

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

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF)
WATER RIGHT NO.: 34-14191)
_____)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-235

WHEREAS, a drought emergency has been declared for Custer 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 15, 2025, Randy Pehrson 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 34-14191 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 34-637C, 34-2365, 34-7239A, 34-14920, 34-4010, 34-7056, 34-14189, 34-14191, 34-14193, 34-14195, 34-14197, 34-14199, 34-14201, 34-14203, 34-14205, 34-14207, 34-14209, 34-14824, 34-14825, 34-14826, 34-14827, and 34-14828, when combined shall not exceed a total diversion rate of 18.36 cfs and the irrigation of 645 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 17th day of July, 2025.


Blake Jordan
Water Resources Program Manager

JUL 15 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 Randy Pehrson Phone 208-589-7417
Mailing Address 4445 Beverland Lane, Mackay, ID 83251 Email rdpehrson@yahoo.com

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. _____
I would like to move right 34-14191 to my property for the remainder of the 2025 irrigation season to help me avoid
losing a crop. The owners of the right, Byron Pehrson and Loy Pehrson, have agreed to allow me to move the right.
The proposed place of use usually has a reliable supply of water, except for times of extreme drought.

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>34-14191</u>	<u>4/22/1884</u>	<u>1.92 cfs</u>	<u>Irrigation</u>	<u>5/1</u> to <u>10/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.92 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Big Lost River tributary to Sinks

4. Point(s) of diversion:

Twsp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag number
<u>07N</u>	<u>24E</u>	<u>33</u>		<u>NW</u>	<u>SW</u>	<u>NE</u>	<u>Custer</u>	<u>Big Lost River</u>	<u>Darlington Ditch</u>

5. Lands irrigated or place of use:

Twsp	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	
<u>06N</u>	<u>24E</u>	<u>11</u>			<u>8.1</u>	<u>8</u>									<u>18</u>	<u>38</u>	<u>24</u>		<u>96.1</u>

Total Acres 96.1

6. General Information:

- a. Who owns the water right to be changed? Byron Pehrson and Loy Pehrson
- b. Describe the arrangement allowing use of the right. Byron and Loy will provide a letter agreeing to the change.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Byron and Loy have agreed to dry up 96.1 acres at the existing place of use for water right 34-14191.
- d. Has the water right sought to be transferred been used this year? ☒ Yes ☐ No If yes, explain. Water right 34-14191 was used at its authorized place of use.
- e. Absent the changes, how would the right be used for the remainder of the year? The water right would be used to continue to irrigate the ground at the existing place of use.
- f. Describe other water rights used for the same purpose. Multiple rights at the proposed place of use.
- g. Remarks: The 96.1 acres being moved will not be irrigated for the rest of the 2025 irrigation season. The acres to be dried up are shown on the attached map.

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.

Randy Pehrson
Signature of Applicant

7-15-25
Date

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ \$50 fee received by CPH Receipt No. E050989
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 for Signature.

Temporary Change Expiration Date _____

Signed this _____ day of _____.

For the Director

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/15/2025

Water Right 34-14191

Owner Type **Name and Address**
 Current Owner LOY PEHRSON
 3624 W 3700 N
 DARLINGTON, ID 83255-8779

Current Owner BYRON PEHRSON
 3820 N 3580 W
 MOORE, ID 83255-8740

Priority Date: 4/22/1884

Basis: Decreed

Status: Active

Source
 BIG LOST RIVER

Tributary
 SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	1.920 CFS	
STOCKWATER	01/01	12/31	0.010 CFS	
	<u>Total Diversion</u>		1.920 CFS	

Source and Point(s) of Diversion:

BIG LOST RIVER	SWSESW	Sec. 11, Twp 06N, Rge 25E, CUSTER County
BIG LOST RIVER	SENWSE	Sec. 14, Twp 06N, Rge 25E, CUSTER County
BIG LOST RIVER	NENWNE	Sec. 24, Twp 06N, Rge 25E, CUSTER County
BIG LOST RIVER	SENWNW	Sec. 34, Twp 07N, Rge 24E, CUSTER County
BIG LOST RIVER	SENWNW	Sec. 34, Twp 07N, Rge 24E, CUSTER County

