

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-2706 Priority April 27, 1965 Amount 0.94 cfs

THIS IS TO CERTIFY, that DORAN BUTLER

of Bliss, Idaho, has complied with the terms and conditions of Permit No. 37-2706 issued pursuant to Application for Permit dated April 27, 1965, and has submitted proof to the Department of Water Resources on April 15, 1977, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 1.84 cfs of water from unnamed stream and floodwater from Clover Cr. tributary to Snake River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>0.90</u> cfs and	<u>135</u> acre feet
<u>Stockwater</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>2.4</u> acre feet
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.94 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 137.4 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, Twp. 5S, Rge. 12E, B.M. _____ in the County of Goddard

Description and location of place of use:

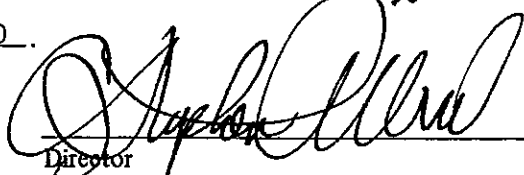
Twp.	Range	Sec.	NEW				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	12E	21									10	29.2	2.7	3.1					45

Total number of acres irrigated 45

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of January, 19 80.


Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR AMENDMENT OF A PERMIT
LICENSING AMENDMENT
DEC 14 1979

To change the point of diversion and/or the place of use
Department of Water Resources
Southern District Office

Comes now DORAN BUTLER
of (address) Bliss, Idaho 83314, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 37-2706, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SW ¼, Section 21, Township 5S, Range 12E, B.M.,
County of Gooding. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.90 for Irrigation purposes from April 1 to November 1 (both dates inclusive)
(cfs or acre feet per annum)
Amount 0.04 for Stockwater purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	12E	21									10	292	2.7	3.1					45

Total number of acres to be irrigated = 45

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? "
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing:

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Ada)

APPROVED

Permit No. 37-2706

Doran Butler of Bliss
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to appropriate the Public Waters of the State of Idaho No. 37-2706.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before April 30, 19 72.

That he has heretofore performed the following work described under said permit:

The dike has been built and the necessary pipe and pump box has also been installed.

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Have to wait till floods recede to get in with pump. Also,
the dike needs minor repairs.

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to April 30, 19 77.

Doran Butler
(signature) *

Subscribed and sworn before me this 6 day of March, 19 72.

seal

Sandra M. Ellis
(notary public)

My commission expires 11-18-75

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. Keith Higginson, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No. 37-2706 to April 30, 1977.

Witness my hand this 7th day of March, 19 72.

R. Keith Higginson
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

37 2706

37-2706

Application For Permit
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 40487
PERMIT No. 32337
DISTRICT No.

1. Name of Applicant: Doran Butler
Postoffice address: Bliss, Box 417 County: Gooding State: Idaho
I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:
(a) Cash on hand: (c) Bond to be issued:
(b) Treasury stock: (d) Other resources:

2. Quantity of water claimed: 1.96 cubic feet per second.

3. Source of water supply: Floodwater from Clover Creek / and Unnamed Stream which is a tributary of Snake River

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 16; SE $\frac{1}{4}$ NE $\frac{1}{4}$,
of section 28 , T. 5 S. , R. 12 E , B. M., County of Gooding

5. Water is to be used for Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section of , T. , R. , B.M.
(b) Amount of power generated: H.P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$2500

8. Kind of works: Dike 7' max. height, 3' water depth + 4' freeboard

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;
dimensions of flume:
Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.

12. The time required for the completion of such work is five years.

13. The time required for the complete application of the water to the proposed use is two additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 40487
PERMIT No. 32337
DISTRICT No.

1. Name of Applicant: Doran Butler
Postoffice address: Bliss, Box 417 County: Gooding State: Idaho
I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:
(a) Cash on hand: (c) Bond to be issued:
(b) Treasury stock: (d) Other resources:
2. Quantity of water claimed: 1.96 cubic feet per second.
3. Source of water supply: Floodwater from Clover Creek / and Unnamed Stream which is a tributary of Snake River
4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the $S\frac{1}{2}SE\frac{1}{4}$, Sec. 16; $SE\frac{1}{4}NE\frac{1}{4}$,
of section 28 , T. 5 S. , R. 12 E , B. M., County of Gooding
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(b) Amount of power generated: H.P., under feet head.
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distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.
7. Estimated cost of works: \$2500
8. Kind of works: Dike 7' max. height, 3' water depth + 4' freeboard
9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;
dimensions of flume:
Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.
12. The time required for the completion of such work is five years.
13. The time required for the complete application of the water to the proposed use is two additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

Affidavit of Publication

State of Idaho, }
County of Gooding } SS.

Thomas D Miller, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement

was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1 day of January, 1970, and the date of the last publication was on the 8 day of January, 1970

Thomas D Miller
Subscribed and sworn to before me this 2 day of February, 1970
(SEAL)

Audrey C. Belshor
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

Number of Insertions

Lines at 14c

Lines at 10c

TOTAL COST

COPY OF NOTICE

Existing Water Permit
Title of Notice

Doran Butler
Plaintiff Attorney

Defendant

Plaintiff

Bill to

State of Idaho
Dept. of Reclamation
Statehouse - Annex 2
Boise, Idaho
82707

RECEIVED

Rev'd

FEB 8 1970

Department of Reclamation

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956	
7 pt. per line, straight	14c
7 pt. per line, tabular	20c
7 pt. per line, successive	
insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive	
insertion	10c

No

32337

37-2706

693

January 30, 1980

Boran Butler
Bliss,
Idaho 83314

Dear Ms. Butler,

RE: License No. 37-2706

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit, along with a copy of the approved Application for Amendment.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:mr

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources
AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: _____

Right Number 37-2706 Applicant BUTLER, Doran

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☒ Other Licensing Amendment

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) none
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

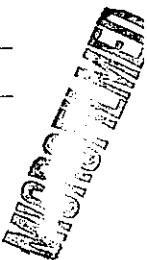
- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☐ Approve.
- ☐ Deny.

Conditions _____

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____





State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

November 14, 1979

Doran Butler
Bliss, Idaho 83314

Dear Mr. Butler,

RE: Permit No. 37-2706

A representative of this Department made an examination of the works covered by your Permit No. 37-2706 on July 18, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.94 cfs Source: Floodwater from Clover Creek
and an unnamed stream
The maximum quantity diverted shall not exceed 137.4 acre feet
per year.

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, Twp. 5S, Rge. 12E, B.M.

Beneficial use: Irrigation of 45 acres and stockwater within the SW $\frac{1}{4}$,
Sec. 21, Twp. 5S, Rge. 12E.

Priority date established: April 27, 1965

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

RECEIVED

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5
S

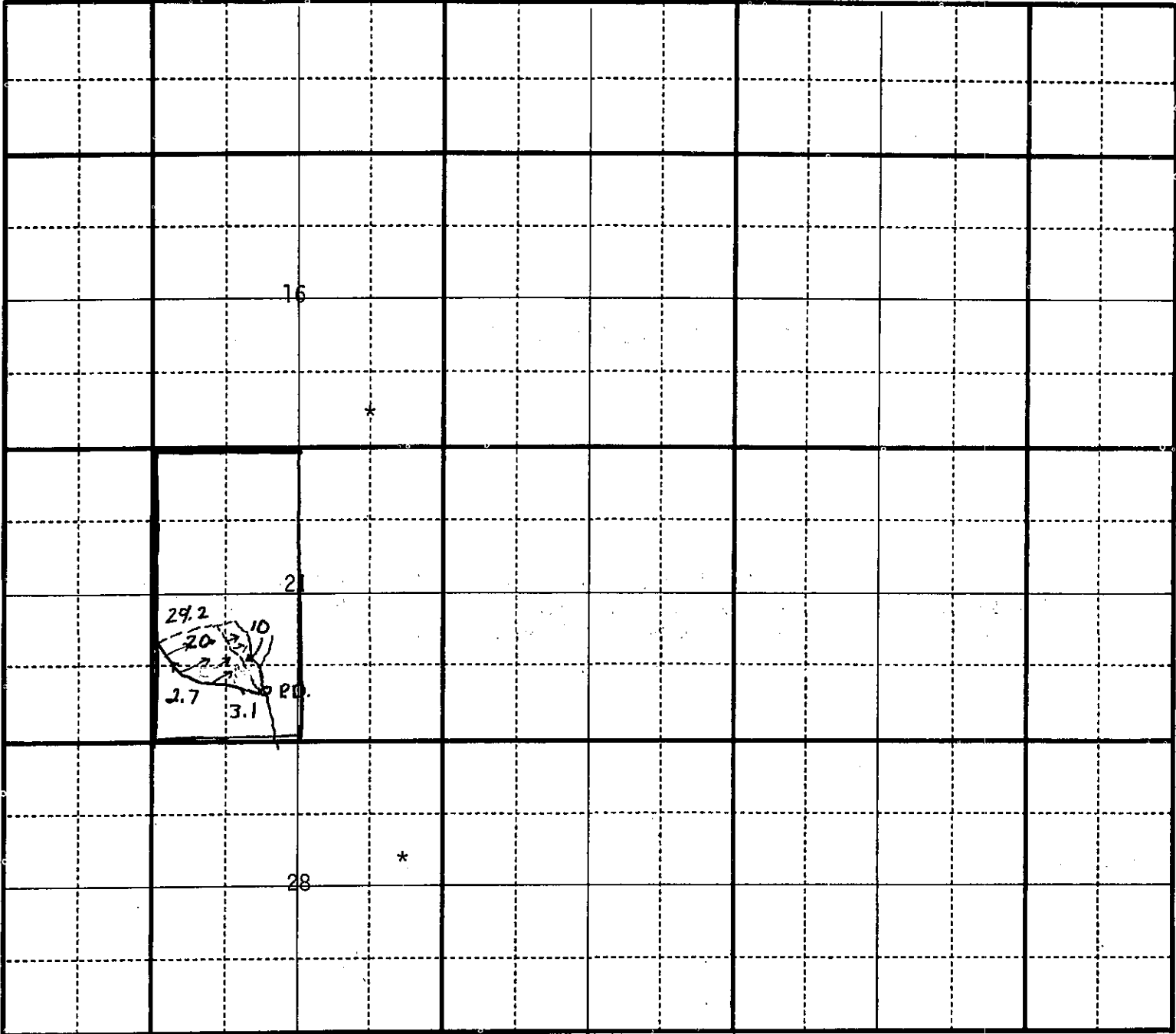
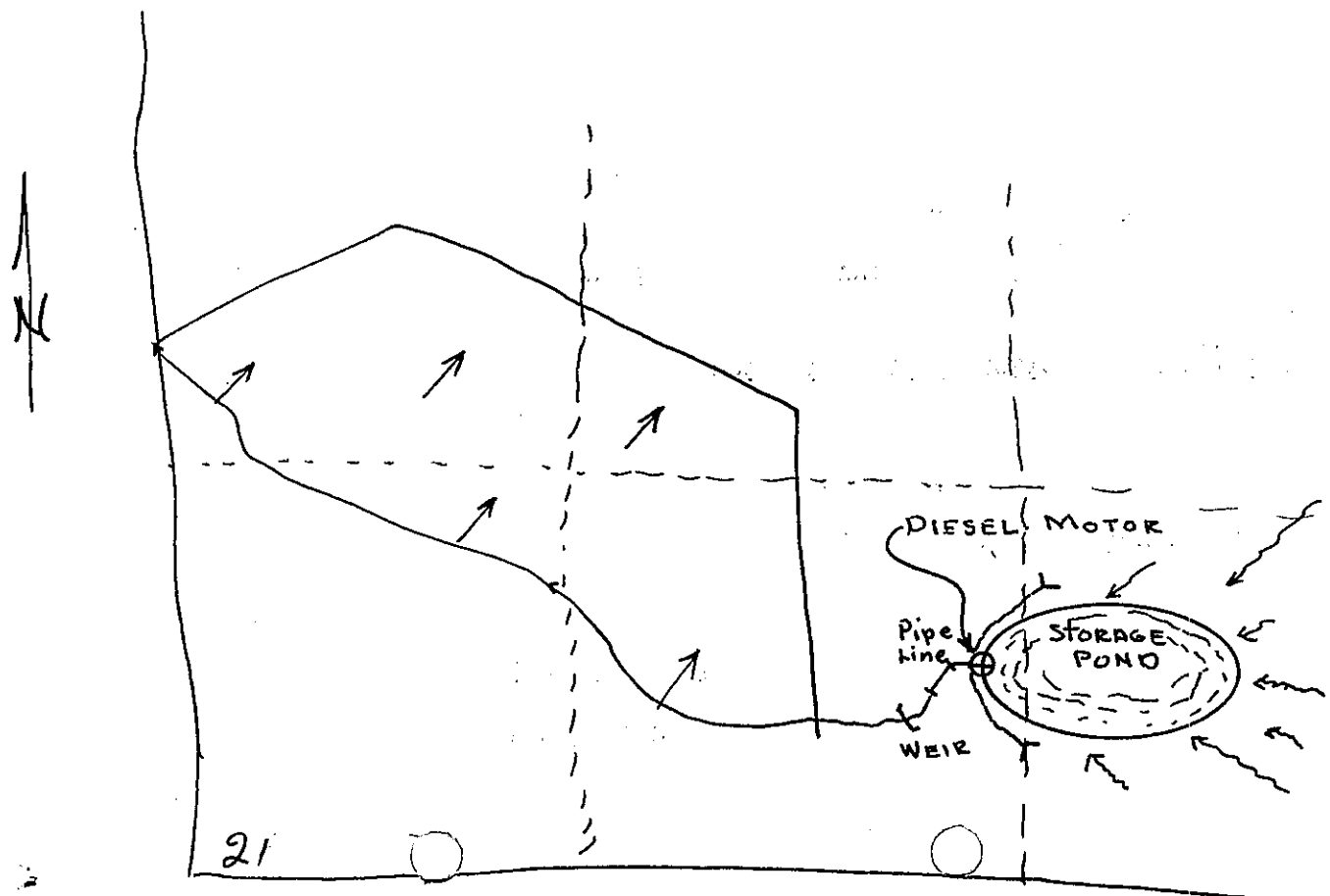


