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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 71258

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Bruce Egan Phone 208 374 5460
Post Office address HC 61 Box 1060 Dubois Id 83423

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Put in Pivot don't need Ditch
can divert closer to Pump. change POD for part of
each water right 3.36 cfs

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>32-25</u>	<u>10/1/83</u>	<u>3.36</u>	<u>Irrigation</u>	<u>4/1</u> to <u>10/31</u>
<u>32-43</u>	<u>10/15/84</u>	<u>2.00</u>	<u>Irrigation</u>	<u>4/1</u> to <u>10/31</u>
		<u>02</u>	<u>STOCK</u>	<u>4/1</u> to <u>10/31</u>
		<u>02</u>	<u>STOCK</u>	<u>4/1</u> to <u>10/31</u>

2. Total amount of water being transferred 5.36 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Medicine Lodge Creek tributary to N/A (Sinks)
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	NE	SE	25	11N	34E	CLARK	
		NE	SE	6	10N	35E	CLARK	

5. Lands irrigated or place of use:

Lands irrigated or place of use.

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	35E	6													25	38	37	36	136
11N	35E	31	40	39	38	40													157

Total Acres 293

PART 1

6. General Information:

a. Description of diversion system Concrete Check in Creek/pump to sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. Not changing lands just add point of diversion

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

all I want to do is Bring Point of Diversion
Closer to my pump. the same land will
Be irrigated

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____

For the Director

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-25

WATER RIGHT NUMBER: 32-25

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JACK MC GARRY HC 61 BOX 1080 DUBOIS, ID 83423 (208)374-5470

Priority Date: 10/01/1883

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	4/01 to 10/31	0.020 CFS	
IRRIGATION	4/01 to 10/31	3.360 CFS	
	<u>Total Diversion:</u>	3.360 CFS	

Location of Point(s) of Diversion

MEDICINE LODGE CREEK	SW1/4NE1/4SE1/4	Sec. 25, Twp 11N, Rge 34E, B.M.
CLARK County		
MEDICINE LODGE CREEK	NW1/4SW1/4SE1/4	Sec. 31, Twp 11N, 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	6													25.0	38.0	37.0	36.0	136.0
11N	35E	31	40.0	39.0	38.0	40.0													157.0

Total Acres: 293

STOCKWATER same as IRRIGATIONConditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 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. SECTION 42-1412(6), IDAHO CODE.

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05/24/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-25

Remarks:

1. Explanatory STOCKWATER, 500 CATTLE WATER IS DELIVERED THROUGH MEDICINE LODGE
25NESE WATER IS DELIVERED THROUGH MEDICINE LODGE 31SWSE-W
2. Place of Use USE OF THIS RIGHT WITH RIGHT NO. 32-00043 IS LIMITED TO THE IRRIGATION OF A
- Irrigation COMBINED TOTAL OF 293 ACRES IN A SINGLE IRRIGATION SEASON.

Comments:

1. DCARLSON 3/19/1999 COPIED FROM REMARKS
Comment: STIPULATED AGREEMENT, 9/15/1953. WATER IS DIVERTED BEFORE AND AFTER THE IRRIGATION
SEASON, FROM MARCH 1 TO NOV. 31. THE STOCK WATER USE EXTENDS TO THIS PERIOD.
2. AJU10-EC 7/29/1999 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Licensed Date:
Decreed Date: 10/27/2000
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 32C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		293

Combined Water Rights: 32-25 , 32-43

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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T71258

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-43

WATER RIGHT NUMBER: 32-43

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PATRICK T MC GARRY HC 61 BOX 1080 DUBOIS, ID 83423 (208)374-5470

Priority Date: 10/15/1884

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.000 CFS	
STOCKWATER	4/01 to 10/31	0.020 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

MEDICINE LODGE CREEK	SW1/4NE1/4SE1/4	Sec. 25, Twp 11N, Rge 34E, B.M.
CLARK County		
MEDICINE LODGE CREEK	NW1/4SW1/4SE1/4	Sec. 31, Twp 11N, 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	6													25.0	38.0	37.0	36.0	136.0
11N	35E	31	40.0	39.0	38.0	40.0													157.0

Total Acres: 293

STOCKWATER same as IRRIGATIONConditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 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. SECTION 42-1412(6), IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 32-43

Remarks:

1. Explanatory STOCKWATER, 800 CATTLE WATER IS DELIVERED THROUGH MEDICINE LODGE
25NESE WATER IS DELIVERED THROUGH MEDICINE LODGE 31SWSE-W
2. Place of Use USE OF THIS RIGHT WITH RIGHT NO. 32-00025 IS LIMITED TO THE IRRIGATION OF A
- Irrigation COMBINED TOTAL OF 293 ACRES IN A SINGLE IRRIGATION SEASON.

