

1650
+ 80 acres
#130

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-07066
Date Received: 4/24/1989
Receipt No: E007003
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RONALD ESPLIN AND SONS 208-357-3328
Address: 747 E. 1000 N.
SHELLEY, ID 83274

2. Date of Priority: SEP 24, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	37E	20	SE	SE	NE		BINGHAM

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.520		

7. Total Quantity Appropriated is:
1.520 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	37E	17	SE	SE		IRR	4.0
						Section Acres	4.0
		20	NE	NE		IRR	36.0

A27-07066 Page 1 Date: 04/24/89

A2707066

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	37E	20	SE	NE		IRR	40.0
Section Acres							76.0
Total Acres							80.0

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
SNAKE R. VALLEY IRR. CO.

14. Remarks:

P/U IN SEC. 17 IS OWNED BY THELMA &/OR GARTH HOLM, 793 E. 900 N., SHELLEY, ID.

THIS NOTICE OF CLAIM REFLECTS THE USE WHICH HAS HISTORICALLY OCCURRED FROM THIS WELL. BOTH THE LOCATION OF THE WELL AND THE IRRIGATED ACREAGE ON THE LICENSE ARE IN ERROR. THE WELL HAS ALWAYS BEEN LOCATED IN THE SE CORNER OF THE SE1/4NE1/4 AND WE HAVE ALWAYS IRRIGATED THE 80 ACRES BEING CLAIMED. THE RATE OF DIVERSION BEING CLAIMED IS BASED ON THE FLOW MEASURED AT THE TIME OF THE LICENSING FIELD EXAM.

15. Basis of Claim: LICENSE

30 Mar '92

A27-07066-

Rate of diversion on
notice is greater than the
quantity licensed.

EMC.

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Partner of
Ronald Esplin & Sons, that I have signed the foregoing
document in the space below as Partner of
Ronald Esplin & Sons and that the statements contained in the
foregoing document are true and correct.

Ronald Esplin
Signature of Authorized Agent

Partner of Ronald Esplin & Sons
Title and Organization

4-24-89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of April 19 89

Anthony L. Olenick
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 9/12/1994



Well
A27-10314

Well
A27-07066

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Log for claim 27-07066

Spatial Dynamics BTD

11/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01s37e	17	SESE	4	2.4	
01s37e	20	NENE	36	36	
01s37e	20	SENE	40	39	
Totals:			80	77.4	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RONALD ESPLIN AND SONS 747 E 1000 N SHELLEY ID 83274 (208) 357-3328	09/24/1976	IRRIGATION	04-01 11-01	1.520 CFS	
					TOTAL DIVERSION:	1.520 CFS
					CONSUMPTIVE USE:	200.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01S R37E S20

SESENE

BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
		NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM	
01S	37E	17	:								:								:						:	
01S	37E	20	:	36				40	:		:								:						:	
																							TOTAL ACRES	80.0		

POU County: BINGHAM

Other Rights: SNAKE R. VALLEY IRR. CO.

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00038 A01-00039 A01-00171 A01-00172 A01-00250 A01-00328 A01-10247

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for
- irrigation of the lands above.

Remarks: GEN P/U IN SEC. 17 IS OWNED BY THELMA &/OR GARTH HOLM, 793 E. 900 N.,
SHELLEY, ID.

THIS NOTICE OF CLAIM REFLECTS THE USE WHICH HAS HISTORICALLY
OCCURRED FROM THIS WELL. BOTH THE LOCATION OF THE WELL AND THE
IRRIGATED ACREAGE ON THE LICENSE ARE IN ERROR. THE WELL HAS
ALWAYS BEEN LOCATED IN THE SE CORNER OF THE SE1/4NE1/4 AND WE
HAVE ALWAYS IRRIGATED THE 80 ACRES BEING CLAIMED. THE RATE OF
DIVERSION BEING CLAIMED IS BASED ON THE FLOW MEASURED AT THE
TIME OF THE LICENSING FIELD EXAM.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/24/89 CARLSEN 09/16/94 JTHOMPSO 03/29/95 POST-STD

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	27-7066	Arthur Holm &/or Garth Holm	1.70 cfs
Full Assignment	~~27-7066~~	Ronald Esplin	1.70 cfs

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 27-7066 Priority September 24, 1976 Amount 0.86 cfs

THIS IS TO CERTIFY, that Ronald Esplin
of Shelley, Idaho, has complied with the terms and conditions of Permit
No. 27-7066 issued pursuant to Application for Permit dated September 24, 1976,
and has submitted proof to the Department of Water Resources on September 10, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.52 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>0.86</u> cfs and	<u>150.5</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.86 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
150.5 acre feet per year, said waters to be diverted within the SE1NE1 Section 20,
Twp 1S, Rge 37E in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	37E	17																4	4
		20	36			3													39

Total number of acres irrigated 43

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CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

P/U in Sec. 17 is owned by Arthur &/or Garth Holm, Rt. 2, Box 90, Shelley, Idaho.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28TH day of July, 19 86.

