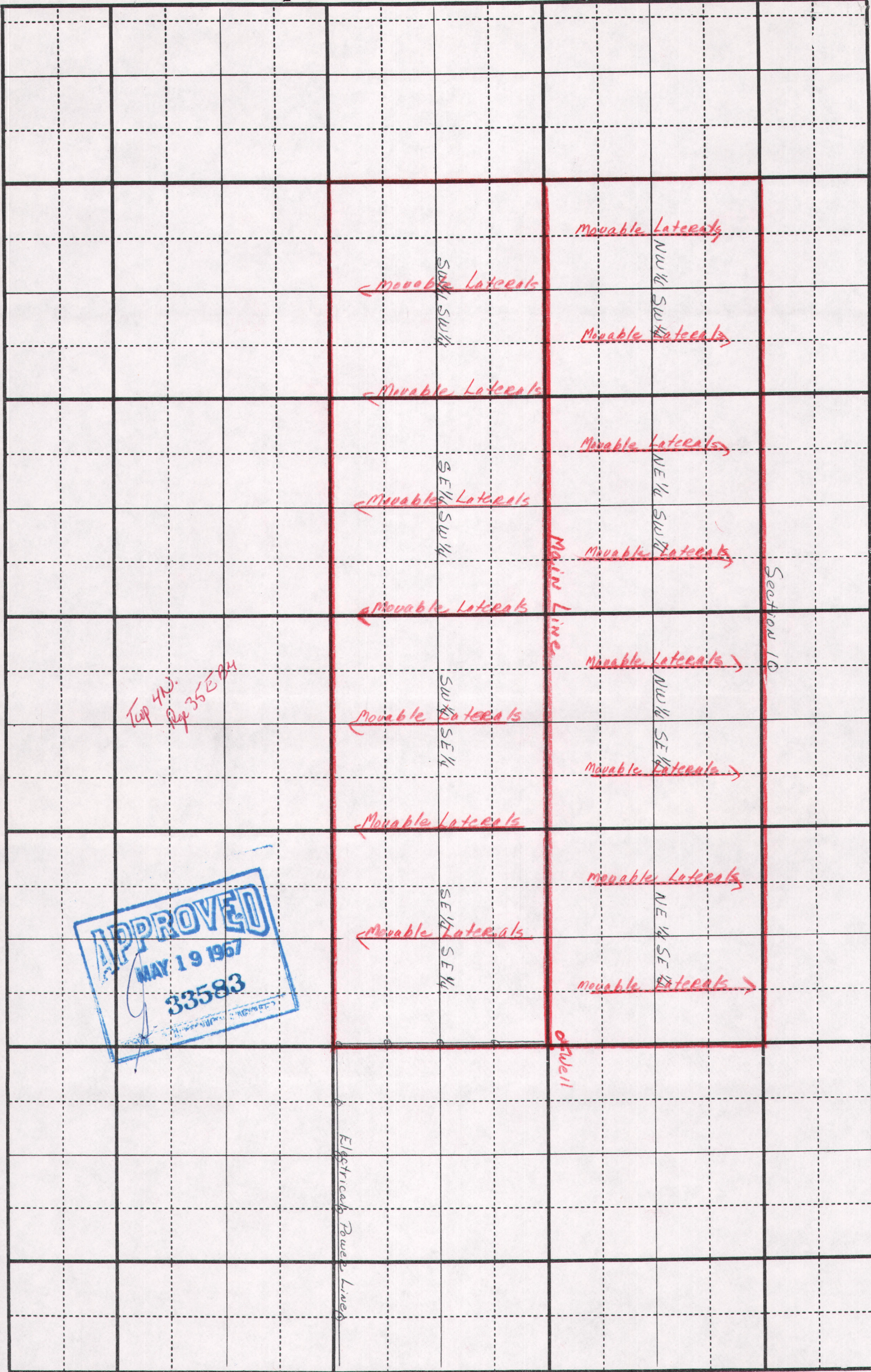
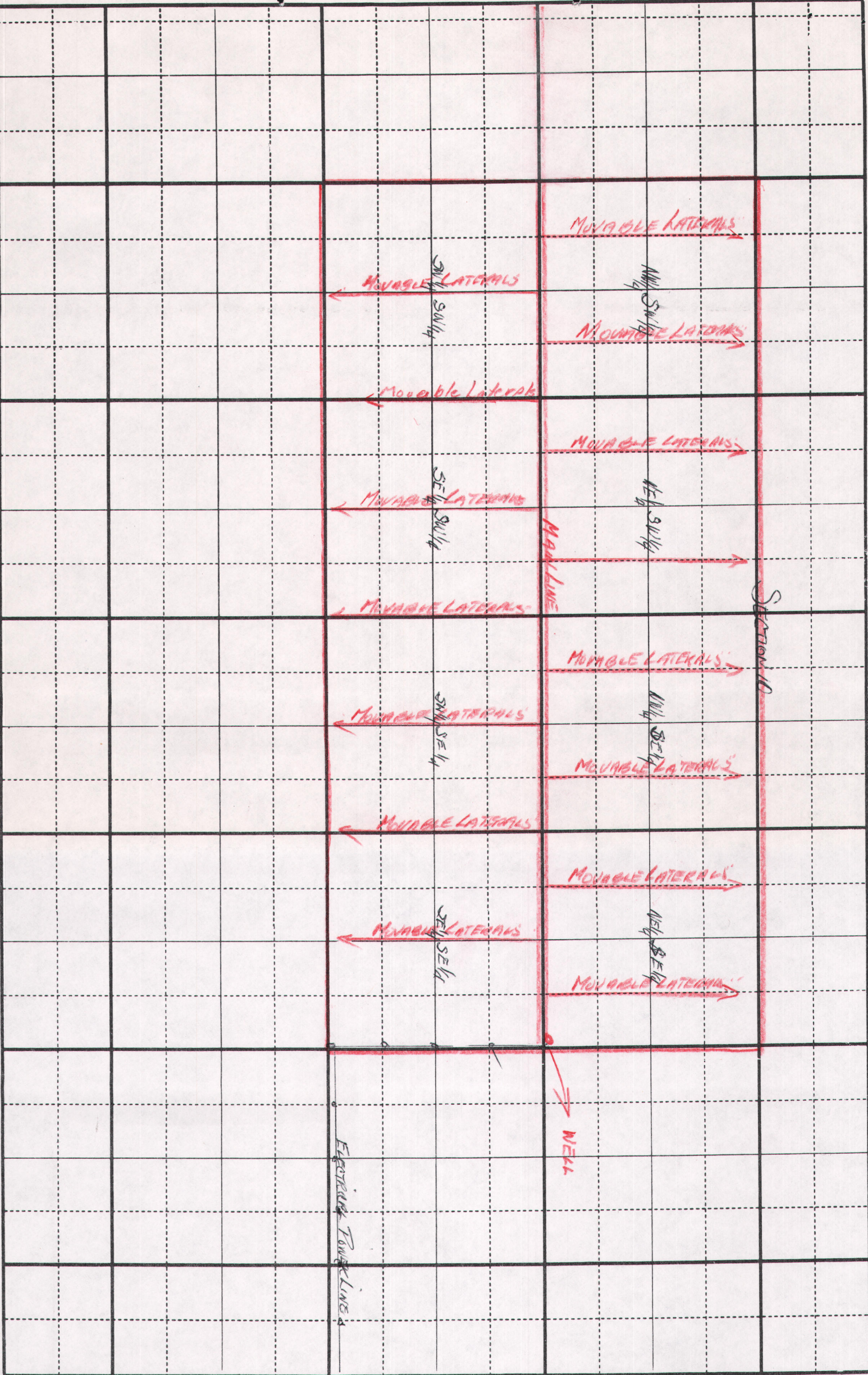




APPROVED
MAY 19 1967
33583



33582

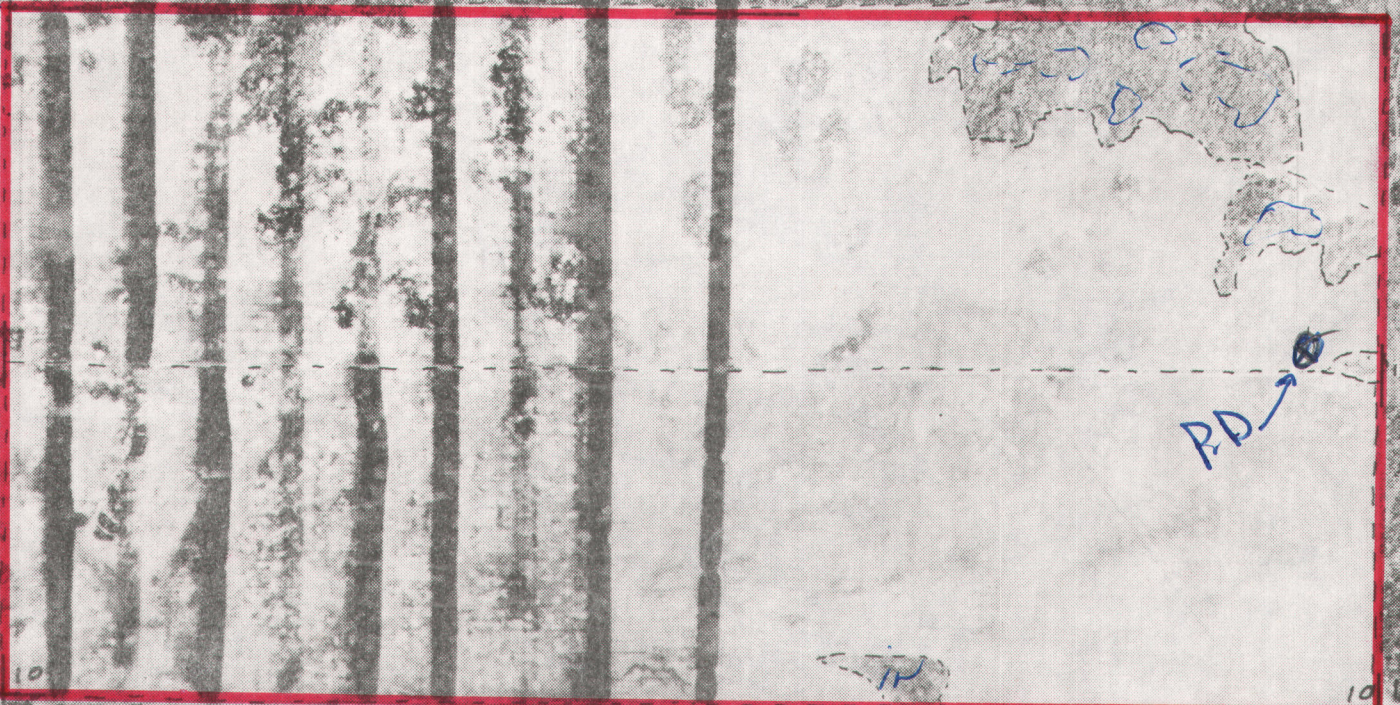
4-35

33583

35-2877

4 3
9 10

10 11



RD →

over for
system
diagram

D-270

35 2877

Range 35E

Township 4 N

39	40	40	40	00.00	IRRIGATES 320 OFF OF SAME PUMP
39	40	40	40	40	

(11)

Q measured 5.22
Q recommended 5.22
Volume 1078 AF/ANN
Acreage =
Found 308
recommended 308
Subdv. 8

Amendments

- ☒ None
- ☐ P.D.
- ☐ Place of use
- ☐

Affidavit of Publication

THE RIGBY STAR

RECEIVED
JUN 37 1969

STATE OF IDAHO }
County of Jefferson } ss.

Department of Reclamation

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

Two Consecutive issues thereof; first publication having been made on the

12th day of *June*, 19*69*

and the last publication on the

19th day of *June*, 19*69*

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this *25th*

day of *June*, 19*69*
(SEAL)

R. H. Higgins
Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.

My commission expires _____, 19____

Publication Fee: \$ *6.21*

MY COMMISSION EXPIRES JULY 15, 1969

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Merle Butikofer and Ulene Butikofer, husband and wife, Linden Butikofer and Lois J. Butikofer, husband and wife, Box 361, Route 2, Idaho Falls, Idaho, has received an approved permit No. G33583 to divert 6.4 cubic feet per second of water from a groundwater source. The priority to be established under this permit is April 27, 1967. Water will be diverted by well, pump, and laterals within the NE 1/4 SE 1/4, Sec. 10, T. 4 N. R. 35 E.B.M., Jefferson County and is to be used for irrigation in the S 1/2, Sec. 10, T. 4 N, R. 35 E.B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON,

State Reclamation Engineer.

Published in The Rigby Star, Rigby, Idaho on June 12 and June 19, 1969.

33583

**NOTICE OF APPROVED
APPLICATION FOR WATER**

Notice is hereby given that Merle Butikofer and Ulene Butikofer, husband and wife, Linden Butikofer and Lois J. Butikofer, husband and wife, Box 361, Route 2, Idaho Falls, Idaho, has received an approved permit No. G33583 to divert 6.4 cubic feet per second of water from a groundwater source. The priority to be established under this permit is April 27, 1967. Water will be diverted by well, pump, and laterals within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, T. 4 N. R. 35 E.B.M., Jefferson County and is to be used for irrigation in the S $\frac{1}{2}$, Sec. 10, T. 4 N, R. 35 E.B.M. *W*

Any protests against the intent of the permit must be filed with the Department of Reclamation, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer.
Published in The Rigby Star, Rigby,
Idaho on June 12 and June 19, 1969.

May 27, 1969

Re: Permit No. G-33583
Merle and Ulene Butikofer
Linden and Lois Butikofer

Rigby Star
134 W. Main
Rigby, Idaho

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 can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Merle, Ulene, Linden and Lois Butikofer, Box 361, Route 2, Idaho Falls, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:CSA:DR
Enc: Legal notice
cc: Merle and Ulene Butikofer
Linden and Lois Butikofer

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

33583

State of Idaho
Department of Water Administration
WATER RIGHT LICENSE

License of Water Right No. 33583/35-2877 Priority April 27, 1967 Amount 5.33 cfs

THIS IS TO CERTIFY, that Merle & Ulene Butikofer -and- Linden & Lois J. Butikofer
of Idaho Falls, Idaho, have ~~xxx~~ complied with the terms and conditions of Permit
No. 33583/35-2877 issued pursuant to Application for Permit dated April 27, 1967 ,
and has submitted proof to the Department of Water Administration on May 14, 1969 ,
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 5.33 cfs of water from a ground water source ,
tributary to _____ , and that the permit holder has applied to a beneficial use &
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>Nov. 1</u>	at <u>5.33</u> cfs and	<u>1,120 acre feet or</u>
			<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 5.33 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
1,120 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10,
Twp. 4 N, Rge. 35 E, B. M. in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	35 E	10									40	40	40	40	40	40	40	40	320

Total number of acres irrigated 320

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 25 day of
February , 19 74 .

Director

35-2877

35-

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

APPL. JEN. 11/11/11 2:00 PM

Application No. G-41335
 Permit No. G- 33583
 District No.

1. Name of Applicant: Merle Butikofer and Ulene Butikofer, husband and wife,
 Linden Butikofer and Lois J. Butikofer, husband and wife.
 Postoffice address: Box 361, Route #2 County: Bonneville, Idaho State:
 Idaho Falls, Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 6.4 or Idaho
 Miners' inches 320 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10
 Twp. 4 N , Rge. 35 E , B.M., County of Jefferson
5. Water is to be used for: agricultural irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
 An underground well drilled to a depth of 574' with the top 16' cased with 20" casing
 and the next 17' cased with 16" casing. A Westinghouse Electrical Turbine Pump with a
 main line 1 mile long with laterals $\frac{1}{4}$ mile long. Total cost of project \$79,949.73
7. Kind of works:
8. Estimated cost of works: \$
9. (a) Is reservoir to be used? no
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
 years. 2 (already completed)
11. If applicant is a corporation, give:
 - I. (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: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

LICENSE FOUND FOR 5-3-EC. FI.
LICENSE PAGE NO. _____

Address all communications to:

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41835

Permit No. G 33583

Water District No. _____

Department of Reclamation

1. Name of applicant: Merle Butikofer and Ulene Butikofer, husband and wife,
Linden Butikofer and Lois J. Butikofer, husband and wife,
Idaho Falls

Post office address Box 361 Rt. 2 / County Bonneville State Idaho

2. Quantity of water claimed: 320 miner inches or 6.4 c.f.s.

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10

Twp. 4 N, Rge. 35, B.M., County of Jefferson

5. Water is to be used for: AGricultural Irrigation

6. If for domestic, municipal, industrial or recreational purposes give:

(a) Point of use of water is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____

Twp. _____, Rge. _____, B.M.

(b) Waste water or sewage effluent is to be returned to _____

at a point in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B.M.

7. Kind of Works: An underground well drilled to a depth of 574' with the top
16' cased with 20" casing and the next 17' cased with 16"
casing. A westinghouse Electrical Turbine Pump with a main lin
8. Estimated cost of works: \$ 1 mile long with laterals $\frac{1}{4}$ mile long. Total cost
of project \$79,949.73.

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir: _____

10. The time required for the completion of such work and complete application of the water to the proposed use is
already completed.
2 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation: _____

(b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____

(d) Names and addresses of directors: _____

33583

(Continued)

II. The financial resources of the applicant are: (a) Cash on hand: \$_____

(b) Treasury stock:_____ (c) Bonds to be issued:_____

(d) Other resources: _____

12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

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

(a) _____ (Cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) _____ (cubic feet per second, inches or gallons per minute) is for new lands.

33583

Remarks: _____

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.

Linden J. Butkaper
Harry D. Butkaper

Merle W. Butkaper
Applicant
By *Merle Butkaper*, Agent

Approval of State Reclamation Engineer

33583

The number of this permit is G

33583

MAY 19 1967

Recorded in Book 117

Page

Approved

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed before

One-fifth of the work above specified to be completed on or before May 19, 1968

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made

on or before May 19, 1969

Witness my hand this 19th day of May

19 67

R. Keith Higgins
State Reclamation Engineer

IN TESTIMONY WHEREOF, We DON SAMUELSON, Governor of the State of Idaho,

and PETE T. CENARRUSA, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be

hereunto affixed, this 19th day of May, 19 67.

Countersigned:

STATE OF IDAHO

By

Pete T. Cenarrusa
Secretary of State

By

Don Samuelson
Governor.

