

**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.: 34-10370B)
and 34-10941B)
_____)**

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-147

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-34-147 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. 34-10370B and 34-10941B 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.**

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-147

5. Rights 34-10370B, 34-10941B, and 34-577B when combined shall not exceed a total diversion rate of 1.52 cfs and the irrigation of 54 acres. Rights 34-10370B and 34-10941B when combined shall not exceed a total diversion rate of 0.81 cfs and a total annual maximum diversion volume of 189 af.
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 30, 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

TC-34-147

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 P.O. Box 474 Arco, ID 83213 Email andersen_trex@yahoo.c

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
 ☒ Add diversion point(s)
 ☐ Change place of use
☐ Change purpose of use
 ☐ Other
- Describe the proposed change(s) and explain the reason(s) they are needed. _____
 Consequently, due to drought conditions in the Big Lost River watershed, the groundwater supply has been diminished and the Travis Andersen/Todd Perkes well does not produce adequate amount to satisfy all water rights. An additional point of diversion or Granite Trust well is needed to meet crop demand.

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
34-10370B	5/31/1960	0.81	Irrigation	6/01/2015 to 10/30/2015
34-10941B	5/1/1965	0.21	"	6/1 to 10/30
				to
				to

- Total amount of water being transferred 0.81 cubic feet per second and/or _____ acre-feet per annum.
- Source of water Ground Water tributary to _____.
- Point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag number
04N	26E	16		NW	NE	NE	BUTTE	GROUNDWATER	Andersen/Perkes Well
04N	26E	16		NW	NE	SE	BUTTE	GROUNDWATER	Granite Trust Well
4N	26E	16		NW	NE	BUTTE		"	A0006768

- 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	
04N	26E	16														24	30		54

Total Acres 54

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right. Applicant has a lease agreement with the owner of 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. 34-577B
- 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 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-34-147, and said application is hereby _____, subject to the following limitations and conditions:

Temporary Change Expiration Date _____

Signed this _____ day of _____, _____

For the Director

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-34-147

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 25 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-34-147

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. L. Lisch
Watermaster's Signature
mgr. BLRID

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