

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 27-11959

Priority: August 12, 2003

Maximum Diversion Rate: 0.18 CFS
Maximum Diversion Volume: 33.4 AF

It is hereby certified that NORTHWEST FARM CREDIT SERVICES PCA
370 N MERIDIAN ST STE A
BLACKFOOT ID 83221

And

BRIAN ESPLIN and
TRINA ESPLIN
756 E 1000 N
SHELLEY ID 83274

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 12, 2003; and has submitted Proof of Beneficial Use on December 15, 2003; and a water right has been established as follows:

SOURCE

GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.18 CFS	33.4 AF
COMMERCIAL	01/01 to 12/31	0.18 CFS	33.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW 1/4 SW 1/4 SE 1/4	Sec. 8	Twp 01S	Rge 37E, B.M.	BINGHAM County
GROUND WATER	SW 1/4 SW 1/4 SE 1/4	Sec. 8	Twp 01S	Rge 37E, B.M.	BINGHAM County

PLACE OF USE: STOCKWATER and COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE	Totals
01S	37E	8	X	X	X	X	

CONDITIONS OF APPROVAL

1. Rights 27-10318 and 27-11959 when combined shall not exceed a total diversion rate of 0.26 cfs.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

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5. Stockwater use is for 1100 dairy cattle.
6. Commercial use is for dairy operation.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
9. The following rights are diverted through point(s) of diversion described above: 27-10318, 27-11959.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 2nd day of November, 2011.


for GARY SPACKMAN
Interim Director

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