

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77481

This is to certify that: KATHRYN H EGBERT And
 KIRK EGBERT
 1402 E 1300 N
 PO BOX 87
 TERRETON ID 83450
 (208)663-4505

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
31-7286	WR/Decreed	01/17/1978	1.28 cfs	224 af	N/A	64.0	GROUND WATER
31-12173	WR/Decreed	07/08/1963	0.16 cfs	37.8 af	N/A	10.8	GROUND WATER
31-12174	WR/Decreed	07/08/1963	0.14 cfs	34.3 af	N/A	9.8	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
31-7294	WR/Decreed	02/27/1978	1.74 cfs	304.5 af	N/A	87.0	GROUND WATER
31-2366	WR/Decreed	05/05/1958	6.36 cfs	1113 af	N/A	318.0	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>
31-7286	YES	YES	YES	NO	NO	NO
31-12173	YES	YES	YES	NO	NO	NO
31-12174	NO	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>
31-7286	31-12242	0.06 cfs	10.5 af	3.0	16.9	31-12241	1.22 cfs	213.5 af	N/A	61.0
31-12173	31-12244	0.06 cfs	14.4 af	4.1	16.9	31-12243	0.1 cfs	23.4 af	N/A	6.7
31-12174	31-12174	0.14 cfs	34.3 af	9.8	16.9		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.26 cfs	59.2 af	16.9	16.9		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 31-7284

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77481

Detailed Water Right Description(s) attached

Dated this 7th day of November, 20 11


Water Resources Program Manager



WATER RIGHT NO. 31-12241
As Modified by Transfer No. 77481

In accordance with the approval of Transfer No. 77481, Water Right No. 31-12241 is now described as follows.

Right Holder: F & J SHEEP & HAY INC
 941 E 1700 N
 TERRETON ID 83450

Priority Date: January 17, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	1.22 CFS	213.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESW	Sec. 6	Twp 06N	Rge 34E	JEFFERSON County
GROUND WATER	NENENW	Sec. 7	Twp 06N	Rge 34E	JEFFERSON County

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	
06N	34E	6									37.0	9.0	8.0	7.0					61.0

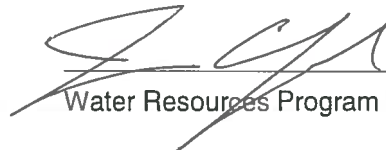
Total Acres: 61

CONDITIONS OF APPROVAL

1. This Right and Right Nos. 31-2366 and 31-7294 are each diverted through point of diversion described above, and the total combined rate of diversion of these rights is limited to 6.59 cfs.
2. 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.

This water right 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.

Dated this 7th day of November, 20 11


 Water Resources Program Manager

WATER RIGHT NO. 31-12242
As Modified by Transfer No. 77481

In accordance with the approval of Transfer No. 77481, 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: January 17, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	0.06 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

Twp	Rge	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																	16.9
																		16.9	

Total Acres: 16.9

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. 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.
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. 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.
6. Prior to the diversion and use of water under Transfer approval 77481, 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.

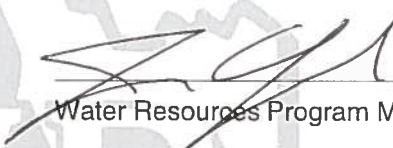
WATER RIGHT NO. 31-12242
As Modified by Transfer No. 77481

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

This water right 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.

Dated this 7th day of November, 2011


Water Resources Program Manager

WATER RIGHT NO. 31-12243
As Modified by Transfer No. 77481

In accordance with the approval of Transfer No. 77481, Water Right No. 31-12243 is now described as follows.

Right Holder: F & J SHEEP & HAY INC
 941 E 1700 N
 TERRETON ID 83450

Priority Date: July 08, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.10 CFS	23.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESE Sec. 1 Twp 06N Rge 33E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
06N	33E	11	6.7				6.7

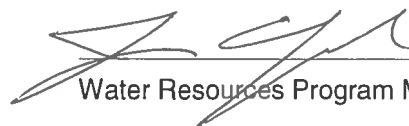
Total Acres: 6.7

CONDITIONS OF APPROVAL

1. 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.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.

This water right 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.

Dated this 7th day of November, 2011


 Water Resources Program Manager

WATER RIGHT NO. 31-12244
As Modified by Transfer No. 77481

In accordance with the approval of Transfer No. 77481, 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: July 08, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.06 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	Rge	Sec	NE	NW	SW	SE	Totals
06N	33E	12	NE	NW	SW	SE	16.9

Total Acres: 16.9

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. 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.
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. 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.
6. Prior to the diversion and use of water under Transfer approval 77481, 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.

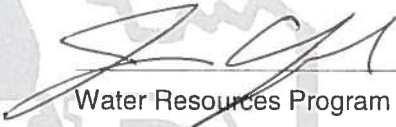
WATER RIGHT NO. 31-12244
As Modified by Transfer No. 77481

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

This water right 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.

Dated this 7th day of November, 2011


Water Resources Program Manager

WATER RIGHT NO. 31-12174
As Modified by Transfer No. 77481

In accordance with the approval of Transfer No. 77481, 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: July 08, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.14 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

Twp	Rge	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																	16.9
																			16.9

Total Acres: 16.9

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. 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.
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. 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.
6. Prior to the diversion and use of water under Transfer approval 77481, 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.

WATER RIGHT NO. 31-12174
As Modified by Transfer No. 77481

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

This water right 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.

Dated this 7th day of November, 20 11


Water Resources Program Manager

WATER RIGHT NO. 31-2366
As Modified by Transfer No. 77481

In accordance with the approval of Transfer No. 77481, Water Right No. 31-2366 is now described as follows.

Right Holder: F & J SHEEP & HAY INC
 941 E 1700 N
 TERRETON ID 83450

Priority Date: May 05, 1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	6.36 CFS	1,113.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESW	Sec. 6	Twp 06N	Rge 34E	JEFFERSON County
GROUND WATER	NENENW	Sec. 7	Twp 06N	Rge 34E	JEFFERSON County

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	
06N	34E	6									30.0	30.0	30.0					90.0	
06N	34E	7					38.0				30.0	40.0	40.0	40.0					228.0

Total Acres: 318

CONDITIONS OF APPROVAL

1. This Right and Right Nos. 31-7294 and 31-12241 are each diverted through point of diversion described above, and the total combined rate of diversion of these rights is limited to 6.59 cfs.
2. 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.

This water right 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.

Dated this 7th day of November, 2011


 Water Resources Program Manager

WATER RIGHT NO. 31-7294
As Modified by Transfer No. 77481

In accordance with the approval of Transfer No. 77481, Water Right No. 31-7294 is now described as follows.

Right Holder: F & J SHEEP & HAY INC
 941 E 1700 N
 TERRETON ID 83450

Priority Date: February 27, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	1.74 CFS	304.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESW	Sec. 6	Twp 06N	Rge 34E	JEFFERSON County
GROUND WATER	NENENW	Sec. 7	Twp 06N	Rge 34E	JEFFERSON County

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	
06N	34E	7																	87.0
							38.0	39.0	10.0										

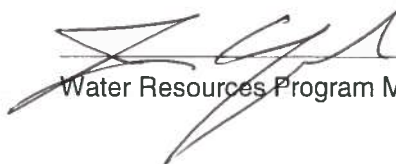
Total Acres: 87

CONDITIONS OF APPROVAL

1. This Right and Right Nos. 31-2366 and 31-12241 are each diverted through point of diversion described above, and the total combined rate of diversion of these rights is limited to 6.59 cfs.
2. 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.

This water right 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.

Dated this 7th day of November, 20 11



 Water Resources Program Manager