

2. Describe how the generally described place of use boundary change will not result in an increase in the diversion flow rate or the total number of acres irrigated as authorized by the water right(s):
- 1) Flow rate is regulated by WDO1 Watermaster according to decreed rights. This will not change deliveries or authorization.
 - 2) Lands in the adjusted area would be served by shares purchased from small inholdings no longer served by the canal.
 - 3) The lands added have been irrigated for decades by rights to which Butler Island would become supplemental.
3. Describe how the generally described place of use boundary change will not result in an enlargement of other water rights within the place of use of the irrigation corporation's water right(s):
- No change in total amount of irrigation, simply authorizing different spatial distribution.
4. Describe how the generally described place of use boundary change will not cause injury to other water rights:
- No change in total amount of irrigation, either within or outside the Company boundary.
5. This form must be signed and submitted with **ONE** of the following **REQUIRED** items:
- ☐ Map portraying the changes to the generally described place of use on a 7.5 minute quadrangle map with a minimum scale of 1:24,000 to include each quarter-quarter section within which irrigation occurs.
 - ☒ Digital file, with a defined projection, of a map that shows the entire generally described place of use boundary delineated at a minimum scale of 1:24,000 in a standard geographic system software format, and includes each quarter-quarter section within which irrigation occurs. Submit all digital files and a scanned copy of the form to idwrinfo@idwr.idaho.gov for digital submittal.

I acknowledge the change to the water right(s) generally described place of use for the irrigation entity identified above shall not result in an increase in either the rate of flow diverted or in the total number of acres irrigated as authorized by the water right(s), shall not result in an enlargement of other water rights within the place of use of the irrigation corporation's water right(s), and shall not cause injury to other water rights.

Bryce A. Contor
Signature*

Consultant
Title*

27 Feb 2025
Date

Bryce A. Contor
Print Name

*Request must be signed by individual legally authorized to sign on behalf of the irrigation corporation.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Department has reviewed the requested change to the generally described place of use for the water right(s) of the irrigation corporation identified above and concluded the change meets the requirements for approval of the Request to Change Irrigation Corporation Water Right(s) Place of Use Boundary as provided by Section 42-222B, Idaho Code.

IT IS HEREBY ORDERED that the above request for change to the irrigation corporation water right(s) generally described place is **APPROVED**.

Signed this 3rd day of March 2025. Jacob Carraig
Title: Engineer in Training

Caraig, Jacob

From: Bryce <contorwater@gmail.com>
Sent: Thursday, February 27, 2025 8:05 AM
To: Caraig, Jacob
Subject: Re: Butler Island form testing
Attachments: 2025-02-27 07-59 - 42-222B-ButlerIsland.pdf; Form 222B - Irrigation Boundary Update Request Partial.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Jacob -

Attached is a *.pdf with the questions answered, and a scan of the same thing with my signature. I apologize for my lame scanner.

Please let me know if you need anything else.

Bryce

Bryce A. Contor
Principal Hydrologist
Contractor for Rocky Mountain Environmental Associates, Inc.
208-681-9100

On Wed, Feb 26, 2025 at 10:11 AM Caraig, Jacob <jacob.caraig@idwr.idaho.gov> wrote:

Yes, you may sign the form on the canal company's behalf as their representative. Once you're done go ahead and email it back to me and I'll wrap up the processing.

Thanks,

-Jacob

From: Bryce <contorwater@gmail.com>
Sent: Wednesday, February 26, 2025 10:06 AM
To: Caraig, Jacob <jacob.caraig@idwr.idaho.gov>
Subject: Re: Butler Island form testing

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Yes, I would be happy to. I have other fish to fry this morning but I should be able to start on this in the afternoon and finish tomorrow.

May I sign this as the consultant, or will I need to get it back to the canal company?

Bryce

Bryce A. Contor

Principal Hydrologist

Contractor for Rocky Mountain Environmental Associates, Inc.

208-681-9100

On Tue, Feb 25, 2025 at 2:33 PM Caraig, Jacob <jacob.caraig@idwr.idaho.gov> wrote:

Good afternoon Bryce,

We're nearly done with the service area update and I've already applied the changes on our backend, however I've been made aware by my supervisor that development of our service area change request form is complete and we were wondering if you would help us test it. We're trying to formalize a system for these service area updates for processing them in the future. I've attached to this email the form that's going to be made available on our website moving forward and have taken the liberty of filling out the majority of the information. For items 2 through 4 the burden of proof is quite low, just a written statement that these changes will not result in enlargement and a brief explanation will do, no calculations are necessary. Let me know if you have any questions.

-Jacob Caraig



Jacob Caraig

Idaho Dept. of Water Resources

Engineer in Training

Office # 208-287-4879

Jacob.Caraig@idwr.idaho.gov

<https://www.idwr.idaho.gov/water-rights/>

Caraig, Jacob

From: Bryce <contorwater@gmail.com>
Sent: Monday, February 24, 2025 9:42 AM
To: Caraig, Jacob
Subject: Re: Shapefiles for Butler Island Canal Company service area boundary update

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Very good, thanks.

