

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

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF)
WATER RIGHT NOS.: 34-2412C &)
34-7184)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-242

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 May 6, 2026, Joel Andersen 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 the changed portions of rights 34-2412C and 34-7184 is authorized only at the point of diversion 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 34-7184, 34-259E, and 34-738D when combined shall not exceed a total diversion rate of 0.91 cfs and the irrigation of 33 acres in a single irrigation season.
6. Rights 34-2412C, 34-259F, 34-738E, 34-60, and 34-13562 when combined shall not exceed the irrigation of 142.1 acres in a single irrigation season.
7. Applicant shall make full beneficial use of all surface water rights available for irrigation of the lands authorized to be irrigated under right 34-2412C. Applicant shall limit the diversion of ground water under right 34-2412C to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under the right.
8. 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.
9. 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.
10. 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.
11. The Watermaster of Water District No. 34 is authorized to administer the temporary change approval.
12. This temporary change approval expires on October 31, 2026 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 May, 2026.


Blake Jordan
Water Resources Program Manager

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.)

RECEIVED

MAY 06 2026

DEPT. OF WATER RESOURCES
EASTERN REGION

Name of Applicant Joel Andersen Phone 208-589-0019
Mailing Address 2791 N 3375 W Moore, ID 83255 Email andersenangus@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. _____

Ground water rights 34-2412C and 34-7184 are stacked with Big Lost River rights bearing a priority date of 5/20/1884. I would like to move those rights to be stacked with water right 34-17A, which also bears a priority date of 5/20/1884. The Big Lost River rights are not available yet because of low flow on the river.

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>34-2412C</u>	<u>4/13/1961</u>	<u>1.04 cfs</u>	<u>Irrigation</u>	<u>4/1 to 10/31</u>
<u>34-7184</u>	<u>4/26/1977</u>	<u>0.20 cfs</u>	<u>Irrigation</u>	<u>4/15 to 10/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.24 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ground Water 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
04N	26E	9		NW	NE	SW	Butte	Ground Water	WMIS # 51

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	16									27			27					54.0

Total Acres 54.0

6. General Information:

- a. Who owns the water right to be changed? Joel Andersen
- b. Describe the arrangement allowing use of the right. N/A
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
We will water the acres with our 1884 BLR rights when the water finally arrives.
- 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? We would use it to water the existing acres
- f. Describe other water rights used for the same purpose. 34-17A at the proposed POU
- g. Remarks: Moving GW rights ~~from~~ from being stacked with 1884 BLR rights to being stacked with 1884 BLR right.

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 of Applicant

5-6-26
Date

FOR DEPARTMENT USE ONLY

Received by _____ Date 5/6/26 \$50 fee received by CTH Receipt No. E051620
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:

Temporary Change Expiration Date _____

Signed this _____ day of _____, _____.

For the Director

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/6/2026

Water Right 34-17A

Owner Type **Name and Address**
Current Owner JOEL S ANDERSEN
 2791 N 3375 W
 MOORE, ID 83255-8715

Current Owner BELVA E ANDERSEN
 2791 N 3375 W
 MOORE, ID 83255-8715

Priority Date: 5/20/1884

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	5/01	10/15	1.070 CFS	
	<u>Total Diversion</u>		1.070 CFS	

Source and Point(s) of Diversion:

BIG LOST RIVER NWSESE Sec. 4, Twp 05N, Rge 26E, BUTTE County

Place Of Use:

IRRIGATION within BUTTE 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	
04N	26E	16									27.0				27.0				54.0

POU Total Acres: 54.0

Conditions of Approval:

1. 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.
2. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/6/2026

Water Right 34-2412C

Owner Type **Name and Address**
 Current Owner JOEL S ANDERSEN
 2791 N 3375 W
 MOORE, ID 83255-8715
 (208) 527-3379

Current Owner BELVA E ANDERSEN
 2791 N 3375 W
 MOORE, ID 83255-8715
 (208) 527-3379

Priority Date: 4/13/1961

Basis: Decreed

Status: Active

Source
 GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.520 CFS	522.6 AF
	<u>Total Diversion</u>		3.520 CFS	522.6 AF

Source and Point(s) of Diversion:

GROUND WATER	L4(NWNW)	Sec. 4, Twp 04N, Rge 26E, BUTTE County
GROUND WATER	NWNESW	Sec. 9, Twp 04N, Rge 26E, BUTTE County
GROUND WATER	NWSWSW	Sec. 4, Twp 04N, Rge 26E, BUTTE County

Place Of Use:

IRRIGATION within BUTTE 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	
04N	26E	4											38.0	4.0					42.0
04N	26E	16					33.0	34.6		32.5									100.1

POU Total Acres: 142.1

Conditions of Approval:

1. X35 Rights 34-2412C, 34-259F, 34-738E, 34-60 and 34-13562 when combined shall not exceed the irrigation of 142.1 acres.
2. X35 Right 34-2412C shall not exceed a combined diversion rate of 1.04 cfs from the points of diversion located in the the NWSWSW and Lot 4 (NWNW) Sec 4 T04N R26E.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/6/2026

3. 186 Diversion of water from the following wells authorized under Transfer 88758 located in the NWSWSW and Lot 4 (NWNW) Sec 4 T04N R26E shall not exceed a total combined maximum diversion rate of 1.6 cfs:
4. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. 214 Prior to the diversion and use of water under Transfer approval 88758, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. 943 The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/6/2026

Water Right 34-7184

Owner Type **Name and Address**
Current Owner BELVA E ANDERSEN
2791 N 3375 W
MOORE, ID 83255-8715
(208) 527-3379

Current Owner JOEL S ANDERSEN
2791 N 3375 W
MOORE, ID 83255-8715
(208) 527-3379

Priority Date: 4/26/1977

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.560 CFS	115.5 AF
	<u>Total Diversion</u>		0.560 CFS	115.5 AF

Source and Point(s) of Diversion:

GROUND WATER	NWSWSW	Sec. 4, Twp 04N, Rge 26E, BUTTE County
GROUND WATER	L4(NWNW)	Sec. 4, Twp 04N, Rge 26E, BUTTE County

Place Of Use:

IRRIGATION within BUTTE County

			NE				NW				SW				SE							
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals			
04N	26E	4																	33.0			33.0

POU Total Acres: 33.0

Conditions of Approval:

1. X35 Rights 34-7184, 34-259E and 34-738D when combined shall not exceed a total diversion rate of 0.912 cfs, and the irrigation of 33 acres.
2. 186 Diversion of water from the following wells authorized under Transfer 88758 located in the NWSWSW and Lot 4 (NWNW) Sec 4 T04N R26E shall not exceed a total combined maximum diversion rate of 1.6 cfs.
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/6/2026

- | | | |
|----|-----|--|
| 4. | 214 | District No. 34.
Prior to the diversion and use of water under Transfer approval 88758, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device. |
| 5. | 213 | Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications. |
| 6. | 004 | This right does not grant any right-of-way or easement across the land of another. |
| 7. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 8. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. |
| 9. | 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. |

