

In Re SRBA	)	Subcase No. 27-10151
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

1

CLAIMANT/OBJECTOR:

OBJECTOR:

Ray Tominaga 7-26-06
Ray Tominaga Date

Jeanette Wolfley 7/26/2006
Jeanette Wolfley Date
Attorney for Shoshone-Bannock Tribes

RESPONDENT:

David J. Barber 7/26/2006
David J. Barber Date
Attorney for State of Idaho

IDWR Concurrence:

Ernest Carlsen 7-29-06
Ernest Carlsen Date
IDWR Adjudication Supervisor

Candice McHugh 7/26/06
Candice McHugh Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-10151

NAME AND ADDRESS:

JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221

RAY TOMINAGA
515 W 73 S
BLACKFOOT ID 83221

RICHARD TOMINAGA
702 W 100 N
BLACKFOOT ID 83221

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

0.130 CFS

24.500 AFY

0.000 AFY

Right Nos. 27-7261 and 27-10151 are limited to a total combined diversion rate of 1.32 cfs.

~~USE OF THIS RIGHT WITH RIGHT NO. 27-7261 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.32 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 247.1 AF.~~

PRIORITY DATE:

04/01/1983

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T02S R37E S6 SWNWSE

Within BINGHAM County

PURPOSE AND PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 11/01

0.130 CFS

24.50 AFY

PLACE OF USE:

IRRIGATION

within BINGHAM County

T02S R37E S06 SWNE 4.6

~~T02S R37E S06 SWNE 0.3~~

T02S R37E S06 SENW 1.4

~~T02S R37E S06 SENW 2.3~~

T02S R37E S06 NESW 32.0

~~T02S R37E S06 NESW 3.6~~

T02S R37E S06 SESW 14.0

~~T02S R37E S06 SESW 1.0~~

T02S R37E S06 NWSE 23.0

~~T02S R37E S06 NWSE 0.6~~

75 ACRES TOTAL

~~7.8 ACRES TOTAL~~

USE OF THIS RIGHT WITH RIGHT NO. 27-7261 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 75 ACRES IN A SINGLE IRRIGATION SEASON.

~~USE OF THIS RIGHT WITH RIGHT NO. 27-7261 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 70.6 ACRES IN A SINGLE IRRIGATION SEASON.~~

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 27-7261
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 7 ACRES WITHIN THE PLACE OF USE
DESCRIBED FOR THIS RIGHT.

RIGHT NO. 27-7261 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

~~THIS RIGHT IS FOR AN ENLARGEMENT OF 2.6 ACRES WITHIN THE PLACE OF
USE DESCRIBED FOR THIS RIGHT.~~

SM^e

D/B

Emc



Idaho Department of Water Resources

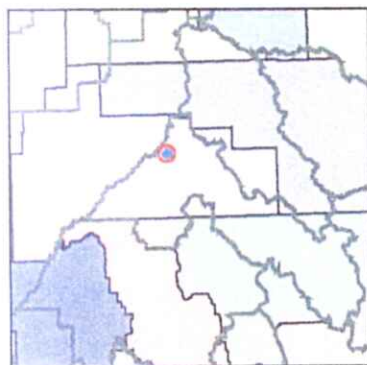
Eric

SRBA Recommendation:
27-7261 & 27-10151
(Irrigation)

