

11/19/2002

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

RIGHT NUMBER: 29-7002
NAME AND ADDRESS: SHARON A BUTIKOFER
7783 W BUCKSKIN RD
POCATELLO ID 83201
LARRY J BUTIKOFER
7783 W BUCKSKIN RD
POCATELLO ID 83201

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.030 CFS
10.500 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.09 CFS. COMBINED RIGHT NOS.: 29-00448A,
29-00454A, 29-07002.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER
USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 09/15/1967

POINT OF DIVERSION:

T06S R35E S28 SENWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.030 CFS
IRRIGATION	05/01 10/30	0.030 CFS 10.50 AFY
STOCKWATER	01/01 12/31	0.030 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY
AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER
ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY
1 AND AFTER OCTOBER 30 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER
RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A
PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within BANNOCK County

T06S R35E S28 NWNW 3.0

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

3 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00448A, 29-00454A,
29-07002.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

11/19/2002

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

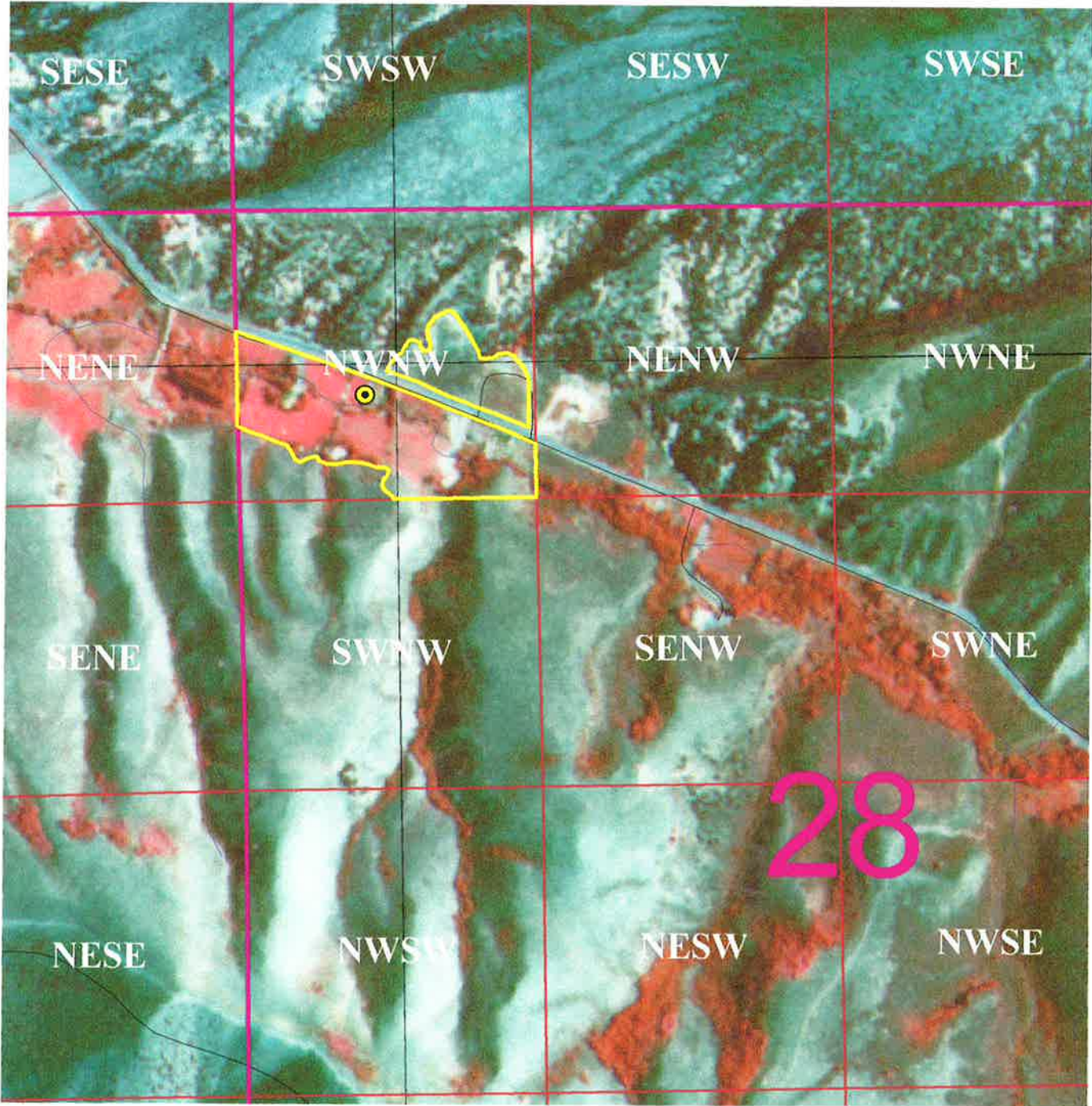
EXPLANATORY MATERIAL: License

PARCEL NO.: R3851026300

Stockwater use is for 5 mixed horses and cattle.

Water Right Claim Number A29-07002
Township , 6S35E

09/21/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

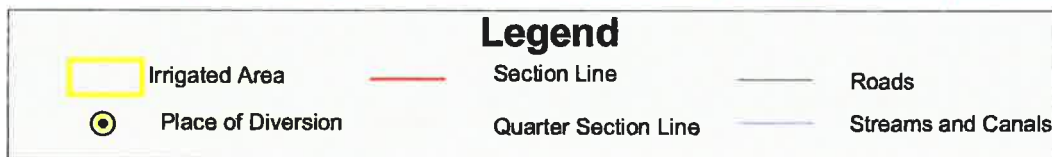
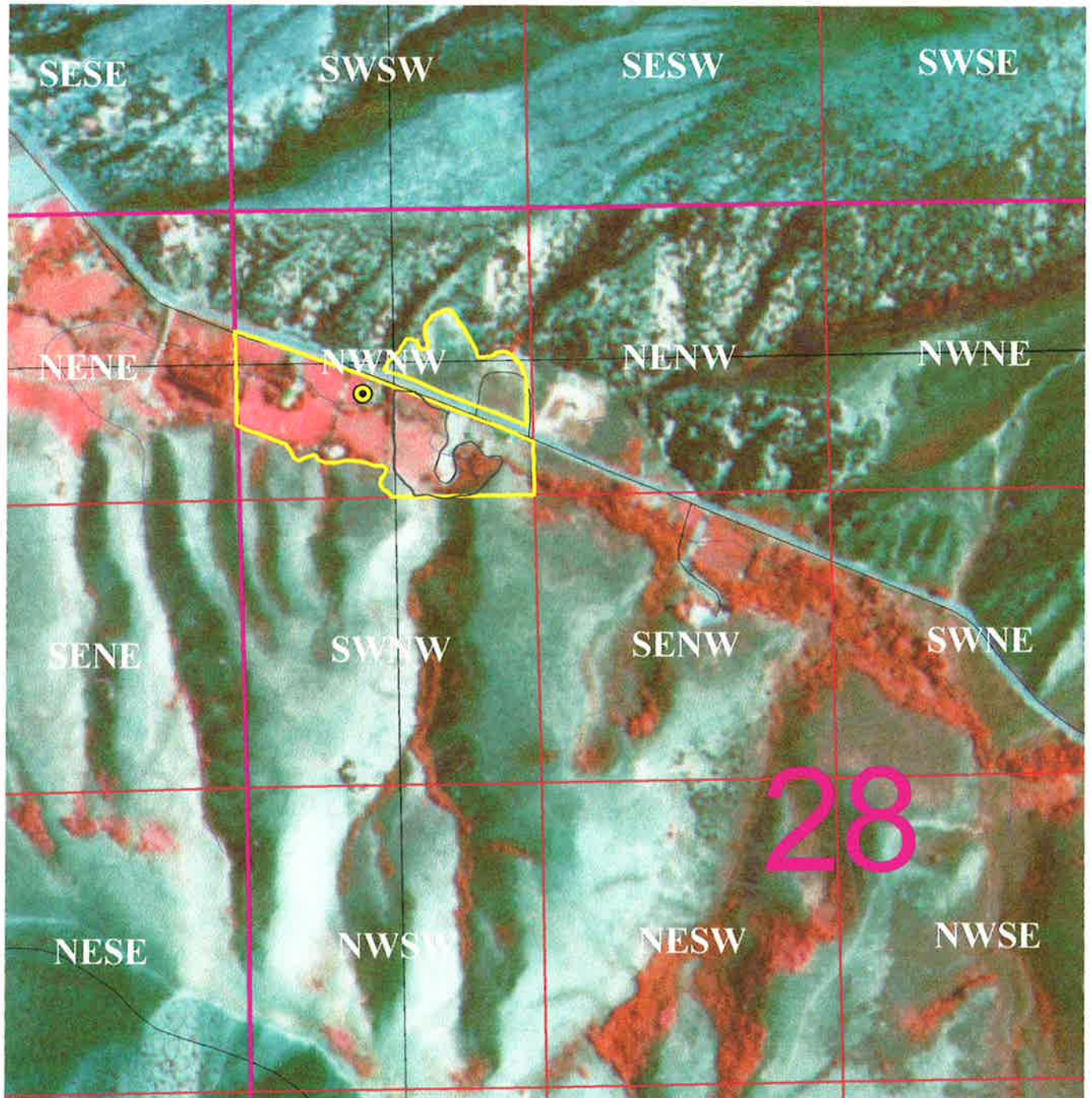
 Streams and Canals

Legend



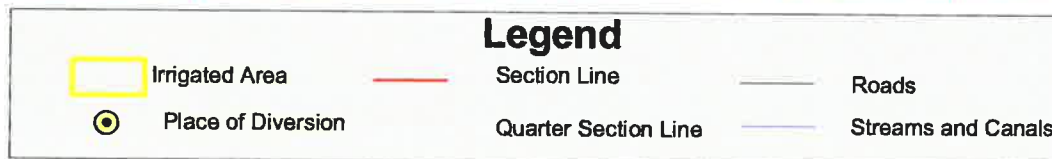
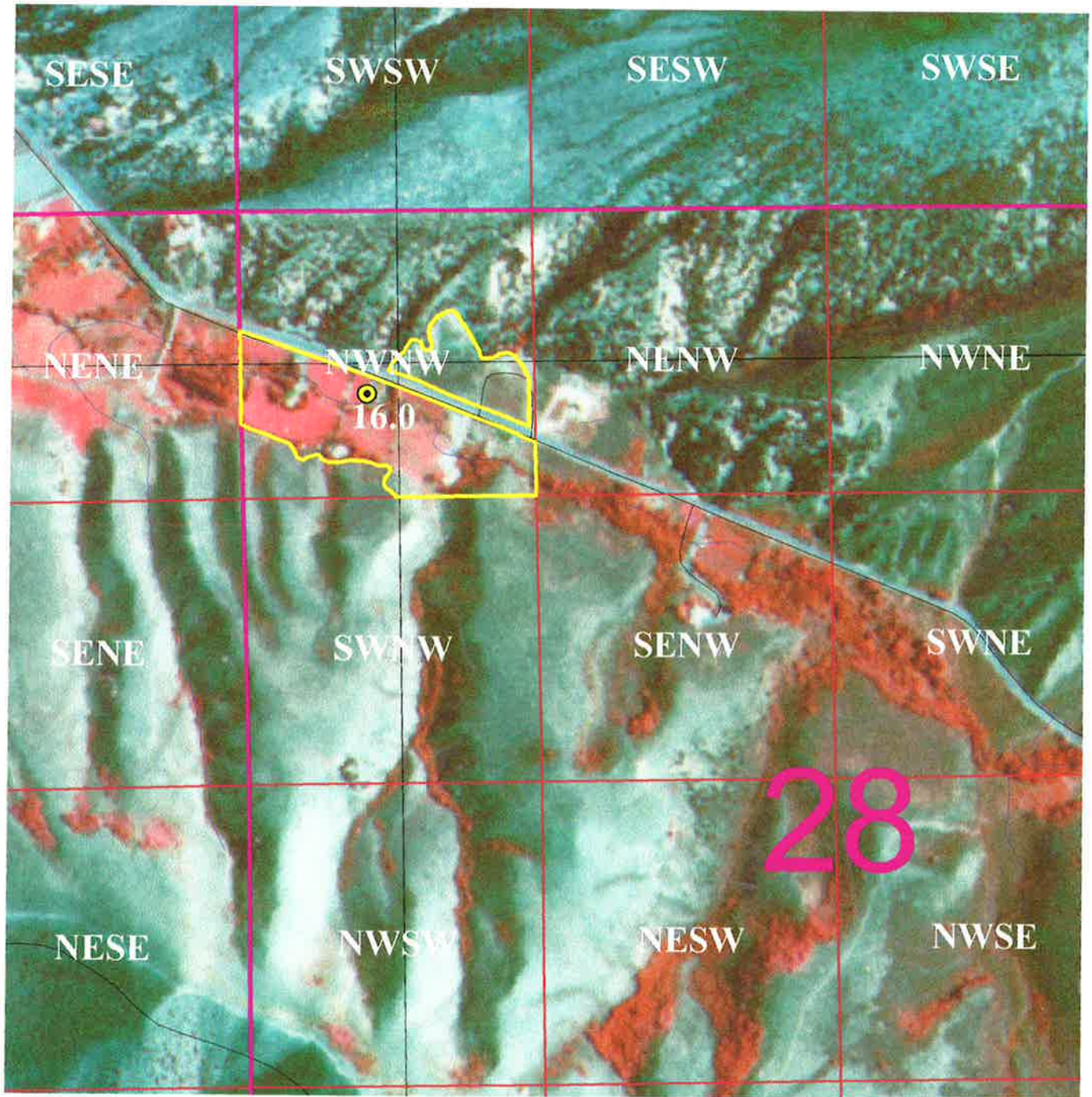
Water Right Claim Number A29-07002
Township , 6S35E

09/21/2000



Water Right Claim Number A29-07002
Township , 6S35E

09/21/2000



400 0 400 800 Feet



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-7002 V1

WATER RIGHT NUMBER: 29-7002 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SHARON A BUTIKOFER 7783 W BUCKSKIN RD POCATELLO, ID 83201 (208)233-4589
Current Owner	LARRY J BUTIKOFER 7783 W BUCKSKIN RD POCATELLO, ID 83201 (208)233-4589

Priority Date: 09/15/1967

Basis: License

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.030 CFS	
IRRIGATION	05/01 to 10/30	0.030 CFS	10.50 AF
STOCKWATER	01/01 to 12/31	0.030 CFS	
	<u>Total Diversion:</u>	0.030 CFS	10.50 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4NW1/4NW1/4 Sec. 28, Twp 06S, Rge 35E, B.M.
BANNOCK County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S	35E	28						3.0											3.0

Total Acres: 3

DOMESTIC same as IRRIGATION

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. C18 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.
2. N14 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. X01 Domestic use is for 1 home.
4. X02 Stockwater use is for 5 mixed horses and cattle.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-7002 V1

Remarks:

1. Explanatory PARCEL NO.: R3851026300
2. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.09 CFS. COMBINED RIGHT NOS.: 29-00448A, 29-00454A, 29-07002.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00448A, 29-00454A, 29-07002.
4. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER OCTOBER 30 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/19/2002 12:02:19 PM	csaxton			Active
Priority Date	11/19/2002 12:02:39 PM	csaxton			Active
POD	11/19/2002 12:02:52 PM	csaxton			Active
Source	11/19/2002 12:04:01 PM	csaxton			Active
POU	11/19/2002 12:04:12 PM	csaxton			Active
Use	11/19/2002 12:04:56 PM	csaxton			Active
Season	11/19/2002 12:06:39 PM	csaxton			Active
Quantity	11/19/2002 12:09:06 PM	csaxton			Active
Summary			11/19/2002	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-7002 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/19/2002 12:02:19 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam 7/30/02
POD	11/19/2002 12:02:52 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	11/19/2002 12:03:31 PM	csaxton	Edited PLS
Source	11/19/2002 12:04:01 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	11/19/2002 12:04:12 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
Priority Date	11/19/2002 12:02:39 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	11/19/2002 12:03:11 PM	csaxton	Edited point location
POU	11/19/2002 12:04:27 PM	csaxton	Edited shape boundary
Use	11/19/2002 12:04:56 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7002 V1

Season	11/19/2002 12:06:39 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	11/19/2002 12:09:06 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - As licensed.
Summary	11/19/2002 12:17:11 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

02/08/2003

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: April 21, 2003

Water right number: 29-7002

SHARON A BUTIKOFER
7783 W BUCKSKIN RD
POCATELLO ID 83201
Telephone Number: (208)233-4589

LARRY J BUTIKOFER
7783 W BUCKSKIN RD
POCATELLO ID 83201
Telephone Number: (208)233-4589

RECEIVED
MAR 17 2003
WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

4 Mar '03

SIGNATURE:

Sharon A. Butikofer

Please print your name:

Sharon A. Butikofer

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

PROFILED

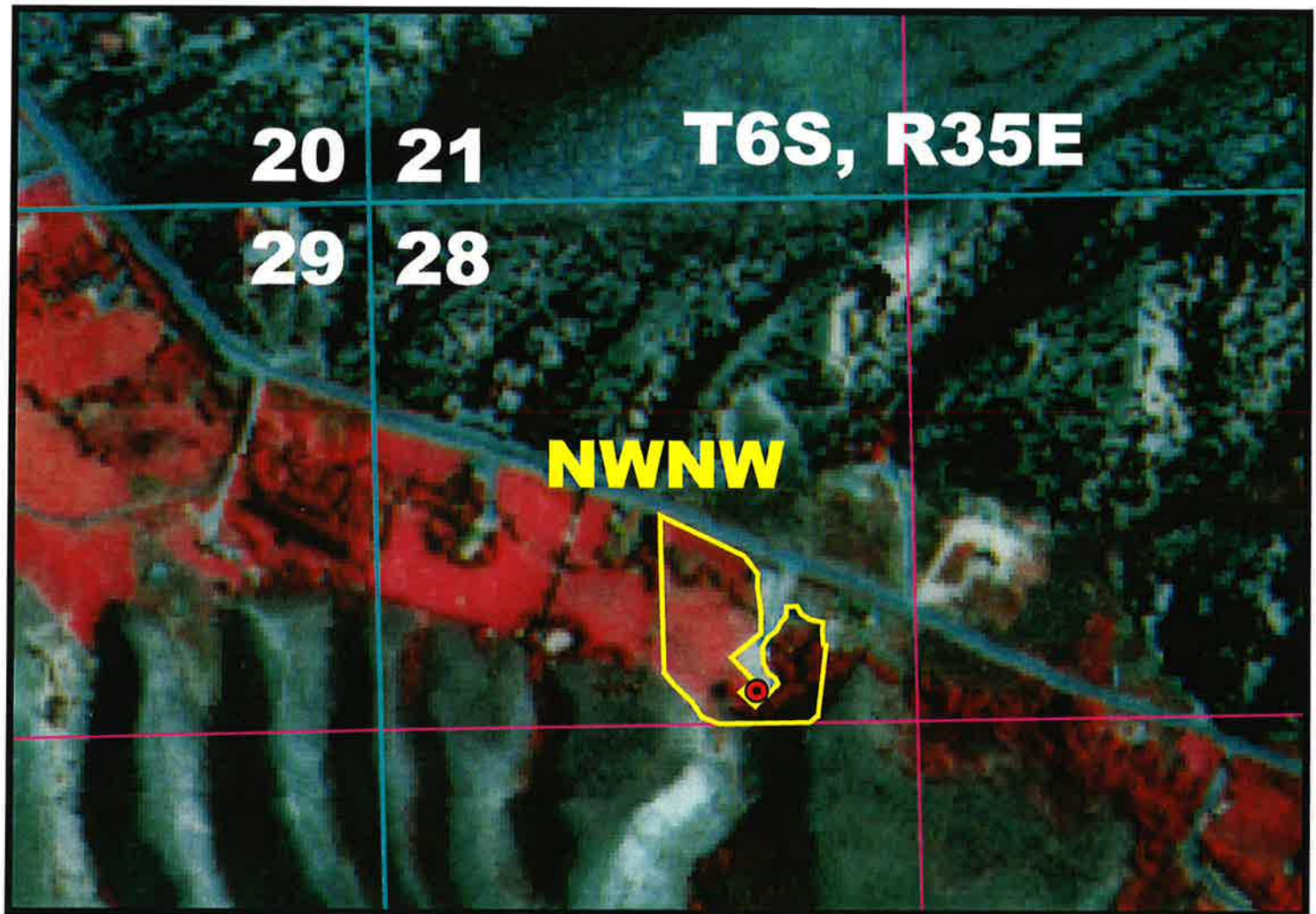
SCANNED
APR 11 2006



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-07002



0 1320 Feet

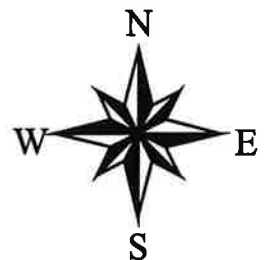
Total Irrigated Acres: 3.0

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines

PROFILED

SCANNED

APR 11 2006



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: November 2002



13-782 500 SHEETS, FILLER 5 SQUARE
42-381 50 SHEETS EYE-EASER 5 SQUARE
42-382 100 SHEETS EYE-EASER 5 SQUARE
42-388 200 SHEETS EYE-EASER 5 SQUARE
42-392 100 RECYCLED WHITE 5 SQUARE
42-399 200 RECYCLED WHITE 5 SQUARE
Made in U. S. A.

11-13-02 i Rec at licensed

i overman with 28-00448A
29-00454A

: FF 7/31/02

PROTILED

SCANNED

APR 0 / 2006

29-00448A & 29-00454A POU FIELD EXAM: 7-31-02



Looking SW at POU. Claimed POU (csaxton 8/7/02).

PROFILED

SCANNED
APR 06 2006

29-00448A & 29-00454A POD

FIELD EXAM: 7-31-02



Looking North at POD. POD located in the center of claimants property on the West side of the driveway (csaxton 8/7/02).

SCANNED
APR 06 2006

SCANNED

JUN 13 2001

Log for claim A29-07002

Spatial Dynamics LTD

9/21/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s35e	28	NWNW	3	16	POD placement? / Indiscernible
Totals:			3	16	

AJ5809NP
No. A29-07002

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 91

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LARRY J BUTIKOFER	09/15/1967	IRRIGATION	05-01 10-30	0.030 CFS	
C	SHARON A BUTIKOFER		STOCKWATER	01-01 12-31	0.030 CFS	
	7783 W BUCKSKIN RD		DOMESTIC	01-01 12-31	0.030 CFS	
	POCATELLO ID 83201					
	(208) 233-4589					
				TOTAL DIVERSION:	0.030 CFS	
				CONSUMPTIVE USE:		7.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06S R35E S28

NWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
06S	35E	28	:															:	3.0	
																			TOTAL ACRES	3.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, 1 HOME; STOCKWATER, 5 HEAD HORSES

Other Rights: SURFACE WATER - SEE OTHER #A29-00448A, A29-00454A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-07055 29-07058 A29-00448A A29-00448B A29-00454A A29-00454B A29-07055 A29-07058 A29-07268 A29-07517

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00448 A29-00448A A29-00449 A29-00454 A29-00454A A29-07268 A29-07517

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

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

Audit: 05/29/90 FRITSCHL 07/25/94 THOMPSON 03/29/95 POST-STD

WATER LICENSE

Water License No. 29-7002 Priority September 15, 1967 Amount 0.03 c.f.s.

THIS IS TO CERTIFY, that Larry J. Butikofer
 of Pocatello, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated September 15, 1967; that Permit 29-7002 was issued pursuant
 to said application; that the proposed works were completed on or about November 26, 1968,
 with a storage or carrying capacity of 0.03 c.f.s., said works consisting of submersible pump,
motor; and that on December 2, 1968,
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 10.5
 acre feet per season, with a maximum rate of diversion of 0.03 cubic feet per second of the waters
 of subterranean, tributary of _____,
 for the purpose of irrigation from May 1 to October 30;
 and for domestic _____ from January 1 to December 31; and for
livestock from January 1 to December 31; and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in NW 1/4 NW 1/4, Sec. 28, T. 6 S, R. 25 E, B.M., and
 other additional points _____, in the County of
Bannock; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 10.5 acre feet per year.

Description and location of place of use:

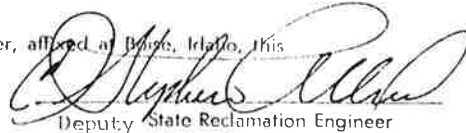
TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>6 S</u>	<u>35 E</u>	<u>28</u>																	<u>3</u>

Total number of acres irrigated 3

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
 as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

7 day of November, 19 69.


 Deputy State Reclamation Engineer

29 7002

29-7002

b) Describe the type and size of measuring device which you have installed at your point of diversion: As per your letter of Jan 4, 1968; an open faucet with flow caught in a large container, as being adequate with small fillings.

c) Give well drillers name and address and date the well was completed Durfee Well Drilling, Hawthorne Rd. Pocatello, Idaho (Completed June 1966)

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Domestic water supply

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6	35E	28					X												3 Acres

Total number of acres irrigated 3 Acres

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

November 26, 1968
 (Date)

Larry J. Butkoff
 (Signature)

State of Idaho)
 County of Bannock)