No. G 33583

PERMIT

Date of first receipt at office of State
Reclamation Engineer

April 27, 1967 8:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 6.50

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

33583

Address all communications to:

33583

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G_____

Permit No. G_____

Water District No. _____

1. Name of applicant: **Merle Butikofer and Ulene Butikofer, husband and wife,**
Linden Butikofer and Lois J. Butikofer, husband and wife,
Idaho Falls
Post office address **Box 361 Rt. 2 /** County **Bonneville** State **Idaho**
2. Quantity of water claimed: **320 miners inches** or **6.4 c.f.s.**
3. Source of water supply: **Subterranean**
4. Location of point of diversion or well is in the **NE** $\frac{1}{4}$ of the **SE** $\frac{1}{4}$ of Section **10**
Twp. **4 N**, Rge. **35**, B.M., County of **Jefferson**
5. Water is to be used for: **AGricultural Irrigation**
6. If for domestic, municipal, industrial or recreational purposes give:
- (a) Point of use of water is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____
Twp. _____, Rge. _____, B.M.
- (b) Waste water or sewage effluent is to be returned to _____
at a point in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B.M.
7. Kind of Works: **An underground well drilled to a depth of 504' with the top 16' cased with 20" casing and the next 17' cased with 16" casing. A westinghouse Electrical Turbine Pump with a main line**
8. Estimated cost of works: \$ **1 mile long with laterals $\frac{1}{4}$ mile long. Total cost of project \$79,949.73.**
9. (a) Is reservoir to be used? **No**
- (b) Capacity of reservoir: _____
10. The time required for the completion of such work and complete application of the water to the proposed use is **already completed.**
_____ years.
11. If applicant is a corporation, give:
- I. (a) Date and place of incorporation: _____
- (b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____
- (d) Names and addresses of directors: _____

33583

(Continued)

II. The financial resources of the applicant are: (a) Cash on hand: \$_____

(b) Treasury stock:_____ (c) Bonds to be issued:_____

(d) Other resources: _____

12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

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

(a) _____ (Cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) _____ (cubic feet per second, inches or gallons per minute) is for new lands.

33583

Remarks: _____

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.

Linden J. Buttkopf
Lisa J. Buttkopf

Merl W. Buttkopf
Applicant

By *Ellene Buttkopf*, Agent

Approval of State Reclamation Engineer

The number of this permit is G_____.

Recorded in Book_____ Page_____ Approved _____

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$_____ to be filed before_____

One-fifth of the work above specified to be completed on or before_____

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before_____

Witness my hand this_____ day of _____, 19_____.

State Reclamation Engineer

IN TESTIMONY WHEREOF, We _____, Governor of the State of Idaho,

and _____, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be

hereunto affixed, this_____ day of _____, 19_____.

Countersigned:

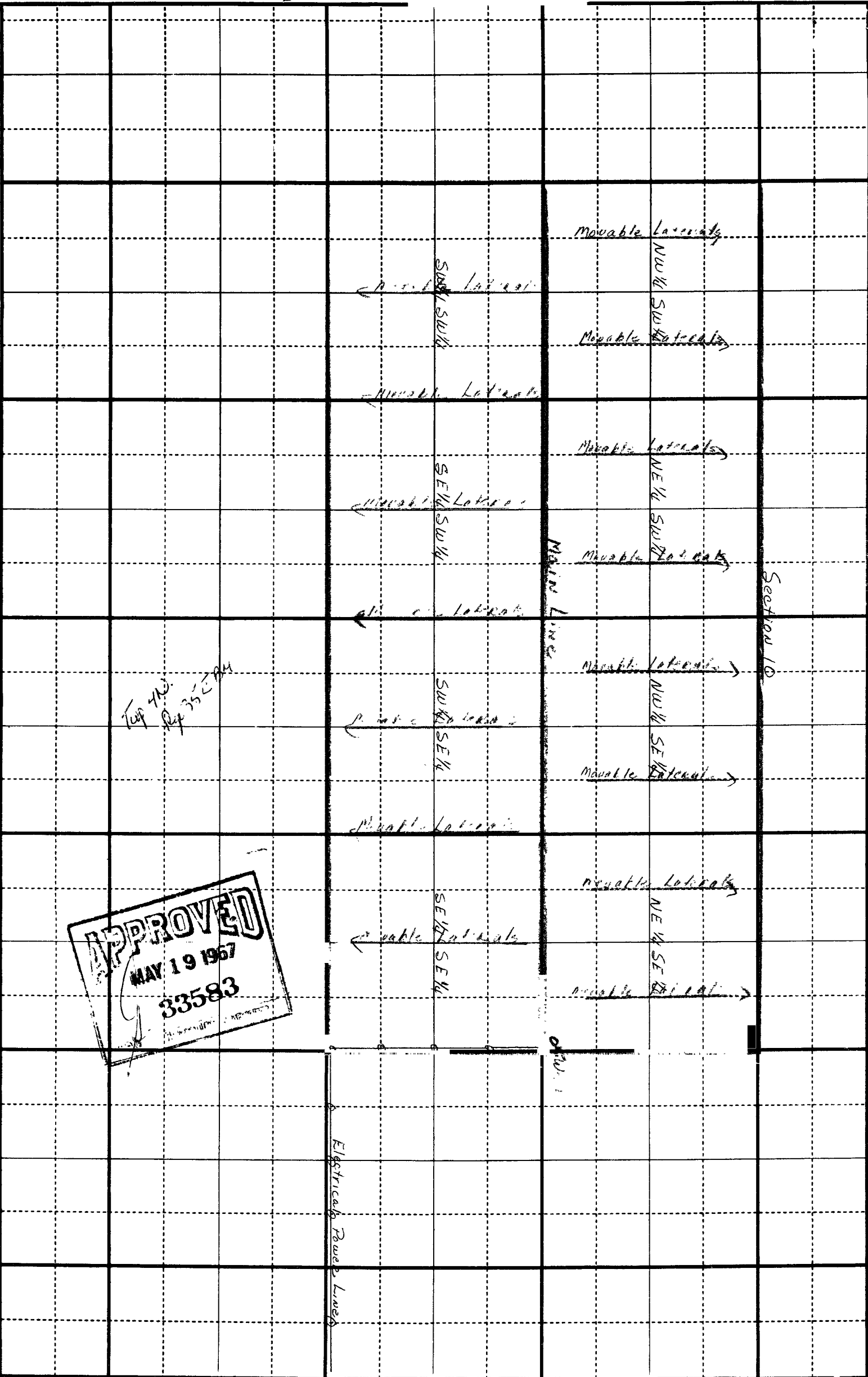
STATE OF IDAHO

By _____
Secretary of State

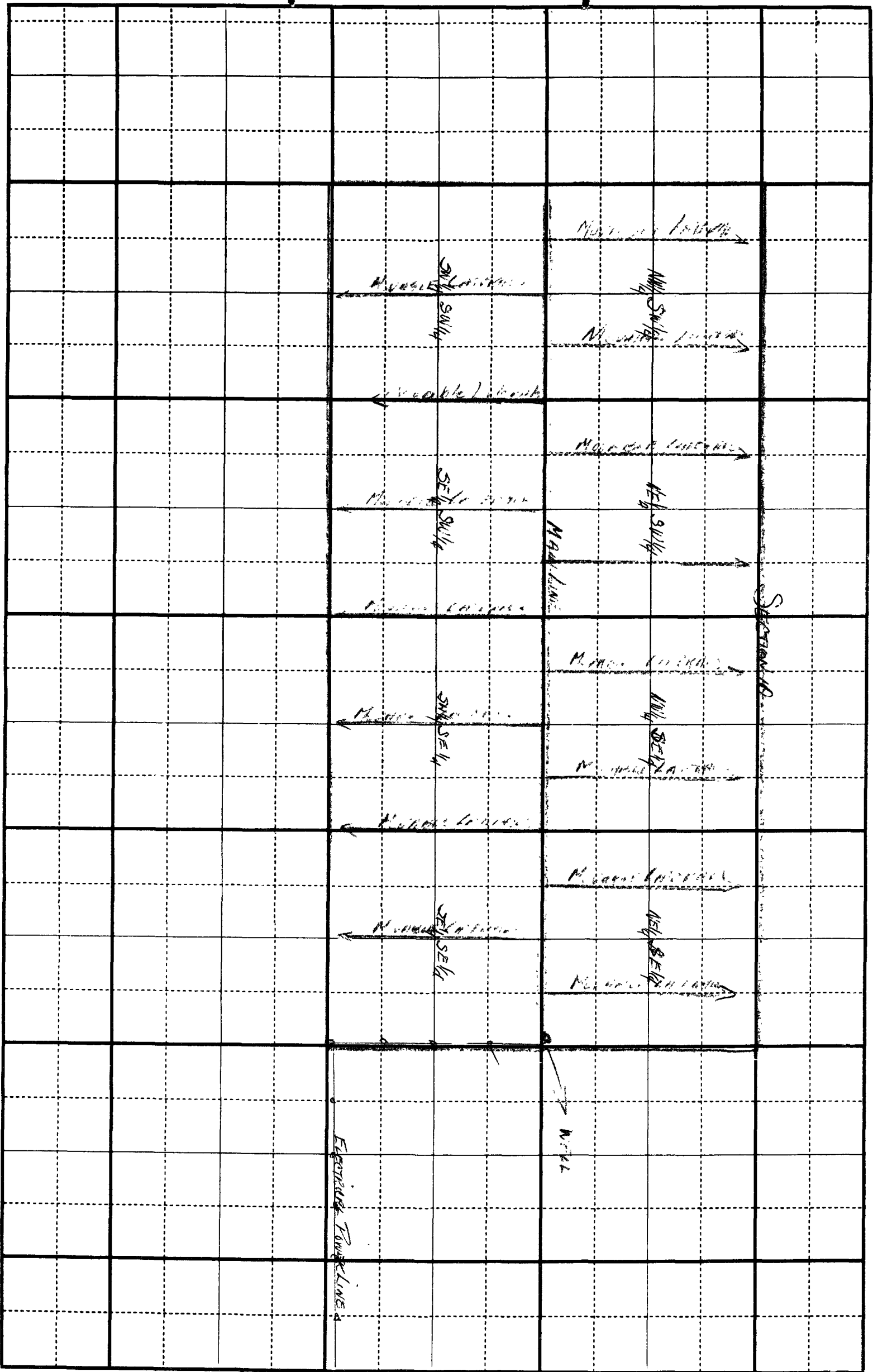
By _____
Governor.

No. G. _____	
PERMIT	
Date of first receipt at office of State Reclamation Engineer	
Returned to applicant for correction	
Corrected application received	
Fees, \$ _____	
FILING FEES FOR USE PERMIT:	
For the first Sec. Ft.	\$5.00
For each additional Sec. Ft. or Fraction	
Thereof ..	.25

33583



APPROVED
MAY 19 1967
33583



STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

February 26, 1974

Re: Permit No. 33583/35-2877

Merle & Ulene Butikofer -and-
Linden & Lois J. Butikofer
Route 2, Box 361
Idaho Falls, ID 83401

Gentlemen:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

35-2877

February 13, 1974

Re: Permit No. 33583/35-2877

Merle & Ulene Butikofer -and-
Linden & Lois J. Butikofer
Route 2, Box 361
Idaho Falls, Idaho 83401

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 33583/35-2877 and has found the following:

Quantity of water diverted: 5.33 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 5.33 cfs

The maximum quantity diverted shall not exceed 1,120 acre feet per year.

Beneficial use: For irrigation of 320 acres within the S1, Sec. 10, Twp. 4 N, Rge. 35 E

Point of diversion: NEL SW 1/4, Sec. 10, Twp. 4 N, Rge. 35 E, B.M.

Priority date established: April 27, 1967

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

35-2877

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Merle & Ulene Butikofer and Linden & Lois J. Butikofer
Post office address Route 2 - Box 361, Idaho Falls, Idaho Phone
Person to contact Phone

2. Source of water supply: Groundwater [X] Surface water []
(name spring, stream, etc.)
Tributary to

3. Water will be used for the following purposes:
Amount 6.4 c.f.s. for Irrigation
AF/Annum (nature of use)
Period of Use: from April 1 to Nov. 1
(mo.-day) inclusive (mo.-day)
Amount c.f.s. for
AF/Annum (nature of use)
Period of Use: from to
(mo.-day) inclusive (mo.-day)
Amount c.f.s. for
AF/Annum (nature of use)
Period of Use: from to
(mo.-day) inclusive (mo.-day)
Other uses:

Permit No. 33583/35-2877
Re-Examination for b/u

PRIORITY Re-exam

4. Total amount to be appropriated:
Max Rate of Diversion 6.4 cubic feet per second and annual volume AF/Annum.

5. Location of Point(s) of Diversion:
Township 4N N/S, Range 35E E/W, B.M., Section 10, Subdivision NE 1/4 SE 1/4, Jefferson County
Township N/S, Range E/W, B.M., Section, Subdivision 1/4 1/4, County
Township N/S, Range E/W, B.M., Section, Subdivision 1/4 1/4, County
Other Points of Diversions:

Description of diverting works:

Measuring device required: yes [] no [X]

6. Lands to be irrigated or place of use.

Table with 20 columns: TWP., RANGE, SEC., NE 1/4 (4 sub-columns), NW 1/4 (4 sub-columns), SW 1/4 (4 sub-columns), SE 1/4 (4 sub-columns), TOTALS. Row 1: 4N, 35E, 10, 40, 40, 40, 40, 40, 40, 40, 40, 40, 40, 320.

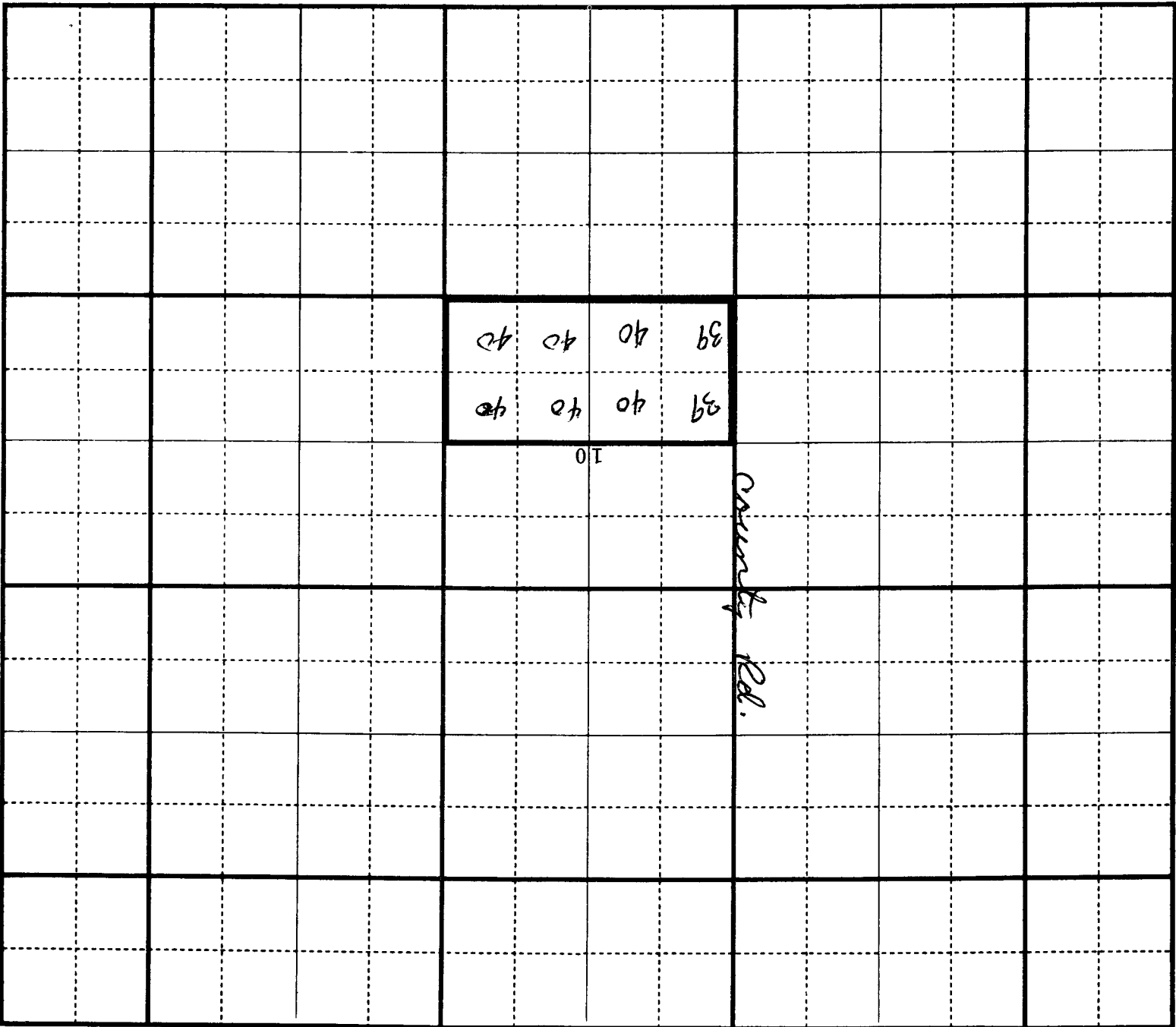


Diagram of System



Well & Pump
Wast
Barried MAIL

DATE OF EXAM Aug 3, 1973

ACREAGE
Found 318
Recommended 318 320 *note: correct to 320*

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q = 5.33 c.f.s. V = 1113 AF/Ann. from Apr 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 5.33 cfs Method of measurement P.t.to

Total Q recommended 5.33 cfs Meter No. A-203 Type _____ Condition IDWA.

Total V recommended 1113

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:

$526 \frac{5}{32} 300s \text{ Noz. @ } 43ps. = 4.55 \text{ gal/Noz}$
 $2393 \text{ gal/system} = 5.33 \text{ cfs}$

$318A \times 3.5 = 1113$ $1.9835 \times 5.33 \times 216d = 2294$

SYSTEM DESCRIPTION:

Westinghouse pump Motor 450 Hp. Ser # 25-65

Peerless Pump Ser # 210129

12" discharge w 16 laterals

REMARKS:

In NE 1/4 Sec 10 a large deposit of Rock (lava) extends on the irrigable land. A visual inspection indicated that the laterals are run over the Rocky area, in order to irrigate small patches of planted ground.

Examiner's Signature William Rhoads Date Aug 5, 1973

Checked by John Ferebauer Date Dec 6, 1973

Approved by _____ Date _____

33583

35 2877

11
9 10



P.D. →

over for
system
diagram

D-270

35 2877

CONVERSATION MEMORANDUM

DATE 2/12/73

1:00 pm

FILE 35-2877

NAME OF PARTY Mrs Butikafer

EMPLOYEE Bob Fleenor

RE: Proposed License amount -

Permittee does not agree with either the rate of
diversion found or the number of acres irrigated

We should re-examine. -

2:30 pm

Mrs Butikafer called back and she now agrees with
Q but feels license should be issued for 320 acres

Bob Fleenor

A

2-14-73

Re-examine

35 2877

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM BILL RHOADS

FEB 22 1973

DATE February 16, 1973

TO DARLENE REICH

Department of Water Administration
Eastern District Office

SUBJECT 35-2877

The above subject exam is a re-exam~~ina~~. Would you please inform us of the original examiner's findings. *Attached!*

In the future, whenever you send any re-exams, would you also include the original findings.

Sorry, will watch it in the future! m

Bill

SIGNATURE

35 2877

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-33533 / 35-2877

REPORT ON PROOF OF _____

35 2877

(11)

79	40	40	79	RECOMMENDED 320 OFF OF SPARE PUMP
79	40	40	40	



Q measured 5.22

Q recommended 5.22

Volume 1078 HF/PMV

Acreage =

Found 308

recommended 308

Subdv. 8

Amendments

☒ None

☐ P.D.

☐ Block of use

☐ _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-33583 / 35-2877

This proof is for _____ In Water District No. _____

1. Name of applicant Merle W. & Ulene Butikofer; Linden J. & Lois J. Butikofer, Rt. 2,
Box 361, Idaho Falls, Idaho 83401

2. Source of water supply: _____ Subterranean _____

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10
T. 4N R. 35E County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: measuring device
not required; underground well, depth 574', turbine pump, sprinkler
equipment; top 16' cased with 20" casing and the next 17' cased with 16" casing

Westinghouse pump motor 450 hp. 3ph 60 cy. 440 Volts 1774 RPM
#25-65 Peerless vertical pump #210129 12" discharge
with for 2' then through a 12" gate valve then south through
12" pipe for 15' to East West buried mainline

5. Water is used for: agricultural irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10, T. 4N, R. 35E, total of 320 acres

Measurement Calculation - 528 heads - $\frac{5}{32}$ " nozzles
40 psi - 4.45 gpm/p. head
 $(4.45 \times 528) \div 450 = 5.22 \text{ cfs}$

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: Mr. Butikofer was irrigating another 320
(in S $\frac{1}{2}$ of sec. 11 4N 35E) this year also,
because his grain was ready to harvest
so he was not irrigating the land the
permit called for although he was using
the same number of lines on the other 320
so the exam was completed. He also stated
that next year the 320 (or 308) on the permit
would be in spuds. He is leasing the additional
320.

This examination was made on the 12 day of Aug, 1971

(Signed) Rex L. Chapman Examiner.

He will probably irrigate the original land
after harvest when it is in stubble.

Permit No. 9-33523 /35-2877

Examination for _____

County Jefferson

Sec. 10 T. 41 R. 35E

Quantity:

Permit: 6.4 c.f.s. Proof: 6.4 c.f.s.

Source: Subterranean

P.D.: NE 1/4 Sec. 10, T. 4N, R. 35E

Use: Agricultural Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: April 27, 1967

Due: May 13, 1969

Made: May 14, 1969

Priority: April 27, 1967

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

CONVERSATION MEMORANDUM

DATE 2/12/73

1:00 pm

FILE 35-2877

NAME OF PARTY Mrs Butikafer

EMPLOYEE Bob Fleenor

RE: Proposed License amount -

Permittee does not agree with either the rate of
diversion found or the number of acres irrigated

We should re-examine -

2:30 pm

Mrs Butikafer called back and she now agrees with
Q but feels license should be issued for 320 acres

Bob Fleenor

*RE-Examined 2-14-73
also forwarded
first exam report.*

35 2877

February 6, 1973

Merle & Ulene Butikofer -and-
Linden & Lois J. Butikofer
Route 2, Box 361
Idaho Falls, Idaho 83401

Gentlemen & Ladies:

A representative of this Department has made an examination of the works covered by your Permit No. 33583/35-2877 and has found the following:

Quantity of water diverted: 5.22 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 5.22 cfs

The maximum quantity diverted shall not exceed 1,078 acre feet per year.

Beneficial use: Irrigation of 308 acres within the S $\frac{1}{2}$ Sec. 10,
Twp. 4N, Rge. 35E, B.M.

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, Twp. 4N, Rge. 35E, B.M.

Priority date established: April 27, 1967

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

35 2877

July 1, 1969

Re: Permit No. G-33583

Merle and Ulene Butikofer
Linden and Lois Butikofer
Box 361, Route # 2
Idaho Falls, Idaho

Dear Ladies and Gentlemen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Don- typed
33583

Affidavit of Publication

THE RIGBY STAR

RECEIVED
JUN 12 1969

STATE OF IDAHO }
County of Jefferson } ss.

Department of Reclamation

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

Two Consecutive issues thereof; first publication having been made on the 12th day of June, 1969

and the last publication on the 19th day of June, 1969

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter of at least seventeen and three-fourths inches depth; and that there are a least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 25th

day of June, 1969

(SEAL)

[Signature]
Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.

My commission expires _____, 19____

Publication Fee: \$ 6.27

MY COMMISSION EXPIRES JULY 15, 1969

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Merle Butikofer and Ulene Butikofer, husband and wife, Linden Butikofer and Lois J. Butikofer, husband and wife, Box 361, Route 2, Idaho Falls, Idaho, has received an approved permit No. G33583 to divert 6.4 cubic feet per second of water from a groundwater source. The priority to be established under this permit is April 27, 1967. Water will be diverted by well, pump, and laterals within the NE 1/4 SE 1/4, Sec. 10, T. 4 N. R. 35 E.B.M., Jefferson County and is to be used for irrigation in the S 1/4, Sec. 10, T. 4 N, R. 35 E.B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer.

Published in The Rigby Star, Rigby, Idaho on June 12 and June 19, 1969.

33583

May 27, 1969

Re: Permit No. G-33583
Merle and Ulene Butikofer
Linden and Lois Butikofer

Rigby Star
134 W. Main
Rigby, Idaho

Butikofer and Ulene Butikofer, husband and wife, Linden Butikofer and Lois J. Butikofer, husband and wife, Box 361, Route 2, Idaho Falls, Idaho, has received an approved permit No. G33583 to divert 6.4 cubic feet per second of water from a groundwater source. The priority to be established under this permit is April 27, 1967. Water will be diverted by well, pump, and laterals within the NE 1/4, SE 1/4, Sec. 10, T. 4 N. R. 35 E.B.M., Jefferson County and is to be used for irrigation in the S 1/2, Sec. 10, T. 4 N. R. 35 E.B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in The Rigby Star, Rigby, Idaho on June 10 and June 11, 1969.

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 can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Merle, Ulene, Linden and Lois Butikofer, Box 361, Route 2, Idaho Falls, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McElowney
Appropriation Examiner

DWM:CSA:DR
Enc: Legal notice
cc: Merle and Ulene Butikofer
Linden and Lois Butikofer

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

33583

P



33583

May 27, 1969

Re: Permit No. G-33583

Merle and Ulene Butikofer
Linden and Lois Butikofer
Box 361, Route # 2
Idaho Falls, Idaho

Dear Ladies and Gentlemen:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit G-33583.

Before a license can be issued you must submit an affidavit of publication to this department. The affidavit of publication may be obtained from the Rigby Star, Rigby, Idaho upon payment of the bill of publication.

Prior to the issuance of the license a field examination must also be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:CSA:DR
Enc: Copy of letter to newspaper

exam typed
33583

RECEIVED

MAY 14 1969 ✓

Identification No. _____

Permit No. _____

Department of Reclamation
STATE OF IDAHO

DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Merle W. and Ulene Butikofer (husband and wife) ✓
Linden J. and Lois J. Butikofer (husband and wife)
b) Post Office Address Rt. 2, Box 361, Idaho Falls, Idaho 83401 ✓
2. Permit Number G-33583 ✓
3. Date of Priority that you are prepared to establish April 27, 1967 ✓
4. a) Source from which water was appropriated Subterranean ✓
b) Location of the point of diversion: NE ✓ 1/4 SE ✓ 1/4, Section 10 ✓
Township 4N ✓, Range 35 ✓ East Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 320 Miner inches for agricultural purposes from April to October incl. *
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
*however, if storage facilities available, then on full year basis
amount _____ for _____ purposes from _____ to _____ 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 320 M.I. or 6.4 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: Mfg. flow ratio charts, also based on size and quantity of nozzles and pressure at discharge point (Mr. Al Justin Irr. mgr. Snake Rivier Equipment, Idaho Falls, Idaho (21 years in such position)
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: N/A
b) Describe the agreement or understanding by which you take water from the works: N/A
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) underground well drilled to depth of 574' with top 16' cased with 20" casing and the next 17' cased with 16" casing. Westinghouse Turbine (electrical) pump with main line 1 mile long, laterals 1/4 mile long (Project Cost: \$79,949.73)
b) Describe the type and size of measuring device which you have installed at your point of diversion: Computed by sprinkler equipment on basis shown in 5(c)
Also pressure gage on pump
c) Give well drillers name and address and date the well was completed Commons Drilling Company, Rupert, Idaho, Box 126
February 7, 1966

33583

Only irrigation

Sions:

[illegible]

320 **Total number of acres irrigated**

10. Remarks:

(Date)

May 9, 1969

(Signature)

State of Idaho)
County of Jefferson) ss.

On this 9th day of May, 1969, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires 12/12/72

Notary Public residing at Idaho Falls, Idaho 12/12/72

5555

March 3, 1969

Re: Permit No. G-33583

Merle Butikofer and Ulene Butikofer, husband and wife
Linden Butikofer and Lois J. Butikofer, husband and wife
Box 361, Route 2
Idaho Falls, Idaho

Dear Ladies and Gentlemen:

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:tg

Enc: order
proof due notice
proof package
advertising package

33583

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-2283)

in the name of Merle Butikofer and Ulene
Butikofer, Linden Butikofer and Lois J.
Butikofer, Box 361, Route 2, Idaho Falls, Ida)

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. G-2283 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.

Dated this 28th day of February, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

33583

March 3, 1969

Re: j Permit No. G-33583

Merle Butikofer and Ulene Butikofer, Husband and wife
Linden Butikofer and Lois J. Butikofer, Husband and wife
Box 361, Route 2
Idaho Falls, Idaho

Dear Ladies and Gentlemen:

One of the conditions of the approval of your permit
G-33583 was that proof of application of the water to
beneficial use be submitted to this office on or before _____
May 19, 1969,

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension 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. Kew

State Reclamation Engineer

Enclosure: Proof form

Form 5

33583

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ for ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO. _____

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO. _____

20859

INSURED NO. _____

Sp. O. Butcher
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

MAR 5 1969

8-33583

GPO-16-71548-10

GPO

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

**PENALTY FOR PRIVATE USE TO AVOID
FORFEIT OF POSTAGE, \$300**

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.	POSTMARK OF DELIVERING OFFICE MAIL DI STALL
NAME OF SENDER	RETURN TO
STREET AND NO. OR P.O. BOX Department of Information	
Post Office, State, and ZIP Code	

Appendix 2 Station Use
Boise, Idaho 83707

33583

May 31, 1967

Re: Permit No. **G-33583**
~~Merle and Ulene Butikofer~~
Linden and Lois J. Butikofer

T. Harold Lee
Attorney at Law
P.O. Box 36
Rigby, Idaho 83442

We enclose Permit No. **G-33583** 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. **G-11570**
~~6.50~~
which was issued covering payment in the amount of \$ _____
for the filing fee of the above mentioned permit.

Very truly yours,

permit, receipt

MRB:ejw

M. RUSSELL BOSCH
Office Manager

Enc:

33583

T. HAROLD LEE
ATTORNEY AT LAW

April 26, 1967

RECEIVED
APR 27 1967

P. O. BOX 36
RIGBY, IDAHO 83442

Department of Reclamation

33583

State Reclamation Engineer
State Department of Reclamation
Boise, Idaho

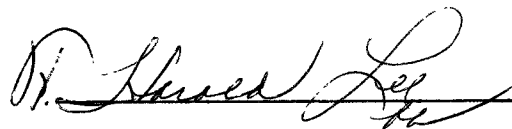
Gentlemen:

Enclosed you will find an Application for Permit on behalf of Merle Butikofer and Ulene Butikofer, husband and wife and Linden Butikofer and Lois J. Butikofer, husband and wife, Route 2, Box 361, Idaho Falls, Idaho.

Enclosed also is a check of this office in the amount of \$6.50 in payment of filing this application. Please return to this office a copy of the same.

Very truly yours,

T. HAROLD LEE



THL:bb

33583