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MEMORANDUM

TO: FILE 32-00009A

FROM: VAULT

RE: TEMPORARY CHANGE 32-09

DATE: 6/04

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Original Temporary Change Application and correspondence regarding
this matter is located within:

FILE # 32-1B

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replacing the computer-
generated decree.**

FOR INFO ONLY

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 32-4004 V1

WATER RIGHT NUMBER: 32-4004 V1

Had overlapped new
P.O.U. in part on
transfer #70179

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	KENNETH E ROWLAND 890 S SKYLINE DR IDAHO FALLS, ID 83402
Directors Report Owner	MARY E ROWLAND 890 S SKYLINE DR IDAHO FALLS, ID 83402 (208)522-7584
Current Owner	BRION D EGAN HC 61 BOX 1060 DUBOIS, ID 83423 (208)374-5460
Current Owner	DEANNA EGAN HC 61 BOX 1060 DUBOIS, ID 83423 (208) 374-5460

Priority Date: 03/25/1963

Basis:

Status: Disallowed

<u>Source</u>	<u>Tributary</u>
MEDICINE LODGE CREEK	SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	4.000 CFS	
<u>Total Diversion:</u>		4.000 CFS	

Location of Point(s) of Diversion

MEDICINE LODGE CREEK	SE1/4NW1/4SW1/4	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					40.0	32.0	30.0	40.0	40.0	29.0	14.0	40.0					265.0
10N	35E	18	40.0			10.0													50.0

Total Acres: 315

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 32-4004 V1

1. P03 NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWR's field examination or by other evidence submitted by the claimant.

Remarks:

1. General NO BENEFICIAL USE FOUND.

Comments:

1. DCARLSON 7/19/1999 COPIED FROM REMARKS
Comment: SEE CORRESPONDENCE AND DOCUMENTS W/ ORIGINAL CLAIM FILING. **CHANGED ADDRESS 1/23/97/JT**
2. DCARLSON 9/29/1999 disallowed
Comment: this was for high water--- no records of the watermaster ever delivering this water right! Hearing held in 1978 to protest this water right and the delivery of it. recommended the decreed rights 32-00029, 30, 31.
3. jcrabtre 10/20/2000 OWNERSHIP CHANGE
Comment: CHANGED OWNERSHIP PER REQUEST/NCAP TO COURT

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 32-4004
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