

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT TC-37-94)
IN THE NAME OF HOLLY FARMS, LTD)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Blaine County to allow administrative actions to lessen the severe impacts of the drought conditions in the County; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the Director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on July 13, 2022, Holly Farms, Ltd. ("applicant") submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, the applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right 37-2595 bearing a priority of 4/2/1957 is authorized only at the point of diversion described on the application or as otherwise approved in this order.
2. Use of right 37-2595 for the remainder of the irrigation season is limited to 135.0 acres at its authorized place of use.
3. The use of right 37-2595 is limited to the historical use limitations locally imposed by the watermaster and may further be limited to account for additional conveyance loss in deliverance of this temporary change.

4. This temporary change approval does not authorize construction of a new point of diversion on the Little Wood River Irrigation District West Canal or construction of a new well.
5. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the Director and the State of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. When this right and others appurtenant to the lands identified on the application are combined, no more than 0.02 cfs per acre may be diverted at any one time at the field headgate.
10. This temporary change approval expires on October 31, 2022 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.
11. This exchange is subject to a private agreement between Holly Farms, Ltd. (owner of the water right) and Richard Mecham (owner of the well proposed as the temporary point of diversion under this approval).

DATED this 14th day of July, 2022.



Corey Skinner
Southern Region Manager

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of July, 2022, I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER AUTHORIZING TEMPORARY CHANGE** to the person(s) listed below:

Documents Enclosed: Order Authorizing Temporary Change No. TC-37-94, in the name of Holly Farms LTD; Water Right No. 37-2595

HOLLY FARMS LTD
20051 W HIGHWAY 85
BUCKEYE AZ 85326

CENARRUSA FARMS INC
JERRY CENARRUSA
PO BOX 164
CAREY ID 83320-0164

WATER DISTRICT 37N
BRIAN WOOD, WATERMASTER
PO BOX 15
CAREY ID 83320-0015



Denise Maline
Administrative Assistant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TC-37-94
RECEIVED
JUL 13 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use, or purpose of use of a water right upon declaration of a drought emergency in accordance with Section 42-222A, Idaho Code.)

Name of Applicant Holly Farms, LTD Phone 623-386-7282
Mailing Address 20051 W. HWY 85 Email _____
Buckeye, AZ 85326

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and explain the reason(s) they are needed. The current
POD is not producing enough water, so applicant
would like to use a neighbor's well which will
pump an adequate amount.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-2595</u>	<u>4-2-1957</u>	<u>1.00 cfs</u>	<u>Irrigation</u>	<u>4/15</u> to <u>10/31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.00 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Ground Water tributary to _____.

4. Point(s) of diversion:

Twsp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag number
01S	21E	8		NE	NE	SW	Blaine	Ground Water	

5. Lands irrigated or place of use: NO CHANGE

Twsp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

TC-37-94
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JUL 13 2022

DEPT. OF WATER RESOURCES
SOUTHERN REGION

6. General Information:

- a. Who owns the water right to be changed? Holly Farms, Ltd.
- b. Describe the arrangement allowing use of the right. Applicant has written permission from the well owner (Richard Mechem)
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application: No change.
- d. Has the water right sought to be transferred been used this year? ☐ Yes ☒ No If yes, explain. well is dry.
- e. Absent the changes, how would the right be used for the remainder of the year? It wouldn't be used.
- f. Describe other water rights used for the same purpose. Little Wood River, Dry Creek, Little Wood Reservoir Rights.
- g. Remarks: 37-563, 37-564, 37-565, 37-649, 37-650, 37-651

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

[Signature]
Signature of Applicant

7-13-22
Date

FOR DEPARTMENT USE ONLY

Received by SG Date 7/13/22 \$50 fee received by SG Receipt No. 8039332
Recommend: ☐ approve ☐ deny Watermaster recommendation N/A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. 37-94, and said application is hereby approved, subject to the following limitations and conditions:

See attached 7/14/2022 order

Temporary Change Expiration Date 10/31/2022

Signed this 14th day of July, 2022.

[Signature]
For the Director

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JUL 13 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

I RICHARD MECHAM ALLOW JERRY CENARRUSA
THE USE OF MY WELL AND PUMP.

19

RICHARD MECHAM

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JUL 13 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

I, BRIAN WOOD, WATERMASTER FOR LITTLE WOOD
IRRIGATION, ACKNOWLEDGE JERRY CENARRUSA'S
USE OF RICHARD MECHAM'S WELL AND PUMP.


