

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/16/2019

Water Right 34-12364

After Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRADLEY KEITH NIGHTINGALE PO BOX 210 MACKAY, ID 83251-0210 (209) 678-2836
Current Owner	ROSALYN ANN NIGHTINGALE PO BOX 210 MACKAY, ID 83251-0210 (209) 678-2836
Security Interest	IDAHO AG CREDIT FLCA PO BOX 985 BLACKFOOT, ID 83221-0985 (208) 785-1510
Security Interest	USDA FARM SERVICE AGENCY 725 JENSEN GROVE DR STE 2 BLACKFOOT, ID 83221-1636 (208) 785-2090

Priority Date: 7/9/1979

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.710 CFS

Volume

302.2 AF

Total Diversion

0.710 CFS

302.2 AF

Source and Point(s) of Diversion

GROUND WATER

NWSESE

Sec. 2, Twp 06N, Rge 25E, BUTTE County

Place Of Use

IRRIGATION within BUTTE, CUSTER Counties

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	1			37.0	34.0					17.0		37.0	41.0	23.0	41.0			230.0
06N	25E	2													10.0			41.0	51.0
06N	25E	11				37.0													37.0
06N	25E	11	41.0																41.0
06N	25E	12					35.0	35.0											70.0

Right Acre Limit: 96.1

POU Total Acres: 429.0

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Conditions of Approval:

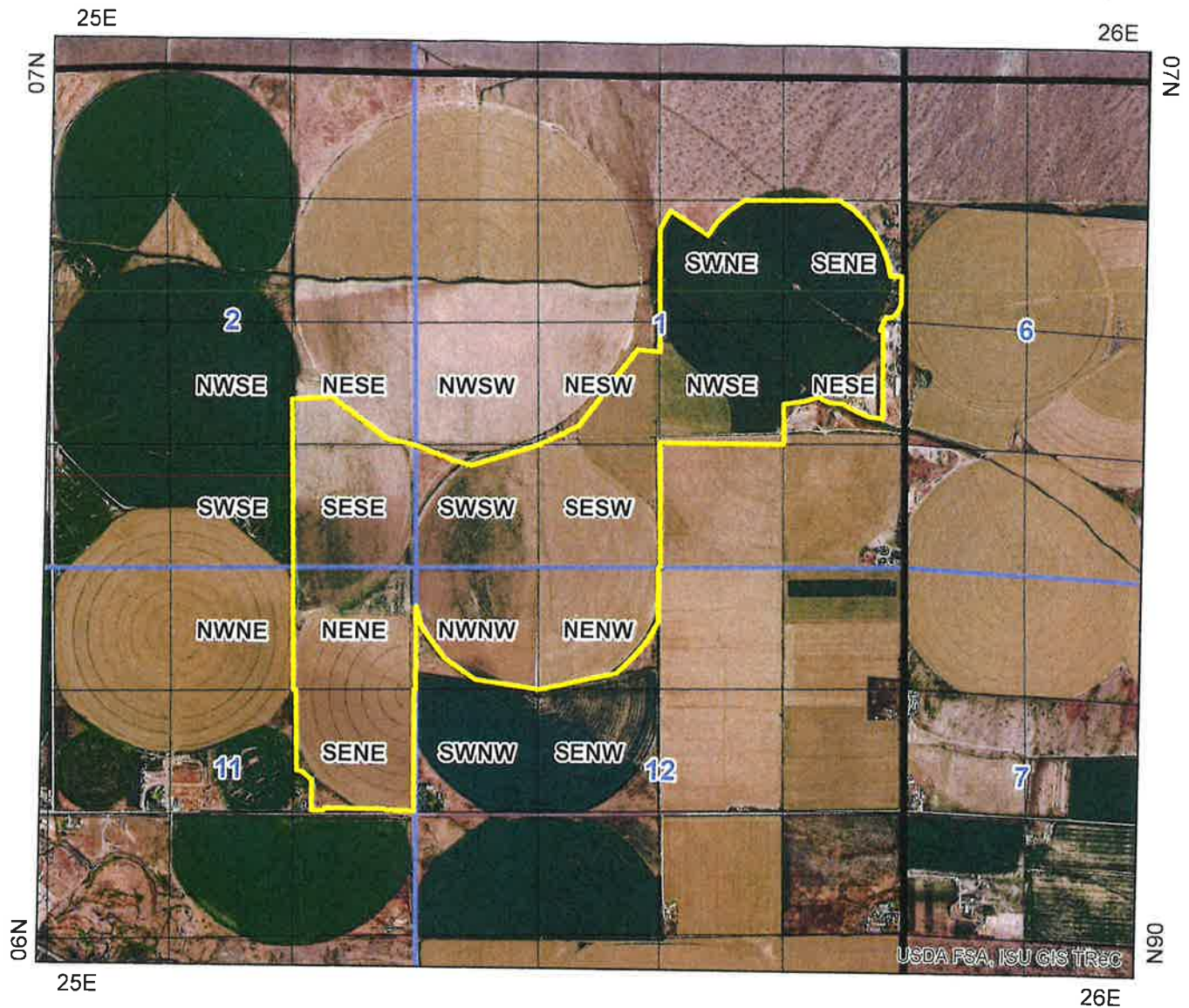
1. K09 This right is for an enlargement of 204.8 acres within the place of use described for this right.
2. X35 Rights 34-4031, 34-7175 and 34-12364 when combined shall not exceed a total diversion rate of 2.85 cfs.
3. X35 Rights 34-2390A, 34-2466A, 34-4031, 34-7175 and 34-12364 when combined shall not exceed a total annual maximum diversion volume of 1311.1 af at the field headgate, and the irrigation of 374.6 acres.
4. X35 Rights 34-848, 34-2390A, 34-7175, 34-4031, 34-12364, 34-2466A, 34-10713, 34-10714 and 34-10715 when combined shall not exceed a total diversion rate of 10.65 cfs and the irrigation of 394 acres.
5. X35 Rights 34-449, 34-848, 34-2390A, 34-2390B, 34-7175, 34-4031, 34-12364, 34-2466A, 34-2466B, 34-10713, 34-10714 and 34-10715 when combined shall not exceed a total diversion rate of 12.01 cfs and the irrigation of 429 acres.
6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. 214 Prior to the diversion and use of water under Transfer approval 76450, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
14. F06 The following rights are diverted through point(s) of diversion described above: 34-4031, 34-7175, 34-12364, 34-14745, 34-14746, 34-14750.
15. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
16. K02 This right is based upon an enlargement of Right No. 34-4031, 34-7175 pursuant to Section 42-1426, Idaho Code.

Comments:

4. j barg 8/15/2019 Ownership Change
water right 34-12364 was split into 34-12364 and 34-14750.

State of Idaho
Department of Water Resources
Water Right License

34-449, 34-848 , 34-2390A, 34-2390B, 34-2466A, 34-2466B,
34-4031, 34-7175, 34-10713, 34-10714, 34-10715, 34-12364
After Split



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.225 0.45 0.9 Miles



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/14/2019

Water Right 34-12364

Before Split

Owner Type **Name and Address**
Current Owner HEATHER I CARTER
1025 S 1500 W
PINGREE, ID 83262
(208) 684-4811

Current Owner VAL C CARTER
1025 S 1500 W
PINGREE, ID 83262
(208) 684-4811

Security Interest IDAHO AG CREDIT FLCA
PO BOX 985
BLACKFOOT, ID 83221-0985
(208) 785-1510

Priority Date: 7/9/1979

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.180 CFS	500.0 AF
	<u>Total Diversion</u>		1.180 CFS	500.0 AF

Source and Point(s) of Diversion

GROUND WATER

NWSESE

Sec. 2, Twp 06N, Rge 25E, BUTTE County

Place Of Use

IRRIGATION within BUTTE, CUSTER Counties

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	1			37.0	34.0	13.0	33.0	41.0	37.0	41.0	41.0	41.0	41.0	23.0	41.0			423.0
							L3	L4											
06N	25E	2	17.0			40.0									41.0			41.0	139.0
			L1																
06N	25E	11	41.0																41.0
06N	25E	11				37.0													37.0
06N	25E	12					35.0	35.0											70.0

Right Acre Limit: 159.0

POU Total Acres: 710.0

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Conditions of Approval:

1. K09 This right is for an enlargement of 339 acres within the place of use described for this right.
2. X35 Rights 34-4031, 34-7175 and 34-12364 when combined shall not exceed a total diversion rate of 4.72 cfs.
3. X35 Rights 34-2390A, 34-2466A, 34-4031, 34-7175 and 34-12364 when combined shall not exceed a total annual maximum diversion volume of 2170 af at the field headgate, and the irrigation of 620 acres.
4. X35 Rights 34-848, 34-2390A, 34-7175, 34-4031, 34-12364, 34-2466A, 34-10713, 34-10714 and 34-10715 when combined shall not exceed a total diversion rate of 17.63 cfs and the irrigation of 652 acres.
5. X35 Rights 34-449, 34-848, 34-2390A, 34-2390B, 34-7175, 34-4031, 34-12364, 34-2466A, 34-2466B, 34-10713, 34-10714 and 34-10715 when combined shall not exceed a total diversion rate of 19.88 cfs and the irrigation of 710 acres.
6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. 214 Prior to the diversion and use of water under Transfer approval 76450, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
14. F06 The following rights are diverted through point(s) of diversion described above:
34-4031, 34-7175, 34-12364.
15. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
16. K02 This right is based upon an enlargement of Right No. 34-4031, 34-7175 pursuant to Section 42-1426, Idaho Code.

Idaho Department of Water Resources

Water Right Before Split

