

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

IN THE MATTER OF APPLICATION	)	
FOR TEMPORARY CHANGE OF A	)	
WATER RIGHT TC-37-73 IN THE	)	ORDER AUTHORIZING
NAME OF DANNY AND DUSTIN J SIMPSON	)	TEMPORARY CHANGE
_____	)	

WHEREAS, a drought emergency has been declared for Blaine 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, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on July 8, 2014, Danny and Dustin J Simpson ("applicant") submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

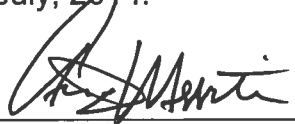
ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right no. 37-22204 is authorized only at the point of diversion described on the application and allows irrigation of no more than 149 acres with ground water within the 169 acres described place of use on the application.
2. Use of right no. 37-22205 is subject to private agreement between Blaine County School District (right holder) and Danny and Dustin J. Simpson.

3. Use of right 37-22205 for mitigation is authorized to be allotted to 20 acres within the 169 acres described place of use on the application.
4. This temporary change approval does not authorize construction of a new well.
5. 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.
6. 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.
7. 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.
8. To prevent injury to other water rights the watermaster of Water District No. 130 is authorized to administer the temporary change approval. When these rights and others appurtenant to the lands identified on the application are combined no more than 0.02 cfs per acre may be diverted at any one time at the field headgate.
9. This temporary change approval expires on November 15, 2014 unless rescinded or extended by the director. Thereafter, the water rights shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 9th day of July, 2014.



Allen Merritt
Southern Region Manager

CERTIFICATE OF SERVICE

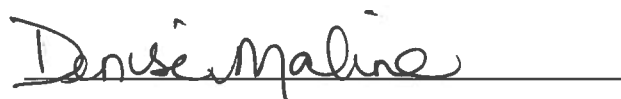
I hereby certify that on this 9th day of July, 2014, I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER AUTHORIZING TEMPORARY CHANGE** to the person(s) listed below:

**Documents Enclosed: Order Authorizing Temporary Change No. TC-37-73,
in the name of Danny or Dustin J Simpson; Water Right No. 37-22204 & 37-22205**

DANNY SIMPSON
DUSTIN J SIMPSON
PO BOX 208
CAREY, ID 83320

CINDY YENTER, WATERMASTER
WATER DISTRICT 130
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

Via hand-delivery

A handwritten signature in cursive script, reading "Denise Maline", written over a horizontal line.

**Denise Maline
Administrative Assistant**