

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

T 5 S

Point of Diversion
place of use

R
15
E

31

MICROFILMED
MAR 28 1991

Scale: 2 inches equal 1 mile.

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

Erl B Bay
x (Applicant)

AFFIDAVIT of PUBLICATION

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

Patty Nance, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 16th day of Jan 19 91, and the date of the last publication was on the 23rd day of Jan, 19 91.

Patty Nance
 Subscribed and sworn to before me this 23rd
 day of Jan, 19 91.
 (SEAL)

Walter J. Anderson
 NOTARY PUBLIC

GOODING COUNTY LEADER
 Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice _____

Number of Insertions 2 X

Lines tabular at _____ 6¢/Pica
337.5 Lines straight at 16.88 5¢/Pica
 Subsequent lines at 13.50 4¢/Pica
 TOTAL COST 30.38

COPY OF NOTICE (Paste Here)

Not. Appl. for Trust Water Rt.
Byram.
37-08379

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J D W R. Boise
 BILL TO

NOTICE OF APPLICATION FOR TRUST WATER RIGHT 37-08379

BYRAM, CYNTHIA
 BYRAM, ERLE B.
 P.O. BOX 204
 GOODING, ID 83330
 Source: GROUNDWATER
 Diversion Pt: SENW Sec 31 T 05S R 15E
 Use: IRRIGATION (.400 CFS)
 DOMESTIC (.040 CFS)
 Total Diversion: (.400 CFS)
 Date Filed: 8/22/1988
 In: T05S R15E S31 SENW
 20.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before FEBRUARY 4, 1991.

-s- R. Keith Higginson,
 Director
 G3484

Pub: 1-16, 23

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight.....5¢/Pica
 7-8 pt. per line tabular.....6¢/Pica
 7-8 pt. per line successive
 insertions.....4¢/Pica

No 870

3484

OK
 TJD
 1-25-91

NTS

BIG WOOD R.V.R. → FLOW ←

300' ±

6" DOM. WELL

A0002759

(GPS FILE R050919A)

Shop

HOME TRAILER

150' ±

8" I.R. WELL

A0002758

(GPS FILE R050918A)

75'

CLOVER CREEK

FLOW

(GPS FILE R052815A)

