

T 69574

02/15/2002

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

RIGHT NUMBER: 35-13364
NAME AND ADDRESS: GROVELAND CEMETERY
C/O CLAUDE LILYA
414 N 400 W
BLACKFOOT ID 83221

SOURCE: GROUND WATER
QUANTITY: 0.01 CFS
1.6 AFY

TRIBUTARY:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.09 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 16 AF. COMBINED RIGHT NOS.: 35-13342, 35-13364

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 S20 SWSE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.010 CFS
1.60 AFY

PLACE OF USE:

IRRIGATION Within BINGHAM County

T02S R35E S20 SWSE 4.0

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 4 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 35-13342, 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. 35-13342
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

Water Right 35-13364

PROFILED
SCANNED
OCT 11 2005

A3513364



02/15/2002

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

THIS RIGHT IS FOR AN ENLARGEMENT OF 0.4 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

This right when combined with all other rights shall provide no more than 0.03 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 69574 by Jan 11, 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 35-13342 is also diverted through the point(s) of diversion described above.

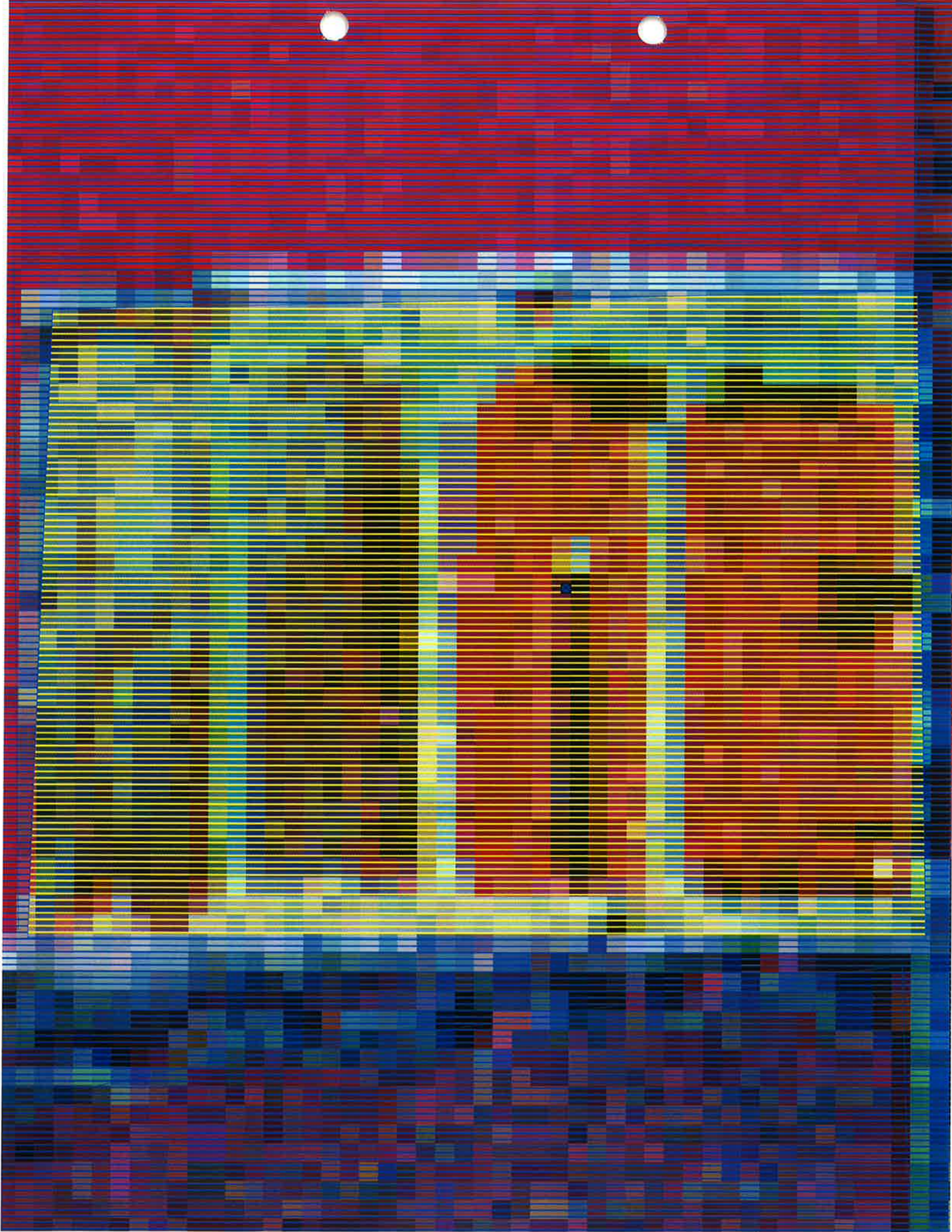
All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Water Right 35-13364

SCANNED

OCT 11 2005

PROFILED



WATER RIGHT NO. 35-13364

As Modified by Transfer No. 69574

In accordance with the approval of Transfer No. 69574, Water Right No. 35-13364 is now described as follows.

Right Holder: GROVELAND CEMETERY
C/O CLAUDE LILYA
414 N 400 W
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	10/31	0.01 CFS	1.6 AF
			0.01 CFS	1.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSE Sec. 20 Twp 02S Rge 35E BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 35E 20															4.0		4.0

Total Acres: 4

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Right 35-13364 is limited to the irrigation of 0.4 acres within the place of use described above in a single irrigation season.
3. Rights 35-13342 and 35-13364 when combined shall not exceed a total diversion rate of 0.09 cfs, a total annual maximum diversion volume of 16.0 af at the field headgate, and the irrigation of 4.0 acres.
4. Right 35-13364 is an enlargement of Right 35-13342 pursuant to Section 42-1426, Idaho Code.
5. 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.
6. Right 35-13342 is also diverted through the point(s) of diversion described above.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PROFILED

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OCT 11 2005

WATER RIGHT NO. 35-13364
As Modified by Transfer No. 69574

CONDITIONS OF APPROVAL

8. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 11th day of

January, 2002


Chief, Water Allocation Bureau

PROFILED

SCANNED
OCT 11 2005