

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

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF)
WATER RIGHT NOS.: 17-2039 & 17-7032)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-17-01

A drought emergency has been declared for Oneida County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

Idaho Code §42-222A provides that upon declaration of a drought emergency, the director of the Department of Water Resources 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 when the director determines that such changes can be accomplished in accordance with the provisions of Idaho Code §42-222A; and

On July 11, 2022, Brad Woolstenhulme submitted the attached Temporary Change Application to the Department; and

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

ORDER

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

1. Diversion and use of Right No(s). 17-2039 & 17-7032 is authorized only at the points of diversion and place of use described on the application.
2. This temporary change approval does not authorize construction of a new well or diversion works as a new point of diversion.
3. The applicant assumes all risk of curtailment or mitigation should the diversion and use of water under the temporary change approval cause injury to other water rights, constitute an enlargement in use of the original right, be inconsistent with the conservation of water resources within the state of Idaho, or not be in the local public interest.
4. This temporary change approval may only be used to provide a replacement water supply to lands or other uses which 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.

5. Right(s) 17-2039 & 17-7032 when combined shall not exceed a total annual maximum diversion volume of 745.5 af at the field headgate and the irrigation of 213 acres.
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 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. This temporary change approval expires on November 1, 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.

DATED this 14th day of July, 2022.



James Cefalo
Eastern Region Manager

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 11 2022

Department of Water Resources
Eastern 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 BRAD WOOLSTENHULME Phone 2083177469
Mailing Address 101 VALLEY VIEW DR MONTPELIER, ID 83254 Email _____

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. _____
It is proposed to utilize an existing well to provide water to 213.0 acres of cropland for the remaining portion of the 2022 irrigation season. This temporary change will expire 12/31/2022.

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
17-7032	7/3/1974	1.38/745.5	Irrigation	4/01 to 11/01
		0.05 cfs 0.5/2.7	Stockwater	1/01 to 12/31
17-2039	5/19/1958	0.74/		4/01 to 11/01
				to

2. Total amount of water being transferred 2.12 cubic feet per second and/or 745.5 acre-feet per annum.
3. Source of water Ground water tributary to _____
4. Point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag number
14S	32E	25			SE	NW	Onieda	Ground Water	
14S	32E	24			NW	SW	ONEIDA	GROUND WATER	

5. Lands irrigated or place of use:

Twp	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	
14S	32E	23													40	20	10	40	110.0
14S	32E	24										10	25						35.0
14S	32E	25						25											25.0
14S	32E	26	38	5															43.0

* CHANGES IN RED PER TELECON W/ APPLICANT.

Total Acres 213.0

6. General Information:

- a. Who owns the water right to be changed? The applicant
- b. Describe the arrangement allowing use of the right. See attached consent to temporary transfer.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
No change to the land currently irrigated.
- d. Has the water right sought to be transferred been used this year? ☒ Yes ☐ No If yes, explain. _____
- e. Absent the changes, how would the right be used for the remainder of the year? If the temporary change is not approved, no irrigation will occur and the crops will die and be a total loss.
- f. Describe other water rights used for the same purpose. None
- g. Remarks: None

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

7-7-22
Date

FOR DEPARTMENT USE ONLY

Received by _____ Date 7-11-22 \$50 fee received by M. Pottus Receipt No. E048304
Recommend: ☐ approve ☐ deny Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

See attached order.

Temporary Change Expiration Date _____

Signed this _____ day of _____, _____.

