 1966, as to the above referenced permit, the well under this permit is allowed the maximum withdrawal rate of 6 cubic feet per second for the lands of Permit No. G-31636 only. Any diversion of waters, in addition to the 6 cfs or 300 inches, or for lands other than covered by this permit, will require a new permit for each purchaser.

We are enclosing two applications for new permits. Please advise us if you need more forms.

Very truly yours,

DONALD W. McELDOWNNEY  
State Water Rights Clerk

Encl: Application for Permit  
Form 3 (2)  
Maps  
Instructions  
DWMc:pak

31636

H. R. HARN  
LOANS - REAL ESTATE  
P. O. Box 297 - Tel. Frontier 4-5740  
DUBOIS, IDAHO

June 28, 1966

RECEIVED  
JUN 29 1966  
Department of Reclamation

Department of Reclamation  
State Capitol Building  
Boise, Idaho

Re: Permit No. G-31636, Heber C. Williams

Gentlemen:

The completed well under this Permit has developed an excess of water for the land it was intended to irrigate. Mr. Williams is contemplating purchasing additional land, or in lieu of that, transferring a part interest in the well to one or more prospective purchasers.

It is my understanding that should he sell an interest in the well to other land owners, then it is necessary for them to make an application for the water they intend to use, describing the place of use, similar to the same procedure that we go through in making an original application.

Your early attention to this matter will be greatly appreciated, and when replying, please send necessary forms.

Yours very truly,

H. R. Harn  


HRH/pl

cc: Heber C. Williams  
Hamer, Idaho

31636

January 29, 1964

Re: Permit No. G-31636

Mr. Heber C. Williams,  
Hamer, Idaho.

Dear Mr. Williams:

We enclose Permit No. G-31636 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-81,86 which was issued covering payment in the amount of \$ 6.25 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(MRS.) EDNA P. RULE  
Chief Clerk

Encl.  
EPR:pmk

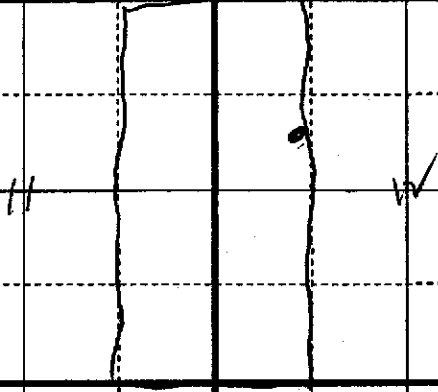
P.S. You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

31636

NAME OF APPLICANT Heber Williams

Form No. 0

7p 670 R35E



Permit Map No. 9-31636  
As Approved JAN 10 1964  
CARL E. TAPPAN  
State Reclamation Engineer

December 11, 1963

Re: Application for Permit

Heber C. Williams  
Hamer, Idaho

Dear Mr. Williams:

We are returning herewith your application for permit and check for \$6.25. You did not answer questions asked in items #10, #12, and #13.

Please answer these questions and return to this office for processing.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

By:

D. L. RHODES  
Assistant State Water Rights Clerk

DLR:vj  
Enclosure check and application

316 36