

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/16/2014

Water Right 34-2323E

Before Split

Owner Type **Name and Address**
Current Owner MARK SCHLUTER
250 WOODLAND HILLS RD
HELENA, MT 59602
(406)458-5134

Directors Report HINTZE FARMS
Owner PO BOX 125
MACKAY, ID 83251
(208)588-2849

Priority Date: 2/11/1955

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	4/15	10/15	0.130 CFS	29.0 AF
	<u>Total Diversion</u>		0.130 CFS	29.0 AF

Source and Point(s) of Diversion

GROUND WATER	NWSWNE	Sec. 33, Twp 07N, Rge 24E, CUSTER County(R)
GROUND WATER	SESW	Sec. 27, Twp 07N, Rge 24E, CUSTER County

Place Of Use

IRRIGATION within CUSTER County

T06N R25E S7	NESW	5.8
T06N R25E S7	SESW	2.5
	Right Acre Limit:	8.3
	POU Total Acres:	8.3

Conditions of Approval:

1. X35 Rights 34-644F, 34-780I and 34-2323E when combined shall not exceed a total diversion rate of 0.23 cfs, and the irrigation of 8.3 acres.
2. Water diverted under a portion of this right is exchanged by injecting water diverted under this right into the Swauger ditch and diverting an equal amount from the Big Lost River at the point of rediversion described above. Water may be rediverted from the Big Lost River only when there is current demand for the water injected into the Swauger ditch by Swauger ditch water users with currently deliverable priorities below the point of injection.
3. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than February 13, 2002.

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4. Exchange water diverted from the Big Lost River is delivered through the Darlington ditch.
5. 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.

Comments:

1. BAUMHOFF 7/26/1991 EXCHANGE WELL
THIS RIGHT IS EXCHANGED IN 3 DIFFERENT DITCHES AND THEREFORE THE INDIVIDUAL PORTIONS ARE RECOMMENDED UNDER PORTIONS A, B, & C.
2. BAUMHOFF 9/13/1991 RECOMMENDED AS 34-02323 A, B, AND C.
3. DUNN 4/30/1992 HHT - CHANGE IN RECOMMENDATION
THIS 34-02323 HAS BEEN RECOMBINED TO MORE ACCURATELY DESCRIBE THE USE OF THIS WATER. HHT
4. CARLSON 5/22/1992 REMARK CHANGE
BIG LOST RIVER RIGHT HOLDERS TO "SWAUGER DITCH WATER USERS"
5. ECARLSEN 5/22/1996 CHANGE OF OWNERSHIP
COMPLETED DATA ENTRY FOR CHANGE OF OWNERSHIP, RECEIVED 27MAR95, FROM HINTZE TO SCHLUTER.
6. CSAXTON 2/8/2000 SPLIT RIGHT
THIS RIGHT IS THE RESULT OF A SPLIT DUE TO A REQUEST FOR AN OWNERSHIP CHANGE RECEIVED ON 11-19-99. THE RESULTING WATER RIGHT SPLIT FOLLOWS: 34-02323E, 0.76 CFS ON 47.7 ACRES, SCHLUTER 34-02323F, 0.23 CFS ON 14.8 ACRES, ELLWEIN
7. JCRABTRE 3/30/2000 ADDRESS CHANGE
CHANGED ADDRESS PER REQUEST/NCAP TO COURT
8. jberkey 10/14/2004 POD
Correlated PODID 507761 from SpatialDataID 354768 to SpatialDataID 204644
9. nmiller 6/2/2006 POD
Correlated PODID 507762 from SpatialDataID 303017 to SpatialDataID 203300
10. kmathews 4/24/2013 Updated Shape
Updated POUShape
11. scox 4/26/2013 Transferred Right
This is now an approved transfer. Transfer Number = 78330
12. nmiller 7/1/2013 POD