

Transfer No. 76295

Receipt No. 5035627

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information BRION D EGAN
84 ROWLAND RD
DUBOIS ID 83423
(208)374-5460

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
32-9A	WR/Decreed	0.18	80.6		265.4	MEDICINE LODGE CREEK
32-10A	WR/Decreed	0.27	123.1		265.4	MEDICINE LODGE CREEK
32-11A	WR/Decreed	1.17	534.8		265.4	MEDICINE LODGE CREEK
32-12A	WR/Decreed	3.37	928.9		265.4	MEDICINE LODGE CREEK
32-13A	WR/Decreed	0.21	97.6		265.4	MEDICINE LODGE CREEK

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
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

Describe the reason for the proposed changes

To add a point of diversion to an existing irrigation system. The additional point of diversion will be located down stream adjacent our field.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

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

5. Total Amounts Transferred

Rate	Acre Limit	Total Acres	Volume
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Department of Water Resources
Eastern Region

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32-9A	0.18 cfs	265.4	80.6 af
32-10A	0.27 cfs	265.4	123.1 af
32-11A	1.17 cfs	265.4	534.8 af
32-12A	3.37 cfs	265.4	928.9 af
32-13A	0.21 cfs	265.4	97.6 af
TOTAL	5.20 cfs	265.4	928.9 af

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

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)


(Title or Office)

Transfer No. 76295

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 32-9A

Priority Date: February 01, 1884

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.18 CFS	80.6 AFA	
	Total Diversion	0.18 CFS	80.6 AFA	

Source and Point(s) of Diversion:

MEDICINE LODGE CREEK NWSW Sec. 8 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/Remarks:

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. 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.
3. 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.
4. 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.

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5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

Documentation of Ownership of the Current Place of Use

Owner per IDWR record.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

No Change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 76295

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 32-10A

Priority Date: April 15, 1884

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.27 CFS	123.1 AFA	
	Total Diversion	0.27 CFS	123.1 AFA	

Source and Point(s) of Diversion:

MEDICINE LODGE CREEK NWSW Sec. 8 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/Remarks:

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. 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.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Page 7

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
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 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.

Documentation of Ownership of the Current Place of Use

Owner per IDWR record.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

No change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 32-11A

Priority Date: May 01, 1884

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	1.17 CFS	534.8 AFA	
	Total Diversion	1.17 CFS	534.8 AFA	

Source and Point(s) of Diversion:

MEDICINE LODGE CREEK NWSW Sec. 8 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/Remarks:

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.
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3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

5. 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.
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7. 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.

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Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

No change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 32-12A

Priority Date: April 15, 1885

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	3.37 CFS	928.9 AFA	
	Total Diversion	3.37 CFS	928.9 AFA	

Source and Point(s) of Diversion:

MEDICINE LODGE CREEK NWSW Sec. 8 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/Remarks:

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. 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.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

5. 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.
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No change

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NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 32-13A

Priority Date: November 01, 1885

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.21 CFS	97.6 AFA	
	Total Diversion	0.21 CFS	97.6 AFA	

Source and Point(s) of Diversion:

MEDICINE LODGE CREEK NWSW Sec. 8 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/Remarks:

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.
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3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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5. 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.
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Documentation of Ownership of the Current Place of Use

Owner per IDWR record.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

No change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Proposed Water Right No. 32-9A

Priority Date: February 01, 1884

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.18 CFS	80.6 AFA	
	Total Diversion	0.18 CFS	80.6 AFA	

Source and 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

Describe the proposed diversion system

Point of Diversion # 1 DITHCES AND PUMP TO IRR

Point of Diversion # 2 Water is diverted from Medicine Lodge Creek, through a shared ditch.

Pump

installed in ditch and diverts water to two pivots.

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

Transfer No. 76295

Receipt No. _____

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

Proposed Water Right No. 32-10A

Priority Date: April 15, 1884

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.27 CFS	123.1 AFA	
	Total Diversion	0.27 CFS	123.1 AFA	

Source and 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

Describe the proposed diversion system

Point of Diversion # 1 DITHCES AND PUMP TO IRR

Point of Diversion # 2 Water is diverted from Medicine Lodge Creek, through a shared ditch.

Pump

installed in ditch and diverts water to two pivots.

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

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

Proposed Water Right No. 32-11A

Priority Date: May 01, 1884

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	1.17 CFS	534.8 AFA	
	Total Diversion	1.17 CFS	534.8 AFA	

Source and 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

Describe the proposed diversion system

Point of Diversion # 1 DITHCES AND PUMP TO IRR

Point of Diversion # 2 Water is diverted from Medicine Lodge Creek, through a shared ditch.

Pump

installed in ditch and diverts water to two pivots.

