

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-13579

WATER RIGHT NUMBER: 35-13579

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD WINBERG 1027 S 2600 W ABERDEEN, ID 83210 (208)397-4416

Priority Date: 02/09/1990

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.880 CFS	208.00 AF
	<u>Total Diversion:</u>	0.880 CFS	208.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4SW1/4	Sec. 2,	Twp 04S,	Rge 31E, B.M.
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	
04S	31E	2									33.0	33.0	33.0	33.0					132.0

Total Acres: 132

Conditions of Approval:

1. X27 This right is limited to the irrigation of 52 acres within the place of use described above in a single irrigation season.
2. R05 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. 120.
3. X35 Rights 35-7574, 35-13579 and 35-13581 when combined shall not exceed the irrigation of 132 acres.
4. X36 Rights 35-7574 and 35-13581 are also diverted through the point(s) of diversion described above.
5. 131 Prior to the diversion and use of water under Transfer approval 73167 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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6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. R64 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.

Remarks:Comments:

1. dcarlson 10/30/2006 POU
Comment: Updated Shape
2. dcarlson 10/30/2006 POD
Comment: Updated shape
3. psdaggs 1/24/2007 8:21:52 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 73167

Dates and Other Information:

Licensed Date: 4/4/1997
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number: 120
 Generic Max Rate Per Acre: 0.02
 Generic Max Volume Per Acre: 4
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		132

Combined Water Rights: 35-7574 , 35-13579 , 35-13581

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Water Supply Bank: