

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72194

This is to certify that: THOMAS O And MARJORIE J BINGHAM
 2212 E 1575 S
 GOODING ID 83330
 (208) 358-0600

have requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-2719	WR/Decreed	11/30/1965	4.54 cfs	1368 af	N/A	342.0	GROUND WATER
37-7473	WR/Decreed	02/04/1976	3.46 cfs	1600 af	N/A	400.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-2719	NO	NO	YES	YES	NO	NO
37-7473	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-2719	37-2719	4.54 cfs	1368 af	342.0	439.0		N/A	N/A	N/A	N/A
37-7473	37-7473	3.46 cfs	1600 af	400.0	439.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		8.00 cfs	1756 af	439.0	439.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of February, 20 06


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 31-2719

WATER RIGHT NO. 37-2719
As Modified by Transfer No. 72194

In accordance with the approval of Transfer No. 72194, Water Right No. 37-2719 is now described as follows.

Right Holder: THOMAS O And MARJORIE J BINGHAM
 2212 E 1575 S
 GOODING ID 83330

Priority Date: November 30, 1965

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	4.54 CFS	1,368.0 AF
			4.54 CFS	1,368.0 AF

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

Total Acres: 439

CONDITIONS OF APPROVAL

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.
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.

WATER RIGHT NO. 37-2719
As Modified by Transfer No. 72194

CONDITIONS OF APPROVAL

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.

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 17th day of February, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7473
As Modified by Transfer No. 72194

In accordance with the approval of Transfer No. 72194, Water Right No. 37-7473 is now described as follows.

Right Holder: THOMAS O And MARJORIE J BINGHAM
 2212 E 1575 S
 GOODING ID 83330

Priority Date: February 04, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	3.46 CFS	1,600.0 AF
			3.46 CFS	1,600.0 AF

LOCATION OF 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				30.0				319.0

Total Acres: 439

CONDITIONS OF APPROVAL

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.

WATER RIGHT NO. 37-7473
As Modified by Transfer No. 72194

CONDITIONS OF APPROVAL

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.
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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.
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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.

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 17th day of February, 20 06



Chief, Water Allocation Bureau