

08/10/2006

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

RIGHT NUMBER: 1-301

NAME AND ADDRESS: BUTLER ISLAND CANAL CO
C/O ANN FERGUSON
15533 E RIRIE HWY
RIRIE ID 83443

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 16.000 CFS

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION:
T04N R40E S35 NENW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	16.000 CFS

PLACE OF USE:

988 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Butler Island Canal Company.

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 - Decreed

Water is delivered through Butler Island Canal.



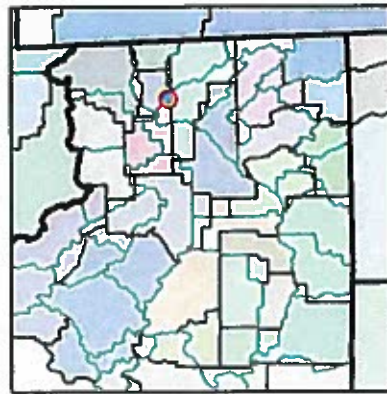
Butler Island Canal Co

SRBA Recommendations: 1-35AC, 1-231, 1-301

Service Area Boundary
GIS Place of Use Illustration

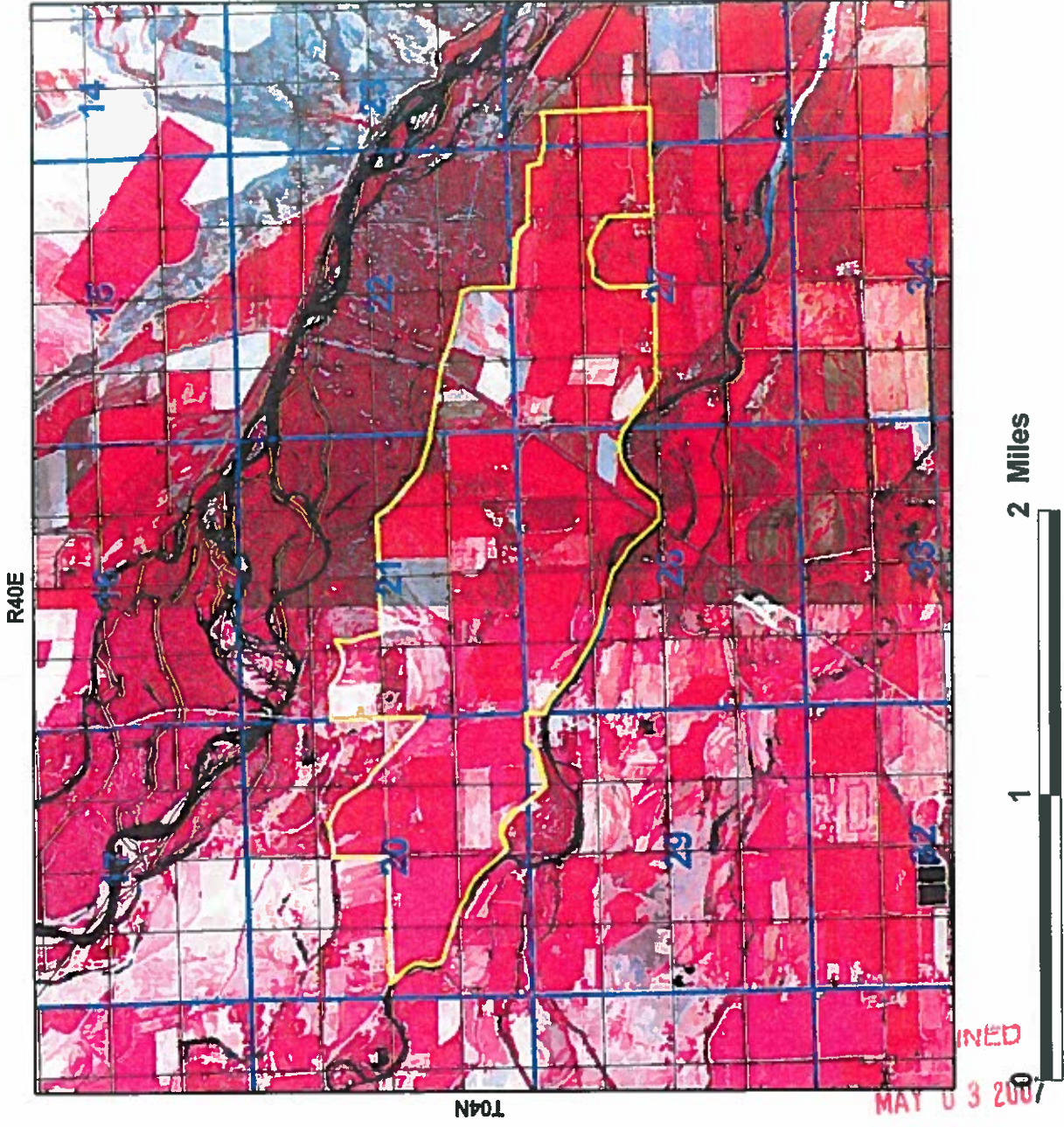
Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Jefferson, Madison Counties
IDWR Basin 1

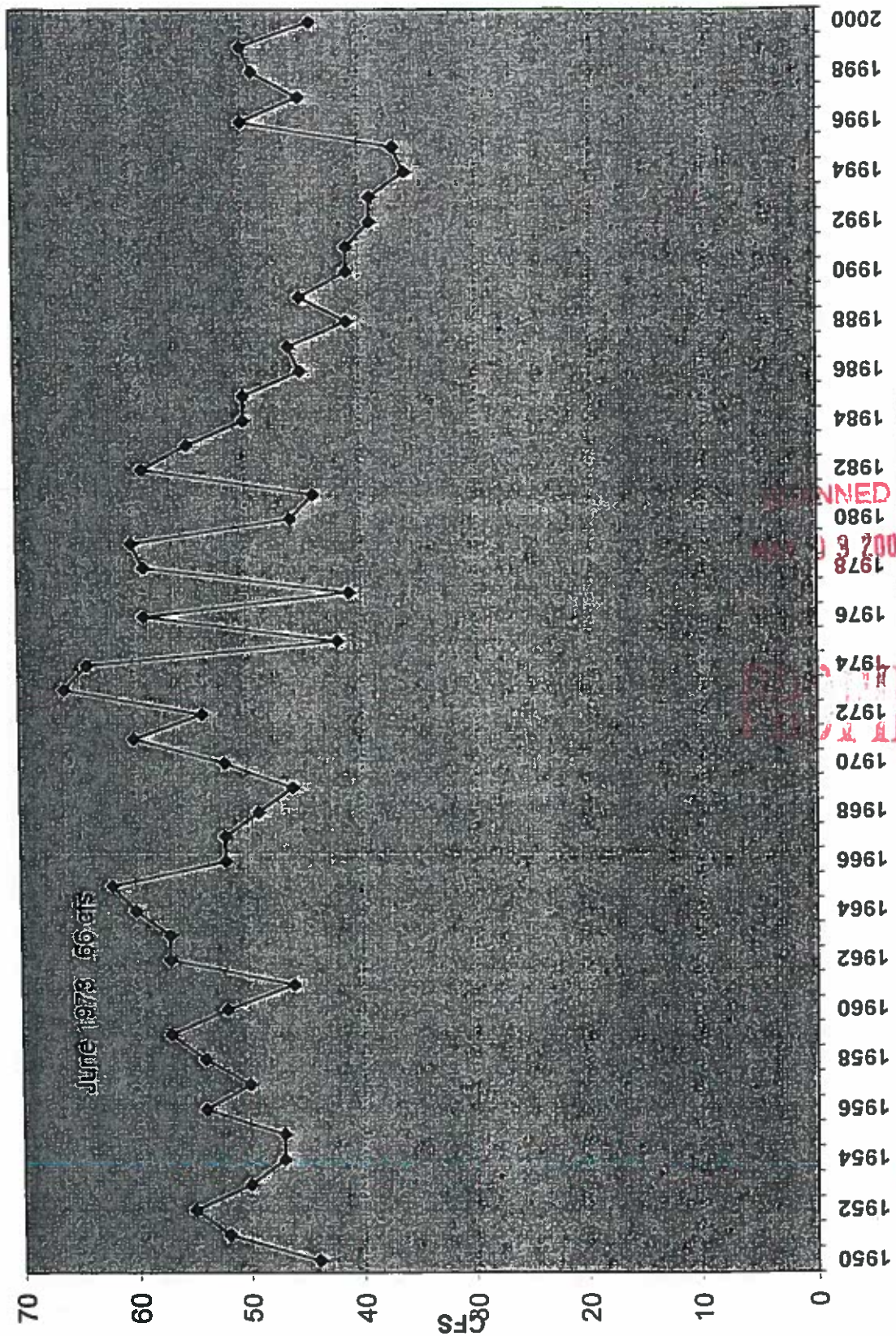
Prepared by C. Moore
On Monday, November 20, 2006
1987/88 Aerial Photography



32

NAME OF CANAL	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	TOTAL
ARLEY	31	2	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
ANDERSON	396	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376	376
EAGLE ROCK	520	552	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584	584
FARMERS FRIEND	502	496	512	520	538	550	554	551	553	591	561	521	557	556	545	512	510	509	532	530	533	553	522	492	480	476	478	473	411	15	617
ENTERPRISE	222	228	235	244	253	264	274	284	294	304	314	324	334	344	354	364	374	384	394	404	414	424	434	444	454	464	474	484	494	504	514
NIELSON	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
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WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
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WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
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WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
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WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
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WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
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WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
WATSON-CRAIG	25	25	25	25	31	31	30	31	32	32	32	32	32	32	34	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
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WATSON-CRAIG	25	25	25	25	31	31																									

MAXIMUM MONTHLY DIVERSION 1950-2000
13038025 BUTLER ISLAND CANAL



13038025 HISTORIC DIVERSION BUTLER ISLAND CANAL (1988-RE-FT)

(CFS)

W-YR	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ANN
1950	36	24	5	2	4	3	5	23	35	44	42	34	256
1951	36	24	5	2	4	3	5	26	52	49	37	35	277
1952	36	24	5	2	3	3	5	34	55	46	44	0	257
1953	36	22	5	2	4	3	5	31	47	50	46	37	287
1954	36	24	5	2	4	3	5	37	34	47	42	37	275
1955	36	24	5	2	4	3	5	16	47	47	41	37	266
1956	36	24	5	2	3	3	5	44	54	50	46	40	312
1957	36	24	5	2	4	3	5	0	35	50	44	39	246
1958	36	24	5	2	4	3	5	26	54	54	41	27	279
1959	36	24	5	2	4	3	5	33	57	54	49	39	308
1960	36	24	5	2	3	3	5	41	49	52	42	35	297
1961	11	8	0	0	0	0	2	34	45	46	44	34	224
1962	11	8	0	0	0	0	2	39	57	52	47	35	252
1963	11	8	0	0	0	0	2	13	40	57	41	35	208
1964	11	8	0	0	0	0	2	10	54	60	46	40	231
1965	11	8	0	0	0	0	2	21	62	55	46	34	239
1966	11	8	0	0	0	0	2	28	50	52	44	34	229
1967	11	8	0	0	0	0	2	37	44	52	49	40	244
1968	11	8	0	0	0	0	2	33	40	49	34	35	213
1969	11	8	0	0	0	0	2	41	42	46	44	39	232
1970	11	8	0	0	0	0	2	8	50	52	50	22	204
1971	16	7	0	0	0	0	0	10	49	60	54	32	227
1972	11	8	0	0	0	0	3	54	54	54	41	37	262
1973	20	8	0	0	0	0	0	29	66	63	39	30	242
1974	15	8	0	0	0	0	0	29	64	47	47	25	249
1975	13	8	0	0	0	0	0	0	35	42	42	34	175
1976	21	5	0	0	0	0	0	0	39	59	42	24	189
1977	18	0	0	0	0	0	3	24	40	41	37	27	191
1978	7	0	0	0	0	0	0	13	55	59	36	22	191
1979	16	5	0	0	0	0	0	29	60	49	28	40	228
1980	23	5	0	0	0	0	0	8	44	46	36	30	191
1981	18	5	0	0	0	0	0	10	32	44	44	32	184
1982	5	0	0	0	0	0	0	20	49	59	39	29	199
1983	8	2	0	0	0	0	0	8	55	46	37	37	193
1984	13	2	0	0	0	0	0	21	50	50	36	37	209
1985	21	13	0	0	0	0	0	29	50	44	34	32	224
1986	20	3	0	0	0	0	0	10	45	41	33	29	180
1987	10	5	2	0	0	0	3	46	42	36	28	12	183
1988	10	0	0	0	0	0	0	28	40	41	41	32	191
1989	24	0	0	0	0	0	0	36	45	44	37	35	222
1990	26	2	0	0	0	0	2	41	37	39	33	20	199
1991	11	0	0	0	0	0	0	11	35	41	33	34	165
1992	21	0	0	0	0	0	5	11	39	39	33	22	197
1993	7	0	0	0	0	0	0	33	39	36	31	30	153
1994	18	8	0	0	0	0	0	33	34	34	36	29	191
1995	10	0	0	0	0	0	0	8	32	37	31	35	153
1996	21	8	0	0	0	0	0	26	50	46	37	32	221
1997	24	12	0	0	0	0	0	33	45	42	34	37	227
1998	23	0	0	0	0	0	0	29	47	49	31	35	214
1999	23	0	0	0	0	0	0	26	47	50	34	35	216
2000	21	0	0	0	0	0	0	34	40	44	44	34	217
AVERAGE:	20	9	1	1	1	1	2	25	46	48	40	32	224
1950-2000													

SCANNED

MAY 03 2007

PROFILED

SCANNED

AUG 22 2001

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: A01-00301
Date Received: 11/09/1988
Receipt No: E003849
Received By: HWT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BUTLER ISLAND CANAL CO. 208-538-7707
Address: 4699 E. 250 N.
RIGBY, ID 83442

2. Date of Priority: APR 01, 1939

3. Source: DRY BED Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	40E	35	NE	NW			JEFFERSON

5. Description of diverting works:
HEADGATE TO DITCH AND P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	16.000		

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

8. Total consumptive use is 2470.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	40E	20	SE	NE		IRR	1.0
			SW	NW		IRR	20.0
			NE	SW		IRR	36.0

A01-00301

Page

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Date: 11/09/88

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	40E	20	SW		SW		IRR	15.0
			SE		SW		IRR	6.0
			NE		SE		IRR	21.0
			NW		SE		IRR	36.0
			SW		SE		IRR	28.0
			SE		SE		IRR	38.0
			Section Acres					201.0
		21	SW		NW		IRR	25.0
			NE		SW		IRR	37.0
			NW		SW		IRR	28.0
			SW		SW		IRR	36.0
			SE		SW		IRR	32.0
			NE		SE		IRR	10.0
			NW		SE		IRR	32.0
			SW		SE		IRR	23.0
			SE		SE		IRR	33.0
			Section Acres					256.0
		22	NW		SW		IRR	5.0
			SW		SW		IRR	39.0
			SE		SW		IRR	19.0
			Section Acres					63.0
		26	NW		NW		IRR	15.0
			SW		NW		IRR	19.0
			Section Acres					34.0
		27	NE		NE		IRR	25.0
			NW		NE		IRR	39.0
			SE		NE		IRR	32.0
			NE		NW		IRR	40.0
			NW		NW		IRR	37.0
			SW		NW		IRR	33.0
			SE		NW		IRR	35.0
			Section Acres					241.0
		28	NE		NE		IRR	36.0
			NW		NE		IRR	35.0
			SW		NE		IRR	31.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	40E	28	SE	NE		IRR	24.0
			NE	NW		IRR	39.0
			NW	NW		IRR	18.0
						Section Acres	183.0
		29	NE	NE		IRR	10.0
						Section Acres	10.0
						Total Acres	988.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
A01-00035AC AND A01-00231

14. Remarks:

15. Basis of Claim: DECREED
Water Right Number: 010301
Case Number:
Court :
Decree date:

ABERDEEN SPRINGFIELD ETAL
Decree Plaintiff

vs

HENRY EAGLE.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

A01-00301

Page

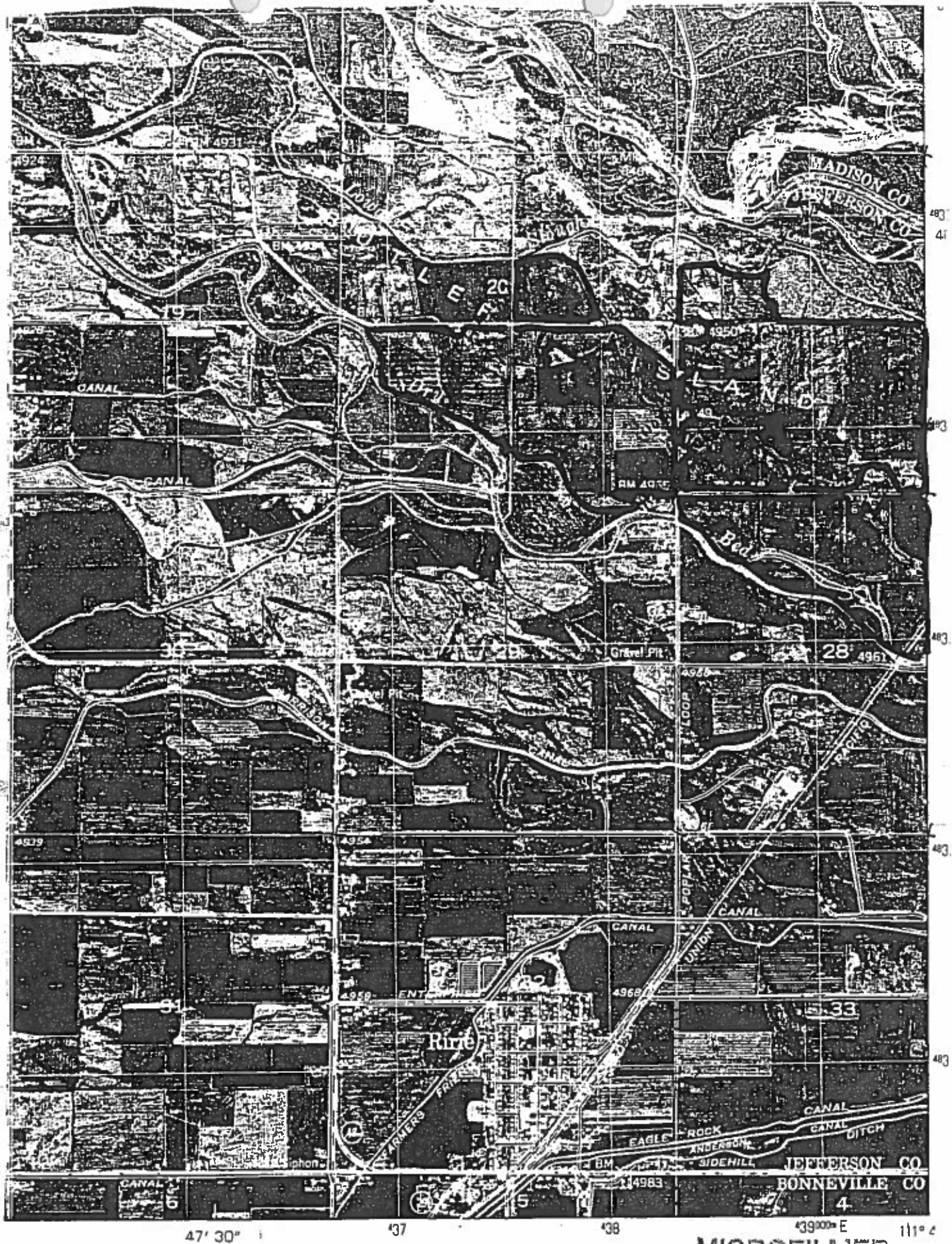
My Commission Expires

4

Date: 11/09/88

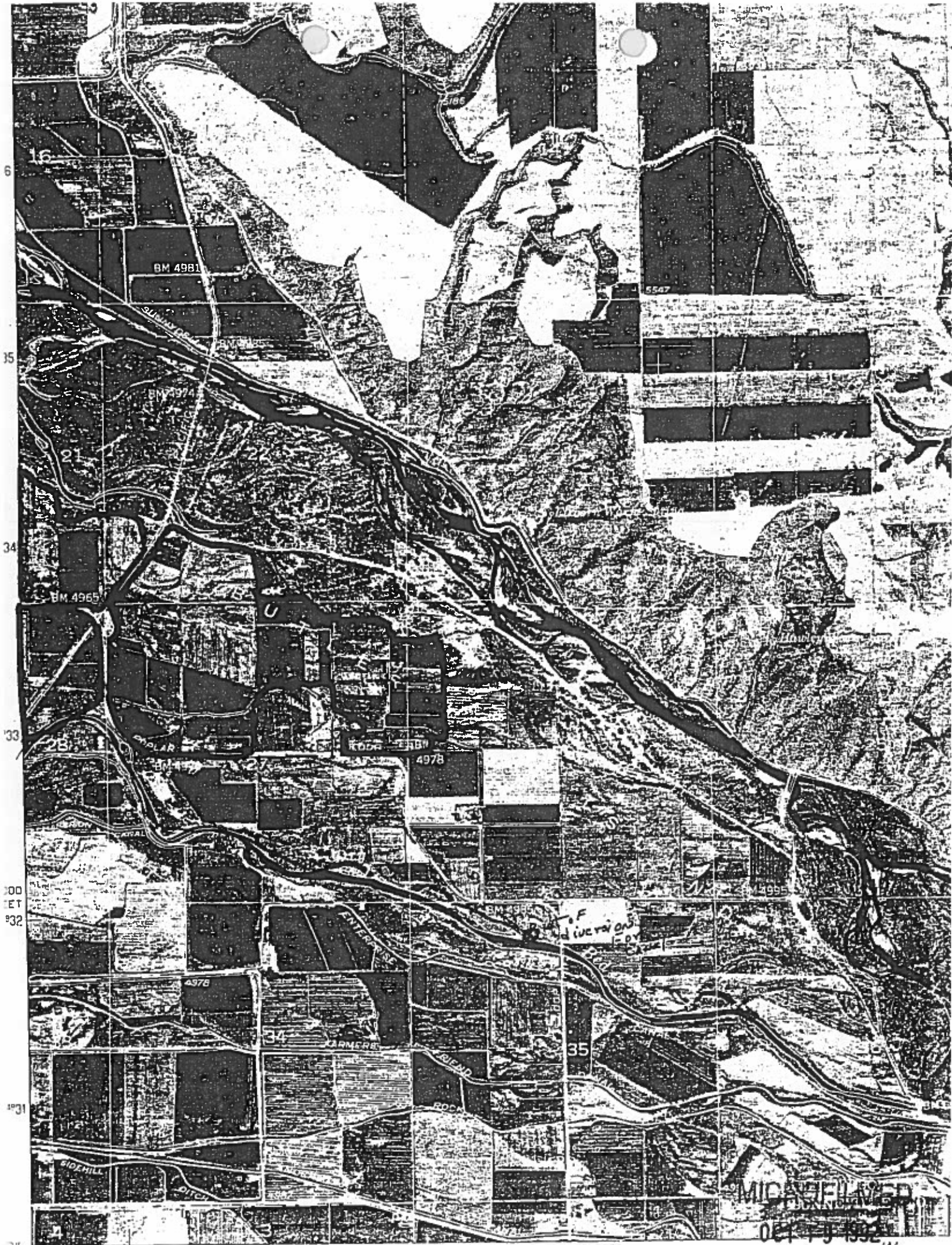
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OCT 19 1992



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OCT 19 1992

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: 39356

Ident. Number 01-00301Date Received 11-7-88Receipt Number E003849

A0100301



NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Butler Island Canal Co. Phone (208) 538-7707

Mailing Address 4699 E. 250 N. Rigby, Idaho Zip 83442

2. Date of Priority (Only one (1) per claim) 4-01-1939

3. Source of water supply (a) Dry Bed
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 4 N Range 40 E Section 35,
NE 1/4 of NW 1/4 of 1/4, Govt. Lot, B.M., County of Jefferson

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. Headgate to ditch

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6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For irrigation purposes from April to Oct amount 16.000 or ~~4337.4~~

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 16.0 4337.4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2470 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

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	

Total number of acres irrigated _____

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

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.
01-0035 + 01-0231 or None ()

14. Remarks:

Last Name Chase Ident No. _____

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

Decree ☒

If applicable provide IDWR Water Right Number 01-00301

Court _____ Case Number _____ Decree Date 12-16-1980

Plaintiff vs Defendant Rexburg Irr. vs Teton Canal

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) _____ Date _____

_____ Date _____

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

of Butler Island Canal Co. Title _____ that I have signed the foregoing

document in the space below as secretary Title _____ of same Canal Co. Organization _____

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

Signature of Authorized Agent Betty Chase

Title and Organization Sec. Butler Island Canal Date 11-7-88

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

Subscribed and sworn (or affirmed) before me this 7th day of Nov 19 88

SEAL

Notary Public Betty J. Thompson

Residing at Idaho Falls

My Commission Expires 6-94

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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