



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

January 6, 2017

KIRK EGBERT  
1402 E 1300 N  
PO BOX 87  
TERRETON ID 83450

**RE: Expiration of Water Supply Bank Rental Agreement for water rights: 31-2465, 35-13855**

Renter,

This letter is to inform you that your rental agreement(s) to rent the above listed water rights from the Water Supply Bank (Bank) expired at the end of 2016.

Once the rental agreement concludes, any diversion or use of water under the rental agreement will no longer be authorized and, if occurring, may be subject to an enforcement action.

If you wish to rent water in the future, please download a rental application from: <http://idwr.idaho.gov>. You may submit rental applications on November 1 of the year prior to the intended use of rental water. **YOU ARE ENCOURAGED TO FILE AN APPLICATION AT LEAST 3 MONTHS PRIOR TO THE DATE YOU DESIRE TO USE RENTAL WATER.**

If you have any questions about this matter, please contact me at (208) 287-4918.

Sincerely,

A handwritten signature in black ink, appearing to be 'RB' followed by a long horizontal stroke.

Remington Buyer  
Water Supply Bank Coordinator

Enclosures:



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**WATER SUPPLY BANK RENTAL AGREEMENT**

RECEIVED

APR 14 2016

DEPARTMENT OF  
WATER RESOURCES

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

  
Signature of Renter

Kirk Egbert President 4/8/16  
Printed Name and Title\* Date

\_\_\_\_\_  
Signature of Renter

\_\_\_\_\_  
Printed Name and Title\* Date

\*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Having determined that this agreement satisfied the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and condition herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board.

By   
BRIAN PATTON, Acting Administrator  
Idaho Water Resource Board

Date 4/14/2016

Rental Approved by IDWR 

Date 4-14-2016

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**WATER SUPPLY BANK RENTAL AGREEMENT**  
**WATER USE DETAILS**

**LOCATION OF POINT(S) OF DIVERSION**

|              |                       |         |         |                  |
|--------------|-----------------------|---------|---------|------------------|
| GROUND WATER | L4(SE¼NW¼NW¼)Sec. 01  | Twp 07N | Rge 37E | JEFFERSON County |
| GROUND WATER | L2(SE¼NW¼NE¼) Sec. 02 | Twp 07N | Rge 37E | JEFFERSON County |

**BENEFICIAL USE**

IRRIGATION

**SEASON OF USE**

04/01 TO 10/31

**RENTER'S 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 |        |
| 07N | 37E | 01  |           |           |     |     | 2.9<br>L3 | 2.9<br>L4 | 2.9 | 2.9 |    |    |    |    |    |    |    |    | 11.5   |
| 07N | 37E | 02  | 2.9<br>L1 | 2.9<br>L2 | 2.9 | 2.9 |           |           |     |     |    |    |    |    |    |    |    |    | 11.5   |

Total Acres: 23.0

**CONDITIONS APPLICABLE TO ALL RENTED WATER RIGHTS**

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
3. Use of water under this agreement does not constitute a dedication of the water to renter's place of use, and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.
4. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
5. Use of water under this agreement shall not prejudice any pending permanent transfer applications that the renter has filed to modify other water rights for irrigation of the subject lands nor shall it prejudice any future rental agreement that may be made of the subject water right after this rental agreement expires.
6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.

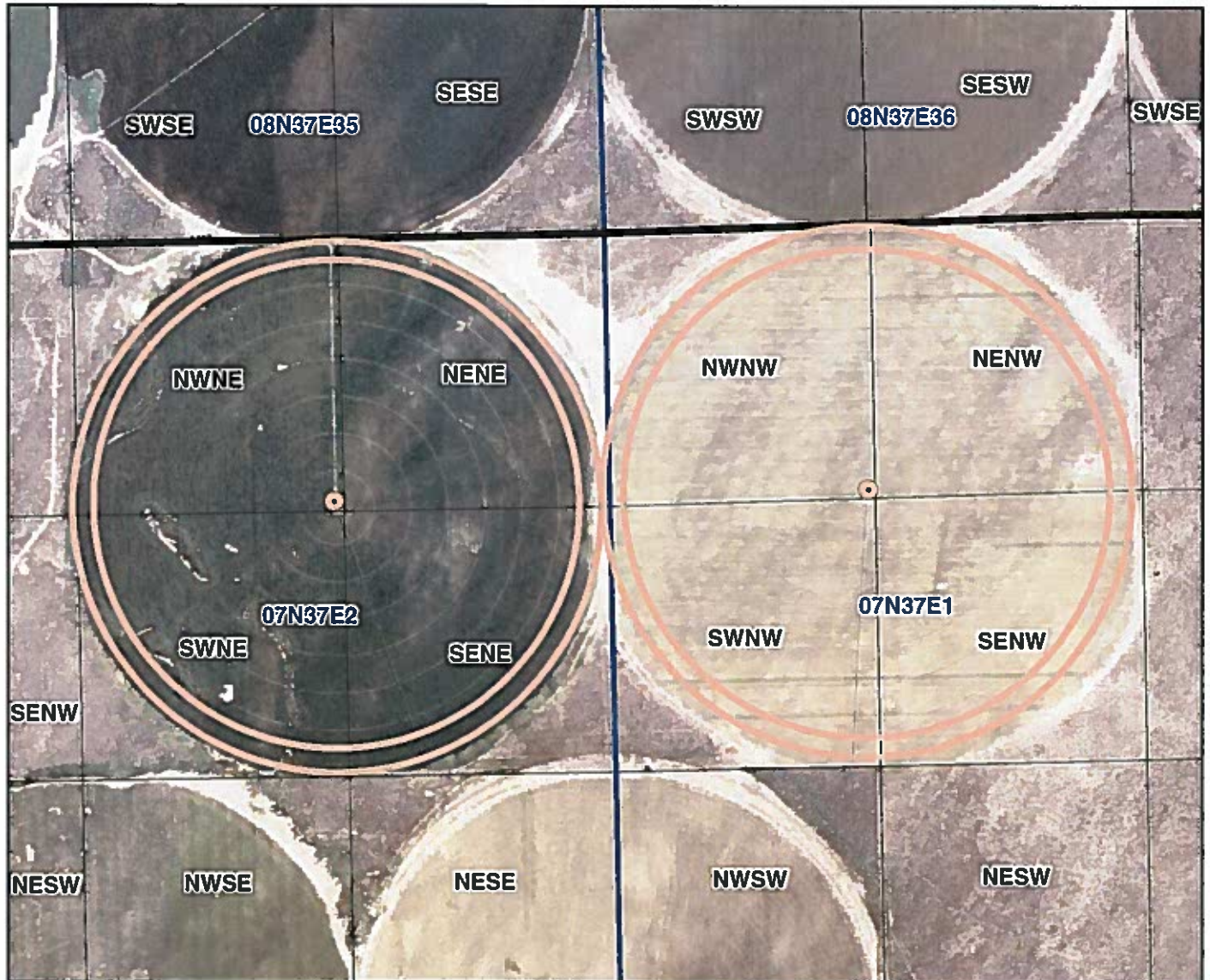
10. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
11. This rental agreement does not authorize the construction of a well.
12. The renter must diligently pursue a permanent water right to provide for the uses authorized under this rental agreement.
13. 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.
14. Use of water under this agreement 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. 110.
15. The following rights are diverted through point(s) of diversion described above: 31-11410, 31-11414, 31-11428, 31-11947 and 31-11954.



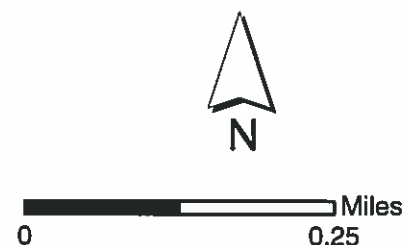
Idaho Water Resource Board  
**Water Supply Bank Rental Agreement**

Effective until December 31, 2016

This map depicts the rental **place of use** pursuant to the rental agreement and is attached to the agreement solely for illustrative purposes.



-  Authorized Rental Point of Diversion
-  Authorized Rental Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



STATE OF IDAHO  
WATER RESOURCE BOARD**AMENDED****APPLICATION TO RENT WATER  
FROM THE BOARD'S WATER SUPPLY BANK**Applicant Name: Kirk S. Egbert

Is this application being submitted with a lease application as a lease/rental package?

Yes ☐ No ☒

If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at [http://idwr.idaho.gov/water\\_supply\\_bank](http://idwr.idaho.gov/water_supply_bank).

**MINIMUM REQUIREMENT CHECKLIST****Check All Items as Either Attached (Yes) or Not Applicable (N/A)**

Yes

Completed *Application to Rent Water from the Board's Water Supply Bank*

Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank

Attachment N/A Yes

2



A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request

3A



Detailed information on a proposed use of rental water

3F



Authorization from the owner/operator of the rental point(s) of diversion

3H



Water modeling to account for the impacts of the rental request

3J



Documents justifying a rate of flow greater than 0.02 cfs/acre

3K



Authorization from the owner/operator of the property at the proposed rental place(s) of use

4B



Explanation of how the rental water will sufficiently accomplish your rental purposes

4C



Explanation of consumptive use amounts for water rights experiencing a change in nature of use

**Department Use Only – Proposed Water Right(s)**

31-2465

35-13855

**STATE OF IDAHO  
WATER RESOURCE BOARD**

**Application to Rent Water (Continued)**

**1. CONTACT INFORMATION**

A. Applicant Kirk S. Egbert

|                                                       |                                  |       |          |
|-------------------------------------------------------|----------------------------------|-------|----------|
| Mailing Address <u>1410 East 1300 N, P.O. Box 87,</u> | Terreton                         | ID    | 83450    |
| Street                                                | City                             | State | Zip Code |
| Email Address <u>kkegbert1985@yahoo.com</u>           | Phone Number <u>208-663-4505</u> |       |          |

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☒ No ☐  
 If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

|                                                                                                                           |                                                          |
|---------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| Representative <u>Keith C. Wilson</u>                                                                                     | Professional Title <u>Senior Water Rights Analyst</u>    |
| Organization <u>Rocky Mountain Environmental Associates</u>                                                               | Relationship to Applicant <u>Consultant &amp; Friend</u> |
| Mailing Address <u>482 Constitution Way, Suite 303, Idaho Falls, ID 83402 &amp; 610 Lincoln Dr. Idaho Falls, ID 83401</u> |                                                          |
| Email Address <u>keith.rmea@gmail.com</u> <u>best.syn-oil@outlook.com</u>                                                 | Phone Number <u>208-254-2353</u><br><u>208-339-1901</u>  |

**2. MAP**

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it Attachment 2.

**3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER**

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them Attachment 3A:

Place of Use has a mitigation plan that allows 3.0 acres of water rights to be added to the place of use. This rental would allow irrigation with end-guns for two center pivots in NW 1/4 Sec 1 & NE 1/4 Sec 2, T7N, R37E.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

| Desired Rate<br>(Cubic Feet/Second) | Desired Volume<br>(Acre-Foot) | Minimum Rate*<br>(Cubic Feet/Second) | Minimum Volume*<br>(Acre-Foot) | Desired Acres<br>(if applicable) |
|-------------------------------------|-------------------------------|--------------------------------------|--------------------------------|----------------------------------|
| 0.33 CFS                            | 83.0 AF                       | 0.33 CFS                             | 83.0 AF                        | 23.0 AC                          |

\* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

| Desired Start Date<br>(month/day/year) | Latest Possible Start Date<br>(month/day/year) | *Mark Desired Rental Duration<br>(Calendar Years) |                            |                            |                            |                            | **Applicant's preference if rental application cannot be processed prior to the latest possible start? |                                                          |
|----------------------------------------|------------------------------------------------|---------------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 04/01/2016                             | 07/01/2016                                     | <input checked="" type="checkbox"/> 1             | <input type="checkbox"/> 2 | <input type="checkbox"/> 3 | <input type="checkbox"/> 4 | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> Process application as soon as possible                            | <input type="checkbox"/> Return application to applicant |

\* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

\*\* Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

STATE OF IDAHO  
WATER RESOURCE BOARD

Application to Rent Water (Continued)

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):

Two Wells with mainlines to two center pivots with end-guns

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

| POD Description       | Water Source | Other Water Rights Diverted from this POD    |
|-----------------------|--------------|----------------------------------------------|
| NWNW Sec 1, T7N, R37E | Ground water | 31-11954/31-11410/31-11414/31-11428/31-11947 |
| NWNE Sec 2, T7N, R37E | Ground water | 31-11954/31-11410/31-11414/31-11428/31-11947 |
|                       |              |                                              |
|                       |              |                                              |

*If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.*

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒

If yes, include documented consent as Attachment 3F.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☒ No ☐

*Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.*

- H. Has water modeling been provided with your rental request? Yes ☒ N/A ☐

If yes, label modeling Attachment 3 H.

