

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

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF)
WATER RIGHTS 34-611B AND 34-612B)

**ORDER AUTHORIZING
TEMPORARY CHANGE
TC-34-248**

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 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 June 12, 2026, Mountain Springs Ranch submitted the attached amended 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. **This temporary change is effective only when the Big Lost River is connected and flowing between the proposed point of diversion (Neilsen Ditch) and the existing points of diversion. The authority to divert water under this temporary change terminates if the Big Lost River becomes physically disconnected between the proposed and existing points of diversion.**
2. Diversion and use of rights 34-611B and 34-612B is authorized only at the point(s) of diversion and place of use described on the application.
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. 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.
6. Right 34-611B is limited to the irrigation of 75 acres within the place of use authorized by this temporary change. Right 34-612B is limited to the irrigation of 40 acres within the place of use authorized by this temporary change.
7. The total instantaneous diversion of water from all points of diversion under Rights 34-142, 34-611B, 34-612B, 34-613B and 34-10553B shall not exceed 10.72 cfs, a total annual maximum diversion volume of 1648.5 af at the field headgate, and the irrigation of 471 acres.
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 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.
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 becomes effective on the date of signature and expires on October 15, 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 12th day of June, 2026.



James Cefalo
Eastern Regional Manager

TC-34-248

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED 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 Mountain Springs Ranch Phone 208-589-3110
Mailing Address 5550 Barton Flat Rd, Mackay, ID, 83251 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. _____
Put on alfalfa and let pasture dry up

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>34-611B</u>	<u>6/1/1882</u>	<u>1.50 cfs</u>	<u>Irrigation</u>	<u>6/12 to 10/15</u>
<u>34-612B</u>	<u>6/1/1886</u>	<u>0.80 cfs</u>	<u>Irrigation</u>	<u>6/12 to 10/15</u>
_____	_____	_____	_____	_____ to _____
<u>3 junior rights</u>	<u>not in priority</u>	_____	_____	_____ to _____

2. Total amount of water being transferred 2.30 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:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag number
8N	21E	15			SW	NW	Custer	Big Lost River	Neilsen Ditch

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	
8N	22E	14									38	40	9	11		9			107
		15													8				8

Total Acres 115

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right. _____
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Will dry up 115 acres at the current 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? _____
to irrigate pasture
- f. Describe other water rights used for the same purpose. 34-139, 34-145, 34-10557, 34-10558, 34-10563
- g. Remarks: _____

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.

Shane Rosenkrance
Signature of Applicant

6/12/2026
Date

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ \$50 fee receipted by _____ Receipt No. _____
Recommend: ☐ approve ☐ deny Watermaster recommendation _____

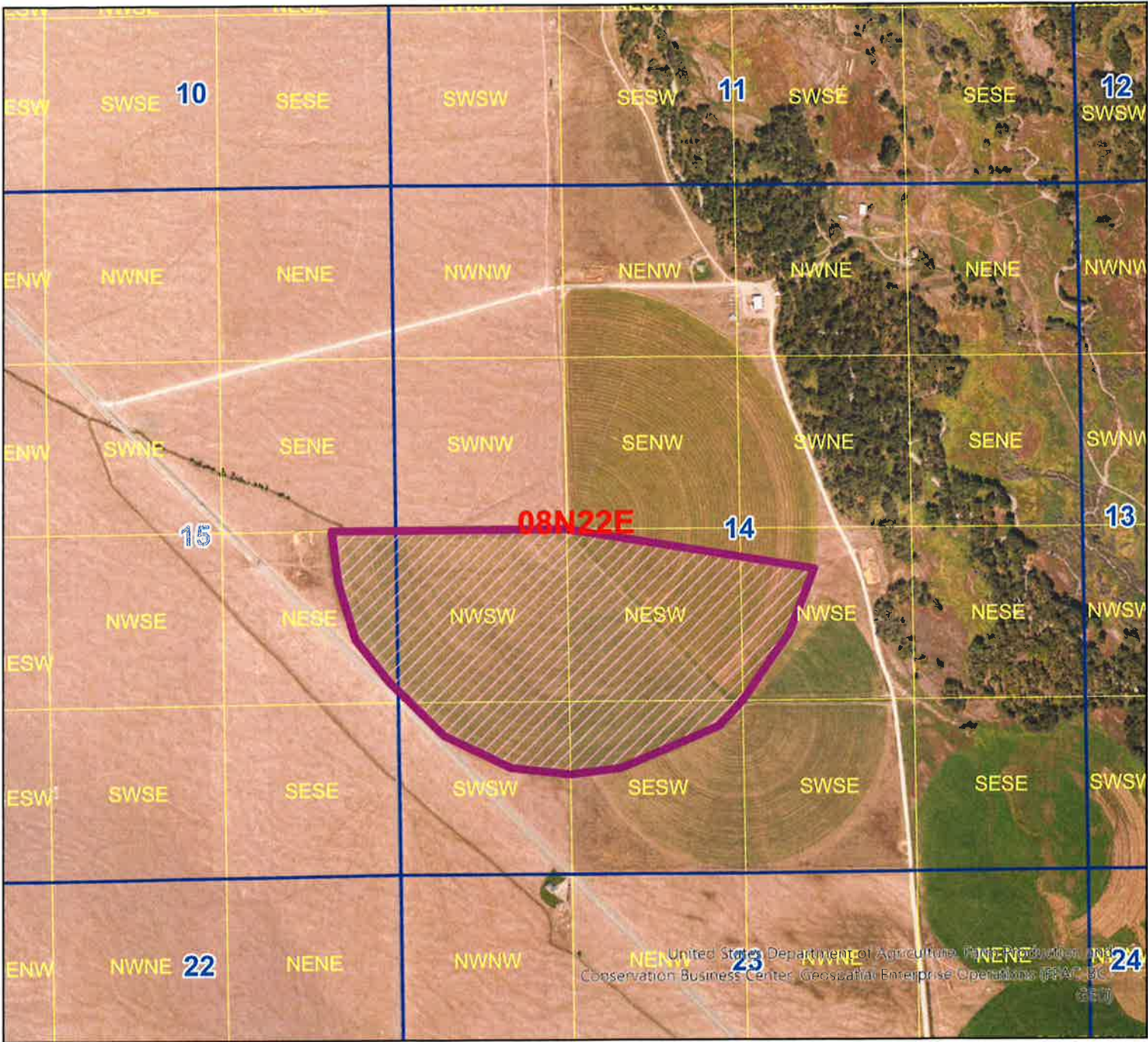
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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 _____

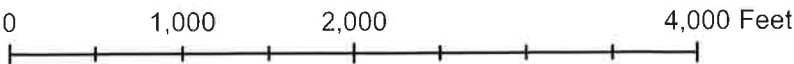
Signed this _____ day of _____

For the Director



Legend

	Proposed POU	2023 (0.6 meter)
	Township/Range	RGB
	Sections	
	QQ	
	Red:	Red
	Green:	Green
	Blue:	Blue



7/29/92 11:50

01 208 327 7500

ID WATER RESOURCES - EASTERN

7/92

RECEIVED

JUN 08 2003

DEPT. OF WATER RESOURCES
EASTERN REGION

TC-34-248

Ident. No. _____

SUPERCEDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

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

588-3110 Bell
Phone 208-588-3110 OfficeName of applicant Mountain Springs Ranch
Post Office address 5550 Barton Flat Rd. Mockay Id 83851

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) therefor
- Irrigate alfalfa

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

1. Right Number	Priority	Amount	Nature	Period of Use
<u>34-00611B</u>	<u>6-1-1882</u>	<u>1.29</u>	<u>Irr</u>	<u>5-1</u> to <u>10-15</u>
<u>34-00612B</u>	<u>6-1-1886</u>	<u>0.8</u>		

2. Total amount of water being transferred 2.09 cubic feet/second and/or _____ acre-feet per annum.3. Source of water: Big Lost River tributary to Sinks

4. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
					3	8N	22E	CUSTER	Parson Cr
								"	
					11	8N	22E	"	Big Lost River
								"	

5. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	22E	14			16		3.5			3.8						7			64.5

Total acres _____

SUPERCEDED

6. General Information:

- a. Who owns the water right to be changed? Mountain Spring Ranch
- b. Describe the arrangement allowing use of the right Dry up 64.5 Acres pasture to irrigate 64.5 AC Alfalfa
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this application:

- d. Has the water right sought to be transferred been used this year? no If yes, explain. _____
- e. Absent the changes, how would the right be used for the remainder of the year? to run pivot
- f. Describe other water rights used for the same purpose.

- g. Remarks: _____

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.

Shane Rosnkranz
 (Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by L Date 6-8-26 Fee \$50
 Received M. Peltz # E051695 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:

Witness my hand this _____ day of _____, 199____.

Holliday, Michael

From: Waterdistric Thirtyfour <water34master@gmail.com>
Sent: Monday, June 8, 2026 7:23 PM
To: Holliday, Michael
Cc: waterdist34@atcnet.net
Subject: Re: Mountain Springs Ranch 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 Mon, Jun 8, 2026, 3:52 PM Holliday, Michael <Michael.Holliday@idwr.idaho.gov> wrote:

Preston,

Attached is a scanned temporary change application for your comments. Your prompt response will ensure that your recommendations can be considered. If IDWR has not received your written recommendation by June 9, 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