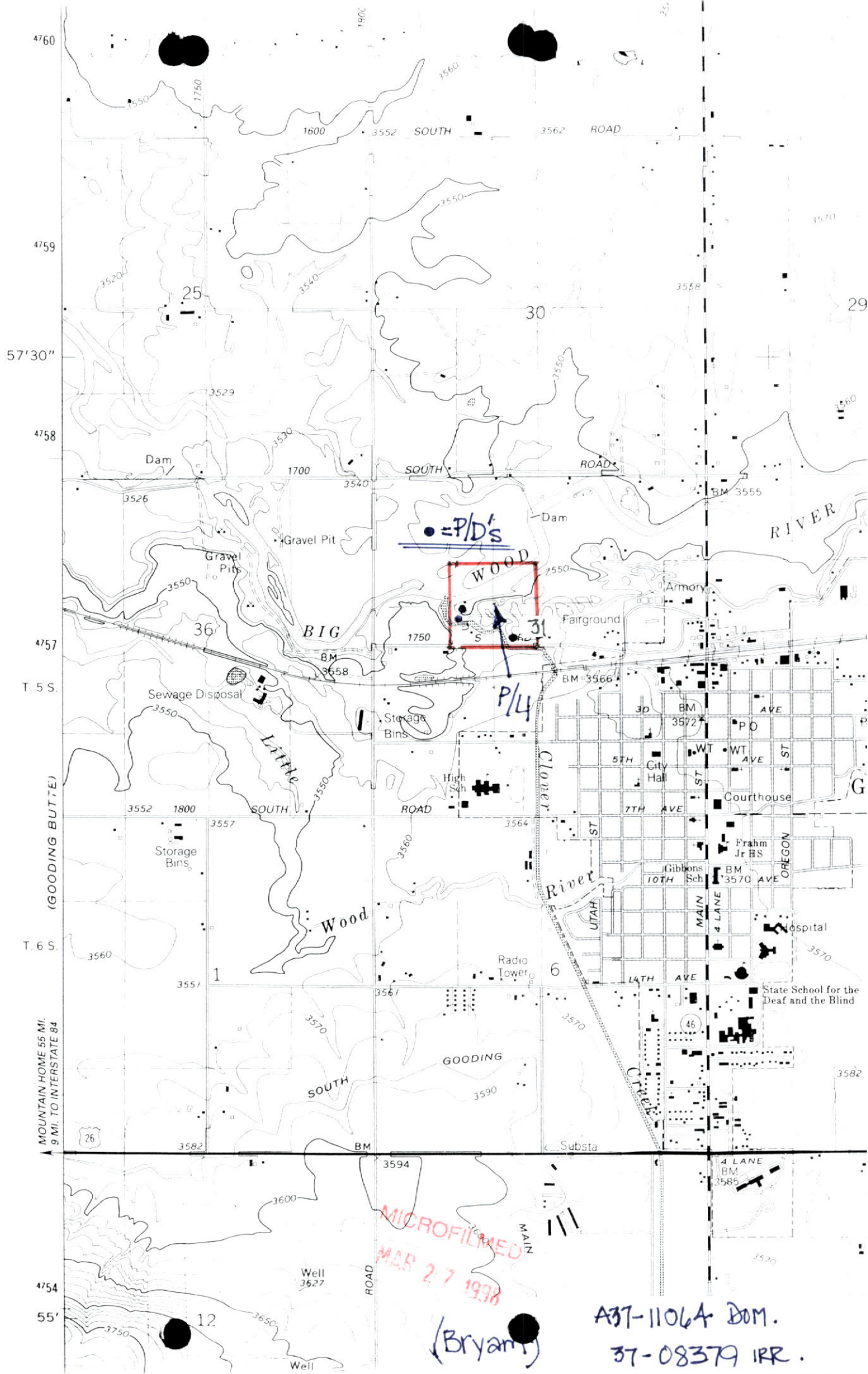
A0002763

6" DOM. WELL

750'
MICROFILMED
MAR 27 1998

BYRAM, ERLE/CYNTHIA
37-08379
A37-11064

T 055. R 15E - S 31
37-08379

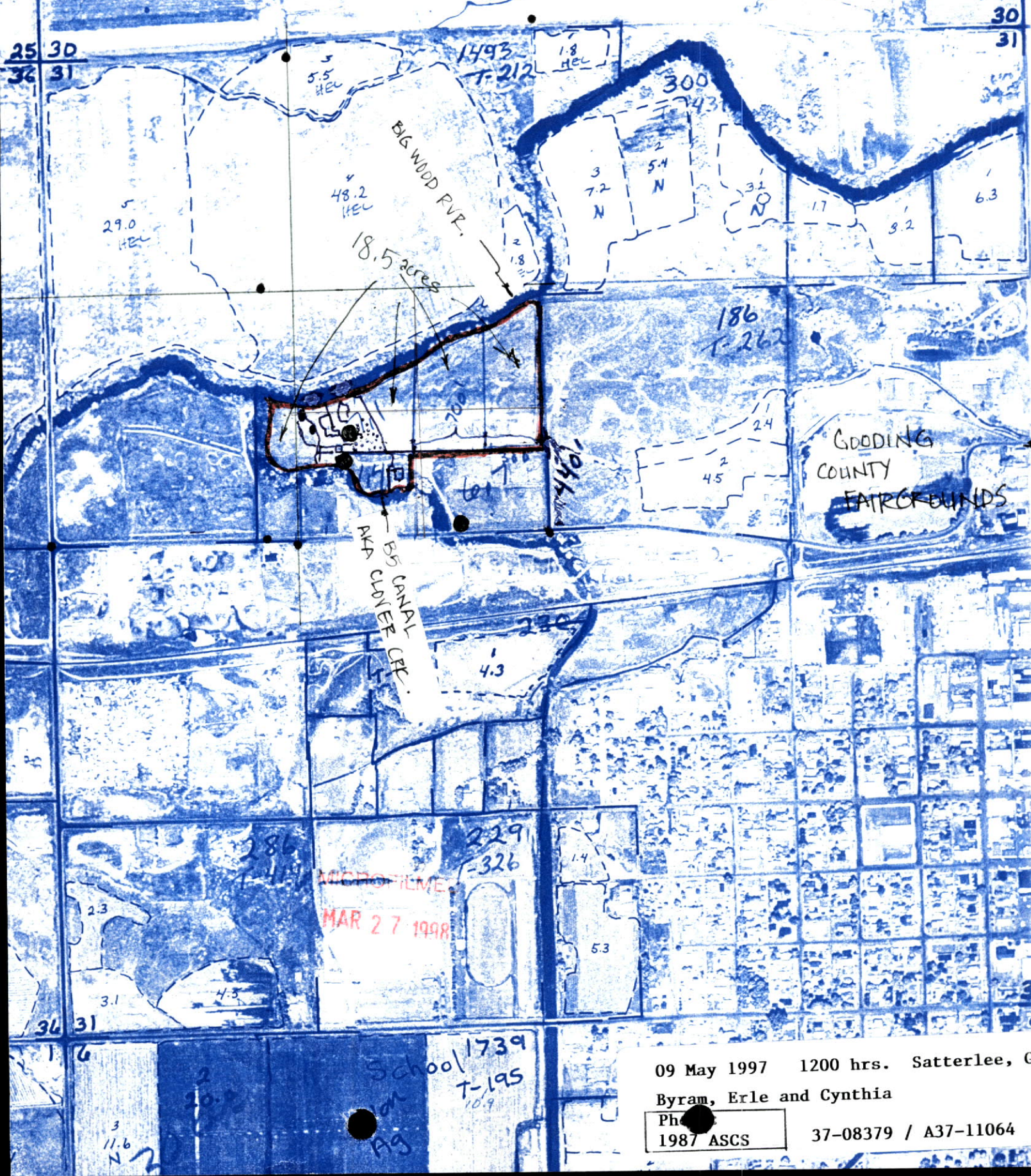


MICROFILMED
MAR 27 1978

(Bryant)

A37-11064 DOM.
37-08379 IRR.

P/U Sec 31, T05S, R15E
SE $\frac{1}{4}$ NW $\frac{1}{4}$



NSC B5 Lateral (Clover Crk)



Flow →



Photo looking W'ly-S. of D/W
P/U=Sec 31, T05S, R15E
SE 1/4 NW 1/4

Photo looking W'ly-N. of D/W
Orchard 1-1 1/2 acres ±



Photo looking W'ly



Big Wood River
Flow →

MICROFILMED
MAR 27 1998



GPS Tag - #A 0002758

Photo looking W'ly



P/D Sec 31, T05S, R15E SE¼ NW¼

Looking S'ly



Photo looking SE'ly

Franklin Electric 7 HP/PH 1
RPM 3450 Mod#2822019310
Berkeley Pump - Booster Pump RPM 3600
Serial 7732169 7.5 HP Model 1½YLL

PHOTO FILMED
MAR 27 1998

FLDN
BIG Wood K&P.

Photo looking E'ly

P/U Sec 31, T05S, R15E SE $\frac{1}{4}$ NW $\frac{1}{4}$

37-08379/A37-11064

FLDN
BIG Wood K&P.

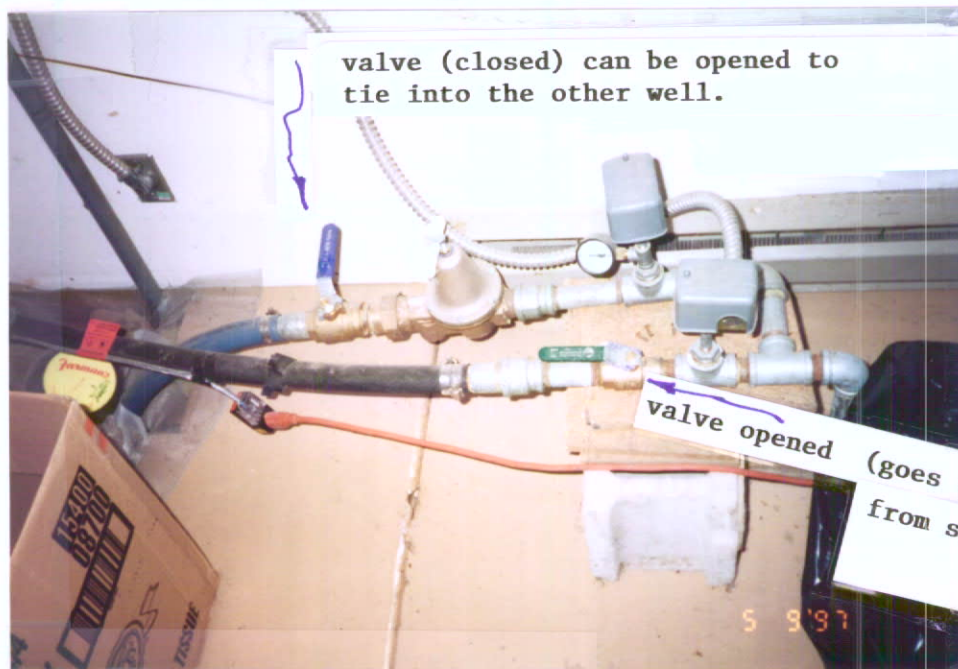
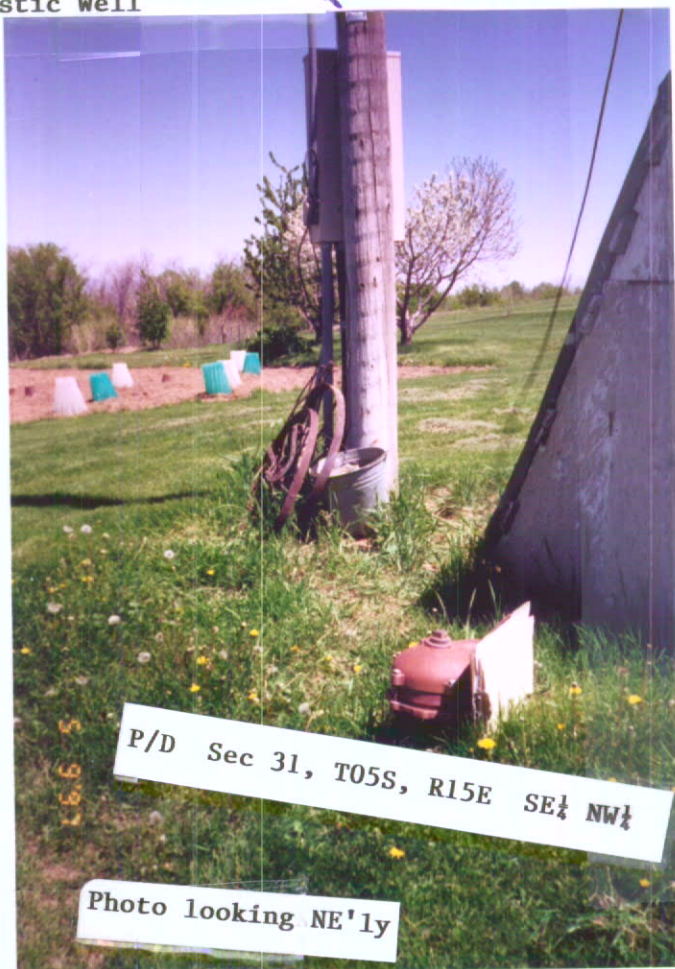
Photo looking W'ly

MICROFILMED
MAR 27 1998

Byram, Erle and/or Cynthia
09 May 1997 noon

37-08379
A37-11064

GPS Tag - #A 0002759
Domestic Well



Confluence of Canal and Big Wood Rvr. →

→ FLOW
← Big Wood River

Photo Looking NW 1/4

P/U Sec 31, T05S, R15E SE 1/4 NW 1/4

Shop →

← Trailer

Photo Looking NE 1/4

Byram, Erle and/or Cynthia
09 May 1997 noon

37-08379
A37-11064

37-08379/A37-11064

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08379

Priority: August 22, 1988

Maximum Diversion Rate:

0.36 CFS

Maximum Diversion Volume:

68.6 AF

This is to certify, that ERLE B BYRAM
CYNTHIA BYRAM

PO BOX 204

GOODING ID 83330

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 22, 1988; and has submitted Proof of Beneficial Use on February 28, 1994. An examination indicates that the works have a diversion capacity of 0.480 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.34 CFS	68.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.36 CFS	68.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 31, Township 05S, Range 15E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	15E	31	SWNW 1	SENW 16		17

Total number of acres irrigated: 17

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

MICROFILMED

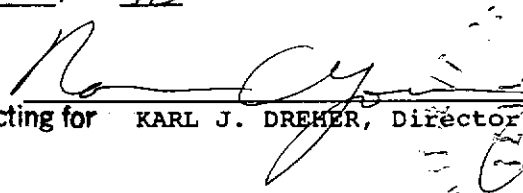
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 37-08379

CONDITIONS OF APPROVAL AND REMARKS

6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
9. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 25TH
day of FEBRUARY, 1978.


Acting for KARL J. DREHER, Director

MICROFILMED

MAR 27 1998

State of Idaho
Department of Water Resources

RECEIVED
FEB 20 1998

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08379

Department of Water Resources

Date of Priority: August 22, 1988

Maximum Diversion Rate: 0.36 CFS
Maximum Diversion Volume: 68.6 AF

Comes now

ERLE B BYRAM
CYNTHIA BYRAM

PO BOX 204
GOODING ID 83330

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 37-08379, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.34 CFS	68.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.36 CFS	68.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 31, Township 05S, Range 15E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	15E	31	SWNW 1	SENW 16		17

Total number of acres irrigated: 17

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

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

Signed at _____, this _____ day of _____, 19____.

MICROFILMED
MAR 27 1998

Cynthia Byram
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08379

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Received by LB # 001501 Date 2/20/98

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-08379 with the following;

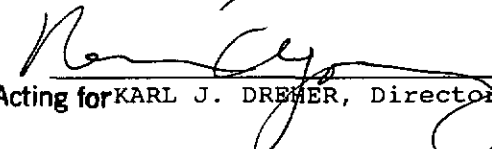
CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
9. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

Witness my hand this 25TH day of FEBRUARY, 1998.

MICROFILMED

MAR 27 1998


Acting for KARL J. DREHER, Director

RECEIVED

GAUNDIAS STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 28 1994

Department of Water Resources

Southern Region Office

PROOF OF BENEFICIAL USE

MAR 01 1994

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-8379 Telephone No. 208 934-4379
2. Name(s) of Permit Holder(s): ERIE B. BYRAM
3. Mailing Address: P.O. Box 204 Gooding, Idaho
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: EATON DRILLING Date Drilled: 11-21-91

OPTIONAL:
Pump horsepower: 7.5 Pressure (psi): 10165 Dynamic pumping level (ft.): 131

5. Extent of Use (as authorized by the permit):

Domestic 1 (No. of households) Stockwater _____ (No. and type of stock)
Irrigation 20 (No. of acres) Other 0.40 cfs

6. Total rate and/or volume for which proof is submitted 0.40 cfs OR _____ acre/feet 43560
7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ☒ No _____ Installed? _____ Yes _____ No

Flow Measurement Port: Required? _____ Yes ☒ No _____ Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

Name ERIE B. BYRAM Telephone No. 208 934-4379
Address P.O. Box 204 Gooding, Idaho 83330

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Feb 15-94
Date

Erie B. Byram
Signature (and title, if on behalf of a company or organization)

APR 12 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08379

Proposed Priority: August 22, 1988 Maximum Diversion Rate: 0.40 CFS

This is to certify, that **ERLE B. BYRAM**
CYNTHIA BYRAM
P.O. BOX 204
GOODING, ID 83330

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.40 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.40 CFS

LOCATION OF POINT(S) OF DIVERSION: SENW Sec. 31, Township 05S, Range 15E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	15E	31	SENW	20		20

Total number of acres irrigated: 20

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1994**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

MAR 28 1991

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 37-08379

CONDITIONS/REMARKS:

8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
9. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this

12th day of March, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

MAR 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant ERLEBE²⁰⁴ or Cynthia Byram Phone 208 934-4379
Post office address P.O. Box 160, Gooding, Idaho 83330

2. Source of water supply groundwater which is a tributary of ✓

3. Location of point of diversion is — ¼ of SE NW ¼ of — ¼, Govt. Lot —
Sec. 31 Township 5S Range 15E B.M. Gooding County; additional
points of diversion if any: —

4. Water will be used for the following purposes:

Amount 0.40 for Irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) 0.40 and/or (b) —
cubic feet per second acre feet per annum

6. Proposed diverting works:

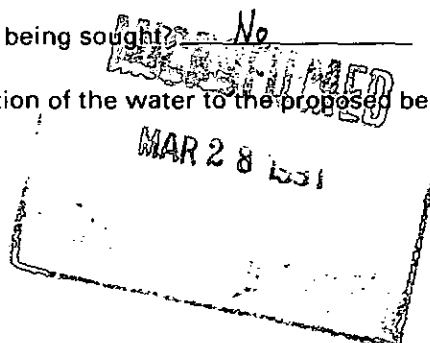
a. Description of ditches, flumes, pumps, headgates, etc. well, motor & pump.

b. Height of storage dam — feet; active reservoir capacity — acre-feet; total
reservoir capacity — acre-feet; period of year when water will be diverted to storage:
— to — inclusive.

c. Proposed well diameter is 12 inches; proposed depth of well is 150 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

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



8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. 1
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	15E	31								20									20

Total number of acres to be irrigated 20

10. Describe any other water rights used for the same purposes as described above. NO

11. a. Who owns the property at the point of diversion? Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

APPROVED
RECORDED

MAR 28 1991

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

T 5 S

Point of Diversion
place of use

R 15 E

31

MICROFILMED

MAR 28 1991

Scale: 2 inches equal 1 mile.

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

Erl B Bay
(Applicant)

Received by AS Date 8/22/88 Time 1:00 PM. Preliminary check by J.F. Stanton
Fee \$ 45.00 Receipted by M. Baldwin # 5001617 Date 8/22/88
Publication prepared by BLM Date 1-9 & 1-16-91 Published in GOODING County Record
Publication approved TJL Date 1-25-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

RECEIVED

MAR 28 1991

AFFIDAVIT of PUBLICATION

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

Patty Nance, being first duly sworn,
 deposes and says that he is the printer (publisher) of the Gooding
 County Leader, a newspaper published every week in Gooding, County
 of Gooding, State of Idaho, that said newspaper has been continuous-
 ly and uninterruptedly published for a period of seventy-eight consecu-
 tive weeks prior to the first publication of the annexed notice, and is
 a newspaper qualified to publish legal notices as provided by act of
 the 1919 session of the legislature of the State of Idaho, known as
 House Bill 145; that the annexed advertisement was published once
 each week for 2 consecutive issues in said newspaper
 proper and not in a supplement; that the date of the first publication
 of said advertisement was on the 16th day of Jan
 19 91, and the date of the last publication was on the 23rd
 day of Jan, 19 91.

Patty Nance
 Subscribed and sworn to before me this 23rd
 day of Jan, 19 91
 (SEAL)

Vincent J. Gaudin
 NOTARY PUBLIC

GOODING COUNTY LEADER
 Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice _____
 Number of Insertions 2x

Lines tabular at _____ 6¢/Pica
337.5 Lines straight at 16.88 5¢/Pica
 Subsequent lines at 13.50 4¢/Pica
 TOTAL COST 30.38

COPY OF NOTICE (Paste Here)

Not. Appl. for Trust Wat. Rt.
 TYPE OF NOTICE

Byram.

37-08379

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J. D. W. R. Boice
 BILL TO

NOTICE OF APPLICATION FOR TRUST WATER RIGHT 37-08379

BYRAM, CYNTHIA
 BYRAM, ERLE B.
 P.O. BOX 204
 GOODING, ID 83330
 Source: GROUNDWATER
 Diversion Pt: SENW Sec 31 T 05S R 15E
 Use: IRRIGATION (.400 CFS)
 DOMESTIC (.040 CFS)
 Total Diversion: (.400 CFS)
 Date Filed: 8/22/1988
 In: T05S R15E S31 SENW
 20.0 ACRES TOTAL

The permit(s) will be subject to all prior
 water rights. Protests may be submitted
 based on the criteria of Sec. 42-203A,
 Idaho Code and/or the new public in-
 terest criteria of Sec. 42-203C, Idaho
 Code. Protests must be filed with the
 Director, Dept. of Water Resources,
 Statehouse Mall, Boise, Idaho 83720 on
 or before FEBRUARY 4, 1991.

-s- R. Keith Higginson,
 Director
 G3484

Pub: 1-16, 23

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight.....5¢/Pica
 7-8 pt. per line tabular.....6¢/Pica
 7-8 pt. per line successive
 insertions.....4¢/Pica

No 870

3484

OK
 TJD
 1-25-91



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ERLE B BYRAM
CYNTHIA BYRAM
PO BOX 204
GOODING ID 83330

RE: WATER RIGHT NO. 37-08379

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

MAR 27 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

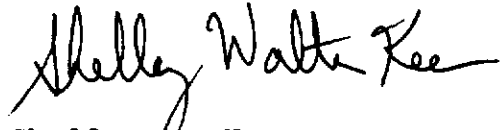
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 37-08379

ERLE B BYRAM
CYNTHIA BYRAM
PO BOX 204
GOODING ID 83330


Kari Lynn Townsend
Secretary

MICROFILMED

MAR 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ERLE B BYRAM
CYNTHIA BYRAM
PO BOX 204
GOODING ID 83330

RE: WATER RIGHT NO. 37-08379

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

MAR 27 1998

7

MEMORANDUM

TO: File 37-08379

FROM: Sharla

DATE: February 4, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 37-08379 are as follows:

H. RECOMMENDATIONS

Irrigation	4/1 - 10/31	0.34 cfs	68.0 afa
Domestic	1/1 - 12/31	0.02 cfs	0.6 afa
TOTALS		0.36 cfs	68.6 afa

The rate of diversion for irrigation at 1"/acre is 0.34 cfs for 17 acres. The total rate of diversion has been changed accordingly. Domestic use is in-house use only; the rate has been changed accordingly.

Examiner: Georgia Satterlee

Exam Date: May 9, 1997

MICROFILMED

MAR 27 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 37-08379

DATE 11/26/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>✓</u>	<u>—</u>	Amendment required <u>NO</u>

Does map agree with written description? — yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.40</u> cfs
Fee limit	<u>1.0</u> cfs \$100 ⁰⁰
Measured	<u>.48</u> cfs
Theoretical	<u>.40</u> cfs

Recommended Total Div Rate .386 cfs

ANNUAL VOLUME/ NATURE OF USES

Use <u>Dom</u>	cfs <u>.34</u>	Volume Calc <u>68.0</u> af
<u>Dom</u>	<u>.04</u>	<u>.6</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
SUBTOTAL	<u>.386</u>	<u>68.6</u> af

Flow rate .34 cfs X 214 days X 1.98 = 140.1 af

Total volume recommended 68.0 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

WBS(1)

CONDITIONS — Watermaster Control WD# —

64 GW Measurement/Measuring Device

Overlap

050 R55,052

— Use-specific conditions

Advancement of Priority Date Required — yes — no

SRBA Claim Filed NA

1st Amend Letter P41, P38

Adjustment Memo irr rate/total

2nd Amend Letter P42

irr rate/total
17x.02 = .34
in house dom = .02 cfs

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 06 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08379

1. Owner: BYRAM, ERLE B. & CYNTHIA Phone No. 934-4379

Current Address: PO BOX 204, GOODING, ID. 83330

2. Accompanied by: SAME AS ABOVE EXAM DATE: 09 MAY 1997

Address: _____ Phone No. _____

Relationship to Permit Holder: SAME

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A37-11064

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1		SW	SE	NW	31	05S	15E	GOODING	FIELD EXAM, AGCS AERIALS

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	15E	31							1	16									17
																			17

MICROFILMED

MAR 27 1998

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 29 May 1997
RE: 37-08379

At 0930 hrs. on 09 May 1997, I met with Erle and Cynthia Bryam to perform a field examination regarding the above permit number. In addition to the permit 37-08379, there is an adjudication claim, A37-11064. The adjudication claim is for the domestic well on the same place of use.

The field examination clarifies the distinction between the two claims and three wells:

The first well claimed in 37-08379, is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T05S, R15E. The well is approximately 75 ft. NE'ly from the B5 Canal (North Side Canal Company) aka Clover Creek.

This is the primary well for the irrigation and domestic, single family-trailer. The total acreage of the property is approximately 18.5 acres. The outbuildings, trailer, shop, and driveway is excepted out to leave 17 acres of irrigated pasture.

I used two polysonic flowmeters (Tyme-Flyte and Peek) to measure the system. An estimated 2/3+ of the irrigation system was running at the time of measurement. The irrigation hardware consists of 4" handlines with laterals (approximately 8 laterals and 35-40 sprinklers). The booster pump is always used with the irrigation well.

The results from the Peek are similiar to the Tyme-Flyte. I also calculated the rate of flow using a theoretical. All measurement documentation is included in the file.

The second well is also located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T05S, R15E. The second well is approximately 300 ft. south of the Big Wood River. The well is for domestic use for a shop and upstairs apartment (construction completed Fall 1997).

The adjudication claim 37-11064 covers the domestic. I calculated the rate by theoretical. The theoretical rate is 0.05 cfs. The adjudication claim states the rate of 0.04 cfs. The lesser of the two rates is acceptable.

The two wells are separated by a valve. In case of an emergency, if one well is inoperable, the Byram's can utilize the other well.

The third well is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T05S, R15E. The well was drilled within the last year and is used for stockwater for 30-40 head of cattle and 4 mules. No rate measured and there is no claim filed for the third well.

The Byram's pay for 4 shares from the Big Wood Canal Co. but they do not get the canal water. See Attachment 1. Erle Byram said in 1988 the Board of the Big Wood Canal Co., which consisted of Dick Oneita, Bob Esterbrook, Fred Faulkner, and Joe Pavco, denied The Byram's delivery of the water. The reasoning was that the "flume" (an undesignated distance upstream from the Byram property) is unable to deliver water downstream.

Irrigation and Domestic 37-08379

See Beneficial Use Examination for Rate and Volume.

Domestic	A37-11064	<u>0.04 cfs</u>	<u>0.6 afa</u>
TOTAL NOT TO EXCEED:		0.04 cfs	0.6 afa

MICROFILMED

MAR 27 1998

[illegible]

MICROFILMED
MAR 27 1998

F. FLOW CALCULATIONS

X Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 17(4) = 68 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.36(214)(1.9835) = 152.8 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 68 \text{ afa}$$

2. Volume Calculations for Other Uses:

PERMIT RATE 0.40 cfs
MAX. RATE 1.00 cfs
MEASURED RATE 0.48 cfs
RECOMMENDED RATE 0.40 cfs

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	Y (afa)
IRRIGATION	4/1	10/31	0.36 cfs	68.0 afa
DOMESTIC	1/1	12/31	0.04 "	0.6 "
Totals:			0.40 cfs	68.6 afa

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other
 → 1 acre in SW NW only, the rest in designated P/U.

I. AUTHENTICATION

Field Examiner's Name

Georgia Satterlee

Date

28 May 1997

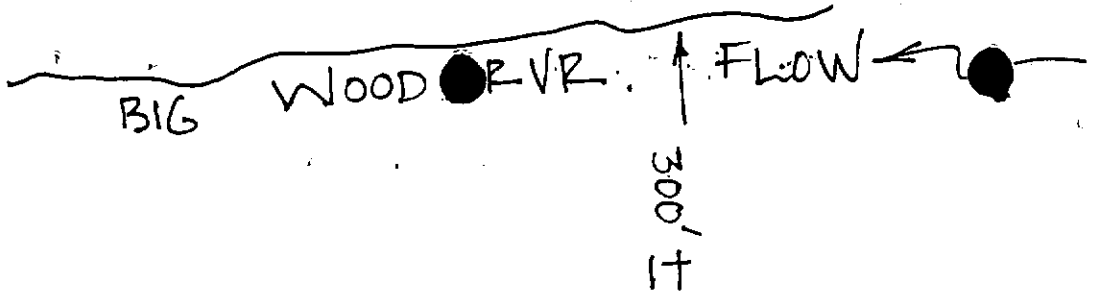
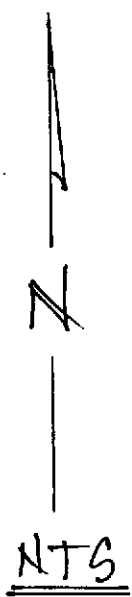
Reviewer

Date

SEAL

MICROFILMED

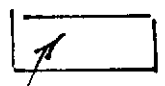
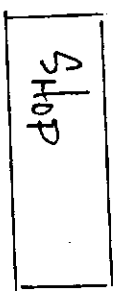
MAR 27 1998



6" DOM. WELL

A0002759

(GPS FILE R050919A)



HOME TRAILER

150' ±

(GPS FILE R052815A)