BRIAN WOOD

FILED EFFECTIVE

JUN 17 PM 3:02

UNINCORPORATED NONPROFIT ASSOCIATION
APPOINTMENT OF AGENT FOR SERVICE OF PROCESSSECRETARY OF STATE
STATE OF IDAHO

Assoc. #

U3387

(Assigned by the
Secretary of State Office)

To the Secretary of State of the State of Idaho:

1. The name of the nonprofit association is:

Holly Farms

2. The principal address of the nonprofit association is:

20051 W Hwy 85, Buckeye, AZ 85326

3. The name and street address of the agent authorized to receive service of process for the association are: (Registered agent must be located at a street address in Idaho - PO, PMB, and addresses outside Idaho are not acceptable.)

Robert Jones, Robert Jones Realty, Inc.

Name

1766 Addison Avenue East, Twin Falls, Idaho 83301

Address

Signature of agent:



208-733-0404

Dated

JUN 16 - 2014

Signature of a member
of the nonprofit association:

Dated:

6-16-14

Secretary of State use only

FILE ONE COPY

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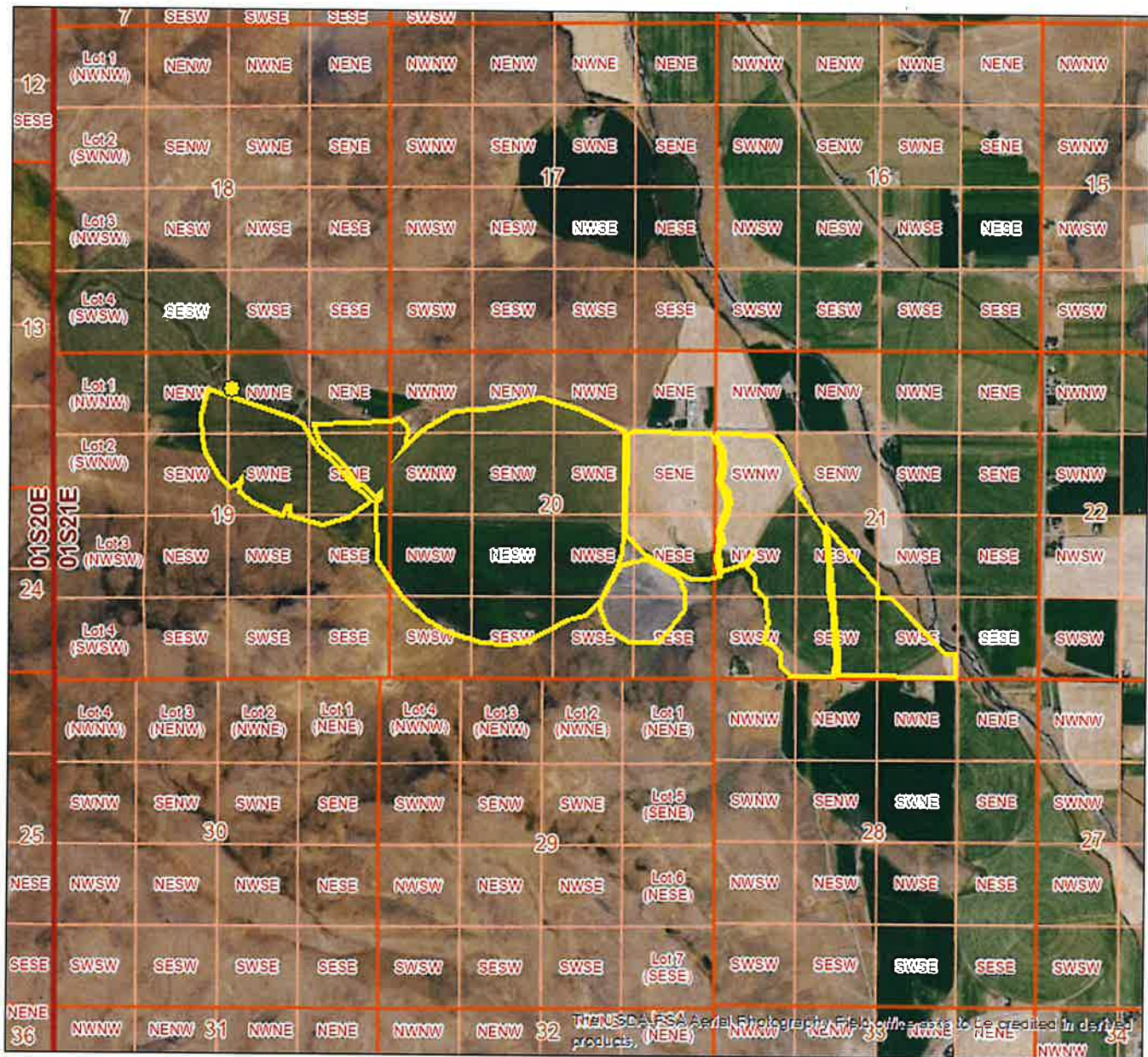
State of Idaho
Department of Water Resources

Water Right

37-2595

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 7/13/2022



Legend

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