Comments:

1. DCARLSON 3/15/1999 COPIED FROM REMARKS

Comment: STIPULATED AGREEMENT, 9/15/1953. P/D & P/U INCOMPLETE. THIS WATER RIGHT IS USED BEYOND THE IRRIGATION SEASON FROM MAR 01 TO NOV. 31. STOCKWATER IS ALSO USED DURING THIS PERIOD.

2. AJU10-EC 7/29/1999 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Licensed Date:

Decreed Date: 10/27/2000

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number: 32C

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		293

Combined Water Rights: 32-25 , 32-43

Element Reviewed/Verified Dates:

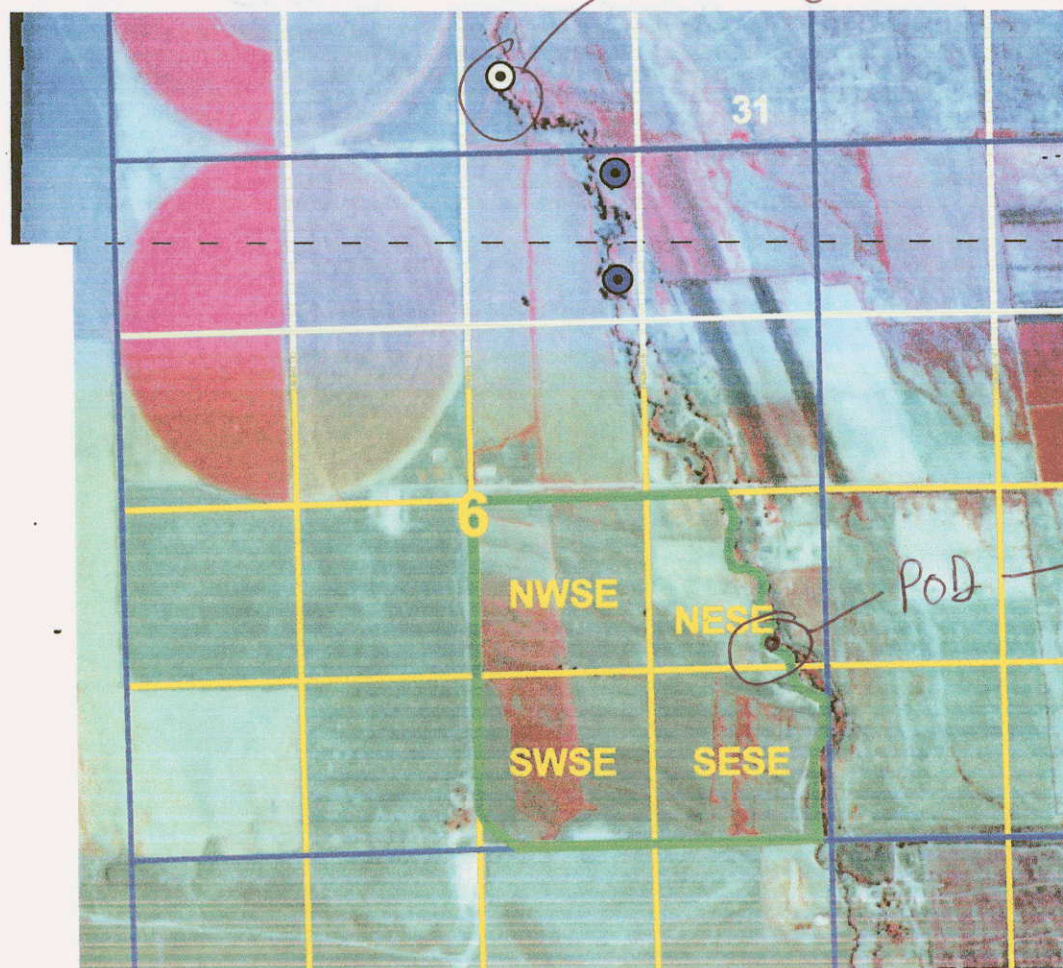
<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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T10N, R35E, SEC. 6

OLD (REPLACED)



new

POD

NWSE

NESE

SWSE

SESE



1320 0 1320 Feet



POINT OF DIVERSION

ACRES IRRIGATED- 136

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

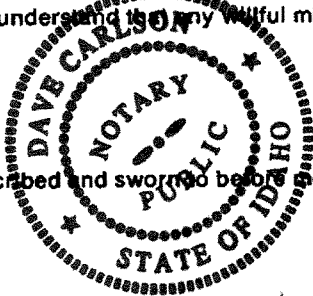
2. Quantity and quality of return flows and location of discharge:

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

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.

Subscribed and sworn to before me this



Brian Egan
(Signature of Applicant)

24 day of MAY, 19 2004

Dave Carlson
(Notary Public)

My commission expires 2/26/2008

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 4 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by DC Fee 370 5/24/04 E029866

Received by _____ Date _____

Published in Post Register Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on 6/3/04 Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR 08 2004

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
32-025					
32-043					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Jack McGarry

4. New Owner/Claimant(s)

Brian Egan

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

HC 61 Box 1060

City, State and ZIP Code

Dubois, Id 83423

New Telephone Number

(208) 374-5460

5. Date you acquired the property

2/29/04

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s) Bruce Egan Owner
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>OC</u>	Date <u>3-1-04</u>	Fee <u>\$50-</u>
Received by <u>OC</u>	Date <u>3-1-04</u>	Receipt No. <u>E029577</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

BE
VRS

FOR VALUE RECEIVED

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

whose current address is

the grantee(s), the following described premises, in Clark County, Idaho, TO WIT:

Section 31: NE ¼

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Patrick T. McGarry
Patrick T. McGarry

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for the State of Idaho
Residing at:
Commission Expires:

WARRANTY DEED

Order No.:3060314572

FOR VALUE RECEIVED

Jack J. McGarry, an unmarried person

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Brion D. Egan and DeAnna Egan, Husband and Wife

whose current address is

HC 61 Box 1060 Dubois, ID 83423

the grantee(s), the following described premises, in Clark County, Idaho, TO WIT:

Township 11 North, Range 35 East, Boise Meridian, Clark County, Idaho,

Section 4: N 1/4 SW 1/4; NW 1/4 SE 1/4

Section 5: N 1/4 SE 1/4

Township 10 North, Range 35 East, Boise Meridian, Clark County, Idaho.

Section 6: SE 1/4

Excepting therefrom: Beginning at the E 1/4 corner of said Section 6 and running thence South 00°15' West between Section 5 and Section 6 a distance of 23.82 chains; thence North 42°45' West 3.02 chains to the center of the channel of Medicine Lodge Creek; thence Northward along the centerline or thread of the channel of Medicine Lodge Creek to its intersection with the North boundary of the NE 1/4 SE 1/4 of said Section 6; thence Eastward along the North boundary 11.59 chains to the point of beginning.

Also excepting therefrom: A tract of land being all of that portion of the SW 1/4 SE 1/4 of Section 6 lying South, Southwesterly and Westerly of a line 33 feet distant, North, Northeasterly, and East and parallel to the following described centerline of highway as surveyed and shown on an official plat of the "Small Connection" highway survey on file in the Department of Highways, Boise, Idaho.

Beginning at Station 219/668 of said Highway Survey, which Station is a point of curvature 371.6 feet East of the SW corner of the SW 1/4 SE 1/4, Section 6, thence running Northwesterly with a 14° curve, said curve having a central angle of 89°21', to Station 226/059, which Station is a point of tangency 404.6 feet North and 33 feet East of the aforesaid SW corner of the SW 1/4 SE 1/4 of Section 6.

Also excepting therefrom: Right of way for county road across and along the West and North sides of said Section 6.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 2/27/2004

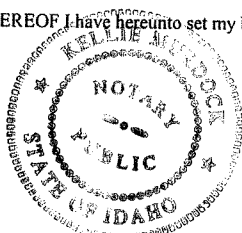
Jack J. McGarry
Jack J. McGarry

State of Idaho

County of Jefferson

On this 27 day of FEB, in the year 20 04 before me, a Notary Public in and for said state, personally appeared Jack J. McGarry known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Kellie Murdoch
Notary Public for the State of Idaho

Residing at:

Commission Expires: Residing in Jefferson County
Commission Expires: 07-17-09

ALLIANCE TITLE & ESTATE CORP.
3060314572

Microfilm No. 050484
27 Day Feb 20 04
At 4:52 O'Clock M
CONNIE S. OWEN
Clark Co. Recorder
Fee \$ 3-
Becky Nordstrom Deputy
Recorded at Request of
Alliance