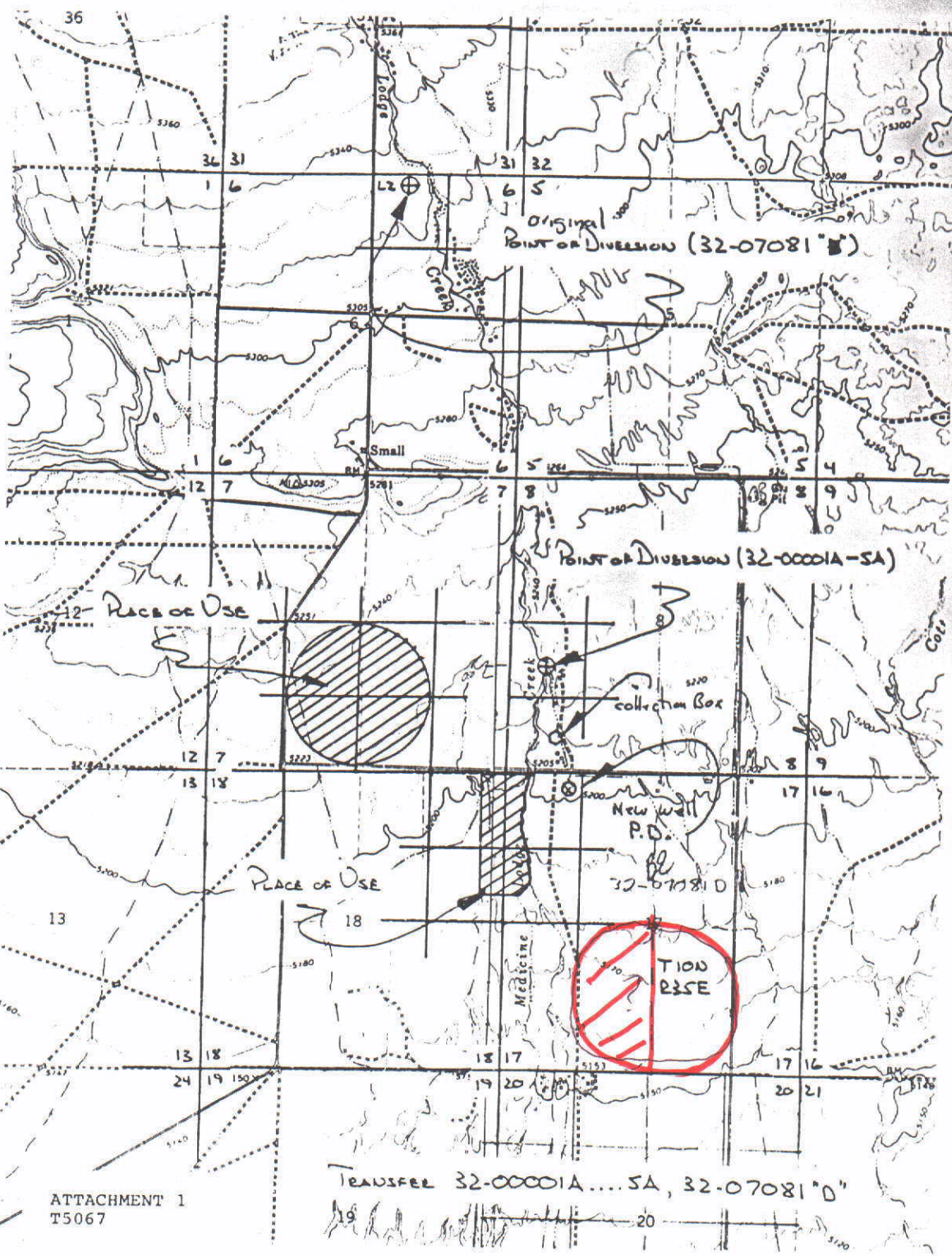




ATTACHMENT 1  
T5067

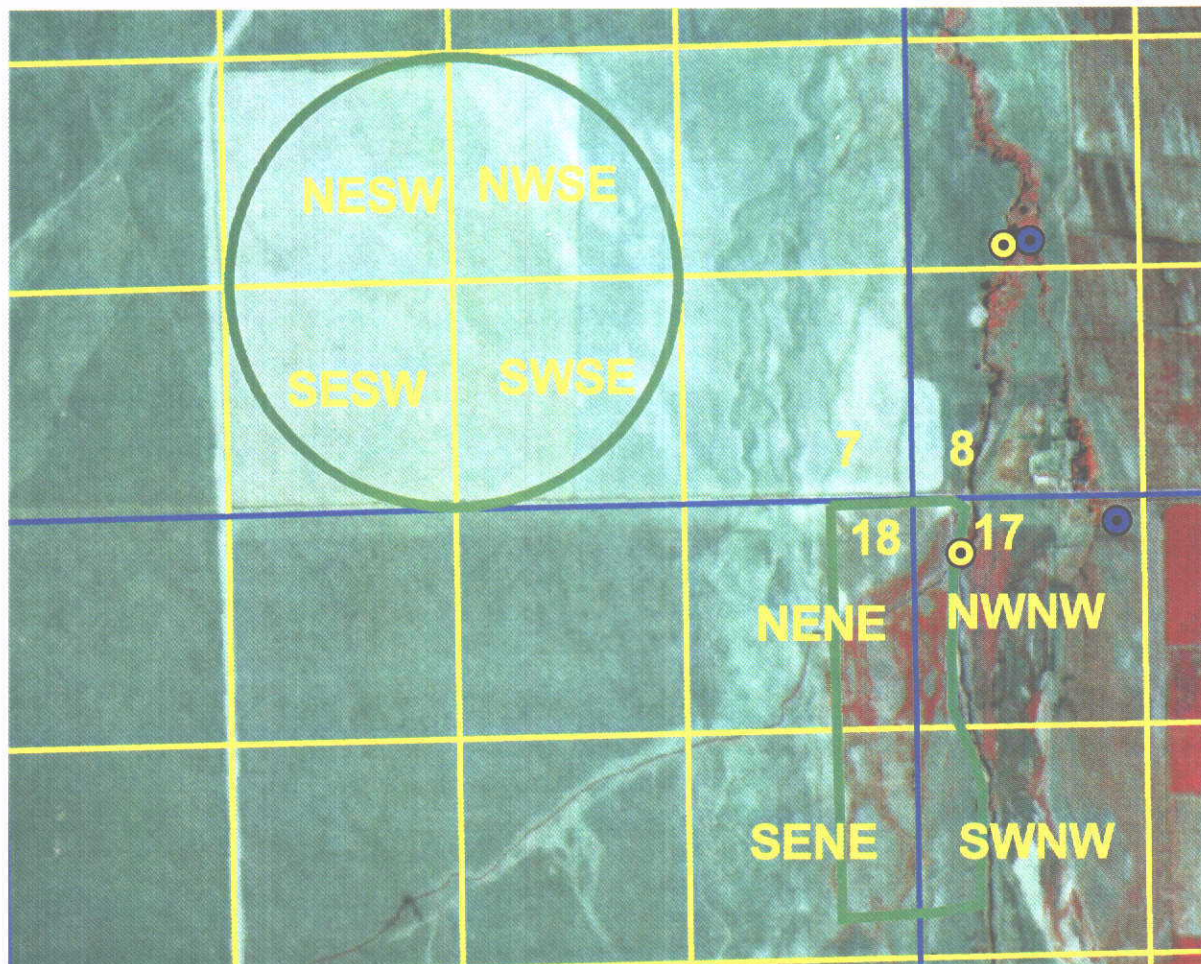
TRANSFER 32-00001A....SA, 32-07081-D

# IDAHO DEPARTMENT OF WATER RESOURCES

GARY & BRION EGAN

32-00001B, 2B, 3B, 4B, 5B, -07081D

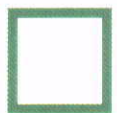
T10N, R35E, SEC. 7, 17, 18



N



1320 0 1320 Feet



PLACE OF USE



POINT OF DIVERSION

ACRES IRRIGATED- 160

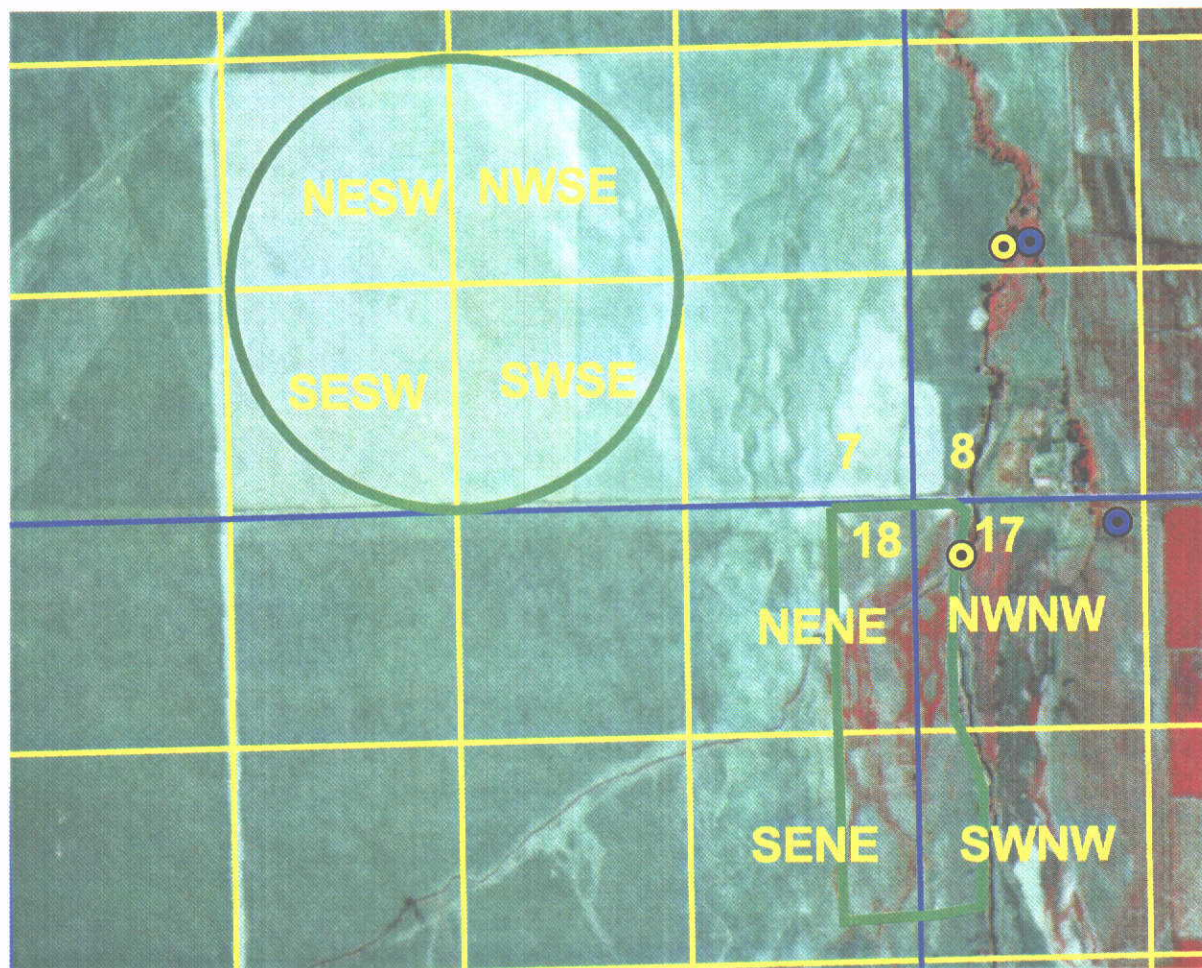
GIS: PLACE OF USE  
POINT OF DIVERSION  
1987/1988 NAPP PHOTOS  
PREPARED BY DAVE CARLSON

# IDAHO DEPARTMENT OF WATER RESOURCES

GARY & BRION EGAN

32-00001B, 2B, 3B, 4B, 5B, -07081D

T10N, R35E, SEC. 7, 17, 18



1320 0 1320 Feet

ACRES IRRIGATED- 160



PLACE OF USE



POINT OF DIVERSION

GIS: PLACE OF USE  
POINT OF DIVERSION  
1987/1988 NAPP PHOTOS  
PREPARED BY DAVE CARLSON

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Subcase: 32-07081D

)

Case No. 39576

) ORDER OF AMENDED PARTIAL  
) DECREE TO CORRECT CLERICAL  
) ERROR; I.R.C.P. 60(a), *NUNC PRO*  
) *TUNC*

A *Partial Decree* was issued for the above-captioned water right on October 27, 2000. However, due to a computer coding error, the following "shoulder" remark was inadvertently omitted from the period of use element of the *Partial Decree*.

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that water right 32-07081D is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

This order is being entered *nunc pro tunc* as of October 27, 2000, and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

Dated October 10, 2002



ROGER BURDICK  
Presiding Judge  
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**AMENDED**

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 32-07081D

NAME AND ADDRESS: BRION EGAN  
GARY EGAN  
HC 61 BOX 1060  
DUBOIS, ID 83423

SOURCE: GROUNDWATER

QUANTITY: 1.95 CFS  
560.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 3.20 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 560 AF. COMBINED RIGHT  
NOS.: 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B

PRIORITY DATE: 06/20/1977

POINT OF DIVERSION: T10N R35E S17 NWNW Within Clark County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-15 TO 10-15 | 1.95 CFS<br>560.00 AFY |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK  
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY  
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE  
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

| PLACE OF USE: | Irrigation        |           | Within Clark County |
|---------------|-------------------|-----------|---------------------|
|               | T10N R35E S07     | NESW 31.0 | SESW 29.0           |
|               |                   | NWSE 31.0 | SWSE 29.0           |
|               | S17               | NWNW 12.0 | SWNW 8.0            |
|               | S18               | NENE 13.0 | SENE 7.0            |
|               | 160.0 Acres Total |           |                     |

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00001B, 32-00002B,  
32-00003B, 32-00004B, 32-00005B

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT  
SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED  
UNDER RIGHT 32-07081D AND SHALL ONLY DIVERT GROUNDWATER UNDER  
THIS RIGHT WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS  
CANNOT BE DELIVERED TO THE RIGHT HOLDER.

THIS RIGHT SHALL NOT BE USED IF THE SURFACE WATER RIGHTS  
APPURTENANT TO THE PLACE OF USE ARE SOLD, TRANSFERED, LEASED OR  
USED ON ANY OTHER PLACE OF USE.

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

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

*Roger Burdick*

---

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

A37-07081D

pod: 63

pod: 37

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

RECEIVED

FEB 25 1998

Department of Water Resources  
Eastern Region

TRANSFER NO. 5067

WATER RIGHT NO(S). 32-00001B/32-00002B/32-00003B/32-00004B  
32-00005B/32-07081D

This is to certify that: GARY EGAN  
BRION EGAN  
HC 61 BOX 1060  
DUBOIS ID 83423

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u>                                       | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-------------------------------------------------------------|----------------------|-----------------------|----------------------|
| Right No. 32-00001B :<br>IRRIGATION<br>Priority: 06/20/1883 | 04/15 to 10/15       | * 0.64 CFS            | 217.8 AF             |
| Right No. 32-00002B :<br>IRRIGATION<br>Priority: 10/01/1883 | 04/15 to 10/15       | * 0.36 CFS            | 123.4 AF             |
| Right No. 32-00003B :<br>IRRIGATION<br>Priority: 05/15/1884 | 04/15 to 10/15       | * 1.50 CFS            | 511.8 AF             |
| Right No. 32-00004B :<br>IRRIGATION<br>Priority: 04/15/1885 | 04/15 to 10/15       | * 0.50 CFS            | 170.6 AF             |
| Right No. 32-00005B :<br>IRRIGATION<br>Priority: 11/01/1885 | 04/15 to 10/15       | * 0.50 CFS            | 170.6 AF             |
| Right No. 32-07081D :<br>IRRIGATION<br>Priority: 06/20/1977 | 04/15 to 10/15       | 1.95 CFS              | 560.0 AF             |

TOTAL: \*\* 3.20 CFS \*\* 560.0 AF

| <u>SOURCE</u>                                                                         | <u>TRIBUTARY OF</u> |
|---------------------------------------------------------------------------------------|---------------------|
| Right No. 32-00001B/32-00002B/32-00003B/32-00004B/32-00005B :<br>MEDICINE LODGE CREEK | SINKS               |

Right No. 32-07081D :  
GROUNDWATER

**TRANSFER NO. 5067**  
**WATER RIGHT NO(S). 32-00001B/32-00002B/32-00003B/32-00004B**  
**32-00005B/32-07081D**

**LOCATION OF POINT(S) OF DIVERSION:**

Right Nos. 32-00001B/32-00002B/32-00003B/32-00004B/32-00005B :  
 NWSW , Sec. 8, Township 10N, Range 35E

Right No. 32-07081D :

NWNW , Sec. 17, Township 10N, Range 35E  
 CLARK County

**PLACE OF USE: IRRIGATION**

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 10N                              | 35E        | 7          | NESW 31      | SESW 29      | NWSE 31      | 120          |
|                                  |            |            | SWSE 29      |              |              |              |
|                                  |            | 17         | NWNW 12      | SWNW 8       |              | 20           |
|                                  |            | 18         | NENE 13      | SENE 7       |              | 20           |
| Total number of acres irrigated: |            |            |              |              |              | 160          |

**CONDITIONS OF APPROVAL AND REMARKS**

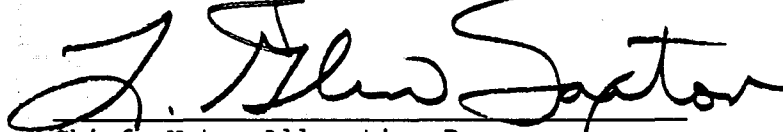
1. Use of water from Medicine Lodge Creek will be regulated by the watermaster of State Water District No. 32C.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department on the Medicine Lodge Creek diversion in a manner that will provide the watermaster suitable control of the diversion.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code in connection with diversion of groundwater under Right 32-07081D.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under Right 32-07081D and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. Right 32-07081D shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. 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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

TRANSFER NO. 5067  
WATER RIGHT NO(S). 32-00001B/32-00002B/32-00003B/32-00004B  
32-00005B/32-07081D

CONDITIONS OF APPROVAL AND REMARKS

10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- \*\* 11. Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B and 32-07081D when combined shall not exceed a total diversion rate of 3.20 cfs, a total annual diversion volume of 560.0 af at the field headgate, and the irrigation of 160.0 acres.
- \* 12. The portion of Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B and 32-00005B assessed as channel losses under Transfer 5067 is 6% of each right or 0.21 cfs.

Dated this 18<sup>th</sup> day of February, 1998

  
Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 32-00001-5 & 32-07081A

FROM: PAM SKAGGS<sup>PS</sup> STATE OFFICE

SUBJECT: TRANSFER 5067

DATE: February 10, 1998

*Handwritten signature/initials*

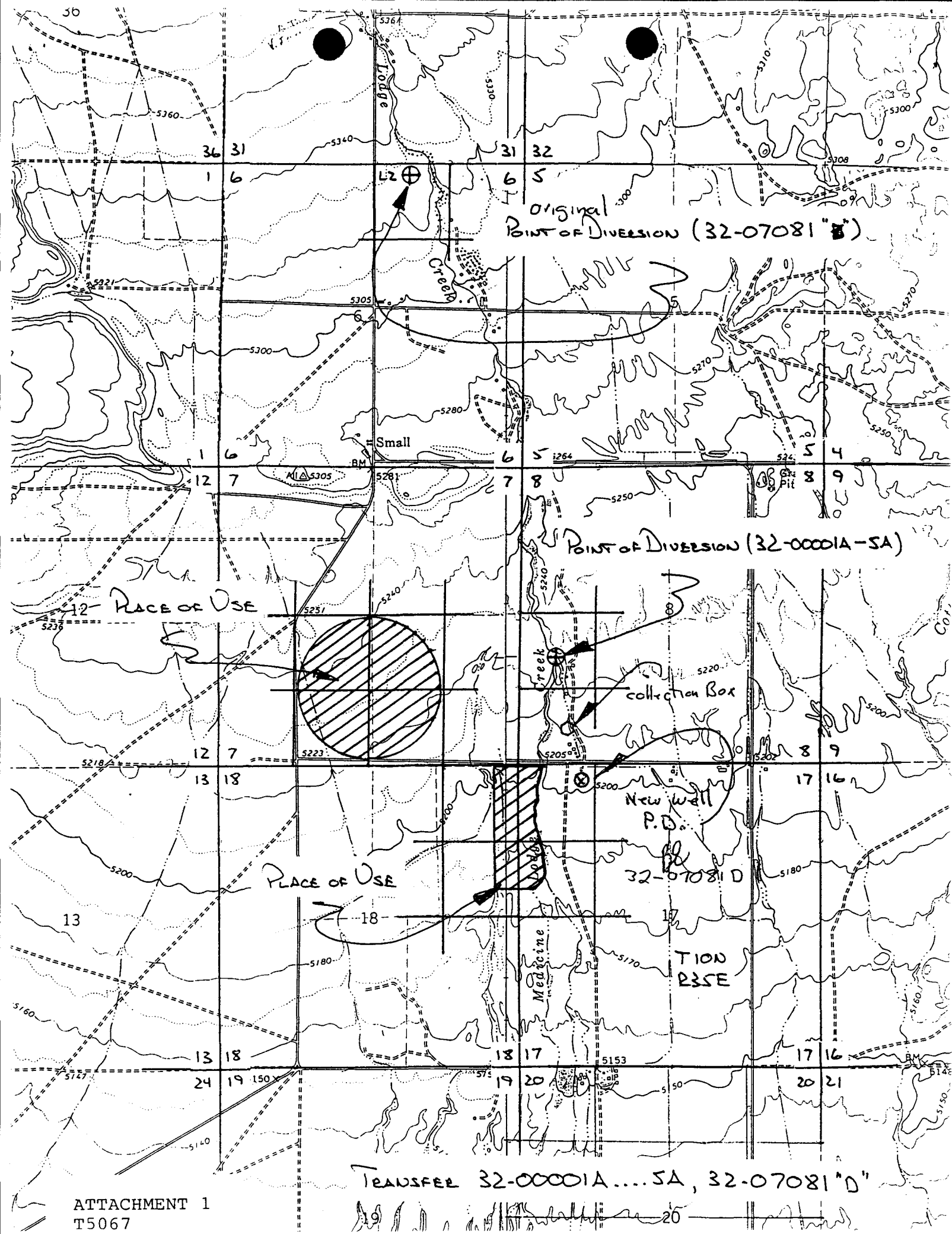
=====

Transfer 5067 changes the point of diversion<sup>✓</sup> and place of use under a portion of surface Rights 32-00001, 32-00002, 32-00003, 32-00004 and 32-00005, splitting each right into Parts A & B, and groundwater Right 32-07081A, splitting the right into Parts C & D.

The applicant is moving 160 acres of irrigation from the original system that is currently in CRP to an existing pivot and handline system. Surface and groundwater are combined in the diversion ditch and distributed to the system. A new well is proposed for the groundwater right.

The watermaster of Water District 32-C provided a Memorandum Agreement for Water Transfer 5067 signed by the applicant along with his completed comment form requesting that the stream losses be assessed according to the agreement. A condition has been added to the approval identifying the amount considered lost in the stream bed as a result of this transfer of the point of diversion.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include watermaster control/measuring/lockable device and stream losses for the surface water rights, drilling permit conditions/supplemental groundwater for the groundwater right, and irrigation overlap, multiple points of diversion, combined limits and standard transfer conditions for all rights.



Original  
POINT OF DIVERSION (32-07081 "D")

POINT OF DIVERSION (32-00001A-SA)

PLACE OF USE

PLACE OF USE

New well  
P.D.

