

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75182**

This is to certify that: KIRK S 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>
31-7545	WR/Decreed	04/18/1974	0.8 cfs	120 af	N/A	38.1	GROUND WATER
31-7154B	WR/Decreed	01/16/1975	2.83 cfs	419.75 af	138.0	138.3	GROUND WATER
31-7154A	WR/Decreed	01/16/1975	1.54 cfs	225.95 af	N/A	75.0	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>
31-7545	NO	YES	YES	NO	NO	NO
31-7154B	YES	YES	YES	NO	NO	NO
31-7154A	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>
31-7545	31-7545	0.8 cfs	120 af	38.1	127.0		N/A	N/A	N/A	N/A
31-7154B	31-12077	0.28 cfs	41.7 af	13.9	127.0	31-12076	2.55 cfs	378.1 af	N/A	124.1
31-7154A	31-7154A	1.54 cfs	226 af	75.0	127.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.62 cfs	387.7 af	127.0	127.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19 day of December, 2008

Ernst Carlson

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 31-7154A

WATER RIGHT NO. 31-7154A
As Modified by Transfer No. 75182

In accordance with the approval of Transfer No. 75182, 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: January 16, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.05 CFS	2.4 AF
IRRIGATION	04/01	to 11/01	1.49 CFS	223.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 36 Twp 06N Rge 34E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06N	34E	36	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	127.0
							30.0	31.0	33.0	33.0									

Total Acres: 127

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. 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.
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.
5. Prior to the diversion and use of water under Transfer approval 75182, 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.
6. 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.

WATER RIGHT NO. 31-7154A
As Modified by Transfer No. 75182

CONDITIONS OF APPROVAL

7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. The following rights are diverted through point(s) of diversion described above: 31-7154A, 31-7545, 31-12077.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 19 day of December, 2008

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 31-12076
As Modified by Transfer No. 75182

In accordance with the approval of Transfer No. 75182, Water Right No. 31-12076 is now described as follows.

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

Priority Date: January 16, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.06 CFS	4.4 AF
IRRIGATION	04/01	to 11/01	2.49 CFS	373.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWSW Sec. 36 Twp 06N Rge 34E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06N	34E	36	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	124.1
											32.1	35.0	29.6	27.4					

Total Acres: 124.1

CONDITIONS OF APPROVAL

1. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. 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 19 day of December, 20 08


 for Ernest Carlson
 Chief, Water Allocation Bureau

WATER RIGHT NO. 31-12077
As Modified by Transfer No. 75182

In accordance with the approval of Transfer No. 75182, 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: January 16, 1975

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	0.28 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

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>																	
			NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
06N	34E	36					30.0	31.0	33.0	33.0									127.0

Total Acres: 127

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. 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.
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.
5. Prior to the diversion and use of water under Transfer approval 75182, 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.
6. 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.
7. The following rights are diverted through point(s) of diversion described above: 31-7154A, 31-7545, 31-12077.

WATER RIGHT NO. 31-12077
As Modified by Transfer No. 75182

CONDITIONS OF APPROVAL

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.

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 19 day of December, 2008

for Ernest Carlson
Chief, Water Allocation Bureau

**WATER RIGHT NO. 31-7545
As Modified by Transfer No. 75182**

In accordance with the approval of Transfer No. 75182, 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: April 18, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.80 CFS	120.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 36 Twp 06N Rge 34E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N 34E 36					30.0	31.0	33.0	33.0									127.0

Total Acres: 127

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. 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.
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.
5. Prior to the diversion and use of water under Transfer approval 75182, 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.
6. 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.

WATER RIGHT NO. 31-7545
As Modified by Transfer No. 75182

CONDITIONS OF APPROVAL

7. The following rights are diverted through point(s) of diversion described above: 31-7154A, 31-7545, 31-12077.
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.

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 19 day of December, 2008


for Chief, Water Allocation Bureau