

08/23/2005

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

RIGHT NUMBER: 27-38

NAME AND ADDRESS: LITTLE BUTTE IRRIGATION CO LTD
PO BOX 580
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 7.040 CFS

PRIORITY DATE: 04/05/1886

POINT OF DIVERSION:

T03S R35E S12 NESESE Lot 1 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/01	7.040 CFS

PLACE OF USE:

585 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 Little Butte Irrigation 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

Use of this right is combined with water from Eastern Idaho Water Company.

05/12/2005

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

RIGHT NUMBER: 27-38

NAME AND ADDRESS: LITTLE BUTTE IRRIGATION CO LTD
PO BOX 580
BLACKFOOT ID 83221

DISALLOWED

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 7.040 CFS

PRIORITY DATE: 04/05/1886

POINT OF DIVERSION:

T03S R35E S12 SESE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/01

7.040 CFS

PLACE OF USE:

585 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 SKBA 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.

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

(#5 CONT.) WATER IS TRANSPORTED BY EARTHEN DITCHES; DITCHES ARE OPEN; WATER IS OBTAINED FROM THE RIVER VIA A HEADGATE.

(REMARKS FROM SUBMITTED CLAIM) THE COMPANY REQUIRES THAT A SHAREHOLDER OWN 2 SHARES FOR EVERY ACRE THAT IS IRRIGATED BECAUSE OF THE SANDY SOIL CONDITION.

(MEMO TO THE FILE: 06/02/1988 PRM) ASSUMING 1462.5 A.F.A. FOR CONSUMPTIVE USE WHICH WAS OMITTED FROM SUBMITTED CLAIM.

CHANGED ADDRESS 5/22/95 JT

No lawful appropriation shown.

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: Decreed

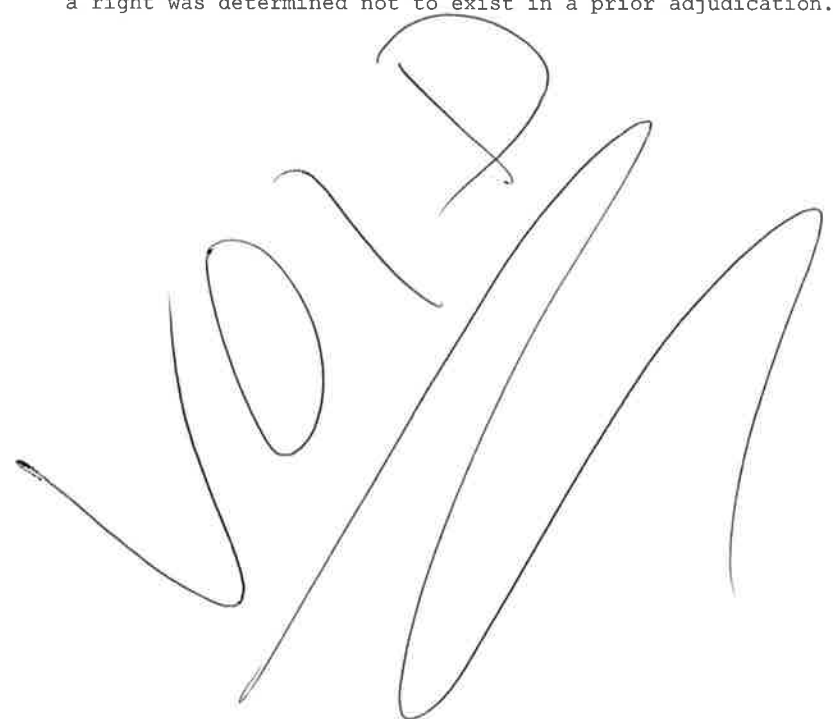
05/12/2005

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

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included

where

a right was determined not to exist in a prior adjudication.

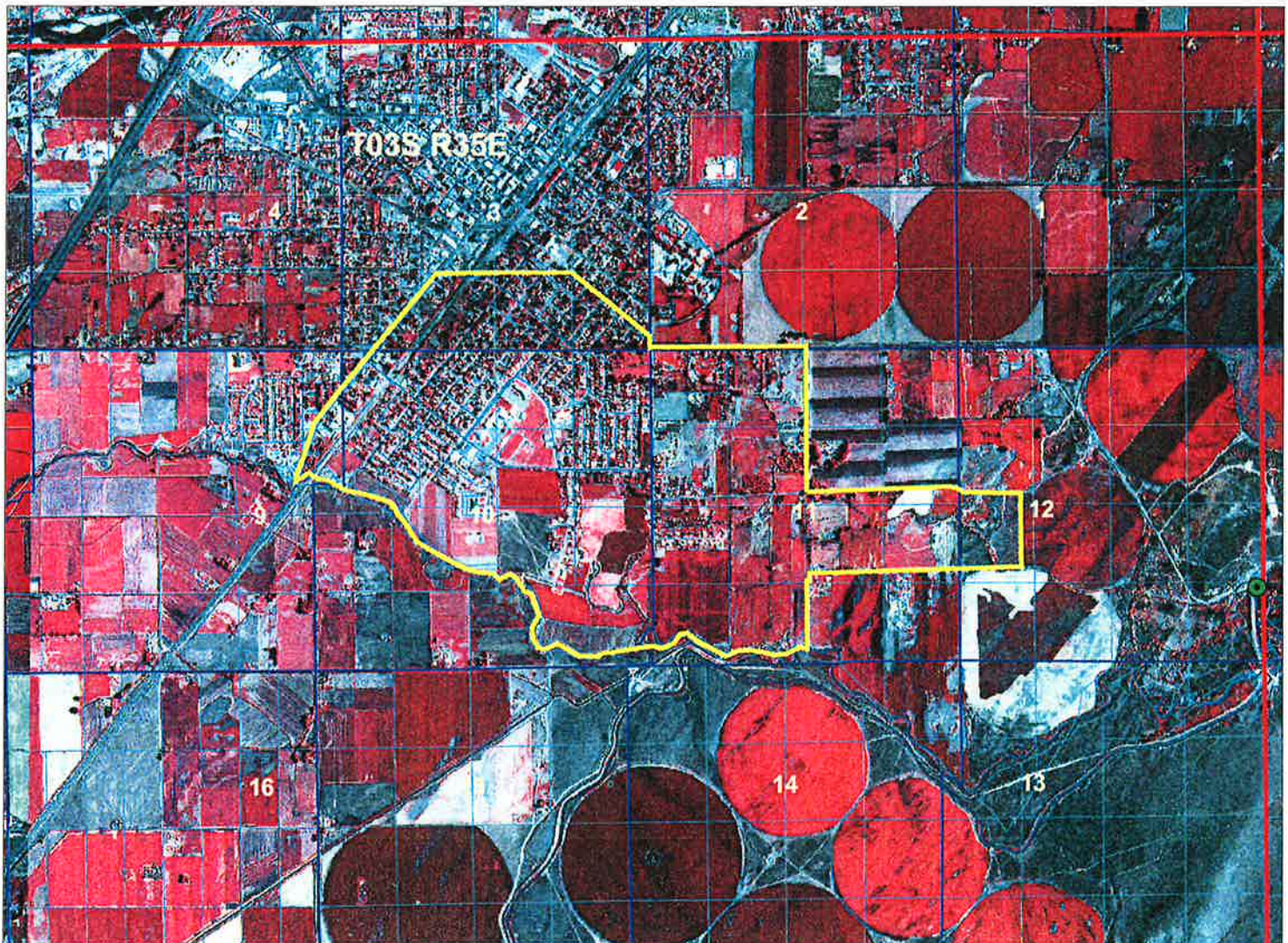


Department of Water Resources

Eastern Region



Claim No.: 27-38, 27-39, 27-40,
27-41, and 27-10878



0 1320 2640 3960 5280 Feet



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

JAN 11 2006



GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: August 2005

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

RIGHT NUMBER: 27-38

NAME AND ADDRESS:

LITTLE BUTTE IRRIGATION CO LTD
PO BOX 580
BLACKFOOT ID 83221

SOURCE:

Source:
BLACKFOOT RIVER

Tributary:

SNAKE RIVER

QUANTITY:

7.040 CFS

PRIORITY DATE:

04/05/1886

POINT OF DIVERSION:

T03S R35E S12 Lot 1 SESE
Within BINGHAM County

~~T03S R35E S12 Lot 1 NESESE~~
~~Within BINGHAM County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/01 10/31

7.040 CFS

~~04/01 10/01~~

PLACE OF USE:

585 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.

The rights listed below are limited to the irrigation of a combined total of 585 acres in a single irrigation season. Combined Right Nos.: 27-38, 27-39, 27-40, 27-41, and 27-10878.

Place of use is within the area served by Little Butte Irrigation 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

Use of this right is combined with water from Eastern Idaho Water Company.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water is delivered through Little Butte Canal.

11/09/2005

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

RIGHT NUMBER: 27-38
NAME AND ADDRESS: LITTLE BUTTE IRRIGATION CO LTD
PO BOX 580
BLACKFOOT ID 83221

WILLIAM H DANILSON
616.78 ac

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 7.040 CFS

PRIORITY DATE: 04/05/1886

POINT OF
DIVERSION: T03S R35E S12 ~~NESESE~~ Lot 1 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

04/01 10/01

QUANTITY

7.040 CFS

10/31

PLACE OF USE:

585 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 Little Butte Irrigation 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

Use of this right is combined with water from Eastern Idaho Water Company.

+ F01
+ L05
+ E56



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 24, 2005

Little Butte Irrigation Co LTD
PO Box 580
Blackfoot ID 83221

RE: Preliminary Director's Reports 27-38, 27-39, 27-40, 27-41 & 27-10878

Dear Sir:

In response to the Notices of Error submitted after the initial mailing of the Preliminary Director's Reports in June 2005, enclosed for your records are the revised Preliminary Director's Reports for the above listed water rights and a map of the canals service area. These reports are based on information obtained subsequent to the initial mailings and replace the previous Preliminary Director's Reports.

The Department expects to submit to the Snake River Basin Adjudication Court all recommendations for the Blackfoot Drainage, Basin 27, in November 2005. At that time you will receive a Director's Report for each of your water rights, which should mirror each of the revised preliminary recommendations.

Naturally if you have questions please call me at the above phone number.

Respectfully Submitted,

Ernest Carlsen
Water Right Supervisor

Enclosures (5)
emc

SCANNED

JAN 11 2006

PROFILED

Little Butte Irrigation Company
3035 River Ranch Rd.
Blackfoot, ID 83221

July 25, 2005

Ernie Carlsen
Idaho Department of Water Resources
900 N. Skyline Dr., Ste A
Idaho Falls, ID 83402

Re: (5) Notice of Errors Reply

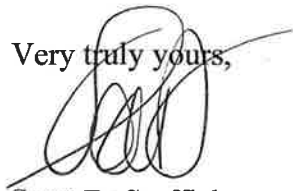
Dear Ernie:

Pursuant to our discussion, I am submitting the irrigation company's reply to the five disallowed water rights. The basis of our response is that these rights are deeded to the irrigation company. In addition, they have always been utilized and are currently being utilized by the irrigation company, since its creation.

Thank you for taking the time to talk with myself and Neil Hepworth.

If you need anything else, or have any questions, please feel free to contact either myself or Neil. Thank you.

Very truly yours,


Scott D. Stufflebeam

SDS

Attachments

RECEIVED

JUL 27 2005

Department of Water Resources
Eastern Region

07/21/2005

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: 27-38

LITTLE BUTTE IRRIGATION CO LTD

PO BOX 580

BLACKFOOT ID 83221

Telephone Number: (208)785-2132

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

No lawful appropriation shown

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

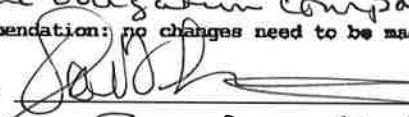
This is a deeded water right. Lawful appropriation should be recognized

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

This is a deeded water right. This right has always been and currently is being used by the irrigation company

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

DATE: 7/25/05

SIGNATURE: Please print your name: Scott D Stufflebeam

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

RECEIVED

JUL 27 2005

Department of Water Resources
Eastern Region

KMO
7/27

Notes

4/28/05 9am. I talked with Ernie about Little Butte. He said he could set down with them to adjust the map but he doesn't have the time to do their map for them.

He said we will just have to use what we have if they don't get us a map.

Ernie is going to check with Ryan Madsen to see if we have some measurements for Little Butte irrigation co.

Ernie will call me back when he finds out something. CB.

5/8/05 Ernie, Ryan Madsen last yr.
24.56 CFS.

Notes

5-26-05 Danielle in Boise has the latest & greatest shapes for Little Butte. Foster for Eastern To discuss design & update the PLS.

4-27-05, Danielle called. Probably what they have is the same as what Sadler has. BP

4/27/05 - Called and left a message for Ernie to call me about Little Butte Irrigation Co.

3:30pm Called Scott. He said the map is wrong and unless the map has house numbers on it he won't be able to tell which place they irrigate. I explained if he could go to I.F. and meet with Ernie then Ernie could bring in roads onto the project to give him some orientation.

He said that they irrigate within the City of Blackfoot, I told him that he may need to get a City map so he can print himself on the map.

I explained to him that we need the map right away because the recommendation goes out the middle of next month.

He said he is on call for the wind farm so it is difficult for him to get time to do this.

I need to see if Ernie could meet with him.

Notes

12/1/03 decreed to William Danelson, 4-5-1886.
352 inches (7.04 cfs)

4/14/04 no other claims filed on this number. CB claimants are working with Mark Larsen on the boundaries & number of irrigated acres.

8/19/04 Scott called to get our address so he could send us a copy of some deeds.
See 27-10878 for deeds. BP

2/10/05 Sent an address update form to Neil Hepworth
3035 River Ranch Rd
Blackfoot, ID 83221.

Scott called and I said we would send out a new map to Neil. He said they would look at it asap and get it back to us.

Scott 785-5047. Neil Hepworth 785-3119.

4-14-05 Put a copy of the decree in the file. Also called Scott, asked if they had a chance to look over the maps. He said they did, but there is a question they have about several lots in town they provide water to, that is not on the map. Does it need to be? I wouldn't give him an answer, told him he needed to discuss this with Cindy. PB

Summary

Claim No. 27 - 38

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2

If No, go to 3

Yes (☒) No (☐)

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4

If No, status will be set as Active. Go to 5

Yes (☒) No (☐)

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5

If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes (☐) No (☐)

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5

If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes (☐) No (☒)

5. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 6

If No, go to 6

Yes (☒) No (☐)

6. Would you like to view the recommended right?

If Yes, go to 7

If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (☒) No (☐)

7. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8

If No, go to 8

Yes (☐) No (☒)

8. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 9

If No, go to 9

Yes (☐) No (☒)

9. Would you like to set the verification date?

If Yes, the review is complete.

If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (☒) No (☐)

Claim No.: 27-38

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

P01 Gen Cond

P11 Exp cond

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

27-38

Reviewer

CB

Date

8/11/05

5/10/05 meeting in F.F. with Candee
McHugh, Dave T, Ernie Carlsen + Cindy
Bird.

These rights were decreed to individuals
in the Stevens Decree. According to Ryan
Madsen, WDO1, Little Butte Irrigation
Co. may actually be a carrying ditch.
They will need to prove ownership
of these rights. Also, they will need
to provide the Department with a
map with their boundaries and
irrigated POW. Because we don't
have evidence of ownership, Claims
are being Disallowed until
claimants can provide us with
the proper documents & maps.

Disallowed. add ^{PO1 Gen.} ~~POB~~ ~~Flow~~ / Cond.
^{P11 EXP Cond.}
No Lawful Appropriation Shown per
Candee

Print Preliminary Rec. ? NOE.

References[Remedy](#)[Launch
ArcView](#)[Administrative
Rules](#)[Query
Tools](#)[Data
Entry
Standards](#)[Show Help](#)Screen ID
384Process:
Claim
Verification
RecordStep:
Update
Information**Quick Look****Contacts****Priority Date****POD****Source****POU****Water Use****Review/Verify Log**Status

Claim Number

Version Number

[View Documents](#)**Check List**[Print Form](#)☒ **Priority Date**☒ **Contacts**☒ **Point of Diversion**☒ **Source**☒ **Place of Use**☒ **Purpose of Use**☒ **Period of Use**☒ **Quantity**☐ **Summary**[Yes to All](#)

Contacts

CommentsAuthor

Text

Subj Date - - [Add](#)[Edit](#)[Remove Selected](#)[Hide References](#)[Next Step](#)[Return to Home](#)Previous
Steps:[Select Claim](#)Scree
ID
384

Bird, Cindy

From: Bird, Cindy
Sent: Thursday, February 10, 2005 4:44 PM
To: Ciscell, Michael
Subject: Little Butte Irrigation Co. map

Michael,
Please send a map to Little Butte Irrigation at the address below. They have changed their address and forgot to notify us.

Little Butte Irrigation Co.
c/o Neil Hepworth
3035 River Ranch RD
Blackfoot, ID 83221

They will look at it and get it right back to us.

Thanks,
Cindy

Storers Deceased

	TS	R	Sec	Acres	POD
27-38	3	35	3, 4, 10, 9	616.78	
39	3	35	11	?	
40	3	35	11	?	
41				<u>120.0</u>	
				736.78	

27-10878	3	35	3, 9, 10, 11, 12	585.0	Sec 12
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Sourceinput	Sourceaccu	Sourcedate	Tr	Trs	Trsqg	Acres
File	13.00	2002	03S35E	03S35E2	03S35E2NWSW	0.0
File	13.00	2002	03S35E	03S35E3	03S35E3NESE	1.5
File	13.00	2002	03S35E	03S35E3	03S35E3NWSE	1.5
File	13.00	2002	03S35E	03S35E3	03S35E3NWSW	1.6
File	13.00	2002	03S35E	03S35E4	03S35E4NESE	0.0
File	13.00	2002	03S35E	03S35E2	03S35E2SWSE	0.0
File	13.00	2002	03S35E	03S35E2	03S35E2SESW	1.5
File	13.00	2002	03S35E	03S35E2	03S35E2SWSW	2.2
File	13.00	2002	03S35E	03S35E3	03S35E3SWSE	39.6
File	13.00	2002	03S35E	03S35E3	03S35E3SESW	39.6
File	13.00	2002	03S35E	03S35E4	03S35E4SESE	0.2
File	13.00	2002	03S35E	03S35E10	03S35E10NENE	39.8
File	13.00	2002	03S35E	03S35E9	03S35E9SWNE	0.1
File	13.00	2002	03S35E	03S35E12	03S35E12SESW	0.0
File	13.00	2002	03S35E	03S35E12	03S35E12SWNW	1.0
File	13.00	2002	03S35E	03S35E11	03S35E11SENE	1.1
File	13.00	2002	03S35E	03S35E11	03S35E11SWNE	2.0
File	13.00	2002	03S35E	03S35E10	03S35E10SESW	0.2
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	30.2
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	0.0
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	0.0
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10NESW	0.0
File	13.00	2002	03S35E	03S35E11	03S35E11NESW	39.9
File	13.00	2002	03S35E	03S35E11	03S35E11NWSW	39.9
File	13.00	2002	03S35E	03S35E10	03S35E10SWSW	0.0
File	13.00	2002	03S35E	03S35E11	03S35E11SESW	0.1
File	13.00	2002	03S35E	03S35E10	03S35E10SESE	0.0
File	13.00	2002	03S35E	03S35E11	03S35E11SESW	0.0
File	13.00	2002	03S35E	03S35E11	03S35E11SESW	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10SESE	0.0
File	13.00	2002	03S35E	03S35E3	03S35E3NESW	1.6
File	13.00	2002	03S35E	03S35E3	03S35E3SESE	39.7
File	13.00	2002	03S35E	03S35E3	03S35E3SWSW	39.5
File	13.00	2002	03S35E	03S35E11	03S35E11NWNE	1.1
File	13.00	2002	03S35E	03S35E11	03S35E11NENW	40.1
File	13.00	2002	03S35E	03S35E11	03S35E11NWNW	40.1
File	13.00	2002	03S35E	03S35E10	03S35E10NWNE	38.3
File	13.00	2002	03S35E	03S35E10	03S35E10NENW	38.2
File	13.00	2002	03S35E	03S35E9	03S35E9NENE	2.0
File	13.00	2002	03S35E	03S35E10	03S35E10NWNW	39.7
File	13.00	2002	03S35E	03S35E11	03S35E11SESW	40.1
File	13.00	2002	03S35E	03S35E11	03S35E11SWNW	40.1

Sourceinput	Sourceaccu	Sourcedate	Tr	Trs	Trsqg	Acres
File	13.00	2002	03S35E	03S35E10	03S35E10SENE	39.5
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	24.5
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	0.0
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	0.0
File	13.00	2002	03S35E	03S35E12	03S35E12NFSW	0.6
File	13.00	2002	03S35E	03S35E12	03S35E12NWSW	38.8
File	13.00	2002	03S35E	03S35E11	03S35E11NESE	39.0
File	13.00	2002	03S35E	03S35E11	03S35E11NWSE	38.8
File	13.00	2002	03S35E	03S35E10	03S35E10NESE	39.7
File	13.00	2002	03S35E	03S35E10	03S35E10NWSE	0.7
File	13.00	2002	03S35E	03S35E11	03S35E11SWSE	0.4
File	13.00	2002	03S35E	03S35E11	03S35E11SWSW	60.8
File	13.00	2002	03S35E	03S35E10	03S35E10SLSE	46.5
File	13.00	2002	03S35E	03S35E11	03S35E11SESW	0.0
File	13.00	2002	03S35E	03S35E11	03S35E11SWSE	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10NE SW	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10SWSW	0.0
File	13.00	2002	03S35E	03S35E11	03S35E11SESW	11.1
File	13.00	2002	03S35E	03S35E11	03S35E11SWSW	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10SESE	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10SESE	0.7
File	13.00	2002	03S35E	03S35E11	03S35E11SESW	0.2
File	13.00	2002	03S35E	03S35E11	03S35E11SESW	0.0
File	13.00	2002	03S35E	03S35E11	03S35E11SESW	1.4
File	13.00	2002	03S35E	03S35E10	03S35E10SESE	0.2
File	13.00	2002	03S35E	03S35E14	03S35E14NWNW	0.0
File	13.00	2002	03S35E	03S35E14	03S35E14NENW	0.0
File	13.00	2002	03S35E	03S35E14	03S35E14NENW	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10NWSE	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10SESE	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10SWSE	33.6
File	13.00	2002	03S35E	03S35E10	03S35E10SESW	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10SWSE	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10SWSE	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10SWSE	0.1
File	13.00	2002	03S35E	03S35E10	03S35E10SESE	5.1
File	13.00	2002	03S35E	03S35E10	03S35E10SESE	0.0
File	13.00	2002	03S35E	03S35E14	03S35E14NWNW	0.0
File	13.00	2002	03S35E	03S35E15	03S35E15NWNW	0.0
File	13.00	2002	03S35E	03S35E15	03S35E15NENW	0.0
File	13.00	2002	03S35E	03S35E9	03S35E9SWNE	0.0
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	0.5
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	21.6

Sourceinput	Sourceaccu	Sourcedate	Tr	Trs	Trsqg	Acres
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	0.1
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	0.1
File	13.00	2002	03S35E	03S35E8	03S35E8SWNW	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10SWNW	0.0
File	13.00	2002	03S35E	03S35E9	03S35E9NFSE	0.0
File	13.00	2002	03S35E	03S35E9	03S35E9NWSL	0.0
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	0.0
File	13.00	2002	03S35E	03S35E9	03S35E9SWNE	0.0
File	13.00	2002	03S35E	03S35E9	03S35E9SWNE	0.0
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	0.1
File	13.00	2002	03S35E	03S35E9	03S35E9SENE	0.6
File	13.00	2002	03S35E	03S35E10	03S35E10SWNW	9.3
File	13.00	2002	03S35E	03S35E10	03S35E10SENL	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10SWNW	0.0
File	13.00	2002	03S35E	03S35E10	03S35E10NWSW	0.0

1016.9 acres

down the river bank in a southwesterly direction four hundred (400) yards; thence back in a southeasterly direction two hundred (200) yards; thence up the river north-easterly four hundred (400) yards; thence northwesterly two hundred (200) yards to place of beginning, containing one hundred and sixty (160) acres of land; and one certain placer mining claim known as Warren's Bar, bounded as follows, to-wit: Commencing at the northwest corner stake of Woodruff's Bar, running thence one thousand yards along the bank of Snake River, thence southerly four hundred yards thence westerly one thousand yards; thence northerly 400 yards, to place of beginning.

William Kirkpatrick:

27-20

That in the year 1876 and continuously thereafter said Kirkpatrick was, has been and now is the owner, in the actual possession, and entitled to the possession of that certain lot, piece, or parcel of land situate, lying and being in the county of Bingham, Territory of Idaho, described as follows, to-wit:

Lots numbered two (2) three (3) and four (4) of section nine (9) of township three (3) south of range thirty-five (35) each of Boise Meridian, containing one hundred and fifty-four and five hundredths acres.

William H. Danilson:

27-38

That the plaintiff William H. Danilson is and at all times hereinafter mentioned, was a citizen of the United States. That in the year 1978 and continuously thereafter said plaintiff was, has been, and now is, the owner, in possession and entitled to the possession of that certain lot, piece, or parcel of real estate, situate, lying and being in the county of Bingham Territory of Idaho, described as follows, to-wit:

The southwest quarter of the southeast quarter and the south half of the southwest quarter of section three (3) and the south half of the southeast quarter of section four (4) and the west half of the northeast quarter and the east half of the northwest quarter, and the northwest quarter of the southwest quarter, and lots numbered one (1) two (2) three (3) and four (4) of section ten (10) and the northeast quarter of the northeast quarter and lot numbered one (1) of section nine (9) of township three (3) south of range thirty-five (35) east of Boise Meridian, containing six hundred and sixteen and seventy eight hundredths acres.

T35R35E

Sec. 3

SW SE

S $\frac{1}{2}$ SW

Sec. 4

S $\frac{1}{2}$ SE

Sec. 10

W $\frac{1}{2}$ NE

E $\frac{1}{2}$ NW

NW SW

Lots 1, 2, 3, 4

Sec. 9

NE NE

Lot 1

#3.

crossing of Blackfoot River, or Warren's Bridge; and one certain placer mining claim known as Woodruff's Bar, commencing at the north-west corner stake on the bank of Snake River, following down the river bank in a southwesterly direction four hundred (400) yards; thence back in a southeasterly direction two hundred (200) yards; thence up the river north-easterly four hundred (400) yards; thence northwesterly two hundred (200) yards to place of beginning, containing one hundred and sixty (160) acres of land; and one certain placer mining claim known as Warren's Bar, bounded as follows, to-wit: Commencing at the North west corner stake of Woodruff's Bar, running thence one thousand yards along the bank of Snake River, thence southerly four hundred yards; thence westerly one thousand yards; thence Northerly 400 yards, to place of beginning.

27-20

William Kirkpatrick:

That in the year 1876 and continuously thereafter said Kirkpatrick was, has been and now is the owner, in the actual possession, and entitled to the possession of that certain lot, piece, or parcel of land situate, lying and being in the county of Bingham, Territory of Idaho, described as follows, to-wit:

Lots numbered two (2) three (3) and four (4) of section nine (9) of township three (3) south of range thirty-five (35) east of Boise Meridian, containing one hundred and fifty-four and five hundredths acres.

27-38

William H. Danilson:

That the plaintiff William H. Danilson is and at all times hereinafter mentioned, was a citizen of the United States.

That in the year 1878 and continuously thereafter said plaintiff was, has been, and now is, the owner, in possession and entitled to the possession of that certain lot, piece, or parcel of real estate, situate, lying and being in the county of Bingham Territory of Idaho, described as follows, to-wit:

RECORDED
JUL 15 1996

(1-3)

#4.

The south-west quarter of the south-east quarter and the south half of the south-west quarter of section three (3) and the south half of the south-east quarter of section four (4) and the west half of the north-east quarter and the east half of the north-west quarter, and the north-west quarter of the south-west quarter, and lots numbered one (1) two (2) three (3) and four (4) of section ten (10) and the north-east quarter of the north-east quarter and lot numbered one (1) of section nine (9) of township three (3) south of range thirty-five (35) east of Boise Meridian, containing six hundred and sixteen and seventy eight hundredths acres.

27-39
David S. Morgan:

That the plaintiff David S. Morgan is, and at all times hereinafter mentioned was a citizen of the United States. That in the year 1883 and continuously thereafter the said plaintiff was, has been, and now is, the owner, in the actual possession and entitled to the possession of that certain lot, piece, or parcel of land, situate, lying and being in the county of Bingham, Territory of Idaho, described as follows, to-wit:

North half of the south-west quarter, and lots numbered two (2) and three (3) of section eleven (11) of township three (3) south of Range thirty-five (35) east of Boise Meridian, being the same land hereinbefore referred to as occupied by said David S. Morgan.

27-40
William Morgan:

That the plaintiff William Morgan, is, and at all times hereinafter mentioned, was a citizen of the United States.

That in the month of January of the year 1885 and continuously thereafter said plaintiff was, has been, and now is the owner, in the actual possession and entitled to the possession of that certain lot, piece, or parcel of land, situate, lying and being in the county of Bingham, Territory of Idaho, described as follows, to-wit:

The North half of the North-west quarter, and the south-east quarter of the north-west quarter of section eleven (11) of township three (3) south of range thirty-five (35) east of Boise Mer-

Microfilm

MAY 15 1996

14

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR BINGHAM COUNTY.

27-C *minutes copy*
Transfers
Noted

Fred S. Stevens, et al.)
Plaintiffs,)
-vs-)
Eastern Idaho Water Co. et al.,)
Defendants.)

This cause having been heretofore tried
by the Court, without a jury, and the Court having made its
findings of fact and conclusions of law:

It is now ordered, Adjudged and Decreed, that the
following parties are entitled to divert from the Blackfoot
River, the amount of water herein indicated, and the right
of each party dates from the time hereinafter stated and
set opposite each name, to-wit:-

27 0012	Fred S. Stevens	July 6, A. D. 1869	138 Inches
27 0013	Henry Dunn	July 1, A. D. 1870	300 Inches
27 0014	H. A. Just and)	August 1, A. D. 1871	200 Inches
27 0015	Emma Just)		
27 0016	Leon Misslen	July 1st, A. D. 1873	200 Inches - Trans #99-221
27 0017	John Misslen	July 1st, A. D. 1874	120 Inches Trans #58
27 0018	H. R. Lewis	March 1st, A. D. 1875	100 Inches
27 0019	Presto Burrell	March 1st, A. D. 1876	100 Inches
27 0020	William Kirkpatrick	May 1st, A. D. 1878	100 Inches
27 0021	F. M. Shoemaker	April 1st, A. D. 1879	290 Inches TRANS # 1962
27 0022	Eastern Idaho Water Co.	March 25, A. D. 1880	1800 Inches
Trans 2468	P. B. Fox Jr.)		
	William Howard)		
	A. Whitten)		

RECORDED
MAY 15 1996

Youngie Dick

(12)

27	0001	Susan E. Whitten) & Calvin Mills)	March 25, A. D. 1880	600 Inches	Trans # 784, 787, 807
27	0002	Levi Warren	April 1, A. D. 1882	50 Inches	
27	0003	Emily Warren	April 1, A. D. 1883	106 Inches	
27	0004	Daniel Y. Miller	April 1, A. D. 1883	100 Inches	
27	0005	Fred S. Stevens	October 1, A. D. 1884	140 Inches	
27	0006	N. A. Just) & Emma Just)	April 1st, A. D. 1885	100 Inches	
27	0007	Leon Misslen	May 1st, A. D. 1885	300 Inches	Trans # 58-74
27	0008	Robert Millen	May 1st, A. D. 1885	150 Inches	Trans # 109
27	0009	P. B. Fox Jr.) William Howard) A. Whitten) Susan Whitten) Calvin Mills)	June 1st, A. D. 1885	1500 Inches	Trans # 237-246-328 # 465-531-852-853-854, 1561 # 1962, 2445, 2578, 2933
27	0010	W. W. Riter	July 3rd, A. D. 1885	560 Inches	
27	0011	Thomas G. Weber	July 23, A. D. 1885	480 Inches	
27	0012	James Drew	Oct. 1st, 1885 A. D.	6 Inches	
27	0013	Eastern Idaho Water Co.	October 1st, A. D. 1885	1000 Inches	Trans # 246
27	0014	H. R. Lewis) & Sarah Lewis)	March 1, A. D. 1886	160 Inches	
27	0015	James Welch	March 20th, A. D. 1886	400 Inches	
27	0016	William M. Danilson	April 5th A. D. 1886	352 Inches	Little Butte Irrigation
27	0017	David S. Morgan	April 5th, A. D. 1886	132 Inches	"
27	0018	William Morgan	April 5th, A. D. 1886	100 Inches	"
27	0019	William A. Downing	April 5th, A. D. 1886	120 Inches	
27	0020	F. Little	October 4th A. D. 1886	240 Inches	27-42 Bear Lake - Grayson
27	0021	Charles S. Burton	October 4th A. D. 1886	240 Inches	
27	0022	John Sharp Sr.	November 1, A. D. 1886	320 Inches	27-11016 Roland L&L
27	0023	F. W. Jennings	November 1, A. D. 1886	400 Inches	
27	0024	Donald Tolmie	April 1st, A. D. 1887	100 Inches	

MAY 15 1936

#3.

crossing of Blackfoot River, or Warren's Bridge; and one certain placer mining claim known as Woodruff's Bar, commencing at the north-west corner stake on the bank of Snake River, following down the river bank in a southwesterly direction four hundred (400) yards; thence back in a southeasterly direction two hundred (200) yards; thence up the river north-easterly four hundred (400) yards; thence northwesterly two hundred (200) yards to place of beginning, containing one hundred and sixty (160) acres of land; and one certain placer mining claim known as Warren's Bar, bounded as follows, to-wit: Commencing at the North west corner stake of Woodruff's Bar, running thence one thousand yards along the bank of Snake River, thence southerly four hundred yards; thence westerly one thousand yards; thence Northerly 400 yards, to place of beginning.

27-20

William Kirkpatrick:

That in the year 1876 and continuously thereafter said Kirkpatrick was, has been and now is the owner, in the actual possession, and entitled to the possession of that certain lot, piece, or parcel of land situate, lying and being in the county of Bingham, Territory of Idaho, described as follows, to-wit:

Lots numbered two (2) three (3) and four (4) of section nine (9) of township three (3) south of range thirty-five (35) east of Boise Meridian, containing one hundred and fifty-four and five hundredths acres.

27-38

William H. Danilson:

That the plaintiff William H. Danilson is and at all times hereinafter mentioned, was a citizen of the United States.

#4.

The south-west quarter of the south-east quarter and the south half of the south-west quarter of section three (3) and the south half of the south-east quarter of section four (4) and the west half of the north-east quarter and the east half of the north-west quarter, and the north-west quarter of the south-west quarter, and lots numbered one (1) two (2) three (3) and four (4) of section ten (10) and the north-east quarter of the North-east quarter and lot numbered one (1) of section nine (9) of township three (3) south of range thirty-five (35) east of Boise Meridian, containing six hundred and sixteen and seventy eight hundredths acres.

27-39 David S. Morgan:

That the plaintiff David S. Morgan is, and at all times hereinafter mentioned was a citizen of the United States. That in the year 1883 and continuously thereafter the said plaintiff was, has been, and now is, the owner, in the actual possession and entitled to the possession of that certain lot, piece, or parcel of land, situate, lying and being in the county of Bingham, Territory of Idaho, described as follows, to-wit:

North half of the south-west quarter, and lots numbered two (2) and three (3) of section eleven (11) of township three (3) south of Range thirty-five (35) east of Boise Meridian, being the same land hereinbefore referred to as occupied by said David S. Morgan.

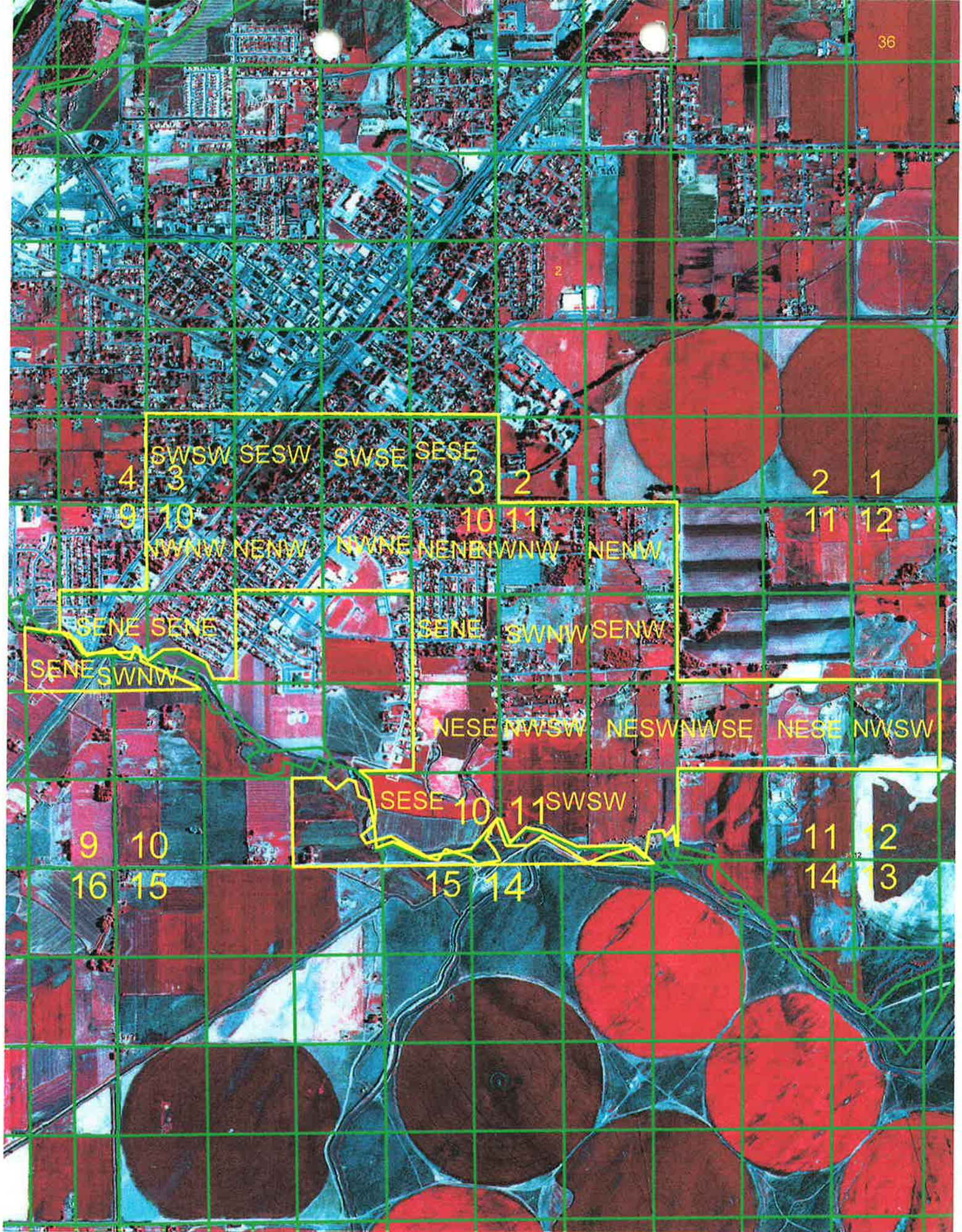
27-40 William Morgan:

That the plaintiff William Morgan, is, and at all times hereinafter mentioned, was a citizen of the United States.

That in the month of January of the year 1885 and continuously thereafter said plaintiff was, has been, and now is the owner, in the actual possession and entitled to the possession of that certain lot, piece, or parcel of land, situate, lying and being in the county of Bingham, Territory of Idaho, described as follows, to-wit:

The North half of the North-west quarter, and the south-east quarter of the north-west quarter of section eleven (11) of township three (3) south of range thirty-five (35) east of Boise Meridian

RECORDED
MAY 15 1996



Mail this card to all people, businesses and publications who send you mail. For publications, tape an old address label over name and old address sections and complete new address. **COMPLETE ADDRESS PORTION ON FRONT OF FORM with Name, Street Address, City, State and ZIP Code of Individual or Business to whom you are relaying this card.**

Your Name	Print or Type—Last Name, First Name, Middle Initial <i>A27-00038 et al</i>				
Old Address	No. and Street <i>1385 S. Sullivan Ave</i>	Apt./Suite No.	P.O. Box	R.D. No.	Rural Box No.
	City and State <i>Blackfoot ID</i>	ZIP + 4 Code <i>83221</i>			
New Address	Little Butte Irrigation Co. P.O. Box 580 Blackfoot, ID 83221			Box	R.D. No.
Sign Here	Keyline No. (if any) <i>Skrenboed, sec 1 3/22/95 # 4098</i>				

PS FORM 3576, 11/92

RECEIVER: Be sure to record the above new address in your address book at home or office.

5/22/95

AS REQUESTED, I HAVE CHANGED THE ADDRESS ON THE FOLLOWING NOTICES OF CLAIM TO REFLECT THE NAME AND ADDRESS ON THE FRONT OF THIS CARD.

A27-00038, A27-00039, A27-00040, A27-00041
A27-10878

IF YOU HAVE ANY QUESTIONS, PLEASE CALL 525-7161.

Ja Thompson

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
27-38

Date Received:

Receipt Nos:

Received By:

AMENDED NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Little Butte Irrigation Co. LTD. Phone: (208) _____
P.O. Box 580
Blackfoot, ID 83221

2. Date of Priority: 04/05/1886

3. Source: Blackfoot River Trib. to: Snake River

4. Point of Diversion:

Blackfoot River: SESE, Sec. 12, Twp 03S, Rge 35E, Bingham County

5. Description of diverting works:

Various Diversions

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
Irrigation	4/01	11/01	7.04 CFS	
Recharge For Irrigation	4/01	11/01	7.04 CFS	
Recovery of Project Water for Irrigation	4/01	11/01	7.04 CFS	

7. Total Quantity Appropriated is: 7.04 CFS

8. Total consumptive use: N/A

9. Non-irrigation uses:

10. Place of use:

Large POU as presently recommended in the Director's Report.

11. Place of use in counties: See Large POU described above.

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

Lands of the Shareholders

13. Other Water Rights Used:

27-39, 27-40 & 27-41

14. Remarks:

The only modification to the present recommended right made by this amended claim is to add the two additional beneficial use rights: Recharge for Irrigation & Recovery of Project Water for Irrigation. Any groundwater diverted from under the lands of Claimant's shareholders or within its boundaries is also groundwater resulting from irrigation from water under the irrigation works of Claimant and is recovered by Claimant or its shareholders for further use on the lands of Claimant's shareholders under the irrigation works of Claimant within which said lands are located and appurtenant. This recaptured project water shall be administered separately from all other water rights within its particular basin and the Snake River Basin.

15. Basis of Claim: Beneficial Use/Decreed

Decreed, Accomplished Change in purpose of use pursuant to I.C. 42-1425 & Recovering Ground Water as a Result of Irrigation pursuant to I.C. 42-228

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 XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

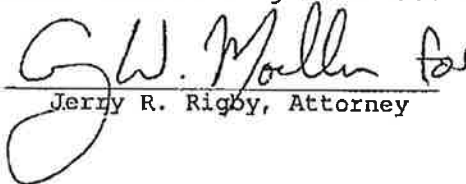
Number of attachments:

For Organizations:

DATED this 7th day of April, 2009.

Little Butte Irrigation Co. LTD.

By:


Jerry R. Rigby, Attorney

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 7th day of April, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jerry R. Rigby**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Mandy Davis
Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6/24/2011

AJ5809NP
No. A27-00038

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/20/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LITTLE BUTTE IRRIGATION CO LTD PO BOX 580 BLACKFOOT ID 83221 (208) 785-2132	04/05/1886	IRRIGATION	04-01 11-01	7.040 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	7.040 CFS 1462.50 AFA

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T03S R35E S12

SESE

BINGHAM County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE												
			NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
03S	35E	3															01	15					16	03			35.0
03S	35E	9							02																		2.0
03S	35E	10		21		10			19		15	05		10					39				19		37		175.0
03S	35E	11									40	40		27	40		37	39		30	33		40	17			343.0
03S	35E	12																30									30.0
																								TOTAL ACRES		585.0	

POU County: BINGHAM

Non-Irrigation Uses: N/A

Other Rights: A27-00039/00040/00041/10878.

Remarks: GEN (#5 CONT.)

WATER IS TRANSPORTED BY EARTHEN DITCHES; DITCHES ARE OPEN; WATER
IS OBTAINED FROM THE RIVER VIA A HEADGATE.

(REMARKS FROM SUBMITTED CLAIM)

THE COMPANY REQUIRES THAT A SHAREHOLDER OWN 2 SHARES FOR EVERY
ACRE THAT IS IRRIGATED BECAUSE OF THE SANDY SOIL CONDITION.

(MEMO TO THE FILE: 06/02/1989 PRM)

ASSUMING 1462.5 A.F.A. FOR CONSUMPTIVE USE WHICH WAS OMITTED FROM
SUBMITTED CLAIM.

CHANGED ADDRESS 5/22/95/JT

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

SCANNED

JUL 13 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: A27-00038
Date Received: 5/25/1989
Receipt No: E008043
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LITTLE BUTTE IRRIGATION CO., LTD. 208-785-2132
Address: 1385 S. SHILLING AVE.
BLACKFOOT, ID 83221

2. Date of Priority: APR 05, 1886

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	35E	12	SE	SE			BINGHAM

5. Description of diverting works:
HEAD WORKS FOR LITTLE BUTTE CANAL AND OPEN DITCHES. (SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.040		

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

8. Total consumptive use is 1462.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	3	SW	SW		IRR	1.0
			SE	SW		IRR	15.0
			SW	SE		IRR	16.0

A27-00038

Page 1

Date: 06/02/89

MICROFILMED

NOV 12 1992

10. Place of Use: Continued

Township 03S	Range 35E	Section 3	1/4 SE	of 1/4 SE	Lot	Use IRR	Acres 3.0
						Section Acres	35.0
		9	SE	NE		IRR	2.0
						Section Acres	2.0
		10	NE	NE		IRR	21.0
			NW	NE		IRR	10.0
			SE	NE		IRR	19.0
			NE	NW		IRR	15.0
			NW	NW		IRR	5.0
			SW	NW		IRR	10.0
			NE	SE		IRR	39.0
			SW	SE		IRR	19.0
			SE	SE		IRR	37.0
						Section Acres	175.0
		11	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	27.0
			SE	NW		IRR	40.0
			NE	SW		IRR	37.0
			NW	SW		IRR	39.0
			SW	SW		IRR	30.0
			SE	SW		IRR	33.0
			NE	SE		IRR	40.0
			NW	SE		IRR	17.0
						Section Acres	343.0
		12	NW	SW		IRR	30.0
						Section Acres	30.0
						Total Acres	585.0

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
A27-00039/00040/00041/10878.

14. Remarks:

(#5 CONT.)

WATER IS TRANSPORTED BY EARTHEN DITCHES; DITCHES ARE OPEN; WATER IS OBTAINED FROM THE RIVER VIA A HEADGATE.

(REMARKS FROM SUBMITTED CLAIM)

THE COMPANY REQUIRES THAT A SHAREHOLDER OWN 2 SHARES FOR EVERY ACRE THAT IS IRRIGATED BECAUSE OF THE SANDY SOIL CONDITION.

(MEMO TO THE FILE: 06/02/1989 PRM)

ASSUMING 1462.5 A.F.A. FOR CONSUMPTIVE USE WHICH WAS OMITTED FROM SUBMITTED CLAIM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FRED S. STEVENS ET AL

Decree Plaintiff

vs

EASTERN IDAHO WATER CO. ET AL

Decree Defendant

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NOV 12 1992

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 _____

Township 3 South, Range 35 E., B.M., Bingham County, Idaho

Section 12: NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 30 acres

Section 11: NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 17 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 37 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 33 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 30 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 39 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 27 acres

Section 10: NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 21 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 10 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 19 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 15 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 5 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 10 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 39.00 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 37.00 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 19 acres

Section 9: SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 2 acres

Section 3: SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 1 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 15 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 16 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 3 acres

TOTAL 585 acres

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Little Butte Irrig. Co.

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

A27-00038

Date Received

5-25-89

Receipt Number

E008043

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A2700038



Please type or print clearly

1. Name of Claimant (s) LITTLE BUTTE IRRIGATION COMPANY, LTD. Phone (208) 785-2132Mailing Address c/o Roy Howell1385 S. Shilling Ave., Blackfoot, Idaho Zip 832212. Date of Priority (Only one (1) per claim) 4-5-1886 Water Rt. No. 27-00383. Source of water supply (a) Blackfoot River
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3 So. Range 35 Section 12,SE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, E. B.M., County of Bingham

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. Water is transported by earthen ditches;
most ditches are open; the water is obtained from the river via a headgate

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-1 to 11-1 amount 7.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 7.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ 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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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 585

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

12. Do you own the property listed above as place of use? Yes _____ No X
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.

Water right Nos. 27-0039, 27-0040, 27-0041, 338 shares of Eastern Idaho or None ()
/ Ditch Company and 20 inches of Fox and Whitten Water.

14. Remarks:

The company requires that a shareholder own 2 shares of stock for every acre that is
irrigated because of the sandy soil condition.

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NOV 12 1992

Last Name Little Butte Irrig. Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A large grid of 16 columns and 16 rows of squares. Each square contains a crosshair pattern with a central dot and four lines extending to the edges, resembling a coordinate grid or graph paper.

NOV 12 1962

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 27-0038
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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 2

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 one of the Directors
Title
of Little Butte Irrigation Company, Ltd. , that I have signed the foregoing
Organization
document in the space below as Director of said company
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Director Little Butte Irrig Co Date 5/25/89

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

Subscribed and sworn (or affirmed) before me this 25th day of May 19 89

SEAL

Notary Public [Signature]

Residing at Blackfoot ID

My Commission Expires 11-26-94

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 _____

MICROFILMED

NOV 12 1989

Last Name Little Butte Irrig. Ident. Number _____

Copies White-State, Yellow-Claimant