

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT**

PART 1

Cell Phone

1. Name of Applicant Kirk Egbert Phone (208) 663-4505 / 351-4505

Mailing Address 1401 E 1300 N, Terre ton, ID 83450 Email \_\_\_\_\_

c/o Keith C. Wilson Rocky Mountain Environmental Associates, Inc. Email kwilson@rockymountainenvironmental.com  
482 Constitution Way, Ste 303 (208) 524-2353  
Idaho Falls, ID 83402 Fax 208) 524-1795

**A. PURPOSE OF TRANSFER**

1.  Change Point of Diversion     Add diversion point(s)     Change Place of use  
 Change Nature of Use     Change Period of Use     Other Change in Ownership

2. Describe the reason for the proposed changes: Purchase of right to transfer to new place of use.

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

1. Right Number      Priority      Amount      Nature of Use      Period of Use

31-11954	04/01/1932	0.37 cfs	Irrigation	04/01 to 10/31
31-11947*	04/01/1932	1.08 cfs	Irrigation	04/01 to 10/31
31-11410*	01/14/1976	4.54 cfs	Irrigation	04/01 to 11/01
31-11414*	01/14/1976	0.32 cfs	Irrigation	04/01 to 11/01
31-11428*	01/14/1976	0.30 cfs	Irrigation	04/01 to 11/11

\* 31-11947, 31-11410, 31-11414 & 31-11428 Total 5.62 cfs & 272.9 ac

2. Total amount of water being transferred 0.37 (5.99)\*\* cubic feet per second and/or \_\_\_ acre-feet per annum.  
 \*\* (5.99 cfs = 5.62 cfs + 0.37 cfs)

3. Source of water Ground water tributary to \_\_\_\_\_

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for Diversion
4		NW	NW	1	7N	37E	JEFFERSON	
2		NW	NE	2	7N	37E	JEFFERSON	

5. Lands irrigated or place of use: 11.1 acres within 284 acres.

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7N	37E	1					35.5 L-3	35.5 L-4	35.5	35.5									142.0
		2	35.5 L-1	35.5 L-2	35.5	35.5													142.0

Total Acres 284.0  
**RECEIVED**  
**NOV 25 2008**

Department of Water Resources  
 Eastern Region



**PART 1**

**6. General Information:**

- a. Description of diversion system: Two wells/pumps mainlines to two center pivots with end guns.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?  Yes  No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. (See Attachment A)
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: Place of use will not be irrigated.
- d. Remarks: ESPA Analysis of right 31-11954 does exceed the allowable 2.0 ac-ft/trimester and does not require mitigation to transfer this water right. (Attachment C)  
An aerial photo (Attachment B) shows the original place of use of water right 31-11954

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Right No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
for the Director



**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**WATER RIGHT NO. 31-11954**

**Owner Type      Name and Address**  
 Current Owner CORY or DARLA PETERSEN  
 1980 N 2500 E  
 HAMER, ID 83425  
 (208)662-5467

Priority Date: 04/01/1932  
 Basis: Decreed  
 Status: Active

**Source      Tributary**  
 GROUND WATER

**Beneficial Use From To Diversion Rate Volume**  
 IRRIGATION 04/01 10/31 0.37 CFS      38.9 AFA  
 Total Diversion      0.37 CFS

Location of Point(s) of Diversion:

GROUND WATER NENWSE Sec. 26 Township 07N Range 36E JEFFERSON County

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres									
07N	36E	36		NENW	2		NWNW	4.8		SWNW	4.3			

Total Acres: 11.1

Conditions of Approval:

1.	T19	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.
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Decreed Date: 02/22/2002      Owner Name Connector: Or      Water District Number: 110

- Describe any other water rights used for the same purpose as described above None.
- To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? NO  
 If yes, describe \_\_\_\_\_



**PART 2**

**WATER RIGHT NO. 31-11410**

10/27/2008

**Owner Type Name and Address**

Current Owner KIRK S EGBERT

Priority Date: 01/14/1976

Basis: Decreed

Status: Active

**Source Tributary**

GROUND WATER

**Beneficial Use From To Diversion Rate Volume**

IRRIGATION 04/01 11/01 4.54 CFS 597.6 AFA

MITIGATION 04/01 11/01 2.17 CFS 506.4 AFA

Total Diversion 4.54 CFS

Location of Point(s) of Diversion:

GROUND WATER SENWNW Lt 4 Sec. 01 Township 07N Range 37E JEFFERSON County

GROUND WATER SENWNE Lt 2 Sec. 02 Township 07N Range 37E JEFFERSON County

IRRIGATION Use: Acre Limit: 199.2

MITIGATION Use: Acre Limit: 58.8

Place of Use Legal Description: IRRIGATION FREMONT County

Township	Range	Section	Lot	Tract	Acres									
07N	37E	1	3	NENW	33.1	4	NWNW	33.4		SWNW	35		SENW	35
		2	1	NENE	33.4	2	NWNE	33		SWNE	35		SENE	35

Place of Use Legal Description: MITIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres									
08N	36E	30		NESW		3	NWSW		4	SWSW			SESW	
				SWSE			SESE							
		31		NWNE										
				NENW		1	NWNW							

Total Acres: 272.9

Acre Limit: 199.2

MITIGATION Use: Acre Limit: 58.8

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 199.2 acres within the place of use described above in a single irrigation season and as further restricted by the mitigation schedule described below.
2.	X35	Irrigation use under rights 31-11410, 31-11414, 31-11428 and 31-11947 when combined shall not exceed a total diversion rate of 5.62 cfs, a total annual maximum diversion volume of 847.6 af at the field headgate, and the irrigation of 272.9 acres.



