

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

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF)
WATER RIGHT NO.: 34-2397B &)
34-2397C)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-191

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, Jason Andersen 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). 34-2397B and 34-2397C 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 34-62A, 34-504A, 34-505 and 34-2397B when combined shall not exceed a total diversion rate of 3.20 cfs and the irrigation of 112 acres. Rights 34-62B, 34-738C and 34-2397C when combined shall not exceed a total diversion rate of 2.14 cfs and the irrigation of 75 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 October 31, 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

TC-34-191

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 Jason Andersen Phone 208-589-5898
Mailing Address P.O. Box 474, Moore, ID 83255 Email andejaso66@yahoo.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. _____
Low snow-pack and drought conditions have made existing surface water rights for the proposed property scarce
and will likely become unavailable during the irrigation season. It is proposed to supplement the surface water
rights with a temporary use of ground water rights from the neighboring properties.

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>34-2397B</u>	<u>2/20/1961</u>	<u>0.10 cfs</u>	<u>Irrigation</u>	<u>4/01</u> to <u>11/01</u>
<u>34-2397C</u>	<u>2/20/1961</u>	<u>0.18 cfs</u>	<u>Irrigation</u>	<u>4/01</u> to <u>11/01</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.28 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	¼	¼	¼	County	Source	Local name or tag number
4N	26E	8			SW	SE	BUTTE	GROUND WATER	WMIS #49/ A0010082
4N	26E	9			NE	SW	BUTTE	GROUND WATER	WMIS #51/ A0008048

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	
4N	26E	8													0.3			7.9	8.2
		17	5.5																5.5

Total Acres 13.7

6. General Information:

- a. Who owns the water right to be changed? Seth Beal
- b. Describe the arrangement allowing use of the right. Seth Beal has authorized the temporary change. See the attached document.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
The land now irrigated will not be irrigated with ground water rights during the 2021 season.
- 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? Corners have not been planted and the water right would not be used.
- f. Describe other water rights used for the same purpose. All properties are overlapped by surface water rights.
- 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.

[Signature]
Signature of Applicant

5-28-2021
Date

FOR DEPARTMENT USE ONLY

Received by M. Pottis Date 5-28-21 \$50 fee received by M. Pottis Receipt No. E647020
Recommend: ☐ approve ☐ deny Watermaster recommendation _____

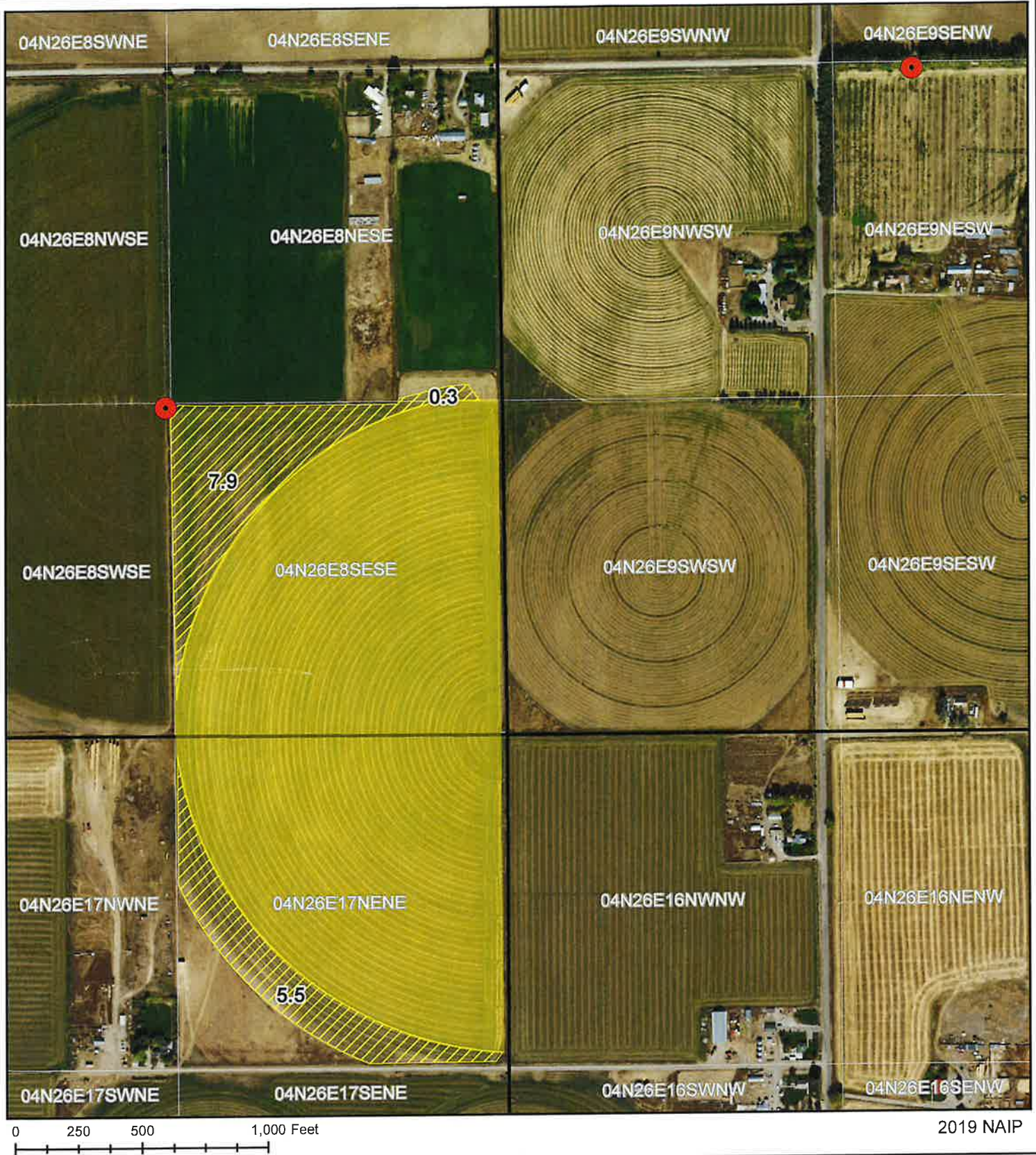
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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 _____

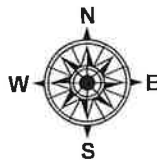
Signed this _____ day of _____, _____.

For the Director



Legend

-  Proposed Wells
-  Proposed POU
-  WSB Rental Application #2079
-  Twp & Rng
-  Section
-  QQ



Proposed Location

Jason Andersen

RMEA # 21-0125

by: KM

Date: 5/27/2021



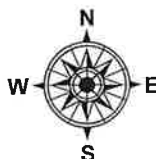


2019 NAIP

0 250 500 1,000 Feet

Legend

- FROM Corners QQ
- POU 34-2397B
- Twp & Rng
- Section



FROM Location - 34-2397B

Jason Andersen

RMEA # 21-0125

by: KM

Date: 5/27/2021



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

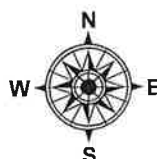


0 250 500 1,000 Feet

2019 NAIP

Legend

- FROM Corners QQ
- POU 34-2397C
- Twp & Rng
- Section



FROM Location - 34-2397C

Jason Andersen

RMEA # 21-0125

by: KM

Date: 5/27/2021



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

Lease Agreement 2021

I, Seth Beal, lease my ground Water Rights specified on map to Jason Andersen for a Temporary transfer for this year 2021.

X

Seth E Beal

X

Jason A

4-10-2021

I, Joel Andersen, give Jason Andersen
Permission to use my wells as P.O.D.s
for his Temporary water Transfers.

A handwritten signature in cursive script, appearing to read "Joel S. Andersen".

5-13-21

12/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATERMASTER

Application No: TC-34-191Applicant's Name: JASON ANDERSEN

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
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