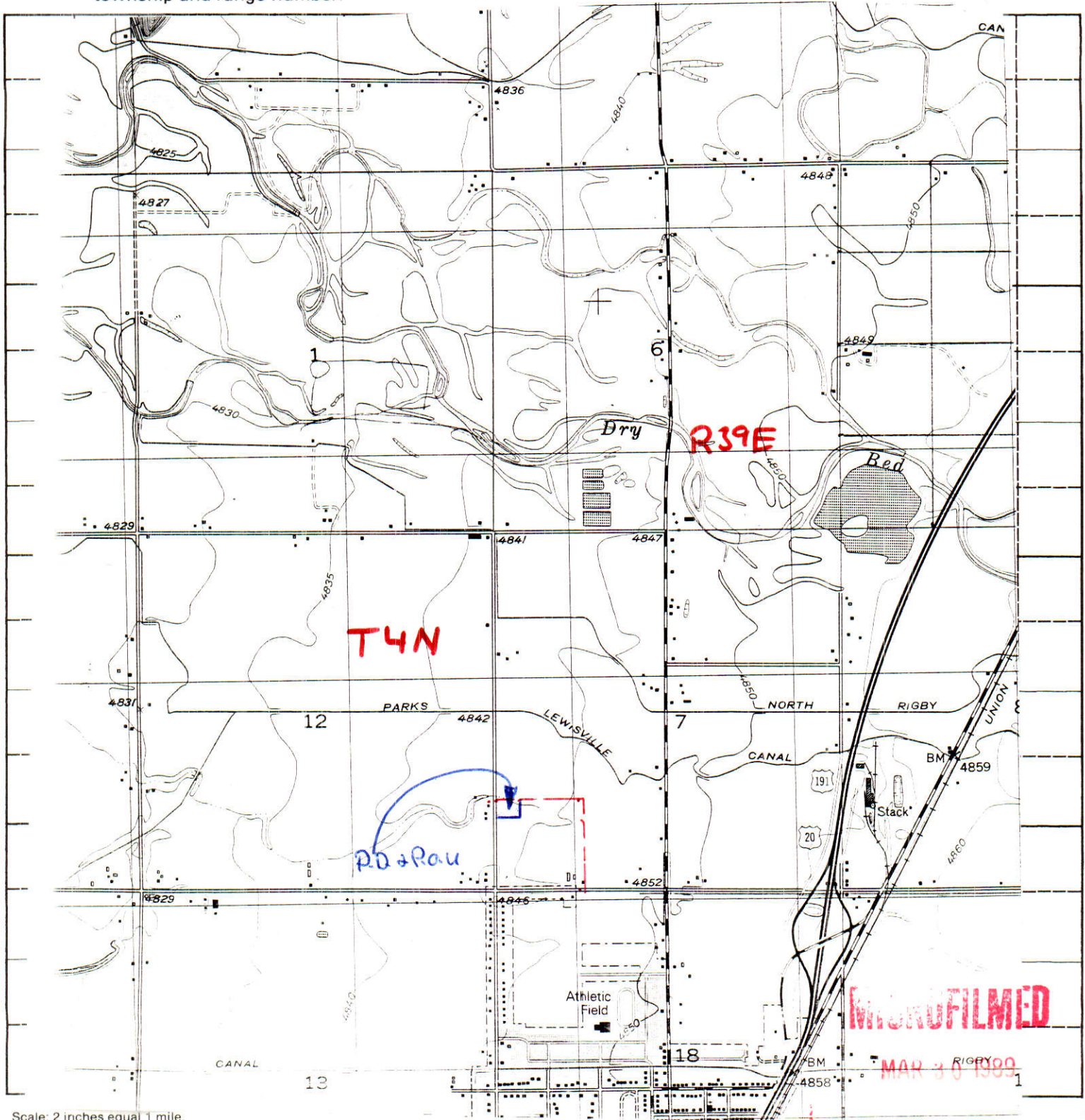


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Mark W. Butkopher
x Wm Butkopher
 (Applicant)

RECORDED

MAR 30 1989

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, Crystal Foster
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Notice of Application

a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for Two (2)
consecutive issues, the first publica-

having been made on 1-18-89
and the last publication having been

made on 1-25-89

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as least two hundred bona fide
subscribers living within the county
of publication; and that it has been
continuously and uninterruptedly
published in said county during a
period of seventy-eight consecutive
weeks prior to the first publication
of the said notice.

Crystal Foster

On this 6th day of Feb
in the year of 1989, before
me, a Notary Public, personally ap-

peared Crystal Foster,
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 ex-
ecuted the same.

Ronan Latham
Notary Public for Idaho
Residing at Shelley
My commission expires: 1-22-91

NOTICE OF APPLICATION FOR
WATER RIGHT

The following applications have been filed
to appropriate the public waters of the State
of Idaho:

25-07477

BUTIKOFER, MERLE
BUTIKOFER, ULENE
424 N. 3900 E.
RIGBY, ID 83442
Source: GROUNDWATER
Diversion Pt: NWSWSW Sec 7 T 04N R 39E
Use: IRRIGATION (.090 CFS)
Date Filed: 11/29/1988
In: T04N R39E S07 SWSW
3.0 ACRES TOTAL
31-07516

QUALITY FARMS INC.
2120 W. 4200 S.
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt: NESWNE Sec 4 T 07N R 36E
Use: COMMERCIAL (.040 CFS)
Date Filed: 11/10/1988
In: T07N R36E S04 SWNE

35-08684
WOODS, RICHARD CHARLES
P.O. BOX 266
ROBERTS, ID 83444
Source: GROUNDWATER
Diversion Pt: SWNW Sec 33 T 05N R 37E
Use: IRRIGATION (.150 CFS)
DOMESTIC (.060 CFS)
Date Filed: 11/28/1988
In: T05N R37E S33 SWNW
5.0 ACRES TOTAL

The permits will be subject to all prior
water rights. Protests may be submitted bas-
ed 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 FEBRUARY
6, 1989.

R. Keith Higginson, Director
Published in the Jefferson Star, Rigby,
Idaho, January 18 and 25, 1989.

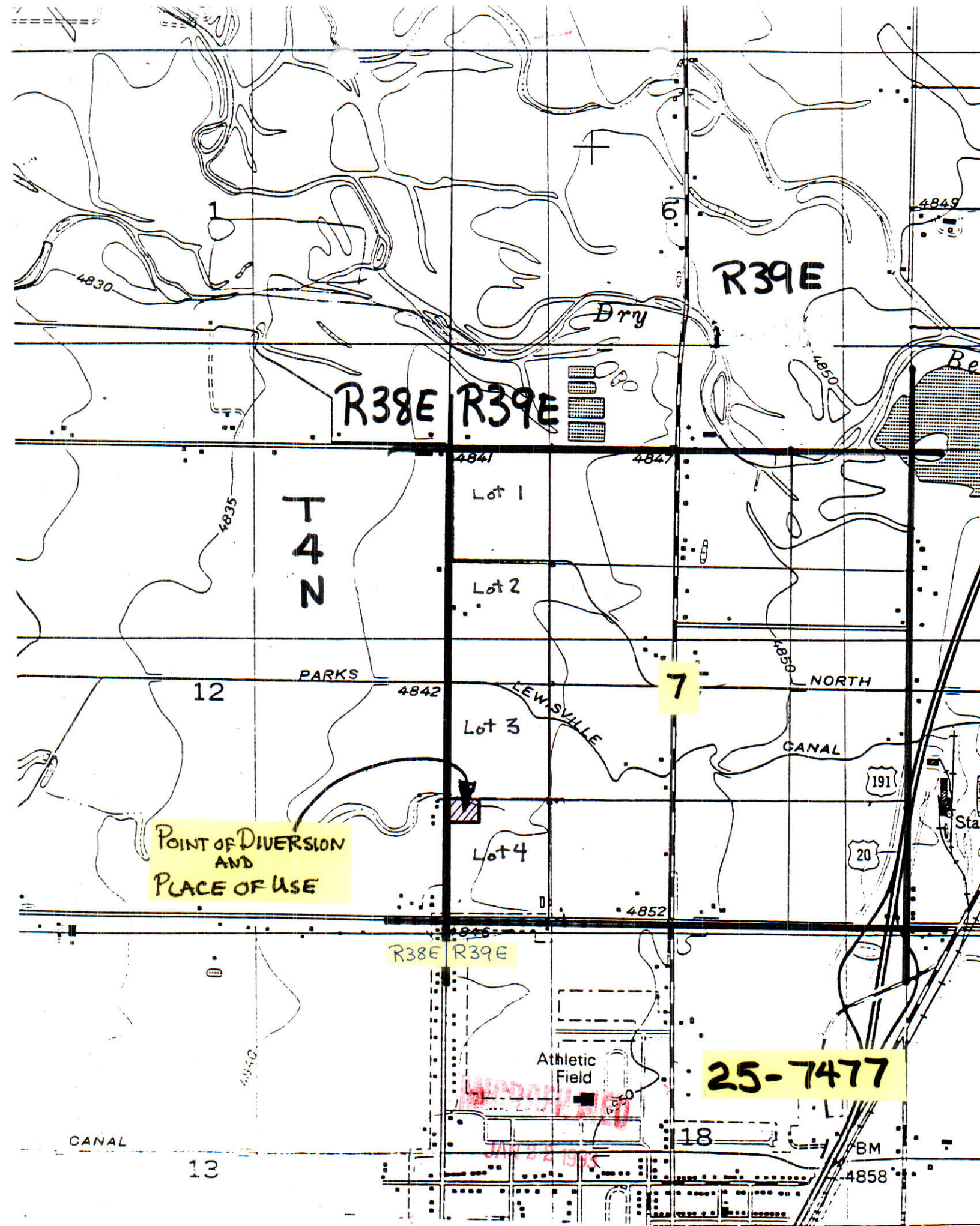
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FEB - 7 1989

Department of Water Resources
Eastern District Office

MICROFILMED

MAR 30 1989



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07477

Priority: November 29, 1988

Maximum Diversion Rate:

0.09 CFS

Maximum Diversion Volume:

12.0 AF

This is to certify, that MERLE BUTIKOFER
ULENE BUTIKOFER

424 N 3900 E
RIGBY ID 83442

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 29, 1988; and has submitted Proof of Beneficial Use on March 26, 1990. An examination indicates that the works have a diversion capacity of .090 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.09 CFS	12.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 7, Township 04N, Range 39E
JEFFERSON 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>
04N	39E	7	Lot 4(SWSW)	3		3

Total number of acres irrigated: 3

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Irrigation use under this right is authorized only in connection with a domestic use.
6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.

RECORDED

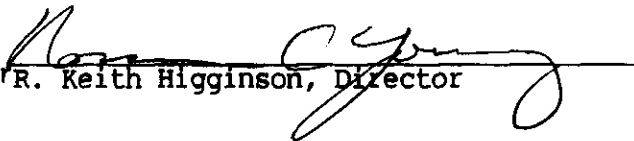
JAN 22 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07477

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 18TH
day of DECEMBER, 1992.

Acting for  R. Keith Higginson, Director

RECEIVED

JAN 22 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 25-7477 IN THE
NAME OF MERLE OR ULENE BUTIKOFER

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before April 1, 1990; and,

WHEREAS, Sec. 42-218a, Idaho Code provides that the Department notify a permit holder sixty days prior to the proof due date; and,

WHEREAS, the Department sent notice to the permit holders by certified mail that proof was due with instructions as to the steps to be taken to make said proof; and,

WHEREAS, the proof of beneficial use form and fee were timely received on March 26, 1990 by our Eastern Region of the Department of Water Resources; and,

WHEREAS, on April 18, 1990, the department sent the notice of lapsing for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Sec. 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting a timely proof of beneficial use;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 25-7477 be REINSTATED with no advance in priority.

Dated this 9th day of June, 1990.

L. Glen Saxton
L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

JUN 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

30
Ident. No. 257477

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Merle or Ulene Butikofer Phone 745-8338
Post office address 424 N. 3900 E., Rigby, ID 83442

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 7 Township 4N Range 39E B.M. Jefferson County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.09 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.09 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump to irrigation system

b. 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.

Exists c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

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

MICROFILMED

MAR 30 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
04N	39E	7											3						3

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. _____

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

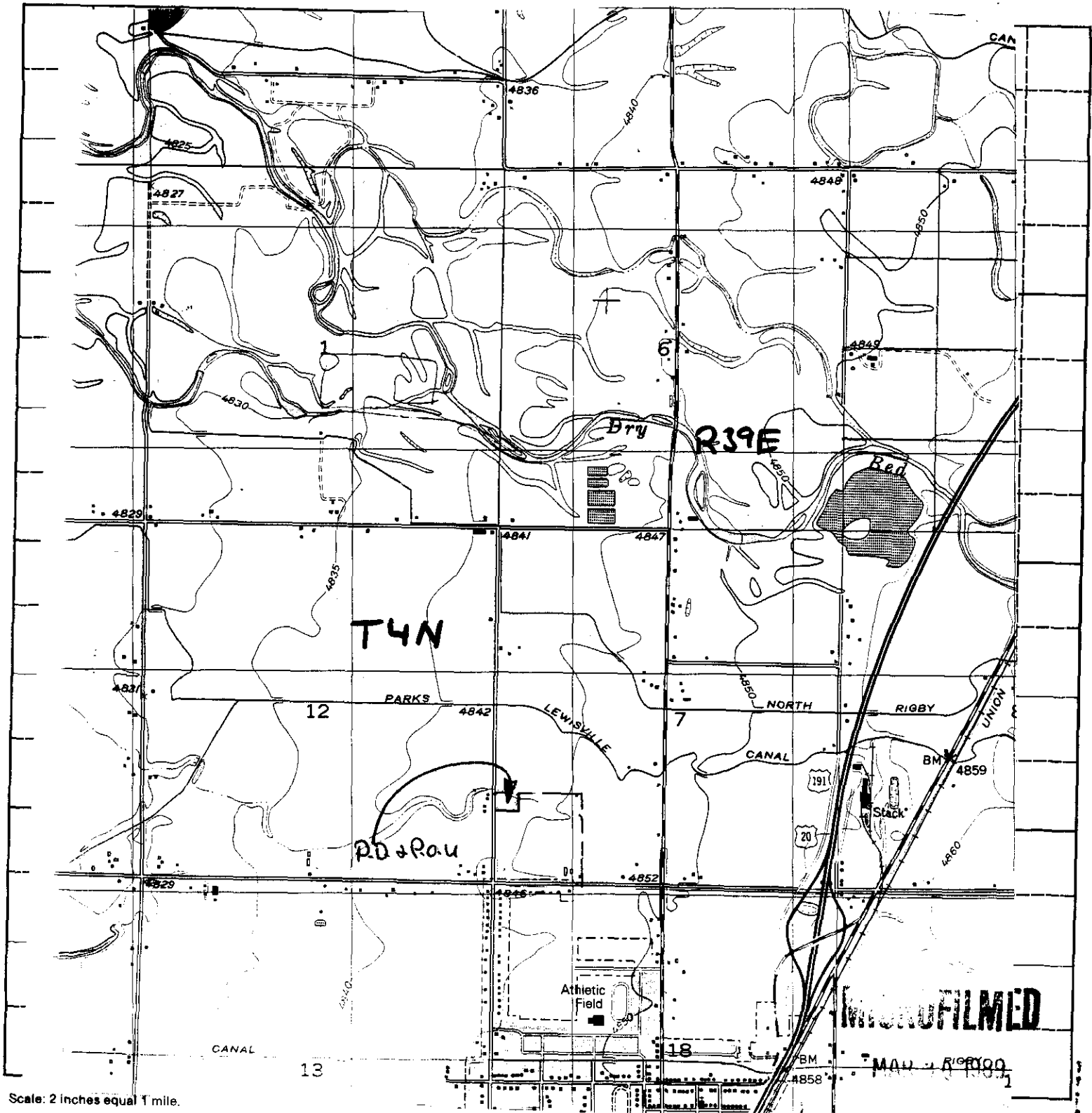
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Claim A 25-10963 for domestic from same well.

FILED

MAR 30 1989

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Mark W. B. Butcher
& M. B. Butcher
 (Applicant)

Proposed Priority 11/29/88

Received by HWS Date 11-29-88 Time 9:47 am Preliminary check by CM

Fee \$ 30 Receipted by HWS # E004544 Date 11-29-88

Publication prepared by AB Date 1/11/89 Published in Tettersen Star

Publication approved AW Date 2-10-89

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. 2507477, and said application is hereby APPROVED.

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

April 1, 19 90.

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. The water right acquired under this permit if 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 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 permit.

e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Irrigation use under this permit is authorized only in connection with a domestic use.

Witness my hand this 10th day of March, 1989.

J. Glen Saylor

MICROFILMED

MAR 30 1989

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, Crystal Foster
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Notice of Application
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for Two (2)
consecutive issues, the first publica-

having been made on 1-18-89
and the last publication having been

made on 1-25-89.

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as least two hundred bona fide
subscribers living within the county
of publication; and that it has been
continuously and uninterruptedly
published in said county during a
period of seventy-eight consecutive
weeks prior to the first publication
of the said notice.

Crystal Foster

On this 6th day of Feb

in the year of 1989, before
me, a Notary Public, personally ap-

peared Crystal Foster,
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 ex-
ecuted the same.

Ronan Latham
Notary Public for Idaho

Residing at Shelley
My commission expires: 1-27-91

The following applications have been filed
to appropriate the public waters of the State
of Idaho:

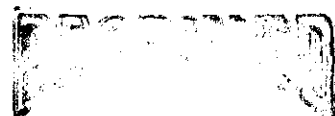
25-07477
BUTKOFER, MERCE
BUTKOFER, ULENE
424 N. 3900 E.
RIGBY, ID 83442
Source: GROUNDWATER
Diversion Pt: NWSWSW Sec 7 T 04N R 39E
Use: IRRIGATION (.090 CFS)
Date Filed: 11/29/1988
In: T04N R39E S07 SWSW
3.0 ACRES TOTAL
31-07518

QUALITY FARMS INC.
2120 W. 4300 S.
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt: NESWNE Sec 4 T 07N R 36E
Use: COMMERCIAL (.040 CFS)
Date Filed: 11/10/1988
In: T07N R36E S04 SWNE
35-08884

WOODS, RICHARD CHARLES
P.O. BOX 266
ROBERTS, ID 83444
Source: GROUNDWATER
Diversion Pt: SWNW Sec 33 T 05N R 37E
Use: IRRIGATION (.150 CFS)
DOMESTIC (.068 CFS)
Date Filed: 11/28/1988
In: T05N R37E S33 SWNW
5.0 ACRES TOTAL

The permits will be subject to all prior
water rights. Protests may be submitted bas-
ed 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 FEBRUARY
6, 1989.

Published in the Rigby Star
Idaho, January 19, 1989



FEB - 1989

Department of Water Resources
Eastern District Office

MICROFILMED

MAR 30 1989

RECEIVED

FEB 08 1999

- Water Rights -

CHANGE IN ADDRESS

Department of Water Resources

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): 25-07584
25-07477

[] Old Mailing Address: MERLE W OR ULENE BUTIKOFER
424 N 3900 E
RIGBY ID 83442

[] New Mailing Address: MERLE W OR ULENE BUTIKOFER
PO BOX 556
RIGBY ID 83442

[] Telephone Number: (208) 745-0152

[x] Signature of Claimant: Ulene Butikofe

[x] Date: 4 Feb 1999

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 2.12.99 By: Ket



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

December 21, 1992

MERLE BUTIKOFER
ULENE BUTIKOFER
424 N 3900 E
RIGBY ID 83442

RE: WATER RIGHT NO. 25-07477

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED

JAN 22 1993

LICENSE REVIEW CHECKLIST

Permit # 25-07477

Date 12-08-92
CB

	<u>Yes</u>	<u>No</u>	
NAME	<u> </u>	<u>✓</u>	Address Change?
PRIORITY DATE	<u> </u>	<u>✓</u>	Advance?
	<u> </u>	<u>✓</u>	Memo to Advance
	<u> </u>	<u>✓</u>	Order to Reinstate Needed?
TOTAL CFS	<u> </u>	<u>✓</u>	Incorrect Fee for rate recommended?
	<u>NA</u>	<u> </u>	Disagree with Actual Measurement?
			<u>3 x .03 = .09 cfs (IRR)</u>
	<u> </u>	<u>✓</u>	Disagree with Theoretical?
	<u> </u>	<u>✓</u>	Limited by Capacity? <u>.09 cfs</u>
TOTAL VOLUME			Rate/ac <u>4.0</u> AFA Irr. Season <u>C</u>
			<u>4-1 to 10-31</u> Standard Irr. Season
			<u>Same / Reduced 1 Day</u> Season Recommended
	<u> </u>	<u>✓</u>	Disagree with Examiner's Calculations?
			<u>3 x 4 = 12 aka (IRR)</u>
	<u> </u>	<u>✓</u>	Limited by Flow?
SOURCE	<u> </u>	<u>✓</u>	Changes? Clarification of <u>Originally</u>
	<u> </u>	<u>✓</u>	<u>Intended</u> source
	<u> </u>	<u> </u>	Notice of Intent to Void.
P/D			Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u>Add Lot 4</u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
P/U			Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u>Add Lot 4</u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
USES	<u> </u>	<u>✓</u>	Change(s) in Nature of Use?
	<u> </u>	<u>✓</u>	Amendment Needed?
REMARKS	<u> </u>	<u>✓</u>	Multiple P/Ds in 1/4 1/4?
	<u> </u>	<u>✓</u>	Non-Irr. Uses
	<u> </u>	<u>✓</u>	Special Overlap Condition
	<u> </u>	<u>✓</u>	Other
CONDITIONS	<u> </u>	<u>✓</u>	Measuring Device
	<u> </u>	<u>✓</u>	W/Master Control
	<u>RSI</u>	<u> </u>	Overlap
	<u> </u>	<u>✓</u>	Water Quality
			DATES/MISC
		<u>✓</u>	Water Dist.
		<u>✓</u>	App Rec'd
		<u>✓</u>	Exam Made

COMMENTS/MEMOS NEEDED:

License ✓ 10-Day 15-Day Special Correspondence

WR0749NP
No. L25-07477

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 12/08/92
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MERLE BUTIKOFER	11/29/1988	IRRIGATION	04-01 10-31	0.09 CFS	12.0 AFA
C	ULENE BUTIKOFER 424 N 3900 E RIGBY ID 83442 (208) 745-8338				0.09 CFS	12.0 AFA

TOTAL DIVERSION: 0.09 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.09 CFS

Point(s) of Diversion: T04N R39E S07 Lot 04(SW SW)

Place of use Legal Description for: IRRIGATION

NE SE

T	R	S	NE	NESE	SENE	SE	SW	SWSW	SWSE	SESW	SESE	SUM
04N	39E	7	:	:	:	:	:	:	:	:	:	:
TOTAL ACRES												
3.0												
3.0												

Pou County: JEFFERSON

Conditions of Approval:

- 041 - Irrigation use under this right is authorized only in connection with a domestic use.
- R51 - This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.

Dates: App. Received: 11/29/1988 Priority Date: 11/29/1988
Proof Due Date: 04/01/1990 Proof Made Date: 03/26/1990
Exam Made Date: 09/04/1992 Exam Sent to S.O.: 11/27/1992
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 12/08/92 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with Conditions of Approval
- ☒ Well Inspection Form (If Needed)
- ☒ Aerial Photo Required? ☐ yes ☒ no If yes: ☐ copy attached
- ☒ SRBA Attachment A Submitted to Adjudication Section
- ☒ SRBA Claim Check Received _____ (initial & date)
☐ N/A ☐ Applicable, See Attachment A _____
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of government plat
- ☒ Check of P/D index KCW 9/4/92 (initial & date)
- ☒ Overlap ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
- ☒ Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
- ☒ Check of P/U index KCW 9/4/92 (initial & date)
- ☒ Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
- ☒ Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____
- ☐ Scheduling Letter Sent? _____ (initial & date)
- ☐ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully Completed and Signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Copy of SRBA Claim Verification Sheet / ☐ Original Returned to Adjudication Section

C. Review and Processing:

- Exam Completed KCW 9/4/92 (signature of examiner & date)
- Exam Reviewed by Senior Water Resource Agent 11-27-1992 (initial & date)
- Exam Reviewed by Manager of Regional Office _____ (initial & date)
- Exam Sent to State Office _____ (initial & date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 02 1992

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 25-7477

1. Owner: Merle or Ulene Buttkofer Phone No. 745-8338

Current Address: 424 N. 3900 E Rigby Id 83442

2. Accompanied by: Ulene Buttkofer EXAM DATE: 4 Sept 92

Address: Same Phone No. -

Relationship to Permit Holder: -

3. Source: GROUNDWATER tributary to -

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

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
	4		SW	SW	7	4N	39E	Jefferson	on site inspection/County Plat

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	
4N	39E	7											Lot 4 D 3						3

JAN 22 1993

E. NARRATIVE/REMARKS/COMMENTS

Well pump mainline to single domestic home and irrigation system.

Well logs in area static H₂O Level 25 ft

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

RECEIVED

JAN 22 1993

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$Q = \frac{hp(8.814)(\text{eff})}{Lft + (PSI \times 2.308)} = \frac{1(8.814)(0.7)}{25 + (20 \times 2.308)} = 0.086 = 0.09 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \text{ ac} (4) = 12 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.09(24)1.9835 = 38.2$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 12.0 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	11/1	0.09 cfs	12 afa
Totals:			0.09 cfs	12 afa

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

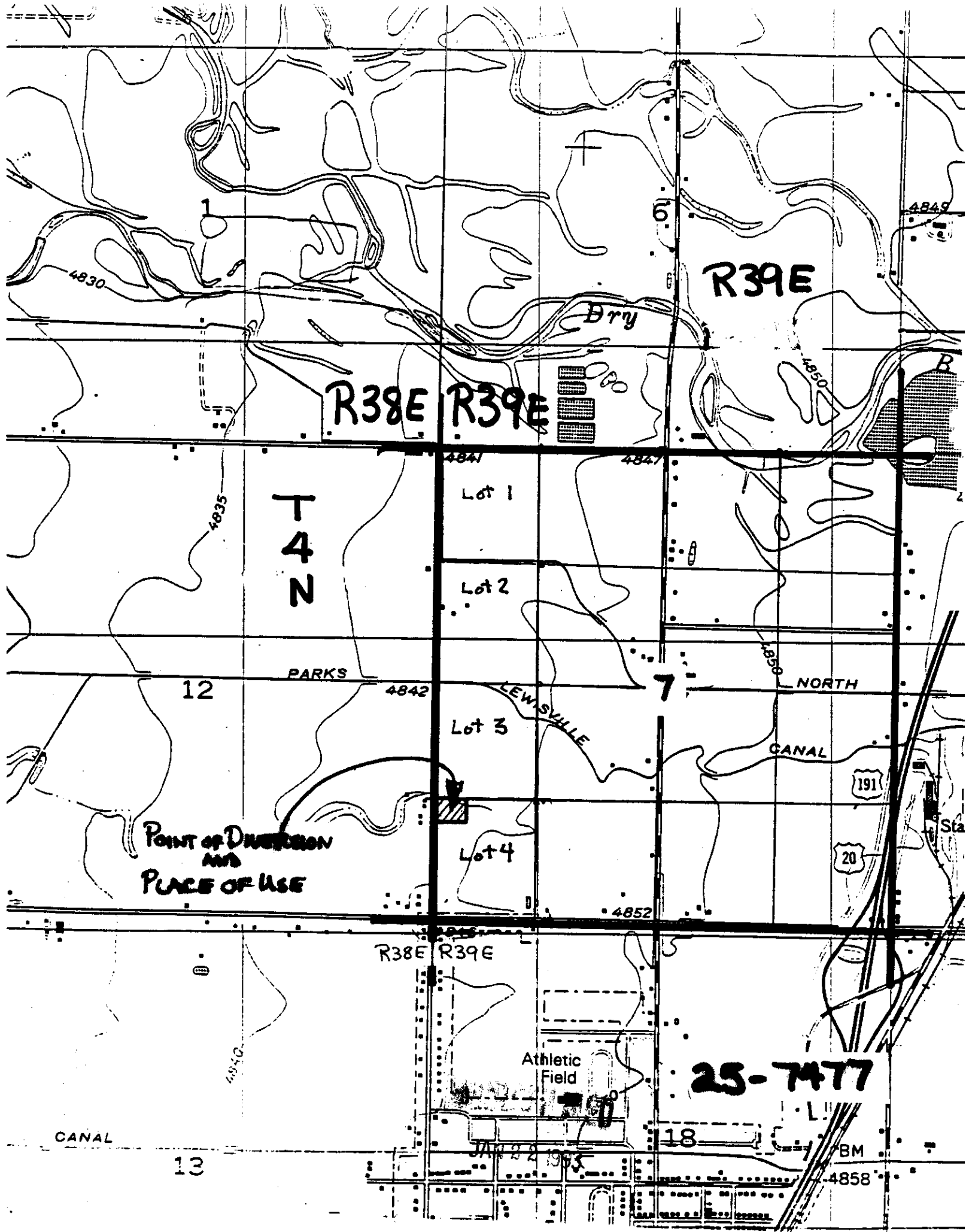
I. AUTHENTICATION

Field Examiner's Name KEITH C Wilson Date 4 Sept 92

Reviewer [Signature] Date 11-27-92

SEAL

JAN 22 1993



R39E

R38E R39E

T
4
N

12

PARKS

4842

LEWISVILLE

7

NORTH

CANAL

191

20

POINT OF DIVERSION
AND
PLACE OF USE

Lot 1

Lot 2

Lot 3

Lot 4

R38E R39E

Athletic
Field

25-7477

CANAL

13

JAN 22 1973

18

BM

4858

June 11, 1990

MERLE BUTIKOFER
ULENE BUTIKOFER
424 N. 3900 E.
RIGBY, ID 83442

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07477

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

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JUN 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 25-07477 Telephone No. 745-8338

Name(s) of Permit Holder(s): Merle Butikofer / Ulene Butikofer

Post Office Address: 424N 3900E Rigby, Idaho 83442

Source of Water: Ground water

If ground water, well driller's name: Highplains Date drilled: Mar 30, 1984

Extent of Use:
Domestic 1 (No. of households) Irrigation 5A (No. of acres)
Stockwater 3 horses (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .09 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 11-29-88

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes No Installed? Yes No

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Ulene Butikofer 745-8338
Name Telephone No.

424N 3900E Rigby Idaho 83442
Address

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.

March 26, 1990 Ulene Butikofer
Date Signature (and title if on behalf of a company or organization)

NOT FILMED

JUN 18 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 25-7477

Date: 5-29-90

General Considerations:

4 Name same as permit
4 Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
4 Proof received timely
4 Reinstated

Source of Water:

4 Surface water
4 Groundwater
 1. well log in file
 2. drilling permit
 4 A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

4 Rate of diversion appropriate for uses
4 Is rate or volume and fee appropriate?
4 Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable
Reinstate - No advance in priority
Proof received timely

4 Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

April 16, 1990

MERLE BUTIKOFER
ULENE BUTIKOFER
424 N. 3900 E.
RIGBY, ID 83442

LAPSE NOTICE

RE: PERMIT NO. 25-07477

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated January 31, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

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JUN 18 1990

CERTIFICATION OF MAILING

I hereby certify that on 4-18-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

138084
January 31, 1990

MERLE BUTIKOFER
ULENE BUTIKOFER
424 N. 3900 E.
RIGBY, ID 83442

PROOF DUE NOTICE

RE: PERMIT NO. 25-07477

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 April 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosure

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JUN 18 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

Statehouse
Boise, Idaho 83720
(208) 334-7900
March 15, 1989

MERLE BUTIKOFER
ULENE BUTIKOFER
424 N. 3900 E.
RIGBY, ID 83442

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

RE: PERMIT NO. 25-07477

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

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. Also

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MAR 30 1989

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED
MAR 30 1984

Dist. for staffing 100 12-01-88

submitted for adv. 105 12-23-88

011

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY cm DATE 12/12/88 APPLICATION NUMBER 257477
Buttker

REQUIRED INFORMATION

- ☐ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☐ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ 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 signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☒ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED
FEB 13 1989

Department of Water Resources

PROCESSING ☒ Yes ☒ No form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☒ No Affidavit of publication received
☒ Yes ☒ No Application published correctly. If not, record action taken.

☒ Yes ☒ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 2/6/89
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 01-P05
☒ Yes ☒ No Special conditions of approval or cover letter below. _____

☐ See below for additional information
Date of priority recommended 11-29-1988
By HWJ Date 2-10-1989

STATE OFFICE REVIEW P05, P23 P110 46 41

☐ See below for additional information
By KW Date 3/10/89

ADDITIONAL INFORMATION

Condition: <41>
App. in trust water area-

January 12, 1989

Merle or Ulene Butikofer
424 N. 3900 E.
Rigby, ID 83442

Application for Permit No. 25-07477

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 25-07477. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Jefferson Star. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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MAK 30 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JANUARY 11, 1989

THE JEFFERSON STAR
P.O. BOX 37
RIGBY, ID 83442

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 FEBRUARY 6, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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MAR 30 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

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MAR 30 1989

25-07477

BUTIKOFER, MERLE
BUTIKOFER, ULENE
424 N. 3900 E.
RIGBY, ID 83442

Source: GROUNDWATER

Diversion Pt: NWSWSW Sec 7 T 04N R 39E

Use: IRRIGATION (.090 CFS)

Date Filed: 11/29/1988

In: T04N R39E S07 SWSW

3.0 ACRES TOTAL

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MAR 30 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted base 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 FEBRUARY 6, 1989.

R. Keith Higginson, Director

Published 1/18/1989 & 1/25/1989

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MAR 30 1989