

08/24/2005

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

RIGHT NUMBER: 27-40

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

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.000 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 10/31          | 2.000 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: 27-40

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

**DISALLOWED**

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 04/05/1886

POINT OF DIVERSION:

T03S R35E S12 SESE Within BINGHAM County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/01 10/31

QUANTITY  
2.000 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.

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.

No lawful appropriation shown.

(#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\*\*\*

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

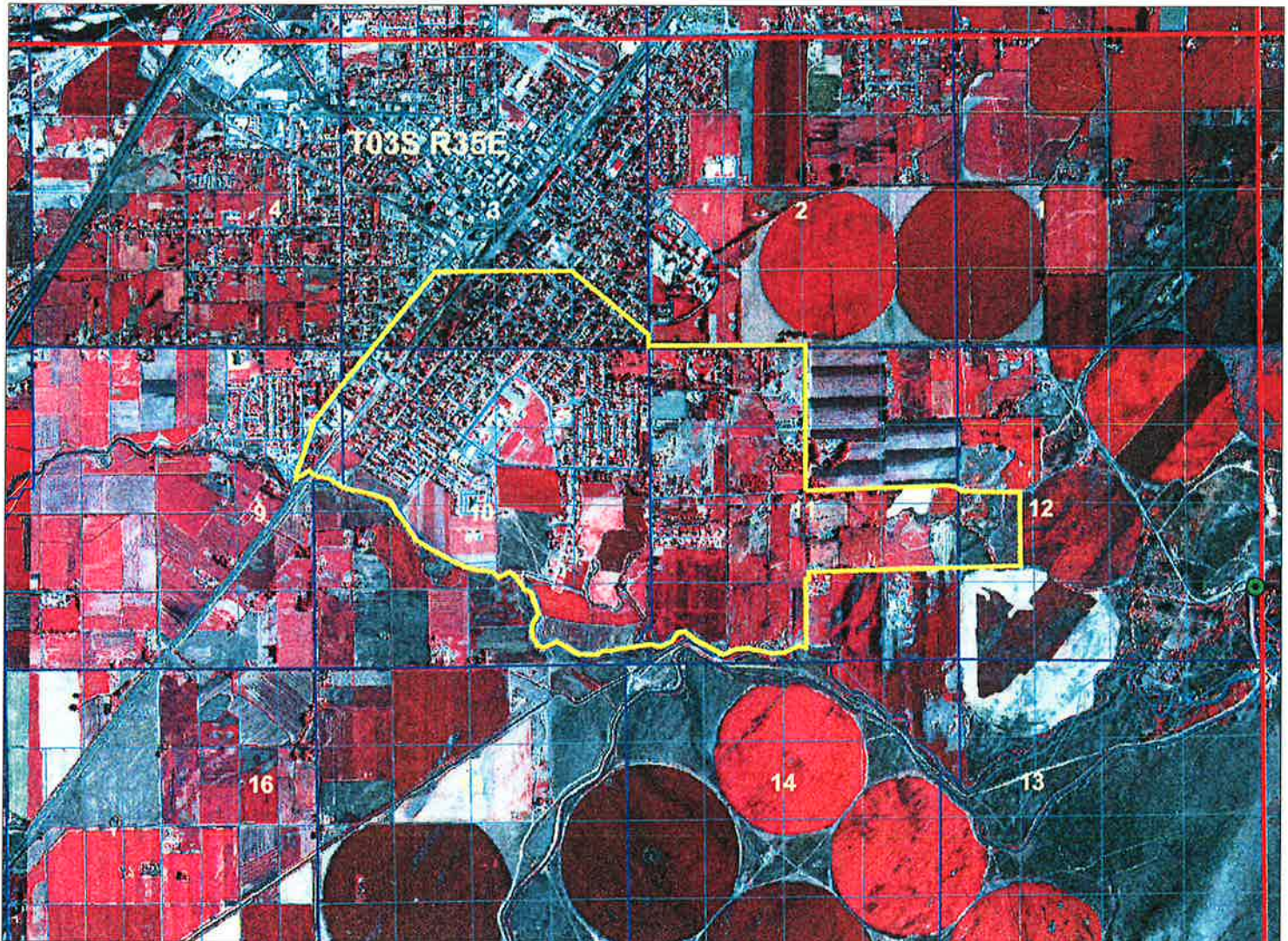
a right was determined not to exist in a prior adjudication.

# 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

SCANNED

JAN 11 2006

PROFILED

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



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: 27-40

NAME AND ADDRESS:

LITTLE BUTTE IRRIGATION CO LTD  
PO BOX 580  
BLACKFOOT ID 83221

SOURCE:

Source:  
BLACKFOOT RIVER

Tributary:  
SNAKE RIVER

QUANTITY: 2.000 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    | 2.000 CFS |

PLACE OF USE:

585 ACRES TOTAL

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

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.

This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.

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: 27-40  
NAME AND ADDRESS: LITTLE BUTTE IRRIGATION CO LTD  
PO BOX 580  
BLACKFOOT ID 83221

WILLIAM MORGAN

120 ac

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 04/05/1886

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

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/01 10/31

QUANTITY  
2.000 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.

+ F01  
+ C05  
+ K06  
+ 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](http://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

PROFILED

SCANNED  
JAN 11 2006

**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

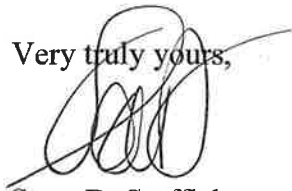
Dear Ernie:

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: 27-40

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:

*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 is currently being used by the irrigation company*

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

DATE: 7/25/05 SIGNATURE: *[Signature]*Please print your name: *Scott D Stoffelbein*

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

RECEIVED  
JUL 27 2005Department of Water Resources  
Eastern Region

*KMO  
7/27*

## Notes

12/1/03 decreed to William Morgan, 100 inches  
Blackfoot River, 4-5-1886.

4/14/04 no other claims identified based  
on this right. CB

2-10-05 Address change sent, BT

4-11-05 Put a copy of the decree in the file.  
Also called Scott, asked if they've had a  
chance to look over the maps yet. He said  
they did, but they had a question about how  
the lines were determined. They provide water  
to several lots in town that is not marked  
on the map. Does it need to be? I wouldn't  
give him an answer, told him he needed to  
discuss this with Cindy. AB

Claim No.: 27-40

# 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.: Reviewer CB Date 5/11/05

## Summary

Claim No. 27-40

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

Yes ☒ No ☐

If Yes, go to 2

If No, go to 3

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

Yes ☒ No ☐

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

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

Yes ☐ No ☐

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

4. Is any portion of the claim being recommended?

Yes ☐ No ☒

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

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

Yes ☒ No ☐

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

If No, go to 6

6. Would you like to view the recommended right?

Yes ☒ No ☐

If Yes, go to 7

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

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

Yes ☐ No ☒

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

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

Yes ☐ No ☒

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

If No, go to 9

9. Would you like to set the verification date?

Yes ☒ No ☐

If Yes, the review is complete.

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

Put "DISALLOWED" in red  
on. Prelim. D.R.

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.**

|                    |                                                                               |                                   |          |               |
|--------------------|-------------------------------------------------------------------------------|-----------------------------------|----------|---------------|
| <b>Your Name</b>   | Print or Type—Last Name, First Name, Middle Initial<br><i>A27-00038 et al</i> |                                   |          |               |
| <b>Old Address</b> | No. and Street<br><i>1385 S. Skilling Ave</i>                                 | Apt./Suite No.                    | P.O. Box | R.D. No.      |
|                    | City and State<br><i>Blackfoot ID</i>                                         | ZIP + 4 Code<br><i>83221-1111</i> |          |               |
| <b>New Address</b> | Little Butte Irrigation Co.<br>P.O. Box 580<br>Blackfoot, ID 83221            |                                   | Box      | Rural Box No. |
|                    |                                                                               |                                   |          |               |
| <b>Sign Here</b>   | Keyline No. (if any)<br><i>Skrenbed, sec. 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*

NOTED  
MAY 13 1995

SCANNED  
JUL 13 1995

**David S. Morgan:**

27-39

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

**William Morgan:**

27-40

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 northwest quarter, and the southeast quarter of the northwest quarter of section eleven (11) of township three (3) south of range thirty-five (35) east of Boise Meridian, being the same lands hereinbefore referred to as occupied by said Morgan.

#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-

MICROFILMED  
MAY 15 1996  
L4

75.

idian, being the same lands hereinbefore referred to as occupied by said Morgan.

27-41 William A. Downing:

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

That in the year 1882, 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 ground situate, lying and being in the County of Bingham, Territory of Idaho, described as follows, to-wit:

The north-east quarter of the south-east quarter, and the east half of the north-east quarter of section ten (10) of township three (3) south of range thirty-five (35) east of Boise Meridian, containing one hundred and twenty acres, being the same lands hereinbefore referred to as occupied by said Downing.

MAY 15 1996

(4-5)

T3S, R 43E Sec. 11

N  $\frac{1}{2}$  NW  
SE  $\frac{1}{4}$  NW

**SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.**

27-40

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

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 | 1015 | Fred S. Stevens         | July 6, A. D. 1869    | 158 Inches               |
| 27 | 1017 | Henry Dunn              | July 1, A. D. 1870    | 300 Inches               |
| 27 | 1018 | N. A. Just and          | August 1, A. D. 1871  | 200 Inches               |
| 27 | 1019 | Emma Just               |                       |                          |
| 27 | 1020 | Leon Mission            | July 1st, A. D. 1873  | 200 Inches - Trans # 221 |
| 27 | 1021 | John Mission            | July 1st, A. D. 1874  | 120 Inches Trans # 58    |
| 27 | 1022 | H. R. Lewis             | March 1st, A. D. 1875 | 100 Inches               |
| 27 | 1005 | Presto Burrell          | March 1st, A. D. 1876 | 100 Inches               |
| 27 | 1023 | William Kirkpatrick     | May 1st, A. D. 1878   | 100 Inches               |
| 27 | 1024 | P. M. Shoemaker         | April 1st, A. D. 1879 | 90 Inches Trans # 1962   |
| 27 | 1025 | Eastern Idaho Water Co. | March 25, A. D. 1880  | 1800 Inches              |
|    |      | P. B. Fox Jr.           |                       |                          |
|    |      | William Howard          |                       |                          |
|    |      | A. Whitten              |                       |                          |

