

## IDAHO DEPARTMENT OF WATER RESOURCES

8/21/2013

## Proof Report

Water Right 34-12053 *Before Split*

**Owner Type**      **Name and Address**  
 Current Owner      SANDRA K SCOTT  
                          3493 ANTELOPE RD  
                          MOORE, ID 83276  
                          (208)554-2706

Current Owner      PHILLIP D SCOTT  
                          7244 W PORTNEUF RD  
                          POCATELLO, ID 83201  
                          (208)235-1832

**Priority Date:** 12/31/1976**Basis:** Decreed**Status:** Active

**Source**  
 GROUND WATER

**Tributary**

**Beneficial Use**  
 IRRIGATION

**From**      **To**  
 4/01      10/31

**Diversion Rate**  
 1.420 CFS

**Volume****Total Diversion**

1.420 CFS

**Source and Point(s) of Diversion**

GROUND WATER  
 GROUND WATER  
 GROUND WATER

NESE  
 SWSESW  
 NENWSW

Sec. 17, Twp 05N, Rge 26E, BUTTE County  
 Sec. 8, Twp 05N, Rge 26E, BUTTE County  
 Sec. 8, 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   |

POU Total Acres: 588.0

**Conditions of Approval:**

- USE OF THIS RIGHT WITH RIGHT NOS. 34-02318, 34-02414, 34-02503 AND 34-07027 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.67 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2058.0 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, 34-02318, 34-02414, 34-02503, 34-07027 AND 34-10292.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/21/2013

2. 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.
3. 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, 34-02318, 34-02414, 34-02503, 34-07027 AND 34-10292.
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. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 34-02318, 34-02414, 34-02503 AND 34-07027. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 34-02318, 34-02414, 34-02503 AND 34-07027 PURSUANT TO SECTION 42-1426, IDAHO CODE.

**Comments:**

1. TAYLOR 8/5/1991 COPIED FROM REMARKS  
THIS CLAIM IS BASED ON AN EXPANSION OF RIGHTS 34-02318, 02414, 02503 & 07027. EXPANSION OCCURRED IN 1976 WHEN MAINLINE WAS ADDED
2. SHAW 1/10/1992 COPIED FROM REMARKS  
THE NUMBER OF IRRIGATED ACRES FOR THIS RIGHT WAS DETERMINED BASED ON A DIVERSION RATE OF .0144 CFS PER ACRE AT THE FIELD HEADGATE.
3. 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. 34-02318, 34-02414, 34-02503 & 34-07027 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.67 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2058 AF IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 114 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 34-02318, 34-02414, 34-02503 & 34-07027 PURSUANT TO IDAHO CODE 42-1416(2).
4. JHOAGLAN 9/23/1997 OWNERSHIP CHANGE  
CHANGED OWNERSHIP PER REQUEST/NCAP TO COURT
5. DSHAFF 1/6/1998 DATA ENTRY  
THE SPEC. MASTER RECOMM. THIS WATER RIGHT STRIKING THE K02 REMARK IDENTIFYING FROM WHAT RIGHTS THIS WATER RIGHT WAS ENLARGED. THE REMARK BY THIS DATA ENTRY WAS MOVED TO EXP REMARKS FROM GEN.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/21/2013

6.      AJU10-DS                      6/9/2000           AJU10 CONDITION UPDATE  
          CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
7.      jberkey                      10/14/2004          POD  
          Correlated PODID 416057 from SpatialDataID 354805 to SpatialDataID 212344
11.     kpickett                     2/6/2006            POD  
          Correlated PODID 416056 from SpatialDataID 211933 to SpatialDataID 211928
15.     kpickett                     2/6/2006            POD  
          Correlated PODID 416055 from SpatialDataID 211996 to SpatialDataID 212004
19.     nmiller                      1/6/2009            POD  
          PODID 416056 correlated from SpatialDataID 211933 to SpatialDataID 396764

**Dates and Other Information**

Decreed Date: 7/10/2002  
Enlargement Statute Priority Date: 4/12/1994  
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:**

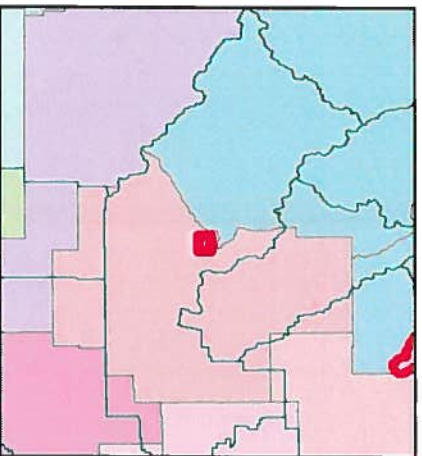
N/A

**Water Supply Bank:**

N/A

34-164, 34-165B, 34-2318,  
34-2414, 34-2503, 34-7027,  
34-12053

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



IDWR Basin 34

## 2009 Aerial Photography

