

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-11997
Date Received: 10/15/1992
Receipt No: E014116
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NICHOLE A BINGGELI 208-237-3612
Address: RET 2 BOX 91
POCATELLO ID 83202

2. Date of Priority: MAY 29, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	34E	22	SE	SW			BANNOCK

5. Description of diverting works:
8" CASING, 110' DEEP, 1 HP SUB PUMP, PIPE TO HOUSE AND BARN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 3 COWS, 5 SHEEP, 2 HORSES, ETC

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	34E	22	SE	SW		STOCK	
			SE	SW		DOMEST	

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11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

A29-11997³⁹⁵⁷⁶

5-2-90

E014116

RECEIVED

MAY 1 1990

Department of Water Resources
Southern Region Office

RECEIVED

MAY - 2 1990

Department of Water Resources
Eastern District OfficeNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Nichole A. Binggeli Phone (208) 237-3612
Mailing Address Rt 2 Box 91 Zip 83202
2. Date of Priority (Only one (1) per claim) May 29, 1970
3. Source of water supply (a) well
which is tributary to (b) Ground Water
4. a. Location of existing point of diversion is: Township S South Range 34 EBM Section 22,
SW 1/4 of SE 1/4 of W 1/4, Govt. Lot, E B.M., County of Bannock
Additional points of diversion if any: n/a
- b. If instream flow, beginning point of claimed instream flow is:
Township S South Range 34 EBM Section 22, SW 1/4 of SE 1/4 of W 1,
Govt. Lot E B.M., County of Bannock
ending point is: Township S South Range 34 EBM Section 22, SW 1/4 of SE 1/4 of
W 1/4, Govt. Lot E B.M., County of Bannock
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

8" casing, 110' deep, 1 h.p. submersible pump -
pipe to house + barnMICROFILMED
NOV 16 1992

A2911997



6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount .04cfs or _____

For Stock purposes from 1-1 to 12-31 amount .04cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .08 (cfs) and/or (b) N/A (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) one house hold - 3 cows/calves, 5 sheep/lambs, 2 horses

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
														D					

Total number of acres irrigated N/A

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (☒)

14. Remarks:

Irrigation water obtained through Ft. Hall
irrigation Project.

Last Name Biaggeli Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

NOV 16 1992

Last Name Bingeli Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Nicholas A. Binggeli Date 4/30/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30th day of April 19 90

SEAL

Notary Public Dorothy D. White

Residing at Pocatello, Id 83201

My Commission Expires 9-9-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Binggeli Ident. Number _____

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NOV 16 1992

Copies White-State, Yellow-Claimant

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

BING G GELI

CLAIM IDENT. NO.

A29-11997

DATE RECEIVED

5-2-1990

SF #

817663

AMOUNT \$

25⁰⁰

1. Is the name and address complete with zip code? ☒ YES ☐ NO
2. Is a priority date entered? ☒ YES ☐ NO
3. Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO
5. Is there a description of the diverting works? ☐ YES ☒ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO
- Is the period of use included? ☐ YES ☒ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO
7. Is a total quantity claimed entered? ☐ YES ☒ NO
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A
- Is the consumptive use correct? ☐ YES ☒ NO N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO
11. Is (are) the county(ies) entered? ☐ YES ☒ NO
12. Is the ownership of p.d. checked? ☐ YES ☒ NO
13. Are other water rights listed or "none" indicated? ☐ YES ☒ NO
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☒ NO N/A
15. Is the basis of the claim indicated? ☐ YES ☒ NO
16. If the claimant requested a monthly docket sheet, is payment enclosed? (if yes, describe payment status in "Comments" below.) ☐ YES ☒ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO
20. Is the fee enclosed correct? ☐ YES ☒ NO Exempt
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ NO N/A
22. Should this claim be data entered? ☒ YES ☐ NO

Claim checked by:

EMC

Date:

10-14-1992

Claim must be returned to claimant:

Yes ☒ No

Claimant must be notified of modification:

MICROFILMED No

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by IV 16 1992 Date:

Comments:

Code to the 4 according to placement of x on map/claimHe legal would be SE 1/4 NW 1/4 and placement for mapItem 4. 5S 34E 22 SESW See attached memo dated 10-14-92.

CONVERSATION MEMORANDUM

DATE Oct 14, 1992FILE A29-11997

NAME OF PARTY _____

- 11998

EMPLOYEE Ernie Carlson

- 11999

RE: Telecon with Carlene McDougal - Carlene owns 9 acres with 3 single family residences. Each residence is owned by ~~the~~ one of the claimants for the above referenced notices, ~~but~~ ~~the~~ One well provides water for all three homes.

Telecon with Crickett at Bonnock County Assessors office - legal description for property owned by Carlene McDougal is

T.5 ~~SE~~ R.34E Section 22 W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

Action: Data enter all three notices with the legal description for both P.O.D. & P.O.U. of
5 ~~SE~~ 34E Sec 22 SE SW!

- Send copy to each claimant indicating legal description is based on information obtained from Bonnock County Assessors Office!

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NOV 16 1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/02/98 16:53:41

Page 1

Water Right Number - R29-11997

Prefix Translation:

RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

BINGGELI

NICHOLE A

1 - RT 2 BOX 91

2 -

3 -

City- POCATELLO

State- ID Zip- 83202

Phone - 208-237-3612

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/29/1970 15 EASTERN J - BENEFICIAL USE+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

05S 34E 22 SE SW (5) BANNOCK

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.040 .02
43 - DOMESTIC 01/01 12/31 0.040+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.080 .06 CFS 0.0+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
05S 34E 22 SE SW 04 STOCKWATER (5) BANNOCK
05S 34E 22 SE SW 43 DOMESTIC (5) BANNOCK

Total Acres:

+ - - Diversion Means - 8" CASING, 110' DEEP, 1 HP SUB PUMP, PIPE TO HOUSE AND BARN

+ - - Non-Irrigation Use - 1 HOME-

+ - - Other Rights for Same Use - NONE

+ - - - - - - - - - - - - - - - Remarks - - - - - +

EXP STOCKWATER, 3 COWS, 5 SHEEP, 2 HORSES,
PARCEL NO. 3803023400+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/02/98 16:53:41

Page 2

Water right number - R29-11997

Prefix Translation: RESEARCH

+ - - - - Conditions of Approval - - - - - +

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

01/02/98 DSMITH

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 01/02/1998 | Old Judicial District | - |
| Claim Received Date | - 05/03/1990 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - E014116 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

✓ ~~RBH~~
22498

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-22-1997

PAGE: A-47

RIGHT NUMBER: 29-11997

NAME & ADDRESS: ~~NICHOLE A BINGGELI~~
RET 2 BOX 91
POCATELLO ID 83202~~Ralph Binggeli~~ as of 3/18/94
~~c/o Carlene Binggeli~~

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS

PRIORITY DATE: 05/29/1970

POINT OF DIVERSION: T05S R34E S22 SESW Within BANNOCK County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|------------------------------------|---------------|----------|
| | STOCKWATER | 01-01 12-31 | 0.04 CFS |
| | DOMESTIC DOMESTIC, 1 HOME; STOCKWA | 01-01 12-31 | 0.04 CFS |

PLACE OF USE: STOCKWATER Within BANNOCK County 9.28 Acres
T05S R34E S22 SESWDOMESTIC Within BANNOCK County ✓
T05S R34E S22 SESW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Parcel # 380 3023400

New OWNER: Chavez, Mary Louise
c/o CARLENE McDougall
RR 2 Box 91B
Pocatello ID 83202Verified by akw Date: 9/18/97Verification Source: computer + plat
map books



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 17, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARY LOUISE CHAVEZ
C/O CARLENE MCDUGALL
RR2 BOX 91B
POCATELLO ID 83202

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right No. A29-11997

Dear Claimant:

We have been advised you may be the new owner of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please follow the instructions on the back of the form and return to my attention at this office by November 3, 1997.

Please call this office toll-free at 1-800-451-4129 if you have any questions.

Yours truly,

Danni M. Smith
SRBA Sr. Secretary

cc: Regional office
Enclosures: Form 42-248/42-1409(6)
Copy of No.A29-11997 water right filing

*no response to
date. Created
R-record.
1/2/98
Dmf*