

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: A27-00040
Date Received: 5/25/1989
Receipt No: E008042
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LITTLE BUTTE IRRIGATION CO., LTD. 208-785-2132
Address: 1385 S. SHILLING AVE.
BLACKFOOT, ID 83221

2. Date of Priority: APR 05, 1886

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	35E	12	SE	SE			BINGHAM

5. Description of diverting works:
HEAD WORKS FOR LITTLE BUTTE CANAL AND OPEN DITCHES. (SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

8. Total consumptive use is 1462.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	3	SW	SW		IRR	1.0
			SE	SW		IRR	15.0
			SW	SE		IRR	16.0

A27-00040

Page 1

Date: 06/02/89

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A2700040

10. Place of Use: Continued

Township 03S	Range 35E	Section 3	1/4 of SE	1/4 SE	Lot	Use IRR	Acres 3.0
						Section Acres	35.0
		9	SE	NE		IRR	2.0
						Section Acres	2.0
		10	NE	NE		IRR	21.0
			NW	NE		IRR	10.0
			SE	NE		IRR	19.0
			NE	NW		IRR	15.0
			NW	NW		IRR	5.0
			SW	NW		IRR	10.0
			NE	SE		IRR	39.0
			SW	SE		IRR	19.0
			SE	SE		IRR	37.0
						Section Acres	175.0
		11	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	27.0
			SE	NW		IRR	40.0
			NE	SW		IRR	37.0
			NW	SW		IRR	39.0
			SW	SW		IRR	30.0
			SE	SW		IRR	33.0
			NE	SE		IRR	40.0
			NW	SE		IRR	17.0
						Section Acres	343.0
		12	NW	SW		IRR	30.0
						Section Acres	30.0
						Total Acres	585.0

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
A27-00038/00039/00041/10878.

14. Remarks:

(#5 CONT.)

WATER IS TRANSPORTED BY EARTHEN DITCHES; DITCHES ARE OPEN; WATER IS OBTAINED FROM THE RIVER VIA A HEADGATE.

(REMARKS FROM SUBMITTED CLAIM)

THE COMPANY REQUIRES THAT A SHAREHOLDER OWN 2 SHARES FOR EVERY ACRE THAT IS IRRIGATED BECAUSE OF THE SANDY SOIL CONDITION.

(MEMO TO THE FILE: 06/02/1989 PRM)

ASSUMING 1462.5 A.F.A. FOR CONSUMPTIVE USE WHICH WAS OMITTED FROM SUBMITTED CLAIM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FRED S. STEVENS ET AL
Decree Plaintiff

vs

EASTERN IDAHO WATER CO. ET AL
Decree Defendant

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 _____ 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A27-00040Date Received 5-25-89Receipt Number E008042

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) LITTLE BUTTE IRRIGATION COMPANY, LTD. Phone (208) 785-2132
Mailing Address c/o Roy Howell
1385 So. Shilling Ave., Blackfoot, Idaho Zip 83221

2. Date of Priority (Only one (1) per claim) 4-5-1886

3. Source of water supply (a) Blackfoot River
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3 So. Range 35 Section 12,
SE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, E. B.M., County of ingham

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water is transported by earthen ditches.
Ditches are open: Water is obtained from the river via a headgate.

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6. Water is claimed for the following purposes:

	(both dates are inclusive)	(cfs)	(acre feet)
For <u>Irrigation</u> purposes from <u>4-1</u> to <u>11-1</u> amount <u>2.00</u> or _____			
For _____ purposes from _____ to _____ amount _____ or _____			
For _____ purposes from _____ to _____ amount _____ or _____			
For _____ purposes from _____ to _____ amount _____ or _____			

7. Total quantity claimed (a) 2.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

[illegible]

11. In which county (ies) are lands listed above as place of use located? Bingham

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Water Right Nos. 27-0038, 27-0039, 27-0041; 338 shares of Eastern Idaho Ditch Company and 20 inches of Fox and Whitten Water or None ()