A0002763

6" DOM. WELL

750'
MICROFILMED
MAR 27 1998

8" 1KR. WELL

A0002758

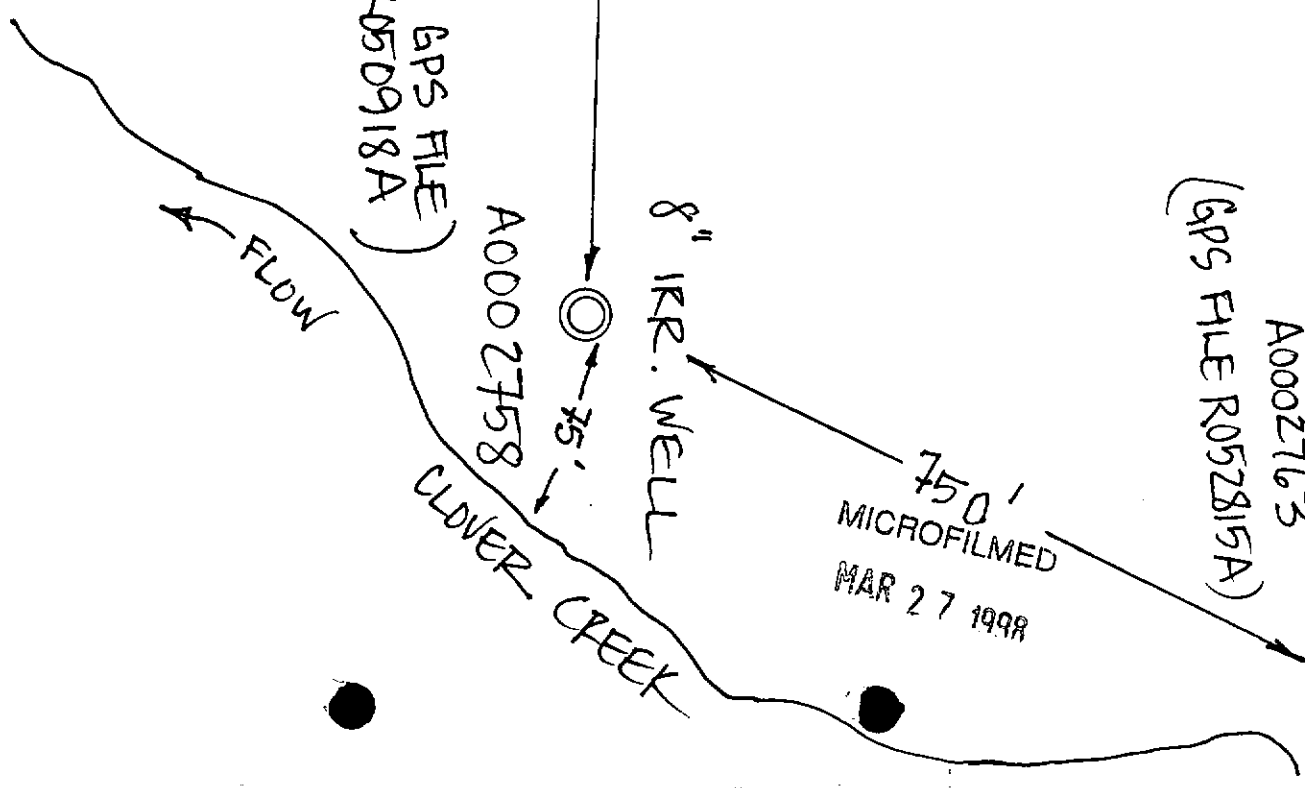
(GPS FILE
R050918A)



75'

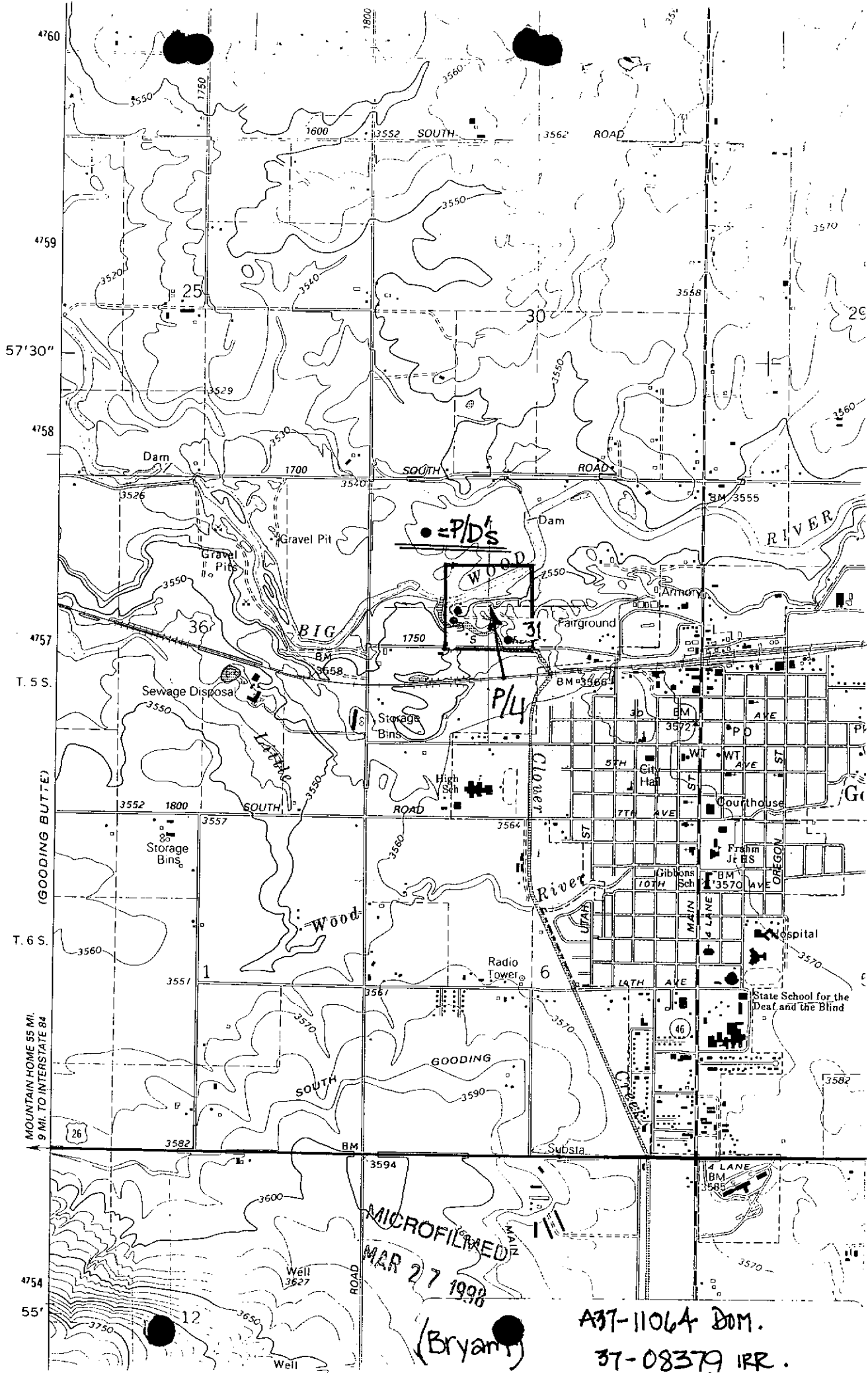
CLOVER CREEK

FLOW



BYRAM, ERLE/CYNTHIA
37-08379
A37-11064

7055 R 15E - S 31
37-08379



A37-11064 DOM.
37-08379 IRR.

P/U Sec 31, T05S, R15E
SE 1/4 NW 1/4



09 May 1997 1200 hrs. Satterlee, G.
Byram, Erle and Cynthia
Ph
1987 ASCS 37-08379 / A37-11064

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-08379
DATE: 14 MAY 1997
BY: SATTERLEE

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$Q = \frac{(8.8) \times (14.5) \times (0.70)}{[(130) + (40 \times 2.31)]} = \frac{89.3}{222.4} = 0.40 \text{ cfs}$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner (X)	owner (X)	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs (X)	owner gage ()	
Booster (Y) (N)		

REMARKS
(7.5HP) BOOSTER NORMALLY RUNS W/ THE PUMP
(7.0HP) PUMP IN WELL

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	POTENTIAL =
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

MICROFILMED
MAR 27 1998

09 May 1997
1300 hrs.

MODE SELECT
INPUT
OUTER DIAMETER
4.0106 IN
PIPE MATERIAL
? AL DI
WALL THICKNESS
0.0512 IN
INNER LINING
? NO LING.
KIND OF FLUID
? WATER
SENSOR MOUNTING
? U
TYPE OF SENSOR
? SMALL
DATA CHANGE
? NO
SPACING
2.241 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

00-00 01:3700 *R
+003.00 % A12

MODE SELECT
TO CHECK

0148.6 MMSEC
101.77 % T0

00-00 01:3800 *R
+ 2.087E 26PM

00-00 01:4100 *R
+ 2.168E 26PM

00-00 01:4200 *R
+ 2.183E 26PM

00-00 01:4400 *R
+ 2.175E 26PM

00-00 01:4600 *R
+ 2.164E 26PM

00-00 01:5000 *R
+ 2.130E 26PM

MICROFILMED

MAR 27 1998

ALL
MEASUREMENTS
W/ BOOSTER ON

$$\frac{215 \text{ gpm}}{450} = \underline{\underline{0.48 \text{ cfs}}}$$

"E2" = x 100

Byram, Erle B./Cynthia
37-08379

MEASUREMENT
W/ POLYSONIC
TYME-FLYTE

09:07:23 05-28-97

Min. Rate 0.00 GPM
Max. Rate 588.69 GPM
Avg. Rate 221.33 GPM
FLOW RATE 203.23 GPM
POS TOT(X1) 20751 GAL
NEG TOT(X1) 0 GAL

PIPE I.D.

