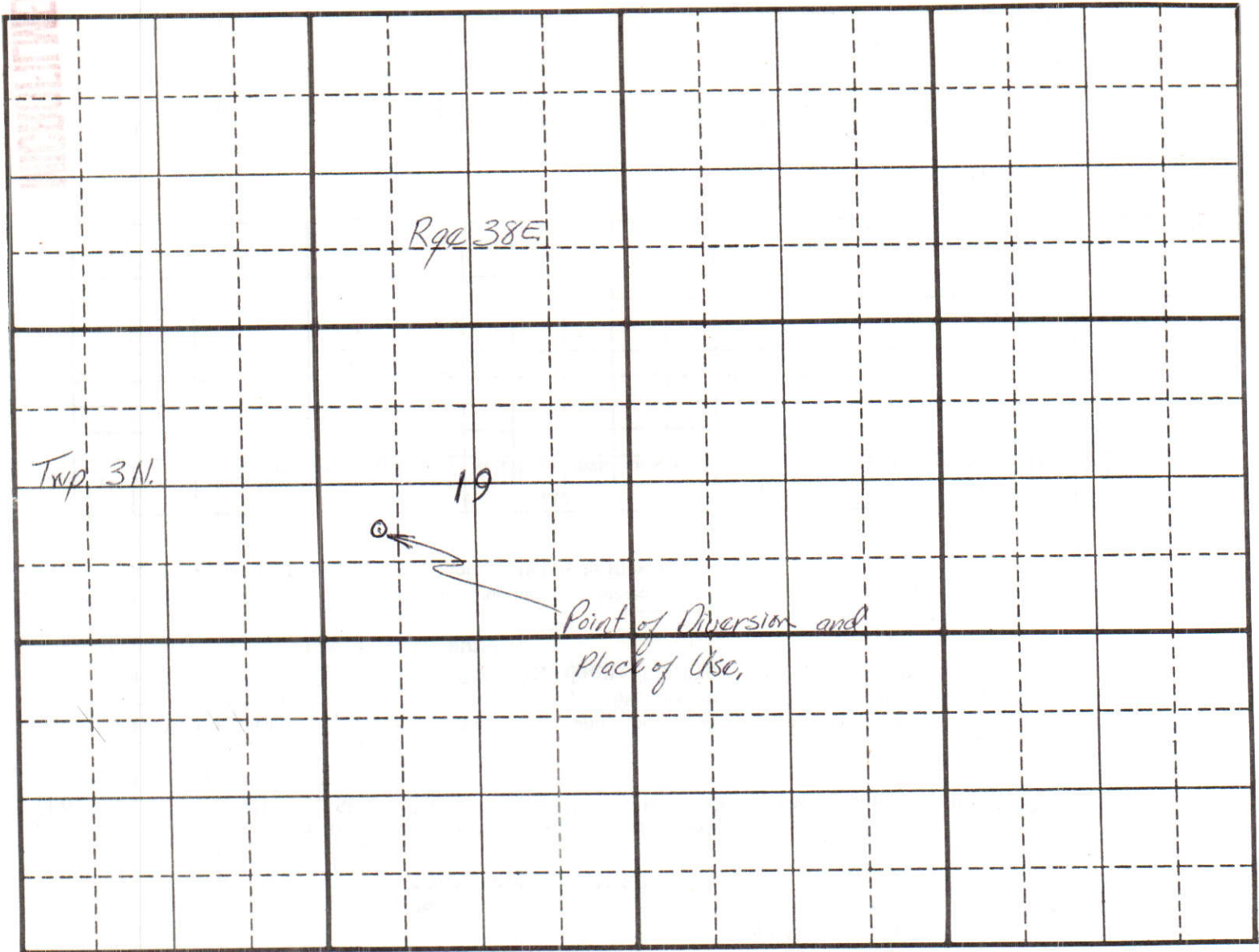


(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 5th day of January

Merrell Butkoff
(Claimant)

, 19 82

Calvin Wray

Notary Public
Residing at Idaho Falls, ID

My commission expires 6/15/85

FOR DEPARTMENT USE ONLY

Received by EMC Date 1-5-82 Exception filed by: _____ Date _____
Prelim. check by KCW Date 1-5-82 Forwarded to claimant by: _____
\$20.00 fee received by CW Date 1-25-82 _____
Published in Last Register # 20029 _____
Dates Jan 14 + 21, 1982 _____

82 1115

Proof of Publication

The Post-Register

RECEIVED

FEB 1 1982

Department of Water Resources
Eastern District Office

State of Idaho, {
County of Bonneville { ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 14th day of January, 1982, last publication having been made on the 21st day of January, 1982, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 27th day of January, 1982

Deon K. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use.

25-4112

BUTIKOFER, MERRILL
RT. 6, BOX 349, IDAHO FALLS, ID 83401

Source: GROUNDWATER
Priority Date: 01/01/1946
Amount: 0.09 CFS
Diversion Point: LOT 03 (NWSW) Sec 19 T 03N R 38E, BONNEVILLE Co.
Use: STOCKWATER (0.03 CFS) from 01/01 to 12/31; DOMESTIC (0.06 CFS) from 01/01 to 12/31
Place of Use: NWSW Sec 19 T 03N R 38E
Diversion Means: WELL AND PUMP

25-4113

HEATH, DEON
3965 FIRST STREET, IDAHO FALLS, ID 83401

Source: GROUNDWATER
Priority Date: 04/01/1927
Amount: 0.10 CFS
Diversion Point: NENW Sec 23 T 01N R 38E, BONNEVILLE Co.
Use: IRRIGATION (0.02 CFS) from 04/01 to 11/01; STOCKWATER (0.02 CFS) from 01/01 to 12/31; DOMESTIC (0.06 CFS) from 01/01 to 12/31
Place of Use: NENW Sec 23 T 01N R 38E FOR 1 ACRE
Diversion Means: WELL AND PUMP

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 450 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN
Director

Published: January 14, 21, 1982

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Merrill Butikofer
Rt. #6, Box 349, Idaho Falls, ID 83401 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 522-4028

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) January 1, 1946

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
groundwater tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	0.06 cfs	Use	domestic	Period of Use From 1/1	To 12/31
Quantity	0.03 cfs	Use	stockwater	Period of Use From 1/1	To 12/31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.09 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

(Lot 3) NW ¼ SW ¼, Sec. 19 Twp. 3N Rge. 38E B.M., County of Bonneville
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
8" diameter well, 140 ft. deep; static level of water is 75' deep,
2 hp submersible pump

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	38E	19										X							

No. of acres

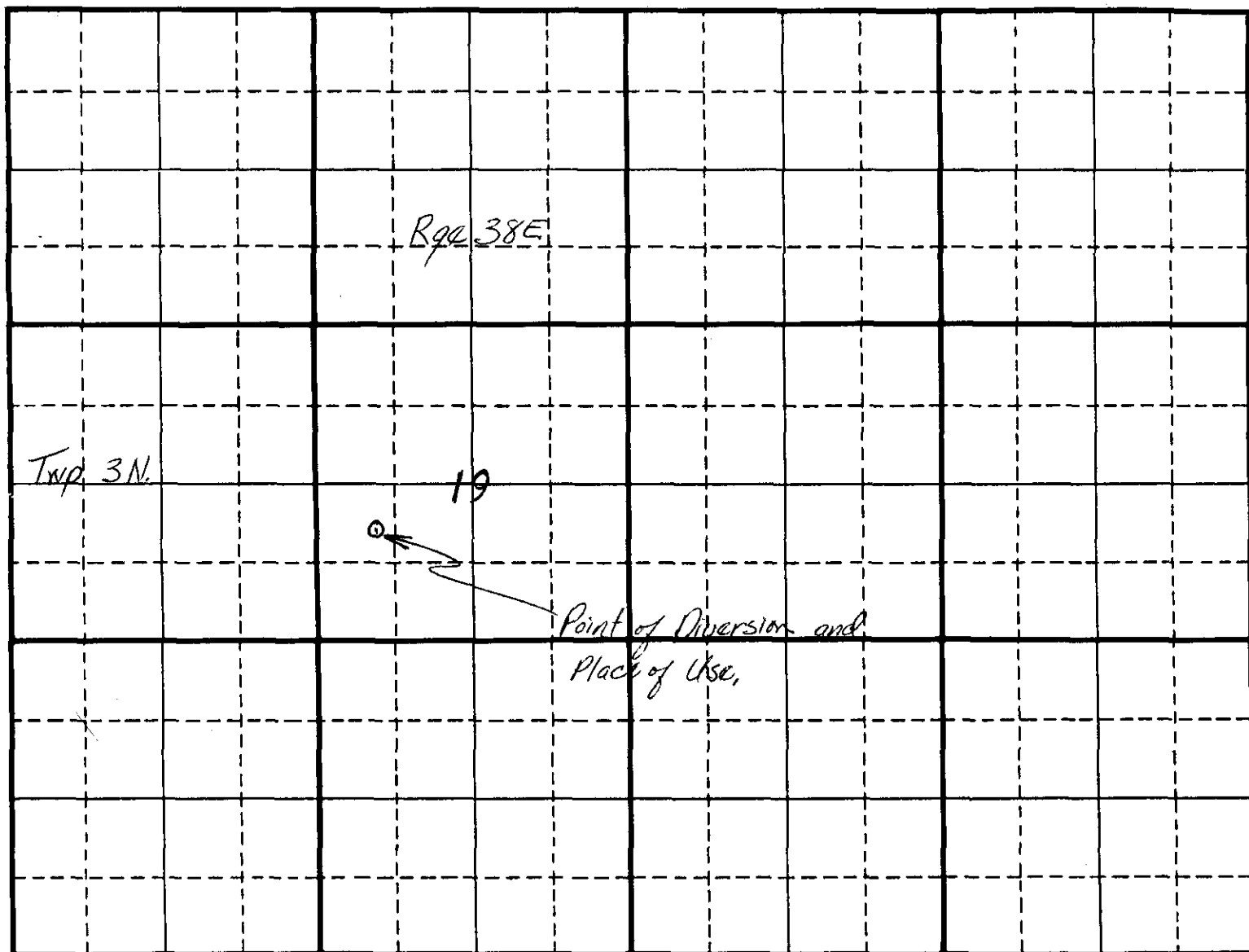
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Water is used to provide water to two homes and drinking water for up to
100 head of cattle

NOTE: Include here the type and number of stock watered: 100 dairy cows and calves

(7) If you are claiming water as a member of an organization, list name of organization:

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(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 5th day of January

Ameyill Buttkofer
(Claimant)

, 19 82.

Calvin Wray
Notary Public
Residing at Idaho Falls, ID

My commission expires 6/15/85

FOR DEPARTMENT USE ONLY

Received by <u>EMC</u>	Date <u>1-5-82</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KCW</u>	Date <u>1-5-82</u>		claimant by:	
\$20.00 fee received by <u>CW</u>	Date <u>1-05-82</u>			
Published in <u>Post Register</u>	<u>#20029</u>			
Dates <u>Jan 14 & 21, 1982</u>				

Proof of Publication
The Post-Register

RECEIVED

FEB 1 1982

Department of Agriculture
Eastern District Office

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 14th day of January, 1982, last publication having been made on the 21st day of January, 1982, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 27th day of January, 1982

Deon R. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

NOTICE OF SALE
Notice is hereby given that the following property will be sold at public auction on the 14th day of January, 1982, at 10:00 AM, at the Idaho Falls, Idaho, Courthouse, by the Sheriff of Bonneville County, Idaho.
Source: GROUNDWATER
Priority Date: 10/11/81
Amount: \$20,000
Diversion: From LOT 18 (DWS) to 14
TOWN 2 N, R. 10 E, B. 10 N, IDAHO FALLS, IDAHO
User: STATE OF IDAHO (CFS)
Reclamation Act of 1902, Sec. 11, 16 U.S.C. 315
Division: IRRIGATION, WELL AND PUMP
DEATH DEON
200 WEST STREET, IDAHO FALLS, IDAHO
Source: GROUNDWATER
Amount: \$20,000
Diversion: From LOT 18 (DWS) to 14
TOWN 2 N, R. 10 E, B. 10 N, IDAHO FALLS, IDAHO
User: STATE OF IDAHO (CFS)
Reclamation Act of 1902, Sec. 11, 16 U.S.C. 315
Division: IRRIGATION, WELL AND PUMP
Any extension to any of the above terms may be filed with the Sheriff of Bonneville County, Idaho, at Idaho Falls, Idaho, prior to the date of sale.
DUNN
Director
Published: January 14, 1982

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 1, 1982

MERRILL BUTIKOFER
RT. 6, BOX 349
IDAHO FALLS ID 83401

RE: Claim No. 25-4112

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

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RECEIVED
FEB 05 1982

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson
Right Number 25 4112 Applicant Merrill Butikofer

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date Feb 3, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 2/5/82

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TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

BUTIKOFER, MERRILL

RT. 6, BOX 349, IDAHO FALLS, ID 83401

Source: GROUNDWATER

Priority Date: 01/01/1946

Amount: 0.09 CFS

Diversion Point: LOT 03 (NWSW) Sec 19 T 03N R 38E, BONNEVILLE Co.

Use: STOCKWATER	(0.03 CFS)	from 01/01 to 12/31
DOMESTIC	(0.06 CFS)	from 01/01 to 12/31

Place of Use: NWSW Sec 19 T 03N R 38E

Diversion Means: WELL AND PUMP

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