

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A21-07278
Date Received: 1/18/1989
Receipt No: 5006473
Received By: _____

MAY 11 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EGBERT FARMS 208-652-3689
Address: C/O Z.J. OR KEVIN EGBERT
P.O. BOX 844
ASHTON, ID 83420

2. Date of Priority: MAY 07, 1981

3. Source: SPRING CREEK Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	42E	23	NE	NE	NW		FREMONT

5. Description of diverting works:
DAM & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			19.00
IRRIGATION FROM STORAGE	04/01	11/01			19.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 19.00 A.F.A.

8. Total consumptive use is 19.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

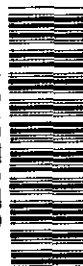
Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	42E	14	NW	SW		IRR FS	40.0

A21-07278

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Date: 01/24/89

A2107278



MICROFILMED

OCT 21 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	42E	14	SW	SW		IRR FS	18.0
			SE	SW		IRR FS	20.0
			Section Acres				78.0
		22	SW	NE		IRR FS	40.0
			SE	NW		IRR FS	30.0
			NE	SW		IRR FS	37.0
			NW	SE		IRR FS	32.0
			Section Acres				139.0
		23	NE	NW		IRR FS	6.0
			NW	NW		IRR FS	18.0
			Section Acres				24.0
			Total Acres				241.0

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A21-00172, A21-04036, A21-04039, A21-07214.

14. Remarks:

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Pres. of
Egbert Farms Inc., that I have signed the foregoing
document in the space below as Pres. of
Egbert Farms Inc. and that the statements contained in the
foregoing document are true and correct.

39 Egbert
Signature of Authorized Agent

Pres. Egbert Farms Inc.
Title and Organization

16 Feb. 1989
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of February 19 89

Seal

Anthony J. O'Leary
Notary Public

Residing at Idaho Falls

My Commission Expires 9/12/1994

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

09/15/99 10:14:27
Page 1

Water Right Number - 21-07278

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
EGBERT

Z J

1 - PO BOX 844

2 -

3 -

City- ASHTON

State- ID Zip- 83420

Phone - 208-652-3689

+ - - Priority Date - - +
05/07/1981

+ - - - Region - - - +
15 EASTERN

+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - +

+ - - - - Source - - - - - +
SPRING CREEK

+ - - - - Tributary - - - - - +
HENRYS FORK

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
09N	42E	23	NE NW			(43)	FREMONT			
		14	SE SW	7	R	(43)	FREMONT			
		22	SE NW	6	R	(43)	FREMONT			
		23	NW NW	1	R	(43)	FREMONT			

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
02 -	IRRIGATION STORAGE	01/01	12/31			19.00
03 -	IRRIGATION FROM STORAGE	04/15	10/15			19.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
19.00 68.000 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09N	42E	14	NW SW		40.0	03	IRRIGATION FROM STORAGE	(43) FREMONT
09N	42E	14	SW SW	6	18.0	03	IRRIGATION FROM STORAGE	(43) FREMONT
09N	42E	14	SE SW	7	20.0	03	IRRIGATION FROM STORAGE	(43) FREMONT
09N	42E	22	SW NE		40.0	03	IRRIGATION FROM STORAGE	(43) FREMONT
09N	42E	22	SE NW	6	30.0	03	IRRIGATION FROM STORAGE	(43) FREMONT
09N	42E	22	NE SW		37.0	03	IRRIGATION FROM STORAGE	(43) FREMONT
09N	42E	22	NW SE		32.0	03	IRRIGATION FROM STORAGE	(43) FREMONT
09N	42E	23	NE NW		6.0	03	IRRIGATION FROM STORAGE	(43) FREMONT
09N	42E	23	NW NW	1	18.0	03	IRRIGATION FROM STORAGE	(43) FREMONT

Total Acres: 241.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Water right number - 21-07278

Prefix Translation: WATER RIGHT

+ - - - - Remarks - - - - - +

GEN The redirection points are located on Henrys Fork.
Lockable devices subject to the approval of the Department shall
be maintained on the diverting works and all points of
redirection in a manner that will provide the watermaster
suitable control of the diversions.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 01.
R25 - This right when combined with all other rights shall provide no
- more than 3.5 afa per acre for irrigation of the lands above.
R40 - The storage of water under this right is contingent upon
- continued certification by the Department of Water Resources
- under the dam safety provisions of the Idaho Code, authorizing
- storage.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