3.904 IN

09:07:34 05-28-97

Min. Rate 0.00 GPM
Max. Rate 588.69 GPM
Avg. Rate 203.50 GPM
FLOW RATE 203.15 GPM
POS TOT(X1) 20791 GAL
NEG TOT(X1) 0 GAL

PIPE MATERIAL

ALUMINUM

09:07:50 05-28-97

Min. Rate 0.00 GPM
Max. Rate 588.69 GPM
Avg. Rate 204.06 GPM
FLOW RATE 203.78 GPM
POS TOT(X1) 20844 GAL
NEG TOT(X1) 0 GAL

PIPE SOUND VELOCITY
10170.604 F/S

09:08:04 05-28-97

Min. Rate 0.00 GPM
Max. Rate 588.69 GPM
Avg. Rate 207.48 GPM
FLOW RATE 208.46 GPM
POS TOT(X1) 20892 GAL
NEG TOT(X1) 0 GAL

LINER MATERIAL

NONE

09:08:18 05-28-97

Min. Rate 0.00 GPM
Max. Rate 588.69 GPM
Avg. Rate 209.14 GPM
FLOW RATE 209.90 GPM
POS TOT(X1) 20940 GAL
NEG TOT(X1) 0 GAL

TRANSDUCER TYPE

STANDARD

TRANSDUCER MOUNTING

TRANSDUCER SPACING

2.427 IN

PIPE O.D.

4.000 IN

PIPE WALL THICKNESS

0.048 IN

PIPE I.D.

3.904 IN

SETUP NO.

MICROFILMED

MAR 27 1998

ALL MEASUREMENTS
W/ BOOSTER PUMP ON.

$$\frac{210 \text{ gpm}}{450} = \underline{\underline{0.47 \text{ cfs}}}$$

MEASUREMENT W/
PEEK FLOW METER

28May1997 0900 hrs.
Byram, Erle/Cynthia

37-08379

ATTACHMENT #1

RECEIVED

MAY 05 1997

Department of Water Resources
Southern Region

RE

MAY 05 1997

Department of Water Resources
Southern Region

0473

SG-1

Operator: Byram, Erle

Stockholder: Thompson, Barry C. or Alice K.

No. Shares: 4,000

Cert No.: 10473

Feb 1990

Old No: Pt. 10

Land Desc: PT. NW1/4SW1/4
34-5-15

Lien:

NO. C35-CF

ROLODEX CORPORATION

Attn: Georgia

Rcvd. from Big Wood Canal Co. Shoshone, ID.

MICROFILMED

MAR 27 1998

37-08379

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer
within 30 days after completion or abandonment of the well.

1. WELL OWNER

Name Gary Byran
Address 625 Colorado St. Gooding Idaho
Owner's Permit No. _____

7. WATER LEVEL

Static water level 133 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ F. Quality Good
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☐ Baller ☐ Other _____
Discharge G.P.M. _____ Draw Down _____ Hours Pumped _____
over 21 1/2 nil _____

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test
☐ Municipal ☐ Industrial ☐ Stock

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water Yes No
	From	To		
8"	0	3	sandy top soil	
8"	3	9	clay	
8"	9	32	gray basalt	
6"	32	45	red scoria	
6"	45	72	gray basalt	
6"	72	81	cinders & clay	
6"	81	130	gray basalt	
6"	130	143	red scoria	
4"	143	168	gray basalt with some al water	

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 168 feet
Casing schedule: ☒ Steel ☐ Concrete
Thickness _____ Diameter _____ From _____ To _____
250 inches 6 inches 1 feet 30 feet
250 inches 4 inches 5 feet 144 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet

CASING PLATED AND WELDED TO 6" CASING

Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet

Well screen installed? ☒ Yes ☐ No

Manufacturer's name _____ Type _____ Model No. _____

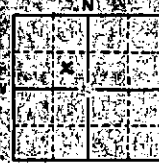
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal? ☒ Yes ☐ No To what depth _____ feet
Material used in seal ☒ Cement grout ☐ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.



County Gooding

NE 1/4 Sec. 17 T.5 S. R. 75 E/W

10. Work started Feb. 11, 1972 finished Feb. 24, 1972

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Claude Nichols Well Drilling 159
Driller's or Firm's Name _____ Number _____

251 North Main 835
Address _____

Signed By Kenneth R. S. Date _____

6" WELL DOM. ONLY

MICROFILMED
MAR 27 1998

NSC B5 Lateral (Clover Crk)

Flow →

Photo looking W'ly-S. of D/W
P/U=Sec 31, T05S, R15E
SE 1/4 NW 1/4

D/W →

37-08379 / A37-11064

Photo looking W'ly-N. of D/W
Orchard 1-1 1/2 acres ±



5 9 97

Photo
looking
W'ly

BIG WOOD RIVER
Flow →



5 9 97

Byram, Erle and/or Cynthia
09 May 1997 1200 hrs

37-08379
A37-11064

MAY 2 / 1998

GPS Tag #A.0002758

Photo looking W'ly

Canal Flow

P/D Sec 31, T05S, R15E SE $\frac{1}{4}$ NW $\frac{1}{4}$

Looking S'ly

Franklin Electric 7 HP/PH 1
RPM 3450 Mod#2822019310
Berkeley Pump - Booster Pump RPM 3600
Serial 7732169 7.5 HP Model 14YLL

canal flow

Irr. Well

SERVICE POLE w/ GPS TAG.

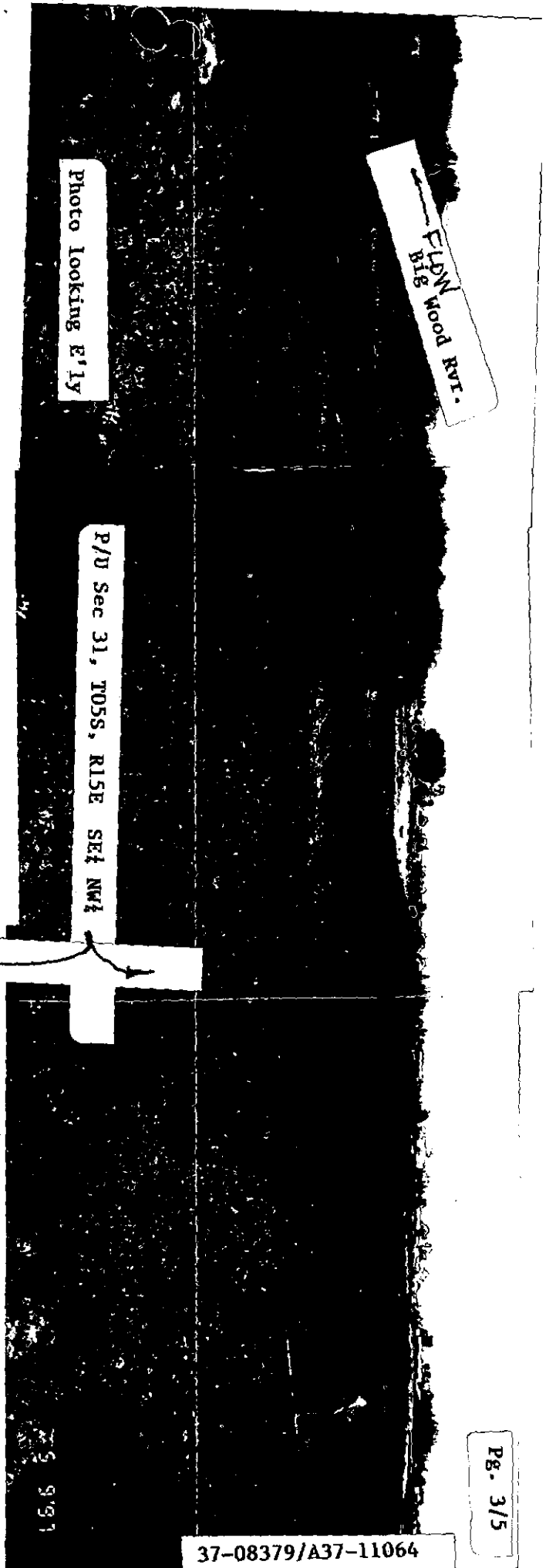
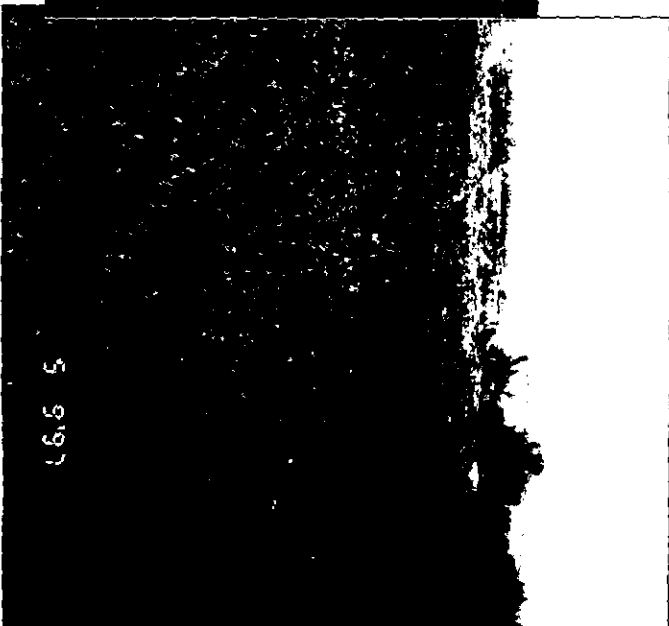
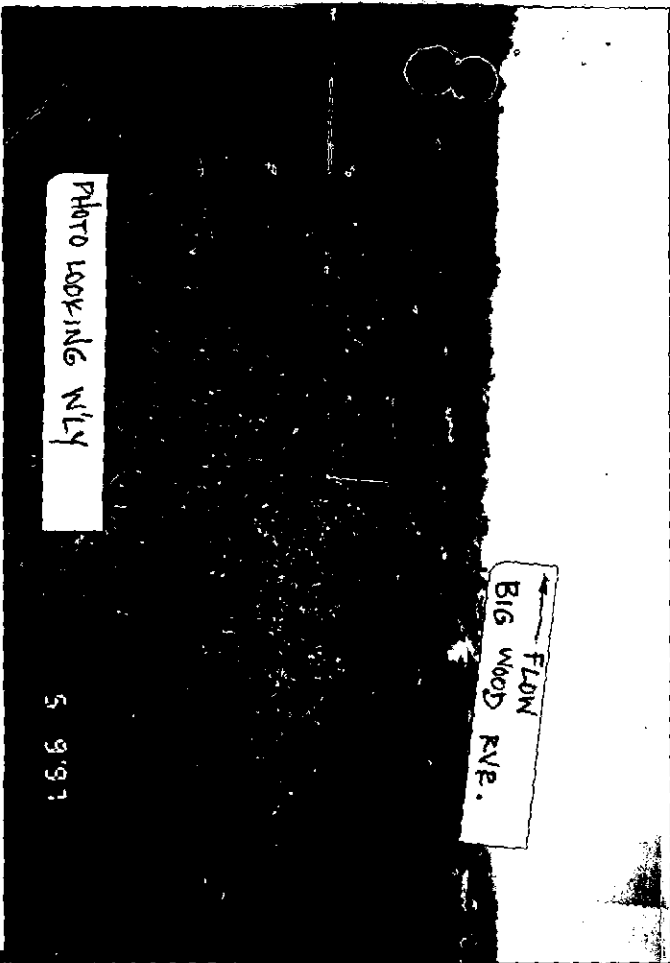
Booster pump used in conjunction w/ well

Photo looking SE'ly

Byram, Erle and/or Cynthia
09 May 1997 noon

37-08379
A37-11064

PHOTO-EMED
MAR 27 1998



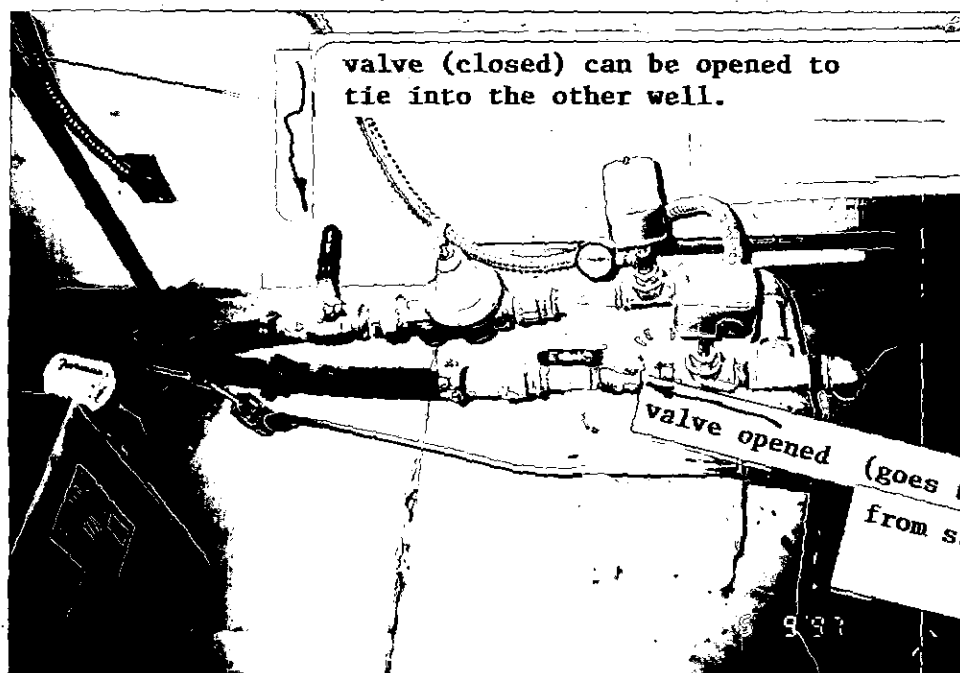
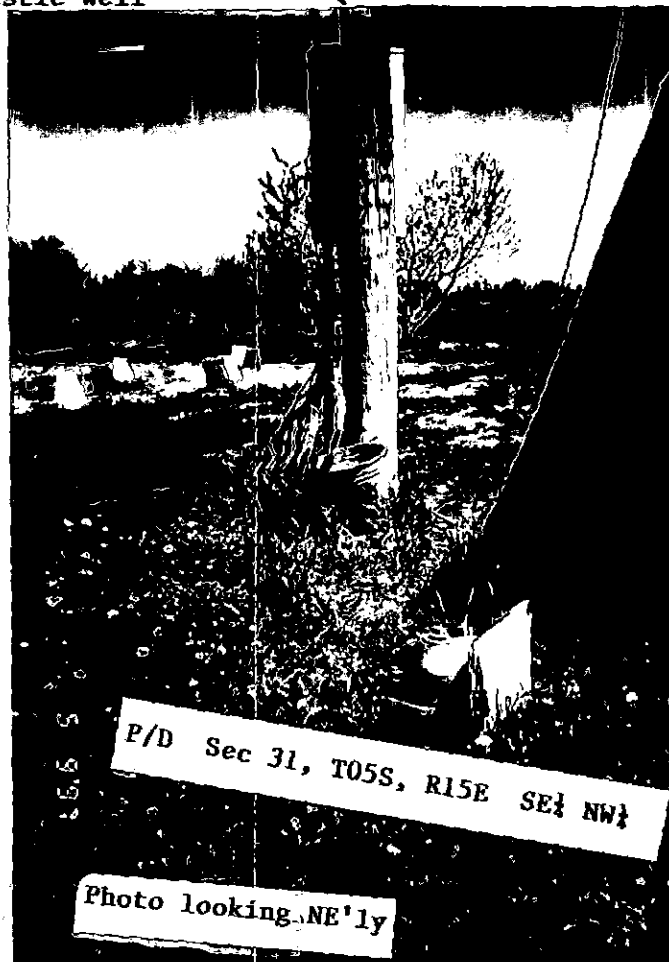
Byram, Erle and/or Cynthia
09 May 1997 noon

37-08379
A37-11064

MICROFILMED
MAR 27 1998

37-08379/A37-11064

GPS Tag - #A 0002759
Domestic Well



Byram, Erle and/or Cynthia
09 May 1997 noon

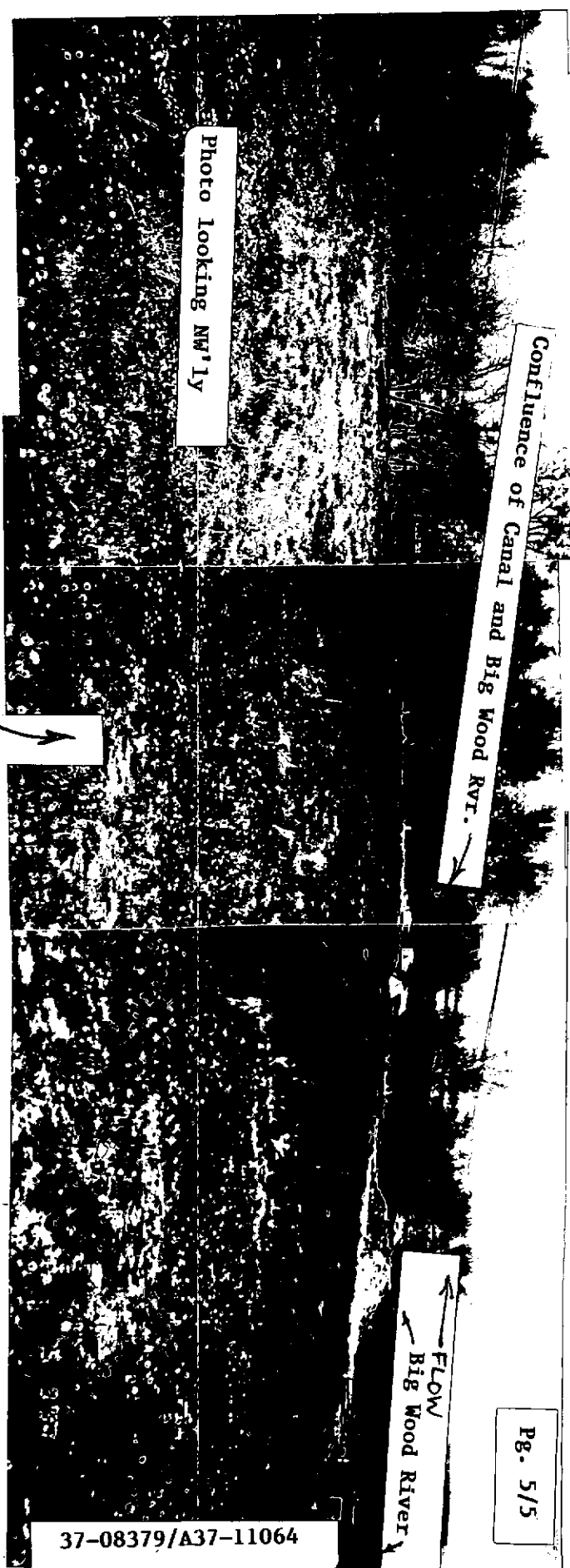
MAR 27 1998

37-08379
A37-11064

Confluence of Canal and Big Wood Rvr. →

→ FLOW
Big Wood River

Photo looking NW'ly



P/U Sec 31, T05S, R15E SE 1/4 NW 1/4

Photo Looking NE'ly



Shop →



Trailer



Byram, Erle and/or Cynthia
09 May 1997 noon

37-08379/A37-11064

March 18, 1994

ERLE B. BYRAM
CYNTHIA BYRAM
P.O. BOX 204
GOODING ID 83330

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08379

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

APR 12 1994

Permit No. 37-08379 Reviewed by [Signature] Date 3-16-94

Dom. Irr.

Correct Uses? Yes

no Well log in the file?

	Required?
	Installed?
	Waiver requested?

Date proof received		
Date proof due	-	
No. of days late	=	
Priority Date	+	
New Priority Date		

Proof acceptable

Proof Made 2-28-94

December 31, 1993

ERLE B. BYRAM
CYNTHIA BYRAM
P.O. BOX 204
GOODING ID 83330

PROOF DUE NOTICE

RE: PERMIT NO. 37-08379

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

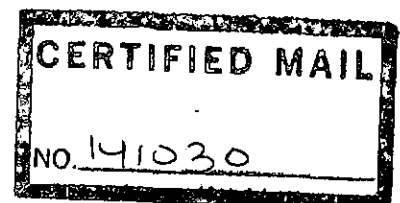
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

APR 12 1994





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 19, 1991

ERLE B. BYRAM
CYNTHIA BYRAM
P.O. BOX 204
GOODING, ID 83330

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08379

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

MAR 28 1991

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

MAR 28 1991

APPLICATION FOR PERMIT REVIEW

Application #: 37-8379
Date: 2-25-91

Reviewer: Pam Skaggs *CS*

- ✓ Existing:
 - ✓ No - 26A-P17
 - Complete in 1 year - P16
 - Yes
 - Proof not submitted - P16
 - Proof submitted - N/A
- ✓ Groundwater:
 - GT. 0.7 cfs - 01G-P03, 01C-P03 (existing well)
 - ✓ LT. 0.7 cfs - N/A
- ✓ Drilling Permit:
 - Approved w/permit - P99
 - ✓ Not included - 046-P23 (All GW, even existing wells)
- ✓ Location:
 - ✓ Water Districts
 - Surface water - WD No. 37A
 - 005, 005-01H-P01 (LT.7 w/pump)
 - 005-01J-P08 (GT.7)
 - ✓ Groundwater - P05
 - Irrigation Districts - 023
 - Canal Co. Areas - 023
 - Drainage Districts - 024
 - Boise Front (63) - 058 (Groundwater)
 - ✓ Swan Falls Flag - 7 (1 or Blank)
 - ✓ Trust - 051-052-053-P74 (Cons.), 041 (DCMI, w/Irr or Irr & Dom)
 - Non Trust - 048-049
- River Basins:
 - (Surface Water) Water District Control Condition &....
 - Boise (63) - 11D-P72
 - Payette (65) - 047-P04, 059-P71
 - Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.)
- Use:
 - Fish Propagation - 002-P06, 06A, 007, 09E-P10, 010, 042, 044
 - Power - Use Power Review
 - Mining - 06A, 006, 010, 09E-P10 & 054 (req.)
 - Storage - 18A-for multiple measuring devices (In WD), 18B-P09 (Size)
 - Rec. & Aesthetic - 027 (Non-Consumptive)
 - Domestic - 021 (restricted areas)
- Ownership:
 - Non land owner - 004
- Protested:
 - Agreement - 020
- Minimum Stream Flow:
 - Overlapping uses - 029-P20
- ✓ Beneficial Use Due Date: - 03-01-1994
- Other Conditions Recommended _____

RECEIVED
MAR 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

JANUARY 8, 1991

Gooding County Leader
442 Main Box 56
Gooding, ID 83330

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 4, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

RECEIVED

MAR 28 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08379

BYRAM, CYNTHIA
BYRAM, ERLE B.
P.O. BOX 204
GOODING, ID 83330

Source: GROUNDWATER

Diversion Pt: SENW Sec 31 T 05S R 15E

Use: IRRIGATION (.400 CFS)
 DOMESTIC (.040 CFS)
 Total Diversion: (.400 CFS)

Date Filed: 8/22/ 1988

In: T05S R15E S31 SENW

20.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before FEBRUARY 4, 1991.

Published 1/¹⁶/₉/1991 & 1/²³/₁₆/1991

R. Keith Higginson, Director

Contacted newspaper to have corrections made. (Bum)

MICROFILMED

MAR 28 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 37-8379

DATE: 12-26-90

The applicant, Mr. Byram, called me today and inquired about the status of this application. The applicant is interested in pursuing the proposed development as represented by the application. I told Mr. Byram that I had just received the file from the regional office and was preparing to send correspondence and a trust water questionnaire within the next two weeks. Rather than send the coorespondence and in order to expedite processing, I solicited information frm Mr. Byram over the phone.

Mr. Byram explained that he still owns the land and that there has been no development under the application. I recommend advertising the application as soon as possible. The application is a trust water filing with 20 acres counted as trust acreage.

MICROFILMED

MAR 28 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

07-Nov-1988

Erle B. &/or Cynthia Byram
P.O. Box 160
Fairfield, ID 83327

Re: Application for permit No. 37-08379

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

Because your application proposes to appropriate water which has been identified as "trust water" in the Swan Falls agreement, it will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your application.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

RECEIVED

MAR 28 1991

Form No. 202a
1/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. P. Clanton DATE 9-1-88 APPLICATION NUMBER 39-REQUIRED INFORMATION

- ☐ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☐ Address
- ☐ Source (See USGS Quad for names of water sources)
- ☐ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☐ County
- ☐ Quantity (flow and/or volume)
- ☐ Period of Use
- ☐ Nature of proposed use (Include description of use.)
- ☐ Description of diverting works
- ☐ Time required for beneficial use of water
- ☐ Place of use or acres irrigated
- ☐ Map
- ☐ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☐ Fee
- ☐ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☐ No Field check required
Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☐ No Critical groundwater area
- ☐ Yes ☐ No Groundwater management area
- ☐ Yes ☐ No Send dam safety information
- ☐ Yes ☐ No Send power requirement letter
- ☐ Yes ☐ No Send fish farm requirement letter
- ☐ Yes ☐ No Power residency affidavit
- ☐ Yes ☐ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

RECEIVED
DEC 13 1990

Date Requested _____

Department of Water Resources

PROCESSING

☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM, District _____
☐ Idaho Dept. of Fish & Game, Region _____ ☐ U.S. Forest Service, Forest _____
☐ Idaho Dept. of Lands ☐ Water District # _____
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☐ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☐ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☐ No Protests received
Final date for protest _____
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

Date of priority recommended _____ ☐ See below for additional information
By _____ Date _____

STATE OFFICE REVIEW

By _____ ☐ See below for additional information
Date _____

ADDITIONAL INFORMATION

STAFF ANALYSIS SUPPLEMENT

1) Water District _____ Basin # 37

2) Local description (of one P/D)

☐

At the above street address

☐

5/8 miles N/S N and 5/8 miles ~~E/W~~ W
of Bosding city center
(City center or numbered highway intersection)

☐

(Travel directions from city center or highway intersection)