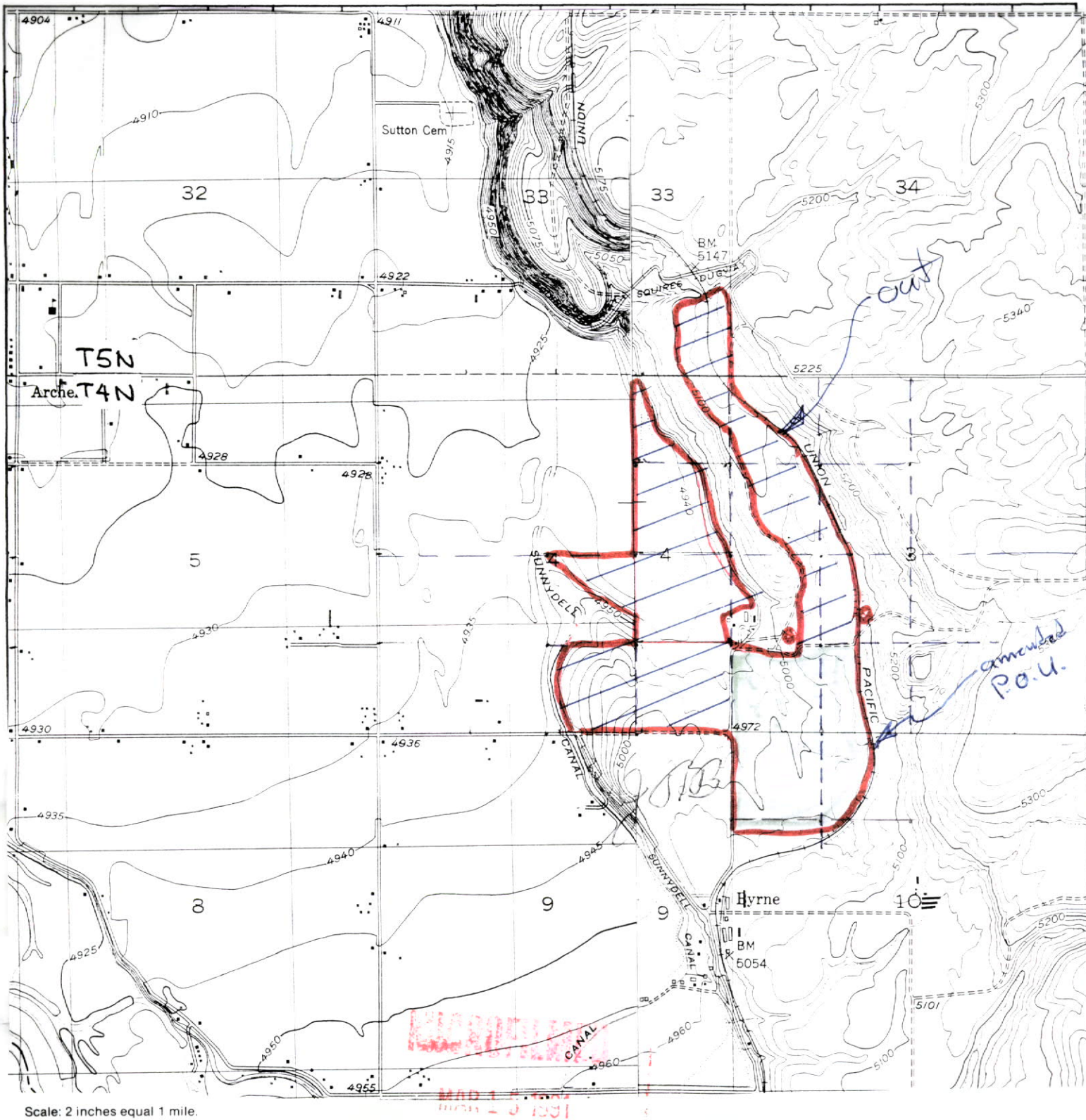


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

[Signature]
(Applicant)



THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, TERRY WEATHERSTON being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the

NOTICE OF CORRECTION a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for

TWO consecutive issues, the first publication having been made on NOVEMBER 15, 1990 and the last publication having been made on NOVEMBER 22, 1990.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 23RD day of NOVEMBER in the year of 1990, before me, a Notary Public, personally appeared Terry Weatherston, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Lyle C. Loe
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

RECEIVED

1990

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION
NO. 22-7654

NOTICE IS HEREBY GIVEN, that Application No. 22-7654 in the name of J.R. BYRNE was advertised incorrectly on APRIL 5 & 12, 1990. The POINT OF DIVERSION was advertised as being in the NESW, Sec 3, T 04N, R 40E; NWSE, Sec 3, T 04E, B.M.

WHEREAS, the actual POINT OF DIVERSION is in the NESW, Sec 3, T 04N R 40E; NWSW, Sec 3, T 04N, R 40E, B.M.

Any protest against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before DECEMBER 3, 1990.

R. KEITH HIGGINSON
Director

Publ. Nov. 15 and 22, 1990S.

MICROFILMED

MAR 15 1991

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, Terry Weatherston being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the

Notice Of Application a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for

Two consecutive issues, the first publication having been made on October 4, 1990 and the last publication having been made on October 11, 1990.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 12th day of October in the year of 1990, before me, a Notary Public, personally appeared Terry Weatherston, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Gayle L. Ford
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

RECEIVED

NOV - 5 1990

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

NOTICE OF CORRECTION
No. 22-7654

NOTICE IS HEREBY GIVEN, that Application No. 22-7654 in the name of J.R. Byrne was advertised incorrectly on April 5 & 12, 1990. The POINT OF DIVERSION was advertised as being in the NESW, SEC. 3, T 04N, R 40E; NWSE, SEC. 3, T 04N, R 40E, B.M.

WHEREAS, the actual POINT OF DIVERSION is in the NESW, NWSW, SEC. 3, T 04N, R 40E, B.M.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83401, on or before OCTOBER 22, 1990.

R. KEITH HIGGINSON
Director

22-07675

SUTTON, GARTH
1295 E. 10000 S.
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt: SESW Sec 31 T 05N R 41E

Use: IRRIGATION (6.670 CFS) Total
Diversion: (6.670 CFS).

Date Filed: 6/12/1990

In: T04N R41E S04 NWNE NENW
NWNW SWNW SENW NESW NWSW
S05 NENE SENE NESE T05N R41E S32
NENE SENE NESE SESE S33 SWNW
SENW NESW NWSW SWSW SESW
SWSE 783.0 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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 22, 1990.

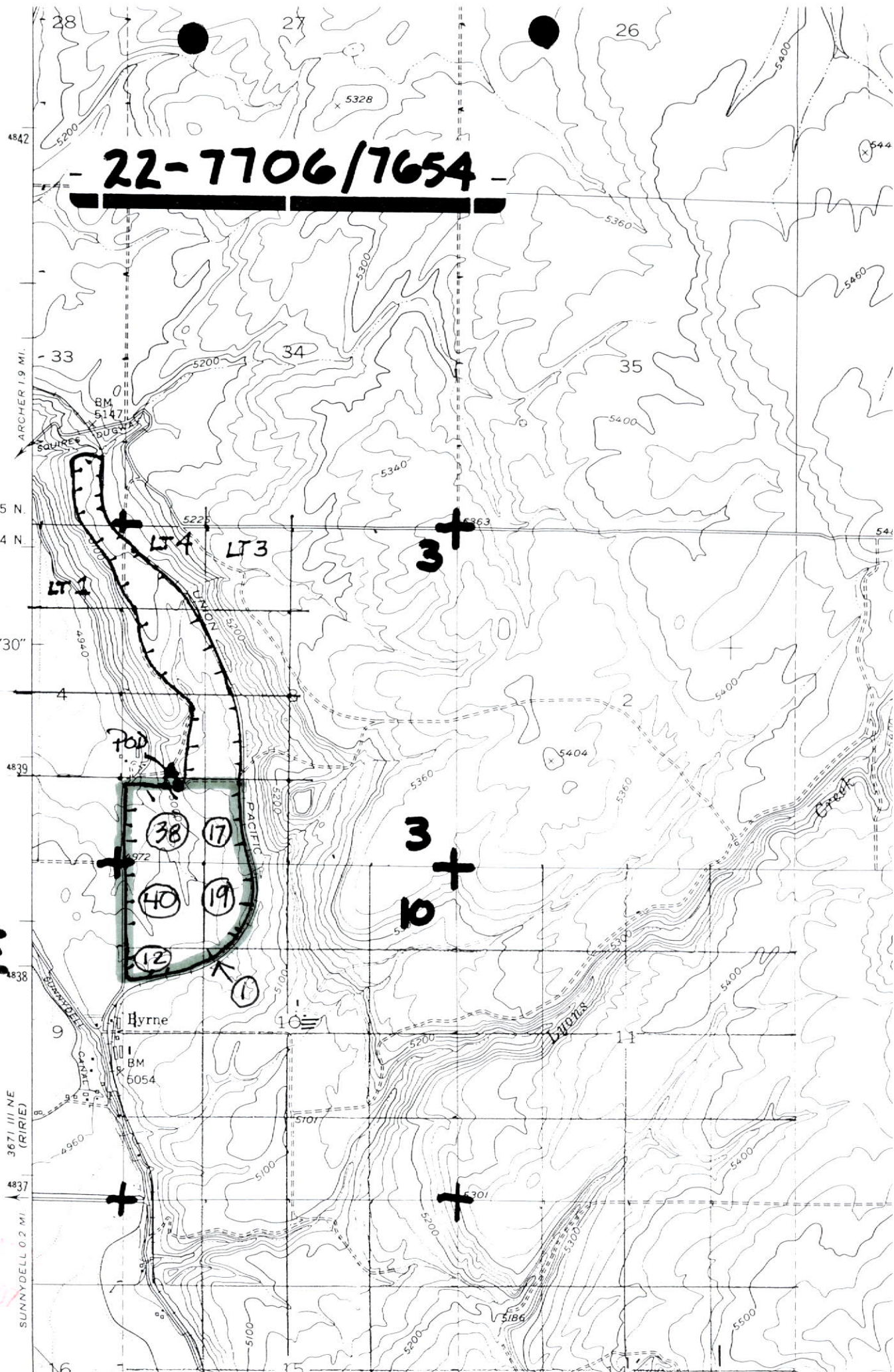
R. KEITH HIGGINSON
Director

Publ. Oct. 4 and 11, 1990J.

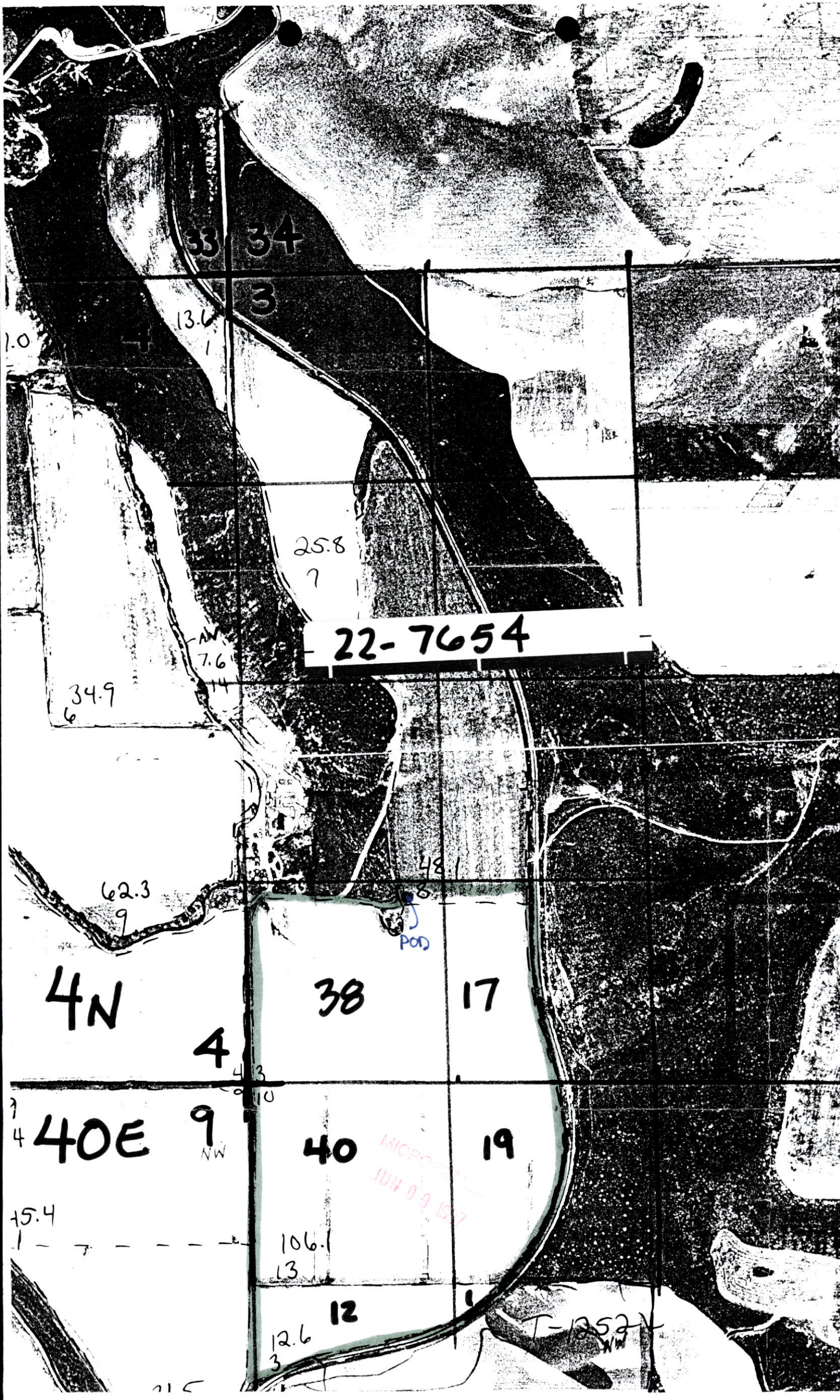
MICROFILMED
MAR 15 1991

22-7706/7654

4N
40E



JUN 03 1957



22-7654

MICROFILMED
JUN 9 1977

T-1252N
NW

4N

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07654

Priority: March 16, 1989

Maximum Diversion Rate:

1.76 CFS

This is to certify, that J R BYRNE
8747 S 1600 E
REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 16, 1989; and has submitted Proof of Beneficial Use on January 5, 1994. An examination indicates that the works have a diversion capacity of 1.760 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	04/15 to 10/15	1.76 CFS	

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 3, Township 04N, Range 40E
MADISON 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>
04N	40E	3	SWSW 38	SESW 17		55
		10	NENW 19	NWNW 40		59

Total number of acres irrigated: 114

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

MICROFILMED
JUN 09 1997

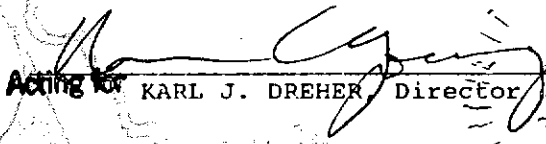
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 22-07654

CONDITIONS OF APPROVAL AND REMARKS

8. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
9. Rights 22-07654 and 22-07706 when combined shall not exceed a total diversion rate of 1.76 cfs and a total annual diversion volume of 641.2 af for the irrigation of a total of 200 acres.
10. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 399 af for the lands above.
11. Right 22-07706 is also diverted through the point(s) of diversion described above.

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 29TH
day of MAY, 1997.

Acting for  KARL J. DREHER, Director

(Faint background stamp: DEPARTMENT OF WATER RESOURCES)

MICROFILMED
JUN 09 1997

State of Idaho
Department of Water Resources

RECEIVED
MAY 29 1997

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07654

Department of Water Resources

Date of Priority: March 16, 1989
Comes now J R BYRNE
8747 S 1600 E
REXBURG ID 83440

Maximum Diversion Rate: 1.76 CFS

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. 22-07654, 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	04/15 to 10/15	1.76 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 3, Township 04N, Range 40E
MADISON 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>
04N	40E	3	SWSW 38	SESW 17		55
		10	NENW 19	NWNW 40		59

Total number of acres irrigated: 114

MICROFILMED

JUN 09 1997

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 Rexburg, this 27 day of May, 1997.

J R Byrne
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07654

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 5000 Received by LS # 0039003 Date 5/29/97

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. 22-07654 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
9. Rights 22-07654 and 22-07706 when combined shall not exceed a total diversion rate of 1.76 cfs and a total annual diversion volume of 641.2 af for the irrigation of a total of 200 acres.
10. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 399 af for the lands above.
11. Right 22-07706 is also diverted through the point(s) of
diversion described above.

MICROFILMED

JUN 09 1997

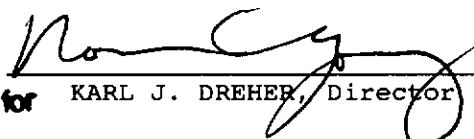
State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 22-07654

Witness my hand this 29TH day of MAY, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

JUN 09 1997

Form 217
RECEIVED
JAN - 5 1994

RECEIVED
FEB 07 1994
Department of Water Resources

RECEIVED

JAN 10 1994

OFFICE USE ONLY
Amt. of Fee \$ 125⁰⁰
Date 5 Jan 94
Receipt No. EQ19406
Receipt by KW

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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. 22-7654 Telephone No. 356-6176
2. Name(s) of Permit Holder(s): J. R. Byrne
3. Mailing Address: 8747 S 1600 E Rexburg Id 83440
4. Source of Water: GROUNDWATER

If **GROUNDWATER**, Well Driller's Name: High Plains Date Drilled: 1992

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

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

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 127 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 2.0 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR
Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ 125⁰⁰ (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.

Same as above
Name _____ Telephone No. _____

Same as above
Address _____

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.

5 Jan 1994
Date

J. R. Byrne
Signature (and title, if on behalf of a company or organization)

APR 07 1994

RECEIVED

DEC 21 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

REQUEST FOR EXTENSION OF TIME

**TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 22-07654

Name(s) of Permit Holder: J. R. Byrne

Mailing Address: 8747 S. 1600 E. Rexburg, Id. 83440

Date Proof is Due Feb. 1, 1993 Telephone No. (208) 356-6176

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Well drilling and casing to date.

Costing \$ 19,123.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

See attached note

Permit holder(s) request an extension to 1 year, 1992.

FEE: \$15.00

(Signature)* J. R. Byrne

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is
extended to February 1, 1994.

JAN 21 1993

Signed this 23rd day December, 1992

[Signature]
Chief, Water Allocation Bureau

RECEIVED

DEC 21 1992

Department of Water Resources

Dec. 17, 1992

Department of Water Resource.

In regard to well permit No. 22-07654. Well was drilled to supplement or replace water provided by Palisade water users plus water rented from Water Bank. During the 1992 water season this water was depleted in late July.

The well was completed and main installed in hopes to be able to finish the season. However the well did not produce enough water.

Well was drilled 215 ft. Water rose to 137 ft. level. Pump and flow meter was installed. At peak of discharge meter registered 1100 gal. per min. slowly diminishing to less than half that amount.

We finished the irrigation season the best we could and contracted the well driller to come back after the season and drill deeper in hopes of developing more water. RECEIVED
JAN 21 1993

In light of those circumstances I would appreciate 1 yr. extension.

J. R. Byrne

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 22-07654

Proposed Priority: March 16, 1989 Maximum Diversion Rate: 2.54 CFS

This is to certify, that J. R. BYRNE
8747 S. 1600 E.
REXBURG, ID 83440

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	2.54 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		
	NWSW	Sec. 3, Township 04N, Range 40E
	NESW	Sec. 3, Township 04N, Range 40E
		MADISON County

<u>PLACE OF USE: IRRIGATION</u>						
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	40E	3	SWSW 39	SESW 19		58
		10	NENW 19	NWNW 40	SWNW 9	69
			SENW 1			

Total number of acres irrigated: 127

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1993**.
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. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
7. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

MICROFILMED

MAR 15 1991

Permit To Appropriate Water

NO. 22-07654

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.

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

7th day of March, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

MAR 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Amended

APPLICATION FOR PERMIT *Amended*

To appropriate the public waters of the State of Idaho

1. Name of applicant J. R. Byrne Phone 356-6176

Post office address 8747 S. 1600 E., Rexburg, ID 83440

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is _____ 1/4 of NF 1/4 of SW 1/4, Govt. Lot _____

Sec. 3 Township 4N Range 40E B.M. Madison County; additional

points of diversion if any: NWSW Sec. 3 T4N R40E

4. Water will be used for the following purposes:

Amount 2.54 8.34 cfs for Irrigation purposes from 4-1 to 11-1 (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)

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

5. Total quantity to be appropriated is (a) 2.54 8.34 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 wells to sprinkler system

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 16 inches; proposed depth of well is 300 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
2 years (minimum 1 year).

MAR 15 1991

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. _____
- 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	
4N	40E	3						17	26	5	19	9	39	19					134 58
		4	26			31									40	19	36	40	192
		10					19	40	9	1									69
5N	40E	33																22	22

Total number of acres to be irrigated 417 127

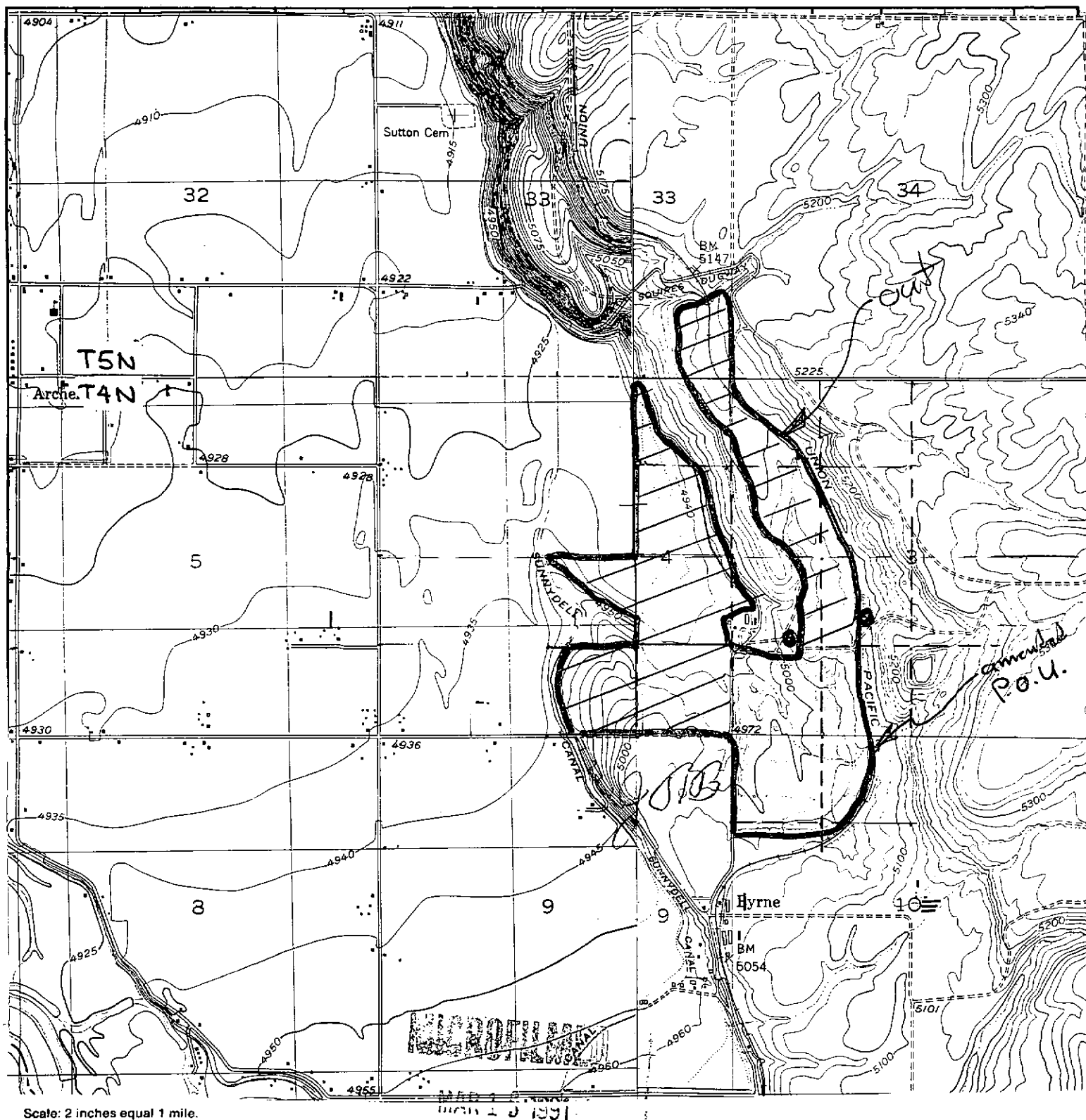
10. Describe any other water rights used for the same purposes as described above. Palisades shares
and Sunnydell shares

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: I have two sites I am studying to determine which is most feasible. I would only drill one well.

Book 10 1994

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



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.

[Signature]
(Applicant)

Received by CW Date 3-16-89 Time 1:35P Preliminary check by DMO
Fee \$ 5.50 Receipted by HUT # E006157 Date 3-16-89
Publication prepared by LB Date 4-5-90 Published in Rex Standard-Jrnl
NOC 11-15-22-90
Publication approved LB LB Date 12-3-90 12-27-90

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.

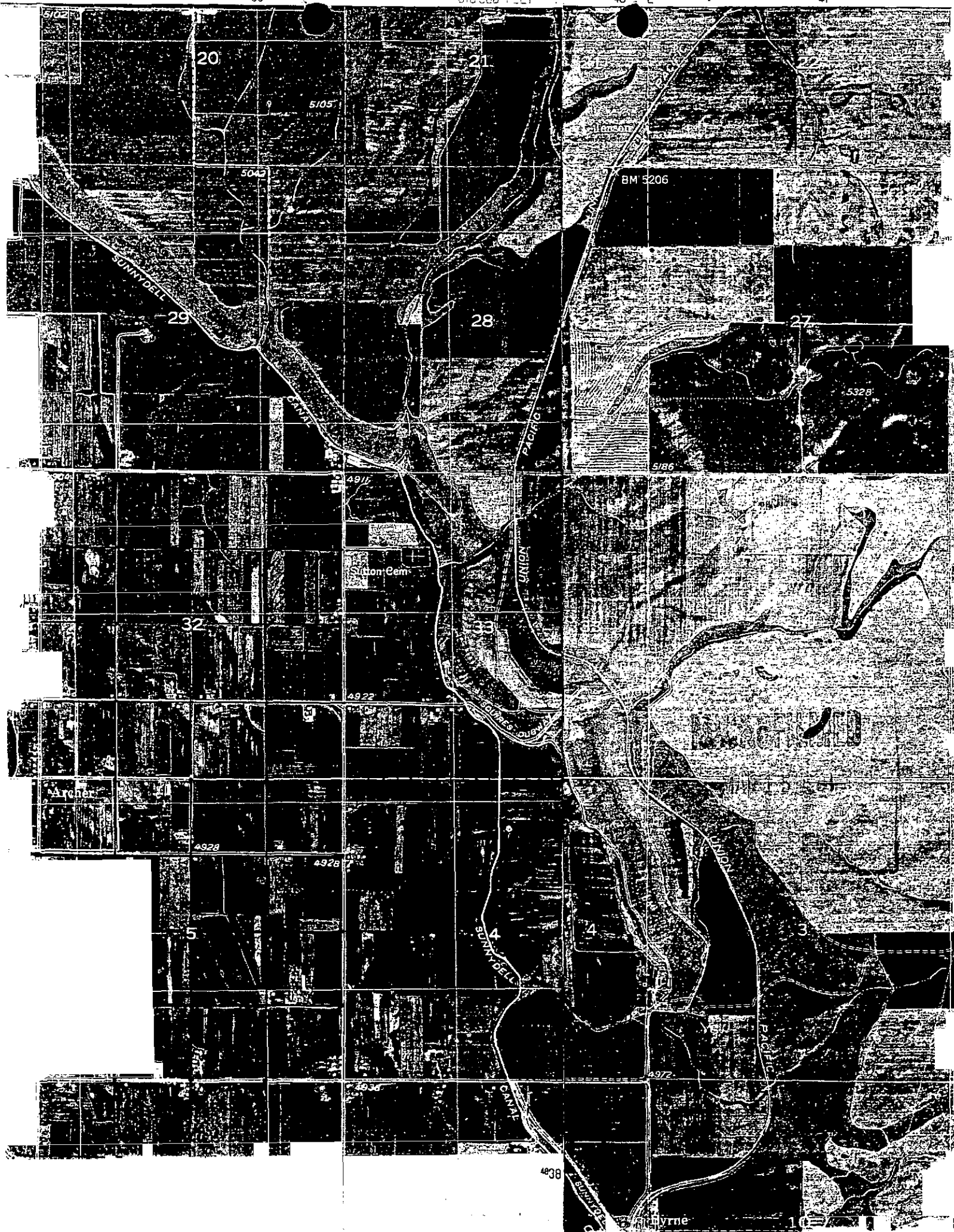
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

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 16 1989
100



THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, TERRY WEATHERSTON being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the

NOTICE OF CORRECTION a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for

TWO consecutive issues, the first publication having been made on NOVEMBER 15, 1990 and the last publication having been made on NOVEMBER 22, 1990.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 23RD day of NOVEMBER in the year of 1990, before me, a Notary Public, personally appeared Terry Weatherston, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Joseph B. Ladd

Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

RECEIVED

DEC 4 1990

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION
NO. 22-7654

NOTICE IS HEREBY GIVEN, that Application No. 22-7654 in the name of J.R. BYRNE was advertised incorrectly on APRIL 5 & 12, 1990. The POINT OF DIVERSION was advertised as being in the NESW, Sec 3, T 04N, R 40E; NWSE, Sec 3, T 04E, B.M.

WHEREAS, the actual POINT OF DIVERSION is in the NESW, Sec 3, T 04N, R 40E; NWSW, Sec 3, T 04N, R 40E, B.M.

Any protest against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before DECEMBER 3, 1990.

R. KEITH HIGGINSON
Director

Publ. Nov. 15 and 22, 1990S.

MICROFILMED

MAR 15 1991

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, Terry Weatherston being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the

Notice Of Application a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for

Two consecutive issues, the first publication having been made on October 4, 1990 and the last publication having been made on October 11, 1990.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 12th day of October in the year of 1990, before me, a Notary Public, personally appeared Terry Weatherston, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Lynne L. Lusk
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

RECEIVED

NOV - 5 1990

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

NOTICE OF CORRECTION

No. 22-7654

NOTICE IS HEREBY GIVEN, that Application No. 22-7654 in the name of J.R. Byrne was advertised incorrectly on April 5 & 12, 1990. The POINT OF DIVERSION was advertised as being in the NESW, SEC. 3, T 04N, R 40E; NWSE, SEC. 3, T 04N, R 40E, B.M.

