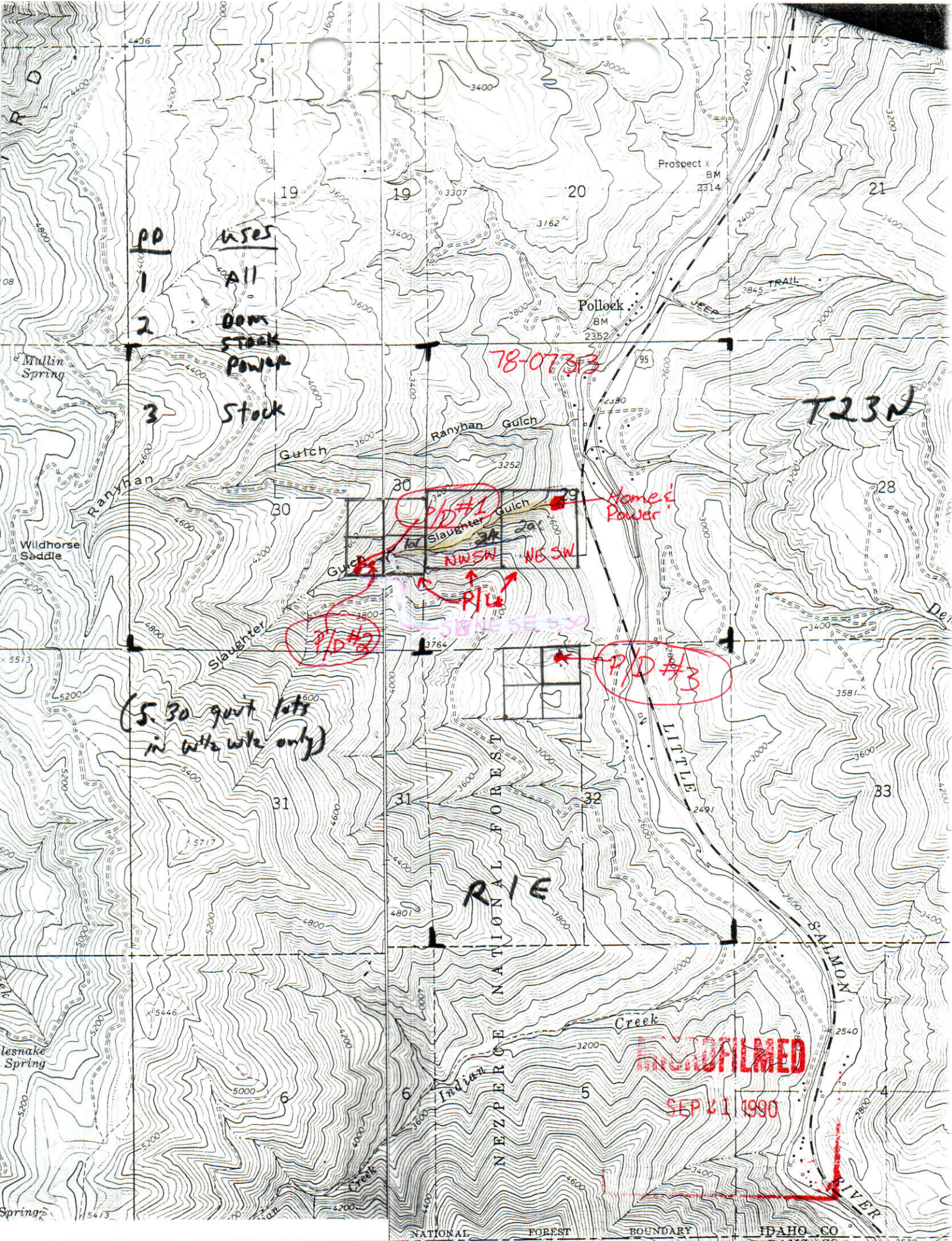




**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

78-07313 ✓

BUTTS, ARTHUR K.

BUTTS, SUSAN P.

HC 68 BOX 2260

CAMBRIDGE, ID 83610

Source: SPRINGS Tributary: SINKS

Diversion Pt: SWNESE Sec 30 T 23N R
01E

NENENW Sec 32 T 23N R 01E

Use: IRRIGATION (.150 CFS)

STOCKWATER (.030 CFS) POWER

(.200 CFS) DOMESTIC (.040 CFS)

Total Diversion: (.200 CFS)

Date Filed: 3/28/1990

In: T23N R01E S29 NESW NWSW S30
NESE

5.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Western Region, 2735 Airport Way,
Boise, Idaho 83705 on or before JUNE
4, 1990.

R. KEITH HIGGINSON, Director

Published 5/16/1990 & 5/23/1990.

M16-23

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Idaho - ss.

Charlotte Sotin

....., being
first duly sworn, says she is the..... Bookkeeper..... of the
IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho,
and is of general circulation in said county and state, that the
said notice, of which the one hereto attached is a true copy, was
published in said paper for two..... weeks, being published
.....two.....times, the first publication being on the
.....16th.....day of May....., 19⁹⁰,
and the last publication on the.....23rd.....day of
.....May....., 19⁹⁰; that the said notice was
published in the newspaper proper and not a supplement; that
said newspaper has been continuously and uninterruptedly
published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or
advertisement.

Charlotte Sotin

STATE OF IDAHO }

}

COUNTY OF }

}

On this.....23rd.....day of.....May.....in the year
of.....1990....., before me, a Notary Public, personally
appeared.....Charlotte Sotin....., known or
identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared
that the statements therein are true, and acknowledged to me
that he executed the same.

MICROFILMED

SEP 21 1990

[Signature]
Notary Public for Idaho

Residing at.....Grangeville, Idaho.....

My commission expires:.....9/10/92.....

RECEIVED

MAY 29 1990

Department of Water Resources
Western Regional Office

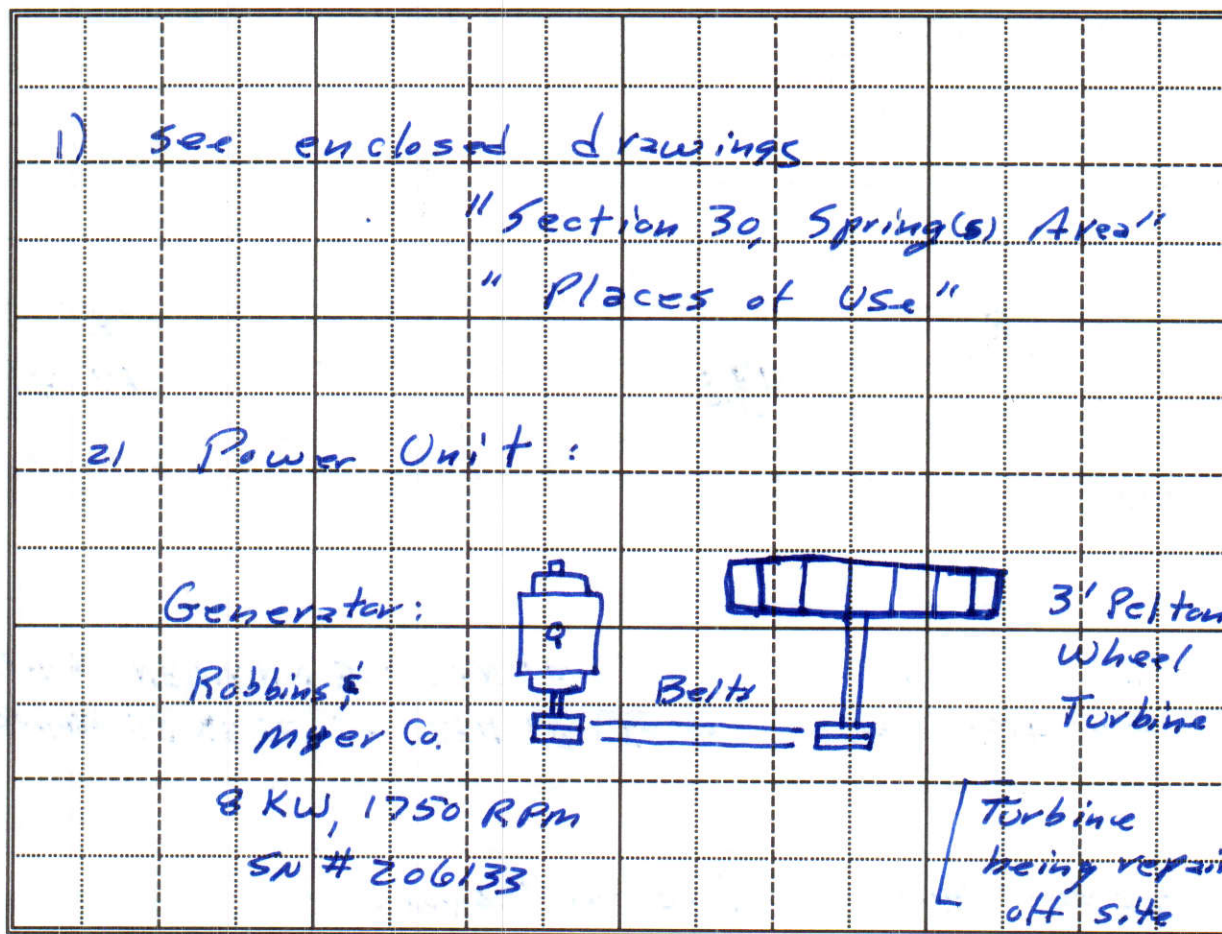
Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NWSW	SWSW	SESE	Total
Right	78 7313	ARTHUR K BUTTS, SUSAN P BUTTS,	SPRINGS	23N07E30													0.5
Permit	78 7313	SUSAN P BUTTS, ARTHUR K BUTTS,	SPRINGS	23N07E30													1
Claim	78 10663	UNITED STATES OF AMERICA ACTING THROUGH,	SLAUGHTER GULCH CREEK	23N07E30													0
Claim	78 4107C	ARTHUR K BUTTS, SUSAN P BUTTS,	SPRINGS	23N07E30													0
Right	78 7313	ARTHUR K BUTTS, SUSAN P BUTTS,	SPRINGS	23N07E30													0
Claim	78 10397	UNITED STATES OF AMERICA ACTING THROUGH,	SLAUGHTER GULCH CREEK	23N07E30													0
Claim	78 10479	UNITED STATES OF AMERICA ACTING THROUGH,	SLAUGHTER POND	23N07E30													0
Claim	78 10491	UNITED STATES OF AMERICA ACTING THROUGH,	RANYHAN SPRING	23N07E30													0
Claim	78 11314	UNITED STATES OF AMERICA TRUSTEE,	RANYHAN SPRING	23N07E30													0
Claim	78 12111	SHINGLE CREEK LLC	RANYHAN SPRING	23N07E30													0
Claim	78 4198	UNITED STATES OF AMERICA ACTING THROUGH,	LONGATTI SPRING	23N07E30													0
Rec	78 10397	UNITED STATES OF AMERICA ACTING THROUGH,	UNNAMED STREAM	23N07E30													0
Rec	78 10479	UNITED STATES OF AMERICA ACTING THROUGH,	SPRING	23N07E30													0
Rec	78 10491	UNITED STATES OF AMERICA ACTING THROUGH,	RANYHAN SPRING	23N07E30													0
Right	78 4198	US DEPT OF AGRICULTURE,	SPRING	23N07E30													0

OL w/claims - no recommendations
yet - do not consider
in OL

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = None

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 Gal. Bucket						

2. Measurements: 1) At Combined Spring Flow in Sec. 30:

$$Q = 5 \text{ Gal} / 5 \text{ sec.} = 60 \text{ GPM} = 0.13 \text{ cfs}$$

2) At stock Trough pipe from Spring in Sec. 32:

$$Q = 5 \text{ Gal} / 25 \text{ sec.} = 12 \text{ GPM} = 0.03 \text{ cfs}$$

OCT 04 2002

No Gov. Lots

T23N
R1E

Sec. 20
29
30
32

P/O, 2 Springs
P/O, Irrigation
P/O, Stockwater

P/O
Irrigation

P/O
Irrigation
Power
Domestic
Stockwater

P/O
Irrigation
Stockwater
P/O Springs

78-07313
78-04107
78-07264

No Gov. Lots

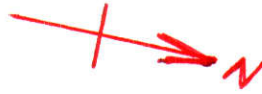
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78-07313

NATIONAL FOREST BOUNDARY IDAHO CO ADAMS CO

10' dia. steel
Spring Box
+ 3" perf.
Pipe

P/D, Up. & Spring



Plu - 1 1/2"
Irrigation
Line with
6 hose bibs

P/D, Lower
Spring
Steel barrel
Spring Box and
3" perf. ~~box~~ pipe

500 Gal storage
tank and 1 1/2"
irrigation line (Plu)

Plu
small
Trough

place of measurement
on 3" line

Slaughter
Gulch

3" Alum. Line on top
of ground

(Butts Property)

Road

Section 30
Spring(s) Area

78-07313

Some Irrigation
is done
below Cistern
from 3 hose
bibs

3 1/2' Dia. steel Cistern
w/ overflow

1" Line for
Irrigation,
Stockwater,
and Domestic

3" Line for irrigation
and power

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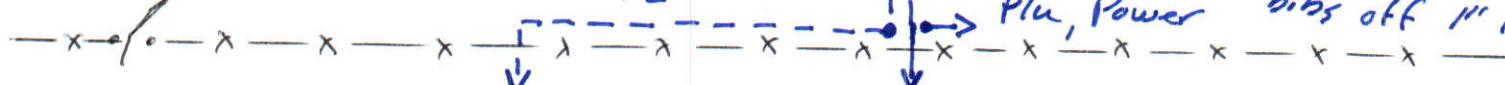
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Road to Springs

Plu Some
Irrigation
done too
from 3 hose
bibs off 1" line

Plu, Power

1 1/2"



From Springs (2)

Road to Springs

From Spring in N¹/₂ NE NW, Sec. 32
WR # 78-04107, 78-07313
78-09264

Place of
Measurement (Butts)
→ P/u, Irrigation
(1 Ac.)
P/u stock Trough

1 1/2" Line has 3
stock Troughs and 12
Hose bibs for irrigation;
and House

3" Line for
irrigation of
Pasture; and
P/u Power

(Butts)

(Others)

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Places of Use

78-07313

Feed Store
+ Residence;
other
owner

Barn

P/u
stock
Troughs

P/u - 1 yard
P/u House

Well

P/u
Orchard

P/u
water
Trough

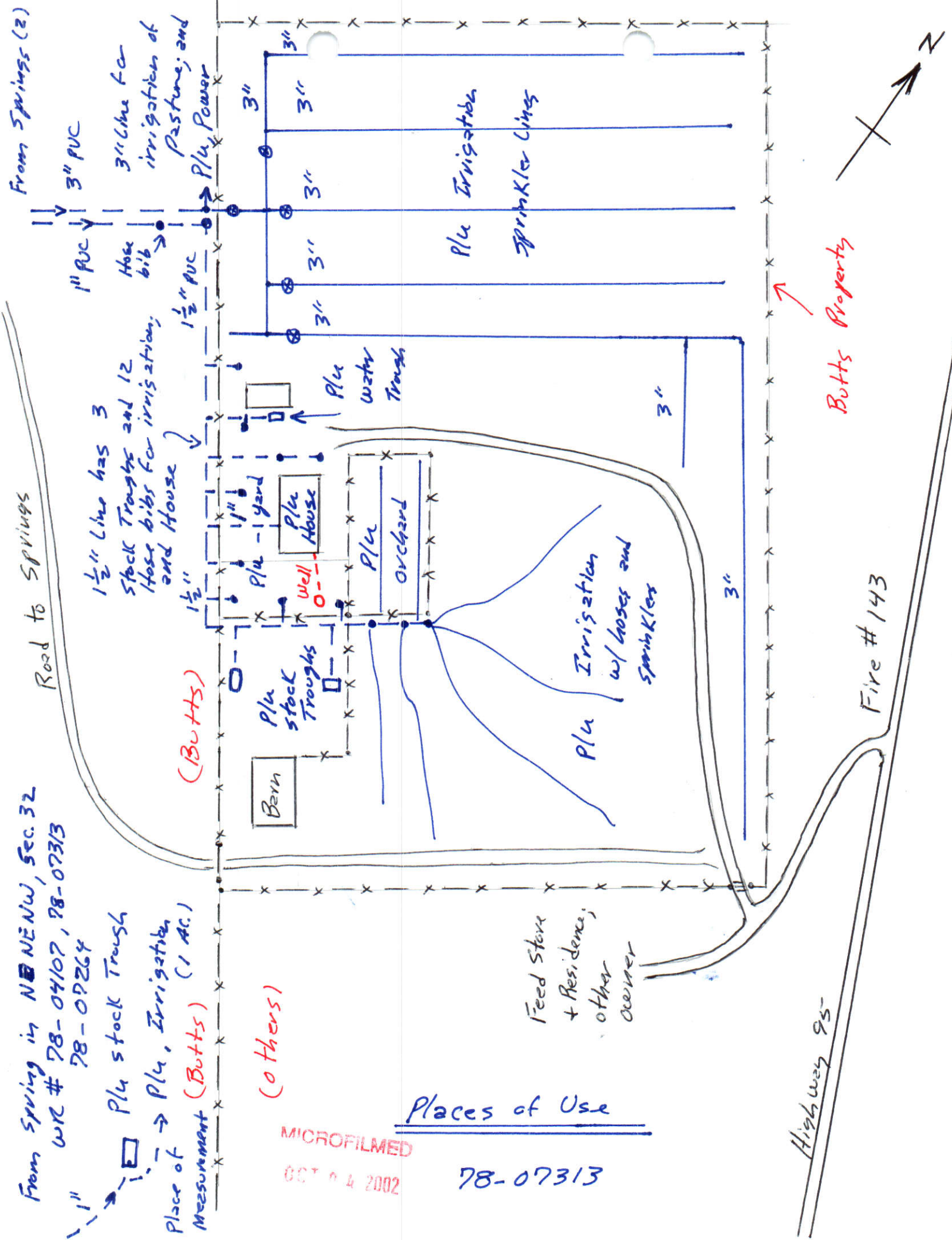
P/u
Irrigation
w/ hoses and
sprinklers

P/u Irrigation
Sprinkler Lines

Highway 95

Fire # 143

Butts Property



Items for Report

From Sec. 32 Spring

78-04107

78-07264

Irrigation - 8 Tracts

Stock Trough

510'
85'
1 Ac. off
other side of
Spring

[From 2 Springs
in Sec. 30]

520' ⑦

By 2 Springs

3.63

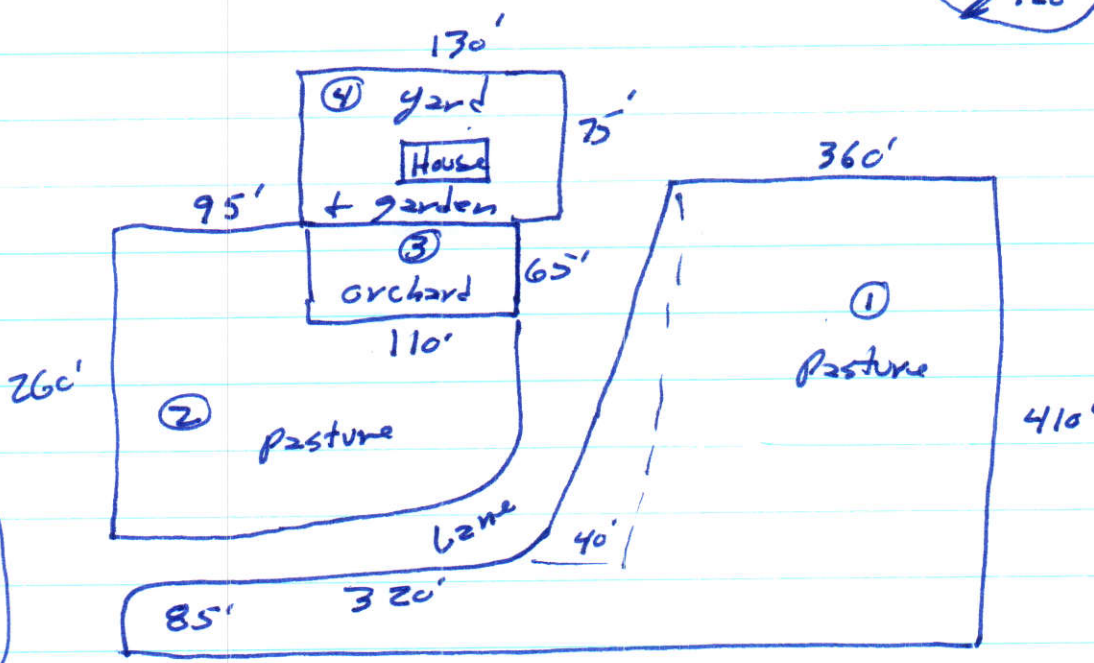
35'

460' ⑥
60'

Above
House

⑤ 120'

Note p/4
for Irrigation
shown in
permit - +
complete / correct
in report, etc.



8 tracts = $\frac{8.0 \text{ Ac.}}{5.0 \text{ Ac. in permit}}$

$$A_8 = 1 \text{ Ac.} = (85')(510') = 1.0 \text{ Ac.}$$

$$A_1 = (85')(320') + (1/2)(400 + 360)(410) = 4.2 \text{ Ac.}$$

$$A_2 = (95')(65') + (195')(205) = 1.1 \text{ Ac.}$$

$$A_3 = (65')(110) = 0.2 \text{ Ac.}$$

$$A_4 = (130')(75') - 2000 \text{ ft}^2 = 0.2 \text{ Ac.}$$

$$A_5 = \frac{\pi (120')^2}{4} = 0.3 \text{ Ac.}$$

$$A_6 = (60')(460') = 0.6 \text{ Ac.}$$

$$A_7 = (35')(520') = 0.4 \text{ Ac.}$$

78-07313

AC.
MICROFILMED
OCT 14 2002

1 of 9

P/D

Upper
Spring
Area
in

Sec. 30



(Sec. 30)

P/a - irrigated
pasture



P/D

Upper Spring
in back-
ground.

Lower Spring
on right
side —
Wood fenced
Area.

500 Gal.
Storage tank
in Wood Box
at left-
center.

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(Sec. 30)

View Looking SW

↓ 3" mainline

78-07313

2 of 9

P/D

500 Gal.
Storage
Tank
by
Lower
Spring



(Sec. 30)

P/D

3" pipe
from
upper
Spring
and
1" pipe
from
Lower
Spring.



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(Sec. 30)

OCT 04 2002

Lower Spring Box
and 3" pipe from upper Spring.

78-07313

3 of 9

Plu

Stock

Trough

just

below

Lower
Spring.

3" main-
line
pipe



(Sec. 30)

View Looking East

Place
of
measure-
ment
for

Combined
Flow of
both
Springs.



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(Sec. 30)

3" main line

78-07313

4 of 9



3" Alum.
main line.

View
Looking
West

(Sec. 29)



P/u, 2
Small
fields
of irrigated
pasture
near
end of
mainline.

(Sec. 29)

MICRO

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3½' Dia. Cistern w/
on main line overflow

78-07313

5 of 9

P/u

House on
right.

Irrigated
yard,
orchard,
and
pastures.



View Looking East

P/u

Irrigated
pasture
North
of
House.



View Looking East

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78-07313

6 of 9

Plu

House
on
right.

Irrigated
Pasture.



View Looking SE

Domestic
Well
by
House



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OCT 04 2002 yard irrigation

78-07313

2 of 9

Plus
yard
irrigation



Plus
water
Trough
for
Chickens



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78-07313

8 of 9



← P/u
Stock
Troughs
in
Corrals
←



P/u
Stock
Trough
in
Corral

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OCTO 4 2002

78-07313

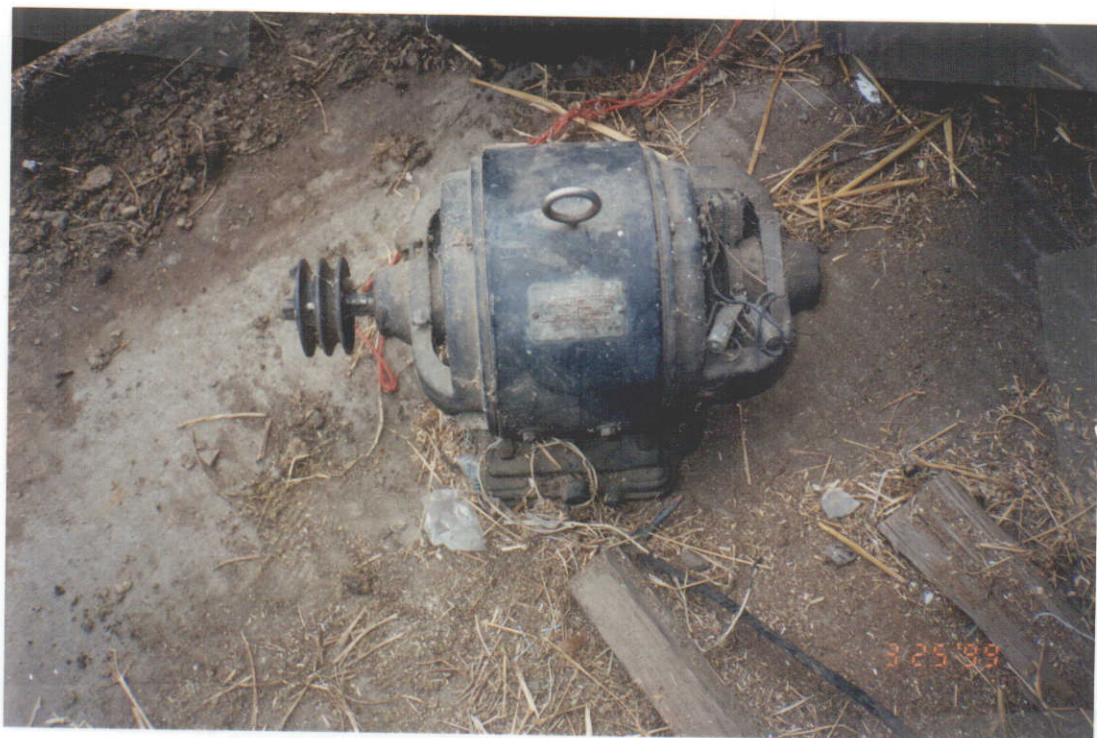
9 of 9

P/u

8 KW

Generator

Stored
in
Barn.



P/u

Stock

Trough
and

irrigated
pasture
from Spring
in
Sec 32.



View Looking North.
P/u Located in NWSW, Sec. 29.

78-07313

MICROFILM

OCT 04 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 78-07313

Priority: March 28, 1990

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 167.0 AF

It is hereby certified that ARTHUR K BUTTS And/Or SUSAN P BUTTS
HC 2 BOX 505
POLLOCK ID 83547 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 28, 1990; and have
submitted Proof of Beneficial Use on August 11, 1997. An examination indicates that the works have a
diversion capacity of 0.23 cfs of water from:

SOURCE

SPRINGS
SPRING

Tributary: SLAUGHTERHOUSE CREEK
SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
STOCKWATER	01/01 to 12/31	0.03 CFS	1.3 AF
POWER	01/01 to 12/31	0.20 CFS	145.0 AF
IRRIGATION	02/15 to 11/30	0.15 CFS	20.0 AF

LOCATION OF POINTS OF DIVERSION:

SPRING NE¼NE¼NW¼ Sec. 32, Twp 23N, Rge 01E, B.M., IDAHO County
SPRING SW¼NE¼SE¼ Sec. 30, Twp 23N, Rge 01E, B.M., IDAHO County
SPRING SW¼NE¼SE¼ Sec. 30, Twp 23N, Rge 01E, B.M., IDAHO County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N 01E 29									X								

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N 01E 29									X								
23N 01E 30													X				

PLACE OF USE: POWER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N 01E 29									X								

MICROFILMED

OCT 14 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 78-07313

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N 01E 29									4.5								4.5
23N 01E 30													.5				.5

Total Acres: 5

CONDITIONS OF APPROVAL

- Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
- This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- Use of water under this right shall be non-consumptive.
- This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
- The water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this license.
- The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after August 11, 2007. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 9TH day of JULY, 2002.

MICROFILMED

Acting for

KARL J. DREHER
Director

OCT 04 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 11 1997

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder (s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 78-07313 Telephone No. (208) 628-3653

2. Name(s) of Permit Holder(s): Arthur K. & OR Susan P. Butts

3. Mailing Address: H.C. 2 Box 505 Pollock ID 83547

4. Source of Water: Spring If GROUNDWATER (well), Date Drilled: mo. / yr.

a. Well Driller: Drilling Permit Number: - -

b. OPTIONAL:
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): Stockwater (No. and type of stock): X

Irrigation (No. of acres): X Other:

6. Total rate of diversion and/or volume for which proof is submitted: 0.20 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes <u> </u>	or	No <u>✓</u>
	Has the measuring device been installed?	Yes <u> </u>	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> </u>	or	No <u>✓</u>
	Has the measurement port been installed?	Yes <u> </u>	or	No <u>✓</u>

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Arthur K. Butts Telephone Number: (208) 628-3653

Address: H.C. 2 Box 505 Pollock ID 83547

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Arthur K. Butts (include your title, if on behalf of company or organization)
MICROFILMED Date: 8/9/97

RECEIVED

JUL 19 1994

\$50.00 For Office Use Only
\$25 Fee Received by SL
Date 7-18-94
Receipt No. W017760

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 78-07313

Name(s) of Permit Holder: Arthur K. / Susan R. Butts

Mailing Address: HC 2 Box 505 Pollack 83547

Date Proof is Due Sept. 1, 1994 Telephone No. 528 3653

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

The development of the spring and small reservoir tank has been done

Costing \$ 2500.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

The Drough conditions to dry to burn Brush where I need to dig main line in field.

Field is close to Forest Service line lots of timber to dry to burn

Permit holder(s) request an extension to Sept 1, 19 98 (maximum allowable time)

FEE: ⁵⁰
~~15.00~~

Arthur K Butts
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to September 1, 1997.

AUG 16 1994

Signed this 26th day July, 19 94

J. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 78-07313

Proposed Priority: March 28, 1990 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **ARTHUR K. BUTTS**
SUSAN P. BUTTS
HC 68 BOX 2260
CAMBRIDGE, ID 83610

has applied for a permit to appropriate water from:

SPRINGS tributary of **SINKS**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 12/01	0.15 CFS
STOCKWATER	01/01 to 12/31	0.03 CFS
POWER	01/01 to 12/31	0.20 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
Totals		0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:
SWNESE Sec. 30, Township 23N, Range 01E
NENENW Sec. 32, Township 23N, Range 01E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
23N	01E	29	NESW 2	NWSW 2		4
		30	NESE 1			1

Total number of acres irrigated: 5

PLACE OF USE: POWER

TWN RGE SEC

23N 01E 29 NESW

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as POWER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1994.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

MICROFILMED

SEP 21 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 78-07313

CONDITIONS/REMARKS:

4. This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
5. Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
6. The water right acquired under this permit for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
7. The Director retains jurisdiction of this permit in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
8. This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
10. Two points of diversion in Section 30, T32N, R1E, SWNESE.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

30th day of August, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

SEP 21 1990

Ident. No. 78-07313

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ARTHUR K. BUTTS 208-256-4411
Address: HC 68, BOX 2260
CAMBRIDGE, ID 83610
AND/OR
Name: SUSAN P. BUTTS 208-256-4411
Address: HC 68, BOX 2260
CAMBRIDGE, ID 83610

2. Source: SPRINGS Trib. to: SINKS

3. Location of Point of Diversion: SWNESE Sec. 30, Township 23N, Range 01E
NENENW Sec. 32, Township 23N, Range 01E
IDAHO County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	12/01	0.150		
STOCKWATER	01/01	12/31	0.030		
POWER	01/01	12/31	0.200		
DOMESTIC	01/01	12/31	0.040		

5. Total quantity to be appropriated is:
0.200 CFS (and/or) AF

6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
3 SPRINGS, ONLY 1 SPRING WILL BE USED FOR IRRIGATION.
 - Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - Proposed well diameter is inches; proposed depth of well is
feet.
 - Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 5 years.

8. Description of proposed uses:
DOMESTIC, IRRIGATION, POWER, STOCK
(one) (8' kw) (100' head)

into already in database SC 4/20/90

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SEP 21 1990

9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
23N	01E	29	NESW 2	NWSW 2		4
		30	NESE 1			1

Place of Use: STOCKWATER *same as irrigation*

*

~~TWN RGE SEC~~
~~23N 01E 29~~ ~~NESW~~ ~~NWSW~~
~~30~~ ~~NESE~~

Place of Use: POWER

TWN RGE SEC
23N 01E 29 NESW

Place of Use: DOMESTIC

TWN RGE SEC
23N 01E 29 NESW

Total number of acres irrigated: 5

10. Describe any other water rights used for the same purposes.

A78-04107C 2 SPRINGS W/PD OVERLAP #2 & #3.

11. a. Who owns the property at the point of diversion?

APPLICANT

b. Who owns the land to be irrigated or place of use?

APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

12. Remarks:

3 SPRINGS IDENTIFIED AS # 1-3, SPRING #1 USED FOR ALL USES LISTED
SPRINGS #2 & #3 USE AS LIMITED BY SALES CONTRACT ATTACHED.

TWO POINTS OF DIVERSION IN T23N, R1E, SEC. 30, SWNESE

13. Map of proposed point of diversion and place of use attached? ☒

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.

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SEP 21 1990

Arthur K. Butts
Applicant

* DATABASE UPDATE PER IDWR FORMAT, 4/25/90

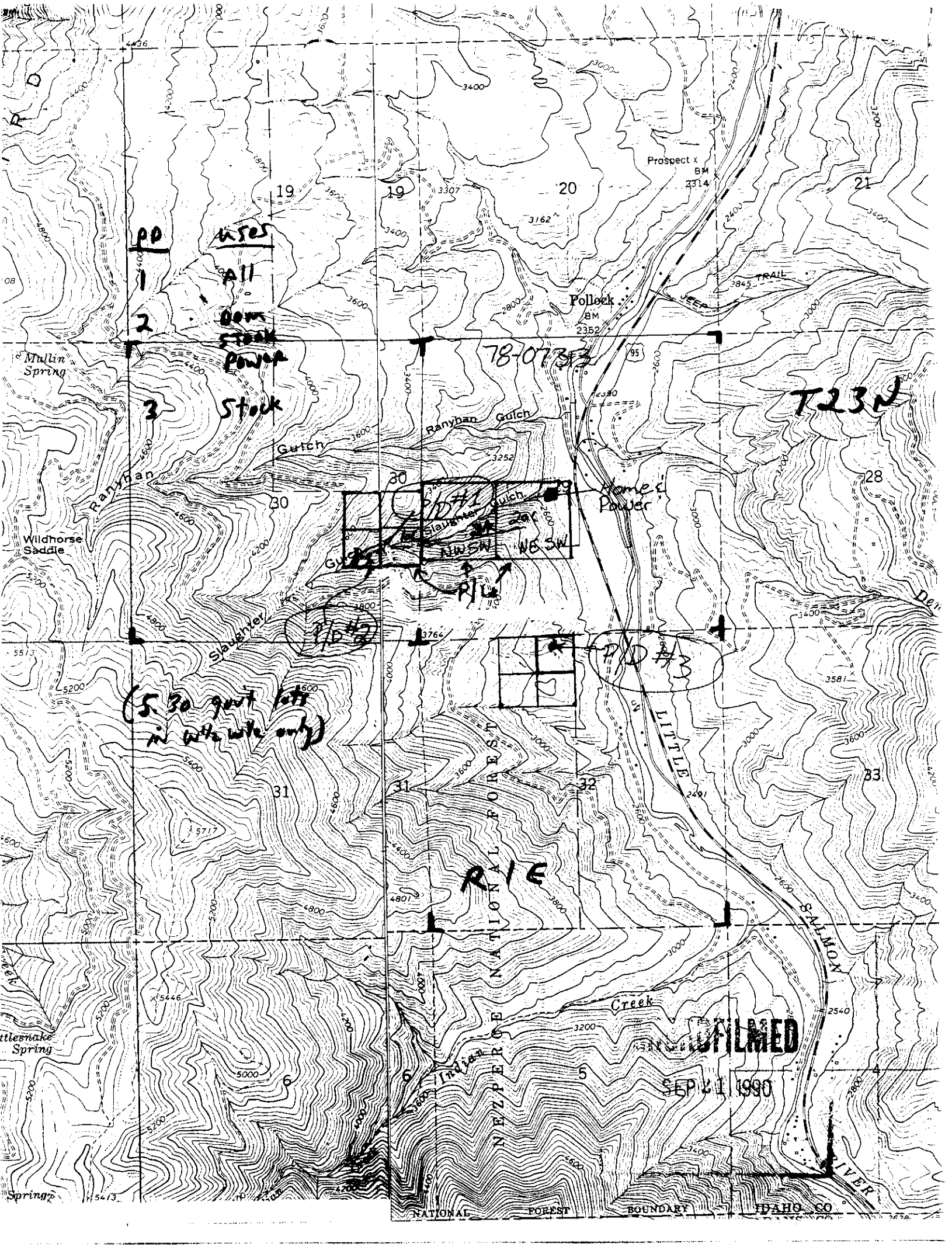
82.

Ident. No. 78-07313
Page 3

Received by RW Date 3/28/90 Time 11:30 Preliminary check by RL
Fee \$ 30⁰⁰ Receipted by RW # W011755 Date 3/28/1990
Publication prepared by GG Date 5-9-90 Published in Idaho County Free Press
Publication approved ST Date 6-4-90 ^{5/16 & 5/23/90}

MICROFILMED

SEP 21 1990



Department of Water Resources
Western Regional Office

**AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES**

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or Individual Members of a Partnership:

I, Arthur K. OR JESSAM F. BUTTS of PRIMERIDGE,
(name) (city),

County of Adams, State of Idaho, being duly sworn, do hereby
certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____,
(name) (city),

County of _____, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the _____

_____ : that as such I am in charge of the registered office
(name of corporation)

of the said corporation as required by Section 30-1-12, Idaho Code, at _____
(city)

Idaho, wherein are kept the corporate records required by Section 30-1-52, Idaho Code: and that _____

_____ is a corporation qualified to do business in the State of Idaho under the laws
(name of corporation)
of the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

The hydropower facility to be developed pursuant to the attached Application for Permit:

- (check one)
- ☒ Will not utilize existing man-made irrigation facilities such as a dam or a canal.
 - ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
 - ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and the owner of the facilities is the signee of this affidavit.

X Arthur K. Butts
Applicant

X State of Idaho)
County of Adams) ss.

On this 30th day of April, 1990, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

My commission expires:

3/27/91

Notary Public residing

MICROFILMED

SEP 21 1990

The following advertisement(s) have been filed to appropriate the public waters of the State of Idaho:

78-97213
BUTTS, ARTHUR K.
BUTTS, SUSAN A.
HC 66 BOX 2269
CAMBRIDGE, ID 83610
Sewage, SPRINGS Tributary: SINKS
Division Pt. SWNESE Sec 30-T 22N R
01E
NENENW Sec 30-T 22N R 01E
Use: IRRIGATION (.150 CFS)
STOCKWATER (.020 CFS) POWER
(.380 CFS) DOMESTIC (.040 CFS)
Total Diversion: (.550 CFS)
Date Filed 5/22/90
In: T20N R01E S06 NE34 NW34 S30
NE36
5.0 ACRES TOTAL

The applicant(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JUNE 4, 1990.

R. KEITH HIGGINSON, Director
Published 5/16/1990 & 5/22/1990
8914.23

RECEIVED

MAY 29 1990

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Idaho - ss.

Charlotte Sotin

....., being first duly sworn, says she is the..... Bookkeeper..... of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for two..... weeks, being published two.....times, the first publication being on the 16th.....day of May....., 19⁹⁰, and the last publication on the 23rd.....day of May....., 19⁹⁰; that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Charlotte Sotin

STATE OF IDAHO }

COUNTY OF }

On this.....23rd.....day of.....May.....in the year of.....1990....., before me, a Notary Public, personally appeared Charlotte Sotin....., known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

MICROFILMED

SEP 21 1990

[Signature]
Notary Public for Idaho
Residing at.....Grangeville, Idaho.....
My commission expires: 9/10/92



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 11, 2002

ARTHUR K BUTTS
SUSAN P BUTTS
HC 2 BOX 505
POLLOCK ID 83547

RE: License No. 78-7313 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

for Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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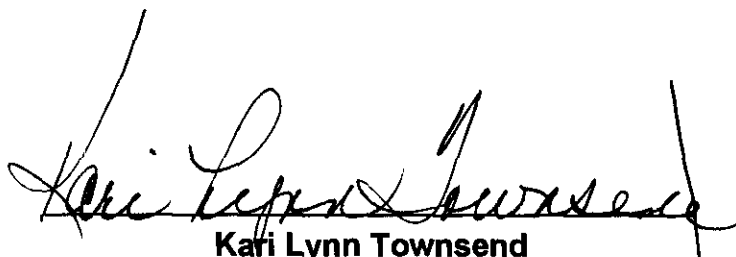
JUL 18 2002

CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 78-7313

ARTHUR K BUTTS
SUSAN P BUTTS
HC 2 BOX 505
POLLOCK ID 83547



Kari Lynn Townsend
Secretary

MICROFILMED

OCT 04 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

LICENSE REVIEW CHECKLIST

Permit No. 78-7313 Date: 7-3-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): only claims - NO OL
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.20 cfs
Fee Limit 0.20 cfs
Measured 0.23 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.20

Season of Use per new Standards

2/15 - 11/30

Water Uses OK

Change (P46)

Irrigation 0.15 cfs 20.0 af
Stockwater 0.03 cfs 1.3 af
Domestic 0.04 cfs 0.16 af
power 0.20 cfs 145.0 af
Total 0.20 cfs 166.9 af

~167.0

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
1 acre (W31)

Domestic (W01/Wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (877)

Water Quality (106/R07)

Payette - (W22/047/127A)

Stockwater for US (R37)

Volume Determination

0.15 cfs x 1.9835 x 294 days = 87.5 af (vs) 5 acres x 4.0 (FHR) = 20.0 af

stock = 100 x 0.0134 = 1.34 ~ 1.3 AF (3.0 con)

Remarks: W42 (10 yrs. > p200y was filed) 025, 027, R23, R68, WB5

Additional Conditions ☒ Watermaster Control
☐ GW Measurement/Measuring Device
☐ Other
☒ Trust R55 - remove 051
☒ Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? ☒ yes ☐ no If yes, explain why below.

SRBA Claim? NO

Adjust memo _____

Amend Letters _____

P87, S06

Second Amendment Notice _____

S06

*RT. 78-7264
have pld of
NWNENW -
diff than
this rt.
NO OL*

OL w/ claims - no recommendations yet - do not consider in OL

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB - 7 2000

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 78-07313

1. Owner: Arthur K. & Susan P. Butts Phone No. (208) 628-3653

Current Address: HC 2, Box 505, Pollock, ID 83547

2. Accompanied by: Arthur Butts EXAM DATE: 3-25-99

Address: Same Phone No. Same

Relationship to Permit Holder: Same

3. Source: Springs tributary to Slaughter Gulch
& Sinks (2 locations)

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None (Domestic Well also used)

2. Other water rights with the same point of diversion: 78-04107, 78-07264 (Sec. 32)

C. DIVERSION AND DELIVERY SYSTEM

from one spring of 2 P/d's.

1. Point(s) of Diversion: 2 Springs, Sec. 30 ; 1 Spring, Sec. 32

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
(2 springs)	SW	NE	SE		30	23N	1E	Idaho	Site Visit, Map
(1 spring)	NE	NE	NW		32	23N	1E	"	" "

2. Place(s) of Use:

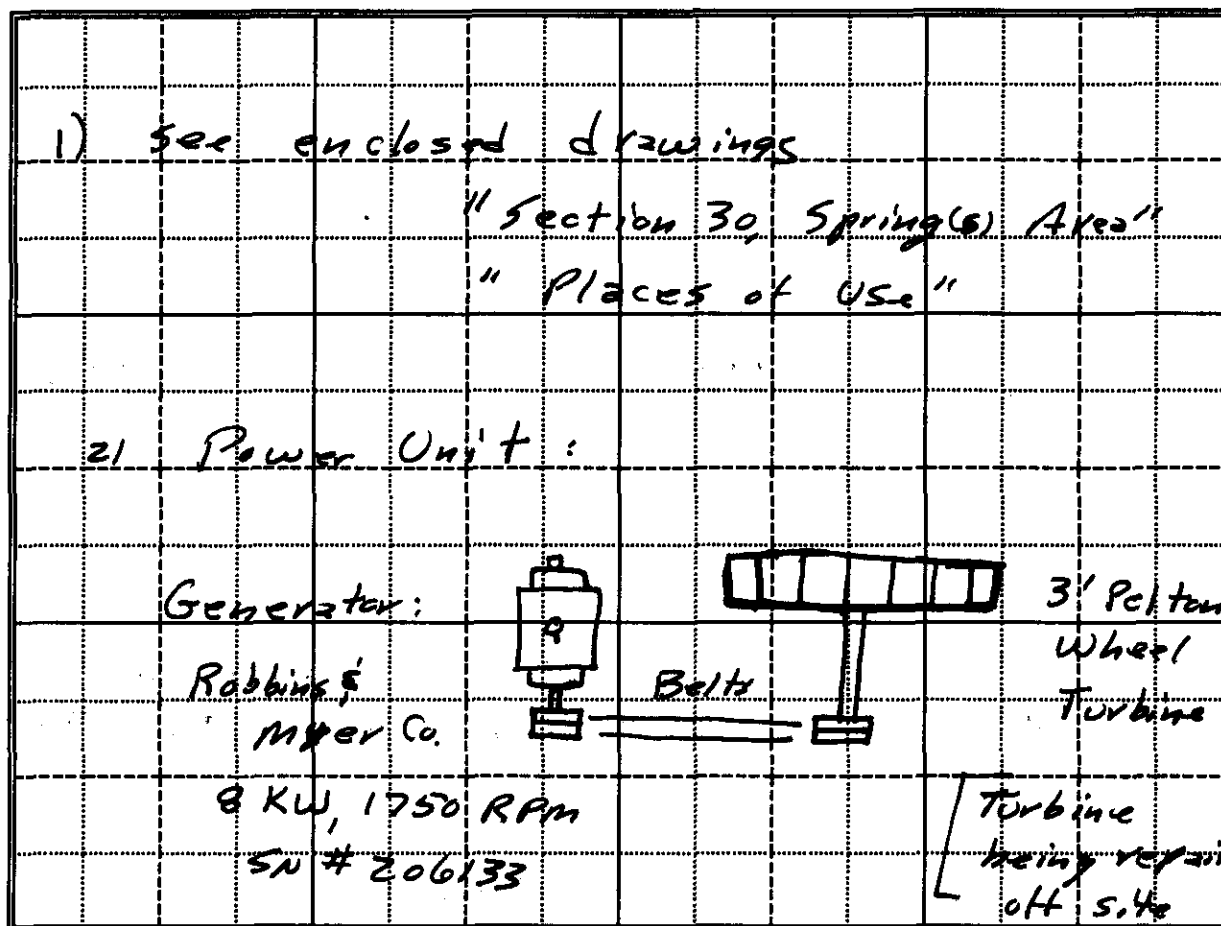
Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	1E	29									4.5								4.5 AC.
		30													0.5				0.5 AC.
																			5.0 AC.

