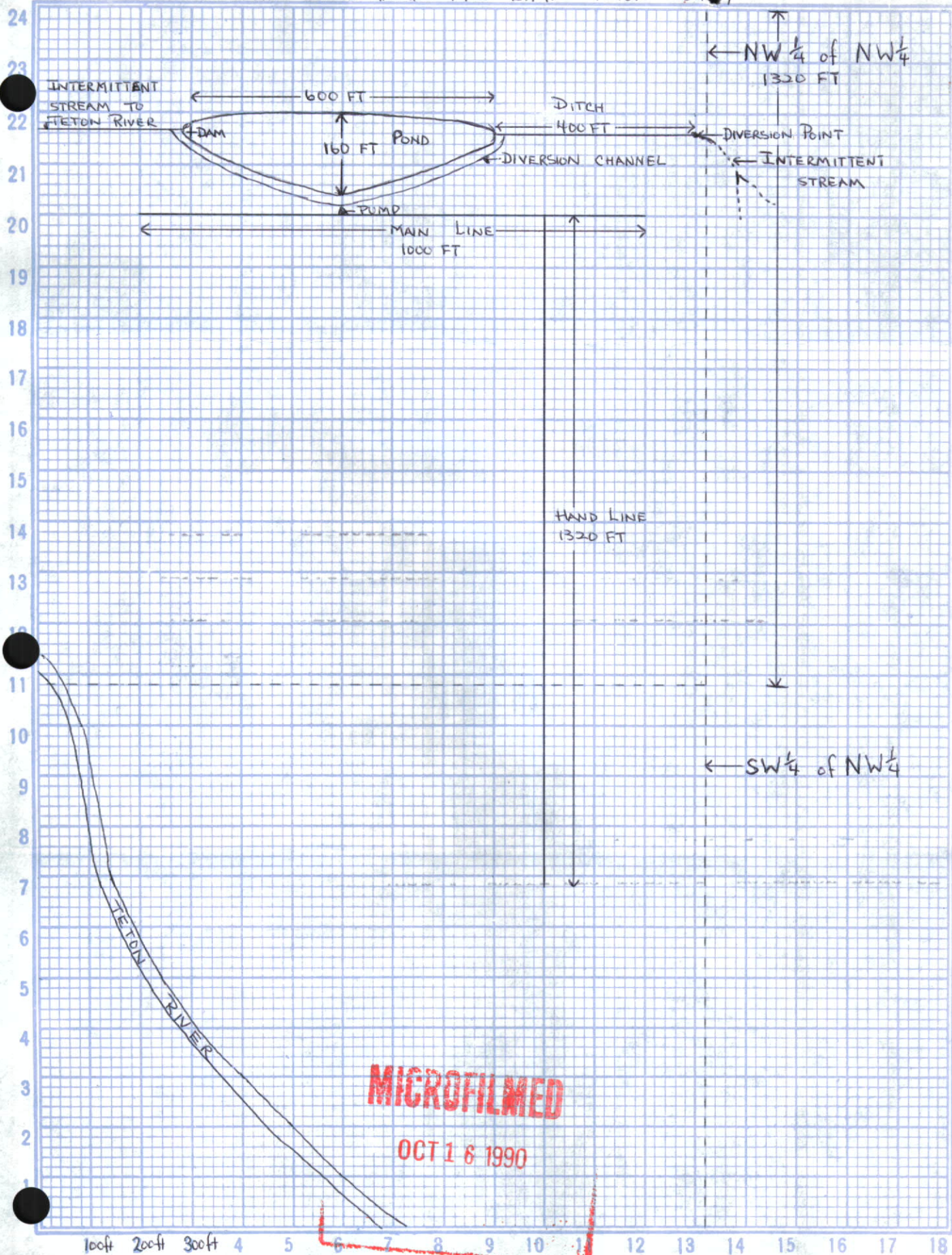


SECTION 23 TOWNSHIP 6N RANGE 44E B.M. TETON COUNTY



100ft 200ft 300ft 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18

KEY 100ft

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Madeline Soose
being first duly sworn, depose and say that I am
the secretary of the Teton Valley News,
a newspaper as defined by Idaho Codes An-
notated, Section 58-106, as amended, and that
said newspaper is a weekly newspaper printed and
published at Driggs, in Teton County, Idaho,
having a general circulation in said county, and
that said newspaper has been printed in said
county for more than 78 consecutive weeks prior
to the first publication of the attached notice, ad-
vertisement, or publication of

Notice of Application
for Water Right 22-07517

And affiant further says that said attached notice,
advertisement, or publication, as per clipping at-
tached, 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 2nd day of August
1990.

And affiant further says that at the times herein
mentioned said newspaper was made up of at
least eight pages of at least five columns each,
printed from typed matter, of at least sixteen in-
ches deep.

Madeline Soose

State of Idaho)

County of Teton)

On this 7th day of Aug.
in the year of 1990 before me, a Notary Public,
personally appeared Madeline Soose
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.

Melda A. Resko

Notary Public for Idaho

Residing at Driggs, Idaho

My commission expires 12-2-91

RECEIVED

AUG 13 1990

Department of Resources
Eastern District Office

RECEIVED

AUG 4 1990

Department of Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

22-07517

BUTTS, JOHN A.
PETERSON, MARIE E.
P.O. BOX 66
TETON, ID 83451

Source: UNNAMED STREAM

Tributary: TETON RIVER

Diversion Pt: NWNW Sec 23 T
06N R 44E

Use: RECREATION (9.00 AF)
Total Diversion: (9.00 AF)

Date Filed: 6-28-1985

In: T06N R44E S23 NWNW

The permit(s) will be subject to
all prior water rights. Protests may
be submitted based on the criteria
of Sec. 42-203A, Idaho Code
and/or the new public interest
criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with
the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho 83402 on or
before August 20, 1990.

R. Keith Higginson, Director

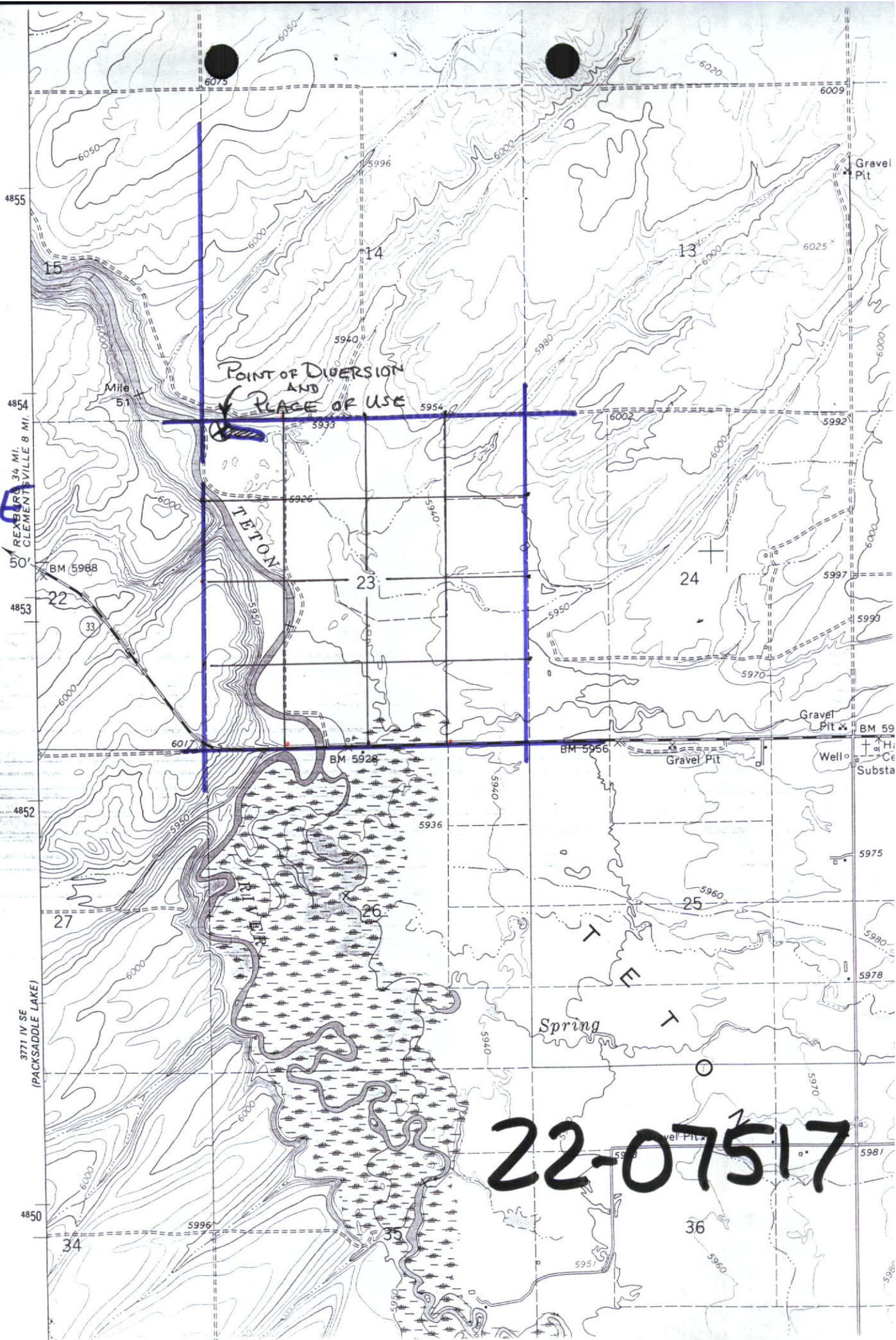
Published in the Teton Valley
News August 2 and 9, 1990.

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OCT 16 1990

R446

T
6
2



22-07517



POINT OF DIVERSION
AND
PLACE OF USE

R44E

T62

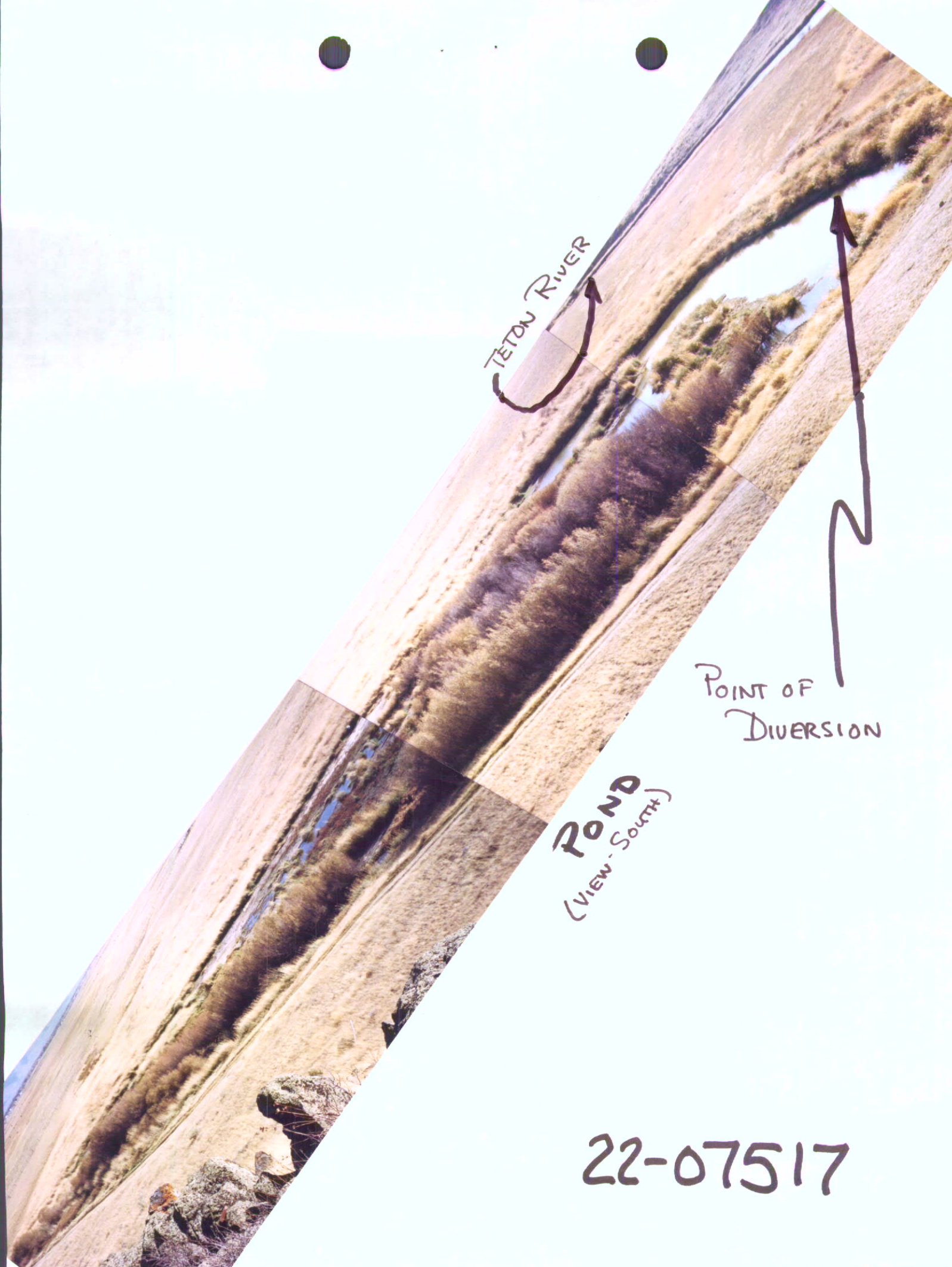
23

22-07517



AERIAL RETURNED FROM PERMIT HOLDER
(See Letter dated 08-24-1999)

ATTACHMENT "A" Page 2 of 2
22-07517



TETON RIVER

POINT OF
DIVERSION

POND
(VIEW - SOUTH)

22-07517



POINT OF DIVERSION

22-07517

TETON RIVER

POINT OF
DIVERSION



22-07517

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SEP 15 1993

Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 9-15-93
Receipt No. C038574
Receipt by ju

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 22-07517 Telephone No. 624-7045
2. Name(s) of Permit Holder(s): JOHN A BUTT MARIE E PETERSON
3. Mailing Address: P.O. Box 66 TETON ID. 83451
4. Source of Water: UNNAMED STREAM TRIBUTARY OF THE TETON RIVER

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation _____ (No. of acres) Other RECREATION
IMPROVE WILDLIFE & FISH HABITAT

6. Total rate and/or volume for which proof is submitted _____ cfs OR 9 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes NO Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes NO Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

JOHN A BUTT 624-7045 624-3772
Name Telephone No.

P.O. Box 66 TETON ID 83451
Address

10. The above information 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.

OCT 18 1993

10 Sept 93
Date

John A Butt & Marie E Peterson
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 22-07517

Proposed Priority: July 22, 1985

Maximum Storage Volume:

9.0 AF

This is to certify, that JOHN A. BUTTS
MARIE E. PETERSON
P.O. BOX 66
TETON, ID 83451

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of TETON RIVER

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>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31		9.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW Sec. 23, Township 06N, Range 44E
TETON County

PLACE OF USE: RECREATION

TWN RGE SEC

06N 44E 23

NWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1993.
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.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Use of water under this permit shall be non-consumptive.

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OCT 16 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07517

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

21st day of September, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

OCT 16 1990

Ident. No. 22-07517

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JOHN A. BUTTS 208-624-7045
Address: P.O. BOX 66
TETON, ID 83451
OR
Name: MARIE E. PETERSON 208-624-7045
Address: P.O. BOX 66
TETON, ID 83451
2. Source: UNNAMED STREAM Trib. to: TETON RIVER
3. Location of Point of Diversion: NWNW Sec. 23, Township 06N, Range 44E
TETON County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------|-------|-------|-----|------|------|
| RECREATION | 01/01 | 12/31 | | | 9.00 |
5. Total quantity to be appropriated is:
CFS (and/or) 9.00 AF
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc.
RECREATION POND ONSTREAM
b. Height of storage dam 6 feet; active reservoir capacity 9.00
acre-feet; total reservoir capacity 10.50 acre-feet; period of
year when water will be diverted to storage: 3/01 to 4/15 inclusive.
c. Proposed well diameter is inches; proposed depth of well is
feet.
d. 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 3 years.
8. Description of proposed uses:
RECREATION
9. Place of Use: RECREATION
- TWN RGE SEC
06N 44E 23 NWNW

RECEIVED

OCT 18 1993

10. Describe any other water rights used for the same purposes.
NONE

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

APPLIC.

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

APPLIC.

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:

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.

John A. Butts
Applicant

Received by HWS Date 7-11-90 Time 1:54 Preliminary check by _____

Fee \$ 65.00 Receipted by CW # 35447 Date 7-22-85

Publication prepared by LB Dates 8-29-90 Published in Teton Valley News

Publication approved CW Date 8-20-90

RECEIVED
OCT 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant: John A. Butts or Marie E. Peterson Phone 624-3545
458-4234

Post office address P.O. Box 66, Teton, Idaho 83451

2. Source of water supply unnamed stream which is a tributary of Teton River

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 6N

Range 44E B.M. Teton County, additional points of diversion if any: _____

(All changes made per telecon with John Butts 7/16/85 GFR)

4. Water will be used for the following purposes:

Amount ~~1 c.f.s.~~ for irrigation purposes from April 1 to June 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount ~~1.00 cfs~~ for Irrig. Storage purposes from March 1 to April 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount ~~0.34~~ for Irrig. fr Sto purposes from June 15 to July 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount ~~1.00~~ for Recreation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1 cubic feet per second and/or b. -100- acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 400 foot diversion ditch, 1.5 sur-
face acre pond, 1000 feet of 5 inch mainline, 1 mile of 4 inch hand
line and 10-15 hp pump.

b. Height of storage dam 6 feet, active reservoir capacity 9 acre-feet; total reservoir
capacity 10.5 acre-feet, materials used in storage dam: clay, sand, gravel and silt

Period of year when water will be diverted to storage March 1 April 15
April 1- to June 15 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 2-5³ years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: ~~SW &~~
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 6N

Range 44E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: Improve wildlife and fish habitat,
and provide limited recreational use, control flooding and decrease
erosion.

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	44E	23						R 30-15											45

Total number of acres to be irrigated 45

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion Hazel Fullmer
 b. Who owns the land to be irrigated or place of use Hazel Fullmer
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing John A. Butts and Marie E. Peterson have an Escrow Agreement with Hazel Fullmer to purchase this land. The Escrow Agreement Number is 869 and is held by Valley Bank, Driggs, Idaho.
10. Remarks The diversion and storage of water from the unnamed, intermittent and unclassified stream flowing through the NW¼ of the NW¼ of Section 23, Township 6N, Range 44E BM in Teton County will provide irrigation for approximately 45 acres in the W½ of NW¼ of Section 23. This diversion will also control flooding, reduce soil erosion and improve wildlife and fish habitat in the area.

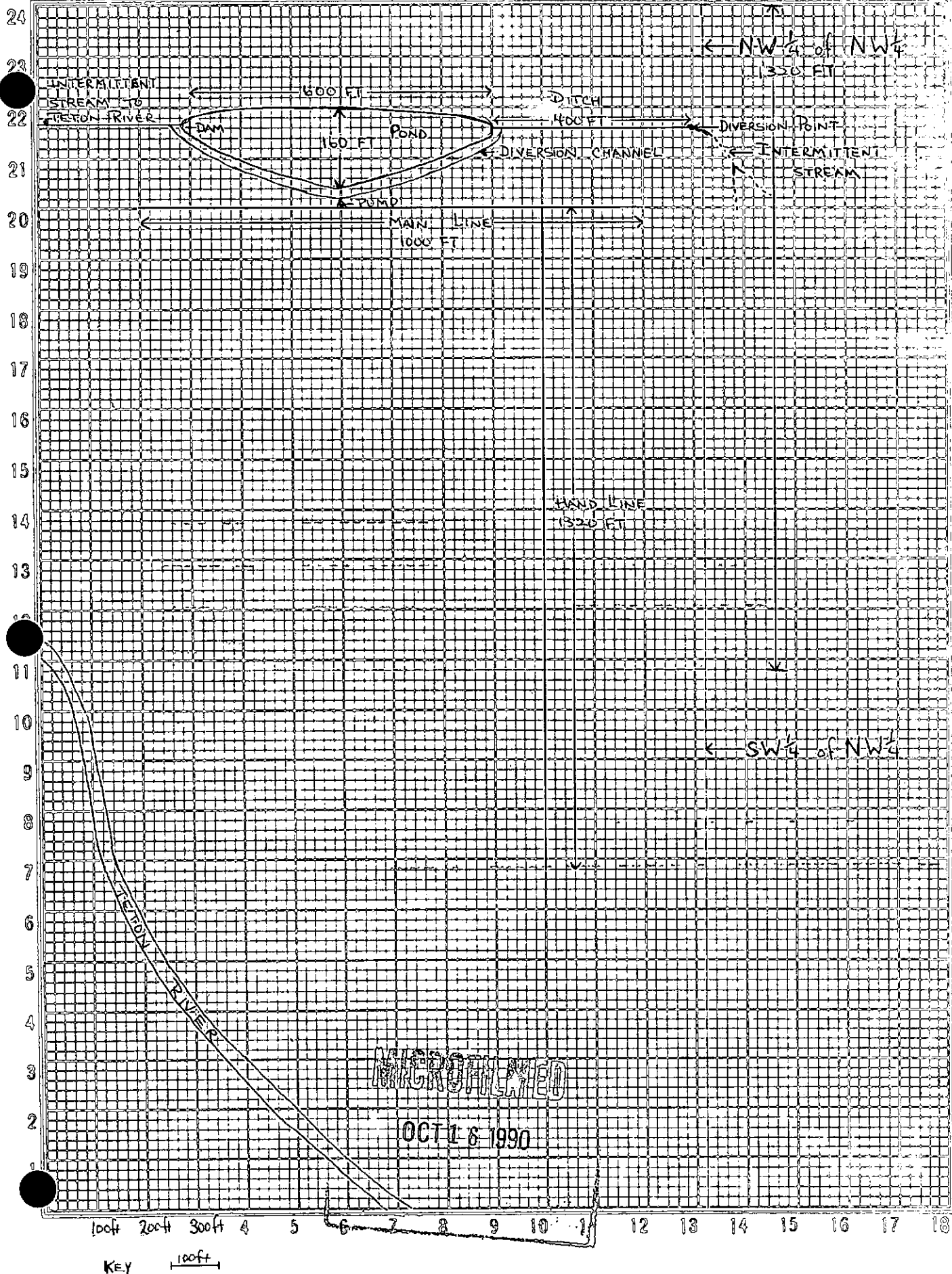
The diversion will be carried out by diverting the stream flow into a ditch for approximately 400 ft. This diversion will be near the east boundary of the NW¼ of the NW¼ of Section 23. The water will flow into a pond of approximately 1.5 surface acres, six feet deep. The dam and embankment of the pond will be constructed from the soil removed from the pond area. Excess soil will be used as fill in low spots and in the construction of a waterway. The dam will have a spillway and release gate allow for flow through and drainage of the pond. The dam will be approximately six feet high. The dam and embankment will be planted to grass.

OCT 11 1990

The irrigation equipment will include a 10 to 15 Hp pump, approximately 1000 ft. of 5 inch main line and approximately ¼ mile of 4 inch wheel or hand line.

NOTE: ATTACHMENT FOR # 11

SECTION 23 TOWNSHIP 6N RANGE 44E 3M. TETON COUNTY



Section 23 *NOTE: Please see attached drawing for details

Twp 6N, Rge 44E

A grid of graph paper with a legend in the top left corner. The legend contains three entries:

- - - Diversion point
- Main line (1000 ft)
- Hand line (1320 ft)

The grid consists of 10 columns and 10 rows of squares. The legend is located in the top left corner, with the text "Diversion point", "Main line (1000 ft)", and "Hand line (1320 ft)" aligned to the right of the dashed line symbol.

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.

OCT 16 1990

John A. Butts Maine Trust
(Applicant)

Received by (u) Date 6-28-85 Time 12:50
Preliminary check by _____ Fee \$ 65.00 # 35447
Receipted by ct Date 7-22-85
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. Other:

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OCT 16 1990

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Madeline Soose,
being first duly sworn, depose and say that I am
the secretary of the Teton Valley News,
a newspaper as defined by Idaho Codes An-
notated, Section 58-106, as amended, and that
said newspaper is a weekly newspaper printed and
published at Driggs, in Teton County, Idaho,
having a general circulation in said county, and
that said newspaper has been printed in said
county for more than 78 consecutive weeks prior
to the first publication of the attached notice, ad-
vertisement, or publication of

Notice of Application
for Water Right 22-07517

And affiant further says that said attached notice,
advertisement, or publication, as per clipping at-
tached, 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 2nd day of August
1990.

And affiant further says that at the times herein
mentioned said newspaper was made up of at
least eight pages of at least five columns each,
printed from typed matter, of at least sixteen in-
ches deep.

Madeline Soose

State of Idaho)

County of Teton)

On this 7th day of Aug.
in the year of 1990 before me, a Notary Public,
personally appeared Madeline Soose
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.

Melba A. Rusk

Notary Public for Idaho

Residing at Driggs, Idaho

My commission expires 12-2-91

RECEIVED

AUG 13 1990

Department of Resources
Eastern District Office

RECEIVED

AUG 4 1990

Department of Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

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

22-07517

BUTTS, JOHN A.
PETERSON, MARIE E.
P.O. BOX 66
TETON, ID 83451

Source: UNNAMED STREAM

Tributary: TETON RIVER

Diversion Pt: NWNW Sec 23 T
06N R 44E

Use: RECREATION (9.00 AF)
Total Diversion: (9.00 AF)

Date Filed: 6-28-1985

In: T06N R44E S23 NWNW

The permit(s) will be subject to
all prior water rights. Protests may
be submitted based on the criteria
of Sec. 42-203A, Idaho Code
and/or the new public interest
criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with
the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho 83402 on or
before August 20, 1990.

R. Keith Higginson, Director

Published in the Teton Valley
News August 2 and 9, 1990.

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OCT 16 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 18 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-07517

1. Owner: John A. or Marie E. Butts Phone No. 624-7045

Current Address: P.O. Box 66, Teton, ID 83451

2. Accompanied by: * EXAM DATE: 10-4-1999

Address: — Phone No. —

Relationship to Permit Holder: —

3. Source: UNNAMED STREAM tributary to TETON RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: —

2. Other water rights with the same point of diversion: —

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	NW	23	6N	44E	TETON	ON SITE, FSA Aerials USGS QUAD

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	44E	23					R												

* Exam based on an on-site inspection; Phone calls with Permit Holder.

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

SEE ATTACHED PHOTOS											
---------------------	--	--	--	--	--	--	--	--	--	--	--

Scale: 1" = _____

____ 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

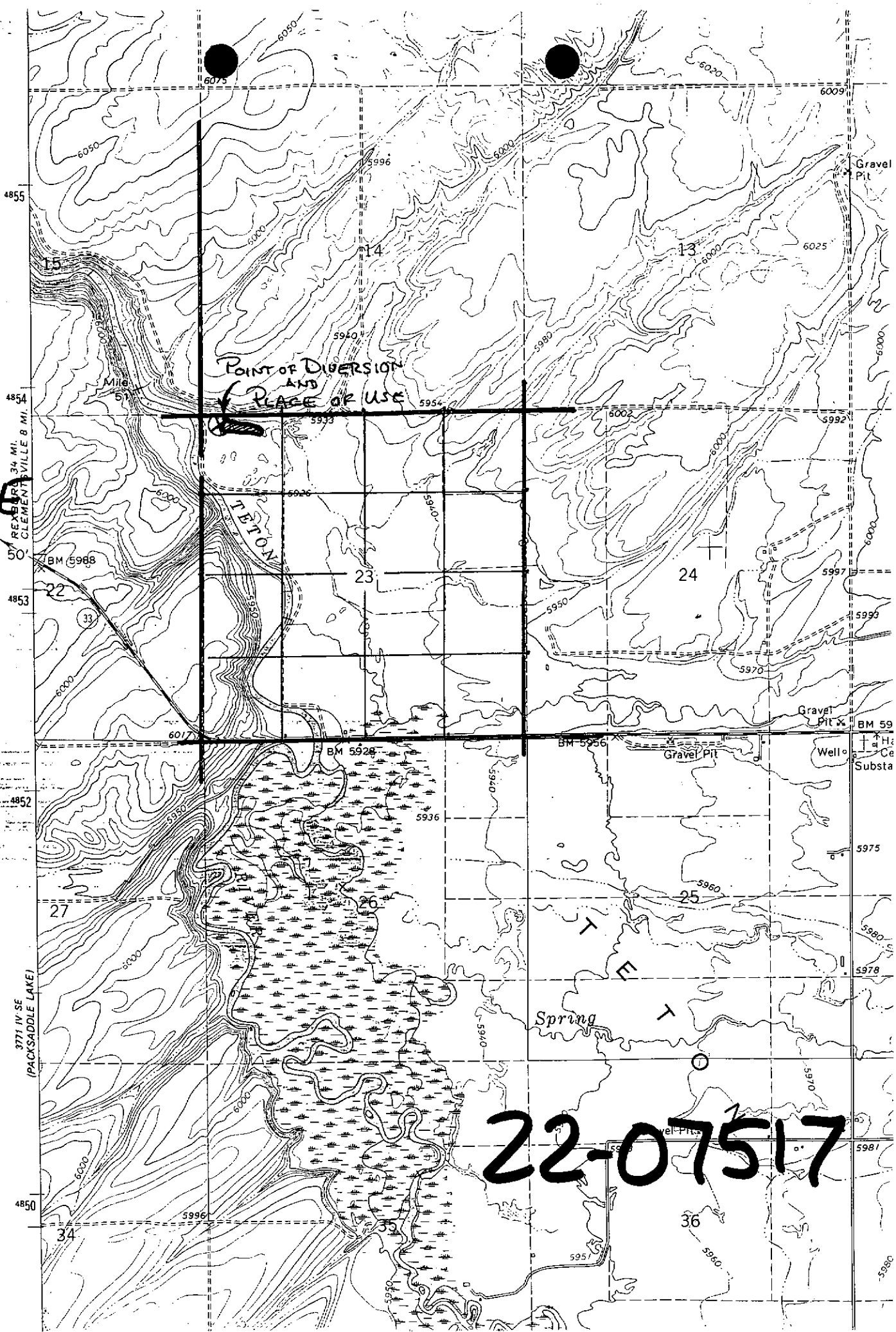
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: POND TRIANGULAR SHAPED (base = 207', height = 1056' Max depth = 9')

R44E
T6N



22-07517



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

August 24, 1999

RECEIVED

KARL J. DREHER
DIRECTOR

John A. Butts
Marie E. Peterson
P.O. Box 66
Teton, ID 83451

SEP 09 1999

Department of Water Resources
Eastern Region

RE: Permit 22-07517 - Recreational Pond

Dear Mr. Butts:

As we discussed over the phone I have enclosed a copy of an aerial photo. The aerial photo is in the area in which you proposed to establish the recreational pond. Please review the photo, outline the pond and return the aerial photo to this office.

Your assistance will be appreciated.

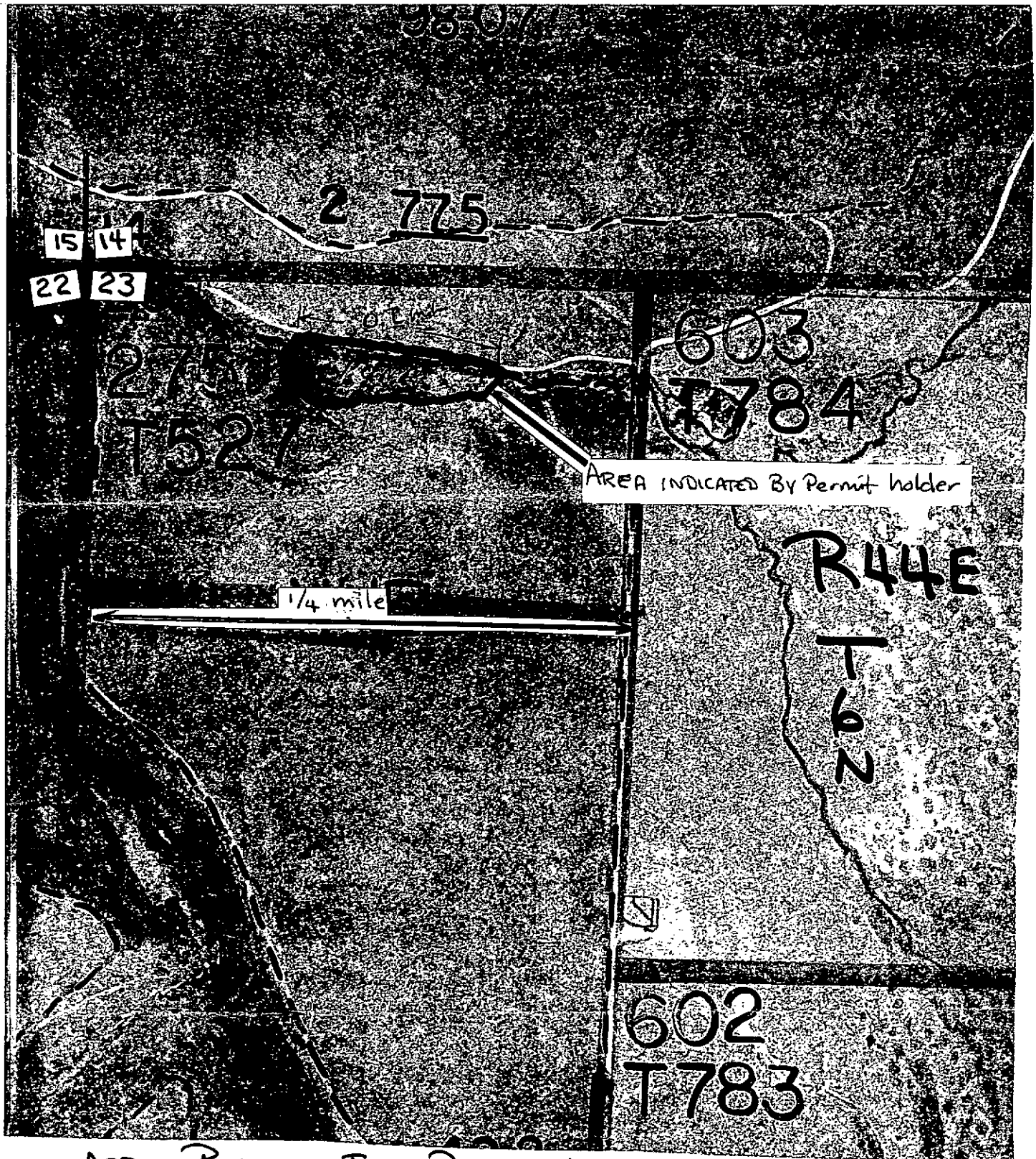
Thank you,

Keith C. Wilson
Senior Resource Agent

*I hope this will help you. If you
need anything else let me know
John*

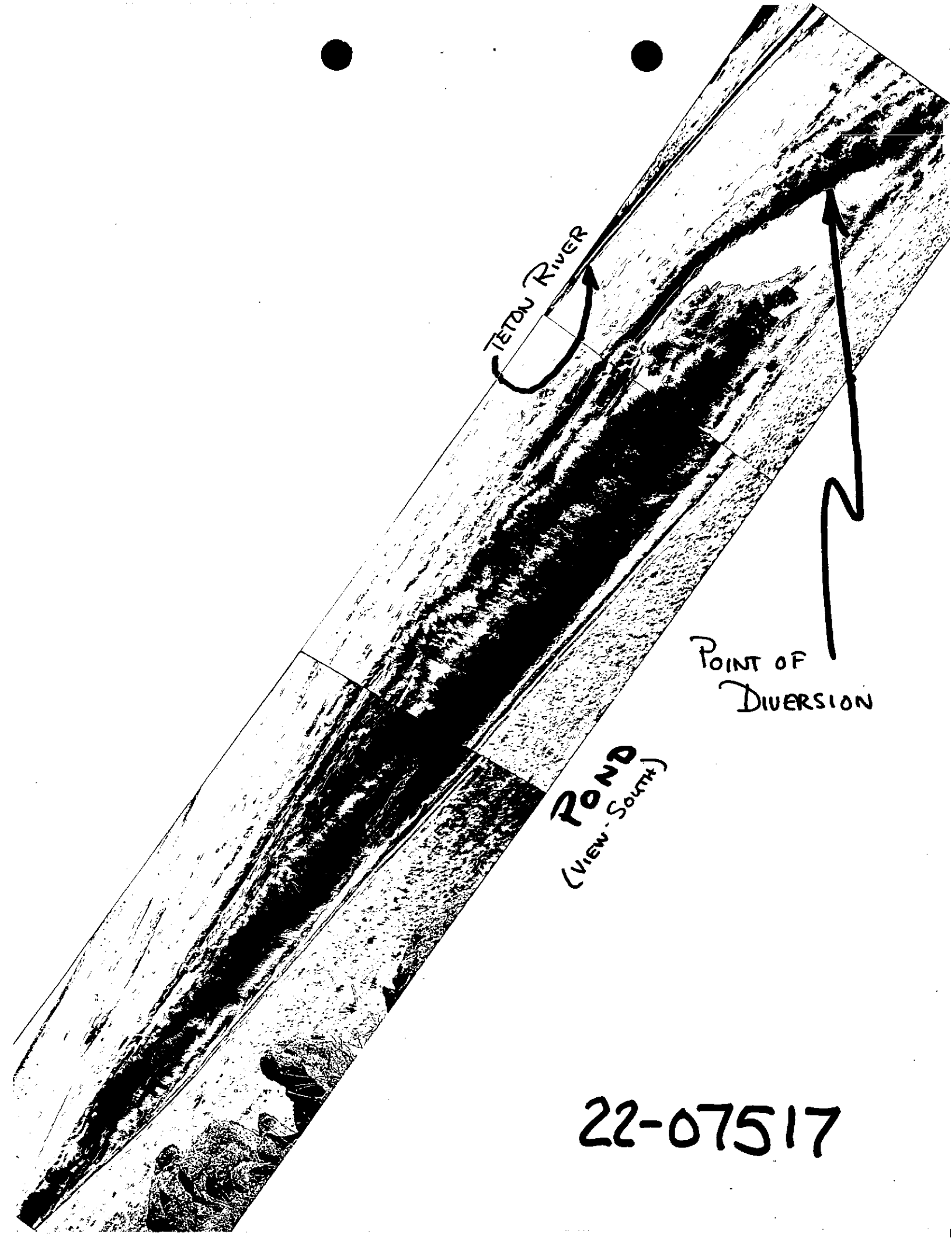
ATTACHMENT A Page 1 of 2

22-07517



AERIAL RETURNED FROM PERMIT HOLDER
(See Letter dated 08-24-1999)

ATTACHMENT "A" Page 2 of 2
22-07517

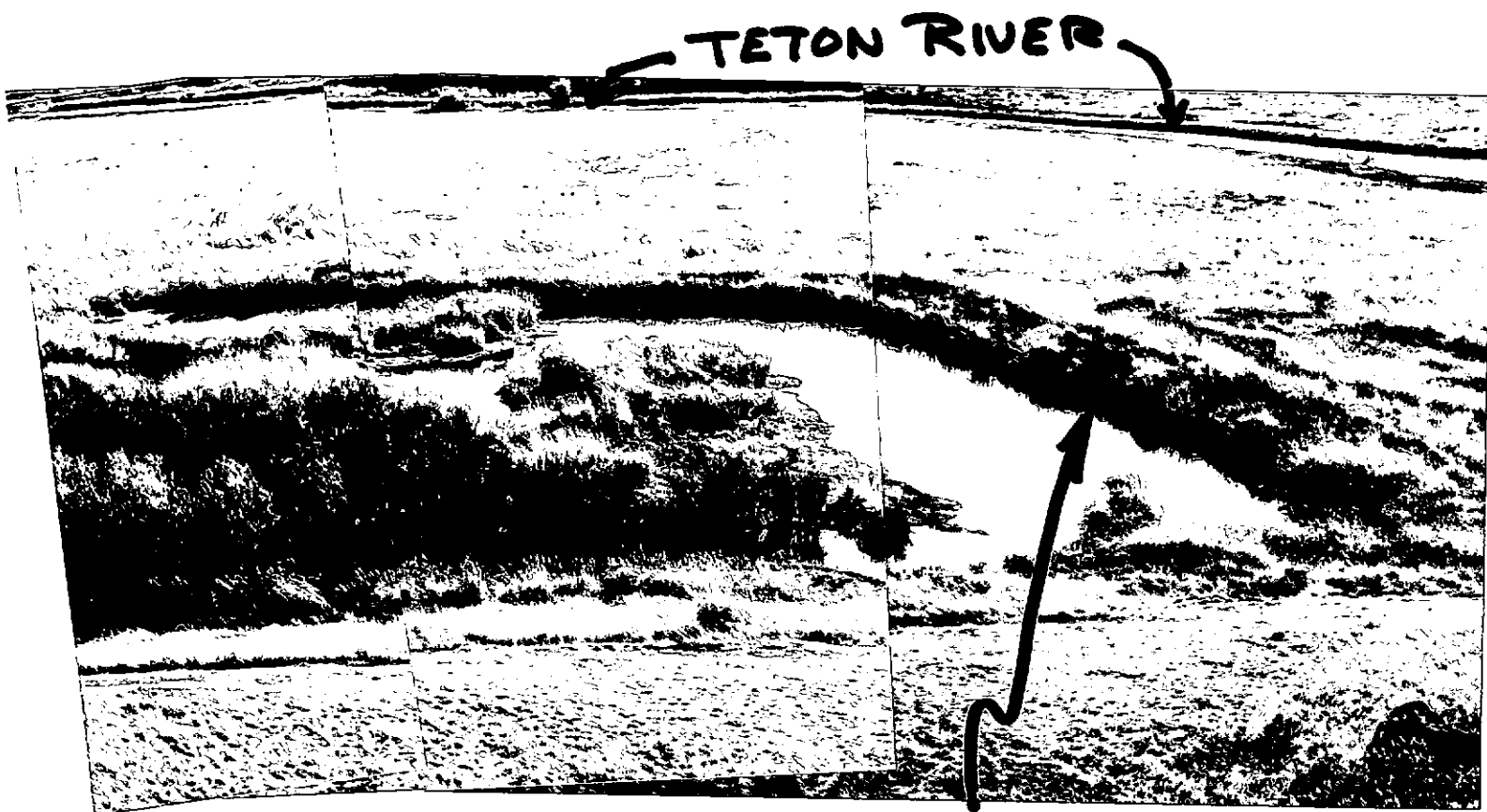


TETON RIVER

POINT OF
DIVERSION

POND
(VIEW - South)

22-07517



POINT OF DIVERSION

22-07517

TETON RIVER

POINT OF
DIVERSION



22-07517

E. NARRATIVE/REMARKS/COMMENTS

On stream diversion DAM & POND

POND Not full at time of exam

NOTE: Letter sent 8-24-1999 to Permit holder

Sept 9, 1999 permit holder returned letter (see note on letter)
along with copy of FSA aerial indicating location of
Pond.

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses: base $\approx$ 207' height = 1056' Max depth = 10' (assumed)

$$\text{Area} = \frac{1}{2}bh = \frac{1}{2}(207)(1056) = \frac{109,296 \text{ ft}^2}{43560 \text{ ft}^2/\text{ac}} = 2.5 \text{ ac}$$

$$V_o = \text{Area (ac)} \times \text{Max depth} \times 0.4 = 2.5 \text{ ac}(10') (0.4) \approx 10 \text{ af}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
RECREATION	1/1	12/31	—	9.0
Totals:			—	9.0

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 KEITH C WILSON Date 10-4-1999

Reviewer _____ Date _____

SEAL

September 17, 1993

JOHN A. BUTTS
MARIE E. PETERSON
P.O. BOX 66
TETON ID 83451

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07517

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.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED

OCT 18 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 22-07517 Reviewed by Klg Date 9/16/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? Recreation
yes Address same as permit?
yes Proof timely received? Correct Uses? ✓
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
Ground water source
NA Drilling permit required?
/ Copy in the file? Drilling Permit No. _____
/ Amount paid for permit _____ Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50 Amount Submitted
yes Correct?
NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address _____

Proof Made 9/15/93 9/17/93 Klg

July 31, 1993

JOHN A. BUTTS
MARIE E. PETERSON
P.O. BOX 66
TETON ID 83451

PROOF DUE NOTICE

RE: PERMIT NO. 22-07517

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 October 1, 1993. (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.

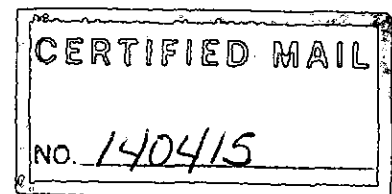
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED

OCT 18 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 22-07517

Name(s) of Permit Holder(s): JOHN A. Butts Marie E. Petersen

Post Office Address: P.O. BOX 66 TETON ID 83451

Tel. No. 208 624 7045

☒ I hereby certify that construction of diversion works for the above referenced permit began on 5 JUN 1993 (date) and I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

Note: A financing difficulty is
not an acceptable reason.

16 June 93
Date

John A. Butts
Signature of Permit Holder

Marie E. Petersen

Butts / Peters

P.O. Box 66

Tetm, ID 83451

RECEIVED

OCT 18 1993

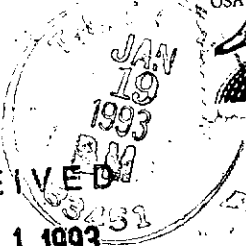


Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

11/18/93

29
USA



S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 24, 1990

JOHN A. BUTTS
MARIE E. PETERSON
P.O. BOX 66
TETON, ID 83451

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07517

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ: SC
Enclosures

MICROFILMED

OCT 16 1990

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. F. RAMSEY

APPLICATION NUMBER: 22-7517

CHECK: JUL 1 1985

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.

Field check by: _____
Date: _____
Comments: _____

☒ Signature. 45⁰⁰ NOT 65⁰⁰
☒ Fee.

☒ Yes ☐ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

NO TIME TO FUL STORAGE OR USE FROM STORAGE

Requested refund of \$20⁰⁰ 7-22-85 CW

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: 8-20-90

☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application. approve

☐ Yes ☒ No Measuring device required.

☐ Yes ☒ No Access port required.

☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? WDOI

7-22-1985 Date of priority recommended.

Special conditions of approval or cover letter. LOS7 WDOI Snake River

App. in NON-TRUST area
OK to allow 3 yrs. to develop

By: 201
STATE OFFICE REVIEW.

Date: 9-4-90

RECEIVED
SEP 07 1990
Department of Water Resources

☐ See attached sheet for more information.

By: KW

Date: 9-18-90

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

WATERMASTER COMMENTS

I have reviewed Application for Permit No. 22-07517 and have the following comments/objections to the approval of this application for permit:

The impacts on downstream rights will not be significantly impacted if the applicants do not attempt to use this Pond for irrigation

8/2/90
Date

RONALD D. CARLSON, WATERMASTER
Water District No. 01

MICROFILMED

OCT 16 1990

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
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 24, 1990

TETON VALLEY NEWS
P.O. BOX 509
DRIGGS, ID 83422

Gentlemen:

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 AUGUST 20, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

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OCT 16 1990

22-07517

BUTTS, JOHN A.
PETERSON, MARIE E.
P.O. BOX 66
TETON, ID 83451

Source: UNNAMED STREAM

Tributary: TETON RIVER

Diversion Pt: NWNW Sec 23 T 06N R 44E

Use: RECREATION

(9.00 AF)

Total Diversion:

(9.00 AF)

Date Filed: 6/28/ 1985

In: T06N R44E S23

NWNW

RECORDED

OCT 18 1985

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 20, 1990.

R. Keith Higginson, Director

Published 8/ 2/1990 & 8/ 9/1990

MAILED
1990 AUG 16

OCT 16 1990

June 25, 1990

John Butts
P.O. Box 66
Teton, ID 83451

Dear Mr. Butts:

I am renewing your application in our hold file and I need some comments. First the structure of the application needs to be amended before it can be advertized or approved. If you are still willing to pursue this application please contact me. If you decide you are not interested in this application then I will need you to withdraw it via a letter.

In any event please contact me within 30 days as to your decision about this application.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ:lk

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OCT 16 1990

FROM

Colleen *CC*

DATE July 22, 1985

TO

Ranae.

SUBJECT

Refund of Filing Fees

Would you please refund to Marie Peterson \$20.00 for overpayment on the attached application. It should have only been \$45.00 instead of the \$65.00. Thanks in advance.

SIGNATURE

MICROFILMED

OCT 16 1990

22-7517

BUTTS, JOHN A.
PETERSON, MARIE E.

P.O. BOX 66, TETON, ID 83451

Source: UNNAMED STREAM trib. to TETON RIVER

Date Filed: 06/28/1985

Diversion Pt: NWNW Sec 23 T 06N R 44E

Use: IRRIGATION	(1.00 CFS)
IRRIGATION STORAGE	(1.00 CFS)
IRRIGATION FROM STORAGE	(0.34 CFS)
RECREATION	(1.00 CFS)

In: NWNW SWNW Sec 23 T 06N R 44E FOR 45 ACRES

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OCT 16 1990

April 24, 1985

John A. Butts and Marie E. Peterson
P.O. Box 66
Teton. ID 83451

Dear Mr. Butts and Ms. Peterson:

Your letter of April 1, 1985 asked several questions concerning the use of water on your property in Secs. 22 and 23, T. 6N. R. 44E, B.M. First, there is no requirement for filing on a well that will be used for one household domestic use and stockwater when the total consumption will be less than 13,000 gallons per day.

Next, you can file on the unnamed stream that has been used to irrigate a portion of your property in Sec. 23. Where the irrigation started before May 20, 1971 a Claim to a Water Right could be filed. For irrigation initiated after that date it would be necessary to file an Application for Permit. A permit application filed now would likely be held in this office until after July 1, 1985 when new guidelines for recommending final action on applications will become effective. The application can be used to file on either surface water or groundwater.

The filing fee on the claim would be \$200.00. The fee on an application is based on the quantity of water you are filing for as shown on the application instructions.

To answer your question regarding the 1984 billing I have forwarded your letter to Water District 1. They are currently reviewing the billing for Teton County so it may be a couple of days before you receive their response.

MICROFILMED

OCT 16 1990

John A. Butts and Marie E. Peterson
April 24, 1985
Page 2

If we can be of any further assistance feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EMC/cz

Enclosures

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OCT 16 1990

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

WATER RIGHT
DATA ENTRY LOG

Initials

Date _____

Item

at

7-31-85

Original form entered

✓

8-31-85

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Updated

Transfer Updated

Keypunched by State Office