

2003

BEFORE THE DEPARTMENT OF WATER RESO
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF ^{KCW})
WATER RIGHTS Harrison Canal)

ORDER AUTHORIZING
TEMPORARY CHANGE TC-01-37

01-109B/110B/111B/112B/113B/35M/35T/35AD/)

01-114B/179/115B/116/116B/116R/116V/116AD/116AK/145B

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 7/25/03, Harrison Canal
c/o Larry Rounds submitted the attached
Temporary Change Application TC-01-037 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). 01-145B 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

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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) SEE ATTACHED LIST are limited to the irrigation of a total of 14,226 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. 61 is authorized to administer the temporary change approval.
11. This temporary change approval expires on July 31st, 2003 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 25th 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 Harrison Canal Phone 523-7269Post Office Address 13520 N 55E Idaho Falls Id 83401

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 We are putting our water rights up to 6-01-1888 priority for a total of 61.803 cfs into the Enterprise Canal for 3 days (July 27, 28, 29) after which it will revert back into the Harrison Canal in exchange for 61.803 af of storage.

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

SEE ATTACHED LIST OF WATER RIGHTS

to _____
to _____
to _____
to _____

2. Total amount of water being transferred 61.803 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Snake River tributary to COLUMBIA RIVER

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			SW	SE	36	4N	40E	Jefferson	13037985 ENTERPRISE CANAL

5. Lands irrigated or place of use: STOCK HOLDERS OF ENTERPRISE CANAL

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	

Total Acres 1735.5ac

6. General Information:

- a. Who owns the water right to be changed? APPLICANT
- b. Describe the arrangement allowing use of the right AGREEMENT BETWEEN CANALS
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Harrison Canal land will be dried up from July 27 thru July 29
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. USED ON SHARE HOLDERS LANDS
- e. Absent the changes, how would the right be used for the remainder of the year? USED ON SHARE HOLDERS LAND
- f. Describe other water rights used for the same purpose.
SEE ENTERPRIZE CANAL RIGHTS
- g. Remarks: SEE ATTACHED AGREEMENT

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.

July Rounch (President)
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KLW Date 7/25/03 Fee \$50.00
 Receipted KLW # 5029040 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 approve subject to the following limitations and conditions:

Witness my hand this 25th day of July, 2003:

Ronald O. Smith
For the Director

TC-01-37

**Temporary Change Application
Drought Emergency**

Identification Number TC-01-37

The Enterprize Canal Co. accepts the natural flow water rights from the Harrison Canal Co. in the amount of 61.803 cfs for a period of three days, July 27, 28, & 29, 2003.

The Enterprize Canal Co. will assign a portion of their storage water rights to the Harrison Canal Co. in the amount of 61.803 af per day for 61.803 cfs from the natural flow rights that the Enterprize Canal Co. uses during this period of time.



Signature & Title
Steven L. Campbell V.P.

Printed name & Title – Enterprize Canal Co.

7-25-03

Date



Signature & Title
LARRY ROUNDS - PRESIDENT

Printed Name & Title – Harrison Canal Co.

7/25/2003

Date



Witness Signature

DIVERSION # **NAME**

Priority

CFS

**Cumulative
CFS**

**Water Right
Number**

Comments

TC-01-37

13038050 Steele Canal

1885-06-01	2.200	2.200	01-00035*	Portion of TR 408 less TR 641 & 764
1889-06-02	2.000	4.200	01-00177	
1939-04-01	9.000	13.200	01-00326	

13038055 Harrison Canal

RIGHTS ON TEMPORARY
CHANGE

1880-06-11	0.430	0.430	01-00109B	
1881-06-01	0.650	1.080	01-00110B	
1882-06-01	0.650	1.730	01-00111B	
1883-06-01	0.640	2.370	01-00112B	
1884-06-01	0.640	3.010	01-00113B	
1885-06-01	1.200	4.210	01-00035M	TR 339
1885-06-01	0.400	4.610	01-00035T	TR 529
1885-06-01	3.800	8.410	01-00035AD	TR 714
1885-06-01	0.640	9.050	01-00114B	
1885-06-10	13.400	22.450	01-00179	Same water right as 01-00130?
1886-06-01	0.643	23.093	01-00115B	TR 285
1887-06-01	4.780	27.873	01-00116*	TR 484 (7.98) less TR 562 (3.2)
1887-06-01	0.643	28.516	01-00116B	TR 285
1887-06-01	0.960	29.476	01-00116R	TR 402
1887-06-01	0.860	30.336	01-00116V	TR 436
1887-06-01	1.500	31.836	01-00116AD	TR 457
1887-06-01	0.457	32.293	01-00116AK	TR 473
1888-06-01	0.643	32.936	01-00117B	TR 285
1888-06-01	0.360	33.296	01-00117V	TR 401
1888-06-01	0.940	34.236	01-00117X	TR 402
1888-06-01	0.800	35.036	01-00117AD	TR 436
1888-06-01	0.500	35.536	01-00117AM	TR 457
1888-06-01	28.880	64.416	01-00145B	
1888-06-01	2.000	66.416	01-00227	
1889-06-01	0.429	66.845	01-00118B	TR 285
1889-06-01	0.240	67.085	01-00118P	TR 299
1889-06-01	0.960	68.045	01-00118R	TR 402
1889-06-01	1.000	69.045	01-00118X	TR 436
1889-06-01	1.000	70.045	01-00118AF	TR 457
1889-06-01	0.863	70.908	01-00118AM	TR 473
1890-07-12	240.000	310.908	01-00069	
1895-01-09	160.000	470.908	01-00070	
1916-01-22	96.000	566.908	01-00262	
1939-04-01	55.000	621.908	01-00309	

Total 61.801 cfs

13038065 Cheney Canal

1885-06-01	0.800	0.800	01-00035*	Portion of TR 408 less TR 641 & 764
1889-06-02	4.000	4.800	01-00177	
1890-06-01	0.800	5.600	01-00071C	
1916-01-22	6.000	11.600	01-00245	
1916-01-22	2.000	13.600	01-00256	

13038079 Brown J Pump

1885-06-01	0.250	0.250	01-00035AK	TR 623, TR 4152
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