

2003

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT 01-1155 (PART))
Long Island Irr Co)

ORDER AUTHORIZING
TEMPORARY CHANGE TC-01-40

WHEREAS, a drought emergency has been declared for Jefferson
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 2/29/03, Long Island Irr Co
Chyde Beck submitted the attached
Temporary Change Application TC-01-40 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). 01-1155 (Part) 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-01-40

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) 01-1155 are limited to the irrigation of a total of 16,21.8 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. 01 is authorized to administer the temporary change approval.
11. This temporary change approval expires on 11/1/03 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 30th day of July, 2003.


**RONALD D. CARLSON
EASTERN REGION MANAGER**

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 Long Island IRRIGATION Co
c/o Clyde Beck Phone 208 754 4557
Post Office Address 629 N 3400 E Menan ID 83434

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 Emergency provide water
for Dean Boyce for 30 days

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

1. Right Number 01-115S Priority 6/1/1886 Amount (cfs/ac-ft) 4.00 cfs Nature of Use IRRIGATION Period of Use 4/1 to 11/1
to
to
to
2. Total amount of water being transferred 4.00 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water SNAKE RIVER tributary to Columbia
4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			NE	SE	3	4N	37E	Jefferson	Dean Boyce Pump 13057105

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	37E	2					4	36	40			34							114
							43	44											
		3													32				32

Total Acres 146

6. General Information:

a. Who owns the water right to be changed? APPLICANT

b. Describe the arrangement allowing use of the right APPLICANT MADE APPLICATION

c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Land will not be irrigated Independent is currently ~~still~~ off and will be off until next year

d. Has the water right sought to be transferred been used this year? YES If yes, explain. USED on Lands of stockholders

e. Absent the changes, how would the right be used for the remainder of the year? Continue to be used

f. Describe other water rights used for the same purpose.
25-257 1/2 shares in Long Island Canal

g. Remarks: Agreement between Dean Boyce & Long Island Canal use of water from August 1 thru Aug 31, 2003

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.

approval.

Lyde R Beck President
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 7/29/03 Fee 50⁰⁰
 Received KCW # E029051 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-01-40

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

Witness my hand this 30th day of July, 2003.

For the Director

**Temporary Change Application
Drought Emergency**

Identification Number TC - 01 - 40

Dean Boyce accepts 4.00 cfs of the natural flow water right 01-115S from the Long Island Irrigation Co. for the period of August 1, 2003 through August 31, 2003. (30-day period). The Long Island Irrigation Co. has shut down a portion of their water rights, and will not turn on all their natural flow for the remainder of the year.

Clyde R. Beck President
Signature & Title
Clyde R. Beck President
Printed Name & Title Long Island Irrigation Co.

7-29-03
Date

Dean Boyce
Signature & Title
Dean Boyce
Printed Name

7/29/03
Date

[Signature]
Witness Signature

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-115S

TC-01-40

WATER RIGHT NUMBER: 1-115S

Owner Type Name and Address
 Current Owner LONG ISLAND IRRIGATION CO
 729 N 3800 E
 RIGBY, ID 83442
 (208)745-6147

Priority Date: 06/01/1886

Basis: Decreed

Status: Active

Source Tributary
 DRY BED SNAKE RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 4/01 to 11/01 39.360 CFS

Total Diversion: 39.360 CFSLocation of Point(s) of Diversion

DRY BED SW1/4NW1/4SE1/4 Sec. 10, Twp 04N, Rge 39E, B.M. JEFFERSON 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	37E	1	40.8	37.0	33.0	31.0	30.0	40.7	20.0	1.0	18.0	17.0	20.0	4.0	2.0	27.0	4.0		325.5
			L 1	L 2	L 0	L 0	L 3	L 4	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0		
04N	37E	2	40.7	40.7	40.0	40.0	40.6	40.5	40.0	40.0	40.0	40.0	40.0	35.0	39.0	36.0	4.0	32.0	588.5
			L 1	L 2	L 0	L 0	L 3	L 4	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
04N	37E	3													39.0	7.0	34.0	40.0	120.0
															L 0	L 0	L 0	L 0	
04N	37E	11					18.0	24.0											42.0
							L 0	L 0											
04N	38E	2					5.0	30.0											35.0
							L 0	L 0											
04N	38E	3	30.0	39.0	37.0		38.0	30.0		25.0		4.0			3.0				206.0
			L 1	L 2	L 0		L 3	L 4		L 0		L 0			L 0				
04N	38E	4	25.0	39.0	37.0		40.5	40.5	40.0	40.0	21.0	17.0	3.0	15.0		3.0			321.0
			L 1	L 2	L 0		L 3	L 4	L 0	L 0	L 0	L 0	L 0	L 0		L 0			
04N	38E	5	40.7	40.7	28.0	40.0	9.0	4.0		5.0					15.0				182.4
			L 1	L 2	L 0	L 0	L 3	L 4		L 0					L 0				
04N	38E	6	12.0	36.0			27.0	31.0		10.0									116.0
			L 1	L 2			L 3	L 4		L 0									
04N	39E	4						13.0											13.0
								L 4											
05N	37E	13									38.0	16.0	40.0	40.0	40.0	40.0	40.0	40.0	294.0
											L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N	37E	14												20.0	18.0	19.0	40.0	40.0	137.0
														L 5	L 7	L 0	L 6	L 0	
05N	37E	22												6.0			24.0	9.0	39.0
														L 0			L 5	L 6	
05N	37E	23	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
			L 0	L 0	L 0	L 0									L 0	L 0	L 0	L 0	
05N	37E	24	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
			L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N	37E	25	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
			L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N	37E	26	40.0	40.0	40.0	40.0	40.0	40.0	13.0	37.0	22.0			9.0	40.0	40.0	40.0	40.0	481.0
			L 0	L 0	L 0	L 0	L 0	L 0	L 1	L 2	L 5			L 8	L 0	L 3	L 4	L 0	
05N	37E	27	40.0	40.0	40.0	40.0	28.0	5.0	5.0	40.0	40.0	40.0	10.0	29.0	40.0	40.0	30.0	17.0	484.0
			L 0	L 0	L 0	L 7	L 2	L 3	L 4	L 0	L 5	L 0	L 0	L 5	L 20	L 6	L 16	L 17	
05N	37E	28	10.0			20.0									12.0				42.0
			L 5			L 13									L 14				
05N	37E	35	40.0	40.0	40.0	40.0	32.0	6.0	2.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	550.0
			L 0	L 0	L 0	L 0	L 1	L 2	L 2	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N	37E	36	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
			L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N	38E	7											30.0						30.0
													L 10						

