



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

14 June 2004

Paul & Lori Bingham
404 West Riverton Road
Blackfoot, ID 83221

COPY

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10527

Subject: EVIDENCE OF PRIORITY DATE

Response Date: 29 June 2004

Dear Claimant(s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the SRBA. The Notice indicates water usage is based on water under the Stevens vs. Eastern Idaho Water Users decreed and claims a priority date of May 1, 1885. Within that Decree, Robert Millen was awarded 150 inches to be used within Township 2S, Range 35 E. Your claimed place of use is within Township 3S, Range 34E. Either your claim to water under this decree is incorrect or the place of use under the decree has been changed. In either case, you will need to provide the Department with proper documentation of the ownership of this decreed right back to the August 1, 1891 decreed date. That lineage might also explain the higher than normal diversion rate claimed.

The claimed cfs is 0.109. The normal usage is one inch per acre which calculates to a rate of 0.026 cfs. If the land requires the additional amount of water, documentation needs to be provided to support the reason for a higher rate of use.

As the claimant, you are responsible for submitting the necessary proof to support your claim to water. The Department cannot recommend the Court decree the Notice if no evidence is submitted.

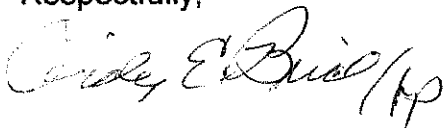
Please submit the documentation supporting the priority date by the above response date referencing **all documents with the corresponding Notice number.**

Claim 27-10527

If we do not hear from you by the above response date, we may recommend to the Court this claim be disallowed.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

A handwritten signature in cursive script, appearing to read "Cindy E. Bird" followed by a stylized flourish or initials.

Cindy E. Bird
Adjudication Bureau

CEB/bjp

WARRANTY DEED

For Value Received

FL G. GOLSON and BETH GOLSON, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

PAUL E. BINGHAM and LORI A. BINGHAM, husband and wife
whose current address is 404 W. Riverton Road
Blackfoot, ID 83221

the grantees, the following described premises, in Bingham County Idaho, to wit:

A portion of Section 8, Township 3 South, Range 35, E.B.M., Bingham County, Idaho, described as:

Beginning at a point that in a fence line on the Westerly line of a County Road that is S 89°51'03" W 1372.80 feet along the Section line and S 00°18'32" E 80.00 feet from the Northeast corner of said Section 8; and running thence S 00°18'32" E 293.34 feet along said Fence Line; thence West 12.12 feet; thence S 00°13'02" E 38.31 feet to a highway right-of-way marker; thence N 58°57'13" W 37.26 feet; thence S 89°25'21" W 123.41 feet along a fence line to a fence corner; thence S 26°10'53" W 12.67 feet to a point in a fence line; thence N 87°39'02" W 86.28 feet to a fence corner; thence N 03°47'13" E 25.47 feet along a fence line; thence N 74°58'02" W 59.76 feet to the Easterly line of the Mary Lee Goldmining Property; thence N 44°38'00" E 394.31 feet; thence East 36.52 feet to the Point of Beginning.

Subject to taxes and assessments for the year 1991 and thereafter, to roads, easements and rights of way, to building and zoning ordinances and use regulations and restrictions and to liens and encumbrances suffered, assumed or occasioned by the Grantees...

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 30, 1991

FLOYD G. GOLSON

BETH GOLSON

STATE OF IDAHO, COUNTY OF BINGHAM
On this 30th day of September, 1991,
before me, a notary public in and for said State, personally
appeared
FLOYD G. GOLSON and BETH GOLSON

known to me to be the persons whose names are

401649

300 85
SEP 30 PM 2:05

Furnished by the AMERICAN LAND TITLE

3-6399-D

WARRANTY DEED

263195

For Value Received MAGDALENA HOFER, a widow

the grantor do as hereby grant, bargain, sell and convey unto KEITH E. FLOWER and CARLA FLOWER, husband and wife whose current address is 129 Toponre, Pocatello, Idaho 83201

the grantees, the following described premises, in Bingham County Idaho, to wit:

A portion of Section 8, T. 3 S., R. 35 E. B.M., Bingham County, Idaho described as:

Beginning at a point in a fence line on the Westerly line of a County Road that is S 89°51'03" W 1372.80 feet along the Section line and S 00°18'32" E 80.00 feet from the Northeast corner of said Section 8, and running thence S 00°18'32" E 293.34 feet along said fence line; thence West 12.12 feet; thence S 00°13'02" E 18.31 feet to a Highway right-of-way marker; thence N 58°57'13" W 37.26 feet; thence S 89°25'21" W 123.41 feet along a fence line to a fence corner; thence S 26°10'53" W 12.67 feet to a point in a fence line; thence N 87°39'02" W 86.28 feet to a fence corner; thence N 03°47'13" E 25.47 feet along a fence line; thence N 74°56'02" W 59.76 feet to the Easterly line of the Mary Lee Goldmining Property; thence N 60°38'00" E 394.31 feet; thence East 36.52 feet to the point of beginning.

Together with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, including all water and water rights, ditches and ditch rights, excepting rights of way and easements, reservations in Federal patents and State deeds, or other restrictions imposed by law, building and use restrictions of record, building and zoning regulations and ordinances of any governmental unit. Parcel contains 1.36 acres.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that they are freed from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: February 25, 1980

Margdalena H. Hofer
MAGDALENA HOFER

STATE OF IDAHO, COUNTY OF BINGHAM
On this 25th day of February, 1980,
before me, a notary public in and for said State, personally
appeared MAGDALENA HOFER, a widow

known to me to be the person whose name is
subscribed in the within instrument, and acknowledged to
me that she executed the same.

[Signature]
Notary Public
Residing at Pocatello, Idaho
Comm. Expires: 1981

BINGHAM COUNTY RECORDER
CLARENCE B. [Signature]
CLARENCE B. [Signature]

20 FEB 26 PM 4 55
263195

RECORDED AT THE REQUEST OF
American Land Title Co

JUL 12 2004

By

3-14347

WARRANTY DEED

For Value Received

KEITH E. FLOWER AND CARLA FLOWER, HUSBAND AND WIFE.

the grantor s, do hereby grant, bargain, sell and convey unto

FLOYD G. GOLSON AND BETH GOLSON, HUSBAND AND WIFE.

whose current address is

404 W. RIVERVIEW RD., BLACKFOOT, ID 83221

the grantee s, the following described premises, in BINGHAM County Idaho, to wit:

A portion of Section 8, Township 3 South, Range 35, E.B.M., Bingham County, Idaho, described as:

Beginning at a point that in a fence line on the Westerly line of a County Road that is S 89°51'03" W 1372.80 feet along the Section line and S 00°18'32" E 80.00 feet from the Northeast corner of said Section 8; and running thence S 00°18'32" E 293.34 feet along said fence line; thence West 12.12 feet; thence S 00°13'02" E 38.31 feet to a highway right-of-way marker; thence N 58°57'13" W 37.26 feet; thence S 89°25'21" W 123.41 feet along a fence line to a fence corner; thence S 26°10'53" W 12.67 feet to a point in a fence line; thence N 87°39'02" W 86.28 feet to a fence corner; thence N 03°47'13" E 25.47 feet along a fence line; thence N 74°58'02" W 59.76 feet to the Easterly line of the Mary Lee Goldmining Property; thence N 44°38'00" E 394.31 feet; thence East 36.52 feet to the Point of Beginning.

Subject to taxes and assessments for the year 1990 and thereafter, to roads, easements and rights of way, to building and zoning ordinances and use regulations and restrictions and to liens and encumbrances suffered, assumed or occasioned by the Grantees...

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s, that they are the owner s in fee simple of said premises; that they are free from all incumbrances except matters of public record

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 6, 1990

Keith E. Flower
KEITH E. FLOWER

Carla Flower
CARLA FLOWER

STATE OF IDAHO, COUNTY OF BINGHAM
On this 10 day of SEPTEMBER, 1990,
before me, a notary public in and for said State, personally
appeared

KEITH E. FLOWER
CARLA FLOWER

known to me to be the person s whose name s
subscribed to the within instrument, and acknowledged to
me that they executed the same

Gloria Hansen
Notary Public

Residing at BINGHAM
Comm. Expires 12/31/93



392582

1990 SEP -6 PM 1:32

RECORDED AT THE REQUEST OF
AMERICAN LAND TITLE CO., INC.

Submitted by the AMERICAN LAND TITLE CO., Blackfoot, Idaho

JUL 12 2004

By

WARRANTY DEED

For Value Received

FLOYD G. GOLSON and BETH GOLSON, husband and wife

the grantor, do hereby grant, bargain, sell and convey unto

PAUL E. BINGHAM and LORI A. BINGHAM, husband and wife

whose current address is 404 W. Riverton Road
Blackfoot, ID 83221

the grantees, the following described premises, in.....BINGHAM.....County Idaho, to wit:

A portion of Section 8, Township 3 South, Range 35, E.B.M., Bingham County, Idaho,
described as:

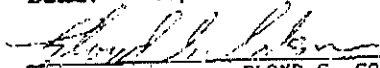
Beginning at a point that in a fence line on the Westerly line of a County Road that is S 89°51'03" W 1372.80 feet along the Section line and S 00°18'32" E 80.00 feet from the Northeast corner of said Section 8; and running thence S 00°18'32" E 293.34 feet along said Fence Line; thence West 12.12 feet; thence S 00°13'02" E 38.31 feet to a highway right-of-way marker; thence N 58°57'13" W 37.26 feet; thence S 26°10'53" W 12.67 feet to a point in a fence line; thence N 87°39'02" W 86.28 feet to a fence corner; thence N 03°47'13" E 25.47 feet along a fence line; thence N 74°58'02" W 59.76 feet to the Easterly line of the Mary Lee Goldmining Property; thence N 44°38'00" E 394.31 feet; thence East 36.52 feet to the Point of Beginning.

Subject to taxes and assessments for the year 1991 and thereafter, to roads, easements and rights of way, to building and zoning ordinances and use regulations and restrictions and to liens and encumbrances suffered, assumed or occasioned by the Grantees...

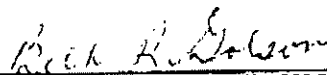
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 30, 1991



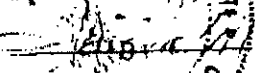
FLOYD G. GOLSON



BETH GOLSON

STATE OF IDAHO, COUNTY OF BINGHAM
On this 30th day of September, 1991,
before me, a notary public in and for said State, personally
appeared
FLOYD G. GOLSON and BETH GOLSON

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.


Notary Public
Residing at Blackfoot,
Comm. Expires 10/1/97, Idaho

401649

30 85

SEP 30 PM 2:06

AMERICAN LAND TITLE CO., INC.

Recorded by the AMERICAN LAND TITLE CO., Blackfoot, Idaho

JUL 12 2004

KINSEY MILLER 10/25



RECEIVED
JUL 12 2004
BY

ATTN: Cindy Bird
Fax 547-3939
lot 4 pages
Paul & Lori Bingham
SRA 117100 477-10537