For the Director

STATEMENT OF CONSENT

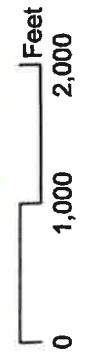
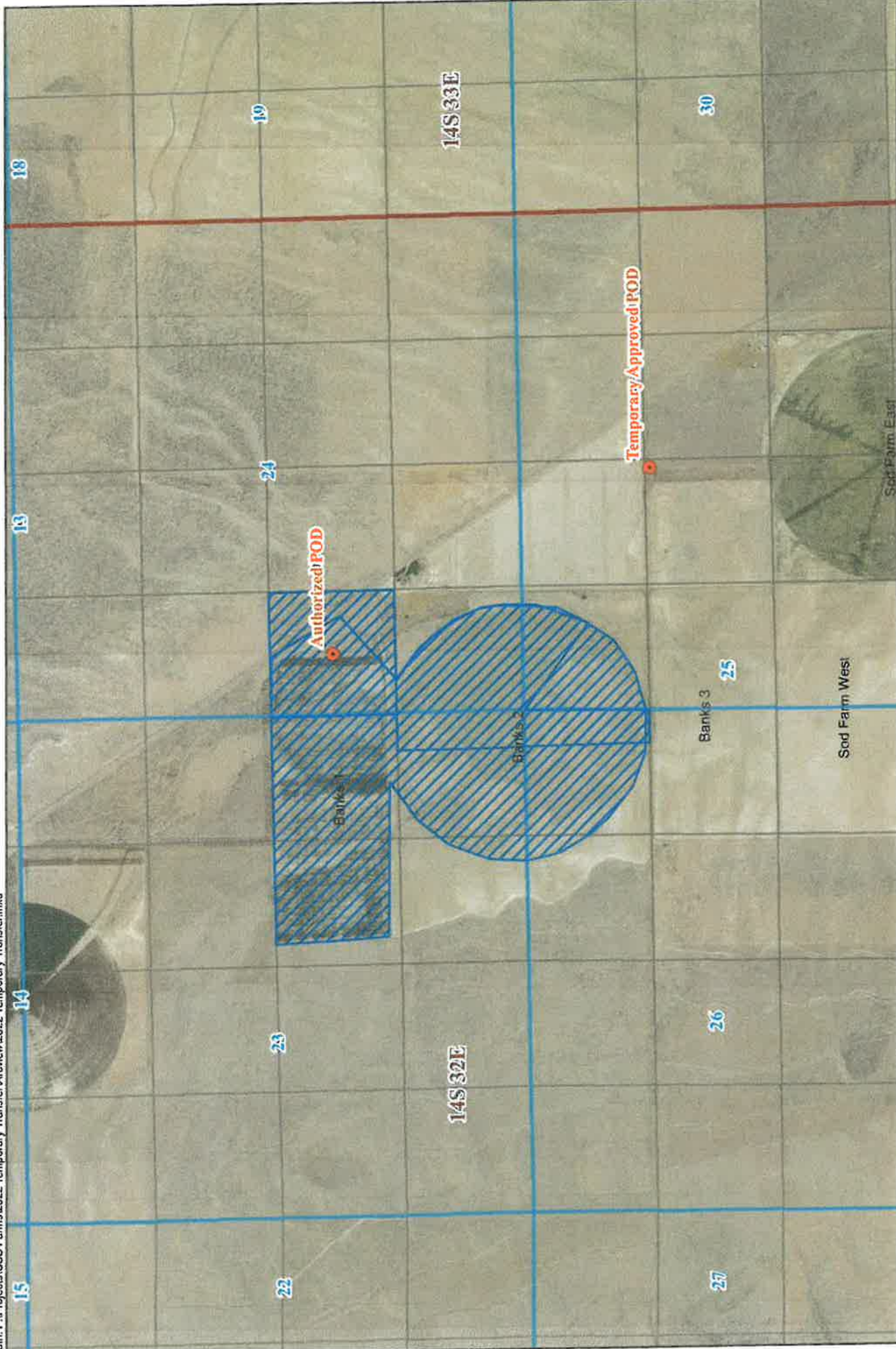
To Whom It May Concern,

Holbrook Farm LLC, owns water right 17-7063 and the authorized point of diversion located at Township 14 South Range 32 East Section 25 SENW. Holbrook Farm LLC gives their consent to Brad Woolstenhulme's temporary change application that would allow water rights 17-7032 and 17-2039 to be diverted from the above identified point of diversion for the remaining portion of the 2022 irrigation season.

Holbrook Farm LLC

Name: Gabriele Onorato (GABRIELE ONORATO)

Date: 7/7/2022



BRAD WOOLSTENHULME
TEMPORARY CHANGE APPLICATION 2022
NAIP 2021 AERIAL

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/12/2022

Water Right 17-2039

Owner Type

Current Owner
Current Owner

Name

BRAD WOOLSTENHULME
LEE ANN WOOLSTENHULME

Priority Date: 5/19/1958

Basis: License

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

/

To

/

Diversion Rate

0.740 CFS

Volume

Total Diversion

0.740 CFS

Source and Point(s) of Diversion:

GROUND WATER

NWSW

Sec. 24, Twp 14S, Rge 32E, ONEIDA County

Place Of Use:

IRRIGATION within ONEIDA 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	
14S	32E	23																10.0	10.0
14S	32E	24											30.0						30.0
14S	32E	25						10.0											10.0
14S	32E	26	10.0																10.0

POU Total Acres: 60.0

Conditions of Approval:

Combined Use Limits:

Rate

Volume

745.5

Acres

Water Rights

17-2039 ,17-7032

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/12/2022

Water Right 17-7032

Owner Type

Current Owner
Current Owner

Name

BRAD WOOLSTENHULME
LEE ANN WOOLSTENHULME

Priority Date: 7/3/1974

Basis: License

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION
STOCKWATER

From

4/01
1/01

To

11/01
12/31

Diversion Rate

1.380 CFS
0.050 CFS
Total Diversion 1.380 CFS

Volume

745.5 AF
2.7 AF
748.2 AF

Source and Point(s) of Diversion:

GROUND WATER

NWSW

Sec. 24, Twp 14S, Rge 32E, ONEIDA County

Place Of Use:

IRRIGATION within ONEIDA 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	
14S	32E	23													40.0	20.0	10.0	40.0	110.0
14S	32E	24										10.0	25.0						35.0
14S	32E	25							25.0										25.0
14S	32E	26	38.0	5.0															43.0

POU Total Acres: 213.0

STOCKWATER within ONEIDA 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	
14S	32E	24										X							

Conditions of Approval:

- 016 See remarks for additional conditions of approval.
- THE MAX. COMBINED VOLUME UNDER THIS RT. & RT. 17-2039 SHALL NOT EXCEED 745.5 AF/ANNUM FOR THE LANDS ABOVE.