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2004

SOURCES

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TEMPORARY CHANGE APPLICATION

MAY 03 2004

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

cew-390-3253

Name of Applicant Dale Huffaker Phone 554-3100Post Office Address 3929 Antelope Road Moore, Idaho 83255A. PURPOSE OF TRANSFER water will be taken at beginning of Harrahan ditch rather than the normal point approx 2 miles down stream.
1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change purpose of use ☐ Other2. Describe the proposed change(s) and the reason(s) thereof Transfer 5 inches of water from water right # 34-865B.
Reason: Water needed for irrigation due to low stream flow.
Water to be removed from Sec. 15 of Water Right # 34-865B

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
34-865B	09/30/1879	0.10	IRRIGATION	5/01 to 10/15
34-177	06/01/1898	0.10	IRRIGATION	5/01 to 10/15
34-186	11/15/1883	0.10	IRRIGATION	5/01 to 10/15
34-212	08/20/1886	0.10	IRRIGATION	5/01 to 10/15

2. Total amount of water being transferred 0.10 cubic feet per second and/or acre-feet per annum.3. Source of water ANTELOPE CREEK tributary to BIG LOST RIVER4. Point(s) of Diversion: Diversion will be from a pump out of Antelope cr. at Harrahan ditch heading

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	NE		21	5N	25E	Custer	Pump in Creek

5. Lands irrigated or place of use: Water Right # 34-104288

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	
5N	25E	21			1														1

Total Acres 831

TC-34-36

6. General Information:

- a. Who owns the water right to be changed? Robert Shawver
- b. Describe the arrangement allowing use of the right Lease for year 2004
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
This change will have no affect on land normally irrigated. Water will no longer be used on Sec. 15 described in water right #31-865B
- 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? it would have no use the remainder of the year.
- f. Describe other water rights used for the same purpose.
No other water rights. Water Right # 34-10428B
- g. Remarks: The land of Robert Shawver not being irrigated is one Acre from section 15 N.E 1/4.
Five inches will be used on one Acre because of short term use.

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.

Dale Hoffner
 (Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KW Date 5/15/04 Fee 50⁰⁰

Receipted KW 5/17/04 # E029806 Recommend: ✓ approve _____ deny _____

Watermaster recommendation NO OBJECTIONS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-34-36

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

Witness my hand this 10th day of May, 2004.

Ralph Korb
 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 34-865B/177/186)
34-212 Huffaker)

ORDER AUTHORIZING TC-34-36
TEMPORARY CHANGE

WHEREAS, a drought emergency has been declared for Custer counties to allow administrative actions to lessen the severe impacts of the drought conditions in the counties; 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 when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on 5/5/04, Dale Huffaker submitted the attached Temporary Change Application ("application") 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:

- 34-865B 34177
1. Diversion and use of right no(s). 34-186, 34-212 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

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6. General Information:

Department of Water Resources
Eastern Region

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- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
This change will have no affect on land normally irrigated
water will no longer be used on Sec 15 described in 34-865B
- 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? It would have no use
The remainder of the year
- f. Describe other water rights used for the same purpose.
34-10428B
- g. Remarks: Land of Robert Shawver not being irrigated is one acre from
Section 15 NE 1/4. Five(5) inches will be used on one acre because
of short term use.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assent 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.

Dale Huffaker
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Fee _____

Receipted _____ # _____ 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:

Witness my hand this _____ day of _____

For the Director

TC-34-36

State of Idaho
Department of Water Resources
Transfer of Water Rights

RECOMMENDATION OF WATERMASTER

Transfer Application No:

Water Right No(s): 34-00865B

Transfer Applicant's Name: Robert Shawver
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 5th, day of May, 2004

Water District No: 34

Robert E. Duke
Watermaster's Signature

TC-34-36

IDAHO DEPT. OF WATER RESOURCES

Eastern Region
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402-1718
(208) 525-7161

S

FAX NO. (208) 525-7177

TRANSMITTAL COVER SHEET

OMNIFAX

TO: Dale or Colleen Huffaker

FROM: Keith C. Wilson

DOCUMENT DESCRIPTION: Signature Page Temporary Change
Application. Processing will continue but will not be final
until This office has received an original Signature Page and a copy of
lease agreement for 2004
TOTAL NUMBER OF PAGES (Including this page): 2

*
* BILLING ADDRESS: _____
* _____
* _____
* _____
* NO. OF PAGES _____ COST/PAGE _____ TOTAL CHARGE _____
*

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(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Fee _____

Receipted _____ # _____ 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:

Witness my hand this _____ day of _____, _____.

For the Director

IDAHO GEM, INC.

P.O. Box 326
Blackfoot, Idaho 83221
Phone: (208) 237-5840

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MAY 21 2004

Department of Water Resources
Eastern Region

I Robert Shawver of 143 S 1200 West
Blackfoot, Idaho will lease 5-inch of 1879
degree of water for irrigation to Dale + Colleen
Huffaker 3929 Antelope Road for the season of 2004

Robert Shawver