

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

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF)
WATER RIGHT NOS.: 34-7008)
_____)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-233

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 July 1, 2025, Brian Anderson submitted the attached temporary change application 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 34-7008 is authorized only at the point 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.

5. Rights 34-7008 and 34-3A when combined shall not exceed a total diversion rate of 1.58 cfs and the irrigation of 58 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 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.
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 15, 2025 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 7th day of July, 2025.



Blake Jordan
Water Resources Program Manager

RECEIVED

JUL 01 2025

DEPT. OF WATER RESOURCES
EASTERN REGION

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 Brian Anderson Phone 208 339 4461
Mailing Address 2358 North 3100 West Arco 83213 Email rapid.type@gmail.com

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. _____

Need to put water on our hay field and there's a drought

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

1. Right Number 34-7008 Priority 6/24/1968 Amount 0.88 (cfs/ac-ft) Nature of Use Irrigation Period of Use 04/15 to 10/15

2. Total amount of water being transferred 0.88 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag number
05N	26E	27			SW	SW	Butte	Groundwater	Additional Well
03N	26E	1	4	NW	NW	NW	Butte	Groundwater	Existing Well

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	
			No	Chan	ge														

Total Acres _____

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right. Jay Jensen said we could use his well.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
N/A -- Not changing place of use
- 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? It'd be a struggle.
- f. Describe other water rights used for the same purpose. Various BLR and storage rights.
- g. Remarks: Water will be delivered from the additional pump through the Munsey. The reason why we are moving farther away from the place of use is because we have permission to use the additional pump.

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.

Dorian M Anderson
Signature of Applicant

7-1-2025
Date

FOR DEPARTMENT USE ONLY

Received by A Date 7-1-25 \$50 fee received by M. Rether Receipt No. E050964
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. _____, and said application is hereby _____, subject to the following limitations and conditions:

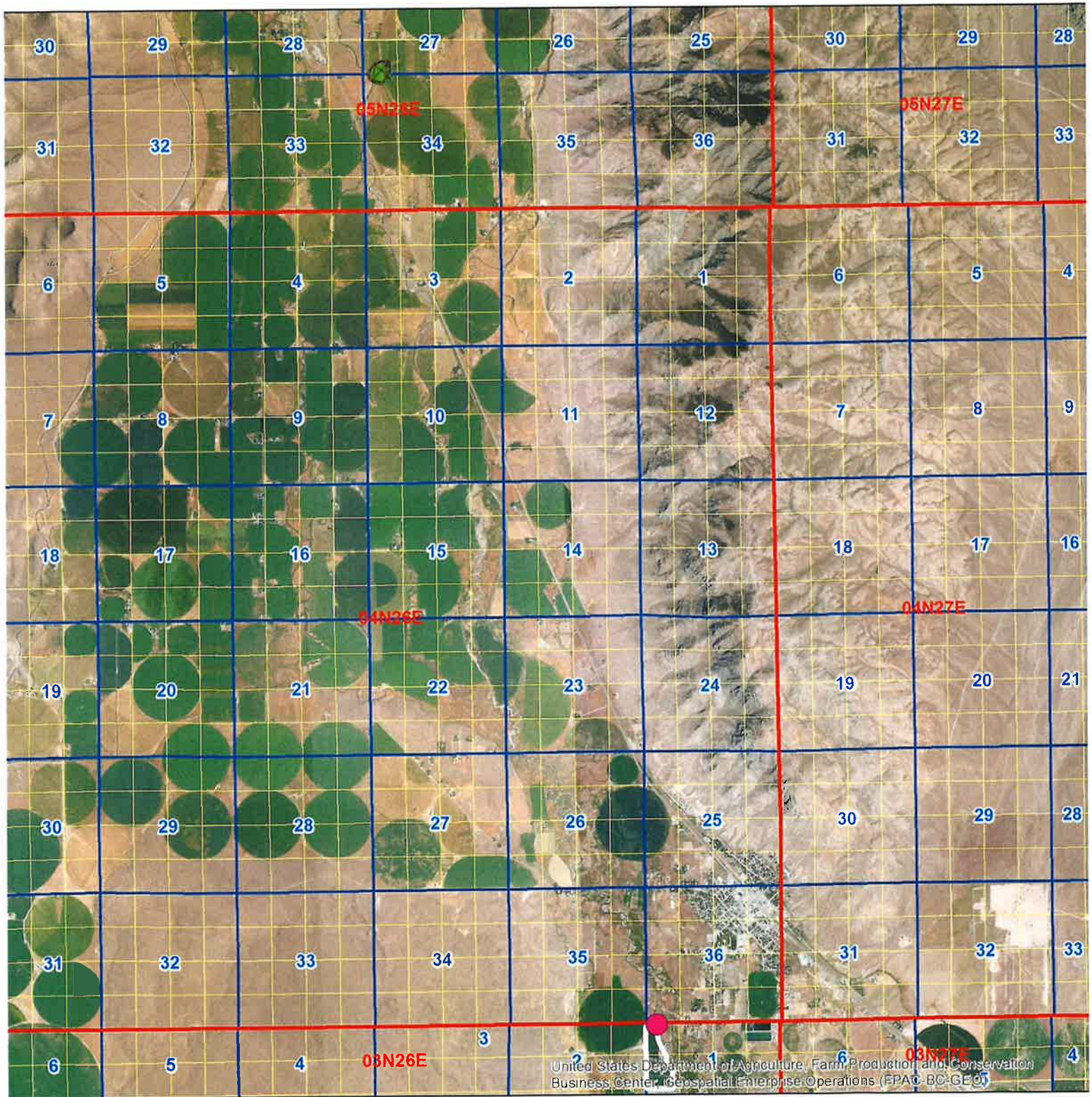
See Attached order

Temporary Change Expiration Date _____

Signed this _____ day of _____, _____.

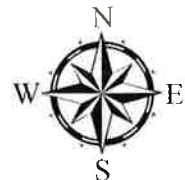
For the Director

34-7008 Emergency Drought Transfer



Legend

- Pre-Emergency_Transfer_Point_of_Diversion
- Post-Emergency_Transfer_Point_of_Diversion
- Water Right POU
- Township/Range
- Sections
- QQ



0 0.5 1 2 Miles

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/1/2025

Water Right 34-7008

Owner Type

Current Owner
Directors Report Owner
Original Owner

Name

BRIAN M ANDERSON
FRANCES A ANDERSON
THERON L ANDERSON

Priority Date: 6/24/1968

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

04/15

To

10/15

Diversion Rate

0.880 CFS

Volume

154.0 AF

Total Diversion

0.880 CFS

154.0 AF

Source and Point(s) of Diversion:

GROUND WATER

L4(NWNWNW)

Sec. 1, Twp 03N, Rge 26E, BUTTE County

Place Of Use:

IRRIGATION within BUTTE County

T03N R26E S1 L4

NWNW

14.0

T03N R26E S1

SWNW

30.0

POU Total Acres

44.00

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-00003A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.58 CFS.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-00003A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 58 ACRES IN A SINGLE IRRIGATION SEASON.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATERMASTER

Application No: TC-34-233

Applicant's Name: BRIAN ANDERSON

Watermaster's Recommendation:

a) ☒ 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 4th day of July

Water District No: 34

Richard Hamy
Watermaster's Signature
BLRID MANAGER

Use reverse side of page if you need more space.

Holliday, Michael

From: Waterdistric Thirtyfour <water34master@gmail.com>
Sent: Wednesday, July 2, 2025 4:06 PM
To: Holliday, Michael
Subject: Re: Anderson temp change

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Yes, I approve.

On Wed, Jul 2, 2025, 1:31 PM Holliday, Michael <Michael.Holliday@idwr.idaho.gov> wrote:

Preston,

Thanks for letting me know about your updated email address.

Attached is a temporary change application for your comments. Your prompt response will ensure that your recommendations can be considered. If IDWR has not received your written recommendations by Thursday, July 3, 2025, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider. Thanks.



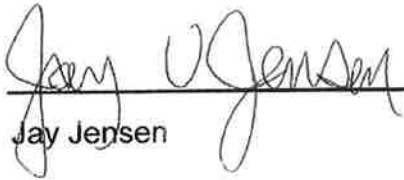
Michael Holliday | Water Rights Supervisor

900 N Skyline Dr, Ste A, Idaho Falls, ID 83402

(208) 525-7161 | www.idwr.idaho.gov

I, Jay Jensen, do hereby give my permission to Brian/Monica Anderson to use my well,
to convey their well water rights to their property for crop
irrigation.

Sincerely,


Jay Jensen

Date: 7-3-25