

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

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF)
WATER RIGHT NO.: 34-2409B &)
34-12034B)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-190

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

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 May 28, 2021, Larry Jensen 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). 34-2409B and 34-12034B 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 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. Rights 34-2409B and 34-12034B when combined shall not exceed a total diversion rate of 2.20 cfs and the irrigation of 145 acres. Rights 34-28B, 34-61D, 34-373D, 34-663B, 34-664, 34-910, 34-2409B, and 34-12034B when combined shall not exceed a total diversion rate of 4.91 cfs and the irrigation of 172 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. 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 3rd day of June, 2021.



James Cefalo
Eastern Region Manager

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 26 2021

TC-34-190

TEMPORARY CHANGE APPLICATION 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 Larry Jensen Phone 208-569-2661
Mailing Address 3243 N King Mtn Rd, Moore, ID 83255 Email larryjens@hotmail.com

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change purpose of use ☐ Other
- Describe the proposed change(s) and explain the reason(s) they are needed. _____
Change the point of diversion for a portion of two ground water rights to be closer to place of use. Proposed POD is
neighbors well. Statement attached authorizing use of well on neighbors property.

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

- | Right Number | Priority | Amount
(cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|------------------|-----------------------|-------------------|----------------------------|
| <u>34-2409B</u> | <u>4/6/1961</u> | <u>0.52</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
| <u>34-12034B</u> | <u>6/20/1972</u> | <u>0.12</u> | <u>Irrigation</u> | <u>4/1</u> to <u>10/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
- Total amount of water being transferred 0.52 cubic feet per second and/or _____ acre-feet per annum.
- Source of water Ground Water tributary to _____.
- Point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag number
05N	26E	23			SE	SW	Butte	Ground Water	D0065508

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	
05N	26E	23									17	17							34

Total Acres 34

AMENDED

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right. Applicant owns rights.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Irrigating same land from same rights from new well.
- d. Has the water right sought to be transferred been used this year? ☒ Yes ☐ No If yes, explain. Water right currently being used for place of use, proposing to change POD.
- e. Absent the changes, how would the right be used for the remainder of the year? Right difficult to deliver to far eastern (Sec 23), transfer to deliver from separate well.
- f. Describe other water rights used for the same purpose. _____
- g. Remarks: Big lost river rights 34-664, 34-663B, 34-61D, 34-28B, 34-916 and 34-373D usually used for this portion of the POW, not currently being delivered, therefore moving POD for groundwater rights to apply to POW directly.

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

5/26/2021
Date

FOR DEPARTMENT USE ONLY

Received by M. Pettis Date 5-26-21 \$50 fee receipted by M. Pettis Receipt No. E047002
Recommend: ☐ approve ☐ deny Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

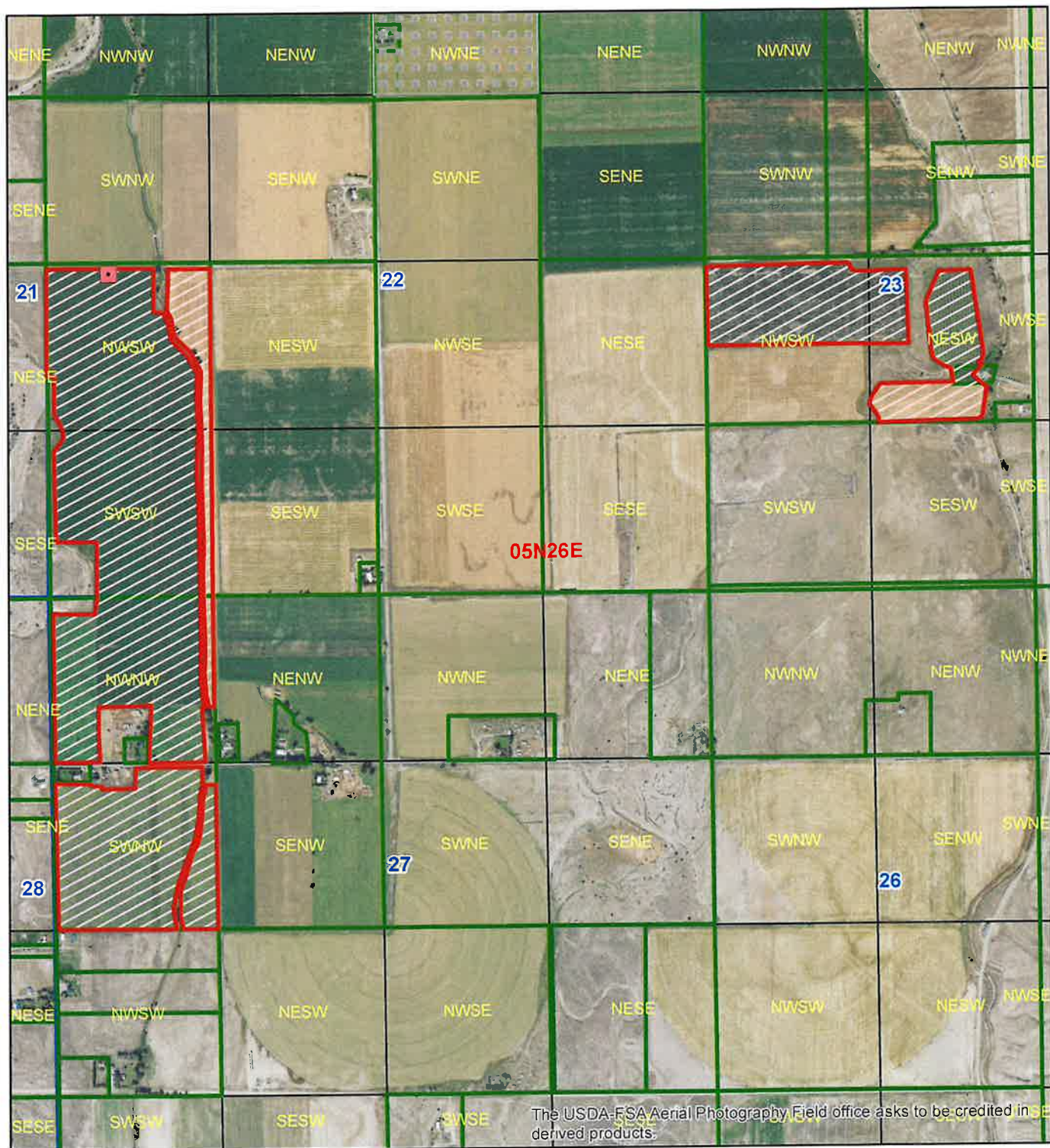
This is to certify that I have examined Temporary Change Application No. _____, and said application is hereby _____, subject to the following limitations and conditions:

Temporary Change Expiration Date _____

Signed this _____ day of _____, _____.

For the Director

Water Rights 34-2409B & 34-12034B



Legend

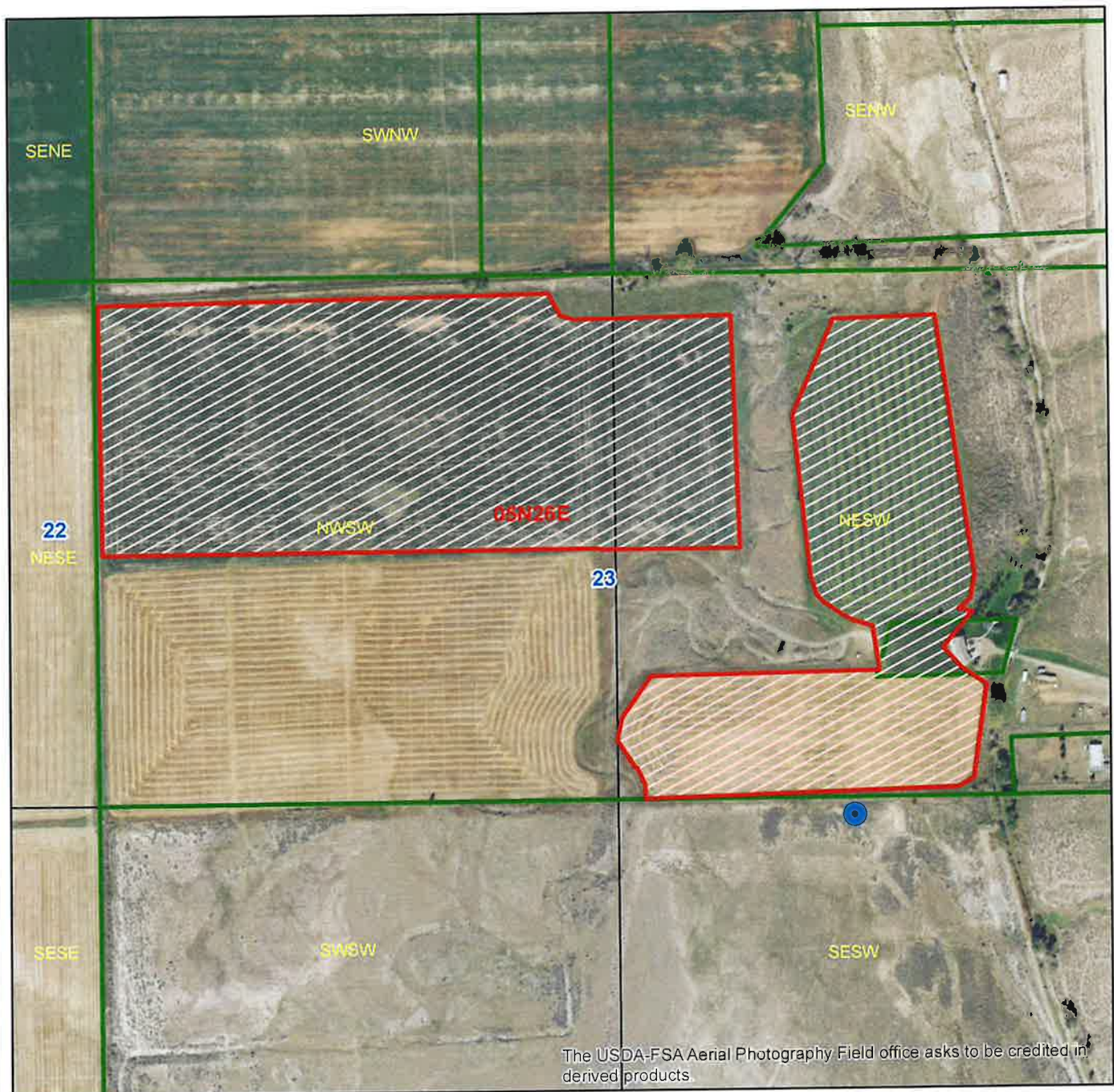
- Water Right POD
- Water Right POU
- Parcels
- Sections
- QQ

0 0.125 0.25 0.5 Miles



Water Rights 34-2409B & 34-12034B

Temporary Transfer to move ^{0.52}~~0.70~~ cfs of ground water rights 34-2409B and 34-12034B to well adjacent to 34 acre POU.



Legend

- Proposed POD
- Water Right POU
- Parcels
- Sections
- QQ

0 0.0425 0.085 0.17 Miles



I Joe Wanstrom authorize Larry Jensen, 3243 N
King Mountain Rd, Moore ,Idaho to share the use of
my well for temporary drought emergency use. I
will continue to pump my well as I normally do.

A handwritten signature in blue ink, appearing to read "Joe Wanstrom", written over a horizontal line.

cell# (208) 681-5939

12/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATERMASTER

Application No: TC-34-190

Applicant's Name: _____

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 1 day of June, 2021.

Water District No: 34

[Signature]
Watermaster's Signature

Use reverse side of page if you need more space.

Holliday, Michael

From: General Manager <blridgm@atcnet.net>
Sent: Tuesday, June 1, 2021 11:39 AM
To: Holliday, Michael
Subject: RE: temp apps for Larry Jensen & Jason Andersen

BLRID does not oppose temp apps 34-190 or 34-191.

Thanks

Lucas Yockey
BLRID Manager

From: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Sent: Friday, May 28, 2021 4:34 PM
To: watermaster34@atcnet.net; General Manager <blridgm@atcnet.net>
Cc: waterdist34@atcnet.net; BIG LOST RIVER IRR DIST (blrid@atcnet.net) <blrid@atcnet.net>
Subject: temp apps for Larry Jensen & Jason Andersen

Lucas, attached are a couple more for your review. Thanks.

Michael Holliday
Water Rights Supervisor
Phone: 208-525-7161
Fax: 208-525-7177