Place of Use:

IRRIGATION within CUSTER County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	25											21.0	24.0	35.0	40.0	31.0	32.0	183.0
06N	26E	19	39.0	39.0	40.0	40.0	38.0			39.0	35.0				39.0	40.0			349.0
07N	25E	32									38.0					40.0	35.0		113.0

Right Acre Limit: 96.10
 POU Total Acres: 645.0

STOCKWATER Same as IRRIGATION

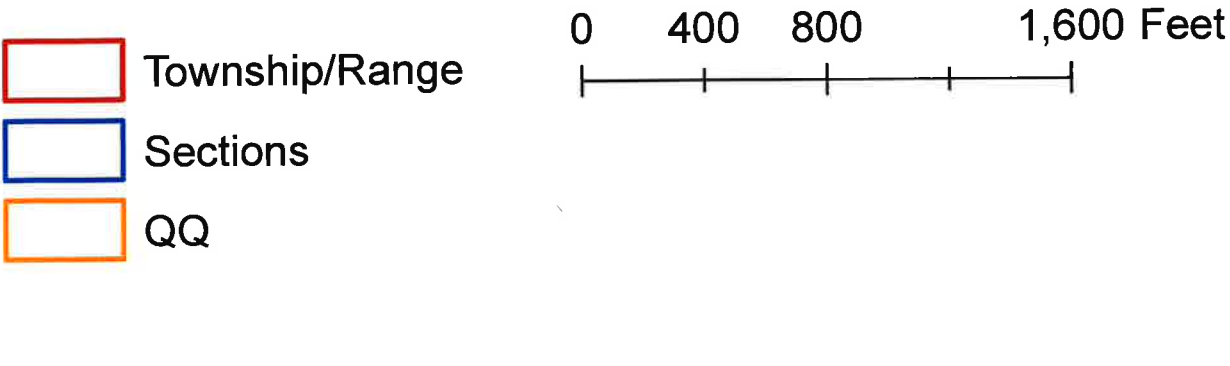
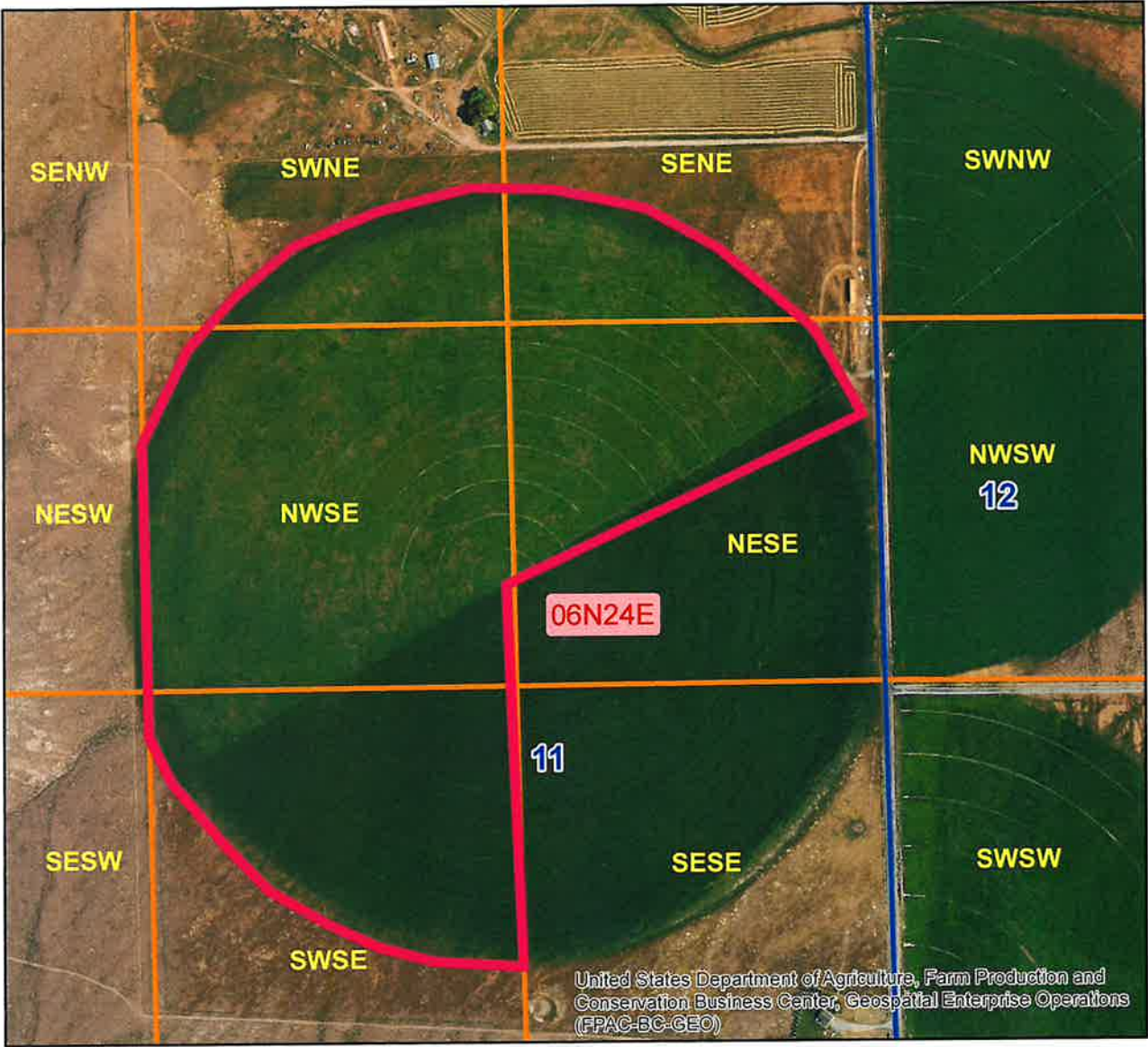
IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/15/2025

Conditions of Approval:

1. X27 This right is limited to the irrigation of 96.1 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-637C, 34-2365, 34-7239A, 34-14920, 34-4010, 34-7056, 34-14189, 34-14191, 34-14193, 34-14195, 34-14197, 34-14199, 34-14201, 34-14203, 34-14205, 34-14207, 34-14209, 34-14824, 34-14825, 34-14826, 34-14827, and 34-14828, when combined shall not exceed a total diversion rate of 18.36 cfs and the irrigation of 645 acres.
3. Water is delivered through the Beck-McGowan, 3 IN 1, Harris-Vaught, Burnett and Lower Burnett ditches.
4. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 4/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than December 14, 2001.
5. N15 The appropriator is entitled to the quantity of water described for stock water purposes at a point of measurement where the delivery ditch enters the place of use described.
6. X62 The quantity of water decreed for this water right for stock water use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
7. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Randy Pehrson 2025 Temporary Change
Proposed Place of Use for WR 34-14191



Randy Pehrson 2025 Temporary Change Acres to be Dried up for Remainder of Irrigation Season



- Township/Range
- Sections
- QQ

0 500 1,000 2,000 Feet



Temporary Change for WR 34-14191

From Cefalo, James <James.Cefalo@idwr.idaho.gov>

Date Tue 7/15/2025 11:32 AM

To Byron Pehrson Mackay BLID <terripehrson@atcnet.net>

 1 attachment (795 KB)

Randy Pehrson DE Transfer Map 2.pdf;

Byron,

Randy is proposing to move water right 34-14191 to his property for the remainder of the season. Can you please confirm that you are okay with that change and that the 96.1 acres identified on the attached map will be dried up for the remainder of the 2025 irrigation season.

James



James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov



Outlook

water rights

From terripehrson@atcnet.net <terripehrson@atcnet.net>

Date Tue 7/15/2025 11:46 AM

To Cefalo, James <James.Cefalo@idwr.idaho.gov>

CAUTION: This email originated outside the State of Idaho network. Verifv 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.

Byron Pehrson gives up his water right for the remainder of the season as of July 15 2025 to October 15 2025 to Randy Pehrson. Water Right # 34- 14191

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATERMASTER

Application No: TC-34-235

Applicant's Name: RANDY PEARSON

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 16th day of July, _____.

Water District No: 34

Preston Mennick
Watermaster's Signature

Use reverse side of page if you need more space.