RECORDED  
MAY 15 1996

Transfers  
Noted

24-0  
Munich Copy

|         |                                                                                          |                         |             |                                                                                                |
|---------|------------------------------------------------------------------------------------------|-------------------------|-------------|------------------------------------------------------------------------------------------------|
| 27-0027 | Susan E. Whitten )<br>&<br>Calvin Mills )                                                | March 25, A. D. 1880    | 600 Inches  | Trans # 784, 787, 807                                                                          |
| 27-0028 | Levi Warren                                                                              | April 1, A. D. 1882     | 50 Inches   |                                                                                                |
| 27-0029 | Emily Warren                                                                             | April 1, A. D. 1883     | 106 Inches  |                                                                                                |
| 27-0030 | Daniel Y. Miller                                                                         | April 1, A. D. 1883     | 100 Inches  |                                                                                                |
| 27-0031 | Fred S. Stevens                                                                          | October 1, A. D. 1884   | 140 Inches  |                                                                                                |
| 27-0032 | N. A. Just )<br>&<br>Emma Just )                                                         | April 1st, A. D. 1885   | 100 Inches  |                                                                                                |
| 27-0033 | Leon Misselen                                                                            | May 1st, A. D. 1885     | 300 Inches  | Trans # 58-74                                                                                  |
| 27-0034 | Robert Millen                                                                            | May 1st, A. D. 1885     | 150 Inches  | Trans # 109                                                                                    |
| 27-0035 | P. B. Fox Jr. )<br>William Howard )<br>A. Whitten )<br>Susan Whitten )<br>Calvin Mills ) | June 1st, A. D. 1885    | 1500 Inches | -Trans # 237-246-328<br>#465-531-827-1089-299<br>#852-853-854, 1561<br>#1462, 2445, 2578, 2933 |
| 27-0036 | W. W. Riter                                                                              | July 3rd, A. D. 1885    | 560 Inches  |                                                                                                |
| 27-0037 | Thomas G. Weber                                                                          | July 23, A. D. 1885     | 480 Inches  |                                                                                                |
| 27-0038 | James Drew                                                                               | Oct. 1st, 1885 A. D.    | 6 Inches    |                                                                                                |
| 27-0039 | Eastern Idaho<br>Water Co.                                                               | October 1st, A. D. 1885 | 1000 Inches |                                                                                                |
| 27-0040 | H. R. Lewis )<br>&<br>Sarah Lewis )                                                      | March 1, A. D. 1886     | 160 Inches  |                                                                                                |
| 27-0041 | James Welch                                                                              | March 20th, A. D. 1886  | 400 Inches  |                                                                                                |
| 27-0042 | William M. Danilson                                                                      | April 5th A. D. 1886    | 352 Inches  | Little Butte Irrigation                                                                        |
| 27-0043 | David S. Morgan                                                                          | April 5th, A. D. 1886   | 132 Inches  | "                                                                                              |
| 27-0044 | William Morgan                                                                           | April 5th, A. D. 1886   | 100 Inches  | "                                                                                              |
| 27-0045 | William A. Downing                                                                       | April 5th, A. D. 1886   | 120 Inches  |                                                                                                |
| 27-0046 | F. Little                                                                                | October 4th A. D. 1886  | 240 Inches  | -27-42 Bear Lake - Grayson                                                                     |
| 27-0047 | Charles S. Burton                                                                        | October 4th A. D. 1886  | 240 Inches  |                                                                                                |
| 27-0048 | John Sharp Sr.                                                                           | November 1, A. D. 1886  | 320 Inches  | -27-11016 Roland 128" L&L                                                                      |
| 27-0049 | F. W. Jennings                                                                           | November 1, A. D. 1886  | 400 Inches  |                                                                                                |
| 27-0050 | Donald Tolmie                                                                            | April 1st, A. D. 1887   | 100 Inches  |                                                                                                |

MAY 15 1936

#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

MICROFILMED  
MAY 15 1996

#5.

Indian, being the same lands hereinbefore referred to as occupied by said Morgan.

27-41 William A. Downing:

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

That in the year 1882, 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 ground situate, lying and being in the County of Bingham, Territory of Idaho, described as follows, to-wit:

The north-east quarter of the south-east quarter, and the east half of the north-east quarter of section ten (10) of township three (3) south of range thirty-five (35) east of Boise Meridian, containing one hundred and twenty acres, being the same lands hereinbefore referred to as occupied by said Downing.

RECEIVED  
MAY 15 1996

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  
27-40

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 | 2 CFS  |            |
| Recharge For Irrigation                     | 4/01 | 11/01 | 2 CFS  |            |
| Recovery of Project Water<br>for Irrigation | 4/01 | 11/01 | 2 CFS  |            |

7. Total Quantity Appropriated is: 2 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:

27-38, 27-39 & 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)

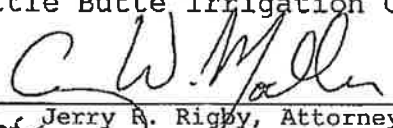
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

DATED this 7<sup>th</sup> day of April, 2009.

Little Butte Irrigation Co. LTD.

By: 

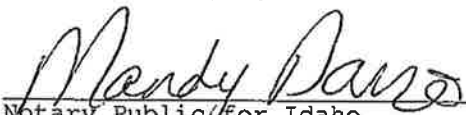
for Jerry R. Rigby, Attorney

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

On this 7<sup>th</sup> 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.



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

AJ5809NP  
No. A27-00040

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/20/99  
PAGE: 3

| OWNER<br>CODE | NAME & ADDRESS                                                                       | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE                    | DIVERSION<br>VOLUME      |
|---------------|--------------------------------------------------------------------------------------|------------------|------------|-----------------------|--------------------------------------|--------------------------|
| C             | LITTLE BUTTE IRRIGATION CO LTD<br>PO BOX 580<br>BLACKFOOT ID 83221<br>(208) 785-2132 | 04/05/1886       | IRRIGATION | 04-01 11-01           | 2.000 CFS                            |                          |
|               |                                                                                      |                  |            |                       | TOTAL DIVERSION:<br>CONSUMPTIVE USE: | 2.000 CFS<br>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            |               |               |               |             |       |
|-----|-----|----|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-------------|-------|
| T   | R   | S  | NENE<br>Lt Ac | NWNE<br>Lt Ac | SWNE<br>Lt Ac | SENE<br>Lt Ac | NENW<br>Lt Ac | NWNW<br>Lt Ac | SWNW<br>Lt Ac | SENW<br>Lt Ac | NESW<br>Lt Ac | NWSW<br>Lt Ac | SWSW<br>Lt Ac | SESW<br>Lt Ac | NESE<br>Lt Ac | NWSE<br>Lt Ac | SWSE<br>Lt Ac | SESE<br>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: A27-00038/00039/00041/10878.

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 12 2008

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: A27-00040  
Date Received: 5/25/1989  
Receipt No: E008042  
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 | 2.000  |      |        |

7. Total Quantity Appropriated is:  
2.000 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  |

A27-00040

Page 1

Date: 06/02/89

A2700040



MICROFILMED  
NOV 12 1992

10. Place of Use: Continued

| Township<br>03S | Range<br>35E | Section<br>3 | 1/4<br>SE | of 1/4<br>SE | Lot | Use<br>IRR    | Acres<br>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:  
A27-00038/00039/00041/10878.

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

MICROFILMED

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

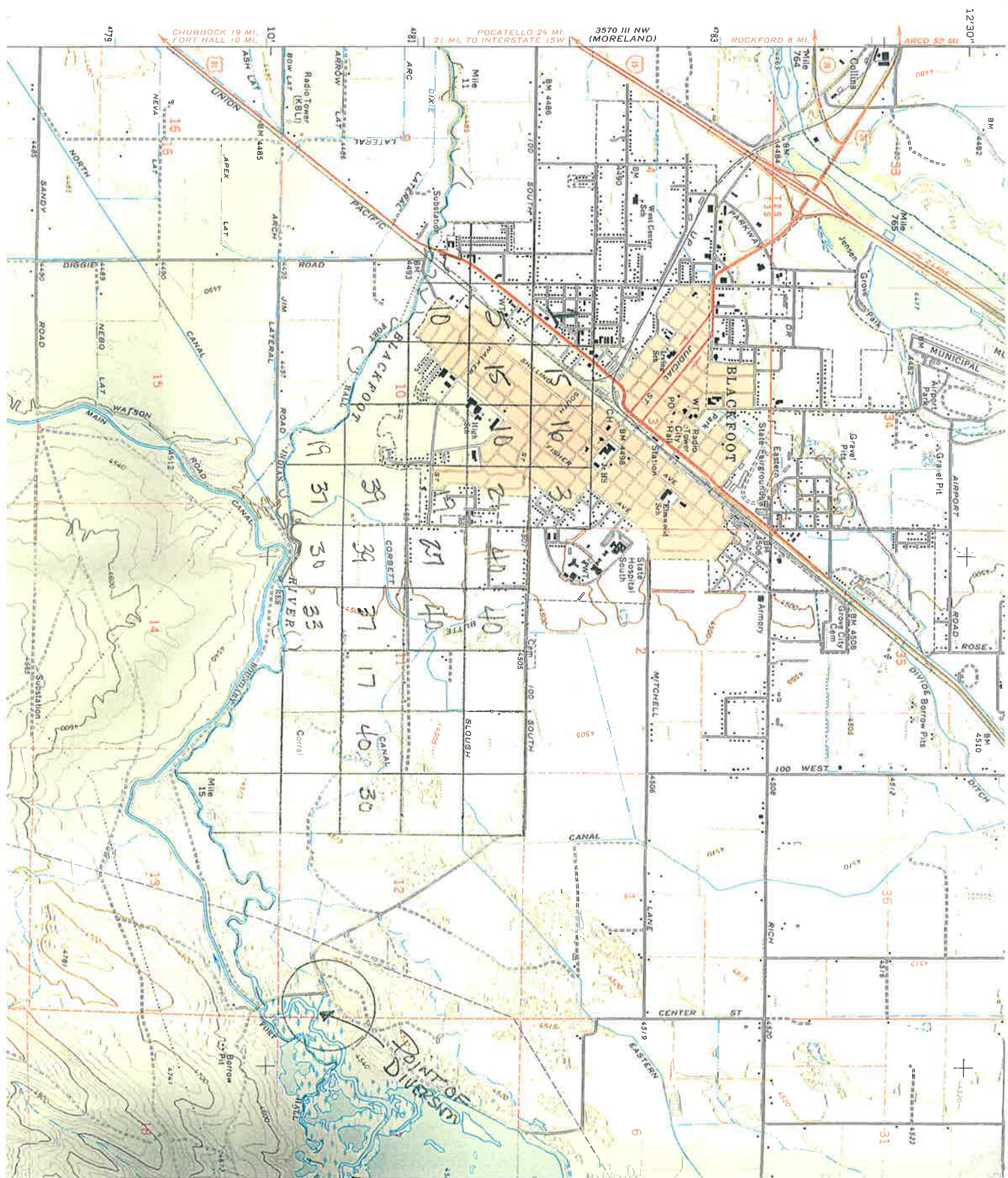
Section 3: SW $\frac{1}{4}$ SW $\frac{1}{4}$  - 1 acres  
SE $\frac{1}{4}$ SW $\frac{1}{4}$  - 15 acres  
SW $\frac{1}{4}$ SE $\frac{1}{4}$  - 16 acres  
SE $\frac{1}{4}$ SE $\frac{1}{4}$  - 3 acres

TOTAL 585 acres

MICROFILMED

NOV 12 1992

Little Butte Irrig.



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 A27-00040

Date Received 5-25-89

Receipt Number 8008042

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) LITTLE BUTTE IRRIGATION COMPANY, LTD. Phone (208 ) 785-2132  
Mailing Address c/o Roy Howell  
1385 So. Shilling Ave., Blackfoot, Idaho Zip 83221

2. Date of Priority (Only one (1) per claim) 4-5-1886

3. 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 ingham

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:  
Ditches are open: Water is obtained from the river via a headgate.

MICROFILMED

NOV 12 1992

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 2.00 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 2.00 (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:

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 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. 27-0038, 27-0039, 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.

MICROFILMED

NOV 12 1992

Last Name Little Butte Irrig. Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows, totaling 256 squares. The pattern is uniform across the entire grid.

NOV 12 1992

*Copies: White-State, Yellow-Claimant*

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 27-0040  
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 \_\_\_\_\_

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

State of Idaho/or \_\_\_\_\_ )  
County of Bingham ) SS.

Subscribed and sworn (or affirmed) before me this 25<sup>TH</sup> day of MAY 19 89

SEAL

Notary Public \_\_\_\_\_

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Please Print Name

17. Notice of Appearance:

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

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

MICROFILMED

NOV 12 1992

Last Name Little Butte Irrig. Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant