

No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70179

This is to certify that: BRION D EGAN
HC 61 BOX 1060
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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
32-10A	WR/Decreed	04/15/1884	0.29 cfs	123.1 af		269.0	MEDICINE LODGE CREEK
32-12A	WR/Decreed	04/15/1885	3.62 cfs	928.9 af		269.0	MEDICINE LODGE CREEK
32-11A	WR/Decreed	05/01/1884	1.26 cfs	534.8 af		269.0	MEDICINE LODGE CREEK
32-13A	WR/Decreed	11/01/1885	0.23 cfs	97.6 af		269.0	MEDICINE LODGE CREEK
32-9A	WR/Decreed	02/01/1884	0.19 cfs	80.6 af		269.0	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>
32-10A	NO	YES	YES	NO	NO	NO
32-12A	NO	YES	YES	NO	NO	NO
32-11A	NO	YES	YES	NO	NO	NO
32-13A	NO	YES	YES	NO	NO	NO
32-9A	NO	YES	YES	NO	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>
32-10A	32-10A	0.27 cfs	123.1 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
32-11A	32-11A	1.17 cfs	534.8 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
32-9A	32-9A	0.18 cfs	80.6 af	N/A	265.4		N/A	N/A	N/A	N/A
TOTALS		5.2 cfs	928.9 af	N/A	265.4		N/A	N/A	N/A	N/A

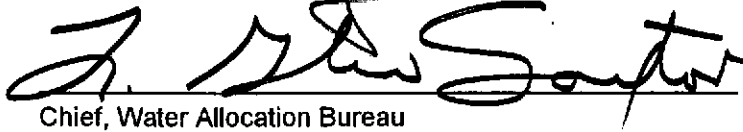
MICROFILMED

FEB 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70179

Detailed Water Right Description(s) attached

Dated this 14th day of January, 2003


Chief, Water Allocation Bureau

MICROFILMED
FEB 11 2003

WATER RIGHT NO. 32-9A
As Modified by Transfer No. 70179

In accordance with the approval of Transfer No. 70179, Water Right No. 32-9A is now described as follows.

Right Holder: BRION D EGAN
 HC 61 BOX 1060
 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
			0.18 CFS	80.6 AF

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

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 14th day of January, 2003

MICROFILMED

FEB 11 2003

Chief, Water Allocation Bureau

WATER RIGHT NO. 32-10A
As Modified by Transfer No. 70179

In accordance with the approval of Transfer No. 70179, Water Right No. 32-10A is now described as follows.

Right Holder: BRION D EGAN
 HC 61 BOX 1060
 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
			0.27 CFS	123.1 AF

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

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

14th day of January, 2003

MICROFILMED

FEB 11 2003

[Signature]

Chief, Water Allocation Bureau

WATER RIGHT NO. 32-11A
As Modified by Transfer No. 70179

In accordance with the approval of Transfer No. 70179, Water Right No. 32-11A is now described as follows.

Right Holder: BRION D EGAN
 HC 61 BOX 1060
 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
			1.17 CFS	534.8 AF

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

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 14th day of January, 2003

MICROFILMED

FEB 11 2003

[Signature]

Chief, Water Allocation Bureau

WATER RIGHT NO. 32-12A
As Modified by Transfer No. 70179

In accordance with the approval of Transfer No. 70179, Water Right No. 32-12A is now described as follows.

Right Holder: BRION D EGAN
 HC 61 BOX 1060
 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
			3.37 CFS	928.9 AF

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

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 _____ day of _____, 20____

14th January 03

MICROFILMED

449 : 1 2003

[Signature]

Chief, Water Allocation Bureau

WATER RIGHT NO. 32-13A
As Modified by Transfer No. 70179

In accordance with the approval of Transfer No. 70179, Water Right No. 32-13A is now described as follows.

Right Holder: BRION D EGAN
 HC 61 BOX 1060
 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
			0.21 CFS	97.6 AF

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

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 14th day of

January

20

03

FEB 11 2003

[Signature]

Chief, Water Allocation Bureau

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 32-00013A

2000 SEP 29 AM 11:15

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: E MARLOWE GOBLE
600 W 152 S
LOGAN, UT 84321

SOURCE: MEDICINE LODGE CREEK TRIBUTARY: SINKS

QUANTITY: 0.23 CFS
97.60 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.59 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 928.9 AF AT THE FIELD
HEADGATE.
COMBINED RIGHT NOS.: 32-00010A, 32-00011A, 32-00012A, 32-00009A

PRIORITY DATE: 11/01/1885

POINT OF DIVERSION: T11N R34E S25 NENW Within Clark County
SWNESE

TWO POINTS OF DIVERSION LOCATED IN T11N, R34E, S25, NENW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.23 CFS 97.60 AFY

PLACE OF USE:	Irrigation	Within Clark County
	T11N R34E S25 SESE 27.0	
	S36 NENE 1.0	
	R35E S30 LOT 02 (SWNW)38.0	SENE 38.0
	NESW 39.0	LOT 03 (NWSW)38.0
	LOT 04 (SWSW)38.0	SESW 30.0
	S31 LOT 01 (NNW)20.0	
	269.0 Acres Total	

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 265.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00009A, 32-00010A,
32-00011A, 32-00012A

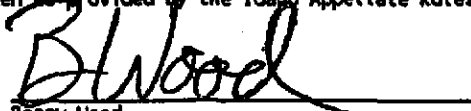
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

MICROFILMED

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MEMORANDUM

TO: FILE 32-13A

FROM: VAULT

RE: TEMPORARY CHANGE 32-09

DATE: 6/04

=====

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

FILE # 32-1B

**Do not microfilm this file
until a copy of the signed
decree has been inserted on
the left side of the file,
replacing the computer-
generated decree.**

MEMORANDUM

TO: FILE 32-00013A
FROM: VAULT
RE: TRANSFER # 70179
DATE: _____

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 32-00009A

MICROFILMED

FEB 1 1980