*Rental applications that require modeling will be returned if modeling is not provided.*

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☒ Irrigation 23.0 (number of acres) Duration: Subject to IDWR standard seasons of use
- ☐ Commercial from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)
- ☐ Stockwater from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)
- ☐ Industrial from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)
- ☐ Other: \_\_\_\_\_ from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒

If yes, justify the rate of flow and attach any supporting documents as Attachment 3J. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐

If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it Attachment 3K.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:

Ground water rights: 31-11954, 31-11410, 31-11414, 31-11428 & 31-11947

**STATE OF IDAHO  
WATER RESOURCE BOARD**

**Application to Rent Water (Continued)**

**4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS**

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

**Important Information:** Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request. For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

| Water Right Elements Leased to Water Supply Bank                                                                                                                                         |               |                      |             |            | Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent | Water Supply Bank Rental Request |             |            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------|-------------|------------|--------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-------------|------------|
| Water Right Number<br>(leave blank if sub-total of combined limits)                                                                                                                      | Nature of Use | Diversion Rate (CFS) | Volume (AF) | Acres (AC) |                                                                                                                                | Diversion Rate (CFS)             | Volume (AF) | Acres (AC) |
| 31-2465                                                                                                                                                                                  | Irrigation    | 0.27                 | 63.0        | 18         |                                                                                                                                | 0.27                             | 63.0        | 18.0       |
| 35-13855                                                                                                                                                                                 | Irrigation    | 0.06                 | 20.0        | 5.0        |                                                                                                                                | 0.06                             | 20.0        | 5.0        |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
| <b>Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank</b> |               |                      |             |            | <b>TOTAL</b>                                                                                                                   | 0.33                             | 83.0        | 23.0       |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                | <b>CFS</b>                       | <b>AF</b>   | <b>AC</b>  |

*\*Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it Attachment 4B:

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C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☐ No ☒

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it Attachment 4C:

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STATE OF IDAHO  
WATER RESOURCE BOARD

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

- A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:  
Rental water has been requested for this place of use since 2008. At that time Mr. Egbert was able to lease his own water rights; however, in subsequent years the ESPA transfer model was changed so that the same water rights could not meet the requirements of the ESPA Transfer Model to allow the transfer.

- B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? If yes, describe: Yes ☐ No ☒

- C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? If yes, describe the date and location of the NOV. Yes ☐ No ☒

- D. Additional Information

DECLARATION

I hereby assert that 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 rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.

Signature of Applicant

Printed Name of Applicant

Date

Signature of Representative

Printed Name of Representative

Date

Mail to:

Idaho Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098

APPLICATION TO RENT WATER  
FROM THE BOARD'S WATER SUPPLY BANKApplicant Name: Kirk Egbert

Is this application being submitted with a lease application as a lease/rental package?

Yes ☐ No ☒

If yes, specify companion water rights in Section 4

This application must be completed according to the minimum requirement checklist below. This checklist is part of the rental application and must be included with the rental application. Applications that do not meet the minimum requirements will not be placed in the processing queue and may be returned until all minimum requirements have been met.

Rental applications should be submitted well in advance of the desired start date for the use of rental water. Rental applications may be processed as early as November 1 of the year prior to the intended use of rental water. Any rental application received on or before November 1 for use in the next year will be assigned a received date of November 1. Rental applications submitted more than one year in advance of the proposed start date for the use of rental water will not be accepted and will be returned to applicants. Rental applications may be returned to applicants if the desired start date for the use of rental water cannot be accommodated by the Water Supply Bank. Rental requests will not be accepted once the rental season of use period has concluded.

One rental application per beneficial use of water. For multiple beneficial uses of water, separate rental requests should be submitted for each unique beneficial use of water. One rental application can be submitted if you propose to rent water from multiple sources.

For additional instructions on completing a rental application, visit the Bank's website at [http://idwr.idaho.gov/water\\_supply\\_bank](http://idwr.idaho.gov/water_supply_bank).

## MINIMUM REQUIREMENT CHECKLIST

Check All Items as Either Attached (Yes) or Not Applicable (N/A)

|            |                                     | Yes                                 |                                                                                                                                                              |
|------------|-------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                                     | <input checked="" type="checkbox"/> | Completed Application to Rent Water from the Board's Water Supply Bank                                                                                       |
|            |                                     | <input checked="" type="checkbox"/> | Confirmation that this form has been printed single sided, per requirement of the Water Supply Bank                                                          |
| Attachment | N/A                                 | Yes                                 |                                                                                                                                                              |
| 2          | <input checked="" type="checkbox"/> |                                     | A map showing the proposed point(s) of diversion, place(s) of use, and water diversion and distribution systems proposed to be used with your rental request |
| 3A         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Detailed information on a proposed use of rental water                                                                                                       |
| 3E         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Authorization from the owner/operator of the rental point(s) of diversion                                                                                    |
| 3H         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Water modeling to account for the impacts of the rental request                                                                                              |
| 3J         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Documents justifying a rate of flow greater than 0.02 cfs/acre                                                                                               |
| 3K         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Authorization from the owner/operator of the property at the proposed rental place(s) of use                                                                 |
| 4B         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Explanation of how the rental water will sufficiently accomplish your rental purposes                                                                        |
| 4C         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Explanation of consumptive use amounts for water rights experiencing a change in nature of use                                                               |

## Department Use Only – Proposed Water Right(s)

35-13855

31-2465

## Application to Rent Water (Continued)

### 1. CONTACT INFORMATION

A. Applicant Kirk Egbert

|                                                          |                                  |       |          |
|----------------------------------------------------------|----------------------------------|-------|----------|
| Mailing Address <u>1402 East 1300 North, P.O. Box 87</u> | Terreton                         | ID    | 83450    |
| Street                                                   | City                             | State | Zip Code |
| Email Address <u>kkegbert1985@yahoo.com</u>              | Phone Number <u>208-663-4505</u> |       |          |

B. Is this application being completed by an authorized representative on behalf of the applicant? Yes ☒ No ☐  
 If yes, representatives (includes company employees if the applicant is a corporation, as well as legal counsel or consultants) should provide their information below if they desire to be included on correspondence with the rental applicant.

|                                                                               |                                                      |
|-------------------------------------------------------------------------------|------------------------------------------------------|
| Representative <u>Keith C. Wilson</u>                                         | Professional Title <u>Senior Water Right Analyst</u> |
| Organization <u>Rocky Mountain Environment Assoc., Inc.</u>                   | Relationship to Applicant <u>Consultant</u>          |
| Mailing Address <u>482 Constitution Way, Suite 303, Idaho Falls, ID 83402</u> |                                                      |
| Email Address <u>keith.rmea@gmail.com</u>                                     | Phone Number <u>208-524-2353</u>                     |

### 2. MAP

Create a map of the proposed point(s) of diversion, place(s) of use and water diversion, delivery and distribution systems. Make sure the rental place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to irrigate. Attach the map to this application and label it **Attachment 2**.

### 3. DESCRIPTION OF PROPOSED USE FOR RENTAL WATER

A. Describe why you desire to rent water and provide a detailed description of your proposed use. If the proposed use is not for irrigation, describe in detail how you determined the amount of rental water required. If the space below is insufficient, attach additional sheets as required and label them **Attachment 3A**:

Rental Place of Use has a mitigation plan that provides an additional 3.0 acres to irrigate under center pivots.

Additional rental water will allow the pivots to operate more efficiently.

B. Enter the desired and/or minimum rates of flow, volume, or irrigable acres requested for your rental purposes:

| Desired Rate<br>(Cubic Feet/Second) | Desired Volume<br>(Acre-Foot) | Minimum Rate*<br>(Cubic Feet/Second) | Minimum Volume*<br>(Acre-Foot) | Desired Acres<br>(if applicable) |
|-------------------------------------|-------------------------------|--------------------------------------|--------------------------------|----------------------------------|
| 0.23 CFS                            | 46.4 AF                       | 0.23 CFS                             | 46.4 AF                        | 11.6 AC                          |

\* Sometimes water rights provide an exceptionally low rate per acre and/or low volume per acre. This section is meant to establish an acceptable range of water sufficient for your proposed water use. Please see question 4B and complete if necessary.

C. This section must be completed in full. Enter the proposed start date and latest possible start date for using rental water as well as the number of years you would like to rent water. The latest possible start is the latest possible date by which you would be willing to pay for a rental and be able to benefit from utilizing rental water.

| Desired Start Date<br>(month/day/year) | Latest Possible Start Date<br>(month/day/year) | *Mark Desired Rental Duration<br>(Calendar Years) |                            |                            |                                       |                            | **Applicant's preference if rental application cannot be processed prior to the latest possible start? |                                                          |
|----------------------------------------|------------------------------------------------|---------------------------------------------------|----------------------------|----------------------------|---------------------------------------|----------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| April 1, 2016                          | April 30, 2016                                 | <input type="checkbox"/> 1                        | <input type="checkbox"/> 2 | <input type="checkbox"/> 3 | <input checked="" type="checkbox"/> 4 | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> Process application as soon as possible                            | <input type="checkbox"/> Return application to applicant |

\* The number of years permissible for a rental is subject to the lease contract duration for the water right(s) being rented.

\*\* Per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right. Water Supply Bank rental applicants are not authorized to utilize rental water prior to the execution of an approved rental agreement. Rental requests may be returned to applicants if no water is available from the Bank to fulfill a rental request.

**Application to Rent Water (Continued)**

- D. Describe your water distribution system and how rental water will be delivered from the point(s) of diversion (POD) to the proposed place of use (POU):  
Two wells to two center pivots.

- E. Describe the physical type (pump, headgate, etc.) and location of the POD from which rental water is proposed to be diverted:

| POD Description | Water Source | Other Water Rights Diverted from this POD |
|-----------------|--------------|-------------------------------------------|
| Well Pump       | Ground water | 31-11410 -11414 -11428 -11947 & 31-11954  |
|                 |              |                                           |
|                 |              |                                           |
|                 |              |                                           |

*If the POD(s) above are located where water is turned into a canal, lateral or ditch, or if they are located on your property but are serviced by water that is delivered via a canal, lateral or ditch, your rental request must include documented authorization from all relevant canal companies, irrigation districts and/or water delivery entities, confirming that they consent to your diversion of water from their system.*

- F. Has documented consent from all relevant water delivery entities been obtained? Yes ☐ N/A ☒  
If yes, include documented consent as Attachment 3F.

- G. Do any POD(s) identified in Question 3E divert from a water source that may require water modeling? Yes ☒ No ☐  
*Refer to the Water Modeling Requirements Information Sheet to determine if a rental POD may require water modeling.*

- H. Has water modeling been provided with your rental request? Yes ☒ N/A ☐  
If yes, label modeling Attachment 3 H.  
*Rental applications that require modeling will be returned if modeling is not provided.*

- I. Specify the desired beneficial use of water and the requested season of use or number of acres required:

- ☒ Irrigation 11.6 (number of acres) Duration: Subject to IDWR standard seasons of use  
☐ Commercial from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)  
☐ Stockwater from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)  
☐ Industrial from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)  
☐ Other: \_\_\_\_\_ from: \_\_\_\_\_ (mm/dd) to: \_\_\_\_\_ (mm/dd)

- J. For irrigation uses, do you propose to divert water at a rate greater than 0.02 cfs/acre? N/A ☐ Yes ☐ No ☒  
If yes, justify the rate of flow and attach any supporting documents as Attachment 3J. Justification may include information on soil composition, conveyance losses, crop type, irrigation systems, public access areas, etc. A rate of 0.03 cfs/acre is permissible for irrigation of 5 acres or less.

- K. Do you own the land at the proposed rental place of use (POU)? Yes ☒ No ☐  
If no, attach documentation from the POU owner/operator confirming your authorization to use the POU and label it Attachment 3K.

- L. List all other water rights and sources of water at the rental place of use for the same purpose, including privately owned water rights and water received from a municipal supplier, an irrigation district, a canal company or any other water delivery entity. Explain why additional water is required:  
31-11410, 31-11414, 31-11428, 31-11947 & 31-11954, To help operate center pivots more efferently.

**Application to Rent Water (Continued)**

**4. RENTAL REQUESTS FOR SPECIFIC WATER RIGHTS**

A. Are you requesting to rent specific water rights?

Yes ☒ No ☐

If yes, specify below the elements of the water rights you are requesting to rent. If no, continue to Question 4B.

**Important Information:** Diversion rates and volumes sought for rent must be proportionate to the per acre diversion rates and per acre volume limits of the water right under lease contract to the Water Supply Bank. Prior to completing this section, applicants should review all water right lease contracts and any active rental agreements to determine which elements of a water right are available to satisfy a rental request. Lease and rental documents are searchable via [IDWR's website](#).

Water rights identified below must either already be leased to the Bank or a lease proposal should accompany this rental request. Rental requests for water rights not yet leased to the Bank will be returned if companion lease applications are not provided with the rental request. For leased rights featuring combined limits, rentals must be consistent with combined diversion rate, volume or acre limits. Combined limits should be listed on a row below water right numbers.

| Water Right Elements Leased to Water Supply Bank                                                                                                                                         |               |                      |             |            | Leased totals, minus water right elements involved in active rental agreements, equals water right elements available for rent | Water Supply Bank Rental Request |             |            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------|-------------|------------|--------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-------------|------------|
| Water Right Number<br>(leave blank if sub-total of combined limits)                                                                                                                      | Nature of Use | Diversion Rate (CFS) | Volume (AF) | Acres (AC) |                                                                                                                                | Diversion Rate (CFS)             | Volume (AF) | Acres (AC) |
| 35-13855                                                                                                                                                                                 | Industrial    | 0.76                 | 526.8       |            |                                                                                                                                | 0.23                             | 46.4        | 14.6       |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                |                                  |             |            |
| <b>Applicants must ensure the requested rate per acre and volume per acre do not exceed the rate per acre and volume per acre limits of water rights leased to the Water Supply Bank</b> |               |                      |             |            | <b>TOTAL</b>                                                                                                                   | 0.03                             | 46.4        | 11.6       |
|                                                                                                                                                                                          |               |                      |             |            |                                                                                                                                | CFS                              | AF          | AC         |

SUPERCEDED

\*see  
Corrected  
Modeling  
Submitted  
2/4/16

5.0

*\*Attach multiple copies of this page if space above is insufficient to list all water rights requested to be rented on this application.*

B. If water right conditions, combined limits, or the sum of all water right elements being requested provide an unconventional duty of water (e.g., an unusually low rate per acre or volume per acre for irrigation use), explain how your proposed rental will sufficiently accomplish your intended purposes. Attach a separate page if space is insufficient and label it **Attachment 4B**:

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C. Does your rental request propose to change the nature of use for any water right(s) being rented?

Yes ☒ No ☐

If yes, explain how the water right(s) will be converted to new uses. Include the historic, consumptive use amounts for the water right being rented if you have it, as well as the new consumptive use amount for your proposed beneficial use. If space below is insufficient, attach a separate page and label it **Attachment 4C**:

Right 35-13855 resulted from a change in nature of use (Irrigation to Industrial & Irr. of 5 acres). The transfer was approved in 2009; however, I observed irrigation in 2009 & 2010 while monitoring water levels on the place of use.

Application to Rent Water (Continued)

5. ADDITIONAL INFORMATION

A. Is this the first time that rental water is being requested for this purpose at the rental place of use? Yes ☐ No ☒

If no, list previous rental requests/agreements and explain why you have not secured a permanent water right for your needs:  
In 2008 acres from rights 31-10964A & 31-7268A were used. Current ESPA Spreadsheet makes it difficult to  
Transfer water. Place of Use has a mitigation plan the provides 3.0 acres to be returned for irrigation. Rental will  
allow the pivots to operate more efficiently and avoid a N.O.V.

B. Have you or do you intend to submit an application for permit or transfer proposing a similar use as this rental? Yes ☐ No ☒  
If yes, describe:

C. Was this rental application submitted in response to a Notice of Violation (NOV) or a pending NOV? Yes ☐ No ☒  
If yes, describe the date and location of the NOV.

D. Additional Information

DECLARATION

I hereby assert that 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 rejection of the application or cancellation of an approval. I understand that if this rental application is approved, it will be subject to the provisions of Section 42-1766, Idaho Code and all applicable state and federal laws. I understand that the submission of a rental application provides no guarantee for approval of a rental agreement. I also understand that, per Idaho Code 42-201, it is unlawful to divert or use water without a valid water right and that I am not authorized to utilize water as proposed in this application prior to the execution of an approved rental agreement.

  
Signature of Applicant

Kirk Egbert  
Printed Name of Applicant

12/14/15  
Date

Signature of Representative

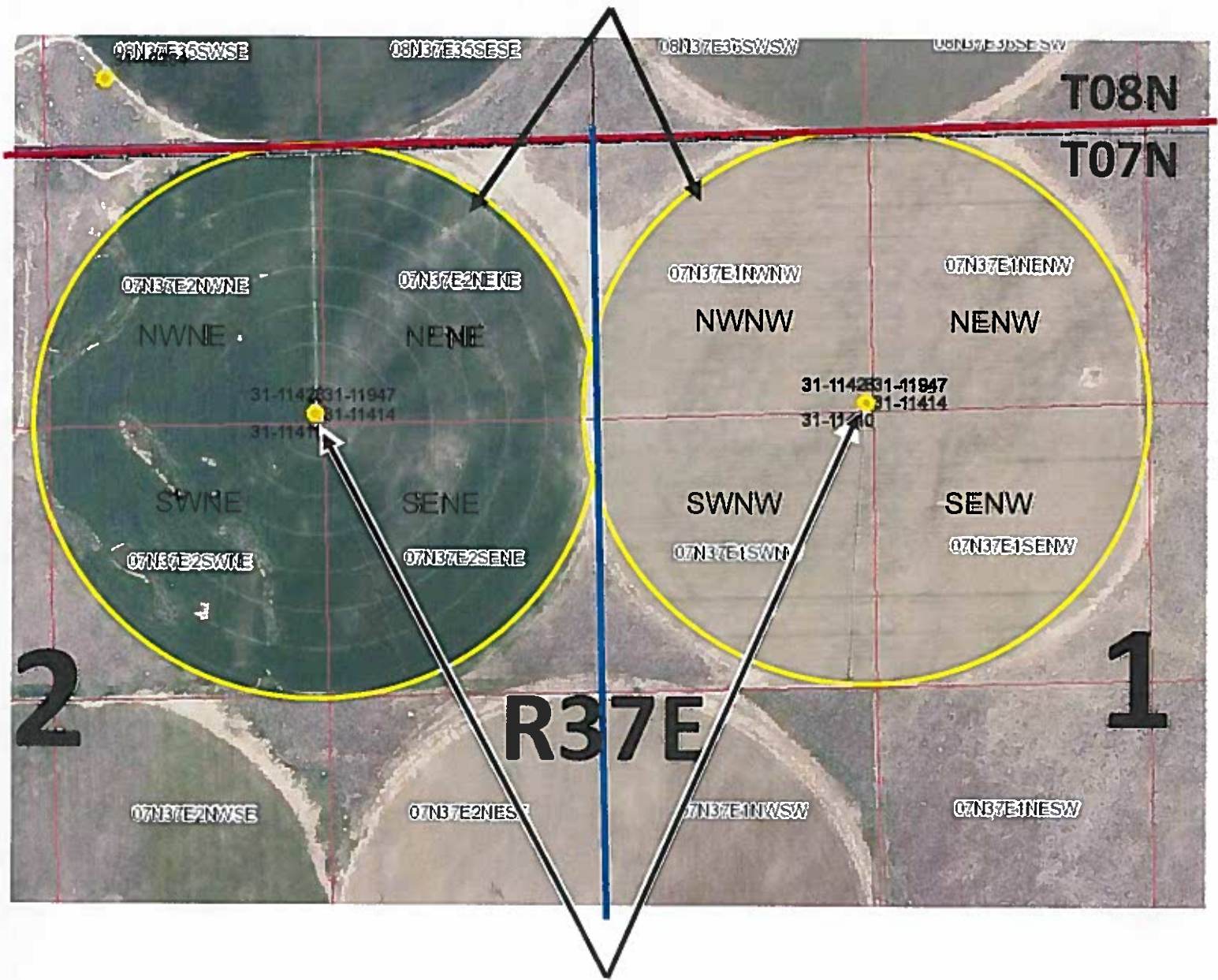
Printed Name of Representative

Date

Mail to:

Idaho Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098

PLACE OF USE



POINTS OF DIVERSION

**KIRK EGBERT**

**2016 Water Bank Application Water Rights 31-2465 35-13855**

**ESPA Ground Water Rights Transfer Spreadsheet Data Summary**

|                |                    |                       |                                                                |
|----------------|--------------------|-----------------------|----------------------------------------------------------------|
| TRANSFER NO:   | KIRK EGBERT        | PREPARED BY:          | Keith C. Wilson - Rocky Mountain Environmental Associates Inc. |
| TRANSFER NAME: | 31-2465 & 35-13855 | DATE:                 | 2/4/2016                                                       |
|                |                    | Transfer Tool Version | Version 3.1                                                    |

**WATER RIGHTS INVOLVED:**

| Group 1<br>Transfer Rights |               | Group 2<br>Additional Mitigation Rights |               |
|----------------------------|---------------|-----------------------------------------|---------------|
| Right No.                  | Priority Date | Right No.                               | Priority Date |
| 31-2465                    | 2/9/1961      |                                         |               |
| 35-13855                   | 2/14/1961     |                                         |               |

**HISTORIC BENEFICIAL USE:**

| Trans/Mit.<br>Rights<br>(group no.) | Acres to<br>Dry Up (ac) | Beneficial Use<br>(afa/yr) | Total<br>(af/yr) |
|-------------------------------------|-------------------------|----------------------------|------------------|
| 31-2465                             | 18                      | 3.5                        | 63               |
| 35-13855                            | 5                       | 4.0                        | 20               |
|                                     | 23                      |                            | 83               |

**MODEL CELL LOCATIONS:**

|        | TO WELL | FROM1 WELL | FROM2 WELL | FROM3 WELL |
|--------|---------|------------|------------|------------|
| ROW    | 44      | 27         | 60         | 0          |
| COLUMN | 176     | 157        | 146        | 0          |

$$83 \text{ af/yr} + 3 = 27.7 \text{ af/tri}$$

|                                  | Start Date |      | End Date |      | Water Use         |                             | Acres<br>Authorized<br>(acres) | Notes |
|----------------------------------|------------|------|----------|------|-------------------|-----------------------------|--------------------------------|-------|
|                                  | Season     | Year | Season   | Year | Annual<br>(af/yr) | Trimester<br>(af/trimester) |                                |       |
| TO Well<br>(Projected Use)       | Spring     | 2016 | Winter   | 2016 | 83.0              | 27.7                        | 23.0                           |       |
| FROM1 Well<br>(With Transfer)    | Winter     | 1960 | Winter   | 2015 | 63                | 21.0                        | 18.0                           |       |
|                                  | Spring     | 2016 | Winter   | 2016 | 0                 | 0.0                         | 0.0                            |       |
|                                  | Spring     | 2017 | Summer   | 2110 | 63                | 21.0                        | 18.0                           |       |
| FROM1 Well<br>(Without Transfer) | Winter     | 1960 | Summer   | 2110 | 63                | 21.0                        | 18.0                           |       |
| FROM2 Well<br>(With Transfer)    | Winter     | 1960 | Winter   | 2015 | 20                | 6.7                         | 5.0                            |       |
|                                  | Spring     | 2016 | Winter   | 2016 | 0                 | 0.0                         | 0.0                            |       |
|                                  | Spring     | 2017 | Summer   | 2110 | 20                | 6.7                         | 5.0                            |       |
| FROM2 Well<br>(Without Transfer) | Winter     | 1960 | Summer   | 2110 | 20                | 6.7                         | 5.0                            |       |

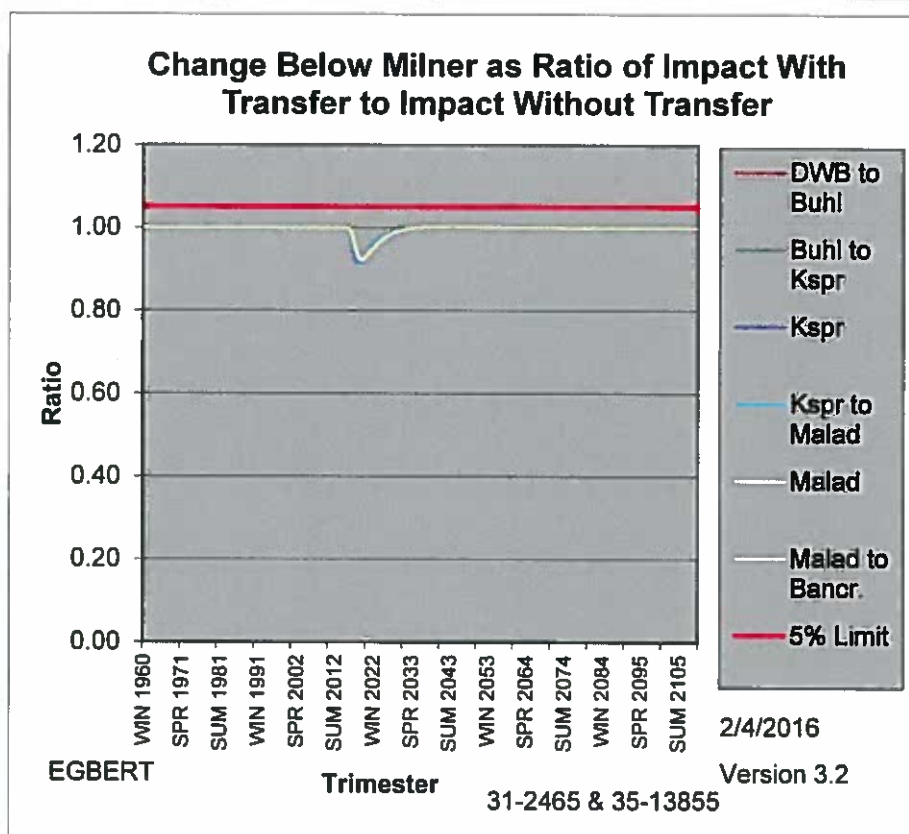
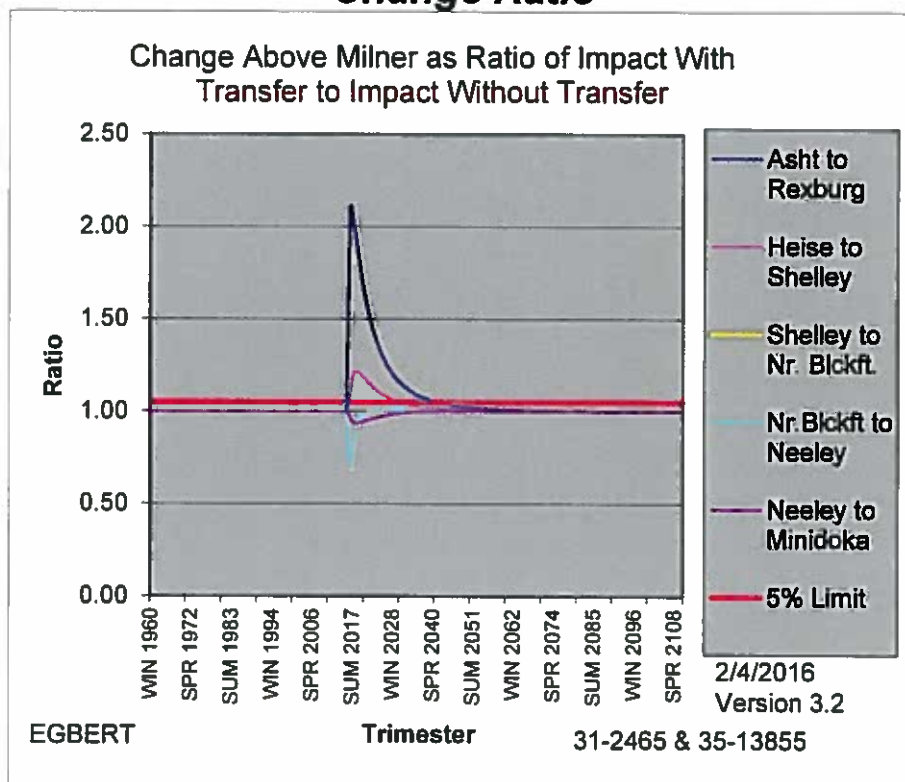
**ENHANCED GROUND-WATER RIGHTS TRANSFER SPREADSHEET**  
**UNIVERSITY OF IDAHO -**  
**IDAHO WATER RESOURCES RESEARCH INSTITUTE**

| Data Entry |        | TRANSFER NO:       |
|------------|--------|--------------------|
|            |        | KIRK EGBERT        |
| YEAR       | 1960   | TRANSFER NAME:     |
| SEASON     | WINTER | 31-2465 & 35-13855 |

| ENTER CELL LOCATIONS: |           |              |              |              |
|-----------------------|-----------|--------------|--------------|--------------|
|                       | 'TO' CELL | 'FROM1' CELL | 'FROM2' CELL | 'FROM3' CELL |
| ROW                   | 44        | 27           | 60           | 0            |
| COLUMN                | 176       | 157          | 146          | 0            |

| TRIMESTER<br>OF<br>ACTIVITY | TO WELL                       | FROM1 WELL                    |                                  | FROM2 WELL                    |                                  |
|-----------------------------|-------------------------------|-------------------------------|----------------------------------|-------------------------------|----------------------------------|
|                             | Projected Use<br>AF/TRIMESTER | With Transfer<br>AF/TRIMESTER | Without Transfer<br>AF/TRIMESTER | With Transfer<br>AF/TRIMESTER | Without Transfer<br>AF/TRIMESTER |
| WIN 1960                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SPR 1961                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SUM 1961                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| WIN 1961                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
|                             |                               |                               |                                  |                               |                                  |
| SPR 2015                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SUM 2015                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| WIN 2015                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SPR 2016                    | 27.7                          | 0                             | 21.0                             | 0                             | 6.7                              |
| SUM 2016                    | 27.7                          | 0                             | 21.0                             | 0                             | 6.7                              |
| WIN 2016                    | 27.7                          | 0                             | 21.0                             | 0                             | 6.7                              |
| SPR 2017                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SUM 2017                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| WIN 2017                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
|                             |                               |                               |                                  |                               |                                  |
| SPR 2106                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SUM 2106                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| WIN 2106                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SPR 2107                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SUM 2107                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| WIN 2107                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SPR 2108                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SUM 2108                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| WIN 2108                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SPR 2109                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SUM 2109                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| WIN 2109                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SPR 2110                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |
| SUM 2110                    | 0                             | 21.0                          | 21.0                             | 6.7                           | 6.7                              |



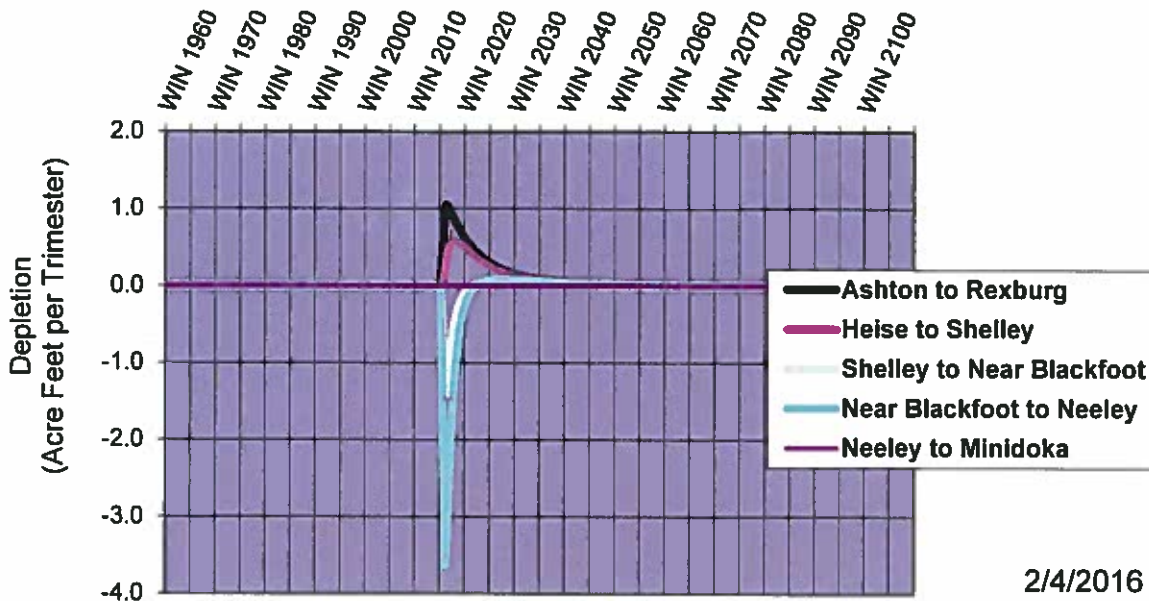
**Change Ratio**

# KIRK EGBERT 2016 Water Bank Application Water Rights 31-2465 35-13855

## Change Ratio

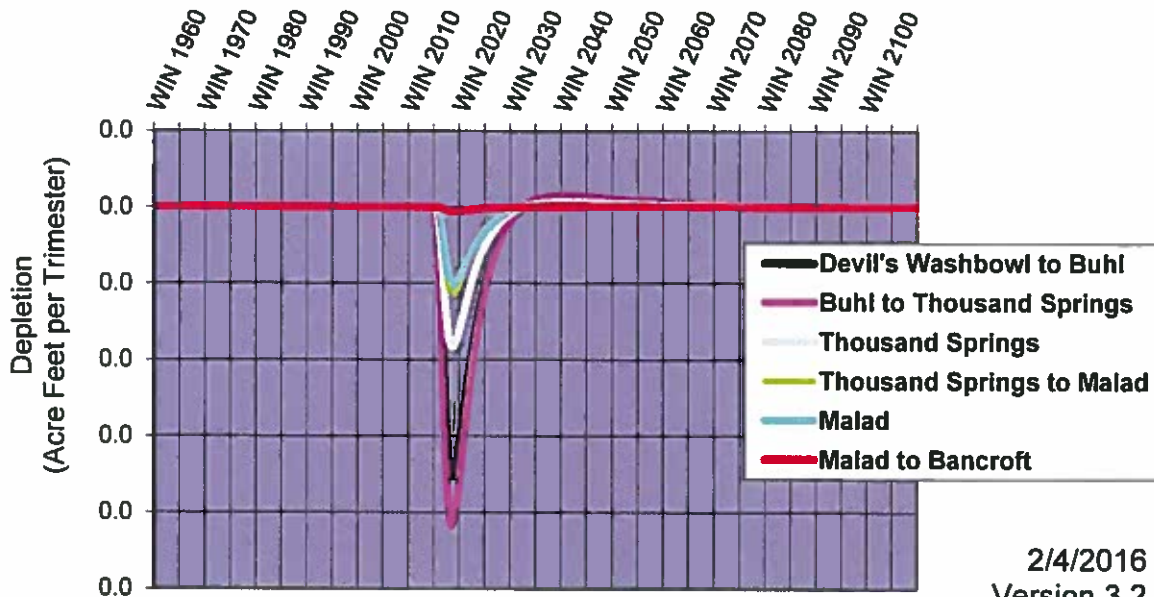
| period   | Asht to<br>Rexburg | Heise to<br>Shelley | Shelley to<br>Nr. Blckft. | Nr. Blckft<br>to Neeley | Neeley to<br>Minidoka | DWB to<br>Buhl | Buhl<br>to Kspr | Kspr | Kspr to<br>Malad | Malad | Malad<br>to Bancr. |
|----------|--------------------|---------------------|---------------------------|-------------------------|-----------------------|----------------|-----------------|------|------------------|-------|--------------------|
| SPR 2015 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SUM 2015 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| WIN 2015 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SPR 2016 | 1.35               | 1.00                | 0.89                      | 0.89                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 99.9%              |
| SUM 2016 | 1.74               | 1.04                | 0.78                      | 0.78                    | 0.98                  | 0.99           | 0.99            | 0.99 | 0.99             | 1.00  | 99.6%              |
| WIN 2016 | 2.11               | 1.09                | 0.69                      | 0.69                    | 0.97                  | 0.98           | 0.98            | 0.98 | 0.98             | 0.99  | 98.9%              |
| SPR 2017 | 2.11               | 1.15                | 0.72                      | 0.73                    | 0.96                  | 0.97           | 0.97            | 0.97 | 0.97             | 0.98  | 97.9%              |
| SUM 2017 | 2.07               | 1.19                | 0.77                      | 0.78                    | 0.95                  | 0.96           | 0.95            | 0.95 | 0.96             | 0.96  | 96.7%              |
| WIN 2017 | 2.03               | 1.21                | 0.82                      | 0.83                    | 0.94                  | 0.94           | 0.94            | 0.94 | 0.94             | 0.95  | 95.5%              |
| SPR 2018 | 1.98               | 1.21                | 0.86                      | 0.86                    | 0.94                  | 0.93           | 0.93            | 0.93 | 0.93             | 0.94  | 94.5%              |
| SUM 2018 | 1.93               | 1.22                | 0.89                      | 0.89                    | 0.94                  | 0.93           | 0.92            | 0.92 | 0.92             | 0.93  | 93.6%              |
| WIN 2018 | 1.89               | 1.22                | 0.92                      | 0.92                    | 0.94                  | 0.92           | 0.92            | 0.92 | 0.92             | 0.93  | 93.0%              |
| SPR 2019 | 1.84               | 1.21                | 0.93                      | 0.93                    | 0.94                  | 0.92           | 0.92            | 0.92 | 0.92             | 0.92  | 92.7%              |
| SUM 2019 | 1.80               | 1.21                | 0.95                      | 0.95                    | 0.94                  | 0.92           | 0.92            | 0.92 | 0.92             | 0.92  | 92.5%              |
| WIN 2019 | 1.76               | 1.20                | 0.96                      | 0.96                    | 0.94                  | 0.92           | 0.92            | 0.92 | 0.92             | 0.92  | 92.5%              |
| SPR 2034 | 1.11               | 1.03                | 1.01                      | 1.01                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SUM 2034 | 1.10               | 1.03                | 1.01                      | 1.01                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| WIN 2034 | 1.10               | 1.03                | 1.01                      | 1.01                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SPR 2035 | 1.10               | 1.03                | 1.01                      | 1.01                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.1%             |
| SUM 2035 | 1.09               | 1.03                | 1.01                      | 1.01                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.1%             |
| WIN 2035 | 1.09               | 1.03                | 1.01                      | 1.01                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.1%             |
| SPR 2068 | 1.01               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.1%             |
| SUM 2068 | 1.01               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.1%             |
| WIN 2068 | 1.01               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.1%             |
| SPR 2069 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.1%             |
| SUM 2069 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.1%             |
| WIN 2069 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.1%             |
| SPR 2107 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SUM 2107 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| WIN 2107 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SPR 2108 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SUM 2108 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| WIN 2108 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SPR 2109 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SUM 2109 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| WIN 2109 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SPR 2110 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SUM 2110 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |



**Net Effects****Net Transfer Effect Above Milner**  
(Total Effect With Transfer - Total Effect Without Transfer)

Customer Name: Kirk Egbert

Transfer No: 31-2465 &amp; 35-13855

**Net Transfer Effect Below Milner**  
(Total Effect With Transfer - Total Effect Without Transfer)

Customer Name: Kirk Egbert

Transfer No: 31-2465 &amp; 35-13855

## Mitigation Analysis

Enter First Time Step of Transfer: SPR 2010

|                            |      |        |      |       |      |      |      |      |      |      |      |       |                                                           |
|----------------------------|------|--------|------|-------|------|------|------|------|------|------|------|-------|-----------------------------------------------------------|
| Match:                     | 155  | Match: | 456  |       |      |      |      |      |      |      |      |       |                                                           |
| Impact by Reach (AF/Annum) |      |        |      |       |      |      |      |      |      |      |      |       |                                                           |
| Last Time Step             | AtR  | HtS    | StNB | NBtN  | NtM  | DWtB | BtTS | TS   | TStM | M    | MtB  | Total | Total Effects - Last Timestep                             |
| Pre-SS                     | 0.96 | 2.72   | 4.56 | 11.91 | 0.07 | 0.22 | 0.25 | 0.11 | 0.07 | 0.07 | 0.00 | 20.94 | w/o Transfer                                              |
| Post-SS                    | 0.96 | 2.72   | 4.56 | 11.91 | 0.07 | 0.22 | 0.25 | 0.11 | 0.07 | 0.07 | 0.00 | 20.94 | w/ Transfer                                               |
| Transient State            |      |        |      |       |      |      |      |      |      |      |      |       |                                                           |
| Pre-TS                     | 0.96 | 2.72   | 4.56 | 11.91 | 0.07 | 0.22 | 0.25 | 0.11 | 0.07 | 0.07 | 0.00 | 20.94 | w/o Trans. - Correlates Max Value Total Effects w/ Trans. |
| Post-TS                    | 1.99 | 3.28   | 4.58 | 11.96 | 0.07 | 0.22 | 0.25 | 0.11 | 0.07 | 0.07 | 0.00 | 22.62 | w/ Trans - Max Value Start of Trans. to Last Time Step    |

Change:

|     |      |      |      |      |      |      |      |      |      |      |      |  |  |
|-----|------|------|------|------|------|------|------|------|------|------|------|--|--|
| SS: | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |  |  |
| TS: | 1.03 | 0.57 | 0.02 | 0.06 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |  |  |

## Steady State Analysis

|                                          |      |       |       |       |      |      |      |      |      |      |      |      |      |
|------------------------------------------|------|-------|-------|-------|------|------|------|------|------|------|------|------|------|
| Mitigation Check 1 - >10% of Historical: | 0.1% | 0.0%  | 0.0%  | 0.0%  | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Mitigation Check 2: > 6 AF/A:            | 0.0  | 0.0   | 0.0   | 0.0   | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  |
| Mitigation Check 3 - >10% of Total:      | 4.6% | 13.0% | 21.8% | 56.9% | 0.3% | 1.1% | 1.2% | 0.5% | 0.3% | 0.3% | 0.0% |      |      |
| Mitigation Required?:                    | NO   | NO    | NO    | NO    | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   |
| Mitigation Vol. Req'd (ac-ft):           | 0.0  | 0.0   | 0.0   | 0.0   | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  |

## Transient State Analysis

|                                          |        |       |      |      |      |      |      |      |      |      |      |      |      |
|------------------------------------------|--------|-------|------|------|------|------|------|------|------|------|------|------|------|
| Mitigation Check 1 - >10% of Historical: | 107.2% | 20.8% | 0.5% | 0.5% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Mitigation Check 2: > 6 AF/A:            | 1.0    | 0.6   | 0.0  | 0.1  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  |
| Mitigation Required?:                    | NO     | NO    | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   |
| Mitigation Vol. Req'd (ac-ft):           | 1.0    | 0.6   | 0.0  | 0.1  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  |

## Calculated Effects

| Net Transfer Effect (AF/four months) |                      |                     |                         |                        |                       |                      |                 |      |                  |       |                      |
|--------------------------------------|----------------------|---------------------|-------------------------|------------------------|-----------------------|----------------------|-----------------|------|------------------|-------|----------------------|
|                                      | Ashton to<br>Rexburg | Heise to<br>Shelley | Shelley to<br>Nr Bickft | Nr Bickft<br>To Neeley | Neeley to<br>Minidoka | Dev. Wbl.<br>To Buhl | Buhl to<br>Kspr | Kspr | Kspr to<br>Malad | Malad | Malad to<br>Bancroft |
| SPR 2015                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2015                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2015                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2016                             | 0.3                  | 0.0                 | -0.5                    | -1.3                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2016                             | 0.7                  | 0.1                 | -1.0                    | -2.6                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2016                             | 1.0                  | 0.2                 | -1.4                    | -3.6                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2017                             | 1.0                  | 0.4                 | -1.3                    | -3.2                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2017                             | 1.0                  | 0.5                 | -1.0                    | -2.6                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2017                             | 1.0                  | 0.6                 | -0.8                    | -2.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2018                             | 0.9                  | 0.6                 | -0.6                    | -1.6                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2018                             | 0.9                  | 0.6                 | -0.5                    | -1.3                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2018                             | 0.8                  | 0.6                 | -0.4                    | -1.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2019                             | 0.8                  | 0.6                 | -0.3                    | -0.8                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2019                             | 0.8                  | 0.6                 | -0.2                    | -0.6                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2019                             | 0.7                  | 0.5                 | -0.2                    | -0.5                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
|                                      |                      |                     |                         |                        |                       |                      |                 |      |                  |       |                      |
| SPR 2034                             | 0.1                  | 0.1                 | 0.0                     | 0.1                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2034                             | 0.1                  | 0.1                 | 0.0                     | 0.1                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2034                             | 0.1                  | 0.1                 | 0.0                     | 0.1                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2035                             | 0.1                  | 0.1                 | 0.0                     | 0.1                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2035                             | 0.1                  | 0.1                 | 0.0                     | 0.1                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2035                             | 0.1                  | 0.1                 | 0.0                     | 0.1                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
|                                      |                      |                     |                         |                        |                       |                      |                 |      |                  |       |                      |
| SPR 2068                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2068                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2068                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2069                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2069                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2069                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
|                                      |                      |                     |                         |                        |                       |                      |                 |      |                  |       |                      |
| SPR 2039                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2039                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2039                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2108                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2108                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2108                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2109                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2109                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2109                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2110                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2110                             | 0.0                  | 0.0                 | 0.0                     | 0.0                    | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |



**ENHANCED GROUND-WATER RIGHTS TRANSFER SPREADSHEET**UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE  
IDAHO DEPARTMENT OF WATER RESOURCES

TRANSFER NO:

|        |        |                |
|--------|--------|----------------|
| YEAR   | 1960   | TRANSFER NAME: |
| SEASON | Winter | Egbert-Areva   |

| ENTER CELL LOCATIONS: |           |              |              |              |
|-----------------------|-----------|--------------|--------------|--------------|
|                       | 'TO' CELL | 'FROM1' CELL | 'FROM2' CELL | 'FROM3' CELL |
| ROW                   | 44        | 60           | 0            | 0            |
| COLUMN                | 176       | 146          | 0            | 0            |

| TRIMESTER OF ACTIVITY | TO WELL<br>Projected Use<br>AF/TRIMESTER | FROM1 WELL                    |                                  | FROM2 WELL                    |                                  | FROM3 WELL                    |                                  |
|-----------------------|------------------------------------------|-------------------------------|----------------------------------|-------------------------------|----------------------------------|-------------------------------|----------------------------------|
|                       |                                          | With Transfer<br>AF/TRIMESTER | Without Transfer<br>AF/TRIMESTER | With Transfer<br>AF/TRIMESTER | Without Transfer<br>AF/TRIMESTER | With Transfer<br>AF/TRIMESTER | Without Transfer<br>AF/TRIMESTER |
| WIN 1960              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 1961              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 1961              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 1961              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
|                       |                                          |                               |                                  |                               |                                  |                               |                                  |
| SPR 2013              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2013              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2013              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2014              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2014              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2014              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2015              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2015              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2015              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2016              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2016              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2016              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2017              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2017              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2017              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2018              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2018              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2018              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2019              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2019              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2019              | 16                                       | 0                             | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2020              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2020              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2020              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2021              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2021              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2021              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
|                       |                                          |                               |                                  |                               |                                  |                               |                                  |
| SUM 2106              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2106              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2107              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2107              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2107              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2108              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2108              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2108              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2109              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2109              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| WIN 2109              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SPR 2110              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |
| SUM 2110              | 0                                        | 16                            | 16                               | 0                             | 0                                | 0                             | 0                                |

# Egbert - Areva

# Attachment #3H (Page 2)

TRANSFER NO:

TRANSFER NAME:

Egbert - Areva Water Right 35-13855

PREPARED BY:

DATE:

Keith C. Wilson - Rocky Mountain Environmental

12/17/2015

Transfer Tool Version

Version 3.2

## WATER RIGHTS INVOLVED:

| Group 1         |               | Group 2                      |               |
|-----------------|---------------|------------------------------|---------------|
| Transfer Rights |               | Additional Mitigation Rights |               |
| Right No.       | Priority Date | Right No.                    | Priority Date |
| 35-13855        | 2/14/1961     |                              |               |

## HISTORIC BENEFICIAL USE:

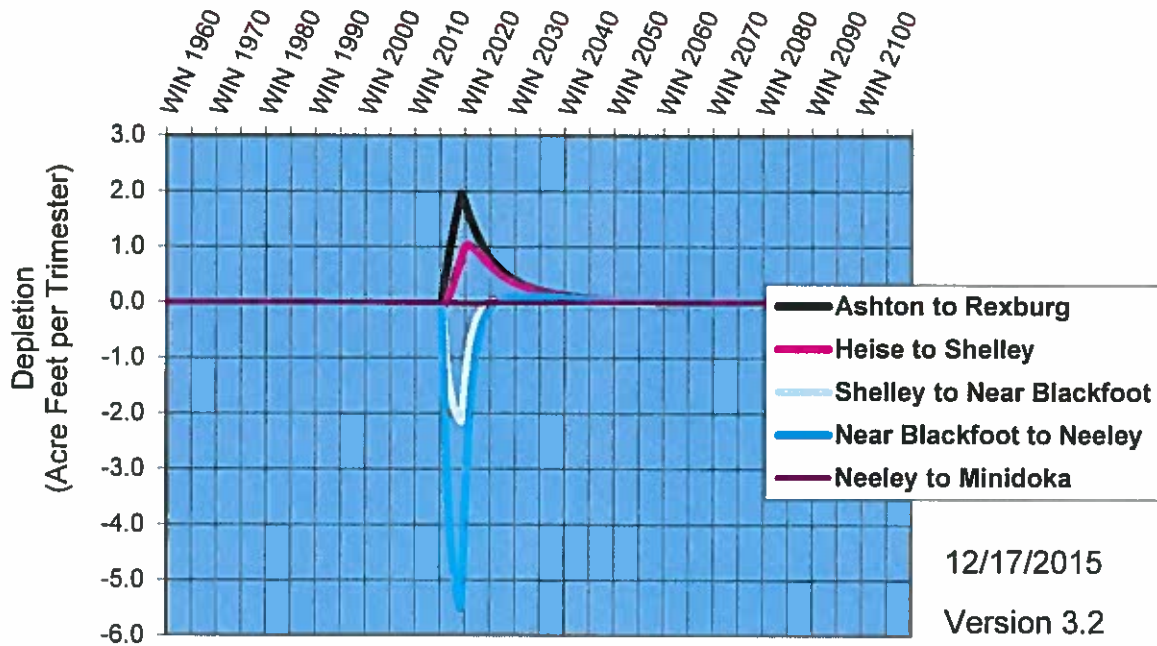
| Trans/Mit. Rights (group no.) | Acres to Dry Up (ac) | Beneficial Use (af/yr) | Total (af/yr) |
|-------------------------------|----------------------|------------------------|---------------|
| 35-13855                      | 11.6                 | 4                      | 46.4          |

## MODEL CELL LOCATIONS:

|        | TO WELL | FROM1 WELL | FROM2 WELL | FROM3 WELL |
|--------|---------|------------|------------|------------|
| ROW    | 44      | 60         | 0          | 0          |
| COLUMN | 176     | 146        | 0          | 0          |

| TO Well (Projected Use)       | Start Date |      | End Date |      | Water Use      |                          | Acres Authorized (acres) | Notes |
|-------------------------------|------------|------|----------|------|----------------|--------------------------|--------------------------|-------|
|                               | Season     | Year | Season   | Year | Annual (af/yr) | Trimester (af/trimester) |                          |       |
|                               | Spring     | 2016 | Winter   | 2019 | 46.4           | 15.5                     | 11.6                     |       |
| FROM1 Well (With Transfer)    | Winter     | 1960 | Winter   | 2015 | 46.4           | 15.5                     | 11.6                     |       |
|                               | Spring     | 2016 | Winter   | 2019 | 0              | 0.0                      | 0.0                      |       |
|                               | Spring     | 2020 | Summer   | 2110 | 46.4           | 15.5                     | 11.6                     |       |
| FROM1 Well (Without Transfer) | Winter     | 1960 | Summer   | 2110 | 46.5           | 15.5                     | 11.6                     |       |

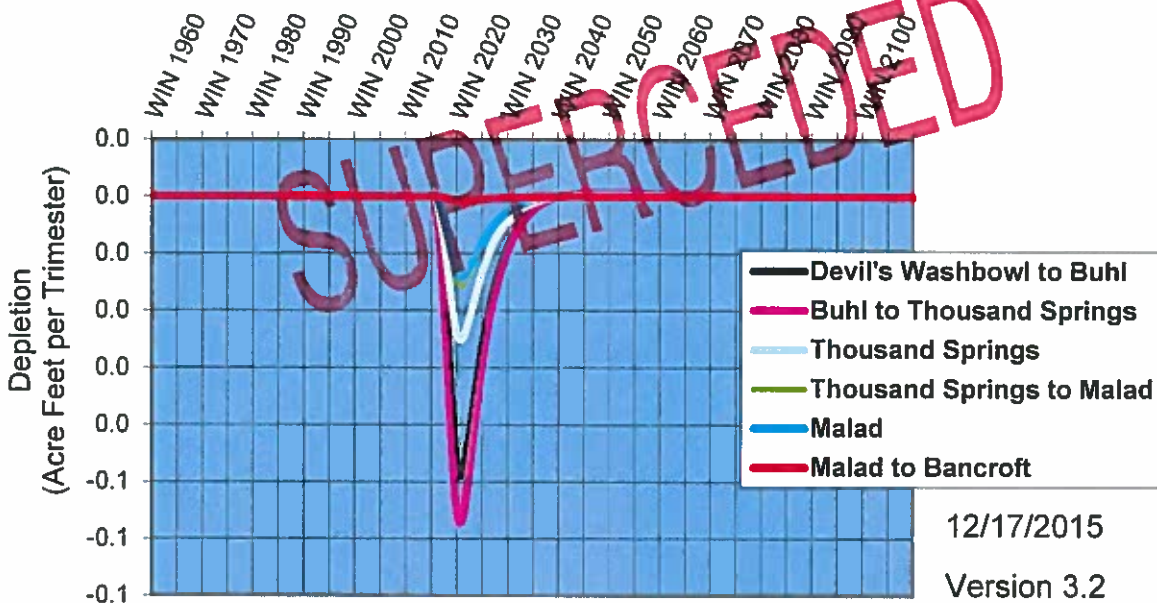
**Net Transfer Effect Above Milner**  
(Total Effect With Transfer - Total Effect Without Transfer)



Customer Name: Egbert - Areva

Transfer No:

**Net Transfer Effect Below Milner**  
(Total Effect With Transfer - Total Effect Without Transfer)

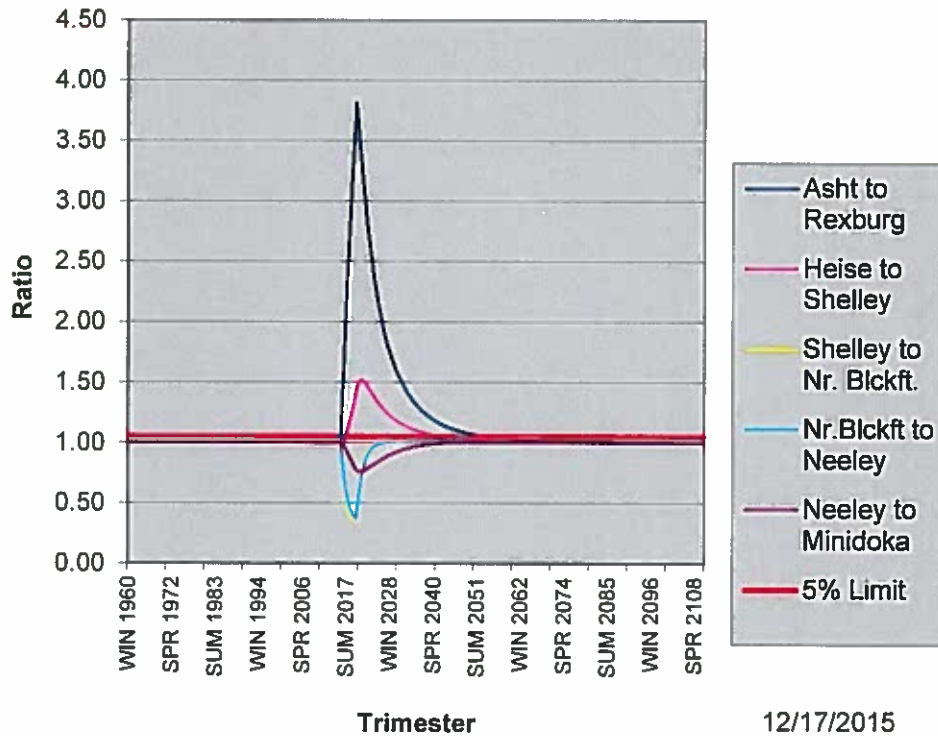


Customer Name: Egbert - Areva

Transfer No:

| period   | Asht to<br>Rexburg | Heise to<br>Shelley | Shelley to<br>Nr. Blckft. | Nr. Blckft<br>to Neeley | Neeley to<br>Minidoka | DWB to<br>Buhl | Buhl<br>to Kspr | Kspr | Kspr to<br>Malad | Malad | Malad<br>to Bancr. |
|----------|--------------------|---------------------|---------------------------|-------------------------|-----------------------|----------------|-----------------|------|------------------|-------|--------------------|
| SPR 2016 | 1.27               | 0.98                | 0.89                      | 0.89                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 99.9%              |
| SUM 2016 | 1.56               | 0.98                | 0.78                      | 0.78                    | 0.98                  | 0.99           | 0.99            | 0.99 | 0.99             | 1.00  | 99.6%              |
| WIN 2016 | 1.84               | 1.01                | 0.69                      | 0.69                    | 0.97                  | 0.98           | 0.98            | 0.98 | 0.98             | 0.99  | 98.9%              |
| SPR 2017 | 2.10               | 1.04                | 0.61                      | 0.62                    | 0.95                  | 0.97           | 0.97            | 0.97 | 0.97             | 0.97  | 97.8%              |
| SUM 2017 | 2.36               | 1.08                | 0.55                      | 0.56                    | 0.93                  | 0.95           | 0.94            | 0.95 | 0.95             | 0.96  | 96.3%              |
| WIN 2017 | 2.60               | 1.12                | 0.50                      | 0.51                    | 0.91                  | 0.93           | 0.92            | 0.92 | 0.93             | 0.94  | 94.4%              |
| SPR 2018 | 2.83               | 1.17                | 0.46                      | 0.47                    | 0.89                  | 0.90           | 0.89            | 0.90 | 0.90             | 0.91  | 92.2%              |
| SUM 2018 | 3.05               | 1.21                | 0.43                      | 0.44                    | 0.87                  | 0.88           | 0.86            | 0.87 | 0.87             | 0.89  | 89.8%              |
| WIN 2018 | 3.26               | 1.26                | 0.41                      | 0.42                    | 0.84                  | 0.85           | 0.83            | 0.84 | 0.84             | 0.86  | 87.3%              |
| SPR 2019 | 3.45               | 1.31                | 0.39                      | 0.40                    | 0.82                  | 0.82           | 0.81            | 0.81 | 0.82             | 0.83  | 84.7%              |
| SUM 2019 | 3.64               | 1.35                | 0.37                      | 0.38                    | 0.80                  | 0.79           | 0.78            | 0.78 | 0.79             | 0.81  | 82.1%              |
| WIN 2019 | 3.81               | 1.39                | 0.36                      | 0.37                    | 0.78                  | 0.77           | 0.75            | 0.76 | 0.76             | 0.78  | 79.5%              |
| SPR 2020 | 3.71               | 1.46                | 0.46                      | 0.47                    | 0.77                  | 0.74           | 0.73            | 0.73 | 0.74             | 0.75  | 77.0%              |
| SUM 2020 | 3.58               | 1.50                | 0.56                      | 0.57                    | 0.76                  | 0.72           | 0.71            | 0.71 | 0.72             | 0.73  | 74.9%              |
| WIN 2020 | 3.45               | 1.51                | 0.65                      | 0.65                    | 0.76                  | 0.71           | 0.70            | 0.70 | 0.70             | 0.72  | 73.2%              |
| SPR 2021 | 3.33               | 1.52                | 0.72                      | 0.72                    | 0.76                  | 0.70           | 0.69            | 0.69 | 0.70             | 0.71  | 72.1%              |
| SUM 2021 | 3.21               | 1.52                | 0.78                      | 0.78                    | 0.76                  | 0.70           | 0.69            | 0.69 | 0.70             | 0.70  | 71.5%              |
| WIN 2021 | 3.09               | 1.51                | 0.82                      | 0.82                    | 0.77                  | 0.70           | 0.70            | 0.70 | 0.70             | 0.71  | 71.4%              |
| SPR 2029 | 1.70               | 1.21                | 1.01                      | 1.01                    | 0.91                  | 0.92           | 0.93            | 0.93 | 0.93             | 0.92  | 91.6%              |
| SUM 2029 | 1.66               | 1.20                | 1.01                      | 1.01                    | 0.91                  | 0.93           | 0.93            | 0.93 | 0.93             | 0.93  | 92.2%              |
| WIN 2029 | 1.64               | 1.19                | 1.01                      | 1.01                    | 0.92                  | 0.94           | 0.94            | 0.94 | 0.94             | 0.93  | 92.8%              |
| SPR 2030 | 1.61               | 1.19                | 1.01                      | 1.01                    | 0.92                  | 0.94           | 0.94            | 0.94 | 0.94             | 0.94  | 93.3%              |
| SUM 2030 | 1.58               | 1.18                | 1.01                      | 1.01                    | 0.92                  | 0.94           | 0.95            | 0.95 | 0.95             | 0.94  | 93.8%              |
| WIN 2030 | 1.56               | 1.17                | 1.01                      | 1.01                    | 0.93                  | 0.95           | 0.95            | 0.95 | 0.95             | 0.95  | 94.2%              |
| SPR 2034 | 1.37               | 1.11                | 1.01                      | 1.01                    | 0.96                  | 0.98           | 0.98            | 0.98 | 0.98             | 0.98  | 97.4%              |
| SUM 2034 | 1.35               | 1.11                | 1.01                      | 1.01                    | 0.96                  | 0.98           | 0.98            | 0.98 | 0.98             | 0.98  | 97.6%              |
| WIN 2034 | 1.34               | 1.11                | 1.01                      | 1.01                    | 0.97                  | 0.98           | 0.98            | 0.98 | 0.98             | 0.98  | 97.8%              |
| WIN 2105 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SPR 2106 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SUM 2106 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| WIN 2106 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SPR 2107 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SUM 2107 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| WIN 2107 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SPR 2108 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SUM 2108 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| WIN 2108 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SPR 2109 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SUM 2109 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| WIN 2109 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SPR 2110 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |
| SUM 2110 | 1.00               | 1.00                | 1.00                      | 1.00                    | 1.00                  | 1.00           | 1.00            | 1.00 | 1.00             | 1.00  | 100.0%             |

Change Above Milner as Ratio of Impact With Transfer to Impact Without Transfer



Change Below Milner as Ratio of Impact With Transfer to Impact Without Transfer



|          | Net Transfer Effect (AF/four months) |                     |                        |                       |                       |                      |                 |      |                  |       |                      |
|----------|--------------------------------------|---------------------|------------------------|-----------------------|-----------------------|----------------------|-----------------|------|------------------|-------|----------------------|
|          | Ashton to<br>Rexburg                 | Heise to<br>Shelley | Shelley to<br>Nr Bckft | Nr Bckft<br>To Neeley | Neeley to<br>Minidoka | Dev. Wbl.<br>To Buhl | Buhl to<br>Kspr | Kspr | Kspr to<br>Malad | Malad | Malad to<br>Bancroft |
| SPR 2016 | 0.2                                  | 0.0                 | -0.4                   | -1.0                  | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2016 | 0.4                                  | 0.0                 | -0.7                   | -1.9                  | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2016 | 0.6                                  | 0.0                 | -1.1                   | -2.7                  | 0.0                   | 0.0                  |                 | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2017 | 0.8                                  | 0.1                 | -1.3                   | -3.3                  | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2017 | 0.9                                  | 0.2                 | -1.5                   | -3.9                  | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2017 | 1.1                                  | 0.2                 | -1.7                   | -4.3                  | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2018 | 1.3                                  | 0.3                 | -1.8                   | -4.6                  | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2018 | 1.4                                  | 0.4                 | -1.9                   | -4.9                  | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2018 | 1.6                                  | 0.5                 | -2.0                   | -5.1                  | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2019 | 1.7                                  | 0.6                 | -2.0                   | -5.3                  | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2019 | 1.8                                  | 0.7                 | -2.1                   | -5.4                  | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2019 | 2.0                                  | 0.8                 | -2.1                   | -5.5                  | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2020 | 1.9                                  | 0.9                 | -1.8                   | -4.7                  | 0.0                   | 0.0                  | -0.1            | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2020 | 1.8                                  | 1.0                 | -1.5                   | -3.8                  | 0.0                   | 0.0                  | -0.1            | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2020 | 1.7                                  | 1.0                 | -1.2                   | -3.0                  | 0.0                   | 0.0                  | -0.1            | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2021 | 1.6                                  | 1.0                 | -0.9                   | -2.4                  | 0.0                   | 0.0                  | -0.1            | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2021 | 1.5                                  | 1.0                 | -0.7                   | -2.0                  | 0.0                   | 0.0                  | -0.1            | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2021 | 1.5                                  | 1.0                 | -0.6                   | -1.6                  | 0.0                   | 0.0                  | -0.1            | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2047 | 0.1                                  | 0.1                 | 0.0                    | 0.1                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2047 | 0.1                                  | 0.1                 | 0.0                    | 0.1                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2047 | 0.1                                  | 0.1                 | 0.0                    | 0.1                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2048 | 0.1                                  | 0.1                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2048 | 0.1                                  | 0.1                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2048 | 0.1                                  | 0.1                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2049 | 0.1                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2049 | 0.1                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2049 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2106 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2106 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2106 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2107 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2107 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2107 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2108 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2108 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2108 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2109 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2109 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| WIN 2109 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SPR 2110 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |
| SUM 2110 | 0.0                                  | 0.0                 | 0.0                    | 0.0                   | 0.0                   | 0.0                  | 0.0             | 0.0  | 0.0              | 0.0   | 0.0                  |

## Mitigation Analysis

Enter First Time Step of Transfer: SPR 2010

Match: 155 Match: 456  
Impact by Reach (AF/Annum)

| Last Time Step  | AtR  | HtS  | StNB | NbTN | NtM  | DWtB | REFF | TS   | TStM | M    | MtB  | Total | Total Effects - Last Timestep                             |
|-----------------|------|------|------|------|------|------|------|------|------|------|------|-------|-----------------------------------------------------------|
| Pre-SS          | 0.71 | 2.01 | 3.36 | 8.79 | 0.05 | 0.16 | 0.79 | 0.08 | 0.05 | 0.05 | 0.00 | 15.46 | w/o Transfer                                              |
| Post-SS         | 0.71 | 2.01 | 3.36 | 8.79 | 0.05 | 0.16 | 0.19 | 0.08 | 0.05 | 0.05 | 0.00 | 15.46 | w/ Transfer                                               |
| Transient State |      |      |      |      |      |      |      |      |      |      |      |       |                                                           |
| Pre-TS          | 0.71 | 2.01 | 3.36 | 8.79 | 0.05 | 0.16 | 0.19 | 0.08 | 0.05 | 0.05 | 0.00 | 15.46 | w/o Trans. - Correlates Max Value Total Effects w/ Trans. |
| Post-TS         | 2.66 | 3.03 | 3.40 | 8.89 | 0.05 | 0.16 | 0.19 | 0.08 | 0.05 | 0.05 | 0.00 | 18.57 | w/ Trans. - Max Value Start of Trans. to Last Time Step   |

## Steady State Analysis

|                                          |      |       |       |       |      |      |      |      |      |      |      |      |      |
|------------------------------------------|------|-------|-------|-------|------|------|------|------|------|------|------|------|------|
| Mitigation Check 1 - >10% of Historical: | 0.3% | 0.1%  | 0.0%  | 0.0%  | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Mitigation Check 2: > 6 AF/A:            | 0.0  | 0.0   | 0.0   | 0.0   | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  |
| Mitigation Check 3 - >10% of Total:      | 4.6% | 13.0% | 21.8% | 56.8% | 0.3% | 1.1% | 1.1% | 1.2% | 0.5% | 0.3% | 0.3% | 0.3% | 0.0% |
| Mitigation Required?:                    | NO   | NO    | NO    | NO    | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   |
| Mitigation Vol. Req'd (ac-ft):           | 0.0  | 0.0   | 0.0   | 0.0   | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  |

## Transient State Analysis

|                                          |        |       |      |      |      |      |      |      |      |      |      |      |      |
|------------------------------------------|--------|-------|------|------|------|------|------|------|------|------|------|------|------|
| Mitigation Check 1 - >10% of Historical: | 274.8% | 51.0% | 1.2% | 1.1% | 0.1% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Mitigation Check 2: > 6 AF/A:            | 1.9    | 1.0   | 0.0  | 0.1  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  |
| Mitigation Required?:                    | NO     | NO    | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   | NO   |
| Mitigation Vol. Req'd (ac-ft):           | 1.9    | 1.0   | 0.0  | 0.1  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  | 0.0  |



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

April 18, 2016

KIRK S EGBERT  
1402 E 1300 N  
PO BOX 87  
TERRETON ID 83450

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NOS. 31-2465 and 35-13855**

Dear Renter:

Please find enclosed a receipt in the amount of **\$1,411.00** and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 83.0 acre-feet of water for irrigation of 23.0 acres during 2016. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$1,269.90 of the rental fee will be paid to the lessor(s) and 10% or \$141.10 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4946.

Sincerely,

Michele Edl  
Sr. Water Resource Agent

Enclosures: Receipt No. C101854  
Rental Agreement (copy)

c: Sascha Marston – Fiscal  
James Cefalo – IDWR Eastern Regional Office/Water Districts # 110 & #120  
Keith Wilson – Rocky Mountain Environmental



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

April 5, 2016

KIRK S EGBERT  
1402 E 1300 N  
PO BOX 87  
TERRETON ID 83450

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NOS. 31-2465 and 35-13855**

**\*\*\*TIME SENSITIVE RESPONSE REQUIRED\*\*\***

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application to rent water from the Water Supply Bank. **I have enclosed a Water Supply Bank Rental Agreement for your review and signature.** Upon signature and return of the original agreement, together with the rental fee described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

A rental fee of \$1,411.00 was calculated based on the current rental rate of \$17.00 per acre-foot times a diversion volume of 83.0 acre-feet.

**Please send a check for \$1,411.00 made payable to the Idaho Department of Water Resources, together with the signed rental agreement, within 14 days** so I can complete processing. Pursuant to the Water Supply Bank Rules, 90% or \$1,269.90 of the rental fee will be paid to the lessor(s) and 10% or \$141.10 will be retained by the Department to offset administrative costs.

If you have any questions, please contact me at (208) 287-4946.

Sincerely,

*for* Michele Edl  
Sr. Water Resource Agent

Enclosure

c: IDWR Front Desk  
Keith Wilson – Rocky Mountain Environmental

**MEMORANDUM**

**To:** Right(s) 31-2465 and 35-13855

**From:** Michele Edl

**Date:** April 1, 2016

**Re:** Review & Analysis of Application to Rent Water from the State Water Supply Bank

---

**PURPOSE/NARRATIVE:** An application to rent water from the Water Supply Bank was received on September 28, 2015 from Kirk Egbert. That original application was deficient.

On December 22, 2015 the WSB received an amended application which proposed to rent 46.4 AF from WR# 35-13855 for irrigation of 11.6 acres for the 2016-2019 seasons. Initial review of that amended application indicated that fewer acres (5 acres instead of 11.6) were available, so another right, 31-2465, was added to the rental request. The requested rights are available for the 2016 season only.

The rental application requests additional water for operation of two pivots edging the Jefferson County-Fremont County line. The pair of pivots are the authorized POU for five native rights. One of the five, 31-11410, is also providing mitigation for a transfer which was approved in 2009. The mitigation plan extends for 35 years and by my count, 2016 is year 12 of the plan. For year 12, irrigation is limited to 3.18 cfs, 490.4 afa and 161 acres of the POU. The other four native rights are limited to a total of 84.8 acres. Approval of this rental will provide an additional 23 acres worth of water. In total the two pivots will be authorized to irrigate 268.8 acres ( $161+84.8+23= 268.8$ )

**AUTHORITY TO FILE:** According to available Jefferson County taxlot information, the proposed place-of-use is owned by Kirk Egbert. Mr. Egbert signed the application. The proposed rental points-of-diversion are two wells located within the Egbert property. The wells are WMIS A0016369 and A0016370. They are the authorized PODs for the five native rights: 31-11410, 31-11414, 31-11428, 31-11947 and 31-11954.

**WATER RIGHT VALIDITY:**

Right 31-2465 was decreed in the SRBA on February 22, 2002. A portion of the right was leased to the WSB in 2008 for an indefinite period. No apparent irrigation has occurred at the authorized place-of-use. During the 2015 season the current owner of the right, L3 Ltd Partnership, was contacted about the lease term of the lease. They requested that the term of the lease extend for one more year. Forfeiture is not a concern at this time.

Right 35-13855 was acted on by Transfer 75275 in 2009 and reduced the right through a change in NOU. Industrial use has not yet occurred at the authorized POU. But based on 2015 aerial photography some irrigation occurred. I understand that that potentially unauthorized irrigation has been forwarded to the compliance section for additional scrutiny.

Forfeiture is not a concern at this time. The current lease contract expires December 31, 2016.

**INJURY TO OTHER WATER RIGHTS:** No injury is apparent. ESPA modeling was provided by Keith Wilson (Senior Water Right Analyst Rocky Mountain Environmental Associates, Inc.). The modeling indicates that no additional mitigation is needed. The consultant did not recognize that one of the rented rights has a different SOU and modeled a higher volume amount than could be rented from that right. More accurate modeling would reduce the volume but also recognize that WR 31-2465 has been idled in the WSB for more than a single year. The two errors more than offset each other. I remodeled with the correct data entry and confirmed that no mitigation is needed.

**ENLARGEMENT OF USE:** No enlargement is anticipated. The consultant modeled the rental based on the full volume of leased rights. However, the lease and the rental locations don't have the same standard headgate volume. The rental will be limited to the headgate volume associated with the rental POU. Both the lease and the rental locations have the same standard season-of-use.

**LOCAL PUBLIC INTEREST:** Review staff has no information to suggest this application is inconsistent with the local public interest.

**BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:** The rental appears consistent with the conservation of water resources in Idaho.

**DEPARTMENT STAFF OR WATERMASTER COMMENTS:** The rented right(s) are subject to Water District #110-Mud Lake Area. Comment will be solicited from the Watermaster and Eastern Region. Water rented from the WSB must be dedicated to certain acres. The map provided in the application shows the full pivot acres not just the rental acres. The consultant was unwilling or unable to identify specific acres for the rental. But in a brief conversation on 3/23/2016, Mr. Egbert told me that he would not be using the end guns. Therefore I created rings around the center towers which evenly distribute the rental water between the two pivots.

Watermaster of WD# 120 will be notified that the leased irrigation use from WR 35-13855 has been exhausted by this rental. However, the full amount of the leased industrial use is still available to rent.

## Edl, Michele

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**From:** Cefalo, James  
**Sent:** Wednesday, March 30, 2016 3:00 PM  
**To:** Edl, Michele; Swank, Lyle  
**Subject:** RE: Kirk Egbert WSB rental 2016

Michele,

I don't have any concerns with the proposed WSB rental. I'm glad that Mr. Egbert is addressing the issues extra acres in the irrigation season.

James

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**From:** Edl, Michele  
**Sent:** Wednesday, March 30, 2016 2:13 PM  
**To:** Cefalo, James; Swank, Lyle  
**Subject:** Kirk Egbert WSB rental 2016

James, Lyle,

I have completed my review of the proposed 2016 Water Supply Bank rental for Kirk Egbert.

Most of Mr. Egbert's property and appurtenant water rights are closer to Mud Lake than these pivots and rental POU. Rental water was modeled successfully but comes from some distance.

I have attached a copy of my review memo and a PDF illustration of the rental POU. The POU should be 134.4 acres under each pivot. I had some trouble creating shapes of the required size without using the end-guns. These shapes are smaller than 134 ac so view them with a grain of salt. But the locations of the wells and pivots are correct.

James, as watermaster of 120, please also consider this email as the notification that leased right, 35-13855, has both industrial and irrigation uses. Only the irrigation component of the right has been rented to Mr. Egbert and with the Egbert rental, the rental value of the irrigation use is exhausted. Only the industrial use is available rent.

When you get a minute, please let me know if you have any concerns about this rental.

Thanks.  
Michele Edl  
208-287-4946

**Edl, Michele**

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**From:** Keith C. Wilson [best.syn-oil@outlook.com]  
**Sent:** Wednesday, March 23, 2016 10:09 AM  
**To:** Edl, Michele  
**Cc:** best.syn-oil@outlook.com  
**Subject:** #2 Egbert 2016 Water Bank Rental  
**Attachments:** #2\_Rental-Correction\_IDWR\_Sec1-2\_Pgs1-6.pdf

Again

Michele,  
Hopefully this is correct.

---

**Keith C. Wilson**  
*Senior Water Rights Analyst*  
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E-Mail: [keith.rmea@gmail.com](mailto:keith.rmea@gmail.com)  
VOICE: 208-524-2353 ||| FAX: 208-524-1795 ||| CELL: 208-339-1901



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| Water Right No.                                 | Rented Vol (AF)             | Lessor Fee (90%) | Administrative Fee (10%) | Total Fee @ \$17 (2016) | Rental Amounts |               | Lessor Fee (90%)                              | Administrative Fee (10%) | Total Fee @ \$20 (2018-2022) |
|-------------------------------------------------|-----------------------------|------------------|--------------------------|-------------------------|----------------|---------------|-----------------------------------------------|--------------------------|------------------------------|
|                                                 |                             |                  |                          |                         | Rate (cfs)     | Acres         |                                               |                          |                              |
| 31-2465                                         | 63                          | \$963.90         | \$107.10                 | \$1,071.00              | 0.27           | 18.00         | 0                                             | 0                        | 0.00                         |
| 35-13855                                        | 20                          | \$306.00         | \$34.00                  | \$340.00                | 0.06           | 5.00          | 0                                             | 0                        | 0.00                         |
|                                                 |                             |                  |                          |                         |                |               | 0                                             | 0                        | 0.00                         |
| Total                                           | 83.00                       | \$1,269.90       | \$141.10                 | \$1,411.00              | 0.33           | 23.00         | 0.00                                          | 0.00                     | 0.00                         |
|                                                 | must charge for this amount |                  |                          |                         |                |               |                                               |                          |                              |
| calculated by Michele Edl for Egbert 2016 renta |                             |                  |                          |                         |                |               |                                               |                          |                              |
|                                                 | vol                         | rate             | ac                       | rate/ac                 | vol/ac         | trimester vol | banked                                        |                          |                              |
| 35-13855                                        | 20.00                       | 0.06             | 5.00                     | 0.0120                  | 4              | 6.667         | 2015-2019                                     |                          |                              |
| 35-13855 adj                                    | 17.50                       | 0.06             | 5.00                     | 0.0120                  | 3.5            | 5.833         | volume adjusted to be equivalent to H.G. =3.5 |                          |                              |
| 31-2465                                         | 63.00                       | 0.27             | 18.00                    | 0.0150                  | 3.5            | 21.000        | 2008- 2016                                    |                          |                              |
| available                                       | 80.50                       | 0.33             | 23.00                    | 0.0143                  | 3.5            | 26.833        |                                               |                          |                              |