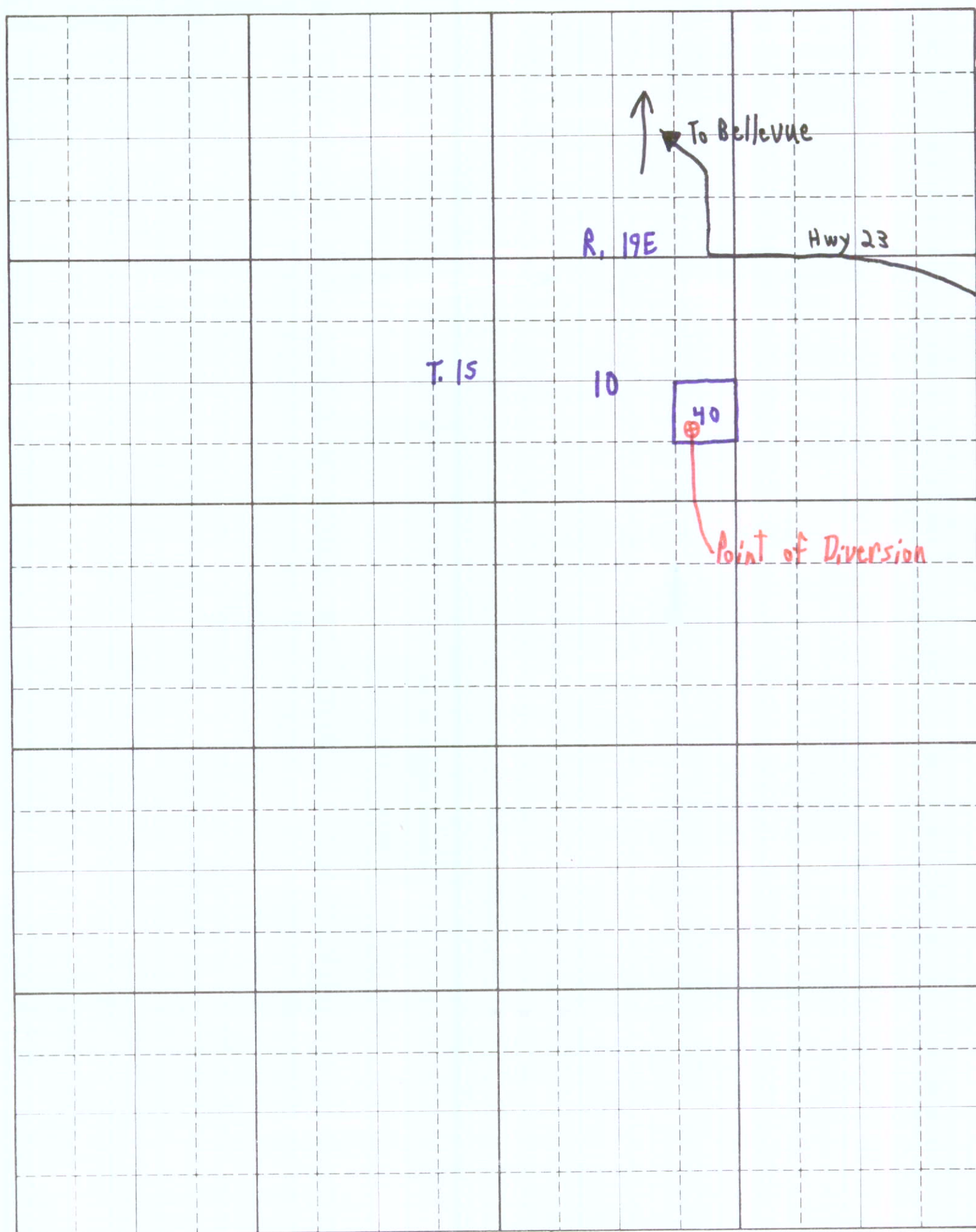


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Verniel J. Byington
(Applicant)

MICROFILMED

AFFIDAVIT of PUBLICATION

OCT 12 1977

Department of Water Resources
Southern District Office

State of Idaho, }
County of Blaine } SS.

Gordon O. Glasmann, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, 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 _____ consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the _____ day of _____,

19____, and the date of the last publication was on the _____

day of _____, 19____.

Subscribed and sworn to before me this 10th

day of October, 1977.
(SEAL)

Roberta J. Kueker

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 26

Number of Insertions 2

_____ Lines tabular at 315c

26 Lines straight at 24c 6.76

26 Subsequent lines at 15c 3.90

TOTAL COST 10.66

COPY OF NOTICE

(Date Here)

Permit 37-7673

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd N. T. 1

NOTICE OF APPLICATION FOR WATER PERMIT

NOTICE IS HEREBY GIVEN that Vernile J. Byington, Bellevue, Idaho 83313, has on 9-16-77 submitted Application No. 37-7673 for a permit to appropriate 0.85 cubic feet per second of water from ground water by means of well, pump, sprinklers, stock tanks within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Twp. 1S, Rge. 19E., Blaine County to be used from Apr. 1 to Nov. 1 for irrigation purposes of 40 acres and from Jan. 1 to Dec. 31 for livestock purposes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Twp. 1S, Rge. 19E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho 83301, on or before October 17, 1977.

C. Stephen Allred
Director

Publish: Wood River Journal Sept. 29, Oct. 6, 1977.

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

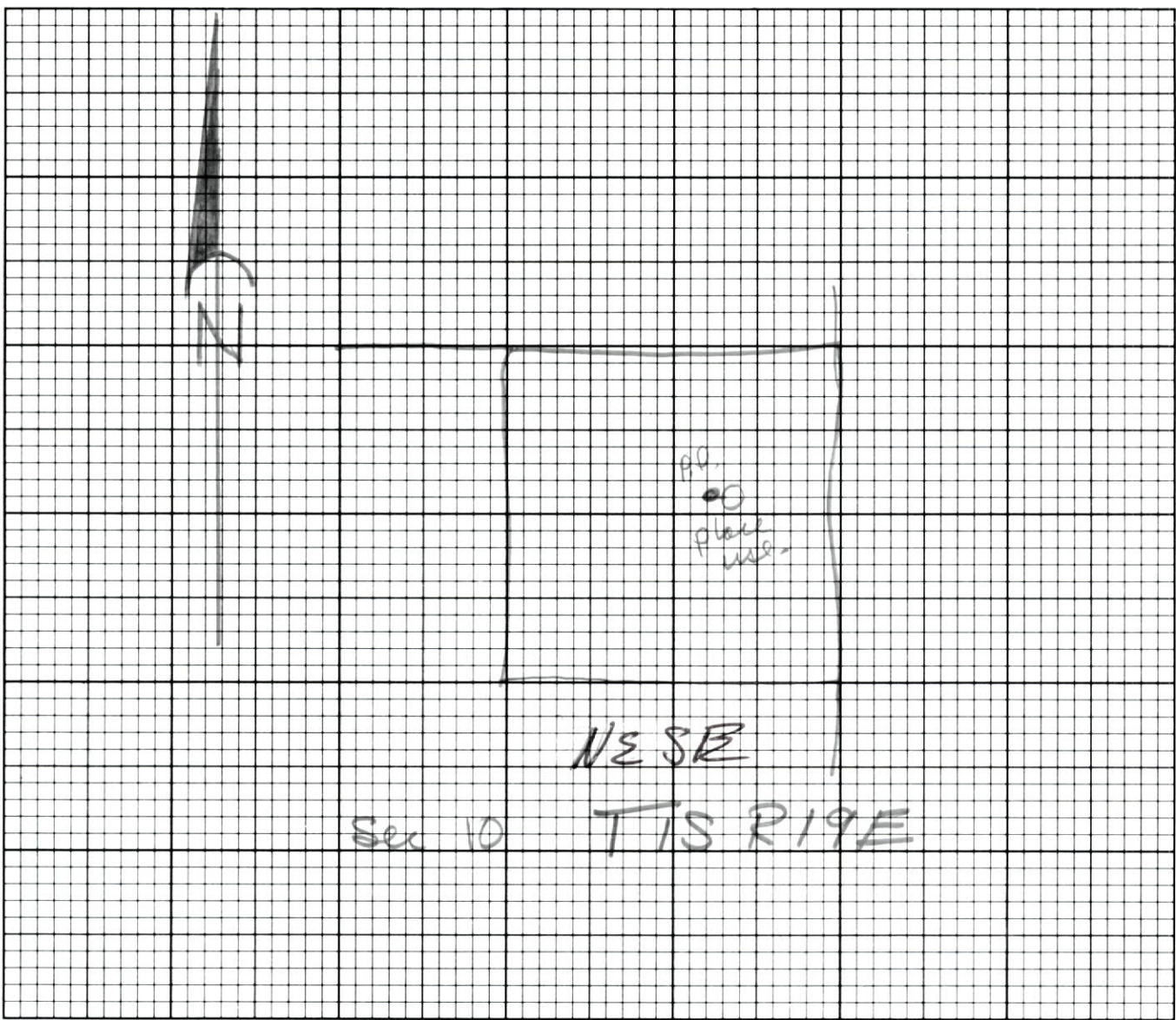
7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

