

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: A63-08853
Date Received: 4/ 6/1990
Receipt No: W011847
Received By: _____

*Rec'd from SO
10-14-92*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: FRED BUTLER 208-482-7723
Address: 18656 FISH RD
WILDER ID 83676

OR

Name: CAROL BUTLER 208-482-7723
Address: 18656 FISH RD
WILDER ID 83676

2. Date of Priority: MAY 16, 1977

3. Source: GRIFFITH DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	05W	33	SE	SW	NW		CANYON

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.560		

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

8. Total consumptive use is 148.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	05W	33	SW	NW		IRR	33.0

A63-08853

Page 1

Date: 10/07/92

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	33.0
					Total Acres	33.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

ITEM 5. 20HP CENTRIFUGAL PUMP, 6" MAINLINE AND LATERALS WITH
CAPABILITY OF PUMPING INTO FEED DITCHES.

15. Basis of Claim: LICENSE

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 AV3-08853Date Received 4-6-90Receipt Number W011847

late fee W015133

RECEIVED
JUL 23 1992

Department of Water Resources
Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 06 1990

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Fred or Carol Butler Phone (208) 482-7723Mailing Address 18656 Fish Rd. Wilder Id. Zip 836762. Date of Priority (Only one (1) per claim) MAY 16, 19773. Source of water supply (a) Griffith Drain
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 4N Range 5W Section 33,
SE 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of _____

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.

20 HP CENTRIFUGAL PUMP, 6"
mainline and laterals w/ capability of pumping into feed
ditches

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount .56 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .56 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 148.5 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:

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

b. 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.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>4N</u>	<u>SW</u>	<u>33</u>							<u>33</u>										<u>33</u>

Total number of acres irrigated 33

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐
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. _____ or None (☒)

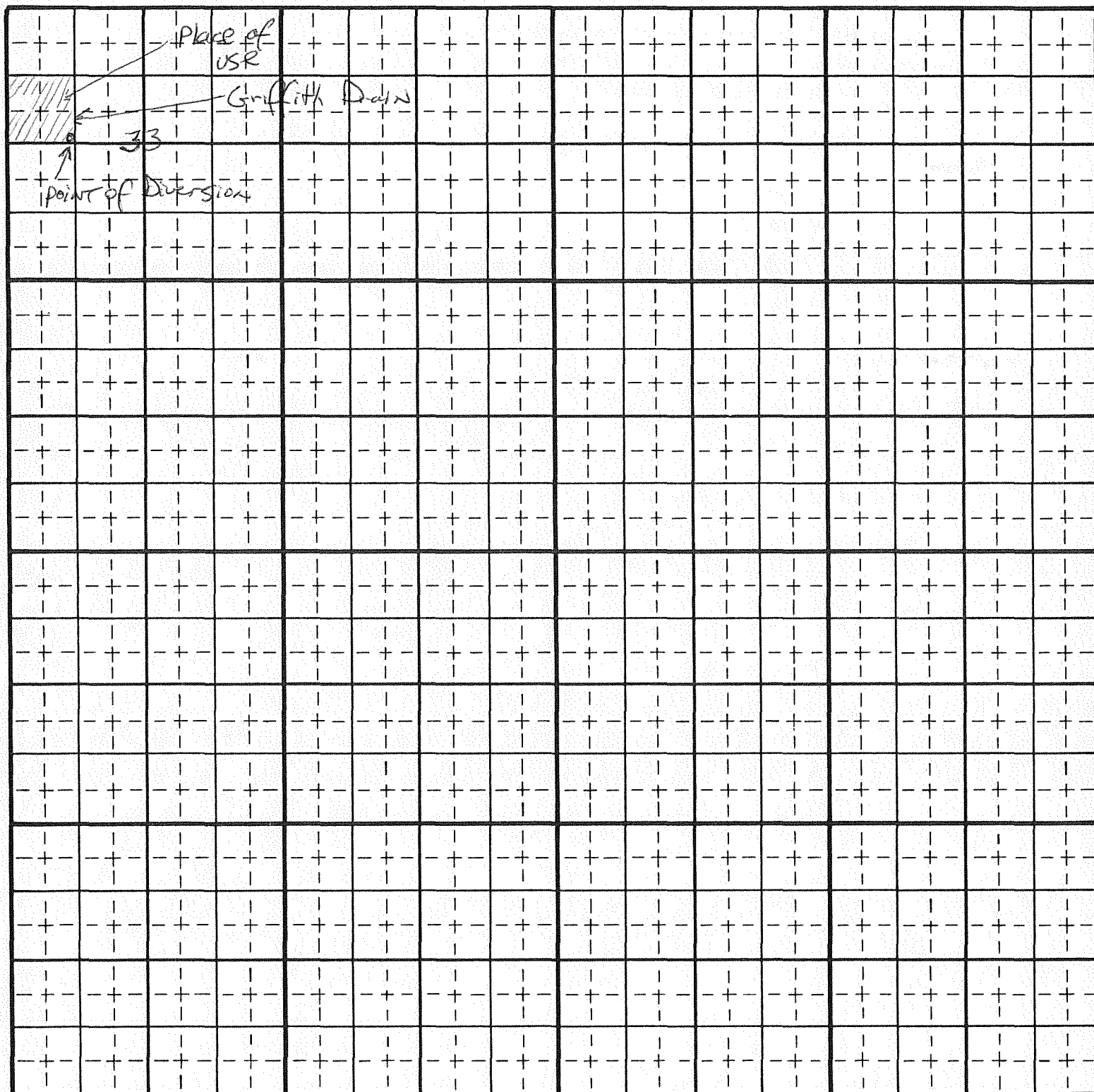
14. Remarks:

Last Name _____ Ident No. _____

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JUL 25 1994

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

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

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Copies: White-State, Yellow-Claimant
JUL 25 1994

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-08853
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 ☐
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

Signature of Claimant (s) Fred O. Butler Date 3-30-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 30 day of March 19 90.

SEAL

Notary Public

Residing at

My Commission Expires

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 _____

Last Name _____ Ident. Number _____

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JUL 25 1994

ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91
CLAIMANT'S NAME Butler CLAIM IDENT. NO. A63-68853

DATE RECEIVED 4-6-90 RECEIPT # W011847 AMOUNT \$ 83 applied ^{Claims - 108}

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	*
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated? (See Item No.'s 16 & 17 for checking other water rights)	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? (Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim)	☒	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? (If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☒	☐	
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time, or was an extension ^{denied} granted?	☒	☐	*
22. Is the fee enclosed correct?	☒	☐	* need late fee

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13. Should this claim be data entered? ☒ ☒

Claim reviewed by: HHT RNF

Date 6-10-92 10-5-92

Claim data entered by: sf

Date 10-7-92

Claim is being returned to claimant: ☒ (Yes) ☒ (No)

Claimant is being notified of modifications: ☒ (Yes) ☒ (No)

Comments: _____

RECEIVED
MAY 08 1990

RECEIVED
APR 06 1990

State of Idaho

Department of Water Resources

REQUEST FOR EXTENSION OF TIME

TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources
Western Regional Office

Department of Water Resources
Western Regional Office

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Fred O. or Carol J. Butler (or) 482-7723
Name of Claimant Phone Number

18656 Fish Rd. Wilder ID. 83676
Mailing Address City State Zip

CANYON 3-30-90
County(s) where place of use is located Date claim originally due

63-08853 + Bonestick Well
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

There were so many rumors flying around about
where to file, I did not realize the filing could
be done thru the mail, Then I had to wait for these
forms to arrive.