I just sent the shapefiles. Please let me know if they don't make the jump to light speed.

Bryce

Bryce A. Contor
Principal Hydrologist
Contractor for Rocky Mountain Environmental Associates, Inc.
208-681-9100

On Mon, Feb 24, 2025 at 9:40 AM Caraig, Jacob <jacob.caraig@idwr.idaho.gov> wrote:

Certainly, it just got to my desk Friday and I'm in the preliminary stages of looking over the documentation. I should have the update done in a few days at most.

-Jacob

From: Bryce <contorwater@gmail.com>
Sent: Monday, February 24, 2025 9:38 AM
To: Caraig, Jacob <jacob.caraig@idwr.idaho.gov>
Subject: Re: Shapefiles for Butler Island Canal Company service area boundary update

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Yes, I would be happy to.

The client has been asking about the process and expected timeline. Is there anything you can tell me?

Thanks,

Bryce

Bryce A. Contor

Principal Hydrologist

Contractor for Rocky Mountain Environmental Associates, Inc.

208-681-9100

On Mon, Feb 24, 2025 at 9:02 AM Caraig, Jacob <jacob.caraig@idwr.idaho.gov> wrote:

Good morning Mr. Contor,

Thank you for submitting a service area update for Butler Island Canal Company. In the body of the cover letter I noticed you mentioned that you could provide shapefiles for the update, could you send those over or a dropbox link for them if they're too large to send by email?

Thanks,

-Jacob Caraig



Jacob Caraig

Idaho Dept. of Water Resources

Engineer in Training

Office # **208-287-4879**

Jacob.Caraig@idwr.idaho.gov

<https://www.idwr.idaho.gov/water-rights/>



RECEIVED

JAN 14 2025

DEPT. OF WATER RESOURCES
EASTERN REGION

RECEIVED

JAN 27 2025

DEPT. OF WATER RESOURCES

January ~~2, 2024~~ 14, 2025 *Bac*

James Cefalo
Eastern Regional Manager
Idaho Department of Water Resources
900 North Skyline
Suite A
Idaho Falls ID 83402-1718

Re: Service-Area Boundary Change Request, Butler Island Canal Company

Dear Mr. Cefalo:

Butler Island Canal Company (Company) needs to adjust its service area to accommodate lands that would be irrigated by canal shares that have been purchased from small inholdings within the Company that no longer are irrigated from the canal. The Company has asked me to prepare this letter and accompanying materials. It is our understanding from Idaho Code 42-222B(1) that this may be accomplished by the Company submitting maps and descriptions of the proposed changes. All the lands to be added also have other water rights, which the Butler Island rights would supplement. The adjustment would not change total irrigated acreage, either from Company shares or within the basin.

This letter is a formal request to adjust the boundaries per the attached materials.

Materials supplied with this letter include the following:

- Figure 1 – Overview. This is a map of the full service area after the proposed change.
- Figure 2 – Detail. This is a map showing the lands proposed to be added to the service area. Except where adjusted to exclude irrigated lands that are not intended to be served by Company shares, the additions are comprised of whole aliquot parts of the Public Land Survey System.
- Attachment 3 – Water Right Data. This provides a summary of Company rights from the online IDWR water-rights database.
- Attachment 4 – Authority. This provides the Idaho Secretary of State documentation of the Company.

- Attachment 5 – PLSS List. This provides a list of the PLSS descriptions of the lands to be added. Where aliquot parts of the added lands include existing parts of the service area, the descriptions are included in Attachment 5.
- Attachment 6 – Old Map. This is a photograph of a map in the Company records indicating that a similar change in service area was started in the early 2000s.

You may contact me at contorwater@gmail.com or 208-681-9100, and I can provide the GIS shapefiles that were used to generate Figure 1 and Figure 2.

Please let us know what additional information IDWR needs to review this request.

Thank you,



Bryce A. Contor
Principal Hydrologist
Contor Water LLC
PO Box 94
Iona, ID 83427

On behalf of the Butler Island Canal Company, I consent to and agree with the changes described in this Service-Area Boundary Change Request and its attachments.

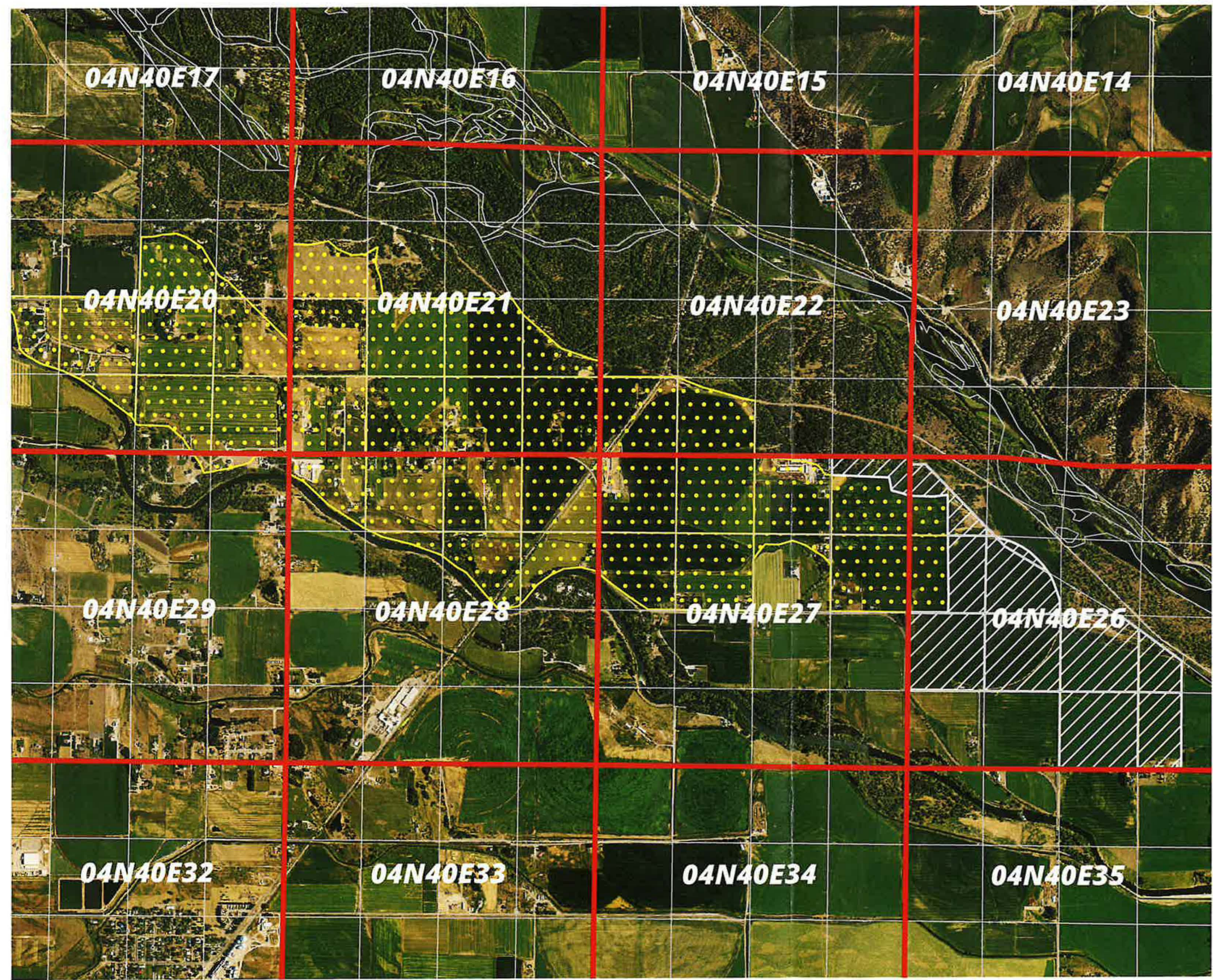
Kent Barber
(signature)

Date 1-8-25

KENT BARBER
(printed name)

PRESIDENT
(position)

**Figure 1
Overview**



-  PLSS Section
 -  PLSS QQ
 -  Addl_Svc_Area
 -  Pre-Chng_Svc_Area
- Base Map 2023 NAIP