10/12/77

No 1841

RECORDED

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached
- ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. 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

16. Examiner's/Consultant's Signature *[Signature]* Date 10-22-85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination 10-22-85

Date

MICROFILMED

CONSULTANT SEAL

MAR 12 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LICENSING REPORT

RECEIVED
DEC 5 1985

37-7673.
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

100 Ad Range Cattle .003 cfs 1.4 AC FT AN.

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

- c) Volume Calculations for Other Uses:

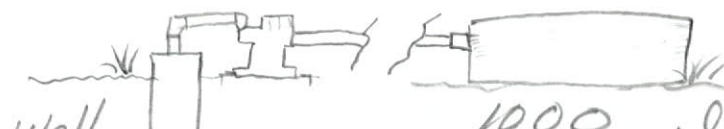
See Memo - 4-7-1975 AC FT for CATTLE

2. Overlap Review

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:

Well  1000 gal Stock TANK.

MICROFILMED

MAR 12 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07673

Priority: September 16, 1977

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.03 CFS
1.4 AF

This is to certify, that VERNILE J. BYINGTON
P.O. BOX 490
BELLEVUE, ID 83313

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 16, 1977; and
has submitted Proof of Beneficial Use on February 18, 1983. An examination indicates
that the works have a diversion capacity of .030 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>
STOCKWATER	01/01 to 12/31	0.03 CFS	1.4 AF
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		NESE , Sec. 10, Township 01S, Range 19E BLAINE County	

PLACE OF USE: STOCKWATER

TWN RGE SEC

01S 19E 10 NESE

CONDITIONS/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 which 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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 23rd
day of FEBRUARY, 1990.

RECORDED

MAR 12 1990

Acting for R. Keith Higginson, Director

Jim

Identification No. _____

Application No. 37-7673

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Vernile J. Byington Phone: 788-2591
post office address Box 490, Bellevue, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10 Township 1S
Range 19E B.M. Blaine County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes: VJB 1/16/78
Amount 0.80 cfs for irrigation purpose from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.05 cfs for livestock purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated: VJB 1/16/78
a. 0.85 .05 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, sprinklers, stock tank

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 8 inches; proposed depth of well is 140 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 10,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10 Township 1S
Range 19E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 100 range cattle, 10 horses

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
b. If water is to be used for other purposes describe: _____

MICROFILMED

1. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

TWP	RANGE	SEC	NET ¹	NW ¹ ₄	SW ¹ ₄	SE ¹ ₄	NET ¹	NW ¹ ₄	SW ¹ ₄	SE ¹ ₄	NET ¹	NW ¹ ₄	SW ¹ ₄	SE ¹ ₄	TOTALS
1S	19E	10													40
															40

Total number of acres to be irrigated 40

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion applicant

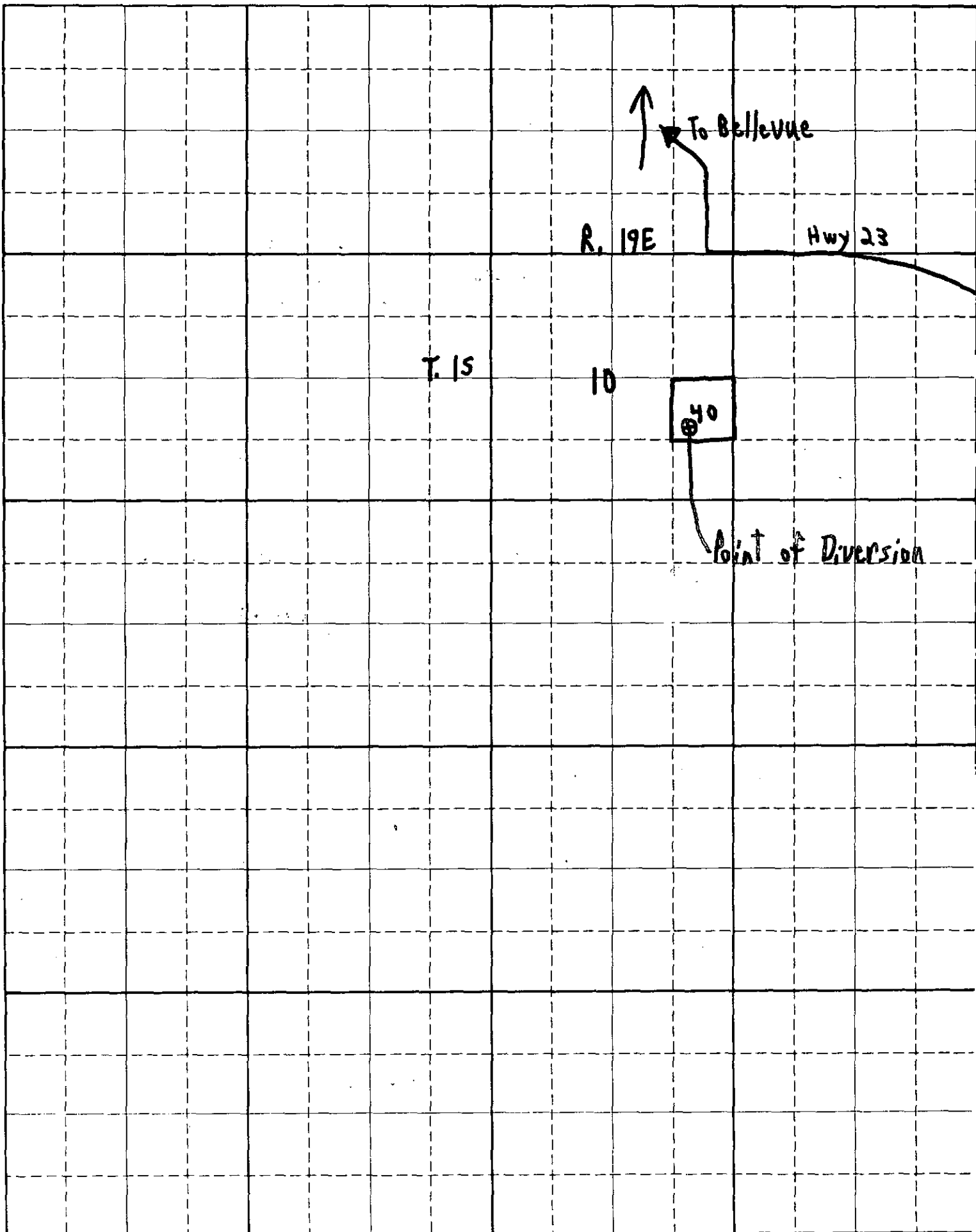
b. Who owns the land to be irrigated or place of use "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing

10. Remarks drought-related filing

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



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.

Verniel J. Byington
(Applicant)

MICROFILMED

Proposed Priority 9/16/77

Received by JF Date 9-16-77 Time 1:30 pm
Preliminary check by JS Fee \$ 25.00
Receipted by JF Date 9-16-77 # 8761
Publication prepared by JF Date 9-19-77
Published in Wood River Journal
Publication dates 9/29 + 10/6/77
Publication approved JF Date 10/12/77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by hls wtk

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

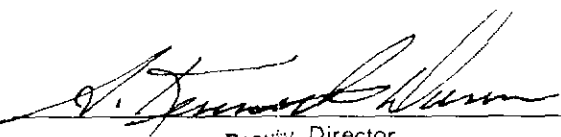
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7673, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 83.
- Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 8 day of March, 19 78.


Deputy Director

AFFIDAVIT of PUBLICATION

OCT 12 1977

State of Idaho, }
 Connty of Blaine } SS.

Department of Water Resources
 Southern District Office

Gordon O. Glasmann, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, 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 _____ consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the _____ day of _____,

19____, and the date of the last publication was on the _____

day of _____, 19____.

Subscribed and sworn to before me this 10th

day of October, 1977.
 (SEAL)

Roberta McFisher
 NOTARY PUBLIC

WOOD RIVER JOURNAL
 Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 26
 Number of Insertions 2
 _____ Lines tabular at 315c
26 Lines straight at 26c 6.76
26 Subsequent lines at 15c 3.90
 TOTAL COST 10.66

COPY OF NOTICE

(File Here)

Permit 37-7673
 TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd N. T. F.

NOTICE OF APPLICATION FOR WATER PERMIT

NOTICE IS HEREBY GIVEN that Vernile J. Byington, Bellevue, Idaho 83313, has on 9-16-77 submitted Application No. 37-7673 for a permit to appropriate 0.85 cubic feet per second of water from ground water by means of well, pump, sprinklers, stock tanks within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Twp. 1S, Rge. 19E, Blaine County to be used from Apr. 1 to Nov. 1 for irrigation purposes of 40 acres and from Jan. 1 to Dec. 31 for livestock purposes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Twp. 1S, Rge. 19E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho 83301, on or before October 17, 1977.

C. Stephen Allred

Director

Publish: Wood River Journal Sept. 29, Oct. 6, 1977.

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

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

OK
10/12/77

Nº 1841

MICROFILMED

February 26, 1990

VERNILE J. BYINGTON
P.O. BOX 490
BELLEVUE, ID 83313

RE: PERMIT NO. 37-07673

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECORDED

MAR 12 1990

February 2, 1990

VERNILE J. BYINGTON
P.O. BOX 490
BELLEVUE, ID 83313

RE: PERMIT NO. 37-07673

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

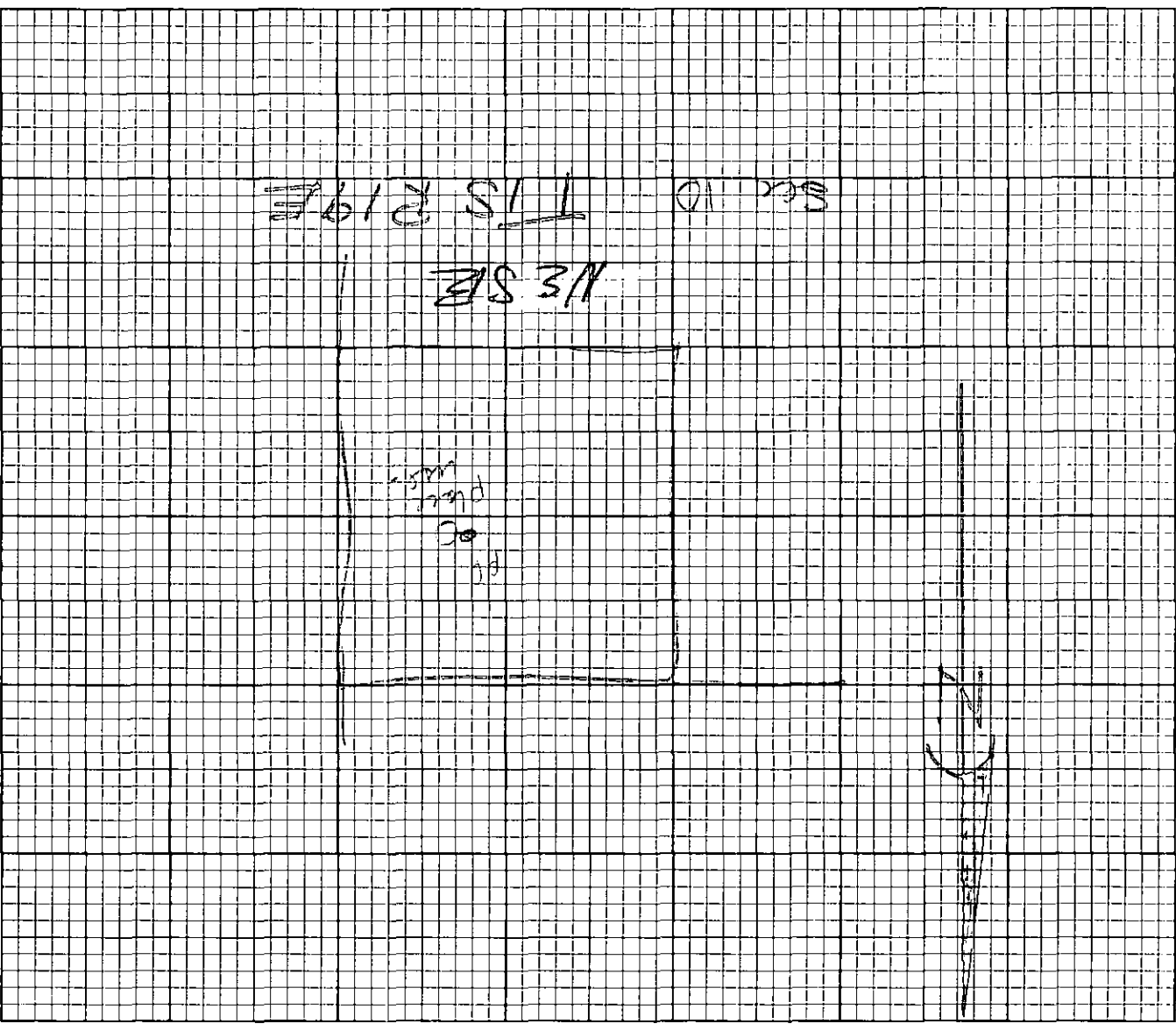
RECEIVED

MAR 12 1990

[illegible]

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached
- ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments
- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above
16. Examiner's/Consultant's Signature _____
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct _____
- Beneficial Use Examination 10-22-85 Date _____

CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

DEC 5 1985

37-7673.
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

100 Hd Range Cattle .003CFS 1.4Ac FfAD.

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

- c) Volume Calculations for Other Uses:

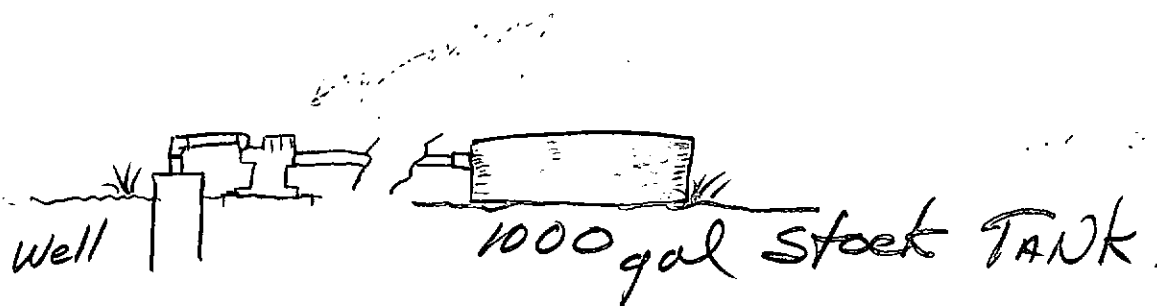
See Memo - 4-7-1975 AcFt for Cattle

2. Overlap Review

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:



RECEIVED

MAR 12 1990

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	37-7673					

4. Permit Holder: Vernile & MARY Byington

Address: Bx 490, Bellevue, WA 98008

5. Source: _____ tributary to _____

6. Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Livestock	1-1	Dec 31	003	14

Allowable Maximums:

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks: NO IRRIGATION

Microfilm

~~MAR 12 1990~~

10. 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

11. Examiner's Signature Samuel J. Wang

Date 10-28-1985

Checked in Regional Office by J. Stanton

Date 11-6-85

Approved in State Office by

Date _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

February 25, 1983

Vernile & Mary Byington
Box 490
Bellevue, Idaho 83313

Re: Permit 37-7673

Dear Mr. & Mrs. Byington:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must 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.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Sr. Water Resource Agent

LOH:GLF:marya

RECEIVED
FEB 28 1983
TWIN FALLS, IDAHO

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 37-7673.

Name(s) of Permit Holder: Vernile + MARY BYINGTON

Post Office Address: Box 490 Bellevue, IDAHO

83313

Tel. No. 788-2591

Source of Water: _____

Extent of Use: ☐ Domestic _____ (number of households)
☒ Stockwater 50 head (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

2-17-83
Date

Vernile Byington
Signature of Permit Holder

V. C. Livingston

Box 440

Bellvue Id. 83313

FEB
17
10
AM



RECORDED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

BOISE, IDAHO 83720

FEB 18 1983

Idaho Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138039

RYINGTON, VERNILE J.
P.O. BOX 490
BELLEVUE, ID 83313

DECEMBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7673 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

138039



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

Dear Wateruser:

Forwarded for your information in regard to your water permit is a self-explanatory letter which this office is now forwarding to holders of recently issued water right permits.