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

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

Proposed Water Right No. 32-12A

Priority Date: April 15, 1885

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	3.37 CFS	928.9 AFA	
	Total Diversion	3.37 CFS	928.9 AFA	

Source and 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

Describe the proposed diversion system

Point of Diversion # 1 DITHCES AND PUMP TO IRR

Point of Diversion # 2 Water is diverted from Medicine Lodge Creek, through a shared ditch.

Pump

installed in ditch and diverts water to two pivots.

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

Transfer No. 76295

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

Proposed Water Right No. 32-13A

Priority Date: November 01, 1885

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	0.21 CFS	97.6 AFA	
	Total Diversion	0.21 CFS	97.6 AFA	

Source and 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

Describe the proposed diversion system

Point of Diversion # 1 DITHCES AND PUMP TO IRR

Point of Diversion # 2 Water is diverted from Medicine Lodge Creek, through a shared ditch.

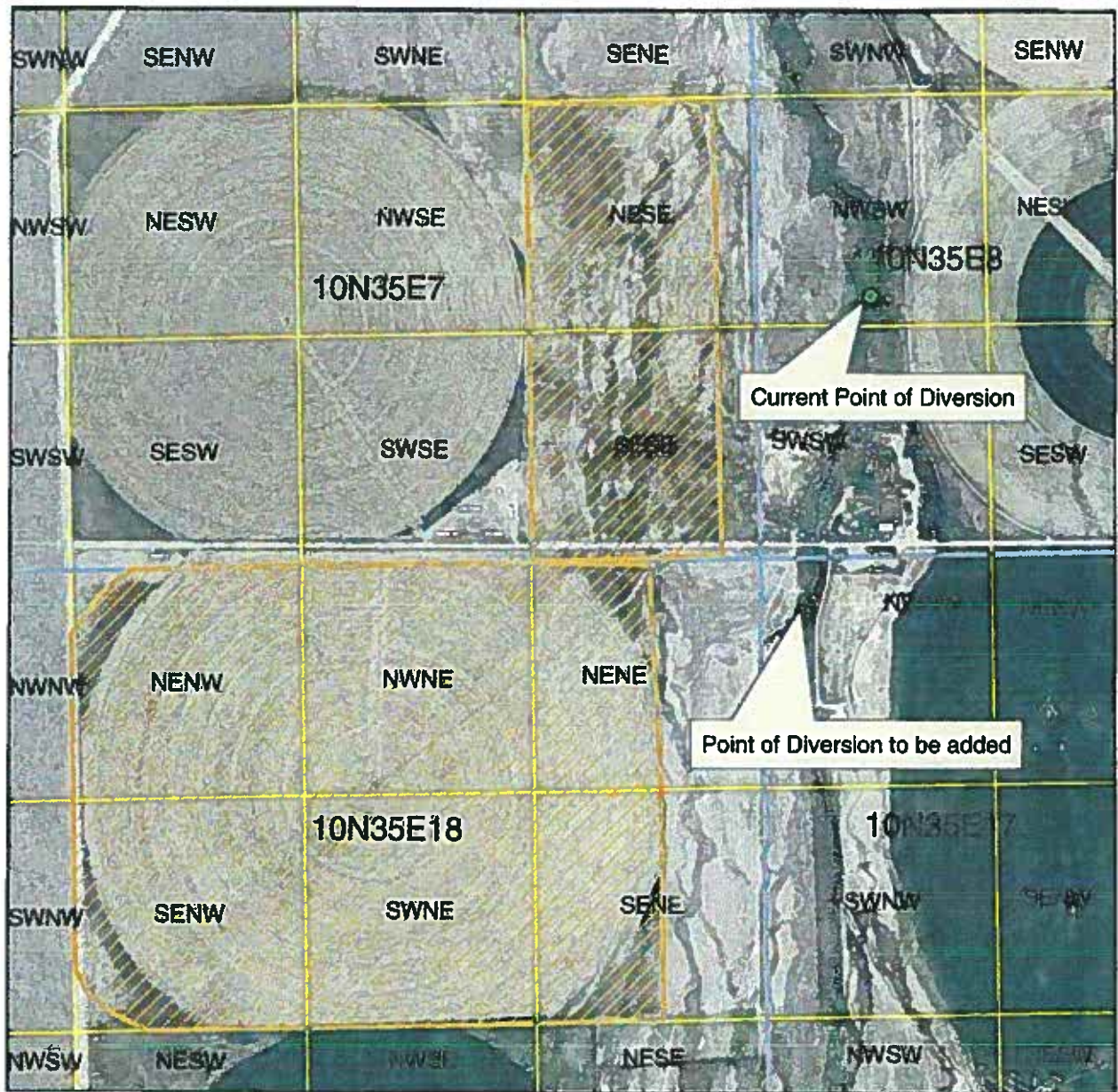
Pump

installed in ditch and diverts water to two pivots.

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



Legend

-  Place of Use
-  Township/Range
-  Sections
-  QQ

0 0.1 0.2 0.4 Miles

1 inch = 0.18 miles



2009 Aerial Photography

76 29 5