Ronnie C. Young
Acting for the Director

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

Garth Holm
27-7066
RECEIVED
MAY 18 1984

I, Garth Holm, hereby assign to Ronald Esplin Department of Water Resources
of Route #2, Shelley, Idaho 83274
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 27-7066
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 14th day of May, 1984.

Garth Holm 5/12/84
Permit Holder

Bethel A. Holm 5/14/84
Spouse of Permit Holder

State of Idaho)
County of Bonneville) ss.

On this 14th day of May, 1984, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Jamaine Robinson
Notary Public residing at
Idaho Falls

My commission expires:
3-21-87

RECEIVED

MAY 16 1984

Department of Water Resou'
Eastern District Office

RECORDED

27 7066

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
 (TYPE OR PRINT IN INK)

1. Name of applicant Arthur Holm &/or Garth Holm Phone: 346-6677
 post office address Rt. #2, Box 65, Shelley, Idaho 83724
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 1S
 Range 37E B.M. Bingham County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 1.70 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 1.70 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. well, pump and sprinkler system

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
 capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 12 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
 is 5 years
 b. Estimated construction cost is \$ 30,000
8. Description of proposed uses:
 a. If water is **not** for irrigation:
 (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
 Range _____ B.M. _____
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) List number of each kind of livestock to be watered: _____

 (4) Name of municipality to be served _____, or number of families to be
 supplied with domestic water: _____
 (5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	37E	17																5	5
		20	40			40													80

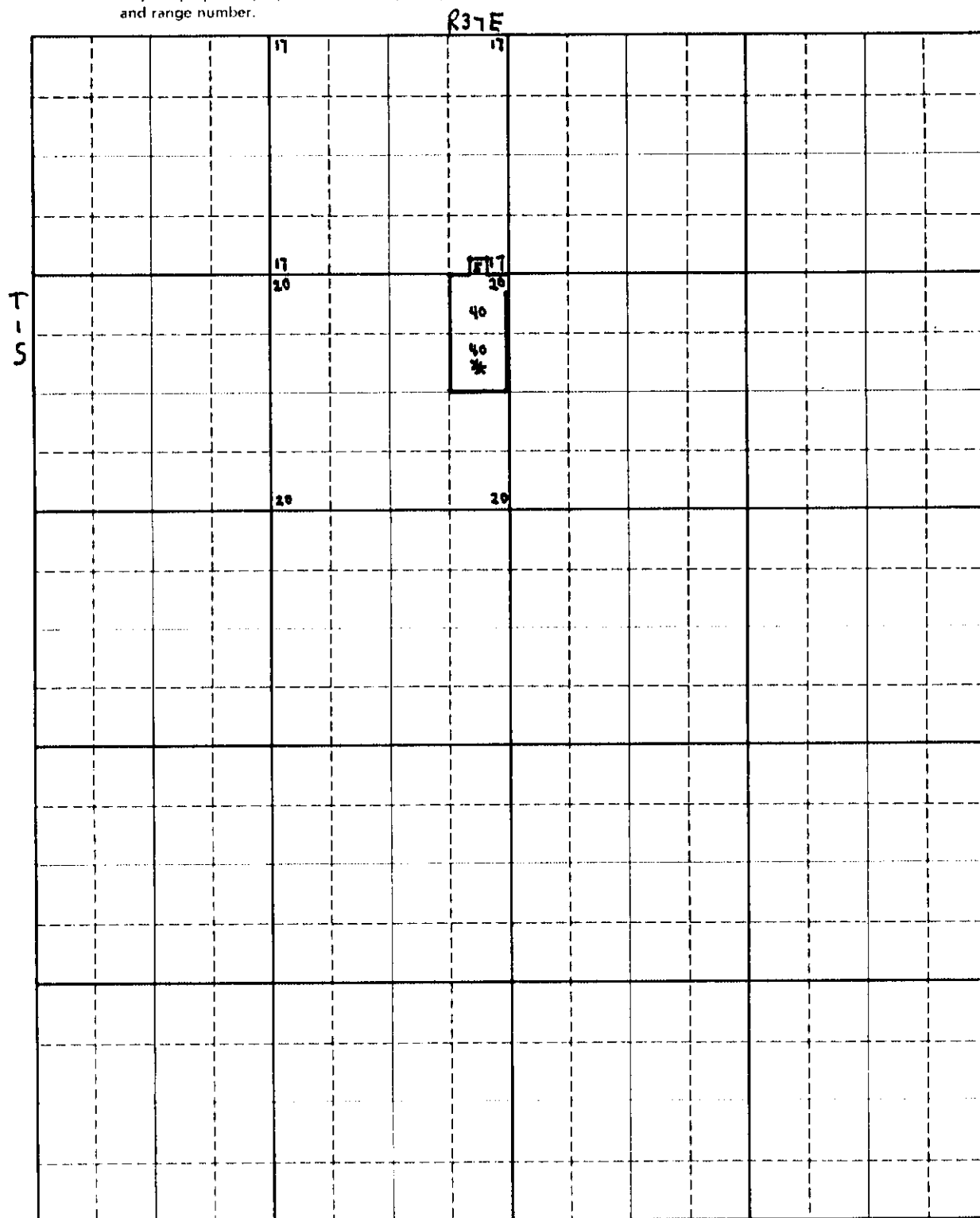
Total number of acres to be irrigated 85

