

DENIED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 09 2020

Department of Water Resources
Eastern Region

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 D Keith Waddoups Phone 208.251.6457
Mailing Address 2778 N 3520 W, Moore, ID 83255 Email _____

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. _____

Since this is considered a drought year for Butte Co., additional water is needed to water another piece of ground.

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
34-2481	8/1/1966	1.75 cfs	Irrigation	4/1 to 11/1
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.75 cubic feet per second and/or 255 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	5			SE	SW	Butte	Ground water	

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	40	33															73

Total Acres 73

6. General Information:

- a. Who owns the water right to be changed? Donald Nelson
- b. Describe the arrangement allowing use of the right. Written agreement between two parties.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Area will be dried up.
- 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? Water would not be used this year.
- f. Describe other water rights used for the same purpose. 34-496B, 34-692E, and 34-446B
- g. Remarks: 34-446B has 9/1/1899 priority date and is from Big Lost River

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.

D. Keith Nelson
Signature of Applicant

6-8-20
Date

FOR DEPARTMENT USE ONLY

Received by (KR) Date 6/8/2020 \$50 fee received by CAP Receipt No. E045988
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-34-170, and said application is hereby DENIED, subject to the following limitations and conditions:

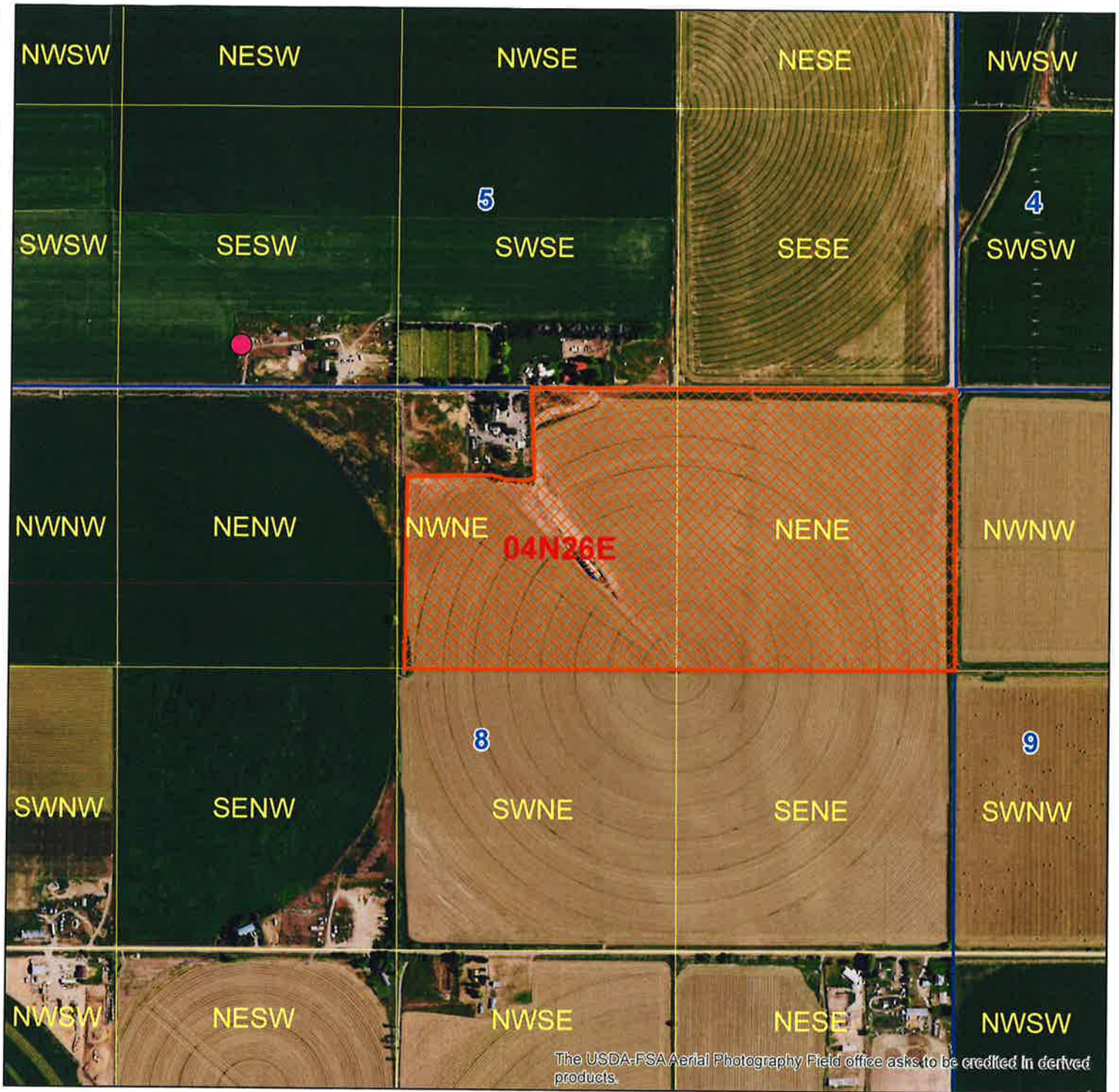
No evidence of use for water right 34-2481. No apparent use since the late 1980s. Applicant never responded to requests for additional evidence of use for water right 34-2481. Irrigation season has ended.

Temporary Change Expiration Date —

Signed this 31st day of December, 2020.

[Signature]
For the Director

D. Keith Waddoups Temporary Transfer



Legend

- Proposed POD
- Proposed POU
- Township/Range
- Sections
- QQ

0 800 1,600 3,200 Feet



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TEMPORARY CHANGE APPLICATION

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Name of Applicant D Keith Waddoups Phone 208 251 6457
Mailing Address 2778 N 3520 W, More, ID. 83255 Email

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. _____
Since this is considered a drought year for Butte Co., additional water is needed to water another piece of ground

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

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>
<u>34-2481</u>	<u>8/1/1966</u>	<u>1.870</u>		<u>4/01</u> to <u>11/01</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.870 cubic feet per second and/or 273.0 AF 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
03N	27E	9		SW	SE	NW	Butte	Ground Water	

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	
04N	26E	8	40.0	40.0															80.0

Total Acres _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 34-02481

1998 JAN 15 PM 1:08

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: PATRICIA J CLARY
PO BOX 385
ARCO ID 83213

SOURCE: GROUNDWATER

QUANTITY: 1.87 CFS
273.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 34-00446B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.40 CFS.

PRIORITY DATE: 08/01/1966

POINT OF DIVERSION: T04N R26E S25 SWSNW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

4/1-11/1 Within BUTTE County
PERIOD OF USE
Irrigation Season

QUANTITY
1.87 CFS
273.0 AFY

PLACE OF USE: IRRIGATION Within BUTTE County
T03N R27E S09 NWNE 3 SWNE 34 NENW 8 SENW 39
84 ACRES TOTAL

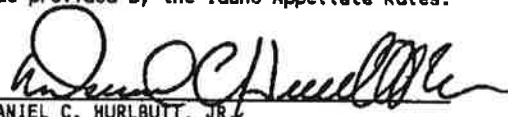
USE OF THIS RIGHT WITH RIGHT NO. 34-00446B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 84.0 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 78.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE: 195.0 AFY

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

Holliday, Michael

From: General Manager <blridgm@atcnet.net>
Sent: Thursday, June 11, 2020 7:20 AM
To: Holliday, Michael
Subject: RE: Keith Waddoups temp change

Michael,

The BLRID has no problem with the Waddoups temporary transfer.

Thanks

From: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Sent: Tuesday, June 09, 2020 4:33 PM
To: watermaster34@atcnet.net; blridgm@atcnet.net
Cc: waterdist34@atcnet.net
Subject: Keith Waddoups temp change

Lucas, here's another one awaiting your comments. Thanks.

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

12/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATERMASTER

Application No: TC-34-170

Applicant's Name: D. KEITH WADDUPS

Watermaster's Recommendation:

- a) 64 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, 2020.

Water District No: 34

[Signature]
Watermaster's Signature

Use reverse side of page if you need more space.