## PART 2

## WATER RIGHT NO. 31-11410 (Conditions of Approval: Cont. Pg 2 of 3 )

3.		Irrigation use under rights 31-11410, 31-11414 and 31-11428 when combined shall not exceed a total diversion rate of 4.54 cfs, a total annual maximum diversion volume of 697.4 af at the field headgate, the irrigation of 230 acres, and as further restricted by the mitigation schedule described below.
4.	113	Beginning on 01-05-2005, the date of approval of Transfer 70815, the irrigation and mitigation uses described under rights 31-11410, 31-11414 and 31-11428 when combined are limited to the following schedule of allowed use. The right holder shall file a notice of intent with the Department prior to the increased use of water under the rights each time an increase according to the schedule is sought. Years 1 through 3 the diversion and use of water under the rights for irrigation are limited to 2.37 cfs, 367.4 afa and 120 acres. The un-diverted mitigation use is 2.17 cfs, 506.4 afa, and 168.8 un-irrigated acres. Year 4 rights limited to 2.47 cfs, 382.4 afa and 125 acres. Mitigation is 2.07 cfs, 491.4 afa, and 163.8 acres. Year 5 rights limited to 2.57 cfs, 397.4 afa and 130 acres. Mitigation is 1.97 cfs, 476.4 afa, and 158.8 acres. Year 6 rights limited to 2.66 cfs, 412.4 afa and 135 acres. Mitigation is 1.88 cfs, 461.4 afa, and 153.8 acres. Year 7 rights limited to 2.76 cfs, 427.4 afa and 140 acres. Mitigation is 1.78 cfs, 446.4 afa, and 148.8 acres. Year 8 rights limited to 2.86 cfs, 442.4 afa and 145 acres. Mitigation is 1.68 cfs, 431.4 afa, and 143.8 acres. Year 9 rights limited to 2.96 cfs, 457.4 afa and 150 acres. Mitigation is 1.58 cfs, 416.4 afa, and 138.8 acres. Year 10 rights limited to 3.06 cfs, 472.4 afa and 155 acres. Mitigation is 1.48 cfs, 401.4 afa, and 133.8 acres. Year 11 rights limited to 3.12 cfs, 481.4 afa and 158 acres. Mitigation is 1.42 cfs, 392.4 afa, and 130.8 acres. Year 12 rights limited to 3.18 cfs, 490.4 afa and 161 acres. Mitigation is 1.36 cfs, 383.4 afa, and 127.8 acres. Year 13 rights limited to 3.24 cfs, 499.4 afa and 164 acres. Mitigation is 1.30 cfs, 374.4 afa, and 124.8 acres. Year 14 rights limited to 3.30 cfs, 508.4 afa and 167 acres. Mitigation is 1.24 cfs, 365.4 afa, and 121.8 acres. Year 15 rights limited to 3.36 cfs, 517.4 afa and 170 acres. Mitigation is 1.18 cfs, 356.4 afa, and 118.8 acres. Year 16 rights limited to 3.41 cfs, 526.4 afa and 173 acres. Mitigation is 1.13 cfs, 347.4 afa, and 115.8 acres. Year 17 rights limited to 3.47 cfs, 535.4 afa and 176 acres. Mitigation is 1.07 cfs, 338.4 afa, and 112.8 acres. Year 18 rights limited to 3.53 cfs, 544.4 afa and 179 acres. Mitigation is 1.01 cfs, 329.4 afa, and 109.8 acres. Year 19 rights limited to 3.59 cfs, 553.4 afa and 182 acres. Mitigation is 0.95 cfs, 320.4 afa, and 106.8 acres. Year 20 rights limited to 3.65 cfs, 562.4 afa and 185 acres. Mitigation is 0.89 cfs, 311.4 afa, and 103.8 acres. Year 21 rights limited to 3.71 cfs, 571.4 afa and 188 acres. Mitigation is 0.83 cfs, 302.4 afa, and 100.8 acres. Year 22 rights limited to 3.77 cfs, 580.4 afa and 191 acres. Mitigation is 0.77 cfs, 293.4 afa, and 97.8 acres. Year 23 rights limited to 3.83 cfs, 589.4 afa and 194 acres. Mitigation is 0.71 cfs, 284.4 afa, and 94.8 acres.
5.		Year 24 rights limited to 3.89 cfs, 598.4 afa and 197 acres. Mitigation is .65 cfs, 275.4 afa, and 91.8 acres. Year 25 rights limited to 3.95 cfs, 607.4 afa and 200 acres. Mitigation is .59 cfs, 266.4 afa, and 88.8 acres. Year 26 rights limited to 4.01 cfs, 616.4 afa and 203 acres. Mitigation is .53 cfs, 257.4 afa, and 85.8 acres. Year 27 rights limited to 4.07 cfs, 625.4 afa and 206 acres. Mitigation is .47 cfs, 248.4 afa, and 82.8 acres. Year 28 rights limited to 4.13 cfs, 634.4 afa and 209 acres. Mitigation is .41 cfs, 239.4 afa, and 79.8 acres. Year 29 rights limited to 4.18 cfs, 643.4 afa and 212 acres. Mitigation is .36 cfs, 230.4 afa, and 76.8 acres. Year 30 rights limited to 4.24 cfs, 652.4 afa and 215 acres. Mitigation is .3 cfs, 221.4 afa, and 73.8 acres. Year 31 rights limited to 4.30 cfs, 661.4 afa and 218 acres. Mitigation is .24 cfs, 212.4 afa, and 70.8 acres. Year 32 rights limited to 4.36 cfs, 670.4 afa and 221 acres. Mitigation is .18 cfs, 203.4 afa, and 67.8 acres. Year 33 rights limited to 4.42 cfs, 679.4 afa and 224 acres. Mitigation is .12 cfs, 194.4 afa, and 64.8 acres. Year 34 rights limited to 4.48 cfs, 688.4 afa and 227 acres. Mitigation is .06 cfs, 185.4 afa, and 61.8 acres. Years 35 and beyond the diversion and use of water under the rights for irrigation are limited to 4.54 cfs, 697.4 afa and 230 acres. The undiverted mitigation use is .00 cfs, 176.4 afa, and 58.8 un-irrigated acres.
6.		Rights 31-11410, 31-11414, 31-11428, and 31-11947 when combined shall not exceed a total diversion rate of 5.62 cfs and a total annual maximum diversion volume of 1024.0 af.
7.		Rights 31-11410, 31-11414, and 31-11428 when combined shall not exceed a total diversion rate of 4.54 cfs and a total annual maximum diversion volume of 873.8 af.
8.	R63	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.	R05	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.
10.	R02	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.

**PART 2**

**WATER RIGHT NO. 31-11410 (Conditions of Approval: Cont. Pg 3 of 3 )**

11.	K02	Right 31-11428 is based upon an enlargement of Right 31-11410 pursuant to Section 42-1426, Idaho Code.
12.	114	The model used to calculate depletion effects and mitigation for the Heise/Ashton to Lewisville Reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 70815. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
13.	131	Prior to the diversion and use of water under Transfer approval 70815, 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.
14.	F06	The following rights are diverted through point(s) of diversion described above: 31-11947, 31-11410, 31-31-11414, 31-31-11428.
15.	T07	The right holder shall accomplish the change authorized by this transfer within three year(s) of the date of this approval.
16.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17.	T19	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.

Decreed Date: 02/22/2002

**Other Information:**

Water District Number: 110  
 Generic Max Rate per Acre: 0.02  
 Generic Max Volume per Acre: 3  
 Combined Acres Limit: 272.9  
 Combined Volume Limit: 847.6  
 Combined Rate Limit: 5.62

- Describe any other water rights used for the same purpose as described above 31-11414, 31-11428, 31-11947

- To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No

If yes, describe \_\_\_\_\_



**PART 2**

**WATER RIGHT NO. 31-11414**

10/27/2008

**Owner Type Name and Address**

Current Owner KIRK S EGBERT

Priority Date: 01/14/1976

Basis: Decreed

Status: Active

**Source Tributary**

GROUND WATER

**Beneficial Use From To Diversion Rate Volume**

IRRIGATION 04/01 11/01 0.32 CFS 48 AFA

Total Diversion 0.32 CFS

Location of Point(s) of Diversion:

GROUND WATER SENWNW Lt 4 Sec. 01 Township 07N Range 37E JEFFERSON County

GROUND WATER SENWNE Lt 2 Sec. 02 Township 07N Range 37E JEFFERSON County

IRRIGATION Use: Acre Limit: 16

Place of Use Legal Description: IRRIGATION FREMONT County

Township	Range	Section	Lot	Tract	Acres									
07N	37E	1	3	NENW	33.1	4	NWNW	33.4		SWNW	35		SENW	35
		2	1	NENE	33.4	2	NWNE	33		SWNE	35		SENE	35

Total Acres: 272.9 Acre Limit: 16

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 16.0 acres within the place of use described above in a single irrigation season and as further restricted by the mitigation schedule described below.
2.	X35	Irrigation use under rights 31-11410, 31-11414 31-11428 and 31-11947 when combined shall not exceed a total diversion rate of 5.62 cfs, a total annual maximum diversion volume of 847.6 af at the field headgate, and the irrigation of 272.9 acres.
3.		Irrigation use under rights 31-11410, 31-11414 and 31-11428 when combined shall not exceed a total diversion rate of 4.54 cfs, a total annual maximum diversion volume of 697.4 af at the field headgate, the irrigation of 230 acres, and as further restricted by the mitigation schedule described below.
4.	R63	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.
5.	R05	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.	R02	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.



## PART 2

WATER RIGHT NO. **31-11414** (Conditions of Approval: Cont. Pg 2 of 3 )

7.	113	<p>Beginning on 1-05-2005, the date of approval of Transfer 70815, the irrigation and mitigation uses described under rights 31-11410, 31-11414 and 31-11428 when combined are limited to the following schedule of allowed use. The right holder shall file a notice of intent with the Department prior to the increased use of water under the rights each time an increase according to the schedule is sought. Years 1 through 3 the diversion and use of water under the rights for irrigation are limited to 2.37 cfs, 367.4 afa and 120 acres. The un-diverted mitigation use is 2.17 cfs, 506.4 afa, and 168.8 un-irrigated acres. Year 4 rights limited to 2.47 cfs, 382.4 afa and 125 acres. Mitigation is 2.07 cfs, 491.4 afa, and 163.8 acres. Year 5 rights limited to 2.57 cfs, 397.4 afa and 130 acres. Mitigation is 1.97 cfs, 476.4 afa, and 158.8 acres. Year 6 rights limited to 2.66 cfs, 412.4 afa and 135 acres. Mitigation is 1.88 cfs, 461.4 afa, and 153.8 acres. Year 7 rights limited to 2.76 cfs, 427.4 afa and 140 acres. Mitigation is 1.78 cfs, 446.4 afa, and 148.8 acres. Year 8 rights limited to 2.86 cfs, 442.4 afa and 145 acres. Mitigation is 1.68 cfs, 431.4 afa, and 143.8 acres. Year 9 rights limited to 2.96 cfs, 457.4 afa and 150 acres. Mitigation is 1.58 cfs, 416.4 afa, and 138.8 acres. Year 10 rights limited to 3.06 cfs, 472.4 afa and 155 acres. Mitigation is 1.48 cfs, 401.4 afa, and 133.8 acres. Year 11 rights limited to 3.12 cfs, 481.4 afa and 158 acres. Mitigation is 1.42 cfs, 392.4 afa, and 130.8 acres. Year 12 rights limited to 3.18 cfs, 490.4 afa and 161 acres. Mitigation is 1.36 cfs, 383.4 afa, and 127.8 acres. Year 13 rights limited to 3.24 cfs, 499.4 afa and 164 acres. Mitigation is 1.30 cfs, 374.4 afa, and 124.8 acres. Year 14 rights limited to 3.30 cfs, 508.4 afa and 167 acres. Mitigation is 1.24 cfs, 365.4 afa, and 121.8 acres. Year 15 rights limited to 3.36 cfs, 517.4 afa and 170 acres. Mitigation is 1.18 cfs, 356.4 afa, and 118.8 acres. Year 16 rights limited to 3.41 cfs, 526.4 afa and 173 acres. Mitigation is 1.13 cfs, 347.4 afa, and 115.8 acres. Year 17 rights limited to 3.47 cfs, 535.4 afa and 176 acres. Mitigation is 1.07 cfs, 338.4 afa, and 112.8 acres. Year 18 rights limited to 3.53 cfs, 544.4 afa and 179 acres. Mitigation is 1.01 cfs, 329.4 afa, and 109.8 acres. Year 19 rights limited to 3.59 cfs, 553.4 afa and 182 acres. Mitigation is 0.95 cfs, 320.4 afa, and 106.8 acres. Year 20 rights limited to 3.65 cfs, 562.4 afa and 185 acres. Mitigation is 0.89 cfs, 311.4 afa, and 103.8 acres. Year 21 rights limited to 3.71 cfs, 571.4 afa and 188 acres. Mitigation is 0.83 cfs, 302.4 afa, and 100.8 acres. Year 22 rights limited to 3.77 cfs, 580.4 afa and 191 acres. Mitigation is 0.77 cfs, 293.4 afa, and 97.8 acres. Year 23 rights limited to 3.83 cfs, 589.4 afa and 194 acres. Mitigation is 0.71 cfs, 284.4 afa, and 94.8 acres.</p>
8.		<p>Year 24 rights limited to 3.89 cfs, 598.4 afa and 197 acres. Mitigation is .65 cfs, 275.4 afa, and 91.8 acres. Year 25 rights limited to 3.95 cfs, 607.4 afa and 200 acres. Mitigation is .59 cfs, 266.4 afa, and 88.8 acres. Year 26 rights limited to 4.01 cfs, 616.4 afa and 203 acres. Mitigation is .53 cfs, 257.4 afa, and 85.8 acres. Year 27 rights limited to 4.07 cfs, 625.4 afa and 206 acres. Mitigation is .47 cfs, 248.4 afa, and 82.8 acres. Year 28 rights limited to 4.13 cfs, 634.4 afa and 209 acres. Mitigation is .41 cfs, 239.4 afa, and 79.8 acres. Year 29 rights limited to 4.18 cfs, 643.4 afa and 212 acres. Mitigation is .36 cfs, 230.4 afa, and 76.8 acres. Year 30 rights limited to 4.24 cfs, 652.4 afa and 215 acres. Mitigation is .3 cfs, 221.4 afa, and 73.8 acres. Year 31 rights limited to 4.30 cfs, 661.4 afa and 218 acres. Mitigation is .24 cfs, 212.4 afa, and 70.8 acres. Year 32 rights limited to 4.36 cfs, 670.4 afa and 221 acres. Mitigation is .18 cfs, 203.4 afa, and 67.8 acres. Year 33 rights limited to 4.42 cfs, 679.4 afa and 224 acres. Mitigation is .12 cfs, 194.4 afa, and 64.8 acres. Year 34 rights limited to 4.48 cfs, 688.4 afa and 227 acres. Mitigation is .06 cfs, 185.4 afa, and 61.8 acres. Years 35 and beyond the diversion and use of water under the rights for irrigation are limited to 4.54 cfs, 697.4 afa and 230 acres. The undiverted mitigation use is .00 cfs, 176.4 afa, and 58.8 un-irrigated acres.</p>
9.	114	<p>The model used to calculate depletion effects and mitigation for the Heise/Ashton to Lewisville Reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 70815. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.</p>
10.		<p>Rights 31-11410, 31-11414, 31-11428, and 31-11947 when combined shall not exceed a total diversion rate of 5.62 cfs and a total annual maximum diversion volume of 1024.0 af.</p>

**PART 2**

**WATER RIGHT NO. 31-11414 (Conditions of Approval: Cont. Pg 3 of 3 )**

11.		Rights 31-11410, 31-11414, and 31-11428 when combined shall not exceed a total diversion rate of 4.54 cfs and a total annual maximum diversion volume of 873.8 af.
12.	131	Prior to the diversion and use of water under Transfer approval 70815, 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.
13.	F06	The following rights are diverted through point(s) of diversion described above: 31-11947, 31-11410, 31-31-11414, 31-31-11428.
14.	T07	The right holder shall accomplish the change authorized by this transfer within three year(s) of the date of this approval.
15.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16.	T19	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.

Decreed Date: 02/22/2002

**Other Information:**

- Water District Number: 110
- Generic Max Rate per Acre: 0.02
- Generic Max Volume per Acre: 3.5
- Combined Acres Limit: 272.9
- Combined Volume Limit: 847.6
- Combined Rate Limit: 5.62

- Describe any other water rights used for the same purpose as described above 31-11410, 31-11428, 31-11947

- To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? NO

If yes, describe \_\_\_\_\_



**PART 2**

**WATER RIGHT NO. 31-11428**

10/27/2008

**Owner Type Name and Address**

Current Owner KIRK S EGBERT

Priority Date: 01/14/1976

Basis: Decreed

Status: Active

**Source Tributary**

GROUND WATER

**Beneficial Use From To Diversion Rate Volume**

IRRIGATION 04/01 10/31 0.3 CFS 51.8 AFA

Total Diversion 0.3 CFS

Location of Point(s) of Diversion:

GROUND WATER SENWNW Lt 4 Sec. 01 Township 07N Range 37E JEFFERSON County

GROUND WATER SENWNE Lt 2 Sec. 02 Township 07N Range 37E JEFFERSON County

IRRIGATION Use: Acre Limit: 14.8

Place of Use Legal Description: IRRIGATION FREMONT County

Township	Range	Section	Lot	Tract	Acres									
07N	37E	1	3	NENW	33.1	4	NWNW	33.4		SWNW	35		SENW	35
		2	1	NENE	33.4	2	NWNE	33		SWNE	35		SENE	35

Total Acres: 272.9 Acre Limit: 14.8

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 14.8 acres within the place of use described above in a single irrigation season and as further restricted by the mitigation schedule described below.
2.	X35	Irrigation use under rights 31-11410, 31-11414, 31-11428 and 31-11947 when combined shall not exceed a total diversion rate of 5.62 cfs, a total annual maximum diversion volume of 847.6 af at the field headgate, and the irrigation of 272.9 acres.
3.		Irrigation use under rights 31-11410, 31-11414 and 31-11428 when combined shall not exceed a total diversion rate of 4.54 cfs, a total annual maximum diversion volume of 697.4 af at the field headgate, the irrigation of 230 acres, and as further restricted by the mitigation schedule described below.
4.	R05	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.	R02	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.	R63	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.

**PART 2**

**WATER RIGHT NO. 31-11428 (Conditions of Approval: Cont. Pg 2 of 3)**

7.	K02	Right 31-11428 is based upon an enlargement of Right 31-11410 pursuant to Section 42-1426, Idaho Code.
8.	113	<p>Beginning on 1-05-2005, the date of approval of Transfer 70815, the irrigation and mitigation uses described under rights 31-11410, 31-11414 and 31-11428 when combined are limited to the following schedule of allowed use. The right holder shall file a notice of intent with the Department prior to the increased use of water under the rights each time an increase according to the schedule is sought. Years 1 through 3 the diversion and use of water under the rights for irrigation are limited to 2.37 cfs, 367.4 afa and 120 acres. The un-diverted mitigation use is 2.17 cfs, 506.4 afa, and 168.8 un-irrigated acres. Year 4 rights limited to 2.47 cfs, 382.4 afa and 125 acres. Mitigation is 2.07 cfs, 491.4 afa, and 163.8 acres. Year 5 rights limited to 2.57 cfs, 397.4 afa and 130 acres. Mitigation is 1.97 cfs, 476.4 afa, and 158.8 acres. Year 6 rights limited to 2.66 cfs, 412.4 afa and 135 acres. Mitigation is 1.88 cfs, 461.4 afa, and 153.8 acres. Year 7 rights limited to 2.76 cfs, 427.4 afa and 140 acres. Mitigation is 1.78 cfs, 446.4 afa, and 148.8 acres. Year 8 rights limited to 2.86 cfs, 442.4 afa and 145 acres. Mitigation is 1.68 cfs, 431.4 afa, and 143.8 acres. Year 9 rights limited to 2.96 cfs, 457.4 afa and 150 acres. Mitigation is 1.58 cfs, 416.4 afa, and 138.8 acres. Year 10 rights limited to 3.06 cfs, 472.4 afa and 155 acres. Mitigation is 1.48 cfs, 401.4 afa, and 133.8 acres. Year 11 rights limited to 3.12 cfs, 481.4 afa and 158 acres. Mitigation is 1.42 cfs, 392.4 afa, and 130.8 acres. Year 12 rights limited to 3.18 cfs, 490.4 afa and 161 acres. Mitigation is 1.36 cfs, 383.4 afa, and 127.8 acres. Year 13 rights limited to 3.24 cfs, 499.4 afa and 164 acres. Mitigation is 1.30 cfs, 374.4 afa, and 124.8 acres. Year 14 rights limited to 3.30 cfs, 508.4 afa and 167 acres. Mitigation is 1.24 cfs, 365.4 afa, and 121.8 acres. Year 15 rights limited to 3.36 cfs, 517.4 afa and 170 acres. Mitigation is 1.18 cfs, 356.4 afa, and 118.8 acres. Year 16 rights limited to 3.41 cfs, 526.4 afa and 173 acres. Mitigation is 1.13 cfs, 347.4 afa, and 115.8 acres. Year 17 rights limited to 3.47 cfs, 535.4 afa and 176 acres. Mitigation is 1.07 cfs, 338.4 afa, and 112.8 acres. Year 18 rights limited to 3.53 cfs, 544.4 afa and 179 acres. Mitigation is 1.01 cfs, 329.4 afa, and 109.8 acres. Year 19 rights limited to 3.59 cfs, 553.4 afa and 182 acres. Mitigation is 0.95 cfs, 320.4 afa, and 106.8 acres. Year 20 rights limited to 3.65 cfs, 562.4 afa and 185 acres. Mitigation is 0.89 cfs, 311.4 afa, and 103.8 acres. Year 21 rights limited to 3.71 cfs, 571.4 afa and 188 acres. Mitigation is 0.83 cfs, 302.4 afa, and 100.8 acres. Year 22 rights limited to 3.77 cfs, 580.4 afa and 191 acres. Mitigation is 0.77 cfs, 293.4 afa, and 97.8 acres. Year 23 rights limited to 3.83 cfs, 589.4 afa and 194 acres. Mitigation is 0.71 cfs, 284.4 afa, and 94.8 acres.</p>
9.		<p>Year 24 rights limited to 3.89 cfs, 598.4 afa and 197 acres. Mitigation is .65 cfs, 275.4 afa, and 91.8 acres. Year 25 rights limited to 3.95 cfs, 607.4 afa and 200 acres. Mitigation is .59 cfs, 266.4 afa, and 88.8 acres. Year 26 rights limited to 4.01 cfs, 616.4 afa and 203 acres. Mitigation is .53 cfs, 257.4 afa, and 85.8 acres. Year 27 rights limited to 4.07 cfs, 625.4 afa and 206 acres. Mitigation is .47 cfs, 248.4 afa, and 82.8 acres. Year 28 rights limited to 4.13 cfs, 634.4 afa and 209 acres. Mitigation is .41 cfs, 239.4 afa, and 79.8 acres. Year 29 rights limited to 4.18 cfs, 643.4 afa and 212 acres. Mitigation is .36 cfs, 230.4 afa, and 76.8 acres. Year 30 rights limited to 4.24 cfs, 652.4 afa and 215 acres. Mitigation is .3 cfs, 221.4 afa, and 73.8 acres. Year 31 rights limited to 4.30 cfs, 661.4 afa and 218 acres. Mitigation is .24 cfs, 212.4 afa, and 70.8 acres. Year 32 rights limited to 4.36 cfs, 670.4 afa and 221 acres. Mitigation is .18 cfs, 203.4 afa, and 67.8 acres. Year 33 rights limited to 4.42 cfs, 679.4 afa and 224 acres. Mitigation is .12 cfs, 194.4 afa, and 64.8 acres. Year 34 rights limited to 4.48 cfs, 688.4 afa and 227 acres. Mitigation is .06 cfs, 185.4 afa, and 61.8 acres. Years 35 and beyond the diversion and use of water under the rights for irrigation are limited to 4.54 cfs, 697.4 afa and 230 acres. The undiverted mitigation use is .00 cfs, 176.4 afa, and 58.8 un-irrigated acres.</p>
10.	114	<p>The model used to calculate depletion effects and mitigation for the Heise/Ashton to Lewisville Reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 70815. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.</p>



**PART 2**

**WATER RIGHT NO. 31-11428** (Conditions of Approval: Cont. Pg 3 of 3)

11.		Rights 31-11410, 31-11414, 31-11428, and 31-11947 when combined shall not exceed a total diversion rate of 5.62 cfs and a total annual maximum diversion volume of 1024.0 af.
12.		Rights 31-11410, 31-11414, and 31-11428 when combined shall not exceed a total diversion rate of 4.54 cfs and a total annual maximum diversion volume of 873.8 af.
13.	131	Prior to the diversion and use of water under Transfer approval 70815, 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.
14.	F06	The following rights are diverted through point(s) of diversion described above: 31-11947, 31-11410, 31-11414, 31-11428.
15.	T07	The right holder shall accomplish the change authorized by this transfer within three year(s) of the date of this approval.
16.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17.	T19	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.

