

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-426B

WATER RIGHT NUMBER: 34-426B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN D KING HC 60 BOX 280 DARLINGTON, ID 83231 (208)554-2201
Current Owner	MERLE M KING HC 60 BOX 280 DARLINGTON, ID 83231 (208)554-2201
Previous Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE, ID 83709-1657 (208)373-4000

After

Priority Date: 06/01/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ANTELOPE CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	0.280 CFS	49.00 AF
	<u>Total Diversion:</u>	0.280 CFS	49.00 AF

Location of Point(s) of Diversion

ANTELOPE CREEK	NW1/4NE1/4	Sec. 31, Twp 05N, Rge 25E, B.M.
BUTTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	25E	29			13.0	1.5				19.7	4.0								38.2

Total Acres: 38.2

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. 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.

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3. 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.
4. Rights 34-00426B, 34-00427B and 34-00554B when combined shall not exceed a total annual maximum diversion volume of 63.7 af at the field headgate and the irrigation of 18.2 acres.
5. Right 34-00426B is limited to the irrigation of 14.0 acres in the place of use described above in a single irrigation season.
6. X61 The period of use for the irrigation described above may be extended in a season of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7. 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.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Remarks:Comments:

1. FRITSCHL 9/5/1991 PLACE OF USE

Comment: MR. KING STATED THAT HE HAS USED ALL OF HIS DECREED WATER FOR THE HOME PLACE ON ALL IRRIGATED LANDS ON THE HOME PLACE SINCE HE PURCHASED THE 80 ACRES ALONG ANTELOPE ROAD.

2. FRITSCHL 3/30/1992 NOTICE OF ERROR FLAG

Comment: NOTICE OF ERROR FLAG CHANGED FROM "A" TO "B". CLAIM REVERIFIED.

3. FRITSCHL 5/22/1992 MODIFIED REMARKS

Comment: THE FOLLOWING REMARK WAS MODIFIED: * 2.39 CFS OF RIGHT NO. 34-00427 AND 1.02 CFS (ALL) OF RIGHT NO. 34-00554 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 34-00427. * $(170.5 \text{ AC.} \times 0.02)/0.70 = 4.87 \text{ CFS}$ $2.60 \text{ CFS} + 3.20 \text{ CFS} + 1.02 \text{ CFS} = 6.82 \text{ CFS}$ $6.82 \text{ CFS} - 4.87 \text{ CFS} = 1.95 \text{ CFS}$ 0.93 CFS FROM 34-00427 AND 1.02 CFS FROM 34-00554 (ALL) FOR MODIFIED REMARK D03. VERIFIED DATE SET.

4. CFRITSCH 4/16/1997 COPIED FROM REMARKS

Comment: 0.93 CFS OF RIGHT NO. 34-00427 AND 1.02 CFS (ALL) OF RIGHT NO. 34-00554 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 34-00427.

5. PSKAGGS 10/30/1998 TRANSFER 5256

Comment: Transfer 5256 changes the point of diversion & place of use under Rights 34-00426B, 34-00427B & 34-00554B.

6. pskaggs 9/7/2011 3:01:11 PM POD

Comment: Updated Shape

7. pskaggs 9/7/2011 Record Updated

Comment: Record was updated to reflect the 11-04-1998 approval of Transfer 5256 & subsequent 12-14-2001 SRBA Order amending irrigation season, extended season and subject to general provisions of final decree.

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Dates and Other Information:

Licensed Date:
Decreed Date: 3/2/1998
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: And
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	63.7	18.2

Combined Water Rights: 34-426B , 34-427B , 34-554B

Water Supply Bank: