

2004

Form 42-222A
12/99Ident. No. TC-13-06STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

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

681-8120

425 - 3138

Name of Applicant Carl Jorgensen Phone (208) 425-3953Post Office Address 1699 Lloyd 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 Drought condition surface water being cut need addition water to finish crop

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>13-7161</u>	<u>4/15/1977</u>	<u>3.15 cfs</u>	<u>IRRIGATION</u>	<u>4/15</u> to <u>10/15</u>
				to
				to
				to

2. Total amount of water being transferred 3.15 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
			NW	NW	32	9S	40E	Caribon	Clynn's Well

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	
9S	40E	32											9	13					22
10S	40E	5		9	2		41	38	21	27									138
				L-2			L-3	L-4											

Total Acres 160

6. General Information:

- a. Who owns the water right to be changed? Applicants
- b. Describe the arrangement allowing use of the right N/A
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
will be dried up
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. IRRIGATED w
Surface Rights
- e. Absent the changes, how would the right be used for the remainder of the year? Would be used under
original place of use
- f. Describe other water rights used for the same purpose.
Surface Rights under Lost Chance Canal
- 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.

Carl Jorgensen
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 6/15/04 Fee 50⁰⁰

Receipted KCW # E029956 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-13-06

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

Witness my hand this 4th day of Aug, 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 13-7161)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-13-06

Carl Jorgensen

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 county;
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 or temporary exchanges of water authorized under 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 June 15, 2004, Carl Jorgensen submitted
the attached Temporary Change Application TC-13-06 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). 13-7161 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 that 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.

ORDER AUTHORIZING
TEMPORARY CHANGE

TC-13-06

5. Right(s) 13-7161 are limited to the irrigation of a total of 230 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 applicants agree 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 Water master of Water District No. 13-T is authorized to administer the temporary change approval.
11. This Temporary change approval expires on December 31, 2004 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 4th day of August, 2004.


Ronald D. Carlson
Eastern Regional Manager

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECOMMENDATION OF WATERMASTER

RECEIVED
JUL 30 2004
Department of Water Resources
Eastern Region

Application No: TC-13-06

Applicant's Name: Paul Jorgensen

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: I don't oppose this transfer if the system
is not interconnected. I can see his point of
wanting to transfer water from a lower priced crop
to a higher value crop.

c) ☐ I oppose approval of this application for the following reasons:

d) ☒ Additional Comment: I wonder how the water will

travel from pt. of diversion to place of use. It's my

understanding that the wells aren't supposed to be connected. Also most producers
have cut back their acreages for potatoes because of lack of water. I don't see that
with Mr. Jorgensen's operation. Dated this 28 day of July, 2004.

Water District No: 13

Bruce Shuler
Watermaster's Signature

Use reverse side of page if you need more space.

Point of Diversion

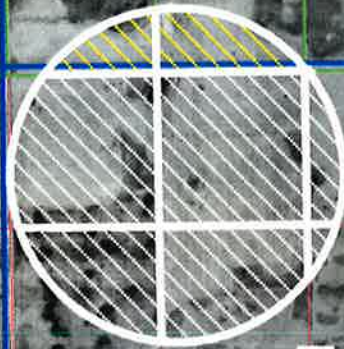


R40E

T
9
S

32

T
10
S



Place of Use

5

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-7161

WATER RIGHT NUMBER: 13-7161

INPD

Owner Type Name and Address
 Current Owner CARL B & PATRICIA JORGENSEN
 1699 LLOYD RD
 BANCROFT, ID 83217
 (208)425-3953

Priority Date: 04/15/1977

Basis: Decreed

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	4.540 CFS	690.00 AF
	<u>Total Diversion:</u>	4.540 CFS	690.00 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4 Sec. 32, Twp 09S, Rge 40E, B.M. CARIBOU 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	
09S 40E 29												38.0					38.0
09S 40E 32					38.0	38.0	38.0	40.0	38.0								192.0

Total Acres: 230

Conditions of Approval:Remarks:

- General THIS RIGHT WHEN COMBINED WITH ANY OTHER RIGHTS SHALL NOT EXCEED A DIVERSION RATE OF 0.02 CFS PER ACRE, A DIVERSION AMOUNT OF 3.0 AFY PER ACRE, NOR A VOLUME OF CONSUMPTIVE USE OF 2.5 AFY PER ACRE

Comments:Dates and Other Information:

Licensed Date:
 Decreed Date: 7/28/1992
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant: GERALD J ACKERMAN, ET AL

Decree Plaintiff: STATE OF IDAHO

Civil Case Number: 2919
 Judicial District: SIXTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits: