

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

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF)
WATER RIGHT NOS.: 34-2480A,)
34-7028A, and 34-2509)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-243

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 12, 2026, Mark Telford 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 right nos. 34-2480A, 34-7028A, and 34-2509 is authorized only at the point of diversion and place of use described on the application.
2. 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.
3. This temporary change approval does not authorize construction of a new well as a point of diversion.
4. 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.

5. Rights 34-2480A and 34-7028A are limited to the irrigation of a combined total of 224 acres in a single irrigation season.
6. Rights 34-2480A, 34-7028A, and 34-7234 when combined shall not exceed a total diversion rate of 6.60 cfs and a total annual maximum diversion volume of 1071 af.
7. Rights 34-195C, 34-196D, 34-2491B, 34-10100, 34-2480A, 34-7028A, and 34-7234 when combined shall not exceed a total diversion rate of 9.58 cfs and the irrigation of 306 acres.
8. Rights 34-43, 34-2509, and 34-7112 when combined shall not exceed a total diversion rate of 7.78 cfs and the irrigation of 295 acres. Rights 34-2509 and 34-7112 when combined shall not exceed a total annual maximum diversion volume of 1032.5 af.
9. 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.
10. The applicants agree 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.
11. 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.
12. The Watermaster of Water District No. 34 is authorized to administer the temporary change approval.
13. This temporary change approval becomes effective on the date of signature and expires on November 1, 2026 unless rescinded or extended by the director. Thereafter, the water rights shall revert to the point of diversion, place of use, and nature of use existing prior to the temporary change approval.

DATED this 22nd day of May, 2026.



Blake Jordan
Water Resources Program Manager

TC-34-243
AMENDED

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 12 2026

DEPT. OF WATER RESOURCES
 EASTERN REGION

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 Mark Telford  Phone _____
 Mailing Address _____ Email _____

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. _____

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
34-2509	10/5/1960	0.57 cfs	Irrigation	4/1 to 11/1
34-7028A	8/1/1972	2.96 cfs	Irrigation	4/1 to 11/1
34-2480A	5/1/1986	0.54 cfs	Irrigation	4/1 to 11/1
				to

2. Total amount of water being transferred 4.07 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	¼	¼	¼	County	Source	Local name or tag number
05N	26E	34		NE	SE	SW	Butte	Ground water	Toone 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	
03N	26E	13	30																30
03N	27E	18													27.5	27.5	27.5	27.5	110
03N	26E	12															25	25	50

Total Acres 190

MAY 08 2026

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 Mark Telford Phone 208-431-5956
Mailing Address PO Box 511 Arco, ID 83213 Email mptelford@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. _____
Due to the drought we would like to change the place of use for the 2026 crop year. We will use the water to irrigate higher value crops.

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
34-2480 A	5/1/1986	0.79 CFS	Irrigation	4/1 to 11/1
34-7028 A	8/1/1972	2.11 CFS	Irrigation	4/1 to 11/1
				to
				to

2. Total amount of water being transferred 2.9 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ground Water tributary to Big Lost River
4. Point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag number
05N	26E	34		NE	SE	SW	Butte	Ground Water	Toone 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	
03N	26E	13	30																30
03N	27E	18													27.5	27.5	27.5	27.5	110
03N	26E	12															25	25	50

Total Acres 190

6. General Information:

- a. Who owns the water right to be changed? Standlee Family LTD Partnership
- b. Describe the arrangement allowing use of the right. See attached consent
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
The POU for the listed water rights will reduce irrigation of those fields by 190 Acres.
- 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 would have been used for the POU for the listed water rights.
- f. Describe other water rights used for the same purpose. WRs 34-196D, 34-10100, 34-2419B, 34-195C
- g. Remarks: We are requesting to temporarily move WR 34-7028A into the Toone Well

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.

