

03/18/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7279A
NAME AND ADDRESS: ALTA P EGBERT
C/O BRAD EGBERT
35 W 1ST S
REXBURG ID 83440-1810

RICHARD A EGBERT
C/O BRAD EGBERT
1134 BOND AVE
REXBURG ID 83440-1810

SOURCE: GROUND WATER
QUANTITY: 0.470 CFS
96.000 AFY
PRIORITY DATE: 05/09/1978
POINT OF DIVERSION:

TRIBUTARY:

T05N R44E S2 NWSESW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.470 CFS 96.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 15 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within TETON County
T05N R44E S02 SWSW 32.0

32 ACRES TOTAL

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 22-7279B, 22-13188, 22-13262, 22-13263, 22-13256, 22-13273, 22-13275, 22-13276.

This right is a split from former right 22-7279.



SCANNED
MAY 05 2005

State of Idaho

Department of Water Resources

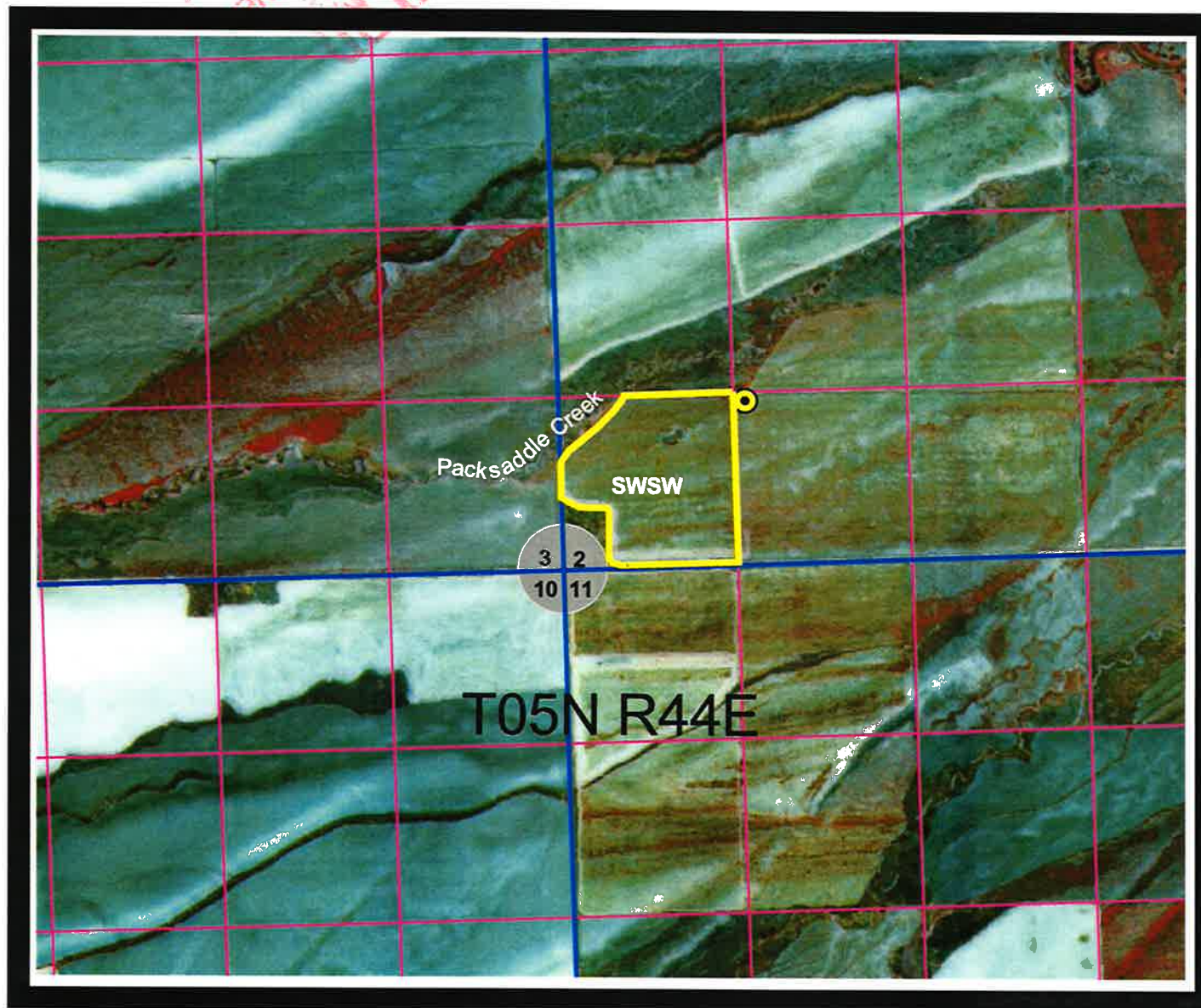
Eastern Region



Water Right(s): 22-7279A

Point(s) of Diversion:
T05N R44E
Sec 2 NESESW

Place of Use: (parts of)
T05N R44E
Sec 2 SWSW



Legend



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter



800 0 800 1600 2400 3200 4000 4800 5600 6400 Feet

GIS Place of Use Illustration
1987/1988 NAPP Photography.
Prepared by: N.Treasure
Date: March 2005



6/29/04 *san* **PROFITED**

SCANNED
MAY 05 2005

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

Split Analysis is complete and shows that All C.F.S and
Accrue add up evenly to original claim 22-7279.
This claim^{2279A} has an expansion claimed under 22-11912
which is a Beneficial use claim w/ Priority date of
05/09/1978. An expansion claim on groundwater after
1971 would need to have a license.

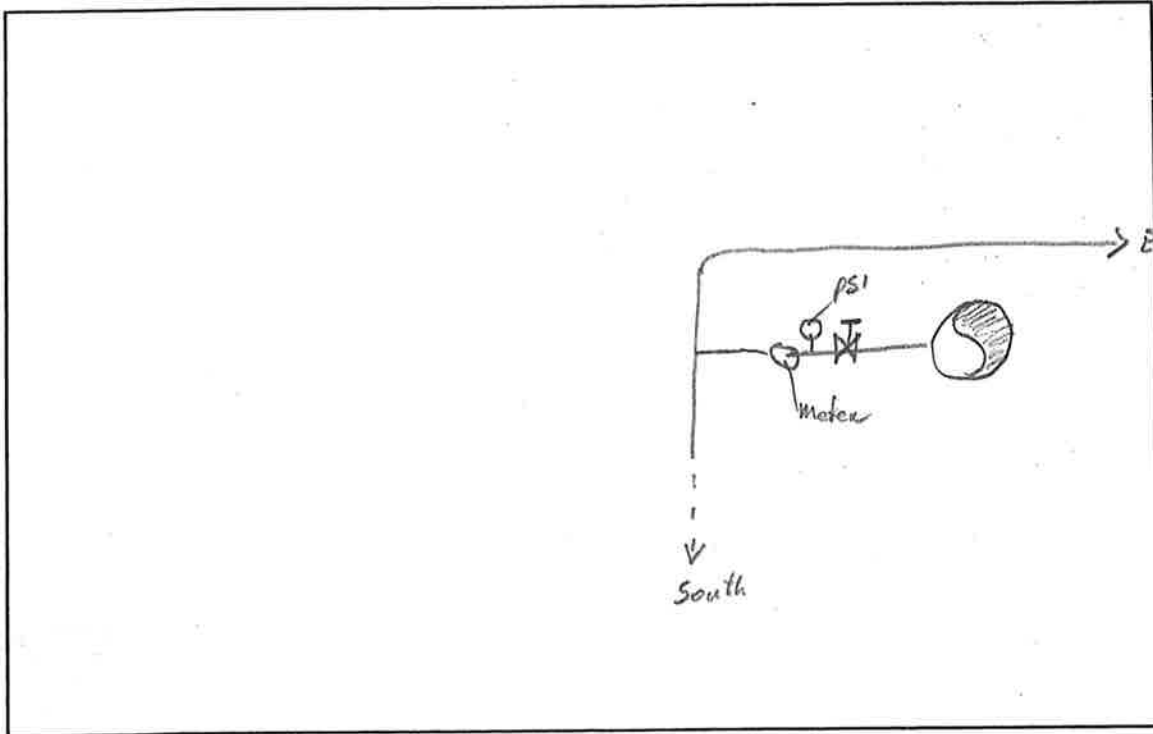
Reviewer: _____ Date: _____

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MAY 05 2005

PROFILE

Water Right No(s). _____



GPS DATA:

Tag # A0014212 Location: ON BLOCK PAVOL

Diversion Data:

Source: GWL Trib to: _____

MOTOR

Make: GE Model: 5X6278XH1A Hp: 200
SN: GLJ723122

PUMP

Make: JOHNSTON Model: NO TAG Disch: 10"
SN: _____

NOTES:

Field Exam Date: 6/28/04 Agent: ABR

MAY 05 2005

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Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
05N	44E	2		NE SE SW	Teton	Groundwater	

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
05N	44E	2		NE SE SW	Teton	Ground	

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

This ground has wheel lines on it and
main line on East Boundary.

[Signature]

Reviewer: _____ Date: _____

MAY 05 2005

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Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
T05	R44E	2	SW	SW	Teton		33	Irrigation

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
T05	R44E	2	SW	SW	Teton		32	Irrigation

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

GIS Acreage indicates 32.0 Acres.

Reviewer: _____ Date: _____

SCANNED
MAY 05 2005

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Season of Use and Quantity Data Entry Form

Claim Number: _____

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	04/15	10/15	0.47	

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	04/15	10/15	0.47	96.0

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

License specifies 3.0 AFA. $\frac{765 \text{ Acre ft}}{255 \text{ Acres}} = 3.0$

This claim: $(3)^{\text{AFA}} \times 32 \text{ Acres} = 96.0 \text{ A.F.A.}$

Reviewer: _____

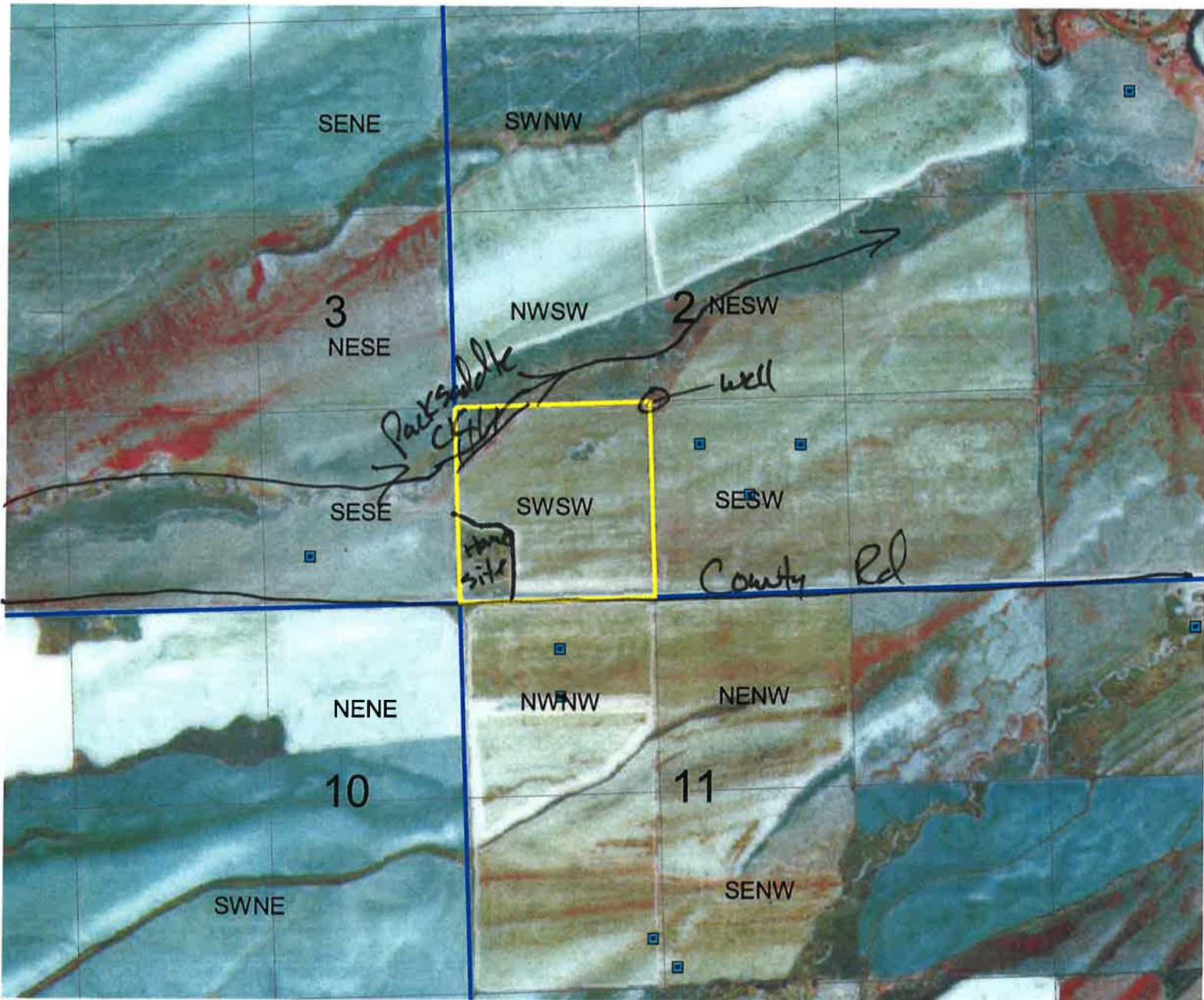
Date: _____

SCANNED
MAY 05 2005

PROFILED

22-7279A

9-26-04
CL



PROFILE

SCANNER
MAY 05 2005



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.

SCANNED

MAY 08

Ph

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
EGBERT
32 W 1ST S
REXBURG ID 83440-1810
RETURN TO SENDER

83452X0009



RECEIVED
AUG 10 1999
Department of Water Resources

35-02732
RICHARD A EGBERT
310 EGBERT AVE
TETONIA

ID 83452

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



SCANNED

MAY 05 2005

PROFILE

AJ581IMP
SELECTION FILE: EGBERT

IDAHO DEPARTMENT OF WATER RESOURCES
SELECTION FILE CONTENTS

TOTAL RECORDS IN SELECTION FILE:

39

22-11922	31-10671	31-10681	31-10686	35-02732	35-07349	35-07933	35-07934	A21-07295	A21-07296
A22-00133P	A22-00189A	A22-00191	A22-00526A	A22-00527A	A22-00554B	A22-00555B	A22-00568A	A22-02100A	A22-07279A
A22-11912	R31-07083	R31-07084	R31-07103	R31-07104	R31-07105	R31-07106	R31-07107	R31-07108	R31-07121
R31-07148	R31-07149	R31-07150	R31-07151	R31-07152	R31-07192	R31-07193	R31-07375	R31-10677	R31-10677

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

cc: P.A.

Permit

"Correct" missed

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7279 Priority May 9, 1978 Amount 3.65 cfs

THIS IS TO CERTIFY, that James E. Hatch
of Driggs, Idaho, has complied with the terms and conditions of Permit
No. 22-7279 Issued pursuant to Application for Permit dated May 9, 1978
and has submitted proof to the Department of Water Resources on August 17, 1982
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 3.65 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
<u>Irrigation</u>	<u>from April 15 to October 15</u>	<u>at 3.65 cfs</u>	<u>and 765.0 acre feet</u>
_____	_____	_____	_____
_____	_____	_____	_____

(both dates inclusive)

Subject, however, to the condition that no more than 3.65 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
765.0 acre feet per year, said waters to be diverted within the SE 1/4 SW 1/4 Section 2
Twp 5N, Rge. 44E in the County of Teton

Description and location of place of use:

Twp.	Range	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	
5N	44E	2												33	38		35		107
		11					38	38	39	33									148

Total number of acres irrigated 255

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 11TH day of September, 19 84.

Acting for the Director

Norman C. Young

Form 219, p1

12/79

EX-10000 p1

EX-10000 p1

State of Idaho

DEPARTMENT OF WATER RESOURCES

FIELD REPORT

☐ Change B.D. as reflected above☐ VAD B.D. as reflected above☐ Other☐ Change B.D. as reflected above☐ VAD B.D. as reflected above☐ None

Recommended Amendment:

22-7279

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made:			
(List Telephone No. used)			
DATE	TIME	LOCATION	REMARKS

☐ Appointment scheduled for:

(Date, time, location)

EQUIPMENT OF QUANTITY

EXAMINATION

Date 7-22-82

Accompanied by N/A See Note

Total Q measured 3.65 cfs ✓

If source is surface water, estimate total flow of source

Methods of measurement McCrometer

Meets Permit requirements?

Measurement calculations:

Observed approx 1700 gpm on McCrometer = 3.79 cfs

0.014 in 119.3 sec

 $(455 \text{ gpm} \times 0.014 \text{ in}) \div 119.3 \text{ sec} = 3.65 \text{ cfs Capacity}$ $255 \times 0.02 \text{ cfs} = 5.1 \text{ cfs}$ $U = 255 \text{ ac} \times 3 \text{ cfs} = 765 \text{ ac-ft}$ $V = 3.65 \text{ cfs} \times 1.48 \text{ ft}^3/\text{sec} \times 183 \text{ days} = 1325 \text{ ac-ft}$

WELL/DIVERSION NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	300	US Motors	MN 4577-20 T4164-589	Johnston	N/A	McCrometer	Good	No S/N

System Description well, pump, 10" mainline to portable mainline with laterals with sprinklers

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

RECOMMENDED AMOUNTS

USE

IRRIGATION ✓

Irrigation requirement =

3.0 ✓

AFA/Acre

Q (cfs)

3.65 ✓

V (afa)

765 ac-ft ✓

FROM

4/15 ✓

TO

10/15 ✓

183 days

Total

3.65 cfs ✓

765 ac-ft ✓

4/15 ✓

10/15 ✓

Remarks Recommend changing period of use on license to 4/15 to 10/15 ✓

NOTE: Mr. Holt instructed me how to find his place he said that he would take the McCrometer Reading & also indicated on the aerial photo the place of use & accept (per phone conversation w/ Keith Wilson 9/4/84. K.W.)

RUE

POINT OF DIVERGENCE

PLACE OF USE

$h = 2$

Diagram of a water main layout showing a pump, gate valves, check valves, and a McCrometer. The main is 10 inches in diameter. A downstream mainline is 6 inches in diameter. Distances are marked: 3' 4" from the pump to the first gate valve, 2' from the first gate valve to the second gate valve, and 2' from the second gate valve to the pump. A check valve is located between the two gate valves. A McCrometer is located on the 10-inch main between the first gate valve and the pump. The diagram is labeled with 'Downstream of Mainline', 'Gate Valve', 'Check Valve', 'McCrometer', and 'Pump'.

Place(s) of Use	✓	Lead across
-----------------	---	-------------

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above

Approved by:

Ray Walker

Date 12-05-1987

Date 8-3-84

☒ None
☐ Other

255

PERMIT NO. 22-7279

James E. Hake
(Name)

EXAMINATION: DATE: 7-22-82

Accompanied by:

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
USH	300	MN4537-170 T4166-829	Johnston	N/A

Measuring Device Type: Micro No. S/N
Meter # Annubar Size #

Remarks: PD & PUOK

Measurement calculations:

1700 gpm

0.01 af in 1 min 59.3 sec = 3.65

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter

Length

Portable mainline

N ↑



AJ0749NP
No. A22-07279A

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

DATE: 08/30/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALTA P EGBERT	05/09/1978	IRRIGATION	04-15 10-15	0.470 CFS	115.50 AFA
C	RICHARD A EGBERT C/O BRAD EGBERT 35 W 1ST S REXBURG ID 834401810 (208) 456-2645			TOTAL DIVERSION: CONSUMPTIVE USE:	0.470 CFS	115.50 AFA 82.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05N R44E S02 NWSESW

TETON County

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	SESW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
05N	44E	2	:									:					:					:					:	
			:									:					:					:					:	33.0
			:									:					:					:					:	33.0
			:									:					:					:					:	TOTAL ACRES
			:									:					:					:					:	33.0

POU County: TETON

Non-Irrigation Uses: NONE

Other Rights: EXPANSION CLAIMED UNDER A22-11912

Remarks: GEN **NOTICE IS RESULT IN CHANGE OF OWNERSHIP FOR A PORTION OF
A22-07279, PAID UNDER M001436. BY AGREEMENT WATER SOURCE IS FROM
ORIGINAL WELL HELD BY J. HATCH.

****SPLIT RIGHT DUE TO CHANGE OF OWNERSHIP****

A22-07279A, 0.47 CFS ON 33 ACRES, R. EGBERT

A22-07279B, 1.06 CFS ON 74 ACRES, J. HATCH

A22-07279C, 1.03 CFS ON 72 ACRES, P. BRADFORD-L. MEAD

A22-07279D, 1.09 CFS ON 76 ACRES, M. MEAD

TOTALS: 3.65 CFS ON 255 ACRES,

THIS RIGHT APPEARS TO BE CLAIMED IN FULL.

****30JAN96,ABR****

ADDRESS CHANGE BY CLAIMANT LETTER 8/30/99 SS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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: A22-07279A
Date Received: 9/27/1988
Receipt No: 1001436
Received By: SSA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD A. EGBERT 208-456-2645
Address: TETONIA, ID 83452

OR

Name: ALTA P. EGBERT 208-456-2645
Address: TETONIA, ID 83452

2. Date of Priority: MAY 09, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	44E	2	NE	SE	SW		TETON

5. Description of diverting works:
WELL W/ PUMP TO MAINLINE SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.470		

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

8. Total consumptive use is 66.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-07279A

Page 1

Date: 09/27/88

SCANNED

MAY 05 2005

PROFILE

MICROFILMED

OCT 29 1992

A2207279A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	44E	2	SW	SW		IRR	33.0
Section Acres							33.0
Total Acres							33.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
EXPANSION CLAIMED UNDER A22-11912

14. Remarks:
RIGHT SPLIT BY OWNERSHIP. WELL LOCATED ON MR. HATCHES PROPERTY.
IS SUPPLYING WATER TO POU BY AGREEMENT.

15. Basis of Claim: LICENSE

PROFILED

SCANNED
MAY 05 2005

MICROFILMED
OCT 29 1992

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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. Ebert Date: 9-27-88
Date: _____

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of September 19 88

[Signature]
Notary Public

Seal

Residing at Idaho Falls, Id
My Commission Expires 22 Aug 1994

PROFILED

SCANNED
MAY 05 2005

MICROFILMED
OCT 29 1992