

2004

Ident. No. TC-32-09DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION

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

Name of Applicant BRION EGAN Phone (208) 374-5460Post Office Address HC 61 Box 1060, Dubois ID 83423

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Drought conditions have cut water rights. This will allow the water to be used on the crop needing the water.

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

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
SEE ATTACHED PAGE 4/1 to 10/31

2. Total amount of water being transferred 17.35 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Medicine Lodge tributary to SINKS

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	SE	25	11N	34E	CLARK	old McGarry P/O's
		NW	SW	SE	31	11N	35E	CLARK	
			NW	SW	8	10N	35E	CLARK	Egan 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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	35E	6													25	38	37	31	136
		7									31			29		31	29		120
		17					39	42	33	40	40	40	4	39	32.7	39	38	32.7	419.4
		18	34	40	40	28	39			39									220.0
11N	35E	31	40	39	38	40													157

Total Acres 1652.4

TC-32-09

B. Description of Right(s) or Portion thereof, After Requested Change

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Volume(af)	Water Use(s)	Owner(s)
MEDICINE LODGE								
32	25		Decreed	1883-10-01	3.36		IRR & STOCK	MC GARRY, JACK
32	43		Decreed	1884-10-15	2.00		IRR & STOCK	MC GARRY, PATRICK T
32	1	B	Decreed	1883-06-20	0.60	217.8	IRRIGATION	EGAN, BRION D & GARY
32	2	B	Decreed	1883-10-01	0.34	123.4	IRRIGATION	"
32	3	B	Decreed	1884-05-15	1.41	511.8	IRRIGATION	"
32	4	B	Decreed	1885-04-15	0.47	170.6	IRRIGATION	"
32	5	B	Decreed	1885-11-01	0.47	170.6	IRRIGATION	"
32	9	A	Decreed	1884-02-01	0.18	80.6	IRRIGATION	EGAN, BRION D
32	10	A	Decreed	1884-04-15	0.27	123.1	IRRIGATION	"
32	11	A	Decreed	1884-05-01	1.17	534.8	IRRIGATION	"
32	12	A	Decreed	1885-04-15	3.37	928.9	IRRIGATION	"
32	13	A	Decreed	1885-11-01	0.21	97.6	IRRIGATION	"
32	29		Decreed	1883-10-01	1.00		IRRIGATION	EGAN, BRION D & DEANNA
32	30		Decreed	1884-02-01	1.50		IRRIGATION	"
32	31		Decreed	1886-08-01	1.00		IRRIGATION	"
TOTAL =					17.35 cfs			

Drought Emergencies Change
 Brion Egan
 5/5/2004

6. General Information:

- a. Who owns the water right to be changed? APPLICANT (Change in Ownership Documents sent to Boise)
- b. Describe the arrangement allowing use of the right N/A
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Better use of water will be able to move water to most water use crop
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. Rights have been used but Drought conditions have required watermaster to cut rights (cannot irrigate all ground)
- e. Absent the changes, how would the right be used for the remainder of the year? Would continue to water untill drought conditions required watermaster to cut rights
- f. Describe other water rights used for the same purpose.
NONE
- g. Remarks: Water master Dist 32-C will move the water and charge losses to insure no injury to other rights on Medicine Lodge

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Bruce C. Gann
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 5/5/04 Fee \$50⁰⁰
Received KW 5/4/04 # E029797 Recommend: approve deny
Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-32-09

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

The diversion at any point of diversion will be subject to the approval of the water master

Witness my hand this 11th day of May, 2004.

R. D. Carr
For the Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT Brion Egan)
32-25/43/1B/2B/3B/4B/5B/9A/10A/11A/12A)
32-13A/29/30/31)

ORDER AUTHORIZING
TEMPORARY CHANGE TC-32-09

WHEREAS, a drought emergency has been declared for Clark
County to allow administrative actions to lessen the severe impacts of the drought
conditions in the counties; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a
drought emergency, the director of the Department of Water Resources ("Department")
is authorized to allow temporary changes in the point of diversion, the place of use, and
the purpose of use for valid existing water rights when the director determines that such
changes can be accomplished in accordance with the provisions of section 42-222A,
Idaho Code; and

WHEREAS, on 5/5/04, Brion Egan submitted the attached
Temporary Change Application TC-32-09 to the Department; and

WHEREAS, the Department has reviewed the application and has determined
the application can be approved with certain conditions;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the
following conditions:

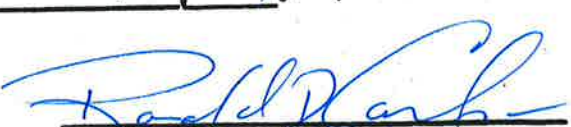
- 32-25/43/1B/2B/3B/4B/5B/9A/10A/11A/12A/13A
1. Diversion and use of right no(s). 32-29/30/31 is authorized only
at the point of diversion and place of use described on the application.
 2. This temporary change approval does not authorize construction of a new
well as a new point of diversion.
 3. The applicant assumes all risk of curtailment or mitigation should the
diversion and use of water under the temporary change approval cause
injury to other water rights, constitute an enlargement in use of the original
right, be inconsistent with the conservation of water resources within the
state of Idaho, or not be in the local public interest.
 4. This temporary change approval may only be used to provide a

ORDER AUTHORIZING
TEMPORARY CHANGE TC-32-09

replacement water supply to lands or other uses which normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

5. Right(s) 32-25 et.al are limited to the irrigation of a total of 1052.4 acres in a single irrigation season.
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. The applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval.
10. The watermaster of Water District No. 32-C is authorized to administer the temporary change approval.
11. This temporary change approval expires on 12/31/04 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 11th day of May, 2004.


RONALD D. CARLSON
EASTERN REGION MANAGER

WATER DIST. #32-C
GREGORY A. SHENTON - WATERMASTER
BRETT G. MURDOCK - DEPUTY WATERMASTER
P.O. BOX 33
DUBOIS, IDAHO 83423
(208) 374-5274
(208) 374-5696 fax

TC-32-09

Idaho Department Of Water Resources

May 5, 2004

As you are aware, Clark county has been declared a drought emergency county. Brian Egan has come to our office and has asked us about being able to use his water at all of his points of diversion, for the purpose of irrigating his crops. We do not see a problem with this, as long as on rights 32-0025 and 32-004 takes a 6%, "six percent" conveyance loss. In May the USGS is going to take seepage loss measurements on Medicine Lodge Creek. We feel that the user should be held to the USGS loss measurements.

We also see no injury to other senior water right holders by the movement of these water rights this year. Therefore we do endorse this movement of water rights during the course of the water season.

Below are the decreed water rights in which we believe to be part of this agreement.

RIGHT NUMBER	PRIORITY	AMOUNT
32-0026	10/1/83	3.36
32-0043	10/16/84	2.00
32-001B	6/20/83	0.64
32-002B	10/1/83	0.36
32-0029	10/1/83	1.00
32-009A	2/1/84	0.18
32-0030	2/1/84	1.50
32-0010A	4/16/84	0.27
32-0011A	5/1/84	1.17
32-003B	5/15/84	1.50
32-0012A	4/16/85	0.50
32-004B	4/15/85	0.50
32-0013A	11/1/85	0.21
32-006B	11/1/85	0.50
32-0031	8/1/86	1.00
		14.69

Sincerely;


Brett G Murdock
Deputy Watermaster

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-9A

WATER RIGHT NUMBER: 32-9A

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 02/01/1884

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.180 CFS	80.60 AF
Total Diversion:		0.180 CFS	80.60 AF

Location of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8,Twp 10N,Rge 35E, B.M. CLARK County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N 35E 7													32.7			32.7	65.4
10N 35E 18	21.0	40.0	40.0	21.0	39.0			39.0									200.0

Total Acres: 265.4

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 32-C.
2. 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.
3. 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.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 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.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X35 Rights 32-9A, 32-10A, 32-11A, 32-12A and 32-13A when combined shall not exceed a total diversion rate of 5.2 cfs, a total annual maximum diversion volume of 928.9 af at the field headgate, and the irrigation of 265.4 acres.

