

2003

BEFORE THE DEPARTMENT OF WATER RE
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT Jay Andersen)
34-10665)

ORDER AUTHORIZING
TEMPORARY CHANGE TC-34-25

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 6/11/03, JAY ANDERSEN submitted the attached
Temporary Change Application TC-34-25 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). 34-10665 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-34-25

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.

5. Right(s) 34-10665 are limited to the irrigation of a total of 104.5 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 Oct 31, 2003 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 6 day of June 2003.

Ronald D. Carlson
For RONALD D. CARLSON
EASTERN REGION MANAGER

Form 42-222A
12/99

Ident. No.

TC-34-25

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 Jay Andersen Phone 208-527-3341Post Office Address Rt 1 Box 41 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 point of diversion to facilitate delivery of water.

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

1. Right Number 34-10665 Priority 9/28/1896 Amount (cfs/ac-ft) 2.33 Nature of Use Irrigation Period of Use 5-1 to 10-15
to
to
to

2. Total amount of water being transferred 2.33 cubic feet per second and/or 4.62 acre-feet per annum

3. Source of water Surface tributary to Big Lost River

4. Point(s) of Diversion: Big Lost River Sinks

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

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	26E	5			39				34.5		39	34.5	31						

Total Acres 104.5

TC-34-25

6. General Information:

- a. Who owns the water right to be changed? Jay Andersen
- 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 POU
- f. Describe other water rights used for the same purpose.
Mr. Andersen's water right new place of use
- g. Remarks: Due to shrink need water to irrigate land (new POU)
See right 34-615

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.

Jay A. Andersen
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 6/11/03 Fee 50⁰⁰

Received KCW # E028866 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 Approved, subject to the following limitations and conditions:

Witness my hand this 6 day of June, 2003.

H. Jensen
For the Director

TC-34-25

State of Idaho
Department of Water Resources
Transfer of Water Rights

RECOMMENDATION OF WATERMASTER

Transfer Application No: 3410665

Water Right No(s):

Transfer Applicant's Name: Jay Andersen
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 10th day of June, 2003

Water District No: 34

Robert E. White
Watermaster's Signature

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-10665

WATER RIGHT NUMBER: 34-10665

Owner Type Name and Address
 Current Owner JAY A or JEAN P ANDERSEN
 RT 1 BOX 41
 MOORE, ID 83255
 (208)527-3431

Priority Date: 09/28/1896 Basis: Decreed Status: Active

Source Tributary
 BIG LOST RIVER SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 5/01 to 10/15 2.330 CFS

Total Diversion: 2.330 CFS

Location of Point(s) of Diversion

BIG LOST RIVER NW1/4NW1/4NW1/4 Sec. 26, Twp 04N, 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	
03N	26E	2		29.4															29.4
				L 2															
04N	26E	35													23.0		30.6	21.5	75.1

Total Acres: 104.5

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Explanatory THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 34-00667 AND 34-00367A. WATER IS DELIVERED THROUGH MUNSEY DITCH.

Comments:

1. MEYER 9/5/1990 ERROR IN PLACE OF USE LEGAL DESCRIPTION
 Comment: R34-10665 was created to correct an error in the legal descriptions in the place of use for A34-10665. Originally recorded as Township 02N for Section 1 and 03N for Section 35, the correct location is Township 03N for Section 1 and 04N for Section 35.
2. KEEN 7/2/1991 COPIED FROM REMARKS
 Comment: THIS RIGHT IS A COMBINATION OF DECREES 34-00367A (0.60 CFS) AND A PORTION OF 34-00667 (1.734 CFS). CLAIM REVIEW INITIAL INVESTIGATION AND DATA ENTRY BY PAUL R. MEYER. FINAL REVIEW AND DATA ENTRY BY S.W. KEEN ON 7-2-1991.
3. CFRITSCH 10/7/1997 COND CODE C01
 Comment: DELETED CONDITION CODE C01 SINCE THERE IS NO ENLARGEMENT.

