

10/27/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-7077A

NAME AND ADDRESS: FRANKLYN J FREEMAN
PO BOX 111
BASALT ID 83218

NANCY J FREEMAN
PO BOX 111
BASALT ID 83218

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
7.000 AFY

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.

PRIORITY DATE: 03/04/1977

POINT OF DIVERSION:

T01S R37E S19 NWSENE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 11/01

QUANTITY
0.040 CFS
7.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T01S R37E S19 SENE 2.0

2 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License



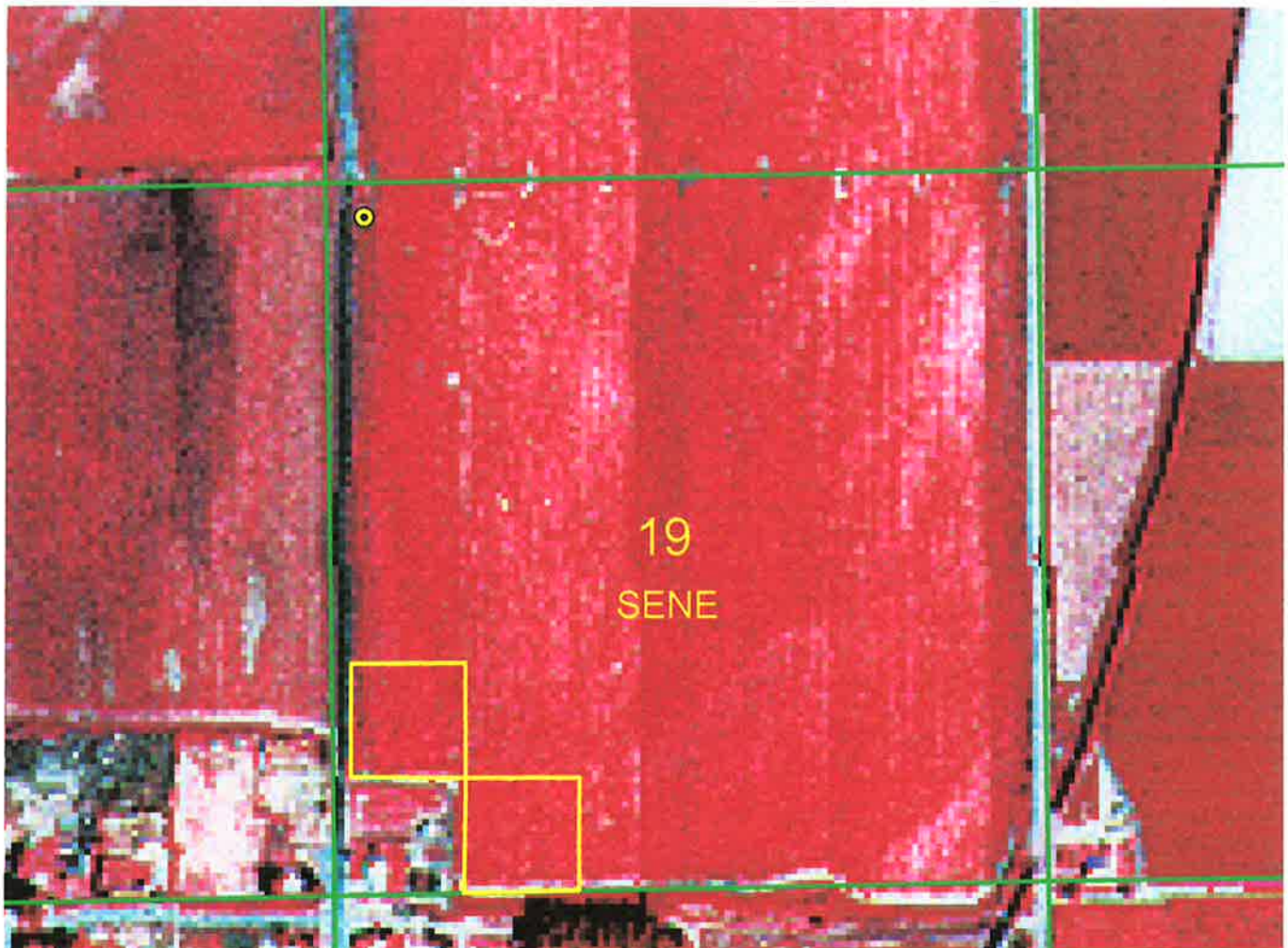
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-7077A



IRRIGATED ACRES 2.0

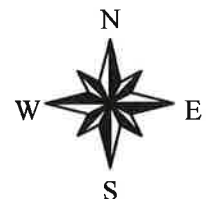
200 0 200 400 Feet

LEGEND

- Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T1, R37E:
(part of) Sec. 19, SENE

Point of Diversion: T1S, R37E:
Sec. 19, NWSENE



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: October 2003

10/27/2003

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-7077A

FRANKLYN J FREEMAN
PO BOX 111
BASALT ID 83218
Telephone Number: (208) 346-6531

NANCY J FREEMAN
PO BOX 111
BASALT ID 83218
Telephone Number: (208) 346-6531

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 5-31-05 SIGNATURE: Franklyn J. Freeman
Please print your name: FRANKLYN J FREEMAN

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Rmt
6/19

Notes

8/21/03 Ronald Esplin & Sons claimed 27-7077B (0.54 cfs)

Verify where the 2 acres are located for this right.
Put the coordinates in Cogo from the
warranty deed to locate land.

9-18-03 Letter to Owner re legal clarification. BP

10/3/03 received reply from Mr. Freeman,
the ownership change states that
only 27 not the 29 acres are irrigated.
So, does the Freeman's irrigate their
2 acres?

10-7-03 Left a message on their machine. BP

10-9-03 3:35pm Frank called and
will go to Blackfoot and get a copy
of the plat.

10-14-03 Plat in file. BP

10-22-03 Please create a layout based on the
map from the assessors office and
complete a CNR

$$208 + 346 - 653 /$$

Current Owner Franklyn J. Freeman, PO Box 111, Basalt, ID 83218

Current Owner Nancy J. Freeman, same address

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

Reviewer:

Date:

10/22/03

Priority Date Data Entry FormClaim Number: A27-07077A

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

license

_____Reviewer: CBDate: 8/21/03

- Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
- Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
- Is the basis of claim a decree or license? Yes (X) No ()
If Yes, go to 5
If No, go to 7
- Does the decree or license have a Priority Date? Yes (X) No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
- Did the Claimant claim the decreed or licensed Priority Date? Yes (X) No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
- Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
- Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
- Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 0e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
1. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
2. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
3. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
4. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
5. Is the basis of claim coded correctly? Yes (X) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim. *verify license*
6. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Point of Diversion and Source Data Entry FormClaim Number: A27-07077A

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

license

Transfers Changing POD _____

Reviewer: CBDate: 8/21/03

Point of Diversion

Claim No. 27 - 7077A

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the POD as shown on the Permit. Go to 10

Yes (☐) No (☐)

4. Does the parent right have a POD?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7

If No, go to 9

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9

If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes (☐) No (☐)

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10

If No, go to 9

Yes (☐) No (☐)

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10

If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (☐) No (☐)

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete

If No, POD review is complete.

Yes (☐) No (☒)

Point of Diversion

SourceClaim No. 27 - 7077A

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☒ No ☐
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☐
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11
Yes ☐ No ☐
4. Does the parent right have a Source?
If Yes, go to 5
If No, go to 7
Yes ☒ No ☐
5. Can the claimed Source be verified using the water right file?
If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7
Yes ☒ No ☐
6. Is the basis of claim a Posted Notice?
If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7
Yes ☐ No ☐
7. Is there evidence that there has been a change in the Source?
If Yes, go to 8
If No, go to 10
Yes ☐ No ☐
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9
Yes ☐ No ☐
9. Did the claimant file a transfer?
If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10
Yes ☐ No ☐
10. Does the file contain all of the necessary information to verify the Source?
If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11
Yes ☐ No ☐
11. Is a Source remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.
Yes ☐ No ☒

Source

Purpose of Use Data Entry Form

Claim Number: A27-07077A☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

License, 1987/88 NAPP Photography

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 8/21/03

Purpose of Use

Claim No. 27-7077A

1. Is the basis of claim a Decree or License? Yes ☒ No ☐
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes ☐ No ☐
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes ☐ No ☐
If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13
4. Does the parent right have a Purpose of Use? Yes ☒ No ☐
If Yes, go to 5
If No, go to 6
5. Can the claimed Purpose of Use be verified using the water right file? Yes ☒ No ☐
If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6
6. Is there evidence that there has been a change in the Purpose of Use? Yes ☐ No ☐
If Yes, go to 7
If No, go to 11
7. Can the change be verified as an accomplished transfer? Yes ☐ No ☐
If Yes, add condition C04, go to 11
If No, go to 8
8. Does the change include an enlargement of the Purpose of Use? Yes ☐ No ☐
If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12
9. Was an enlargement claim filed? Yes ☐ No ☐
If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes ☐ No ☐
If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13
11. Does the file contain all of the necessary information to verify the Water Use? Yes ☐ No ☐
If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
12. Did the claimant file a transfer? Yes ☐ No ☐
If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13
13. Is a Purpose of Use remark and/or condition required? Yes ☐ No ☒
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Purpose of Use

Place Of Use Data Entry Form

Claim Number: A27-07077A☒ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

License, 1987/88 VAPP.
Archview Corp
See Map.

Transfers Changing POU _____

Reviewer: CBDate: 8/21/03

Place of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 2a

If No, go to 2b

Yes (☒) No (☐)

2a. Is a POU required?

If Yes, go to 5

If No, go to 14

Yes (☒) No (☐)

2b. Is a POU required?

If Yes, go to 3

If No, go to 14

Yes (☐) No (☐)

3. Is the basis of claim a Permit or Application?

If Yes, go to 4

If No, go to 7

Yes (☐) No (☐)

4. Has the License been issued?

If Yes, go to 6

If No, recommend the POU as shown on the Permit. Go to 14

Yes (☐) No (☐)

5. Does the parent right have a POU?

If Yes, go to 6

If No, go to 7

Yes (☒) No (☐)

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14

If No, go to 7

Yes (☒) No (☐)

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8

If No, go to 13

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13

If No, go to 9

Yes (☐) No (☐)

9. Does the change include an enlargement of the POU?

Yes (☐) No (☐)

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10

If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

10. Was an enlargement claim filed?

Yes (☐) No (☐)

If Yes, go to 13

If No, notify claimant that an enlargement claim is necessary. Go to 11

11. Did the claimant file an enlargement claim?

Yes (☐) No (☐)

If Yes, go to 13

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

12. Was a transfer filed?

Yes (☐) No (☐)

If Yes, recommend the POU as shown on the approved transfer. Go to 14

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

13. Does the file contain all of the necessary information to verify the POU?

Yes (☐) No (☐)

If Yes, go to 14

If No, collect the necessary information. Conduct field exam if necessary. Go to 14

14. Is a POU remark and/or condition required?

Yes (☐) No (☒)

If Yes, enter the appropriate remark and/or condition. POU review is complete.

If No, POU review is complete.

Place of Use

Period of Use and Quantity Data Entry Form

Claim Number: A27-07077A☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

License

Reviewer: CBDate: 8/21/03

Period of Use

Claim No. _____

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☒ No ☐
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☐
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
Yes ☐ No ☐
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6
Yes ☒ No ☐
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6
Yes ☒ No ☐
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12
Yes ☐ No ☐
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8
Yes ☐ No ☐
8. Can the change be recommended as an accomplished transfer?
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
Yes ☐ No ☐
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
Yes ☐ No ☐
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes ☐ No ☐
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes ☐ No ☐
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
Yes ☐ No ☐
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15
Yes ☐ No ☐
14. Is irrigation claimed as a purpose of use?
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
Yes ☒ No ☐
15. Is irrigation claimed as a purpose of use?
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
Yes ☐ No ☐
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
Yes ☐ No ☒
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
Yes ☐ No ☐
18. Is a Period of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
Yes ☐ No ☒

Quantity

Claim No. 27 - 7077A

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes (☒) No (☐)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes (☐) No (☐)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11
Yes (☐) No (☐)
4. Does the parent right have a diversion rate and/or volume?
If Yes, go to 5
If No, go to 7
Yes (☒) No (☐)
5. Can the claimed diversion rate and/or volume be verified using the water right file?
If Yes, go to 8
If No, go to 7
Yes (☒) No (☐)
6. Is the basis of claim a posted notice?
If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7
Yes (☐) No (☐)
7. Is a flow measurement required?
If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9
Yes (☐) No (☐)
8. Does the parent right have an annual diversion volume limit?
If Yes, go to 10
If No, go to 9
Yes (☒) No (☐)
9. Is the source Ground Water and does the purpose of use require a diversion volume limit?
If Yes, go to 10
If No, go to 11
Yes (☐) No (☐)
10. Is irrigation a purpose of use?
If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
Yes (☒) No (☐)
11. Has a diversion volume limit for this water use been established by a decree, license or transfer?
If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12
Yes (☐) No (☐)
12. Is a Quantity remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.
Yes (☒) No (☒)

Quantity

Claim No. 27 - 7077A

Summary

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?
If Yes, go to 2
If No, go to 3
Yes (☒) No (☐)
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5
Yes (☐) No (☒)
3. Is the water being used for all of the purposes claimed and to the extent claimed?
If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
Yes (☐) No (☐)
4. Is any portion of the claim being recommended?
If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
Yes (☐) No (☐)
5. Is an additional remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Go to 6
If No, go to 6
Yes (☒) No (☐)
6. Would you like to view the recommended right?
If Yes, go to 7
If No, the review is incomplete. The recommendation must be viewed to complete the review.
Yes (☒) No (☐)
7. Is this a "split" or "combined" right?
If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8
If No, go to 8
Yes (☒) No (☐)
8. Do you have documents you would like to attach or link to the file?
If Yes, go to PowerDOCS and profile the documents. Go to 9
If No, go to 9
Yes (☐) No (☒)
9. Would you like to set the verification date?
If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.
Yes (☒) No (☐)

Summary

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

R63 Qty Cond

Split or Combined Right Analysis:

27-7077 $\left\{ \begin{array}{l} \text{A (0.04 cfs) Freeman} \\ \text{B (0.54 cfs) Esplin} \end{array} \right.$

Attached Field Notes or Other Documents:

fish trap review

Claim No.:

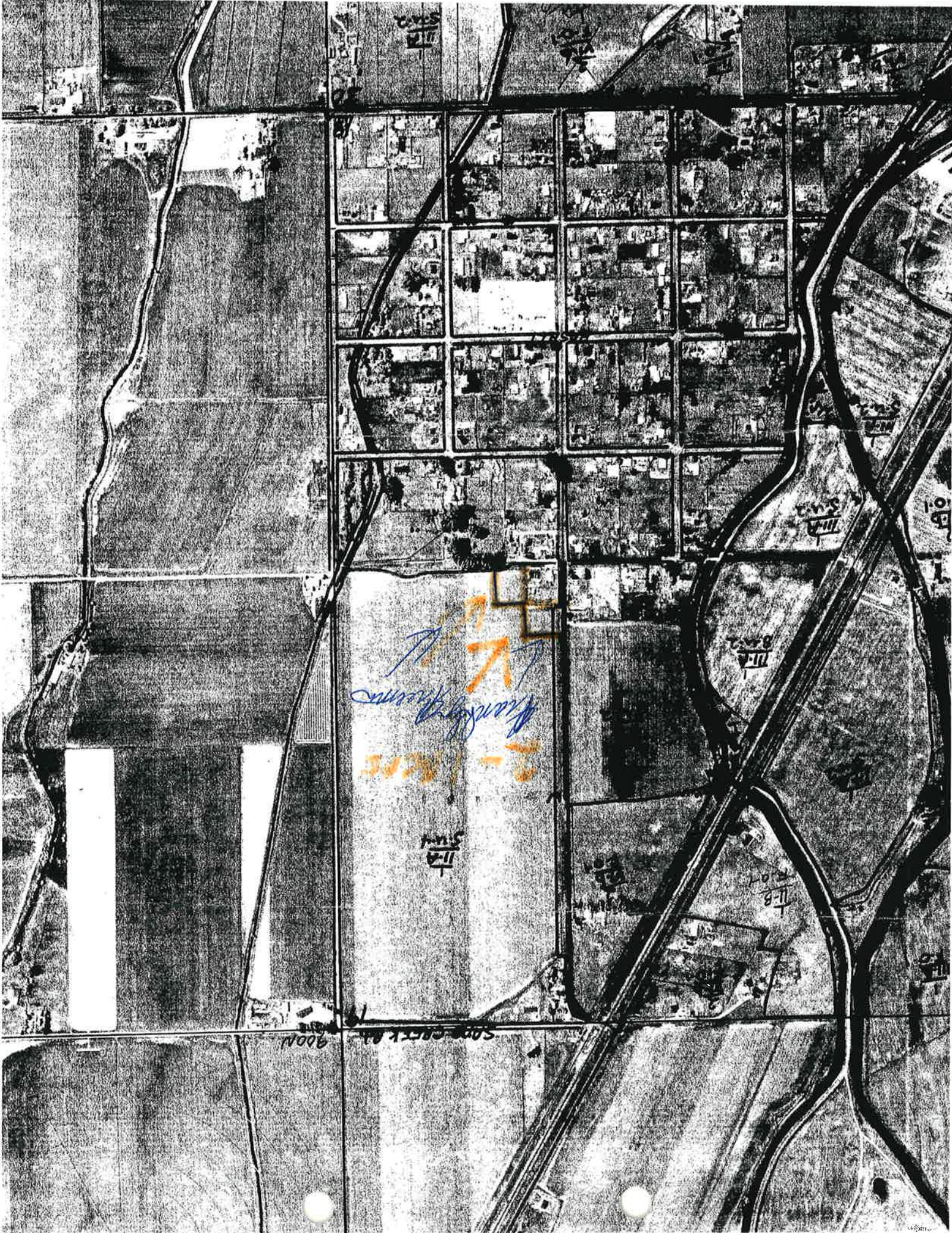
27-7077A

Reviewer

CB

Date

8/21/03



Franklin Avenue



900N
SAGE CREEK RD



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

18 September 2003



Franklyn J. Freeman
Nancy J. Freeman
P. O. Box 111
Basalt, ID 83218

Re: Snake River Basin Adjudication (SRBA)
Claim 27-7077A

Subject: CLARIFICATION OF THE LEGAL DESCRIPTION

Response Date: 18 October 2003

Dear Claimant (s):

The Idaho Department of Water Resources (IDWR) initial investigation of the Notice of Claim listed above indicates the claimed Point of Diversion (POD) and Place of Use (POU) in Township 1 South, Range 37 E, as being in Section 19, SENE. The warranty deed in the files does not match the claimed POU. Please provide this office with a copy of an aerial map or plat map indicating the location of these two acres together with a copy of the Warranty Deed containing the correct legal description.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible

This office must receive your response by the above reference response date. If no response is received, then your claim to water may be recommended to be disallowed. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: May 3, 1996

LEGAL DESCRIPTION OF PROPERTY: Township 1 S. Range 37 E.
Section 19, SE 1/4 of NE 1/4 of Govt. Lot BM.
Lot -----, Block -----, Subdivision/Townsite -----

If you have additional legal descriptions, please attach separate sheet.

See Attached Copy of Deed

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)
Assigned by IDWR: 27-7077
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Franklyn J. Freeman
P.O. Box 111
Basalt, ID 83218
- ☐ New Owner/Claimant (Purchaser): Ronald Esplin & Sons, a Partnership
- ☐ New Mailing Address: 747 East 1000 North
Shelley, ID 83274
- ☐ New Telephone Number: (208) 357 - 3328
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yesX no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
27 Acres out of 29 Acres have been transferred. Well is on
27 acre parcel and will not be used to water 2 acres retained
unless they are subsequently purchased and recombined.
- ☐ Attach proof of ownership, describe proof attached: See attached copy of Deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) _____ Date _____
- ☐ Signature of Former Owner/Claimant(s): Franklyn J. Freeman Date 5-2-96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

FOR VALUE RECEIVED FRANKLYN J. FREEMAN AND NANCY FREEMAN, also known as Nancy Jane Freeman, (husband and wife), the grantors, do hereby grant, bargain, sell and convey unto RONALD ESPLIN AND SONS, a partnership, the grantee, whose address is 747 East 1000 North, Shelley, Idaho 83274, the following described premises, in Bingham County, Idaho, to-wit:

The real property is described as follows:

The Southeast Quarter of the Northeast Quarter of Section 19 in Township 1 South of Range 37 East of the Boise Meridian, EXCEPT, Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 19 in Township 1 South of Range 37 East Boise Meridian, and running thence West 20 rods; thence South 80 rods; thence East 20 rods; thence North 80 rods to the point of beginning, and EXCEPTING the following three one-acre parcels:

Parcel 1:

Commencing at the Southwest corner of said Southeast Quarter of the Northeast Quarter of Section 19, Township 1 South of Range 37 E.B.M., and running thence North 208.71 feet; thence East 208.71 feet; thence South 208.71 feet; thence West 208.71 feet to the point of beginning containing 1 acre.

Parcel 2:

Beginning at a point that is N 00°12'50" E 208.71 feet from the East 1/16 corner of Section 19 Township 1 South Range 37 East of the Boise Baseline and Meridian and running thence N 00°12'50" E 208.71 feet; then S 89°52'23" E 208.71 feet; thence S 00°12'50" W 208.71 feet; thence N 89°52'23" W 208.71 feet to the point of beginning containing 1 acre.

Parcel 3:

Beginning at a point that is S 89°52'23" E 208.71 feet from the East 1/16 corner of Section 19 Township 1 South Range 37 East of the Boise Baseline and Meridian and running thence S 89°52'23" E 208.71 feet; thence N 00°12'51" E 208.71 feet; thence N 89°52'23" W 208.71 feet; thence S 00°12'50" W 208.71 feet to the point of beginning containing 1 acre.

Together with all ditches, ditch rights of way, water and water rights thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 3 day of May, 1996.

Franklyn J. Freeman
FRANKLYN J. FREEMAN

Nancy Freeman
NANCY FREEMAN

STATE OF IDAHO)
County of Bingham) ss

On this 3 day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANKLYN J. FREEMAN AND NANCY FREEMAN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

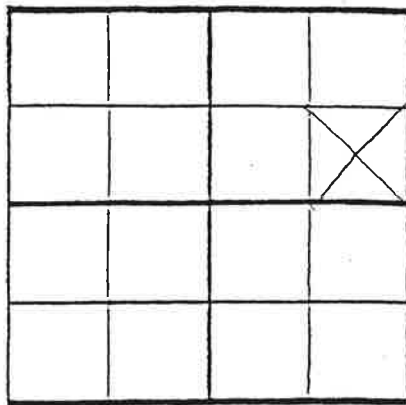
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Elnora Schnittgen
Notary Public for State of Idaho
My comn exprs: 10-21-97



BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 6.00 DEP STJ
96 MAY -3 PM 4:47
RECORDED AT THE REQUEST OF
Dadon Caplan

443876



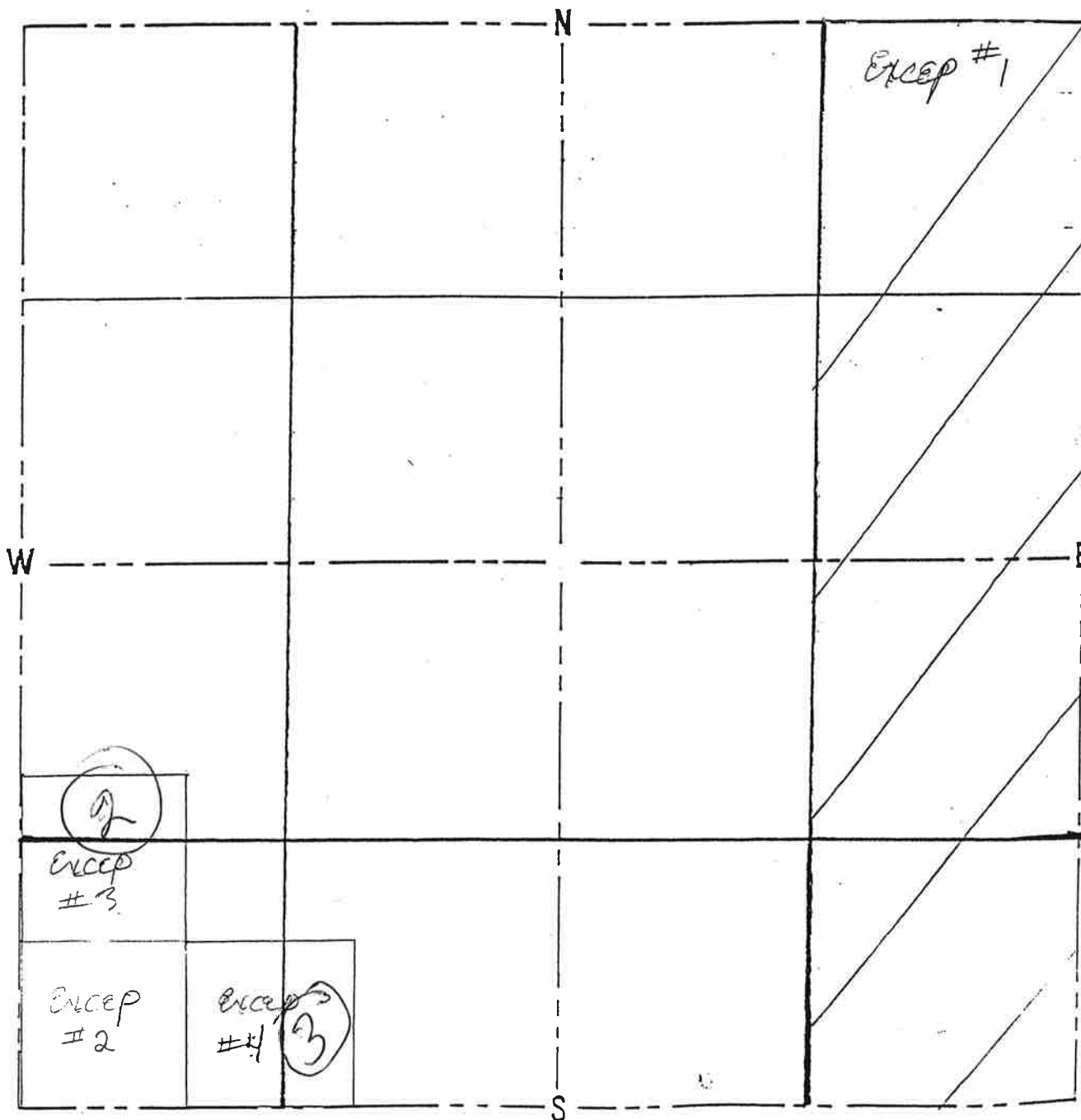
This plat is made for locational purposes only
no liability is assumed hereto for any
incorrectness with actual survey.

SE $\frac{1}{4}$ NE $\frac{1}{4}$

19-15-37

SCALE FOR QUARTER SECTION. { Each side large blue squares = 10 chains, 40 rods, 660 feet; area of square 10 acres.
400 Ft. = 1 inch { Each side small red squares = 2.5 chains, 10 rods, 165 feet; area of square .625 of 1 acre.

20 scale



SCALE FOR QUARTER QUARTER
SECTION 100 Ft.

{ Each side large blue squares = 5 chains, 20 rods, 330 feet; area of square 2.5 acres.
{ Each side small red squares = 1.25 chains, 5 rods, 12.5 feet; area of square .15625 of 1 acre.

April 24, 1996

LEGAL DESCRIPTIONS
FOR
FRANK FREEMAN

Parcel 1

(2)

Beginning at a point that is N 00°12'50" E 208.71 feet from the East 1/16 corner of Section 19 Township 1 South Range 37 East of the Boise Baseline and Meridian and running thence N 00°12'50" E 208.71 feet; thence S 89°52'23" E 208.71 feet; thence S 00°12'50" W 208.71 feet; thence N 89°52'23" W 208.71 feet to the point of beginning containing 1 acre.

SW NW Sec 20

Parcel 2

(3)

Beginning at a point that is S 89°52'23" E 208.71 feet from the East 1/16 corner of Section 19 Township 1 South Range 37 East of the Boise Baseline and Meridian and running thence S 89°52'23" E 208.71 feet; thence N 00°12'51" E 208.71 feet; thence N 89°52'23" W 208.71 feet; thence S 00°12'50" W 208.71 feet to the point of beginning containing 1 acre.

These legal descriptions are calculated from known monuments. There has been no field work done or stakes put in the ground by request of the owner because the ground is being farmed.



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

18 September 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Franklyn J. Freeman
Nancy J. Freeman
P. O. Box 111
Basalt, ID 83218

Re: Snake River Basin Adjudication (SRBA)
Claim 27-7077A

Subject: CLARIFICATION OF THE LEGAL DESCRIPTION

Response Date: 18 October 2003

Dear Claimant (s):

The Idaho Department of Water Resources (IDWR) initial investigation of the Notice of Claim listed above indicates the claimed Point of Diversion (POD) and Place of Use (POU) in Township 1 South, Range 37 E, as being in Section 19, SENE. The warranty deed in the files does not match the claimed POU. Please provide this office with a copy of an aerial map or plat map indicating the location of these two acres together with a copy of the Warranty Deed containing the correct legal description.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible

This office must receive your response by the above reference response date. If no response is received, then your claim to water may be recommended to be disallowed. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 27-7077 Priority March 4, 1977 Amount 0.58 cfs

THIS IS TO CERTIFY, that Franklyn J. Freeman
of Carmichael, California, has complied with the terms and conditions of Permit
No. 27-7077 issued pursuant to Application for Permit dated March 4, 1977,
and has submitted proof to the Department of Water Resources on September 17, 1980,
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 0.67 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>0.58</u> cfs and	<u>101.5</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 0.58 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
101.5 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19,
Twp 1S, Rge 37E in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1S	37E	19				29													29

Total number of acres irrigated 29

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.

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 17TH day of December, 19 85.

Acting for the Director



SCANNED

JUL 18 2001

Log for claim 27-07077A

Spatial Dynamics LTD

11/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01s37e	19	SENE	2	37	Indiscernible
Totals:			2	37	

Water Right Claim Number 27-07077A
Township , 1S37E

11/10/2000



 Irrigated Area

 Place of Diversion

Legend

 Section Line

 Quarter Section Line

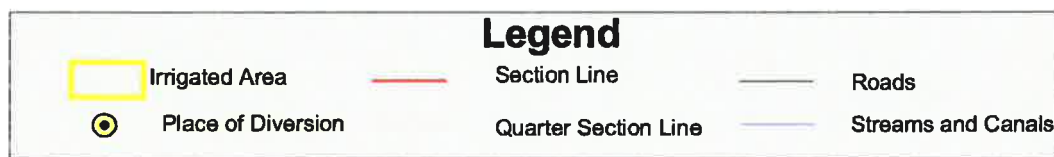
 Roads

 Streams and Canals



Water Right Claim Number 27-07077A
Township , 1S37E

11/10/2000



Water Right Claim Number 27-07077A
Township , 1S37E

11/10/2000



**Irrigated Area**

**Section Line**

**Roads**

**Place of Diversion**

**Quarter Section Line**

**Streams and Canals**



AJ5809NP
No. A27-07077A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 49

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANKLYN J FREEMAN	03/04/1977	IRRIGATION	04-01 11-01	0.040 CFS	7.00 AFA
C	NANCY J FREEMAN					
	PO BOX 111					
	BASALT ID 83218			TOTAL DIVERSION:	0.040 CFS	7.00 AFA
	(208) 346-6531			CONSUMPTIVE USE:		5.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01S R37E S19 NWSENE 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 Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	:	Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
01S	37E	19	:	02	:	:	:	:	:	:	:	:	:	2.0		
TOTAL ACRES													2.0			

POU County: BINGHAM

Other Rights: SHARES IN SNAKE RIVER IRRIGATION DISTRICT

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A27-07077B

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00038 A01-00039 A01-00171 A01-00172 A01-00250 A01-00328 A01-10247 A27-07077 A27-07077B

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 CHANGE OF WATER RIGHT OWNERSHIP, DATED 3MAY96, REDUCED
CLAIMANT'S PORTION OF WATER RIGHT. EMC 21MAY96

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

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

Audit: 05/21/96 ECARLSEN



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

JUNE 10, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RONALD ESPLIN
747 E 1000 N
SHELLEY ID 83274

RE: CHANGE IN OWNERSHIP FOR A27-07077

Dear Mr. Esplin:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the rights were split as follows:

A27-07077A, 0.04 CFS ON 2 ACRES, FREEMAN
A27-07077B, 0.54 CFS ON 27 ACRES, ESPLIN AND SONS

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: Franklyn Freeman/copy claim/letter

MICROFILMED
NOV 13 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

MAY 13 1996

DATE OF CLOSING: May 3, 1996

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 1 S. Range 37 E.
Section 19, SE 1/4 of NE 1/4 of 1/4, Govt. Lot, B.M.

Block, Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

See Attached Copy of Deed

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)

Assigned by IDWR: 27-7077

Department of Water Resources
Eastern District Office

☐ Name and Address of Former Owner/Claimant(s)(Seller): Franklyn J. Freeman

P.O. Box 111

Basalt, ID 83218

☐ New Owner/Claimant (Purchaser):

Ronald Esplin & Sons, a Partnership

☐ New Mailing Address:

747 East 1000 North

Shelley, ID 83274

☐ New Telephone Number: (208) 357-3328

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

27 Acres out of 29 Acres have been transferred. Well is on 27 acre parcel and will not be used to water 2 acres retained unless they are subsequently purchased and recombined.

☐ Attach proof of ownership, describe proof attached: See attached copy of Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s)

Ronald Esplin & Sons by
Ronald Esplin

Date 5-8-96

Date

☐ Signature of Former Owner/Claimant(s):

Franklyn J. Freeman

Date

Date 5-7-96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5/10/96 By: EUC

Further Action Needed

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED
NOV 13 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

FOR VALUE RECEIVED FRANKLYN J. FREEMAN AND NANCY FREEMAN, also known as Nancy Jane Freeman, (husband and wife), the grantors, do hereby grant, bargain, sell and convey unto RONALD ESPLIN AND SONS, a partnership, the grantee, whose address is 747 East 1000 North, Shelley, Idaho 83274, the following described premises, in Bingham County, Idaho, to-wit:

The real property is described as follows:

The Southeast Quarter of the Northeast Quarter of Section 19 in Township 1 South of Range 37 East of the Boise Meridian, EXCEPT, Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 19 in Township 1 South of Range 37 East Boise Meridian, and running thence West 20 rods; thence South 80 rods; thence East 20 rods; thence North 80 rods to the point of beginning, and EXCEPTING the following three one-acre parcels: 330 X 1320

Parcel 1:

Commencing at the Southwest corner of said Southeast Quarter of the Northeast Quarter of Section 19, Township 1 South of Range 37 E.B.M., and running thence North 208.71 feet; thence East 208.71 feet; thence South 208.71 feet; thence West 208.71 feet to the point of beginning containing 1 acre.

Parcel 2:

Beginning at a point that is N 00°12'50" E 208.71 feet from the East 1/16 corner of Section 19 Township 1 South Range 37 East of the Boise Baseline and Meridian and running thence N 00°12'50" E 208.71 feet; then S 89°52'23" E 208.71 feet; thence S 00°12'50" W 208.71 feet; thence N 89°52'23" W 208.71 feet to the point of beginning containing 1 acre.

Parcel 3:

Beginning at a point that is S 89°52'23" E 208.71 feet from the East 1/16 corner of Section 19 Township 1 South Range 37 East of the Boise Baseline and Meridian and running thence S 89°52'23" E 208.71 feet; thence N 00°12'51" E 208.71 feet; thence N 89°52'23" W 208.71 feet; thence S 00°12'50" W 208.71 feet to the point of beginning containing 1 acre.

Together with all ditches, ditch rights of way, water and water rights thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

NOV 13 1996

DATED this 3 day of May, 1996.

Franklyn J. Freeman
FRANKLYN J. FREEMAN

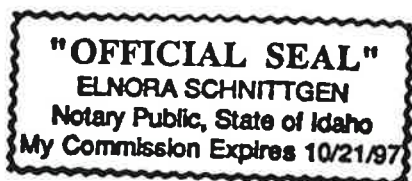
Nancy Freeman
NANCY FREEMAN

STATE OF IDAHO)
County of Bingham) ss

On this 3 day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANKLYN J. FREEMAN AND NANCY FREEMAN, husband and wife, known to me to be the persons whose names are 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.

Elnora Schnittgen
Notary Public for State of Idaho
My com exprs: 10-21-97



BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 6.00 DEP. STJ
96 MAY -3 PM 4:47
RECORDED AT THE REQUEST OF
Daden Explan

MICROFILMED 443876
NOV 13 1996

JUL 1 1989

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: **A27-07077A**
Date Received: 8/ 3/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILESNOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAWCOPY FOR
YOUR FILES

1. Name: FRANKLYN J FREEMAN
Address: PO BOX 111
BASALT ID

208-346-6531

83218

OR

Name: NANCY J FREEMAN
Address: PO BOX 111
BASALT ID

208-346-6531

83218

2. Date of Priority: MAR 4, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	37E	19	NW	SE	NE		BINGHAM

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		7.00

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 7.00 A.F.A.

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	37E	19	SE	NE		IRR	2.0

MICROFILMED
NOV 13 1996



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

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:

SHARES IN SNAKE RIVER IRRIGATION DISTRICT

14. Remarks:

CHANGE OF WATER RIGHT OWNERSHIP, DATED 3MAY96, REDUCED
CLAIMANT'S PORTION OF WATER RIGHT. EMC 21MAY96

15. Basis of Claim: LICENSE

MICROFILMED