Remarks:Comments:

1. psdaggs 1/14/2003 1:35:35 PM This is now an approved transfer, transfer number = 70179

Dates and Other Information:

Decreed Date: 9/29/2000
 Water District Number: 32C
 Generic Max Volume Per Acre: 3.5
 Civil Case Number: 39576
 Judicial District: FIFTH

State or Federal: S
 Generic Max Rate Per Acre: 0.02

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.2	928.9	265.4

Combined Water Rights: 32-9A , 32-10A , 32-11A , 32-12A , 32-13A

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-10A

WATER RIGHT NUMBER: 32-10A

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 04/15/1884

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.270 CFS	123.10 AF
<u>Total Diversion:</u>		0.270 CFS	123.10 AF

Location of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8,Twp 10N,Rge 35E, B.M. CLARK County

Place of Use			IRRIGATION																Totals	
Twp	Rge	Sec	NE				NW				SW				SE					
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
10N	35E	7																32.7	32.7	65.4
10N	35E	18	21.0	40.0	40.0	21.0	39.0			39.0										200.0

Total Acres: 265.4

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 32-C.
2. 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.
3. 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.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 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.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X35 Rights 32-9A, 32-10A, 32-11A, 32-12A and 32-13A when combined shall not exceed a total diversion rate of 5.2 cfs, a total annual maximum diversion volume of 928.9 af at the field headgate, and the irrigation of 265.4 acres.

Remarks:Comments:

1. pskaggs 1/14/2003 1:35:36 PM This is now an approved transfer, transfer number = 70179

Dates and Other Information:

Decreed Date: 9/29/2000

Owner Name Connector:

Generic Max Rate Per Acre: 0.02

Civil Case Number: 39576

State or Federal: S

Water District Number: 32C

Generic Max Volume Per Acre: 3.5

Judicial District: FIFTH

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.2	928.9	265.4

Combined Water Rights: 32-9A , 32-10A , 32-11A , 32-12A , 32-13A

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-11A

WATER RIGHT NUMBER: 32-11A

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 05/01/1884

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	1.170 CFS	534.80 AF
<u>Total Diversion:</u>		1.170 CFS	534.80 AF

Location of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8,Twp 10N,Rge 35E, B.M. CLARK County

<u>Place of Use</u>			IRRIGATION																Totals
Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	35E	7													32.7			32.7	65.4
10N	35E	18	21.0	40.0	40.0	21.0	39.0			39.0									200.0

Total Acres: 265.4

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 32-C.
2. 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.
3. 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.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 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.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X35 Rights 32-9A, 32-10A, 32-11A, 32-12A and 32-13A when combined shall not exceed a total diversion rate of 5.2 cfs, a total annual maximum diversion volume of 928.9 af at the field headgate, and the irrigation of 265.4 acres.

Remarks:Comments:

1. pskaggs 1/14/2003 1:35:36 PM This is now an approved transfer, transfer number = 70179

Dates and Other Information:

Decreed Date: 9/29/2000

State or Federal: S

Owner Name Connector:

Water District Number: 32C

Generic Max Rate Per Acre: 0.02

Generic Max Volume Per Acre: 3.5

Civil Case Number: 39576

Judicial District: FIFTH

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.2	928.9	265.4

Combined Water Rights: 32-9A , 32-10A , 32-11A , 32-12A , 32-13A

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-29

WATER RIGHT NUMBER: 32-29

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 10/01/1883

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	1.000 CFS	
		<u>Total Diversion:</u>	1.000 CFS

Location of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8, Twp 10N, Rge 35E, B.M. CLARK County

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	35E	17					39.0	30.0	25.0	40.0	40.0	4.0		39.0		39.0	38.0		294.0

Total Acres: 294

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
 - Irrigation OF A COMBINED TOTAL OF 294 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
 RIGHT NOS.: 32-00030, 32-00031
2. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
 DIVERSION RATE OF 3.50 CFS.
 COMBINED RIGHT NOS.: 32-00030, 32-00031

Comments:

1. DCARLSON 2/22/1999 STIPULATED AGREEMENT, 9/15/1953. P/D & P/U INCOMPLETE IN STIPULATION. THIS CLAIM IS FILED TO RECORD CURRENT USE OF WATER AS DELIVERED BY WATER MASTER.

Dates and Other Information:

Decreed Date: 2/7/2001
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 32C
 Civil Case Number: 39576
 Judicial District: FIFTH

SF5 Filed Date: 12/7/2000
 Special Master Recom Signed Date: 12/11/2000
 Attorney Assigned: SARA C DENISTON
 Adjudication Agent:
 Basis of Claim:
 Date Filed: 11/23/1999 Objection Status: Active

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.5		294

Combined Water Rights: 32-29 , 32-30 , 32-31

SubCase:

SubCase Number: 32-29
 Class: 2

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-30

WATER RIGHT NUMBER: 32-30

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 02/01/1884

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 4/01 to 10/31 1.500 CFS

Total Diversion: 1.500 CFSLocation of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8,Twp 10N,Rge 35E, B.M. CLARK County

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	35E	17					39.0	30.0	25.0	40.0	40.0	4.0		39.0		39.0	38.0		294.0

Total Acres: 294

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
 - Irrigation OF A COMBINED TOTAL OF 294 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
 RIGHT NOS.: 32-00029, 32-00031
2. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
 DIVERSION RATE OF 3.50 CFS.
 COMBINED RIGHT NOS.: 32-00029, 32-00031

Comments:

1. DCARLSON 2/22/1999 STIPULATED AGREEMENT, 9/15/1953. P/D & P/U INCOMPLETE IN STIPULATION. THIS CLAIM IS FILED TO RECORD CURRENT USE OF WATER AS DELIVERED BY WATER MASTER.

Dates and Other Information:

Decreed Date: 2/7/2001
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 32C
 Civil Case Number: 39576
 Judicial District: FIFTH

Combined Use Limits:

Rate Volume Acres
 3.5 294

Combined Water Rights: 32-29 , 32-30 , 32-31

SubCase:

SubCase Number: 32-30
 Class: 2
 SF5 Filed Date: 12/7/2000
 Special Master Recom Signed Date: 12/11/2000

Attorney Assigned: SARA C DENISTON
 Adjudication Agent:
 Basis of Claim:
 Date Filed: 11/23/1999 Objection Status: Active

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-31

WATER RIGHT NUMBER: 32-31

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 08/01/1886

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 4/01 to 10/31 1.000 CFS

Total Diversion: 1.000 CFSLocation of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8,Twp 10N,Rge 35E, B.M. CLARK County

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	35E	17					39.0	30.0	25.0	40.0	40.0	4.0		39.0		39.0	38.0		294.0

Total Acres: 294

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.50 CFS.
COMBINED RIGHT NOS.: 32-00030, 32-00029
2. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 294 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00030, 32-00029

Comments:

1. DCARLSON 2/22/1999 STIPULATED AGREEMENT, 9/15/1953. P/D & P/U INCOMPLETE IN STIPULATION. THIS CLAIM IS FILED TO RECORD USE OF WATER AS CURRENTLY DELIVERED BY THE WATER MASTER.

Dates and Other Information:

Decreed Date: 2/7/2001
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 32C
 Civil Case Number: 39576
 Judicial District: FIFTH

Attorney Assigned: SARA C DENISTON
 Adjudication Agent:
 Basis of Claim:
 Date Filed: 11/23/1999 Objection Status: Active

Combined Use Limits:

Rate	Volume	Acres
3.5		294

Combined Water Rights: 32-29 , 32-30 , 32-31

SubCase:

SubCase Number: 32-31
 Class: 2
 SF5 Filed Date: 12/7/2000
 Special Master Recom Signed Date: 12/11/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-12A

WATER RIGHT NUMBER: 32-12A

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 04/15/1885

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	3.370 CFS	928.90 AF
<u>Total Diversion:</u>		3.370 CFS	928.90 AF

Location of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8, Twp 10N, Rge 35E, B.M. CLARK County

Place of Use			IRRIGATION																	
Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
10N	35E	7																32.7	32.7	65.4
10N	35E	18	21.0	40.0	40.0	21.0	39.0					39.0								200.0

Total Acres: 265.4

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 32-C.
2. 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.
3. 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.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 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.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X35 Rights 32-9A, 32-10A, 32-11A, 32-12A and 32-13A when combined shall not exceed a total diversion rate of 5.2 cfs, a total annual maximum diversion volume of 928.9 af at the field headgate, and the irrigation of 265.4 acres.

