

2004

Ident. No. TC-29-06

DEPARTMENT OF WATER RESOURCES TEMPORARY CHANGE APPLICATION

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

Name of Applicant GORDEN YOST cell 547-7886 Phone 208 648 7886

Post Office Address 1681 Lund RD, Bancroft Id 83217

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 West Branch water has not reached place of use will use water under pivot until canal water reaches place of use (Max 30 days)

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>29-7080</u>	<u>3-20-1972</u>	<u>2.53</u>		
<u>29-7358</u>	<u>1-5-1977</u>	<u>0.43</u>		
<u>29-7173</u>	<u>5-23-1973</u>	<u>2.24 cfs</u>		
<u>29-7352D</u>	<u>11-8-1976</u>	<u>0.04 cfs</u>		
<u>29-7419B</u>	<u>8-22-1977</u>	<u>0.38 cfs</u>		
		<u>(5.19 cfs)</u>		

2. Total amount of water being transferred 6.21 cubic feet per second and/or _____ 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
			<u>NE</u>	<u>NE</u>	<u>10</u>	<u>9S</u>	<u>39E</u>	<u>Caribou</u>	<u>Gorden Yost (Blaine Well)</u>

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	
<u>9S</u>	<u>39E</u>	<u>10</u>											<u>28</u>	<u>29</u>					<u>57</u>
		<u>15</u>					<u>32</u>	<u>31</u>											<u>63</u>

Total Acres 120 ac

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right owner of right is applicant
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Not watering other Acres
- d. Has the water right sought to be transferred been used this year? yes If yes, explain. Has been used for Grain
- e. Absent the changes, how would the right be used for the remainder of the year? Limited water from Last Chance Canal Co
- f. Describe other water rights used for the same purpose.
planted in Grain
- g. Remarks: plant to use early watering and then later in season when Last Chance water is cut off

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.

Judonjat
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 5/3/2004 Fee \$1 50⁰⁰

Receipted KCW # E029787 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. TC-29-06

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

Witness my hand this 3rd day of May, 2004.

[Signature]
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 29-7080, 29-7358,)
29-7173, 29-7352D 29-7419B)

**ORDER AUTHORIZING
TEMPORARY CHANGE** TC-29-06

WHEREAS, a drought emergency has been declared for Caribou
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 5/3/04, GORDON YOST submitted the attached
Temporary Change Application TC-29- 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). 29-7080 29-7358
29-7173 29-7352D
29-7419B 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-21-06

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) 29-7088 29-7358
29-7173 29-7352D
29-74193 are limited to the irrigation of a total of 120 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. 29 is authorized to administer the temporary change approval.
11. This temporary change approval expires on _____ 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 3rd day of May, 2004.


RONALD D. CARLSON
EASTERN REGION MANAGER