

SEP 12 2025

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Rafter J LLC
 Mailing Address 997 E Presto RD Skelly ID 83274
 Email* jkjolley@gmail.com Phone 208.266.1208
 Name of Representative (if any) Jacob Jolley
 Mailing Address 997 E Presto RD Skelly ID 83274
 Email* jkjolley@gmail.com Phone 208.266.1208

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☐ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☒ **N/A.** This application does not propose to change the place of use or nature of use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Irrigated Acres to be Changed: _____

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|---|---|
| ☐ Change point(s) of diversion | ☒ Change place of use |
| ☐ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☐ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

I want to combine the place of use for the three suites of water rights I currently own (34-13882 and 13-13942, 34-13935 et al, and 34-14611 et al). The three suites combine to cover 221.5 acres. I also want to bring in additional rate and volume provided by 34-13934 et al but do not want to irrigate an additional 9.5 acres.

Ownership of 34-14934 et al will be updated if transfer approved. The owners,

Bridget and Otto Higbee have signed the application and agree to post-transfer placement of the water rights.

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☒ ☐	34-13935	2.47	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-13937	2.48	Irrigation	05/01 to 10/15	Waste Water
☒ ☐	34-13939	2.35	Irrigation	04/01 to 11/01	Groundwater
☒ ☐	34-14611	0.15	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-14612	0.14	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	34-14613	0.15	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	34-14614	0.01	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-14615	0.15	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-14616	0.53	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-14617	0.52	Irrigation	05/01 to 10/15	Waste Water

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 6.96 cfs and/or _____ af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☒ ☐	34-14618	0.50	Irrigation	04/01 to 11/01	Ground Water ✓
☒ ☐	34-13882	1.23	Irrigation	05/01 to 10/15	Congdon Springs ✓
☒ ☐	34-13942	1.23	Irrigation	05/01 to 10/15	Congdon Springs ✓
☒ ☐	34-13934	0.20	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-13936	0.20	Irrigation	05/01 to 10/15	Waste Water
☒ ☐	34-13938	0.19	Irrigation	04/01 to 10/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: _____ cfs and/or _____ af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☒ **N/A. This application does not propose to add or change any points of diversion.**

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ **N/A. This application does not propose to change the place of use.**

Proposed Place of Use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	4	33	26															59
			L1	L2															
07N	25E	33			30	4									23	35.5	35	35	162.5

Total Irrigated Acres: 221.5

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☒ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☐ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

Myriad BLR rights. 34-13883, 34-610D, 34-13943 (Congdon Springs).

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 34. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☒ Yes. ☐ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☒ Yes. Identify the water right(s) to be used for the continued irrigation.

This simply combines the water rights via rearrangements. It does not alter irrigation practices. NOTE: POU for 34-13934 et al will no longer be irrigated.

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☐ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes

No

☐
☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov).

Label the Form as Attachment 4C-7.

☐
☒

currently used in a mitigation plan limiting the use of water under the right?

☐
☒

subject to an agreement not to divert (CREP)?

☐
☒

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

PART 5 – FILING FEE AND SIGNATURE

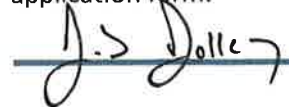
A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

	<u>Ottob Higbee</u>	<u>9-10-2025</u>
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date
	<u>Bridget Higbee</u>	<u>9/10/2025</u>
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

	<u>Jacob Jolley</u>	<u>9/12/2025</u>
FOR DEPARTMENT USE ONLY		

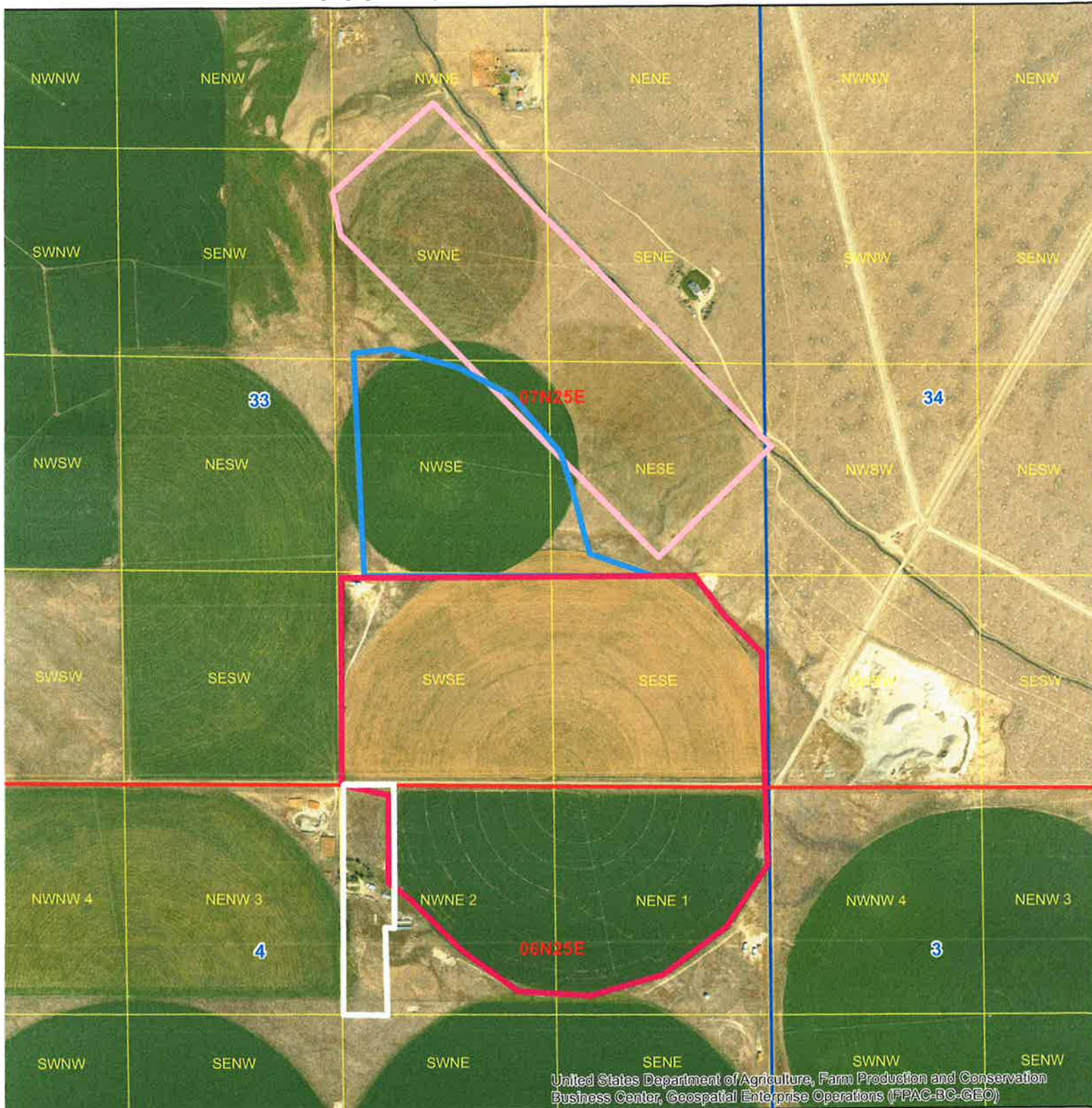
✓ Fee Paid: \$ <u>980.00</u>	Receipt #: <u>E051121</u>	Date: <u>9-12-25</u>	Received by: <u>M. Petter</u>
Add'l Paid: \$ _____	Receipt #: _____	Date: _____	Received by: _____

Attachment 4A-2

Water rights 34-13934, 34-13936, and 34-13938 have not been used because the point of diversion for 34-13938 (groundwater) was not able to be accessed by the water right holder because it wasn't on their property. The priority date of the overlapping water rights is not senior enough to constitute a reliable supply. Therefore, the water rights were not used because the owner lacked access to the point of diversion.

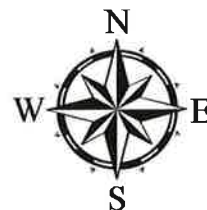
Rafter J Place of Use Change Transfer

Pre-Transfer Places of Use



Legend

	34-13934_et_al		Township/Range
	34-13935_et_al		Sections
	34-14611_et_al		QQ
	34-13882 & 13942		



0 0.125 0.25 0.5 Miles

Rafter J Place of Use Change Transfer

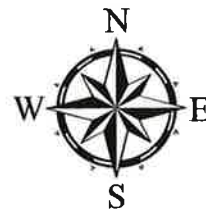
Post-Transfer Places of Use



Legend

- Post Transfer Place of Use
- Township/Range
- Sections
- QQ

90103



0 0.125 0.25 0.5 Miles

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/2/2025

Water Right 34-13882

Owner Type
Current Owner

Name
RAFTER J LLC

Priority Date: 7/9/1908

Basis: Decreed

Status: Active

Source
CONGDON SPRINGS

Tributary
CONGDON SPRINGS CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/15	1.230 CFS	
	Total Diversion		1.230 CFS	

Source and Point(s) of Diversion:
CONGDON SPRINGS SENWNE Sec. 31, Twp 07N, Rge 25E, 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					
07N	25E	33			29.0	8.5									23.0	3.5		64.0	

Right Acre Limit: 61.00
POU Total Acres: 64.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 61 acres within the place of use described above in a single irrigation season.
2. X35 Rights 34-13882 and 34-13942 when combined shall not exceed the irrigation of 64.0 acres.
3. F06 The following rights are diverted through point(s) of diversion described above: 34-13882, 34-13883, 34-13942, and 34-13943.
4. F01 Water is delivered through Burnett Ditch.
5. 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.
6. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/2/2025

Dates and Other Information:

Decreed Date: 6/22/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 34
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits:

Rate

Volume

Acres

Water Rights

64.0

34-13882 ,34-13942

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/2/2025

Water Right 34-13942

Owner Type
 Current Owner

Name
 RAFTER J LLC

Priority Date: 7/25/1946
Basis: Decreed
Status: Active

Source
 CONGDON SPRINGS

Tributary
 CONGDON SPRINGS CREEK

Beneficial Use
 IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
05/01	10/15	1.230 CFS	
<u>Total Diversion</u>		1.230 CFS	

Source and Point(s) of Diversion:
 CONGDON SPRINGS SENWNE Sec. 31, Twp 07N, Rge 25E, CUSTER County

Place Of Use:
 IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	25E	33			29.0	8.5									23.0	3.5			64.0
																			POU Total Acres: 64.0

Conditions of Approval:

1. X35 Rights 34-13882 and 34-13942 when combined shall not exceed the irrigation of 64.0 acres.
2. F01 Water is delivered through Burnett Ditch.
3. 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.
4. 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: 6/22/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/2/2025

Water Right 34-13935

Owner Type
Current Owner

Name
RAFTER J LLC

Priority Date: 3/10/1894

Basis: Decreed

Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

Beneficial Use
IRRIGATION

From
05/01

To
10/15

Diversion Rate
2.470 CFS

Volume

Total Diversion 2.470 CFS

Source and Point(s) of Diversion:

BIG LOST RIVER

SENWNW

Sec. 34, Twp 07N, Rge 24E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER County

Twp	Rng	Sec	NE	NW	SW	SE	Totals
06N	25E	4	27.0	19.5			46.5
07N	25E	33					39.0 32.0 71.0

POU Total Acres: 117.5

Conditions of Approval:

1. X35 Rights 34-13935, 34-13937, and 34-13939 when combined shall not exceed a total diversion rate of 3.09 cfs and the irrigation of 117.5 acres.
2. 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.
3. Water is delivered through the Burnett Ditch.
4. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 6/4/2002

State or Federal: S

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

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Water Right 34-13937

Owner Type
Current Owner

Name
RAFTER J LLC

Priority Date: 5/14/1946

Basis: Decreed

Status: Active

Source
WASTE WATER

Tributary
SINKS

Beneficial Use
IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
05/01	10/15	2.480 CFS
<u>Total Diversion</u>		2.480 CFS

Volume

Source and Point(s) of Diversion:

WASTE WATER SWSW
WASTE WATER L4(NWNW)

Sec. 33, Twp 07N, Rge 25E, CUSTER County
Sec. 4, Twp 06N, Rge 25E, 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	
06N	25E	4	27.0	19.5															46.5
07N	25E	33																	39.0 32.0 71.0
																			POU Total Acres: 117.5

