

IDAHO DEPARTMENT OF WATER RESOURCES

8/21/2013

Proof Report

Water Right 34-2318

Before Split

Owner Type **Name and Address**
 Current Owner PHILLIP D SCOTT
 7244 W PORTNEUF RD
 POCA TELLO, ID 83201
 (208)235-1832

Current Owner SANDRA K SCOTT
 3493 ANTELOPE RD
 MOORE, ID 83276
 (208)554-2706

Priority Date: 11/30/1954**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	4.500 CFS	
	<u>Total Diversion</u>		4.500 CFS	

Source and Point(s) of Diversion

GROUND WATER	NENWSW	Sec. 8, Twp 05N, Rge 26E, BUTTE County
GROUND WATER	SWSESW	Sec. 8, Twp 05N, Rge 26E, BUTTE County
GROUND WATER	NESE	Sec. 17, Twp 05N, Rge 26E, BUTTE County

Place Of Use

IRRIGATION within BUTTE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	7													25.0			6.0	31.0
05N	26E	8						10.0	37.0		18.0	40.0	40.0	35.0					180.0
05N	26E	17		12.0	27.0		40.0	44.0	47.0	28.0	10.0			5.0	5.0	40.0	37.0	20.0	315.0
05N	26E	18	32.4			29.6													62.0

Right Acre Limit: 315.0

POU Total Acres: 588.0

Conditions of Approval:

- USE OF THIS RIGHT WITH RIGHT NOS. 34-02414, 34-02503, 34-07027 AND 34-12053 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.67 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2058 AF.
 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.71 CFS.
 COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02414, 34-02503, 34-07027,

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- 34-10292 AND 34-12053.
2. 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 THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 588 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02414, 34-02503, 34-07027, 34-10292 AND 34-12053.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 34-02414, 34-02503, 34-07027 AND 34-12053.
RIGHT NO. 34-12053 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Comments:

1. TAYLOR 8/2/1991 COPIED FROM REMARKS
OTHER RIGHTS USED: A34-10292 (34-0581 & 34-0245 COMBINED) A34-00165B, A34-00164, A34-07027, A34-02414, A34-02503. 489" @ 6-01-1890 | BIG LOST IRRIGATION DIST. 778" @ 9-01-1896 | FROM MACKAY RESERVOIR STORAGE. | WATER IS CO-MINGLED WITH BIG LOST RIVER DECREED WATER AND RE-DIVERTED AT SE¼SW¼, SEC. 8, T5N, R26E. ALL WATER IS USED WITHIN ONE SYSTEM. CHANGE IN OWNERSHIP, 10/19/90/JT
2. CFRITSCH 4/17/1996 COPIED FROM REMARKS
USE OF THIS RIGHT WITH RIGHT NO. 34-00164 AND THE OTHER RIGHTS LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.93 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1497.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 599 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 34-02414, 34-02503, 34-07027 & 34-12053 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.67 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2096.5 AF. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. RIGHT NO. 34-12053 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).
3. JHOAGLAN 9/23/1997 OWNERSHIP CHANGE
CHANGED OWNERSHIP PER REQUEST/NCAP TO COURT

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4. CFRITSCH 2/24/1999 WELL NO. ADDED
ADDED WELL 334 TO POD IN NESE PER INFORMATION FROM SCOTT KING.
5. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
6. jberkey 10/14/2004 POD
Correlated PODID 416043 from SpatialDataID 354805 to SpatialDataID 212284
10. kpickett 2/6/2006 POD
Correlated PODID 416044 from SpatialDataID 211996 to SpatialDataID 211994
14. nmiller 1/6/2009 POD
PODID 416042 correlated from SpatialDataID 211933 to SpatialDataID 396764

Dates and Other Information

Decreed Date: 6/27/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 34
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
8.670	2,058.0	
34-2318 ,34-2414 ,34-2503 ,34-7027 ,34-12053		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
13.710		588.0
34-164 ,34-165B ,34-2318 ,34-2414 ,34-2503 ,34-7027 ,34-10292 ,34-12053		

Verification Log

SubCase:

SubCaseNumber: 34-2318
Class: 2
SF5 Filed Date: 11/17/1997
Special Master Recom Signed Date: 12/19/1997
Attorney Assigned: SARA C DENISTON
Adjudication Agent:
Basis of Claim:
Date Filed: 2/26/1993
Objection Status: Active

Water Supply Bank:

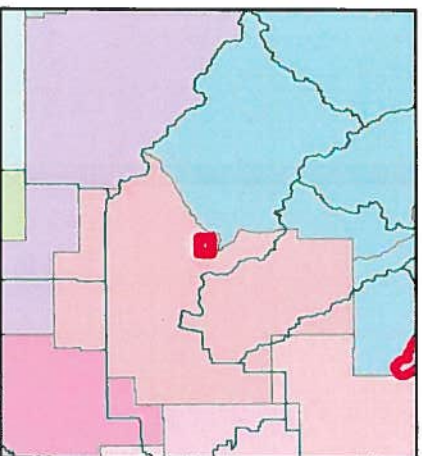
N/A

Idaho Department of Water Resources



Water Rights
 34-164, 34-165B, 34-2318,
 34-2414, 34-2503, 34-7027,
 34-0292, 34-12053
(IRRIGATION)

- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Butte County
IDWR Basin 34

Prepared by Jordan, Blake

2009 Aerial Photography

