

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76295

This is to certify that: BRION D EGAN
 84 ROWLAND RD
 DUBOIS ID 83423
 (208)374-5460

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
32-9A	WR/Decreed	02/01/1884	0.18 cfs	80.6 af	N/A	265.4	MEDICINE LODGE CREEK
32-10A	WR/Decreed	04/15/1884	0.27 cfs	123.1 af	N/A	265.4	MEDICINE LODGE CREEK
32-11A	WR/Decreed	05/01/1884	1.17 cfs	534.8 af	N/A	265.4	MEDICINE LODGE CREEK
32-12A	WR/Decreed	04/15/1885	3.37 cfs	928.9 af	N/A	265.4	MEDICINE LODGE CREEK
32-13A	WR/Decreed	11/01/1885	0.21 cfs	97.6 af	N/A	265.4	MEDICINE LODGE CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
32-9A	NO	NO	NO	YES	NO	NO
32-10A	NO	NO	NO	YES	NO	NO
32-11A	NO	NO	NO	YES	NO	NO
32-12A	NO	NO	NO	YES	NO	NO
32-13A	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
32-9A	32-9A	0.18 cfs	80.6 af	N/A	265.4		N/A	N/A	N/A	N/A
32-10A	32-10A	0.27 cfs	123.1 af	N/A	265.4		N/A	N/A	N/A	N/A
32-11A	32-11A	1.17 cfs	534.8 af	N/A	265.4		N/A	N/A	N/A	N/A
32-12A	32-12A	3.37 cfs	928.9 af	N/A	265.4		N/A	N/A	N/A	N/A
32-13A	32-13A	0.21 cfs	97.6 af	N/A	265.4		N/A	N/A	N/A	N/A

COMBINED

TOTALS **5.2 cfs** **928.9 af** **N/A** **265.4** **N/A** **N/A** **N/A** **N/A**

SUPPORT DATA

IN FILE # 32-9A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76295

Detailed Water Right Description(s) attached

Dated this 5th day of April, 2010


Water Resources Program Manager



WATER RIGHT NO. 32-9A
As Modified by Transfer No. 76295

In accordance with the approval of Transfer No. 76295, Water Right No. 32-9A is now described as follows.

Right Holder: BRION D EGAN
 84 ROWLAND RD
 DUBOIS ID 83423

Priority Date: February 01, 1884

Source: MEDICINE LODGE CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.18 CFS	80.6 AF

LOCATION OF POINT(S) OF DIVERSION:

MEDICINE LODGE CREEK NWSW	Sec. 8 Twp 10N Rge 35E CLARK County
MEDICINE LODGE CREEK NWNWNW	Sec. 17 Twp 10N Rge 35E 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. 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.
2. Diversion of water from the point of diversion located in NWNWNW, Sec. 17, T10N, R35E is subject to a 5 percent shrink assessed by the watermaster.
3. 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.
4. 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.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

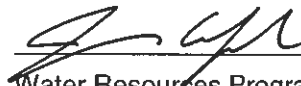
WATER RIGHT NO. 32-9A
As Modified by Transfer No. 76295

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of April, 2010



Water Resources Program Manager

WATER RIGHT NO. 32-10A
As Modified by Transfer No. 76295

In accordance with the approval of Transfer No. 76295, Water Right No. 32-10A is now described as follows.

Right Holder: BRION D EGAN
 84 ROWLAND RD
 DUBOIS ID 83423

Priority Date: April 15, 1884

Source: MEDICINE LODGE CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.27 CFS	123.1 AF

LOCATION OF POINT(S) OF DIVERSION:

MEDICINE LODGE CREEK NWSW	Sec. 8 Twp 10N Rge 35E CLARK County
MEDICINE LODGE CREEK NWNWNW	Sec. 17 Twp 10N Rge 35E 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. 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.
2. Diversion of water from the point of diversion located in NWNWNW, Sec. 17, T10N, R35E is subject to a 5 percent shrink assessed by the watermaster.
3. 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.
4. 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.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

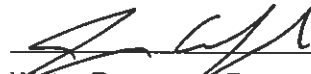
WATER RIGHT NO. 32-10A
As Modified by Transfer No. 76295

CONDITIONS OF APPROVAL

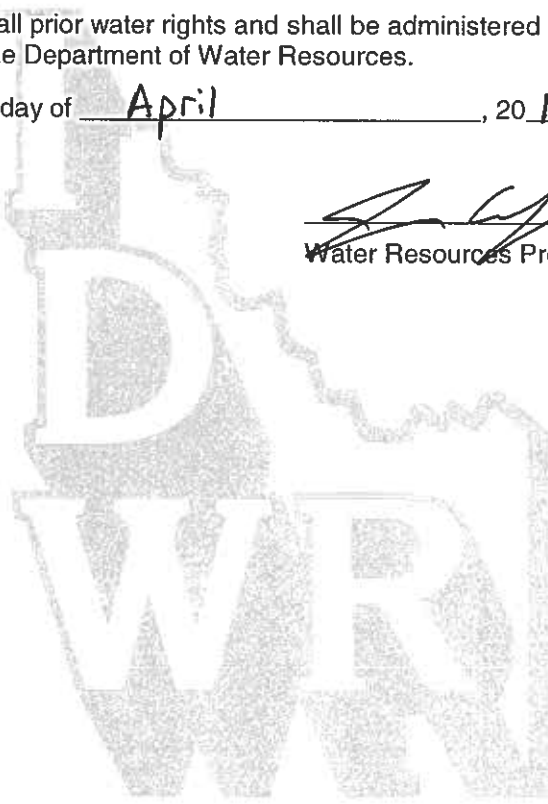
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of April, 20 10



Water Resources Program Manager



WATER RIGHT NO. 32-11A
As Modified by Transfer No. 76295

In accordance with the approval of Transfer No. 76295, Water Right No. 32-11A is now described as follows.

Right Holder: BRION D EGAN
84 ROWLAND RD
DUBOIS ID 83423

Priority Date: May 01, 1884

Source: MEDICINE LODGE CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.17 CFS	534.8 AF

LOCATION OF POINT(S) OF DIVERSION:

MEDICINE LODGE CREEK NWSW	Sec. 8 Twp 10N Rge 35E CLARK County
MEDICINE LODGE CREEK NWNWNW	Sec. 17 Twp 10N Rge 35E 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. 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.
2. Diversion of water from the point of diversion located in NWNWNW, Sec. 17, T10N, R35E is subject to a 5 percent shrink assessed by the watermaster.
3. 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.
4. 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.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

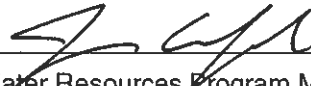
WATER RIGHT NO. 32-11A
As Modified by Transfer No. 76295

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of April, 20 10



Water Resources Program Manager

WATER RIGHT NO. 32-12A
As Modified by Transfer No. 76295

In accordance with the approval of Transfer No. 76295, Water Right No. 32-12A is now described as follows.

Right Holder: BRION D EGAN
 84 ROWLAND RD
 DUBOIS ID 83423

Priority Date: April 15, 1885

Source: MEDICINE LODGE CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	3.37 CFS	928.9 AF

LOCATION OF POINT(S) OF DIVERSION:

MEDICINE LODGE CREEK NWSW	Sec. 8 Twp 10N Rge 35E CLARK County
MEDICINE LODGE CREEK NWNWNW	Sec. 17 Twp 10N Rge 35E 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. 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.
2. Diversion of water from the point of diversion located in NWNWNW, Sec. 17, T10N, R35E is subject to a 5 percent shrink assessed by the watermaster.
3. 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.
4. 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.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

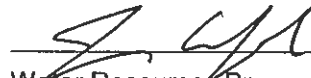
WATER RIGHT NO. 32-12A
As Modified by Transfer No. 76295

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of April, 20 10



Water Resources Program Manager



WATER RIGHT NO. 32-13A
As Modified by Transfer No. 76295

In accordance with the approval of Transfer No. 76295, Water Right No. 32-13A is now described as follows.

Right Holder: BRION D EGAN
 84 ROWLAND RD
 DUBOIS ID 83423

Priority Date: November 01, 1885

Source: MEDICINE LODGE CREEK **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.21 CFS	97.6 AF

LOCATION OF POINT(S) OF DIVERSION:

MEDICINE LODGE CREEK NWSW	Sec. 8 Twp 10N Rge 35E CLARK County
MEDICINE LODGE CREEK NWNWNW	Sec. 17 Twp 10N Rge 35E 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. 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.
2. Diversion of water from the point of diversion located in NWNWNW, Sec. 17, T10N, R35E is subject to a 5 percent shrink assessed by the watermaster.
3. 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.
4. 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.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 32-13A
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7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of April, 2010



Water Resources Program Manager