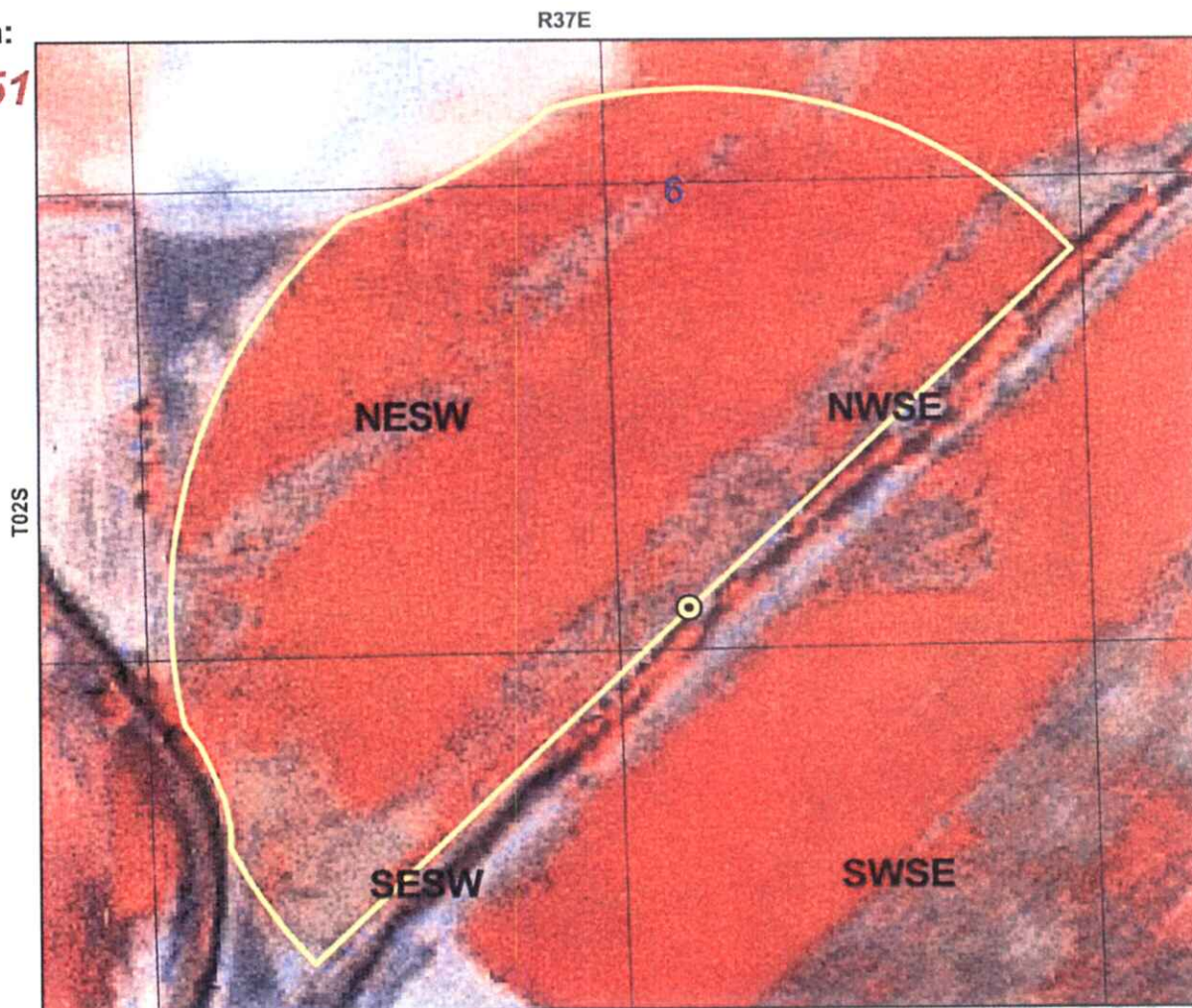
Legend

⊙ Point of Diversion
Place of Use

▭ Townships
▭ PLS Sections
▭ Quarter Quarters



Bingham County
IDWR Basin 27



0 0.2 0.4 Miles

Prepared by E. Carlsen
On Wednesday, July 19, 2006
1987/88 Aerial Photography

CERTIFICATE OF MAILING

I certify that on August 8, 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

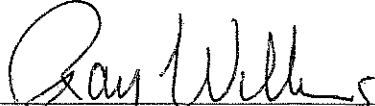
IDWR REPOSITORY
PO BOX 83720
BOISE, ID 83720-0098

RAY TOMINAGA
515 W 73 S
BLACKFOOT, ID 83221

JOANN TOMINAGA
RICHARD TOMINAGA
702 W 100 N
BLACKFOOT, ID 83221

STATE OF IDAHO
Represented by:
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PO BOX 44449
BOISE, ID 83711-4449

SHOSHONE-BANNOCK TRIBES
Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202



Signature of person or attorney mailing form