

02/15/2002

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

RIGHT NUMBER: 35-13362

NAME AND ADDRESS: BINGHAM COOPERATIVE INC
PO BOX 887
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.05 CFS
11.2 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.65 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 130 AF. COMBINED RIGHT NOS.: 35-13340, 35-13362

PRIORITY DATE: 11/13/1972

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 R35E S32 NWNW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.050 CFS

11.20 AFY

PLACE OF USE:

IRRIGATION Within BINGHAM County

T02S R35E S32

NWNW

18.0

T02S R35E S32

SWNW

7.0

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 25 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 35-13340, 35-13362

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. 35-13340
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

Water Right 35-13362

1

SCANNED
OCT 11 2005
PROFILED

A3513362



02/15/2002

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Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

THIS RIGHT IS FOR AN ENLARGEMENT OF 2.8 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by transfer 69544 by Jan 10, 2003.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

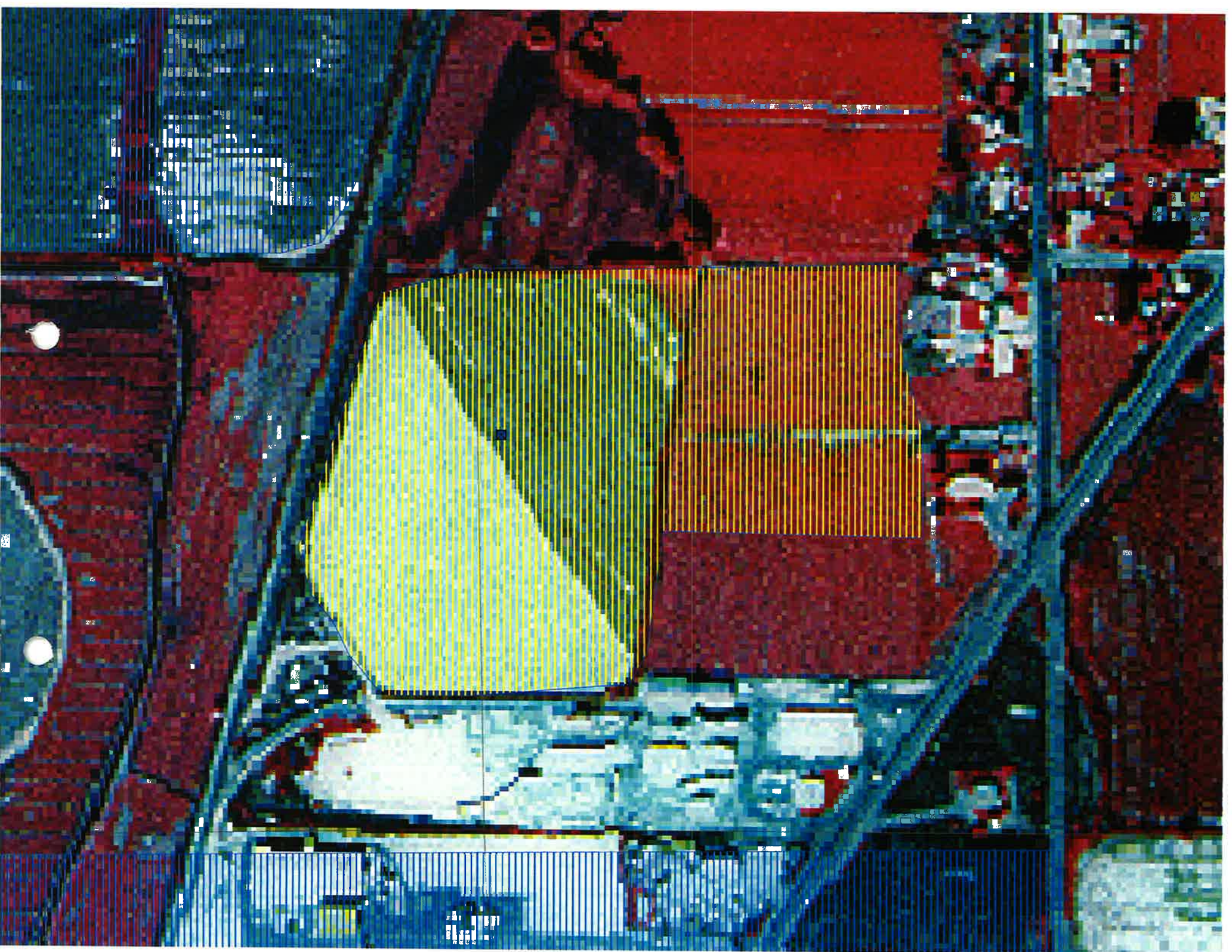
Right 35-13340 is also diverted through the point(s) of diversion described above.

All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Water Right 35-13362

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OCT 11 2005



WATER RIGHT NO. 35-13362
As Modified by Transfer No. 69544

In accordance with the approval of Transfer No. 69544, Water Right No. 35-13362 is now described as follows.

Right Holder: BINGHAM COOPERATIVE INC
 PO BOX 887
 BLACKFOOT ID 83221

Priority Date: 11/13/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.05 CFS	11.2 AF
			0.05 CFS	11.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 32 Twp 02S Rge 35E BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
02S 35E 32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	25.0
						18.0	7.0										

Total Acres: 25

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Right 35-13362 is limited to the irrigation of 2.8 acres within the place of use described above in a single irrigation season.
3. Rights 35-13340 and 35-13362 when combined shall not exceed a total diversion rate of 0.65 cfs.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. Right 35-13362 is an enlargement of Right 35-13340 pursuant to Section 42-1426, Idaho Code.
6. 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.
7. Right 35-13340 is also diverted through the point(s) of diversion described above.
8. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

OCT 11 2005

PROFILE

WATER RIGHT NO. 35-13362
As Modified by Transfer No. 69544

CONDITIONS OF APPROVAL

9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 10th day of January, 2002


Chief, Water Allocation Bureau

SCANNED
OCT 11 2005

PROFILED