14. Remarks:

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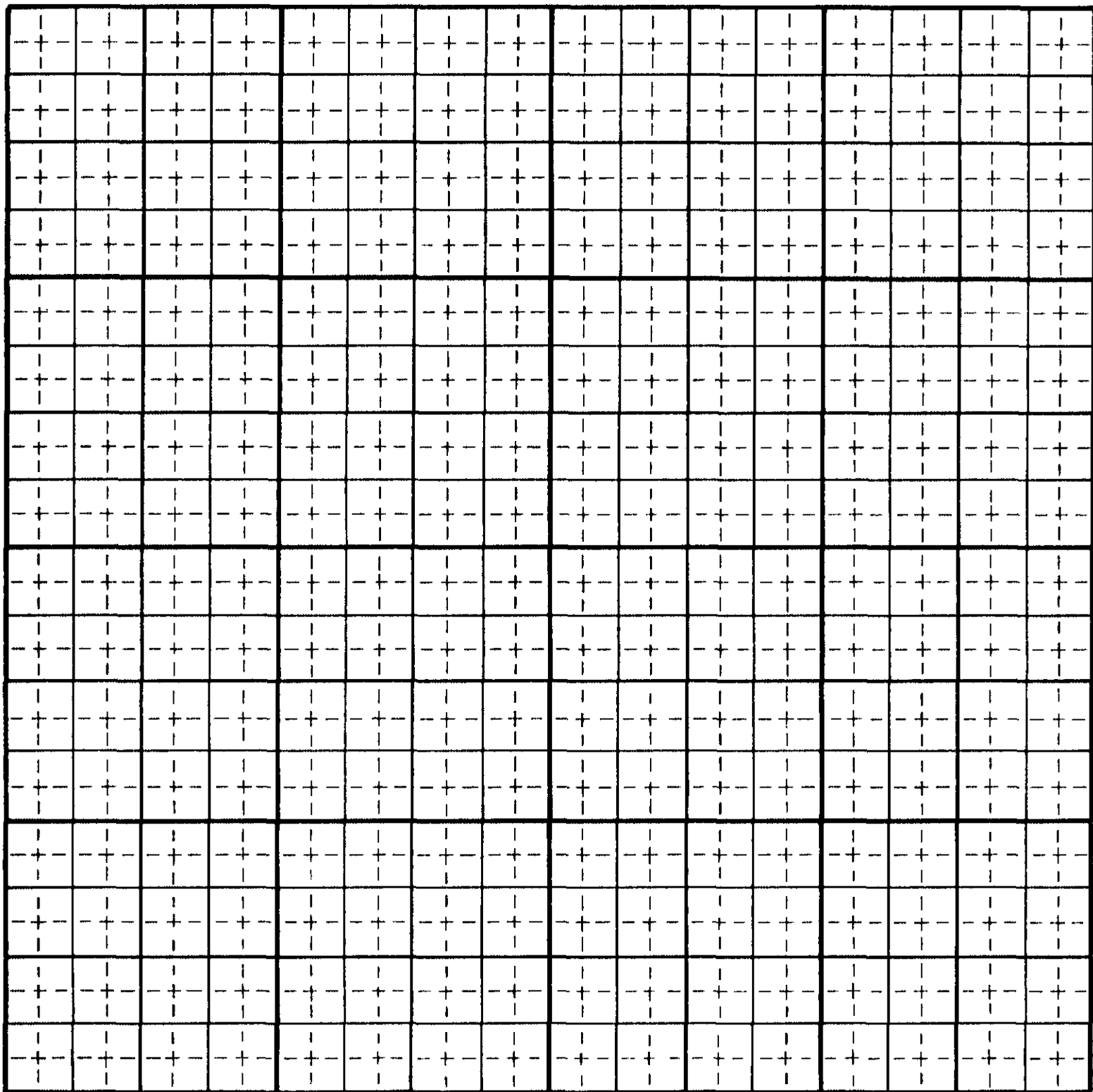
NOV 12 1952

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

SEE ATTACHED MAP



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Last Name Little Butte Irrig.

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 27-0040

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ one of the Directors

Title

of Little Butte Irrigation Company, Ltd. , that I have signed the foregoing

Organization

document in the space below as Director of said company

Title

Organization

and that the statements contained in the foregoing document are true and correct

Signature of Authorized Agent _____

Title and Organization Director Little Butte Irrig. Date 5/25/89

State of Idaho/or _____)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 25TH day of MAY 19 89

SEAL

Notary Public Barbara Dehl

Residing at Blackfoot ID

My Commission Expires 11-26-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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Last Name Little Butte Irrig. Ident. Number _____

Copies White-State, Yellow-Claimant

Township 3 South, Range 35 E., B.M., Bingham County, Idaho

Section 12: NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 30 acres

Section 11: NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 17 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 37 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 33 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 30 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 39 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 27 acres

Section 10: NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 21 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 10 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 19 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 15 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 5 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 10 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 39.00 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 37.00 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 19 acres

Section 9: SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 2 acres

Section 3: SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 1 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 15 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 16 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 3 acres

TOTAL 585 acres

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Little Butte Irrig.

AJ5809NP
No. A27-00040

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/20/99
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LITTLE BUTTE IRRIGATION CO LTD PO BOX 580 BLACKFOOT ID 83221 (208) 785-2132	04/05/1886	IRRIGATION	04-01 11-01	2.000 CFS	
					TOTAL DIVERSION:	2.000 CFS
					CONSUMPTIVE USE:	1462.50 AFA

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T03S R35E S12

SESE

BINGHAM 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	Lt	Ac	SUM		
03S	35E	3												01	15			16	03	35.0	
03S	35E	9																		2.0	
03S	35E	10		21		10				15	05	10					39		19	37	175.0
03S	35E	11								40	40	27	40		37	39	30	33	40	17	343.0
03S	35E	12													30						30.0
																			TOTAL ACRES		585.0

POU County: BINGHAM

Non-Irrigation Uses: N/A

Other Rights: A27-00038/00039/00041/10878.

Remarks: GEN (#5 CONT.)

WATER IS TRANSPORTED BY EARTHEN DITCHES; DITCHES ARE OPEN; WATER
IS OBTAINED FROM THE RIVER VIA A HEADGATE.

(REMARKS FROM SUBMITTED CLAIM)

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ACRE THAT IS IRRIGATED BECAUSE OF THE SANDY SOIL CONDITION.

(MEMO TO THE FILE: 06/02/1989 PRM)

ASSUMING 1462.5 A.F.A. FOR CONSUMPTIVE USE WHICH WAS OMITTED FROM
SUBMITTED CLAIM.

CHANGED ADDRESS 5/22/95/JT

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: