

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80087

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
31-10964A	WR/DECREED	2/25/1959	2.740 cfs	N/A	230.0	302.0	GROUND WATER
31-11670	WR/DECREED	3/26/1973	0.980 cfs	198.0 af	N/A	66.0	GROUND WATER
31-12277	WR/DECREED	6/26/1973	2.500 cfs	507.6 af	N/A	169.2	GROUND WATER
31-7267A	WR/DECREED	9/7/1977	2.890 cfs	N/A	285.0	302.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
31-10964A	YES	YES	YES	NO	NO	NO
31-11670	NO	NO	YES	NO	NO	NO
31-12277	NO	NO	YES	NO	NO	NO
31-7267A	YES	YES	YES	NO	NO	NO

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
31-10964A	31-12371	0.150 cfs	44.1 af	12.6	251.8	*31-10964A	2.490 cfs	731.1 af	208.9	274.3
31-11670	31-11670	0.980 cfs	198.0 af	66.0	251.8	N/A	N/A	N/A	N/A	N/A
31-12277	31-12277	2.500 cfs	507.6 af	169.2	251.8	N/A	N/A	N/A	N/A	N/A
31-7267A	31-12370	0.160 cfs	55.0 af	15.7	251.8	*31-7267A	2.620 cfs	N/A	258.9	274.3
COMBINED TOTALS		3.770 cfs	763.7 af	251.8	251.8		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.

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

SUPPORT DATA

Transfer No. 80087

IN FILE # 31-7267A

WATER RIGHT NO. 31-7267A

As Modified by Transfer No. 80087

In accordance with the approval of Transfer No. 80087, 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.

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WATER RIGHT NO. 31-7267A

As Modified by Transfer No. 80087

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. 31-12370

As Modified by Transfer No. 80087

In accordance with the approval of Transfer No. 80087, Water Right No. 31-12370 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	0.160 cfs	55.0 af
			0.160 cfs	55.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE 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	31.0	32.6	31.1	30.0									33.3	34.8	30.2	28.8	251.8

Right Acre Limit: 15.7
POU Total Acres: 251.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 15.7 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12370 and 31-12371 when combined shall not exceed a total diversion rate of 0.29 cfs, a total annual maximum diversion volume of 58.1 af at the field headgate, and the irrigation of 16.6 acres.
3. Rights 31-11670, 31-12277, 31-12370, and 31-12371 when combined shall not exceed a total diversion rate of 3.77 cfs, a total annual maximum diversion volume of 763.7 af at the field headgate, and the irrigation of 251.8 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.

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WATER RIGHT NO. 31-12370

As Modified by Transfer No. 80087

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80087, 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. 80087**

In accordance with the approval of Transfer No. 80087, 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 **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

			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
									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.

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WATER RIGHT NO. 31-10964A
As Modified by Transfer No. 80087

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. 31-12371
As Modified by Transfer No. 80087

In accordance with the approval of Transfer No. 80087, Water Right No. 31-12371 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	0.150 cfs	44.1 af
			0.150 cfs	44.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE 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	31.0	32.6	31.1	30.0									33.3	34.8	30.2	28.8	251.8

Right Acre Limit: 12.6
POU Total Acres: 251.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 12.6 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12370 and 31-12371 when combined shall not exceed a total diversion rate of 0.29 cfs, a total annual maximum diversion volume of 58.1 af at the field headgate, and the irrigation of 16.6 acres.
3. Rights 31-11670, 31-12277, 31-12370, and 31-12371 when combined shall not exceed a total diversion rate of 3.77 cfs, a total annual maximum diversion volume of 763.7 af at the field headgate, and the irrigation of 251.8 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. 80087

WATER RIGHT NO. 31-12371

As Modified by Transfer No. 80087

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80087, 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. 31-11670

As Modified by Transfer No. 80087

In accordance with the approval of Transfer No. 80087, Water Right No. 31-11670 is now described as follows:

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

Priority Date: 3/26/1973

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

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

Diversion Rate
0.980 cfs
0.980 cfs

Diversion Volume
198.0 af
198.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE 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	31.0	32.6	31.1	30.0									33.3	34.8	30.2	28.8	251.8

Right Acre Limit: 66.0
POU Total Acres: 251.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 66 acres within the authorized place of use in a single irrigation season.
2. Rights 31-11670, 31-12277, 31-12370, and 31-12371 when combined shall not exceed a total diversion rate of 3.77 cfs, a total annual maximum diversion volume of 763.7 af at the field headgate, and the irrigation of 251.8 acres.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 80087, 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.

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WATER RIGHT NO. 31-11670

As Modified by Transfer No. 80087

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. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year 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. 31-12277

As Modified by Transfer No. 80087

In accordance with the approval of Transfer No. 80087, Water Right No. 31-12277 is now described as follows:

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

Priority Date: 6/26/1973

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

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

Diversion Rate
2 500 cfs
2 500 cfs

Diversion Volume
507.6 af
507.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE 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		31.0	32.5	31.1	30.0									33.3	34.8	30.2	28.8	251.8

Right Acre Limit: 169.2

POU Total Acres: 251.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 169.2 acres within the authorized place of use in a single irrigation season.
2. Rights 31-11670, 31-12277, 31-12370, and 31-12371 when combined shall not exceed a total diversion rate of 3.77 cfs, a total annual maximum diversion volume of 763.7 af at the field headgate, and the irrigation of 251.8 acres.
3. 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.

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WATER RIGHT NO. 31-12277

As Modified by Transfer No. 80087

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 80087, 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.
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. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year 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.