

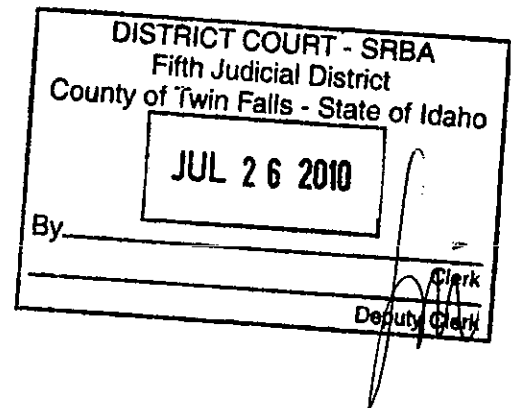
To: District Court Snake River Basin Adjudication
From: George L. Butcher
Subject: Amended Notice of Claim for 75-10657

I must amend Notice of Claim to the use of water in the SRBA because: Water right # 75-10657 paper work list the place of use as 23N 22E 10 NE instead of 23N 22E 10 NW as my other water right # 75-7188 does. These two wells are approximately 150 feet apart and on the same property. One irrigates my field (75-7188) and the other (75-10657) supplies my house although both can supply the house if need be.

This all started when the Dept. of Water Resources needed me to put in a Notice of Change in Water Right Ownership. I paid the fees and then they sent me a letter saying that I need to show ownership of Place of use for the water right. I believe a clerical error placed the X use in the NE NE box instead of the NENW box creating the whole problem.

Thank you for solving the seeming minor problem.


George L. Butcher
25 Tom Boyle Rd.
Carmen, Id 83462
208 756-3992



W IDWR, Idaho-See
 Hydrated Rules
 SUBA claim form

06/29/2010

IDAHO DEPARTMENT OF WATER RESOURCES
 Water Right Report 75-10657

WATER RIGHT NUMBER: 75-10657

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOAN BEERS
Current Owner	DENNIS FLOCK
Current Owner	PHILLIP P HAWKES RT 1 BOX 227D-1 SALMON, ID 83467 (208)756-2032
Current Owner	JAMES C CLEMENS 283 HWY 93 N SALMON, ID 83467 (208)756-2032

Priority Date: 09/15/1978
 Basis: Decreed
 Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01	to 12/31	0.040 CFS	
	<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of Diversion
 GROUND WATER NE1/4NW1/4 Sec. 10, Twp 23N, Rge 22E, B.M.
 LEMHI County

Place of Use
 DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
23N	22E	10	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X																

- Conditions of Approval:
1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
 2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
 3. RP 001360010130A

Dates and Other Information:
 Decreed Date: 11/10/2000

07/15/2010

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 75-7188

WATER RIGHT NUMBER: 75-7188

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LOIS BUTCHER
Current Owner	GEORGE BUTCHER 25 TOM BOYLE RD CARMEN, ID 83462 (208)756-6963

Priority Date: 04/13/1981

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	to 11/01	0.090 CFS	30.00 AF
STOCKWATER	1/01	to 12/31	0.020 CFS	0.20 AF
	<u>Total Diversion:</u>		0.110 CFS	30.20 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 10, Twp 23N, Rge 22E, B.M.
LEMHI County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	22E	10			7.3				2.7										10.0

Total Acres: 10

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Dates and Other Information:

Decreed Date: 11/17/2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

July 15, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

GEORGE L BUTCHER
LOIS P BUTCHER
25 TOM BOYLE RD
CARMEN ID 83462

RE: Change in Ownership of Water Right No. 75-10657

Dear Mr. & Mrs. Butcher:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change.

During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right indicated in your notice. I have enclosed a copy of the water right report for your reference. The parcels as described on your deed places the property in the NENW and NWNE of Section 10, T23N, R22E. Water right 75-10657 is located in the NENE of that same section.

In order to process your change in ownership, we need documentation to show that you own the water right or the property described as the place of use for the water right. If you believe that the SRBA Court issued the partial decree with an error in the description of the place of use, you may be able pursue one of the following options with the Court.

- 1) Motion to set-aside – a motion filed with the SRBA Court which, if granted, would provide a process to correct the partial decree. You would need to provide justification for the correction.
- 2) Motion to file late claim – a motion filed with the SRBA Court which, if granted, would allow you to file a new claim for your existing water use. A late claim would be investigated for validity and accuracy by the Department.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Please feel free to call me at 208-287-4952 if you have any questions.

Sincerely,

Emalee Rushing
Office Services Supervisor

Enclosures

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
175-10657					

2. The following **REQUIRED** information must be submitted with this form:

§ 25

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

JOAN BEERS
 401 RIVER ST
 SALMON, ID 83467

4. New Owner/Claimant(s)

George L. Butcher Lois P. Butcher
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

25 TOM BOYLE RD

City, State and ZIP Code

CARMEN, ID 83462

New Telephone Number

(208) 756 3992 Email: bigbarn@montida.com

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 16 2010

DEPARTMENT OF
WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in address
of the owners of record for the listed water rights.

(Please Print or Type)

Water Right Numbers(s): 75-10657

Name(s):

William + Jo Ann
Joan Beers (Jo Ann?)

401 River St. Salmon, Id. 834

Old Mailing Address:

^{newer} → Rt 1 Box 227D-1

New Mailing Address:

George Butcher
25 Tom Boyle Road.
Carmen, Id. 83462

Telephone Number: (208) 756-3992

Signature(s) of Owner(s)

mailing this back to you so
you can mail to right party

(Include your title if on behalf of company or organization)

The Post Office recently returned the enclosed correspondence. Your signature on this form authorizes me to update our database with the new address for your water right(s). Please note that water right owner(s) are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. If you are not the current owner of the water right(s), I will still need to update your address until such time that the new owner(s) submit the appropriate change of ownership documents. A postage paid envelope for this form has been enclosed for your convenience. Thank You...

Date: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

June 17, 2010

George Butcher
25 Tom Boyle Rd
Carmen Idaho 83462

Re: Water Right 75-10657

Dear George:

I have been notified by Jo Ann Beers that you may be the current owner of the above listed water right. Before we can modify our records to reflect any change of ownership for the water right referenced above, we need to have a Notice of Change in Water Right Ownership form completed and returned with the appropriate support documentation. I do not find any pending ownership changes in our system. I have enclosed the form and a copy of the proof report showing the details of this water right. I have also enclosed the information Jo Ann Beers sent back to me indicating this sale.

If you have any questions regarding this matter, please don't hesitate to call.

Sincerely,

Christine Roberts
Idaho Dept. of Water Resources
Water Distribution Section