

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-07117
Date Received: 9/26/1989
Receipt No: E010818
Received By: AMM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MERLE W. BUTIKOFER 208-745-8338
Address: 424 N. 3900 E.
RIGBY, ID 83442

OR
Name: ULENE BUTIKOFER 208-745-8338
Address: 424 N. 3900 E.
RIGBY, ID 83442

2. Date of Priority: JUN 13, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	38E	17	SE	NW			BONNEVILLE

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		525.00

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

8. Total consumptive use is 375.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A25-07117

Page 1

Date: 09/26/89

MICROFILMED
NOV 10 1992

A250717



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	38E	17	NE	NW		IRR	36.0
			SE	NW		IRR	39.0
			NE	SW		IRR	39.0
			NW	SW		IRR	36.0
						Section Acres	150.0
						Total Acres	150.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
BURGESS CANAL IRR. WTR.

14. Remarks:
THE BUTIKOFERS NOTICE WAS SENT TO THE WRONG ADDRESS.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ulene Buttkofer Date: Sept. 26, 1989
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of Sept 19 89

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
1000 N. 1000 E. SALT LAKE CITY, UT 84143
My Commission Expires SEPTEMBER 1, 1992

DATE: 11/14/98
PAGE: 1

DIVERSION RATE DIVERSION VOLUME

525.00 AFA

TOTAL DIVERSION:
CONSUMPTIVE USE:

Stage: LICENSE

BONNEVILLE County

IRRIGATION

PM

[illegible]

POJ County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: BURGESS CANAL IRR. WTR.

Conditions of Approval:

- This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 sfa per acre for
- irrigation of the lands above.

Remarks: GEN THE BUTIKOFERS NOTICE WAS SENT TO THE WRONG ADDRESS.

Dates:

Verified Date:

Objection Filed Date:

Misc:

Field Inspection Flag:

Presumption Flag:

Log for claim 25-07117

Spatial Dynamics CAT

12/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n38e	17	NENW	36	37	
03n38e	17	SEnw	39	40	
03n38e	17	NESW	39	40	
03n38e	17	NWSW	36	38	
Totals:			150	155	

AJ5809NP
No. A25-07117

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 131

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MERLE W BUTIKOFER	06/13/1977	IRRIGATION	04-01 11-01	3.000 CFS	525.00 AFA
C	ULENE BUTIKOFER					
	PO BOX 556			TOTAL DIVERSION:	3.000 CFS	
	RIGBY ID 83442			CONSUMPTIVE USE:		375.00 AFA
	(208) 745-0152					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R38E S17 SENW

BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
03N	38E	17	:					36				39		39	36			:	150.0
																		TOTAL ACRES	150.0

POU County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: BURGESS CANAL IRR. WTR.

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00029 A01-00031 A01-00032 A01-00033 A01-00117P A01-00249 A01-00353 A01-10093 A25-04271

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Remarks: GEN THE BUTIKOFERS NOTICE WAS SENT TO THE WRONG ADDRESS.
CHANGED ADDRESS PER REQUEST/JH/11-13-98

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 09/26/89 DUNN 03/29/95 POST-STD 11/14/98 JHOAGLAN

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Merle W. Butikofer
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 25-7117 issued pursuant to Application for Permit dated June 13, 1977,
and has submitted proof to the Department of Water Resources on July 21, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.79 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

(both dates inclusive)

Twp 3N, Rge 38E in the County of Bonneville

[illegible]

Acting for the Director

Norman C Young
Director

Identification No. 25 7117

Application No. _____

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 Merle W. Butikofer Phone: 523-3569
post office address Rt. #6, Box 314, Idaho Falls, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17 Township 3N
Range 38E B.M. Bonneville 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:
Amount 3.20 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.64 for Domestic 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:
a. 3.84 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 and sprinkler system;
plus system for culinary water
- 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 16 inches; proposed depth of well is 275 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 \$ 10,000.00
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: E $\frac{1}{2}$ XX of NW $\frac{1}{4}$ of Section 17 Township 3N
Range 38E 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 _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 16
(5) If water is to be used for other purposes describe: _____

MICROFILMED

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

[illegible]

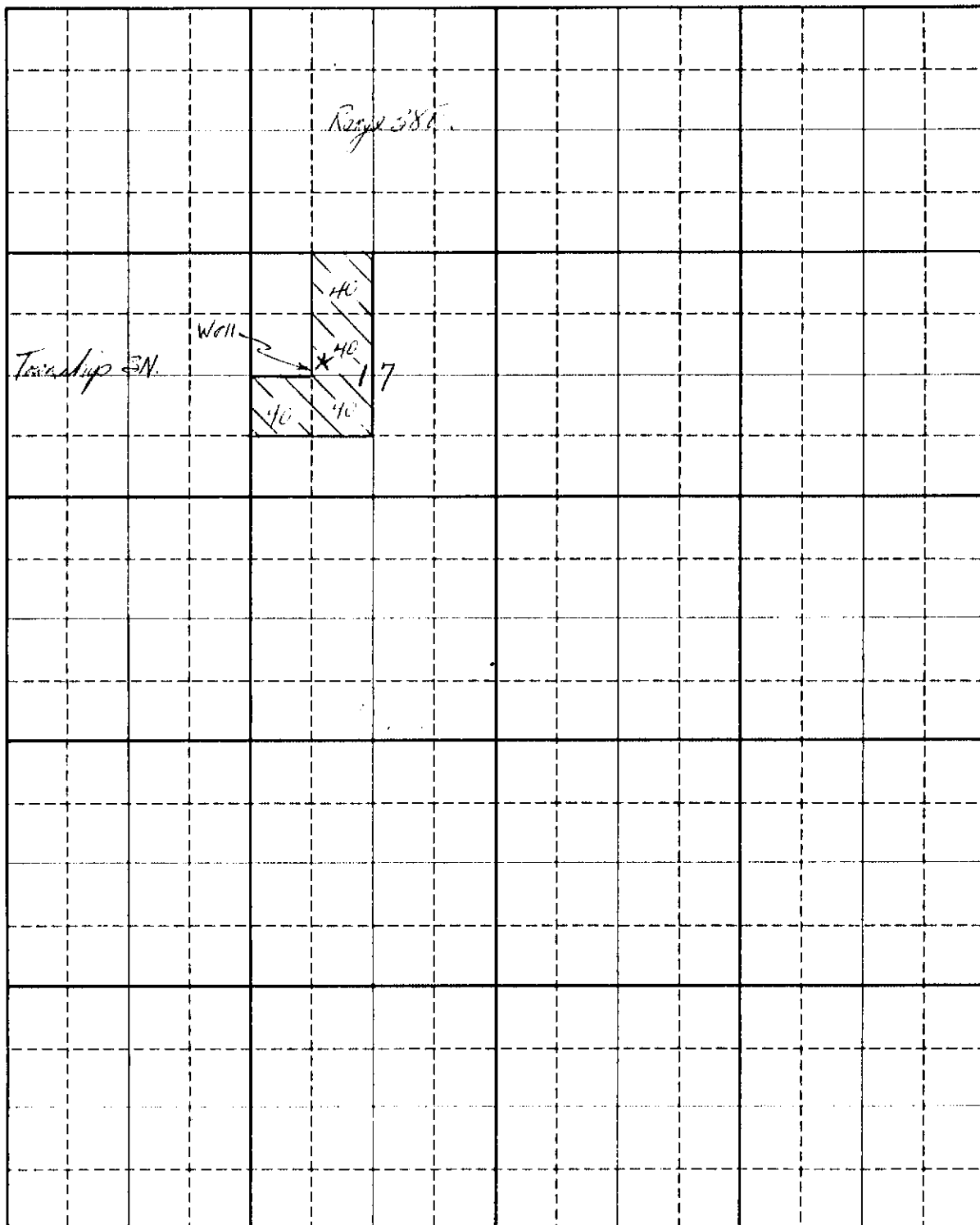
Total number of acres to be irrigated_____160

c. Describe any other water rights used for the same purposes as described above. _____
Irrigation water thru Burgess Canal

9. a. Who owns the property at the point of diversion Applicant
b. Who owns the land to be irrigated or place of use Applicant & W. H. Butikofer
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. 80 acres in SW $\frac{1}{4}$ are owned by applicant's father; applicant is presently leasing land.

[illegible]

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.

Mark W. Buttkopf
(Applicant)

Proposed Priority 6/13/77

Received by CW Date 6-13-77 Time 1:40p

Preliminary check by EMC Fee \$ 55.00

Receipted by CW Date 6-13-77 # 2372

Publication prepared by CW Date 6-17-77

Published in Post Register

Publication dates June 23-30-1977

Publication approved me Date July 13, 1977

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC

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. 25-7117, and said application is hereby APPROVED.

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

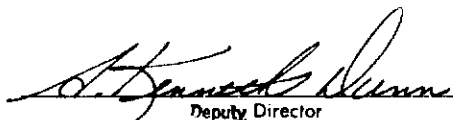
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 82.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

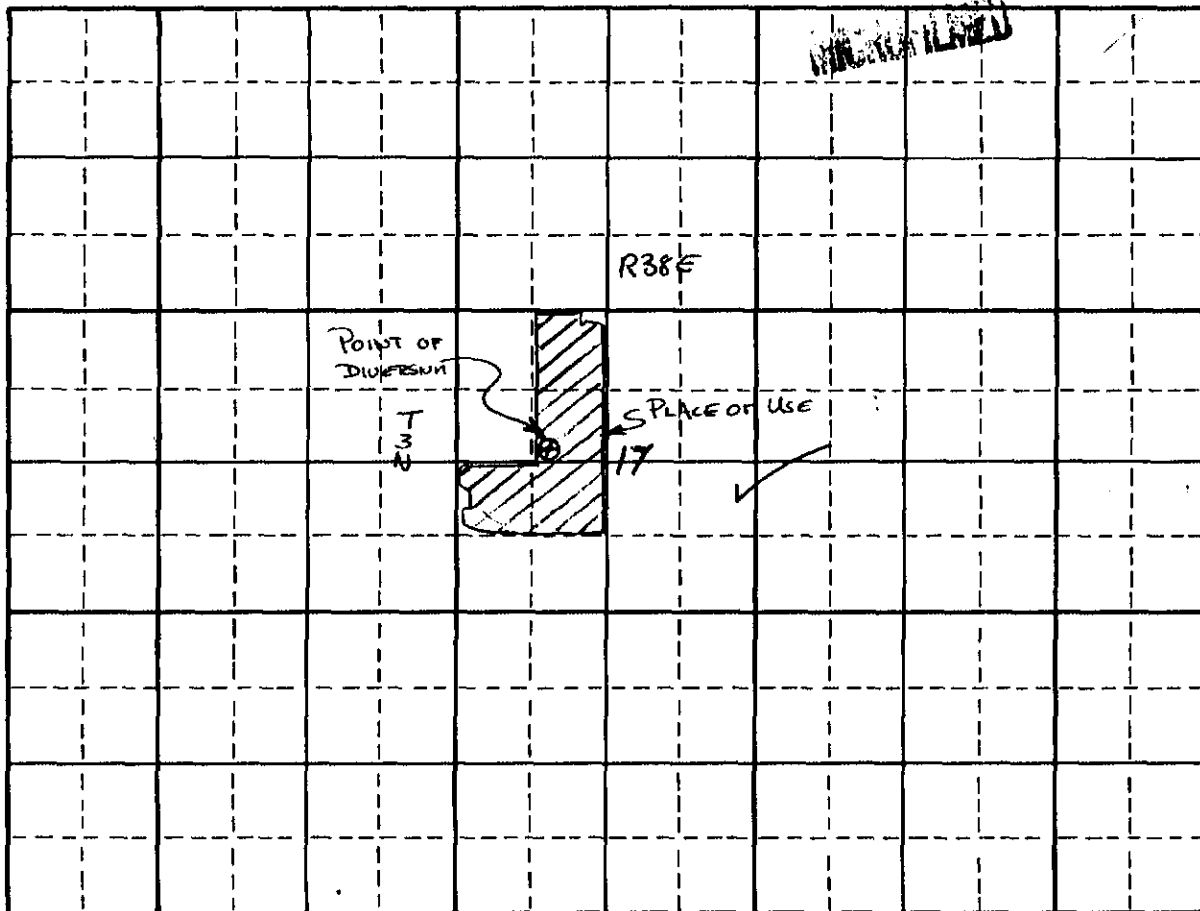
The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 22 day of August, 19 77.

