

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

2003

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT Parkinson Seed)
34-826B/598/498/136/594/599/282A)

ORDER AUTHORIZING
TEMPORARY CHANGE TC-34-28

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 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 6/16/03, Parkinson Seed submitted the attached
Temporary Change Application TC-34-28 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). 34-594/599/282A
34-826B/598/498/136 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

ORDER AUTHORIZING
TEMPORARY CHANGE TC-34-28

replacement water supply to lands or other uses which 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.

- 34-8268/598/498/136
5. Right(s) 34/598/599/282A are limited to the irrigation of a total of 212 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 applicant agrees 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 watermaster of Water District No. 34 is authorized to administer the temporary change approval.
11. This temporary change approval expires on 10/31/03 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 17th day of June, 2003.


RONALD D. CARLSON
EASTERN REGION MANAGER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

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

Name of Applicant Parkinson Seed Phone 208-709-7911
Post Office Address P.O. Box 326, St. Anthony, ID 83445-0326

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 point of diversion 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
34-00826B	10-12-1884	.4	Irrigation	5-1 to 10-15
34-00598	6-1-1885	1.6	Irrigation	5-1 to 10-15
34-00498	5-10-1897	2.00	Irrigation	5-1 to 10-15
34-00136	5-10-1897	2.00	Irrigation	5-1 to 10-15

See Back of Form

2. Total amount of water being transferred
- 9.2
- cubic feet per second and/or
- 18.25
- acre-feet per annum.

3. Source of water
- Surface
- tributary to
- Big Lost River

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	SE	SE	4	5N	26E	Butte	Moore

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	
4N	26E	17									36	36	32	37		37	34		

Total Acres 212

6. General Information:

- a. Who owns the water right to be changed? (current owner) Three & One Ranch / Grant Daniels / Norman Svaty (was) (was)
- b. Describe the arrangement allowing use of the right Agreement with owner
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
This ground is not being farmed
- 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? Not possible to get water to place of use without transfer / Change of POP.
- f. Describe other water rights used for the same purpose.
Parkinson Seed water rights 34-17C, 34-02358E, 34-1686, 34-6542, 34-10832
- g. Remarks: Due to shrink needs more water to irrigate new place of 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.

(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by Kaw Date 6/14/03 Fee 50⁰⁰

Received Kaw # E028879 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 17th day of June, 2003.

(Signature of Director)
For the Director

TC-34-28

State of Idaho
Department of Water Resources
Transfer of Water Rights

RECOMMENDATION OF WATERMASTER

Water Right No(s): 34-00826B / 34-00598 / 34-00498 / 34-00136 / 34-00594 / 34-00599
34-00282A

Transfer Applicant's Name: Parkinson Seed
Watermaster's Recommendation:

- a) ☒ 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 13th, day of June, 2003

Water District No: 34


Watermaster's Signature

RECEIVED
JUN 16 2003
Department of Water Resources
Eastern Region

FROM : BigLostRiverIrrgDist

FAX NO. : 2085882863

Jun. 16 2003 08:04PM P2

TC-34-28

Ron Ambrose, Managing Partner
I, Three In One Ranch LLC agree to transfer my 10/12/1884, 6/1/1885,
5/10/1897, and 6/1/1897 water rights to Parkinson Seed for the 2003
year only.

Ron Ambrose
6-17-2003

Three In One Ranch LLC
P.O. Box 486
Jerome, Id. 83338

TC- 34- 28

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Source</u>	<u>Version</u>
34	136		Decreed	Active	1897-05-10	2	BIG LOST RIVER	2
34	282	A	Decreed	Active	1897-06-01	1.6	BIG LOST RIVER	2
34	300		Decreed	Active	1885-06-01	5.9	ANTELOPE CREEK	2
34	442		Decreed	Active	6/1/1904	3.2	ANTELOPE CREEK	2
34	498		Decreed	Active	1897-05-10	2	BIG LOST RIVER	2
34	517		Decreed	Active	5/1/1904	1.6	DRY FORK CREEK	2
34	594		Decreed	Active	1897-05-10	0.8	BIG LOST RIVER	2
34	598		Decreed	Active	1885-06-01	1.6	BIG LOST RIVER	2
34	599		Decreed	Active	1897-05-10	0.8	BIG LOST RIVER	2
34	826	B	Decreed	Active	1884-10-12	0.4	BIG LOST RIVER	1
34	2312		Decreed	Active	7/17/1954	7	GROUND WATER	1
34	7076		License	Active	10/16/1974	1.56	GROUND WATER	2
34	10885		Decreed	Active	4/1/1961	3.2	GROUND WATER	1

TC-34-28

ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY FILED

To the Secretary of State of Idaho,
Statehouse, Boise, Idaho 83720



1. The name of the limited liability company is: THREE IN ONE RANCH, LLC
2. The address of the initial registered office is: 136 Bridon Way, Jerome, ID 83338
(not a PO Box) and the name of the initial registered agent at that address is: Ronald Ambrose
- Signature of registered agent: Ronald Ambrose
3. The latest date certain on which the limited liability company will dissolve: 12-31-2060
4. Is management of the limited liability company vested in a manager or managers?
☐ Yes ☒ No (check appropriate box)
5. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.
- | Name: | Address: |
|---------------------------|---|
| <u>Ronald Ambrose</u> | <u>136 Bridon Way, Jerome, ID 83338</u> |
| <u>Michael Tremblay</u> | <u>136 Bridon Way, Jerome, ID 83338</u> |
| <u>Robert Shillington</u> | <u>136 Bridon Way, Jerome, ID 83338</u> |
6. Signature of at least one person listed in #5 above:

Ronald Ambrose

IDAHO SECRETARY OF STATE
12/29/1999 09:00
CR: 8195 CT: 14187 PH: 277156
1 @ 100.00 = 100.00 ORGAN LLC # 2

W10637

TC-34-28

No. W 10637 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Due no later than Dec 31, 2002 Annual Report Form 1. Mailing Address - Complete in this box, if applicable THREE IN ONE RANCH, LLC PO BOX 486 JEROME, ID 83338		2. Registered Agent and Office NO PO BOX RONALD AMBROSE 136 BRIDON WAY JEROME, ID 83338 3. New Registered Agent Signature	
4. Limited Liability Companies: Enter Names and Addresses of Members.					
Office held	Name	Street or P.O. Address	City	State	Zip
Managing Partner	Ronald Ambrose	2295E 3100 S	Wendell	Id.	83355
Partner	Robert Shillashoe	P.O. Box 486	Jerome	Id.	83338
Partner	Mike Trumbly	4085N Meadow Ridge C.r	Twin Falls	Id.	83301
5. Organized Under the Laws of: IDAHO W 10637			6. Signature <u>Ronald D Ambrose</u> Date <u>Oct 11, 2002</u> Name <u>Ronald D Ambrose</u> Title <u>Managing Partner</u>		

Issued 10/01/2002 Do Not Tape or Staple 356