32-07081 D

T10N  
R35E

TRANSFER 32-00001A....SA, 32-07081 "D"

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**

TRANSFER NO. 5067  
WATER RIGHT NO(S). 32-00001B/32-00002B/32-00003B/32-00004B  
32-00005B/32-07081D

This is to certify that: GARY EGAN  
BRION EGAN  
HC 61 BOX 1060  
DUBOIS ID 83423

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u>                                       | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-------------------------------------------------------------|----------------------|-----------------------|----------------------|
| Right No. 32-00001B :<br>IRRIGATION<br>Priority: 06/20/1883 | 04/15 to 10/15       | * 0.64 CFS            | 217.8 AF             |
| Right No. 32-00002B :<br>IRRIGATION<br>Priority: 10/01/1883 | 04/15 to 10/15       | * 0.36 CFS            | 123.4 AF             |
| Right No. 32-00003B :<br>IRRIGATION<br>Priority: 05/15/1884 | 04/15 to 10/15       | * 1.50 CFS            | 511.8 AF             |
| Right No. 32-00004B :<br>IRRIGATION<br>Priority: 04/15/1885 | 04/15 to 10/15       | * 0.50 CFS            | 170.6 AF             |
| Right No. 32-00005B :<br>IRRIGATION<br>Priority: 11/01/1885 | 04/15 to 10/15       | * 0.50 CFS            | 170.6 AF             |
| Right No. 32-07081D :<br>IRRIGATION<br>Priority: 06/20/1977 | 04/15 to 10/15       | 1.95 CFS              | 560.0 AF             |
| TOTAL:                                                      |                      | ** 3.20 CFS           | ** 560.0 AF          |

| <u>SOURCE</u>                                                                         | <u>TRIBUTARY OF</u> |
|---------------------------------------------------------------------------------------|---------------------|
| Right No. 32-00001B/32-00002B/32-00003B/32-00004B/32-00005B :<br>MEDICINE LODGE CREEK | SINKS               |

Right No. 32-07081D :  
GROUNDWATER

PAGE 2

TRANSFER NO. 5067  
WATER RIGHT NO(S). 32-00001B/32-00002B/32-00003B/32-00004B  
32-00005B/32-07081D

LOCATION OF POINT(S) OF DIVERSION:

Right Nos. 32-00001B/32-00002B/32-00003B/32-00004B/32-00005B :  
NWSW , Sec. 8, Township 10N, Range 35E

Right No. 32-07081D :  
NWNW , Sec. 17, Township 10N, Range 35E  
CLARK County

PLACE OF USE: IRRIGATION

| <u>TWN RGE SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|--------------------|--------------|--------------|--------------|--------------|
| 10N 35E 7          | NESW 31      | SESW 29      | NWSE 31      | 120          |
|                    | SWSE 29      |              |              | 20           |
| 17                 | NWNW 12      | SWNW 8       |              | 20           |
| 18                 | NENE 13      | SENE 7       |              | 160          |

Total number of acres irrigated:

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water from Medicine Lodge Creek will be regulated by the watermaster of State Water District No. 32C.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department on the Medicine Lodge Creek diversion in a manner that will provide the watermaster suitable control of the diversion.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code in connection with diversion of groundwater under Right 32-07081D.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under Right 32-07081D and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. Right 32-07081D shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. 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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

PAGE 3

TRANSFER NO. 5067  
WATER RIGHT NO(S). 32-00001B/32-00002B/32-00003B/32-00004B  
32-00005B/32-07081D

CONDITIONS OF APPROVAL AND REMARKS

10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- \*\* 11. Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B and 32-07081D when combined shall not exceed a total diversion rate of 3.20 cfs, a total annual diversion volume of 560.0 af at the field headgate, and the irrigation of 160.0 acres.
- \* 12. The portion of Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B and 32-00005B assessed as channel losses under Transfer 5067 is 6% of each right or 0.21 cfs.

Dated this 18<sup>th</sup> day of

February, 1998

*J. Glenn Saxton*  
Chief, Water Allocation Bureau

*Reduce each right by 6% and recommend  
Q at reduced rate.*

NOTE: - Document CURs to explain why Q was reduced.

Memorandum Agreement for Water Transfer #5067

I, Brian Egan, owner of Egan land, cattle, and farms, do hereby agree to a 6%, (six percent), channel. ~~See page~~ <sup>DE</sup> <sup>See page</sup> Loss of the Stream Bed of Medicine Lodge Creek. This 6% loss shall be assessed to and subtracted from the applied transfer amount of water on transfer #5067 for the total amount of 3.50 C.F.S. decreed waters of Medicine Lodge Creek at the new transferred point of division.

This amount of loss is acceptable to myself and other Medicine Lodge users from a Resolution which was annually passed, as a factor to be used in transfers, exchanges, or historically used trades of water of Medicine Lodge Creek in the past.

These values were arrived from studies of the water master, from actual weir studies and actual measurements when such exchanges had occurred in the past.

I agree to the following losses on each right as it would be delivered at the new downstream point of diversion as listed below.

| Right #    | Priority | Amount C.F.S. | Loss Factor | Loss in C.F.S. |
|------------|----------|---------------|-------------|----------------|
| 32.00001 B | 6/20/83  | .64 c.f.s.    | x.06        | = 0.04         |
| 32.00002 B | 10/01/83 | .36 c.f.s.    | x.06        | = 0.02         |
| 32.00003 B | 5/18/84  | 1.50 c.f.s.   | x.06        | = 0.09         |
| 32.00004 B | 4/15/85  | .50 c.f.s.    | x.06        | = 0.03         |
| 32.00005 B | 11/1/85  | .50 c.f.s.    | x.06        | = 0.03         |
|            |          | 3.50 c.f.s.   | x.06        | = 0.21         |

May 16, 1997

Brian Egan  
Owner  
Agent

LOSS AGREEMENT

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1**

Name of applicant \_\_\_\_\_ Phone \_\_\_\_\_

Post Office address \_\_\_\_\_

**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion      ☐ Add diversion point(s)      ☒ Change place of use  
☐ Change nature of use      ☐ Change period of use      ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

- | 1. Right Number | Priority | Amount<br>(cfs/ac-ft) | Nature<br>of Use | Period of Use  |
|-----------------|----------|-----------------------|------------------|----------------|
| _____           | _____    | _____                 | _____            | _____ to _____ |
| _____           | _____    | _____                 | _____            | _____ to _____ |
| _____           | _____    | _____                 | _____            | _____ to _____ |
| _____           | _____    | _____                 | _____            | _____ to _____ |
2. Total amount of water being transferred \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
3. Source of water \_\_\_\_\_ tributary to \_\_\_\_\_
4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

**5. Lands irrigated or place of use:**

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**PART 1****6. General Information:**

a. Description of diversion system \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. Remarks:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | <u>New Nature of Use</u> | <u>Amount<br/>(cfs/ac-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|---|--------------------------|-------------------------------|------------------------|----------------------|
|   |                          |                               |                        | _____ to _____       |
|   |                          |                               |                        | _____ to _____       |

2. Quantity and quality of return flows and location of discharge:

\_\_\_\_\_

\_\_\_\_\_

3. Describe effects on other water uses resulting from the proposed change:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby 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)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

My commission expires \_\_\_\_\_

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by \_\_\_\_\_ Date \_\_\_\_\_ Protest filed by \_\_\_\_\_

Prelim. check by \_\_\_\_\_ Fee \_\_\_\_\_

Receipted by \_\_\_\_\_ Date \_\_\_\_\_

Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_

Pub. dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

TOGETHER WITH all mineral rights and including all water rights appurtenant to the real property. This includes ½ (50%) of the decreed surface rights in Medicine Lodge Creek as follows: June 20, 1883 -- 64 inches; October 1883 -- 36 inches; May 15, 1884 -- 150 inches; April 15, 1885 -- 50 inches; and November 1, 1885 -- 50 inches.

**2. Reciprocal Rights of First Refusal**

Buyers hereby grant unto Seller a right of first refusal should Buyers elect to sell the real property described above to anyone other than their son, Bill Holmes, or his heirs. Buyers must submit written verification to Seller of any offer Buyers intend to accept, within 30 days of the proposed closing.

Seller hereby grants unto Buyers a right of first refusal should Seller elect to sell the following property to anyone other than Brian and/or DeAnna Egan, or their heirs:

**Parcel 1**

SW ¼ of Section 32, Township 11 North, Range 35 East, Boise Meridian, Clark County, Idaho

**Parcel 2**

All of Section 20, Township 13 North, Range 33 East, Boise Meridian, Clark County, Idaho.

Together with all mineral rights and including all water rights appurtenant to the real property. This includes ground water Permit No. A32-0708 1A and decreed surface rights in Medicine Lodge Creek as follows: June 20, 1883 -- 64 inches; October 1883 -- 36 inches; May 15, 1884 -- 150 inches; April 15, 1885 -- 50 inches; and November 1, 1885 -- 50 inches.

Seller must submit written verification to Buyers of any offer Seller intends to accept, within 30 days of the proposed closing.

**REAL ESTATE PURCHASE AGREEMENT,  
RIGHT OF FIRST REFUSAL, AND GRAZING LEASE**

THIS AGREEMENT Made and entered into this 13th day of November, 1996, by and between GARY L. EGAN, a married man, dealing with his sole and separate property, of 65607 E. Brassie Drive, Tucson, AZ 85739, hereinafter called "Seller" and GERALD D. HOLMES and ELMA M. HOLMES, husband and wife, of HC 61, Box 1310, Dubois, Idaho 83423, hereinafter called "Buyers",

**WITNESSETH:**

**I. Property.**

Seller agrees to sell to Buyers, and Buyers agree to buy from Seller, on the terms and conditions herein specified, the following described real property situated in Clark County, Idaho to-wit:

The SE ¼ of Section 31, Township 11 North, Range 35 East, Boise Meridian, Clark County, Idaho, EXCEPTING THEREFROM a public road right-of-way along the west side of said property.

**LESS THE FOLLOWING:**

(a) A 40 foot wide tract along the entire southern boundary of said property for access to other property owned by Seller. The cost of fencing or other improvements will be the Seller's responsibility.

(b) A 470 foot square parcel described as follows:  
Commencing in the SW corner of the SE ¼ of Section 31, Township 11 North, Range 35 East, Boise Meridian, Clark County, Idaho, and thence North 470 feet; thence East 470 feet; thence South 470 feet; and thence <sup>East</sup> 470 feet to the point of origin.

Seller covenants not to construct a home, trailer, mobile home, or other dwelling upon this parcel for a period of five (5) years from the date of this agreement

FIRST AMERICAN TITLE  
C18997

WARRANTY DEED

MECHANICAL No. \_\_\_\_\_  
14 Day November 1996  
11:45 O'Clock A.M.  
JOANN S. TAVENNER  
County Recorder  
Fees \$ 3.00  
Dennis B. B. Deputy  
Recorded at Request of  
John

For Value Received GERALD D. HOLMES and ELMA M. HOLMES, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

GARY L. EGAN, a married man, as his sole and separate property

whose address is: 65607 E. BRASSIE DRIVE, TUCSON, AZ, 85739

Hereinafter called the Grantee, the following described premises situated in CLARK County, Idaho, to-wit:

Township 11 North, Range 15 East of the Boise Meridian, Clark County, Idaho

Section 31: SE 1/4. EXCEPTING THEREFROM: Public road right of way along West side of said property.

Section 32: SW 1/4.

Township 13 North, Range 33 East of the Boise Meridian, Clark County, Idaho

Section 20: All. EXCEPTING THEREFROM: Public road right of way through said section.

TOGETHER WITH all mineral rights and including all water rights appurtenant to the real property. This includes ground water Permit No. A32-0708 1A and decreed surface rights in Medicine Lodge Creek as follows: June 20, 1883 -- 64 inches; October 1883 -- 36 inches; May 15, 1884 -- 150 inches; April 15, 1885 -- 50 inches; and November 1, 1885 -- 50 inches.

INCLUDING 12 a.u.m.'s on BLM property known as the "Irving Creek Allotment," BLM Allotment #16012.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: NOVEMBER 13, 1996

Gerald D. Holmes  
GERALD D. HOLMES

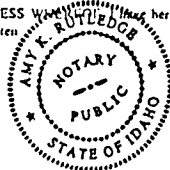
Elma M. Holmes  
ELMA M. HOLMES

STATE OF IDAHO )

COUNTY OF JEFFERSON ) ss

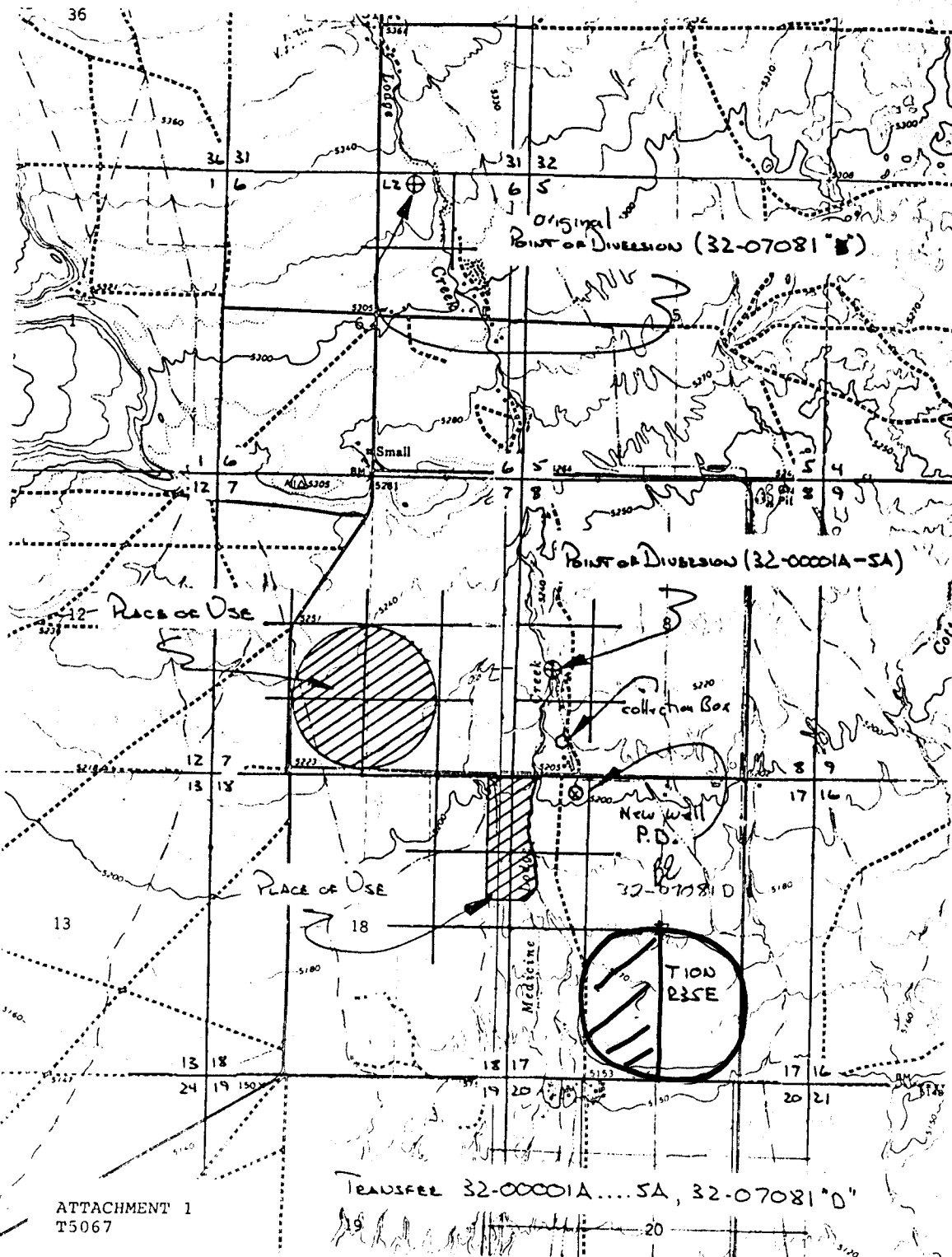
On this 13TH day of NOVEMBER, in the year 1996, before me, a Notary Public in and for said State, personally appeared GERALD D. HOLMES AND ELMA M. HOLMES, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Amy K. Rutledge  
Notary Public  
Residing at: RIGBY, ID  
Commission Expires: 11-24-2001

ATTACHMENT 2  
T5067



ATTACHMENT 1  
T5067

TRANSFER 32-00001A...SA, 32-07081-D

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

WR5809NP  
No. 32-00001B

| OWNER<br>CODE    | NAME & ADDRESS                                                    | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | GARY EGAN                                                         | 06/20/1883       | IRRIGATION | 04/15 10/15           | 0.640 CFS         | 217.80 AFA          |
| C                | BRION EGAN<br>HC 61 BOX 1060<br>DUBOIS ID 83423<br>(208) 374-5460 |                  |            |                       | 0.640 CFS         | 217.80 AFA          |
| TOTAL DIVERSION: |                                                                   |                  |            |                       |                   | 217.80 AFA          |

Water Source: MEDICINE LODGE CREEK

Tributary to: SINKS

Point(s) of Diversion: T10N R35E S08

Stage: DECREED

NWSW

CLARK County

| Place of use Legal Description for: IRRIGATION |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |
|------------------------------------------------|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|----|
| NE                                             |     |    |    |    |     | NW |    |    |     | SE |    |    |     |    |    |
| T                                              | R   | S  | NE | SW | ENE | NE | NW | SW | ENE | NE | SW | SE | ENE | SW | SE |
| Lt                                             | Ac  | Lt | Ac | Lt | Ac  | Lt | Ac | Lt | Ac  | Lt | Ac | Lt | Ac  | Lt | Ac |
| 10N                                            | 35E | 7  |    |    |     |    |    |    |     |    |    |    |     |    |    |
| 10N                                            | 35E | 17 |    |    |     | 12 | 08 |    |     |    |    |    |     | 31 | 29 |
| 10N                                            | 35E | 18 | 13 | 07 |     |    |    |    |     | 31 | 29 |    |     |    |    |
| TOTAL ACRES                                    |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |
| 160.0                                          |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |

WR5809NP  
No. 32-00001B

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 08/25/99  
PAGE: 2

Remarks:

The portion of Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B  
and 32-00005B assessed as channel losses under Transfer 5067 is  
6% of each right or 0.21 cfs.

Dates:

App. Received: Priority Date: 06/20/1883  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc:

Water District Number: 32C Field Exam Fee:

Comments:

Date: 06/16/1994 User-ID: SKAGGS Subject: TRANSFER 4364 (1994 EMERGENCY TRANSFER)  
Temporary Transfer No. 4364 is for the 1994 irrigation season.  
See Right No. E32-00001; Right will be deleted 12-94.

Date: 02/10/1998 User-ID: PSKAGGS Subject: TRANSFER 5067  
Transfer 5067 changes the point of diversion & place of use under  
a portion of Rights 32-00001, 32-00002, 32-00003, 32-00004 &  
32-00005, splitting each right into Parts A & B, and Right  
32-07081A, splitting the right into Parts C & D.

Audit:

04/25/97 RBODELL 02/08/98 CLEARFLD 02/10/98 PSKAGGS 02/10/98 PSKAGGS  
02/19/98 PSKAGGS

WR5809NP  
No. 32-00002B

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 08/25/99  
PAGE: 3

OWNER CODE NAME & ADDRESS  
C GARY EGAN  
C BRION EGAN  
HC 61 BOX 1060  
DUBOIS ID 83423  
(208) 374-5460

PRIORITY DATE WATER USE  
10/01/1883 IRRIGATION

USE PERIOD FROM TO  
04/15 10/15

DIVERSION RATE  
0.360 CFS

DIVERSION VOLUME  
123.40 AFA

TOTAL DIVERSION:  
0.360 CFS 123.40 AFA

Water Source: MEDICINE LODGE CREEK Tributary to: SINKS Stage: DECREED  
Point(s) of Diversion: T10N R35E S08 NWSW CLARK County

| Place of use Legal Description for: IRRIGATION |   |   |   |   |                         |   |   |   |   |
|------------------------------------------------|---|---|---|---|-------------------------|---|---|---|---|
| NE                                             |   |   |   |   | SE                      |   |   |   |   |
| NENE NWNE SWNE SENE                            |   |   |   |   | NENE NWSE SWSE SESE     |   |   |   |   |
| Lt Ac Lt Ac Lt Ac Lt Ac                        |   |   |   |   | Lt Ac Lt Ac Lt Ac Lt Ac |   |   |   |   |
| T R S                                          |   |   |   |   | T R S                   |   |   |   |   |
| 10N 35E 7                                      | : | : | : | : | 10N 35E 7               | : | : | : | : |
| 10N 35E 17                                     | : | : | : | : | 10N 35E 17              | : | : | : | : |
| 10N 35E 18                                     | : | : | : | : | 10N 35E 18              | : | : | : | : |
| 07                                             |   |   |   |   | 31 29                   |   |   |   |   |
| 12 08                                          |   |   |   |   | 31 29                   |   |   |   |   |
| 29                                             |   |   |   |   | 120.0                   |   |   |   |   |
| :                                              |   |   |   |   | 20.0                    |   |   |   |   |
| :                                              |   |   |   |   | 20.0                    |   |   |   |   |
| :                                              |   |   |   |   | 160.0                   |   |   |   |   |
| TOTAL ACRES                                    |   |   |   |   | TOTAL ACRES             |   |   |   |   |
| 160.0                                          |   |   |   |   | 160.0                   |   |   |   |   |

Pou County: CLARK

- Conditions of Approval:
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
  - R43 - The right holder shall maintain a measuring device and lockable - controlling works of a type approved by the Department in a - manner that will provide the watermaster suitable control of the - diversion.
  - R63 - This right when combined with all other rights shall provide no - more than 0.02 cfs per acre nor more than 3.5 afa per acre at the - field headgate for irrigation of the lands above.
  - T07 - The right holder shall accomplish the change authorized by this - transfer within one (1) year of the date of this approval.
  - 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.
  - T09 - Approval of this transfer does not preclude the opportunity for - review of the validity of the water right(s) in the ongoing - Snake River Basin Adjudication.
  - T17 - Prior to diversion of water under this approval, the right holder - shall provide a means of measurement acceptable to the Department - from all authorized points of diversion which will allow - determination of the total rate of diversion.

Remarks: GEN Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B and 32-07081D when combined shall not exceed a total diversion rate of 3.20 cfs, a total annual diversion volume of 560.0 af at the field headgate, and the irrigation of 160.0 acres.

WR5809NP  
No. 32-000028

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 08/25/99  
PAGE: 4

Remarks: The portion of Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B and 32-00005B assessed as channel losses under Transfer 5067 is 6% of each right or 0.21 cfs.

Dates: App. Received: Priority Date: 10/01/1883  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: 32C Field Exam Fee:

Comments: Date: 06/16/1994 User-ID: SKAGGS Subject: TRANSFER 4364 (1994 EMERGENCY TRANSFER)  
Temporary Transfer No. 4364 is for the 1994 irrigation season.  
See Right No. E32-00002; Right will be deleted 12-94.

Date: 02/10/1998 User-ID: PSKAGGS Subject: TRANSFER 5067  
Transfer 5067 changes the point of diversion & place of use under a portion of Rights 32-00001, 32-00002, 32-00003, 32-00004 & 32-00005, splitting each right into Parts A & B, and Right 32-07081A, splitting the right into Parts C & D.

Audit: 04/25/97 RBODELL 02/08/98 CLEARFLD 02/10/98 PSKAGGS 02/10/98 PSKAGGS

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

WR5809NP  
No. 32-00003B

| OWNER<br>CODE    | NAME & ADDRESS                                                    | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | GARY EGAN                                                         | 05/15/1884       | IRRIGATION | 04/15 10/15           | 1,500 CFS         | 511.80 AFA          |
| C                | BRION EGAN<br>HC 61 BOX 1060<br>DUBOIS ID 83423<br>(208) 374-5460 |                  |            |                       | 1,500 CFS         | 511.80 AFA          |
| TOTAL DIVERSION: |                                                                   |                  |            |                       |                   | 511.80 AFA          |

Water Source: MEDICINE LODGE CREEK Tributary to: SINKS Stage: DECREED  
Point(s) of Diversion: T10N R35E S08 NWSW CLARK County

| Place of use Legal Description for: IRRIGATION |     |    |      |      |      |      |      |      |       |
|------------------------------------------------|-----|----|------|------|------|------|------|------|-------|
| NE                                             |     |    |      |      | SW   |      |      |      |       |
| T                                              | R   | S  | NESE | SENE | NESE | SWSE | SESE | SESE | SUM   |
| 10N                                            | 35E | 7  | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   |       |
| 10N                                            | 35E | 17 | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   |       |
| 10N                                            | 35E | 18 | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   |       |
| TOTAL ACRES                                    |     |    |      |      |      |      |      |      | 160.0 |

Pou County: CLARK

- Conditions of Approval:
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
  - R43 - The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
  - R63 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
  - T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
  - 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.
  - T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
  - T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks: GEN Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B and 32-07081D when combined shall not exceed a total diversion rate of 3.20 cfs, a total annual diversion volume of 560.0 af at the field headgate, and the irrigation of 160.0 acres.

WR5809NP  
No. 32-000038

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 08/25/99  
PAGE: 6

Remarks: The portion of Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B  
and 32-00005B assessed as channel losses under Transfer 5067 is  
6% of each right or 0.21 cfs.

Dates: App. Received: Priority Date: 05/15/1884  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: 32C Field Exam Fee:

Comments: Date: 06/16/1994 User-ID: SKAGGS Subject: TRANSFER 4364 (1994 EMERGENCY TRANSFER)  
Temporary Transfer No. 4364 is for the 1994 irrigation season.  
See Right No. E32-00003; Right will be deleted 12-94.

Date: 02/10/1998 User-ID: PSKAGGS Subject: TRANSFER 5067  
Transfer 5067 changes the point of diversion & place of use under  
a portion of Rights 32-00001, 32-00002, 32-00003, 32-00004 &  
32-00005, splitting each right into Parts A & B, and Right  
32-07081A, splitting the right into Parts C & D.

Audit: 04/25/97 RBODELL 02/08/98 CLEARFLD 02/10/98 PSKAGGS 02/10/98 PSKAGGS

OWNER CODE NAME & ADDRESS  
C GARY EGAN  
C BRION EGAN  
HC 61 BOX 1060  
DUBOIS ID 83423  
(208) 374-5460

PRIORITY DATE WATER USE  
04/15/1885 IRRIGATION

USE PERIOD FROM TO  
04/15 10/15

DIVERSION RATE  
0.500 CFS

DIVERSION VOLUME  
170.60 AFA

TOTAL DIVERSION:  
0.500 CFS 170.60 AFA

Water Source: MEDICINE LODGE CREEK Tributary to: SINKS Stage: DECREEED

Point(s) of Diversion: T10N R35E S08 NWSW CLARK County

Place of use Legal Description for: IRRIGATION

| NE         |    | NW |     | SW  |     | SE  |     | SUM         |       |
|------------|----|----|-----|-----|-----|-----|-----|-------------|-------|
| T          | R  | S  | ENE | ENE | ENE | ENE | ENE | ENE         | ENE   |
| Lt         | Ac | Lt | Ac  | Lt  | Ac  | Lt  | Ac  | Lt          | Ac    |
| 10N 35E 7  | :  | :  | :   | :   | :   | :   | :   | :           | :     |
| 10N 35E 17 | :  | :  | 12  | 08  | :   | :   | :   | :           | :     |
| 10N 35E 18 | :  | 13 | 07  | :   | :   | 31  | 29  | :           | :     |
|            |    |    |     |     |     |     |     | TOTAL ACRES | 160.0 |

Pou County: CLARK

- Conditions of Approval:
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
  - R43 - The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
  - R63 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
  - T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
  - 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.
  - T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
  - T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks: GEN Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B and 32-07081D when combined shall not exceed a total diversion rate of 3.20 cfs, a total annual diversion volume of 560.0 af at the field headgate, and the irrigation of 160.0 acres.

WR5809NP  
No. 32-000048

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 08/25/99  
PAGE: 8

Remarks: The portion of Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B  
and 32-00005B assessed as channel losses under Transfer 5067 is  
6% of each right or 0.21 cfs.

Dates: App. Received: Priority Date: 04/15/1885  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: 32C Field Exam Fee:

Comments: Date: 06/16/1994 User-ID: SKAGGS Subject: TRANSFER 4364 (1994 EMERGENCY TRANSFER)  
Temporary Transfer No. 4364 is for the 1994 irrigation season.  
See Right No. E32-00004; Right will be deleted 12-94.

Date: 02/10/1998 User-ID: PSKAGGS Subject: TRANSFER 5067  
Transfer 5067 changes the point of diversion & place of use under  
a portion of Rights 32-00001, 32-00002, 32-00003, 32-00004 &  
32-00005, splitting each right into Parts A & B, and Right  
32-07081A, splitting the right into Parts C & D.

Audit: 04/25/97 RBODELL 02/08/98 CLEARFLD 02/10/98 PSKAGGS 02/10/98 PSKAGGS

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

WR5809NP  
No. 32-00005B

| OWNER<br>CODE    | NAME & ADDRESS                                                    | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | GARY EGAN                                                         | 11/01/1885       | IRRIGATION | 04/15 10/15           | 0.500 CFS         | 170.60 AFA          |
| C                | BRION EGAN<br>HC 61 BOX 1060<br>DUBOIS ID 83423<br>(208) 374-5460 |                  |            |                       | 0.500 CFS         | 170.60 AFA          |
| TOTAL DIVERSION: |                                                                   |                  |            |                       |                   |                     |

Water Source: MEDICINE LODGE CREEK Tributary to: SINKS Stage: DECREED  
Point(s) of Diversion: T10N R35E S08 NWSW CLARK County

| Place of use Legal Description for: IRRIGATION |     |    |     |      |             |      |     |      |     |
|------------------------------------------------|-----|----|-----|------|-------------|------|-----|------|-----|
| NE                                             |     |    |     |      | SW          |      |     |      |     |
| T                                              | R   | S  | ENE | SENE | ENE         | SENE | ENE | SENE | SUM |
| 10N                                            | 35E | 7  | Lt  | Ac   | Lt          | Ac   | Lt  | Ac   | Lt  |
| 10N                                            | 35E | 17 | Lt  | Ac   | Lt          | Ac   | Lt  | Ac   | Lt  |
| 10N                                            | 35E | 18 | Lt  | Ac   | Lt          | Ac   | Lt  | Ac   | Lt  |
| 07                                             |     |    |     |      | 31          |      |     |      |     |
| 12                                             |     |    |     |      | 29          |      |     |      |     |
| 13                                             |     |    |     |      | 31          |      |     |      |     |
|                                                |     |    |     |      | 29          |      |     |      |     |
|                                                |     |    |     |      | 120.0       |      |     |      |     |
|                                                |     |    |     |      | 20.0        |      |     |      |     |
|                                                |     |    |     |      | 20.0        |      |     |      |     |
|                                                |     |    |     |      | 160.0       |      |     |      |     |
|                                                |     |    |     |      | TOTAL ACRES |      |     |      |     |

Pou County: CLARK

- Conditions of Approval:
- R04 - Use of water under this water right will be regulated by the Watermaster of State Water District No. 32C.
  - R43 - The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
  - R63 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
  - T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
  - 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.
  - T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
  - T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks: GEN Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B and 32-07081D when combined shall not exceed a total diversion rate of 3.20 cfs, a total annual diversion volume of 560.0 af at the field headgate, and the irrigation of 160.0 acres.

WR5809NP  
No. 32-00005B

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 08/25/99  
PAGE: 10

Remarks: The portion of Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B and 32-00005B assessed as channel losses under Transfer 5067 is 6% of each right or 0.21 cfs.

Dates: App. Received: Priority Date: 11/01/1885  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: 32C Field Exam Fee:

Comments: Date: 02/10/1998 User-ID: PSKAGGS Subject: TRANSFER 5067  
Transfer 5067 changes the point of diversion & place of use under a portion of Rights 32-00001, 32-00002, 32-00003, 32-00004 & 32-00005, splitting each right into Parts A & B, and Right 32-07081A, splitting the right into Parts C & D.

Audit: 04/25/97 RBODELL 02/08/98 CLEARFLD 02/10/98 PSKAGGS 02/10/98 PSKAGGS

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

WR5809NP  
No. 32-07081D

| OWNER<br>CODE    | NAME & ADDRESS                                                   | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | BRION EGAN                                                       | 06/20/1977       | IRRIGATION | 04/15 10/15           | 1.950 CFS         | 560.00 AFA          |
| C                | GARY EGAN<br>HC 61 BOX 1060<br>DUBOIS ID 83423<br>(208) 374-5460 |                  |            |                       | 1.950 CFS         | 560.00 AFA          |
| TOTAL DIVERSION: |                                                                  |                  |            |                       | 1.950 CFS         | 560.00 AFA          |

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion:

Stage: LICENSE

T10N R35E S17

WNW

CLARK County

| Place of use Legal Description for: IRRIGATION |     |    |       |       |       |       |       |       |       |
|------------------------------------------------|-----|----|-------|-------|-------|-------|-------|-------|-------|
| NE NW SW SE                                    |     |    |       |       |       |       |       |       |       |
| T                                              | R   | S  | NE NE | NE NE | NE NE | NE NE | NE NE | NE NE | SUM   |
| 10N                                            | 35E | 7  | Lt    | Ac    | Lt    | Ac    | Lt    | Ac    | Lt    |
| 10N                                            | 35E | 7  | 12    | 08    | 31    | 29    | 31    | 29    | 120.0 |
| 10N                                            | 35E | 17 |       |       |       |       |       |       | 20.0  |
| 10N                                            | 35E | 18 |       |       |       |       |       |       | 20.0  |
| TOTAL ACRES                                    |     |    |       |       |       |       |       |       | 160.0 |

Pou County: CLARK

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 065 - The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
- 079 - This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
- R63 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 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.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WR5809NP  
No. 32-07081D

IDaho DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 08/25/99  
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Remarks: GEN Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B and 32-07081D when combined shall not exceed a total diversion rate of 3.20 cfs, a total annual diversion volume of 560.0 af at the field headgate, and the irrigation of 160.0 acres.

Dates: App. Received: 07/28/1977 Priority Date: 06/20/1977  
Proof Due Date: 08/01/1982 Proof Made Date: 06/07/1982  
Exam Made Date: 07/06/1992 Exam Sent to S.O.: 05/24/1994  
Licensed Date: 11/06/1996

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 02/10/1998 User-ID: PSKAGGS Subject: TRANSFER 5067  
Transfer 5067 changes the point of diversion & place of use under a portion of Rights 32-00001, 32-00002, 32-00003, 32-00004 & 32-00005, splitting each right into Parts A & B, and Right 32-07081A, splitting the right into Parts C & D.

Audit: 04/25/97 RBODELL 02/08/98 CLEARFLD 02/10/98 PSKAGGS 02/10/98 PSKAGGS

| OWNER<br>CODE    | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | BRION EGAN     | 06/20/1977       | IRRIGATION | 04/15 10/15           | 1.950 CFS         | 560.00 AFA          |
| C                | GARY EGAN      |                  |            |                       | 1.950 CFS         | 560.00 AFA          |
| TOTAL DIVERSION: |                |                  |            |                       | 1.950 CFS         | 560.00 AFA          |

Water Source: GROUNDWATER Tributary to: CLARK County  
Point(s) of Diversion: T10N R35E S17 NW/4

| Place of use Legal Description for: IRRIGATION |     |    |     |     |     |     |     |     |     |
|------------------------------------------------|-----|----|-----|-----|-----|-----|-----|-----|-----|
|                                                |     | NE |     | NW  |     | SW  |     | SE  |     |
| T                                              | R   | S  | ENE | ENE | ENE | ENE | ENE | ENE | ENE |
| 10N                                            | 35E | 7  | Lt  | Ac  | Lt  | Ac  | Lt  | Ac  | Lt  |
| 10N                                            | 35E | 17 | Lt  | Ac  | Lt  | Ac  | Lt  | Ac  | Lt  |
| 10N                                            | 35E | 18 | Lt  | Ac  | Lt  | Ac  | Lt  | Ac  | Lt  |
| SUM                                            |     |    |     |     |     |     |     |     |     |
| 10N                                            | 35E | 7  |     |     |     |     |     |     |     |
| 10N                                            | 35E | 17 |     |     |     |     |     |     |     |
| 10N                                            | 35E | 18 |     |     |     |     |     |     |     |
| TOTAL ACRES                                    |     |    |     |     |     |     |     |     |     |
| 160.0                                          |     |    |     |     |     |     |     |     |     |

Pou County: CLARK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
32-07009

- Conditions of Approval:
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
  - 065 - The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
  - 079 - This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
  - R63 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
  - T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
  - 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.
  - T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
  - T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow

WR5809NP  
No. 32-07081D

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 03/26/99  
PAGE: 3

Conditions of Approval:

- determination of the total rate of diversion.

Remarks: GEN Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B and 32-07081D when combined shall not exceed a total diversion rate of 3.20 cfs, a total annual diversion volume of 560.0 af at the field headgate, and the irrigation of 160.0 acres.

Dates: App. Received: 07/28/1977 Priority Date: 06/20/1977  
Proof Due Date: 08/01/1982 Proof Made Date: 06/07/1982  
Exam Made Date: 07/06/1992 Exam Sent to S.O.: 05/24/1994  
Licensed Date: 11/06/1996

Misc: Water District Number: Field Exam Fee: R (Received)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

08:48:59  
02/25/99

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A32-07081D

LAST: EGAN  
ADDRESS: HC 61 BOX 1060  
CITY: DUBOIS  
PHONE NUMBER: 208-374-5460

FIRST: BRION  
STATE: ID ZIP: 83423

OWNER CODE: C

LAST: EGAN  
ADDRESS: HC 61 BOX 1060  
CITY: DUBOIS  
PHONE NUMBER: 208-374-5460

FIRST: GARY  
STATE: ID ZIP: 83423

OWNER CODE: C

LAST: S & H IRRIGATION ASSN  
ADDRESS:  
CITY: N  
PHONE NUMBER: 208-000-0000

FIRST:  
STATE: ID ZIP: 0

OWNER CODE: O

FIELD EXAM REQUIRED?

DATABASE Y  
FIELD EXAMINER Y( ) N( )

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: GEN Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B and 32-07081D when combined shall not exceed a total diversion rate of 3.20 cfs, a total annual diversion volume of 560.0 af at the field headgate, and the irrigation of 160.0 acres.

## FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A32-07081D

CONTACT PERSON: \_\_\_\_\_ PHONE NUMBER: ( ) - -  
DATE OF FIELD EXAM: 7/1/99 APPOINTMENT MADE: Y( ) N( )  
ACCOMPANIED BY: \_\_\_\_\_ TIME: : A( ) P( )  
RELATIONSHIP TO CLAIMANT: \_\_\_\_\_ PHONE NUMBER: ( ) - -  
DIRECTIONS TO PROPERTY / NOTES:

Final office Review  
Time  
field Exam 1999

|                                                                                                                     |                           |                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------|
| A. AJ CLAIM: # A32-07081D                                                                                           | PRIORITY DATE: 06-20-1977 | STAGE: L                                                                                               |
| B. WR RECORD: # 32-07081D                                                                                           | PRIORITY DATE: 06-20-1977 | STAGE: L                                                                                               |
| C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?                                               |                           | Y( <input checked="" type="checkbox"/> ) N( <input type="checkbox"/> )                                 |
| D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?                                |                           | Y( <input type="checkbox"/> ) N( <input checked="" type="checkbox"/> )                                 |
| E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?<br>(IF YES, DESCRIBE BELOW) |                           | Y( <input type="checkbox"/> ) N( <input checked="" type="checkbox"/> )                                 |
| F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?                                |                           |                                                                                                        |
| PROOF OF BENEFICIAL USE SUBMITTED                                                                                   |                           | N/A( <input type="checkbox"/> ) Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |
| FIELD EXAM COMPLETED                                                                                                |                           | N/A( <input type="checkbox"/> ) Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |
| FIELD EXAM SENT TO STATE OFFICE                                                                                     |                           | N/A( <input type="checkbox"/> ) Y( <input type="checkbox"/> ) N( <input type="checkbox"/> )            |
| LICENSE ISSUED                                                                                                      |                           | N/A( <input type="checkbox"/> ) Y( <input checked="" type="checkbox"/> ) N( <input type="checkbox"/> ) |

\* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,  
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE  
OF THE PRIORITY DATE REQUIRED?

N/A(☐) Y(☐) N(☐)

\* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,  
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES:

*Licensed*

*After transfer*

RECOMMENDED PRIORITY DATE:

06-20-1977

REVIEWED BY



DATE



## A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT      | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | LOT | POD FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|------------|-----------|------|-----|-----|-----|-----|-----|----------|--------|----------------|------------------|
| A32-07081D | 10N       | 35E  | 17  |     | NW  | NW  |     |          | CLARK  |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A32-07009 NONE

SOURCE: GROUNDWATER

TRIB:

## B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | LOT | POD FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|-----------|------|-----|-----|-----|-----|-----|----------|--------|----------------|------------------|
| 32-07081D | 10N       | 35E  | 17  |     | NW  | NW  |     |          | CLARK  |                |                  |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX

32-07009

A32-07009

NONE

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y( ) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A( ) Y( ) N( )

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y( ) N( )

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y( ) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y( ) N( )

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y( ) N( )

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM

(DATE OF FIELD EXAM) NAME OF EXAMINER

OTHER (DESCRIBE IN NOTES BELOW)

WELL NOT IN PLACE AFTER TRANSFER 5067

AFTER TRANSFER  
5067

AFTER  
TRANSFER  
#5067

**NOTES:**

transfer 5667 split and move this pod

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

POD

| TWP. | RGE. | SEC. | LOT | FLAG | COUNTY | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|------|--------|----------------|---------------|
| 10N  | 35E  | 17   | NW  | NW   | CLARK  |                |               |

**CLARK**

**SOURCE: GROUNDWATER**

**TRIB:**

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (\_\_\_\_), SEE LICENSE FILE (\_\_\_\_), OR SEE ATTACHMENT (\_\_\_\_)

A. ROOT WATER RIGHT NUMBERS: A32-07081B  
A32-07081C

A32-07081D

## B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT                 | NAME              | AJ<br>#/ACRES    | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|---------------------|-------------------|------------------|---------------|-----------------|----------------|------------------|
| 10N | 35E | 7   | NE  | SW  | EGAN, BRION         | A32-07081D / 31.0 | 32-07081D / 31.0 |               |                 |                | 31               |
|     |     |     | NE  | SW  | EGAN, GARY          | A32-00001B / 31.0 | 32-00001B / 31.0 |               |                 |                |                  |
|     |     |     | NE  | SW  | EGAN, GARY          | A32-00002B / 31.0 | 32-00002B / 31.0 |               |                 |                |                  |
|     |     |     | NE  | SW  | EGAN, GARY          | A32-00003B / 31.0 | 32-00003B / 31.0 |               |                 |                |                  |
|     |     |     | NE  | SW  | EGAN, BRION         | A32-00004B / 31.0 | 32-00004B / 31.0 |               |                 |                |                  |
|     |     |     | NE  | SW  | EGAN, GARY          | A32-00005B / 31.0 | 32-00005B / 31.0 |               |                 |                |                  |
|     |     |     | NE  | SW  | BERRY, LEO          | 32-00029 /        | 32-00029 /       |               |                 |                |                  |
|     |     |     | NE  | SW  | ROWLAND, KENNETH E. | 32-04004 / 40.0   | 32-04004 / 40.0  |               |                 |                |                  |
| 10N | 35E | 7   | SE  | SW  | EGAN, BRION         | A32-07081D / 29.0 | 32-07081D / 29.0 |               |                 |                | 29.              |
|     |     |     | SE  | SW  | EGAN, GARY          | A32-00001B / 29.0 | 32-00001B / 29.0 |               |                 |                |                  |
|     |     |     | SE  | SW  | EGAN, GARY          | A32-00002B / 29.0 | 32-00002B / 29.0 |               |                 |                |                  |
|     |     |     | SE  | SW  | EGAN, GARY          | A32-00003B / 29.0 | 32-00003B / 29.0 |               |                 |                |                  |
|     |     |     | SE  | SW  | EGAN, BRION         | A32-00004B / 29.0 | 32-00004B / 29.0 |               |                 |                |                  |
|     |     |     | SE  | SW  | EGAN, GARY          | A32-00005B / 29.0 | 32-00005B / 29.0 |               |                 |                |                  |
|     |     |     | SE  | SW  | BERRY, LEO          | 32-00029 /        | 32-00029 /       |               |                 |                |                  |
|     |     |     | SE  | SW  | ROWLAND, KENNETH E. | 32-04004 / 40.0   | 32-04004 / 40.0  |               |                 |                |                  |
| 10N | 35E | 7   | NW  | SE  | EGAN, BRION         | A32-07081D / 31.0 | 32-07081D / 31.0 | 17.0          |                 |                | 31               |
|     |     |     | NW  | SE  | EGAN, GARY          | A32-00001B / 31.0 | 32-00001B / 31.0 |               |                 |                |                  |
|     |     |     | NW  | SE  | EGAN, GARY          | A32-00002B / 31.0 | 32-00002B / 31.0 |               |                 |                |                  |
|     |     |     | NW  | SE  | EGAN, GARY          | A32-00003B / 31.0 | 32-00003B / 31.0 |               |                 |                |                  |
|     |     |     | NW  | SE  | EGAN, BRION         | A32-00004B / 31.0 | 32-00004B / 31.0 |               |                 |                |                  |
|     |     |     | NW  | SE  | EGAN, GARY          | A32-00005B / 31.0 | 32-00005B / 31.0 |               |                 |                |                  |
|     |     |     | NW  | SE  | BERRY, LEO          | 32-00029 /        | 32-00029 /       |               |                 |                |                  |
|     |     |     | NW  | SE  | ROWLAND, KENNETH E. | 32-04004 / 40.0   | 32-04004 / 40.0  |               |                 |                |                  |
| 10N | 35E | 7   | SW  | SE  | EGAN, BRION         | A32-07081D / 29.0 | 32-07081D / 29.0 | 17.0          |                 |                | 29               |
|     |     |     | SW  | SE  | EGAN, GARY          | A32-00001B / 29.0 | 32-00001B / 29.0 |               |                 |                |                  |
|     |     |     | SW  | SE  | EGAN, GARY          | A32-00002B / 29.0 | 32-00002B / 29.0 |               |                 |                |                  |
|     |     |     | SW  | SE  | EGAN, GARY          | A32-00003B / 29.0 | 32-00003B / 29.0 |               |                 |                |                  |
|     |     |     | SW  | SE  | EGAN, BRION         | A32-00004B / 29.0 | 32-00004B / 29.0 |               |                 |                |                  |
|     |     |     | SW  | SE  | EGAN, GARY          | A32-00005B / 29.0 | 32-00005B / 29.0 |               |                 |                |                  |
|     |     |     | SW  | SE  | BERRY, LEO          | 32-00029 /        | 32-00029 /       |               |                 |                |                  |
|     |     |     | SW  | SE  | ROWLAND, KENNETH E. | 32-04004 / 40.0   | 32-04004 / 40.0  |               |                 |                |                  |
| 10N | 35E | 17  | NW  | NW  | EGAN, BRION         | A32-07081D / 12.0 | 32-07081D / 12.0 | 28.0          |                 |                | 12.              |
|     |     |     | NW  | NW  | ROWLAND, KENNETH E  | R32-00029 / 28.0  | - /              |               |                 |                |                  |
|     |     |     | NW  | NW  | ROWLAND, MARY E     | R32-00030 / 28.0  | 32-00030 /       |               |                 |                |                  |
|     |     |     | NW  | NW  | ROWLAND, MARY E     | R32-00031 / 28.0  | - /              |               |                 |                |                  |

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME               | AJ<br>#/ACRES     | WR<br>#/ACRES    | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|--------------------|-------------------|------------------|-----------------|----------------|------------------|
| 10N | 35E | 17  | SW  | NW  | NW  | EGAN, GARY         | A32-00001B / 12.0 | 32-00001B / 12.0 | 26.0            |                | 8.0              |
|     |     |     |     |     |     | EGAN, GARY         | A32-00002B / 12.0 | 32-00002B / 12.0 |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00003B / 12.0 | 32-00003B / 12.0 |                 |                |                  |
|     |     |     |     |     |     | EGAN, BRION        | A32-00004B / 12.0 | 32-00004B / 12.0 |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00005B / 12.0 | 32-00005B / 12.0 |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-00029 / 32.0  | - / -            |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-00030 / 32.0  | - / -            |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-00031 / 32.0  | - / -            |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-04004 / 32.0  | 32-04004 / 40.0  |                 |                |                  |
|     |     |     |     |     |     | EGAN, BRION        | A32-07081D / 8.0  | 32-07081D / 8.0  |                 |                |                  |
| 10N | 35E | 18  | SW  | NW  | NW  | ROWLAND, KENNETH E | R32-00029 / 25.0  | - / -            | 21.0            |                | 13.0             |
|     |     |     |     |     |     | ROWLAND, MARY E    | R32-00030 / 25.0  | 32-00030 / -     |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, MARY E    | R32-00031 / 25.0  | - / -            |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00001B / 8.0  | 32-00001B / 8.0  |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00002B / 8.0  | 32-00002B / 8.0  |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00003B / 8.0  | 32-00003B / 8.0  |                 |                |                  |
|     |     |     |     |     |     | EGAN, BRION        | A32-00004B / 8.0  | 32-00004B / 8.0  |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00005B / 8.0  | 32-00005B / 8.0  |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-00030 / 30.0  | - / -            |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-00029 / 30.0  | - / -            |                 |                |                  |
| 10N | 35E | 18  | SE  | NE  | NE  | EGAN, BRION        | A32-07081D / 13.0 | 32-07081D / 13.0 | 25.0            |                | 7.0              |
|     |     |     |     |     |     | EGAN, GARY         | A32-00001B / 13.0 | 32-00001B / 13.0 |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00002B / 13.0 | 32-00002B / 13.0 |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00003B / 13.0 | 32-00003B / 13.0 |                 |                |                  |
|     |     |     |     |     |     | EGAN, BRION        | A32-00004B / 13.0 | 32-00004B / 13.0 |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00005B / 13.0 | 32-00005B / 13.0 |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-00029 / 40.0  | - / -            |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-00030 / 40.0  | - / -            |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-00031 / 40.0  | 32-00031 / -     |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-04004 / 40.0  | 32-04004 / 40.0  |                 |                |                  |
| 10N | 35E | 18  | SE  | NE  | NE  | EGAN, BRION        | A32-07081D / 7.0  | 32-07081D / 7.0  |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00001B / 7.0  | 32-00001B / 7.0  |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00002B / 7.0  | 32-00002B / 7.0  |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00003B / 7.0  | 32-00003B / 7.0  |                 |                |                  |
|     |     |     |     |     |     | EGAN, BRION        | A32-00004B / 7.0  | 32-00004B / 7.0  |                 |                |                  |
|     |     |     |     |     |     | EGAN, GARY         | A32-00005B / 7.0  | 32-00005B / 7.0  |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-00029 / 10.0  | - / -            |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-00030 / 10.0  | - / -            |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-00031 / 10.0  | 32-00031 / -     |                 |                |                  |
|     |     |     |     |     |     | ROWLAND, KENNETH E | A32-04004 / 10.0  | 32-04004 / 40.0  |                 |                |                  |

ADDITIONAL POU FOUND

TOTAL ACRES A32-07081D 160.00 160.00 134.00

POU COUNTY: CLARK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

\* IF YES, ARE THESE TRACTS LISTED ABOVE ( ), OR ARE THEY LISTED ON AN ATTACHED SHEET ( )

Y( ) N( )

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

| CLAIM NO.  | SOURCE               | NAME               | DIV. RATE | RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|----------------------|--------------------|-----------|-----------|-----------|----------------|
| A32-07081D | GROUNDWATER          | EGAN, BRION        | 1.950     | 0.012     | 560.00    | 3.50           |
| A32-00001B | MEDICINE LODGE CREEK | EGAN, GARY         | 0.640     | 0.004     |           |                |
| A32-00002B | MEDICINE LODGE CREEK | EGAN, GARY         | 0.360     | 0.002     |           |                |
| A32-00003B | MEDICINE LODGE CREEK | EGAN, GARY         | 1.500     | 0.009     |           |                |
| A32-00004B | MEDICINE LODGE CREEK | EGAN, BRION        | 0.500     | 0.003     |           |                |
| A32-00005B | MEDICINE LODGE CREEK | EGAN, GARY         | 0.500     | 0.003     |           |                |
| A32-00029  | MEDICINE LODGE CREEK | ROWLAND, KENNETH E | 1.000     | 0.004     |           |                |
| A32-00029  | MEDICINE LODGE CREEK | ROWLAND, KENNETH E | 1.000     | 0.002     |           |                |
| A32-00030  | MEDICINE LODGE CREEK | ROWLAND, KENNETH E | 1.500     | 0.003     |           |                |
| A32-00030  | MEDICINE LODGE CREEK | ROWLAND, MARY E    | 1.500     | 0.006     |           |                |
| A32-00031  | MEDICINE LODGE CREEK | ROWLAND, MARY E    | 1.000     | 0.004     |           |                |
| A32-00031  | MEDICINE LODGE CREEK | ROWLAND, KENNETH E | 1.000     | 0.002     |           |                |
| A32-04004  | MEDICINE LODGE CREEK | ROWLAND, KENNETH E | 4.000     | 0.012     |           |                |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

\* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 32-0001B, 2B, 3B, 4B, 5B

Y( ) N( )

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

transfer  
5067

Y( ) N( )  
Y( ) N( )  
Y( ) N( )  
Y( ) N( )

CHECK DOCUMENTS USED TO VERIFY POB: ( ) ORTHOPHOTOQUAD, IDWR NO. \_\_\_\_\_; ( ) TOPOGRAPHIC QUAD, IDWR NO. \_\_\_\_\_;  
( ) NAPP, IDWR NO. \_\_\_\_\_; ( ) ASCS PHOTO; ( ) OTHER \_\_\_\_\_

NOTES:

GIS MAP-

TRANSFER 5067 split and moved per  
1998

RECOMMENDATIONS:

TOTAL ACRES: 160

N/A( )

REVIEWED BY: DC

DATE: 7/99

## PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

## A. AJ CLAIMED USES:

| PURPOSE OF USE        | PERIOD OF USE (MONTH/DAY)   | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------|-----------------------------|------------------------|------------------------|
| A32-07081D IRRIGATION | FROM 04-15 TO 10-15         | 1.950 CFS              | 560.00 AF/A            |
|                       | TOTAL DIVERSION RATE/VOLUME | 1.950 CFS              | 560.00 AF/A            |
| B. WR RECORDED USES:  |                             |                        |                        |
| 32-07081D IRRIGATION  | PERIOD OF USE (MONTH/DAY)   | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|                       | FROM 04-15 TO 10-15         | 1.950 CFS              | 560.00 AF/A            |
|                       | TOTAL DIVERSION RATE/VOLUME | 1.950 CFS              | 560.00 AF/A            |

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

\* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

\* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

Y( ) N( )

Y( ) N( )

Y( ) N( )

Y( ) N( )

Y( ) N( )

Y( ) N( )

Y( ) N( )

Y( ) N( )

Y( ) N( )

OK

OK

NOTES:

OK

AJ CLAIM TOTAL DIVERSION RATE:

1.950 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

1.950 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A ( ) Y ( ) N ( )

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A ( ) Y ( ) N ( )

\* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

Y ( ) N ( )

\* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y ( ) N ( )

## FLOW MEASUREMENT

MEASUREMENT METHOD \_\_\_\_\_, SEE ATTACHED CALCULATIONS.

F.

## RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES \_\_\_\_\_ x 0.02 CFS/ACRE = \_\_\_\_\_ CFS  
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y ( ) N ( )

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y ( ) N ( )

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 560.00 AF/A

ACRES \_\_\_\_\_ x DIVERSION VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL DIVERSION VOLUME \_\_\_\_\_ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = \_\_\_\_\_ AF/A

ACRES \_\_\_\_\_ x CONSUMPTIVE VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL CONSUMPTIVE USE \_\_\_\_\_ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW ( ) OR SEE ATTACHMENT ( )

1b. CALCULATIONS

NOTES:

- WR RECORD CONDITIONS/REMARKS:
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
  - 065 - The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
  - 079 - This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
  - R63 - This right when combined with all other rights shall provide no

- 
- more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
  - T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
  - 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.
  - T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
  - T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| REC.<br>PURPOSE OF USE | REC. PERIOD<br>FROM TO | REC. DIV<br>RATE CFS       | REC. DIV<br>VOL. AF/A       | REC. CONS.<br>USE        |
|------------------------|------------------------|----------------------------|-----------------------------|--------------------------|
| IRRIGATION             | 04-15 10-15            | DATABASE EXAMINER<br>1.950 | DATABASE EXAMINER<br>560.00 | DATABASE EXAMINER<br>0.0 |
|                        |                        |                            |                             |                          |
|                        |                        |                            |                             |                          |
|                        |                        |                            |                             |                          |
| TOTAL FOR THIS RIGHT   |                        | 1.950                      | 560.00                      | 0.0                      |

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

REVIEWED BY: DC DATE: 7/99

FLAG:

STANDARD CONDITIONS (CODE):

QNT - 3.20 MAX CFS 560 AF  
USE - NEW PER OF USE 4/61 - 10/31

STANDARD REMARKS (CODE):

POLL - 160 Acre total

FROM TRANSFER  
#5067

EXPLANATORY CONDITIONS (CODE):

BEN - USE SURFACE WATER FIRST  
- CANT BE SEPARATED

EXPLANATORY REMARKS (CODE):

MB1-

## A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                        |            |        |
|------------------------|------------|--------|
| OWNERSHIP              | ACCEPTED   | NEEDS  |
| FORFEIT/ABANDON        | AS CLAIMED | REVIEW |
| ADDITIONAL DIV. AMOUNT | ( )        | ( )    |
|                        | ( )        | ( )    |
|                        | ( )        | ( )    |

## B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 32-07081

|          |          |     |
|----------|----------|-----|
| DATABASE | EXAMINER | CFS |
| 8.000    |          |     |

TOTAL DIVERSION RATE OF WR SPLITS

## SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE    | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|----------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A32-07081B               | <del>4.40</del> 4.16 | -                         |                  | 32-07081B           | 4.160             |
| -                    | A32-07081C               | 1.890                | -                         |                  | 32-07081C           | 1.890             |
| -                    | A32-07081D               | 1.950                | -                         |                  | 32-07081D           | 1.950             |

TOTAL CFS

8.280

8.000

## DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)  
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW ( ) OR SEE ATTACHMENT ( )?DATABASE  
NFIELD  
EXAMINER  
Y( ) N( )

## NOTES:

OK

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

| TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) | IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION | COPY INCLUDED IN FILE? |
|-------------------------------------------|--------------------------------------------------------|------------------------|
| ( ) ORTHOPHOTOQUAD                        | DATE OF PHOTO _____ IDWR ID NO. _____                  | Y( ) N( )              |
| ( ) TOPOGRAPHIC                           | DATE FIELD CHECKED _____ IDWR ID NO. _____             | Y( ) N( )              |
| ( ) NAPP                                  | DATE OF PHOTO _____ IDWR ID NO. _____                  | Y( ) N( )              |
| ( ) ASCS AERIAL PHOTO                     | DATE OF PHOTO _____                                    | Y( ) N( )              |
| ( ) ASCS COLOR SLIDE                      | DATE OF PHOTO _____                                    | Y( ) N( )              |
| ( ) BLM OR USFS AERIAL PHOTO              | DATE OF PHOTO _____                                    | Y( ) N( )              |
| ( ) TOWNSHIP SURVEY (GOVERNMENT PLAT)     | DATE OF SURVEY _____                                   | Y( ) N( )              |
| ( ) SCS SOIL SURVEY MAP                   | DATE ISSUED _____                                      | Y( ) N( )              |
| ( ) SUBDIVISION PLAT MAP                  | DATE OF MAP _____                                      | Y( ) N( )              |
| ( ) OTHER _____                           | DATE _____                                             | Y( ) N( )              |
| ( ) OTHER _____                           | DATE _____                                             | Y( ) N( )              |
| ( ) OTHER _____                           | DATE _____                                             | Y( ) N( )              |

LIST OF ATTACHMENTS (CHECK IF ATTACHED) IF ATTACHED, SUPPLY APPROPRIATE INFORMATION NO. OF PAGES

|                                                            | NOTES                              |
|------------------------------------------------------------|------------------------------------|
| ( ) LICENSING FIELD EXAM                                   | DATE OF FIELD EXAM _____           |
| ( ) WATER RIGHT LICENSE                                    | DATE LICENSE SIGNED _____          |
| <input checked="" type="checkbox"/> IDWR APPROVED TRANSFER | DATE TRANSFER APPROVED <u>1998</u> |
| ( ) SYSTEM DESCRIPTION                                     | DATE DRAWN _____                   |
| ( ) PHOTOGRAPHS                                            | DATE(S) PHOTOS TAKEN _____         |
| ( ) SPLIT RIGHT REVIEW                                     | DATE REVIEW COMPLETED _____        |
| ( ) HUBBLE ANALYSIS                                        | DATE ANALYSIS COMPLETED _____      |
| ( ) CONVEYANCE LOSS ANALYSIS                               | DATE ANALYSIS COMPLETED _____      |
| ( ) FLOW MEASUREMENT CALCULATIONS                          | DATE SYSTEM MEASURED _____         |
| <input checked="" type="checkbox"/> OTHER <u>GIS MAP</u>   | DATE _____                         |
| <input checked="" type="checkbox"/> OTHER <u>TRANSFER</u>  | DATE _____                         |

5067

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

08:48:59  
02/25/99

PAGE: 18

QUICKLOOK INFORMATION

CLAIM NUMBER: A32-07081D

18

| WR ELEMENT                | DATA DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                         |                                                 | D-7/99                     |                        |                                    |                                  |                                      |                               |
| POINT OF DIV              |                         |                                                 |                            |                        |                                    |                                  |                                      |                               |
| SOURCE                    |                         |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PLACE OF USE              | Y                       |                                                 |                            | No                     |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | -                       |                                                 |                            |                        |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           |                         |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PURPOSES OF USE           |                         |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PERIOD OF USE             |                         |                                                 |                            |                        |                                    |                                  |                                      |                               |
| BASIS OF CLAIM            | Y                       |                                                 |                            | No                     |                                    |                                  |                                      |                               |
| REMARKS                   | Y                       |                                                 |                            | Yes                    |                                    |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE

[illegible]

**Other Rights:** 32-0001B, 2B, 3B, 4B, 5B

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
- This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 acre at the field headgate for irrigation of the lands above.
- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

09:05:42  
02/25/99  
20

PAGE: 20  
PROFILE REPORT CONTINUED

CLAIM NUMBER: A32-07081D

Conditions of Approval:  
- determination of the total rate of diversion.

Remarks: GEN Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B and 32-07081D when combined shall not exceed a total diversion rate of 3.20 cfs, a total annual diversion volume of 560.0 af at the field headgate, and the irrigation of 160.0 acres.

Dates: Exam Made Date: 07/06/1992 Verified Date: Objection Filed Date:

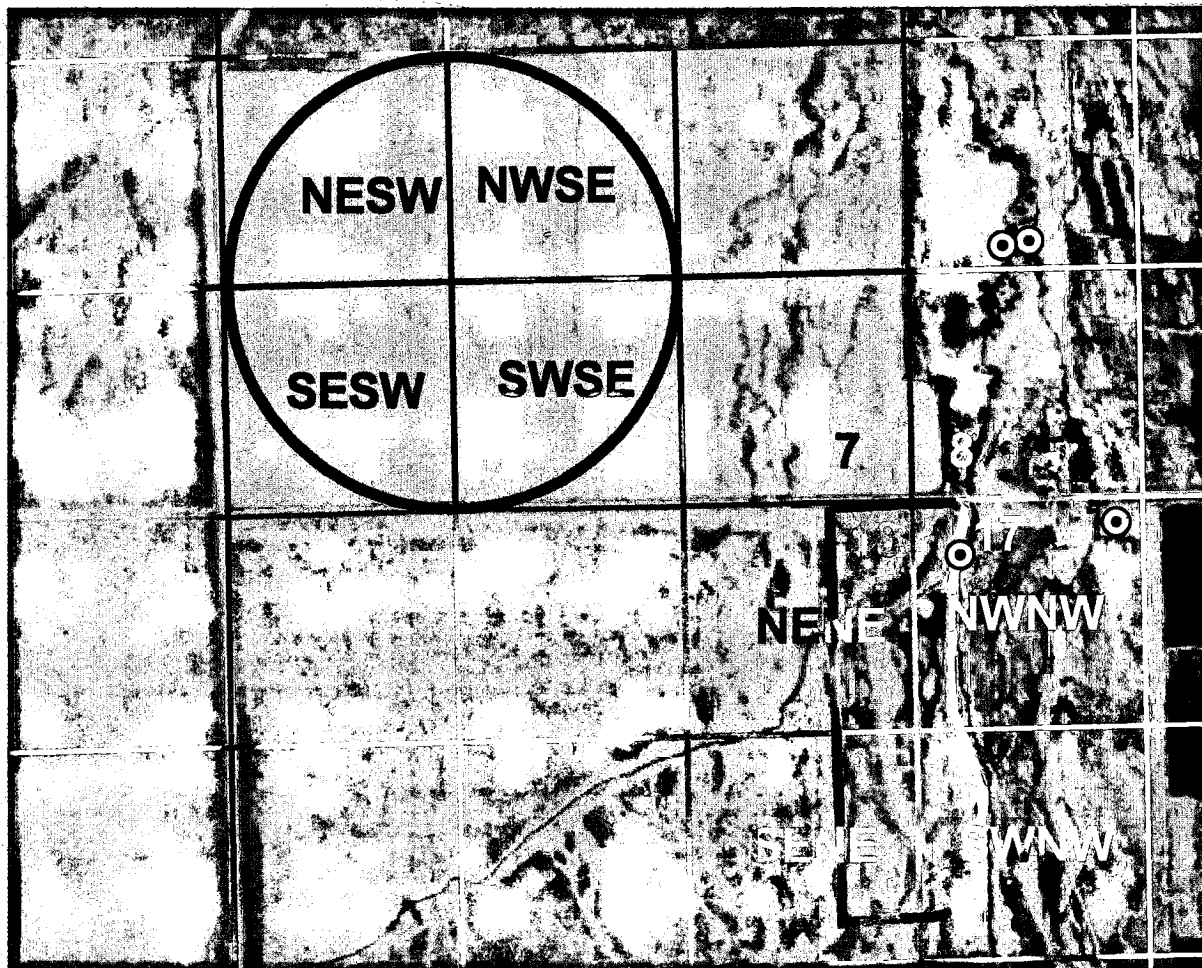
Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

# IDAHO DEPARTMENT OF WATER RESOURCES

## GARY & BRION EGAN

### 32-00001B, 2B, 3B, 4B, 5B, -07081D

T10N, R35E, SEC. 7, 17, 18



N

1320

0

1320 Feet



PLACE OF USE



POINT OF DIVERSION

ACRES IRRIGATED- 160

GIS: PLACE OF USE

POINT OF DIVERSION

1987/1988 NAPP PHOTOS

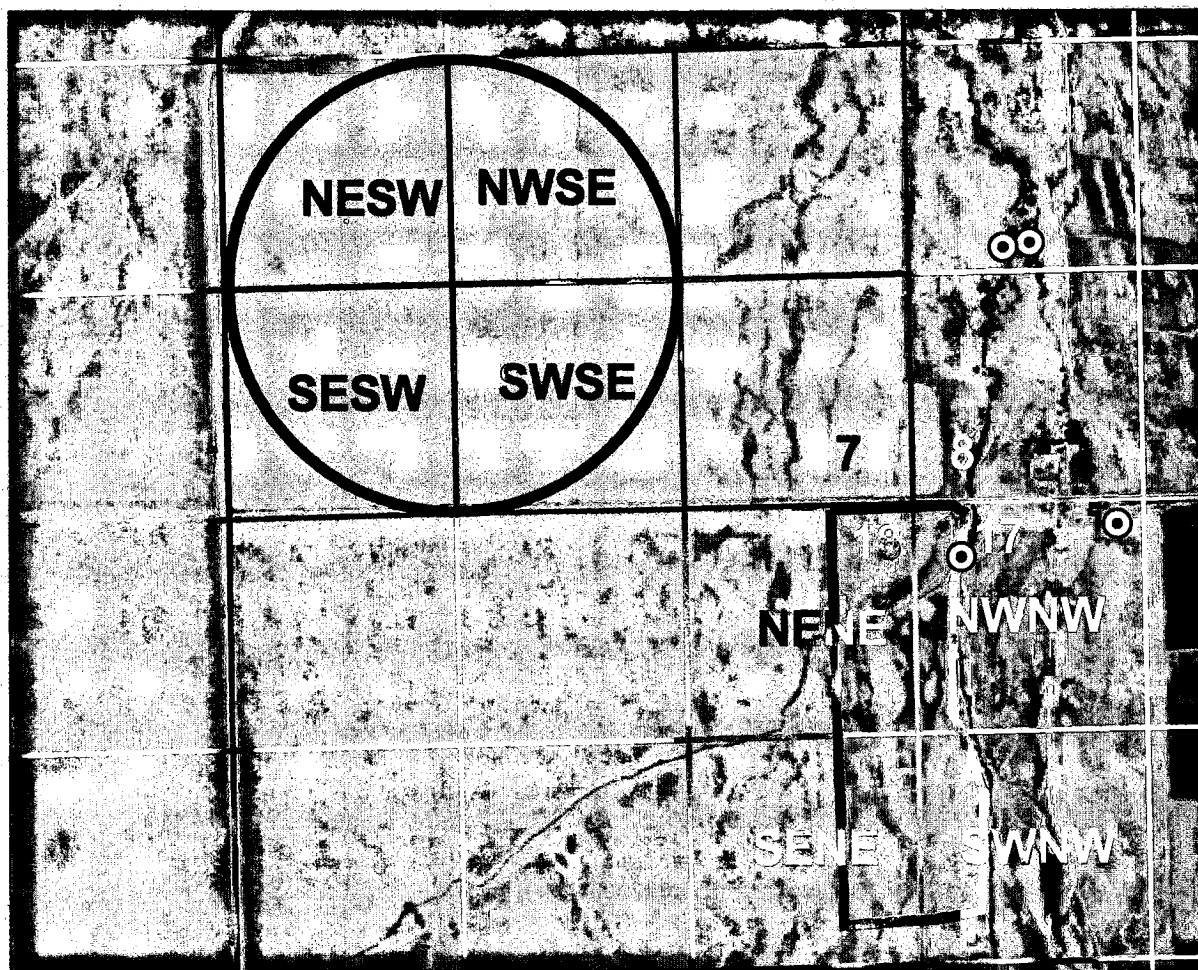
PREPARED BY DAVE CARLSON

# IDAHO DEPARTMENT OF WATER RESOURCES

**GARY & BRION EGAN**

**32-00001B, 2B, 3B, 4B, 5B, -07081D**

**T10N, R35E, SEC. 7, 17, 18**



N



1320

0

1320 Feet



**ACRES IRRIGATED- 160**



**PLACE OF USE**



**POINT OF DIVERSION**

GIS: PLACE OF USE

POINT OF DIVERSION

1987/1988 NAPP PHOTOS

PREPARED BY DAVE CARLSON

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

OWNER CODE NAME & ADDRESS  
C BRION EGAN  
C GARY EGAN  
HC 61 BOX 1060  
DUBOIS ID 83423  
(208) 374-5460

PRIORITY DATE WATER USE  
06/20/1977 IRRIGATION

USE PERIOD FROM TO  
04-15 10-15

DIVERSION RATE  
1.95 CFS

DIVERSION VOLUME  
560.00 AFA

TOTAL DIVERSION:  
1.95 CFS 560.00 AFA

Water Source: GROUNDWATER Tributary to: NWNW

Point(s) of Diversion: T10N R35E S17

CLARK County

Stage: LICENSE

Place of use Legal Description for: IRRIGATION

| NE          |    | NW |    | SW |    | SE |    | SUM |    |       |    |    |    |    |    |    |    |    |    |    |
|-------------|----|----|----|----|----|----|----|-----|----|-------|----|----|----|----|----|----|----|----|----|----|
| T           | R  | S  | Lt | Ac | Lt | Ac | Lt | Ac  | Lt | Ac    | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |
| 10N 35E     | 7  | :  | :  | :  | :  | :  | :  | :   | :  | :     | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  |
| 10N 35E     | 17 | :  | :  | :  | :  | :  | :  | :   | :  | :     | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  |
| 10N 35E     | 18 | :  | :  | :  | :  | :  | :  | :   | :  | :     | :  | :  | :  | :  | :  | :  | :  | :  | :  | :  |
| TOTAL ACRES |    |    |    |    |    |    |    |     |    | 160.0 |    |    |    |    |    |    |    |    |    |    |

POU County: CLARK

Other Rights: 32-0001B, 2B, 3B, 4B, 5B

Conditions of Approval:  
M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE  
- MAINTAINED AS A PART OF THE DIVERTING WORKS.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 3.20 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 560 AF. COMBINED RIGHT  
NOS.: 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE [APRIL 15] AND AFTER [OCTOBER 15] UNDER THIS  
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED  
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE  
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00001B, 32-00002B,  
32-00003B, 32-00004B, 32-00005B

GEN THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT

AJ0749NP  
No. R32-07081D

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 07/13/99  
PAGE: 2

Remarks:

SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED  
UNDER RIGHT 32-07081D AND SHALL ONLY DIVERT GROUNDWATER UNDER  
THIS RIGHT WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS  
CANNOT BE DELIVERED TO THE RIGHT HOLDER.

THIS RIGHT SHALL NOT BE USED IF THE SURFACE WATER RIGHTS  
APPURTENANT TO THE PLACE OF USE ARE SOLD, TRANSFERRED, LEASED OR  
USED ON ANY OTHER PLACE OF USE.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A32-07081D**  
Date Received: / /  
Receipt No: X777777  
Received By: \_\_\_\_\_

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: BRION EGAN 208-374-5460  
Address: HC 61 BOX 1060  
DUBOIS ID 83423

Name: GARY EGAN 208-374-5460  
Address: HC 61 BOX 1060  
DUBOIS ID 83423

2. Date of Priority: JUN 20, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10N      | 35E   | 17      | NW     | NW     |     |     | CLARK  |

5. Description of diverting works:  
WELL/PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 1.950 |      | 560.00 |

7. Total Quantity Appropriated is:  
1.950 C.F.S. (and/or) 560.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 10N      | 35E   | 7       | NE     | SW  |     | IRR | 31.0  |

A3207081D



10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 10N      | 35E   | 7       | SE     | SW  |     | IRR           | 29.0  |
|          |       |         | NW     | SE  |     | IRR           | 31.0  |
|          |       |         | SW     | SE  |     | IRR           | 29.0  |
|          |       |         |        |     |     | Section Acres | 120.0 |
|          |       | 17      | NW     | NW  |     | IRR           | 12.0  |
|          |       |         | SW     | NW  |     | IRR           | 8.0   |
|          |       |         |        |     |     | Section Acres | 20.0  |
|          |       | 18      | NE     | NE  |     | IRR           | 13.0  |
|          |       |         | SE     | NE  |     | IRR           | 7.0   |
|          |       |         |        |     |     | Section Acres | 20.0  |
|          |       |         |        |     |     | Total Acres   | 160.0 |

11. Place of use in counties: CLARK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
32-0001B, 2B, 3B, 4B, 5B

14. Remarks:  
Rights 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-00005B and 32-07081D when combined shall not exceed a total diversion rate of 3.20 cfs, a total annual diversion volume of 560.0 af at the field headgate, and the irrigation of 160.0 acres.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_