

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80079**

This is to certify that: **KIRK EGBERT**
1410 E 1300 N
TERRETON, ID 83450

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
31-10964A	WR/DECREED	2/25/1959	2.490 cfs	731.1 af	208.9	274.3	GROUND WATER
31-12174	WR/DECREED	7/8/1963	0.140 cfs	34.3 af	9.8	16.9	GROUND WATER
31-12242	WR/DECREED	1/17/1978	0.060 cfs	10.5 af	3.0	16.9	GROUND WATER
31-12244	WR/DECREED	7/8/1963	0.060 cfs	14.4 af	4.1	16.9	GROUND WATER
31-12278	WR/DECREED	6/26/1973	0.180 cfs	36.3 af	12.1	63.1	GROUND WATER
31-12280	WR/DECREED	8/22/1981	0.030 cfs	8.8 af	2.5	63.1	GROUND WATER
31-12282	WR/DECREED	3/12/1973	0.330 cfs	99.0 af	28.3	63.1	GROUND WATER
31-12284	WR/DECREED	3/18/1974	0.270 cfs	57.6 af	19.2	63.1	GROUND WATER
31-12286	WR/DECREED	7/15/1981	0.020 cfs	3.5 af	1.0	63.1	GROUND WATER
31-7267A	WR/DECREED	9/7/1977	2.620 cfs	N/A	258.9	274.3	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
31-10964A	YES	YES	YES	NO	NO	NO
31-12174	NO	NO	YES	NO	NO	NO
31-12242	NO	NO	YES	NO	NO	NO
31-12244	NO	NO	YES	NO	NO	NO
31-12278	NO	NO	YES	NO	NO	NO
31-12280	NO	NO	YES	NO	NO	NO
31-12282	NO	NO	YES	NO	NO	NO
31-12284	NO	NO	YES	NO	NO	NO
31-12286	NO	NO	YES	NO	NO	NO
31-7267A	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
31-10964A	31-12369	0.060 cfs	18.5 af	5.3	86.9	31-10964A	2.430 cfs	712.6 af	203.6	267.4
31-12174	31-12174	0.140 cfs	34.3 af	9.8	86.9	N/A	N/A	N/A	N/A	N/A
31-12242	31-12242	0.060 cfs	10.5 af	3.0	86.9	N/A	N/A	N/A	N/A	N/A
31-12244	31-12244	0.060 cfs	14.4 af	4.1	86.9	N/A	N/A	N/A	N/A	N/A
31-12278	31-12278	0.180 cfs	36.3 af	12.1	86.9	N/A	N/A	N/A	N/A	N/A

Transfer No. 80079

SUPPORT DATA

IN FILE # 31-7267A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80079

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
31-12280	31-12280	0.030 cfs	8.8 af	2.5	86.9	N/A	N/A	N/A	N/A	N/A
31-12282	31-12282	0.330 cfs	99.0 af	28.3	86.9	N/A	N/A	N/A	N/A	N/A
31-12284	31-12284	0.270 cfs	57.6 af	19.2	86.9	N/A	N/A	N/A	N/A	N/A
31-12286	31-12286	0.020 cfs	3.5 af	1.0	86.9	N/A	N/A	N/A	N/A	N/A
31-7267A	31-12368	0.070 cfs	22.8 af	6.5	86.9	31-7267A	2.550 cfs	N/A	252.4	267.4
COMBINED TOTALS		1.160 cfs	304.0 af	86.9	86.9		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 2nd day of November, 2015.


for Chief, Water Allocation Bureau

WATER RIGHT NO. 31-7267A
As Modified by Transfer No. 80079

In accordance with the approval of Transfer No. 80079, Water Right No. 31-7267A is now described as follows:

Right Holder: KIRK S EGBERT
 1402 E 1300 N
 PO BOX 87
 TERRETON, ID 83450

Priority Date: 9/7/1977

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
 2.550 cfs
 2.550 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L1 (SWSENE) Sec 6 Twp 05N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	35E	5							30.0				32.0						62.0
									L4										
05N	35E	6			38.4	34.0			34.0	35.0					33.0	31.0			205.4
					L2	L1				L3									

Right Acre Limit: 252.4

POU Total Acres: 267.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 252.4 acres within the authorized place of use in a single irrigation season.
2. Rights 31-7267A and 31-10964A when combined shall not exceed a total diversion rate of 4.64 cfs, a total annual maximum diversion volume of 935.9 af at the field headgate, and the irrigation of 267.4 acres.
3. The following rights are diverted through point(s) of diversion described above: 31-7267A and 31-10964A.
4. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Transfer No. 80079

WATER RIGHT NO. 31-7267A
As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

5. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.



WATER RIGHT NO. 31-12286

As Modified by Transfer No. 80079

In accordance with the approval of Transfer No. 80079, Water Right No. 31-12286 is now described as follows:

Right Holder: KIRK S EGBERT
1402 E 1300 N
PO BOX 87
TERRETON, ID 83450
And
KATHRYN H EGBERT
1402 E 1300 N
TERRETON, ID 83450

Priority Date: 7/15/1981

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.020 cfs
0.020 cfs

Diversion Volume
3.5 af
3.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNESE Sec 12 Twp 06N Rge 33E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	33E	12													33.8	21.1	11.6	20.4	86.9

Right Acre Limit: 1.0

POU Total Acres: 86.9

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 1 acres within the place of use described for this right.
2. Rights 31-12284 and 31-12286 when combined shall not exceed a total diversion rate of 0.27 cfs, a total annual maximum diversion volume of 61.1 af at the field headgate, and the irrigation of 20.2 acres.
3. Rights 31-12278, 31-12280, 31-12282, 31-12284 and 31-12286 when combined shall not exceed a total diversion rate of 0.78 cfs, a total annual maximum diversion volume of 205.2 af at the field headgate, and the irrigation of 63.1 acres.

Transfer No. 80079

WATER RIGHT NO. 31-12286
As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

4. Rights 31-12174, 31-12242, 31-12244, 31-12278, 31-12280, 31-12282, 31-12284, 31-12286, 31-12368, and 31-12369 when combined shall not exceed a total diversion rate of 1.16 cfs, a total annual maximum diversion volume of 288.6 af at the field headgate, and the irrigation of 86.9 acres.
5. Use of water under this right 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.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 80079, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. This right is based upon an enlargement of Right No. 31-12284 pursuant to Section 42-1426, Idaho Code.
10. 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 place of use.
11. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 31-12368
As Modified by Transfer No. 80079

In accordance with the approval of Transfer No. 80079, Water Right No. 31-12368 is now described as follows:

Right Holder: KIRK S EGBERT
 1402 E 1300 N
 PO BOX 87
 TERRETON, ID 83450

Priority Date: 9/7/1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.070 cfs	22.8 af
			0.070 cfs	22.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNESE Sec 12 Twp 06N Rge 33E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	33E	12													33.8	21.1	11.6	20.4	86.9

Right Acre Limit: 6.5
 POU Total Acres: 86.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.5 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12368 and 31-12369 when combined shall not exceed a total diversion rate of 0.12 cfs, a total annual maximum diversion volume of 24.2 af at the field headgate, and the irrigation of 6.9 acres.
3. Rights 31-12174, 31-12242, 31-12244, 31-12278, 31-12280, 31-12282, 31-12284, 31-12286, 31-12368, and 31-12369 when combined shall not exceed a total diversion rate of 1.16 cfs, a total annual maximum diversion volume of 288.6 af at the field headgate, and the irrigation of 86.9 acres.
4. 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.

Transfer No. 80079

WATER RIGHT NO. 31-12368
As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

5. Use of water under this right 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.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 80079, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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 place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 31-10964A
As Modified by Transfer No. 80079

In accordance with the approval of Transfer No. 80079, Water Right No. 31-10964A is now described as follows:

Right Holder: KIRK S EGBERT
 1402 E 1300 N
 PO BOX 87
 TERRETON, ID 83450

Priority Date: 2/25/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	2.430 cfs	712.6 af
			2.430 cfs	712.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L1 (SWSENE) Sec 6 Twp 05N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	35E	5							30.0			32.0							62.0
									L4										
05N	35E	6			38.4	34.0				34.0	35.0				33.0	31.0			205.4
					L2	L1				L3									

Right Acre Limit: 203.6

POU Total Acres: 267.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 203.6 acres within the authorized place of use in a single irrigation season.
2. Rights 31-7267A and 31-10964A when combined shall not exceed a total diversion rate of 4.64 cfs, a total annual maximum diversion volume of 935.9 af at the field headgate, and the irrigation of 267.4 acres.
3. The following rights are diverted through point(s) of diversion described above: 31-7267A and 31-10964A .
4. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Transfer No. 80079

WATER RIGHT NO. 31-10964A
As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

5. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.



WATER RIGHT NO. 31-12369
As Modified by Transfer No. 80079

In accordance with the approval of Transfer No. 80079, Water Right No. 31-12369 is now described as follows:

Right Holder: KIRK S EGBERT
 1402 E 1300 N
 PO BOX 87
 TERRETON, ID 83450

Priority Date: 2/25/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.060 cfs	18.5 af
			0.060 cfs	18.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNESE Sec 12 Twp 06N Rge 33E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	33E	12													33.8	21.1	11.6	20.4	86.9

Right Acre Limit: 5.3
 POU Total Acres: 86.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.3 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12368 and 31-12369 when combined shall not exceed a total diversion rate of 0.12 cfs, a total annual maximum diversion volume of 24.2 af at the field headgate, and the irrigation of 6.9 acres.
3. Rights 31-12174, 31-12242, 31-12244, 31-12278, 31-12280, 31-12282, 31-12284, 31-12286, 31-12368, and 31-12369 when combined shall not exceed a total diversion rate of 1.16 cfs, a total annual maximum diversion volume of 288.6 af at the field headgate, and the irrigation of 86.9 acres.
4. 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.

Transfer No. 80079

WATER RIGHT NO. 31-12369
As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

5. Use of water under this right 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.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 80079, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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 place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 31-12242
As Modified by Transfer No. 80079

In accordance with the approval of Transfer No. 80079, Water Right No. 31-12242 is now described as follows:

Right Holder: KIRK EGBERT
 1402 E 1300 N
 PO BOX 87
 TERRETON, ID 83450

Priority Date: 1/17/1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/15	0.060 cfs	10.5 af
			0.060 cfs	10.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNESE Sec 12 Twp 06N Rge 33E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	33E	12													33.8	21.1	11.6	20.4	86.9

Right Acre Limit: 3.0
 POU Total Acres: 86.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12174, 31-12242, and 31-12244 when combined shall not exceed a total diversion rate of 0.26 cfs, a total annual maximum diversion volume of 59.2 af at the field headgate, and the irrigation of 16.9 acres.
3. Rights 31-12174, 31-12242, 31-12244, 31-12278, 31-12280, 31-12282, 31-12284, 31-12286, 31-12368, and 31-12369 when combined shall not exceed a total diversion rate of 1.16 cfs, a total annual maximum diversion volume of 288.6 af at the field headgate, and the irrigation of 86.9 acres.
4. Use of water under this right 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.

Transfer No. 80079

WATER RIGHT NO. 31-12242
As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

5. 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.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 80079, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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 place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 31-12244
As Modified by Transfer No. 80079

In accordance with the approval of Transfer No. 80079, Water Right No. 31-12244 is now described as follows:

Right Holder: KIRK EGBERT
 1402 E 1300 N
 PO BOX 87
 TERRETON, ID 83450

Priority Date: 7/8/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.060 cfs	14.4 af
			0.060 cfs	14.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNESE Sec 12 Twp 06N Rge 33E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	33E	12													33.8	21.1	11.6	20.4	86.9

Right Acre Limit: 4.1
 POU Total Acres: 86.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4.1 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12174, 31-12242, and 31-12244 when combined shall not exceed a total diversion rate of 0.26 cfs, a total annual maximum diversion volume of 59.2 af at the field headgate, and the irrigation of 16.9 acres.
3. Rights 31-12174, 31-12242, 31-12244, 31-12278, 31-12280, 31-12282, 31-12284, 31-12286, 31-12368, and 31-12369 when combined shall not exceed a total diversion rate of 1.16 cfs, a total annual maximum diversion volume of 288.6 af at the field headgate, and the irrigation of 86.9 acres.
4. Use of water under this right 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.

Transfer No. 80079

WATER RIGHT NO. 31-12244
As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

5. 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.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 80079, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 31-12174
As Modified by Transfer No. 80079

In accordance with the approval of Transfer No. 80079, Water Right No. 31-12174 is now described as follows:

Right Holder: KIRK EGBERT
 1402 E 1300 N
 PO BOX 87
 TERRETON, ID 83450

Priority Date: 7/8/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.140 cfs	34.3 af
			0.140 cfs	34.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNESE Sec 12 Twp 06N Rge 33E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	33E	12													33.8	21.1	11.6	20.4	86.9

Right Acre Limit: 9.8

POU Total Acres: 86.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 9.8 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12174, 31-12242, and 31-12244 when combined shall not exceed a total diversion rate of 0.26 cfs, a total annual maximum diversion volume of 59.2 af at the field headgate, and the irrigation of 16.9 acres.
3. Rights 31-12174, 31-12242, 31-12244, 31-12278, 31-12280, 31-12282, 31-12284, 31-12286, 31-12368, and 31-12369 when combined shall not exceed a total diversion rate of 1.16 cfs, a total annual maximum diversion volume of 288.6 af at the field headgate, and the irrigation of 86.9 acres.
4. Use of water under this right 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.

Transfer No. 80079

WATER RIGHT NO. 31-12174
As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

5. 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.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 80079, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 31-12278**As Modified by Transfer No. 80079**

In accordance with the approval of Transfer No. 80079, Water Right No. 31-12278 is now described as follows:

Right Holder: KIRK S EGBERT
1402 E 1300 N
PO BOX 87
TERRETON, ID 83450
And
KATHRYN H EGBERT
1402 E 1300 N
TERRETON, ID 83450

Priority Date: 6/26/1973

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.180 cfs

0.180 cfs

Diversion Volume

36.3 af

36.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWNESE

Sec 12 Twp 06N Rge 33E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	33E	12													33.8	21.1	11.6	20.4	86.9

Right Acre Limit: 12.1

POU Total Acres: 86.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 12.1 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12278, 31-12280, 31-12282, 31-12284, and 31-12286 when combined shall not exceed a total diversion rate of 0.78 cfs, a total annual maximum diversion volume of 205.2 af at the field headgate, and the irrigation of 63.1 acres.
3. Rights 31-12174, 31-12242, 31-12244, 31-12278, 31-12280, 31-12282, 31-12284, 31-12286, 31-12368, and 31-12369 when combined shall not exceed a total diversion rate of 1.16 cfs, a total annual maximum diversion volume of 288.6 af at the field headgate, and the irrigation of 86.9 acres.

Transfer No. 80079

WATER RIGHT NO. 31-12278
As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

4. 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.
5. Use of water under this right 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.
6. Prior to the diversion and use of water under Transfer approval 80079, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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 place of use.
9. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 31-12280

As Modified by Transfer No. 80079

In accordance with the approval of Transfer No. 80079, Water Right No. 31-12280 is now described as follows:

Right Holder: KIRK S EGBERT
1402 E 1300 N
PO BOX 87
TERRETON, ID 83450

Priority Date: 8/22/1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.030 cfs	8.8 af
			0.030 cfs	8.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNESE Sec 12 Twp 06N Rge 33E JEFFERSON County

PLACE OF USE: IRRIGATION

				NE				NW				SW				SE				Totals
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	33E	12														33.8	21.1	11.6	20.4	86.9

Right Acre Limit: 2.5

POU Total Acres: 86.9

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 2.5 acres within the place of use described for this right.
2. Rights 31-12280 and 31-12282 when combined shall not exceed a total diversion rate of 0.33 cfs, a total annual maximum diversion volume of 107.8 af at the field headgate, and the irrigation of 30.8 acres.
3. Rights 31-12278, 31-12280, 31-12282, 31-12284 and 31-12286 when combined shall not exceed a total diversion rate of 0.78 cfs, a total annual maximum diversion volume of 205.2 af at the field headgate, and the irrigation of 63.1 acres.
4. Rights 31-12174, 31-12242, 31-12244, 31-12278, 31-12280, 31-12282, 31-12284, 31-12286, 31-12368, and 31-12369 when combined shall not exceed a total diversion rate of 1.16 cfs, a total annual maximum diversion volume of 288.6 af at the field headgate, and the irrigation of 86.9 acres.
5. 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.

Transfer No. 80079

WATER RIGHT NO. 31-12280

As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

6. Use of water under this right 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.
7. Prior to the diversion and use of water under Transfer approval 80079, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. This right is based upon an enlargement of Right No. 31-12282 pursuant to Section 42-1426, Idaho Code.
10. 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 place of use.
11. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 31-12282

As Modified by Transfer No. 80079

In accordance with the approval of Transfer No. 80079, Water Right No. 31-12282 is now described as follows:

Right Holder: KIRK S EGBERT
1402 E 1300 N
PO BOX 87
TERRETON, ID 83450

Priority Date: 3/12/1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	0.330 cfs	99.0 af
			0.330 cfs	99.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNESE Sec 12 Twp 06N Rge 33E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	33E	12													33.8	21.1	11.6	20.4	86.9

Right Acre Limit: 28.3
POU Total Acres: 86.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 28.3 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12280 and 31-12282 when combined shall not exceed a total diversion rate of 0.33 cfs, a total annual maximum diversion volume of 107.8 af at the field headgate, and the irrigation of 30.8 acres.
3. Rights 31-12278, 31-12280, 31-12282, 31-12284 and 31-12286 when combined shall not exceed a total diversion rate of 0.78 cfs, a total annual maximum diversion volume of 205.2 af at the field headgate, and the irrigation of 63.1 acres.
4. Rights 31-12174, 31-12242, 31-12244, 31-12278, 31-12280, 31-12282, 31-12284, 31-12286, 31-12368, and 31-12369 when combined shall not exceed a total diversion rate of 1.16 cfs, a total annual maximum diversion volume of 288.6 af at the field headgate, and the irrigation of 86.9 acres.

Transfer No. 80079

WATER RIGHT NO. 31-12282

As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

5. Use of water under this right 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.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 80079, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of April 1 and an ending date of October 31, provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before April 15 and after October 15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/22/2002.
10. Right No. 31-12280 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. 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 place of use.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 31-12284

As Modified by Transfer No. 80079

In accordance with the approval of Transfer No. 80079, Water Right No. 31-12284 is now described as follows:

Right Holder: KIRK S EGBERT
1402 E 1300 N
PO BOX 87
TERRETON, ID 83450

KATHRYN H EGBERT
1402 E 1300 N
TERRETON, ID 83450

Priority Date: 3/18/1974

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
0.270 cfs
0.270 cfs

Diversion Volume
57.6 af
57.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNESE Sec 12 Twp 06N Rge 33E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	33E	12													33.8	21.1	11.6	20.4	86.9

Right Acre Limit: 19.2

POU Total Acres: 86.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 19.2 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12284 and 31-12286 when combined shall not exceed a total diversion rate of 0.27 cfs, a total annual maximum diversion volume of 61.1 af at the field headgate, and the irrigation of 20.2 acres.
3. Rights 31-12278, 31-12280, 31-12282, 31-12284 and 31-12286 when combined shall not exceed a total diversion rate of 0.78 cfs, a total annual maximum diversion volume of 205.2 af at the field headgate, and the irrigation of 63.1 acres.

Transfer No. 80079

WATER RIGHT NO. 31-12284
As Modified by Transfer No. 80079

CONDITIONS OF APPROVAL

4. Rights 31-12174, 31-12242, 31-12244, 31-12278, 31-12280, 31-12282, 31-12284, 31-12286, 31-12368, and 31-12369 when combined shall not exceed a total diversion rate of 1.16 cfs, a total annual maximum diversion volume of 288.6 af at the field headgate, and the irrigation of 86.9 acres.
5. Use of water under this right 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.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 80079, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. Right No. 31-12286 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
10. 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 place of use.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.