

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT 34-117D, 34-311B, 34-377B)

ORDER AUTHORIZING
TEMPORARY CHANGE

34-615, 34-10669, 34-622C, 34-623A, 34-623B)

WHEREAS, a drought emergency has been declared for
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 6/14/02, Jag: Dean Anderson 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:

1. Diversion and use of right no(s). 34-117D, 34-311B, 34-377B
34-615, 34-10669, 34-622C
34-623A & 34-623B 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 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) ^{34-117D, 311B, 377B, 10669}
^{34-622C, 34-623A & B, 34-615} 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 11/1/2002 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 21st day of June, 2002.


RONALD D. CARLSON
EASTERN REGION MANAGER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 14 2002

Department of Water Resources
Eastern Region

TEMPORARY CHANGE APPLICATION

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

Name of Applicant Jay Andersen & Dea And Phone 208-527-3341Post Office Address RT 1 Box 40 Moore Id. 83258

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 _____

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
✓ 34-00117 D	6-1-1884	1.368	Irrigation	5-1 to 10-15
✓ 34-00311 B	7-15-1884	1.8	11	5-1 to 10-15
✓ 34-00322 B	6-1-1885	1.5	11	5-1 to 10-15
✓ 24-10169	3-1-1902	1.755	11	5-1 to 10-15

Additional - see attached 4.5 3.518 cfs change as per Decree
2. Total amount of water being transferred 4.508 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Surface tributary to Big Lost

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
34-00115		NW	SE	SE	4	5	76	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	
4	26	35													23		326	215	
3	26	2													294				

Total Acres 104.5

6. General Information:

- a. Who owns the water right to be changed? Jay & Dean Andersen
- b. Describe the arrangement allowing use of the right _____
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
well dry up.
- 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? would not be used
- f. Describe other water rights used for the same purpose.
storage water
- 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.

Dean Andersen
Jay A. Andersen
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 6/18/02 Fee 50⁰⁰

Receipted KCW # EO 7874 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 21st day of June, 2002:

Ronald D. Campbell
For the Director

✓34-00623A	3-1-1902	e 21	Frigiton	8-1 to 10-15-
✓34-00615	8-1-1896	1, 17	11	11 11
✓34-00623B	3-1-1902	e 305-	11	11 11
✓34-00622B	6-1-1896	1 4		

Supplement to Temporary Change Application / Jay & Dean Andersen

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 34-311B V2

WATER RIGHT NUMBER: 34-311B V2

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

Priority Date: 07/15/1884 Basis: Decreed Status: Active

Source Tributary
 BIG LOST RIVER SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 5/01 to 10/15 0.800 CFS

Total Diversion: 0.800 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	5																	35.5
																			35.5

Total Acres: 35.5

Remarks:

1. Place of Use USE OF THIS RIGHT WITH RIGHT NO. 34-00623A IS LIMITED TO THE IRRIGATION OF A
 - Irrigation COMBINED TOTAL OF 35.5 ACRES IN A SINGLE IRRIGATION SEASON.
2. Explanatory WATER DELIVERED THROUGH THE MOORE DIVERSION, MOORE CANAL.
3. Purpose of THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN
 Use SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN
 ENDING DATE OF 10-31 AT THE DISCRETION OF THE WATERMASTER FOR WATER
 DISTRICT 34.

Comments:

3. 0.90 CFS OF RIGHT NO. 34-00623A LIMITED FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

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

Water Right Report 34-117D

Licensed Date:
Decreed Date: 1/15/1998
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-615

WATER RIGHT NUMBER: 34-615

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: 06/01/1896

Basis: Decreed

Status: Active

Source Tributary
 BIG LOST RIVER SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 5/01 to 10/15 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									39.0	34.5	32.5	28.0					134.0

Total Acres: 134

Remarks:

1. Explanatory WATER DELIVERED THROUGH THE MOORE DIVERSION, MOORE CANAL.
2. Place of Use 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.
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.

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:
 Formal Action 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 34-622C

WATER RIGHT NUMBER: 34-622C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEAN or KARALEE W ANDERSEN RT 1 BOX 40 MOORE, ID 83255 (208)527-3650

Priority Date: 06/01/1896	Basis: Decreed	Status: Active
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<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	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

<u>Location of Point(s) of Diversion</u>	
BIG LOST RIVER	NW1/4SE1/4SE1/4 Sec. 4, Twp 05N, Rge 26E, B.M.
BUTTE County	

<u>Place of Use</u>	IRRIGATION
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Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	26E	5					40.0

Total Acres: 40

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NOS. 34-00623B AND 34-02416C IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 40 ACRES IN A SINGLE IRRIGATION SEASON.
2. Quantity USE OF THIS RIGHT WITH RIGHT NOS. 34-00623B AND 34-02416C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.01 CFS.
3. Explanatory WATER IS DELIVERED THROUGH THE MOORE DIVERSION, MOORE CANAL.

Comments:Dates and Other Information:

Licensed Date:
 Decreed Date: 3/10/1998
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Formal Action 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:
 Judicial District:
 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 34-623A V2

WATER RIGHT NUMBER: 34-623A V2

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: 03/01/1902 Basis: Decreed Status: Active

Source Tributary
 BIG LOST RIVER SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 5/01 to 10/15 0.210 CFS

Total Diversion: 0.210 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	5																	35.5
																			35.5

Total Acres: 35.5

Remarks:

1. Place of Use USE OF THIS RIGHT WITH RIGHT NO. 34-00311B IS LIMITED TO THE IRRIGATION OF A
 - Irrigation COMBINED TOTAL OF 35.5 ACRES IN A SINGLE IRRIGATION SEASON.
2. Explanatory WATER DELIVERED THROUGH THE MOORE DIVERSION, MOORE CANAL.

Comments:

3. 0.09 CFS OF THIS RIGHT LIMITED FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT & 34-00311B.

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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-623B

WATER RIGHT NUMBER: 34-623B

Owner Type Name and Address
 Current Owner DEAN or KARALEE W ANDERSEN
 RT 1 BOX 40
 MOORE, ID 83255
 (208)527-3650

Priority Date: 03/01/1902 Basis: Decreed Status: Active

Source Tributary
 BIG LOST RIVER SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 5/01 to 10/15 0.305 CFS

Total Diversion: 0.305 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
04N	26E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	40.0
																			40.0

Total Acres: 40

Conditions of Approval:Remarks:

1. Place of Use USE OF THIS RIGHT WITH RIGHT NOS. 34-02416C AND 34-00622C IS LIMITED TO THE
 - Irrigation IRRIGATION OF A COMBINED TOTAL OF 40 ACRES IN A SINGLE IRRIGATION SEASON.
2. Quantity USE OF THIS RIGHT WITH RIGHT NOS. 34-02416C AND 34-00622C IS LIMITED TO A
 TOTAL COMBINED DIVERSION RATE OF 1.01 CFS.

Dates and Other Information:

Licensed Date:
 Decreed Date: 3/10/1998
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Formal Action 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:
 Judicial District:
 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 or JEAN P ANDERSEN
 RT 1 BOX 41
 MOORE, ID 83255
 (208)527-3431

Priority Date: 03/01/1902 Basis: Decreed Status: Active

Source Tributary
 BIG LOST RIVER SINKS

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

Total Diversion: 0.755 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	5									39.0	34.5	32.5	28.0					134.0

Total Acres: 134

Remarks:

- 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.
- Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
 - 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.
- Explanatory WATER RIGHT COMBINATION OF FORMER WATER RIGHTS 34-00118A & 34-00616.
 WATER DELIVERED THROUGH THE MOORE DIVERSION, MOORE CANAL.

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:
 Formal Action 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 34-377B

WATER RIGHT NUMBER: **34-377B**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALBERT B PEARSON
	, ZZ
Original Owner	WALTER A JENSEN
	, ZZ

Priority Date: 06/01/1885	Basis: Decreed	Status: Active
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<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	0.500 CFS	

<u>Total Diversion:</u>	0.500 CFS
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<u>Location of Point(s) of Diversion</u>		
BIG LOST RIVER	SE1/4SE1/4	Sec. 4, Twp 05N, Rge 26E, B.M.
BUTTE County		

<u>Place of Use</u>	IRRIGATION
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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									X	X	X						

Conditions of Approval:Remarks:

- General P/D MOORE CANAL.
TRANS 842.

Comments:Dates and Other Information:

Licensed Date:

Decreed Date: 10/21/1925

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Formal Action Date:

State or Federal:

Owner Name Connector:

Water District Number: 34

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

SRBA PARTIAL DECREE 34-00377B

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