

08/31/2006

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

RIGHT NUMBER: 27-7053

NAME AND ADDRESS: CITY OF SHELLEY
101 S EMERSON AVE
SHELLEY ID 83274

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.890 CFS
2,092.200 AFY

PRIORITY DATE: 04/17/1975

POINT OF DIVERSION:

T01N R37E S32 SESENW Lot 2 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
2.890 CFS
2,092.20 AFY

PLACE OF USE:

Place of use is within the service area of the City of Shelley municipal water supply system as provided for under Idaho Law.

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: BASIS OF CLAIM - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-7053

NAME AND ADDRESS: CITY OF SHELLEY
101 S EMERSON AVE
SHELLEY ID 83274

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.890 CFS
2092.2 AFY

PRIORITY DATE: 04/17/1975

POINT OF
DIVERSION: T01N R37E S32 SESENW Lot 2 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1/01 12/31	2.890 CFS
		<u>2092.2 AFY</u>

PLACE OF USE:

Place of use is within the service area of the City of Shelley
municipal water supply system as provided for under Idaho Law.

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: BASIS OF CLAIM - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-7053

NAME AND ADDRESS: CITY OF SHELLEY
101 S EMERSON AVE
SHELLEY ID 83274

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.890 CFS
2092.2 AFY

PRIORITY DATE: 04/17/1975

POINT OF
DIVERSION: T01N R37E S32 SESENW Lot 2 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
1/01 12/31

QUANTITY
2.890 CFS
2092.2 AFY

PLACE OF USE:

Place of use is within the service area of the City of Shelley
municipal water supply system as provided for under Idaho Law.

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: BASIS OF CLAIM - Decreed



STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-7053



0.3 0 0.3 0.6 Miles

PROFILED

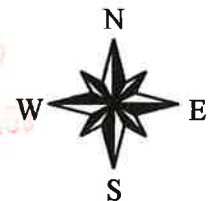
MUNICIPAL

LEGEND

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

Place of Use: T1N, R37E:
(part of) Sec. 28, 29, 32.

Point(s) of Diversion: T1N, R37E:
Sec. 32, SESENW.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: May 2005.

05/19/2005

**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: 27-7053

CITY OF SHELLEY
101 S EMERSON AVE
SHELLEY ID 83274
Telephone Number: (208)357-3390

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: 7-27-05 SIGNATURE: *Eric R. Christensen*
Please print your name: Eric R. Christensen

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



PROFILED

**SCANNED
AUG 02 2005**

*KNUT
8/8*

Notes

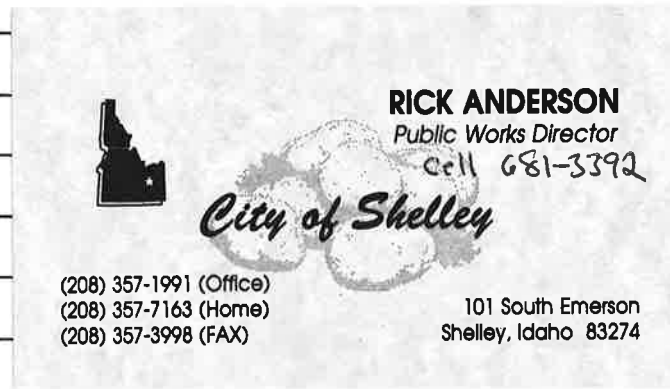
4/29/05. Claim matches license.
Pon. would be the City of Shelby Boundary.
large. Pon. CB.

5/2/05 recommendation complete. CB

Notes

Claim A27-07053

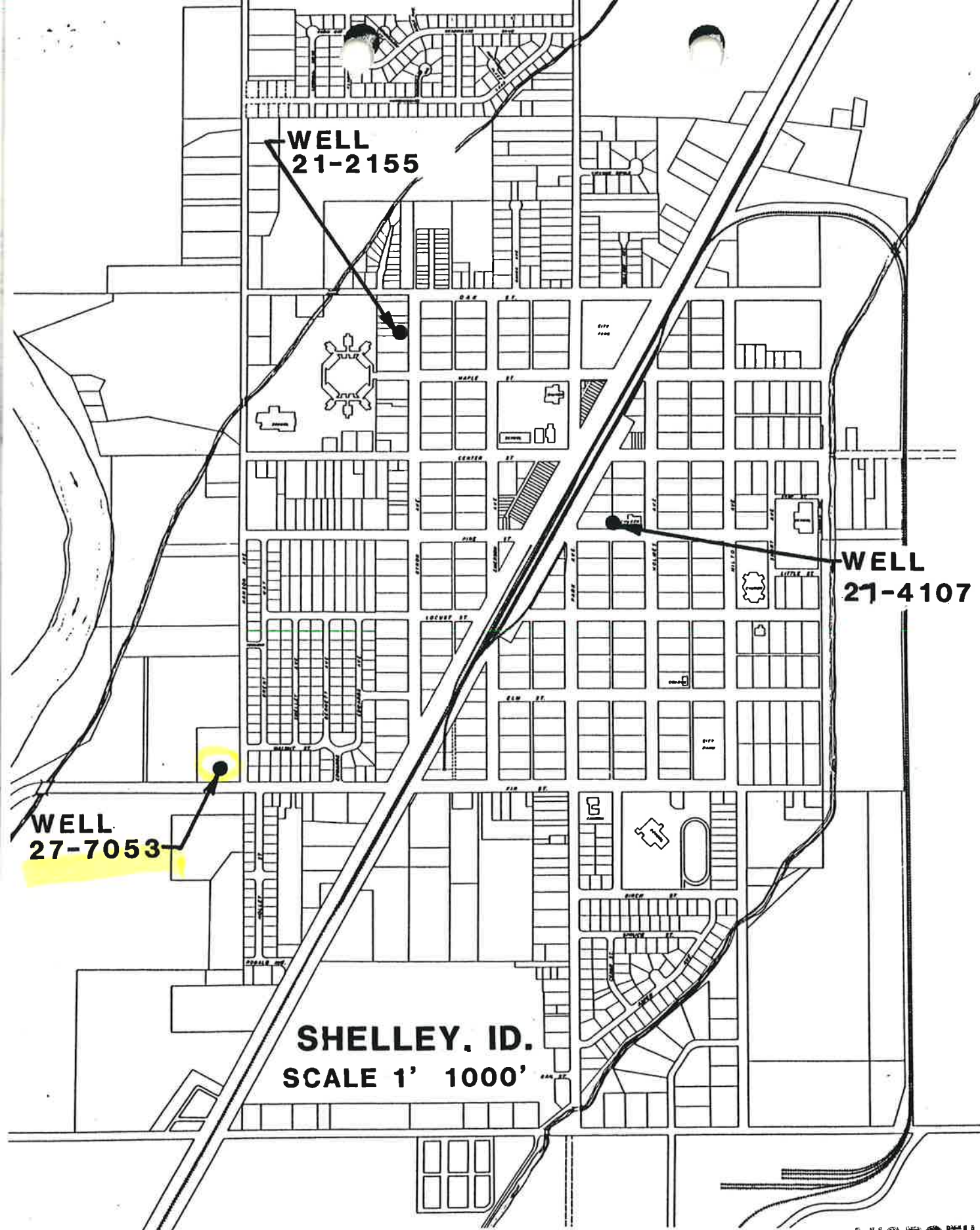
- 1/ Exam date 10-9-2003 - Accompanied by Rick Anderson, Public Works Director
- 2/ This is Well # 4 - Has an existing DEQ Public Drinking Water GPS Tag # E0007285
- 3/ GPS data - 0651234 File # 7053-0254339
- 4/ This well has 150 hp motor



Notes

Claim A21-07053





MICROFILMED

NOV 12 1992

Last Name Shelley Ident No. 27-7420

Copies: White-State, Yellow-Claimant

Notes

7/8/03 27-7053. Region matches the
license. Recommend as claimed

add. 103 POU Remark for the service area
for the City of Stelly.

C18. Gen. Cond.

Photos (Two) of well # 4

GPS 0651234
0254339

DEQ Tag
E0007285

File # 7053

150 Hp - Photos looking West

State of Idaho
Department of Water Resources

RECEIVED

JUN 2 1980

Department of Water Resources
Eastern District Office

WATER RIGHT LICENSE

License of Water Right No. 27-7053 Priority April 17, 1975 Amount 2.89 cfs

THIS IS TO CERTIFY, that CITY OF SHELLEY, IDAHO
of Shelley, Idaho, has complied with the terms and conditions of Permit
No. 27-7053 issued pursuant to Application for Permit dated March 17, 1975,
and has submitted proof to the Department of Water Resources on November 1, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.89 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Municipal</u>	from <u>January 1</u> to <u>December 31</u>	at <u>2.89</u> cfs and	<u>N/A</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.89 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
N/A acre feet per year, said waters to be diverted within the SE 1/4 NW 1/4, Sec. 32, Twp. 1N,
Rge. 37E, B.M. in the County of Bingham

Description and location of place of use: City of Shelley, Idaho

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 irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of

May, 19 80.


Director



State of Idaho

JUL 18 2001

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

MAR 1 - 1990

Department of Water Resources
Eastern District Office

February 22, 1990

City of Shelley
C/O Earl Barsanti
214 So. Emerson
Shelley, ID 83274

Gentlemen:

Our records show you have filed your adjudication claim(s) in the Snake River Basin Adjudication. Our records do not, however, include a clear map of your service area. Would it be possible for us to get a map of your customer service area for your municipal water system, both to supplement the record of your claim(s) and for use as described below?

In our review and investigation phase of the Snake River Basin Adjudication, the map would be helpful for us to have this information in verifying individual claims to water rights for domestic purposes. We will be happy to discuss with you the most convenient way for you to provide this information to us. I can be reached at 327-7931 or you may contact my assistant, Anita Warntjes at 327-7986.

Your assistance in this matter is greatly appreciated.

Sincerely,


DAVID B. SHAW
Adjudication Bureau Chief

DBS:alw

208-327-0703
208-327-0703
208-327-0703
208-327-0703

MICROFILMED

NOV 12 1992

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

CLAIM I NT. NO.

A27-07053

DATE RECEIVED

6-1-89

CK #

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by:

Date: 6-9-89

Claim must be returned to claimant:

☐ (Yes) ☐ (No)

Claimant must be notified of modifications:

☐ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

#10 TIN R37E Sec. 32, 33, 29, 28 (No 1/4 1/4)

MICROFILMED

NOV 12 1992

JUL 18 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: A27-07053

Date Received: 6/01/1989

Receipt No: E008754

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF SHELLEY
Address: 101 S. EMERSON
SHELLEY, ID 83274
208-357-3390

2. Date of Priority: APR 17, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	37E	32	SE	SE	NW		BINGHAM

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	2.890		

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

8. Total consumptive use is 1700.0 Acre Feet Per Annum.

9. Non-irrigation uses:
MUNICIPAL - APPROXIMATELY 3000 POPULATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	37E	28				MUNI	
		29				MUNI	
		32				MUNI	

A27-07053

Page 1

Date: 08/02/89

MICROFILMED

NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	37E	33			MUNI	

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
27-2155 AND 27-4107

14. Remarks:

THE CITY OF SHELLEY PROVIDES WATER TO CITY RESIDENTS.
PLACE OF USE IS WITHIN THE CITY OF SHELLEY.

15. Basis of Claim: LICENSE

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 Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 27-7053 A27-07053
Date Received 6-1-89
Receipt Number E00 8754

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN - 1 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

- Name of Claimant (s) City of Shelley Phone (208) 357-3390
Mailing Address 101 South Emerson, Shelley, ID Zip 83274
- Date of Priority (Only one (1) per claim) April 17, 1975
- Source of water supply (a) Groundwater
which is tributary to (b) N/A
- a. Location of existing point of diversion is: Township 1N Range 37E Section 32,
SE 1/4 of SE 1/4 of NW 1/4, Govt. Lot, -- B.M., County of Bingham
Additional points of diversion if any: 27-4107 and 27-2155
b. If instream flow, beginning point of claimed instream flow is:
Township N/A Range Section , 1/4 of 1/4 of 1/4,
Govt. Lot B.M., County of
ending point is: Township Range Section , 1/4 of 1/4 of
 1/4, Govt. Lot B.M., County of
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well and Pump

A2707053



MICROFILMED

NOV 12 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal purposes from 1-1 to 12-31 amount 2.89 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.89 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1700 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Municipal - Approximately 3000 population

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Bingham

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
27-2155 and 27-4107 or None ()

14. Remarks: The City of Shelley provides water to city residents

MICROFILMED
NOV 12 1992

Last Name Shelley Ident No. 27-7053

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 27-7053
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am the Mayor _____

Title

of City of Shelley _____, that I have signed the foregoing

Organization

document in the space below as Mayor _____ of Shelley _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Eugene Christensen

Title and Organization Mayor City of Shelley _____ Date _____

State of Idaho/or _____)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 31st day of May 19 89

SEAL

Notary Public Louise Leathan

Residing at Shelley ID

My Commission Expires 1-27-91

Please Print Name Leathan

17. Notice of Appearance:

Notice is hereby given that I, N/A will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

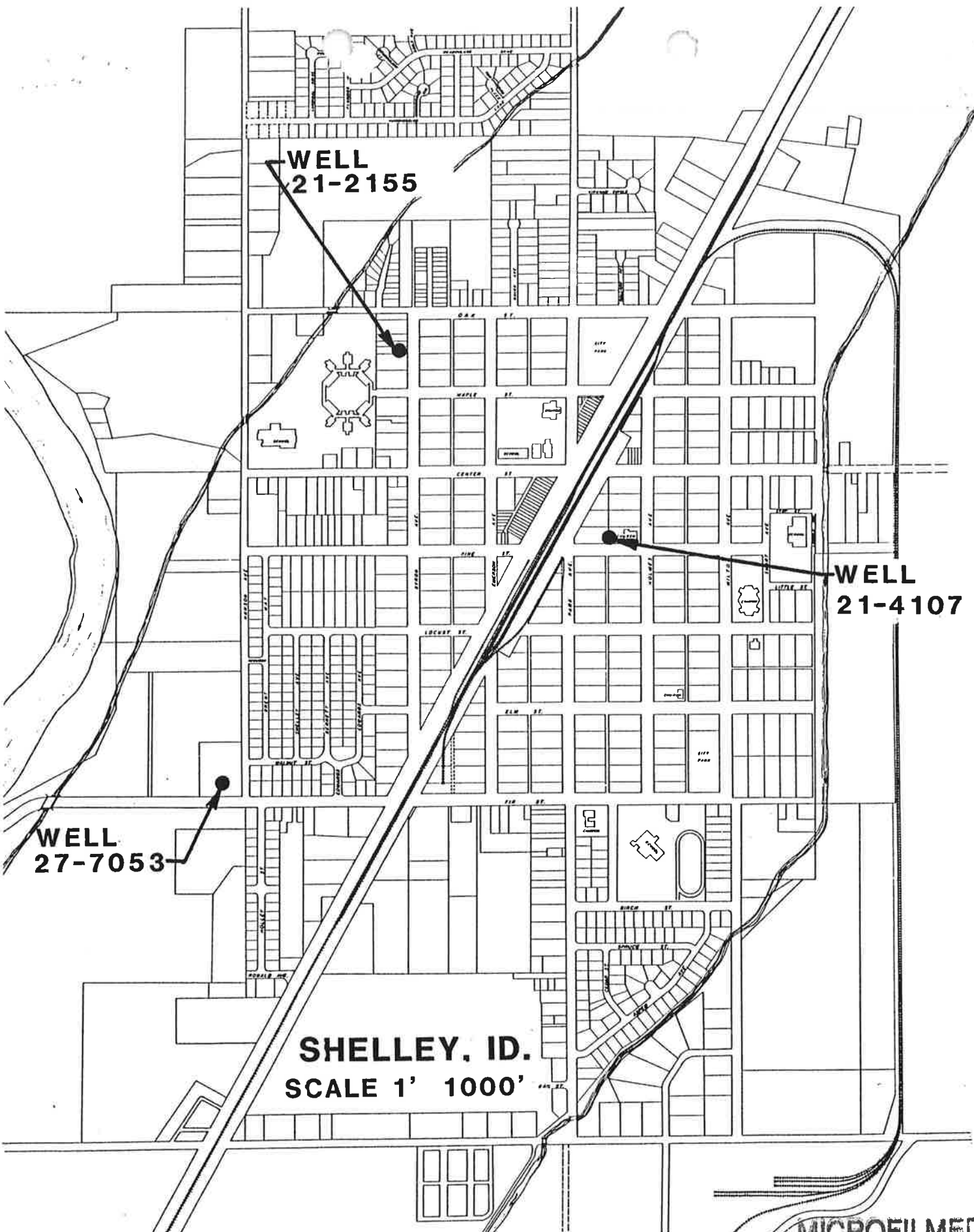
Address _____

Date _____

MICROFILMED
NOV 12 1992

Last Name Shelley Ident. Number 27-7053

Copies White-State, Yellow-Claimant



MICROFILMED
NOV 12 1992