Dates and Other Information:

Licensed Date:
 Decreed Date: 1/15/1998
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:

Water Right Report 34-615

Status: Active

Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



Water District No. 34

P. O. Box 53

Mackay, ID 83251

(208) 588-3137

FAX TRANSMITTAL

To: KEITH WILSON
DEPT. of WATER RESOURCES

Date: 6-11-03

of Pages: 3
(including
cover sheet)

Comments: UPDATED TEMPORARY CHANGE
APPLICATION OF JAY ANDERSON'S - RT#1 BOX 41
MOORE - ID. - 83255

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-117D

WATER RIGHT NUMBER: 34-117D

Owner Type Name and Address
 Current Owner JAY A , JEAN P ANDERSEN
 RT 1 BOX 41
 MOORE, ID 83255
 (208)527-3431

Priority Date: 06/01/1884 Basis: Decreed Status: Active

Source Tributary
 BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	0.368 CFS	
<u>Total Diversion:</u>		0.368 CFS	

Location of Point(s) of Diversion

DIG LOST RIVER NW1/4SE1/4SE1/4 Sec. 4, Twp 05N, Rge 28E, 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	
04N	28E	5																	

Total Acres: 134

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NOS. 34-00377B, 34-00615, 34-10669 AND 34-02416B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.518 CFS.
2. Place of Use USE OF THIS RIGHT WITH RIGHT NOS. 34-00377B, 34-00615, 34-10669 AND 34-02416B IS - Irrigation LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 134 ACRES IN A SINGLE IRRIGATION SEASON.
 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Explanatory WATER DELIVERED THROUGH THE MOORE DIVERSION, MOORE CANAL.

Comments:

1. CARLSON 1/28/1992 CHANGED PD FROM CUSTER TO BUTTE CO.
 Comment: PER CONVERSATION WITH CLAIMANT OF PORTION C. BOTH RTS HAVE SAME PD. jdc.
2. SCHULTZ 2/27/1992 NOTICE OF ERROR FORM
 Comment: NOTICE OF ERROR FORM WAS RECEIVED 2/27/92. I CHANGED THE NOTICE OF ERROR FLAG FROM "D" TO "A".
3. VERNER 3/17/1992 NOTICE OF ERROR RECONCILIATION
 Comment: CLAIMANT SUBMITTED NOTICE OF ERROR INDICATING WE HAD LISTED THE WRONG DELIVERY CANAL FOR THIS RIGHT. I REVIEWED THE OQ FOR THIS AREA AND DETERMINED THAT THE CLAIMANT IS CORRECT. I CHANGED THE REMARKS TO SHOW THE DELIVERY CANAL FOR THIS RIGHT AS THE MOORE DIVERSION, MOORE CANAL.

Documentation of Ownership of the Current Place of Use Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-117D

Dates and Other Information:

Licensed Date:
Decreed Date: 1/15/1998
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-615

WATER RIGHT NUMBER: 34-615

Owner Type Name and Address
 Current Owner JAY A , JEAN P ANDERSEN
 RT 1 BOX 41
 MOORE, ID 83255
 (208)527-3431
 Original Owner A R PEARSON

Priority Date: 06/01/1896

Basis: Decreed

Status: Active

Source Tributary
 BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	1.170 CFS	

Total Diversion: 1.170 CFSLocation of Point(s) of Diversion

BIG LOST RIVER NW1/4SE1/4SE1/4 Sec. 4,Twp 05N,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	
04N	26E	5																	

Total Acres: 134

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.
3. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A THE IRRIGATION OF A COMBINED TOTAL OF 134 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 34-00117D, 34-00377B, 34-10669 AND 34-02416B. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 58.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. Explanatory WATER DELIVERED THROUGH THE MOORE DIVERSION, MOORE CANAL.
3. Quantity USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.518 CFS. COMBINED RIGHT NOS. 34-00117D, 34-00377B, 34-10669 AND 34-02416B.

Comments:

1. VERNER 3/17/1992 NOTICE OF ERROR RECONCILIATION
 Comment: CLAIMANT SUBMITTED NOTICE OF ERROR INDICATING WE HAD LISTED THE WRONG DELIVERY CANAL FOR THIS RIGHT. I REVIEWED THE OQ FOR THIS AREA AND DETERMINED THE CLAIMANT WAS CORRECT. I CHANGED THE REMARKS TO SHOW THE DELIVERY CANAL FOR THIS RIGHT AS THE MOORE DIVERSION, MOORE CANAL.

2. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-615

Dates and Other Information:

Licensed Date:

Decreed Date: 12/14/2001

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: OR

Water District Number: 34

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-10669

WATER RIGHT NUMBER: 34-10669

Owner Type Name and Address
 Current Owner JAY A, JEAN P ANDERSEN
 RT 1 BOX 41
 MOORE, ID 83255
 (208)527-3431
 Original Owner A R PEARSON

Priority Date: 03/01/1902

Basis: Decreed

Status: Active

Source Tributary
 BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	0.755 CFS	

Total Diversion: 0.755 CFSLocation of Point(s) of Diversion

BIG LOST RIVER NW1/4SE1/4SE1/4Sec. 4, Twp 05N, 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	
04N	26E	5									39.0	34.5	32.5	28.0					134.0

Total Acres: 134

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.
3. s34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 134 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 34-00117D, 34-00377B, 34-00615 AND 34-02416B.
2. Explanatory THIS WATER RIGHT IS A COMBINATION OF FORMER WATER RIGHTS 34-00118A AND 34-00616. WATER DELIVERED THROUGH THE MOORE DIVERSION, MOORE CANAL.
3. Quantity USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.518 CFS. COMBINED RIGHT NOS. 34-00117D, 34-00377B, 34-00615 AND 34-02416B.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-10669

Comments:

1. VERNER 3/17/1992 NOTICE OF ERROR RECONCILIATION

Comment: CLAIMANT SUBMITTED NOTICE OF ERROR INDICATING WE HAD LISTED THE WRONG DELIVERY CANAL FOR THIS RIGHT. I REVIEWED THE OQ FOR THIS AREA AND DETERMINED THE CLAIMANT WAS CORRECT. I CHANGED THE REMARKS TO SHOW THE DELIVERY CANAL FOR THIS RIGHT IS THE MOORE DIVERSION, MOORE CANAL.

2. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Dates and Other Information:

Licensed Date:

Decreed Date: 12/14/2001

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: OR

Water District Number: 34

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-10319 V2

WATER RIGHT NUMBER: 34-10319 V2

Owner Type Name and Address
 Current Owner JERRY L, TERESA L BROWNE
 RT 1 BOX 26
 MOORE, ID 83255
 (208)554-4800

Original Owner DONALD S, GEORGANNA C HYMAS

Priority Date: 03/23/1900

Basis: Decreed

Status: Active

Source Tributary
 BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01	10/15	3.000 CFS	

Total Diversion: 3.000 CFS

Location of Point(s) of Diversion

BIG LOST RIVER NW1/4SE1/4Sec. 4, Twp 05N, 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	
04N	26E	5	39.0	38.0	39.0														116.0
			L 1	L 2															

Total Acres: 116

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
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 RIGHT NO. 34-02424B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.12 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 34-02424B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 116 ACRES IN A SINGLE IRRIGATION SEASON.
3. Explanatory THIS RIGHT COMBINES OLD RIGHT NUMBERS 34-00385 AND 34-00751. THIS RIGHT IS DIVERTED THROUGH THE MOORE CANAL.

Comments:

1. VERNER 6/27/1991 COPIED FROM REMARKS
 Comment: THIS WATER RIGHT HAS BEEN TRANSFERRED FROM LANDS OWNED BY DEAN ANDERSON AND HAS BEEN USED ON THIS LAND SINCE THE 1960'S. THIS CLAIM COMBINES TWO DECREED RIGHTS, DECREE NOS. 240 AND 480, WITH THE SAME PRIORITY AND USED ON THE SAME LANDS.
2. VERNER 3/31/1992 NOTICE OF ERROR RECONCILIATION-SEE R34-02424A

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 34-10319 V2

Comment:

3. SCHULTZ 5/22/1992 REMARK ADDED/ERROR FLAG CHANGED
Comment: ADDED STD REMARK D03 - 0.15 CFS - OTHER RIGHT 34-02424B. ERROR FLAG CHANGED FROM B TO C.
4. CFRITSCH 2/17/1998 COPIED FROM REMARKS
Comment: 0.15 CFS OF RIGHT NO. 34-02424B IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 34-02424B.
5. ARUBERRY 2/27/1998 CHANGE OF OWNERSHIP
Comment: CHANGE OF OWNERSHIP, 2/27/98.
6. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: RECEIVED - RECOMMENDATION CHANGED
State or Federal: S
Owner Name Connector:
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-2424B V2

WATER RIGHT NUMBER: 34-2424B V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RICHARD T, LORRAINE TAYLOR
Original Owner	DONALD S, GEORGANNA C HYMAS
Current Owner	JERRY L, TERESA L BROWNE RT 1 BOX 26 MOORE, ID 83255 (208)554-4800

Priority Date: 06/13/1961

Basis: License

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 to 10/31	2.270 CFS	371.00 AF
<u>Total Diversion:</u>		2.270 CFS	371.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NW1/4Sec. 33,Twp 05N,Rge 26E, B.M.	BUTTE County
GROUND WATER	NW1/4SE1/4SE1/4Sec. 4,Twp 05N,Rge 26E, B.M.	BUTTE County (Rediversion)

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	26E	5	39.0	28.0	39.0														106.0
			L 1	L 2															

Total Acres: 106

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. Point of Diversion WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED BY INJECTING WATER DIVERTED UNDER THIS RIGHT INTO WESTSIDE CANAL, AND DIVERTING AN EQUAL AMOUNT FROM THE BIG LOST RIVER AT THE POINT OF REDIVERSION DESCRIBED ABOVE.
WATER MAY BE REDIVERTED FROM THE BIG LOST RIVER ONLY WHEN THERE IS CURRENT DEMAND FOR THE WATER INJECTED INTO THE WESTSIDE CANAL BY WESTSIDE CANAL WATER USERS WITH CURRENTLY DELIVERABLE PRIORITIES BELOW THE POINT OF INJECTION.
2. Explanatory RIGHT NO. 34-02424A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
WATER IS DELIVERED THROUGH MOORE DIVERSION, MOORE CANAL.
3. Quantity USE OF THIS RIGHT WITH RIGHT NO. 34-10319 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.12 CFS.
4. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 34-10319 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 116 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 34-2424B V2

Comments:

1. VERNER 1/15/1991 SPLIT OF CLAIM A34-02424

Comment: THE CLAIMANT HAS, SINCE 1980, EXCHANGED WELL WATER FOR WATER DELIVERED THROUGH THE MOORE CANAL TO IRRIGATE THE PLACE OF USE ORIGINALLY LICENSED IN SEC. 5. IN 1980 THE CLAIMANT PURCHASED A BOOSTER PUMP AND WHEEL LINE SPRINKLERS. THE PUMP DIVERTS WATER FROM THE MOORE CANAL IN LOT 2 SEC. 5 T4N R26E. AFTER THIS DATE IT BECAME IMPOSSIBLE TO PHYSICALLY DELIVER WATER FROM THE WELL UNDER THIS LICENSE TO THE PROPERTY IN SEC. 5. ACCORDING TO RITA LUNDY, BIG LOST RIVER IRRIGATION DISTRICT, MR. HYMAS DID NOT OBTAIN A PUMPING AGREEMENT WITH THE DISTRICT FOR THIS EXCHANGE BUT SHE DID FIND RECORDS SHOWING THAT THEIR DITCH RIDER HAD BE ACCOUNTING FOR THE EXCHANGE. SPECIFICALLY HE GAVE MR. HYMAS CREDIT FOR EXCHANGING 2.5 CFS OF WELL WATER FOR MOORE CANAL WATER SINCE THERE ARE NOW TWO SEPERATE SYSTEMS USED TO IRRIGATE THE PLACE OF USE LICENSED UNDER 34-02424, I HAVE RECOMMENDED SPLITTING THE RIGHT INTO AN "A" AND "B" PORTION. BEFORE THE RIGHT CAN BE RECOMMENDED AS I HAVE SHOWN, WE MUST HAVE A COPY OF A PUMPING AGREEMENT BETWEEN MR. HYMAS AND THE IRRIGATION DISTRICT. CORRESPONDENCE REQUESTING THIS INFORMATION WAS SENT THIS DATE. SPLIT OF CLAIM A34-02424 THE CLAIMANT HAS, SINCE 1980, EXCHANGED WELL WATER FOR WATER DELIVERED THROUGH THE MOORE CANAL TO IRRIGATE THE PLACE OF USE ORIGINALLY LICENSED IN SEC. 5. IN 1980 THE CLAIMANT PURCHASED A BOOSTER PUMP AND WHEEL LINE SPRINKLERS. THE PUMP DIVERTS WATER FROM THE MOORE CANAL IN LOT 2 SEC. 5 T4N R26E. AFTER THIS DATE IT BECAME IMPOSSIBLE TO PHYSICALLY DELIVER WATER FROM THE WELL UNDER THIS LICENSE TO THE PROPERTY IN SEC. 5. ACCORDING TO RITA LUNDY, BIG LOST RIVER IRRIGATION DISTRICT, MR. HYMAS DID NOT OBTAIN A PUMPING AGREEMENT WITH THE DISTRICT FOR THIS EXCHANGE BUT SHE DID FIND RECORDS SHOWING THAT THEIR DITCH RIDER HAD BE ACCOUNTING FOR THE EXCHANGE. SPECIFICALLY HE GAVE MR. HYMAS CREDIT FOR EXCHANGING 2.5 CFS OF WELL WATER FOR MOORE CANAL WATER SINCE THERE ARE NOW TWO SEPERATE SYSTEMS USED TO IRRIGATE THE PLACE OF USE LICENSED UNDER 34-02424, I HAVE RECOMMENDED SPLITTING THE RIGHT INTO AN "A" AND "B" PORTION. BEFORE THE RIGHT CAN BE RECOMMENDED AS I HAVE SHOWN, WE MUST HAVE A COPY OF A PUMPING AGREEMENT BETWEEN MR. HYMAS AND THE IRRIGATION DISTRICT. CORRESPONDENCE REQUESTING THIS INFORMATION WAS SENT THIS DATE.

2. VERNER 6/27/1991 COPIED FROM REMARKS

Comment: DIVERSION WORKS: 200"X10" WELL (WATER LEVEL ~35') WITH A 50HP TURBINE MOTOR WITH 10" DISCHARGE INTO OPEN DITCHES. CLAIMANT DISCHARGES WATER FROM WELL AT POINT OF DIVERSION AND UNDER THIS PORTION OF THE RIGHT IS ALLOWED TO DELIVER THIS WATER TO THE WEST SIDE DITCH, A PART OF THE BIG LOST RIVER IRRIGATION DISTRICT SYSTEM, IN THE NE1/4 SW1/4 SEC. 33 T5N R26E. IN EXCHANGE, HE HAS BEEN ALLOWED TO DIVERT WATER FROM THE MOORE CANAL IN THE SW1/4 NW1/4 NE1/4 LOT 2 SEC. 5 T4N R26E. THE POINT OF DIVERSION FOR THE WESTSIDE AND MOORE CANALS ARE THE SAME AT THE MOORE DIVERSION. R34-02424A REMAINS AS ORIGINALLY LICENSED.

3. VERNER 3/31/1992 NOTICE OF ERROR RECONCILIATION

Comment: SEE COMMENTS IN R34-02424A FOR NOTICE OF ERROR RECONCILIATION. I ALSO CORRECTED AN ERROR IN THIS RECOMMENDATION THAT I DISCOVERED. I ADDED STANDARD REMARK F05 (34-02424A) AND STANDARD REMARK G04 THAT DESCRIBES AN EXCHANGE THAT HAS BEEN ALLOWED FOR DELIVERY OF THIS RIGHT. ALSO IN CONJUNCTION WITH THIS REMARK I ADDED A POINT OF REDIVERSION TO THE POINT OF DIVERSION (DESCRIBED MOORE DIVERSION).

4. MCCARTHY 5/10/1992 REMARKS CHANGED

Comment: CHANGES PER LYNN K-H.

5. SCHULTZ 5/22/1992 REMARK ADDED

Comment: ADDED STD REMARK D02 - 0.15 CFS - OTHER RIGHT 34-10319.

6. CARLSON 5/22/1992 REMARKS CHANGED

Comment: CHANGED RIGHT HOLDERS TO WATER USERS

7. CFRITSCH 2/17/1998 COPIED FROM REMARKS

Comment: 0.15 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 34-10319.

8. ARUBERRY 2/27/1998 CHANGE OF OWNERSHIP

Comment: CHANGE OF OWNERSHIP, 2/27/98.

9. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 34-2424B V2

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: RECEIVED - RECOMMENDATION CHANGED
State or Federal: S
Owner Name Connector: OR
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

6-11-03
6-11-03
6-11-03
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT Jay Andersen)
34-590A)

ORDER AUTHORIZING
TEMPORARY CHANGE 4

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 6/11/03, Jay ANDERSEN submitted the attached
Temporary Change 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:

1. Diversion and use of right no(s) 34-590A 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

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

Ident. No. _____
RECEIVED
JUN 11 2003
Department of Water Resources
Eastern Region

Name of Applicant Jay Andersen Phone (208) 527-3341
Post Office Address Rt 1 Box 41 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 point of diversion to facilitate delivery of water

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>34-00590A</u>	<u>6-1-1983</u>	<u>1.54</u>	<u>Irrigation</u>	<u>5-1</u> to <u>10-15</u>

2. Total amount of water being transferred 1.54 cubic feet per second and/or 3.06 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	

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	5			39				33										

Total Acres 72

6. General Information:

- a. Who owns the water right to be changed? Raymond Noble
- 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 POD
- f. Describe other water rights used for the same purpose.
Mr. Anderson's water rights.
- 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.

Jay A. Anderson
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by Kaw Date 6/11/03 Fee 50⁰⁰

Received Kaw # E 028866 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

State of Idaho
Department of Water Resources
Transfer of Water Rights

RECOMMENDATION OF WATERMASTER

Transfer Application No:34-00590A

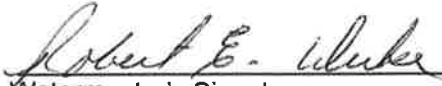
Water Right No(s):

Transfer Applicant's Name: Jay Andersen
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 10th day of June, 2003

Water District No: 34


Watermaster's Signature

Idaho Department of Water Resources Receipt

Receipt ID E028866

Payment Amount Date Received Region Status

Payment Type Check Number

Payer

Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	TRANSFERS	0229	21	63105	1155



Signature Line (Dept. Representative)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-590A V1

WATER RIGHT NUMBER: 34-590A V1

Owner Type Name and Address
 Current Owner RAYMOND W or ARABELL M NOBLE
 1425 MOUNTAIN VIEW LN
 IDAHO FALLS, ID 83402-1813
 (208)529-5099

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

Source Tributary
 BIG LOST RIVER SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 5/01 to 10/15 1.540 CFS

Total Diversion: 1.540 CFSLocation of Point(s) of Diversion

BIG LOST RIVER NW1/4SE1/4SE1/4 Sec. 4,Twp 05N,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	
04N	26E	9	36.0			36.0													72.0

Total Acres: 72

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

Remarks:

1. Explanatory WATER DELIVERED THROUGH WESTSIDE DITCH FROM MOORE DIVERSION.

Comments:

1. KEEN 8/20/1991 CLAIM REVIEWERS
 Comment: INITIAL EXAM, RECOMMENDATIONS, AND DATA ENTRY BY PAUL R. MEYER. FINAL REVIEW AND DATA ENTRY BY S.W. KEEN ON 8-20-1991.
2. ECARLSEN 12/7/1999 RIGHT WAS SPLIT PER CHANGE IN OWNERSHIP RECEIVED
3. BCNTOR 5/22/2000 TRANSFER 5677 CHANGED ACRES PER QQ SLIGHTLY. R-RECORD R43-00590A AND R43-00590B CHANGED TO MATCH.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 34
 Generic Max Rate Per Acre:

Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 2, 2003

Jay Andersen
RT 1 Box 40
Moore, ID 83255

RE: Temporary Change Application water right 34-00590A

Dear Mr. Andersen:

Enclosed is check #9003 in the amount of \$50.00, and the application for temporary change that was received in this office.

Item A.1 indicates a "Change in Place of Use"

Item A.2 indicated "...adding point of diversion..."

Item B.4 lists the same point of diversion as water right 34-00590A & legal description does not list either the township (North) or Range (East).

Item B.5 lists a different place of use than water right 34-00590A. & legal description does not list either the township (North) or Range (East).

Item B.6.b indicates "...agreement with owner"

Item B.6.c indicates "...not changing place of use."

The application is unclear exactly what you are proposing.

In addition to the "Temporary Change Application" this office needs a copy of an agreement from the owner of the right and comments from the watermaster of water district 34.

Also enclosed are a new application form and a copy of the water right. To assist you I am also forwarding a copy of your proposed application to the watermaster of water district 34.

Sincerely,

Keith C. Wilson
Senior Resource Agent

Ident. No. _____

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 Jay Andersen Phone (208) 527-3341
Post Office address moore Idaho Rt 1 Box 41

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) therefor Adding point of diversion to facilitate delivery of water

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

1. Right Number	Priority	Amount	Nature	Period of Use
<u>34-00590A</u>	<u>6-1-1883</u>	<u>1.54</u>	<u>Irrigation</u>	<u>5-1</u> to <u>10-15</u>
_____	_____	_____	_____	to _____
_____	_____	_____	_____	to _____
_____	_____	_____	_____	to _____

2. Total amount of water being transferred 1.54 cubic feet/second and/or 3.06 acre-feet per annum.

3. Source of water Surface tributary to Big Lost River

4. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NU	SE	SE	4	5	26		

5. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>4</u>	<u>26</u>	<u>35</u>				<u>23</u>							<u>30</u>				<u>21</u>		

RECEIVED

MAY 30 2003

Department of Water Resources
Eastern RegionTotal acres 75

6. General Information:

a. Who owns the water right to be changed?

Raymond Noble

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:

Not changing place of use

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 POD

f. Describe other water rights used for the same purpose.

Surface water

g. Remarks:

I hereby assume all risk in accordance with House Bill No. 4 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.

Jay A. Andersen
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Fee \$50

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:

1. This approval expires November 1, 1992 and thereafter the right reverts to the use existing prior to the temporary change.

Witness my hand this _____ day of _____, 1992.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-590A V1

WATER RIGHT NUMBER: 34-590A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	AR NOBLE , ZZ
Current Owner	RAYMOND W NOBLE 1425 MOUNTAIN VIEW LN IDAHO FALLS, ID 83402-1813 (208)529-5099
Current Owner	ARABELL M NOBLE 1425 MOUNTAIN VIEW LN IDAHO FALLS, ID 83402-1813 (208)529-5099

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15		1.540 CFS	
	<u>Total Diversion:</u>		1.540 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER NW1/4SE1/4SE1/4 Sec. 4, Twp 05N, 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	
04N 26E 9	36.0			36.0													72.0

Total Acres: 72

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

Remarks:

1. Explanatory WATER DELIVERED THROUGH WESTSIDE DITCH FROM MOORE DIVERSION.

Comments:

1. KEEN INITIAL EXAM, RECOMMENDATIONS, AND DATA ENTRY BY PAUL R. MEYER. FINAL REVIEW AND DATA ENTRY BY S.W. KEEN ON 8-20-1991.
2. ECARLSEN RIGHT WAS SPLIT PER CHANGE IN OWNERSHIP RECEIVED
3. BCONTOR TRANSFER 5677 CHANGED ACRES PER QQ SLIGHTLY. R-RECORD R43-00590A AND R43-00590B CHANGED TO MATCH.

Dates and Other Information:

Decreed Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 34

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-590B V1

WATER RIGHT NUMBER: 34-590B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LLOYD A BINGHAM RT 1 BOX 21 MOORE, ID 83255 (208)554-3203

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	0.060 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER NW1/4SE1/4SE1/4 Sec. 4, Twp 05N, Rge 26E, B.M. BUTTE County

Place of Use			IRRIGATION																Totals
Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	9	3.0																3.0

Total Acres: 3

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

Remarks:

1. Explanatory WATER DELIVERED THROUGH WESTSIDE DITCH FROM MOORE DIVERSION.

Comments:

1. Comment: INITIAL EXAM, RECOMMENDATIONS, AND DATA ENTRY BY PAUL R. MEYER. FINAL REVIEW AND DATA ENTRY BY S.W. KEEN ON 8-20-1991.

2. Comment: RIGHT WAS SPLIT PER CHANGE IN OWNERSHIP RECEIVED

- 3Comment: TRANSFER 5677 CHANGED ACRES PER QQ SLIGHTLY OF UNDERLYING RIGHT 34-00590. R34-00590A AND B MODIFIED ACCORDINGLY.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 34

State of Idaho
Department of Water Resources
Transfer of Water Rights

RECEIVED
JUN 05 2003
Department of Water Resources
Eastern Region

RECOMMENDATION OF WATERMASTER

Transfer Application No: 34-00590A

Water Right No(s):

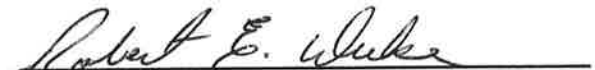
Transfer Applicant's Name: JAY ANDERSEN

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 4th day of June, 2003

Water District No: 34


Watermaster's Signature

SRBA

SUBCASE SUMMARY REPORT 34-00590A

[Return to SRBA Home Page](#)

SRBA
06-11-2003

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 34-00590A FILE#: 00293
CLAIMANT: NOBLE, RAYMOND W
1425 MOUNTAIN VIEW LN

IDAHO FALLS ID 83402
STATUS: CLOSED SPECIAL MASTER:
WATER SOURCE: BIG LOST RIVER, SINKS

****** PARTIES INVOLVED ******

NO ACTIVE PARTIES TO THE SUBCASE

****** ROA ENTRIES ******

06-05-2000	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING	06-05-2000
06-05-2000	NCAP - AMENDED DIRECTOR'S REPORT FILED SPLIT FROM 34-00590	
02-06-2002	PARENT RIGHT 34-590 DECREED BEFORE SPLIT SPLIT RIGHTS 34-590A & 34-590B CLOSED	

[Return to SRBA Home Page](#)