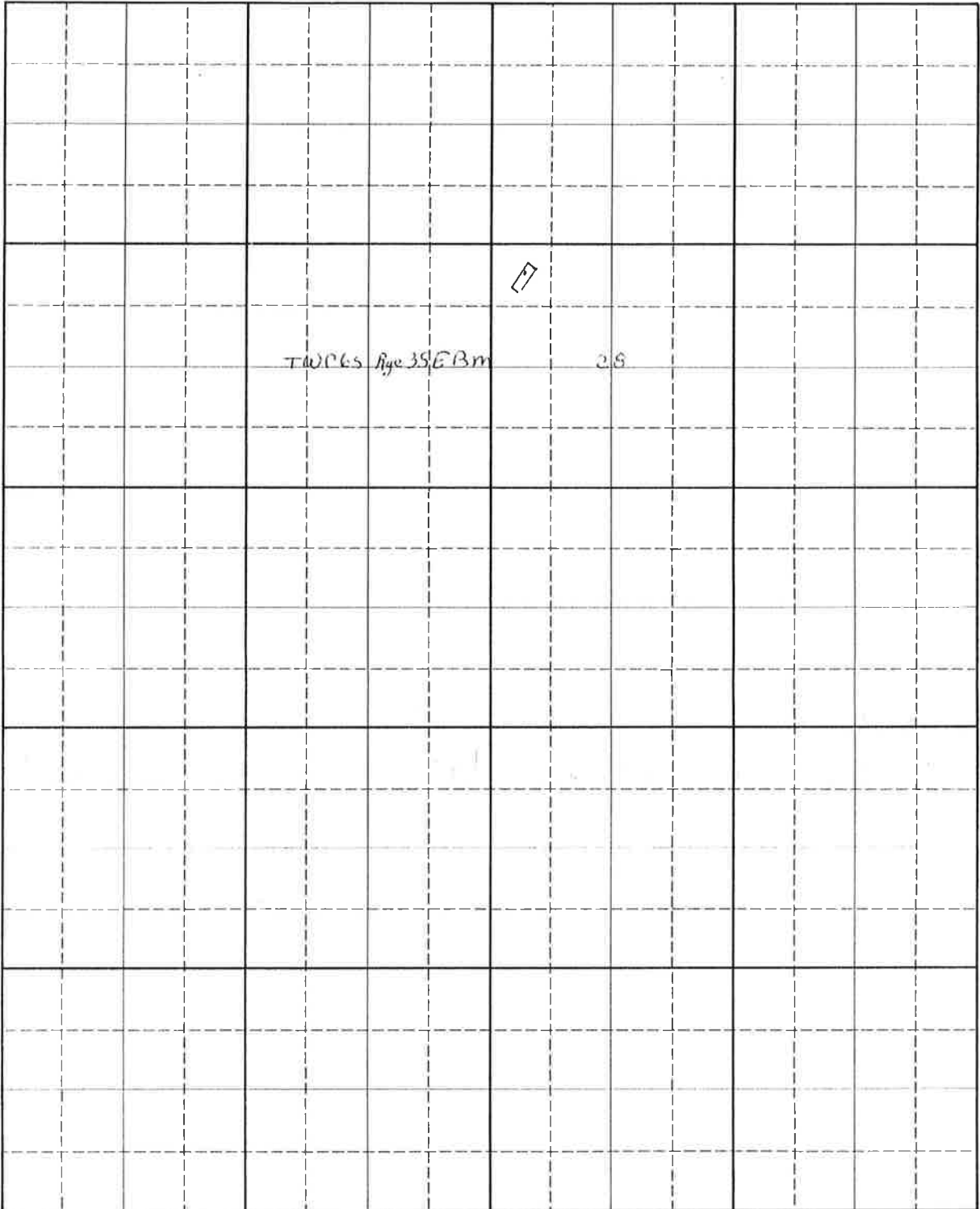
HB.

On this 26 day of November, 1968, personally appeared before me the signor (s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
 Notary Public residing at _____

My commission expires May 15, 1971
 Notary Public of Idaho, Residing at Pocatello, Idaho
 My commission expires _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

David J. Butcher
(Applicant)

28-7002

Identification No. 29-7002

Application No. 42050

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Larry J. Butikofer
post office address Buckskin Road, Pocatello, Idaho 83201
2. Source of water supply Underground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 6S
Range 35 E B.M. Bannock County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in NW $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 28 Township 6 S Range 35 E B.M.
4. Quantity to be appropriated:
a. 25 Gal. per minute cubic-feet per second and/or
b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
Irrigation purpose from May 1 to Oct 30 (both dates inclusive)
Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
Livestock purpose from Jan 1 to Dec 31 (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. WELL

- b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____

- c. Proposed well diameter is 6 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is _____ years. (Completed)
b. Estimated construction cost is \$ 1,300
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 6 S
Range 35 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 5 Head of Horses

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water One.
(5) If water is to be used for other purposes describe: Domestic water supply

29-7002

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Butiko CLA IDENT. NO. A29-07002DATE RECEIVED 4-11-90 CK # C016233 AMOUNT \$ 153⁰⁰

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | * |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | * |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | * |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | * |
| 8. If required is a consumptive use entered? | ☒ | ☐ | * |
| Is the consumptive use correct? | ☒ | ☐ | * |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | * |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | * |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | * |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | * |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | * |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | * |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | * |
| 22. Should this claim be data entered? | ☒ | ☐ | * |

Claim checked by: CT Date: 5-29-90Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)Receipt Prepared by: CT Date: 5-29-90
Claim data entered by: CT Date: 5-29-90
Sent to claimant by: CT Date: 5-29-90 Checked by: CT Date: 5-29-90Comments: CT

MICROFILMED

NOV 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 5, 1990

Mr. Larry Butikofer
7783 West Buckskin
Pocatello, Idaho 83201

RE: Notice of Claim to a Water Right in the Snake River Basin
Adjudication for Water Right No. 29-07002 - Bannock County

Dear Mr. Butikofer:

Please find enclosed a computer-generated Notice of Claim to a Water Right based on the information we have on record for the above referenced water right. Please review the claim for accuracy. If the claim is satisfactory, please sign the form, having your signature notarized, and return it to this office with the proper filing fee.

The filing fee for an irrigation water right consists of a \$50.00 flat fee, and a variable fee of \$1.00 per acre. The total fee for this claim as it appears on the computer-generated form is \$53.00.

Also enclosed is a blank claim form with instructions. This form can be used if you wish to claim the water right in a manner that is different than what appears on the computer-generated form.

If you have any questions or need assistance, please contact this office.

Sincerely,

Carter Fritschle
Senior Water Resource Agent
Adjudication Bureau

Enclosures:

Computer-generated claim
Long form with instructions

MICROFILMED

NOV 13 1992



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707
October 22, 1969

Re: Permit No. 29-7002

Larry J. Butikofer
Buckskin Road
Pocatello, Idaho 83201

Dear Mr. Butikofer:

A representative from this department has made an examination of your works covered by Permit 29-7002. The works were found capable of producing .03 c.f.s. of which .03 c.f.s. can be recognized as beneficially used and licensed under Idaho law. The water is used for domestic, livestock, and irrigation of 3 acres in NW1/4, Sec. 28, T. 6S, R. 35E, B.M.

If you disagree with the findings, please advise us within 10 days; otherwise, a license will be issued showing the findings as set forth in this letter.

Very truly yours,

A handwritten signature in cursive script, reading "Dean R. Reynolds".

Dean R. Reynolds
Field Examiner

DRR:mh



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

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Sincerely,

Carter Fritschle
Senior Water Resource Agent
Adjudication Bureau

\$103⁰⁰

Enclosures:

Computer-generated claim
Long form with instructions

@ priority \$50 irrig
1 per acre
\$25⁰⁰ domestic

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C016233

Date: 04/11/90
Time: 14:54:07

Received

From: BUTIKOFFER, LARRY

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$153.00

Total

\$153.00

CHECK 2929

Idaho Department of Water Resources

Region: STATE

Signature:

J. Yarbrough

*Not a valid record
from County of Bannock*

423659²⁴

THIS INDENTURE, made this 27th day of December in the year of our Lord, One Thousand Nine Hundred and sixty-five, between

GENEVIEVE BISTLINE

of Boise, County of Ada, State of Idaho

the party of the first part, and LARRY J. BUTIKOFER and SHARON A. BUTIKOFER, husband and wife,

of Pocatello, County of Bannock, State of Idaho

the parties of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of THREE THOUSAND TWO HUNDRED FIFTY ----- DOLLARS,

lawful money of the United States of America, to in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly

described as follows, to-wit: A tract of land in the NW 1/4 NW 1/4, Sec. 28, T 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows: Beginning at the NW corner of Sec. 28, T 6 S, R 35 E., B.M.; thence South 89°39' East along the North line of said Section 28, 1320.6 feet, more or less to the West 1/16 corner of said Sec. 28; thence South 0°16' West along the West 1/16 line of said Sec. 28, 1083.22 feet, more or less, to a point on the South right of way line of Buckskin Road, the True Point of Beginning; thence continuing South 0°16' West along said West 1/16 line, 236.78 feet, more or less, to the Northwest 1/16 corner of said Sec. 28; thence North 89°39' West along the North 1/16 line of said Sec. 28, 606.14 feet; thence North 0°16' east parallel to said West 1/16 line 481.00 feet, more or less, to the Southerly right of way line of Buckskin Road; thence South 67°43' East along said South right of way line 653.84 feet, more or less, to the True Point of Beginning.

Subject to Easement to Idaho Power Co., recorded March 13, 1964, Book 124, No. 401946, Records of Bannock County, Idaho.

WATER LICENSE

Water License No. 29-7002 Priority September 15, 1967 Amount 0.03 c.f.s.

THIS IS TO CERTIFY, that Larry J. Bubikofer
of Porcatello, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 15, 1967; that Permit 29-7002 was issued pursuant
to said application; that the proposed works were completed on or about November 26, 1968,
with a storage or carrying capacity of 0.03 c.f.s., said works consisting of submersible pump,
motor; and that on December 2, 1968,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 10.5
acre feet per season, with a maximum rate of diversion of 0.03 cubic feet per second of the waters
of subterranean, tributary of _____,
for the purpose of irrigation from May 1 to October 30;
and for domestic _____ from January 1 to December 31; and for
livestock from January 1 to December 31; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW 1/4 NW 1/4, Sec. 28, T. 6 S, R. 35 E, B.M., and
other additional points _____, in the County of
Bannock; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 10.5 acre feet per year.

Description and location of place of use:

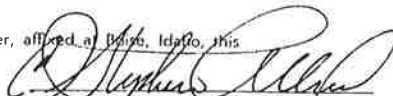
P.	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3	35 E	28																	3

Total number of acres irrigated 3

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
is provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, at Boise, Idaho, this

7 day of November, 19 69.


Deputy State Reclamation Engineer

29 7002

29-7002

JUN 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: A29-07002

Date Received: 4/11/1990

Receipt No: C016233

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY J. BUTIKOFER 208-233-4589
Address: 7783 W. BUCKSKIN RD.
POCATELLO, ID 83201

AND/OR

Name: SHARON A. BUTIKOFER 208-233-4589
Address: 7783 W. BUCKSKIN RD.
POCATELLO, ID 83201

2. Date of Priority: SEP 15, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	35E	28	NW	NW			BANNOCK

5. Description of diverting works:
WELL, 6" CASING, 1/2 HP SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/30	0.030		
STOCKWATER - 3	01/01	12/31	0.030		
DOMESTIC - ok'd	01/01	12/31	0.030		

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

A.F.A.

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 5 HEAD HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	28	NW	NW		IRR	3.0

Section Acres 3.0

Total Acres 3.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

SURFACE WATER - SEE OTHER #A29-00448A, A29-00454A

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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 _____

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: A29-07002
Date Received: 4-11-90
Receipt No: 006233
Received By: Julie

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY J. BUTIKOFER AND/OR SHARON A. BUTIKOFER 208-233-4589
Address: 7783 W. BUCKSKIN RD. 7783 West Buckskin Rd.
POCATELLO, ID 83201 Pocatello, ID 83201

2. Date of Priority: SEP 15, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	Department of Water Resources
06S	35E	28	NW	NW			County BANNOCK

5. Description of diverting works:
WELL, 6" CASING, 1/2 HP SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/30	0.030		
STOCKWATER	01/01	12/31	0.030		
DOMESTIC	01/01	12/31	0.030		

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

A.F.A.

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 5 HEAD HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	28	NW	NW		IRR	3.0

Section Acres 3.0

A29-07002

Page 1

Date: 03/05/90

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RECEIVED
APR 11 1990

A2907002



10. Place of Use: Continued

Total Acres 3.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

~~NONE~~ Surface water - see other # A29-00448A, A29-00454A

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ 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): Sharon A. Sutcliffe Date: 9 Apr 1990

Date: _____

State of Idaho)
County of Bannock) SS.

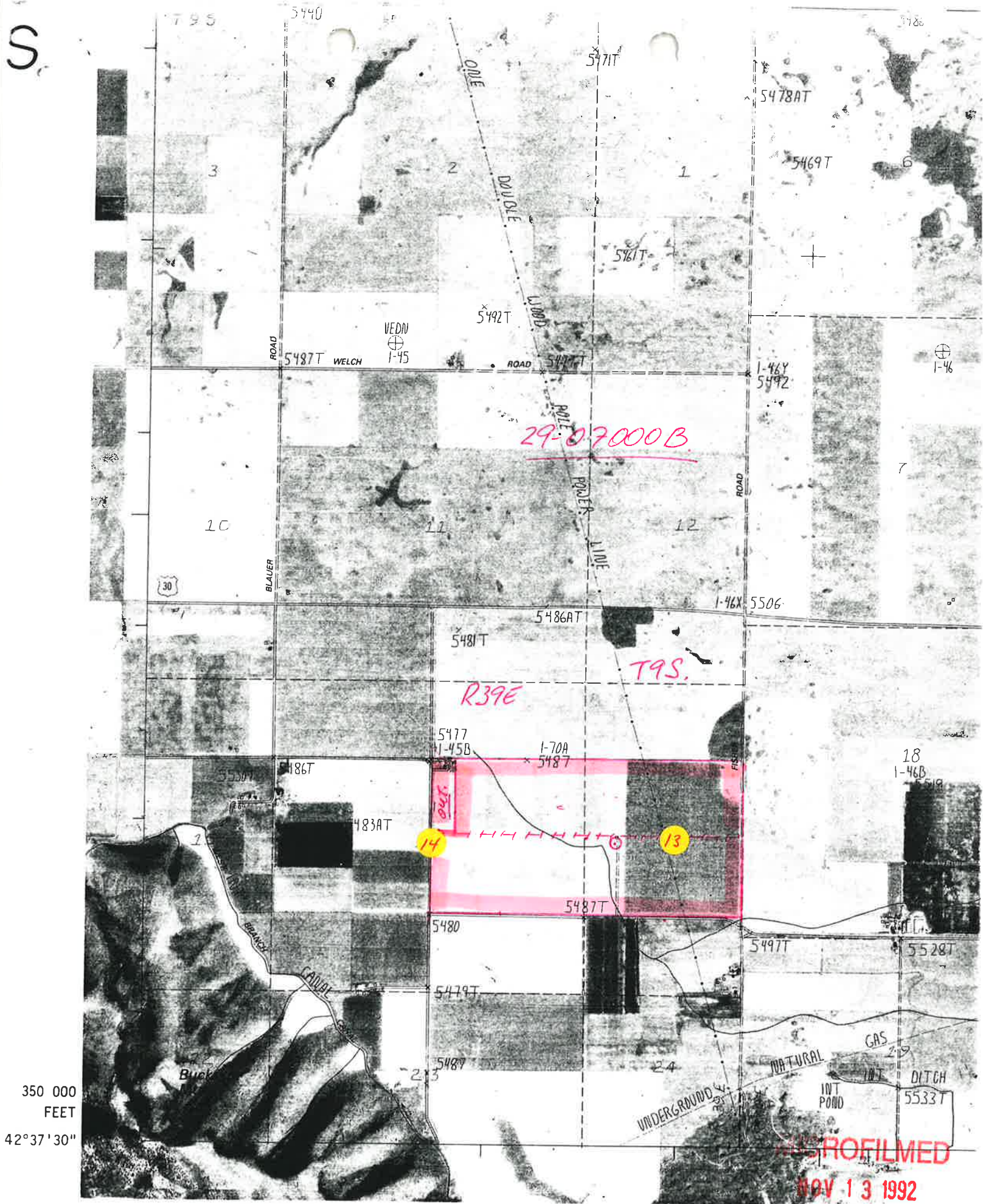
Subscribed and sworn (or affirmed) before me this 9th day
of April 19 90

Mary Lou Lancaster
Notary Public

Seal

Residing at Boateello, Idaho
My Commission Expires March 17, 1994

S



111°52'30" 580 000 FEET

Produced by the Geological Survey

Orthophotograph prepared from 1:76,000-scale