c. Describe any other water rights used for the same purposes as described above Snake River Valley
Irrigation Company - 125"

9. a. Who owns the property at the point of diversion Applicant
 b. Who owns the land to be irrigated or place of use Applicant
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks NONE

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Garth Holm
(Applicant)

Proposed Priority 9-24-76

Received by me Date 9-24-76 Time 4:05 p.

Preliminary check by me Fee \$ 35.00

Received by me Date 9-24-76 # 2560

Publication prepared by me Date 9-28-76

Published in Blackfoot Journal

Publication dates Oct. 24-29, 1976

Publication approved me Date 10-20-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 27-7066, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 81.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 4 day of November, 19 76.


Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

27-7066
Permit No.
A + B portions

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7-26-1982 Accompanied by Ron Esplin Total Q measured 1.52 cfs ✓
If source is surface water, estimate total flow of source _____
Methods of measurement Pitot Gauge Meets Permit requirements? _____

Measurement calculations: $V = 43 \text{ acres} \times 3.5 \text{ ft} = 150.5 \text{ cfs}$ ✓ $V = 0.86 \text{ cfs} \times 1.98 \text{ sec} \times 214 \text{ ft} = 365 \text{ cfs}$ ✓	$\#1 - 63 \text{ psi}, 28 \text{ b} = 5.78 \text{ gpm} \times 28 \text{ b} = 161.84 \text{ gpm}$ $\#2 - 61 \text{ psi}, 28 \text{ b} = 5.69 \text{ gpm} \times 28 \text{ b} = 159.32 \text{ gpm}$ $\#3 - 61, 28 \text{ b} = 5.69 \text{ gpm} \times 28 \text{ b} = 159.32 \text{ gpm}$	$\#4 - 59 \text{ psi}, 28 \text{ b} = 5.60 \text{ gpm} \times 28 \text{ b} = 156.8 \text{ gpm}$ $\#5 - 55 \text{ psi}, 8 \text{ b} = 5.37 \text{ gpm} \times 8 \text{ b} = 43.12 \text{ gpm}$ Total = $680.4 \text{ gpm} \text{ or } 1.52 \text{ cfs}$ ✓ $43 \text{ acres} \times 0.02 \text{ cfs} = 0.86 \text{ cfs}$
---	--	---

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	50	GE	FKJ623450	Johnston	NA	Pitot Gauge		

System Description well pump thru mainline to 5 sprinkler lines - Ground irrigated belongs to 2 different parties (Garth Holm 4 acres) (Ron Esplin 39 acres)

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE		Irrigation requirement = <u>3.5</u> ^{214 days} AFA/Acre		FROM		TO	
Part B	Irrigation (39 acres)	Q (cfs)	V (afa)	4-1	11-1		
		0.78	136.5				
Part A	Irrigation (4 acres)	0.08	14.0	4-1	11-1		
	Irrigation (43 ac)	0.86	150.5 AK	4-1	11-1		
	Total	0.86	150.5 AK				

Remarks This pump also waters small acreage across road which belongs to Garth Holm (sect. 17) - Do not recommend splitting right; is all one system - kw

License Part B - should be assigned to Ronald Esplin, Firth ID.

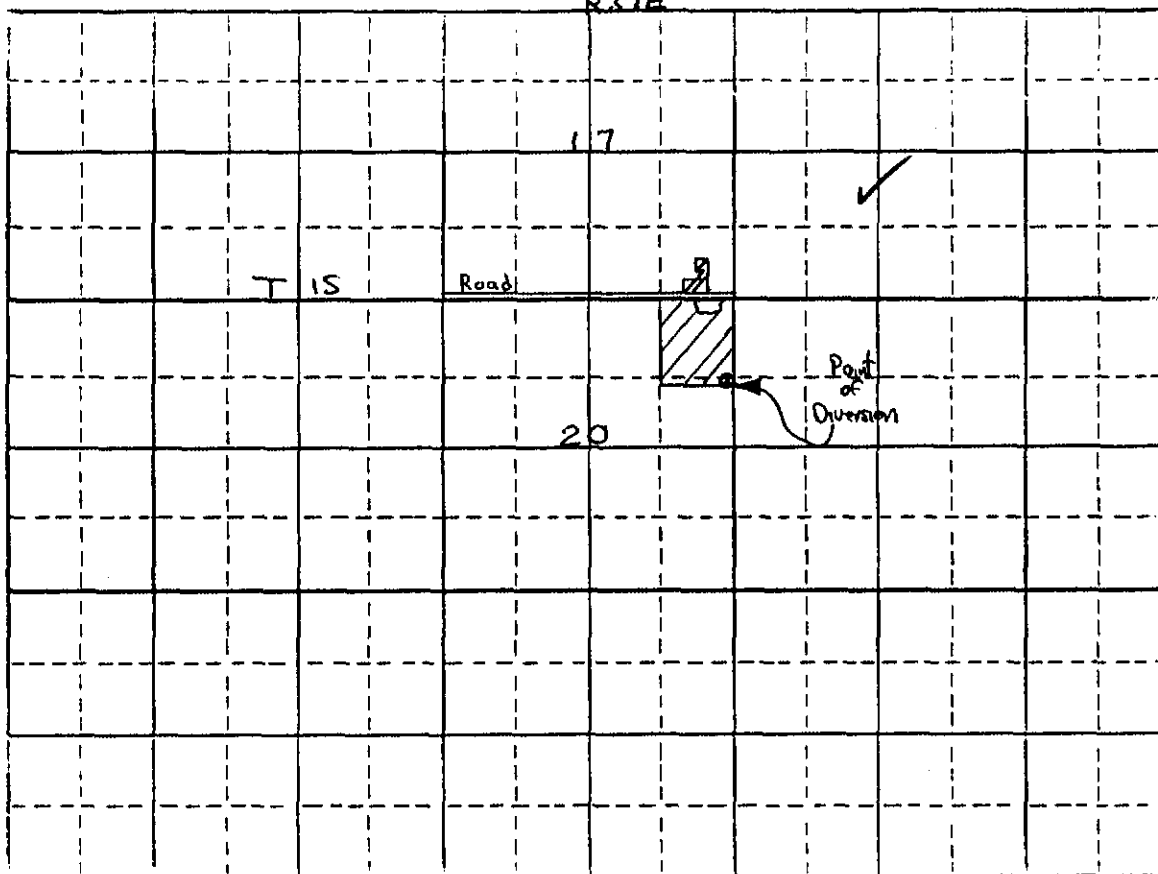
License Part A - To Arthur + /or Garth Holm Rt 2 Box 90 Shelley, ID.

P/D overlap per VAX 5/12/86: NONE

Recommend R30

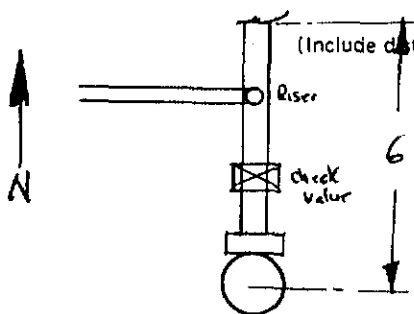
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MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE 1/4 NE 1/4 Sect. 20 T 15 R 37E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
B 1A	1S	37E	17															4	4
B 1B	1S	37E	20	36		3													39

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

Date 12-19-83

Date 14 Nov 1984

Date 5-12-86

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B. 13.0
A. 41.9

B-21

C. 28.8

B. 27.8

A. 41.3

B. 14.9

A. 20.4

B-312
1238

318.6

B-85
318

A. 79.9

B-207

372.6

B-20
20.8

B-200

A. 13.8

4-421

4-AR
5374
4210

A. 34.5

B-12
A. 17.2

A. 9

246

877066

B. 12.5

138

C. 12.5

B-20
20.8

NOT TO SCALE





State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 22, 1991

Ronald Esplin & Sons
747 E. 1000 N.
Shelley, ID 83274

RE: A27-10314, A27-10318, A27-07066

Dear Mr. Esplin & Sons:

Please find enclosed the three (3) Notice of Claim forms you filed in 1989. These are copies of the Claims. We do not have the originals in our office. Would you please look in your files and see if you have the originals with the notary seals. If you have them, please send them to us and keep these copies for your files. If you do not have them, will you please sign these, have them notarize and return them to our office as soon as possible.

If you have any questions, please feel free to contact me.

Respectfully Submitted,

Ernest Carlsen
Adjudication Supervisor

EC:sc

Enclosed

MICROFILMED

NOV 12 1992