

09/13/2005

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

RIGHT NUMBER: 27-7088
NAME AND ADDRESS: MARY W FIELDING
720 N 1100 E
SHELLEY ID 83274
BRYCE J FIELDING
720 N 1100 E
SHELLEY ID 83274

SOURCE: GROUND WATER
Point of injection into and point of rediversion from Blackfoot River. Water shall not be diverted from the Blackfoot River unless ground water is simultaneously being injected into the Blackfoot River at an equal rate.

QUANTITY: 6.050 CFS
The rights listed below are limited to a total combined diversion rate of 6.05 cfs and to a total combined annual diversion volume of 1590.0 AF at the point of rediversion
Combined Right Nos.: 27-12028 and 27-7088.

PRIORITY DATE: 06/25/1977

POINT OF DIVERSION:
T02S R38E S7 NESWNE Lot 3 Rediversion Within BINGHAM County
T03S R36E S3 NWSWNE Lot 4 Within BINGHAM County
T03S R36E S3 NWSWNE Lot 4 Injection 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	6.050 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R38E S06 Lot 1 NENE	22.0	T02S R38E S06 Lot 2 NWNE	14.0
T02S R38E S06 SWNE	37.0	T02S R38E S06 SENE	39.0
T02S R38E S06 SENW	25.0	T02S R38E S06 NESW	39.0
T02S R38E S06 Lot 8 NWSW	9.0	T02S R38E S06 SESW	38.0
T02S R38E S06 NESE	38.0	T02S R38E S06 NWSE	40.0
T02S R38E S06 SWSE	39.0	T02S R38E S06 SESE	25.0
T02S R38E S07 NENE	4.0	T02S R38E S07 NWNE	28.0

397 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 397 acres in a single irrigation season. Combined Right Nos.: 27-12028 and 27-7088.

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

This right is subject to regulation by the watermaster of Water District 27.

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: BASIS OF CLAIM - License

Right ~~27-0004N~~ (SRBA Claim No. 27-12028) is also diverted through the point(s) of diversion described above.

Totalizing measuring devices shall be maintained at the well and at the rediversion pump from the Blackfoot River.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Diversion and use of water under this right shall be reduced or curtailed when necessary to prevent injury to holders of prior rights diverted from the Blackfoot River downstream from the point of rediversion.