

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION

RECEIVED
SEP 09 2004
DEPARTMENT OF
WATER RESOURCES

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

Name of Applicant BURGESS CANAL COMPANY Phone 745-8230

Post Office Address P.O. Box 536, RIGBY, ID 83442

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 MOVING WATER THAT WOULD BE USED BY THE BURGESS CANAL TO ALLOW FOR THE FILLING OF THE CITY OF BLACKFOOT'S JENSEN GROVE POND IN PREPERATION FOR THE EASTERN IDAHO STATE FAIR.

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>01-00032</u>	<u>6/10/1890</u>	<u>240 CFS</u>	<u>RECREATION</u>	<u>8/23</u> to <u>10/31</u>
				to
				to
				to

2. Total amount of water being transferred 70240 ^{1/4} cubic feet per second and/or 42000 ^{1/4} 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
		NW	SW	NE	27	2S	35E	BENHAM	JENSEN GROVE DITCH (13062051)

5. Lands irrigated or place of use:

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	
2S	35E	27											X	X					
		33				X										X			
		34						X	X			X							

Total Acres _____

6. General Information:

TC-01-61

- a. Who owns the water right to be changed? BURGESS CANAL
- b. Describe the arrangement allowing use of the right BURGESS CANAL WILL ALLOW CITY OF BLACKFOOT TO USE IT'S 6/10/1890 WATER RIGHT UP TO A MAXIMUM DIVERSION OF 4,000 AC-FT.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
LANDS OF BURGESS CANAL WILL NOT BE IRRIGATED WITH 6/10/1890 WATER RIGHT WHILE CITY OF BLACKFOOT IS USING IT TO FILL JENSEN GROVE.
- d. Has the water right sought to be transferred been used this year? YES If yes, explain. BURGESS CANAL HAS USED THE WATER RIGHT FOR IRRIGATION WHEN THE PRIORITY WAS BEING FILLED BY WDOI.
- e. Absent the changes, how would the right be used for the remainder of the year? IRRIGATION
- f. Describe other water rights used for the same purpose.
01-00035P, 01-00029, 01-00116AP, 01-00030, 01-00117P, 01-00031
- g. Remarks: THIS WATER RIGHT SHALL REVERT BACK TO THE BURGESS CANAL ~~WDOI~~ WHEN THE CITY OF BLACKFOOT HAS REACHED IT'S MAXIMUM ALLOWABLE DIVERSION OF 4,000 AC-FT.

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.

Ployd Hicker President
(Signature of applicant) BCCCL

FOR DEPARTMENT USE ONLY

Received by WM Date _____ Fee 50⁰⁰

Received _____ # E030167 Recommend: ☒ approve _____ deny _____

Watermaster recommendation OK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-01-61

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

Witness my hand this 27th day of August, 2004.

[Signature]
For the Director