

11/19/2004

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

RIGHT NUMBER: 27-10147

NAME AND ADDRESS: LEON M ESPLIN
703 E 900 N
SHELLEY ID 83274

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.120 CFS
229.600 AFY

USE OF THIS RIGHT WITH RIGHT NO. 27-10314 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.42 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 484 AF.

PRIORITY DATE: 09/01/1961

POINT OF DIVERSION:

T01S R37E S17 SWSWSW Injection Within BINGHAM County

T01S R37E S17 SWSWSW Rediversion Within BINGHAM County

T01S R37E S17 SESWSW Within BINGHAM County

WATER DIVERTED FROM GROUND WATER DELIVERED THROUGH SNAKE RIVER
VALLEY IRRIGATION CANAL.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.120 CFS
229.60 AFY

The right holder shall make full use of all appurtenant surface water rights
in conjunction with groundwater diverted for irrigation purposes under
this right.

PLACE OF USE: IRRIGATION Within BINGHAM County

T01S R37E S20	NENW	7.0	T01S R37E S20	NWNW	37.0
T01S R37E S20	SWNW	10.0	T01S R37E S20	SENW	1.9

55.9 ACRES TOTAL

Place of use is within the area served by Snake River Valley Irrigation
District.

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: Beneficial Use

Right No. 27-10314 is also diverted through point of diversion described
above.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM SNAKE RIVER
IRRIGATION DISTRICT.



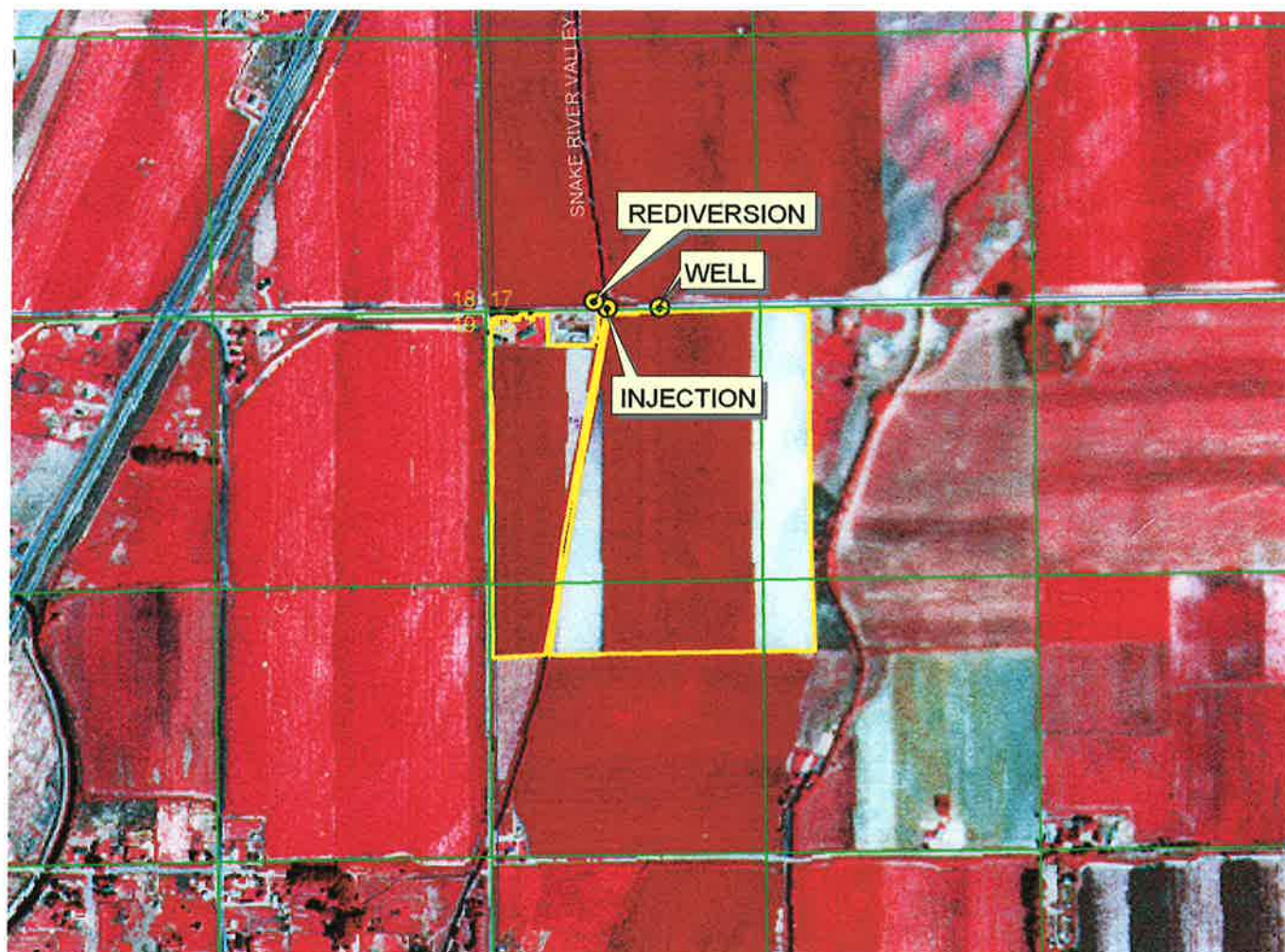
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-10147



300 0 300 600 Feet



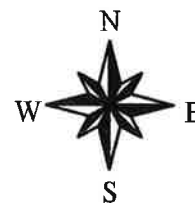
IRRIGATED ACRES 55.9

Place of Use: T1S, R37E:
(part of) Sec. 20

Point(s) of Diversion: T1S, R37E:
Sec. 17, SESWSW, Injection &
rediversion SWSWSW.

LEGEND

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



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: C. Bird
Date: November 2004

Notes

11-12-04 Section 20
SE NW 2.1

N. E NW 7.3

NW NW 37.3

SW NW 10.7

57.4 ac RD

11/16/04 1964 Imagery does show this as irrigated. In the NE NW & SE NW there was a ditch on the property that the irrigation cut out. The ditch is also there on the 1974 Orthoquad. Recommending only the 56 acres with the 1961 priority date. The claimant may want to file an ~~enlargement~~ enlargement claim for the additional 1.5 acres.

11-16-04 letter to claimant. CB

56 acres with 1961 priority.

We need to wait to see if Leon wants to file an enlargement claim. Nov. 30, 2004 response date.

Otherwise, we can finish this claim. CB

Cedar Point Canal (Snake River Valley
irrigation canal)

Notes

A27-10147

1/ Do measurement in Spring

2/ Go Right on Escott (800 E) Go 1 mile South, Turn West on Sand Creek (900 N) & nearly a mile to pump on canal

3/ GPS data 0649527 File # 10147
0248909

Existing GPS tag # A0009304
* Exam done Nov 7, 2008

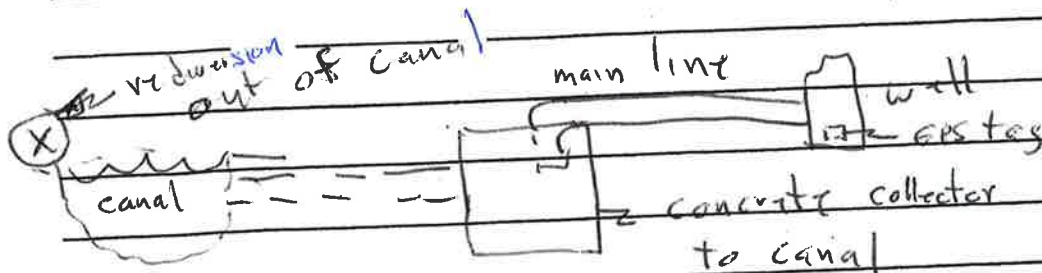


Photo looking North

* Pump tag Says 20hp
Serial # 163EM1828

Need measurement in Spring 2004

Also same pd for Claim A27-10314

CRP contracts started 1982 confirmed by

Steve Pullman @ Farm Service Agency in Blackfoot
Paperwork has been discarded. See signed map!

* Send Copy of signed map back to Leon!



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

November 16, 2004

Leon M. Esplin
703 E. 900 N.
Shelley, ID 83274

Ref: Snake River Basin Adjudication (SRBA)
Claim 27-10147

Subject: Enlargement of irrigated Acres

RESPONSE DATE: November 30, 2004

Dear Mr. Esplin,

IDWR is in the process of preparing recommends on the SRBA claims to the adjudication court. The above listed claim has a priority date of 1961 from a ground water source. The file contains several affidavits to confirm that the water was put to beneficial use at that time. However, after looking at the 1964 imagery, the 1974 Orthoquad and the 1987 NAPP photography there is a discrepancy in the number of irrigated acres in 1961.

The 1964 and 1974 imagery shows a ditch that cut through your property in the southeast corner. The 1987 NAPP photography does not show the ditch but a straight field line. The quantity of water would be determined on the irrigated acres in 1961 not 1987. The acres irrigated in 1987 could be recognized in the recommendation if you file an enlargement claim to include the additional acres. This would allow you to irrigate the acres but it would not give you the additional water needed to put a full inch of water on each acres.

Our 1964 imagery confirms that most of the land was irrigated at that time. The difference is only a couple acres but you will need to complete the enclosed Notice of Claim to a Water Right and return it with the \$50.00 filing fee to have it recommended to the court.

The 1964 photo shows 56 acres irrigated and in 87 it shows 57.4 acres. If we do not hear from you by the above referenced response date the additional acres will not be recommended as irrigated. If you have any further questions please feel free to contact me at 547-3993 in the Soda Springs office.

Respectfully,

Cindy Bird
Adjudication Bureau

Enclosure: 1964 Layout
1987 Layout
42-1409(2) a 1/88



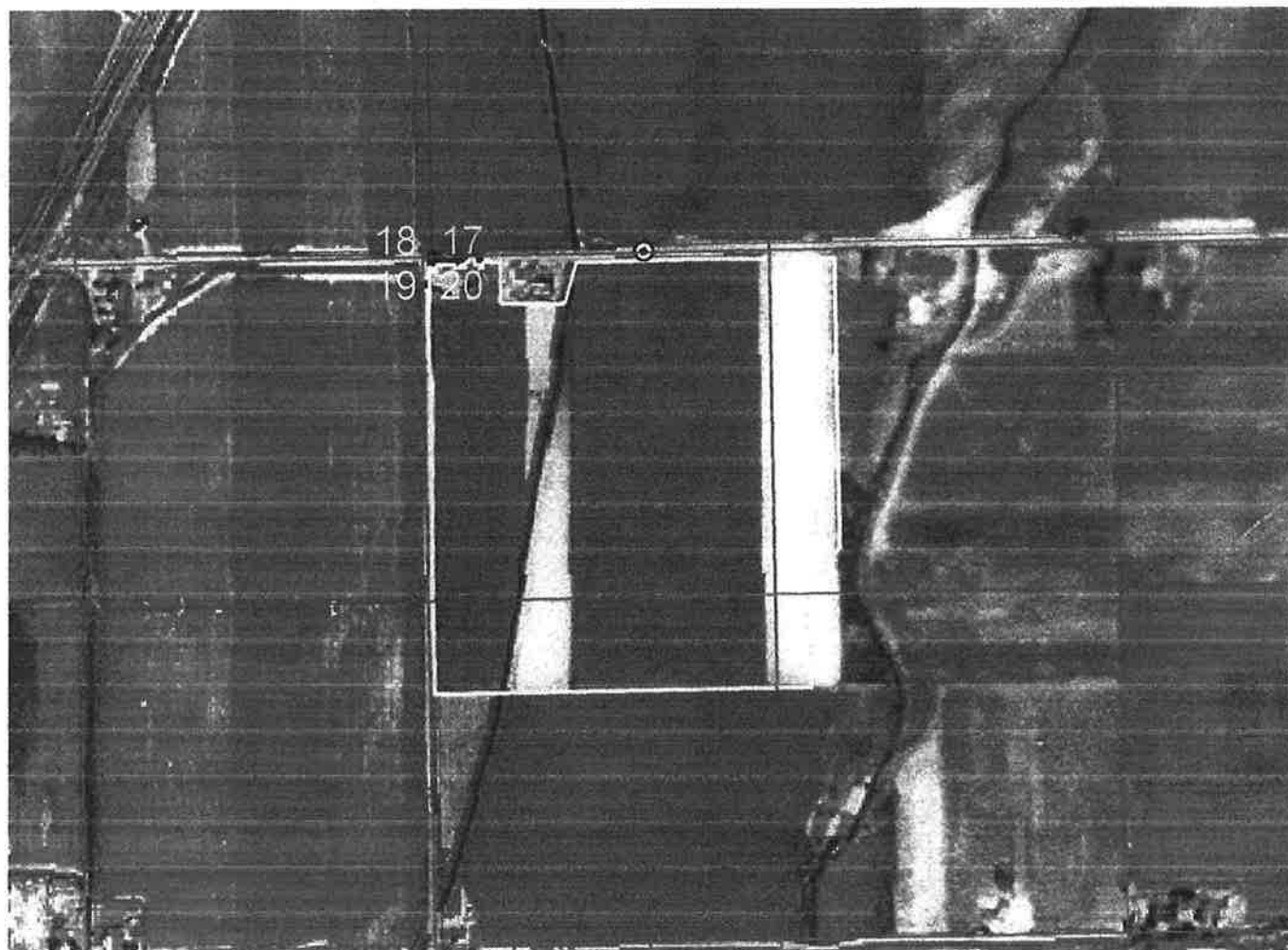
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-10147



300 0 300 600 Feet



IRRIGATED ACRES 57.4

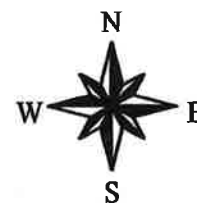
LEGEND

- ⊙ Point of Diversion
- Place of Use



Place of Use: T1S, R37E:
(part of the NW) Sec. 20.

Point(s) of Diversion: T1S, R37E:
Sec. 17, SESWSW.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: C. Bird
Date: November 2004



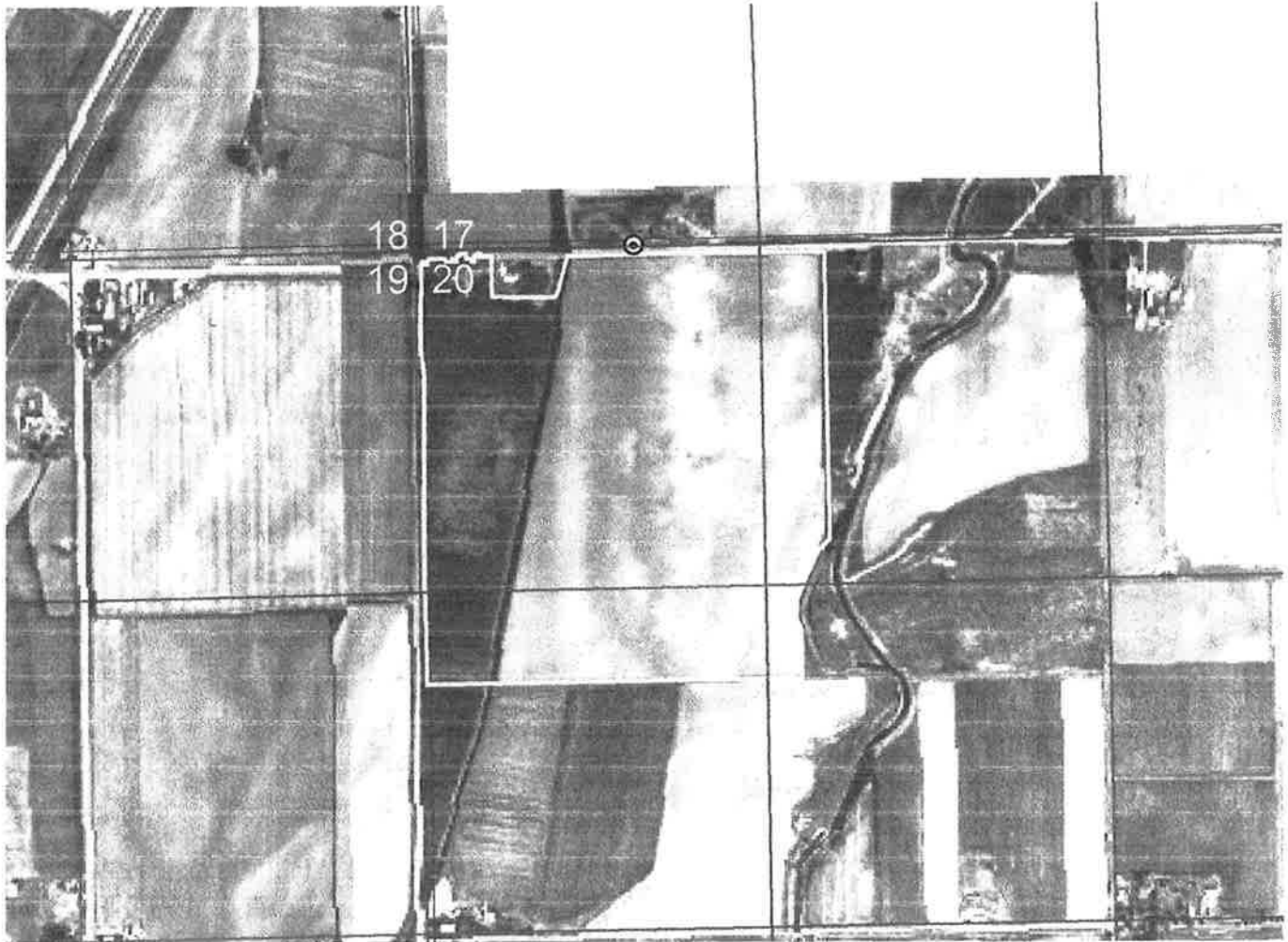
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-10147



300 0 300 600 Feet



IRRIGATED ACRES 56.0

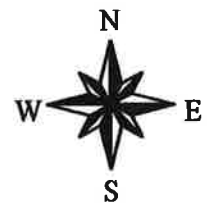
LEGEND

⊙ Point of Diversion
Place of Use

▬ Townships
▬ Sections
▬ Quarter-Quarters

Place of Use: T1S, R37E:
(part of the NW) Sec. 20.

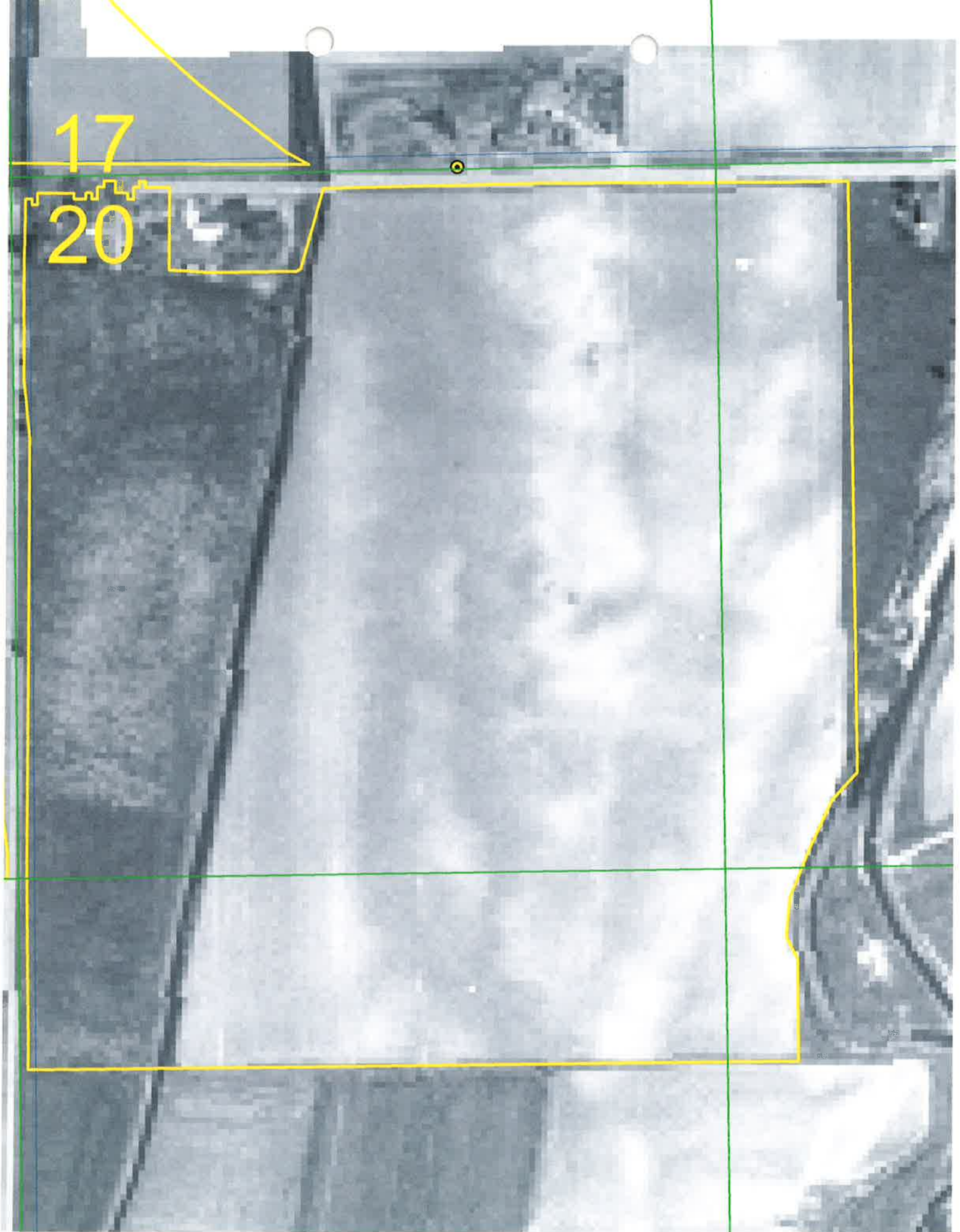
Point(s) of Diversion: T1S, R37E:
Sec. 17, SESWSW.



GIS Place of Use Illustration
1964 Imagery
Prepared by: C. Bird
Date: November 2004

17

20



17

20



1964 Imagery

19 20

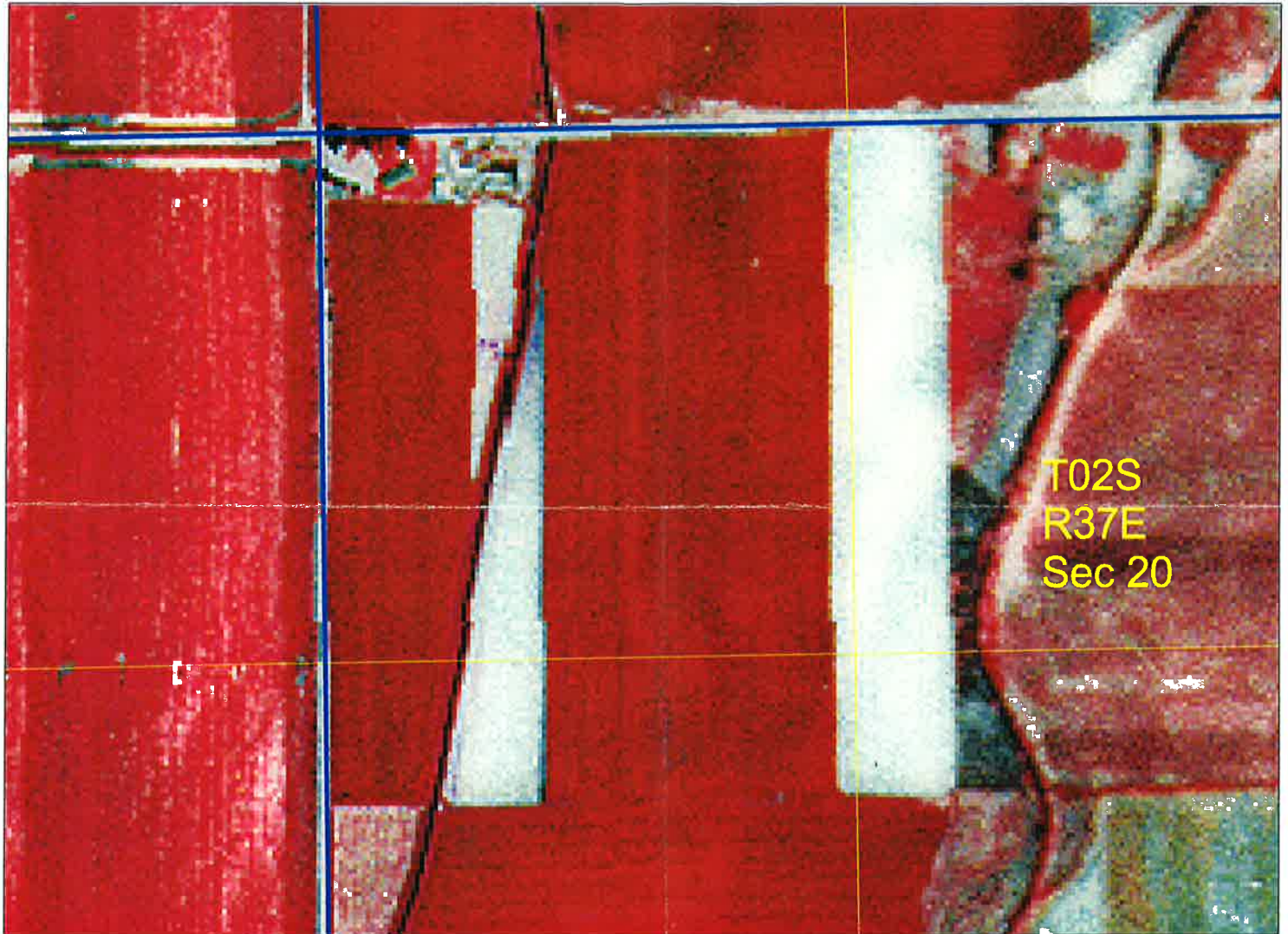
NENW

SENW



State of Idaho
Department of Water Resources
Eastern Region

Claim No.: 27-10147



300 0 300 600 900 1200 Feet

Irrigated Acres =



7-25-03
Has been irrigated. White Spots are Setaside.
was irrigated in '82 out.

 Sections
 QQ

* Steve Jullman CRD
RSA

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: July, 2003

A27-10147 + A27-10314



GPS tag

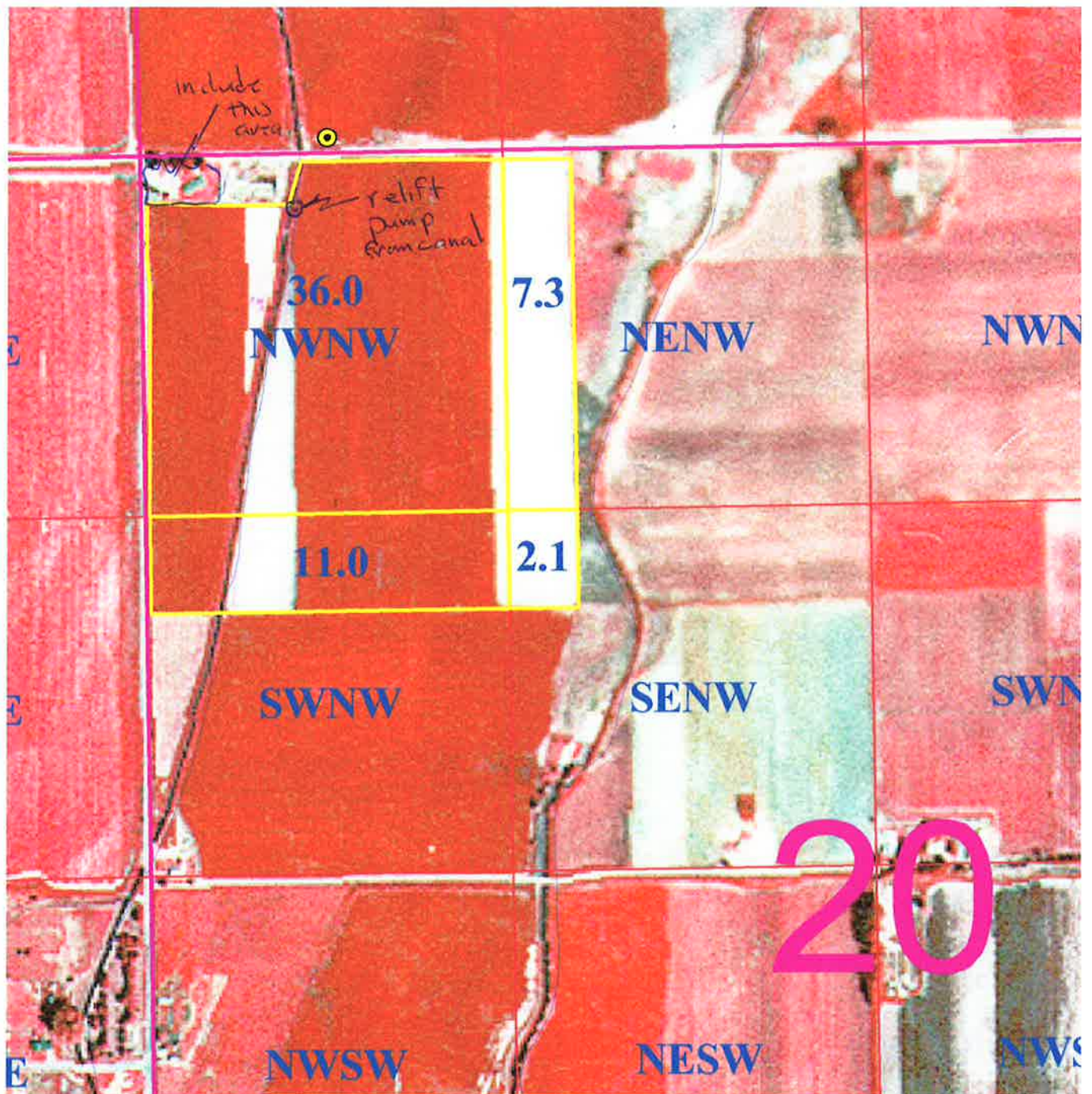
Photo looking North

A27-10147 + A27-10314



Water Right Claim Number 27-10147
Township, 1S37E

11/16/2000





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

Leon M. Esplin
703 East 900 North
Shelley, Idaho 83274

May 14, 2003

Re: Evidence of Priority

Claim No.(s) A27-10417

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some examples of Documents Which May Be Evidence of the Priority Date**".

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

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by June 30, 2003, referencing all documents with the corresponding Notice number. 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

Enclosure: Brochure on "Evidence of Priority"
 Adjudication Claim Report

Memo to File: The following letter date November 6, 2002, was sent out to the claimants and no response was received back to Intrepid.

November 6, 2002

Dear Sir or Madam:

Intrepid Technology and Resources, Inc. (ITR) has been contracted by the Idaho Department of Water Resources (IDWR) to verify information in the State's records regarding the enclosed claim(s). This letter is being sent to the address of record for the enclosed claim(s).

In June or July of 2002, ITR employees visited the point(s) of diversion for the claim(s) in question. The purpose of this letter is to follow up on that visit, and ask for your input to verify the boundary of the area irrigated by each point of diversion. IDWR has supplied the enclosed maps and/or aerial photographs. The points of diversion (wellheads, dams, etc.) are indicated as circles. The irrigated areas are traced with bright yellow lines.

Please take the time to review the map, and correct any inaccuracies by marking changes on the map, and sending the map and claim file back to us in the enclosed postage-paid envelope.

If the claim is no longer in use, please note it on the claim file and return it to us in the enclosed envelope.

This applies only to the enclosed claim file. Water rights or claims not included with this package will be dealt with separately. Please DO NOT mark wells, diversions, or irrigated areas not specifically addressed in this package.

If you have any questions about the letter itself or how to respond, please call Doug Larsen or myself at 208-529-5337. We will be happy to discuss it with you.

Sincerely,

Shaun Dustin, PE
Intrepid Technology & Resources, Inc.



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 27 10147

POD ID 155248

Folder No. A2710147

Claim Status In Use

IDTMEAST

IDTMNORTH

GPSID A0009304

Diversion Description

110' DEEP - 25 HP PUMP - 16" CASING PUMPED TO CANAL.

Assumptions

Assume original diversion description information is accurate. Assume pressure head.

Invoice

2000-055-23-27-0

Phase-0 (No Attention)

Phase-I (Ready to Go to Field)

Phase-II (Site Visit - Data Missing)

Phase-III (Complete w/issues)

Linked

photos\27-10147-001.JPG

photos\27-10147-003.JPG

Photos

photos\27-10147-002.JPG

GPS Accuracy (ft)

18 Feet

Date (M/D/Y)

07-24-02

Time

15:00

Flow Rate (CFS)

0.86

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

☐ Less than half full

☐ Half full

☐ More than half full

☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 25

Pressure Head (psi) 30

Elevation Head (ft) 110

Motor Mfg Westinghouse

Motor Serial # 163LM1828

Pump Type Vertical Turbine

Pump Mfg Wintroath

Pump Serial# 10264

New Contact Information ☐

New Contact Comments

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FOLDER NO. A2710147

SCANNED

JUL 2 2 3

Log for claim 27-10147

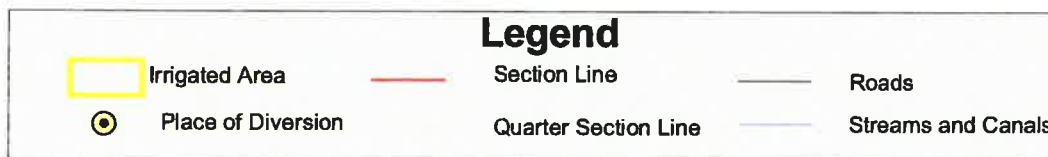
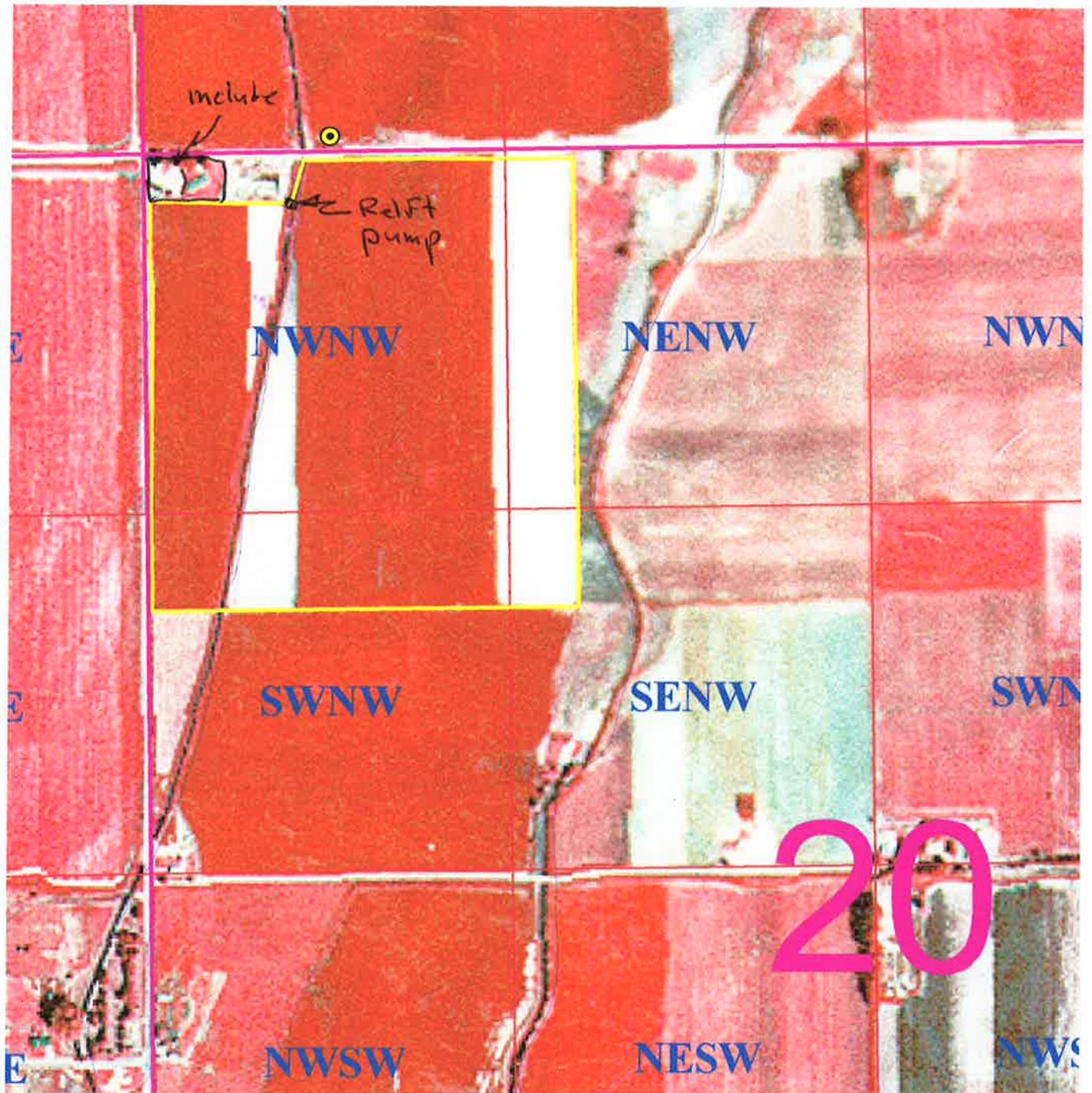
Spatial Dynamics LTD

11/16/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01s37e	20	NENW	3	7.3	
01s37e	20	NWNW	40	36	
01s37e	20	SWNW	15	11	
01s37e	20	SEnw	2	2.1	
Totals:			60	56.4	

Water Right Claim Number 27-10147
Township , 1S37E

11/16/2000



A27-10147

DEPT OF WATER RESOURCES
STATE OF IDAHO.

EVIDENCE OF PRIORITY

THE WELL ON T0-1-S R-37E S-17 SWSW WAS
DRILLED AND PUT INTO USE IN SEPTEMBER OF
1961

I HAVE BEEN A LONG TIME RESIDENT AND A
NEIGHBOR TO THE OWNERS OF THIS PROPERTY.

Garth Holm

1-20-1995

EXP 4-23-98

Rene Christensen
Shelly Idaho

MICROFILMED

NOV 13 1995

A 27 -10147

DEPT OF WATER RESOURCES
STATE OF IDAHO

EVIDENCE OF PRIORITY

THE WELL ON T-1E5 RANGE 37E S-17 SW SW
WAS DRILLED AND PUT INTO USE IN SEPTEMBER
OF 1961

I am a Neighbor of the Esplin family since 1939 I witnessed
the drilling of this well.

Thomas Christensen
845 E. 1000 N Shelley, Idaho 83274

EXP-53-98
Lenn & Christensen
Shelley Idaho

MICROFILMED
NOV 13 1996

SCANNED

JUL 20 2001

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: A27-10147
Date Received: 3/30/1989
Receipt No: E007099
Received By: TD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEON M. ESPLIN 208-346-6980
Address: 703 E. 900 N.
SHELLEY, ID 83274

2. Date of Priority: SEP 01, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	37E	17	SW	SW			BINGHAM

5. Description of diverting works:
110' DEEP - 25 HP PUMP - 16" CASING PUMPED TO CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	37E	20	NE	NW		IRR	3.0
			NW	NW		IRR	40.0
			SW	NW		IRR	15.0

A27-10147

Page 1

Date: 03/30/89

A2710147



MICROFILMED
NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	37E	20	SE NW		IRR	2.0
Section Acres						60.0
Total Acres						60.0

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 RIVER VALLEY IRR.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 Individuals:

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

Signature of Claimant(s): Leon M. Eglin Date: 3-30-89
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day

of March 19 89

Seal

Anthony S. Olenichak
Notary Public

Residing at Idaho Falls

My Commission Expires 9/12/1994

MICROFILMED
NOV 12 1982