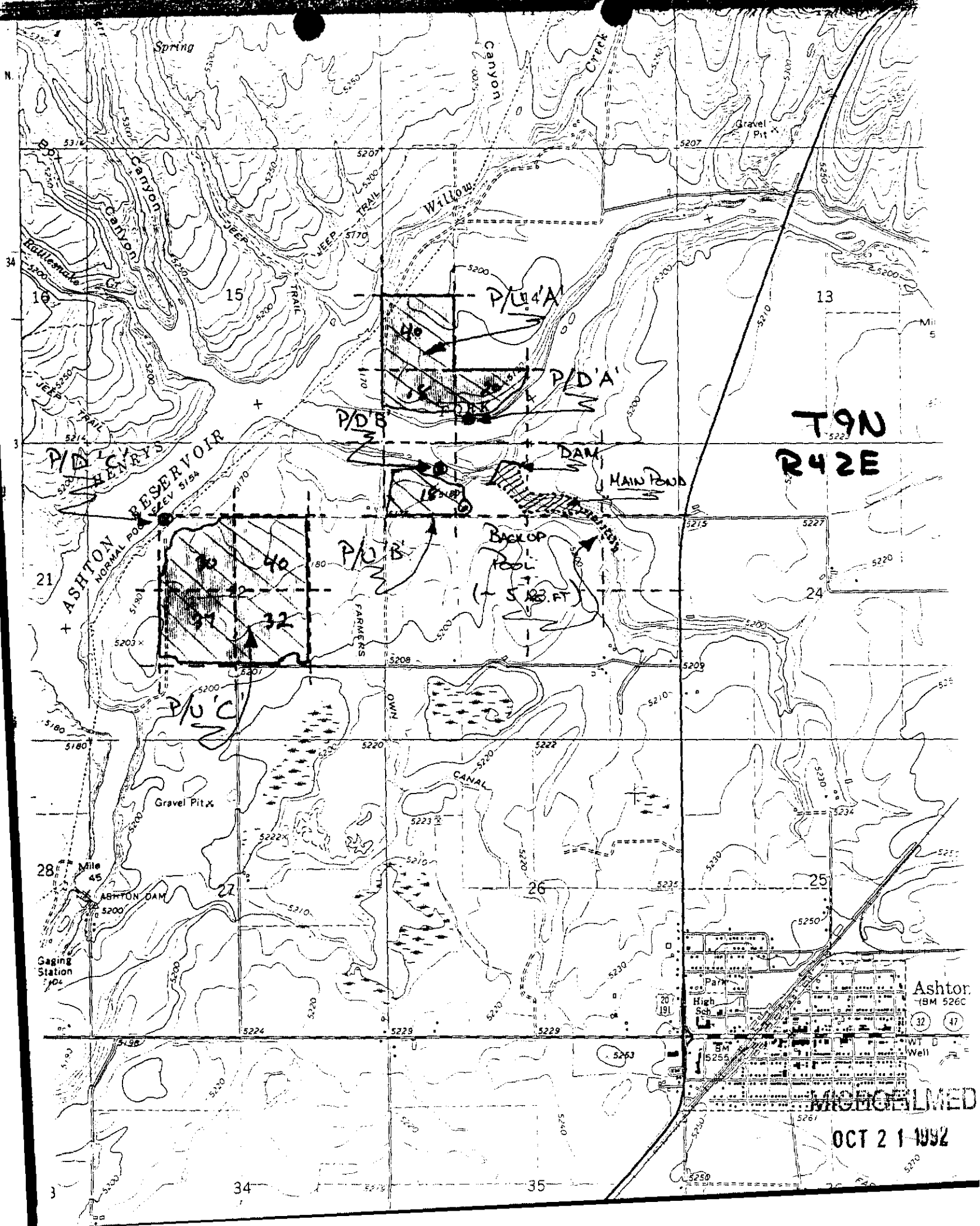
00/00/0000

+ - - - - -Comments- - - - - +
No Comments Found

+ - - Audit Fields - 09/22/87 05/21/88 CONVERT 06/17/88 WRAY 07/13/92 SKAGGS 08/28/92 SKAGGS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 10/01/1986	Field Exam Made - 06/08/1988	Field Exam Fee - R
Approved/Denied - 10/20/1981	Protested Date - 00/00/0000	Swan Falls - X
Proof Made Date - 08/10/1984	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 06/13/1990	Verified Date - 00/00/0000	DLE/Carey Act - 1
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 01
Licensed Date - 09/09/1992	Appl Received - 05/07/1981	Transfer/Amended -
Presumption Flag -	Name Connector -	POU Ownership Flag-
SRBA Decreed Flag -		



IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 21-7278

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	Z J EGBERT PO BOX 844 ASHTON, ID 83420 (208)652-3689

Priority Date: 05/07/1981
Basis: License
Status: Active

<u>Source</u>	<u>Tributary to</u>
SPRING CREEK	HENRYS FORK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION STORAGE	1/01	12/31		19 AFA	
IRRIGATION FROM STORAGE	4/15	10/15		19 AFA	
Total Diversion				19 AFA	

Location of Point(s) of Diversion:

SPRING CREEK Rediversion	SESW Lt 7	Sec. 14	Township 09N	Range 42E	FREMONT County
SPRING CREEK Rediversion	SENW Lt 6	Sec. 22	Township 09N	Range 42E	FREMONT County
SPRING CREEK	NENW	Sec. 23	Township 09N	Range 42E	FREMONT County
SPRING CREEK Rediversion	NWNW Lt 1	Sec. 23	Township 09N	Range 42E	FREMONT County

Licensed Diversion Capacity: 68

IRRIGATION STORAGE Use:
Acre Limit: 241

IRRIGATION FROM STORAGE Use:
Acre Limit: 241

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE FREMONT County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09N	42E	14		NWSW	40	6	SWSW	18	7	SESW	20			
		22		SWNE	40									
			6	SENW	30									
				NESW	37									
				NWSE	32									
		23		NENW	6	1	NWNW	18						

Total Acres: 241

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 01 .
2. R25 This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation of the lands above.
3. R40 The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam

safety provisions of the Idaho Code, authorizing storage.

Remarks:

1. General The rediversion points are located on Henrys Fork.
Lockable devices subject to the approval of the Department shall be maintained on the diverting works and all points of rediversion in a manner that will provide the watermaster suitable control of the diversions.

Dates:

Licensed Date: 09/09/1992
Decreed Date:
Permit Proof Due Date: 10/1/86
Permit Proof Made Date: 8/10/84
Permit Approved Date: 10/20/81
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date: 05/07/1981
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number: 01
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False