

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: A27-07088
Date Received: 5/25/1989
Receipt No: E007970
Received By: DM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON M. ESPLIN 208-357-7423
Address: 449 W. LOCUST
SHELLEY, ID 83274

Name: LORNA C. ESPLIN 208-357-7423
Address: 449 W. LOCUST
SHELLEY, ID 83274

2. Date of Priority: JUN 25, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	36E	3	SW	NE		R	BINGHAM

5. Description of diverting works:
WELL, PUMP, DITCHES & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	10.140		

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

8. Total consumptive use is 1267.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

A27-07088

Page 1

Date: 05/25/89

MICROFILMED
NOV 12 1992

A2707088



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02S	38E	6	NE		NE	1	IRR	40.0
			NW		NE	2	IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW	8	IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	27.0
							Section Acres	467.0
		7	NW		NE		IRR	40.0
							Section Acres	40.0
							Total Acres	507.0

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:
A27-00004AB.

14. Remarks:

PT. OF INJECTION INTO BLACKFOOT R. : SWNE, S3, T3S, R36E.
REINSTATED 9-10-1982.

PT. OF REDIVERSION FROM BLACKFOOT R. GL3, SWNE, S7, T2S, R38E.

15. Basis of Claim: PERMIT

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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

Don M. Epler

Date:

May 25 / 89

Date:

State of Idaho)

County of Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this 25 day
of May 19 89

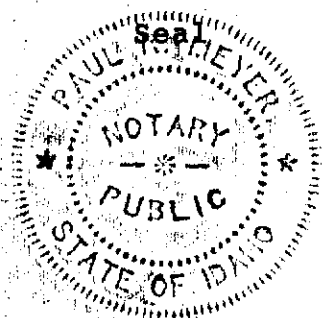
Paul Meyer
Notary Public

Residing at

Idaho Falls

My Commission Expires

9-12-94



AJ0749NP
No. A27-07088

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/19/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRYCE J FIELDING	06/25/1977	IRRIGATION	04-01 11-01	10.14 CFS	
C	MARY W FIELDING					
	720 N 1100 E					
	SHELLEY ID 83274			TOTAL DIVERSION:	10.14 CFS	
	(208) 357-3075			CONSUMPTIVE USE:		1267.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Re-diversion: T03S R36E S03 SWNE

BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
02S	38E	6	:	01-40	02-40	40	40	:				40	:	40	08-40		40	:	40	40	40	27	:	467.0	
02S	38E	7	:		40			:					:					:					:	40.0	
																							TOTAL ACRES		507.0

POU County: BINGHAM

Non-Irrigation Uses: N/A

Other Rights: A27-00004AB.

Conditions of Approval:

- 01B - The right holder shall either install a measuring device or
- provide a certified measurement by a professional engineer or
- install an access port or other device as specified by the
- Department.
- 03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

Remarks: GEN PT. OF INJECTION INTO BLACKFOOT R. : SWNE, S3, T3S, R36E.
REINSTATED 9-10-1982.
PT. OF REDIVERSION FROM BLACKFOOT R. GL3, SWNE, S7, T2S, R38E.

CHANGE OF OWNERSHIP FILED 20 OCT, 1998.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

A27-507084

33 34

34 35

T2S

41

32

T3S

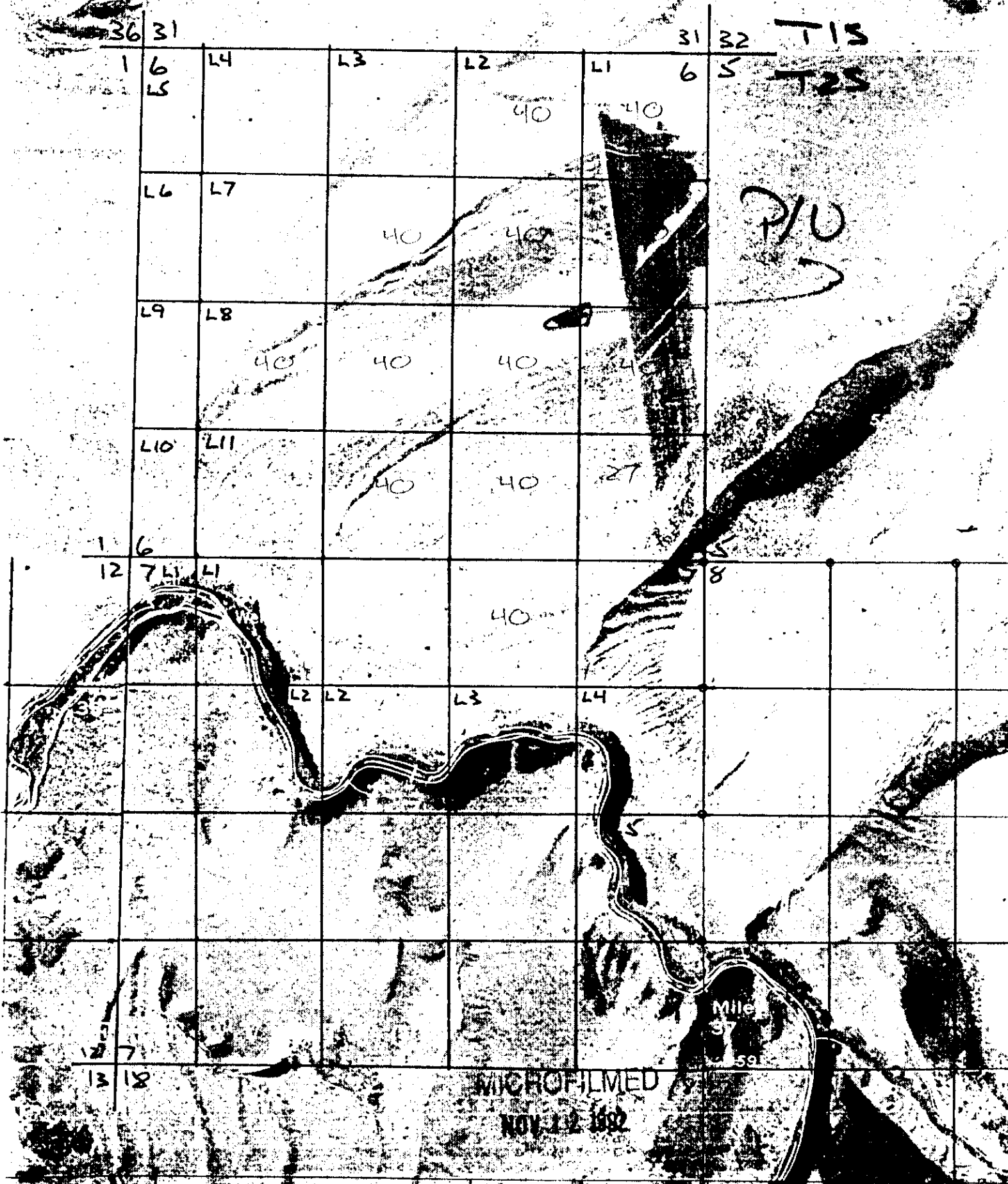
R36E

MICROFILMED

NOV 12 1992

027-00
07088

237E 238E



MICROFILMED
NOV 12 1992

11/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s38e	6	NENE	40	40	Location of well not found.
02s38e	6	NWNE	40	40	
02s38e	6	SWNE	40	40	
02s38e	6	SENE	40	40	
02s38e	6	SENW	40	40	
02s38e	6	NESW	40	40	
02s38e	6	NWSW	40	40	
02s38e	6	SESW	40	40	
02s38e	6	NESE	40	39	
02s38e	6	NWSE	40	40	
02s38e	6	SWSE	40	39	
02s38e	6	SESE	27	25	
02s38e	7	NWNE	40	37	
Totals:			507	500	

AJ5809NP
No. A27-07088

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 52

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRYCE J FIELDING	06/25/1977	IRRIGATION	04-01 11-01	10.140 CFS	
C	MARY W FIELDING					
	720 N 1100 E					
	SHELLEY ID 83274			TOTAL DIVERSION:	10.140 CFS	
	(208) 357-3075			CONSUMPTIVE USE:		1267.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Re-diversion: T03S R36E S03

SWNE

BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		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	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
02S	38E	6	01-40	02-40	40	40	:					40	:	40	08-40		40	:	40	40	40	27	:	467.0								
02S	38E	7	:	40			:						:					:													40.0	
																												TOTAL ACRES	507.0			

POU County: BINGHAM

Non-Irrigation Uses: N/A

Other Rights: A27-00004AB.

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

A01-0007521 A01-0007621 A01-0031221 A01-0036821 A01-0036921 A01-0037021 A25-0022421 A27-00004N

Conditions of Approval:

- 01B - The right holder shall either install a measuring device or
- provide a certified measurement by a professional engineer or
- install an access port or other device as specified by the
- Department.
- 03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

Remarks: GEN PT. OF INJECTION INTO BLACKFOOT R. : SWNE, S3, T3S, R36E.
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Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A27-07088

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 53

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Audit: 05/25/89 MEYER 10/11/94 JTHOMPSO 03/29/95 POST-STD 11/19/98 ARUBERRY

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)

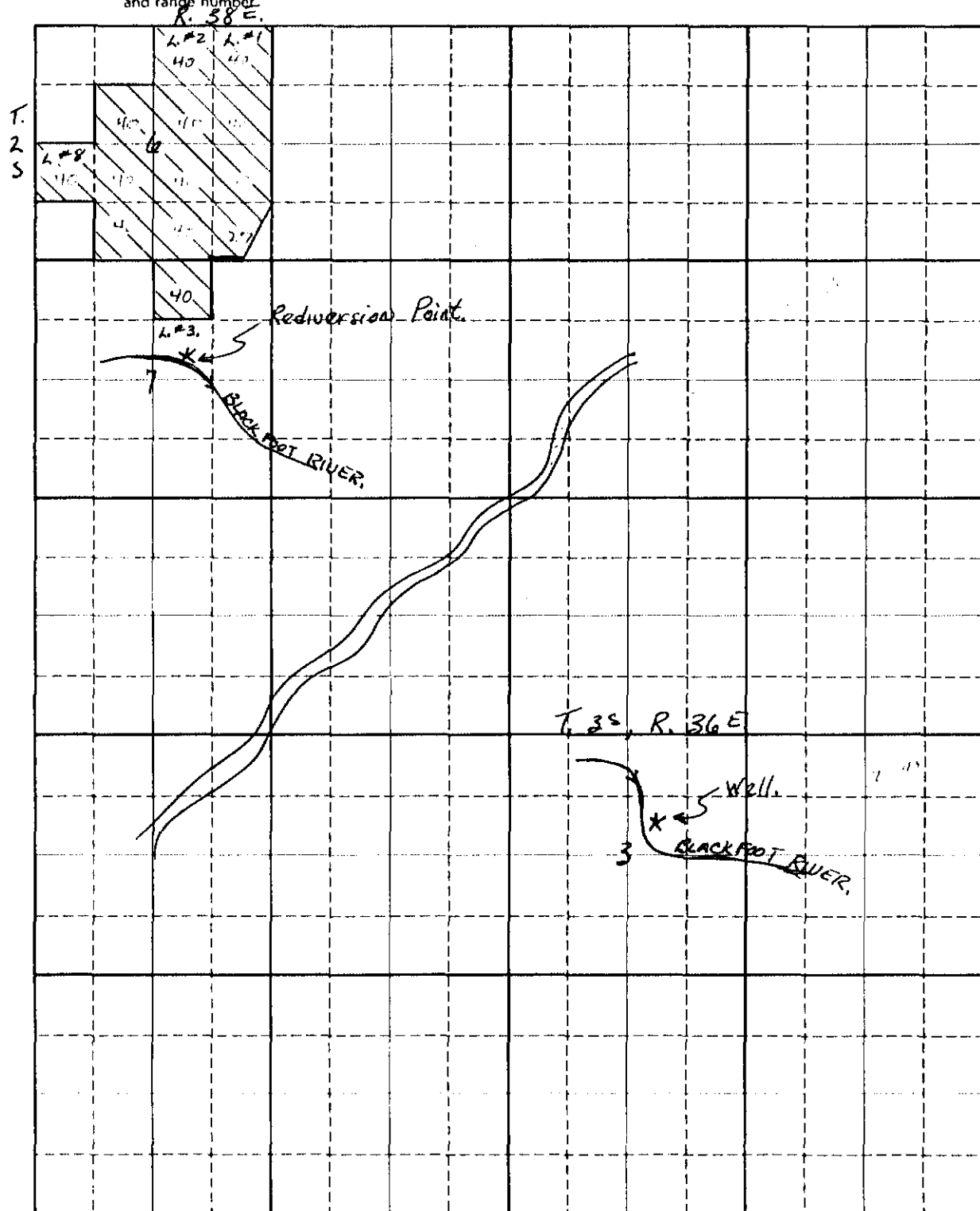
1. Name of applicant Don M. &/or Lorna Esplin Phone: 357-7423
post office address 449 W. Locust, Shelley, ID
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3 Township 3S
Range 36E B.M. Bingham County; additional points of diversion if any: _____
water will be pumped into Blackfoot River and rediverted at a point within the
SW $\frac{1}{4}$ NE $\frac{1}{4}$, (Lot 3) Sec. 7, T. 2S, R. 38E, B.M.
- 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 10.14 10.34 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: Change made per telecon w/Mr. Esplin 5-26-77 LHJ
a. 10.14 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, open discharge, river
pump, mainline, handlines and wheelines.
- 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 20 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 \$ 20,000.00
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: _____

[illegible]

c. Describe any other water rights used for the same purposes as described above. decreed surface water out of Snake River

10. Remarks Applicant desires to exchange ground water for surface water.

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.

Don M. Eglin
(Applicant)

Proposed by Date 5/23/77

Received by OW Date 5-23-77 Time 11:28 A.

Preliminary check by EMC Fee \$ 125.00

Received by OW Date 5-23-77 # 7288

Publication prepared by OW Date 5-27-77

Published in June 24 9-1978

Publication dates Blackfoot News

Publication approved me Date 6-13-77

Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

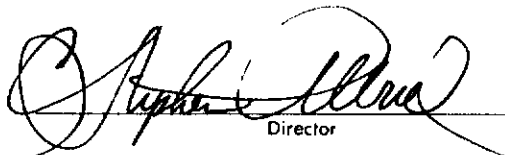
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 27-7088, and said application is hereby APPROVED.

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 July 1, 19 82.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 29th day of July, 19 77.


Director

RECEIPT # E 024 595
11.3.98
K. WILSON

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF ~~APPLICATION FOR~~ PERMIT

I, DON M. ESPLIN, hereby assign to Bryce "J" and Mary W. Fielding
of 720 N 1100E, Shelley, Ida 83214 (208) 357-8075
(Full Address) + PHONE NUMBER

All my right, title, and interest in and to Application for Permit
No. 27-07088 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. 27-07088 to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this _____ day of _____,

MR. ESPLIN REFUSES TO SIGN THIS DOCUMENT
Applicant

State of Idaho)
County of _____) ss

On this _____ day of _____, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

seal

Notary Public

My commission expires: _____

MICROFILMED

MAY 26 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

OCT 20 1998

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A27-00004N / A27-07088
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) DON M. or LORNA C. ESPLIN
449 W. LOCUST, BLACKFOOT ID 83274
4. New Owner/Claimant(s) Byrne J. & MARY W. Fielding
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address 720 N. HADEN
City, State and ZIP Code Shelley Idaho 83274
New Telephone Number (208) 357-3075
5. Date you acquired the property Sept 20 1995
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Byrne J. Fielding Date OCT 21 1998
Mary W. Fielding Date 10-21-98
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.