

In Re SRBA) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
Case No. 39576)
) Water Right 35-02927
)

IDWR has completed the following Administrative Proceeding:

X	Change of Address
_	Substitution of Party
_	I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: BUTTE & MARKET LAKE CANAL CO
New Address: C/O MARIE WELLS
PO BOX 283
ROBERTS ID 83444
Phone: (208) 228-3692

Claimant's Water Rights: 35-02927

The Claimant has filed Objections or Responses to the following water rights: 35-02927

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
8/31/1999

35-02927

PAGE 1

CERTIFICATE OF MAILING

I certify that on 11-16-99 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

BUTTE & MARKET LAKE CANAL CO
C/O MARIE WELLS
PO BOX 283
ROBERTS ID 83444

R LEE LEININGER
550 W FORT ST MSC 033
BOISE ID 83724
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Sandy Esbert
Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-31-1999

PAGE: A-22

RIGHT NUMBER: 35-02927

NAME & ADDRESS: BUTTE & MARKET LAKE CANAL CO
C/O MARIE WELLS
PO BOX 283
ROBERTS ID 83444

SOURCE: TAYLOR SLOUGH

TRIBUTARY: SNAKE RIVER

QUANTITY: 6.00 CFS

PRIORITY DATE: 03/25/1941

POINT OF DIVERSION: T05N R36E S36

NWNENW

Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATIONPERIOD OF USE
04-01 10-31QUANTITY
6.00 CFS

PLACE OF USE:

IRRIGATION

Within JEFFERSON County

T05N R36E S01	Lot 3	(NENW) 0.5	Lot 4	(NWNW)11		SWNW 39		SENE 11
		NESW 26		NWSW 39		SWSW 39		SESW 39
		SWSE 4						
S02	Lot 3	9	Lot 8	10	Lot 7	(NENE)13	Lot 4	(NWNE) 7
		SENE 39		SWSW 5		NESE 39	Lot 9	(NWSE)12
	Lot 10	(SESE)35						
S10		NENE 4		SWNE 9		SENE 36		NESE 1
		NWSE 8						
S11		NENE 39	Lot 6	(NWNE)31		SWNE 40		SENE 39
	Lot 7	(NENW)21	Lot 8	(NWNW)34	Lot 3	(SWNW)14	Lot 9	(SWNW)25
		SENE 39	Lot 10	(NESW)37.6	Lot 4	(NWSW)29.4	Lot 5	(SWSW)19
	Lot 11	(SESW)22		NESE 39		NWSE 39		SWSE 38
		SESE 39						
S12		NWNE 18		SWNE 34		NENW 40		NWNW 39
		SWNW 39		SENE 40		NESW 40		NWSW 39
		SWSW 39		SESE 40		NESE 10		NWSE 40
		SWSE 40		SESE 25				
S13		NENE 39		NWNE 40		SWNE 40		SENE 39
		NENW 40		NWNW 39		SWNW 38		SENE 40
		NESW 40		NWSW 39		SWSW 37		SESE 38
		NESE 39		NWSE 40		SWSE 39		SESE 38
S14		NENE 39		NWNE 40		SWNE 40		SENE 33
	Lot 5	(NENW)40	Lot 6	(SWNW) 2		SENE 40		NESW 40
	Lot 3	(NWSW) 6	Lot 7	(NWSW)20	Lot 4	(SWSW)13	Lot 8	(SWSW)26
		SESE 40		NESE 39		NWSE 40		SWSE 40
		SESE 37						
S15		SESE 13		NESE 9		SWSE 25		SESE 37
S21		NENE 4		SENE 4		NESE 4		SESE 4
S22		NENE 24		NWNE 32		SWNE 39		SENE 29

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-31-1999
PAGE: A-23

RIGHT NUMBER: 35-02927 (CONT)

PLACE OF USE: (CONT)

