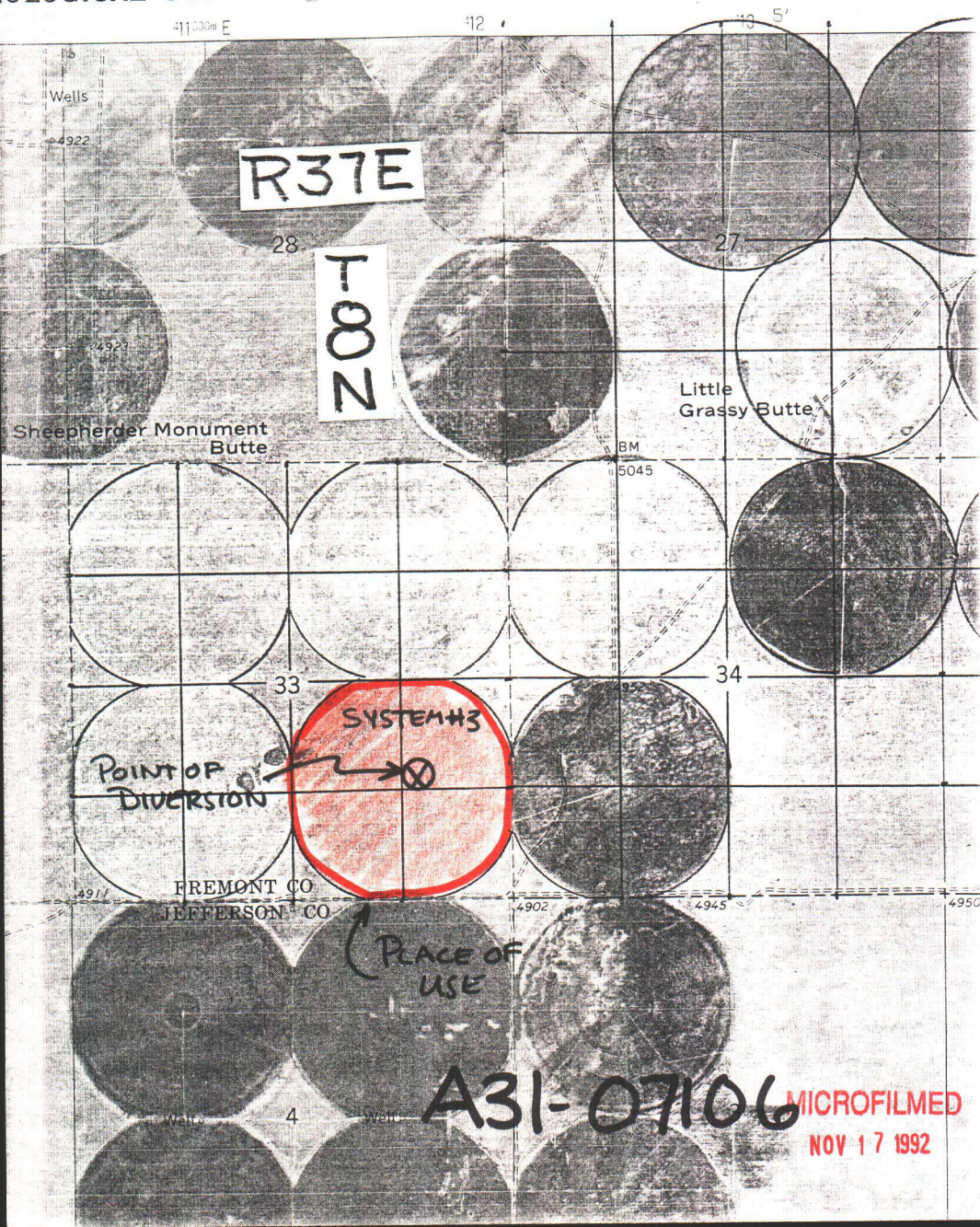


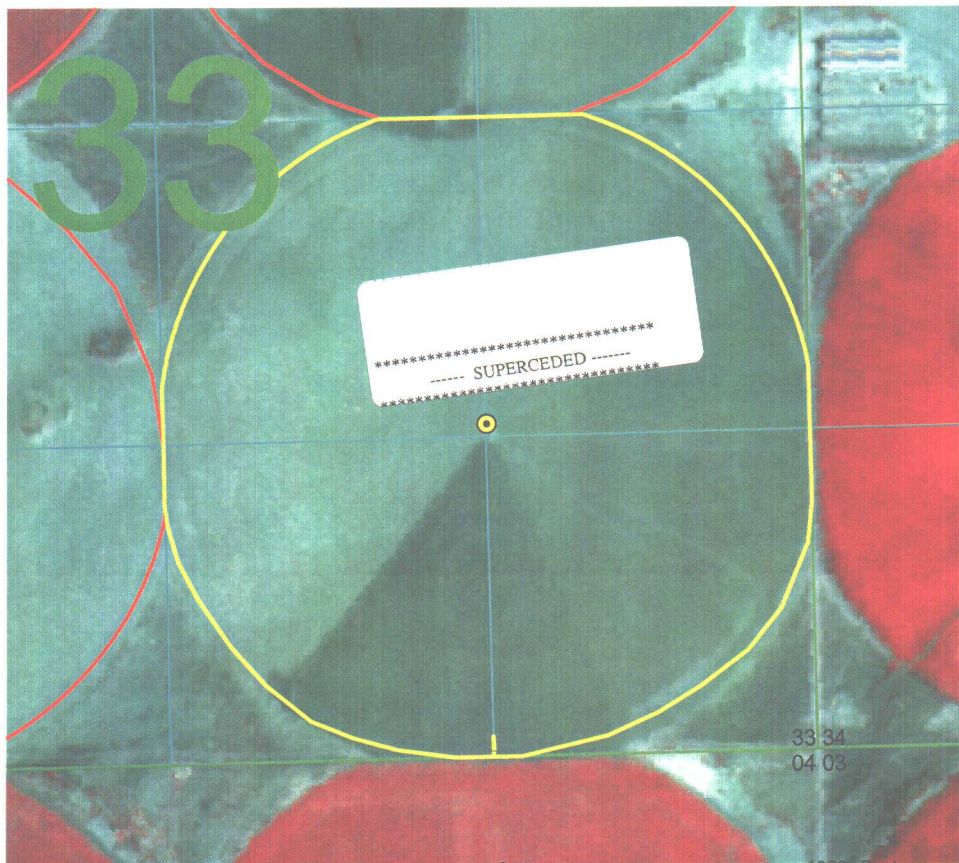
DEPARTMENT OF THE INTERIOR
BIOLOGICAL SURVEY



