

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

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A) **ORDER DENYING**
WATER RIGHT TC-37-84 IN THE) **TEMPORARY CHANGE**
NAME OF LAKESIDE INDUSTRIES)

WHEREAS, on April 23, 2021, a drought emergency has been declared for Blaine 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 purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on April 19, 2021, Lakeside Industries ("applicant") submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the application, as submitted, will move rights 37-11821 and 37-11822 with a combined irrigation place of use of 100.0 acres into a place of use of 485.0 acres, which will result in the expansion of the place of use of rights 37-11821 and 37-11822; and

WHEREAS, the application proposes the unstacking of rights 37-11821 and 37-11822 from companion combined rights 37-11823 (from the Big Wood River) and 37-2493 (a supplemental groundwater right), which would lead to expansion in use of water rights; and

WHEREAS, a portion of rights 37-892 and 37-891A, in the name of Upper Wood River Water Users Association, Inc., are appurtenant to the place of use of rights 37-11821 and 37-11822, the potential exists after the proposed Temporary Change for rights 37-892 and 37-891A to be used at the present place of use of rights 37-11821 and 37-11822, thus expanding the use of water rights; and

WHEREAS, the Department has reviewed the application and has determined the application if approved will result in expansion of use and injure other water rights and should be denied.

ORDER

IT IS HEREBY ORDERED that application TC-37-84 is **DENIED**.

DATED this 11th day of May, 2021.



Corey Skinner
Southern Region Manager

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of May, 2021, I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER DENYING TEMPORARY CHANGE** to the person(s) listed below:

Documents Enclosed: Order Denying Temporary Change No. TC-37-84, in the name of Lakeside Industries; Water Right No. 37-11821 & 37-11822

LAKESIDE INDUSTRIES
PO BOX 479
BELLEVUE ID 83313-0479

KEVIN LAKEY, WATERMASTER
WATER DISTRICT 37
107 W 1ST ST
SHOSHONE ID 83352



Denise Maline
Administrative Assistant

TC-37-84

RECEIVED

APR 19 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Lakeside Industries Phone 208 450 9484
Mailing Address PO Box 479 Bellevue Idaho 83313 Email wrranch@svskylan.net

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. _____

Due to drought and restrictions on GW pumping, I need to move some surface water from an alfalfa field to pastures. I will be moving water from a pumping station on the Baseline extension to a headgate on the west side of the Big Wood.

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>37-11821</u>	<u>5/15/1882</u>	<u>3.0 cfs</u>	<u>irrigation</u>	<u>4/1 to 11/1</u>
<u>37-11822</u>	<u>8/1/1884</u>	<u>1.40 cfs</u>	<u>irrigation</u>	<u>4/1 to 11/1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 4.4 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Big Wood River tributary to Malad River

4. Point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag number
01N	18E	35					Blaine	Big Wood River	n/a

5. Lands irrigated or place of use:

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S34	SESW	2.10	T01N R18E S34	NESE	13.00
T01N R18E S34	SWSE	28.00	T01N R18E S34	SESE	40.00
T01N R18E S35	NWSW	20.00	T01N R18E S35	SWSW	34.00
T01S R18E S02 Lot 2	SWNE	2.20	T01S R18E S02 Lot 4	SWNW	22.00
T01S R18E S02 Lot 3	SENE	22.00	T01S R18E S02	NESW	21.30
T01S R18E S02	NWSW	40.00	T01S R18E S02	SWSW	17.00
T01S R18E S03 Lot 2	SWNE	2.80	T01S R18E S03 Lot 1	SENE	17.00
T01S R18E S03 Lot 3	SENE	6.20	T01S R18E S03	NESW	39.00
T01S R18E S03	NWSW	7.30	T01S R18E S03	SWSW	4.40
T01S R18E S03	SESW	35.70	T01S R18E S03	NESE	35.00
T01S R18E S03	NWSE	33.00	T01S R18E S03	SWSE	28.00
T01S R18E S03	SESE	15.00			

485 ACRES TOTAL

6. General Information:

- a. Who owns the water right to be changed? Lakeside Industries
- b. Describe the arrangement allowing use of the right. _____
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
The alfalfa field will only produce 1 crop.
- 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? pasture irrigation
- 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.

[Signature]
Signature of Applicant

4/15/2021
Date

FOR DEPARTMENT USE ONLY

Received by SG Date 4/19/21 \$50 fee received by SG Receipt No. 5038537
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. TC-37-84, and said application is hereby Denied, subject to the following limitations and conditions:

See attached order

Temporary Change Expiration Date _____

Signed this 11th day of May, 2021.

[Signature]
For the Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 11, 2021

LAKESIDE INDUSTRIES
PO BOX 479
BELLEVUE ID 83313-0479

RE: Temporary Change Application: TC-37-84
Water Right No(s): 37-11821 & 37-11822

Dear Applicant(s):

Enclosed is a copy of the above referenced Temporary Change Application; which has been *Denied* by action of the department.

In addition, it was noted that you paid \$100.00 for this application, however, the necessary filing fee is \$50.00. A refund request in the amount of \$50.00 has been submitted and will arrive under separate cover.

If you have any questions, please feel free to contact this office, and any of our agents will be able to assist you.

Sincerely,

Denise Maline for.

Corey Skinner
Southern Regional Manager

Enclosure

c: Kevin Lakey, Water District 37

Maline, Denise

From: Maline, Denise
Sent: Thursday, May 20, 2021 12:12 PM
To: Invoices
Subject: Refund Request
Attachments: Refund Request - Lakeside Industries.pdf

Good afternoon,

Attached please find a refund request being submitted for processing. Please contact me if you have any questions.

Thank you,

Denise @ Southern

Idaho Department of Water Resources Receipt

Receipt ID: S038537

Payment Amount	\$100.00	Date Received	4/19/2021	Region	SOUTHERN
Payment Type	Check	Check Number	10006		
Payer	LAKESIDE INDUSTRIES				
Comments	TEMPORARY CHANGE APPLICATION FROM: LAKESIDE INDUSTRIES (2) WR#'S, 37-11821, 37-11822.				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	TRANSFERS	64106	0229	21		1155



Signature Line (Department Representative)

Correct fee for Temporary Change Application is \$50.00. Customer paid \$100.00.

Please issue a \$50.00 refund to:

Lakeside Industries
PO Box 479
Bellevue ID 83313-0479
(208) 450-9484

BM 5-12-2021