State of Idaho
Department of Water Resources

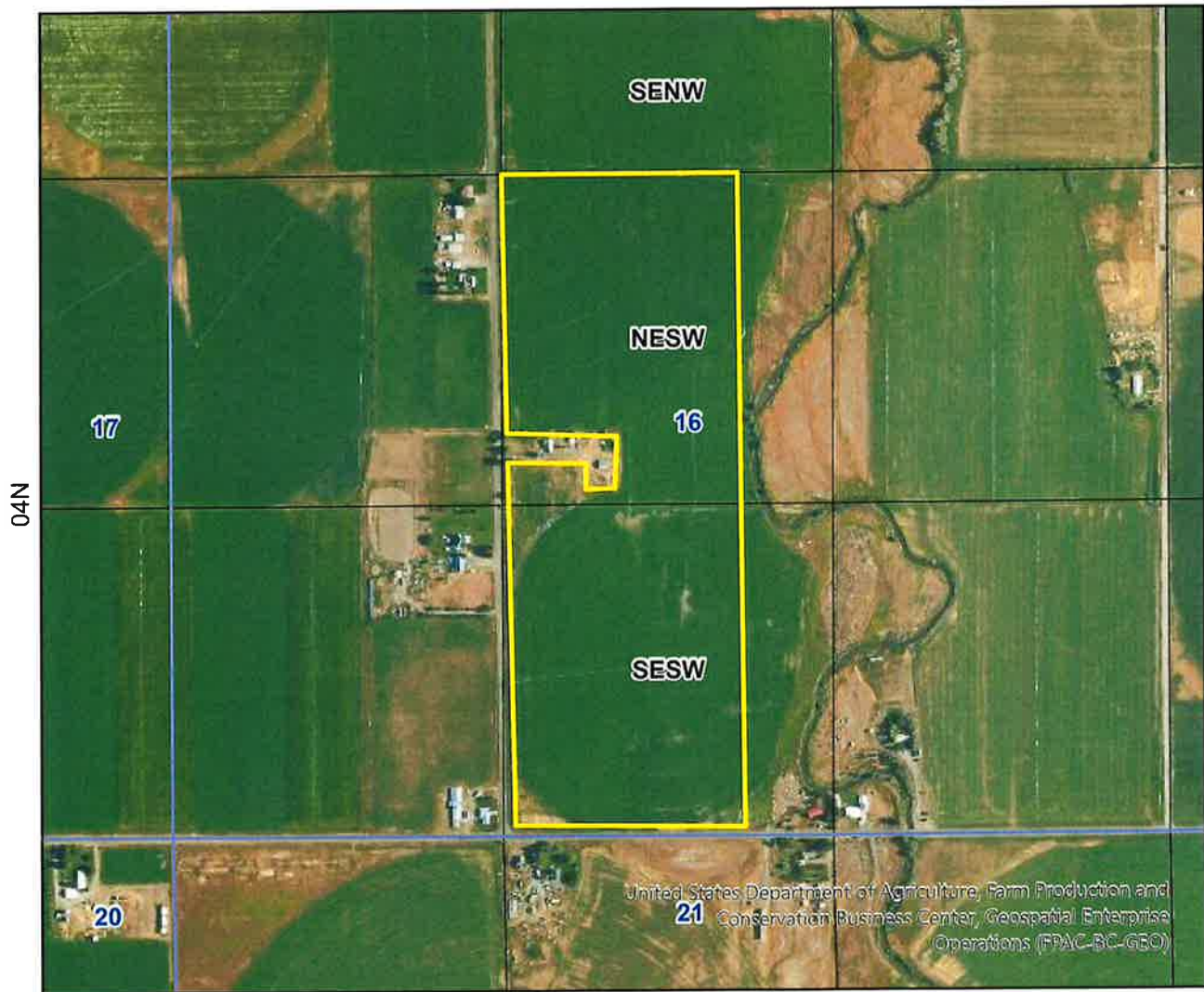
Water Right

34-17 a

(IRRIGATION)

JOEL S ANDERSEN

26E



- | | |
|---|--|
|  Place Of Use Boundary |  Sections |
|  State Outline |  Quarter Quarters |
|  Townships | |



0 0.1 0.2 0.3 0.4 Miles



Imagery: 2023 Aerial Photography
Prepared By Cefalo, James

State of Idaho
Department of Water Resources

Water Right

34-7184

(IRRIGATION)

BELVA E ANDERSEN



- | | | | |
|--|-----------------------|--|------------------|
| | Point of Diversion | | Townships |
| | Place Of Use Boundary | | Sections |
| | State Outline | | Quarter Quarters |



0 0.2 0.4 0.6 0.8 Miles



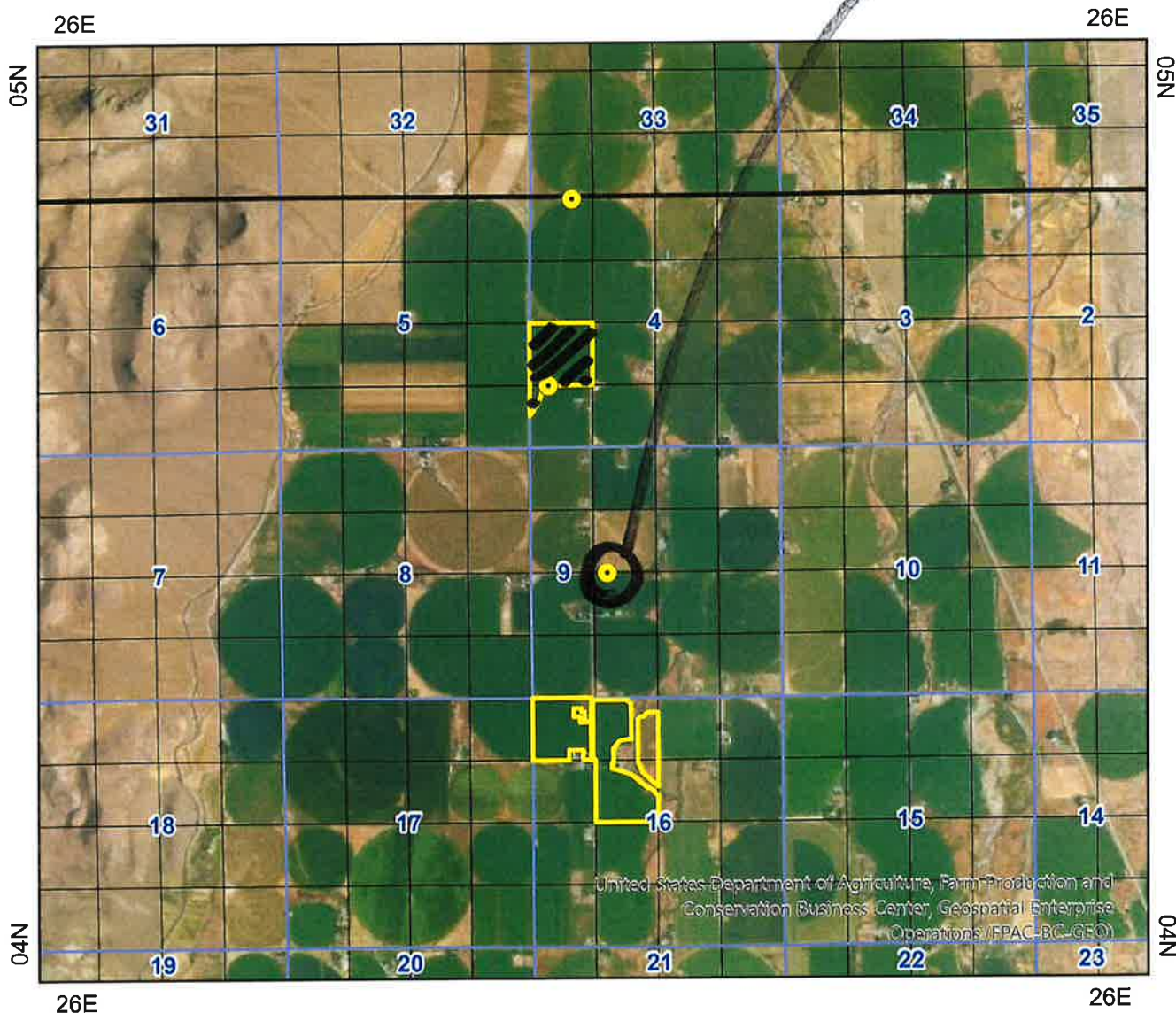
Imagery: 2023 Aerial Photography
Prepared By Cefalo, James

State of Idaho
Department of Water Resources

Water Right

34-2412c
(IRRIGATION)
BELVA E ANDERSEN

Proposed
POD



- Point of Diversion
- Place Of Use Boundary
- State Outline
- Townships
- Sections
- Quarter Quarters



0 0.6 1.2 1.8 2.4 Miles



Imagery: 2023 Aerial Photography
Prepared By Cefalo, James