

02/05/2004

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

RIGHT NUMBER: 27-11957

NAME AND ADDRESS: RONALD ESPLIN AND SONS
747 E 1000 N
SHELLEY ID 83274

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS
28.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 27-7077B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.54 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 94.5 AF.

PRIORITY DATE: 04/01/1984

POINT OF DIVERSION:

T01S R37E S19 NWSENE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.160 CFS 28.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T01S R37E S19 SENE 35.0

35 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 27-7077B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 35 ACRES IN A SINGLE IRRIGATION
SEASON.

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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 27-7077B
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 27-7077B IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 8 ACRES WITHIN THE PLACE OF
USE DESCRIBED FOR THIS RIGHT.

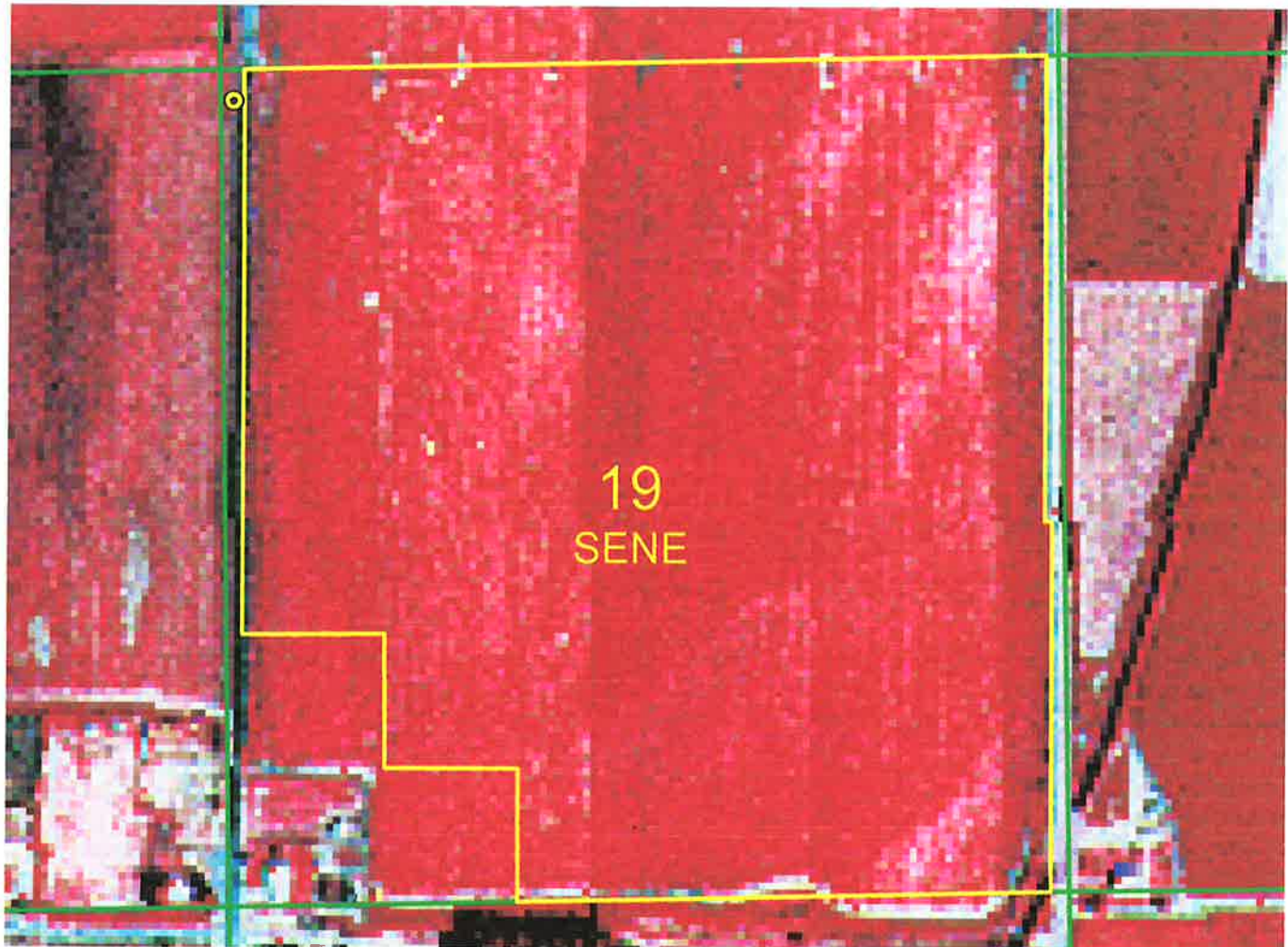


STATE OF IDAHO

Department of Water Resources
Eastern Region



Water Right(s) 27-7077B & 27-11957



200 0 200 400 Feet

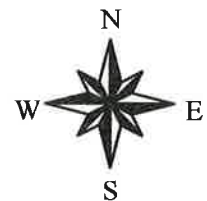
IRRIGATED ACRES 35.0

LEGEND

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

Place of Use: T1S, R37E:
(part of) Sec. 19, SESE

Point(s) of Diversion: T1S, R37E:
Sec. 19, NWSENE



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: February 2004

02/05/2004

**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: 27-11957

RONALD ESPLIN AND SONS
747 E 1000 N
SHELLEY ID 83274
Telephone Number: (208) 357-3328

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:

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

DATE: 6-21-05

SIGNATURE: Ronald Espin

Please print your name: Ronald Espin

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

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Legals
AFFIDAVIT OF PUBLICATION
County of Bingham)

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NOTICE OF ENLARGEMENT OF WATER RIGHT

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Bingham County are shown to the nearest section - more specific locations are available upon request.

Water Right: 27-10151
NAME & ADDRESS: RAY & ROSEMARY TOMINAGA
515 W 73 S
BLACKFOOT ID 83221

SOURCE: JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221
GROUND WATER
PRIORITY DATE: 04/01/1983
POINT OF DIVERSION: T02S R37E S06 SWNWSE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T02S R37E S06 SWNE SENW NESW SESW NWSE
This right is for an enlargement of 7 acres within the total 75 acres recommended.

Water Right: 27-10183
NAME & ADDRESS: CLAYSON FARMS
761 E 700 N
FIRTH ID 83236
GROUND WATER
SOURCE: GROUND WATER
PRIORITY DATE: 04/01/1987
POINT OF DIVERSION: T01S R37E S28 SWNWSE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T01S R37E S28 SWNW SENW NESW NWSW SESE
This right is for an enlargement of 40.4 acres within the total 139.4 acres recommended.

Water Right: 27-11957
NAME & ADDRESS: RONALD ESPLIN AND SONS
747 E 1000 N
SHELLEY ID 83274
GROUND WATER
SOURCE: GROUND WATER
PRIORITY DATE: 04/01/1984
POINT OF DIVERSION: T01S R37E S19 NWSENE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T01S R37E S19 SENE
This right is for an enlargement of 8 acres within the total 35 acres recommended.

Water Right: 27-11968
NAME & ADDRESS: RICHARD & JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221
RAY TOMINAGA
515 W 73 S
BLACKFOOT ID 83221
GROUND WATER
SOURCE: GROUND WATER
PRIORITY DATE: 04/01/1978
POINT OF DIVERSION: T02S R37E S06 SENWSE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T02S R37E S06 LT 1(NENE) LT 2(NWNE) SWNE
SENE
SESW NESE NWSE SWSE SESE
This right is for an enlargement of 7.8 acres within the total 196.0 acres recommended.

Water Right: 27-11969
NAME & ADDRESS: COOK CHILDREN LLC
PO BOX 515
SHELLEY ID 83274
GROUND WATER
SOURCE: GROUND WATER
PRIORITY DATE: 04/01/1977
POINT OF DIVERSION: T02S R37E S06 LT 3(SWNENW)
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T02S R36E S01 LT 1(NENE) SENE
R37E S06 LT 2(NWNE) SWNE LT 3(NENW)
LT 4(NWNW) LT 5(SWNW) SENW
NESW
This right is for an enlargement of 8 acres within the total 140 acres recommended.

Water Right: 27-12068
NAME & ADDRESS: ROBERT E & CHRISTY J REID
911 REID RD
FIRTH ID 83236
SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER
PRIORITY DATE: 07/27/1981
POINT OF DIVERSION: T02S R37E S11 NWNWSW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T02S R37E S10 NENW NWNW SWNW SENW
NWSW LT 4(SWSW) SESW
S15 NWNW
S16 NENE LT 1(NWNE)
This right is for an enlargement of 23 acres within the total 229.4 acres recommended.

The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, Eastern Region, 900 N Skyline Dr, Suite A, Idaho Falls ID 83402-1718 on or before April 17, 2006.

(#1993)
Pub: 3/10/17

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PROFILED
AUG 23 2003

NOTICE OF ENLARGEMENT OF WATER RIGHT

The following claims to water rights have been filed in the Snake River Basin enlargements to existing water rights under Idaho Code §42-1426. Note use in Bingham County are shown to the nearest section - more spec available upon request.

Water Right: 27-10151
NAME & ADDRESS: RAY & ROSEMARY TOMINAGA
515 W 73 S
BLACKFOOT ID 83221
JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221
SOURCE: GROUND WATER
PRIORITY DATE: 04/01/1983
POINT OF DIVERSION: T02S R37E S06 SWNWSE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T02S R37E S06 SWNE SENW NESW
This right is for an enlargement of 7 acres within the total 75 acres recommended

Water Right: 27-10183
NAME & ADDRESS: CLAYSON FARMS
761 E 700 N
FIRTH ID 83236
SOURCE: GROUND WATER
PRIORITY DATE: 04/01/1987
POINT OF DIVERSION: T01S R37E S28 SWNWSW
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T01S R37E S28 SWNW SENW NESW NV
This right is for an enlargement of 40.4 acres within the total 139.4 acres recommended

Water Right: 27-11957
NAME & ADDRESS: RONALD ESPLIN AND SONS
747 E 1000 N
SHELLEY ID 83274
SOURCE: GROUND WATER
PRIORITY DATE: 04/01/1984
POINT OF DIVERSION: T01S R37E S19 NWSENE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T01S R37E S19 SENE
This right is for an enlargement of 8 acres within the total 35 acres recommended.

Water Right: 27-11968
NAME & ADDRESS: RICHARD & JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221
RAY TOMINAGA
515 W 73 S
BLACKFOOT ID 83221
SOURCE: GROUND WATER
PRIORITY DATE: 04/01/1978
POINT OF DIVERSION: T02S R37E S06 SENWSE
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T02S R37E 06 LT 1(NENE) LT 2(NWNE)
SENE

This right is for an enlargement of 7.8 acres within the total 196.0 acres recommended

Water Right: 27-11969
NAME & ADDRESS: COOK CHILDREN LLC
PO BOX 515
SHELLEY ID 83274
SOURCE: GROUND WATER
PRIORITY DATE: 04/01/1977
POINT OF DIVERSION: T02S R37E S06 LT 3(SWNENW)
PURPOSE OF USE: IRRIGATION
PLACE OF USE: T02S R36E S01 LT 1(NENE) SENF

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)

ss

State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said

newspaper 2 consecutive weeks the first publication having been made on the 17th day of March 2006, and the last publication having been made on the 17th day of March 2006; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

Jacqueline Graham
On this 17th day of March the year of 2006, before me a Notary Public of the State, personally appeared Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Margery Sitzmann
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires
October 12, 2010
Affidavit Processing Fee.....\$5.00

PROFILED

Notes

2-4-04. File returned to Soda. BP.

Endangerment claim to 27-7077B,

Owner Type	Full Name	Address	City	State	Zip	Phone
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Name connector: and _____, or _____, and/or _____

Current Owner _____

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 is no handwriting or other markings on the paper.

Reviewer:

Date:

2/2/04

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: A-27-11957

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

A 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:

original licensing exam dated
1/24/1984 per Harold Jones

Reviewer: CBDate: 2/4/04

Priority Date Data Entry Form

Priority DateClaim No. 27-11957

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ☐ No ☒
If Yes, go to 2
If No, go to 4
2. 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
- 3a. 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
- 3b. 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
4. Is the basis of claim a decree or license? Yes ☐ No ☒
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes ☐ No ☐
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes ☐ 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
7. Is the basis of claim a Permit or Application? Yes ☐ No ☒
If Yes, go to 10e
If No, go to 8
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
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
- 10e. 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
11. 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.
12. 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
13. 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
14. 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.
15. Is the basis of claim coded correctly? Yes ☒ No ☐
If Yes, go to 16
If No, Enter the appropriate basis of claim. *B. 21.*
16. Is a Priority Date remark and/or condition required? Yes ☐ No ☒
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Priority Date

Point of Diversion and Source Data Entry Form

Claim Number: A27-17957

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: _____						
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GPS Coordinates: _____						

Other rights from this POD? 27-7077B, 7077A

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

field exam

license exam 27-7077

link. POD 7077B Shape.

Transfers Changing POD noReviewer: CBDate: 2/4/04

Point of Diversion and Source Data Entry Form

Point of Diversion

Claim No. 27-11957

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

Yes () No (X)

If Yes, go to 4
If No, go to 2

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

Yes () No (X)

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 POD as shown on the Permit. Go to 10

4. Does the parent right have a POD?

Yes () No ()

If Yes, go to 5
If No, go to 6

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

Yes () No ()

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

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

Yes () No (X)

If Yes, go to 7
If No, go to 9

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

Yes () No ()

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

8. Was a transfer filed?

Yes () No ()

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

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

Yes (X) No ()

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

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

Yes () No (X)

If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.

Point of Diversion

SourceClaim No. 27-11957

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: A27-11957☐ 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
Irrigation			8	

Document how the Purpose of Use was verified:

field exam
1987/88 NApp photography

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 2/4/04

Purpose of Use Data Entry Form

Purpose of Use

Claim No. 27-11957

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 Purpose(s) of Use as shown on the Permit. Go to 13
Yes ☐ No ☐
4. Does the parent right have a Purpose of Use?
If Yes, go to 5
If No, go to 6
Yes ☐ No ☐
5. Can the claimed Purpose of Use be verified using the water right file?
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
Yes ☐ No ☐
6. Is there evidence that there has been a change in the Purpose of Use?
If Yes, go to 7
If No, go to 11
Yes ☐ No ☒
7. Can the change be verified as an accomplished transfer?
If Yes, add condition C04, go to 11
If No, go to 8
Yes ☐ No ☐
8. Does the change include an enlargement of the Purpose of Use?
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
Yes ☐ No ☐
9. Was an enlargement claim filed?
If Yes, go to 11
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 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
Yes ☐ No ☐
11. Does the file contain all of the necessary information to verify the Water Use?
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
Yes ☒ No ☐
12. Did the claimant file a transfer?
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
Yes ☐ No ☐
13. Is a Purpose of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.
Yes ☐ No ☒

Purpose of Use

Place Of Use Data Entry Form

Claim Number: A27-11957☐ 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
15	37E	19	SESE		Bingham		35	Irrigation

Total Acres 35

Document how the POU was verified:

field exam.

1984 license exam

1987/88 NApp photography

Transfers Changing POU noReviewer: CBDate: 2/4/04

Place Of Use Data Entry Form

Place of Use

Claim No. _____

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

Yes () No (☒)

If Yes, go to 2a

If No, go to 2b

2a. Is a POU required?

Yes () No ()

If Yes, go to 5

If No, go to 14

2b. Is a POU required?

Yes (☒) No ()

If Yes, go to 3

If No, go to 14

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

Yes () No (☒)

If Yes, go to 4

If No, go to 7

4. Has the License been issued?

Yes () No ()

If Yes, go to 6

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

5. Does the parent right have a POU?

Yes () No ()

If Yes, go to 6

If No, go to 7

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

Yes () No ()

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

If No, go to 7

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

Yes (☒) No ()

If Yes, go to 8

If No, go to 13

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

Yes (☒) No ()

If Yes, add condition C05, go to 13

If No, go to 9

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: A27-11957☐ 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
Irrigation	4/1	10/31	0.16	28

Overall Diversion Rate 0.16 Overall Diversion Volume 28

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

field exam

Reviewer: CBDate: 2/4/04

Period of Use and Quantity Data Entry Form

1. Is the basis of claim a Decree or License? Yes () No (X)
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No (X)
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 Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes () No ()
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes () No ()
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes () No (X)
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes () No ()
If Yes, go to 9
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes () No ()
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
9. Was an enlargement claim filed? Yes () No ()
If Yes, go to 12
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 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed? Yes () No ()
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
12. Does the file contain all of the necessary information to verify the Period of Use? Yes (X) No ()
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined? Yes () No (X)
If Yes, go to 14
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes () No ()
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes (X) No ()
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
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? Yes () No ()
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
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? Yes () No ()
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
18. Is a Period of Use remark and/or condition required? Yes () No (X)
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.

Period of Use

Quantity

Claim No. 27-11957

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

Summary

Claim No. 27-11957

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?
If Yes, go to 2
If No, go to 3
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
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
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
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
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.
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
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
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 ☒

Yes ☐ No ☐

Yes ☒ No ☐

Yes ☐ No ☐

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☐ No ☒

Yes ☐ No ☒

Yes ☒ No ☐

combined use limit - yes

Summary

Summary Data Entry Form

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

C18

C05

E25

27-7077B

0.54 cfs

94.5 AF

E11

27-7077B

35

Pou I-R

K09

Exp - Rem

8

F05

27-7077B

K02

Gen Rem

27-7077B

C11 Priority Cond

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

27-11957

Reviewer

CB

Date

2/4/04

27-7077

Evidence for 27-11957

July 23, 2003

To Whom It May Concern:

This letter is regards to water right number 27-7077.

In 1983 I leased this farm to Ronald Esplin & Sons. And in addition to my 29 acres I let him use my well water to water an additional ten acres of his that adjoins it on the east for the an additional sum of \$200.00 per year. It has been used there ever since, a total of 39 acres from the well.


Franklyn Freeman

450

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 27-11957
Date Received: 7/22/2003
Receipt No:
Received By: *DC*
ED29025

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

RONALD ESPLIN AND SONS Phone: (208)357-3328

747 E 1000 N
SHELLEY ID USA 83274

2. Date of Priority: 04/01/1984

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

well/pump to sprinklers

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.25	

7. Total Quantity Appropriated is:
0.25 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
01S	37E	19	SE NE	IRRIGATION	39
Section Acres					39

Total Acres 39

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:

14. Remarks:

enlargement claim of 27- 07077
napp photo show land irrigated in 1987

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: _____

For Organizations:

I do solemnly swear or affirm that I am Partner of
Title
Ronald Explin & Sons, that I have signed the foregoing
Organization
document in the space below as Partner of
Title
Ronald Explin & Sons and that the statements contained in the
Organization
foregoing document are true and correct. Ronald Explin
Signature of Authorized Agent
Ronald Explin & Sons
Title and Organization
7-22-03
Date

State of Idaho
County of Bonneville } SS.

Subscribed and sworn (or affirmed) before me this
22 of July 2003



Dave Carlson
Notary Public

Residing at Ryby, Id

My commission Expires 2/26/2008

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-7077

WATER RIGHT NUMBER: 27-7077

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANKLYN J FREEMAN 7124 LINCOLN AVE CARMICHAEL, CA 95608

Priority Date: 03/04/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.580 CFS	101.50 AF
	<u>Total Diversion:</u>	0.580 CFS	101.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 19, Twp 01S, Rge 37E, B.M.
BINGHAM County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	37E	19				29.0													29.0

Total Acres: 29

Conditions of Approval:

1. 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:Comments:Dates and Other Information:

27-11957

RONALD ESPLIN AND SONS LTD.
ROUTE 2 BOX 63 357-3328
SHELLEY, IDAHO 83274

766

Dec 1 1983 92-41/1241

Pay to the order of Franklyn Freshman \$ 6155⁷¹

Six Thousand One Hundred Fifty Five and 71/100 Dollars

the BANK of COMMERCE

SHELLEY OFFICE
SHELLEY, IDAHO 83274

For 5875.00 farm rent
200.00 pump rent
89.71 electricity
6155.71

Carol Espin

⑆124100417⑆ 14 0400115 2⑈ 0766 ⑈0000615571⑈

Rocky Mountain Bank Note #

First started renting this 39 acres

Ronald Espin