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FEB 14 2000

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe I.d. as applicable.



Scale: 1" = None

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 Gal. Bucket						

2. Measurements: 1) At Combined Spring Flow in Sec. 30:

$$Q = 5 \text{ Gal} / 5 \text{ sec} = 60 \text{ GPM} = 0.13 \text{ cfs}$$

2) At stock Trough pipe from Spring in Sec. 32:

$$Q = 5 \text{ Gal} / 25 \text{ sec} = 12 \text{ GPM} = 0.03 \text{ cfs}$$

MICROFLOW

807 10 10 10

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for 2 separate Spring locations that furnish water for domestic, power, stock water and irrigation. Two Springs were developed and piped together in SWNESE, Sec. 30 for all uses; and another Spring in N1ENEW, Sec. 32 furnishes water for irrigation and stock. The Spring in Sec. 32 was developed for WRC's 78-04107, 78-07264, and a pipeline from it supplies one stock trough, and about 1 Ac. of irrigation on a separate water System.
 2. Eight separate tracts of land are irrigated from the Springs for a total of about 8.0 Ac.
 3. Five stock troughs water about 100 head of mixed livestock - Cows, Chickens, etc.
 4. The 2 Springs in Sec. 30 supplies domestic water for the house and irrigation of the yard. The house also has a domestic well. Both sources are used for the house and yard.
 5. The pipe line from the 2 Springs in Sec. 30 operates an 8 Kw hydro electric power unit. At the time of the exam, the Pelton wheel turbine had been sent off for repairs, and the 8 Kw Generator was stored in the barn. The water from the Power unit is also used for irrigation in the field below the unit.
- Have conditions of permit approval been met? ☒ yes ☐ no

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OCT 14 2002

F. FLOW CALCULATIONS

Measured Method: 5 Gal. Bucket

Additional Computation Sheets Attached

1) From Sec. 30 Springs:

$$Q = 5 \text{ Gal} / 5 \text{ sec.} = 60 \text{ GPM} = 0.13 \text{ cfs}$$

2) From Sec. 32 Springs:

$$Q = 5 \text{ Gal.} / 25 \text{ sec.} = 12 \text{ GPM} = 0.03 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

Total 0.16 cfs

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (5.0) / (4.0) = 20.0 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.15) / (294) / (1.9835) = 87$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = 20.0 \text{ AFA}$$

2. Volume Calculations for Other Uses:

1) Stockwater: 100 Head mixed stock

$$\text{Vol.} = \frac{12 \text{ GPD}}{\text{Head}} \cdot \frac{100 \text{ Head}}{1} \cdot \frac{365 \text{ Days}}{\text{Ann.}} \cdot \frac{\text{AF}}{325,850 \text{ Gal.}} = 1.34$$

2) Domestic: Internal use; 0.6 AFA

$$3) \text{ Power: Max. Vol.} = (0.20 \text{ cfs})(365 \text{ Days})(1.9835) = 145 \text{ AFA}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	02/15	11/30	0.15	20.0
Stockwater	01/01	12/31	0.03	1.4
Domestic	01/01	12/31	0.04	0.6
Power	01/01	12/31	0.20	145.0
Totals:			0.20	167.0

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

None

Change P.U. as reflected above

Add P.U. as reflected above

Other

I. AUTHENTICATION

Field Examiner's Name

Don Turner

Date

1-12-00

Reviewer

Date

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OCT 14 2002

- 1) No P/U in NW SW, Sec. 29
- 2) Two Springs in Sec. 30 are trib. to Slaughter Gulch.
- 3) New Irrigation Season.
- 4) The Power is non-consumptive use.

The 2 springs in Sec. 30 would flow more at other times of the year, and the 3" pipeline could easily handle the power flow of 0.20 cfs. Allow max. flow of 0.20 cfs.

No Gov. Lots

T23N
R1E

Sec. 20
29
30
32

Prospect X
BM
2314

Pollock
BM
2352

P/O, 2 Springs
P/O, Irrigation
Stockwater

P/O
Irrigation

P/O
Irrigation
Power
Domestic
Stockwater

P/O
Irrigation
Stockwater
P/O Springs

78-07313
78-04107
78-07264

No Gov. Lots

78-07313

00 14 2002

Indian

IDAHO CO
ADAMS CO

10' dia. steel
Spring Box
+ 3" Perf.
Pipe

P/D, Up. - Spring

1 1/2"

N

Plu - 1 1/2"
Irrigation
Line with
6 Hose bibs

500 Gal storage
tank and 1 1/2"
irrigation line (Plu)

Slaughter
Gulch

P/D, Lower
Spring
steel barrel
Spring Box and
3" perf. pipe

Plu
small
Trough

place of measurement
on 3" line

3" Alum. line on top
of ground

(Butts Property)

Road

Section 30
Spring(s) Area

78-07313

Some Irrigation
is done
below Cistern
from 3 Hose
bibs

3 1/2' Dia. steel Cistern
w/ overflow

1" line for
Irrigation,
Stockwater,
and Domestic

3" line for irrigation
and power

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OCT 14 2002

Road to Springs

Plu some
Irrigation
here too
from 3 hose
bibs off 1" line

Plu, Power

From Spring in N^WNE^{1/4}, Sec. 32
WR # 78-04107, 98-07313
78-07264

Road to Springs

From Springs (2)

Plu stock Trough

Place of Measurement (Butts) (1 ac.)
→ Plu, Irrigation

1 1/2" Line has 3
Stock Troughs and 12
Hose bibs for irrigation,
and House

(Butts)

(Others)

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9/17/94

Places of Use

78-07313

Feed Store
+ Residence;
other
owner

Plu water Trough

Plu House

Well

Plu stock Troughs

Plu Orchard

Plu Irrigation w/ hoses and Sprinklers

Plu Irrigation

Sprinkler Lines

Plu Irrigation

Sprinkler Lines

Plu Irrigation

Sprinkler Lines

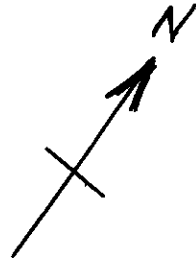
Plu Irrigation

Sprinkler Lines

Butts Property

Fire # 143

Highway 95



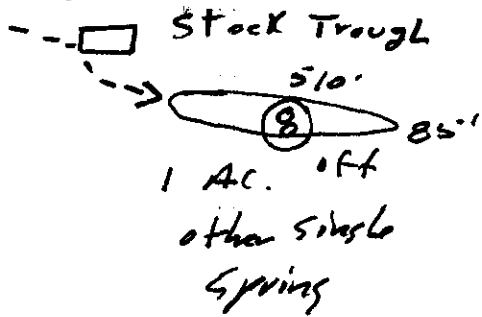
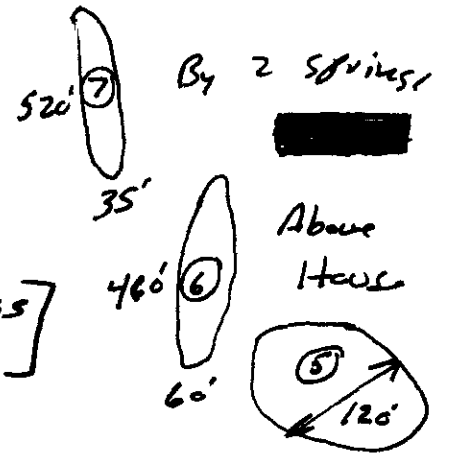
Items for Report

From Sec 32 Springs

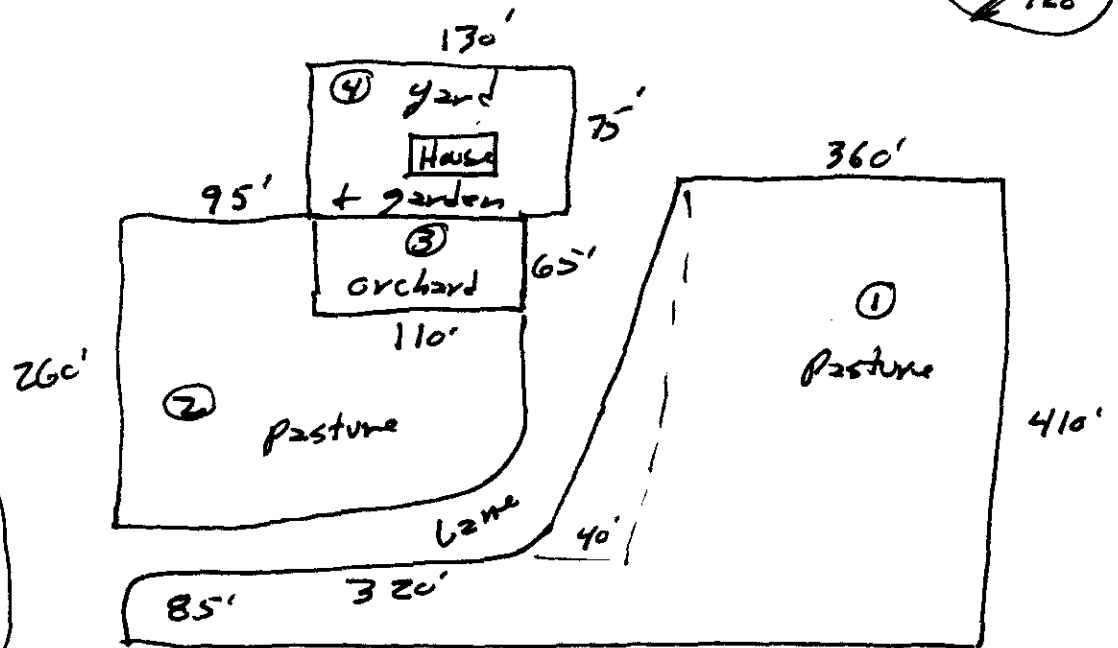
78-04107
78-07264

Irrigation - 8 Tracts

[From 2 Springs
in Sec. 30]



Note p/4
for Irrigation
shown in
permit - &
compare / ~~compare~~
in report etc.



8 tracts = 8.0 Ac. > 5.0 Ac. in permit

$$A_8 = 1 \text{ Ac.} = (85')(510) = 1.0 \text{ Ac.}$$

$$A_1 = (85')(320) + (1/2)(400 + 360)(410) = 4.2 \text{ Ac.}$$

$$A_2 = (95')(65) + (195')(205) = 1.1 \text{ Ac.}$$

$$A_3 = (65')(110) = 0.2 \text{ Ac.}$$

$$A_4 = (130')(75) - 2000 \text{ ft}^2 = 0.2 \text{ Ac.}$$

$$A_5 = \frac{\pi (120')^2}{4} = 0.3 \text{ Ac.}$$

$$A_6 = (60')(460) \cdot \frac{\text{AC.}}{(66')(66')(10) \text{ ft}^2} = 0.6 \text{ Ac.}$$

$$A_7 = (35')(520) = 0.4 \text{ Ac.}$$

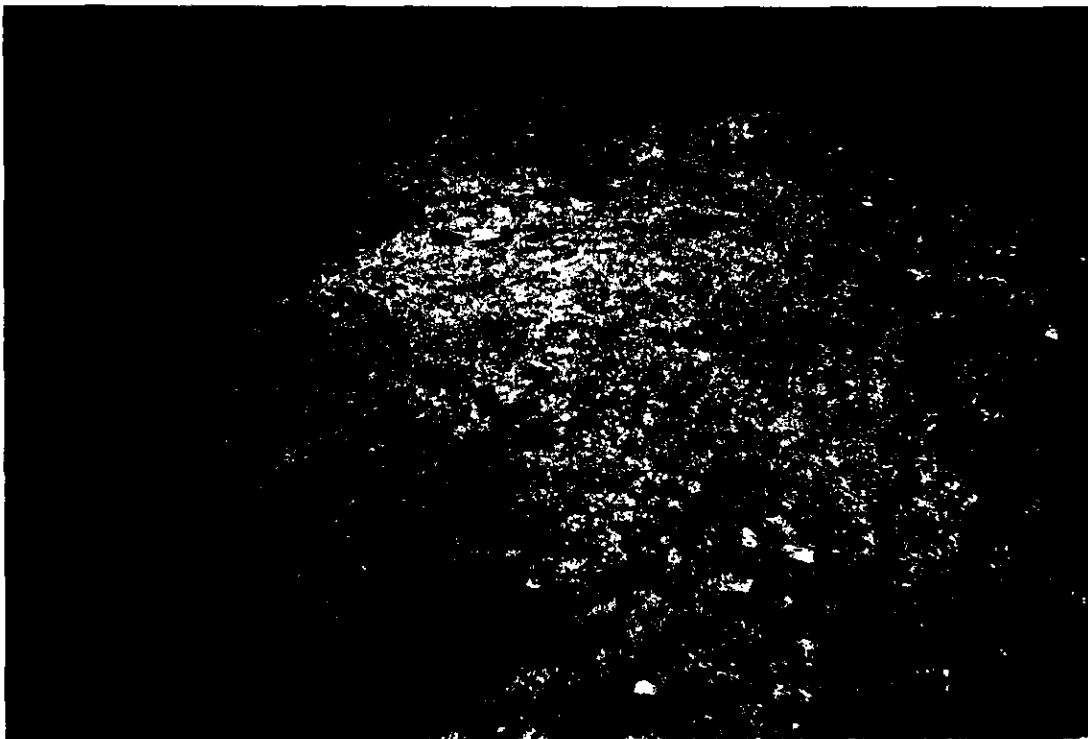
78-07313

1 of 9

P/D

Upper
Spring
Area
in

Sec. 30



(Sec. 30)

P/a - irrigated
pasture
↓

P/D

Upper Spring
in back-
ground.

Lower Spring
on right
side -
Wood fenced
Area.

500 Gal.
Storage tank
in Wood Box
at left-
center.



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OCT 04 2002

(Sec. 30)

View Looking SW

↓ 3" mainline

78-07313

2 of 9

P/D

500 Gal.

Storage
Tank

by

Lower
Spring



(Sec. 30)

P/D

3" pipe

from

upper

Spring

and

1" pipe

from

Lower

Spring.



(Sec. 30)

OUT to 4 2012 Lower Spring Box

and 3" pipe from upper Spring.

78-07313

3 of 9

Plu

Stock

Trough

just

below

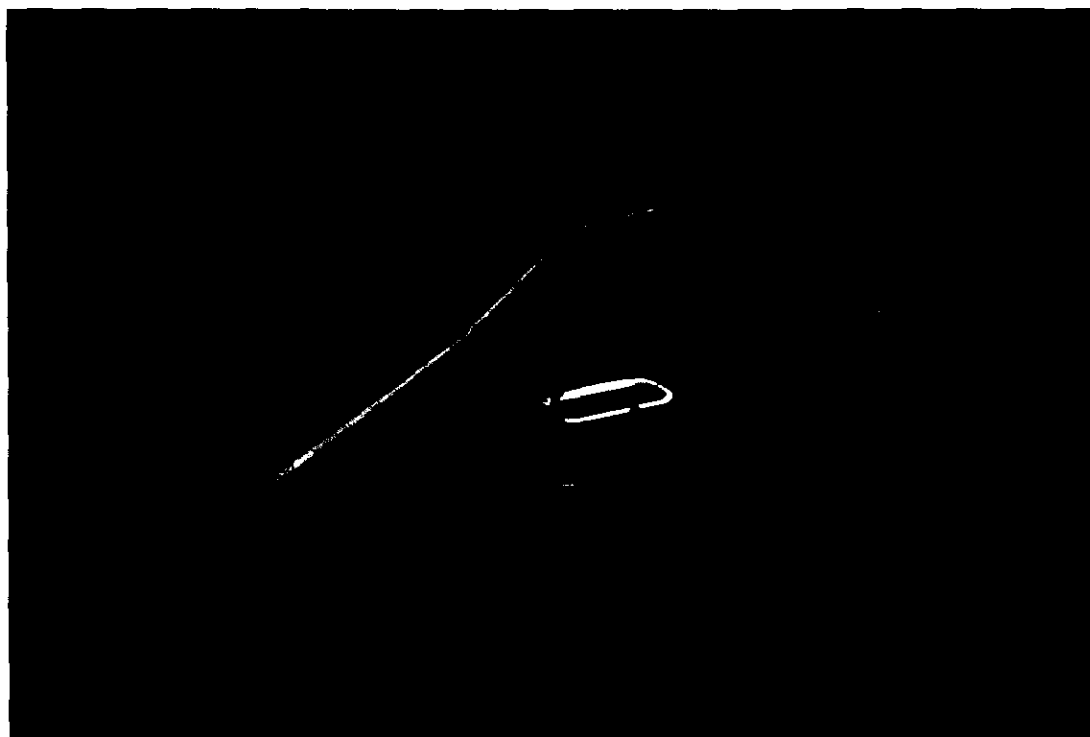
Lower

Spring.

3" main-

line

pipe



(Sec. 30)

View Looking East

Place
of
measure-
ment
for
combined
flow of
both
springs.



(Sec. 30)

3" main line

OCT 14 2002

78-07313

4 of 9



3" Alum.
main line.

View
Looking
West

(Sec. 29)



P/u, 2
Small
fields
of irrigated
pasture
near
end of
mainline.

(Sec. 29)

MICRO

001 0 + 000

3 1/2' Dia. Cistern w/
on main line overflow

78-07313

5 of 9

P/u

House on
right.

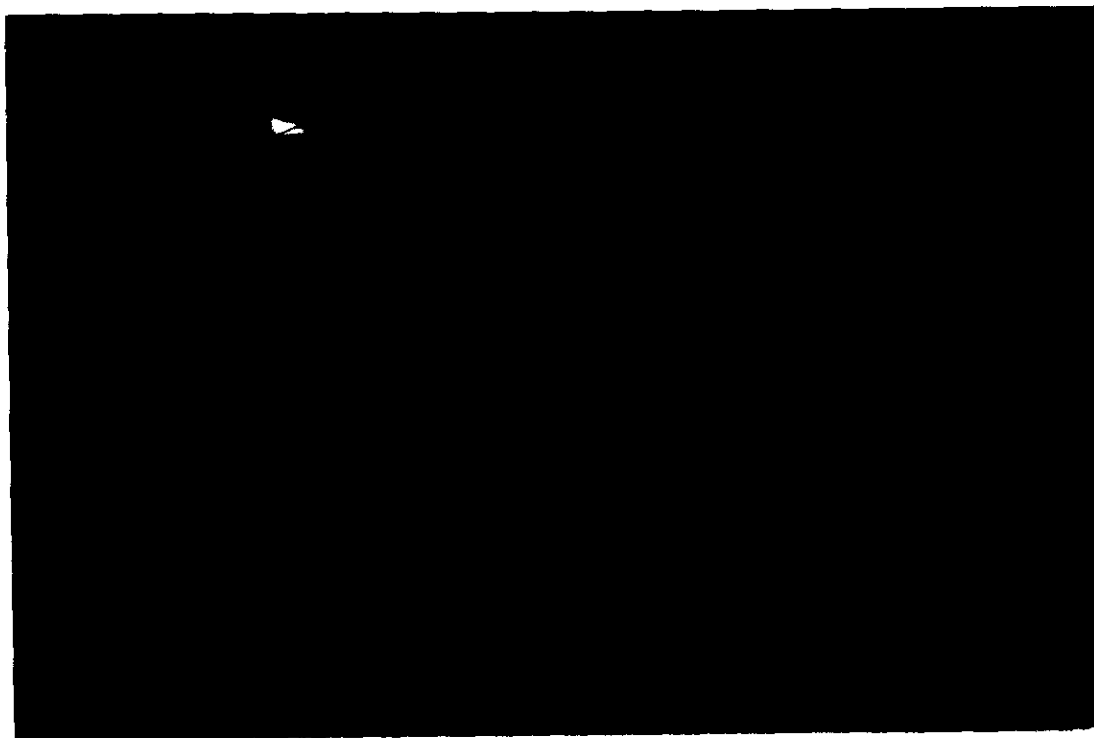
Irrigated
yard,
orchard,
and
pastures.



View Looking East

P/u

Irrigated
pasture
North
of
House.



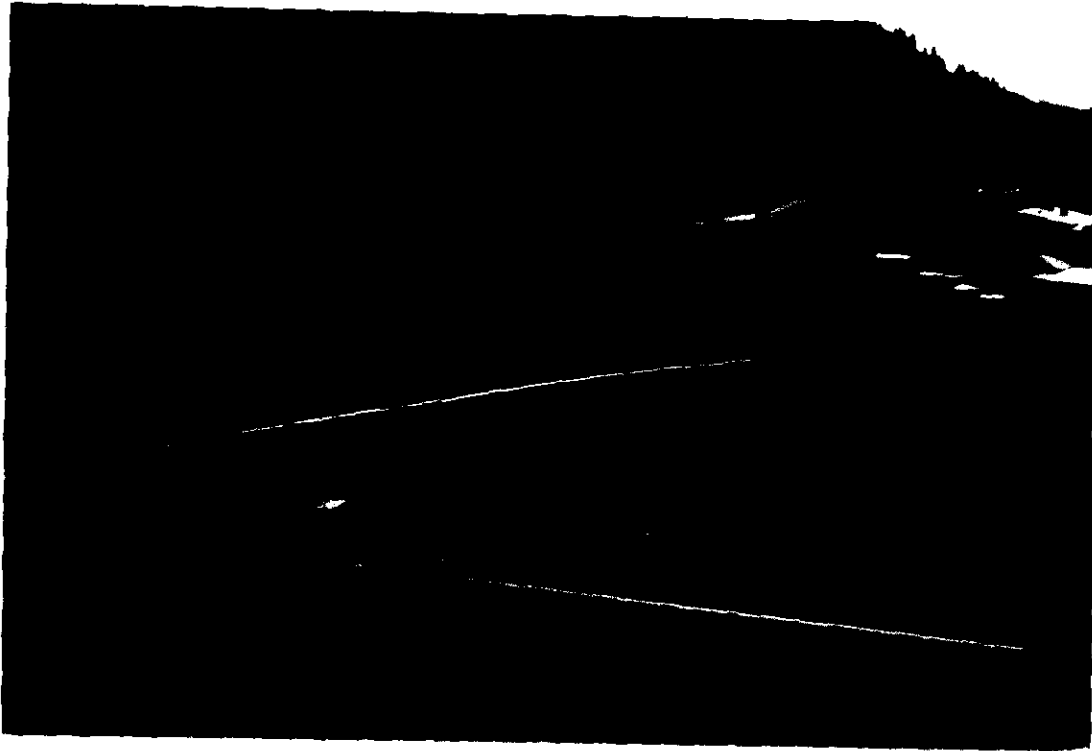
View Looking East

MICRO

OCT 04 2002

78-07313

6 of 9



Plu
House
on
right.

Irrigated
Pasture.

View Looking SE



Domestic
Well
by
House

Also used for
OCT 14 2007 yard irrigation

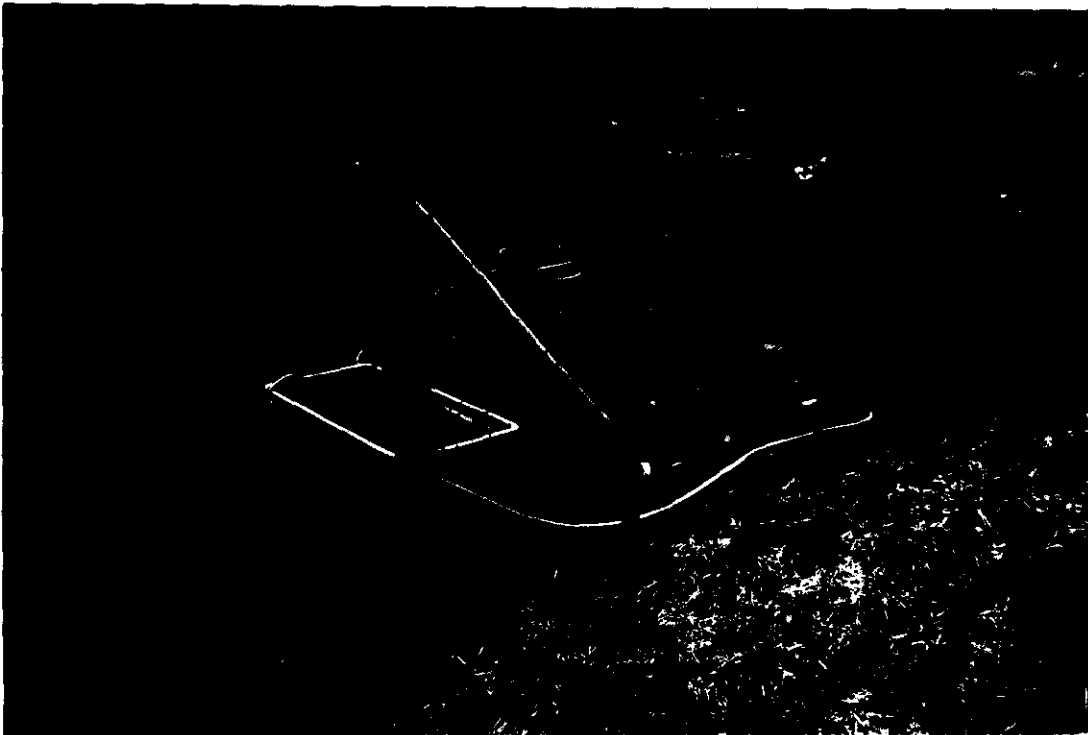
78-07313

2 of 9

P/u

yard

irrigation



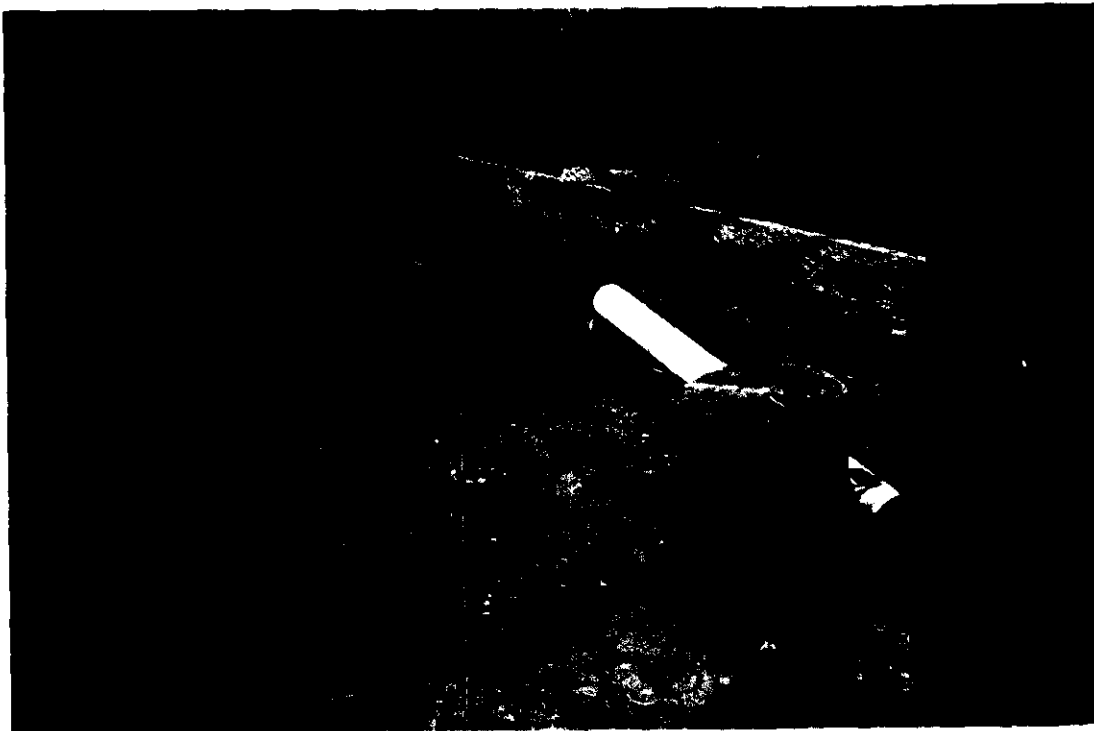
P/u

water

Trough

for

Chickens

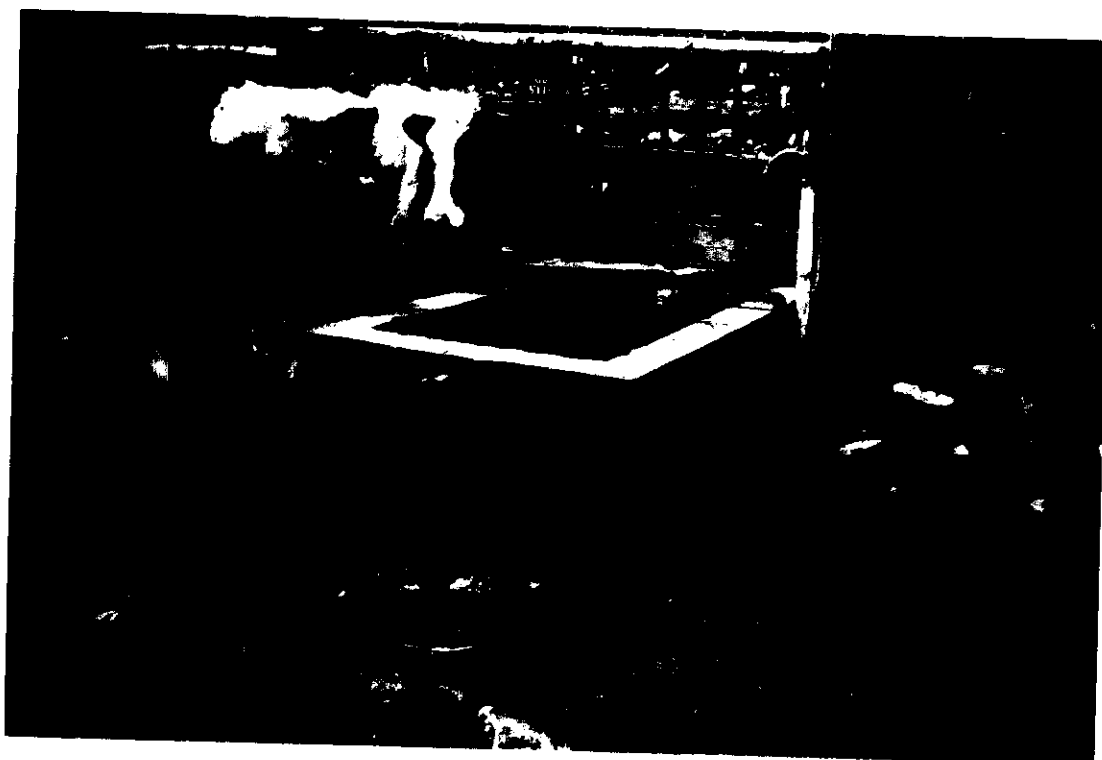


Microfilm

OCT 10 4 2011

78-07313

8 of 9⁰



← P/u
Stock
Troughs
← in
Corrals



P/u
Stock
Trough
in
Corral

001 0 4 2002

78-07313

9 of 9

P/u

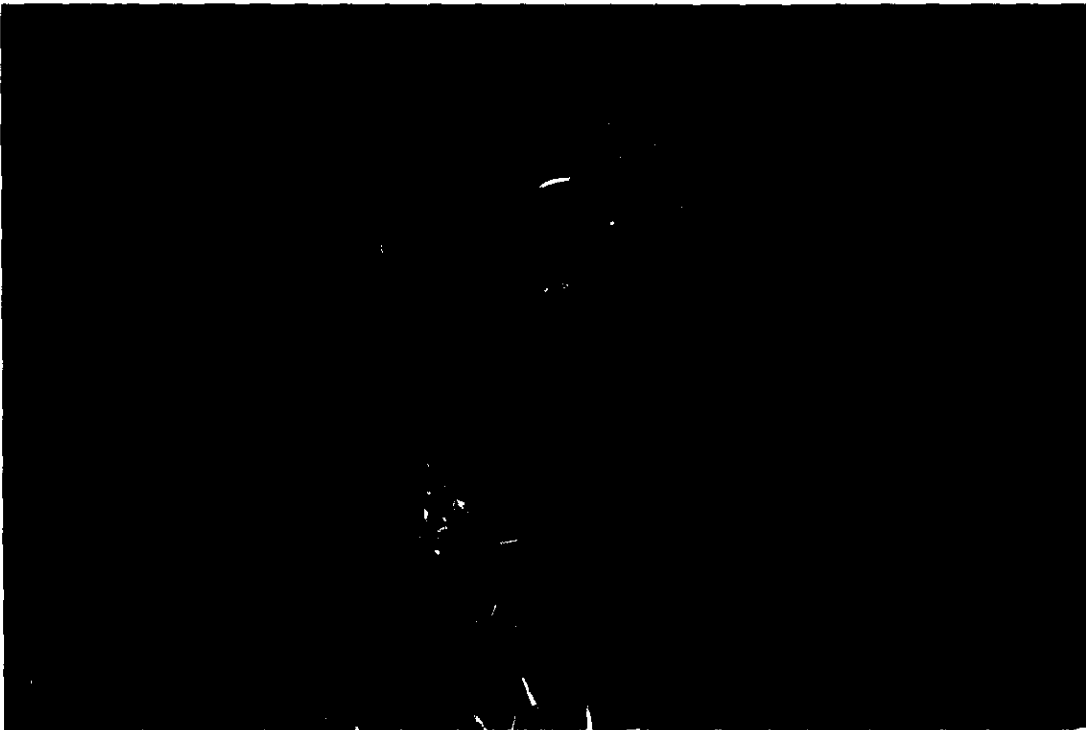
8 KW

Generator

Stored

in

Barn.



P/u

Stock

Trough

and

irrigated

Pasture

from Spring

in

Sec. 32.



MIC-

View Looking North.

06.00.00

P/u Located in NWSW, Sec. 29.

78-07313



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 12, 1997

Arthur K. Butts
HC 2, Box 505
Pollock, ID 83547

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 78-07313

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the department's **WESTERN** Regional Office in Boise at (208) 334-2190.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - W. Region.

