

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

2015

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT NOS.: 34-10272,)
34-10939, and 34-12433)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-148

WHEREAS, a drought emergency has been declared for Butte 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 purposes 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 May 22, 2015, Travis Andersen submitted the attached temporary change application TC-34-148 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 nos. 34-10272, 34-10939, and 34-12433 is authorized only at the point(s) 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 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 conditions. 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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TEMPORARY CHANGE**

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5. Rights 34-508, 34-559, 34-911, 34-10272, 34-10939, and 34-12433 when combined shall not exceed a total diversion rate of 7.01 cfs and the irrigation of 237.5 acres. Rights 34-10272, 34-10939, and 34-12433 when combined shall not exceed a total diversion rate of 4.63 cfs and a total annual maximum diversion volume of 710.5 af. Rights 34-10272 and 34-12433 when combined shall not exceed the irrigation of 174 acres.
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 does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. The Watermaster of Water District No. 34 is authorized to administer the temporary change approval.
10. This temporary change approval expires on October 31, 2015 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 27th day of May, 2015.



Lyle Swank
Eastern Regional Manager

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TC-34-148

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use, or purpose of use of a water right upon declaration of a drought emergency in accordance with Section 42-222A, Idaho Code.)

Name of Applicant Travis Andersen

Phone 208-360-4183

Mailing Address PO Box 474, Arco, ID 83213

Email andersen_trex@yahoo.c

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 explain the reason(s) they are needed. _____
Well production has dropped off. Granite trust does not produce enough to satisfy rights. An additional POD is
needed to meet crop demand. POU changed to reflect system change.

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

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount</u> <u>(cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>34-10272</u>	<u>5/16/1960</u>	<u>3.38 cfs</u>	<u>Irrigation</u>	<u>6/1</u> to <u>10/31</u>
<u>34-10939</u>	<u>4/3/1968</u>	<u>0.59 cfs</u>	<u>Irrigation</u>	<u>6/1</u> to <u>10/31</u>
<u>34-12433</u>	<u>5/16/1960</u>	<u>1.25 cfs</u>	<u>Irrigation</u>	<u>6/1</u> to <u>10/31</u>
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 4.63 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ground water tributary to _____
4. Point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag number
4N	26E	16		NW	NE	SE	Butte	Ground water	Granite Trust well
					NW	NE	Butte	Ground water	A0006768

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	26E	16			30										39			40	109
		21	40	35	31	22													128

Total Acres 237

6. General Information:

- a. Who owns the water right to be changed? Granite Trust
- b. Describe the arrangement allowing use of the right. Applicant has a lease agreement with the owner of the water rights and owns the proposed point of diversion.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
The land will continue to be irrigated until the end of the crop production season.
- d. Has the water right sought to be transferred been used this year? ☒ Yes ☐ No If yes, explain. _____
- e. Absent the changes, how would the right be used for the remainder of the year? A portion of the volume will be delivered to meet the demand for crop production until the end of the year.
- f. Describe other water rights used for the same purpose. _____
- 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.

[Signature]
Signature of Applicant

5-22-15
Date

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ \$50 fee receipted by JB Receipt No. E041068
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-34-148, and said application is hereby _____, subject to the following limitations and conditions:

Temporary Change Expiration Date _____

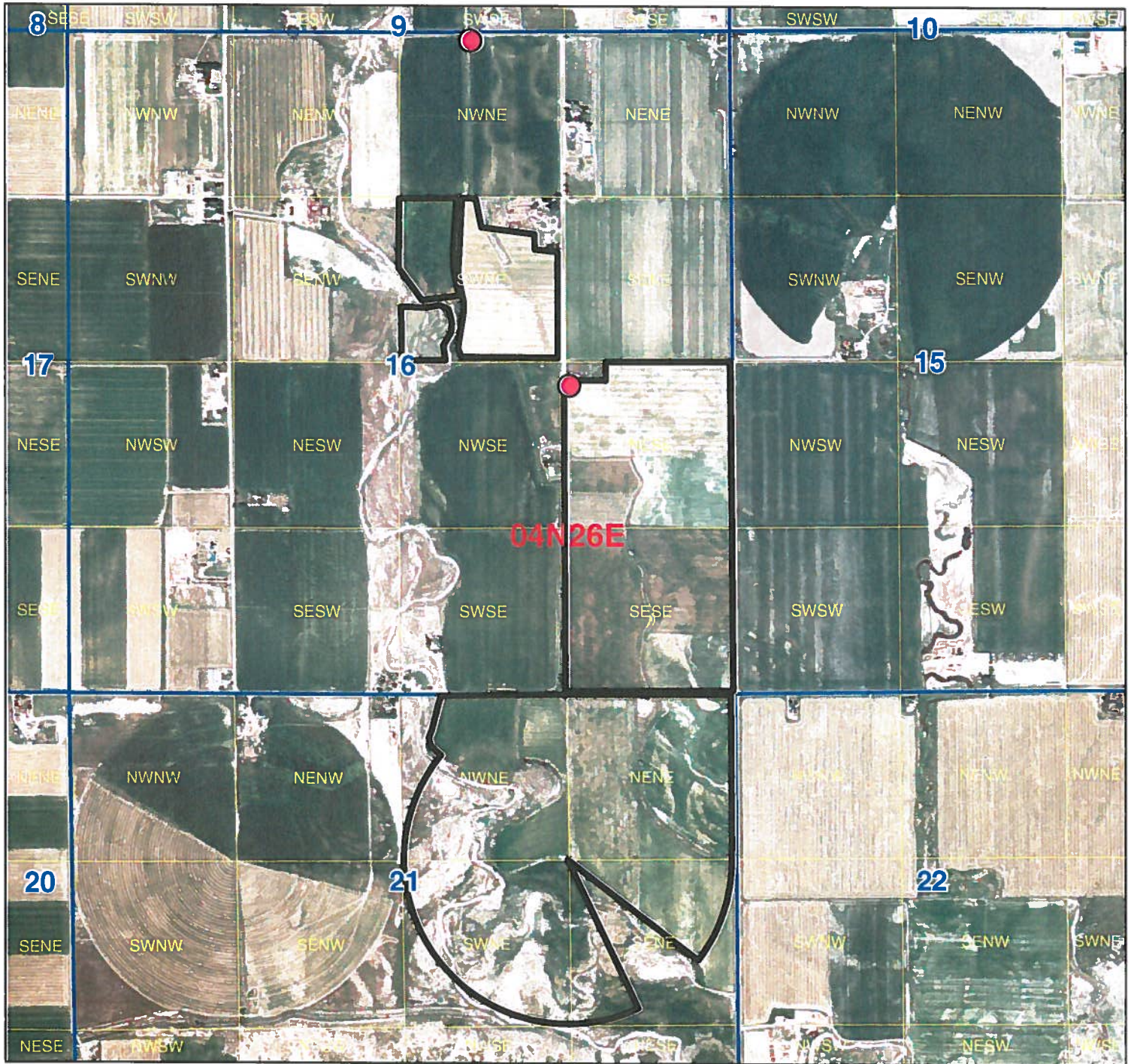
Signed this _____ day of _____, _____

For the Director

State of Idaho
Department of Water Resources

TC-34-148

Date: 5/22/2015



Legend

-  Proposed POD
-  place of use
-  Township/Range
-  Sections
-  QQ

0 0.25 0.5 1 Miles



May 23, 2015

This agreement between Travis Andersen and Granite Trust allows both parties the use of their PODs, Granite Trust Well and Andersen/Perkes Well, as outlined in the IDWR Temporary Change Application.

Camille Babcock

Camille Babcock, Trustee

5-25-15

Date

Travis Andersen

Travis Andersen

5-25-15

Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATERMASTER

Application No: TC-34-148

Applicant's Name: TRAVIS ANDERSEN

Watermaster's Recommendation:

a) LY I do not oppose approval of this application.

b) _____ I do not oppose approval of this application if it is conditioned as follows: _____

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

d) _____ Additional Comment: _____

Dated this 27 day of May, 2015

Water District No: 34

[Signature]
Watermaster's Signature

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATERMASTER

Application No: TC-34-148

Applicant's Name: TRAVIS ANDERSEN

Watermaster's Recommendation:

- a) X I do not oppose approval of this application.
- b) I do not oppose approval of this application if it is conditioned as follows: _____

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

- d) Additional Comment: _____

Dated this 26 day of May, 2015

Water District No: 34

J. R. Rolfwisch
Watermaster's Signature

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Mr. B2RID