Diagram of System



Approved by _____ Date _____

May 3, 1977

Re: Permit No. 37-2706

Doran Butler
Bliss, Idaho
83314

Dear Mr. Butler:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Twin Falls.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

MICROFILMED

Identification No. _____
Permit No. 37-2706

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APR 15 1967
Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

OKj

Unnamed Stream.

1. a) Name of Permit Holder Doran Butler 352-4202

b) Post Office Address Bliss, Idaho, 83314

2. Permit Number 37-2706 (Old No. 32337)

3. Date of Priority that you are prepared to establish April 30, 1965

4. a) Source from which water was appropriated Flood Waters from Clover Creek and

b) Location of the point of diversion: SE 1/4 NE 1/4, Section 28

Township 5 S., Range 12 E., Boise Meridian, Other points of diversion: _____

S 1/2 SE 1/4 Sec. 16, T. 5 S., R. 12 E., B.M.

5. a) The amount of water and use to which the water has been applied:

Amount 1.96 for Irrig. purposes from Apr. 1 to Nov. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount 1.96 for Domestic Stock purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 1.96 cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: No measurement

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch)

Natural flood channels from Clover Creek and Unnamed waste water streams supply water to natural lake; From the lake water is pumped by a 30 H.P. Diesel Pump. The pump will deliver approx. 2.0 cfs. to gravity fed ditch.

b) Describe the type and size of measuring device which you have installed at your point of diversion:

None

c) Give well driller's name and address and the date the well was completed:

N/A

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

Domestic use is for stockwater of approx. 150 head of range cattle.

4/22/67

MICROFILMED

If you are irrigating 15 or more acres, please submit an aerial photo of the property with this affidavit.

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
55.	12E.	21					0.5	0.4	31.0	15.1	12.4	32.8	2.7	3.1					98

Total number of acres irrigated 98

10. Remarks:

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

(Date)

(Signature)

State of Idaho)

County of Laramie) ss.

On this Seventh day of April, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at

My commission expires 2-22-81

January 31, 1977

CERTIFIED MAIL

138240

Re: Permit No. 37-2706 (Old No. 32337)

Doran Butler
Bliss, Idaho 83314

STAR RT.

Dear Mr. Butler:

One of the conditions of approval of your water Permit No. 37-2706 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 30, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

MICROFILMED

March 13, 1972

Re: Permit No. 32337/37-2706 ..

Doran Butler
Star Route
Bliss, Idaho 83314

Dear Mr. Butler:

Enclosed please find a copy of the APPROVED extension of time in connection with the above referenced permit. The time within which to submit proof of beneficial use has been extended to April 30, 1977; the Department will notify you 60 days in advance to this due date.

If we may be of assistance at any time, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BL

Enclosure

37 2706

January 28, 1972

CERTIFIED MAIL

#23310

Re: Permit No. 32337/37-2706

Doran Butler
Star Route
Bliss, Idaho 83314

Dear Mr. Butler:

One of the conditions of approval of your water Permit No. 32337/37-2706 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 30, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S). REQUIRED FEE(S) PAID.	
☒ Show to whom, date and address where delivered.	☐ Deliver ONLY to addressee.
RECEIPT Received the numbered article described below.	
REGISTERED NO.	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
CERTIFIED NO. 23310	<i>Doran Butler</i>
INSURED NO.	SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
DATE DELIVERED 2-4-72	SHOW WHERE DELIVERED (only if requested)
	37 2706

February 13, 1970

Re: Permit No. 32337/37-2706

Doran Butler
Star Route
Bliss, Idaho 83314

Dear Mr. Butler:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until April 30, 1972, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

NOTE: We are returning the billing notice to you to place with your personal records of the permit.

32337

37 - 2706

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

February 11, 1970

RECEIVED
FEB 15 1970

Department of Reclamation

Re: Permit No. 32337/37-2706

Doran Butler
Star Route
Bliss, Idaho 83314

Dear Mr. Butler:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until April 30, 1972; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Gooding Leader, Gooding, Idaho, and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enclosed are the above ~~referred~~ referred to affidavits

Doran Butler

32337

37-2706

February 11, 1970

Re: Permit No. 32337/37-2706

Doran Butler
Star Route
Bliss, Idaho 83314

Dear Mr. Butler:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until April 30, 1972; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Gooding Leader, Gooding, Idaho, and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

32337

37-2706

February 4, 1970

Re: Permit No. 32337/37-2706 - Doran Butler

Gooding Leader
Box 56
Gooding, Idaho 83330

Gentlemen:

We are in receipt of the affidavit of publication and the billing notice for the above referenced permit. However, pursuant to our letter of December 24, 1969, ~~copy enclosed~~, the cost of publication is to be paid by Doran Butler, Star Route, Bliss, Idaho 83314.

Therefore, we are returning the above mentioned items to you to be forwarded to the permit holder, so he may submit them to the department.

Thank you.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Affidavit of Publication
Billing notice
~~Copy of our letter~~

32337

37-2706

**NOTICE OF EXISTING
WATER PERMIT**

Notice is hereby given that Doran Butler, Star Route, Bliss, Idaho, has received an approved permit No. 82337//37-2708 issued by the Idaho

State Reclamation Department authorizing the diversion of 1.96 cubic feet per second of water from the floodwater from Clover Creek and an unnamed stream, tributary of the Snake River, subject to all prior rights. The priority to be established under this permit is April 27, 1965 and the permit was approved April 30, 1965. Water is to be diverted by dike from a point within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 16 and a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 5 S., R. 12 E., B.M., Gooding County to be used for irrigation and domestic purposes in the W $\frac{1}{2}$, Sec. 21, T. 5 S., R. 12 E., B.M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before April 30, 1972. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. Keith Higginson
State Reclamation
Engineer

1-1-2tc

December 24, 1969

Re: Permit No. 32337/37-2706 - Doran Butler

Gooding Leader
Box 56
Gooding, Idaho 83330

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Doran Butler,

Star Route, Bliss, Idaho 83314
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Legal Notice (1)

32337

37-2706

RECEIVED

DEC 23 1969

Department of Reclamation

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Doran Butler, ~~Bliss~~, Bliss, Idaho,

Star Bt. has received an approved permit No.

32337/37-2706 issued by the Idaho State Reclamation Department authorizing the diversion 1.96 cubic feet per second of water from the floodwater from Clover Creek and an unnamed stream, tributary of the Snake River.

subject to all prior rights. The priority to be established under this permit is April 27, 1965 and the permit was approved April 30, 1965.

Water is to be diverted by dike

from a point within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 16, and a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 5 S. R. 12 E. B. M., Gooding County

to be used for irrigation and domestic purposes

in the W $\frac{1}{2}$, Sec. 21, T. 5 S. R. 12 E. B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before April 30, 1972. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Gooding Leader, Gooding, Idaho, on January 1 and January 8, 1970.

State Reclamation Engineer:

Permit No. 32337/37-2706

You are hereby authorized to have the attached notice published at my expense in the Gooding Leader of Gooding, Idaho;

published in the county in which the works are situated.

(Signature)

(Address)

(Date)

32337

37-2706

December 23, 1969

Re: Permit No. 32337/37-2706

Doran Butler
Star Route
Bliss, Idaho 83314

Dear Mr. Butler:

The legal notice for the above referenced permit is being published in the Gooding Leader, Gooding, Idaho, on January 1 and January 8, 1970.

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill of publication.

Thanking you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

32337

37-2706

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32337)
in the name of Doran Butler, Box 417,)
Bliss, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

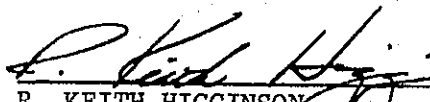
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32337 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.
 - b. The permitt will not be required to submit proof of completion of works
as originally specified, but will be required to submit proof to the
Department of Reclamation of the application of the water to beneficial
use on or before April 30, 1972. The permit holder should be aware that
failure to complete one-fifth (1/5) of the works within one-half (1/2)
the time originally set for Completion of Works may be grounds for can-
cellation at the instance of the department.

Dated this 25TH day of NOVEMBER, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

32337
37-2706

December 1, 1969

Re: Permit No. 32337 (New No. 37-2706)

Doran Butler
Box 417
Bliss, Idaho

Dear Mr. Butler:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit, ~~and are now submitting proof of beneficial use.~~ Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Order
Advertising package

32337

37-2706

February 19, 1965

Re: Application for Permit

C
Doran Butler
Box 417
Bliss, Idaho

Dear Mr. Butler:

O We recieved your application for permit to divert 1.96 c.f.s from flood water of Clover Creek on Form 1. Enclosed is Form 2, Application to store water.

This application, if approved, would give you the right to use the water during the irrigation season and would not include the right to store the water. Also it does not include the waste water from the south.

P Use rights to unappropriated water are legal in this state and including the record of the dam in this permit could possibly give you sufficient evidence of the storage.

Y The source of water should include the waste water which probably enters your storage during irrigation season. I would suggest "natural overflow from Clover Creek and waste water".

Our records show that the S $\frac{1}{2}$, Sec. 21, was irrigated from Wood River through North Side Canal Co. You show no other water rights. Was that water transferred to other lands?

You may file the application to store water as you desire. We do want a letter about source of water and present water rights.

Kindly reply at your earliest convenience.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew
Enc. Form 2

32337

May 5, 1965

Re: Permit No. 32337

Mr. Deran Butler,
Box 417,
Bliss, Idaho.

