

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

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE)
WATER RIGHT NOS: 35-2530 & 35-12698)

**ORDER AUTHORIZING
TEMPORARY CHANGE
TC-35-012**

WHEREAS a drought emergency has been declared for Power 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 September 3, 2026, Will A. Rowe 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 rights 35-2530 and 35-12698 is authorized only at the point(s) 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 which normally have a full water supply, except for the drought condition. 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.

Order Authorizing Temporary Change

5. Rights 35-2530 and 35-12698 when combined shall not exceed a total diversion rate of 2.14 cfs, a total annual maximum diversion volume of 640 af, and the irrigation of 160 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 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 approval 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. 120 is authorized to administer the temporary change approval.
10. This temporary change approval becomes effective on the date of signature and 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 4th day of September, 2026.


Blake Jordan
Water Resources Program Manager

RECEIVED

SEP 03 2026

DEPT. OF WATER RESOURCES
EASTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

TC-35-012

(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 Will A. Rowe Phone 208-221-9751Mailing Address 2524 Highway 39 American Falls, ID 83211 Email willrowe64@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. _____
Aberdeen Springfield Canal Company has prematurely run out of water. We are seeking a change of use for
groundwater rights to finish about 125 acres of potatoes for CY26.

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>35-12698</u>	<u>04-01-1963</u>	<u>0.45 cfs</u>	<u>Irrigation</u>	<u>9/7/2026</u> to <u>10/31/2026</u>
<u>35-2530</u>	<u>03-12-1958</u>	<u>1.35 cfs</u>	<u>Irrigation</u>	<u>9/7/2026</u> to <u>10/31/2026</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.8 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water ground water tributary to _____

4. Point(s) of diversion: * CORRECTED VIA TELECONFERENCE ON 9/4/26. MHR

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag number
7S	30E	11		SE	SW	NW	POWER	GROUND WATER	A0006552
~~7S~~	~~30E~~	~~11~~		~~SW~~	~~SE~~	~~NW~~	~~POWER~~	~~GROUND WATER~~	~~A0006552~~

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	
7S	30E	14					13			32	40					40			125

Total Acres 125

6. General Information:

- a. Who owns the water right to be changed? Will Rowe
- b. Describe the arrangement allowing use of the right. Will is the owner of the groundwater right.
Pat Rowe (deceased) owns the field intended to be irrigated. (See signed lease)
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
The field will not recieve any additional irrigations in preparation for CY27.
- d. Has the water right sought to be transferred been used this year? ☒ Yes ☐ No If yes, explain. It was used to irrigate a wheat crop.
- e. Absent the changes, how would the right be used for the remainder of the year? The right would be used to prepare for CY27.
- f. Describe other water rights used for the same purpose. Shares in ASCC typically irrigate the changed field.
- 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.

Will Rowe
Signature of Applicant

9-3-2026
Date

FOR DEPARTMENT USE ONLY

Received by JB Date 9/3/2026 \$50 fee received by JB Receipt No. E051896
Recommend: ☐ approve ☐ deny Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

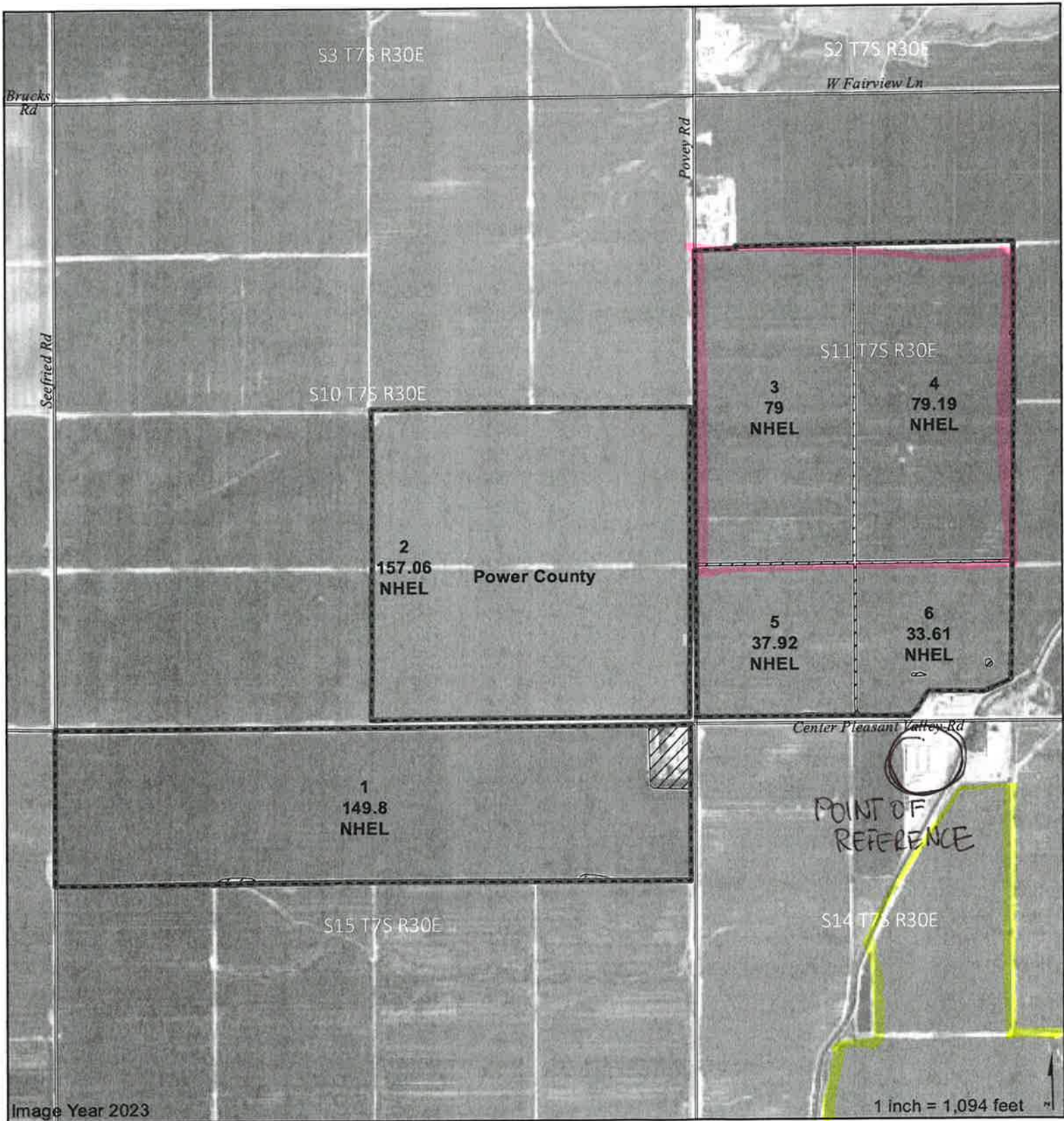
This is to certify that I have examined Temporary Change Application No. _____, and said application is hereby _____, subject to the following limitations and conditions:

Temporary Change Expiration Date _____

Signed this _____ day of _____

For the Director

Power County, Idaho



Common Land Unit

- Non-Cropland
- Cropland
- Tract Boundary
- PLSS
- County Boundary

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 536.58 acres

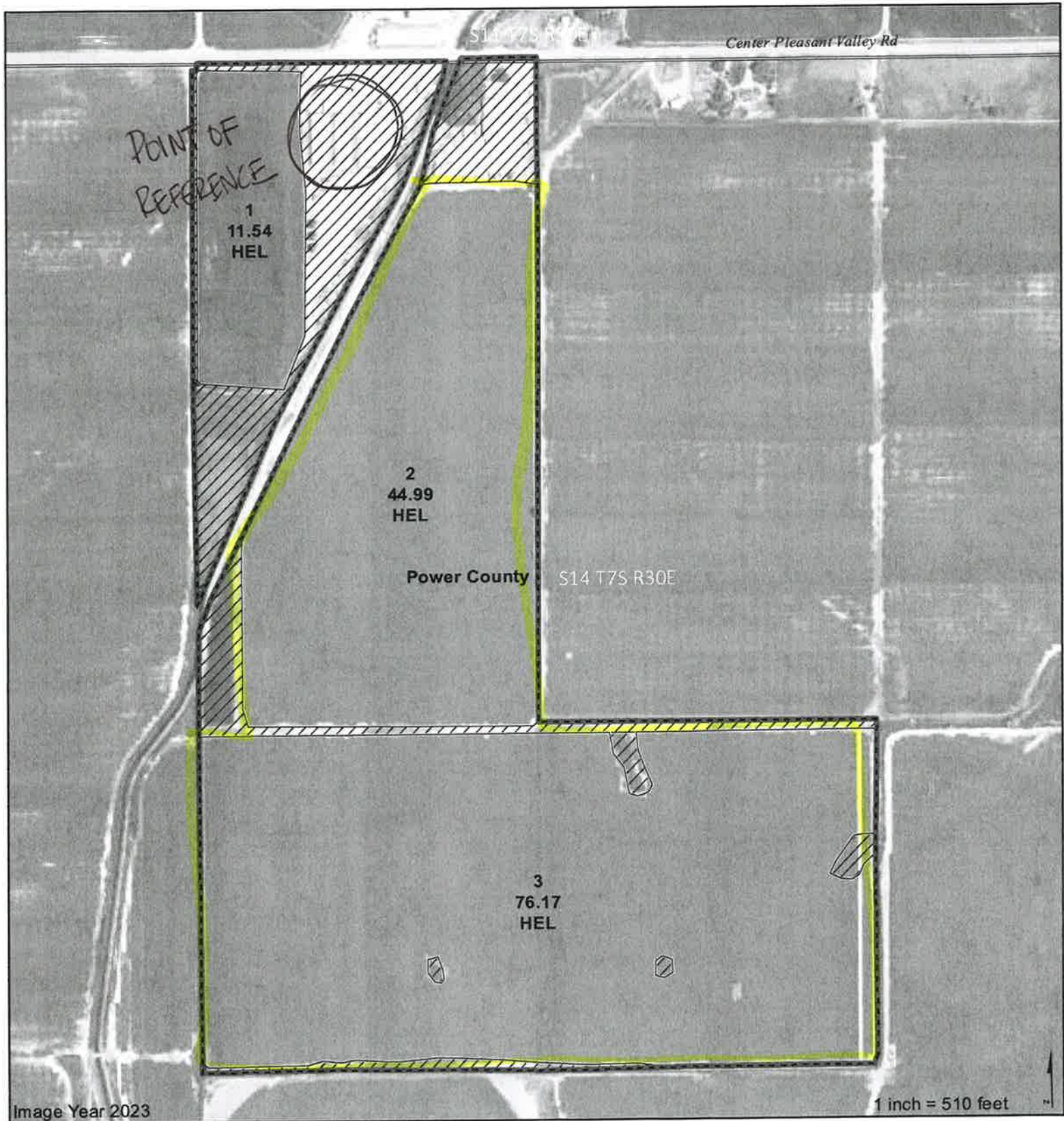
2025 Program Year

Map Created October 07, 2024

Farm 4020
Tract 4669

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

Power County, Idaho



Common Land Unit

- Tract Boundary
- PLSS
- County Boundary
- Non-Cropland
- Cropland

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

= FIELD CHANGED(To) NOW

Tract Cropland Total: 132.70 acres

2025 Program Year

Map Created October 07, 2024

Farm 4019
Tract 4671

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

**FARM LEASE AGREEMENT
KIETH'S**

This Farm Lease Agreement ("Agreement") is entered into as of **January 1, 2026**, by and between:
Landlord: William Pat Rowe ("Landlord") **Tenant:** Will Rowe, on behalf of 4R Farm LLC ("Tenant")

ARTICLE I — LEASED PREMISES

Landlord hereby leases to Tenant the agricultural property ("Premises") identified as follows:

Legal Description:

Parcel	Description	Acres
1	NE ¼ of the NW ¼, Section 14, Township 7S, Range 30E	13 acres
2	NE ¼ of the NW ¼, Section 14, Township 7S, Range 30E	32 acres
3	NE ¼ of the SW ¼, Section 14, Township 7S, Range 30E	40 acres
4	NW ¼ of the SE ¼, Section 14, Township 7S, Range 30E	40 acres
Total		125 acres

FSA Identification: Fields 2, 3 (121.16 ac) of Farm 4019, Tract 4671.

ARTICLE II — TERM

This Agreement shall commence on **January 1, 2026**, and shall remain in full force and effect until terminated by either party upon written notice to the other party.

IN WITNESS WHEREOF, the parties have executed this Farm Lease Agreement as of the date first written above.

TENANT:

Will Rowe
Will Rowe, 4R Farm LLC

LANDLORD: William P. Rowe
by Will a. Rowe P.O.A.

William Pat Rowe

1-1-2026
Date

1-1-2026
Date

DURABLE POWER OF ATTORNEY

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent can make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the uniform power of attorney act, chapter 12, title 15, Idaho Code.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. The agent's authority will continue until your death unless you revoke the power of attorney or the agent resigns.

Your agent is entitled to reasonable compensation unless you state otherwise in the Special Instructions.

If you wish to name more than one agent, you may name coagent(s). Coagents are not required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT(S)

I, WILLIAM PAT ROWE, name the following person(s) as my agent(s):

Name of Agent: WILLARD A. ROWE

Address and Phone Number of Willard A. Rowe: 2524 State Hwy 39, American Falls, ID 83211
(208-226-2163)

DESIGNATION OF SUCCESSOR AGENT (OPTIONAL)

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of Successor Agent: ANNA L. ROWE-BENSON

Successor Agent's Address: 5910 Fairlane Dr., Austin, TX 78757

Successor Agent's Phone Number: (512-569-0380)

Instrument # 206562

POWER COUNTY, IDAHO

10-24-2014 01:39:00 PM No. of Pages: 3

Recorded for : WILLIAM P. ROWE

CHRISTINE STEINLICH

Ex-Officio Recorder Deputy

Fee: 16.00

Jennifer Rupp

GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in the uniform power of attorney act, chapter 12, title 15, Idaho Code:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All Preceding Subjects" instead of initialing each subject.)

- ☐ Real Property
- ☐ Tangible Personal Property
- ☐ Stocks and Bonds
- ☐ Commodities and Options
- ☐ Banks and Other Financial Institutions
- ☐ Operation of an Entity or Business
- ☐ Insurance and Annuities
- ☐ Estates, Trusts, and Other Beneficial Interests
- ☐ Claims and Litigation
- ☐ Personal and Family Maintenance
- ☐ Benefits from Governmental Programs or Civil or Military Service
- ☐ Retirement Plans
- ☐ Taxes
- ☒ All Preceding Subjects

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent.)

- ☐ Create, amend, revoke or terminate an inter vivos trust
- ☐ Make a gift, subject to the limitations of the uniform power of attorney act, chapter 12, title 15, Idaho Code, and any special instructions in this power of attorney
- ☐ Make a gift without limitations except any special instructions in this power of attorney
- ☐ Create or change rights of survivorship
- ☐ Create or change a beneficiary designation
- ☐ Authorize another person to exercise the authority granted under this power of attorney
- ☐ Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- ☐ Exercise fiduciary powers that the principal has authority to delegate

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)

On the following lines you may give special instructions:

PROVISIONS

This power of attorney is effective immediately unless I have stated otherwise in the Special Instructions. This power of attorney revokes any prior powers of attorney I have executed, whether durable or not, except for any health care powers of attorney I have previously executed.

If it becomes necessary for a court to appoint a conservator of my estate, I nominate the agent(s) set forth herein.

RELIANCE ON THIS POWER OF ATTORNEY

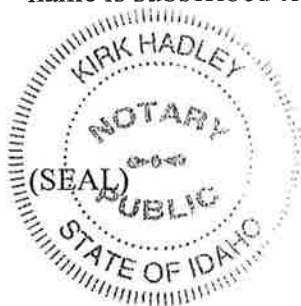
Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it is terminated or invalid.

SIGNATURE AND ACKNOWLEDGMENT

Your Signature: William Pat Rowe
Date: July 25, 2013.
Your Name Printed: William Pat Rowe
Your Address: 3025 Cedar Lane, American Falls, ID 83211
Your Phone Number: (208-226-2163)

STATE OF IDAHO)
: ss.
County of ~~Custer~~)
Bannock

On this 25 day of July, 2013, before me, a Notary Public for the State of Idaho, personally appeared WILLIAM PAT ROWE, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.



Kirk Hadley
NOTARY PUBLIC FOR IDAHO
Residing at: Princeton, IL
My Commission Expires: 12/19/13