T05N R36E S22	NENW 40	NWNW 38	SWNW 40	SENE 40
	NESW 40	NWSW 40	SWSW 40	SESW 40
	NESE 39	NWSE 40	SWSE 39	SESE 38
S23	NENE 37	NWNE 40	Lot 5 (SWNE)39	SENE 39
	NENW 40	Lot 1 (NWNW)16	Lot 3 (NWNW)23	Lot 2 (SWNW)50
Lot 4 (SENW)30	NESW 39	NWSW 30	NWSW 30	SWSW 2
SESW 36	NESE 39	NWSE 40		SWSE 39
SESE 38				
S24	NENE 38	NWNE 35	SWNE 40	SENE 36
	NENW 39	NWNW 38	SWNW 36	SENE 40
Lot 5 (NESW)49	Lot 1 (NWSW)37	SWSW 38	Lot 2 (SESW)33	
NESE 39	NWSE 40	Lot 3 (SWSE)15	Lot 6 (SWSE)18	
Lot 4 (SESE)15	Lot 7 (SESE)24			
S25	NENE 38	NWNE 39	SWNE 40	SENE 39
	NENW 38	NWNW 38	SWNW 39	SENE 40
	NESW 37	NWSW 35	SWSW 25	SESW 39
	NESE 38	NWSE 40	SWSE 40	SESE 36
S26	NENE 38	NWNE 38	SWNE 18	SENE 26
	NENW 39	NWNW 6	SWNW 26	SENE 37
	NESW 34	NWSW 31	SWSW 20	SESW 35
	NESE 31	NWSE 30	SWSE 40	SESE 32
S27	SESE 2			
S34	NENE 2			
S35	NENW 24	NWNW 28		
S36	NENE 14	NWNE 16	NENW 6	
R37E S18	NWSW 27	SWSW 27		
T06N R36E S35	NESE 3	NWSE 15	SWSE 30	SESE 19
5803.5 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5080 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 01 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 01 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS
RIGHT AND THE BASIN 01 RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-31-1999
PAGE: A-24

RIGHT NUMBER: 35-02927 (CONT)

EXPLANATORY MATERIAL: (CONT)

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

AJ0749NP
No. 35-02927

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/24/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BUTTE & MARKET LAKE CANAL CO C/O MARIE WELLS PO BOX 283 ROBERTS ID 83444 (208) 228-3692	03/25/1941	IRRIGATION	04-01 10-31	6,000 CFS	
					TOTAL DIVERSION:	6,000 CFS

Water Source: TAYLOR SLOUGH

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T05N R36E S36

NWNEW

JEFFERSON County

Place of use legal Description for: IRRIGATION

NE											
NW											
SW											
SE											
T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM
05N 36E 1	07-13	04-07	39	03-15	04-11	39	11	26	39	39	208.5
05N 36E 2	07-13	04-07	39	03-15	04-11	39	11	26	39	39	208.5
05N 36E 10	04	09	36	07-21	08-34	03-14	39	10-37	04-29	05-19	150.0
05N 36E 11	39	06-31	40	39	09-25	09-25	40	39	39	39	545.0
05N 36E 12	18	34	39	40	39	39	40	40	39	39	483.0
05N 36E 13	39	40	39	40	39	39	40	40	39	39	625.0
05N 36E 14	39	40	39	40	39	39	40	40	39	39	535.0
05N 36E 15	04	32	39	04	40	38	40	40	39	39	84.0
05N 36E 21	24	39	29	40	01-16	02-50	04-30	39	30	02	16.0
05N 36E 22	37	40	05-39	39	03-23	03-23	39	39	30	02	598.0
05N 36E 23	38	35	40	36	39	38	36	40	05-49	01-37	577.0
05N 36E 24	38	39	40	39	38	39	40	37	35	25	610.0
05N 36E 25	38	39	40	39	38	39	40	37	35	25	601.0
05N 36E 26	38	38	18	26	39	06	26	37	34	31	481.0
05N 36E 27	02										2.0
05N 36E 34	02										2.0
05N 36E 35	14	16			24	28					52.0
05N 36E 36					06						36.0
05N 37E 18											54.0
06N 36E 35											67.0
										TOTAL ACRES	5803.5

Lots Without 1/4 1/4 Description: IRRIGATION
05N 36E 2 03-09 08-10

SUM
19.0

POU County: JEFFERSON

Other Rights: 01-10036, 01-00302, 01-000808

Conditions of Approval:

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5080 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

GEN RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 01 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 01 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 01 RIGHTS.

Dates: Exam Made Date: 01/05/1994 Verified Date: Objection Filed Date: 08/23/1998

Misc: Water District Number: 01 Field Inspection Flag: C
Presumption Flag:

Comments: Date: 02/26/1998 User-ID: AJU10-DS Subject: CONDITION H02/H03 UPDATE
CONDITION CODES H02 AND H03 ADDED IF NOT ALREADY PART OF RECORD.

Date: 05/12/1998 User-ID: AJU21-DS Subject: AJU21 CONDITION UPDATE
DELETED CONDITION CODE(S) H02 H03

Date: 06/15/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) A07 ADDED IF NOT ALREADY PART
OF RECORD THRU

Date: 02/19/1999 User-ID: AJU21-DS Subject: AJU21 CONDITION UPDATE
DELETED CONDITION CODE(S) A07

Date: 08/24/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 08/24/99 SSHERMAN

AUG 23 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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

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

August 10, 1999

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

BUTTE & MARKET LAKE CANAL CO.

~~C/O BARRY BURKE~~ *c/o Marie Wells*

PO BOX 283

ROBERTS ID 83444

RE: Snake River Basin Adjudication (SRBA)

Water Rights #35-02927, A01-00080B, A01-00302 & A01-10036

Dear Water Right Holder:

*Means changed, NCAP prepared,
as 8-24-99*

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and return this letter by August 23, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

808-228-3692

Telephone No.

RECEIVED

AUG 23 1999

Butte and Market Lake Canal Co.

P. O. Box 283
Roberts, Idaho 83444

Department of Water Resources

David Robison, President

Marie Wells, Director/ Secretary

August 19, 1999

Sally Sherman
Technical Records Specialist
Adjudication Bureau
1301 N. Orchard Street
P. O. Box 83720
Boise, Idaho 83720-0098

RE: Butte & Market Lake Canal Company
Water Rights #35-02927, A01-00080B, A01-00302, & A01-10036

Dear Sally Sherman,

This letter is in response to the recent inquiry regarding the above water right numbers and the correction of address and contact person regarding these water rights. Mr. Burke has not worked for the Butte & Market Lake Canal Company for some time. My name is Marie Wells and I am the secretary for the Company. I also serve as one of the Directors on the Board. The Canal Company's address is as follows:

Butte & Market Lake Canal Co.
P. O. Box 283
Roberts, Idaho 83444

The telephone contact number is 208-228-3692.

In addition, the current President of the Canal Company is David Robison. He can be reached via the above address as well. Thank you for your help with this matter.

Sincerely,



Marie Wells

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

RECEIVED

AUG 10 1999

Department of Water Resources



35-02927
BUTTE & MARKET LAKE CANAL CO
C/O BARRY BURKE
2601 N 900 E
ROBERTS

ID 83444

+ A01-000 806
A01-00302-036
A01-10036



P.O. Box 283
Roberts Id
83444



AJ0749NP
No. A01-000808

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/24/99
PAGE: 1

OWNER NAME & ADDRESS
C BUTTE & MARKET LAKE CANAL CO
C/O MARIE WELLS
PO BOX 283
ROBERTS ID 83444
(208) 228-3692

PRIORITY DATE
06/01/1984 IRRIGATION

USE PERIOD FROM TO
04-01 11-01

DIVERSION RATE
2.302 CFS

DIVERSION VOLUME
976.90 AFA

TOTAL DIVERSION:
CONSUMPTIVE USE:

Water Source: SNAKE RIVER
Point(s) of Diversion: T05N R38E S22
Tributary to: COLUMBIA RIVER
Stage: DECREED
MADISON County

Place of use legal Description for: IRRIGATION																			
T R S		NENE		SENE		NENE		SENE		NENE		SENE		NENE		SENE		SUM	
: Lt		: Ac		: Lt		: Ac		: Lt		: Ac		: Lt		: Ac		: Lt		: Ac	
: 1		: 2		: 3		: 4		: 5		: 6		: 7		: 8		: 9		: 10	
04N 36E	1	24		04	40	32		36		35									115.0
04N 36E	2																		56.0
04N 36E	12																		80.0
04N 36E	13																		80.0
04N 36E	14																		80.0
04N 36E	23																		484.0
04N 36E	24																		635.0
04N 36E	26																		571.0
04N 36E	27																		240.0
04N 36E	34																		80.0
04N 36E	35																		160.0
04N 37E	3																		160.0
04N 37E	4																		135.0
04N 37E	5																		452.0
04N 37E	6																		638.0
04N 37E	7																		640.0
04N 37E	8																		640.0
04N 37E	9																		377.0
04N 37E	15																		31.0
04N 37E	16																		490.0
04N 37E	17																		627.0
04N 37E	18																		640.0
04N 37E	19																		625.0
04N 37E	20																		633.0
04N 37E	21																		602.0
04N 37E	22																		261.0
04N 37E	27																		350.0
04N 37E	28																		556.0
04N 37E	29																		53.0
04N 37E	34																		196.0
05N 36E	1																		149.8
05N 36E	2																		149.8

AJ0749NP
No. A01-000808

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/24/99
PAGE: 2

Place of use Legal Description for: IRRIGATION

T	R	S	NENE		NE		NW		SW		SE		SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
05N 36E 10 :			10		20		20		30		40		60.0
05N 36E 11 :			40		15		40		40		40		545.0
05N 36E 12 :			40		10		29		40		40		475.0
05N 36E 13 :			36		40		40		40		40		636.0
05N 36E 14 :			40		40		40		40		40		536.0
05N 36E 15 :			40		40		40		40		40		75.0
05N 36E 22 :			40		40		40		40		40		640.0
05N 36E 23 :			40		40		40		40		40		638.0
05N 36E 24 :			40		40		40		40		40		634.0
05N 36E 25 :			40		40		40		40		40		619.0
05N 36E 26 :			40		20		35		40		40		263.0
05N 36E 27 :			40		40		40		40		40		320.0
05N 36E 35 :			40		40		40		40		40		50.0
05N 36E 36 :			40		40		40		40		40		490.0
05N 37E 17 :									05		15		50.0
05N 37E 18 :									15		38		289.0
05N 37E 19 :			40		32		40		40		40		600.0
05N 37E 20 :					04				40		40		292.0
05N 37E 21 :									40		30		155.0
05N 37E 27 :											24		24.0
05N 37E 28 :									15		35		377.0
05N 37E 29 :			22		40		16		21		35		497.8
05N 37E 30 :			30		40		40		33		40		398.6
05N 37E 31 :			28		29		20		03		40		510.5
05N 37E 32 :			11		08		28				27		279.8
05N 38E 7 :									27		31		20.0
05N 38E 8 :													16.0
05N 38E 9 :									35		12		74.0
05N 38E 16 :									15		40		75.0
05N 38E 17 :			20		14		22		36		05		122.0
06N 36E 35 :									10		10		90.0
06N 36E 36 :									10		10		255.0
TOTAL ACRES													22007.5

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: A01-10036, A01-00302, A35-02927.

Remarks: GEN ADDRESS CHANGE BY CLAIMANT LETTER 8/24/99 SS.

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

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

RECEIVED

AUG 23 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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

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

August 10, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BUTTE & MARKET LAKE CANAL CO

~~G/O BARRY BURKE~~ *c/o Marie Wells*

PO BOX 283

ROBERTS ID 83444

RE: Snake River Basin Adjudication (SRBA)
Water Rights #35-02927, A01-00080B, A01-00302 & A01-10036

Dear Water Right Holder: *Heads changed, NCAP prepared, 8-24-99*

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by August 23, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Marie Wells

Claimant Signature

208-228-3692

Telephone No.

AJ0749NP
No. A01-00302

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/24/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BUTTE & MARKET LAKE CANAL CO C/O MARIE WELLS PO BOX 283 ROBERTS ID 83444 (208) 228-3692	04/01/1939	IRRIGATION	04-01 11-01	120,000 CFS	
TOTAL DIVERSION:					120,000 CFS	
CONSUMPTIVE USE:						50923.00 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: DECREED

Point(s) of Diversion:

T05N R38E S22

NMNW

MADISON County

Place of use Legal Description for: IRRIGATION

T	R	S	NE			NW			SW			SE			SUM
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	LT	NESE	NWSE	SWSE	
04N	36E	1				04	40								115.0
04N	36E	2	24				32								56.0
04N	36E	12													80.0
04N	36E	13	40	40	40	40		40	40		40	40	40	40	640.0
04N	36E	14													80.0
04N	36E	23	36	40	40	40	40	32	40		08	01	10	40	484.0
04N	36E	24	40	40	40	40		40	40		40	40	35	40	635.0
04N	36E	26	40	40	25	40		31	35	40	40	40	40	40	571.0
04N	36E	27			40	40									240.0
04N	36E	34	40	40											80.0
04N	36E	35	40	40											160.0
04N	37E	3													160.0
04N	37E	4													135.0
04N	37E	5	40	16	40	40		33	40	20	32	40	40	40	452.0
04N	37E	6	38	40	40	40		40	40	40	40	40	40	40	638.0
04N	37E	7	40	40	40	40		40	40	40	40	40	40	40	640.0
04N	37E	8	40	40	40	40		40	40	40	40	40	40	40	640.0
04N	37E	9			40	40		22	40	40	40	40	40	40	377.0
04N	37E	15													31.0
04N	37E	16	30	40	40	36		40	40	40	22	40	40	40	490.0
04N	37E	17	40	30	40	40		40	40	40	40	40	40	40	627.0
04N	37E	18	40	40	40	40		40	40	40	40	40	40	40	640.0
04N	37E	19	40	39	40	40		26	40	40	40	40	40	40	625.0
04N	37E	20	37	40	40	36		40	40	40	40	40	40	40	633.0
04N	37E	21	40	32	40	39		40	40	38	40	35	40	40	602.0
04N	37E	22						24	32	40	12	33	40	40	261.0
04N	37E	27		33	31			40	38	37	30	40	40	40	494.0
04N	37E	28	40	40	40	40		40	40	40	40	40	40	40	360.0
04N	37E	29	40	40	40	40		40	40	40	40	40	40	40	556.0
04N	37E	34	37	03	13						40	40	19	19	53.0
05N	36E	1													196.0
05N	36E	2	07-13	04-08	12	40				40	30	40	40	40	149.8

三、

Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

RECEIVED

AUG 23 1999

Department of Water Resources

August 10, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BUTTE & MARKET LAKE CANAL CO.

~~C/O BARRY BURKE~~ *c/o Marie Wells*

PO BOX 283

ROBERTS ID 83444

RE: Snake River Basin Adjudication (SRBA)

Water Rights #35-02927, A01-00080B, A01-00302 & A01-10036

Dear Water Right Holder:

lands changed, NCAP prepared, 8-24-99

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by August 23, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Marie Wells
Claimant Signature

508-228-3692
Telephone No.

AJ0749NP
No. A01-10036

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/24/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BUTTE & MARKET LAKE CANAL CO C/O MARIE WELLS PO BOX 283 ROBERTS ID 83444 (208) 228-3692	10/16/1890	IRRIGATION	04-01 11-01	344.390 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					344.390 CFS	53563.80 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: DECREED

Point(s) of Diversion:

T05N R38E S22

NMNW

MADISON County

Place of use Legal Description for: IRRIGATION

T	R	S	NE		NW		SW		SE		SUM
			NENE	NWNE	SENE	NENW	NWSW	SESW	NESE	NWSE	
04N 36E 1	1	24	40	40	40	36	40	40	40	40	115.0
04N 36E 2	2	24	40	40	40	40	40	40	40	40	56.0
04N 36E 12	12	40	40	40	40	40	40	40	40	40	80.0
04N 36E 13	13	40	40	40	40	40	40	40	40	40	640.0
04N 36E 14	14	40	40	40	40	40	40	40	40	40	80.0
04N 36E 23	23	36	40	40	40	40	40	40	40	40	484.0
04N 36E 24	24	40	40	40	40	40	40	40	40	40	635.0
04N 36E 26	26	40	40	40	40	40	40	40	40	40	571.0
04N 36E 27	27	40	40	40	40	40	40	40	40	40	240.0
04N 36E 34	34	40	40	40	40	40	40	40	40	40	80.0
04N 36E 35	35	40	40	40	40	40	40	40	40	40	160.0
04N 37E 3	3	40	40	40	40	40	40	40	40	40	160.0
04N 37E 4	4	40	40	40	40	40	40	40	40	40	135.0
04N 37E 5	5	40	40	40	40	40	40	40	40	40	452.0
04N 37E 6	6	38	40	40	40	40	40	40	40	40	638.0
04N 37E 7	7	40	40	40	40	40	40	40	40	40	640.0
04N 37E 8	8	40	40	40	40	40	40	40	40	40	640.0
04N 37E 9	9	40	40	40	40	40	40	40	40	40	377.0
04N 37E 15	15	30	40	40	40	40	40	40	40	40	31.0
04N 37E 16	16	30	40	40	40	40	40	40	40	40	490.0
04N 37E 17	17	40	40	40	40	40	40	40	40	40	627.0
04N 37E 18	18	40	40	40	40	40	40	40	40	40	640.0
04N 37E 19	19	40	40	40	40	40	40	40	40	40	625.0
04N 37E 20	20	37	40	40	40	40	40	40	40	40	633.0
04N 37E 21	21	40	40	40	40	40	40	40	40	40	602.0
04N 37E 22	22	32	40	40	40	40	40	40	40	40	261.0
04N 37E 27	27	33	40	40	40	40	40	40	40	40	494.0
04N 37E 28	28	40	40	40	40	40	40	40	40	40	360.0
04N 37E 29	29	40	40	40	40	40	40	40	40	40	556.0
04N 37E 34	34	37	40	40	40	40	40	40	40	40	53.0
05N 36E 1	1	07-13	04-08	12	40	40	40	40	40	40	196.0
05N 36E 2	2	07-13	04-08	12	40	40	40	40	40	40	149.8

AJ0749NP
No. A01-10036

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/24/99
PAGE: 2

Place of use Legal Description for: IRRIGATION

T	R	S	NE			NW			SW			SE			SUM
			NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME	NAME	
Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Ac
05N 36E 10 :	10			20	20			30	40	40	40	40	40	40	60.0
05N 36E 11 :	40		15	40	40			40	40	40	40	40	40	40	545.0
05N 36E 12 :			10	29				40	40	40	40	40	40	40	475.0
05N 36E 13 :	36		40	40	40			40	40	40	40	40	40	40	636.0
05N 36E 14 :	40		40	40	40			40		36		40	40	40	536.0
05N 36E 15 :												10	05	25	75.0
05N 36E 22 :	40		40	40	40			40	40	40	40	40	40	40	640.0
05N 36E 23 :	40		40	40	40			40	40	40	40	40	40	40	638.0
05N 36E 24 :	40		40	40	40			40	40	39		40	40	35	634.0
05N 36E 25 :	40		40	40	40			40	40	40		40	40	40	619.0
05N 36E 26 :	40		40	20	35			40	10	40	38				263.0
05N 36E 27 :	40		40	40	40			40	40						320.0
05N 36E 35 :														10	50.0
05N 36E 36 :	40		40	40	40			40	40	40				40	490.0
05N 37E 17 :									05	15				20	50.0
05N 37E 18 :														38	289.0
05N 37E 19 :	40		40	32	40			30	40	38		40	40	40	600.0
05N 37E 20 :				04					40			40	40	37	292.0
05N 37E 21 :												30	30	35	155.0
05N 37E 27 :														12	24.0
05N 37E 28 :								15	35	40	07		40	40	377.0
05N 37E 29 :	22		40	16	21			35	40	40	40		39	32	497.8
05N 37E 30 :	30		40	40	33			40	40	40	40			13	398.6
05N 37E 31 :	28		29	20	03			40	40	05	40		40	40	510.5
05N 37E 32 :	11		08	28				27	24	31	14		40	06	279.8
05N 38E 7 :														26	20.0
05N 38E 8 :															16.0
05N 38E 9 :								35	12		12			15	74.0
05N 38E 16 :								15	40	08					75.0
05N 38E 17 :	20		14	22	36			15							122.0
06N 36E 35 :					05									10	90.0
06N 36E 36 :								10	10	40	35			35	255.0
TOTAL ACRES															22007.5

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: A35-02927, A01-00302, A01-000808.

Remarks: GEN THIS CLAIM COMBINES DECREED RIGHTS 01-0036L (333.79 CFS) AND
01-0036B (10.6 CFS).
ADDRESS CHANGE BY CLAIMANT LETTER 8/24/99 SS.

AJ0749NP
No. A01-10036

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/24/99
PAGE: 3

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

AUG 23 1999

Department of Water Resources

August 10, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BUTTE & MARKET LAKE CANAL CO

~~C/O BARRY BURKE~~ *c/o Marie Wells*

PO BOX 283

ROBERTS ID 83444

RE: Snake River Basin Adjudication (SRBA)
Water Rights #35-02927, A01-00080B, A01-00302 & A01-10036

Dear Water Right Holder:

Heads changed, NCAP prepared, 8-24-99

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by August 23, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Marie Wells
Claimant Signature

808-228-3692
Telephone No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098
Return Service Requested

Dir Rep

UNDELIVERABLE AS ADDRESSED.
FORWARDING ORDER EXPIRED



35-02927
BUTTE & MARKET LAKE CANAL CO
C/O BARRY BURKE
2601 N 900 E

For

PRESORTED FIRST CLASS
Department of Water Resources
RECEIVED
FEB 05 1999
JAN 21 1999
PB METER 7651570
U.S. POSTAGE
0.463



SUN-03-99 11:10 FROM: CACT INC 10:200 387 0842 PAGE 1/1

**LARRY A. BROWN, SPECIAL ATTORNEY, USDOJ
C/O BOISE ADJUDICATION TEAM
380 PARK CENTER BLVD., SUITE 330
BOISE, ID 83706
Ph: (208) 387-0835 Fax: (208) 387-0842**

FAX COVER SHEET

June 3, 1999

From: Janet Arnel - Legal Assistant

To: Ms. Roxanne Brown - IDWR

FAX#: (208) 327-5400

RE: Subcase Number(s): 35-02927

Claimant(s): BUTTE & MARKET LAKE CANAL CO.

Pages Transmitted (including cover sheet): 4

Remarks: Hi Roxanne. I really appreciate your helping!!! ^{Sorry} Sorry it took so long to get this to you. This is one of the two I was describing earlier this morning.

**Sincerely,
Janet Arnel**

Jan

*6/3/99
Spoke to Janet re:
questions. R Brown*

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 35-02927

Name and Address: BUTTE & MARKET LAKE CANAL CO

~~C/O BARRY BURKE~~

~~2601 N 900 E~~

ROBERTS, ID 83444

C/O MARIE WELLS

P.O. BOX 283

Source: TAYLOR SLOUGH

Tributary: SNAKE RIVER

Quantity: 6.00 CFS

Priority Date: 03-25-1941

Diversion Point: T05N R36E S36

NWNEW

Within Jefferson
County

Purpose and

Period of Use:

Purpose of Use

Irrigation

Period of Use

04-01 TO 10-31

Quantity

6.00 CFS

Place of Use:

Irrigation

Within Jefferson
County

T05N R36E	S01	LOT 3 (NENW) 0.5	LOT 4 (NWNW) 11
		SWNW 39	SENE 11
		NESW 26	NWSW 39
		SESW 39	SWSE 4
		SWSW 39	
	S02	LOT 3 () 9	LOT 8 () 10
		LOT 4 (NWNE) 7	SENE 39
		SWSW 5	NESE 39
		LOT 9 (NWSE) 12	LOT 10 (SESE) 35
		LOT 7 (NENE) 13	
	S10	NENE 4	SWNE 9
		SENE 36	NESE 1
		NWSE 8	
	S11	NENE 39	LOT 6 (NWNE) 31
		SWNE 40	SENE 39
		LOT 7 (NENW) 21	LOT 8 (NWNW) 34
		LOT 3 (SWNW) 14	LOT 9 (SWNW) 25
		SENE 39	LOT 10 (NESW) 37.6
		LOT 4 (NWSW) 29.4	LOT 5 (SWSW) 19
		LOT 11 (SESW) 22	NESE 39
		NWSE 39	SWSE 38
		SESE 39	
	S12	SWNE 34	NENW 40
		SWNW 39	SENE 40
		NESW 40	NWSW 39
		NESE 10	NWSE 40
		SWSE 40	NWNW 39
		SWSW 39	SESW 40
		SESE 25	NWNE 18
	S13	NENE 39	NWNE 40
		SWNE 40	SENE 39
		NENW 40	NWNW 39
		SWNW 38	SENE 40
		NESW 40	NWSW 39

How does 21 ac deletion
affect quantity as it is not
a standard 0.02 cfs per acre.
Within Jefferson
County
no change

	SESW 38	NESE 39
	NWSE 40	SESE 38
	SWSW 37	SWSE 39
S14	NENE 39	NWNE 40
	SWNE 40	SENE 33
	LOT 5 (NENW) 40	LOT 6 (SNNW) 2
	SENW 40	LOT 7 (NWSW) 20
	LOT 4 (SWSW) 13	SESW 40
	NESE 39	NWSE 40
	SWSE 40	SESE 37
	NESW 40	LOT 3 (NWSW) 6
	LOT 8 (SWSW) 26	
S15	SESW 13	NESE 9
	SWSE 25	SESE 37
~~S21~~	~~NENE 4~~	~~SESE 4~~
	~~SENE 4~~	~~NESE 4~~
S22	NENE 24	NWNE 32
	SWNE 39	SENE 29
	NENW 40	SNNW 40
	SENW 40	NESW 40
	NWSW 40	SWSW 40
	SESW 40	SWSE 39
	SESE 38	NWNN 38
	NESE 39	NWSE 40
S23	NENE 37	NWNE 40
	LOT 5 (SWNE) 39	SENE 39
	LOT 1 (NWNW) 16	LOT 3 (NWNW) 23
	LOT 2 (SNNW) 50	LOT 4 (SENW) 30
	NESW 39	NWSW 30
	SWSW 2	SESW 36
	NESE 39	NWSE 40
	SWSE 39	SESE 38
	NENW 40	
S24	NENE 38	NWNE 35
	SWNE 40	NENW 39
	SNNW 36	SENW 40
	LOT 5 (NESW) 49	LOT 1 (NWSW) 37
	SWSW 38	LOT 2 (SESW) 33
	NESE 39	NWSE 40
	LOT 6 (SWSE) 18	LOT 7 (SESE) 24
	SENE 36	LOT 3 (SWSE) 15
	NWNN 38	LOT 4 (SESE) 15
S25	NENE 38	NWNE 39
	SWNE 40	SENE 39
	NWNN 38	SENW 40
	NESW 37	NWSW 35
	SWSW 25	SESW 39
	NESE 38	NWSE 40
	SWSE 40	SESE 36
	SNNW 39	NENW 38
S26	NENE 38	NWNE 38
	SWNE 18	SENE 26
	NENW 39	NWNN 6
	SNNW 26	SENW 37
	NESW 34	NWSW 31
	SWSW 20	SESW 35
	NESE 31	NWSE 30
	SWSE 40	SESE 32
S27	SESE 2	
S34	NENE 2	
S35	NENW 24	NWNN 28
S36	NENE 14	NWNE 16

		NENW 6	
R37E	S18	NWSW 27	SWSW 27
T06N R36E	S35	NESE 3	NWSE 15
		SWSE 30	SESE 19

5782.5

~~5803.5~~ Acres Total - 21 = 5782.5 acres

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5080 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

Other Provisions Necessary for Definition / Administration of this Water Right:

~~IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL
PROVISION FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF
WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY
WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE
DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE
SUBJECT TO TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT
DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR
THE EFFICIENT ADMINISTRATION OF WATER RIGHTS. RIGHTS HAVE ALSO
BEEN CLAIMED TO WATER FROM BASIN 01 FOR THE SAME PURPOSE OF USE
AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE
INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE.
ANY WATER RIGHTS RECOMMENDED IN THE BASIN 01 REPORT FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT
AND THE BASIN 01 RIGHTS.~~

Explanatory Material: Basis of Claim - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

END