Dear Mr. Butler:

We enclose Permit No. 32337 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 32749 which was issued covering payment in the amount of \$ 5.25 for the filing fee of the above mentioned permit.

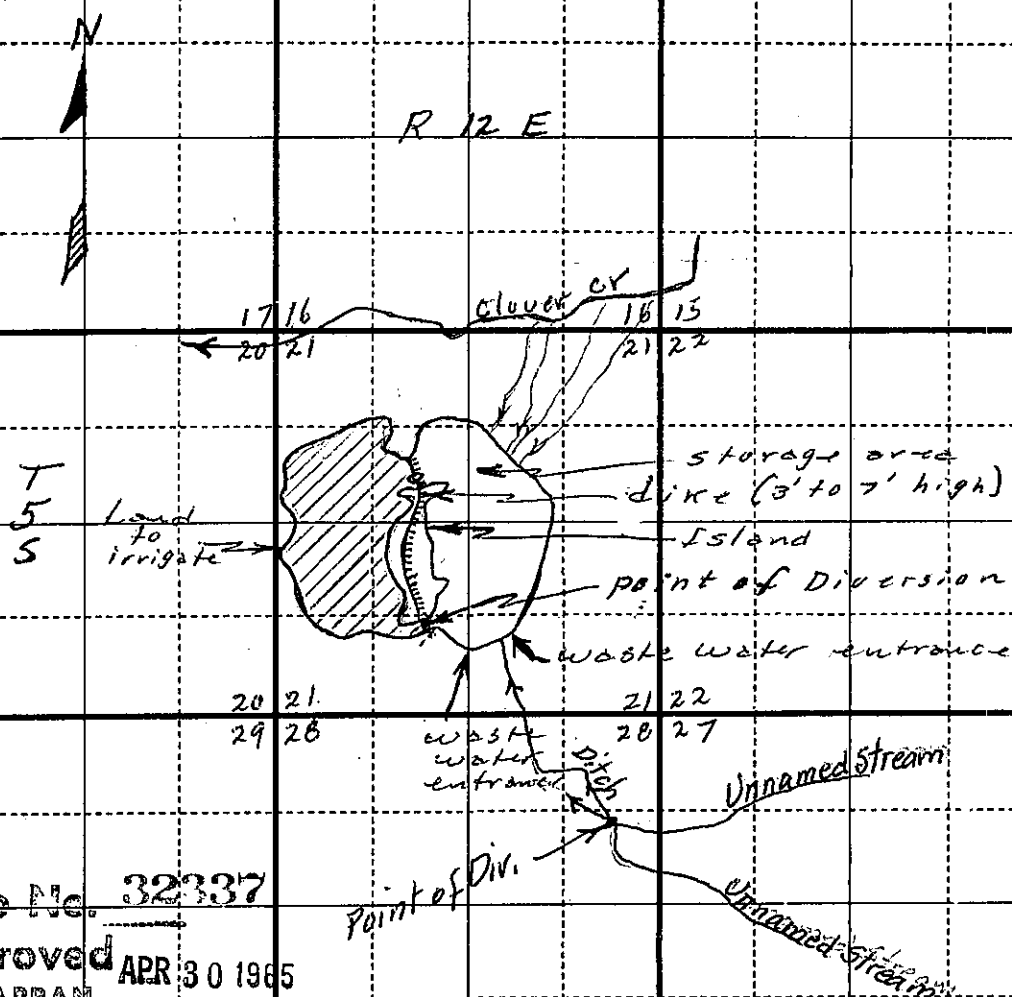
Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

32337



Permit Map No. 32337

As Approved APR 30 1985

CALL E. TAPPAN
State Reclamation Engineer

The area to be developed is a dry
labeled on the Doren Butler farm.
This labeled is filled in the
spring from floodwater of Clover
Creek. water remains in the lake
for about two months. A dike is
proposed across the center of the dry
labeled from one island to another.
This would allow irrigation of 98
acres of land and storage of 2 to 3
feet of water over about 93 acres.

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

Equal 1 Mile. Draw Plan In Ink.
water will be delivered through the dike in
22237