Dates:

Decreed Date: 02/22/2002

Other Information:

Water District Number: 110  
 Generic Max Rate per Acre: 0.02  
 Generic Max Volume per Acre: 3.5  
 Combined Acres Limit: 272.9  
 Combined Volume Limit: 847.6  
 Combined Rate Limit: 5.62

- Describe any other water rights used for the same purpose as described above 31-11410, 31-11414, 31-11947

- To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No

If yes, describe \_\_\_\_\_



**PART 2**

**WATER RIGHT NO. 31-11947**

10/27/2008

**Owner Type Name and Address**

Current Owner KIRK S EGBERT

Priority Date: 04/01/1932

Basis: Decreed

Status: Active

**Source Tributary**

GROUND WATER

**Beneficial Use From To Diversion Rate Volume**

IRRIGATION 04/01 10/31 1.08 CFS 150.2 AFA

Total Diversion 1.08 CFS

Location of Point(s) of Diversion:

GROUND WATER SENWNW Lt 4 Sec. 01 Township 07N Range 37E JEFFERSON County

GROUND WATER SENWNE Lt 2 Sec. 02 Township 07N Range 37E JEFFERSON County

IRRIGATION Use: Acre Limit: 42.9

Place of Use Legal Description: IRRIGATION FREMONT County

Township	Range	Section	Lot	Tract	Acres									
07N	37E	1	3	NENW	33.1	4	NWNW	33.4		SWNW	35		SENW	35
		2	1	NENE	33.4	2	NWNE	33		SWNE	35		SENE	35

Total Acres: 272.9 Acre Limit: 42.9

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 42.9 acres within the place of use described above in a single irrigation season.
2.	X35	Irrigation use under rights 31-11410, 31-11414, 31-11428 and 31-11947 when combined shall not exceed a total diversion rate of 5.62 cfs, a total annual maximum diversion volume of 847.6 af at the field headgate, the irrigation of 272.9 acres, and as further restricted by the mitigation schedule described in Transfer 70815.
3.	R63	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.
4.		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.
5.	R05	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.	R02	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.



**PART 2**

**WATER RIGHT NO. 31-11947** (Conditions of Approval: Cont. Pg 2 of 3 )

7.		Rights 31-11410, 31-11414, 31-11428, and 31-11947 when combined shall not exceed a total diversion rate of 5.62 cfs and a total annual maximum diversion volume of 1024.0 af.
8.	131	Prior to the diversion and use of water under Transfer approval 74797, 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.
9.	F06	The following rights are diverted through point(s) of diversion described above: 31-11410, 31-11414, 31-11428, 31-11947.
10.	T07	The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
11.	T08	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.	T19	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.

Dates:

Decreed Date: 02/22/2002

Other Information:

- Water District Number: 110
- Generic Max Rate per Acre: 0.02
- Generic Max Volume per Acre: 3.5
- Combined Acres Limit: 272.9
- Combined Volume Limit: 847.6
- Combined Rate Limit: 5.62

- Describe any other water rights used for the same purpose as described above 31-11410, 31-11414, 31-11928

- To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No

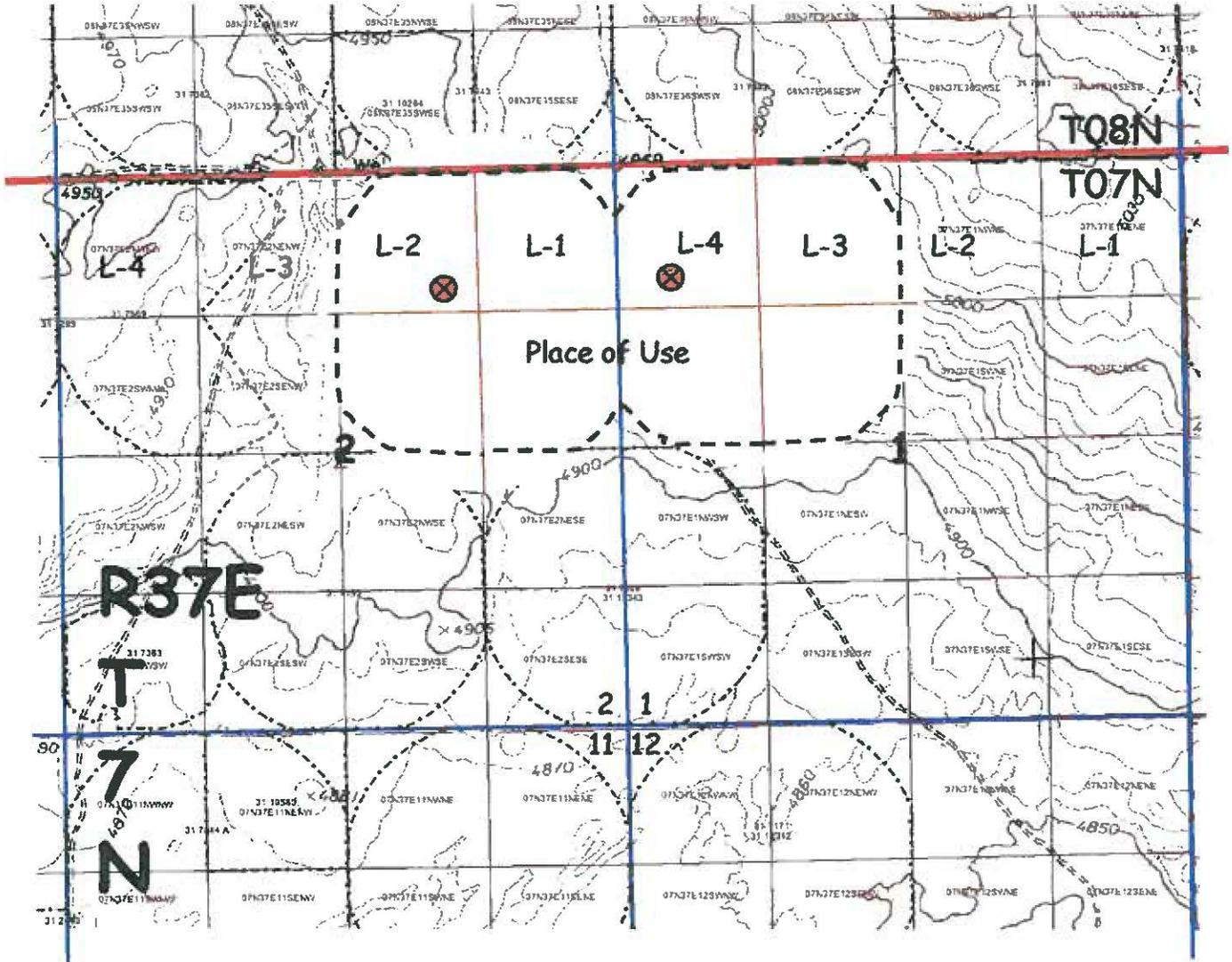
If yes, describe \_\_\_\_\_



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



	Points of Diversion
	Place of Use



PART 3

B. CHANGES IN NATURE OF USE N/A

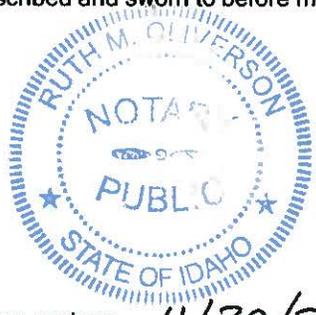
1. New Nature of Use                      Amount (cfs/af-ac)      Hours/days/year                      Period of use  
       \_\_\_\_\_                                      \_\_\_\_\_ cfs                      \_\_\_\_\_                                      \_\_\_\_\_ to \_\_\_\_\_  
       \_\_\_\_\_                                      \_\_\_\_\_ cfs                      \_\_\_\_\_                                      \_\_\_\_\_ to \_\_\_\_\_
2. Quantity and quality of return flows and location of discharge: \_\_\_\_\_
3. Describe effects on other water uses resulting from the proposed change: \_\_\_\_\_

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

*Kirk Egbert*  
(Signature of Applicant)

Kirk Egbert  
Print Name (and title, if applicable)

Subscribed and sworn to before me this 18 day of June, 2008.



Ruth M. Oliverson  
(Notary Public)

My Commission expires: 11/30/2010

FOR DEPARTMENT USE ONLY

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Protest filed by \_\_\_\_\_  
 Prelim check by \_\_\_\_\_ Fee 250-  
 Received by \_\_\_\_\_ Date EO34630 12/1/08  
 Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_  
 Pub. Dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
 Watermaster recommendation requested on \_\_\_\_\_ Recommended for  approval  denial  
 \_\_\_\_\_ rec'd \_\_\_\_\_ By \_\_\_\_\_  
 Copy of transfer sent to lien holder \_\_\_\_\_



Attachment A  
Pg 1 of 2

No. 367015  
March 28-2008  
1:27 O'clock P M

CHRISTINE BOULTER

son Co. Boz order CB Deputy

Recorded at Request of Kirk Egbert

**QUITCLAIM DEED FOR  
WATER RIGHTS**

THIS INDENTURE is made this 27 day of March, 2008, between Cory Petersen and Darla Petersen of 1980 N. 2500 E. Hamer, ID 83425, referred to herein as the "GRANTOR" and Kirk Egbert of 1401 E 1300 N. Terreton, ID 83450, referred to as the "GRANTEE",

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described water rights or portions thereof in the County of Jefferson, State of Idaho, to-wit:

Water Right No. 31-11954

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

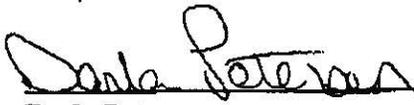
TO HAVE AND TO HOLD the said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.



IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.

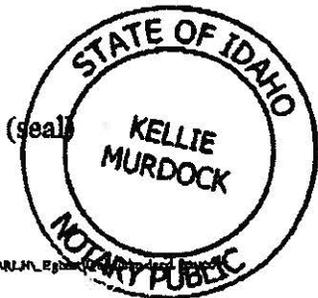
  
\_\_\_\_\_  
Cory Petersen

  
\_\_\_\_\_  
Darla Petersen

STATE OF IDAHO            )  
  )ss.  
County of Jefferson        )

On the 27 day of March, 2008, before me, the undersigned, a notary public in and for said State, personally appeared Cory Petersen and Darla Petersen, husband and wife, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

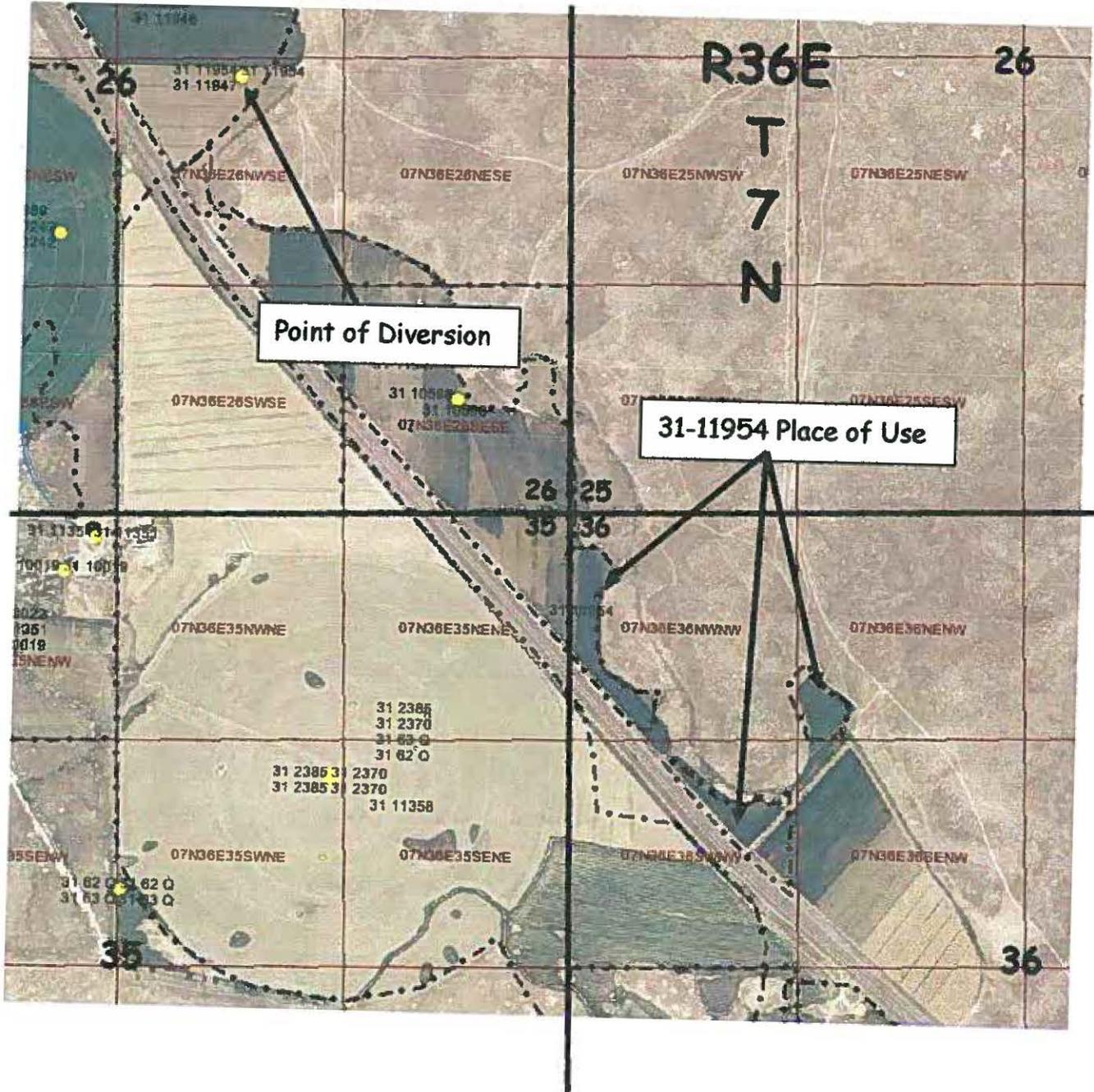
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at \_\_\_\_\_, Idaho  
My Commission Expires: Residing in Jefferson County  
Commission Expires: 07-17-09

Attachment B  
Pg 1 of 1

# Original Place of Use & Point of Diversion 31-11954



### ESPA Ground Water Rights Transfer Spreadsheet Data Summary

TRANSFER NO: \_\_\_\_\_ PREPARED BY: **Rocky Mountain Environmental Associates - Keith C. Wilson**  
 TRANSFER NAME: **Egbert 11.1 ac** DATE: **September 15, 2008**

Transfer Tool Version **Version 3.1**

**WATER RIGHTS INVOLVED:**

Group 1 Transfer Rights		Group 2 Additional Mitigation Rights	
Right No.	Priority Date	Right No.	Priority Date
31-11954	4/1/1932		

**HISTORIC BENEFICIAL USE:**

Trans/Mit. Rights (group no.)	Acres to Dry Up (ac)	Beneficial Use (afa/yr)	Total (af/yr)
1	11.1	3.5	38.9

**MODEL CELL LOCATIONS:**

	TO WELL	FROM1 WELL	FROM2 WELL	FROM3 WELL
ROW	44	45	0	0
COLUMN	176	168	0	0

**Mitigation: No mitigation required**  
 31-11954 11.1 acre, 38.9 ac-ft/yr  
 SPR - 13 (12.967 af/tri) SUM - 26 (25.9 af/tri)  
 Maximum depletion = 1.2 ac-ft/trimester

	Start Date		End Date		Water Use		Acres Authorized (acres)	Notes
	Season	Year	Season	Year	Annual (af/yr)	Trimester (af/trimester)		
TO Well (Projected Use)	Spring	2009	Winter	2081	38.9	13.0	11.1	No Mitigation required.
FROM1 Well (With Transfer)	Spring Spring	1932 2007	Winter Winter	2006 2081	38.9 0	13.0 0.0	11.1 0.0	31-11954 38.9 afa, 13 (12.97) af/tri(Spr) 26 (25.90) af/tri(Sum)
FROM1 Well (Without Transfer)	Spring	1932	Winter	2081	38.9	13.0	11.1	31-11954 38.9 afa, 13 (12.97) af/tri(Spr) 26 (25.90) af/tri(Sum)

75269

Attachment C - Pg 2 of 8

**ENHANCED GROUND-WATER RIGHTS TRANSFER SPREADSHEET**  
**UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE**  
**IDAHO DEPARTMENT OF WATER RESOURCES**

September 12, 2008

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO:

YEAR   
 SEASON

TRANSFER NAME: **Egbert 11.1 ac**

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	44	45	0	0
COLUMN	176	168	0	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL	
	Projected Use	With Transfer	Without Transfer
	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER
SPR 1932	0	13	13
SUM 1932	0	26	26
WIN 1932	0	0	0
SPR 2006	0	13	13
SUM 2006	0	26	26
WIN 2006	0	0	0
SPR 2007	0	0	13
SUM 2007	0	0	26
WIN 2007	0	0	0
SPR 2008	0	0	13
SUM 2008	0	0	26
WIN 2008	0	0	0
SPR 2009	13	0	13
SUM 2009	26	0	26
WIN 2009	0	0	0
SPR 2081	13	0	13
SUM 2081	26	0	26
WIN 2081	0	0	0

Value = 13.0 (12.97) ac-ft/trimester - Spring  
 = 26.0 (25.90) ac-ft/trimester - Summer





## Attachment C - Pg 4 of 8

## Calculated Effects

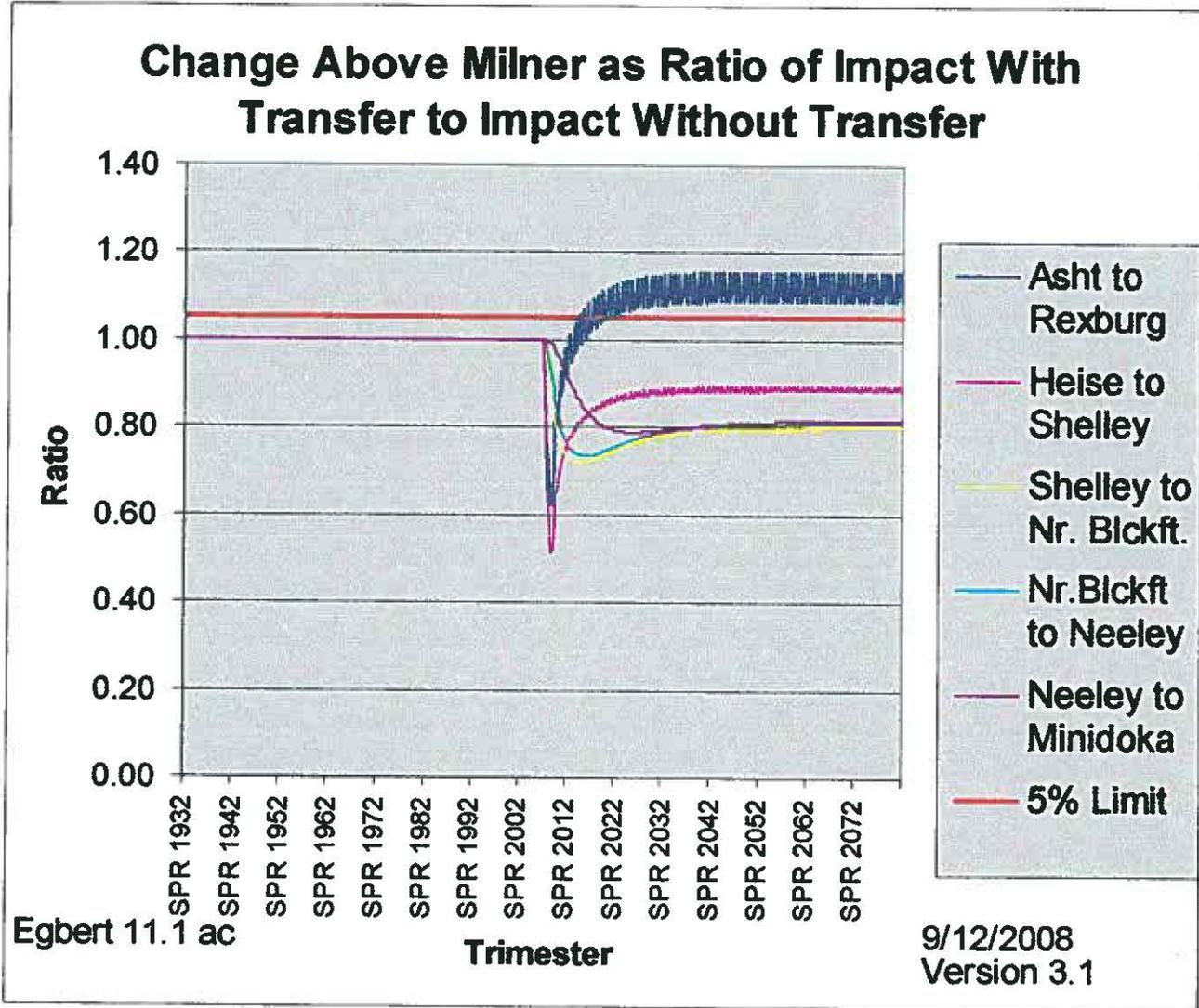
## Egbert Transfer 11.1 ac

Period	Asht to Rex	Heise to Shelley	Shelley to Nr. Bkft.	Nr. Bkft to Neeley	Neeley to Minidoka	DWB to Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancr.
SPR 2007	-0.5	-0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2007	-1.5	-1.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2007	-1.6	-1.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2008	-1.9	-1.2	-0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2008	-2.7	-1.8	-0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2008	-2.6	-1.7	-0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2009	-1.9	-1.4	-0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2009	-1.1	-1.3	-0.2	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2009	-1.4	-1.2	-0.2	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2010	-1.1	-1.0	-0.2	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2010	-0.5	-1.1	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2010	-0.9	-1.0	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2011	-0.7	-0.9	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2011	-0.2	-0.9	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2011	-0.6	-0.9	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2012	-0.4	-0.8	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2012	0.1	-0.8	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2012	-0.4	-0.8	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2013	-0.2	-0.7	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2013	0.3	-0.8	-0.2	-0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2013	-0.2	-0.7	-0.2	-0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2014	0.0	-0.6	-0.2	-0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2014	0.4	-0.7	-0.2	-0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2014	-0.1	-0.7	-0.2	-0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2019	0.4	-0.5	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2019	0.8	-0.6	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2019	0.3	-0.5	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2021	0.5	-0.4	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2021	0.9	-0.5	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2021	0.4	-0.5	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2049	0.7	-0.3	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2049	1.1	-0.4	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2049	0.6	-0.4	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2081	0.7	-0.3	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2081	1.2	-0.4	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2081	0.6	-0.4	-0.2	-0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0

The Calculated Effects indicate that the Ashton to Rexburg Reach is the most effected reach by this proposed transfer. The Calculated Effect is 0.4 ac-ft/trimester when depletion exceeds 5.0% i.e. 1.05, in the trimesters of Summer 2014, Spring 2019 and in the Winter 2021 trimester. The maximum Calculated Effect of 1.2 ac-ft/trimester is reached in Summer 2056 and all three trimester remain steady from 2056 through the steady state trimester of activity Winter 2081.

