

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

TEMPORARY CHANGE APPLICATION

AUG 13 2004

(To change point of diversion, place of use or purpose of use)

DEPARTMENT OF
WATER RESOURCES

Name of Applicant NORTH RIGBY IRRIGATION CANAL CO.
c/o Jesse Byram 454 N 3900 E RIGBY ID Phone 208 745 7881
83442

Post Office Address _____

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion
☐ Change purpose of use

☐ Add diversion point(s)
☐ Other

☒ Change place of use

2. Describe the proposed change(s) and the reason(s) thereof Putting our 1883 water into Burgess
Canal from 8/6 6AM until 8/12 8AM while demurring canal after which
water right will revert back to the North Rigby

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
<u>01-138</u>	<u>6/10/1883</u>	<u>50.00 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>4/1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 50.00 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
			SE	SW	20	4N	40E	Jefferson	DRY BED

5. Lands irrigated or place of use: SEE ATTACHED PO4 FOR BURGESS CANAL

5. Lands irrigated or place of use: SEE ATTACHED FOR FOR SURGES. (A-1)																			
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 1212

6. General Information:

- a. Who owns the water right to be changed? NORTH RIGBY CANAL
- b. Describe the arrangement allowing use of the right SEE AGREEMENT BETWEEN CANALS
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
NORTH RIGBY CANAL WILL BE SHUT OFF FOR DEMOSSING. NO
IRRIGATION FROM Aug 6 (6AM) until Aug 12 (8AM), 2004
- d. Has the water right sought to be transferred been used this year? YES If yes, explain. USED ON SHAREHOLDERS LAND
- e. Absent the changes, how would the right be used for the remainder of the year? USED ON SHAREHOLDERS LAND
- f. Describe other water rights used for the same purpose.
SEE ATTACHED LIST FOR BURGER CANAL
- 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)
President

FOR DEPARTMENT USE ONLY

Received by KW Date 8/5/2004 Fee \$50.00

Receipted KW # E638109 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-01-57

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

Witness my hand this 8th day of August, 2004.

[Signature]
 For the Director

**Temporary Change Application
Drought Emergency**

Identification Number TC - 01 - 57

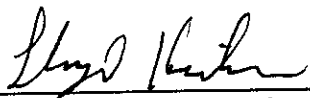
The Burgess Canal Co. accepts the natural flow water right 01-138 from the North Rigby Irrigation & Canal Co. in the amount of 50.00 cfs for the period starting Aug 6 (6AM), 2004, to Aug 12 (8AM) 2004 (Period of 6 days) while the North Rigby Irrigation & Canal Co. completes de-mossing their canal.

The North Rigby Irrigation & Canal Co. will assign a portion of their water rights to the Burgess Canal Co. in the amount of 99.175 af per day for 50.00 cfs from the natural flow right of 01-138 that the Burgess Canal Co. uses during this period of time.

It is the understanding of the Burgess Canal Co. that any leakage of the head gate of the North Rigby Irrigation & Canal Co. will be charged to the North Rigby Irrigation & Canal Co.


Signature & Title
JESSE BYRAN PRESIDENT
Printed Name & Title North Rigby Irrigation & Canal Co.

8-5-2004
Date


Signature & Title
LOYD HICKS PRESIDENT
Printed Name & Title Burgess Canal Co.

8-5-2004
Date


Witness Signature