

2004

Ident. No. TC-01-48DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION

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

Name of Applicant Danskin Canal, Trego, & Riverdale % Don Hale Phone 680 4525
250 N 300 W Blackfoot, Id 83221

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☒ Other NATURE OF USE

2. Describe the proposed change(s) and the reason(s) thereof Canals are changing diversion points for weekend to retain use of water and test diversion structure

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
<u>01-53A</u>	<u>06-01-1888</u>	<u>40.00 cfs</u>	<u>IRRIGATION storage 4/1</u>	to <u>10/31</u>
<u>01-2A</u>	<u>06-01-1890</u>	<u>10.00 cfs</u>	<u>IRRIGATION storage 4/1</u>	to <u>10/31</u>
<u>01-158A</u>	<u>06-01-1887</u>	<u>20.00 cfs</u>	<u>IRRIGATION storage 4/1</u>	to <u>10/31</u>

2. Total amount of water being transferred 70.00 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Snake River tributary to _____
4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			SE	NW	27	2S	35E	Bingham	13062051

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	
		27											X	X					
		34						X	X			X							
		33				X									X				

Total Acres _____

6. General Information:

- a. Who owns the water right to be changed? Applicants
- b. Describe the arrangement allowing use of the right Verbal agreement and Canal Manager
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
NONE
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. Diverted for irrigation
- e. Absent the changes, how would the right be used for the remainder of the year? Used for irrigation
- f. Describe other water rights used for the same purpose.
N/A
- 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.

Don Hale water manager
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 6/11/04 Fee 50⁰⁰

Received KCW # E029947 Recommend: ☒ approve ☐ deny

Watermaster recommendation Approval

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-01-48

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

Witness my hand this 11th day of June, 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 01-53A, 01-2A, & 01-158A)
Danckin, Trego & Riverside Canals)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

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WHEREAS, a drought emergency has been declared for Bingham 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 11, 2004, Don Hale manager of Canals submitted the attached Temporary Change Application TC-01- 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:

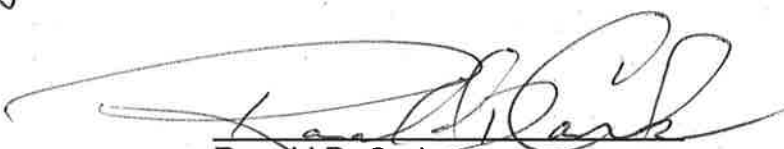
1. Diversion and use of right no(s): 01-53A, 01-2A, & 01-158A is authorized only at the point of diversion and place of use described on the application.
2. This temporary Change approval does not authorize construction of a new well as a new point of diversion.
3. The applicant assumes all risk of curtailment 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.

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5. Right(s) 01-53A, 01-2A, 01-158A are limited to the irrigation of a total of 6500+ 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. 01 is authorized to administer the temporary change approval.
11. This Temporary change approval expires on June 14, 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 11th day of June, 2004.


Ronald D. Carlson
Eastern Regional Manager