



RECEIVED

Bingham Cooperative, Inc.

Blackfoot
P.O. Box 887
Blackfoot, ID 83221
(208) 785-3440

American Falls
P.O. Box 370
American Falls, ID 83211
(208) 226-5036

Department of Water Resources
Aberdeen
P.O. Box 340
Aberdeen, ID 83210
(208) 397-4171

State of Idaho
Department of Water Resources

April 1, 2004

To Whom It May Concern,

In October of 2001, Bingham Cooperative, Inc. purchased 35 acres of irrigated ground water rights or .65 CFS, 118.8 AF, from Claudon Lilya. We converted 10 acres, .18CFS or 30.0 AF, of the right to commercial use at our Blackfoot location and left the remaining 25 acres .47CFS or 88.8 AF, as an irrigated ground water right. At this time, we would like to place the 25 acres water right, .47 CFS into the Water Supply Bank for lease at the going market rate.

Included in this mailing is the application to lease a water right to the Water Supply Bank, a copy of the water right and a copy of the bill of sale from Claudon Lilya to Bingham Co-op. Please let me know if you have any questions or need further information.

Sincerely,

Mike Jensen
CEO and General Manager

WATER RIGHT NO. 35-13340
As Modified by Transfer No. 69544

In accordance with the approval of Transfer No. 69544, Water Right No. 35-13340 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 11/01	0.47 CFS	88.8 AF
COMMERCIAL	01/01	to 12/31	0.18 CFS	30.0 AF
			0.65 CFS	118.8 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
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	35E	32					18.0	7.0											25.0

Total Acres: 25

PLACE OF USE: COMMERCIAL

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	32					X												

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- Right 35-13340 is limited to the irrigation of 22.2 acres within the place of use described above in a single irrigation season.
- Rights 35-13340 and 35-13362 when combined shall not exceed a total diversion rate of 0.65 cfs.
- 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.
- Right 35-13362 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 35-13340
As Modified by Transfer No. 69544

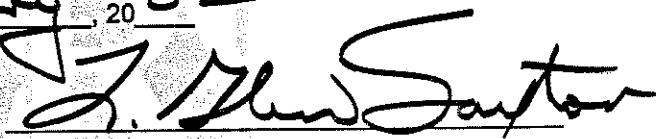
CONDITIONS OF APPROVAL

6. Right 35-13362 is also diverted through the point(s) of diversion described above.
7. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
8. 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.
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.
12. Commercial use is for processing fertilizer.

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

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
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
02S	35E	32																25.0	

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.

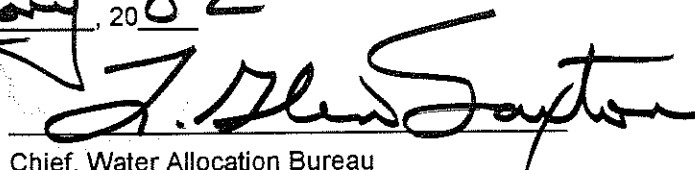
WATER RIGHT NO. 35-13362
As Modified by Transfer No. 69544

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

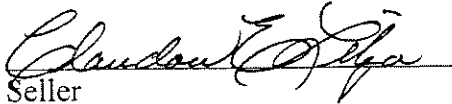
BILL OF SALE

STATE OF IDAHO)
) ss.
County of Bingham)

I, Claudon E. Lilya, (Seller), whose address is 345 West 400 North, Blackfoot, Idaho, 83221, in consideration of the sum of an Agreed amount, payment to be made as agreed to Sell Property, executed herewith, do hereby sell, convey and transfer to **Bingham Cooperative Inc.**, (Buyer), whose address is 477 West Hwy 26 Blackfoot, Idaho 83221, and to their successors and assigns, the following described personal property:

Water Right: A35-07262 and A35-13112
 35acers, .65CFS
 T 02S R 35E S21 NWNW

This Bill of Sale shall be effective as to the transfer of a portion of the property (water right) listed herein as of this 27 day of October, 2001.

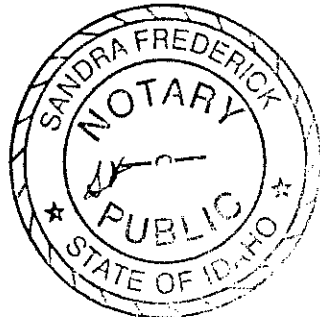

Seller

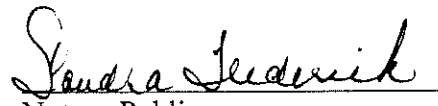
ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Bingham)

Subscribed and sworn before me this 29 day of October, 2001.
Witness my hand and seal.

(seal)




Notary Public
Residing at: Bingham County
Commission Expires: 04/06