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-115S

TC-01-40

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
05N 38E 17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	8.0
									8.0								8.0
05N 38E 18			10.0	10.0	22.0	40.0	40.0	34.0	40.0	40.0	40.0	40.0	27.0	40.0	40.0	40.0	463.0
			L 17	L 17	L 7	L 8	L 9	L 10	L 13	L 5	L 6	L 4	L 11	L 12	L 14	L 15	
05N 38E 19	40.0	40.0	40.0	40.0	40.0	38.8	38.9	40.0	40.0	38.8	38.9	40.0	40.0	40.0	40.0	40.0	635.4
	L 0	L 0	L 0	L 0	L 0	L 1	L 2	L 0	L 0	L 3	L 4	L 0	L 0	L 0	L 0	L 0	
05N 38E 20	9.0	13.0	40.0	40.0	13.0	32.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	547.0
	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N 38E 21			13.0	32.0		3.0	37.0	27.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	432.0
			L 0	L 0		L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N 38E 22						22.0	6.0	40.0	40.0	40.0	40.0						188.0
						L 0	L 0	L 0	L 0	L 0	L 0						
05N 38E 25								15.0	5.0	38.0	40.0		12.0	24.0	40.0	40.0	214.0
								L 0	L 0	L 0	L 0		L 0	L 0	L 0	L 0	
05N 38E 26	33.0		4.0	40.0		38.0	34.0	20.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	487.0
	L 0		L 0	L 0		L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N 38E 27	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N 38E 28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N 38E 29	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N 38E 30	40.0	40.0	40.0	40.0	40.0	39.0	39.1	40.0	40.0	39.3	39.3	40.0	40.0	40.0	40.0	40.0	636.7
	L 0	L 0	L 0	L 0	L 0	L 1	L 2	L 0	L 0	L 3	L 4	L 0	L 0	L 0	L 0	L 0	
05N 38E 31	40.0	40.0	40.0	40.0	40.0	39.4	39.3	40.0	40.0	39.3	39.3	40.0	40.0	40.0	40.0	29.0	626.3
	L 0	L 0	L 0	L 0	L 0	L 1	L 2	L 0	L 0	L 3	L 4	L 0	L 0	L 0	L 0	L 0	
05N 38E 32	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	10.0	39.0	40.0	40.0	40.0	40.0	609.0
	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N 38E 33	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N 38E 34	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	
05N 38E 35	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		28.0	588.0
	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0		L 0	
05N 38E 36	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	36.0	5.0		10.0	40.0			451.0
	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0		L 0	L 0			
05N 39E 30									10.0	23.0	36.8	20.0					89.8
									L 0	L 3	L 4	L 0					
05N 39E 31	10.0	22.0	37.0	17.0	40.0	36.7	36.5	40.0									239.2
	L 0	L 0	L 0	L 0	L 0	L 0	L 0	L 0									
05N 39E 32						3.0	8.0		25.0	20.0			40.0	40.0	40.0	40.0	216.0
						L 0	L 0		L 0	L 0			L 0	L 0	L 0	L 0	
05N 39E 33									40.0	40.0	40.0	25.0					145.0
									L 0	L 0	L 0	L 0					

Total Acres: 16021.8

Conditions of Approval:

Remarks:

- General SEE NOTICE OF CLAIM A01-00109G FOR MAP OF SERVICE AREA.
THE LONG ISLAND IRRIGATION CO. HAS THE AUTHORITY TO CLAIM THIS WATER THROUGH THE OWNERSHIP OF LANDS BY THE STOCKHOLDERS OF THE COMPANY.
LANDS SERVICED BY INDEPENDENT CANAL CO., BEAR TRAP CANAL AND DEER PARKS CANAL ALSO RECEIVE WATER THROUGH THE LONG ISLAND IRRIGATION CANAL AND THEREFORE, ARE INCLUDED IN THE ABOVE LAND LIST.

Comments:

Dates and Other Information:

Claim Received Date: 2/8/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:

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