

10/14/2004

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

RIGHT NUMBER: 25-7117

NAME AND ADDRESS: ULENE BUTIKOFER
PO BOX 556
RIGBY ID 83442

MERLE W BUTIKOFER
PO BOX 556
RIGBY ID 83442

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.000 CFS
525.000 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 06/13/1977

POINT OF DIVERSION:

T03N R38E S17 SWSNW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	3.000 CFS 525.00 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R38E S17	NENW	35.5	T03N R38E S17	SESW	38.0
T03N R38E S17	NESW	40.0	T03N R38E S17	NWSW	36.5

150 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: License

01/09/2004

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

RIGHT NUMBER: 25-7117
NAME AND ADDRESS: ULENE BUTIKOFER
PO BOX 556
RIGBY ID 83442-0556

MERLE W BUTIKOFER
PO BOX 556
RIGBY ID 83442

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.000 CFS
525.000 AFY

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T03N R38E S17 SWSNW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

3.000 CFS
525.00 AFY

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T03N R38E S17	NENW	35.5	T03N R38E S17	SENW	38.0
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EXPLANATORY MATERIAL: License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BURGESS CANAL CO.

VOID

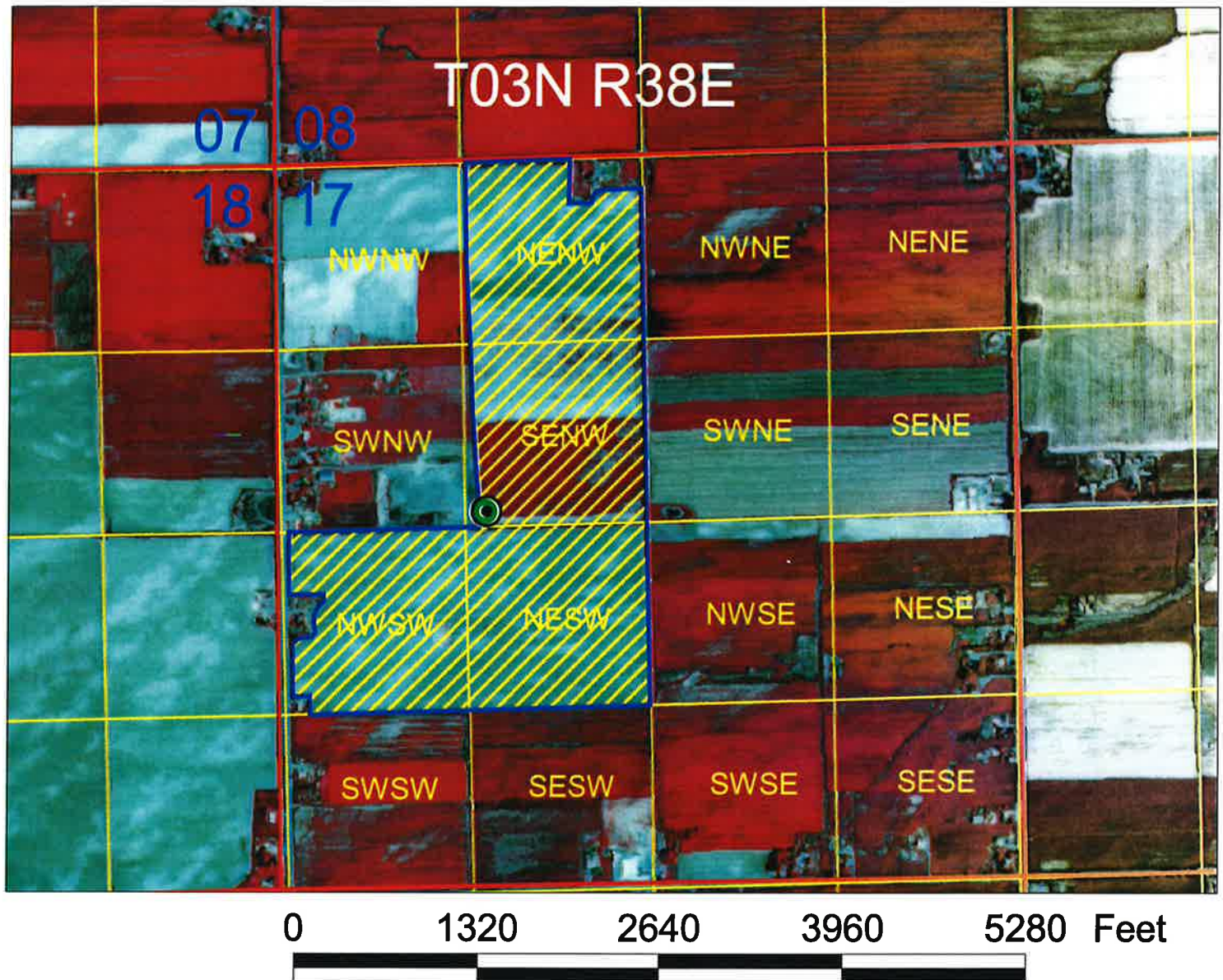
Water Right 25-7117

SCANNED
SEP 27 2004
PROFILED



Department of Water Resources

Claim No.: 25-07117



- Point of diversion
- Place of use
- Sections
- QQ

SCANNED

SEP 27 2004

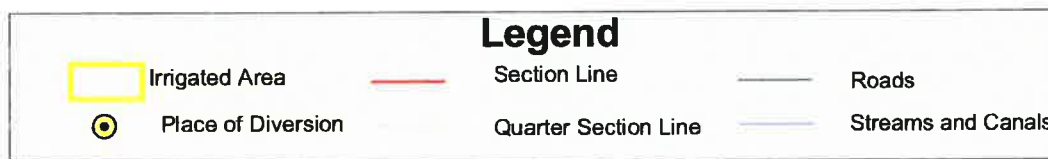
PROFILED



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: January 2004

Water Right Claim Number 25-07117
Township , 3N38E

12/05/2000



Spatial Dynamics

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SEP 27 2004

PROFILED

RECEIVED

SEP 14 2004

Department of Water Resources
Eastern Region

M H

01/09/2004

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:

Water right number: 25-7117

ULENE BUTIKOFER
PO BOX 556
RIGBY ID 83442-0556
Telephone Number: (208)745-0152

MERLE W BUTIKOFER
PO BOX 556
RIGBY ID 83442
Telephone Number: (208)745-0152

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

explanatory material

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

I wish to have the sentence in the explanatory material removed w.e. "Use of right is combined with water from Burgos Canal Co."

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

we have sold those rights except for ones to water the houses and yards.

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

DATE: 14 Sept. 2004 SIGNATURE: Ulene Butikofe

Please print your name: Ulene Butikofe

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

if there is any problem please call me at 745-0152 or 589-6917 so we can talk about it + work it out - UB

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SCANNED

SEP 15 2004

25-7117

FROM WMIS:

A0008685

N 278475.70

E 660045.30

On 6/24/2002 I measured
1497 GPM during a PCC
calibration exam.

SCANNED

SEP 27 2004

PROFILED

Water Right Number 25-7117

Recommended as Claimed

☐ Claimed as Beneficial Use, ☒ Claimed as Licensed, ☐ Claimed as Decreed

NOTES:

SCANNED

SEP 27 2004

PROFILED

DATE: 10/24/00
PAGE: 131

SCANNED
SEP 27 2004
PROFILED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 25-7117 Priority June 13, 1977 Amount 3.0 cfs

THIS IS TO CERTIFY, that Merle W. Butikofer
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 25-7117 issued pursuant to Application for Permit dated June 13, 1977
and has submitted proof to the Department of Water Resources on July 21, 1981
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.79 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>3.0</u> cfs and	<u>525.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
525.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17,
Twp 3N, Rge 38E in the County of Bonneville

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	38E	17					36				39	39	36						150

Total number of acres irrigated 150

This right when combined with all other rights shall provide no more than .02 cfs
per acre nor more than 3.5 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

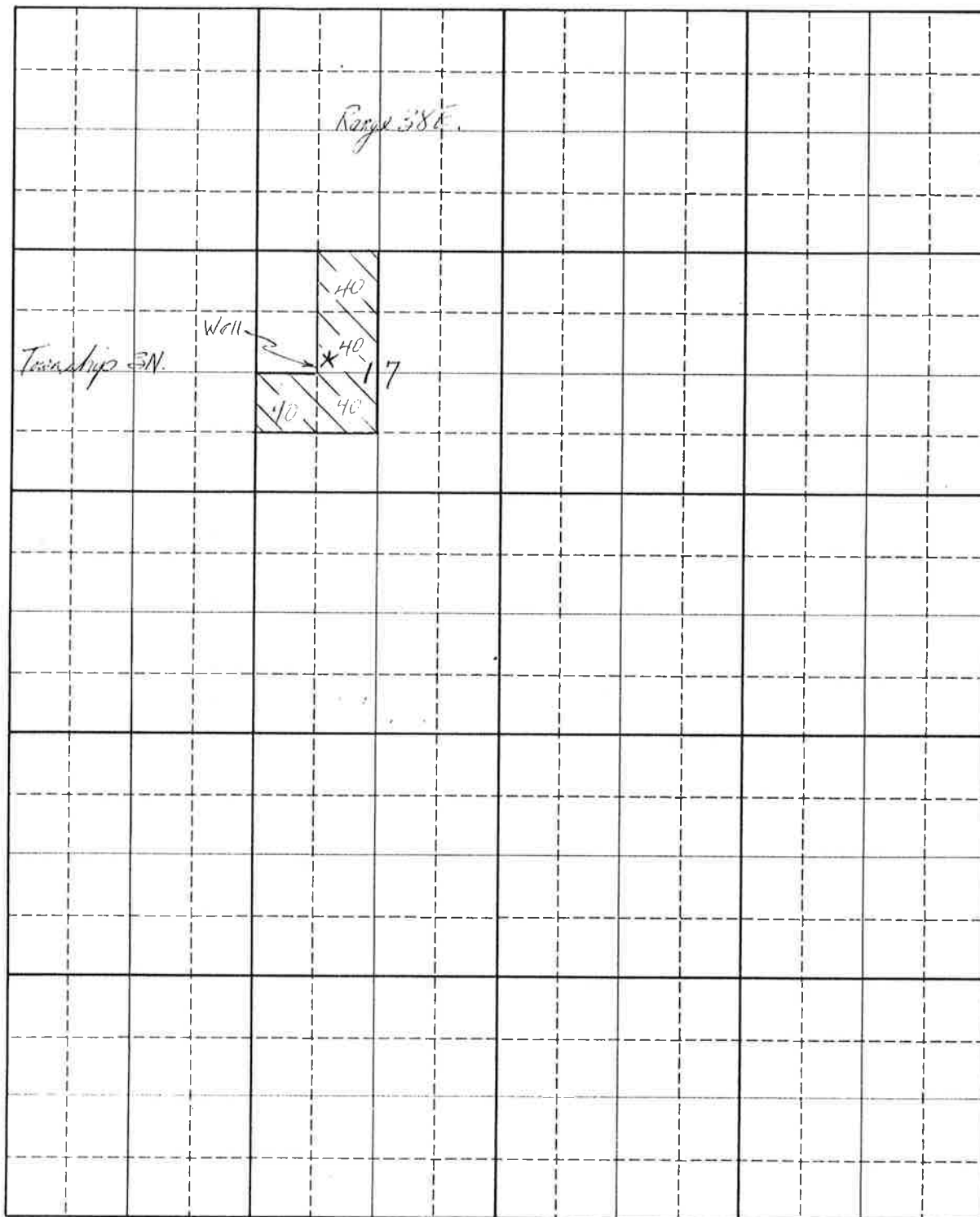
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10TH day of
September, 19 84.

Acting for the Director

NO DOMESTIC USE ✓

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.

Mark W. Buttkopf
(Applicant)

Identification No. 25 7117

Application No. _____

**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 Merle W. Butikofer Phone: 523-3569
post office address Rt. #6, Box 314, Idaho Falls, Idaho

2. Source of water supply ground water which is a tributary of _____

3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17 Township 3N
Range 38E B.M. Bonneville 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 3.20 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.64 for Domestic purpose from Jan. 1 to Dec. 31 (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. 3.84 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump and sprinkler system;
plus system for culinary water

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 16 inches; proposed depth of well is 275 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 \$ 10,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: E $\frac{1}{2}$ ~~XX~~ of NW $\frac{1}{4}$ of Section 17 Township 3N
Range 38E 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 _____

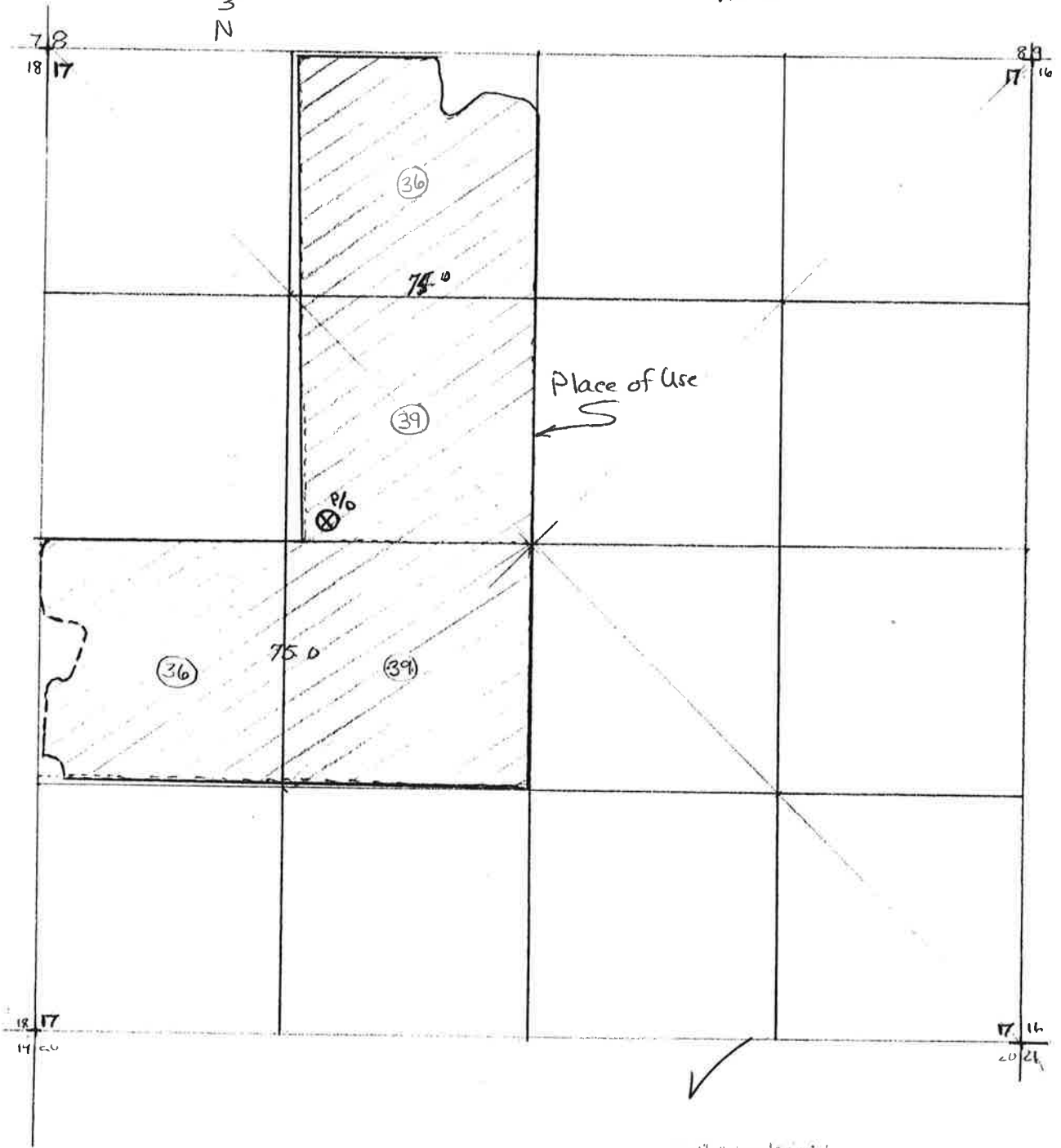
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 16.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

T
3
N R38E

25-7117





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 19, 1998

MERLE & ULENE BUTIKOFER
PO BOX 556
RIGBY ID 83442

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A25-07117

Dear Mr. & Mrs. Butikofer:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

SCANNED

SEP 27 2004

PROFILED

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): 35-07336, NCAP ✓ A25- ✓ 07117
25-10963, NCAP ✓ 25-13305, NCAP ✓
25-13308, NCAP ✓

[] Old Mailing Address: _____

[] New Mailing Address: Merle W. & Lor Ulene Butikofer
P.O. Box 556
Rio Grande ND 58442

[] Telephone Number: (208) 745-0152

[] Signature of Claimant: Ulene Butikofer

[] Date: 12 Nov 1998

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

SCANNED

SEP 27 2004

PROFILED

SCANNED

AUG 17 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: A25-07117
Date Received: 9/26/1989
Receipt No: E010818
Received By: AMS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MERLE W. BUTIKOFER 208-745-8338
Address: 424 N. 3900 E.
RIGBY, ID 83442

OR
Name: ULENE BUTIKOFER 208-745-8338
Address: 424 N. 3900 E.
RIGBY, ID 83442

2. Date of Priority: JUN 13, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	38E	17	SE		NW		BONNEVILLE

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		525.00

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

8. Total consumptive use is 375.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A25-07117

Page 1

Date: 09/26/89

MICROFILMED
NOV 10 1992



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	38E	17	NE		NW		IRR	36.0
			SE		NW		IRR	39.0
			NE		SW		IRR	39.0
			NW		SW		IRR	36.0
							Section Acres	150.0
							Total Acres	150.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
BURGESS CANAL IRR. WTR.

14. Remarks:
THE BUTIKOFERS NOTICE WAS SENT TO THE WRONG ADDRESS.

15. Basis of Claim: LICENSE

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 X 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): Ulene Butkoff Date: Sept 26, 1989
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of Sept 19 89

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

RESIDING AT IDAHO FALLS, IDAHO

My Commission Expires SEP 20 91

AJ0749NP
No. A25-07117

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

DATE: 11/14/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MERLE W BUTIKOFER	06/13/1977	IRRIGATION	04-01 11-01	3.00 CFS	525.00 AFA
C	ULENE BUTIKOFER PO BOX 556 RIGBY ID 83442 (208) 745-0152					
TOTAL DIVERSION: CONSUMPTIVE USE:					3.00 CFS	375.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

.Point(s) of Diversion: T03N R38E S17 SENW

BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
03N	38E	17	:					:	36			39	:	39	36			:					:	150.0
TOTAL ACRES																							:	150.0

POU County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: BURGESS CANAL IRR. WTR.

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for
- irrigation of the lands above.

Remarks: GEN THE BUTIKOFERS NOTICE WAS SENT TO THE WRONG ADDRESS.
CHANGED ADDRESS PER REQUEST/JH/11-13-98

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

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