Conditions of Approval:

1. X35 Rights 34-13935, 34-13937, and 34-13939 when combined shall not exceed a total diversion rate of 3.09 cfs and the irrigation of 117.5 acres.
2. The source of this right is Waste Water originally diverted by Swauger Slough, also known as Congdon Springs Creek.
3. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 6/4/2002

State or Federal: S

Water District Number: 34

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

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Water Right 34-13939

Owner Type
Current Owner

Name
RAFTER J LLC

Priority Date: 8/16/1966

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	2.350 CFS	411.3 AF
	Total Diversion		2.350 CFS	411.3 AF

Source and Point(s) of Diversion:
GROUND WATER L2(NWNE) Sec. 4, Twp 06N, Rge 25E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER County

				NE				NW				SW				SE				
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	25E	4		27.0	19.5															46.5
07N	25E	33																		39.0 32.0 71.0
																				POU Total Acres: 117.5

Conditions of Approval:

1. X35 Rights 34-13935, 34-13937, and 34-13939 when combined shall not exceed a total diversion rate of 3.09 cfs and the irrigation of 117.5 acres.
2. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 6/4/2002

State or Federal: S

Water District Number: 34

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

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Water Right 34-14611

Owner Type
Current Owner

Name
RAFTER J LLC

Priority Date: 6/30/1904

Basis: Decreed

Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

Beneficial Use
IRRIGATION

From	To	Diversion Rate
5/01	10/15	0.150 CFS
Total Diversion		0.150 CFS

Volume

Source and Point(s) of Diversion:

BIG LOST RIVER SENWNW Sec. 34, Twp 07N, Rge 24E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER County

			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
07N	25E	33			1.0										4.0	35.0			40.0	
																			Right Acre Limit: 7.40	
																			POU Total Acres: 40.0	

Conditions of Approval:

1. X27 This right is limited to the irrigation of 7.4 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-14611 and 34-14613 when combined shall not exceed a total diversion rate of 0.30 cfs and the irrigation of 7.4 acres.
3. X35 Rights 34-14611, 34-13613, and 34-14614 when combined shall not exceed a total diversion rate of 0.31 cfs and the irrigation of 8.0 acres.
4. X35 Rights 34-14611, 34-14612, 34-14613, 34-14614, 34-14615, 34-14616, 34-14617, and 34-14618 when combined shall not exceed a total diversion rate of 1.16 cfs and the irrigation of 40.0 acres.
5. 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.
6. 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).
7. R59 This right when combined with all other rights shall provide no more than 3.5

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- | | | |
|-----|-----|---|
| 8. | S34 | afa per acre at the field headgate for irrigation of the place of use.
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. |
| 9. | | Water is delivered through the Harris-Vaught Ditch |
| 10. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 11. | 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. |
| 12. | 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |

Dates and Other Information:

Decreed Date: 5/24/2001
State or Federal: S
Water District Number: 34
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

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Water Right 34-14612

Owner Type
 Current Owner

Name
 RAFTER J LLC

Priority Date: 8/29/1960

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	4/01	11/01	0.140 CFS	23.8 AF
	<u>Total Diversion</u>		0.140 CFS	23.8 AF

Source and Point(s) of Diversion:
 GROUND WATER L2(NWNE) Sec. 4, Twp 06N, Rge 25E, CUSTER County

Place Of Use:
 IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	25E	33				1.0									4.0	35.0			40.0
Right Acre Limit: 6.80																			
POU Total Acres: 40.0																			

Conditions of Approval:

1. X27 This right is limited to the irrigation of 6.8 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-14612 and 34-14615 when combined shall not exceed a total diversion rate of 0.19 cfs and the irrigation of 7.0 acres.
3. X35 Rights 34-14611, 34-14612, 34-14613, 34-14614, 34-14615, 34-14616, 34-14617, and 34-14618 when combined shall not exceed a total diversion rate of 1.16 cfs and the irrigation of 40.0 acres.
4. 212 Prior to diversion and use of water under Transfer approval 81856, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. R05 Use of water under this right will be regulated by a watermaster with

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- 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. | 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. |
| 9. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 10. | 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. |
| 11. | 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: 7/10/2002

State or Federal: S

Owner Name Connector: AND

Water District Number: 34

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

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Water Right 34-14613

Owner Type
 Current Owner

Name
 RAFTER J LLC

Priority Date: 6/28/1965
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	4/01	11/01	0.150 CFS	25.9 AF
	<u>Total Diversion</u>		0.150 CFS	25.9 AF

Source and Point(s) of Diversion:
 GROUND WATER L2(NWNE) Sec. 4, Twp 06N, Rge 25E, 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					
07N	25E	33			1.0										4.0	35.0		40.0	
																		Right Acre Limit: 7.40	
																		POU Total Acres: 40.0	

Conditions of Approval:

1. X27 This right is limited to the irrigation of 7.4 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-14611 and 34-14613 when combined shall not exceed a total diversion rate of 0.30 cfs and the irrigation of 7.4 acres.
3. X35 Rights 34-14611, 34-14613 and 34-14614 when combined shall not exceed a total diversion rate of 0.31 cfs and the irrigation of 8.0 acres.
4. X35 Rights 34-14611, 34-14612, 34-14613, 34-14614, 34-14615, 34-14616, 34-14617, and 34-14618 when combined shall not exceed a total diversion rate of 1.16 cfs and the irrigation of 40.0 acres.
5. 212 Prior to diversion and use of water under Transfer approval 81856, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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

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- district. At the time of this approval, this water right is within State Water District No. 34.
- | | | |
|-----|-----|--|
| 8. | R02 | A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion. |
| 9. | 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. |
| 10. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 11. | 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. |
| 12. | 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: 9/19/2001
State or Federal: S
Owner Name Connector: AND
Water District Number: 34
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

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Water Right 34-14614

Owner Type

Current Owner

Name

RAFTER J LLC

Priority Date: 5/6/1899Basis: DecreedStatus: ActiveSource

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

IRRIGATION

From

5/01

To

10/15

Diversion Rate

0.010 CFS

VolumeTotal Diversion

0.010 CFS

Source and Point(s) of Diversion:

BIG LOST RIVER

SENWNW

Sec. 34, Twp 07N, Rge 24E, 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	
07N	25E	33			1.0										4.0	35.0			40.0

Right Acre Limit: 0.60
POU Total Acres: 40.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 0.6 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-14611, 34-14613, and 34-14614 when combined shall not exceed a total diversion rate of 0.31 cfs and the irrigation of 8.0 acres.
3. X35 Rights 34-14611, 34-14612, 34-14613, 34-14614, 34-14615, 34-14616, 34-14617, and 34-14618 when combined shall not exceed a total diversion rate of 1.16 cfs and the irrigation of 40.0 acres.
4. 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.
5. 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).
6. 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.
7. S34 The period of use for irrigation described above may be extended in seasons

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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.

- | | | |
|-----|-----|---|
| 8. | | Water is delivered through the Harris-Vaught Ditch. |
| 9. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 10. | 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. |
| 11. | 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |

Dates and Other Information:

Decreed Date: 12/14/2001
State or Federal: S
Owner Name Connector: AND
Water District Number: 34
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/2/2025

Water Right 34-14615

Owner Type
 Current Owner

Name
 RAFTER J LLC

Priority Date: 5/6/1899

Basis: Decreed

Status: Active

Source
 BIG LOST RIVER

Tributary
 SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	0.150 CFS	
	<u>Total Diversion</u>		0.150 CFS	

Source and Point(s) of Diversion:
 BIG LOST RIVER SENWNW Sec. 34, Twp 07N, Rge 24E, CUSTER County

Place Of Use:
 IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	25E	33			1.0										4.0	35.0			40.0
																			Right Acre Limit: 7.00
																			POU Total Acres: 40.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 7.0 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-14612 and 34-14615 when combined shall not exceed a total diversion rate of 0.19 cfs and the irrigation of 7.0 acres.
3. X35 Rights 34-14611, 34-14612, 34-14613, 34-14614, 34-14615, 34-14616, 34-14617, and 34-14618 when combined shall not exceed a total diversion rate of 1.16 cfs and the irrigation of 40.0 acres.
4. 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).
5. 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.
6. 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

