

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74377

This is to certify that: FRED BROG And
 ANNIE BROG
 1644 STATE LINE RD
 FREEDOM WY 83120
 (307)883-2363

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>
24-10676	WR/Decreed	12/11/1917	1.03 cfs	N/A	N/A	51.5	TINCUP CREEK
24-10678	WR/Decreed	02/15/1908	0.29 cfs	N/A	N/A	14.7	UNNAMED STREAM
24-10677	WR/Decreed	12/11/1917	0.94 cfs	N/A	N/A	47.0	UNNAMED STREAM
24-10031	WR/Decreed	02/15/1908	0.20 cfs	N/A	N/A	10.0	TINCUP 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>
24-10676	NO	NO	YES	YES	NO	NO
24-10678	NO	NO	YES	NO	NO	NO
24-10677	NO	NO	YES	NO	NO	NO
24-10031	NO	NO	YES	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>
24-10676	24-10676	1.03 cfs	N/A	51.5	126.7		N/A	N/A	N/A	N/A
24-10678	24-10678	0.29 cfs	N/A	14.7	126.7		N/A	N/A	N/A	N/A
24-10677	24-10677	0.94 cfs	N/A	47.0	126.7		N/A	N/A	N/A	N/A
24-10031	24-10031	0.20 cfs	N/A	10.0	126.7		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.46 cfs	N/A	123.2	126.7		N/A	N/A	N/A	N/A

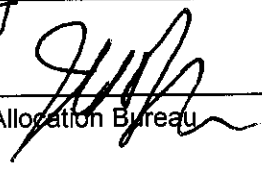
SUPPORT DATA

IN FILE # 2410031

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74377

Detailed Water Right Description(s) attached

Dated this 19th day of February, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 24-10031
As Modified by Transfer No. 74377

In accordance with the approval of Transfer No. 74377, Water Right No. 24-10031 is now described as follows.

Right Holder: FRED BROG And
 ANNIE BROG
 1644 STATE LINE RD
 FREEDOM WY 83120

Priority Date: February 15, 1908

Source: UNNAMED STREAM
 TINCUP CREEK

Tributary: TINCUP CREEK
 SALT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.20 CFS
			0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

TINCUP CREEK	SESESW	Sec. 3	Twp 05S	Rge 46E	CARIBOU County
TINCUP CREEK	SESWNW	Sec. 9	Twp 05S	Rge 46E	CARIBOU County
UNNAMED STREAM	L3 (NWNWSE)	Sec. 10	Twp 05S	Rge 46E	CARIBOU 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	
05S	46E	10		24.7	37.7		12.3			29.0	11.0					12.0			126.7
				L 1	L 2											L 3			

Total Acres: 126.7

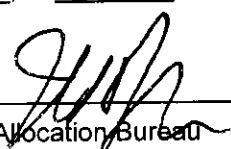
WATER RIGHT NO. 24-10031
As Modified by Transfer No. 74377

CONDITIONS OF APPROVAL

1. 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. 01.
2. 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.
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(s).
4. This right is limited to the irrigation of 10.0 acres within the place of use described above in a single irrigation season.
5. Rights 24-10031, 24-10676, 24-10677, and 24-10678 when combined shall not exceed the irrigation of 123.2 acres.
6. Diversion of water from the unnamed stream is limited to those times water is available for diversion under this right and priority from Tincup Creek at the original point of diversion(s).
7. The right holder shall accomplish the change authorized by this transfer within one 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. 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 19th day of February, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 24-10676
As Modified by Transfer No. 74377

In accordance with the approval of Transfer No. 74377, Water Right No. 24-10676 is now described as follows.

Right Holder: FRED BROG And
 ANNIE BROG
 1644 STATE LINE RD
 FREEDOM WY 83120

Priority Date: December 11, 1917

Source: UNNAMED STREAM
 TINCUP CREEK

Tributary: TINCUP CREEK
 SALT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	1.03 CFS
			1.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

TINCUP CREEK	SESESW	Sec. 3 Twp 05S Rge 46E CARIBOU County
TINCUP CREEK	SESWNW	Sec. 9 Twp 05S Rge 46E CARIBOU County
UNNAMED STREAM	L3 (NWNWSE)	Sec. 10 Twp 05S Rge 46E CARIBOU 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	
05S 46E 10		24.7	37.7		12.3			29.0	11.0					12.0			126.7
		L 1	L 2											L 3			

Total Acres: 126.7

WATER RIGHT NO. 24-10676
As Modified by Transfer No. 74377

CONDITIONS OF APPROVAL

1. 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. 01.
2. 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.
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(s).
4. This right is limited to the irrigation of 51.5 acres within the place of use described above in a single irrigation season.
5. Rights 24-10031, 24-10676, 24-10677, and 24-10678 when combined shall not exceed the irrigation of 123.2 acres.
6. Diversion of water from the unnamed stream is limited to those times water is available for diversion under this right and priority from Tincup Creek at the original point of diversion(s).
7. The right holder shall accomplish the change authorized by this transfer within one 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. 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 19th day of February, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 24-10677
As Modified by Transfer No. 74377

In accordance with the approval of Transfer No. 74377, Water Right No. 24-10677 is now described as follows.

Right Holder: FRED BROG And
 ANNIE BROG
 1644 STATE LINE RD
 FREEDOM WY 83120

Priority Date: December 11, 1917

Source: UNNAMED STREAM

Tributary: TINCUP CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.94 CFS
			0.94 CFS

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM L3 (NWNWSE) Sec. 10 Twp 05S Rge 46E CARIBOU 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		
05S	46E	10		24.7	37.7		12.3			29.0	11.0						12.0			126.7
				L 1	L 2												L 3			

Total Acres: 126.7

WATER RIGHT NO. 24-10677
As Modified by Transfer No. 74377

CONDITIONS OF APPROVAL

1. 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. 01.
2. 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.
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(s).
4. This right is limited to the irrigation of 47.0 acres within the place of use described above in a single irrigation season.
5. Rights 24-10031, 24-10676, 24-10677, and 24-10678 when combined shall not exceed the irrigation of 123.2 acres.
6. Source is also known as Kirk Mc Bride Slough.
7. The right holder shall accomplish the change authorized by this transfer within one 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. 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 19th day of February, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 24-10678
As Modified by Transfer No. 74377

In accordance with the approval of Transfer No. 74377, Water Right No. 24-10678 is now described as follows.

Right Holder: FRED BROG And
 ANNIE BROG
 1644 STATE LINE RD
 FREEDOM WY 83120

Priority Date: February 15, 1908

Source: UNNAMED STREAM

Tributary: TINCUP CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.29 CFS
			0.29 CFS

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM L3 (NWNWSE) Sec. 10 Twp 05S Rge 46E CARIBOU 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	
05S	46E	10		24.7	37.7		12.3		29.0	11.0						12.0			126.7
				L 1	L 2											L 3			

Total Acres: 126.7

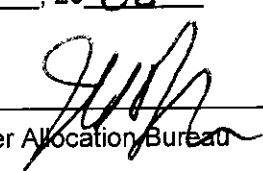
WATER RIGHT NO. 24-10678
As Modified by Transfer No. 74377

CONDITIONS OF APPROVAL

1. 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. 01.
2. 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.
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(s).
4. This right is limited to the irrigation of 14.7 acres within the place of use described above in a single irrigation season.
5. Rights 24-10031, 24-10676, 24-10677, and 24-10678 when combined shall not exceed the irrigation of 123.2 acres.
6. Source is also known as Kirk Mc Bride Slough.
7. The right holder shall accomplish the change authorized by this transfer within one 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. 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 19th day of February, 2008



Chief, Water Allocation Bureau