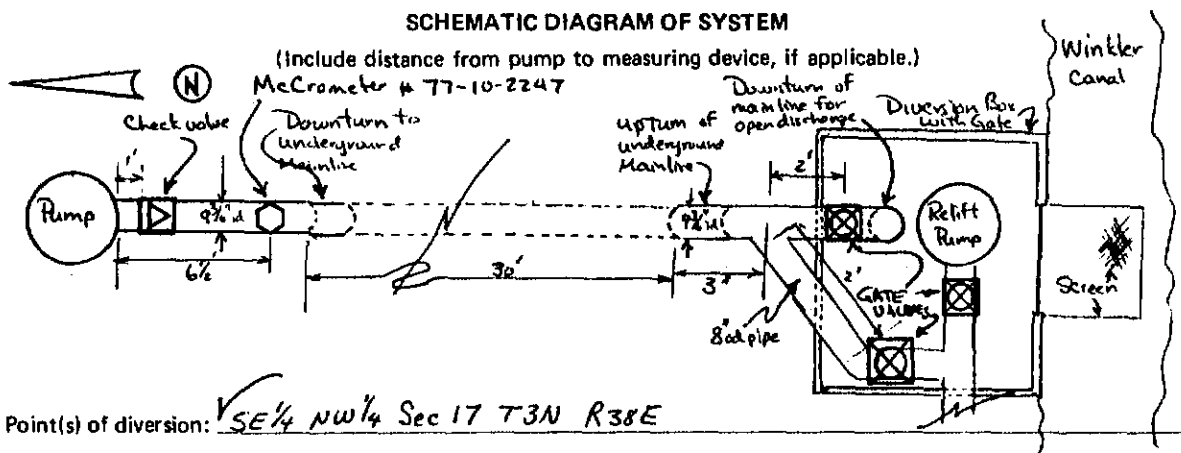

Deputy Director

NO DOMESTIC USE ✓

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM



Point(s) of diversion: $\sqrt{SE\frac{1}{4} NW\frac{1}{4} Sec 17 T3N R38E}$

Place(s) of Use $\sqrt{less acreage}$

TWP.	RGE.	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	38E	17					36			39	39	36							150

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature

Checked by

Approved by

Keith Carlson

[Signature]