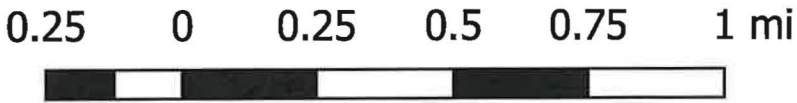
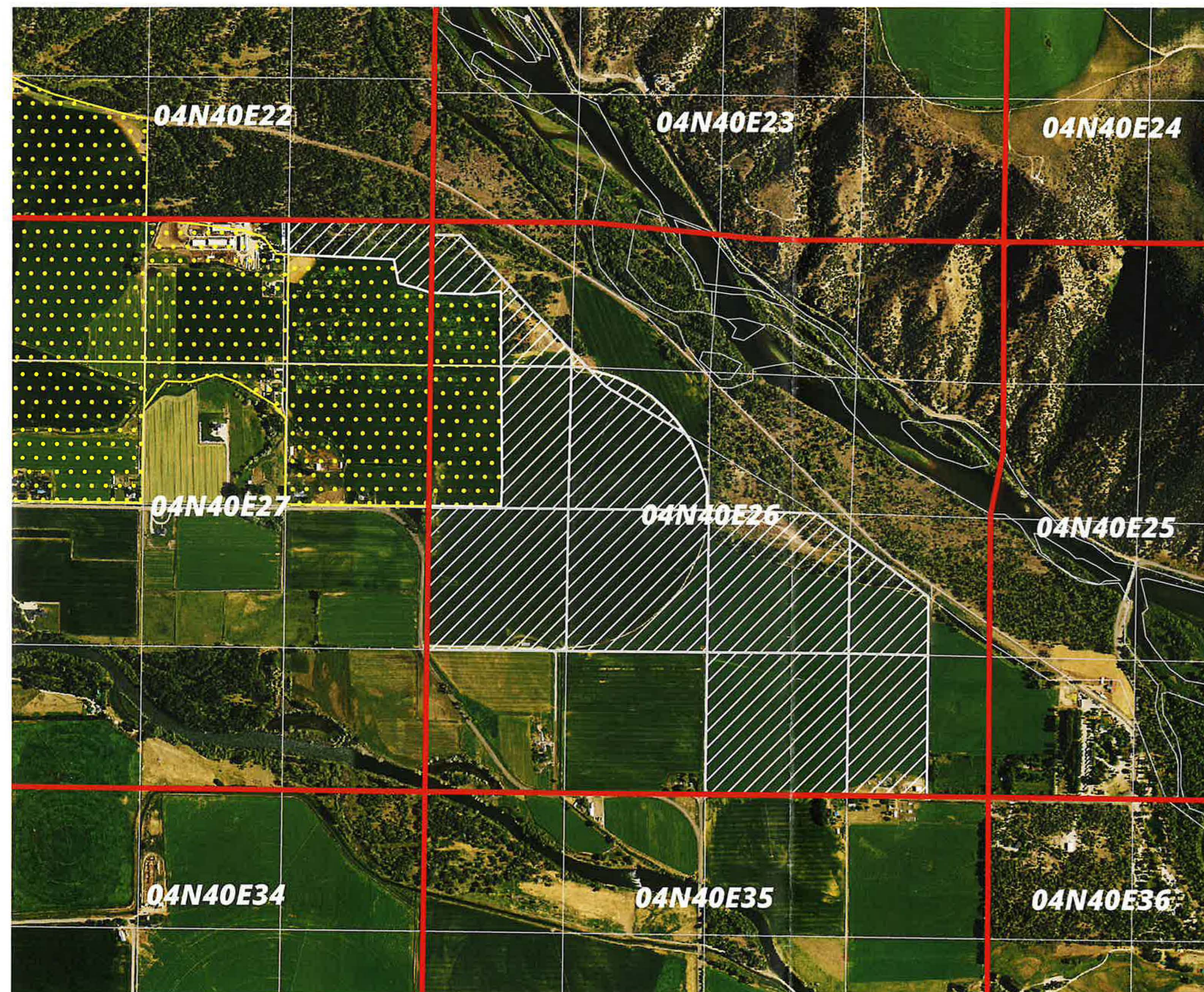


**Figure 2
Detail**



-  PLSS Section
 -  PLSS QQ
 -  Addl_Svc_Area
 -  Pre-Chng_Svc_Area
- Base Map 2023 NAIP

0.25 0 0.25 0.5 0.75 1 mi



Attachment 3: IDWR Data for Butler Island Canal Water Rights

- Water-right query by owner name
- Water-right report & map
 - 1-35AC
 - 1-231
 - 1-301
- Large POU listing

Department of

Water Resources

Water Right and Adjudication Search

↓ Choose One or More Search Items

↓ Click "Search" To Enter Your Parameters

Name

(Click to expand or collapse)

Adjudication, Water Right & Basin or Transfer

Location of Use or Diversion

Sources

Water Use

Dates

Water Right Types

Status

☐ All

☒ Search for a specific Name

• Organization: BUTLER ISLAND CANAL CO

☒ All

☐ Search for a specific Basin, Right or Transfer number

☒ All

☐ Search for a specific Location by legal description

☒ All

☐ Search for Surface Water, Ground Water or a specific Source &/or Tributary

☒ All

☐ Search for a specific Water Use

☒ All

☐ Search for a specific Date Type & range of Dates

☒ All

☐ Search for one or more specific Water Right Types

☒ All

☐ Search for both Active & Inactive Records

Search Results (11)

(Click to expand or collapse)

Export Results to Excel

Export To Excel (client site)

Clear All Items

Start Search

Click any column to sort table

1 2

Details

More Options

Water Right

1

35

AC

Decreed

Active

06/01/1885

41.567

SNAKE RIVER

IRRIGATION

BUTLER ISLAND CANAL CO

Details

More Options

Water Right

1

35

AF

Decreed

Active

06/01/1885

1.3

SNAKE RIVER

IRRIGATION

NEW SWEDEN IRRIGATION DISTRICT

Details

More Options

Water Right

1

35

AJ

Decreed

Active

06/01/1885

1.75

SNAKE RIVER

IRRIGATION

ROSS & RAND CANAL LLC

Details

More Options

Water Right

1

35

AN

Decreed

Active

06/01/1885

0.647

SNAKE RIVER

IRRIGATION

NEW SWEDEN IRRIGATION DISTRICT

1 of 2

2024-12-03, 09:10

Details More Options	Water Right	1	35	AP		Decreed	Active	06/01/1885	0.595	SNAKE RIVER	IRRIGATION	NEW SWEDEN IRRIGATION DISTRICT
Details More Options	Water Right	1	35	P		Decreed	Active	06/01/1885	1.167	SNAKE RIVER	IRRIGATION	BURGESS CANAL & IRRIGATING CO
Details More Options	Water Right	1	35	Z		Decreed	Active	06/01/1885	0.76	SNAKE RIVER	IRRIGATION	CANNON, PETER M
Details More Options	Water Right	1	231			Decreed	Active	01/22/1916	10	SNAKE RIVER	IRRIGATION	BUTLER ISLAND CANAL CO
Details More Options	Water Right	1	301			Decreed	Active	04/01/1939	16	SNAKE RIVER	IRRIGATION	BUTLER ISLAND CANAL CO
Details More Options	Water Right	1	10134			Decreed	Active	06/01/1885	1.66	SNAKE RIVER	IRRIGATION	NEW SWEDEN IRRIGATION DISTRICT
1 2												

Export Results to Excel Export To Excel(client side) Clear All Items Start Search

README : Some users have reported problems with the Export Results to Excel functionality. An additional export option has been added to export results which runs on the client side (in the browser) to avoid potential server side errors. The output format of the new option maybe slightly different. As of now the client side export function should only be used if you have a small number of results that do not require paging.

- [Home](#) [Disclaimer](#) [Contact Us](#) [State of Idaho](#) [Accessibility](#) [Privacy & Security](#)

Water Right Report : 1-35-AC(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	Sta
Current Owner	BUTLER ISLAND CANAL CO	C/O ANNE FERGUSON 15533 E RIRIE HWY	RIRIE	ID

Water Right Status

Priority Date : 6/1/1885

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SNAKE RIVER		COLUMBIA RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Ty
SNAKE RIVER	04N	40E	35	0			NE NW	JEFFERSON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	41.57 CFS	
TOTAL			41.57 CFS	

Places of Use

This water right has a [Large Place Of Use](#) 

Irrigation Totals

Total Acres Acre Limit

938.00

Conditions

Code **Condtions**

Permit Proof Made Date :

Permit Approved Date :

Permit Moratorium Expiration Date :

Enlargment Use Priority Date :

Enlargement Statute Priority Date :

Application Received Date:

Protest Deadline Date:

Generic Max Volume Per Acre : 0

Civil Case Number :

Decree Plaintiff :

Decree Defendant :

Swan Falls Trust or Nontrust :

Swan Falls Dismissed :

DLE Act Number :

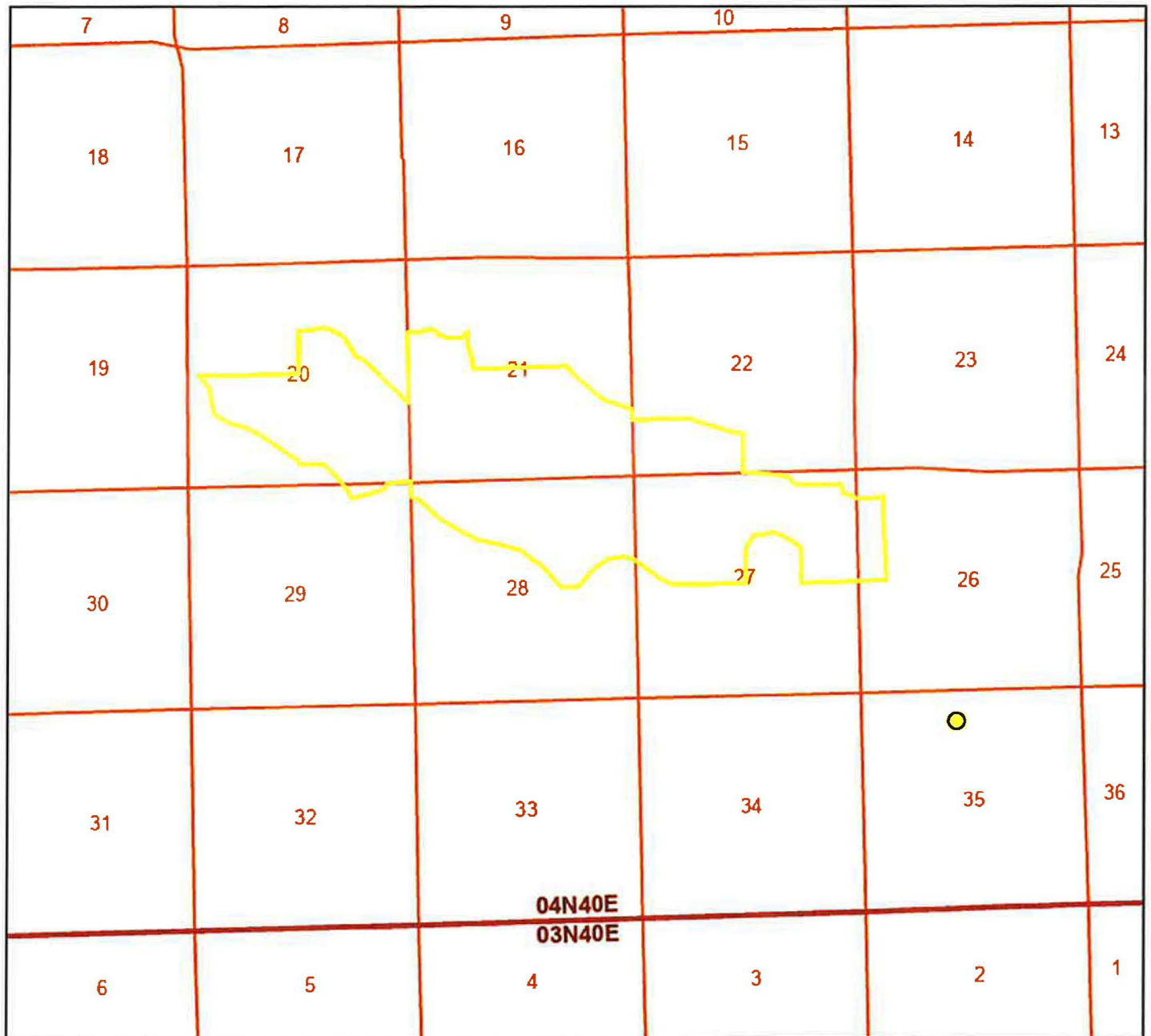
Cary Act Number :

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

State of Idaho
Department of Water Resources
Water Right
1-35AC
IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 12/3/2024



Legend

- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



Water Right Report : 1-231(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	Sta
Current Owner	BUTLER ISLAND CANAL CO	C/O ANNE FERGUSON 15533 E RIRIE HWY	RIRIE	ID

Water Right Status

Priority Date : 1/22/1916

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SNAKE RIVER		COLUMBIA RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Ty
SNAKE RIVER	04N	40E	35	0			NE NW	JEFFERSON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	10.00 CFS	
TOTAL			10.00 CFS	

Places of Use

This water right has a [Large Place Of Use](#) 

Irrigation Totals

Total Acres Acre Limit

938.00

Conditions

Code Condntions

Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date:
Protest Deadline Date:

Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

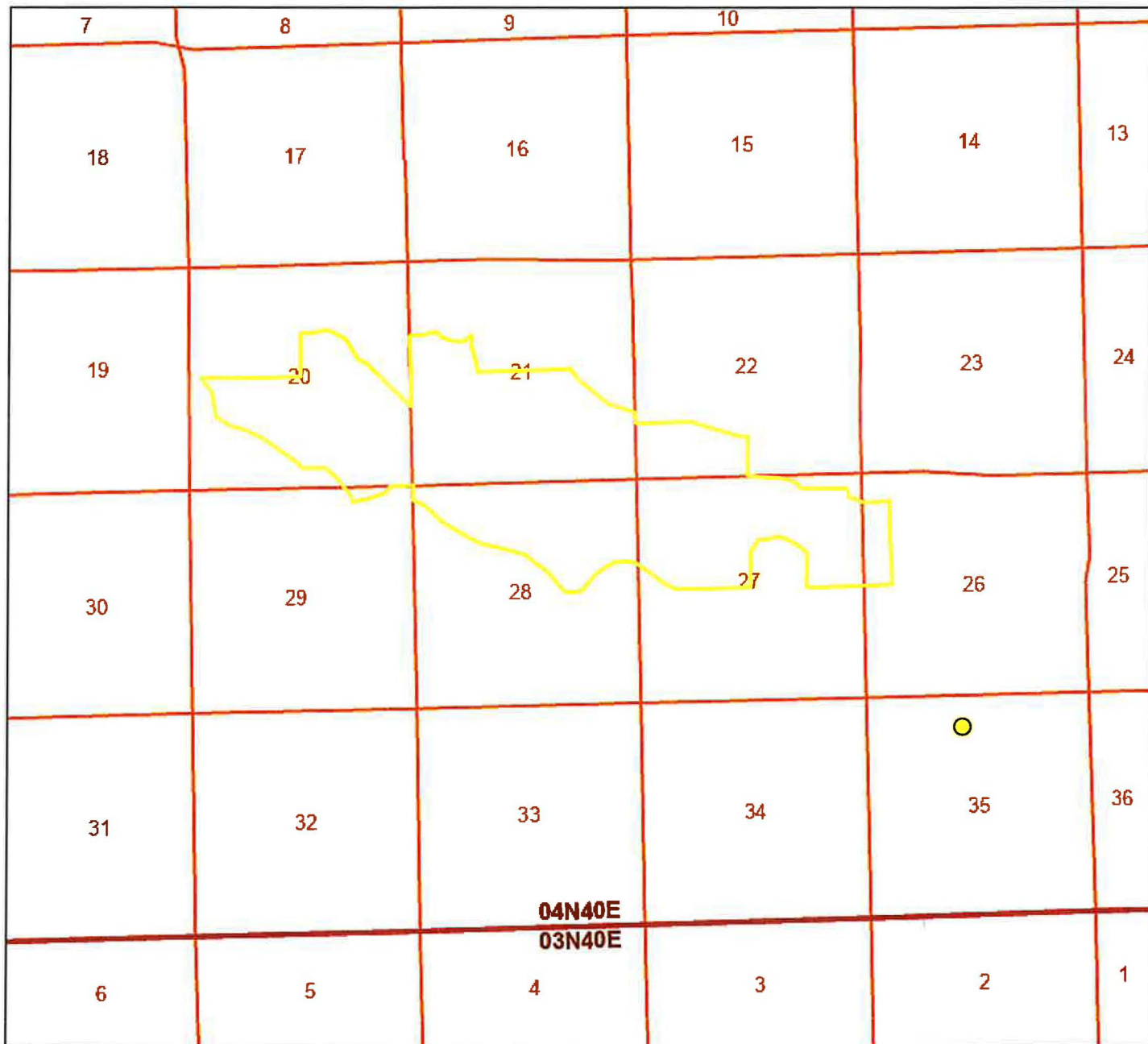
State of Idaho
Department of Water Resources

Water Right

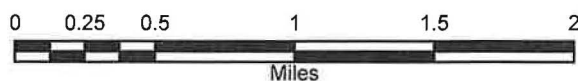
1-231

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 12/3/2024



Legend

- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



Water Right Report : 1-301(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	Sta
Current Owner	BUTLER ISLAND CANAL CO	C/O ANNE FERGUSON 15533 E RIRIE HWY	RIRIE	ID

Water Right Status

Priority Date : 4/1/1939

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SNAKE RIVER		COLUMBIA RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Ty
SNAKE RIVER	04N	40E	35	0		NE	NW	JEFFERSON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	16.00 CFS	
TOTAL			16.00 CFS	

Places of Use

This water right has a [Large Place Of Use](#) 

Irrigation Totals

Total Acres Acre Limit

938.00

Conditions

Code Condtions

Dates

Licensed Date :
Decreed Date : 3/14/2008
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 01
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

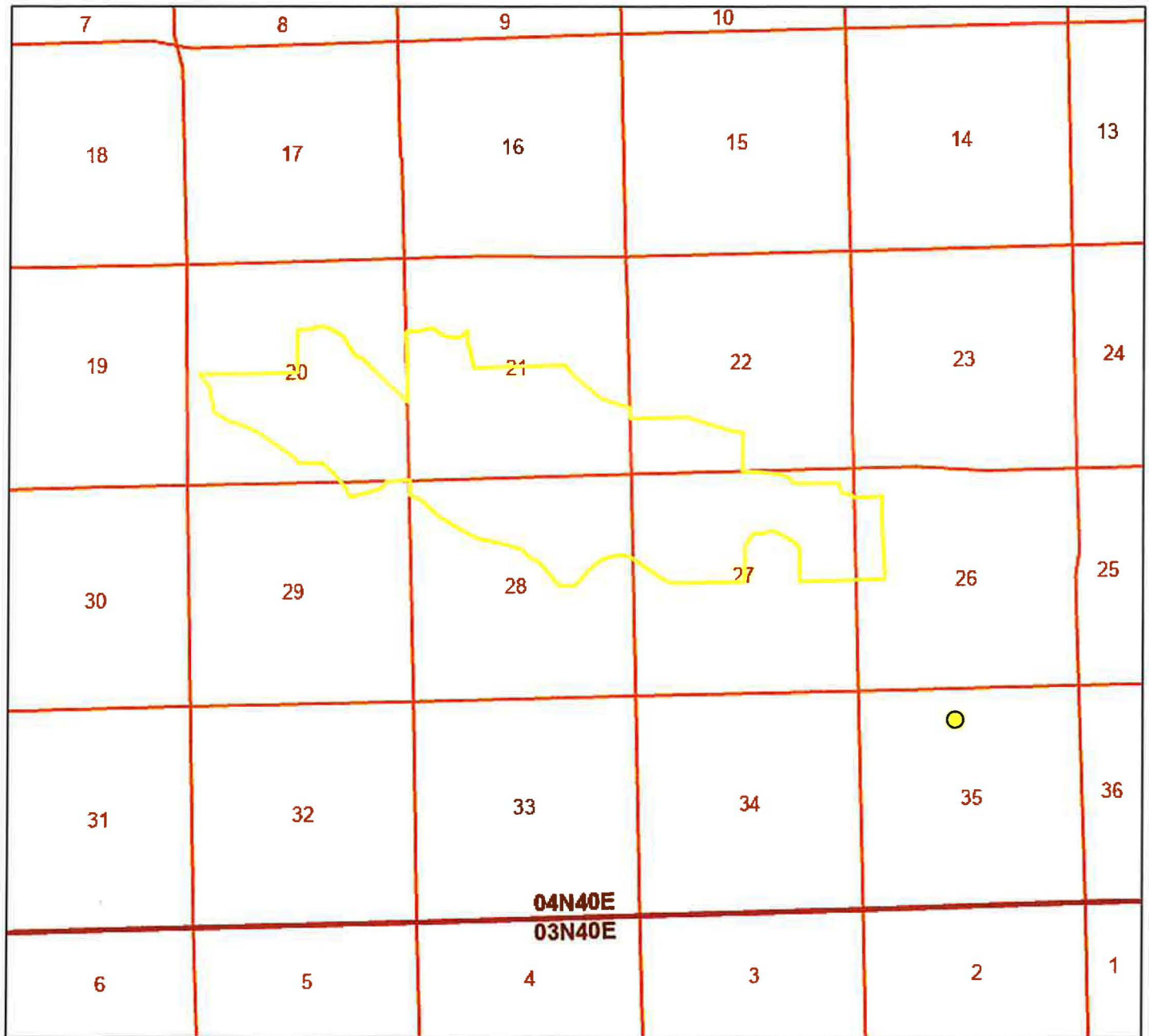
State of Idaho
Department of Water Resources

Water Right

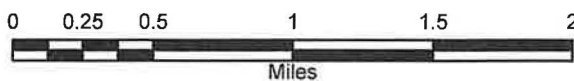
1-301

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 12/3/2024



Legend

- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



Large Pou Report for Right ID : 603712

Place of Use Legal Description : IRRIGATION (JEFFERSON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	40E	20			SW	NE	
04N	40E	20			SE	NE	
04N	40E	20			NE	SW	
04N	40E	20			NW	SW	
04N	40E	20			SE	SW	
04N	40E	20			NE	SE	
04N	40E	20			NW	SE	
04N	40E	20			SW	SE	
04N	40E	20			SE	SE	
04N	40E	21			SW	NW	
04N	40E	21			SE	NW	
04N	40E	21			NE	SW	
04N	40E	21			NW	SW	
04N	40E	21			SW	SW	
04N	40E	21			SE	SW	
04N	40E	21			NE	SE	
04N	40E	21			NW	SE	
04N	40E	21			SW	SE	
04N	40E	21			SE	SE	
04N	40E	22			SW	SW	
04N	40E	22			SE	SW	
04N	40E	26	4		NW	NW	
04N	40E	26			SW	NW	
04N	40E	27	1		NE	NE	
04N	40E	27			NW	NE	
04N	40E	27			SW	NE	

Attachment 4: Authority to Request Change

- Certificate of Existence



STATE OF IDAHO

Phil McGrane | Secretary of State

Business Office

450 North 4th Street

PO Box 83720

Boise, ID 83720

December 3, 2024

Request Type: Certificate of Existence/Filing

Request #: 0006000323

Receipt #: 001069808

Issuance Date: 12/03/2024

Copies Requested: 0

Regarding: BUTLER ISLAND CANAL COMPANY (THE)

Filing Type: Non-Profit Corporation (D)

Formation/Qualification Date: 03/07/1994

Status: Active-Good Standing

Duration Term: Perpetual

File #: 325330

Formation Locale: IDAHO

Inactive Date:

Certificate of Existence

I, Phil McGrane, Secretary of State of the State of Idaho, do hereby certify that effective as of the issuance date noted above

BUTLER ISLAND CANAL COMPANY (THE)

is a Corporation duly incorporated under the law of this State with a date of incorporation and duration as given above.

A handwritten signature of Phil McGrane, enclosed in an oval.

Phil McGrane

Idaho Secretary of State

Processed By: Business Division

Verification #: 031727827

Attachment 5: PLSS List for Lands to be Added

T	R	S	QQ	Gov Lot	TRS QQ	TRS LOT
04N	40E	26	NENW	3	04N40E26NENW	04N40E26 3
04N	40E	26	NWNW	4	04N40E26NWNW	04N40E26 4
04N	40E	26	SWNW		04N40E26SWNW	
04N	40E	26	SEnw		04N40E26SEnw	
04N	40E	26	SEnw	3	04N40E26SEnw	04N40E26 3
04N	40E	26	NESW		04N40E26NESW	
04N	40E	26	NWSW		04N40E26NWSW	
04N	40E	26	NESE	1	04N40E26NESE	04N40E26 1
04N	40E	26	NWSE	2	04N40E26NWSE	04N40E26 2
04N	40E	26	SWSE		04N40E26SWSE	
04N	40E	26	SESE	1	04N40E26SESE	04N40E26 1
04N	40E	27	NENE	1	04N40E27NENE	04N40E27 1

Attachment 6: Old Map from Company Records

