

T5067 EGAN

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 25 1998

Department of Water Resources
Eastern Region

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 : IRRIGATION Priority: 06/20/1883	04/15 to 10/15	* 0.64 CFS	217.8 AF
Right No. 32-00002B : IRRIGATION Priority: 10/01/1883	04/15 to 10/15	* 0.36 CFS	123.4 AF
Right No. 32-00003B : IRRIGATION Priority: 05/15/1884	04/15 to 10/15	* 1.50 CFS	511.8 AF
Right No. 32-00004B : IRRIGATION Priority: 04/15/1885	04/15 to 10/15	* 0.50 CFS	170.6 AF
Right No. 32-00005B : IRRIGATION Priority: 11/01/1885	04/15 to 10/15	* 0.50 CFS	170.6 AF
Right No. 32-07081D : IRRIGATION 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 : MEDICINE LODGE CREEK	SINKS
Right No. 32-07081D : GROUNDWATER	

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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.

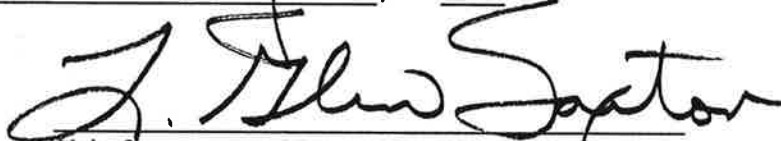
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32-00005B/32-07081D

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 18th day of

February, 1998


Chief, Water Allocation Bureau

MEMORANDUM

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

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER 5067

DATE: February 10, 1998



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Transfer 5067 changes the point of diversion[✓] 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.