Mark Standlee
Signature of Applicant

5/7/2026
Date

FOR DEPARTMENT USE ONLY

Received by M. Peth Date 5-8-26 \$50 fee receipted by M. Peth Receipt No. E051626
Recommend: ☐ approve ☐ deny Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

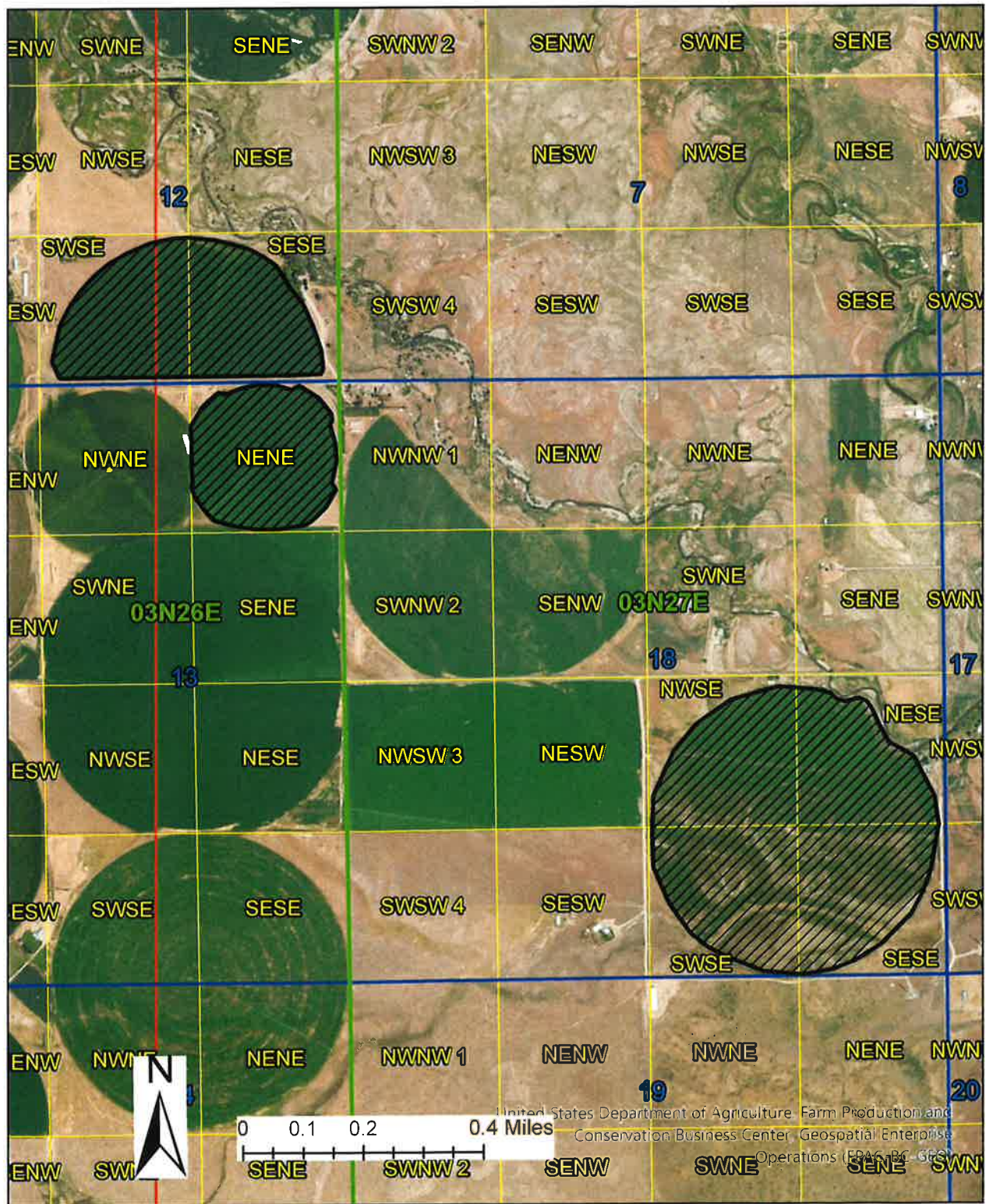
This is to certify that I have examined Temporary Change Application No. _____, and said application is hereby _____, subject to the following limitations and conditions:

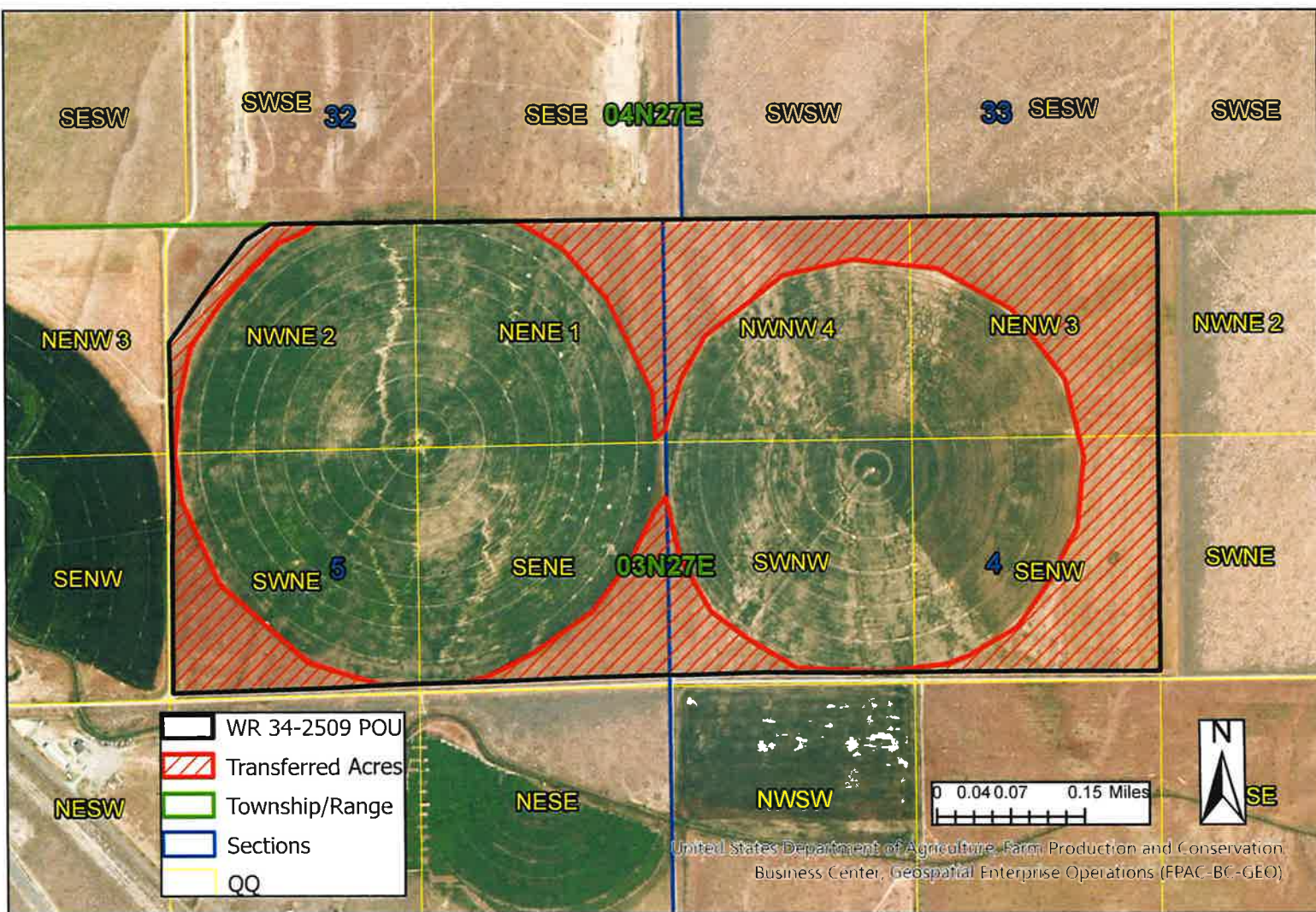
Temporary Change Expiration Date _____

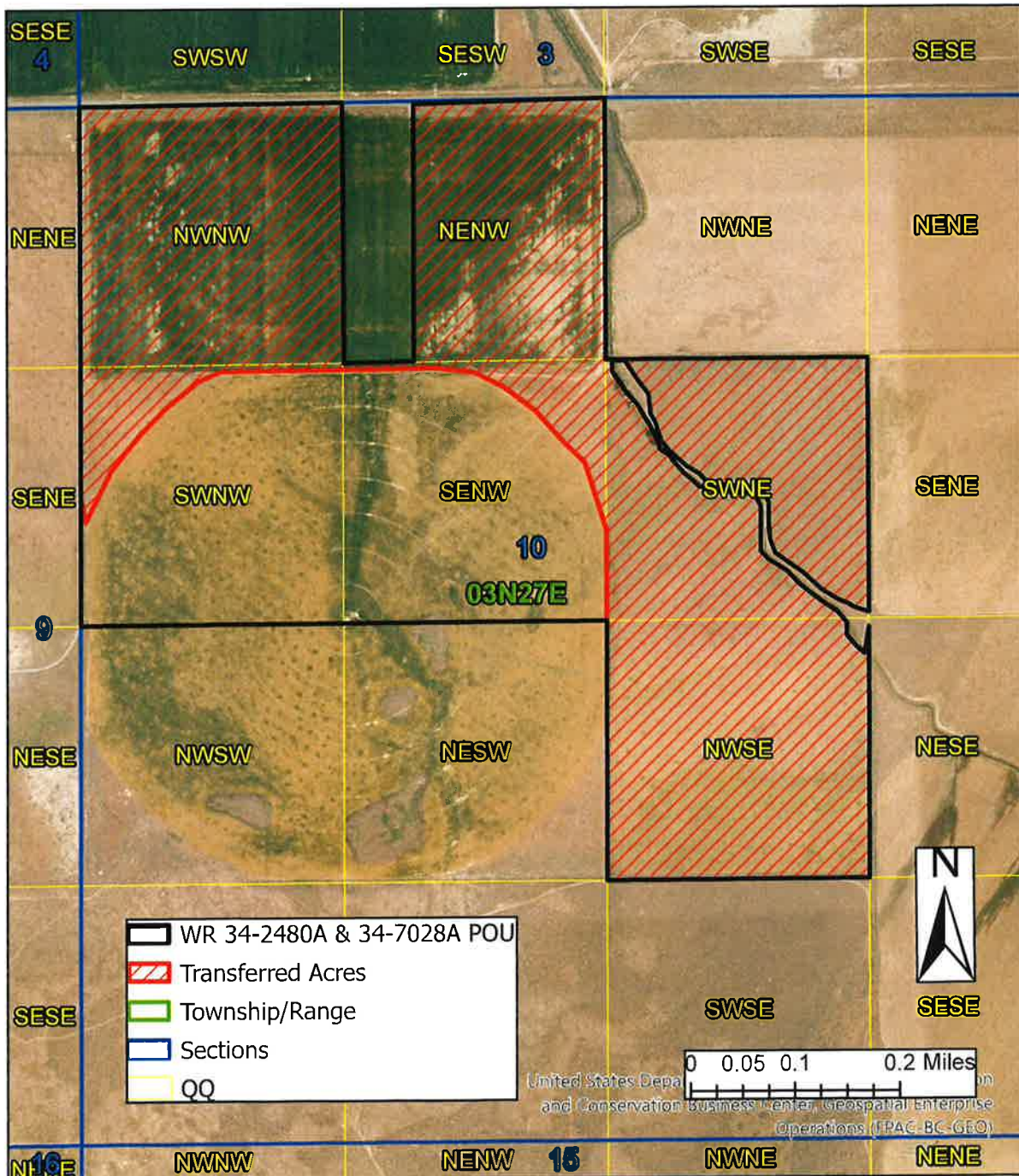
Signed this _____ day of _____

For the Director

Temporary Transfer Proposed Place of Use







CONSENT TO WATER RIGHTS TEMPORARY TRANSFER

I, the undersigned, am familiar with the Temporary Change Applications which are being submitted to the Idaho Department of Water Resources which involve Water Right Nos. 34-2480A, 34-7028A, and 34-2509. I consent to the transfer of these water rights as requested in the Temporary Change Application.

STANDLEE FAMILY LTD PARTNERSHIP

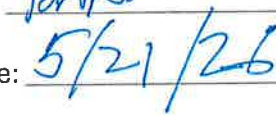
BY:

Its:

Date:







Holliday, Michael

From: Waterdistric Thirtyfour <water34master@gmail.com>
Sent: Wednesday, May 13, 2026 12:37 PM
To: Holliday, Michael
Cc: Rich@blrid.com; waterdist34@atcnet.net; tanae@blrid.com
Subject: Re: Two temporary changes for Mark Telford

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, May 13, 2026, 9:09 AM Holliday, Michael <Michael.Holliday@idwr.idaho.gov> wrote:

Preston and Rich,

Attached are 2 scanned temporary change applications for your comments. Your prompt response will ensure that your recommendations can be considered. If IDWR has not received your written recommendations by Thursday, May 14, 2026, 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

CONSENT TO WATER RIGHTS TEMPORARY TRANSFER

I, the undersigned, am familiar with the Temporary Change Applications which are being submitted to the Idaho Department of Water Resources which involve Placing 80 acres of water from several water rights onto a portion of my property. I consent to the transfer of these water rights as requested in the Temporary Change Application.

MARLENE FOLKMAN, LANDOWNER

BY: Marlene Folkman

Date: 05-07-26

Steve L. Stephens, Esq.
Attorney at Law
221 W. Grand Ave.
P.O. Box 736
Arco, ID 83213
Telephone: (208) 527-3458

STATE OF IDAHO
COUNTY OF BUTTE } ss.

I certify that the foregoing is a full, true and correct copy of the original on file in this office.

Dated

7/9/18
Shelly Corcoran

District Court 7th Judicial Dist.
Butte, County, Arco, Idaho



BUTTE COUNTY
DISTRICT COURT

2018 JUN 28 PM 1:07

FILED BY JAMMY FREDERICI

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BUTTE

IN THE MATTER OF THE ESTATE OF:) Case No. CV 18- 60
)
LEON FOLKMAN,) DECREE VESTING ESTATE IN
Deceased.) SURVIVING SPOUSE
)

Upon consideration of the Petition for Summary Administration of Estate of which surviving spouse is sole beneficiary filed by Marlene Folkman on June 28, 2018 the Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, Leon Folkman, died on June 30, 2017, domiciled in Butte County.
4. Venue is proper.
5. The decedent and Marlene Folkman were duly married at Arco, Idaho on July 29, 1966 and remained married until the date of decedent's death.
6. The surviving spouse, Marlene Folkman, is the sole heir or devisee of the decedent.
7. The decedent died intestate.
8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent and properly characterizes the property as community or separate property.

DECREE VESTING ESTATE IN SURVIVING SPOUSE

BUTTE COUNTY
Recorded for:

STEVE STEPHENS

11:22:48 AM 07-09-2018

0000-056306

No. Pages: 3 Fee: \$ 16.00

SHELLY SHAFFER

County Clerk
Deputy: KIM

THEREFORE, it is Ordered, Adjudged and decreed as follows:

1. Marlene Folkman is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.
2. The property of the decedent described below is hereby vested in and distributed to Marlene Folkman free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor, which includes but is not limited to all personal property of the estate and real property located in Butte County, Idaho more particularly described as follows:

Separate Property

None

Community Property

- A. Property located in Butte County, Idaho more particularly described as follows:

Commencing at a point 659 feet North of the Southeast corner of Section 12, Township 3 North, Range 26 East, Boise Meridian and running thence North 89° 31' West 655 feet; thence North 659 feet; thence South 89°31' East 655 feet; thence South 659 feet to the POINT OF BEGINNING.

Together with a permanent easement for ingress and egress to such property described as follows, to-wit:

Commencing at a point 659 feet North of the Southeast corner of Section 12, Township 3 North, Range 26 East, Boise Meridian, and running thence West 50 feet; thence South 659 feet; thence East 50 feet; thence North 659 feet to the POINT OF BEGINNING;

TOGETHER, with all tenements, hereditaments and appurtenances thereunto belonging.

- B. *All Rights and Interest of any kind or nature, including but not limited to Creditor's Rights in Promissory Note, Security Agreement, payments or proceeds arising from the sale of real property to purchasers/debtors, Mike & Shannon Telford.*

- C. *Stock Shares (Sole Shareholder) of Valley Grain & Supply, Inc. registered with the Idaho Secretary of State Organization ID No. C 24913 formerly known as C.L. Folkman Inc. formerly known as Inkom Elevator Inc.*
- D. *All other community and separate property, however situated, not specifically listed herein.*
3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

DATED this 28 day of June, 2018.


Ralph L. Savage
Magistrate Judge

