

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

Identification No. A74-10038
Date Received 1/23/90
Receipt Number E013544

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

RECEIVED

APR 23 1990

Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) ROBERT J BUTCH OR
R ALEXANDRA YARTER Phone (208) 756-4407

Mailing Address RT 1 Box 48-A Salmon ID Zip 83467

2. Date of Priority (Only one per claim) 12/31/79 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source

4. Location of point of diversion is: Township 20N Range 23E
Section 35 , SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM _____
County of LEMMING

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. well 6" casing 70' DEEP submersible pump
Piped to Home & Sprinkler system

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from JAN 1 to DEC 31 amount 0.04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic 1 Home

A7410038



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DEC 14 1992

10. Place of use is: Township: 20N Range 23E
Section 35, SE 1/4 of SE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes X 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.
X None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments _____

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

Signature of Claimant (s) Robert J. Butler Date 4/17/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of AOA) ss.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 17th day of April 19 90

SEAL

Notary Public Don J. Javelton

Residing at _____

My Commission Expires _____

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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Residing at Boise, Idaho
My Commission Expires **DEC 14 1992**
December 8, 1994

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Yarter or Butch CLAIM IDENT. NO. A74-10038

DATE RECEIVED	CK #	AMOUNT \$	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)		N/A	☒	☐	*
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?		N/A	☒	☐	
Is the consumptive use correct?		N/A	☒	☐	
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.		N/A	☒	☐	*
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?			☒	☐	
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.)		N/A	☒	☐	
15. Is the basis of the claim indicated?			☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)		N/A	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.			☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?			☒	☐	*
19. Was this claim filed on time, or was an extension granted?			☒	☐	*
20. Is the fee enclosed correct?		Exempt	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?		N/A	☒	☐	
22. Should this claim be data entered?			☒	☐	

Claim checked by: L. J. L. Date: 6-18-90
Claim must be returned to claimant: (Yes) (No)
Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____

Comments: _____

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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: A74-10038
Date Received: 4/23/1990
Receipt No: E013544
Received By: DE/SK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT J. BUTCH 208-756-4407
Address: RT. 1, BOX 48-A
SALMON, ID 83467

OR
Name: R. ALEXANDRA YARTER 208-756-4407
Address: RT. 1, BOX 48-A
SALMON, ID 83467

2. Date of Priority: DEC 31, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	23E	35	SE	SE			LEMHI

5. Description of diverting works:

WELL, 6" CASING, 70' DEEP, SUB. PUMP, PIPED TO HOME & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 HOME

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
20N	23E	35	SE SE		DOMEST	

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 _____

AJ5856NP

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

DATE: SEP-23-1997

PAGE: A-30

RIGHT NUMBER: 74-10038

NAME & ADDRESS: ROBERT J BUTCH
R ALEXANDRA YARTER
RT 1 BOX 48A
SALMON ID 83467

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1979

POINT OF DIVERSION: T20N R23E S35 SESE Within LEMHI County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC, 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within LEMHI County
T20N R23E S35 SESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
PARCEL NO. RP20N23E359003A

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: SLH
Date: OCT 08 1996
Data entry verified by: [Signature]
Date: OCT 10 1996

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

1 - RT. 1, BOX 48-A

2 -

3 -

CITY- SALMON

STATE- ID ZIP- 83467

PHONE - 208-756-4407

YARTER

R. ALEXANDRA

1 - RT. 1, BOX 48-A

2 -

3 -

CITY- SALMON

STATE- ID ZIP- 83467

PHONE - 208-756-4407

+ - - PRIORITY DATE - - +
12/31/1979

+ - - - REGION - - - +
15 EASTERN

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

```

+ - - - - - SOURCE - - - - - +
      GROUNDWATER

```

+ - - - - - - - - - - TRIBUTARY - +

[illegible]

20N 23E 35 SE SE (59) LEMHI

| + | CODE | DESCRIPTION | PERIOD FROM | PERIOD TO | WATER USE | DIVERSION RATE | DIVERSION VOLUME | + |
|---|------|-------------|-------------|-----------|-----------|----------------|------------------|---|
|---|------|-------------|-------------|-----------|-----------|----------------|------------------|---|

43 - DOMESTIC

01/01

12/31

0.040

| + - TOTAL DIV. RATE - + | | + - TOTAL DIV. VOLUME - + | | + - TOTAL DIV. CAPACITY - + | | + - TOTAL CONSUMPTIVE USE - + | | + - KW USAGE - + | |
|-------------------------|-------|---------------------------|--|-----------------------------|--|-------------------------------|-----|------------------|--|
| | 0.040 | | | | | | 0.0 | | |

| TWN | RNG | SEC | TRACT | LOT | ACRES | PLACE OF USE
CODE | DESCRIPTION | COUNTY |
|-----|-----|-----|-------|-----|-------|----------------------|-------------|--------|
|-----|-----|-----|-------|-----|-------|----------------------|-------------|--------|

20N 23E 35 SE SE

43 DOMESTIC

(59) LEMHI

+ - - DIVERSION MEANS - WELL, 6" CASING, 70' DEEP, SUB. PUMP, PIPED TO HOME & SPRINKLERS

+ - - NON-IRRIGATION USE - D/1 HOME

+ - - OTHER RIGHTS FOR SAME USE - NONE

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+-----+-----OLD WATER RIGHT NUMBERS-----+
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NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

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NOV 18 1980