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- | | | |
|-----|-----|--|
| 7. | R59 | Resources.
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. |
| 8. | | Water is delivered through the Harris-Vaught Ditch. |
| 9. | T07 | The right holder shall accomplish the change authorized by this transfer within
one year of the date of this approval. |
| 10. | 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. |
| 11. | 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 determined by the Snake River Basin
Adjudication court in the final unified decree entered 08/26/2014. |

Dates and Other Information:

Decreed Date: 12/14/2001

State or Federal: S

Owner Name Connector: AND

Water District Number: 34

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/2/2025

Water Right 34-14616

Owner Type
Current Owner

Name
RAFTER J LLC

Priority Date: 3/10/1894

Basis: Decreed

Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

Beneficial Use
IRRIGATION

From
05/01

To
10/15

Diversion Rate
0.530 CFS

Volume

Total Diversion 0.530 CFS

Source and Point(s) of Diversion:

BIG LOST RIVER

SENWNW

Sec. 34, Twp 07N, Rge 24E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER County

Twp	Rng	Sec	NE	NW	SW	SE	Totals
07N	25E	33			1.0		40.0

Right Acre Limit: 25.00
POU Total Acres: 40.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 25.0 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-14616, 34-14617, and 34-14618 when combined shall not exceed a total diversion rate of 0.66 cfs and the irrigation of 25.0 acres.
3. X35 Rights 34-14611, 34-14612, 34-14613, 34-14614, 34-14615, 34-14616, 34-14617, and 34-14618 when combined shall not exceed a total diversion rate of 1.16 cfs and the irrigation of 40.0 acres.
4. R05 Use of water under this right may 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.
5. 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).
6. 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

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- Resources.
- | | | |
|-----|-----|---|
| 7. | | Water is delivered through the Burnett Ditch. |
| 8. | 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. |
| 9. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 10. | 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. |
| 11. | 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |

Dates and Other Information:

Decreed Date: 6/4/2002

State or Federal: S

Water District Number: 34

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
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9/2/2025

Water Right 34-14617

Owner Type
 Current Owner

Name
 RAFTER J LLC

Priority Date: 5/14/1946

Basis: Decreed

Status: Active

Source
 WASTE WATER

Tributary
 SINKS

Beneficial Use
 IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
05/01	10/15	0.520 CFS
<u>Total Diversion</u>		0.520 CFS

Volume

Source and Point(s) of Diversion:

WASTE WATER SWSW
 WASTE WATER L4(NWNW)

Sec. 33, Twp 07N, Rge 25E, CUSTER County
 Sec. 4, Twp 06N, Rge 25E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER County

			NE					NW					SW					SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals			
07N	25E	33			1.0										4.0	35.0			40.0			

Right Acre Limit: 25.00
 POU Total Acres: 40.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 25.0 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-14616, 34-14617, and 34-14618 when combined shall not exceed a total diversion rate of 0.66 cfs and the irrigation of 25.0 acres.
3. X35 Rights 34-14611, 34-14612, 34-14613, 34-14614, 34-14615, 34-14616, 34-14617, and 34-14618 when combined shall not exceed a total diversion rate of 1.16 cfs and the irrigation of 40.0 acres.
4. R05 Use of water under this right may 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.
5. 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).
6. The source of this right is waste water originally diverted by Swauger Slough, also known as Congdon Springs Creek.

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- | | | |
|-----|-----|---|
| 7. | 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. |
| 8. | 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. |
| 9. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 10. | 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. |
| 11. | 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |

Dates and Other Information:

Decreed Date: 6/4/2002

State or Federal: S

Water District Number: 34

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/2/2025

Water Right 34-14618

Owner Type
 Current Owner

Name
 RAFTER J LLC

Priority Date: 8/16/1966

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	04/01	11/01	0.500 CFS	87.5 AF
	<u>Total Diversion</u>		0.500 CFS	87.5 AF

Source and Point(s) of Diversion:

GROUND WATER L2(NWNE) Sec. 4, Twp 06N, Rge 25E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	25E	33			1.0										4.0	35.0			40.0
Right Acre Limit: 25.00																			
POU Total Acres: 40.0																			

Conditions of Approval:

1. X27 This right is limited to the irrigation of 25.0 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-14616, 34-14617, and 34-14618 when combined shall not exceed a total diversion rate of 0.66 cfs and the irrigation of 25.0 acres.
3. X35 Rights 34-14611, 34-14612, 34-14613, 34-14614, 34-14615, 34-14616, 34-14617, and 34-14618 when combined shall not exceed a total diversion rate of 1.16 cfs and the irrigation of 40.0 acres.
4. 212 Prior to diversion and use of water under Transfer approval 81856, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. R05 Use of water under this right may 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

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- | | | |
|-----|-----|---|
| 7. | R02 | A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion. |
| 8. | 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. |
| 9. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 10. | 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. |
| 11. | 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |

Dates and Other Information:

Decreed Date: 6/4/2002

State or Federal: S

Water District Number: 34

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/17/2025

Water Right 34-13934

Owner Type
Current Owner
Current Owner

Name
OTTO J HIGBEE
BRIDGET L HIGBEE

Priority Date: 3/10/1894
Basis: Decreed
Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/15	0.200 CFS	
	Total Diversion		0.200 CFS	

Source and Point(s) of Diversion:
BIG LOST RIVER SENWNW Sec. 34, Twp 07N, Rge 24E, 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	
06N	25E	4			9.5														9.5

POU Total Acres: 9.5

Conditions of Approval:

1. WATER IS DELIVERED THROUGH BURNETT DITCH.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .25 CFS. COMBINED RIGHT NOS.: 34-13936 AND 34-13938.
3. 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.
4. 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.
5. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
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6. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 9.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-13936 AND 34-13938.

Dates and Other Information:

Decreed Date: 6/4/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: 34
Mitigation Plan: False

Combined Use Limits:

Rate
0.250

Volume

Acres
9.5

Water Rights

34-13934 ,34-13936 ,34-13938

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/17/2025

Water Right 34-13936

Owner Type

Current Owner
 Current Owner

Name

BRIDGET L HIGBEE
 OTTO J HIGBEE

Priority Date: 5/14/1946

Basis: Decreed

Status: Active

Source

WASTE WATER

Tributary

SINKS

Beneficial Use

IRRIGATION

From

05/01

To

10/15

Diversion Rate

0.200 CFS

Volume

Total Diversion

0.200 CFS

Source and Point(s) of Diversion:

WASTE WATER

SWSW

Sec. 33, Twp 07N, Rge 25E, CUSTER County

WASTE WATER

L4(NWNW)

Sec. 4, Twp 06N, Rge 25E, 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	
06N	25E	4			9.5														9.5

POU Total Acres: 9.5

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .25 CFS. COMBINED RIGHT NOS.: 34-13934 AND 34-13938.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 9.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-13934 AND 34-13938.
3. THE SOURCE OF THIS RIGHT IS WASTE WATER ORIGINALLY DIVERTED BY SWAUGER SLOUGH ALSO KNOW AS CONGDON SPRINGS CREEK.
4. 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.
5. 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.

Dates and Other Information:

Decreed Date: 6/4/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: 34
Mitigation Plan: False

Combined Use Limits:

Rate
0.250

Volume

Acres
9.5

Water Rights

34-13934 ,34-13936 ,34-
13938

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/17/2025

Water Right 34-13938

Owner Type

Current Owner
Current Owner

Name

OTTO J HIGBEE
BRIDGET L HIGBEE

Priority Date: 8/16/1966

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

04/01

To

11/01

Diversion Rate

0.190 CFS

Volume

33.2 AF

Total Diversion

0.190 CFS

33.2 AF

Source and Point(s) of Diversion:

GROUND WATER

L2(NWNE)

Sec. 4, Twp 06N, Rge 25E, 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		
06N	25E	4				9.5														9.5

POU Total Acres: 9.5

Conditions of Approval:

1. 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.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 9.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-13934 AND 34-13936.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .25 CFS. COMBINED RIGHT NOS.: 34-13636 AND 34-13934.

Dates and Other Information:

Decreed Date: 6/4/2002

Civil Case Number: 39576

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/17/2025

Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: 34
Mitigation Plan: False

<u>Combined Use Limits:</u>		<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
<u>Rate</u>				
0.250			9.5	34-13934 ,34-13936 ,34-13938

SubCase:
N/A

Water Supply Bank:

N/A