

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/21/2023

Water Right 43-335 AFTER Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THIRZA L OTTLEY 1577 E 1740 S MALTA, ID 83342-8649 (208) 638-5590
Current Owner	TOMMY R HUTCHISON 1577 E 1740 S MALTA, ID 83342-8649 (208) 638-5590
Current Owner	MITCHEL J HUTCHISON 1577 E 1740 S MALTA, ID 83342-8649 (208) 638-5590

Priority Date: 4/30/1882

Basis: Decreed

Status: Active

Source
CLYDE CREEK

Tributary
CASSIA CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.100 CFS	
	<u>Total Diversion</u>		0.100 CFS	

Source and Point(s) of Diversion:

CLYDE CREEK SWNENE Sec. 36, Twp 13S, Rge 24E, CASSIA County

Place Of Use:

IRRIGATION within CASSIA 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	
13S	25E	31			38.0														38.0

Right Acre Limit: 19.00
POU Total Acres: 38.0

Conditions of Approval:

- E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 38 ACRES IN A SINGLE IRRIGATION SEASON COMBINED RIGHT NOS. 43-00230, 43-00231, 43-00332, 43-00333, 43-00334, 43-00335 AND 43-10213. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 19 ACRES IN A

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- SINGLE IRRIGATION SEASON COMBINED RIGHT NOS. 43-00332, 43-00333, 43-00334, AND 43-00335.
2. P29 THIS RIGHT IS A COMBINATION OF PORTIONS OF RIGHTS 43-335 AND 43-59.
3. E52 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.76 CFS. COMBINED RIGHTS 43-00230, 43-00231, 43-00332, 43-00333, 43-00334, 43-00335 AND 43-10213.
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.

Comments:

- 1 KCHRISTE 5/24/2000 COPIED FROM REMARKS
THERE IS ONE POINT OF DIVERSION WHICH IS ON THE 1/4-1/4 LINE.
- 2 kchrste 7/9/2001 noe changes
Tommy Hutchison called to note that his 1882 priority date water was not listed. I found that this right was claimed with the wrong priority date and has now been changed to 1882. In reviewing this right I found that the diversion rate should also be changed from the original recommendation.
- 3 wmls 11/20/2023 Split Right
Split into 43-13920.
- 4 wmls 11/20/2023 POU
Updated Shape

Dates and Other Information:

Decreed Date: 6/28/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 43C
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
0.760		38.0	43-230 ,43-231 ,43-332 ,43-333 ,43-334 ,43-335 ,43-10213
		19.0	43-332 ,43-333 ,43-334 ,43-335

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SubCase:

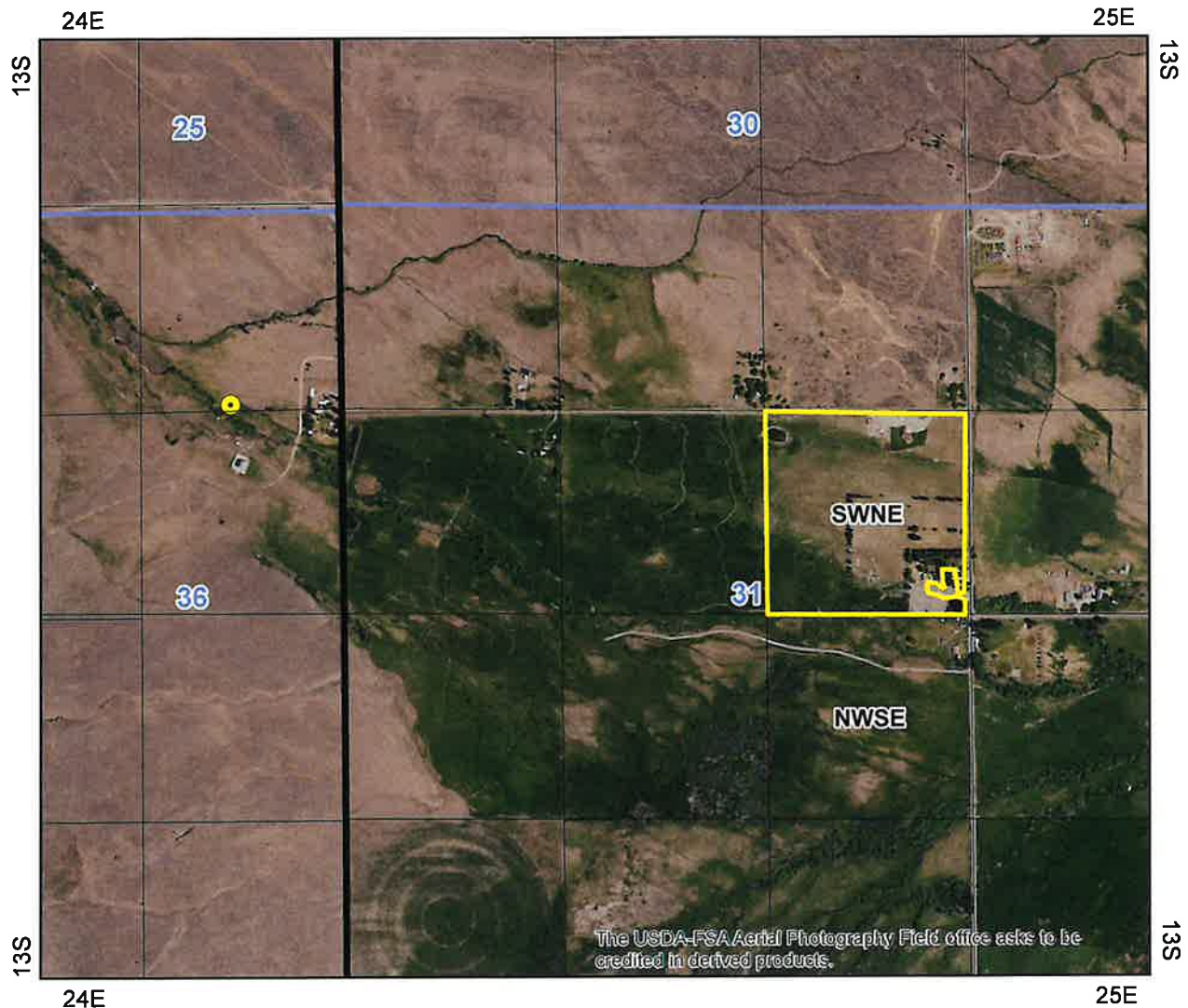
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right AFTER Ownership Change Split
43-335

This map depicts the IRRIGATION place of use boundary for this water right and is attached solely for illustrative purposes.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  State Outline

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Priority Date: 4/30/1882

Basis: Decreed

Status: Active

Source
CLYDE CREEK

Tributary
CASSIA CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.400 CFS	
	<u>Total Diversion</u>		0.400 CFS	

Source and Point(s) of Diversion:

CLYDE CREEK SWNE Sec. 36, Twp 13S, Rge 24E, CASSIA County

Place Of Use:

IRRIGATION within CASSIA 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	
13S	25E	31			38.0				42.0	38.0		32.0							150.0

Right Acre Limit: 76.00
POU Total Acres: 150.0

Conditions of Approval:

1. P29 THIS RIGHT IS A COMBINATION OF PORTIONS OF RIGHTS 43-335 AND 43-59.
2. 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

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- 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.
3. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 150 ACRES IN A SINGLE IRRIGATION SEASON COMBINED RIGHT NOS. 43-00230, 43-00231, 43-00332, 43-00333, 43-00334, 43-00335 AND 43-10213. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 76 ACRES IN A SINGLE IRRIGATION SEASON COMBINED RIGHT NOS. 43-00332, 43-00333, 43-00334, AND 43-00335.
4. E52 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.00 CFS. COMBINED RIGHTS 43-00230, 43-00231, 43-00332, 43-00333, 43-00334, 43-00335 AND 43-10213.

Comments:

1 KCHRISTE 5/24/2000 COPIED FROM REMARKS
THERE IS ONE POINT OF DIVERSION WHICH IS ON THE 1/4-1/4 LINE.

2 kchrste 7/9/2001 noe changes
Tommy Hutchison called to note that his 1882 priority date water was not listed. I found that this right was claimed with the wrong priority date and has now been changed to 1882. In reviewing this right I found that the diversion rate should also be changed from the original recommendation.

Dates and Other Information:

Decreed Date: 6/28/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 43C
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		76.0	43-332 ,43-333 ,43-334 ,43-335
3.000		150.0	43-230 ,43-231 ,43-332 ,43-333 ,43-334 ,43-335 ,43-10213

SubCase:

N/A

Water Supply Bank:

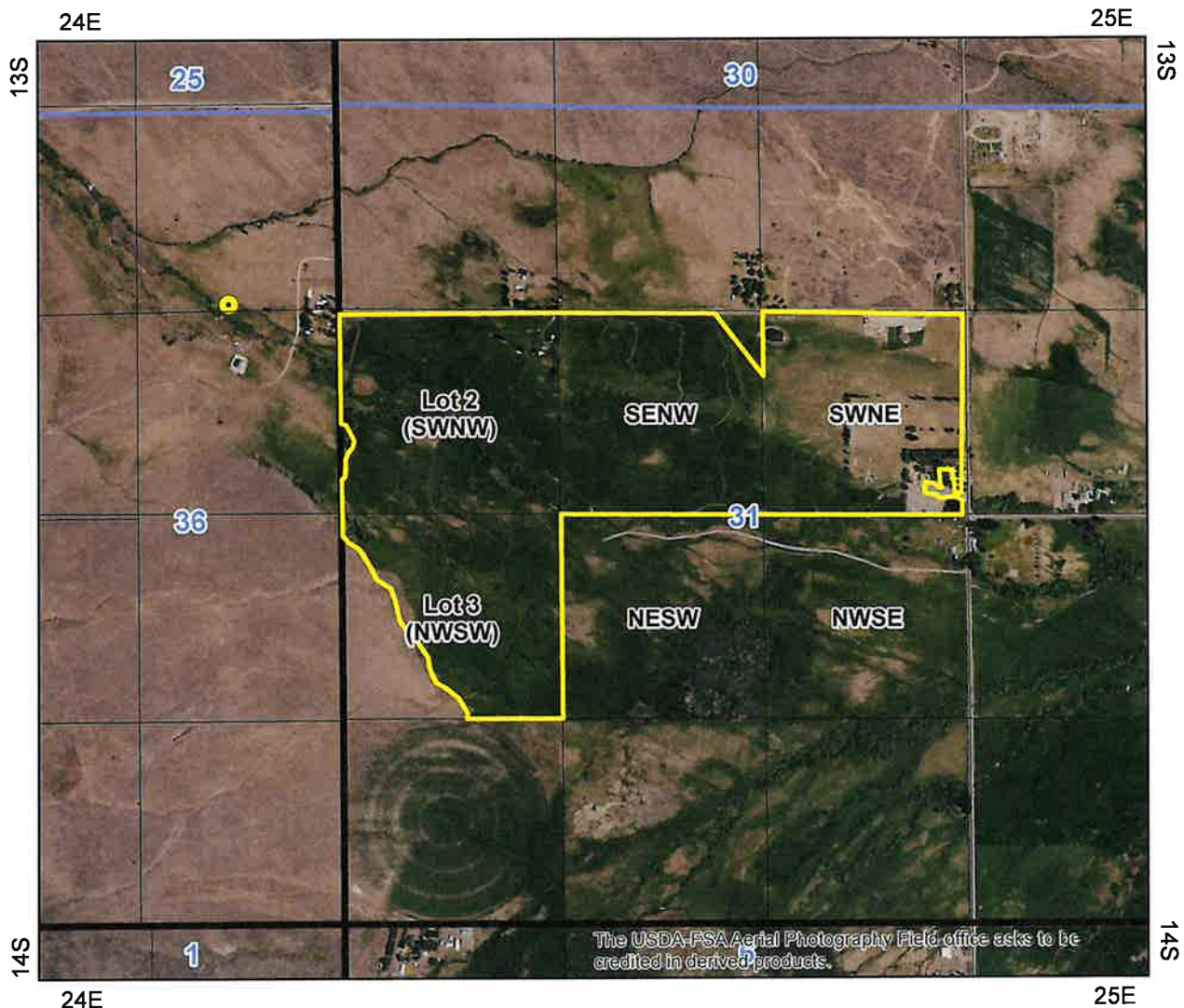
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N/A

State of Idaho
Department of Water Resources
Water Right BEFORE Ownership Change Split
43-335

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  State Outline