

02/02/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-10511

NAME AND ADDRESS: FAY L BINGHAM
4198 W HWY 33
REXBURG ID 83440

JOYCE P BINGHAM
4198 W HWY 33
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1968

POINT OF DIVERSION: T06N R39E S28 NWNENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

PLACE OF USE: DOMESTIC Within MADISON County

T06N R39E S28 NENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

06/14/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-10511

FAY L BINGHAM
4198 W HWY 33
REXBURG ID 83440
Telephone Number: (208)356-5334

JOYCE P BINGHAM
4198 W HWY 33
REXBURG ID 83440
Telephone Number: (208)356-5334

RECEIVED

DEC 14 2005

Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

12/04/05

SIGNATURE:

Fay L. Bingham

Please print your name:

FAY L. BINGHAM

IDWR Regional Office,

KWB
12/14

6-24-05

RECEIVED

JUN 27 2005

Department of Water Resources
Eastern Region

EVIDENCE of Priority
CLAIM# 22-10511

STATE of IDAHO
Dept of WATER RESOURCES
900 N SKYLINE DR. Suite A
IDAHO FALLS, IDAHO 83402-1718

ATTN- B RUBERRY

SIR,

IN 1967 WE PURCHASED OUR PROPERTY
FROM MR HERMAN WALZ (DECEASED). IN 1968 WE BEGAN
CONSTRUCTION ON OUR NEW HOME AND AT THAT
TIME HAD DEWEY MORRIS DRILLING CO OF IDA. FALLS
(ALSO DECEASED) DRIVE A RESIDENTIAL WELL ON OUR
PROPERTY.

AT THIS TIME WE ARE STILL LIVING ON THIS
SAME PROPERTY AND USING THE SAME WELL.
IF YOU NEED ANY FURTHER INFORMATION, PLEASE
FEEL FREE TO CONTACT ME.

Sincerely

Joyce Bingham

JOYCE BINGHAM
4198 W. HWY 33
REXBURG, IDA. 83440



Debra Beattie
Notary for State of Idaho
7-2-2009

June 9, 2005

**FAY L BINGHAM
JOYCE P BINGHAM
4198 W HWY 33
REXBURG ID 83440**

IMPORTANT NOTICE

PLEASE READ

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10511, 22-10516

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of MAY 01, 1968, from GROUNDWATER (22-10511).

Your claim, as referenced above, claims a Priority Date of AUG 15, 1975, from GROUNDWATER (22-10516).

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents**

Claim No 22-10511

Document Checklist

☐ Copy License/Decree _____

☐ Copy Transfer _____

☐ Copy Licensing Field Exam _____

☐ Check if Ownership/Address Change is Required _____

☒ Generate, mail and file "Evidence of Priority" letter |

☒ Generate Arcview Map

11/9/15 per telephone conversation with Joyce Bingham:
Current Address: 4198 W Hwy 33
LEXBURG ID 83440 KMD

June 4, 2004

**FAY OR JOYCE BINGHAM
PO BOX 324
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10511

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of MAY 1 1968, from GROUNDWATER.

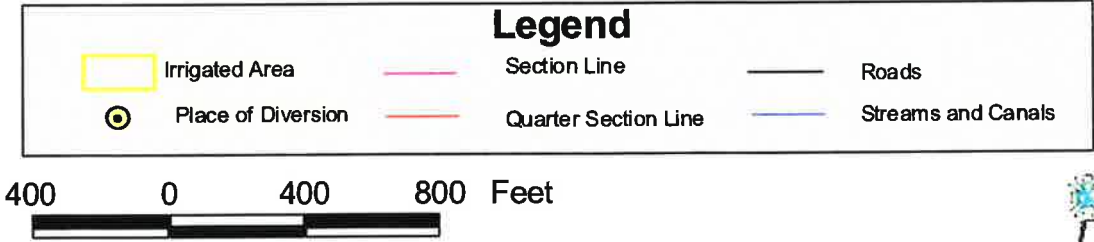
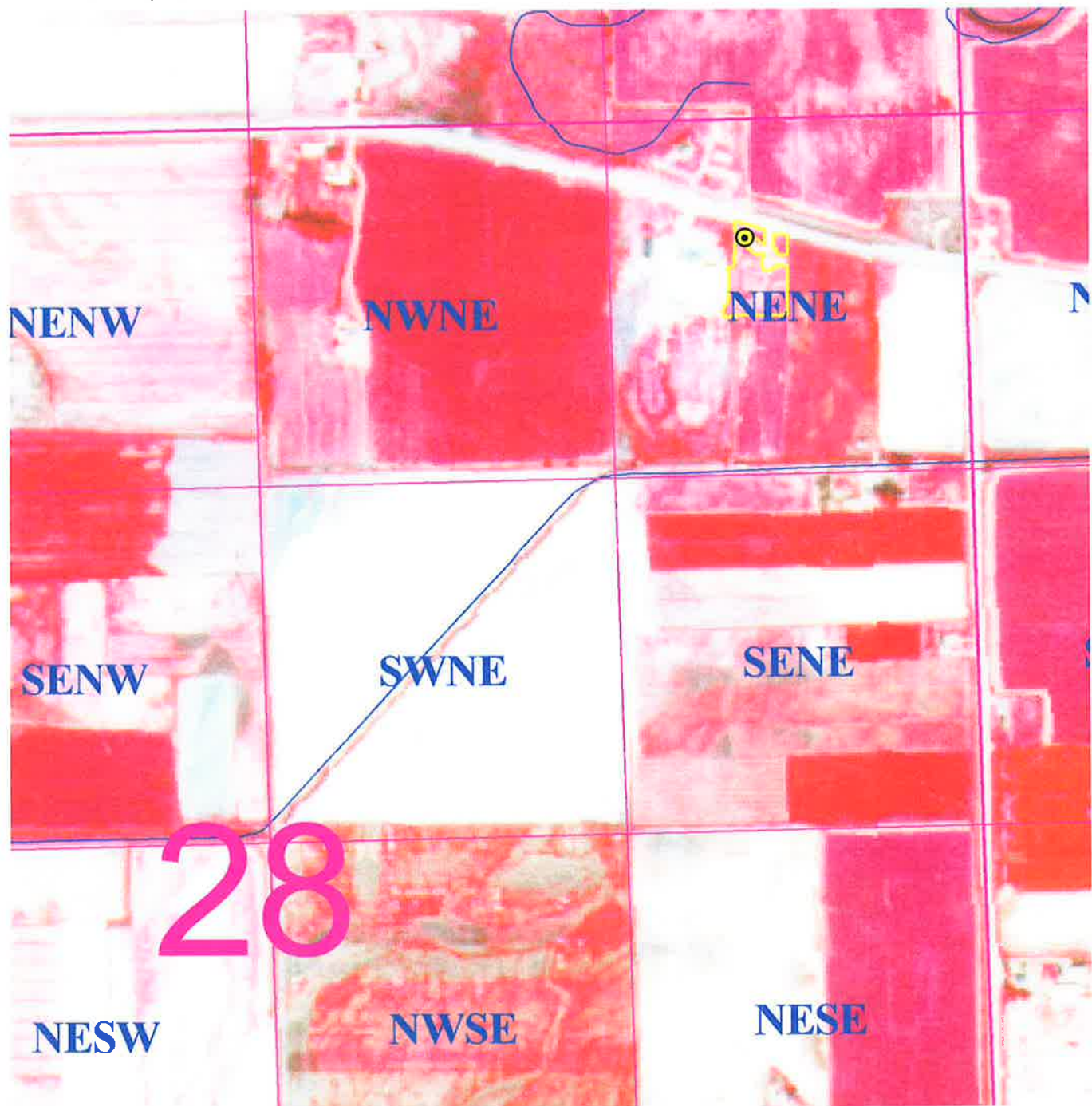
It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

Water Right Claim Number 22-10511
Township , 6N39E

07/12/2001



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: A22-10511
Date Received: 8/02/1988
Receipt No: M000721
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FAY L. BINGHAM 208-356-5334
Address: PO BOX 324
REXBURG, ID 83440

OR

Name: JOYCE P. BINGHAM 208-356-5334
Address: PO BOX 324
REXBURG, ID 83440

2. Date of Priority: MAY 01, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	39E	28	NW	NE	NE		MADISON

5. Description of diverting works:
WELL, 78' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	04/01	11/01	0.045		

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

8. Total consumptive use is 3.7 Acre Feet Per Annum.

9. Non-irrigation uses:
ONE DOMESTIC HOUSEHOLD

A22-10511

Page 1

Date: 08/02/88

MICROFILMED
NOV 05 1992

A2210511



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	39E	28	NE		NE		IRR	1.5
			NE		NE		DOMEST	

Section Acres 1.5

Total Acres 1.5

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
A22-10516

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
NOV 05 1992

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): Joyce Bingham Date: 8-2-88

Date: _____

State of Idaho)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 2 day

of Aug. 19 88

John Dal Carbon
Notary Public

Seal

Residing at Boise Id.

My Commission Expires 6/2/94

(nz)
NW NE NE

T 5 N

MICROFILMED
NOV 05 1992