This is being mailed retroactively for informational purposes to persons who submitted applications on approximately December 30, 1977 and later.

If you have any questions, please contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

ENCLOSURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

April 14, 1978

Re: Permit No. 37-7673

Vernile J. Byington
Box 490
Bellevue, ID 83313

Dear Mr. Byington:

Your approved copy of Application for Permit No. 37-7673 is enclosed and we direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

MICROFILMED

However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

WUC 20070707



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 13, 1978

Re: Permit No. 37-7673

Vernile J. Byington
Box 490
Bellevue, ID 83313

Dear Mr. Byington:

Enclosed is a copy of your approved Application for Permit No. 37-7673. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

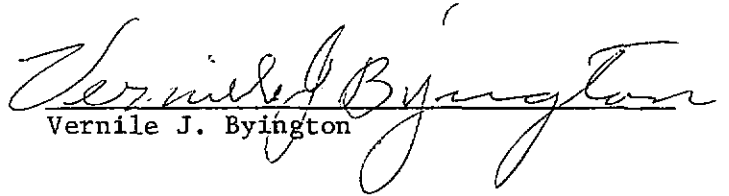
LGS:kw

Enclosure

MICROFILMED

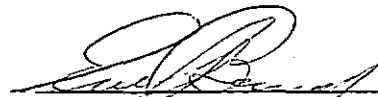
January 16, 1978

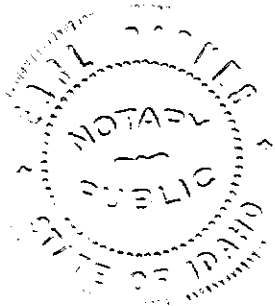
I, Vernile J. Byington, do hereby request that the 8 cfs for irrigation purposes listed on Application No. 37-7673 be deleted.


Vernile J. Byington

STATE OF IDAHO,)
) ss.
COUNTY OF TWIN FALLS)

On this 16th day of January, 1978, before me, the undersigned, a Notary Public for Idaho, personally appeared Vernile J. Byington, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.


Notary Public for Idaho
Residing at Twin Falls, Idaho



[Faint handwritten text, possibly a date or reference number]

FROM Bill MacAllister

TO Southern

SUBJECT

App. No. 37-7673

INTER-DEPARTMENT MEMO — 1

RECORDED

NOV 25 1977

Department of Water Resources
Southern District Office

This ground is ~~also~~ already licensed for
1 1/2 acre under 37-2624.

applicant notified 11-29-77.
will abandon earlier license

W. H. H. H.

SIGNATURE

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 37-7673 - Vernile J. Byington

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) AS 9/18/77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) A2 9/19/77

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) GH 9/19/77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) mls 10-25-77

Critical groundwater area: yes _____ no ☒

(8) mls 10-25-77

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) df 10/12/77

Affidavit of Publication received (date) 10/12/77

(12) Q 9/22/77

Final date for protests 10/17/77

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) mls 10-25-77

Action recommended:

☒ Approve _____ Deny

RECEIVED

OCT 26 1977

Department of Water Resources

9-16-77 Proposed Priority

Reason for Reduction _____

None Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District Southern By Michael Steele Date 10-25-77

Copy to Boise 9-19-77 JS

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Vernite J. Byington
Bellevue, Idaho 83313
has on 9/16/77 submitted Application No. 37-7673
for a permit to appropriate 0.85 cubic feet per second acre feet per annum
of water from ground water
by means of well, pump, sprinklers, stock tanks
within the NE 1/4 Sec. 10, Twp. 13, Rge. 19E, B. M. Blaine County

to be used from Apr. 1 to Nov. 1 for irrigation purposes of 40 acres and
for from Jan. 1 to Dec. 31 for livestock purposes.

within the NE 1/4 Sec. 10, Twp. 13, Rge. 19E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before October 17, 1977.

C. Stephen Allred

Director

Published in the Wood River Journal
on 9/29/ and 10/6/77

September 19, 1977

Wood River Journal
P. O. Box 988
Hailey, Idaho 83333

Re: Application for Permit No. 37-7673 - Vernile J. Byington

Gentlemen:

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

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

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS/dj

Bill submitted: _____