

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

IN THE MATTER OF APPLICATION     )  
FOR TEMPORARY CHANGE OF         )  
WATER RIGHT NOS.: 34-2509 &     )  
34-7226B                                 )  
\_\_\_\_\_ )

**ORDER AUTHORIZING  
TEMPORARY CHANGE**

**TC-34-193**

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 9, 2021, Danny and Keith Waddoups 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 right no. 34-7226B and the changed portion of right no. 34-2509 is authorized only at the point of diversion and place of use described on the application.
2. This temporary change approval does not authorize construction of a new well as a 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 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.

ORDER AUTHORIZING  
TEMPORARY CHANGE

TC-34-193

5. Rights 34-43, 34-2509, and 34-7112 when combined shall not exceed a total diversion rate of 7.78 cfs and the irrigation of 295 acres. Rights 34-2509 and 34-7112 when combined shall not exceed a total annual maximum diversion volume of 1032.5 af. Rights 34-437, 34-2491A, 34-7111A, and 34-7226B when combined shall not exceed a total diversion rate of 1.99 cfs, a total annual maximum diversion volume of 346 af, and the irrigation of 76 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 written consent of such corporation or irrigation district.
7. 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.
8. 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.
9. The Watermaster of Water District No. 34 is authorized to administer the temporary change approval.
10. This temporary change approval expires on November 1, 2021 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 21<sup>st</sup> day of June, 2021.



James Cefalo  
Eastern Regional Manager

Department of Water Resources  
ON Eastern Region

TC-34-193

## TEMPORARY CHANGE APPLICATION

Name of Applicant Danny Waddoups, Keith Waddoups Phone                       
Mailing Address 2775 N 3520 W, Moore, ID 83255 Email                     

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

| 1. <u>Right Number</u>      | <u>Priority</u>             | <u>Amount</u><br>(cfs/ac-ft) | <u>Nature of Use</u>        | <u>Period of Use</u>                                       |
|-----------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------------------------------------|
| <u>34-2509 (part)</u>       | <u>10/05/1960</u>           | <u>1.47</u>                  | <u>Irrigation</u>           | <u>04/01</u> to <u>11/01</u>                               |
| <u>34-7226B</u>             | <u>02/24/1980</u>           | <u>1.52</u>                  | <u>Irrigation</u>           | <u>04/15</u> to <u>10/15</u>                               |
| <u>                    </u> | <u>                    </u> | <u>                    </u>  | <u>                    </u> | <u>                    </u> to <u>                    </u> |
| <u>                    </u> | <u>                    </u> | <u>                    </u>  | <u>                    </u> | <u>                    </u> to <u>                    </u> |

[illegible][illegible]

|             |     |
|-------------|-----|
| Total Acres | 169 |
|-------------|-----|

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. Standlee Family Ltd. Partnership has consented to this transfer (consent attached).
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:  
It will not be 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? It would be used at the current authorized place of use if it could be delivered.
- f. Describe other water rights used for the same purpose. \_\_\_\_\_
- 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.

*Julie K. Marchant*  
Signature of Applicant

June 9, 2021  
Date

**FOR DEPARTMENT USE ONLY**

Received by m. Pettis Date 6-9-21 \$50 fee receipted by m. Pettis Receipt No. E047062  
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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Temporary Change Expiration Date \_\_\_\_\_

Signed this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
For the Director



Prepared by:  
Luke H. Marchant  
06/09/2021

## 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. 34-2509 and 34-7226B. I consent to the transfer of these water rights as requested in the Temporary Change Application.

STANDLEE FAMILY LTD PARTNERSHIP

  
\_\_\_\_\_

By: Dusty Standler  
\_\_\_\_\_

Its: Partner  
\_\_\_\_\_

Date: 5/27/21  
\_\_\_\_\_

12/99

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## RECOMMENDATION OF WATERMASTER

Application No: TC-34-193Applicant's Name: Danny Waddaups, Keith Waddaups

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 10 day of June, 2021.Water District No: 34  
Watermaster's Signature

Use reverse side of page if you need more space.

## Watts, Michelle

---

**From:** General Manager <blridgm@atcnet.net>  
**Sent:** Thursday, June 10, 2021 2:23 PM  
**To:** Watts, Michelle  
**Subject:** RE: IDWR Temp Change Transfer for Review

The BLRID does not oppose the Waddoups TC application (no application number?).

Thanks

**From:** Watts, Michelle <Michelle.Watts@idwr.idaho.gov>  
**Sent:** Thursday, June 10, 2021 8:26 AM  
**To:** watermaster34@atcnet.net; blridgm@atcnet.net  
**Cc:** waterdist34@atcnet.net; blrid@atcnet.net  
**Subject:** IDWR Temp Change Transfer for Review

Good morning,

I'm stepping in for Michael while he is away. Attached is the Waddoups Temporary Change Application for review.

Thank you,

Michelle Watts  
Water Resource Agent  
Idaho Department of Water Resources  
900 N Skyline Dr. Suite A, Idaho Falls, ID 83402  
Phone: (208) 497-3779      Fax: (208) 525-7177