

Transfer No. 76965

Receipt No. 5031727

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information THOMAS O BINGHAM

2212 E 1575 S
 GOODING ID 83330
 (208) 539-4819

And

MARJORIE J BINGHAM
 2212 E 1575 S
 GOODING ID 83330
 (208)934-4022

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 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

Will this transfer result in an ownership change? _____ Yes X No**2. Current Water Right****Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
37-2719	WR/Decreed	4.54	1,368.0	342.0	439.0	GROUND WATER
37-7473	WR/Decreed	3.46	1,600.0	400.0	439.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-2719	NO	YES	NO	NO	NO	NO
37-7473	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

Transfer is to correct the location of an irrigation well that was approved under transfer 72194, the well was drilled in a different location than was permitted. Actual location is approximately 250 feet Northwest of the location approved in transfer 72194.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

N/A

B. Describe the effects on other water uses resulting from the proposed change

N/A

all 12 pg

5. Total Amounts Transferred

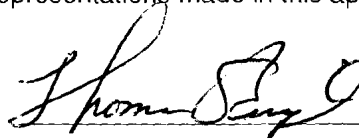
	Rate	Acre Limit	Total Acres	Volume
37-2719	4.54 cfs	342.0	439.0	1,368.0 af
37-7473	3.46 cfs	400.0	439.0	1,600.0 af
TOTAL	8.00 cfs		439.0	1,756.0 af

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)



(Signature of Applicant)

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 37-2719

Priority Date: November 30, 1965

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	4.54 CFS	1,368.0 AFA	
	Total Diversion	4.54 CFS	1,368.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NESESE	Sec. 22 Twp 05S	Rge 15E	GOODING County
GROUND WATER	SWSWNE	Sec. 23 Twp 05S	Rge 15E	GOODING County
GROUND WATER	SENW	Sec. 23 Twp 05S	Rge 15E	GOODING County
GROUND WATER	NWNWSW	Sec. 23 Twp 05S	Rge 15E	GOODING 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		
05S 15E 22				40.0												40.0	40.0	120.0
05S 15E 23			34.0	19.0		36.0	40.0	40.0	40.0	40.0	40.0				30.0			319.0

Total Acres: 439

Conditions/Remarks:

1. This right is limited to the irrigation of 342 acres within the place of use described above in a single irrigation season.
2. Rights 37-2719 and 37-7473 when combined shall not exceed a total diversion rate of 8.00 cfs, a total annual maximum diversion volume of 1756 af at the field headgate, and the irrigation of 439 acres.
3. Right 37-7473 is also diverted through the point(s) of diversion described above.

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SOUTHERN REGION

4. 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under Transfer approval 72194 the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than December 11, 2002.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

Page 6

Documentation of Ownership of the Current Place of Use

IDWR RECORDS

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

~~YES~~ NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 76965

Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 37-7473

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Priority Date: February 04, 1976

Origin: Water Right

Basis: Decreed

Status: Active

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 SOUTHERN REGION

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	3.46 CFS	1,600.0 AFA	
	Total Diversion	3.46 CFS	1,600.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NESESE	Sec. 22 Twp 05S	Rge 15E	GOODING County
GROUND WATER	SWSWNE	Sec. 23 Twp 05S	Rge 15E	GOODING County
GROUND WATER	SENE	Sec. 23 Twp 05S	Rge 15E	GOODING County
GROUND WATER	NWNWSW	Sec. 23 Twp 05S	Rge 15E	GOODING 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		
05S	15E	22				40.0											40.0		40.0	120.0
05S	15E	23			34.0	19.0		36.0	40.0	40.0	40.0	40.0	40.0	40.0			30.0			319.0

Total Acres: 439

Conditions/Remarks:

1. This right is limited to the irrigation of 400 acres within the place of use described above in a single irrigation season.
2. Rights 37-2719 and 37-7473 when combined shall not exceed a total diversion rate of 8.00 cfs, a total annual maximum diversion volume of 1756 af at the field headgate, and the irrigation of 439 acres.

3. Right 37-2719 is also diverted through the point(s) of diversion described above.
4. 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under Transfer approval 72194 the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

13. 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.

Documentation of Ownership of the Current Place of Use

IDWR RECORDS

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

~~YES~~ NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-2719

Priority Date: November 30, 1965

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	4.54 CFS	1,368.0 AFA	
	Total Diversion	4.54 CFS	1,368.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NESESE	Sec. 22 Twp 05S	Rge 15E	GOODING County
GROUND WATER	SWSWNE	Sec. 23 Twp 05S	Rge 15E	GOODING County
GROUND WATER	SESWNW	Sec. 23 Twp 05S	Rge 15E	GOODING County
GROUND WATER	NWNWSW	Sec. 23 Twp 05S	Rge 15E	GOODING County

Describe the proposed diversion system

Point of Diversion # 1 Existing well
 Point of Diversion # 2 Existing well
 Point of Diversion # 3 New well location
 Point of Diversion # 4 Existing well

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	
05S 15E 22				40.0													120.0
05S 15E 23		34.0	19.0		36.0	40.0	40.0	40.0	40.0	40.0				30.0			319.0

Total Acres: 439

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-7473

Priority Date: February 04, 1976

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	3.46 CFS	1,600.0 AFA	
	Total Diversion	3.46 CFS	1,600.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NESESE	Sec. 22 Twp 05S	Rge 15E	GOODING County
GROUND WATER	SWSWNE	Sec. 23 Twp 05S	Rge 15E	GOODING County
GROUND WATER	SESWNW	Sec. 23 Twp 05S	Rge 15E	GOODING County
GROUND WATER	NWNWSW	Sec. 23 Twp 05S	Rge 15E	GOODING County

Describe the proposed diversion system

Point of Diversion # 1 Existing well
 Point of Diversion # 2 Existing well
 Point of Diversion # 3 New well location
 Point of Diversion # 4 Existing well

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	
05S 15E 22				40.0									40.0			40.0	120.0
05S 15E 23		34.0	19.0		36.0	40.0	40.0	40.0	40.0	40.0				30.0			319.0

Total Acres: 439

Transfer 76965 (Tom Bingham)
WR 37-2719 and 37-7473

Actual location
of well

Current location
on water rights

Other wells listed
on water rights

5S 15E 23

