

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80094

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	2.740 cfs	N/A	230.0	302.0	GROUND WATER
31-12077	WR/DECREED	1/16/1975	0.280 cfs	41.7 af	13.9	127.0	GROUND WATER
31-7154A	WR/DECREED	1/16/1975	1.540 cfs	226.0 af	75.0	127.0	GROUND WATER
31-7267A	WR/DECREED	9/7/1977	2.890 cfs	N/A	285.0	302.0	GROUND WATER
31-7545	WR/DECREED	4/18/1974	0.800 cfs	120.0 af	38.1	127.0	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	NO	YES	NO	NO	NO
31-12077	NO	NO	YES	NO	NO	NO
31-7154A	NO	YES	YES	NO	NO	NO
31-7267A	YES	YES	YES	NO	NO	NO
31-7545	NO	NO	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	31-12374	0.030 cfs	9.4 af	2.7	130.6	*31-10964A	2.490 cfs	731.1 af	208.9	274.3
31-12077	31-12077	0.280 cfs	41.7 af	13.9	130.6	N/A	N/A	N/A	N/A	N/A
31-7154A	31-7154A	1.540 cfs	226.0 af	75.0	130.6	N/A	N/A	N/A	N/A	N/A
31-7267A	31-12373	0.030 cfs	11.9 af	3.4	130.6	*31-7267A	2.620 cfs	N/A	258.9	274.3
31-7545	31-7545	0.800 cfs	120.0 af	38.1	130.6	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.680 cfs	400.3 af	130.6	130.6		N/A	N/A	N/A	N/A

*Remaining portions of water rights 31-7267A and 31-10964A reflect the amounts remaining after the approval of Transfer #80087, 80094 and 80105.

SUPPORT DATA

Transfer No. 80094

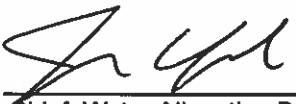
IN FILE # 31-7154A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80094

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 26th day of August, 2015.


for _____
Chief, Water Allocation Bureau



WATER RIGHT NO. 31-7267A
As Modified by Transfer No. 80094

In accordance with the approval of Transfer No. 80094, 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
 2 620 cfs
 2 620 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L1 (SWSENE) Sec 6 Twp 05N Rge 35E 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	
05N	35E	5							30.0			32.0							62.0
									L 4										
05N	35E	6			38.4	34.0				40.0	35.9				33.0	31.0			212.3
					L 2	L 1				L 3									

Right Acre Limit: 258.9

POU Total Acres: 274.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 258.9 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 4.76 cfs, a total annual maximum diversion volume of 960 af at the field headgate, and the irrigation of 274.3 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. 80094

WATER RIGHT NO. 31-7267A
As Modified by Transfer No. 80094

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. 31-12373
As Modified by Transfer No. 80094

In accordance with the approval of Transfer No. 80094, Water Right No. 31-12373 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
 0.030 cfs
 0.030 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNW Sec 36 Twp 06N Rge 34E 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	34E	36					32.2	32.3	34.7	31.4									130.6

Right Acre Limit: 3.4
 POU Total Acres: 130.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.4 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12373 and 31-12374 when combined shall not exceed a total annual maximum diversion volume of 12.6 af at the field headgate, and the irrigation of 3.6 acres.
3. Rights 31-12373, 31-12374, 31-7154A, 31-12077, 31-7545 when combined shall not exceed a total annual maximum diversion volume of 400.3 af at the field headgate, and the irrigation of 130.6 acres.
4. 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.

Transfer No. 80094

WATER RIGHT NO. 31-12373
As Modified by Transfer No. 80094

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80094, 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.
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. 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.
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. 80094

In accordance with the approval of Transfer No. 80094, 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

BENEFICIAL USE
 IRRIGATION

From 4/01 **To** 10/31

Diversion Rate
 2.490 cfs
 2.490 cfs

Diversion Volume
 731.1 af
 731.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L1 (SWSENE) Sec 6 Twp 05N Rge 35E 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	
05N	35E	5							30.0				32.0						62.0
									L 4										
05N	35E	6			38.4	34.0				40.0	35.9				33.0	31.0			212.3
					L 2	L 1				L 3									

Right Acre Limit: 208.9

POU Total Acres: 274.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 208.9 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 4.76 cfs, a total annual maximum diversion volume of 960 af at the field headgate, and the irrigation of 274.3 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. 80094

WATER RIGHT NO. 31-10964A
As Modified by Transfer No. 80094

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. 31-12374
As Modified by Transfer No. 80094

In accordance with the approval of Transfer No. 80094, Water Right No. 31-12374 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

BENEFICIAL USE
 IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
4/01	to 10/31	0.030 cfs	9.4 af
		0.030 cfs	9.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNW Sec 36 Twp 06N Rge 34E 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	34E	36					32.2	32.3	34.7	31.4									130.6

Right Acre Limit: 2.7
 POU Total Acres: 130.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.7 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12373 and 31-12374 when combined shall not exceed a total annual maximum diversion volume of 12.6 af at the field headgate, and the irrigation of 3.6 acres.
3. Rights 31-12373, 31-12374, 31-7154A, 31-12077, 31-7545 when combined shall not exceed a total annual maximum diversion volume of 400.3 af at the field headgate, and the irrigation of 130.6 acres.
4. 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.

Transfer No. 80094

WATER RIGHT NO. 31-12374
As Modified by Transfer No. 80094

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80094, 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.
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. 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.
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. 31-7154A **As Modified by Transfer No. 80094**

In accordance with the approval of Transfer No. 80094, Water Right No. 31-7154A is now described as follows:

Right Holder: KIRK EGBERT
 1410 E 1300 N
 PO BOX 87
 TERRETON, ID 83450

Priority Date: 1/16/1975

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	1.490 cfs	223.6 af
STOCKWATER	01/01	to 12/31	0.050 cfs	2.4 af
			1.540 cfs	226.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNW Sec 36 Twp 06N Rge 34E 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	34E	36					32.2	32.3	34.7	31.4									130.6

Right Acre Limit: 75.0
 POU Total Acres: 130.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 75 acres within the place of use described above in a single irrigation season.
2. Rights 31-7154A, 31-7545, and 31-12077 when combined shall not exceed the irrigation of 127 acres.
3. Rights 31-12373, 31-12374, 31-7154A, 31-12077, 31-7545 when combined shall not exceed a total annual maximum diversion volume of 400.3 af at the field headgate, and the irrigation of 130.6 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.
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.

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WATER RIGHT NO. 31-7154A
As Modified by Transfer No. 80094

CONDITIONS OF APPROVAL

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 80094, 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 quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) 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. 31-12077
As Modified by Transfer No. 80094

In accordance with the approval of Transfer No. 80094, Water Right No. 31-12077 is now described as follows:

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

Priority Date: 1/16/1975

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	0.280 cfs	41.7 af
			0.280 cfs	41.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNW Sec 36 Twp 06N Rge 34E 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	34E	36					32.2	32.3	34.7	31.4									130.6

Right Acre Limit: 13.9
 POU Total Acres: 130.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 13.9 acres within the place of use described above in a single irrigation season.
2. Rights 31-7154A, 31-7545, and 31-12077 when combined shall not exceed the irrigation of 127 acres.
3. Rights 31-12373, 31-12374, 31-7154A, 31-12077, 31-7545 when combined shall not exceed a total annual maximum diversion volume of 400.3 af at the field headgate, and the irrigation of 130.6 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.
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.

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WATER RIGHT NO. 31-12077
As Modified by Transfer No. 80094

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 80094, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 31-7545
As Modified by Transfer No. 80094

In accordance with the approval of Transfer No. 80094, Water Right No. 31-7545 is now described as follows:

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

Priority Date: 4/18/1974

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
0.800 cfs
0.800 cfs

Diversion Volume
120.0 af
120.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNW Sec 36 Twp 06N Rge 34E 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	34E	36					32.2	32.3	34.7	31.4									130.6
Right Acre Limit:			38.1																
POU Total Acres:			130.6																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38.1 acres within the place of use described above in a single irrigation season.
2. Rights 31-7154A, 31-7545, and 31-12077 when combined shall not exceed the irrigation of 127 acres.
3. Rights 31-12373, 31-12374, 31-7154A, 31-12077, 31-7545 when combined shall not exceed a total annual maximum diversion volume of 400.3 af at the field headgate, and the irrigation of 130.6 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.
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.

Transfer No. 80094

WATER RIGHT NO. 31-7545
As Modified by Transfer No. 80094

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 80094, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.