MICROFILMED
AUG 20 1997

Permit No. 78-07313 Reviewed by MS Date 8-12-97

long, str

ct Uses? yes

Proof Made Aug 11, 1997

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

JD 3

Receipt No: C039811

Date: 8/11/1997
Time: 14:52:34

Received
From: BUTTS, ARTHUR/SUSAN

Type of Payment	Program A cct	Amount
PROOF OF BENEFICIAL USE 78-07313	56104 229 21 1155	50.00

CHECK

1750

Total

\$

50.00

Region: STATE

Signature:



MICROFILMED
AUG 20 1997

June 30, 1997

SUSAN P BUTTS
ARTHUR K BUTTS
HC 2 BOX 505
POLLACK ID 83547

PROOF DUE NOTICE

RE: PERMIT NO. 78-07313

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1997. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

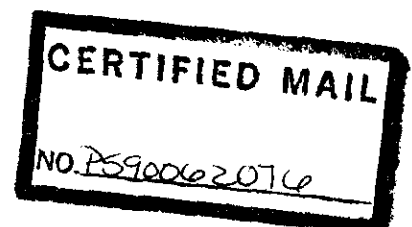
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

AUG 20 1997



July 26, 1994

Arthur K. or Susan Butts
HC 2 Box 505
Pollack, ID 83547

RE: Permit No. 78-07313

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to September 1, 1997. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

RECEIVED
AUG 16 1994

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 78-07313 Reviewed by Jef Date 7-22-94

BASIC INFORMATION

7-19-84 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Should extend to Sept. 1, 1997 for due diligence

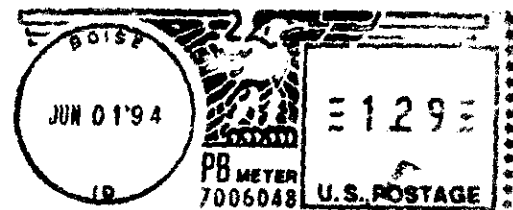
PRIORITY CALCULATION

Date extension received	
Proof due date	
Number of days late	
Priority date	
New Priority Date	

DATA ENTRY

New Address HC 2 Box 505, Pollack Id-83547
Change Proof Due Date 9-1-97
Change Priority Date X

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1 North Orchard Street
Boise, Idaho 83706-2237



REASON FOR RETURN
Unclaimed ☒
Addressee unknown ☐
Insufficient address ☐
No such street ☐
No such city, state, or ZIP ☐
No such person or organization ☐

RECEIVED
JUN 16 1994
Department of Water Resources

FORWARDING ORDER EXPIRED.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 31, 1994

ARTHUR K. BUTTS
SUSAN P. BUTTS
HC 68 BOX 2260
CAMBRIDGE ID 83610

PROOF DUE NOTICE

RE: PERMIT NO. 78-07313

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

May 31, 1994

ARTHUR K. BUTTS
SUSAN P. BUTTS
HC 68 BOX 2260
CAMBRIDGE ID 83610

PROOF DUE NOTICE

RE: PERMIT NO. 78-07313

Dear Permit Holder:

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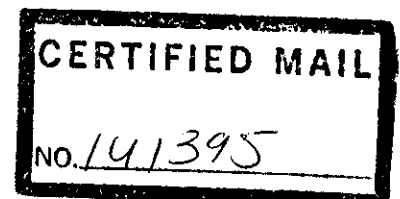
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

MAY 31 6 1994



S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 4, 1990

ARTHUR K. BUTTS
SUSAN P. BUTTS
HC 68 BOX 2260
CAMBRIDGE, ID 83610

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 78-07313

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Please be advised that your application for permit has been approved because we no longer wait for approval from the Federal Energy Regulatory Commission (FERC) or the Idaho Public Utilities Commission (PUC) when the flow is less than 25 cfs and the power to be generated is less than 500 HP. However, you may still need to obtain approval from FERC and/or PUC.

Please be advised that prior applications for permit have been filed to appropriate water from your source which may impact the availability of water to be used under this permit. Therefore, you should be sure to analyze the impact of these rights before making a major investment into your water use project.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

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SEP 21 1990

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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SEP 21 1990

Form No. 202a.
3/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SL DATE: 4/25/90 APPLICATION: 78.07313

REQUIRED INFORMATION

RW CONV. MEMO OF 3/28/90 HAS ADDITIONAL INFO CONCERNING SOURCES AND USES.

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
☒ Address:
☒ Source: (See USGS Quad for names of water sources)
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
☒ County:
☒ Quantity: (flow and/or volume)
☒ Period of use:
☒ Nature of proposed use: (Include description of use)
☒ Description of diverting works:
☒ Time required for beneficial use of water:
☒ Place of use or acres irrigated:
☒ Map:
☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee:
☒ Yes ☐ No* In form to receipt:

Gov't. Lots:

N P/D
N P/U

ADDITIONAL INFORMATION

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ ☐ Overlapping point of diversion:
☐ ☐ Field check required: Field check by: _____
☐ ☐ Field report attached:
☐ ☒ Critical groundwater area:
☐ ☒ Groundwater management area:
☐ ☒ Diversion within interim protected river area
☐ ☒ Send dam safety information:
☐ ☒ Send power requirement letter: NO FERC/PUC ROLE
☐ ☒ Send fish farm requirement letter:
☒ ☐ Power residency affidavit:
☐ ☒ Power efficiency form:
☐ ☒ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐ ☒ Diversion greater than 5 cfs or 500 af: (If yes, attach Large Diversion supplementary analysis sheet.)
☒ ☐ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT
☒ ☐ NEED POWER RES. AFFIDAVIT
DATE REQUESTED: 4/25/90
☒ ☐ Additional information on reverse side:

Department of Water Resources

PROCESSING

APPLICATION NO.

78-07313

YES NO

✓ ☒ ☐
☒ ☐
☒ ☐

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☒ ☐
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

✓ ☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

See below for additional information

Recommended Date or Priority

3/28/1990

Recommended by:

Dnr

Date 6/15/1990

STATE OFFICE REVIEW

P18, P14, P17

26 08A 09E 17K 17M 25

See below for additional information. By

KW

Date

6-29-90

ADDITIONAL INFORMATION

POWER →

Q = $\frac{P(11.8)}{H_e}$

where P = 8 kw, H = 700', eff = .50 (assumed via Admin. Memo 24).

= .27 cfs, rate in appl. is acceptable.

Overlap

P10 - 78-04107 & 78-07264 appear to be same springs as spring in NENENW S. 32. One or both of other 2 springs may be included in 78-04107 & 78-07264; see adjudication claims (if any) for more info if needed. Applicant has sales contract that limits use from various springs.

P14 - 78-04107 (see p10 above) for use on other property.

allow 4 yrs. for B/L development

POWER CALCULATIONS FOR APPLICATION NO. 78-7313

P = ⁸ Kilowatts .74 X hp

Q = cfs 0.20 cfs

H = feet 700'

e = efficiency

- ✓ 1.) Affidavit of Residency
- ✓ 2.) Ownership of Facilities
- N/A 3.) *Financial Ability
- NONE 4.) Feasibility of Project
 - a. Plans, drawings
 - b. Economic analysis
- N/A 5.) *Compliance w/FERC
 - *only for projects of more than 25 cfs or more than 500 horsepower.

$$e = \frac{P(11.8)}{QH} = \frac{8(11.8)}{.20 \times 700} = \frac{94.4}{140} = 0.67 - \text{ok}$$

Based on the above calculations the proposed project must have an 67 % efficiency.

OVERLAP REVIEW

P/D

none in Sec. 30

78-4107 springs
78-7264 springs

P/U

78-4107 domestic, stock, irrigation

BYPASSED AREA

use P14

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SEP 21 1990

KW
6/29/90



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 15, 1990

State of Idaho
Dept. of Fish & Game
P.O. Box 25
Boise, ID 83720

Re: Application for Permit No. 78-07313, in the name of Arthur K. and
Susan P. Butts

Gentlemen:

Enclosed is a copy(s) of the above-referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by June 4, 1990.

If you have any questions regarding the application, please contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:gg

Enclosure(s):

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SEP 21 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

MAY 9, 1990

Idaho County Free Press
P.O. Box 267
Grangeville, ID 83530

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 4, 1990.

Yours truly,

GAIL GARRETT
Secretary

Encl.

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SEP 21 1990

78-07313

BUTTS, ARTHUR K.
BUTTS, SUSAN P.
HC 68 BOX 2260
CAMBRIDGE, ID 83610

Source: SPRINGS

Tributary: SINKS

Diversion Pt:	SWNESE	Sec 30	T 23N R 01E
	NENENW	Sec 32	T 23N R 01E

Use: IRRIGATION	(.150 CFS)
STOCKWATER	(.030 CFS)
POWER	(.200 CFS)
DOMESTIC	(.040 CFS)
Total Diversion:	(.200 CFS)

Date Filed: 3/28/ 1990

In: T23N R01E S29	NESW	NWSW
S30	NESE	

5.0 ACRES TOTAL

MICROFILMED

SEP 21 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 26, 1990

Arthur and Susan Butts
HC 68, Box 2260
Cambridge, ID. 83610

Re: Application for Permit 78-07313

Dear Applicants:

Your recent application for three springs for various uses on your property near the Little Salmon River may be processed but not approved without completing the enclosed Affidavit for Water Rights To Be Used For Power Purposes. Please complete item 1 and include a notarized signature. Either or both of you can complete the form.

Return the completed form to me within 30 days to avoid delays in securing a water right permit. Additional information is available by contacting me at 334-2190.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Steve Lester'.

Steve Lester
Sr. Water Resource Agent

SL: sl
Enclosure

MICROFILMED

SEP 21 1990

CONVERSATION MEMORANDUM

DATE

3/28/90

FILE

78-07313

NAME OF PARTY

Arthur Butts

EMPLOYEE

R. Whitney

RE:

Springs

Application For Permit # 78-07313 proposes diversion of water from 3 Springs Identified as #1, #2, #3.

- Spring #1 will be used as a source for all uses listed on application.
- Spring #2 use is limited to Stockwater, Domestic & Power by attached Sales Contract
- Spring #3 use is limited to Stockwater only by attached Sales Contract.

Note: For Stockwater use @ or from Springs #2 and #3 there is a limit of 50 hd

For Power Generation; use will be @ 1/4 Home, Source is Springs #1 & #2. System will consist of pipe from Spring w/ Approx 800 ft of head pressure minus ≈ 100 ft hd for loss to an 8 KW Generator which will use Approx .20 cfs.

DISCONTINUED

SEP 21 1990

1 reissuance in the name of the Vendors, and the Vendors may enforce
2 this covenant by an action for specific performance or mandatory
3 or prohibitive injunction. Upon the failure of the Purchasers to
4 immediately take all actions necessary to cause the permit to be
5 reassigned or reissued to the Vendors, in the event of such
6 forfeiture, these presents shall constitute the Vendors the lawful
7 attorney-in-fact of the Purchasers to accomplish such reassignment
8 or reissue, or, alternatively, if allowed by the laws, rules and
9 regulations governing the legal body reissuing such permit, such
10 forfeiture shall, in and of itself, constitute a reassignment
11 and/or request for reissuance of said permits to the Vendors,
12 without the necessity of any action being taken by the Purchasers
13 for such reassignment or reissuance. It is the intent of this
14 agreement that upon the forfeiture of the Purchasers' rights under
15 this agreement, all such permits shall again be and become the
16 property of the Vendors, free and clear of any claim of whatsoever
17 nature on the part of the Purchasers.

18
19 3. With reference to the payments required under the
20 Promissory Note referred to herein, the parties agree that the
21 Purchasers shall have the option for a one (1) year period of
22 time, if a financial emergency exists, to pay interest only on
23 said note. The payment of interest only on said note shall not
24 constitute a default thereunder. Further the parties agree that
25 with reference to said note any prepayments on said note shall, if
26 agreed to by both parties in writing, constitute a prepayment and
27 shall eliminate the necessity of paying future payments to the
28 extent that said prepayment covers the future payments.

29 4. Vendors presently have a right to certain water on an
30 existing spring located on adjacent property to the property being
31 sold hereunder. Said spring is serviced by a water line which
32 transports water from said spring to the property of the Vendors.
Said water line crosses the property being sold hereunder. The

RECEIVED
JUL 1 1990

1 Purchasers shall have the right to use the existing spring water
2 from said pipeline for reasonable household purposes and gardening
3 *+ stockwater for no more than 50 head* ⁵⁰⁰
4 purposes in conjunction with the Vendors, their heirs or assigns.

5 The parties shall share the costs of maintenance of said pipe line
6 as it crosses the property of the Purchasers.

7 5. In the event of litigation between the parties hereto
8 concerning the subject matter hereof, the prevailing party in any
9 suit or action shall have the right to demand and collect as part
10 of any judgment to be rendered a reasonable sum as attorney's fees
11 in addition to costs allowed by law.

12 6. This agreement binds the parties hereto, their respective
13 heirs, personal representatives and assigns.

14 ADDITIONAL PROVISIONS:

15 The parties agree to cooperate in amending the existing water
16 right filing to provide for domestic use by the Purchasers by
17 decreasing in a reasonable manner the amount of livestock use.

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24 IN WITNESS WHEREOF, the parties have signed their names the
25 day and year appearing in their respective acknowledgements of the
26 execution hereof.

27
28 *Jack D. Hubbard*
29 JACK D. HUBBARD

Arlene Hubbard
ARLENE HUBBARD

30
31 *Arthur K. Butts*
32 ARTHUR K. BUTTS

Susan P. Butts
SUSAN P. BUTTS