

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

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF)
WATER RIGHT NOS.: 34-2480A,)
34-7028A, and 34-7234)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-219

WHEREAS, a drought emergency has been declared for Butte 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 purposes of use for valid existing water rights or temporary exchanges of water authorized under water rights when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on June 3, 2022, Mark Telford submitted the attached temporary change application to the Department; and

WHEREAS, 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 the changed portions of right nos. 34-2480A, 34-7028A, and 34-7234 is authorized only at the point of diversion and place of use described on the application.
2. 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 conditions. 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.
3. This temporary change approval does not authorize construction of a new well as a point of diversion.
4. 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.

5. Rights 34-2480A, 34-7028A, and 34-7234 when combined shall not exceed a total diversion rate of 6.60 cfs and a total annual maximum diversion volume of 1071 af.
6. Rights 34-195C, 34-196D, 34-2491B, 34-10100, 34-2480A, 34-7028A, and 34-7234 when combined shall not exceed a total diversion rate of 9.58 cfs and the irrigation of 306 acres.
7. 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.
8. The applicants agree 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.
9. This temporary change does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
10. The Watermaster of Water District No. 34 is authorized to administer the temporary change approval.
11. This temporary change approval expires on November 1, 2022 unless rescinded or extended by the director. Thereafter, the water rights shall revert to the point of diversion, place of use, and nature of use existing prior to the temporary change approval.

DATED this 13th day of June, 2022.



James Cefalo
Eastern Region Manager

TC-34-219

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

RECEIVED

JUN 03 2022

Department of Water Resources
Eastern Region

(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 Mark Telford Phone _____
Mailing Address P.O. Box 511, Arco, ID 83213-0511 Email mtelford@gmail.com

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. _____

~~Applicant and Mark Telford have an agreement to use the WRs below and the Toone well for 2022 from Standlee Limited Family Partnership. 108 acres of these rights will be used on property leased by Mark Telford from Marlene Folkman to provide additional supply to the water rights at the property.~~

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
34-7028A	08/01/1972	2.32 cfs	Irrigation	04/01 to 11/01
34-2480A	05/01/1986	(cmbd)	Irrigation	04/01 to 11/01
34-7234	08/15/1979		Irrigation	04/01 to 11/01
				to

2. Total amount of water being transferred 2.32 cubic feet per second and/or _____ 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
05N	26E	34		NE	SE	SW	Butte	Ground water	Toone Exchange Well

5. Lands irrigated or place of use:

5. Lands irrigated or 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	
03N	26E	12															36	34	70
03N	26E	13	38																38

Total Acres 108

6. General Information:

- a. Who owns the water right to be changed? Standlee Family Ltd Partnership.
- b. Describe the arrangement allowing use of the right. Agreement between Standlee and the Applicant.
See attached consent.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
The POU for the listed water rights will not be irrigated under any water rights.
- 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? It would have been used for
the POU for the listed water rights.
- f. Describe other water rights used for the same purpose. WRs 34-196D, 34-10100, 34-2491B, 34-195C.
- g. Remarks: _____

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.

Robert L. Jannis
Signature of Applicant

June 3, 2022

Date

FOR DEPARTMENT USE ONLY

Received by MH Date 6/3/2022 \$50 fee receipted by B Receipt No. E048210
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:

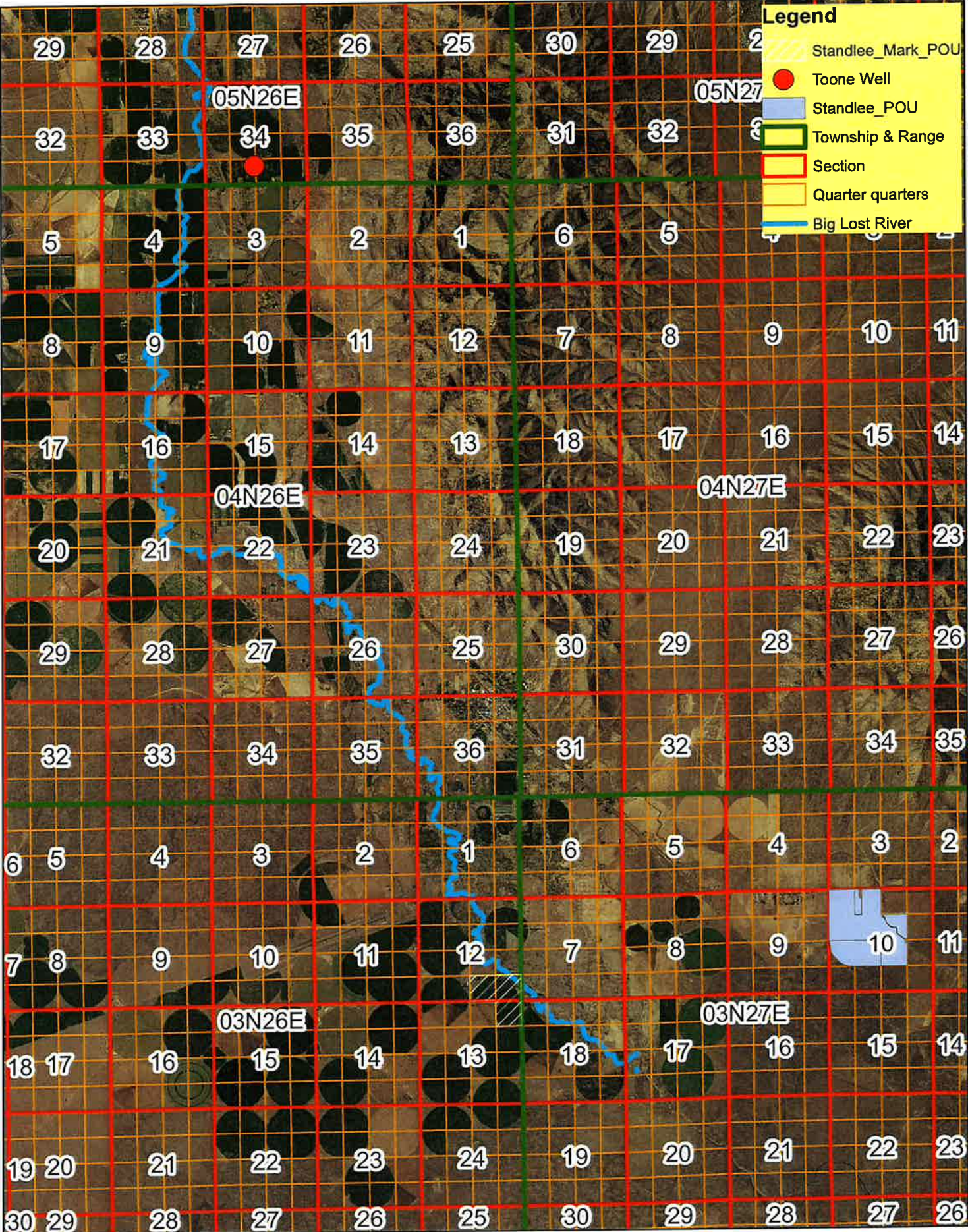
see attached order

Temporary Change Expiration Date _____

Signed this _____ day of _____,

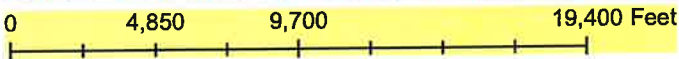
For the Director

TEMPORARY TRANSFER



Legend

- Standlee_Mark_POU
- Toone Well
- Standlee_POU
- Township & Range
- Section
- Quarter quarters
- Big Lost River



CONSENT TO WATER RIGHTS TEMPORARY TRANSFER

I, the undersigned am familiar with the Temporary Change Applications which are being submitted to the Idaho Department of Water Resources which involve Water Right Nos. 34-2480A, 34-7028A, and 34-7234. I consent to the transfer of these water rights as requested in the Temporary Change Application.

STANDLEE FAMILY LTD PARTNERSHIP

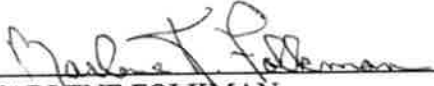
By: 

Its: Partner

Date: 5/26/22

CONSENT TO WATER RIGHTS TEMPORARY TRANSFER

I, the undersigned, own property that I am leasing to Mark Telford. Mark has filed a Temporary Change Application which has been submitted to the Idaho Department of Water Resources which involves Water Right Nos. 34-7082A, 34-2480A, 34-7234. As the landowner of the property identified in the Temporary Change Application, I consent to this application.


MARLENE FOLKMAN

Date: 06-04-22

12/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATERMASTER

Application No: Tc-34-219

Applicant's Name: MARK TELFORD

Watermaster's Recommendation:

- a) LY I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as

follows: _____

- c) _____ I oppose approval of this application for the following reasons:

- d) _____ Additional Comment: _____

Dated this 7 day of June, 2021

Water District No: 34


Watermaster's Signature

Use reverse side of page if you need more space.

Cefalo, James

From: General Manager <blridgm@atcnet.net>
Sent: Monday, June 13, 2022 9:28 AM
To: Holliday, Michael
Cc: Cefalo, James
Subject: RE: Telford temp changes

Hey Michael,

The BLRID does not oppose TC- 210, 215, 214, 219.

Thanks

Lucas

From: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Sent: Friday, June 10, 2022 2:27 PM
To: General Manager <blridgm@atcnet.net>
Cc: watermaster34@atcnet.net; Cefalo, James <James.Cefalo@idwr.idaho.gov>
Subject: RE: Telford temp changes

Lucas,

Attached is amended temporary change application TC-34-210. It's similar to the original (just some minor changes to diversion rate and place of use). I've already got the watermaster comment for this one, but like the others listed below, I don't have BLRID consent yet.

I'm copying James Cefalo on this because I plan to be out of the office on Monday and Tuesday. Please reply to both of us if you send BLRID comment on Monday or Tuesday. Thanks.

Michael

From: Holliday, Michael
Sent: Tuesday, June 7, 2022 2:55 PM
To: watermaster34@atcnet.net; General Manager <blridgm@atcnet.net>
Subject: RE: Telford temp changes

Lucas,

Thanks for the watermaster comments you sent over. Not trying to bug you, but noticed that I did not receive your WM comment on TC-34-215. Not sure if that was intentional. I think I will also need BLRID consent on 214, 215, and 219. Thanks for tackling these today.

michael

From: Holliday, Michael
Sent: Friday, June 3, 2022 5:36 PM
To: watermaster34@atcnet.net; General Manager <blridgm@atcnet.net>