Claimant requests an extension to 4-9, 19 90

Fred O. Butler 4-2 W001847
Signature Date of request 4/6/90

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WA

Needs to
pay late
fee

The above request for extension of time is hereby [] granted [X] den

A proper notice of commencement with the filing
deadline shown was mailed 12/12/89 leaving ample time
and if granted the filing deadline is extended to to make filing. 19 90

Signed this 4 day of May, 19 90

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

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III 25 1994

Water Right Number - 63-08853

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BUTLER

FRED

1 - RT. 1

2 -

3 -

City- WILDER

State- ID Zip- 83676

Phone -

*** O - ORIGINAL OWNER ***
BUTLER

LARRY

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/19/1977 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GRIFFITH DRAIN SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

04N 05W 33 SW NW (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.560 148.50+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.560 148.50 0.560+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
04N 05W 33 SW NW 33.0 01 IRRIGATION (27) CANYON

Total Acres: 33.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.MICROFILMED
JUL 25 1994

Water right number - 63-08853

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - - +
R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for the
- lands above.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 11/14/88 CURTIS 01/12/89 CURTIS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 07/01/1982	Field Exam Made - 09/03/1987	Field Exam Fee - R
Approved/Denied - 07/12/1977	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 07/02/1982	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 04/21/1989	Appl Received - 05/16/1977	Transfer/Amended -
Decree Date - 00/00/0000	Presumption Flag -	

MICROFILMED
JUL 25 1994

12/10/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-8853
NAME AND ADDRESS: CAROL BUTLER
18656 FISH RD
WILDER ID 83676

FRED BUTLER
18656 FISH RD
WILDER ID 83676

SOURCE: GRIFFITH DRAIN TRIBUTARY: SNAKE RIVER
QUANTITY: 0.560 CFS
148.50 AFY
PRIORITY DATE: 05/19/1977

POINT OF
DIVERSION: T04N R05W S33 SESWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.560 CFS 148.50 AFY
The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION in CANYON County
T04N R05W S33 SWNW 33.00
33 ACRES TOTAL

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

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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Wilder Irrigation District.

02/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-8853
NAME AND ADDRESS: CAROL BUTLER
18656 FISH RD
WILDER ID 83676

FRED BUTLER
18656 FISH RD
WILDER ID 83676

SOURCE: GRIFFITH DRAIN TRIBUTARY: SNAKE RIVER
QUANTITY: 0.560 CFS
148.500 AFY
PRIORITY DATE: 05/19/1977
POINT OF DIVERSION:

T04N R05W S33 SESWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.560 CFS 148.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County
T04N R05W S33 SWNW 33.00

33 ACRES TOTAL

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Wilder Irrigation District.

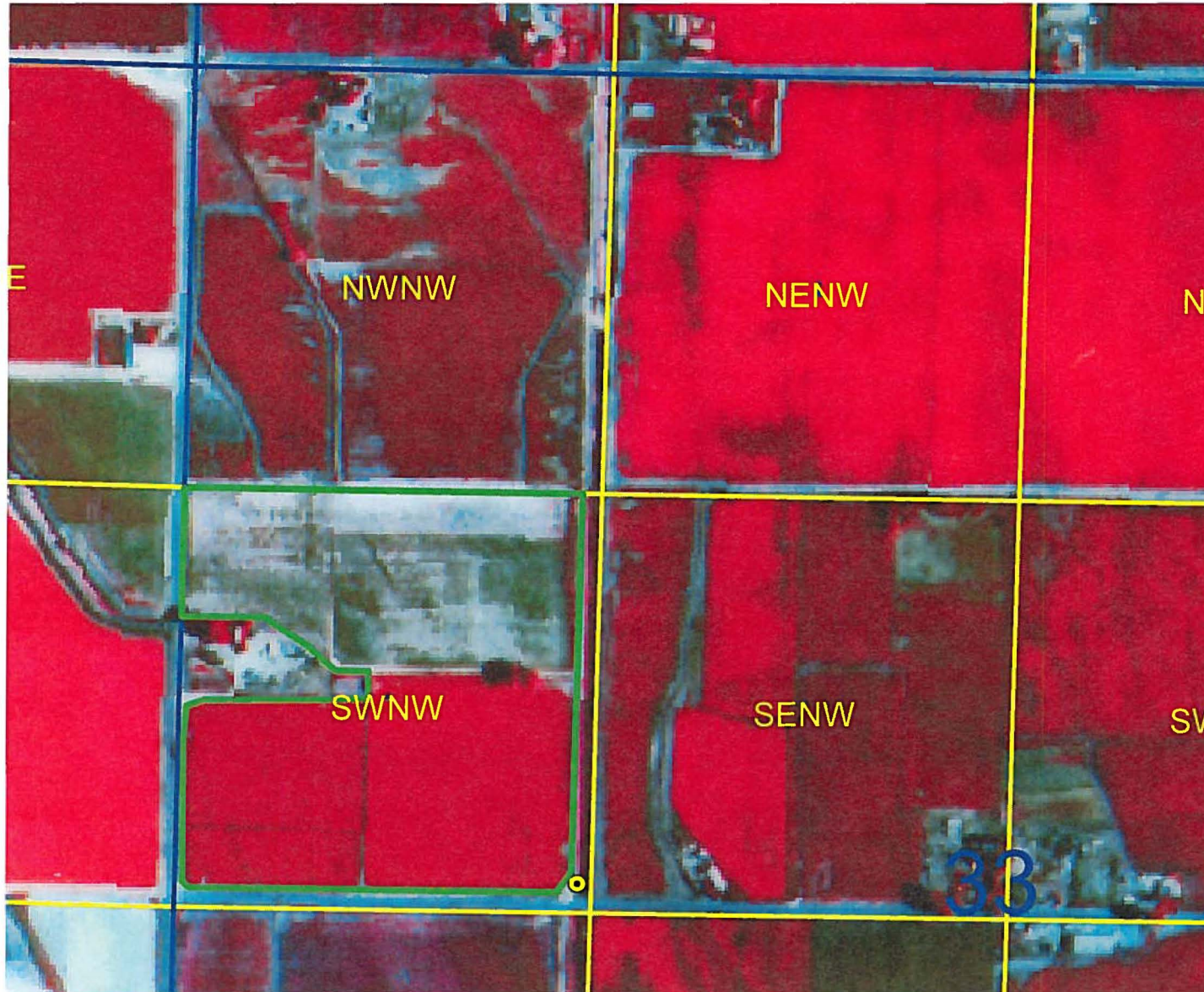
Idaho Department of Water Resources

**T04N, R05W,
S33**

Claim No: 63-8853

Prepared By: Kimberly Browr

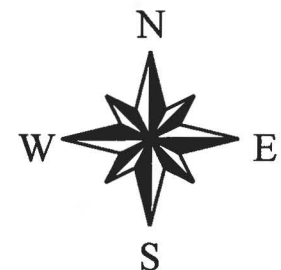
Date: February 13, 2006



-  Place of Use
-  Section Lines
-  1/4 1/4

 Point of Diversion

Irrigated Acres = 33.0



1987 NAPP

0 0.4 Miles



09/29/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-8853

CAROL BUTLER
18656 FISH RD
WILDER ID 83676
Telephone Number: (208)482-7723

FRED BUTLER
18656 FISH RD
WILDER ID 83676
Telephone Number: (208)482-7723

RECEIVED
OCT 27 2006
WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-24-06 SIGNATURE: Fred O. Butler

Please print your name: FRED O. BUTLER

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8853

WATER RIGHT NUMBER: 63-8853 ✓

Owner Type Name and Address

Current Owner CAROL BUTLER
 18656 FISH RD
 WILDER, ID 83676
 (208)482-7723

Current Owner FRED BUTLER ✓
 18656 FISH RD
 WILDER, ID 83676
 (208)482-7723

Original Owner LARRY BUTLER ✓

Priority Date: 05/16/1977 ✓
 Basis: License ✓
 Status: Active

Source Tributary
 GRIFFITH DRAIN ✓ SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	3/15 to 11/15 ✓	0.560 CFS ✓	148.5
	<u>Total Diversion:</u>	0.560 CFS ✓	148.5

Location of Point(s) of Diversion

GRIFFITH DRAIN (SE 1/4 SW 1/4 NW 1/4 Sec. 33, Twp 04N, Rge 05W, B.M. ✓
 CANYON County ✓

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	05W	33							33.0										33.0

Total Acres: 33 ✓

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
2. ITEM 5. 20HP CENTRIFUGAL PUMP, 6" MAINLINE AND LATERALS WITH CAPABILITY OF PUMPING INTO FEED DITCHES.

Remarks:

ADD 839 - Season of use begins 8/01.
ADD W59 - Use is combined with Wilder Irr. Dist. water.

Parcel No: R3723700000 (20.09 AC) & R3723701000 (20.09 AC)

Field Exam Date 2.13.06

(in office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$83.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-8853

Owner: Carol & Fred Butler Phone No. (208) 482-7723

Current Address: 18656 Fish Rd., Wilder 83676

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: N/A

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 5/16/77

(If priority date, based on your exam, seems questionable, explain below.)

The licensed priority date is May 19, 1977.
The 19th, not the 16th, will be recommended.

Source: Ground Water Tributary to

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed:
- ☐ If different, when did POD change?

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

See Field Report.**OVERLAP REVIEW**Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USESSeason of use is 3/1 to 11/15.☐ No change☐ Different UsesUse _____ From 3/1 To _____ Amount _____ CFS 148.5 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☒ Incomplete on claim, the total is, Amount _____ CFS 148.5 AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**None☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:- only SWNW licensed.Parcel Nos: R 37237 00006 & R 37237 01000.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-27371 (+) Wilder Irr. Dist. wat

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

no overlap - 63-27371 covers Dom. & Stock.

Delivery System Narrative: See Field Report.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 2.13.06 (in office review)

FIELD EXAMINER: Kimberly Brown

overlap review -

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-27371

WATER RIGHT NUMBER: 63-27371

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CAROL BUTLER 18656 FISH RD WILDER, ID 83676 (208)482-7723
Current Owner	FRED BUTLER 18656 FISH RD WILDER, ID 83676 (208)482-7723

Priority Date: 03/02/1932

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>
STOCKWATER	1/01 to 12/31	0.020 CFS	
DOMESTIC	1/01 to 12/31	0.060 CFS	
	<u>Total Diversion:</u>	0.080 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NW1/4	Sec. 33, Twp 04N, Rge 05W, B.M.
CANYON County		

Place of Use

STOCKWATER

Twp Rge Sec	NE	NW	SW	SE	Totals
04N 05W 33	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
		X			

DOMESTIC

Twp Rge Sec	NE	NW	SW	SE	Totals
04N 05W 33	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
		X			

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-27371

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. 1R37237-000-0
4. 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.

Remarks:

Comments:

1. AJU10-DS 6/21/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8853

01/26/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~8853~~	~~Claim~~	~~04N~~	~~05W~~	~~33~~	~~SW~~	~~NW~~		~~IRRIGATION~~	~~33/33~~	~~CAROL BUTLER~~
~~8853~~	~~Water Right~~	~~04N~~	~~05W~~	~~33~~	~~SW~~	~~NW~~		~~IRRIGATION~~	~~33/33~~	~~FRED BUTLER~~
27371	Water Right	04N	05W	33	SW	NW		STOCKWATER		CAROL BUTLER
27371	Water Right	04N	05W	33	SW	NW		DOMESTIC		CAROL BUTLER

Receipt Details for ID W011847

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/6/1990 2:21:50 PM	4/6/1990	Western	\$108.00	Check
Payer	BUTLER, FRED			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
3599			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$108.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	8853		\$83.00	Claim
63	27371		\$25.00	Claim

Print Report

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08853

Priority: May 19, 1977 Amount: 0.56 CFS 148.5 AFA

This is to certify, that FRED BUTLER

RT. 1

WILDER, ID 83676

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 16, 1977, and has submitted proof to the Department of Water Resources on July 2, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .560 cfs of water from:

GRIFFITH DRAIN

tributary to SNAKE RIVER

source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.56 CFS	148.5 AFA
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		SWNW , Sec. 33, Township 04N, Range 05W CANYON 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	05W	33	SWNW	33		33
Total number of acres irrigated:						33

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands 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 21ST day of APRIL, 1989.

WATER RIGHT LICENSE

Acting for the Director

Norman C. Young

Identification No. _____
Application No. 63-8853

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 LARRY BUTLER Phone: 482-7365
post office address Route 1, Wilder, ID 83676
2. Source of water supply Griffith Drain which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33 Township 4N
Range 5W B.M. Canyon 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 0.80 for Irrigation purpose from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (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. 0.80 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump & ditches

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 _____ inches; proposed depth of well is _____ 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 \$ 1,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____.
(5) If water is to be used for other purposes describe: _____



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

[illegible]

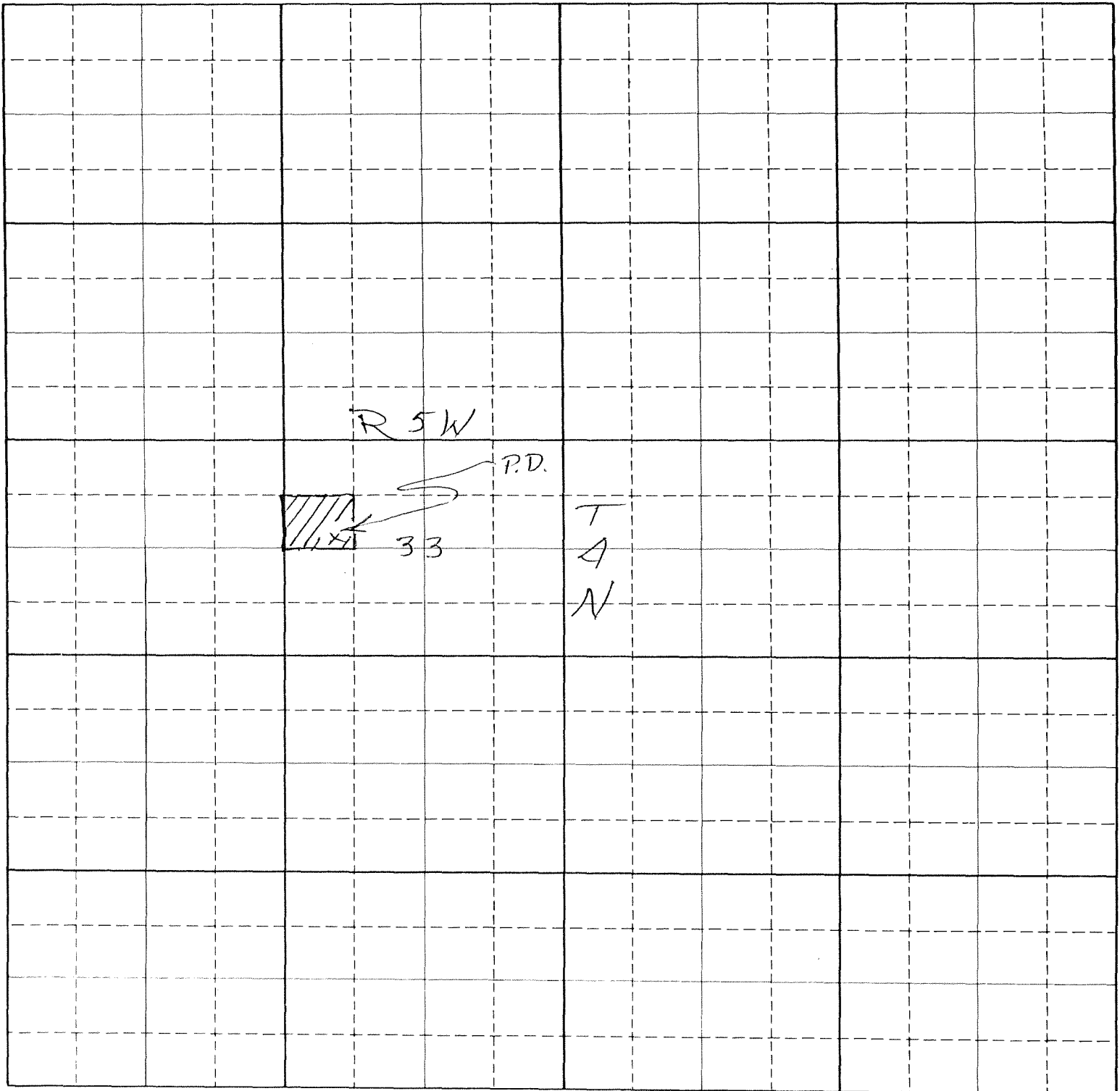
Total number of acres to be irrigated 40

c. Describe any other water rights used for the same purposes as described above. _____
Wilder Irrigation District

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
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

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.

Sam D. Butler
(Applicant)

Proposed Priority 5/16/77

Received by S Date 5/16/77 Time 4:30 pm
Preliminary check by CLS Fee \$ 25.00
Received by M Date 5-16-77 # 7755
Publication prepared by M Date 5-19-77
Published in Boysen Tribune
Publication dates May 26 + June 2
Publication approved CS Date June 13, 1977
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CLS

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. 63-8853, 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 July 1, 19 82.
- c. Other: 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.

2. Denial of said application is for the following reasons: _____

Witness my hand this 12 day of July 19 77.

S. Kenneth Blunn
Deputy Director

RECEIVED

MAR - 1 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

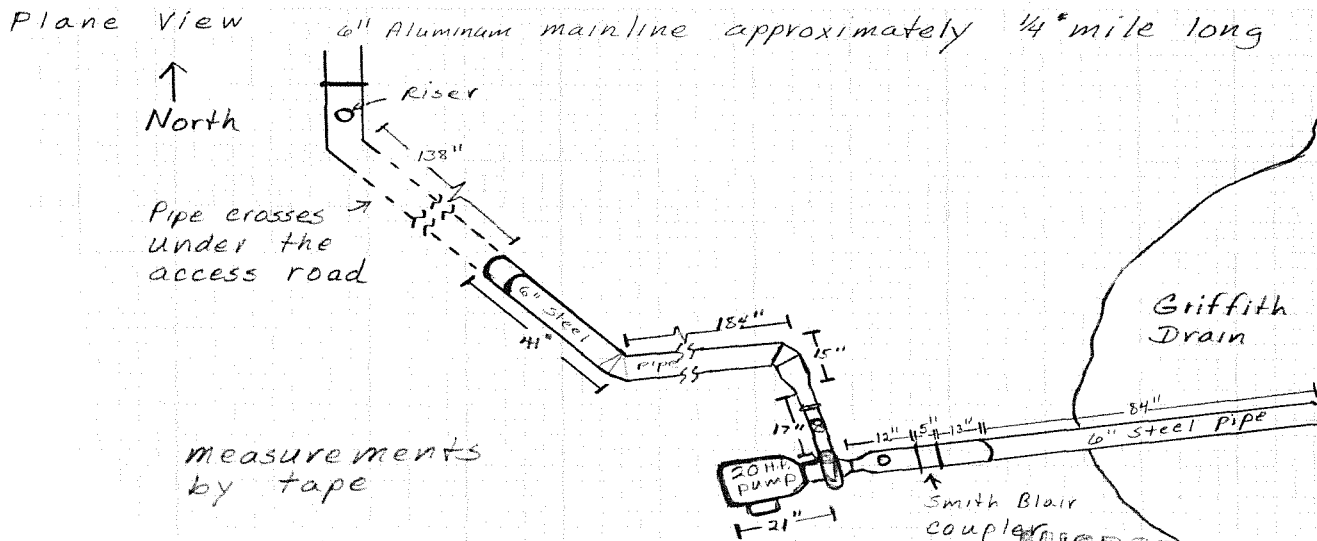
Permit No. 63-8853
1. Owner: Fred Butler Phone No. 482-7723
Current Address: Rt 1, Wilder, ID 83676
2. Accompanied by: Fred Butler EXAM. DATE: 9-3-87
Address: same as above Phone No. 482-7723
Relationship to Permit Holder: owner
3. Source: Griffith Drain tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: surface water from Wilder Irrigation District. ☐ Copies Attached
2. Other water rights with same point of diversion: none
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = 4'

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The system has a 20 H.P. centrifugal pump drawing water from the Griffith Drain. The water is pumped into a 6" steel pipe that runs up the ditch bank and under the access road. On the west side of the access road the steel pipe connects to a 6" aluminum mainline (approx. 1/4 mile long) that runs

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Part Motor-Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Century	20	6-321219-01	Berkeley	7743672

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

5. **Point(s) of Diversion:** 12

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SW	NW	33	4N	5W	Canyon	Aerial Photo

6. **Place(s) of Use:**

Indicate Method of Determination Aerial Photo

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	5W	33							33										33

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MAY 12 1999

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure gauge						

2. Measurements:

62 Sprinkler heads (Rain Bird, Nelson, Buckner, & Weather Tec) most with 9/64" nozzles at 50 psi
4.04 gpm each (From data for Rain Bird Model 30)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: $62 \times 4.04 \text{ gpm} = 250.5 \text{ gpm}$ $\frac{250.5}{448.8} = 0.56 \text{ cfs}$

2. Alternate Method for Checking Purposes:

$$\frac{20 \times 8.8 \times .8}{3 + 2.3(60)} = 1.00 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 60 psi $\times 2.31 = 138.6$ ft (1); Dynamic pumping level: 3 ft (2)

Total Head: (1) + (2) = 141.6 (3) ; Flow rate: 0.56 cfs (4)

Water HP: (3) $\times$ (4) $\div 8.8 = 9.0$ (5)

Meter Input KW: $3.6 \times 28.8 \text{ KH} \times$ CTR or MULT $\times$ PTR $\times \frac{10}{72} T = 14.4$ (6)

Meter Input HP: (6) $\times 1.34 = 19.3$ (7)

Panel Input KW: Ave PF $\times$ Ave Volts $\times$ Ave Amps $\times .001732 =$ (6)

Panel Input HP: (6) $\times 1.34 =$ (7) Efficiency: (5)/(7) $\times 100 = 46.6\%$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 33 \times 4.5 = 148.5 \text{ afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.56 \times 245 \times 1.98 = 271.6 \text{ afa}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 148.5$

2. Volume Calculations for Other Uses:

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MAY 12 1989

H. REMARKS AND OVERLAP REVIEW ANALYSIS

North above ground along the East edge of the irrigated land. The aluminum mainline has ~~risers~~ risers for connecting hand lines. 2 hand lines were operating at the time of the exam. Crops were barley (already harvested) and sugar beets. This water supplements irrigation district water which is sometimes insufficient for the crops being grown.

I. RECOMMENDATIONS

1. Recommended Amounts

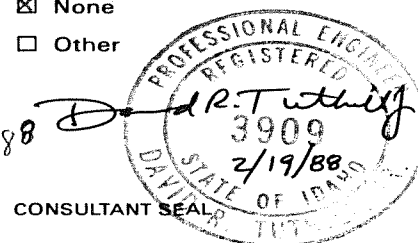
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	0.56	148.5
Totals:			0.56	148.5

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

J. AUTHENTICATION

Field Examiner's Name Carter Fritschle
 Signature Carter Fritschle
 Certification Date _____
 Field Report Preparation Date 9-3-87



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Condition R 32

MAILED

MAY 12 1989

NOTE: REQUEST REMOVAL OF THE MEAS. DEVICE REQUIREMENT DUE TO LOW FLOW (SPOKE W/PERMIT HOLDER PRIOR TO EXAM CONCERNING M.D. & WAS INFORMED THAT FLOW WAS LESS THAN .7 CFS). MEAS. .56 CFS.

29 28
32 33 T644 A488

A475

T632

T612
A462

12.4 3.7 3
2 6.6
8.0 10.0 1.6
1.4 5 6 7

72.3

37.7

T557 14.5
1 14.5
A446 P.W.
33.2 ac.
2 8.1 3 10.6 P.D.

T643

T645

T237

T827

5.2

4.2

3.2

6.5

15.2

10.7

2 11

4.0

5.9

3

2.1

7.7

4 14.5

T237

T850

22.4

2 13.3

7 31.2

8 16.7

T646

RECORDED

MAY 12 1989

1 12.5

2 28.1

3 36.7

649

5.1

2

23.8

2

18.7

T690

2

2.6

T612

OTS

32 3.8
5 4.8