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-07106

Township 8 North Range 37 East Section 33



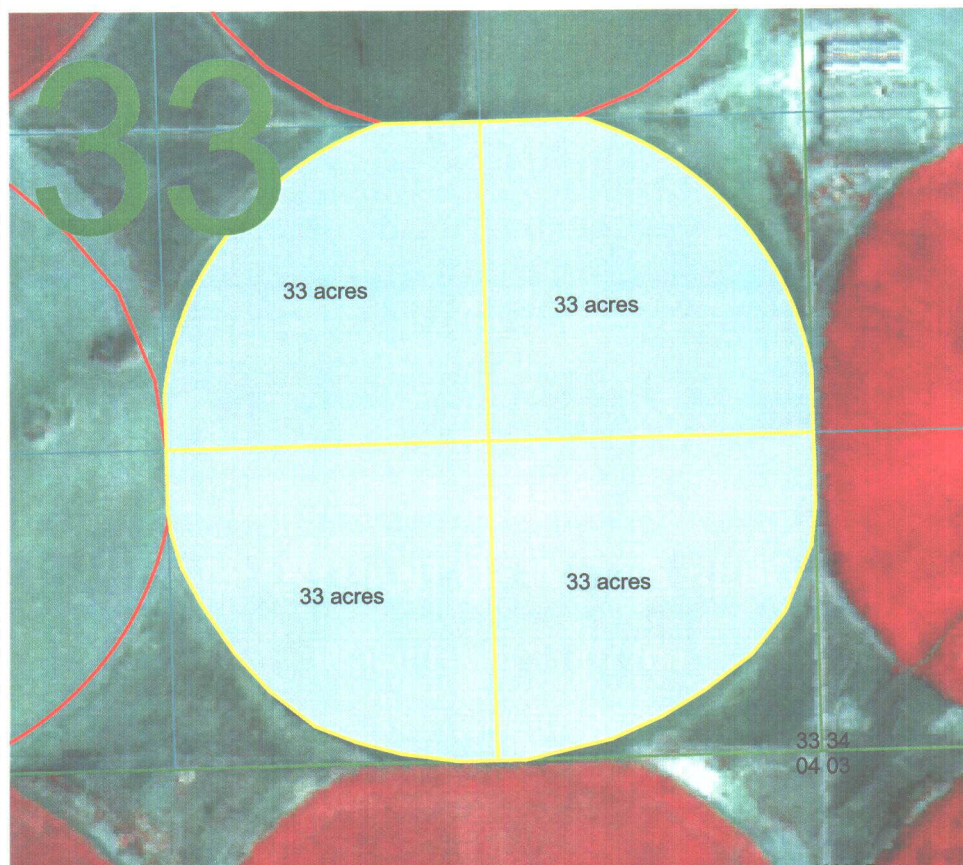
- Point(s) of Diversion, This WR
- Other Points of Diversion
- Place of Use, This Right
- Other Places of Use
- Section Lines
- Quarter-quarter Sections

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 4/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-07106

Township 8 North Range 37 East Section 33



- Point(s) of Diversion, This WR
- Other Points of Diversion
- Place of Use, This Right
- Other Places of Use
- Section Lines
- Quarter-quarter Sections



Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 4/2000

02/02/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-7106

Owner Type Name and Address
Current Owner RICHARD A EGBERT
 C/O DR BRAD EGBERT
 32 W 1ST S
 REXBURG, ID 83440-1810
 (208) 356-8818

Representative KIRK EGBERT
 PO BOX 87
 TERRETON, ID 83450
 (208) 663-4505

Priority Date: 03/18/1974
Basis: License
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	2.02 CFS	396 AFA	
Total Diversion			2.02 CFS	396 AFA	

Location of Point(s) of Diversion:

GROUND WATER SWNESE Sec. 33 Township 08N Range 37E FREMONT County

IRRIGATION Use:
Acre Limit: 132

Place(s) of use:

Place of Use Legal Description: IRRIGATION 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>
08N	37E	33		NESE	35		NWSE	35		SWSE	33		SESE	34

Total Acres: 137

Conditions of Approval:

1. 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.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Explanatory RIGHT NO. 31-11389 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
2. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.02 CFS.

Water Right 31-7106

3. Place of Use - Irrigation

COMBINED RIGHT NOS.: 31-7106, 31-11389.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 137 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-7106, 31-11389.

4. Place of Use - Irrigation

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 132 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
TAYLOR	3/22/94	COPIED FROM REMARKS	P/U SYSTEM # 3
SSHerman	8/30/99	ADDRESS CHANGE	ADDRESS CHANGE BY CLAIMANT LETTER.
BContor	4/4/00	CHANGE	CHANGE IN POU REFLECTS MORE ACCURAGE GIS ANALYSIS RATHER THAN ACCOMPLISHED TRANSFER.
bcontor	2/2/01	Recommendation	Recommended on paper CVR and VAX. eCVR entered to update recommendation per amended claim reflecting PPU with enlargement claim 31-11389.

Dates:

Licensed Date: 07/05/1983
Claim Received Date: 01/18/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	2/2/01 4:00:11 PM		2/2/01 4:00:11 PM	bcontor	Complete

Other Information:

Receipt Number(s): E005540
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POU	2/2/01 3:53:53 PM	bcontor	Edited shape boundary
Summary	2/2/01 4:00:04 PM	bcontor	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right.

11. (NO) Documents were not linked or attached to this file.
12. (YES) Set the verification date.

STATE OF IDAHO,

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

TR: 39576

E COUNTY OF TWIN F

STATUS "SEE REMARKS" PENDING
RETURN OF SIGNED CLAIM
No:
Received By
CLAIM : SER RIGHT

KS
 CLAIM
 31-7106
 1/18/89
 No: **EO 3644**
 By:

EO 26441
BAC

AMENDED

NOTICE OF CLAIM : RETAINER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

Name: RICHARD A EGBERT Phone:

Address: C/O BRAD EGBERT
32 W 1ST S
REXBURG ID USA 834401810

2. Date of Priority: 03/18/1974

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
08N	37E	33	NE SE	FREMONT

5. Description of diverting works:

WELL PUMP MAINLINE TO CENTER PIVOT-SYSTEM # 3

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
IRRIGATION	4/01	11/01	2.02	

7. Total Quantity Appropriated is:
2.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	37E	33	NE	SE	IRRIGATION	35
			NW	SE	IRRIGATION	35

SW	SE	IRRIGATION	33
SE	SE	IRRIGATION	34
Section Acres			137
Total Acres			137

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:

14. Remarks:

P/U SYSTEM # 3

CLAIM AMENDED TO REFLECT 132 ACRES OF IRRIGATION WITHIN PERMISSIBLE PLACE OF USE WITH ENLARGEMENT CLAIM 31-11389. THIS RIGHT AND 31-11389 TOGETHER IRRIGATE 137 ACRES WITH 2.02 CFS. CLAIM GIVEN DATABASE STATUS "SEE REMARKS" PENDING RETURN OF SIGNED CLAIMS. BCONTOR 8/18/2000.

15. Basis of Claim: License

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Richard A. Egbert* Date: 1/23/01
(Kirk Egbert, Representative of Richard A. Egbert)

State of Idaho)
County of Bonneville) SS.

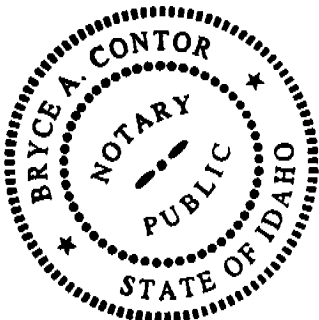
Subscribed and sworn (or affirmed) before me this 23 day
of Jan 2001

Bryce A. Contor

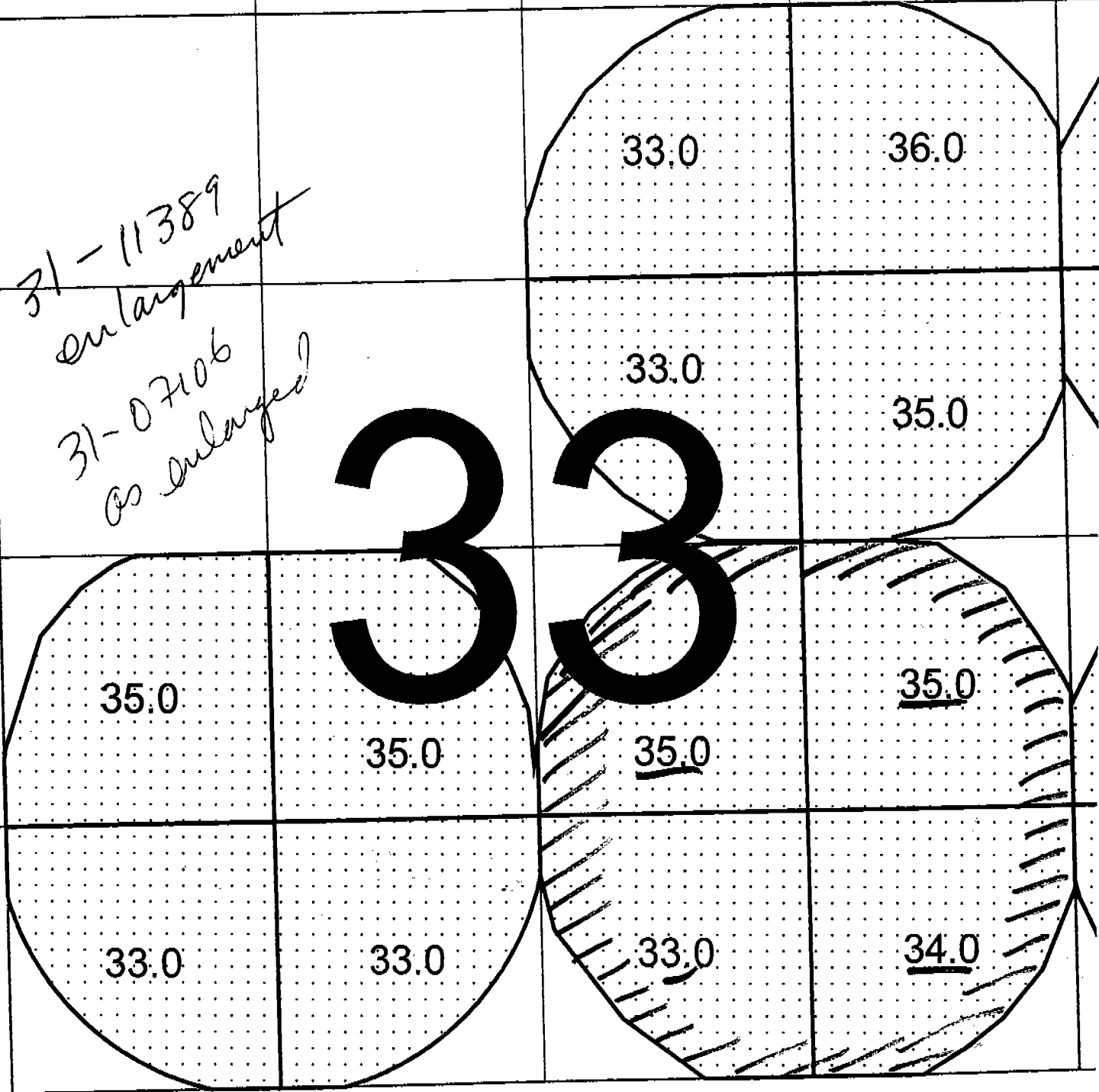
Notary Public

Residing at Mud Lake 10

My commission Expires 10/14/05



31-11389
enlargement
31-07106
as enlarged?



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

Stage: LID

Place of use Legal Description for: IRRIGATION

POU County: FREMONT

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.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425. IDAHO CODE.

Audit: 04/04/00 BCONTOR

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: A31-07106
Date Received: 1/18/1989
Receipt No: E005540
Received By: Kcw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD A. EGBERT
Address: P.O. BOX 9
TETONIA, ID

208-456-2645

83452

2. Date of Priority: MAR 18, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	37E	33	NE	SE			FREMONT

5. Description of diverting works:
WELL PUMP MAINLINE TO CENTER PIVOT-SYSTEM # 3

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.020		

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

8. Total consumptive use is 330.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	37E	33	NE	SE		IRR	33.0
			NW	SE		IRR	32.0
			SW	SE		IRR	33.0

A31-07106

Page 1

Date: 01/18/89

MICROFILMED
NOV 17 1992

A3107106



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	37E	33	SE	SE		IRR	34.0

Section Acres 132.0

Total Acres 132.0

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:
NONE

14. Remarks:
P/U SYSTEM # 3

15. Basis of Claim: LICENSE
Water Right Number: 317106

(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.

MICROFILMED
NOV 17 1992

MENT OF THE INTERIOR
OLOGICAL SURVEY

411000m E

412

413 5'

Wells

4922

R37E

28

T
N

Little
Grassy Butte

BM

5045

Shepherd Monument
Butte

33

34

POINT OF
DIVERSION

SYSTEM H3

FREMONT CO

PERSON CO

4902

4945

4950

4

A31-07106

MICROFILMED

NOV 17 1992

AJ5809NP
No. A31-07106

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	RICHARD A EGBERT PO BOX 9 TETONIA ID 83452 (208) 456-2645	03/18/1974	IRRIGATION	04-01 11-01	2.020 CFS
TOTAL DIVERSION: CONSUMPTIVE USE:					2.020 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LI

Point(s) of Diversion:

T08N R37E S33

SE NESE

FREMONT Co

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE							
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SE	
08N	37E	33	:	:	:	:	:	:	:	:	:	:	:	:	:	33	32	33	
																TOTAL ACRES			

POU County: FREMONT

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN P/U SYSTEM # 3

Dates: Exam Made Date:

Verified Date: 01/28/1985 Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: C

----- SUPERCEDED -----

POD ID 62
POU ID 62

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/15/98

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-07106

LAST: EGBERT
ADDRESS: P.O. BOX 9
CITY: TETONIA
PHONE NUMBER: 208-456-2643

FIRST: RICHARD A.
STATE: ID ZIP: 83452

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: ~~Q70 SYSTEM~~

FIELD EXAMINATION INFORMATION

CONTACT PERSONS: _____

PHONE NUMBER: () -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __:__ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Initial Review 1994 Greg Taylor
Follow-up review 4/4/2000 B Carter

PAGE: 2
PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A31-07106

A. AJ CLAIM: # A31-07106 PRIORITY DATE: 03-18-1974 STAGE: L
B. WR RECORD: # 31-07106 PRIORITY DATE: 03-18-1974 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(✓)
IF YES EXPLAIN

NOTES: PER LICENSE

RECOMMENDED PRIORITY DATE:
03-18-1974

REVIEWED BY MT

DATE 3-22-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-07106	03N	37E	33		NE	SE		FREMONT

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIG:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-07106	03N	37E	33		NE	SE		FREMONT

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: GROUNDWATER

TRIG:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
N
H

NOTES:

NO ACTUAL CHANGE IN P.D. - P.D. to 10 Acres

PER NAPP, OR, LICENSE EXAM

NWMD GPS puts POD in NWSE by 2 1/2 ft.
Precision of GPS $\approx$ 30 ft so recommended as 1/100
in NESE. BOC 4/4/00

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
08N	32E	33	SW	NE	SE	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: AT

DATE: 3-22-94

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A31-07106

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ 8/ACRES	WR 8/ACRES	LANDSAT DATA	FIELD EXAM.
08N	37E	33	NE	SE		EGBERT, RICHARD A.	A31-07106 733.0	31-07106 733.0	28.0	
08N	37E	33	NW	SE		EGBERT, RICHARD A.	A31-07106 732.0	31-07106 732.0	36.0	
08N	37E	33	SW	SE		EGBERT, RICHARD A.	A31-07106 733.0	31-07106 733.0	34.0	
08N	37E	33	SE	SE		EGBERT, RICHARD A.	A31-07106 734.0	31-07106 734.0	40.0	
TOTAL ACRES						A31-07106	132.00	132.00	133.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(✓)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
W

POU COUNTY: FRENCH

PRESUMPTION FLAG: N/A

NOTES:

PER QQ, NAPP, LICENSE EXAM

Acres per QQ changed slightly per GIS.
Total acreage unchanged. BAC 4/4

RECOMMENDATIONS:

TOTAL ACRES: 132⁰

REVIEWED BY: HR

DATE: 3-22-94

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-07106 IRRIGATION	FROM 04-01 TO 11-01	2.020 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.020 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-07106 IRRIGATION	FROM 04-01 TO 11-01	2.020 CFS 396.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.020 CFS 396.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	~~N~~
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	~~N~~
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	~~Y~~

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() EXPLAIN IN NOTES, BELOW.

NOTES:

4-15 to 10-15

4/1 - 10/1 per license

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.020 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.020 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***

** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **

** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y N

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE.

NO CLAIMS FOUND WITH SAME POB AND IRRIGATION USAGE

NO RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

1B. CALCULATIONS

ACRES 132 X 0.02 CFS/ACRE = 2.64 CFS
(TAKEN FROM P/U REVIEW)

DJES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 350.0 AF/A

ACRES 132 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 330 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 132 X DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 462 AF/A

396 per license BAC 4

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

PAGE: 9

DIVERSION AMOUNT REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-07106

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	~~4-15~~ ~~10-15~~ ~~4-11~~ ~~11-11~~	DATABASE EXAMINER 2.020 <u>2.02</u>	DATABASE EXAMINER <u>462</u>	DATABASE EXAMINER 330.0 <u>3</u>
TOTAL FOR THIS RIGHT	4/11 11/11	2.020	396	330.0

REVIEWED BY:

MT

DATE:

3-22-94

DAC 4/4/00

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-07106

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
	2.020	<u>2.02</u>	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-07106	2.020	-		31-07106	2.020
TOTAL CFS		2.020				2.020

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE	FIELD EXAMINER
Y	<u>Y</u>

NOTES:

AUTHENTICATIONS:

SIGNATURE: BT Taylor DATE: 3-22-94
NAME OF FIELD EXAMINER: BT Taylor TITLE: SWA

Dwight A. Contor SWA 4/4/00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/11/93

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-07106

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED BY WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		AT	TO 10 AC. Y	1,4,6			
SOURCE								
PLACE OF USE	Y		AT	N	1,4,6			
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE								
BASES OF CLAIM			AT	Y	6			
REMARKS	Y		AT	Y	6			

VERIFIED BY CODES

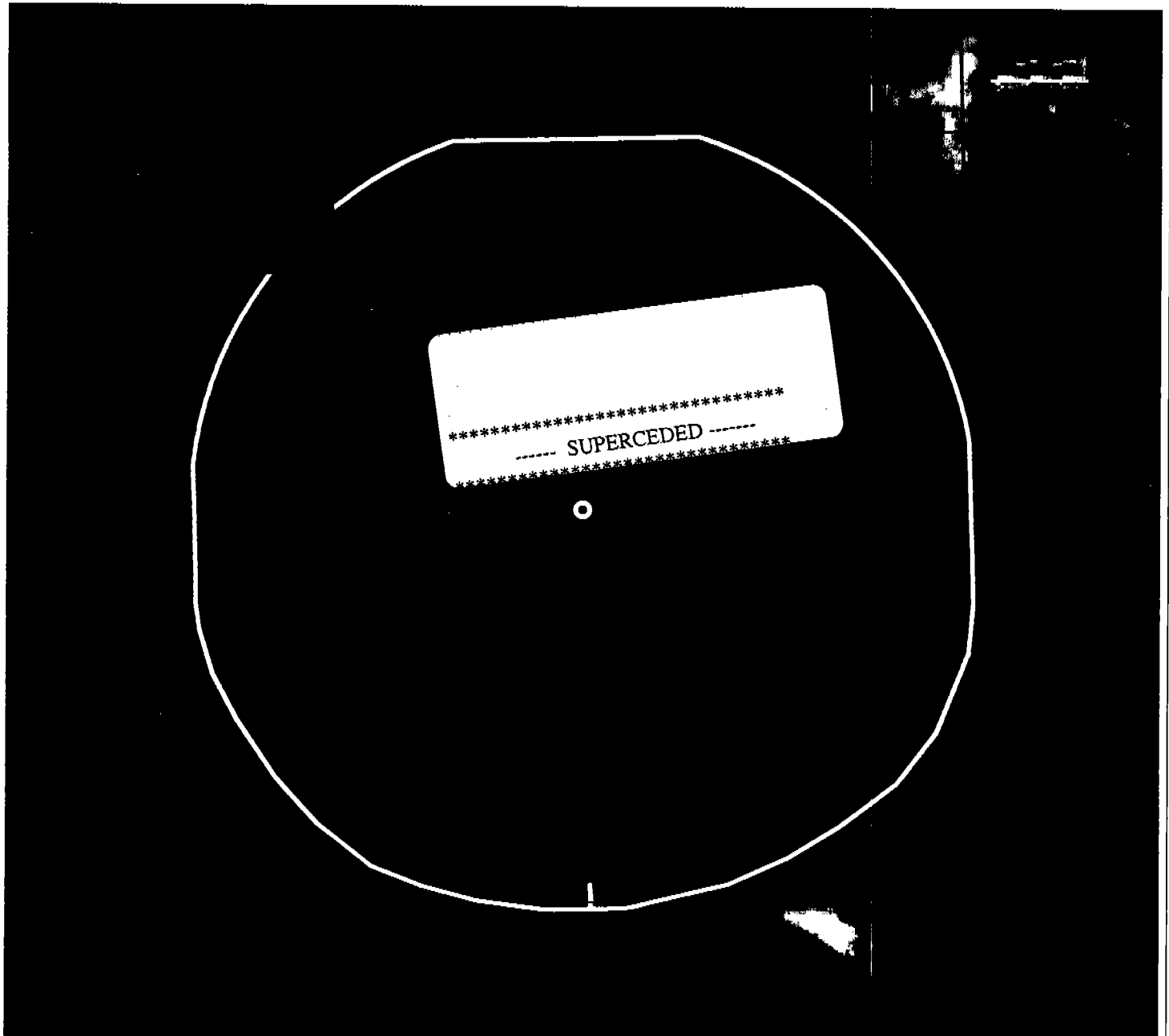
TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
MASTER RECORDS = 3
NAIP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-07106

Township 8 North Range 37 East Section 33



0 1320 Feet

- ⊙ Point(s) of Diversion, This WR
- Other Points of Diversion
- Place of Use, This Right
- Other Places of Use
- Section Lines
- Quarter-quarter Sections



Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 4/2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 20, 2000

RICHARD A EGBERT
C/O DR BRAD EGBERT
32 W 1ST S
REXBURG ID 83440-1810

RE: CHANGE IN OWNERSHIP FOR A31-00049B, A31-00050B,
A31-00051B, A31-00321B, A31-07083, A31-07084, A31-
07103, A31-07104, A31-07105, A31-07106, A31-07107, A31-
07108, A31-07121, A31-07148, A31-07149, A31-07150, A31-
07151, A31-07152, A31-07154A, A31-07192, A31-07193,
A31-07375, A31-10677 AND A31-10681

Dear Claimant:

The request for Change in Ownership concerning the
Notice(s) of Claim in the above reference has been
processed and the Notice(s) modified to reflect Kirk
Egbert as the representative per your letter dated July
20, 2000.

Water right numbers A31-10671, A31-10686, A35-02732,
A35-07349, A35-07933 and A35-07934 are being processed
and will be sent to you in another mailing.

Review the forms and if there are other corrections or
questions, feel free to contact this office.

**If there are no questions or corrections, please keep
this Notice(s) for your records.**

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

Cc: Kirk Egbert

Richard A. Egbert
c/o Dr. Brad Egbert
32 W 1st South
Rexburg, Idaho 83440 - 1810

July 20, 2000

Idaho Department of Water Resources
900 North Skyline, Ste A.
Idaho Falls, Idaho 83402

To Whom it May Concern:

I, Richard A. Egbert, do appoint

Kirk S. Egbert
Box 87
Terreton, Idaho 83450

as my representative for all water right and water adjudication issues, for water rights in my own name or in the name of the Richard A. Egbert Limited Partnership.

I also request that my address be changed on all the department's records to match the address at the top of this letter.

Sincerely,


Richard A. Egbert



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 21, 2000

Kirk Egbert
P.O. Box 87
Terreton, Idaho 83450

Re: Richard A. Egbert Enlargement Claims

Dear Kirk:

Enclosed are copies of claims for the Richard A. Egbert pivots where the aerial photography shows more acres than originally licensed.

Each pivot has a pair of claims, an amended original claim and an accompanying enlargement claim. The two go together; one is meaningless without the other. I've clipped the pairs together, with a sticky note explaining the number of "new" acres and the fee. This is summarized in the table below.

When I quoted the fee of "\$ 1/acre" I was thinking only of the amendment fee for the existing licenses. I forgot that there is also a \$50 fee for each enlargement claim. I apologize for this oversight. However, if you consider the value of an acre of authorized irrigation, it is probably still a bargain.

Richard A. Egbert Enlargement Claims 8/21/2000

<u>Claim #</u>	<u>Enlargement #</u>	<u>Original Acres</u>	<u>New Acres</u>	<u>Fee</u>
31-07103	31-11387	132.0	7.0	\$57.00
31-07105	31-11388	130.0	6.0	\$56.00
31-07106	31-11389	132.0	5.0	\$55.00
31-07107	31-11391	133.0	8.7	\$58.70
31-07108	31-11392	128.0	7.0	\$57.00
31-07121	31-11394	136.0	7.5	\$57.50
31-07148	31-11375	133.0	5.0	\$55.00
31-07149	31-11396	131.0	7.8	\$57.80
31-07151	31-11376	151.8	3.5	\$53.50
31-07152	31-11382	132.0	4.1	\$54.10
31-07193	31-10677	190.0	6.7	\$6.70
31-07375	31-11372	115.0	14.6	\$64.60

You'll note that the fee for claim 31-07193 and enlargement claim 31-10677 is only \$6.70. This is because this enlargement claim was filed and paid for earlier, so the only fee is the acreage fee.

Please review these claims, and return any that you wish to with a notarized signature and the appropriate fee. Separate checks are not needed, one check for the total will be adequate. Please make the check to "Idaho Department of Water Resources."

Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Bryce A. Contor".

Bryce A. Contor
Senior Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

Date 5/11/00

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Richard Egbert
P.O. Box 90
Teton, ID
83452

Re: Adjudication Claim(s) A31-07103, 7105, 7106, 7107, 7108,
7121, 7149, 7152, 7192, 7193

Dear Water User:

We are currently in the process of reviewing adjudication claims in Basin 31, in preparation for submitting recommendations to the Snake River Basin Adjudication Court.

In reviewing your claim(s) listed above, it appears the irrigated acreage exceeds what is authorized by the claim(s). To provide for irrigation of the additional acres, you need to file an "enlargement claim" or perhaps amend the claim(s) listed above.

Please contact me at (208) 525-7161 if you have further questions or would like to make an appointment to file or amend a claim.

Sincerely,

Byce A. Contor

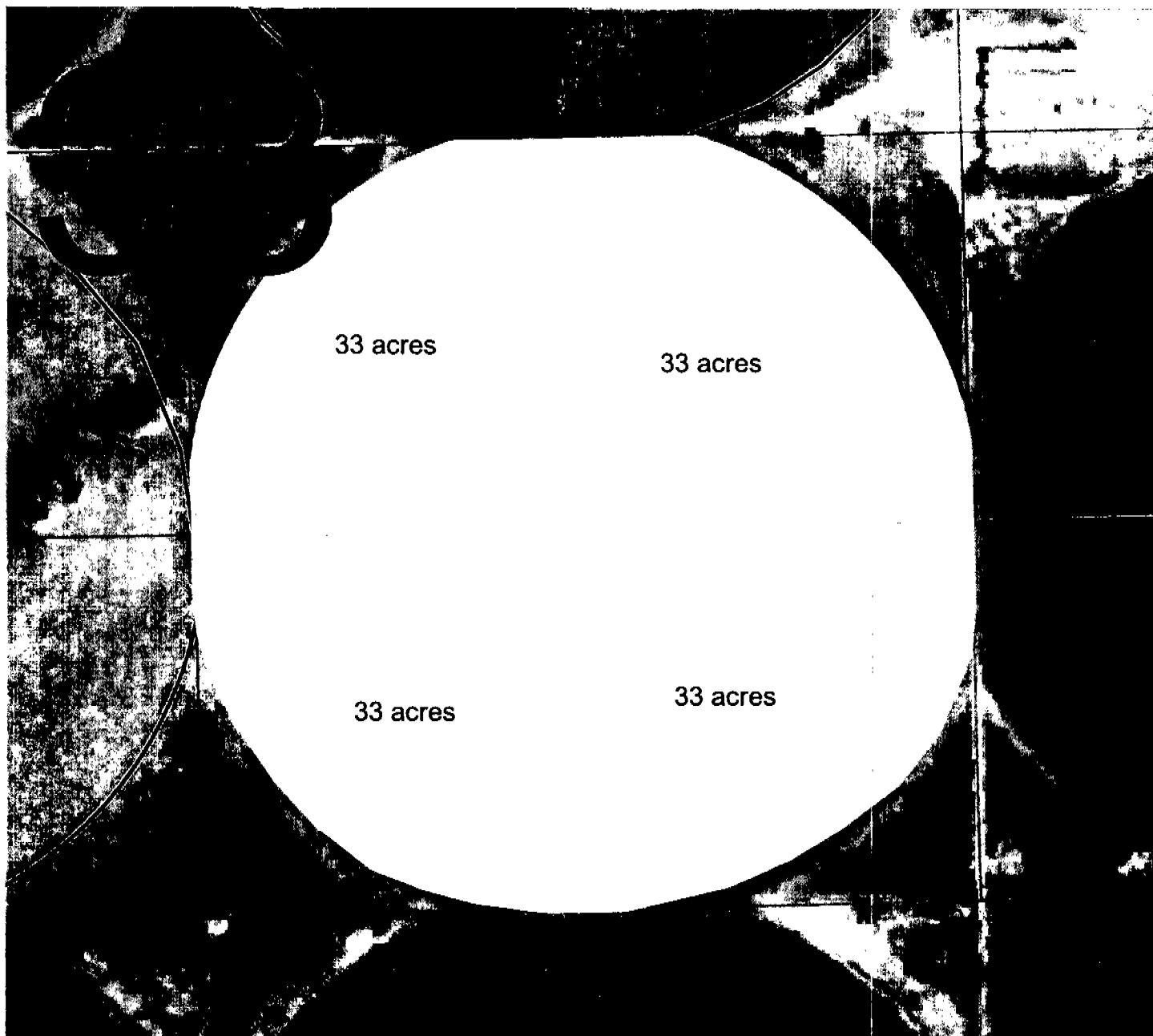
Senior Water Resource Agent

cc: Kirk Egbert
Teton ID
83450

IDAHO DEPARTMENT OF WATER RESOURCES

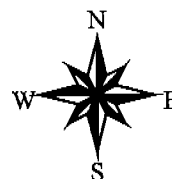
Water Right 31-07106

Township 8 North Range 37 East Section 33



0 1320 Feet

- ⊙ Point(s) of Diversion, This WR
- Other Points of Diversion
- Place of Use, This Right
- Other Places of Use
- Section Lines
- Quarter-quarter Sections



Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 4/2000

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

Audit: 01/28/85 05/22/88 CONVERT

CLAIM NO(S). R31-07106
DATE: 3-21-94 T8N R
SOURCE OF DOC: NAPP, OO
SIGNATURE: *[Signature]*

PLACE
OF USE

P.D.

FREMONT

T8N

T7N

57' 30"

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)

License of Water Right No. 31-7106 Priority March 18, 1974 Amount 2.02 cfs

THIS IS TO CERTIFY, that Richard A. Egbert
of Tetonia, Idaho, has complied with the terms and conditions of Permit
No. 31-7106 issued pursuant to Application for Permit dated January 30, 1974
and has submitted proof to the Department of Water Resources on April 17, 1979
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.02 cfs of water from a groundwater source
tributary to _____ and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>2.02</u> cfs and	<u>396.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
396.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, Twp.
8N, R. 37E in the County of Fremont

Description and location of place of use.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8N	37E	33													33	32	33	34	132

Total number of acres irrigated 132

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29th day of
April 19 82.

Acting for the Director

Norman C. Young

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

31-7106
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7-15-81 Accompanied by Blair Erickson Total Q measured 2.02 cfs ✓
If source is surface water, estimate total flow of source
Methods of measurement McCrometer Meets Permit requirements? Yes

Measurement calculations: $V = 132 \times 3.14 \times \frac{3.96 \text{ afa}}{4} = 101.1 \text{ cu ft}$	$0.01 \text{ cu ft in } 3 \text{ min } 35 \frac{1}{2} \text{ sec}$ $\frac{101.1 \text{ cu ft}}{(43.5 \text{ sec}) \div 60} \div 215.5 = 2.02 \text{ cfs}$	$V = 2.02 \times 1.9835 \times 213 = 853 \text{ afa}$ $V = 2.02 \times (1.9835) 214 = 857.43$
--	--	--

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	125	US Mot.	C294802-273	Pennwalt	N/A	McCrometer	Good	No Center McCrometer so No Serial No.

System Description Well, Pump, 8' mainline w/ McCrometer to center pivot

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE
Irrigation

Irrigation requirement = 3.0 AFA/Acre
Q (cfs) 2.02 ✓ V total 396 FROM April TO Oct 31
Nov 1

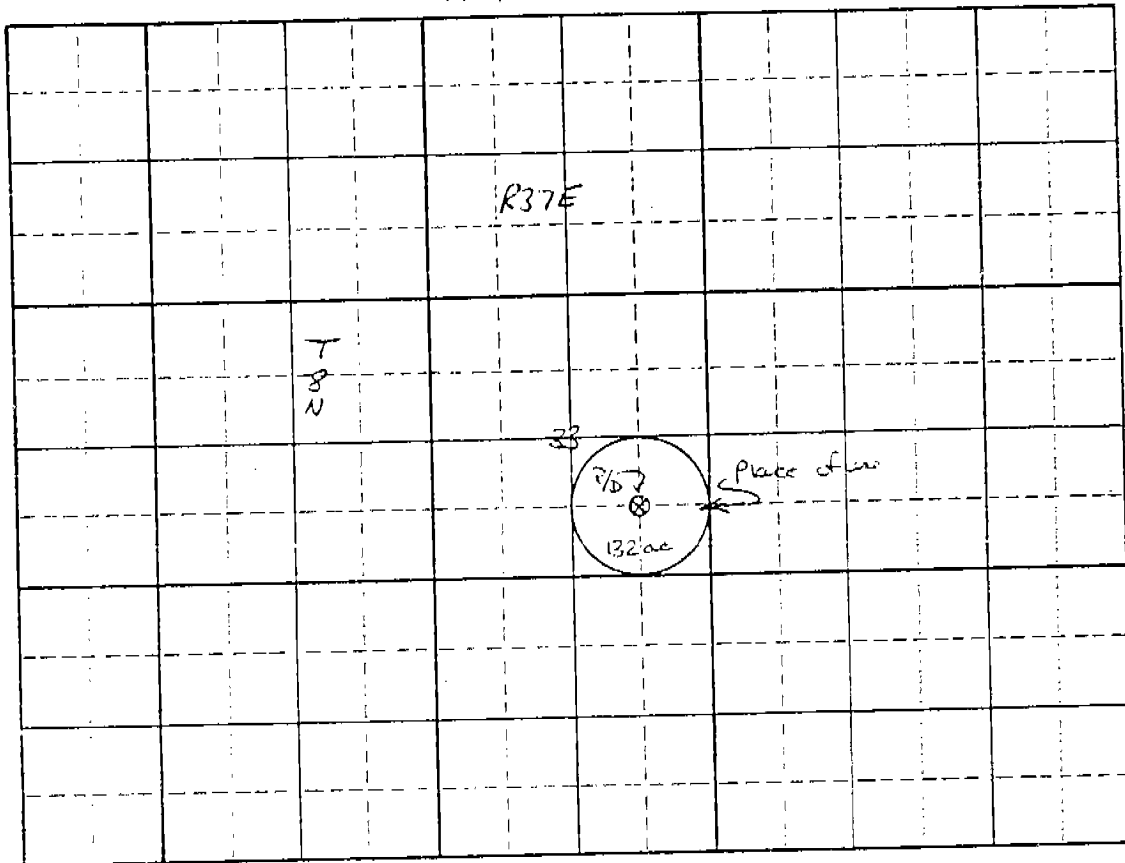
Remarks Actual P/D located 12' above center of SE 1/4 and on section line between NW 1/4 SE 1/4 and NE 1/4 of SE 1/4 of Sec. 33, T8N, R37E B.M.
Total 2.02 396 - April Oct 31

No Conflicting rights found.

JK

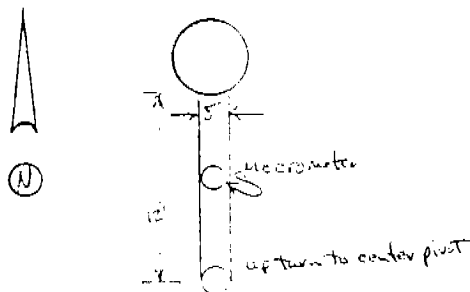
Blair Erickson
7/15/81

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Control of diversion: ~~NW 1/4 & SE 1/4~~ and NE 1/4 of SE 1/4, Sec 33, T8N, R37E, B.M.

Division of Div.

TWP	RGL	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	37E	33													33	32	33	34	132

Recommended Amendments:

Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature

KC Wilson
[Signature]
[Signature]

Checked by

Approved by

Date

Date

Date

10-9-81

12-3-81

2-23-81

Richard A. Egbert

T
8
2

R 37E

P/O 7

Place of work

1718



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 10, 1999

DIRK KEMPTHORNE
GOVERNOR

RICHARD A EGBERT
35 W 1ST S
REXBURG ID 83440-1810

40 Brad Egbert

cc: W.A.

KARL J. DREHER
DIRECTOR
RECEIVED

AUG 27 1999

Department of Water Resources

RE: Snake River Basin Adjudication (SRBA)
Water Rights - Please See Attached List

Dear Water Right Holder:

*Records changed, NCAT prepared.
as 8-30-99*

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by August 23, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Returned Mail

#####

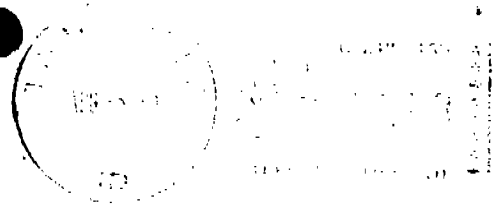
The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
100 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Service Requested



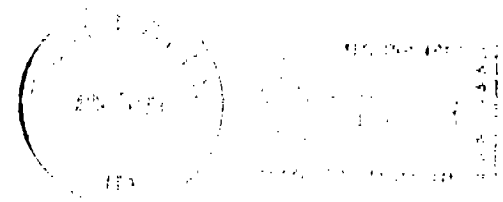
RECEIVED
AUG 10 1999
Department of Water Resources

35-07349
RICHARD A EGBERT
PO BOX 9
TETONIA

ID 83452

EGBE009 834522002 1A98 05 08/07/99
RETURN TO SENDER
RICHARD A EGBERT
310 W 1ST S
REXBURG ID 83440-1810
RETURN TO SENDER

83452X0009



RECEIVED
AUG 10 1999
Department of Water Resources

EGBE 009

35-02732
RICHARD A EGBERT
310 EGBERT AVE
TETONIA

ID 83452

EGBE009 834522002 1A98 05 08/07/99
RETURN TO SENDER
RICHARD A EGBERT
310 W 1ST S
REXBURG ID 83440-1810
RETURN TO SENDER



AJ5811MP
SELECTION FILE: EGBERT
TOTAL RECORDS IN SELECTION FILE: 39

22-11922 ✓ 31-10671 ✓ 31-10681 ✓ 31-10686 ✓ 35-02732 ✓ 35-07349 ✓ 35-07933 ✓ 35-07934 ✓
A22-001330 ✓ A22-00189A ✓ A22-00191 ✓ A22-00526A ✓ A22-00527A ✓ A22-00554B ✓ A22-00555B ✓ A22-00568A ✓
A22-11912 ✓ R31-07083 ✓ R31-07084 ✓ R31-07103 ✓ R31-07104 ✓ R31-07105 ✓ R31-07106 ✓ R31-07107 ✓
R31-07148 ✓ R31-07149 ✓ R31-07150 ✓ R31-07151 ✓ R31-07152 ✓ R31-07192 ✓ R31-07193 ✓ R31-07375 ✓
A21-07295 ✓ A21-07296 ✓ A22-02100A ✓ A22-07279A ✓
R31-07108 ✓ R31-07121 ✓ R31-10677 ✓

IDAHO DEPARTMENT OF WATER RESOURCES
SELECTION FILE CONTENTS

DATE: 08/10/99
TIME: 10:56:21
PAGE: 1

cc: V.A.

Permits

*Directly
forwarded*