Kay Walker

Date

Date

Date

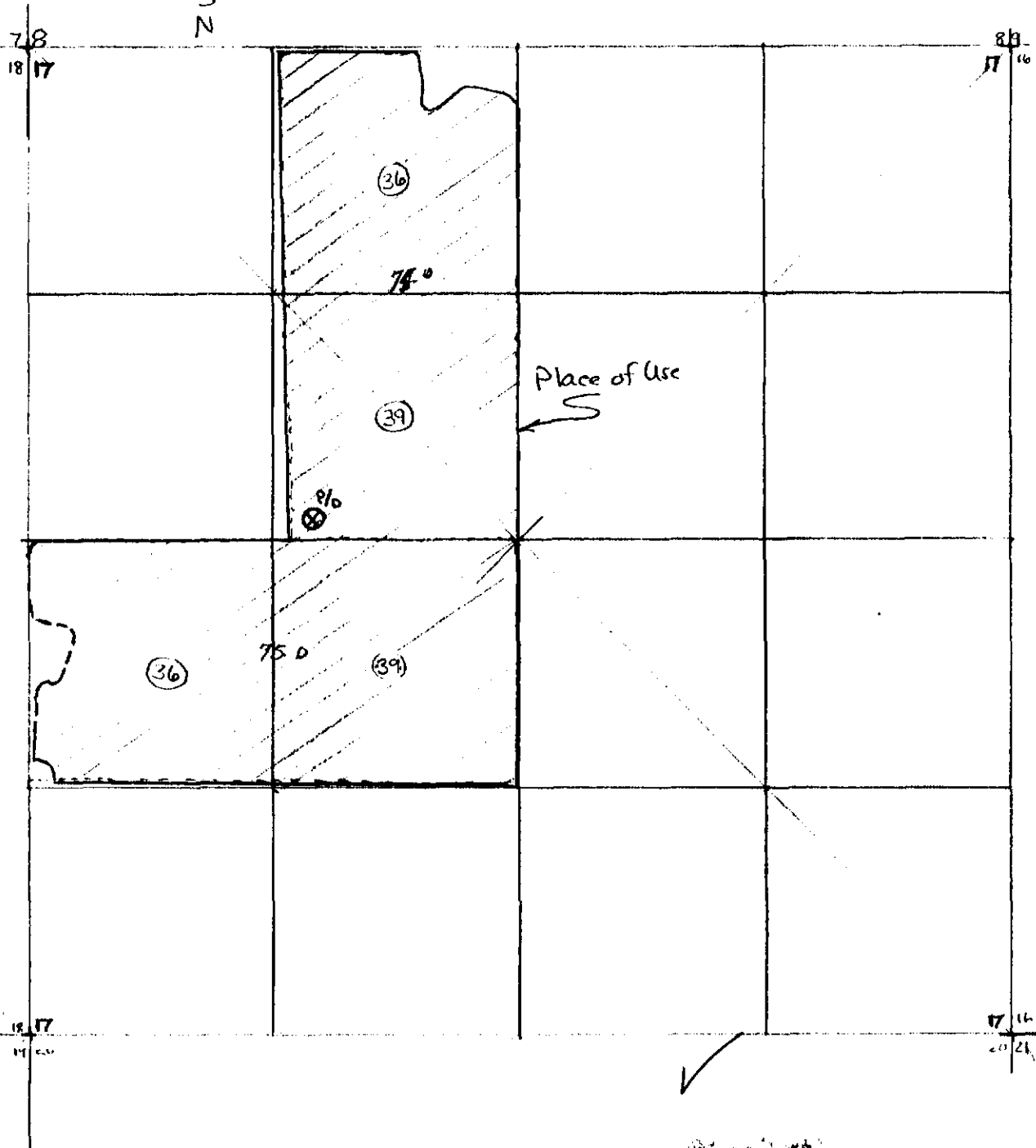
13 Dec 1983

12-22-83

6-84

T
3
N R38E

25-7117





State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 19, 1998

MERLE & ULENE BUTIKOFER
PO BOX 556
RIGBY ID 83442

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A25-07117

Dear Mr. & Mrs. Butikofer:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): 35-07336, NCAP A25- ✓
07117
25-10963, NCAP ✓
25-13305, NCAP ✓
25-13308, NCAP ✓

[] Old Mailing Address: _____

[] New Mailing Address: Merle W. & Ulene Butikofer
P.O. Box 556
Rio Grande 83442

[] Telephone Number: (208) 745-0152

[] Signature of Claimant: Ulene Butikofer

[] Date: 12 Nov 1998

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____