Remarks:Comments:

1. pskaggs 1/14/2003 1:35:36 PM This is now an approved transfer, transfer number = 70179

Dates and Other Information:

Decreed Date: 9/29/2000

Water District Number: 32C

Generic Max Volume Per Acre: 3.5

Judicial District: FIFTH

State or Federal: S

Generic Max Rate Per Acre: 0.02

Civil Case Number: 39576

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.2	928.9	265.4

Combined Water Rights: 32-9A , 32-10A , 32-11A , 32-12A , 32-13A

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-13A

WATER RIGHT NUMBER: 32-13A

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 11/01/1885

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.210 CFS	97.60 AF
<u>Total Diversion:</u>		0.210 CFS	97.60 AF

Location of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8,Twp 10N,Rge 35E, B.M. CLARK County

<u>Place of Use</u>			<u>IRRIGATION</u>																<u>Totals</u>
<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10N	35E	7															32.7	32.7	65.4
10N	35E	18	21.0	40.0	40.0	21.0	39.0			39.0									200.0

Total Acres: 265.4

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 32-C.
2. 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.
3. 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.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 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.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X35 Rights 32-9A, 32-10A, 32-11A, 32-12A and 32-13A when combined shall not exceed a total diversion rate of 5.2 cfs, a total annual maximum diversion volume of 928.9 af at the field headgate, and the irrigation of 265.4 acres.

Remarks:Comments:

1. pskaggs 1/14/2003 1:35:36 PM This is now an approved transfer, transfer number = 70179

Dates and Other Information:

Decreed Date: 9/29/2000
 Water District Number: 32C
 Generic Max Volume Per Acre: 3.5
 Judicial District: FIFTH

State or Federal: S
 Generic Max Rate Per Acre: 0.02
 Civil Case Number: 39576

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.2	928.9	265.4

Combined Water Rights: 32-9A , 32-10A , 32-11A , 32-12A , 32-13A

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-4B

WATER RIGHT NUMBER: 32-4B

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 04/15/1885

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 4/01 to 10/31 0.470 CFS 170.60 AF

Total Diversion: 0.470 CFS 170.60 AF

Location of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8,Twp 10N,Rge 35E, B.M. CLARK County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N 35E 7									31.0			29.0	31.0	29.0			120.0
10N 35E 17					12.0	8.0											20.0
10N 35E 18	13.0			7.0													20.0

Total Acres: 160

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

Remarks:

1. Explanatory WATER IS DELIVERED THROUGH MEDICINE LODGE 8NWSW
2. Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
- Irrigation OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00001B, 32-00002B, 32-00003B, 32-00005B, 32-07081D
3. General 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 WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.
4. Quantity 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, 32-00005B, 32-07081D

Comments:

1. DCARLSON 6/3/1999 STIPULATED AGREEMENT 9/15/1953. AS PER TRANS. # 1617. LAND UNDER THIS CLAIM IS CURRENTLY IN FERDERAL CRP PROGRAM. SCHEDULED TO BE BACK IN PRODUCTION IN 1998 PAID ON RECEIPT M000082 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. 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 and Other Information:

Decreed Date: 10/27/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-5B

WATER RIGHT NUMBER: 32-5B

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 11/01/1885

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.470 CFS	170.60 AF
	<u>Total Diversion:</u>	0.470 CFS	170.60 AF

Location of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8,Twp 10N,Rge 35E, B.M. CLARK County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N 35E 7									31.0			29.0	31.0	29.0			120.0
10N 35E 17					12.0	8.0											20.0
10N 35E 18	13.0			7.0													20.0

Total Acres: 160

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

Remarks:

1. Explanatory WATER IS DELIVERED THROUGH MEDICINE LODGE 8NWSW
2. Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
 - Irrigation OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-07081D
3. General 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 WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.
4. Quantity 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, 32-07081D

Comments:

1. DCARLSON 6/3/1999 COPIED FROM REMARKS

Comment: STIPULATED AGREEMENT 9/15/1953. AS PER TRANS. # 1617. LAND UNDER THIS CLAIM IS CURRENTLY IN FERDERAL CRP PROGRAM. SCHEDULED TO BE INTO PRODUCTION 1998 PAID ON RECEIPT M000082 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. 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 and Other Information:

Decreed Date: 10/27/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-25

WATER RIGHT NUMBER: 32-25

Owner Type Name and Address
 Current Owner JACK MC GARRY
 HC 61 BOX 1080
 DUBOIS, ID 83423
 (208)374-5470

Priority Date: 10/01/1883 Basis: Decreed Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	4/01 to 10/31	0.020 CFS	
IRRIGATION	4/01 to 10/31	3.360 CFS	
<u>Total Diversion:</u>		3.360 CFS	

Location of Point(s) of Diversion

MEDICINE LODGE CREEK SW1/4NE1/4SE1/4Sec. 25,Twp 11N,Rge 34E, B.M. CLARK County
 MEDICINE LODGE CREEK NW1/4SW1/4SE1/4Sec. 31,Twp 11N,Rge 35E, B.M. CLARK County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N 35E 6													25.0	38.0	37.0	36.0	136.0
11N 35E 31	40.0	39.0	38.0	40.0													157.0

Total Acres: 293

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Explanatory STOCKWATER, 500 CATTLE WATER IS DELIVERED THROUGH MEDICINE LODGE 25NESE WATER IS DELIVERED THROUGH MEDICINE LODGE 31SWSE-W
2. Place of Use USE OF THIS RIGHT WITH RIGHT NO. 32-00043 IS LIMITED TO THE IRRIGATION OF A
 - Irrigation COMBINED TOTAL OF 293 ACRES IN A SINGLE IRRIGATION SEASON.

Comments:

1. DCARLSON 3/19/1999 COPIED FROM REMARKS

Comment: STIPULATED AGREEMENT, 9/15/1953. WATER IS DIVERTED BEFORE AND AFTER THE IRRIGATION SEASON, FROM MARCH 1 TO NOV. 31. THE STOCK WATER USE EXTENDS TO THIS PERIOD.

Dates and Other Information:

Decreed Date: 10/27/2000
 State or Federal: S
 Water District Number: 32C
 Civil Case Number: 39576
 Judicial District: FIFTH

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		293

Combined Water Rights: 32-25 , 32-43

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-43

WATER RIGHT NUMBER: 32-43

Owner Type Name and Address
 Current Owner PATRICK T MC GARRY
 HC 61 BOX 1080
 DUBOIS, ID 83423
 (208)374-5470

Priority Date: 10/15/1884

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.000 CFS	
STOCKWATER	4/01 to 10/31	0.020 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

MEDICINE LODGE CREEK SW1/4NE1/4SE1/4Sec. 25,Twp 11N,Rge 34E, B.M. CLARK County

MEDICINE LODGE CREEK NW1/4SW1/4SE1/4Sec. 31,Twp 11N,Rge 35E, B.M. CLARK County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N 35E 6													25.0	38.0	37.0	36.0	136.0
11N 35E 31	40.0	39.0	38.0	40.0													157.0

Total Acres: 293

STOCKWATER same as IRRIGATIONConditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Place of Use USE OF THIS RIGHT WITH RIGHT NO. 32-00025 IS LIMITED TO THE IRRIGATION OF A
 - Irrigation COMBINED TOTAL OF 293 ACRES IN A SINGLE IRRIGATION SEASON.
2. Explanatory STOCKWATER, 800 CATTLE WATER IS DELIVERED THROUGH MEDICINE LODGE
 25NESE WATER IS DELIVERED THROUGH MEDICINE LODGE 31SWSE-W

Comments:

1. DCARLSON 3/15/1999 COPIED FROM REMARKS

Comment: STIPULATED AGREEMENT, 9/15/1953. P/D & P/U INCOMPLETE. THIS WATER RIGHT IS USED
 BEYOND THE IRRIGATION SEASON FROM MAR 01 TO NOV. 31. STOCKWATER IS ALSO USED DURING THIS
 PERIOD.

Dates and Other Information:

Decreed Date: 10/27/2000

State or Federal: S

Water District Number: 32C

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		293

Combined Water Rights: 32-25 , 32-43

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-1B

WATER RIGHT NUMBER: 32-1B

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 06/20/1883

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.600 CFS	217.80 AF
		<u>Total Diversion:</u>	217.80 AF

Location of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8, Twp 10N, Rge 35E, B.M.

CLARK County

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	35E	7									31.0			29.0		31.0	29.0		120.0
10N	35E	17						12.0	8.0										20.0
10N	35E	18	13.0			7.0													20.0

Total Acres: 160

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

Remarks:

1. Explanatory WATER IS DELIVERED THROUGH MEDICINE LODGE 8NWSW
2. Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
 - Irrigation OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00002B, 32-00003B, 32-00004B, 32-00005B, 32-07081D
3. Quantity 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.: 32-00002B, 32-00003B, 32-00004B, 32-00005B, 32-07081D
4. General 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 WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.

Comments:

1. DCARLSON 6/2/1999 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. 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 and Other Information:

Decreed Date: 10/27/2000

State or Federal: S

Water District Number: 32C

Civil Case Number: 39576

Judicial District: FIFTH

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.2	560	160

Combined Water Rights: 32-1B , 32-2B , 32-3B , 32-4B , 32-5B , 32-7081D

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-2B

WATER RIGHT NUMBER: 32-2B

Owner Type

Current Owner

Name and AddressBRION D & GARY EGAN, HC 61 BOX 1060, DUBOIS, ID 83423
(208)374-5460

Priority Date: 10/01/1883

Basis: Decreed

Status: Active

Source

MEDICINE LODGE CREEK

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

4/01 to 10/31

Diversion Rate

0.340 CFS

Annual Volume

123.40 AF

Total Diversion:

0.340 CFS

123.40 AF

Location of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8,Twp 10N,Rge 35E, B.M.

CLARK County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N 35E 7									31.0			29.0	31.0		29.0		120.0
10N 35E 17					12.0		8.0										20.0
10N 35E 18	13.0			7.0													20.0

Total Acres: 160

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

Remarks:

1. Explanatory WATER IS DELIVERED THROUGH MEDICINE LODGE 8NWSW
2. Place of Use
- Irrigation 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, 32-00003B, 32-00004B, 32-00005B, 32-07081D
3. Quantity 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, 32-00003B, 32-00004B, 32-00005B, 32-07081D
4. General 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 WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.

Comments:

1. DCARLSON 6/2/1999 STIPULATED AGREEMENT 9/15/1953 AS PER TRANS. #1617. LAND UNDER CLAIM IN CURRENTLY IN CRP PROGRAM. SCHEDULED TO BE BACK IN PRODUCTION 1998. PAID ON RECEIPT M000082 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. 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.
2. AJU10-EC 7/29/1999 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. pskaggs 6/26/2002 8:56:32 AM Water Right
Comment: This water right record was updated by decree record from old RightID 103023 to new RightID 200900

Dates and Other Information:

Decreed Date: 10/27/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-3B

WATER RIGHT NUMBER: 32-3B

Owner Type Name and Address
 Current Owner BRION D EGAN
 HC 61 BOX 1060
 DUBOIS, ID 83423
 (208)374-5460

Priority Date: 05/15/1884

Basis: Decreed

Status: Active

Source Tributary
 MEDICINE LODGE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/10 to 10/31	1.410 CFS	511.80 AF
<u>Total Diversion:</u>		1.410 CFS	511.80 AF

Location of Point(s) of Diversion

MEDICINE LODGE CREEK NW1/4SW1/4 Sec. 8, Twp 10N, Rge 35E, B.M. CLARK County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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Comments:

1. DCARLSON 6/2/1999 COPIED FROM REMARKS

Comment: STIPULATED AGREEMENT 9/15/1953. AS PER TRANS #1617. LAND UNDER THIS CLAIM IS CURRENTLY IN FEDERAL CRP PROGRAM. SCHEDULED TO GO BACK INTO PRODUCTION 1998. PAID ON RECEIPT M000082 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. 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 and Other Information:

Decreed Date: 10/27/2000