WHEREAS, the actual POINT OF DIVERSION is in the NESW, NWSW, SEC. 3, T 04N, R 40E, B.M.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83401, on or before OCTOBER 22, 1990.

R. KEITH HIGGINSON
Director

22-07675

SUTTON, GARTH

1295 E. 10000 S.

REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: SESW Sec 31 T 05N R 41E

Use: IRRIGATION (6.670 CFS9 Total)
Diversion: (6.670 CFS)

Date Filed: 6/12/1990

In: T04N R41E S04 NWNE NENW
NWNW SWNW SENW NESW NWSW
S05 NENE SENE NESE T05N R41E S32
NENE SENE NESE SESE S33 SWNW
SESW NESW NWSW SWSW SESW
SWSE 783.0 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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 22, 1990.

R. KEITH HIGGINSON
Director

Publ. Oct. 4 and 11, 1990J.

MICROFILMED

MAR 15 1991

Form No.
7/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHECKLIST OF REQUIREMENTS
LARGE DIVERSION SUPPLEMENTARY
ANALYSIS SHEET*

EFFECT ON EXISTING RIGHTS

- ☐ Yes ☐ No Springs/surface streams with 5 or less existing users
☐ Identify number of impacted rights
☐ Name and address of users
☐ Location of points of diversion
☐ Nature of use of the existing rights.
- ☐ Yes ☐ No Groundwater
☐ Plat showing proposed well and any other wells &/or
springs within 1/4 mile radius
- ☐ Yes ☐ No Statement of design construction, or operation techniques
which will be used to reduce impact on existing rights

SUFFICIENCY OF WATER SUPPLY

Water Requirements of Proposed Project

- ☐ Required diversion rate during peak use (Maximum rate)
☐ Required diversion rate during average use period
☐ Annual volume
☐ Season of use
☐ Volume to be consumptively used/year

Quantity of Water Available from Source

- ☐ Flow rates for surface water sources available during peak
and average water demand period
☐ Properties of aquifers
☐ Other sources available for supplementation

GOOD FAITH, DELAY OR SPECULATION

- ☐ Copies of deeds, leases, easements, and right-of-ways from _____
- ☐ Power applications affidavit form 205/206 is required
☐ Yes ☐ No Other needed permits, licenses, or approvals required. If
yes, _____.

FINANCIAL RESOURCES

- ☐ Current certified financial statement
☐ Financial commitment letter/financial statement from
committed party
☐ Project design/plans along with cost estimation to
complete project

*For applications of more than 5 cfs. or more than 500 AF.

LOCAL PUBLIC INTEREST

Comments received from:

- | | | |
|---------------------------------------|---|--|
| ☐ City | ☐ Idaho Fish & Game | ☐ Irrigation District |
| ☐ County | ☐ Idaho Health & Welfare | ☐ Canal Company |
| ☐ Reservations | Division of Environment | ☐ Other _____ |

Project impacts/implications report

COMMENTS

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, TERRY WEATHERSTON being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the

NOTICE OF WATER RIGHTS a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for

TWO consecutive issues, the first publication having been made on APRIL 5, 1990 and the last publication having been made on APRIL 12, 1990.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 13TH day of APRIL in the year of 1990, before me, a Notary Public, personally appeared Terry Weatherston, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Joseph M. Reid
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

22-07653
VALLEY VIEW RANCH
C/O RICHARD CRAPO
RT. 2 BOX 155
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diversion Pt. SESW Sec 17 T 06N R 43E; SESW Sec 18 T 06N R 43E; SESE Sec 18 T 06N R 43E; SENE Sec 19 T 06N R 43E
Use: IRRIGATION (8.690 CFS) Total
Diversion: (8.690 CFS)
Date Filed: 4/25/1989
In: T06N R43E S17 NESW NWSW SWSW SESW S18 SWNW NESW NWSW SWSW SESW NESE NWSE SWSE SESE S19 NENW NWNW SWNW SENW S20 SWNW SENW 624.0 ACRES
TOTAL

22-07654
BYRNE, J. R.
8747 S. 1600 E.
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt. NESW Sec 3 T 04N R 40 E
Use: IRRIGATION (8.340 CFS) Total
Diversion: (8.340 CFS)
Date Filed: 3/16/1989
In: T04N R40E S03 NWNW SWNW SENW NESW NWSW SWSW SESW S04 NENE SENE NESE NWSE SWSE SESE S10 NENW NWNW SWNW SENW T05N

R40E S33 SESE 417.0 ACRES TOTAL
22-07664
JEPPESEN, DALE
JEPPESEN, JOSEPH
1347 N. 1000 E.
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt. SWNE Sec 7 T 05N R 41E
Use: IRRIGATION (5.880 CFS) Total
Diversion: (5.880 CFS)
Date Filed: 2/28/1990
In: T05N R40E S01 SENE NESE R41E S06 Lot 1 (NENE) Lot 2 (NWNE) SWNE SENE Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW NESE 294.3 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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 23, 1990.

R. KEITH HIGGINSON
Director

Publ. April 5 and 12, 1990SJ.



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

May 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

J R BYRNE
8747 S 1600 E
REXBURG ID 83440

RE: WATER RIGHT NO. 22-07654

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
JUN 09 1997

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:

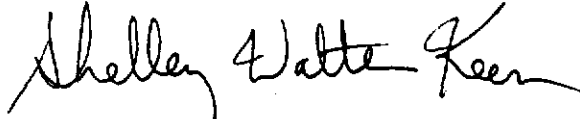
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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JUN 09 1987

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.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

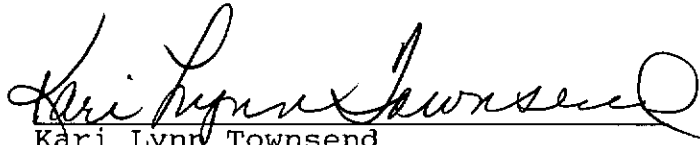
MICROFILMED
JUN 09 1987

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of May, 1997, 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. 22-07654

J R BYRNE
8747 S 1600 E
REXBURG ID 83440


Kari Lynn Townsend
Secretary

RECORDED
JUN 09 1997



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

May 20, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

J R BYRNE
8747 S 1600 E
REXBURG ID 83440

RE: Water Right Nos. 22-07654 and 22-07706

Dear Mr. Byrne:

Thank you for calling yesterday to discuss the need for amendments for water right permits 22-07654 and 22-07706. Based on our discussion, I have revised the amendment form for 22-07654 by removing the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10 from the place of use description. The revised form is enclosed.

I have enclosed a slightly revised amendment form for permit 22-07706 also. When we spoke, you told me that your primary source of irrigation water is the Snake River. However, you also told me that at the end of the irrigation season in 1993 you diverted water from your well and irrigated the place of use for permit 22-07706. To be consistent with the development history, it would be appropriate to license 22-07706 for supplemental irrigation use. The conditions placed on your license will limit your use of ground water to only those times when your Snake River water is not available. Right 22-07654 will carry the same conditions.

Please review the revised amendment forms. If you agree with the information presented, please sign the forms and return them with the \$100 (\$50 each) filing fee.

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

Respectfully,

A handwritten signature in cursive script that reads 'Shelley Walter Keen'.

Shelley Walter Keen
Water Rights Supervisor

Enclosure

MICROFILMED
JUN 09 1997

MEMORANDUM

DATE: May 19, 1997

TO: Water Right Files 22-07654 and 22-07706

FROM: Shelley W. Keen (SWK)

RE: Call from J. R. Byrne

This morning J. R. Byrne called me to discuss the licensing amendment requests I sent him last week.

He told me that the information on the amendment form for 22-07654 looks accurate, except that he does not own land in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10. This afternoon I called the Madison Co. assessor's office and was told that the owner of the land north of the railroad tracks in those tracts is the George Munns Family Trust.

Mr. Byrne told me that the well does not produce enough water to adequately irrigate both 22-07654 and 22-07706. However, at the end of 1993 he did accomplish one irrigation of the place of use for 22-07706 after finishing the irrigation of the place of use for 22-07654.

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JUN 09 1997



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

May 12, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

J R BYRNE
8747 S 1600 E
REXBURG ID 83440

RE: WATER RIGHT NO. 22-07654

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These 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:ph

Enclosure

MICROFILMED

JUN 09 1997

MEMORANDUM

TO: Files 22-07654 and 22-07706

FROM: Sharla Curtis

DATE: May 12, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit Nos. 22-07654 and 22-07706 are based on the following:

H. RECOMMENDATIONS

22-07654:

Irrigation	4/15 - 10/15	1.76 cfs
------------	--------------	----------

22-07706:

Irrigation	4/15 - 10/15	1.72 cfs
------------	--------------	----------

The two rights in combination are limited to the pumping capacity of 1.76 cfs. It appears that pivot and handlines are operated separately; each license will be issued for a full inch/acre with the capacity limitation. The volume recommendations listed in the remarks section reflect full volume rather than limited by the rate of diversion proposed by the examiner ?

Examiner: Steve Mueller

Exam Date: July 10, 1995

MICROFILMED
JUN 09 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 22-07654

DATE 5/5/97

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>YES</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>2.54</u> cfs	
Fee limit	<u>2.0</u> cfs	\$12500
Measured	<u>1.74</u> cfs	1.76 (grand land meter)
Theoretical	<u>2.32</u> cfs	2.44 @ 137' lift & 50 PSI

Recommended Total Div Rate 1.76 cfs

ac. verified w/ grid map

SESW - 18

SWNW - 12.6 (13)

permit ltd to 127 ac.

ANNUAL VOLUME/
NATURE OF USES —

✓ Use

hrs.

Volume Calculation

127 X 3.5 = af

444.5 af

— af

— af

SUBTOTAL 444.5 af

Flow rate 1.76 cfs X 184 days X 1.98 ~~33~~ = 641.2 af

Total volume recommended 444.5 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

W35 22-07706, 1.76 cfs

W37 22-07706, 1.76 cfs

W36 22-07706

photos show pivot in use at time of exam appears pivot & handlines operate separately

CONDITIONS — Watermaster Control WD# —

25 GW Measurement/Measuring Device

25 Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo rate/volume

1st Amend Letter P39 P38

2nd Amend Letter P47

065,079, 048,049

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 19 1997
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-7654

1. Owner: J.R. Byrne Phone No. 356-6176

Current Address: 8747S 1600E Rexburg, Id

2. Accompanied by: Same EXAM DATE: 7-10-95

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Palisades Water Users

2. Other water rights with the same point of diversion: 22-7706

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
			SW	SW	3	4N	40E	MADISON	USGS/on site

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	
4N	40E	3											38	17					55
		10					19	40	12	1									72

MICROFILMED

JUN 09 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	100	MFJ1223118	Peabody Flaming	9233159

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic						
totalizing meter		GRANDLAND				

2. Measurements: H₂O 137' static

GRANDLAND 790 gpm = 1.76 cfs

E. NARRATIVE/REMARKS/COMMENTS

polysonic = 1.74 cfs

$$\text{CFS} = \frac{100(6.16)}{137 + 2.31(50)} = 2.44 \text{ cfs}$$

OVERLAP 22-7706 → 86 AC
22-7654 → 127 AC
213 AC 1.74 cfs total Q

This permit 127 AC → 1.04 cfs
22-7706 86 AC - .70
1.74 cfs

Have conditions of permit approval been met? ☐ yes ☐ no

MICROFILMED
JUN 09 1997

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 127 \times 3.5 = 444.5$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (1.04)(184) = 380$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 380$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IR 12	4/15	10/15	1.04	380
Totals:			1.04	380

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

I. AUTHENTICATIONField Examiner's Name Steve Mueller Date 7/10/95Reviewer DAVE CARLSON Date 2/13/97

SEAL

22-7706/7654

ARCHER 1.9 MI.

T. 5 N.

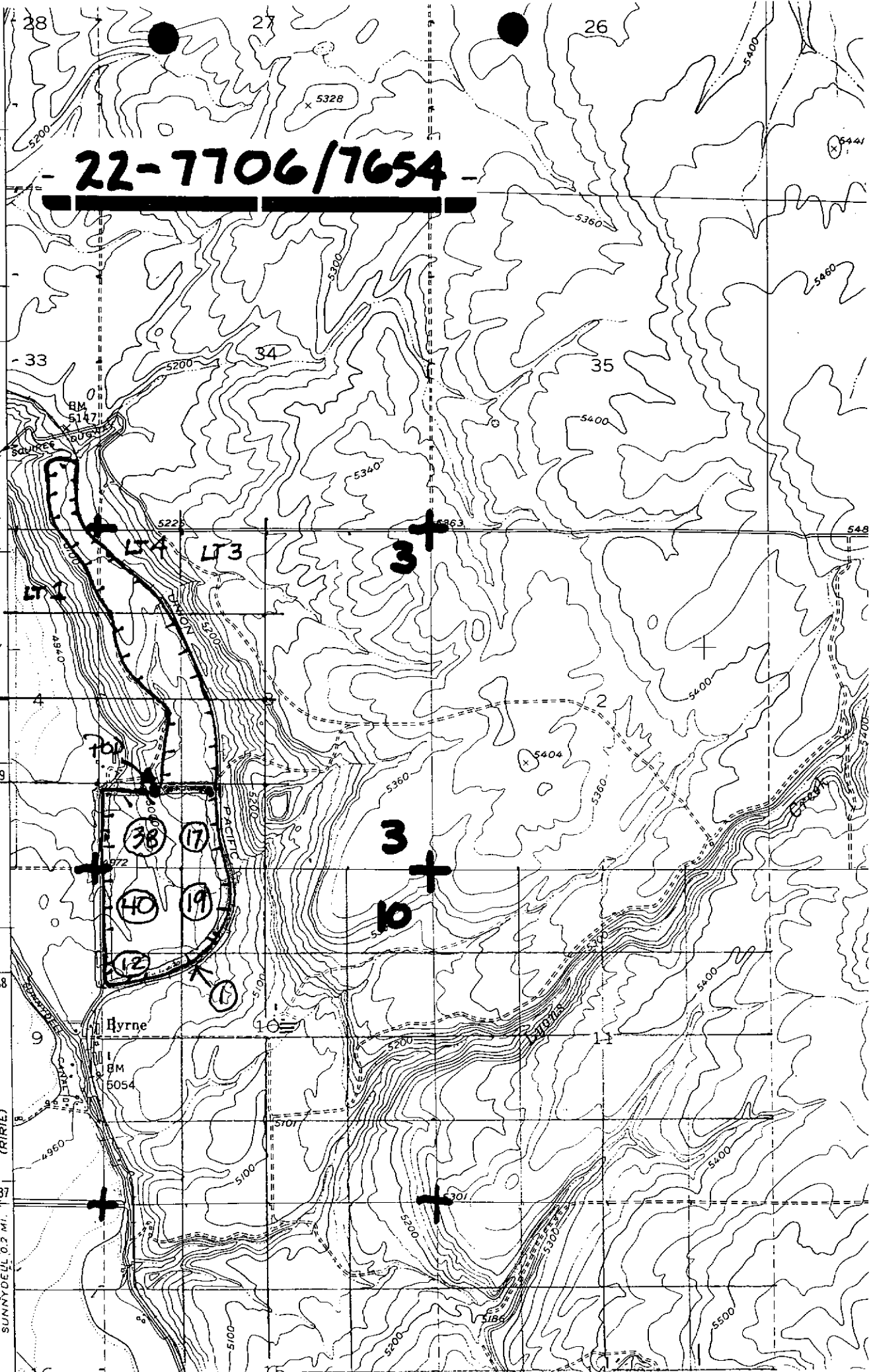
T. 4 N.

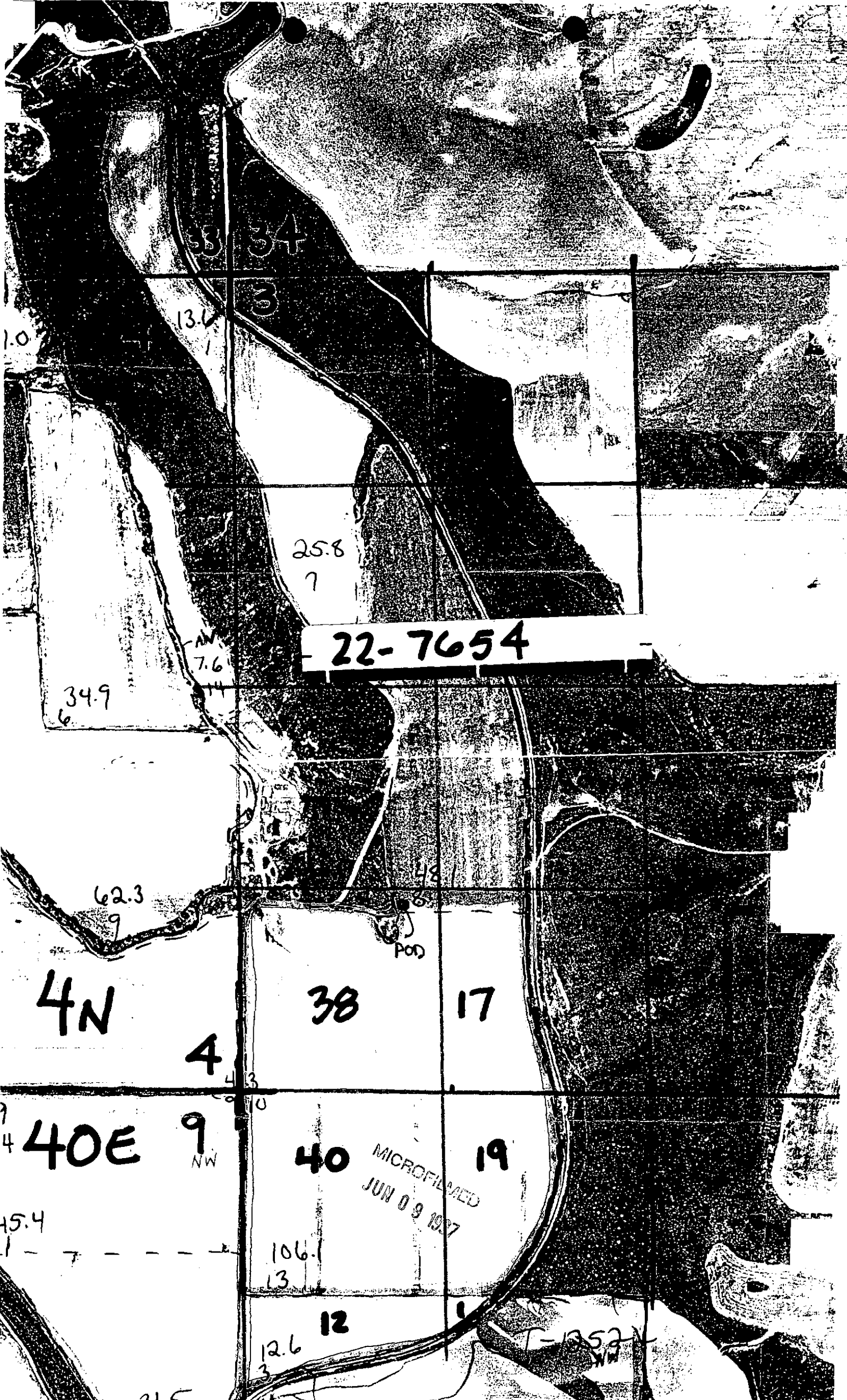
42'30"

4N
40E

3671 III NE (RIRIE)
SUNNY DELL 0.2 MI.

MICROFILM
JUN 09 1937





22-7654

MICROFILMED
JUN 09 1987

1352

22-7706
22-7654

Block Calibrated

SETUP NO. 1

PIPE O.D. 10.070 IN

PIPE WALL THICKNESS 0.097 IN

PIPE I.D. 9.876 IN

PIPE MATERIAL CARBON STEEL

PIPE SOUND VELOCITY 10597.129 F/S

LINER MATERIAL NONE

LINER SOUND VELOCITY 0.000 F/S

LINER THICKNESS 0.000 IN

INSIDE ABS ROUGHNESS 0.00015000

FLUID MATERIAL WATER

FLUID SOUND VELOCITY 4863.330 F/S

FLUID VISCOSITY 1.132 Cst

TRANSDUCER TYPE STANDARD

TRANSDUCER MOUNTING U

TRANSDUCER SPACING 7.832 IN

11:53:04 07-10-95

SCALE FACTOR = 0.990
OFFSET (CFS) = 0.000
nsec OFFSET = 0.000
usec OFFSET = 0.54
XMT DET DLY = 17.50
AERATION FAC. = 1.00
XDCER: STANDARD/U

	UP	DOWN
WIN DLY	369.80	369.80
SE/R	2.27	1.39
BIAS	1.37	1.37
AGC	0.57	0.57
SIG. STG	9.02	8.86
MISSED	0	0
TIME(us)	375.8	376.6
DEL TIME(ns)		215.7
DIFF COUNT		958
P2X		84
SPS	15.49	
AERATION	0.000	

FLUID (F/S) = 4863.33
REYNOLDS NO. = 220184
PROFILE FACTOR = 0.9423

FLOW: = 1.738 CFS
3.268 F/S

FLOW 768.723 GPM
3.220 F/S

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JUN 09 1997

MEMORANDUM

To: File 22-07706
From: L. Glen Saxton *LS*
RE: PHONE CALL FROM PERMIT HOLDER
Date: April 11, 1994

Spencer Orr, the son-in-law of the permit holder, J.R. Byrne called today concerning the the proof due notice for permit no. 22-07706.

Mr. Orr had numerous questions about the water right development process and about proof and extensions in particular. Since Byrne apparently filed vaious documents, Orr stated he himself needs to thoroughly review the permits. Hence Orr asked that I send copies of the permits, extensions and proof filed for the permits.

MICROFILMED
JUN 09 1997

February 23, 1994

J. R. BYRNE
8747 S. 1600 E.
REXBURG ID 83440

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07654

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
APR 07 1994

January 24, 1994

J.R. Byrne
8747 S. 1600 E.
Rexburg, ID 83440

RE: Permit No. 22-07654

Dear Permit Holder:

Returned is the Proof of Beneficial Use form submitted to this office in connection with the above referenced permit. Unfortunately it is unacceptable as filed. Condition #4 of your permit to appropriate water states you must install a flow measurement port or other device to measure the rate of diversion. It does not appear you have complied with this condition.

If you have installed a flow measurement port, please indicate this on the proof. If you have not installed the port, you may return the proof form and request, in writing, a waiver of the condition. I will hold the application for 30 days to give you time to submit the required information.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

APR 07 1994

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 22-07654

Reviewed by Jy

Date 1-20-94

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

irr.

yes Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

22-92-E-0041

no Copy in the file? Drilling Permit No. 22-E-92-

200.00 Amount paid for permit yes Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?

yes Required?

15.00 Amount Submitted

yes? Installed?

yes Correct?

no Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>		<u> </u>
Date proof due	<u> </u>	-	<u> </u>
No. of days late	<u> </u>	=	<u> </u>
Priority Date	<u> </u>	+	<u> </u>
New Priority Date	<u> </u>		<u> </u>

DEFICIENCIES OR ACTION ITEMS

~~Return, flow measurement port required~~
~~2-7-94 - proof acceptable - Waiver flow~~
~~Port condition~~

DATA ENTRY

New Address

Proof Made 1-5-94

November 30, 1993

J. R. BYRNE
8747 S. 1600 E.
REXBURG ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 22-07654

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 February 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.

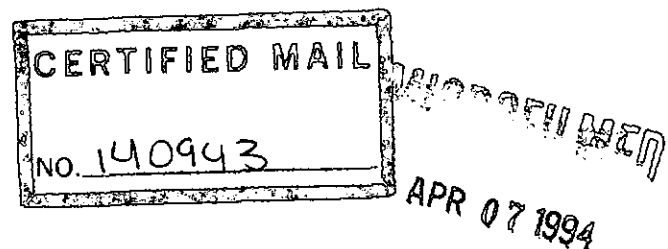
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



December 23, 1992

J R Byrne
8747 S 1600 E
Rexburg, ID 83440

Re: Permit No. 22-07654

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to February 1, 1994. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECEIVED

JAN 21 1993

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 22-07654 Reviewed by Klg Date 12/22/92

BASIC INFORMATION

12/22/92 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Recommend approval Based on due diligence
Extend to 2/1/94

PRIORITY CALCULATION

Date extension received	<u>NA</u>	=	
Proof due date		=	
Number of days late		=	
Priority date		=	
New Priority Date		=	

DATA ENTRY

New Address _____
Change Proof Due Date 12/23/92 Klg
Change Priority Date _____

November 30, 1992

J. R. BYRNE
8747 S. 1600 E.
REXBURG ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 22-07654

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 February 1, 1993. (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.

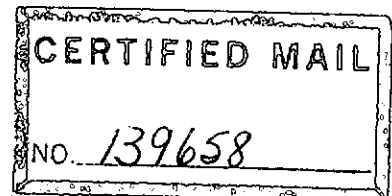
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



JAN 21 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name J.R. Byrnes
Address 8747 S 1600E Rexburg, ID
Drilling Permit No. 22-E-92-061-041
Water Right Permit No. 22-07654

7. WATER LEVEL

Static water level 137 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 45 °F. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures
such as liners, screen, materials, plug depths, etc. in lithologic
log, section 9.)

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
20"	0	5	clay		X
	5	30	Black Scoria & basalt loose		X
	30	50	brown & red tuff & black scoria		X
	50	60	black scoria & black basalt loose		X
	60	80	soft black scoria		X
	80	90	brown tuff & black scoria		X
16"	90	169	brown sand		X
	169	179	brown tuff		X
	179	200	black basalt in crevices ^{no wittings}	X	
	200	205	black scoria ^{no wittings}	X	
	205	215	gray tuff		X
	215	216	black scoria	X	

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Auger ☐ Reverse rotary
☒ Cable ☐ Mud ☐ Other _____
(backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness Diameter From To
.250 inches 20 inches + 2 feet 18 feet
.250 inches 16 inches + 2 feet 179 feet
_____ inches _____ inches _____ feet _____ feet

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

Well screen installed? ☐ Yes ☒ No
Manufacturer _____ Type _____
Top Packer or Headpipe _____
Bottom of Tailpipe _____

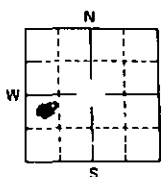
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth 60 Material used in seal: ☒ Cement grout
☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit
☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded
☐ Solvent Weld ☐ Cemented between strata

Describe access port pump base

6. LOCATION OF WELL

Sketch map location **must** agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Madison
Nw 1/4 SW 1/4 Sec. 3, T. 4 N ☒ S ☐ R. 40 E ☒ W ☐

10.

Work started 5-14-92 finished 6-10-92

11. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.

Firm Name High Plains Firm No. 299

Address Rexburg, ID Date 6-14-92

Signed by Drilling Supervisor Marcus Frandsen

and
(Operator) Darryl K. Frandsen
(If different than the Drilling Supervisor)



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 13, 1991

J. R. BYRNE
8747 S. 1600 E.
REXBURG, ID 83440

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07654

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.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

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

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MAR 15 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

UNRECORDED

MAR 15 1991

APPLICATION FOR PERMIT REVIEW

Application #: 22-7654
Date: 2-11-91

Reviewer: Pam Skaggs *PS*

- ✓ 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 - WD No. 01
 - Surface water - 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 - / (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, 09E-P10, 010, 054(req.)
 - Storage - 18A-P for multiple measuring devices(In
W.D.), 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: - 02-01-1993
 - Other Conditions Recommended _____

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Jur
2-16-91

NOTICE OF CORRECTION
NO. 22-7654

NOTICE IS HEREBY GIVEN, that Application No. 22-7654 in the name of J.R. BYRNE was advertised incorrectly on APRIL 5 & 12, 1990. The POINT OF DIVERSION was advertised as being in the NESW, Sec 3, T 04N, R 40E; NWSE, Sec 3, T 04N, R 40E, B.M.

WHEREAS, the actual POINT OF DIVERSION is in the NESW, Sec 3, T 04N R 40E; NWSW, Sec 3, T 04N, R 40E, B.M.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before DECEMBER 3, 1990.

R. KEITH HIGGINSON

DIRECTOR

Published in the REXBURG STANDARD-JOURNAL on NOVEMBER 15 & 22, 1990.

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MAR 15 1991

IDA No. 202a
'87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

Dist. for starting RB 3-20-89
Submitted for adv. HWS 4-18-89

CM

NON-TRUST HAD

INITIAL REVIEW BY Deanna Dunn DATE 14 April 89 APPLICATION NUMBER 22-7654

J.R. Byrne

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
- ☐ Yes ☒ No 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

large diversion question sheet -

Forms given to Applicant 5/1/89

Date Requested

RECEIVED
JAN 09 1991

Applic. amended to below 200 acres
Rule 4,5,5 not needed HWT

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

END COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ 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.

Notice of Correction

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 4-23-90 ~~12-3-90~~
☐ 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. _____

☐ See below for additional information

Date of priority recommended 3-16-89

By [Signature] Date 9-17-90

STATE OFFICE REVIEW

☐ See below for additional information

By _____ Date _____

ADDITIONAL INFORMATION

Condition: L0167

LOCAL PUBLIC INTEREST

Comments received from:

- | | | |
|---------------------------------------|---|--|
| ☐ City | ☐ Idaho Fish & Game | ☐ Irrigation District |
| ☐ County | ☐ Idaho Health & Welfare | ☐ Canal Company |
| ☐ Reservations | Division of Environment | ☐ Other _____ |

Project impacts/implications report

COMMENTS

22-07654

BYRNE, J. R.
8747 S. 1600 E.
REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: NESW Sec 3 T 04N R 40E
 NWSW Sec 3 T 04N R 40E

Use: IRRIGATION (8.340 CFS)
 Total Diversion: (8.340 CFS)

Date Filed: 3/16/1989

In: T04N R40E S03	NWNW	SWNW	SENW	NESW
	NWSW	SWSW	SESW	
S04	NENE	SENE	NESE	NWSE
	SWSE	SESE		
S10	NENW	NWNW	SWNW	SENW
T05N R40E S33	SESE			

417.0 ACRES TOTAL

RECORDED

MAR 15 1991

13-Mar-1990

J.R. Byrne
8747 S. 1600 E.
Rexburg, ID 83440

RE: Application for Permit No. 22-7654

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Rexburg Standard-Journal on April 5 & 12, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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MAR 15 1991