

DEP.

2004

JRCS

TEMPORARY CHANGE APPLICATION

RECEIVED

JUN 14 2004

(To change point of diversion, place of use or purpose of use) Department of Water Resources
Eastern Region

Name of Applicant Harry Crawford Phone 588-3326

Post Office Address 3384 W 3800N Moore, ID 83255

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 Changing place of use
to facilitate delivery of water

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>34-13648</u>	<u>04/9/1961</u>	<u>2.070</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>11/1</u>
<u>34-13658</u>	<u>11/19/1987</u>	<u>1.02</u>	<u>GROUNDWATER</u>	<u>4/1</u> to <u>10/31</u>

2. Total amount of water being transferred 2.070* cubic feet per second and/or 4.105 acre-feet per annum

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	SW	SE	21	6N	26E	Butte	

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	
6N	26E	21											30	39			39		108
6N	26E	28					37	3											40

* Limited w surface Rights to 4.71 cfs 34-13658 Expansion right associated with 34-13648

Total Acres 148

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

IN THE MATTER OF APPLICATION FOR)
TEMPORARY CHANGE OF A)
WATER RIGHT 34-13648 & 34-13658)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-50

Harry Crawford

WHEREAS, 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

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 June 14, 2014, Harry Crawford submitted the attached Temporary Change Application TC-34-50 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). 34-13648 & 34-13658 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-34-50

5. Right(s) 34-13648 & 34-13658 are limited to the irrigation of a total of 149 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. 34 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 23rd day of June, 2004.


Ronald D. Carlson
Eastern Regional Manager

State of Idaho
Department of Water Resources
Transfer of Water Rights

TC-34-50

RECOMMENDATION OF WATERMASTER

Transfer Application No:

Water Right No(s): 34-13648

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JUN 14 2004

Department of Water Resources
Eastern Region

Transfer Applicant's Name: Harry Crawford
Watermaster's Recommendation:

- a) X 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 11th, day of June, 2004

Water District No: 34

Robert E. White
Watermaster's Signature

Date- June 3, 2004

TC-34-50

WELL USE AGREEMENT

Between:

Rita Bennett-well owner

Harry Crawford and Tom Shelton-well users

The following is an agreement of understanding that Rita Bennett will extend the use of her irrigation well to Harry Crawford and Tom Shelton for the 2004 irrigation season. The use option will terminate with the Drought Emergency declaration made by the Idaho Department of Water Resources (IDWR) on December 31, 04 or upon the sale of the property by Mrs. Bennett. In case of sale by Mrs. Bennett, the demand will be pro-rated.

In exchange for the well and pump use, Harry Crawford and Tom Shelton agree to :

1. Secure and complete all the necessary paperwork for the transfer with the IDWR and the Lost River Electric.
2. Pay any fees involved in the transfers.
3. Pay the Demand charge of \$1320 to Lost River Electric.
4. Do any and all fabrication required to make the new system work.
5. Return the well to its original installation setup when the agreement ends.
6. Repair and/or replace items needed for safe operation of the well (example: new wiring from panel to motor, new bearing cup window etc.)
7. Maintain and operate the well in a conscientious manner.
8. Supply any mitigation incurred by the use of the well in the 2004 season.

I agree to this agreement:

Signed June 3, 2004

Rita Bennett

Harry Crawford

Tom Shelton

Rita Bennett
Harry Crawford
Tom Shelton

TC-34-50

10. State Department of Labor Resources.
 FAX 208-588-2863

From: Rita Bennett

FAX 215-493-1219

Date: June 8, 2004

Re: Unemployment

Please transfer my written request for the
 2004 Unemployment Period to Henry Crawford.
 Thank you,
 Rita F. Bennett

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-2413A V1

WATER RIGHT NUMBER: 34-2413A V1

Owner Type
Current Owner

Name and Address
HARRY J CRAWFORD
RT 1 BOX 8
DARLINGTON, ID 83231
(208)588-3326

New P/O: P/u

TC-34-50

Priority Date: 05/12/1961

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	10/31	1.670 CFS	381.50 AF
<u>Total Diversion:</u>			1.670 CFS	381.50 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4SW1/4SE1/4 Sec. 21, Twp 06N, Rge 26E, B.M. BUTTE 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	
06N 26E 21											30.0	39.0			39.0		108.0
06N 26E 28					37.0	3.0											40.0

Total Acres: 148

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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. Quantity USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.98 CFS.
COMBINED RIGHT NOS.: 34-00049F, 34-00064C, 34-00065E, 34-00224E, 34-00856E AND 34-10448.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 148 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00049F, 34-00064C, 34-00065E, 34-00224E, 34-00856E AND 34-10448.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 109 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates and Other Information:

Decreed Date: 12/14/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.98		148

Combined Water Rights: 34-64C, 34-49F, 34-2413A, 34-856E, 34-10448, 34-65E, 34-224E

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-13648 V1

WATER RIGHT NUMBER: 34-13648 V1

Owner Type Name and Address
 Current Owner RITA BENNETT
 185 HYNDMAN VIEW DR
 HAILEY, ID 83333
 (208)578-0801

Priority Date: 04/09/1961

Basis: Decreed

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	2.070 CFS	345.03 AF

<u>Total Diversion:</u>	2.070 CFS	345.03 AF
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Location of Point(s) of Diversion

GROUND WATER NE1/4NW1/4SE1/4 Sec. 28,Twp 06N,Rge 26E, B.M. BUTTE County

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06N	26E	28	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											40.0	40.0	20.0	38.0		40.0	36.0		214.0

Total Acres: 214

Remarks:

- Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.71 CFS. COMBINED RIGHT NOS.: 34-13630, 34-13632, 34-13634, 34-13636, 34-13638, 34-13640, 34-13642, 34-13644 AND 34-13646, 34-13648 AND 34-13658.
- Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
 - Irrigation OF A COMBINED TOTAL OF 214 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-13630, 34-13632, 34-13634, 34-13636, 34-13638, 34-13640, 34-13642, 34-13644 AND 34-13646, 34-13648 AND 34-13658.
- Explanatory RIGHT NO. 34-13658 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
- Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 109 ACRES WITHIN THE PLACE OF USE
 - Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 34-2392.

Dates and Other Information:

Decreed Date:

State or Federal: S

Water District Number: 34

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.7		214

Combined Water Rights: 34-13632 , 34-13634 , 34-13636 , 34-13644 ,
 34-13646 , 34-13648 , 34-13630 , 34-13638 , 34-13640 , 34-13642

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.71		214

Combined Water Rights: 34-13632 , 34-13634 , 34-13636 , 34-13644 ,
 34-13646 , 34-13648 , 34-13630 , 34-13638 , 34-13640 , 34-13642 ,
 34-13658

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-13658 V1

WATER RIGHT NUMBER: 34-13658 V1

TC-34-50

Owner Type Name and Address
 Current Owner RITA BENNETT
 185 HYNDMAN VIEW DR
 HAILEY, ID 83333
 (208)578-0801

Priority Date: 11/19/1987

Basis: Beneficial Use

Status: Active

Source Tributary
 GROUND WATER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 04/01 to 10/31 1.020 CFS 367.50 AF

Total Diversion: 1.020 CFS 367.50 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NW1/4SE1/4 Sec. 28,Twp 06N,Rge 26E, B.M. BUTTE County

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06N	26E	28	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											40.0	40.0	20.0	38.0		40.0	36.0		214.0

Total Acres: 214

Remarks:

- Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.71 CFS. COMBINED RIGHT NOS.: 34-13630, 34-13632, 34-13634, 34-13636, 34-13638, 34-13640, 34-13642, 34-13644 AND 34-13646, 34-13648 AND 34-13658.
- Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 214 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-13630, 34-13632, 34-13634, 34-13636, 34-13638, 34-13640, 34-13642, 34-13644 AND 34-13646, 34-13648 AND 34-13658.
- General THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 34-13648 PURSUANT TO SECTION 42-1426, IDAHO CODE.
- Explanatory THIS RIGHT IS FOR AN ENLARGEMENT OF 105 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Dates and Other Information:

Decreed Date:
 State or Federal: S

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.71		214

Combined Water Rights: 34-13632 , 34-13634 , 34-13636 , 34-13644 ,
 34-13646 , 34-13648 , 34-13630 , 34-13638 , 34-13640 , 34-13642 ,
 34-13658

TC-34-50

Owner: BENNETT, RITA (Current)						June 22, 2004	
Use: Irrigation							
Basin	Sequence	Suffix	Priority Date	Rate(cfs)	Volume(af)	Source	Version
34	65	H	1887-08-01	1.2		BIG LOST RIVER	1
34	13630		1885-06-30	0.8		LOWER PASS CK	1
34	13632		1887-08-01	0.38		BIG LOST RIVER	1
34	13634		1897-05-10	0.58		BIG LOST RIVER	1
34	13636		1884-04-30	0.77		BIG LOST RIVER	1
34	13638		1887-06-01	0.69		BIG LOST RIVER	1
34	13640		9/1/1901	0.1		BIG LOST RIVER	1
34	13642		1884-06-01	0.23		BIG LOST RIVER	1
34	13644		1887-03-13	0.65		BIG LOST RIVER	1
34	13646		1899-05-18	0.15		BIG LOST RIVER	1
34	13648		4/9/1961	2.07	345.03	GROUND WATER	1
34	13658		11/19/1987	1.02	367.5	GROUND WATER	1