

2004

Ident. No. TC-74-07DE JURCES
TEMPORARY CHANGE APPLICATIONRECEIVED
MAY 17 2001

(To change point of diversion, place of use or purpose of use)

Department of Water Resources
Eastern RegionName of Applicant JUNE PLAYFAIR OR MARIE Mahaffey Phone (208) 756-2714
Post Office Address PO Box 38 Lemhi, ID 83465

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 the reason(s) thereof we wish propose to use the water from one right that is currently being farmed and can remain fallow to try and save an established crop of alfalfa on another field with a much later right date.
Reason - Drought

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>74-1083</u>	<u>2-12-1875</u>	<u>.64 CFS</u>	<u>Irrigation</u>	<u>3/15 to 11/15</u>
				to
				to
				to

2. Total amount of water being transferred .64 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Lemhi River tributary to Salmon River

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
<u>74-1083</u>	<u>4</u>	<u>NW</u>	<u>NW</u>		<u>33</u>	<u>18N</u>	<u>24E</u>	<u>Lemhi</u>	<u>L-43A</u>

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>18N</u>	<u>24E</u>	<u>28</u>					<u>5</u>	<u>2</u>										<u>7</u>	<u>2</u>
<u>18N</u>	<u>24E</u>	<u>33</u>					<u>5</u>	<u>9</u>										<u>1</u>	<u>15</u>
<u>18N</u>	<u>24E</u>	<u>28</u>								<u>7</u>									<u>7</u>

Total Acres 24.0

22

6. General Information:

TC-74-07

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right N/A
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Cropland will be put into fallow condition if the change is allowed
- d. Has the water right sought to be transferred been used this year? NO If yes, explain, _____
- e. Absent the changes, how would the right be used for the remainder of the year? To irrigate a grain crop
- 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.

June L. Clappier
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 4/12/04 Fee \$ 50⁰⁰

Received KCW # E 029841 Recommend: ☒ approve ☐ deny

Watermaster recommendation verbal Approval

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-74-07

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this 24th day of May, 2004:

Russell D. Clark
For the Director

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

IN THE MATTER OF APPLICATION FOR)
TEMPORARY CHANGE OF A)
WATER RIGHT June Playfair or Marie Mahaffey)
74-1083)
_____)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-74-07

WHEREAS, a drought emergency has been declared for Lemhi 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 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 5/17/2004, 2004, June Playfair & Marie Mahaffey submitted the attached Temporary Change Application TC-74-07 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:

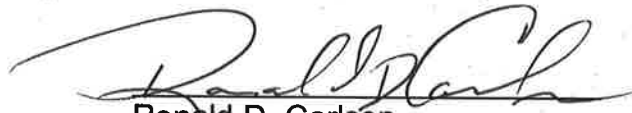
1. Diversion and use of right no(s). 74-1083 is authorized only at the point of diversion and place of use described on the application.
2. This temporary Change approval does not authorize construction of a new well as a new point of diversion.
3. The applicant assumes all risk of curtailment or mitigation 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 that 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.

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-74-07

5. Right(s) 74-1083 are limited to the irrigation of a total of 22 acres in a single irrigation season
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 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 applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval.
10. The Water master of Water District No. 74 is authorized to administer the temporary change approval.
11. This Temporary change approval expires on December 31, 2004 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 24th day of May, 2004.


Ronald D. Carlson
Eastern Regional Manager

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 74-1083 V1

WATER RIGHT NUMBER: 74-1083 V1

Owner Type Name and Address

Current Owner JUNE PLAYFAIR
 PO BOX 38
 LEMHI, ID 83465
 (208)756-2716

Current Owner MARIE MAHAFFEY
 PO BOX 14
 LEMHI, ID 83465
 (208)756-2706

Priority Date: 02/12/1875

Basis: Decreed

Status: Active

Source

LEMHI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.640 CFS

Annual VolumeTotal Diversion: 0.640 CFSLocation of Point(s) of Diversion

LEMHI RIVER L4 (NW1/4NW1/4) Sec. 33,Twp 18N,Rge 24E, B.M. LEMHI County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N 24E 28									4.0			12.0			6.0		22.0

Total Acres: 22

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Place of Use This right authorizes the irrigation of 21.4 total acres.

Comments:

1. dsmith 2/27/2004 Recommendation Comment: Based on Lemhi Decree

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

State or Federal: S

Owner Name Connector:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Rick Sager
756-2825

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 74-1080 V1

WATER RIGHT NUMBER: 74-1080 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KATHLEEN I KNIGHT PO BOX 71 LEMHI, ID 83465 (208)756-4484
Current Owner	JUNE PLAYFAIR PO BOX 38 LEMHI, ID 83465 (208)756-2716
Current Owner	VELMA MAHAFFEY PO BOX 14 LEMHI, ID 83465 (208)756-2706
Current Owner	MARIE MAHAFFEY PO BOX 14 LEMHI, ID 83465 (208)756-2706

Priority Date: 02/12/1875

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LEMHI RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.300 CFS	
	<u>Total Diversion:</u>	0.300 CFS	

<u>Location of Point(s) of Diversion</u>			
LEMHI RIVER	SW1/4NW1/4	Sec. 33,Twp 18N,Rge 24E, B.M.	LEMHI County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N 24E 33						1.0	9.0										10.0
						L 4											

Total Acres: 10

Conditions of Approval:

- C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

- Place of Use This right authorizes the irrigation of 9.7 total acres.

Comments:

- dsmith 2/27/2004 Recommendation Comment: Based on Lemhi Decree

Dates and Other Information:

Decreed Date:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
DLE Act Number:

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 74-1082 V1

WATER RIGHT NUMBER: 74-1082 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JUNE PLAYFAIR PO BOX 38 LEMHI, ID 83465 (208)756-2716
Current Owner	MARIE MAHAFFEY PO BOX 14 LEMHI, ID 83465 (208)756-2706

Priority Date: 05/24/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LEMHI RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.340 CFS	

Total Diversion: 0.340 CFSLocation of Point(s) of Diversion

LEMHI RIVER NW1/4NW1/4 Sec. 33,Twp 18N,Rge 24E, B.M. LEMHI County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N 24E 28															1.0		1.0
18N 24E 33					5.0	2.0											7.0
					L 3	L 4											

Total Acres: 17

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Place of Use This right authorizes the irrigation of 16.9 total acres.

Comments:

1. dsmith 3/1/2004 Recommendation Comment: Based on Lemhi Decree

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 74-1084 V1

WATER RIGHT NUMBER: 74-1084 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JUNE PLAYFAIR PO BOX 38 LEMHI, ID 83465 (208)756-2716
Current Owner	MARIE MAHAFFEY PO BOX 14 LEMHI, ID 83465 (208)756-2706

Priority Date: 04/01/1934

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LEMHI RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.210 CFS	

Total Diversion: 0.210 CFSLocation of Point(s) of Diversion

LEMHI RIVER L7 (NW1/4NW1/4) Sec. 33,Twp 18N,Rge 24E, B.M. LEMHI County

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
18N	24E	28	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																			7.0

Total Acres: 7

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. dsmith 2/27/2004 Recommendation Comment: Based on Lemhi Decree

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits: