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Transfer No. 2847Water Right No. 35-2316
35-2140Department of Water Resources
Southern District Office
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Keith Esplin Phone 357-7106
Post Office address Rt. 2, Box 62A, Shelley, Idaho 83274

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
35-2316 & _____ (Name of court)
b. License No. 35-2140 issued by the Idaho Department of Water Resources
c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant will
furnish copy of warranty deed.

3. Source of water Groundwater tributary to _____

4. Date of priority May 4, 1949 - 35-2140, March 31, 1953 - 35-2316

5. Water is used for the following purposes:

35-2140 amount 2.18 cfs for Irrigation purposes from 4-1 to 11-1
35-2316 amount 4.32 cfs for Irrigation purposes from 4-1 to 11-1
amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)

6. Total amount of water under right: a. 6.50 cubic feet per second
&/or
b. _____ acre feet per annum
35-2140

7. Location of original point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12

Township 2S Range 34E, B.M., in Bingham County

Additional points of diversion, if any 35-2316 SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 12, T. 2S, R. 34E.

8. Lands irrigated or 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 $\frac{1}{4}$	
<u>2S</u>	<u>34E</u>	<u>1</u>															<u>10</u>	<u>10</u>	<u>20</u>
		<u>11</u>	<u>20</u>			<u>40</u>								<u>40</u>				<u>40</u>	<u>140</u>
		<u>12</u>	<u>35</u>	<u>40</u>	<u>25</u>		<u>20</u>	<u>20</u>	<u>40</u>	<u>40</u>	<u>15</u>	<u>40</u>	<u>20</u>		<u>35</u>	<u>15</u>			<u>345</u>
<u>2S</u>	<u>35E</u>	<u>7</u>									<u>15</u>								<u>15</u>

Total number of acres to be irrigated 520

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D. REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information 2.18 cfs 35-2140
- a. Amount of water to be diverted 4.32 cfs 35-2316 c.f.s. &/or _____ acre feet
- b. Description of diverting works Three wells to sprinkler lines
- c. Describe the reasons for the proposed changes Adding new well for better water distribution

2. Change in point of diversion

Point of diversion NW 1/4 SW 1/4, Section 12 Township 2S
Range 34E, B.M., Bingham County
Additional points NWNE, Sec. 12 & SWNW, Sec. 12, T. 2S, R. 34E.

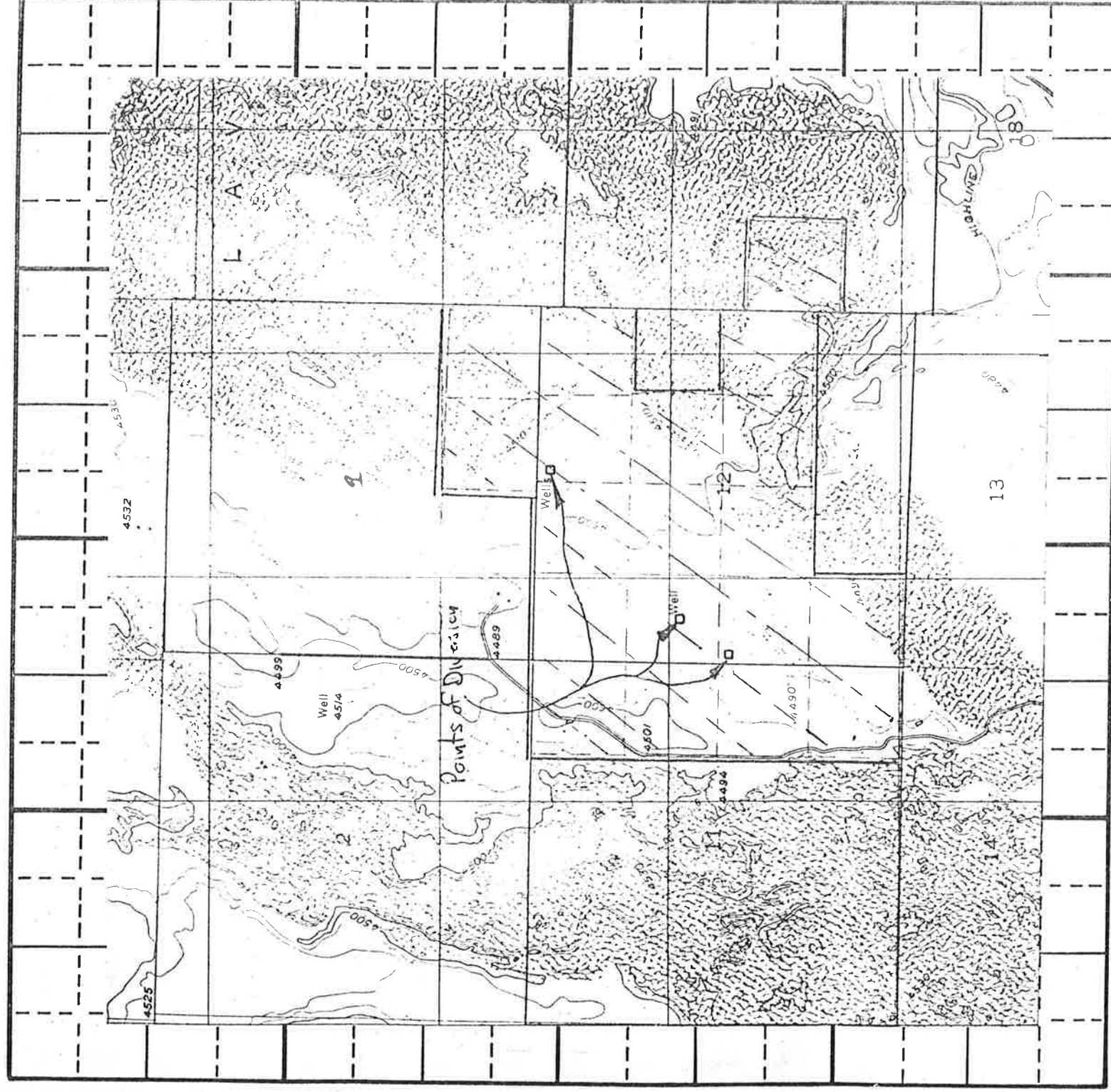
3. Change in place of use NO CHANGE

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

- c. Describe the lands in place of use to which the right will be transferred:

[illegible]

- Total number of acres to be irrigated 520
4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Karel Epler

(Signature of Applicant)

Subscribed and sworn to before me this 20th day of July, 19 83

William Gray

(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 35-2140 & 35-2316 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 3rd day of November, 19 83

L. Glen Saxton

Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Asst by DWJ

Received by _____ Date 5/20/83 Protest filed by _____

Prelim. check by SM Fee 50.00

Receipted by BP Date 5/20/83 #26263

Published in Blackfoot News Copies of protest forwarded by _____

Pub. dates 6/2 - 6/9/83 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for approval denial
_____ rec'd. _____ by EMC DET



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

RECEIVED

NOV 18 1983

Department of Water Resources
Eastern District Office

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 4, 1983

RE: Transfer of Water Right No.'s 35-2140 and 35-2316

RECEIVED

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Department of Water Resources
Southern District Office

Keith Esplin
Rt. 2, Box 62A
Shelley, ID 83274

Dear Mr. Esplin:

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 2847). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure