

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

4/4/2016

**Water Right 34-55A** *Before Split*

|                          |                                                                                  |
|--------------------------|----------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                   |
| Current Owner            | WALTER H JOHNSON<br>6139 TL CREEK RD<br>MACKAY, ID 83251<br>(208)588-2236        |
| Current Owner            | SALLY RAE JOHNSON<br>6222 BARTLETT POINT RD<br>MACKAY, ID 83251<br>(208)588-2236 |
| Current Owner            | DIANE K HATMAKER<br>6139 TL CREEK RD<br>MACKAY, ID 83251<br>(208)588-2236        |
| Current Owner            | JOAN JOHNSON<br>6139 TL CREEK RD<br>MACKAY, ID 83251<br>(208)588-2236            |

**Priority Date:** 2/12/1916

**Basis:** Decreed

**Status:** Active

**Source**  
BIG LOST RIVER

**Tributary**  
SINKS

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 5/01                          | 10/15            | 0.360 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 0.360 CFS                    |                      |

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

|                |        |                            |               |
|----------------|--------|----------------------------|---------------|
| BIG LOST RIVER | NWSE   | Sec. 16, Twp 08N, Rge 21E, | CUSTER County |
| BIG LOST RIVER | SWSESW | Sec. 16, Twp 08N, Rge 21E, | CUSTER County |
| BIG LOST RIVER | SWSE   | Sec. 16, Twp 08N, Rge 21E, | CUSTER County |
| BIG LOST RIVER | SWNW   | Sec. 15, Twp 08N, Rge 21E, | CUSTER County |
| BIG LOST RIVER | SWSW   | Sec. 16, Twp 08N, Rge 21E, | CUSTER County |

**Place Of Use**

IRRIGATION within CUSTER 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   |        |
| 08N | 21E | 11  |      |      |    |    |      |      |    |    |    |     |      | 16.4 |    |    | 16.4 | 36.6 | 69.4   |
| 08N | 21E | 12  |      |      |    |    |      |      |    |    |    | 1.2 | 35.0 | 1.1  |    |    |      |      | 37.3   |
| 08N | 21E | 13  |      |      |    |    |      | 36.1 |    |    |    |     |      |      |    |    |      |      | 36.1   |
| 08N | 21E | 14  | 39.9 | 25.0 |    |    | 13.3 |      |    |    |    |     |      |      |    |    |      |      | 78.2   |

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

4/4/2016

|     |     |    |  |  |     |      |  |  |  |  |      |      |      |      |      |      |      |      |       |
|-----|-----|----|--|--|-----|------|--|--|--|--|------|------|------|------|------|------|------|------|-------|
| 08N | 21E | 15 |  |  |     |      |  |  |  |  | 40.0 | 40.0 | 36.0 | 20.0 |      | 34.0 |      |      | 170.0 |
| 08N | 21E | 16 |  |  | 2.0 | 18.0 |  |  |  |  |      |      |      |      | 39.0 | 34.0 | 40.0 | 40.0 | 173.0 |

Right Acre Limit: 18.0

POU Total Acres: 564.0

**Conditions of Approval:**

1. 186 Diversion of water from the Nielson Ditch authorized under Transfer 78362 located in SWNW, Sec. 15, T08N, R21E shall not exceed a total combined maximum diversion rate of 4.0 cfs.
2. X27 This right is limited to the irrigation of 18.0 acres within the authorized place of use in a single irrigation season.
3. X35 Rights 34-54, 34-55A and 34-56 when combined shall not exceed the irrigation of 103.0 acres.
4. X35 Rights 34-24, 35-54, 34-55A, 34-26, 34-56 and 34-10251 when combined shall not exceed the irrigation of 343.0 acres.
5. X35 Rights 34-24, 34-26, 34-54, 34-55A, 34-344, 34-351, 34-734, 34-735 and 34-352 when combined shall not exceed a total diversion rate of 15.31 cfs and the irrigation of 564.0 acres.
6. 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 place of use.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
8. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
9. 004 This right does not grant any right-of-way or easement across the land of another. Use of the Nielson Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
10. S34 The period of use for irrigation described above may be extended in seasons 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.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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.
13. 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.

**Dates and Other Information**

Decreed Date: 1/15/1998

State or Federal: S

Owner Name Connector: OR

Water District Number: 34

Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
|-------------|---------------|--------------|

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

4/4/2016

|                                              |               |
|----------------------------------------------|---------------|
| 34-54 ,34-55A ,34-56                         | 103.0         |
| <u>Rate</u>                                  | <u>Volume</u> |
|                                              | <u>Acres</u>  |
| 34-54 ,34-24 ,34-26 ,34-10251 ,34-55A ,34-56 | 343.0         |

SubCase:  
N/A

Water Supply Bank:  
N/A

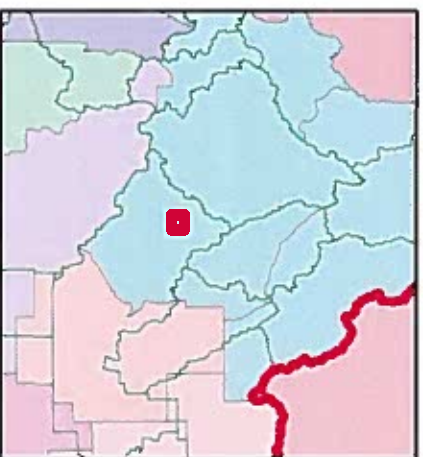


# Idaho Department of Water Resources

## Water Right

34-24, 34-26, 34-54  
34-55A, 34-344, 34-351,  
34-734, 34-735  
(IRRIGATION)

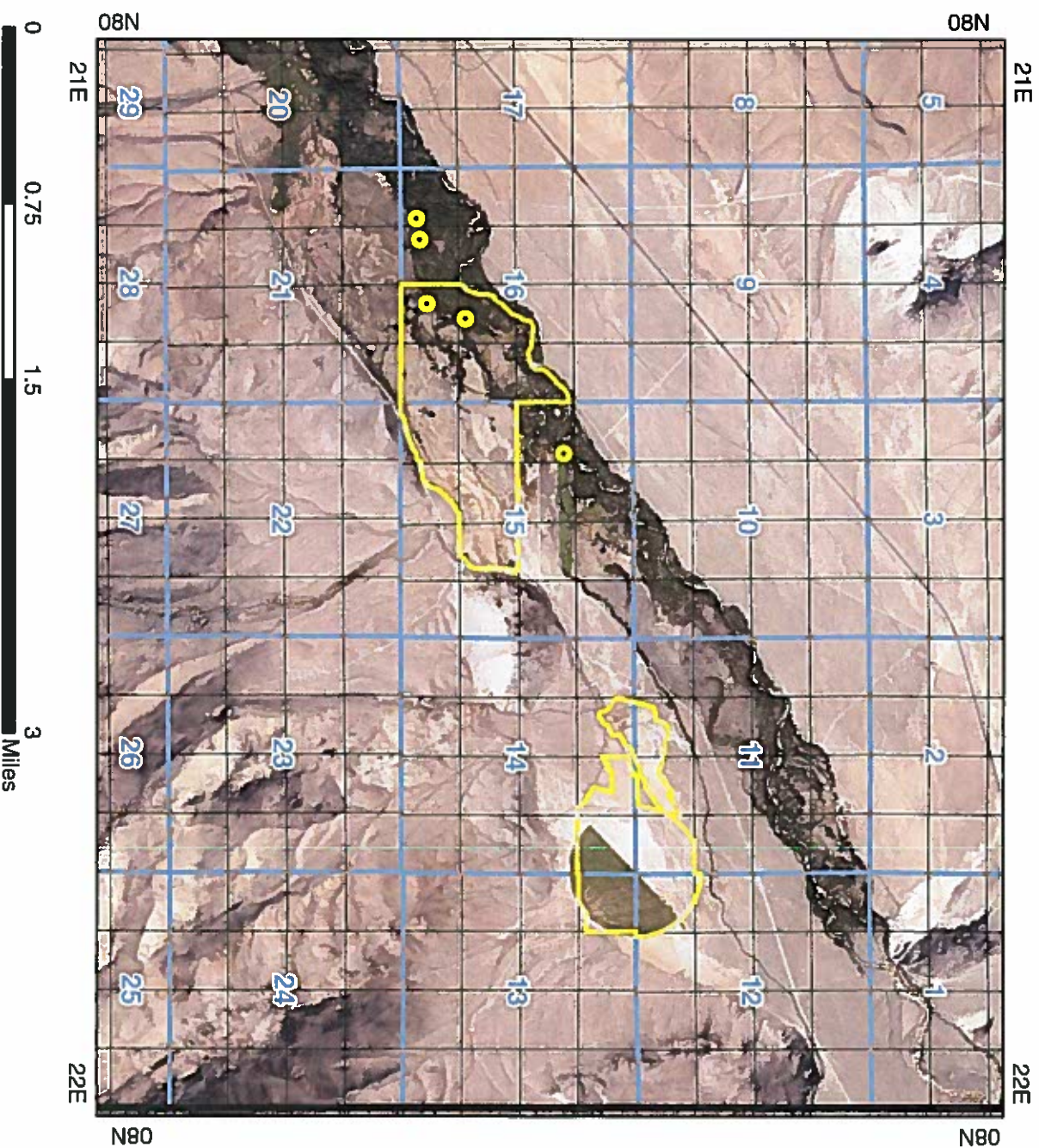
- Place of Use
- Point of Diversion
- State Outline
- Townships
- PLS Sections



Custer County  
IDWR Basin 34

Prepared by Jordan, Blake

Background: 2013 Aerial Photography



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

4/7/2016

Water Right 34-55A *After Split*

|                          |                                                                                  |
|--------------------------|----------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                   |
| Current Owner            | WALTER H JOHNSON<br>6139 TL CREEK RD<br>MACKAY, ID 83251<br>(208)588-2236        |
| Current Owner            | SALLY RAE JOHNSON<br>6222 BARTLETT POINT RD<br>MACKAY, ID 83251<br>(208)588-2236 |
| Current Owner            | DIANE K HATMAKER<br>6139 TL CREEK RD<br>MACKAY, ID 83251<br>(208)588-2236        |
| Current Owner            | JOAN JOHNSON<br>6139 TL CREEK RD<br>MACKAY, ID 83251<br>(208)588-2236            |

**Priority Date:** 2/12/1916

**Basis:** Decreed

**Status:** Active

**Source**  
BIG LOST RIVER

**Tributary**  
SINKS

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 05/01                         | 10/15            | 0.260 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 0.260 CFS                    |                      |

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

|                |        |                            |               |
|----------------|--------|----------------------------|---------------|
| BIG LOST RIVER | NWSE   | Sec. 16, Twp 08N, Rge 21E, | CUSTER County |
| BIG LOST RIVER | SWSESW | Sec. 16, Twp 08N, Rge 21E, | CUSTER County |
| BIG LOST RIVER | SWSE   | Sec. 16, Twp 08N, Rge 21E, | CUSTER County |
| BIG LOST RIVER | SWNW   | Sec. 15, Twp 08N, Rge 21E, | CUSTER County |
| BIG LOST RIVER | SWSW   | Sec. 16, Twp 08N, Rge 21E, | CUSTER County |

**Place Of Use**

IRRIGATION within CUSTER County

| Twp | Rng | Sec | NE |    |     |      | NW |    |    |    | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|----|----|-----|------|----|----|----|----|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE | NW | SW  | SE   | NE | NW | SW | SE | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 08N | 21E | 11  |    |    |     |      |    |    |    |    |      |      |      | 16.4 |      |      | 16.4 | 36.6 | 69.4   |
| 08N | 21E | 15  |    |    |     |      |    |    |    |    | 40.0 | 40.0 | 36.0 | 20.0 |      | 34.0 |      |      | 170.0  |
| 08N | 21E | 16  |    |    | 2.0 | 18.0 |    |    |    |    |      |      |      |      | 39.0 | 34.0 | 40.0 | 40.0 | 173.0  |

Right Acre Limit: 13.2

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

4/7/2016

POU Total Acres: 412.4

**Conditions of Approval:**

1. 186 Diversion of water from the Nielson Ditch authorized under Transfer 78362 located in SWNW, Sec. 15, T08N, R21E shall not exceed a total combined maximum diversion rate of 4.0 cfs.
2. X27 This right is limited to the irrigation of 13.2 acres within the authorized place of use in a single irrigation season.
3. X35 Rights 34-54, 34-55A and 34-56 when combined shall not exceed the irrigation of 75.4 acres.
4. X35 Rights 34-24, 35-54, 34-55A, 34-26, 34-56 and 34-10251 when combined shall not exceed the irrigation of 254.9 acres.
5. X35 Rights 34-24, 34-26, 34-54, 34-55A, 34-344, 34-351, 34-734, 34-735 and 34-352 when combined shall not exceed a total diversion rate of 11.19 cfs and the irrigation of 412.4 acres.
6. 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 place of use.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
8. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
9. 004 This right does not grant any right-of-way or easement across the land of another. Use of the Nielson Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
10. S34 The period of use for irrigation described above may be extended in seasons 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.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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.
13. 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.

**Dates and Other Information**

Decreed Date: 1/15/1998

State or Federal: S

Owner Name Connector: Or

Water District Number: 34

Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
|             |               | 254.9        |

|                                              |  |  |
|----------------------------------------------|--|--|
| 34-54 ,34-24 ,34-26 ,34-10251 ,34-55A ,34-56 |  |  |
|----------------------------------------------|--|--|

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
|             |               | 75.4         |

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

4/7/2016

34-54 ,34-55A ,34-56

**SubCase:**

N/A

**Water Supply Bank:**

N/A

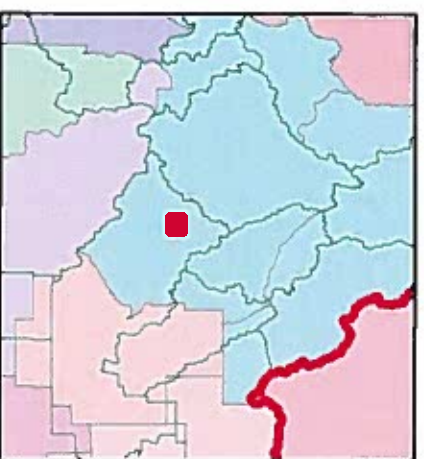


# Idaho Department of Water Resources

## Water Right

34-24, 34-26, 34-54,  
34-55A, 34-344, 34-351,  
34-734, 34-735  
(IRRIGATION)

- Place of Use
- Point of Diversion
- State Outline
- Townships
- PLS Sections



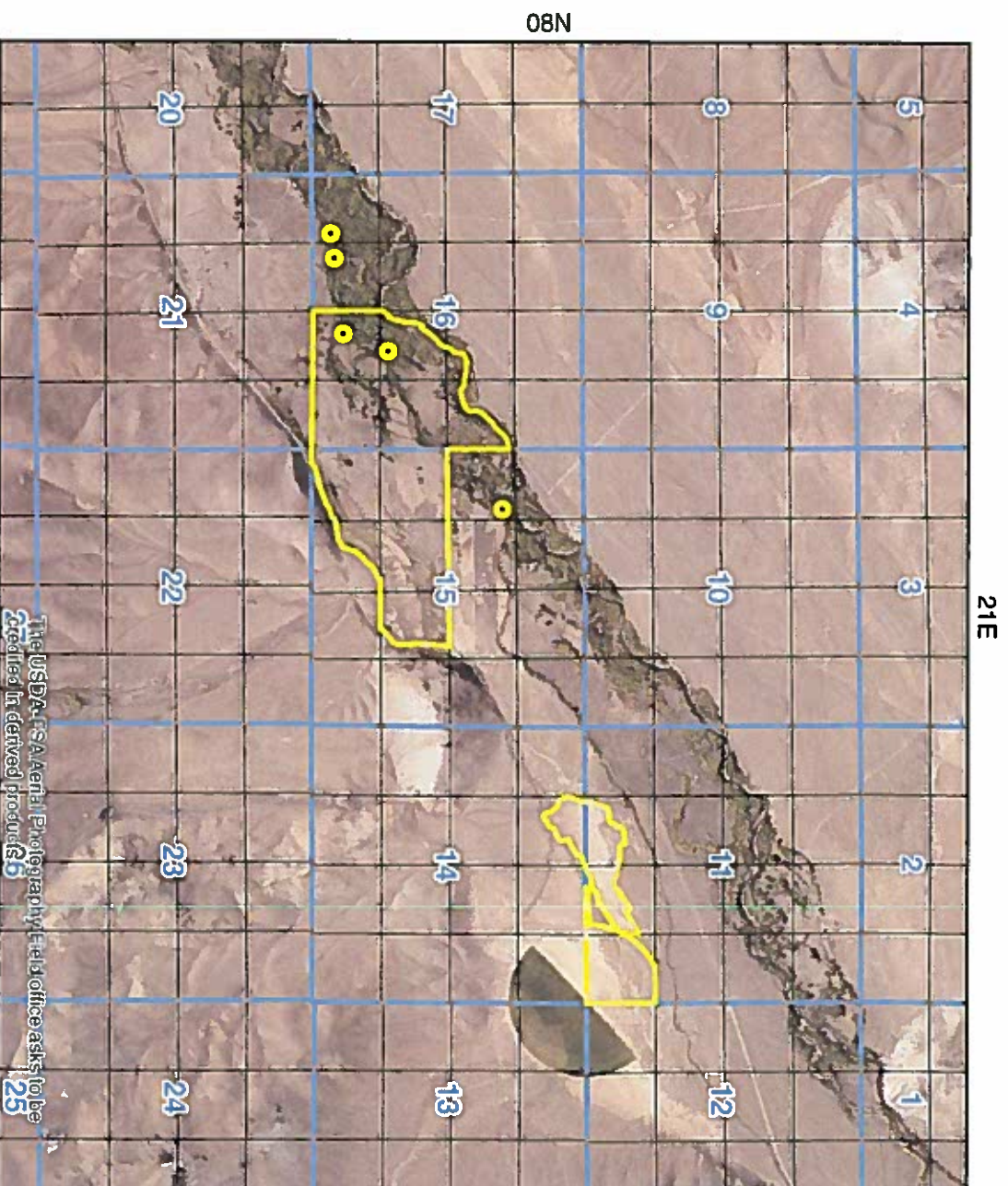
Custer County  
IDWR Basin 34

Prepared by Jordan, Blake

Background: 2013 Aerial Photography



0 0.5 1 2 Miles



The USDA, FSA aerial photography field office asks to be  
cited in derived products.