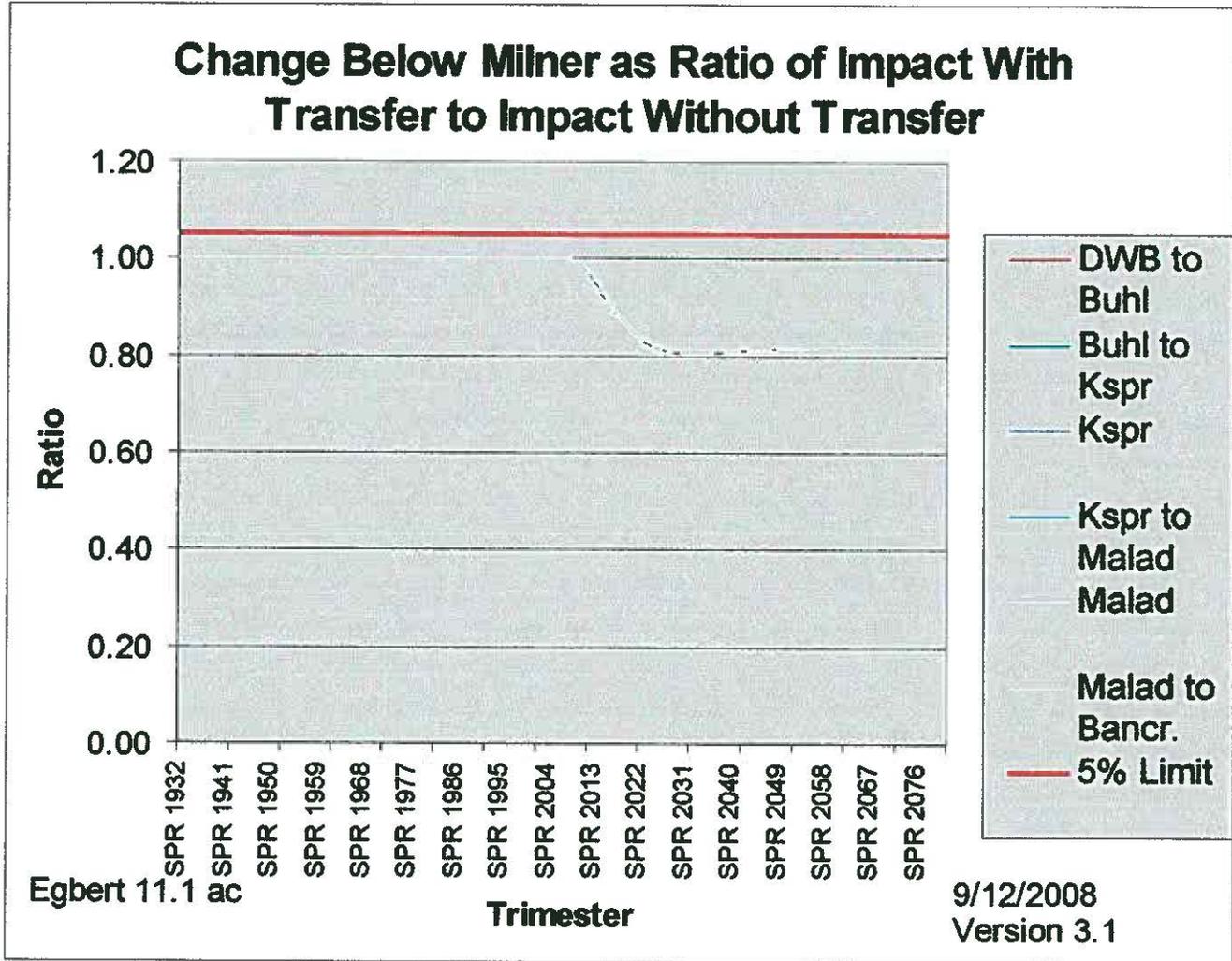
Graph: Egbert Transfer ESPA Analysis

11.1 acres



The Change Ratio Graph above indicates that the Ashton to Rexburg Reach exceeds the allowable depletion of 5.0% (1.05) at 16.0 % (1.16); however, the Calculated Net Effect for that reach amounts to a maximum of 1.2 ac-ft/trimester.

**Graph: Egbert Transfer ESPA Analysis 11.1 acres**

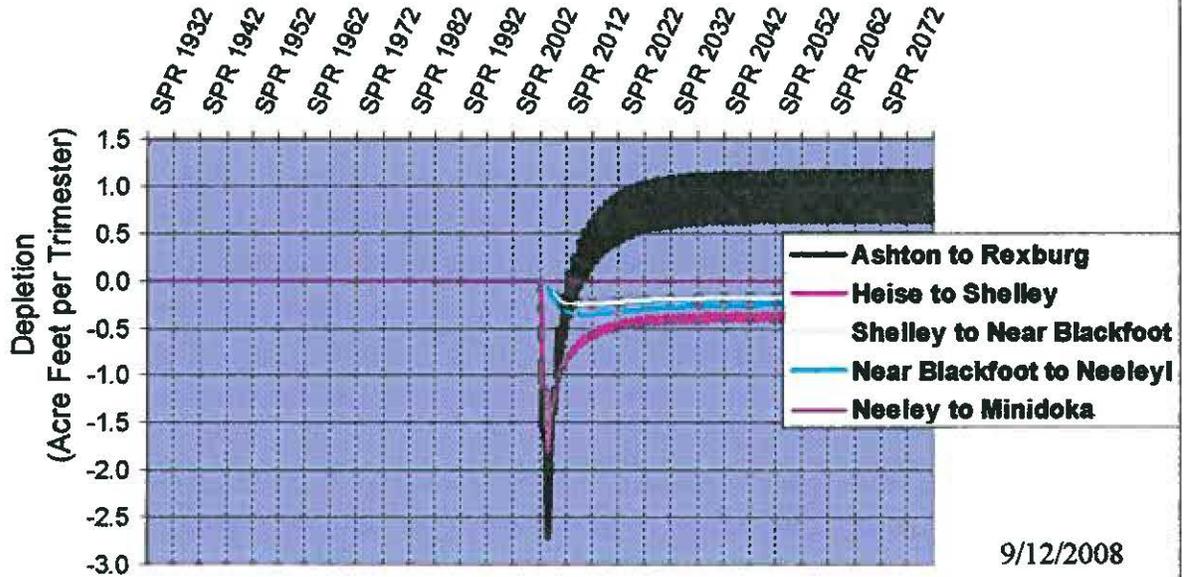


Ratio on chart above indicates a Net positive effect, which is a reduction, in depletion.

**Attachment C - Pg 7 of 8**

**Net Transfer Effect Above Milner**

*(Total Effect With Transfer - Total Effect Without Transfer)*



9/12/2008

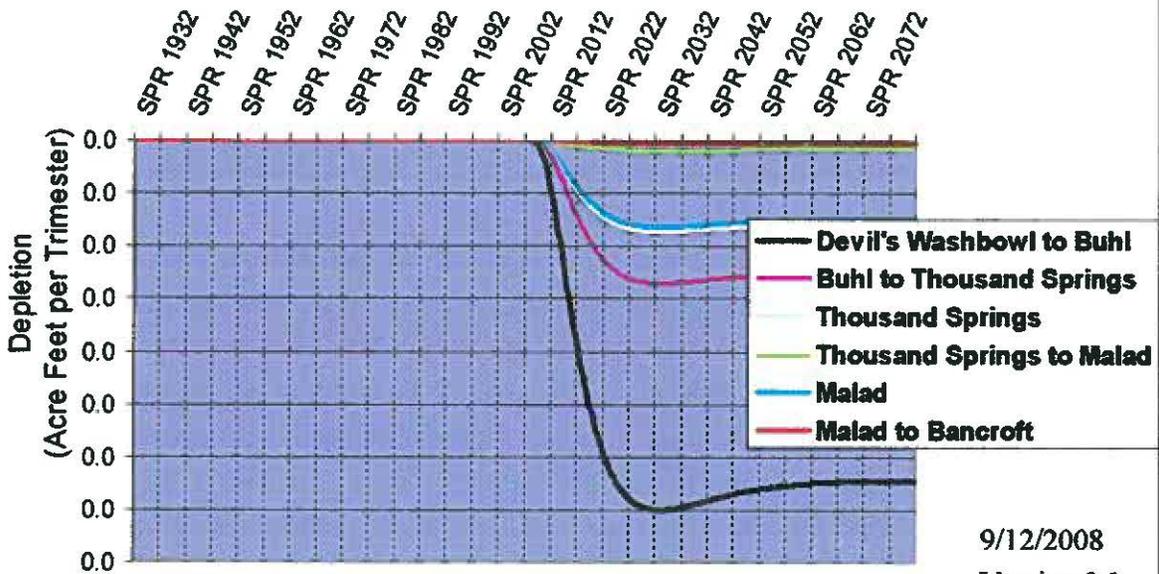
Version 3.1

Customer Name: Egbert 11.1 ac

Transfer No:

**Net Transfer Effect Below Milner**

*(Total Effect With Transfer - Total Effect Without Transfer)*



9/12/2008

Version 3.1

Customer Name: Egbert 11.1 ac

Transfer No:

