

02/08/2005

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

RIGHT NUMBER: 27-3G

NAME AND ADDRESS: PAUL BINGHAM
404 W RIVERTON RD
BLACKFOOT ID 83221

LORI BINGHAM
404 W RIVERTON RD
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.10 CFS

PRIORITY DATE: 05/01/1885

POINT OF DIVERSION:

T03S R35E S9 SENE Lot 1 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.10 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R35E S08 NWNE 1.3

1.3 ACRES TOTAL

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

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: **Decreed**

WATER IS DELIVERED THROUGH MINERS DITCH.



STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-3G



500 0 500 1000 Feet

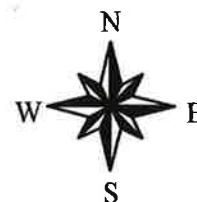


LEGEND

- ⊙ Point of Diversion
- Place of Use
- ▭ Townships
- ▭ Sections
- ▭ Quarter-Quarters

Place of Use: T3S, R35E:
(part of) Sec. 8, NWNE.

Point(s) of Diversion: T3S, R35E:
Sec. 9, SENE, L-1



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: August 2004

SCANNED

DEC 23 2005

PROFILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 17, 2008

DAVID BOUD
404 W RIVERTON RD
BLACKFOOT ID 83221

RE: CHANGE IN OWNERSHIP FOR: 27-3G

Dear Claimant:

It has come to our attention that you may have recently purchased a tract of land in Bingham County. The property to which I am referring was most recently owned by Paul Bingham. The legal description is as follows:

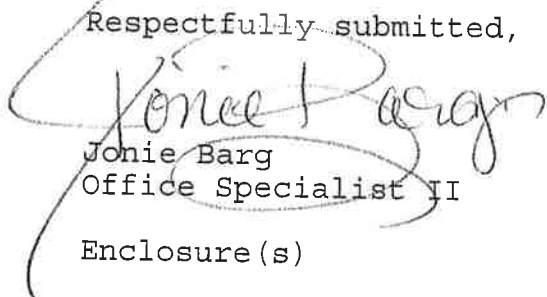
T3S, R35E, Sec 8, NWNE

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,


Jonie Barg
Office Specialist II

Enclosure(s)

SCANNED
APR 17 2008

Snake River adjudication

27-36

~~Miners Ditch Company
1622 Riverton Road
Blackfoot Idaho 83221~~

March 24, 2008

~~Miners Ditch Company,~~

I, Paul Bingham, have sold my shares in the Miners Ditch Company 1 year ago today along with the home on riverton road to the following person:

DAVID BOUD
404 W RIVERTON ROAD
BLACKFOOT IDAHO 83221

all transactions were processed through Tammy Fairchild, realtor with Heartland Real Estate at 70 S Spruce Blackfoot Idaho 83221 (208) 785-6689. Any questions may be referred to her concerning this matter.

Thank you.

Paul E. Bingham

RECEIVED

APR 16 2008

Department of Water Resources
Eastern Region

SCANNED

APR 17 2008

(Certificate of mailing continued)

DIANE B POWELL
NEAL K POWELL
252 E 100 N
BLACKFOOT, ID 83221
Phone: 208-785-4404

ROBERT L GANSKE
TRUDY GANSKE
255 S 625 W
BLACKFOOT, ID 83221
Phone: 208-785-1233

NINA L ROWBURY
REX C ROWBURY
260 S 625 W
BLACKFOOT, ID 83221
Phone: 208-785-0434

KEN J WIXOM
260 W 300 N
BLACKFOOT, ID 83221
Phone: 208-785-0407

PRESTON R ALLEN & SONS
2601 E 300 S
DECLO, ID 83323
Phone: 208-349-5573

DONALD ANDERSON
LORETTE ANDERSON
264 S 625 W
BLACKFOOT, ID 83221
Phone: 208-785-7181

LINDA DE MCDANIEL
PAUL B MCDANIEL
275 S 625 W
BLACKFOOT, ID 83221
Phone: 208-785-3124

MARK B PRATT
279 N 400 E
BLACKFOOT, ID 83221
Phone: 208-785-4245

CV RANCHES
3124 NIPPER RD
BANCROFT, ID 83217
Phone: 208-648-7863

GEORGE OLESON
317 E RICH LANE
BLACKFOOT, ID 83221
Phone: 208-785-2414

CHERYL H THOMPSON
SIDNEY G THOMPSON
3411 LONG VALLEY RD
SODA SPRINGS, ID 83276
Phone: 208-574-2404

STEVEN OLESON
359 E 200 N
BLACKFOOT, ID 83221
Phone: 208-785-2414

ADRIAN J YOUNG
MARGOT B YOUNG
36 E RICH LN
BLACKFOOT, ID 83221
Phone: 208-785-2919

LILA OLESON
363 E 200 N
BLACKFOOT, ID 83221
Phone: 208-327-7953

HUNSAKER RANCHING INC
3804 BLACKFOOT RIVER RD
PO BOX 324
SODA SPRINGS, ID 83276
Phone: 208-547-3857

DOROTHY LYON
EVERETT L LYON
397 N 800 E
FIRTH, ID 83236
Phone: 208-785-0654

ORDER SETTING

Page 7
3/13/08

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APR 17 2008

(Certificate of mailing continued)

LORI BINGHAM
PAUL BINGHAM
404 W RIVERTON RD
BLACKFOOT, ID 83221
Phone: 208-785-4253

DAVID R STARK
DENISE C STARK
410 WEST RIVERTON ROAD
BLACKFOOT, ID 83221
Phone: 208-782-0742

BILL D HADDON
412 WEST RIVERTON ROAD
BLACKFOOT, ID 83221
Phone: 208-785-3748

CASEY CLEMENTS
420 SOUTH UNIVERSITY
BLACKFOOT, ID 83221
Phone: 208-785-9637

ELIZA HINDERAGER
LARRY HINDERAGER
434 WEST RIVERTON RD
BLACKFOOT, ID 83221
Phone: 208-785-5678

DAVID STANLEY
474 W RIVERTON RD
BLACKFOOT, ID 83221
Phone: 208-785-4528

JOHN B & STACIE HEINTZELMAN
JOHN B HEINTZELMAN
STACIE D HEINTZELMAN
485 W RIVERTON RD
BLACKFOOT, ID 83221
Phone: 208-782-0844

ANITA K PRATT
GARY L PRATT
486 E WEEDING LN
BLACKFOOT, ID 83221
Phone: 208-785-4245

CAROLE J COFFMAN
HARVEY G COFFMAN
487 W RIVERTON RD
BLACKFOOT, ID 83221
Phone: 208-785-4819

FLORIAN WERNETTE
OPAL WERNETTE
494 N 600 E
FIRTH, ID 83236
Phone: 208-785-0534

STANLEY M HILL
522 W RIVERTON RD
BLACKFOOT, ID 83221
Phone: 208-785-0533

SUSAN CRONQUIST
526 W RIVERTON RD
BLACKFOOT, ID 83221
Phone: 208-785-2922

DORAN JORGENSEN
SHIRA JORGENSEN
561 W 200 S
BLACKFOOT, ID 83221
Phone: 208-785-7902

CORDELL E STEWART
JUDITH ANN STEWART
563 W 200 S
BLACKFOOT, ID 83221
Phone: 208-785-0988

DIANE MASON
575 GRANT ST.
AMERICAN FALLS, ID 83211
Phone: 208-251-5772

HOWARD S NATION
JACQUELYN C NATION
594 W 200 S
BLACKFOOT, ID 83221
Phone: 208-785-6793

ORDER SETTING

Page 8
3/13/08

SCANNED

APR 17 2008

Region Region

MAR 13 2008

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

In Re SRBA

Case No. 39576

ORDER SETTING DEADLINE AND
SCHEDULING CONFERENCE

SUBCASE NOS.: EXHIBIT A
(IRRIGATION USE)

A Scheduling Conference was held on March 7, 2008. The Court received a *Governmental Parties' Joint Status Report* on February 29, 2008. The parties reported that they needed an additional 6 months to collect and analyze data.

Please be advised that Special Master Brigitte Bilyeu has set the following dates in the above listed subcases:

May 30, 2008
July 30, 2008

Deadlines for Governmental parties to submit a Case Management Report to the SRBA Court

The report should include:

1. A description of settlement discussions held since the last hearing or report.
2. A description of data collection and data analysis since the last hearing or report.
3. A list of additional subcases settled with SF5s filed with the court.

September 10, 2008 11:00

Scheduling Conference

Location: Snake River Basin Adjudication
253 3rd Ave. North
Twin Falls, Idaho 83301

Parties may participate by phone for the Scheduling Conference by dialing 1-225-383-1099 and when prompted enter participant code 926509. Any questions regarding telephone participation, please contact the Clerk's office at (208) 736-3011.

DATED: March 13, 2008.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

MAR 13 2008

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

In Re SRBA

Case No. 39576

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DATED: March 13, 2008.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

27-00001A	27-00037E	27-02126	27-11199	27-12136
27-00001B	27-00037F	27-02165	27-11236	27-12137
27-00002A	27-00037G	27-04001	27-11245	
27-00002B	27-00037H	27-04009	27-11261	
27-00003C	27-00037J	27-04010	27-11262	
27-00003D	27-00037L	27-04058	27-11269	
27-00003E	27-00037M	27-04068	27-11271	
27-00003G	27-00037N	27-04077	27-11273	
27-00004AC	27-00038	27-04078	27-11317	
27-00004F	27-00039	27-04079	27-11330	
27-00004H	27-00040	27-04096	27-11334	
27-00004M	27-00041	27-04097	27-11918	
27-00004S	27-00045	27-04141	27-11919	
27-00004Y	27-00047	27-07013	27-11930	
27-00004Z	27-00049	27-07089	27-11939	
27-00005A	27-00050	27-10096	27-11940	
27-00005B	27-00051A	27-10116	27-11946	
27-00012A	27-00051B	27-10207	27-11966	
27-00012B	27-00052	27-10292	27-11988	
27-00013A	27-00054	27-10296	27-11989	
27-00013B	27-00055A	27-10341	27-11992	
27-00014B	27-00055B	27-10344	27-11994	
27-00014C	27-00056	27-10357	27-11995	
27-00014D	27-00073	27-10358	27-11997	
27-00016A	27-00074	27-10362	27-12006	
27-00017	27-00076	27-10370	27-12014	
27-00020A	27-00085A	27-10388	27-12015	
27-00020B	27-00088	27-10390	27-12016	
27-00021A	27-00094	27-10398	27-12017	
27-00021B	27-00102	27-10452	27-12027	
27-00021C	27-00104	27-10505	27-12028	
27-00021D	27-00105	27-10539	27-12029	
27-00022D	27-00106	27-10545	27-12030	
27-00023B	27-02001	27-10550	27-12031	
27-00023C	27-02003A	27-10552	27-12032	
27-00023E	27-02003B	27-10555	27-12035	
27-00025B	27-02008	27-10557	27-12040	
27-00025C	27-02015	27-10657	27-12045	
27-00026A	27-02019A	27-10667	27-12050	
27-00026B	27-02026	27-10728	27-12051	
27-00026C	27-02041A	27-10756	27-12064	
27-00026D	27-02041B	27-10790	27-12068	
27-00026E	27-02043	27-10844	27-12069	
27-00028	27-02048	27-10847	27-12074	
27-00029B	27-02052	27-10878	27-12081	
27-00029C	27-02054	27-10943	27-12108	
27-00029E	27-02066	27-10994	27-12109	
27-00035D	27-02078	27-10999	27-12115	
27-00037A	27-02080A	27-11016	27-12116	
27-00037C	27-02080B	27-11117	27-12118	

(Subcase list: IRRIGATION)

3/12/08



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION
August 6, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SPENCER AND DIANN MILLER
404 W RIVERTON RD
BLACKFOOT ID 83221

RE: Notice of Change of Water Right Ownership (NCO) for 27-3G and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Bobby Kern

Bobby Kern
Office Specialist II

Enclosure

cc: Lori & Paul Bingham
David Boud

SCANNED

SEP 11 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 29, 2008

DIANN OR SPENCER MILLER
404 W RIVERTON ROAD
BLACKFOOT ID 83221

Per Joni

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR
27-3G AND 27-10528 HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

☒ ~~XX~~ COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER
LEGAL DOCUMENT indicating your ownership of the property and water
rights in question, ** *received*

☐ ~~XX~~ SIGNATURE ON PAGE 2

☐ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

☐ USDA FARM SERVICE AGENCY (formerly ASCS) AERIAL PHOTO with
Irrigated acres outlined and point(s) of diversion clearly marked.

☒ ~~XX~~ FILING FEE OF \$25.00 FOR **WATER RIGHT NUMBER 27-10528**. *to be refunded*

If you have any questions please contact Jonie Barg or myself at (208)525-7161.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE ENTIRE
PACKET TO OUR IDAHO FALLS OFFICE AT THE ADDRESS BELOW:

ID DEPT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N SKYLINE DR., SUITE A
IDAHO FALLS, ID 83402-1718

Respectfully submitted,

Bobby Kern

Bobby Kern
Office Specialist II

RECEIVED

AUG 05 2008

Department of Water Resources
Eastern Region

SCANNED
SEP 11 2008

In Re SRBA

Case No. 39576

Page 1

CERTIFICATE OF MAILING

I certify that on September 5, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Lori & Paul Bingham
404 W. Riverton Rd.
Blackfoot, ID 83221

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Diann and Spencer Miller
404 W. Riverton Rd.
Blackfoot, ID 83221

4. One copy to:

Each party in the subcase, or attorney of record::

Committee of Nine
Represented by: Barker, Rosholt & Simpson LLP
113 Main Avenue W, STE 303
P.O. Box 485
Twin Falls, ID 83303-0485

Shoshone-Bannock Tribes
Represented by: Jeanette Wolfley, Special Counsel
Shoshone-Bannock Tribe
202 N. Arthur
Pocatello, ID 83202

Committee of Nine
Represented by: Ray W. Rigby
25 N. 2nd E.
P.O. Box 250
Rexburg, ID 83440-0520

SCANNED

SEP 11 2008

5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

SCANNED
SEP 11 2008

08/05/2008

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

RIGHT NUMBER: 27-3G

NAME AND ADDRESS: SPENCER MILLER
404 W. RIVERTON ROAD
BLACKFOOT ID 83221

DIANN MILLER
404 W. RIVERTON ROAD
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 05/01/1885

POINT OF
DIVERSION:

T03S R35E S9 SENE Lot 1 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.100 CFS

PLACE OF USE:

IRRIGATION in BINGHAM County

T03S R35E S08

NWNE 1.30

1.3 ACRES TOTAL

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

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 - Decreed

WATER IS DELIVERED THROUGH MINERS DITCH.

SCANNED
SEP 11 2008

*\$25. for decreed water rights
- Call Department of Water Resources
to see if you need to send more -*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
27-3G Adj.					
27-10528 WR-Decreed -					

RECEIVED
AUG 05 2008
Department of Water Resources
Eastern Region

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

David Bond
404 W. Riverton Road
Blackfoot, ID 83221

4. New Owner/Claimant(s)

Diann and Spencer Miller
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

404 W. Riverton Road

City, State and ZIP Code

Blackfoot, ID 83221 83221

New Telephone Number

(208) 709-0590 Email: SCANNED

5. Date you acquired the property _____
6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) _____

[Signature] _____ (title if applicable)
 _____ (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Receipted by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

SCANNED

SEP 11 2008

* \$25.00 PD 5/6/08 - E034010

Kern, Bobby

From: Spencer Miller [spenceanddi@cableone.net]
Sent: Thursday, July 31, 2008 2:45 PM
To: Kern, Bobby
Subject: Fw: Warranty Deed (Email Ref=554036091)

Attachments: WD-Final HUD.TIF



WD-Final HUD.TIF
(435 KB)

----- Original Message -----

From: "Spencer Miller" <spenceanddi@cableone.net>
To: <joseph.larsen@idwr.idaho.gov>
Sent: Monday, June 09, 2008 4:44 PM
Subject: Fw: Warranty Deed (Email Ref=554036091)

> Hi Joe,
>
> Thanks for your e-mail. Hopefully, we can finally put this to rest. I
> appreciate your patience. Please let me know when this is completed or if
> you need anything additional.
>
> Spencer Miller
> ----- Original Message -----
> From: <vbauer@firstam.com>
> To: <spenceanddi@cableone.net>
> Cc: <vbauer@firstam.com>
> Sent: Monday, June 09, 2008 10:19 AM
> Subject: Warranty Deed (Email Ref=554036091)
>
>
>> Mr Miller
>> Attached is a copy of the recorded Warranty Deed and your final HUD.
>> Please call if you need anything else.
>> Thank you
>> Viki
>> 785-0320
>>
>>
>>
>> File No.: 251504 B
>>
>> Buyer: Spencer Miller Diann Miller
>>
>> Seller: David C. Boud and Frankie Lyn Boud
>>
>> Property Address: 404 West Riverton Road, Blackfoot, ID 83221
>>
>>
>>
>> Viki Bauer
>> Escrow Officer
>> First American Title Company
>> Phone: 208-785-0320
>> Fax: 208-785-6276
>>
>>

SCANNED

SEP 11 2008

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

Instrument # 693860

BINGHAM COUNTY

2008-04-30

01:37:12 No. of Pages: 2

Recorded for : FIRST AMERICAN TITLE COMPANY

SARA J. STAUB

Ex-Officio Recorder Deputy *KS* **Fee: 6.00**

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **251504-B (vb)**

Date: **April 29, 2008**

For Value Received, **David C. Boud and Frankie Lyn Boud, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Spencer Miller and Diann Miller, husband and wife**, hereinafter called the Grantee, whose current address is **404 West Riverton Road, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

Part of Government Lot 1 of Section 8, Township 3 South, Range 35 E.B.M., Bingham County, Idaho, described as: Commencing at the NE corner of Section 8; thence S. 89°51'03" W. 1372.80 feet along the North line Section 8; thence S. 00°18'32" E. 80 feet to the POINT OF BEGINNING; thence along the boundary of deed Instrument No. 580554 the following (10) courses; thence (1) S. 00°18'32" E. 293.34 feet; thence (2) N. 90°00'00" W. 12.12 feet; thence (3) S. 00°13'02" E. 38.31 feet to a Highway Right-of-Way marker; thence (4) N. 58°57'13" W. 37.26 feet; thence (5) S. 89°25'21" W. 123.41 feet along a fence line to a fence corner; thence (6) S. 26°10'53" W. 12.67 feet to a point in a fence line; thence (7) N. 87°39'02" W. 86.28 feet to a fence corner; thence (8) N. 03°47'13" E. 25.47 feet along a fence line; thence (9) N. 74°58'02" W. 63.68 feet (of record 59.76 feet) to the Easterly line of deed Instrument No. 560936, formerly known as the Mary Lee Goldmining Property; thence (10) N. 45°03'18" E. 180.46 feet along the Easterly line; thence N. 44°56'42" W. 3.50 feet; thence N. 45°03'18" E. 3.50 feet; thence S. 44°56'42" E. 3.50 feet to a point on the Easterly line of deed Instrument No. 560936, formerly known as the Mary Lee Goldmining Property; thence N. 45°03'18" E. 211.81 feet along said Easterly line; thence S. 89°59'26" E. 37.22 feet (of record 36.52 feet) to the POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

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SEP 11 2008

File No.: 251504-B (vb)

Frankie Lyn Boud

On this **29th day of April, 2008**, before me, a Notary Public in and for said State, personally appeared **David C. Boud and Frankle Lyn Boud**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

VIKI D. BAUER
NOTARY PUBLIC
STATE OF IDAHO

First American Title Company Final Statement		B. Type of Loan 1-5. Loan Type Conv. Unins. 6. File Number 251504-B 7. Loan Number 8. Mortgage Insurance Case Number	
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown, items marked "(POC)" were paid outside this closing; they are shown here for informational purposes and are not included in the totals.			
D. Name of Borrower: Spencer Miller, Diann Miller 404 West Riverton Road, Blackfoot, ID 83221			
E. Name of Seller: David C. Boud, Frankie Lyn Boud 87 East Alice Blackfoot, ID 83221			
F. Name of Lender: Citizens Community Bank 280 S. Arthur Ave. Pocatello, ID 83204			
G. Property Location: 404 West Riverton Road, Blackfoot, ID 83221			
H. Settlement Agent: First American Title Company Address: 168 West Pacific/P.O. Box 868, Blackfoot, ID 83221		I. Settlement Date: Print Date: 06/09/2008, 10:11 AM Disbursement Date: 04/30/2008	
Place of Settlement Address: 168 West Pacific/P.O. Box 868, Blackfoot, ID 83221			
J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction	
100. Gross Amount Due From Borrower		400. Gross Amount Due To Seller	
101. Contract Sales Price	259,900.00	401. Contract Sales Price	259,900.00
102. Personal Property		402. Personal Property	
103. Settlement charges to borrower (line 1400)	4,964.92	403. Total Deposits	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City/town taxes		406. City/town taxes	
107. County taxes		407. County taxes	
108. Assessments		408. Assessments	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
113.		413.	
114.		414.	
115.		415.	
120. Gross Amount Due From Borrower	264,864.92	420. Gross Amount Due To Seller	259,900.00
200. Amounts Paid By Or In Behalf of Borrower		500. Reductions In Amount Due to Seller	
201. *Deposit or earnest money	56,214.49	501. Excess deposit (see instructions)	
202. Principal amount of new loan(s)	207,920.00	502. Settlement charges (line 1400)	13,379.75
203. Existing loan(s) taken subject		503. Existing loan(s) taken subject	
204.		504. Payoff of first mortgage loan - Countrywide Home Loans	169,357.19
205.		505. Payoff of second mortgage loan - Keybank	25,355.20
206.		506. Disbursed as Proceeds (\$0.00)	
207.		507. Earnest Money Held By: High Desert Realtors	1,000.00
208.		508.	
209.		509.	
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City/town taxes		510. City/town taxes	
211. County taxes 07/01/07 to 04/30/08 @\$877.00/yr	730.43	511. County taxes 07/01/07 to 04/30/08 @\$877.00/yr	730.43
212. Assessments		512. Assessments	
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. Total Paid By/For Borrower	264,864.92	520. Total Reduction Amount Due Seller	209,822.57
300. Cash At Settlement From/To Borrower		600. Cash At Settlement To/From Seller	
301. Gross amount due from Borrower (line 120)	264,864.92	601. Gross amount due to Seller (line 420)	259,900.00
302. Less amounts paid by/for Borrower (line 220)	264,864.92	602. Less reductions in amounts due to Seller (line 520)	209,822.57
303. Cash (From) (To) Borrower		603. Cash (X To) (From) Seller	50,072.43
The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.			
Settlement Agent: <u>Debi D. Baum</u>		Date: _____	

L. Settlement Charges		
700. Total Sales/Broker's Commission based on price \$259,900.00 @ 5.0000% = \$12995.00		
Division of Commission (line 700) as follows		
701. \$6,497.50 to ERA Archibald-Reece		
702. \$6,497.50 to High Desert Realtors		
703. Commission paid at Settlement		
704. (Note: \$1000.00 POC Held By High Desert Realtors)		11,995.00
800. Items Payable In Connection with Loan		
801. Loan Origination Fee 1.0000% - Citizens Community Bank	2,079.20	
802. Loan Discount		
803. Appraisal Fee - Gary R Fawcett Appraisals	100.00	
804. Credit Report - Credco	16.00	
805. Lender's Inspection Fee		
806. Mortgage Insurance Application Premium		
807. Assumption Fee		
808. Processing Fee - Citizens Community Bank	295.00	
809. Underwriting Fee - FNMA	25.00	
810. Flood Determination Fee - 1st American Flood Data	15.00	
811. Tax Service Contract - Citizens Community Bank	65.00	
812. MERS Fee - Citizens Community Bank	4.95	
813.		
814.		
Supplemental Summary		
900. Items Required by Lender to be Paid in Advance		
901. Interest 04/30/08 to 05/01/08 @\$32.490000/day - Citizens Community Bank	32.49	
902.		
903. Hazard Insurance Premium for to United Insurance	750.00	
904.		
905.		
Supplemental Summary		
1000. Reserves Deposited with Lender		
1001. Hazard Insurance 3 mo(s) @\$52.50/mo	187.50	
1002. Mortgage Insurance		
1003. City Property Taxes		
1004. County Property Taxes 7 mo(s) @\$73.08/mo	511.56	
1005. Annual assessments		
1006.		
1007.		
1008. Aggregate Accounting Adjustment	-124.98	
1100. Title Charges		
1101. Settlement or closing fee - First American Title Company	415.00	415.00
1102. Abstract or title search		
1103. Title examination		
1104. Title Insurance Binder		
1105. Document Fee		
1106. Notary Fee		
1107. Attorney Fee		
(includes above item numbers:)		
1108. Title Insurance - See supplemental page for breakdown of individual fees and payees	462.20	813.75
(includes above item numbers:)		
1109. *Lender's coverage \$207,920.00 Premium: \$353.70		
1110. Owner's coverage \$259,900.00 Premium: \$922.25		
1111. Endorsements 9-06/8.1-06/22-06 - First American Title Company	50.00	
1112.		
1113. Reconveyance Fee-Purchase - First American Title Company		126.00
1114.		
1115.		
1116.		
1117.		
1200. Government Recording and Transfer Charges		
1201. *Recording fees: Deed \$6.00 Mortgage \$45.00 Release \$0.00	51.00	
1202. City/county tax/stamps:		
1203. State tax/stamps:		
1204.		
1205.		
1206.		
1300. Additional Settlement Charges		
1301. Survey to		
1302. Pest Inspection to		
1303. Courier and Handling Fee - First American Title Company	30.00	30.00
1304.		
1305.		
1306.		
1307.		
1308.		
1309.		
1310.		
1311.		
1312.		
1313.		
1314.		
Supplemental Summary		
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)	4,964.92	13,379.75

* See Supplemental Page for details.

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Supplemental Page HUD-1 Settlement Statement	File No. 251504-B
First American Title Company Final Statement	Loan No. Settlement Date:
Borrower Name & Address: Spencer Miller, Dlann Miller 404 West Riverton Road, Blackfoot, ID 83221	
Seller Name & Address: David C. Boud, Frankie Lyn Boud 87 East Alice Blackfoot, ID 83221	

Section L. Settlement Charges continued	Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
1108. Supplemental Summary	1,275.95	
a) Policy-Eagle Owners Policy - First American Title Company	108.50	813.75
b) Policy-Extended Lender's Policy - First American Title Company	353.70	
1201. Supplemental Summary	51.00	
a) Recording Fee-Deed - First American Title Company	6.00	
b) Recording Fee-Mortgage - First American Title Company	45.00	

Section J. Summary of Borrower's Transaction continue		
100. Gross Amount Due From Borrower	Borrower Charges	Borrower Credits
200. Amounts Paid By Or In Behalf of Borrower		
201. Supplemental Summary	55,214.49	
a) Funds For Closing		55,214.49

The following Section is restated from the Settlement Statement Page 1			
300. Cash At Settlement From/To Borrower		600. Cash At Settlement To/From Seller	
301. Gross amount due from Borrower (line 120)	264,864.92	601. Gross Amount due to Seller (line 420)	259,900.00
302. Less amounts paid by/for Borrower (line 220)	264,864.92	601. Less reductions in amounts due to Seller (line 520)	209,822.57
303. Cash (From) (To) Borrower		603. Cash (X To) (From) Seller	50,077.43

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and distributions made on my account or by me in this transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

SCANNED
SEP 11 2003

A. Settlement Statement

B. Type of Loan

First American Title Company

Settlement Statement

1-5. Loan Type Conv. Unins.

6. File Number 251504-B

7. Loan Number

8. Mortgage Insurance Case Number

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(POC)" were paid outside this closing; they are shown here for informational purposes and are not included in the totals.

D. Name of Borrower: Spencer Miller, Diann Miller

E. Name of Seller: David C. Boud, Frankie Lyn Boud
404 West Riverton Road Blackfoot, ID 83221F. Name of Lender: Citizens Community Bank
280 S. Arthur Ave.
Pocatello, ID 83204

G. Property Location: 404 West Riverton Road, Blackfoot, ID 83221

H. Settlement Agent: First American Title Company
Address: 168 West Pacific/P.O. Box 868, Blackfoot, ID 83221

I. Estimated Settlement Date: 04/29/2008

Print Date: 04/29/2008, 10:43 AM

Place of Settlement Address: 168 West Pacific/P.O. Box 868, Blackfoot, ID 83221

Disbursement Date: 04/30/2008

J. Summary of Borrower's Transaction

100. Gross Amount Due From Borrower

101. Contract Sales Price 259,900.00

102. Personal Property

103. Settlement charges to borrower (line 1400) 4,964.92

104.

105.

Adjustments for items paid by seller in advance

106. City/town taxes

107. County taxes

108. Assessments

109.

110.

111.

112.

113.

114.

115.

120. Gross Amount Due From Borrower 264,864.92

200. Amounts Paid By Or In Behalf of Borrower

201. Deposit or earnest money 1,000.00

202. Principal amount of new loan(s) 207,920.00

203. Existing loan(s) taken subject

204.

205.

206.

207.

208.

209.

Adjustments for items unpaid by seller

210. City/town taxes

211. County taxes 07/01/07 to 04/30/08 @ \$877.00/yr 730.43

212. Assessments

213.

214.

215.

216.

217.

218.

219.

220. Total Paid By/For Borrower 208,650.43

300. Cash At Settlement From/To Borrower

301. Gross amount due from Borrower (line 120) 264,864.92

302. Less amounts paid by/for Borrower (line 220) 208,650.43

303. Cash (X From) (To) Borrower 55,214.49

K. Summary of Seller's Transaction

400. Gross Amount Due To Seller

401. Contract Sales Price

402. Personal Property

403. Total Deposits

404.

405.

Adjustments for items paid by seller in advance

406. City/town taxes

407. County taxes

408. Assessments

409.

410.

411.

412.

413.

414.

415.

420. Gross Amount Due To Seller

500. Reductions In Amount Due to Seller

501. Excess deposit (see instructions)

502. Settlement charges (line 1400)

503. Existing loan(s) taken subject

504. Payoff of first mortgage loan

505. Payoff of second mortgage loan

506.

507.

508.

509.

Adjustments for items unpaid by seller

510. City/town taxes

511. County taxes

512. Assessments

513.

514.

515.

516.

517.

518.

519.

520. Total Reduction Amount Due Seller

600. Cash At Settlement To/From Seller

601. Gross amount due to Seller (line 420)

602. Less reductions in amounts due to Seller (line 520)

603.

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.

Settlement Agent: *Walter D. Boud*

Date: 4/29/08

* See Supplemental Page for details.

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SEP 11 2008

L. Settlement Charges		
700. Total Sales/Broker's Commission based on price		
Division of Commission (line 700) as follows		
701	Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
702		
703. Commission paid at Settlement		
704		
800. Items Payable In Connection with Loan		
801. Loan Origination Fee 1.0000% - Citizens Community Bank		
802. Loan Discount	2,079.20	
803. Appraisal Fee - Gary Fawcett		
804. Credit Report - Credco	100.00	
805. Lender's Inspection Fee	16.00	
806. Mortgage Insurance Application Premium		
807. Assumption Fee		
808. Processing Fee - Citizens Community Bank		
809. Underwriting Fee - FNMA	295.00	
810. Flood Determination Fee - 1st American Flood Data	25.00	
811. Tax Service Contract - Citizens Community Bank	15.00	
812. MERS Fee - Citizens Community Bank	65.00	
813.	4.95	
814.		
Supplemental Summary		
900. Items Required by Lender to be Paid In Advance		
901. Interest 04/30/08 to 05/01/08 @ \$32.490000/day - Citizens Community Bank		
902.	32.49	
903. Hazard Insurance Premium for to United Insurance		
904.	750.00	
905.		
Supplemental Summary		
1000. Reserves Deposited with Lender		
1001. Hazard Insurance 3 mo(s) @ \$62.50/mo		
1002. Mortgage Insurance	187.50	
1003. City Property Taxes		
1004. County Property Taxes 7 mo(s) @ \$73.08/mo		
1005. Annual assessments	511.56	
1006.		
1007.		
1008. Aggregate Accounting Adjustment	-124.98	
1100. Title Charges		
1101. Settlement or closing fee - First American Title Company		
1102. Abstract or title search	415.00	
1103. Title examination		
1104. Title Insurance Binder		
1105. Document Fee		
1106. Notary Fee		
1107. Attorney Fee		
(includes above item numbers:)		
1108. Title Insurance - See supplemental page for breakdown of individual fees and payees		
(includes above item numbers:)		
1109. Lender's coverage \$207,920.00 Premium: \$353.70		
1110. Owner's coverage \$259,500.00 Premium: \$108.50		
1111. Endorsements 9-06/8.1-06/22-06 - First American Title Company	50.00	
1112.		
1113.		
1114.		
1115.		
1116.		
1117.		
1200. Government Recording and Transfer Charges		
1201. Recording fees: Deed \$6.00 Mortgage \$45.00 Release \$0.00	51.00	
1202. City/county tax/stamps		
1203. State tax/stamps		
1204.		
1205.		
1206.		
1300. Additional Settlement Charges		
1301. Survey to		
1302. Past inspection to		
1303. Courier and Handling Fee - First American Title Company	30.00	
1304.		
1305.		
1306.		
1307.		
1308.		
1309.		
1310.		
1311.		
1312.		
1313.		
1314.		
Supplemental Summary		
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)	4,964.92	

* See Supplemental Page for details.

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SEP 11 2023

Supplemental Page
HUD-1 Settlement Statement

File No.
251504-B

First American Title Company
Settlement Statement

Loan No.

Settlement Date:

Borrower Name & Address: Spencer Miller, Diann Miller

Seller Name & Address: David C. Boud, Frankie Lyn Boud
404 West Riverton Road Blackfoot, ID 83221

Section L. Settlement Charges continued

		Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
1108. Supplemental Summary	462.20		
a) Policy-Eagle Owners Policy - First American Title Company		108.50	
b) Policy-Extended Lender's Policy - First American Title Company		353.70	
1201. Supplemental Summary	51.00		
a) Recording Fee-Deed - First American Title Company		6.00	
b) Recording Fee-Mortgage - First American Title Company		45.00	

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and distributions made on my account or by me in this transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

BUYER(S):

Spencer Miller

Diann Miller

First American Title Company

By Viki D Bauer
Viki Bauer

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SEP 11 2003

Navigation Tools

Receipt Details for E034010

Status	Adjustment Type	Version
		1

General Information

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/6/2008 10:34:04 AM	5/9/2008 3:37:44 PM	EASTERN	\$25.00	Check
Payer	SPENCER MILLER			
IPG Transaction ID	0			

Account Information:

Check Number:	1022
---------------	------

Comment Change of ownership of water right # 27-10528

Fee Details:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	63140	0229	21		1155

SCANNED
SEP 11 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DE ✓

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
27-3G Adj	OK				
27-10528	WR- Decreed				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Saul & Lori Bingham

4. New Owner/Claimant(s)

David Bond
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

87 East Alice
Blackfoot, Idaho

City, State and ZIP Code

New Telephone Number

208, 785-9603 Email: *DavidBond@bethlehem@msn.com*

RECEIVED

APR 21 2008

Department of Water Resources
 Eastern Region

SEP 11 2003

5. Date you acquired the property _____
6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) _____

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by JR
 Received by JR
 Processed by _____ AJ

Date 4-21-08
 Date 4-21-08
 Date _____

Receipt Amt. 25.00
 Receipt No. E033979
 WR _____ Date _____

SCANNED

SEP 11 2003

TRANSFER OF DEEDED WATER RIGHTS

We, Paul and Lori Bingham, transfer our deeded water rights to
David and Frankie Boud, 404 W Riverton Road, Blackfoot Idaho,
83221 on April 19, 2008



Paul Bingham

4-19-08

Date



Lori Bingham

4-19-08

Date

SCANNED
SEP 11 2008

Miners Ditch Company
1622 Riverton Road
Blackfoot Idaho 83221

March 24, 2008

Miners Ditch Company,

I, Paul Bingham, have sold my shares in the Miners Ditch Company 1 year ago today along with the home on riverton road to the following person:

DAVID BOUD
404 W RIVERTON ROAD
BLACKFOOT IDAHO 83221

all transactions were processed through Tammy Fairchild, realtor with Heartland Real Estate. Any questions may be referred to her concerning this matter.

Thank you.
Paul E. Bingham

SCANNED

SEP 11 2003

580050

2007 APR 27 PM 4:33

RECORDED AT THE REQUEST OF

WARRANTY DEED

Allance Title & Escrow Corp.

Order No.:3020709802-J

FOR VALUE RECEIVED

Paul E. Bingham and Lori A. Bingham, Husband and Wife

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

David C. Boud, a married man

whose current address is

404 W. Riverton Road 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 East, Boise Meridian, Bingham County, described as:

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

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 4/24/2007

Paul E. Bingham

Lori A. Bingham

State of Idaho

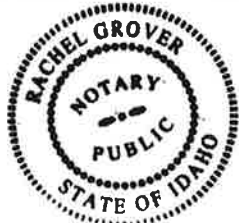
} ss.

County of Bingham

580050

On the 26th day of April, in the year 2007 before me, a Notary Public in and for said state, personally appeared Paul E. Bingham and Lori A. Bingham known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

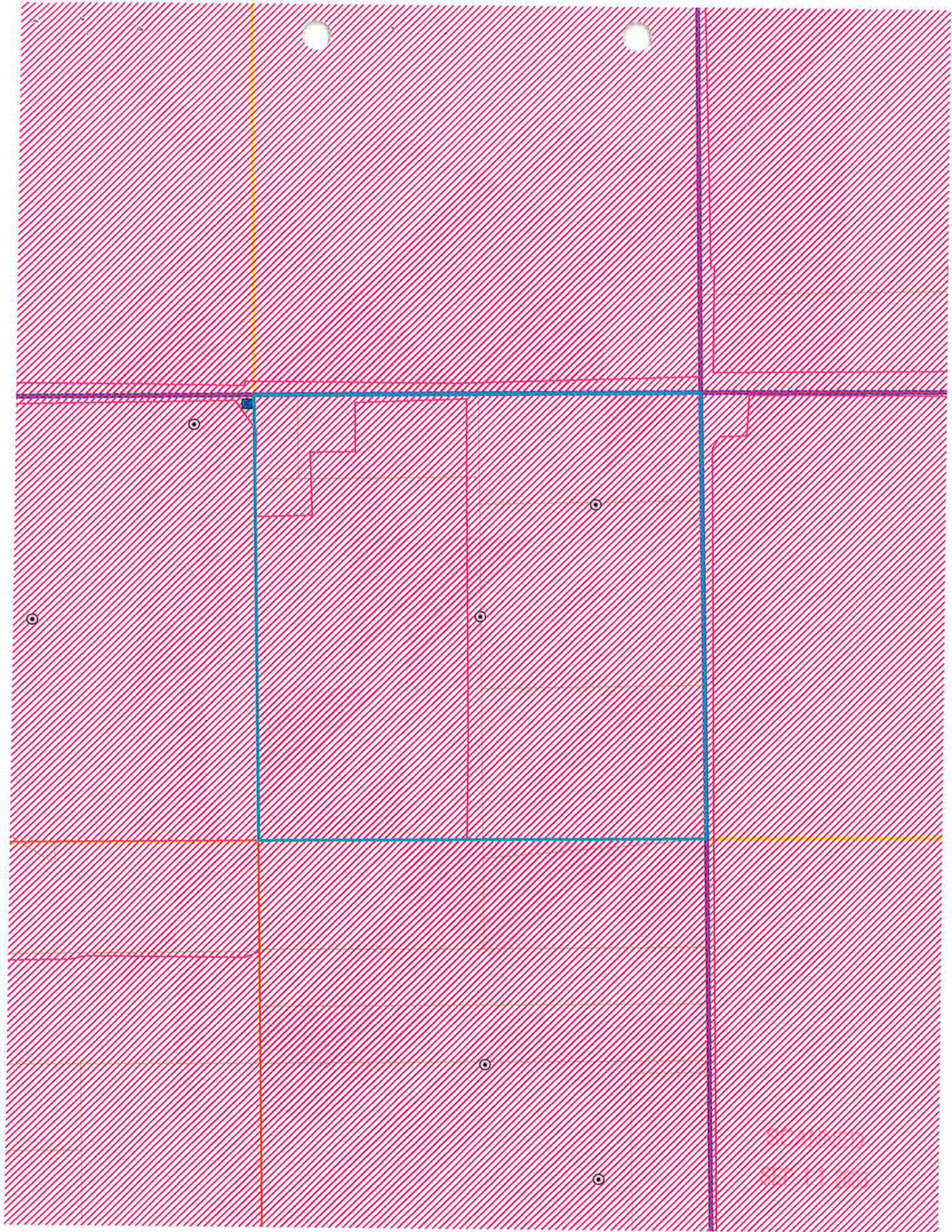


Notary Public for the State of Idaho

Residing at: Blackfoot

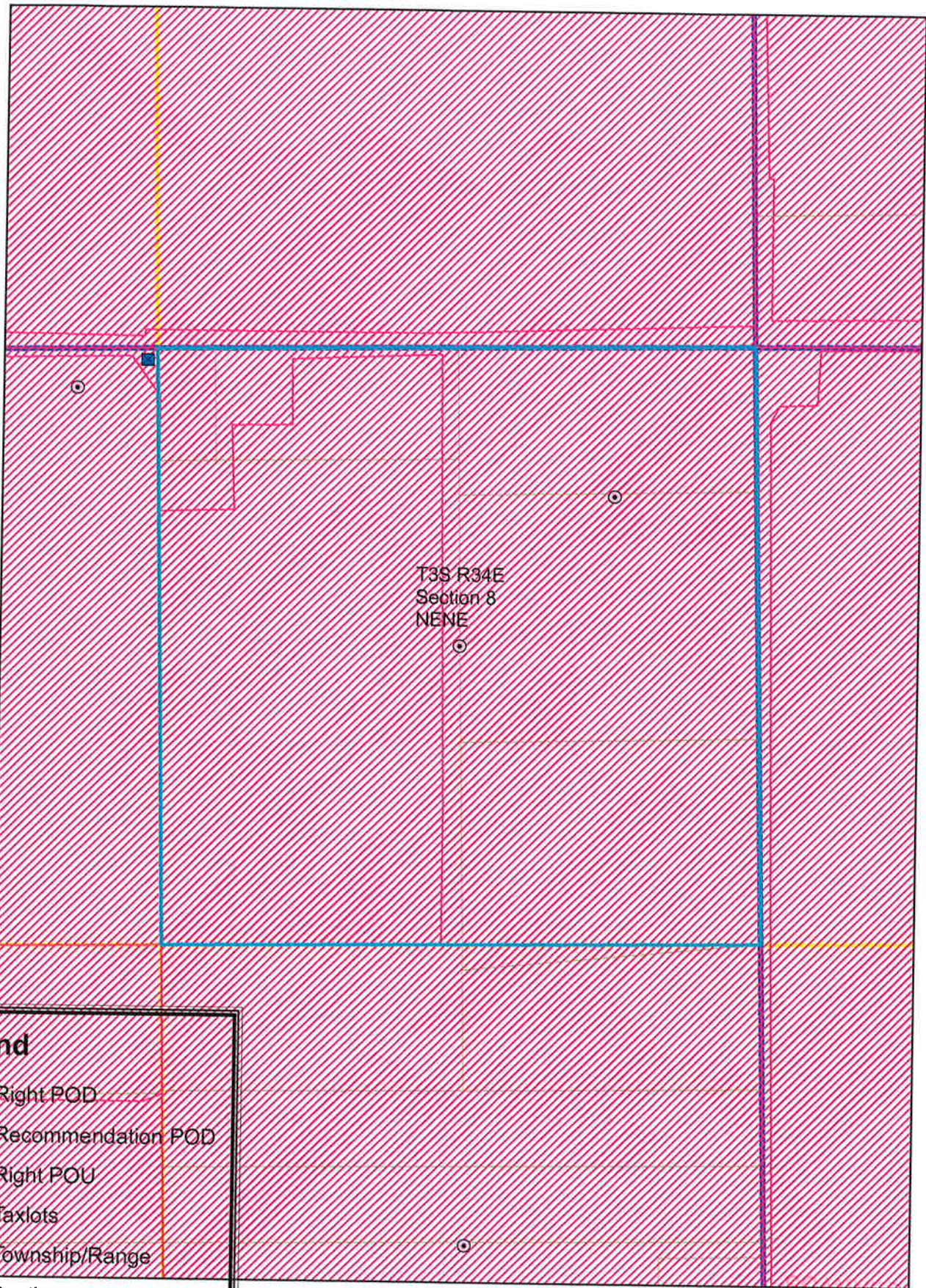
Commission Expires: 11-10-12

SCANNED
SEP 11 2007



SCANNED
SEP 11 2011

Idaho Department of Water Resources

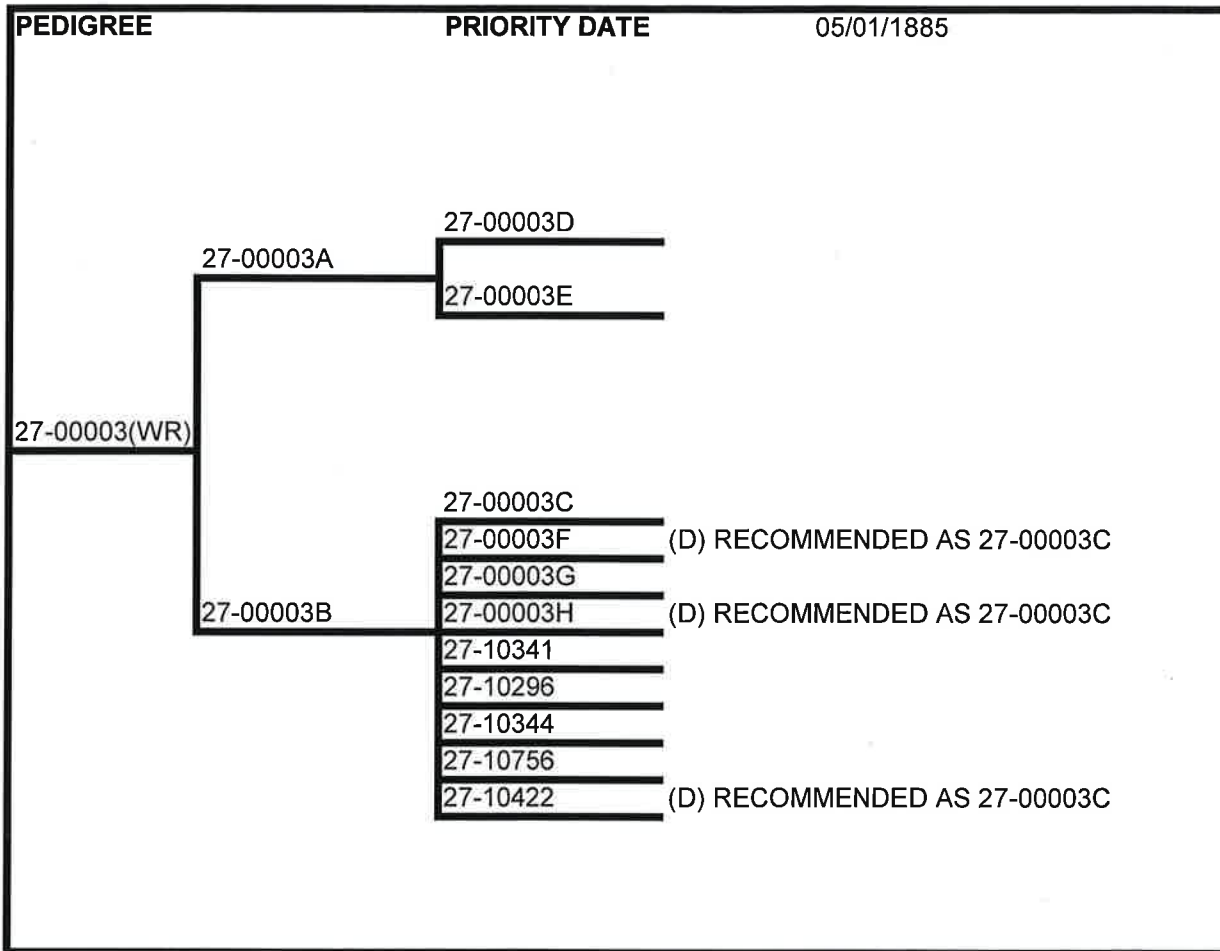


T3S R34E
Section 8
NENE

Legend

- ⊙ Right POU
- Recommendation POU
- Right POU
- Taxlots
- Township/Range
- Sections
- QQ

SCANNED
SEP 11 2008



Water right #	to adjudication #	Miscellaneous
27-00003	27-00003a	27-00003D 27-00003E
	27-00003b	27-00003C 27-00003F 27-00003G 27-00003H 27-10341 27-10296 27-10344 27-10756 27-10422
		DISALLOWED RECOMMENDED AS 27-00003C
		DISALLOWED RECOMMENDED AS 27-00003C
		DISALLOWED RECOMMENDED AS 27-00003C

Claim Number Split to

27-00003 27-00003A
 27-00003B

27-00003A 27-00003D
 27-00003E

27-00003B 27-00003C
 27-00003F
 27-00003G
 27-00003H
 27-10341
 27-10296
 27-10344
 27-10756

kmj 03/03/2006

INTER-DEPARTMENT MEMO

TO: Barbara
FROM: Cindy

SUBJECT: layout/analysis²⁷⁻³
DATE: 2/4/05

Please change Mr. Bingham's layout from
27-10527 to 27-36. add the POI zoomed
in to the layout. POP. Miner's Ditch.

Also, add a copy of skip analysis to
27-10527 and 27-36.

I'm recommending 27-10527 under 27-36.

Ready for CCUR.

() For your information

CPB
signature

PROFILED

SCANNED

DEC 23 2005

Notes

3/9/04 Skip called to say that Stan Hill told him that some of the deeds he found was this land now owned by Paul Bingham. Ask Skip to see if he could get a copy from Stan CB

2/6/05 Paul & Lori Bingham has 2 claims for the same 5 shares in the miner's ditch. I disallowed 27-10527 and am recommending it under 27-36. This water is conveyed a long distance in an open canal. The conveyance loss thru the canal is substantial. And the Stevens decree is not specific at 1" per acre. Am allowing the claim to 5".

6/7/05 water comes out of the lanning street well.

Notes

Claim A27-00003G

1/ Exam was done on Feb 21, 2004 with claimant Paul Bingham.

Mr. Bingham confirmed that shape on Spatial Dynamics ArcView map is correct for the Place of Use.

2/ I advised Mr. Bingham that the 0-10 cfs or 5" inches of water may not be recommended for just 1.7 acres of irrigated ground.

3/ Claimant confirmed that address & phone # were current.

4/ GPS data - POD is the Minus
ditch - 0633411 file # Minus
0231919

GPS tag A0009078

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Paul Bingham	404 W. Hewitson Rd				785-4253
Name connector: and ☒ or _____ and/or _____						
Current Owner	Lori Bingham	Blackfoot, ID	83221			
Current Owner						

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 2-21-04 Time: _____

Directions to Property (if different from above) and/or update owner information:

Skip. (Harold Jones)Reviewer: CBDate: 2/4/05

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: 27-36

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: 5-1-1885 Recommended Basis: decree☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

decree.

Reviewer: CBDate: 2/6/05

Priority Date Data Entry Form

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes (X) No ()
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes (X) No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes (X) No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? *decree* Yes (X) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.
If No, Priority Date review is complete.

Priority Date

Claim No. 27-36

Point of Diversion and Source Data Entry Form

Claim Number: 27-3G.Water Right Point of Diversion: T , R , Sec. , , , County: Source: Tributary: Claimed Point of Diversion: T , R , Sec. , , , County: Source: Tributary: Recommended Point of Diversion: T , R , Sec. , , , County: Source: Tributary: Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
35	35E	9	1	SENE	Bingham	Blackfoot R.
GPS Coordinates:				43.1762671	-112.3585806	
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						
GPS Coordinates:						

Other rights from this POD? yes, miners ditch

Document how the POD and Source were verified and/or Pump and Motor data:

field exam.
shares in miners ditchTransfers Changing POD noReviewer: EBDate: 2/6/05

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes (X) No ()

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No ()

3. Has the License been issued?

If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10

Yes () No ()

4. Does the parent right have a POD?

If Yes, go to 5
If No, go to 6

Yes () No (X)

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7
If No, go to 9

Yes () No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes () No ()

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

Yes () No ()

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (X) No ()

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.

Yes () No (X)

Point of Diversion

Claim No. 27-10536

1. Is the basis of claim a Decree or License?

Yes (X) No ()

If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes () No ()

If Yes, go to 3
If No, go to 6

3. Has the License been issued?

Yes () No ()

If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11

4. Does the parent right have a Source?

Yes (X) No ()

If Yes, go to 5
If No, go to 7

5. Can the claimed Source be verified using the water right file?

Yes (X) No ()

If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7

6. Is the basis of claim a Posted Notice?

Yes () No ()

If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7

7. Is there evidence that there has been a change in the Source?

Yes () No ()

If Yes, go to 8
If No, go to 10

8. Can the change be verified as an accomplished transfer?

Yes () No ()

If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

9. Did the claimant file a transfer?

Yes () No ()

If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10

10. Does the file contain all of the necessary information to verify the Source?

Yes () No ()

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

11. Is a Source remark and/or condition required?

Yes () No (X)

If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Source

Claim No. 27-36

Purpose of Use Data Entry Form

Claim Number: 27-36☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

1987/88 Napp photography
field exam.

Transfers Changing Purpose of Use noReviewer: CBDate: 2/6/05

1. Is the basis of claim a Decree or License?

If **Yes**, go to 4
If **No**, go to 2

Yes (X) No ()

2. Is the basis of claim a Permit or Application?

If **Yes**, go to 3
If **No**, go to 6

Yes () No ()

3. Has the License been issued?

If **Yes**, go to 5
If **No**, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes () No ()

4. Does the parent right have a Purpose of Use?

If **Yes**, go to 5
If **No**, go to 6

Yes (X) No ()

5. Can the claimed Purpose of Use be verified using the water right file?

If **Yes**, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If **No**, go to 6

Yes (X) No ()

6. Is there evidence that there has been a change in the Purpose of Use?

If **Yes**, go to 7
If **No**, go to 11

Yes () No ()

7. Can the change be verified as an accomplished transfer?

If **Yes**, add condition C04, go to 11
If **No**, go to 8

Yes () No ()

8. Does the change include an enlargement of the Purpose of Use?

If **Yes**, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If **No**, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes () No ()

9. Was an enlargement claim filed?

If **Yes**, go to 11
If **No**, Notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If **Yes**, go to 11
If **No**, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

11. Does the file contain all of the necessary information to verify the Water Use?

If **Yes**, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If **No**, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

12. Did the claimant file a transfer?

If **Yes**, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If **No**, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

13. Is a Purpose of Use remark and/or condition required?

If **Yes**, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If **No**, purpose of Use review is complete.

Yes () No (X)

Purpose of Use

Claim No. 27-36

Place Of Use Data Entry Form

Claim Number: 27-36☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
35	35E	8	NWNE		Bingham		1.3	Irrigation

Total Acres 1.3

Document how the POU was verified:

field exam.
1987/88 Napp photographs

Transfers Changing POU NOReviewer: CBDate: 2/4/05

1. Is the basis of claim a Decree or License?

If Yes, go to 2a
If No, go to 2b

Yes (X) No ()

2a. Is a POU required?

If Yes, go to 5
If No, go to 14

Yes (X) No ()

2b. Is a POU required?

If Yes, go to 3
If No, go to 14

Yes () No ()

3. Is the basis of claim a Permit or Application?

If Yes, go to 4
If No, go to 7

Yes () No ()

4. Has the License been issued?

If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14

Yes () No ()

5. Does the parent right have a POU?

If Yes, go to 6
If No, go to 7

Yes (X) No (X)

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7

Yes () No (X)

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8
If No, go to 13

Yes (X) No ()

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13
If No, go to 9

Yes (X) No ()

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes () No ()

10. Was an enlargement claim filed?

If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes () No ()

11. Did the claimant file an enlargement claim?

If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes (X) No ()

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.

Yes () No (X)

Place of Use

Claim No. 27-36

Period of Use and Quantity Data Entry Form

Claim Number: 27-3G☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	0.10	

Overall Diversion Rate 0.10

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

IDWR STD 504.

decree is NOT specific on an 1" per acre.
 claim has 5 shares in the mines
 ditch. the water is conveyed a
 long ~~was~~ distance in the open canal.
 allowing extra for conveyance loss.

Reviewer: CBDate: 2/6/05

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18

Yes (☐) No (☐)

4. Does the parent right have a Period of Use?

If Yes, go to 5
If No, go to 6

Yes (☐) No (☒)

5. Can the claimed Period of Use be verified using the water right file?

If Yes, go to 14
If No, go to 6

Yes (☐) No (☐)

6. Is there evidence that there has been a change in the Period of Use?

If Yes, go to 7
If No, go to 12

Yes (☐) No (☒)

7. Does the change include an enlargement in the Period of Use?

If Yes, go to 9
If No, go to 8

Yes (☐) No (☐)

8. Can the change be recommended as an accomplished transfer?

If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11

Yes (☐) No (☐)

9. Was an enlargement claim filed?

If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10

Yes (☐) No (☐)

10. Did the claimant file an enlargement claim?

If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

Yes (☐) No (☐)

11. Was a transfer filed?

If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

Yes (☐) No (☐)

12. Does the file contain all of the necessary information to verify the Period of Use?

If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13

Yes (☒) No (☐)

13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?

If Yes, go to 14
If No, go to 15

Yes (☐) No (☒)

14. Is irrigation claimed as a purpose of use?

If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18

Yes (☐) No (☐)

15. Is irrigation claimed as a purpose of use?

If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18

Yes (☒) No (☐)

16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?

If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18

Yes (☐) No (☐)

17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?

If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18

Yes (☐) No (☐)

18. Is a Period of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.

Yes (☐) No (☒)

Period of Use

Claim No. 27-36

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes (X) No ()

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No ()

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11

Yes () No ()

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5
If No, go to 7

Yes (X) No ()

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8
If No, go to 7

Yes (X) No ()

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7

Yes () No ()

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9

Yes () No ()

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10
If No, go to 9

Yes () No (X)

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10
If No, go to 11

Yes () No (X)

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes () No ()

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12

Yes () No (X)

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Yes () No (X)

Quantity

Claim No. 27-36

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2
If No, go to 3

Yes (X) No ()

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5

Yes () No (X)

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes () No ()

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes () No ()

5. Does this right have any combined used limits with other rights?

If Yes, go to 6
If No, go to 6

Yes () No (X)

6. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 7
If No, go to 7

Yes (X) No ()

7. Would you like to view the recommended right?

If Yes, go to 8
If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (X) No ()

8. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9
If No, go to 9

Yes (X) No ()

9. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 10
If No, go to 10

Yes () No (X)

10. Would you like to set the verification date?

If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (X) No ()

Summary

Claim No.

27-36

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

FOI Exp Rem. Miners ditch

Split or Combined Right Analysis:

see attached

Attached Field Notes or Other Documents:

yes

Claim No.:

27-36

Reviewer

CB

Date

2/6/05



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.

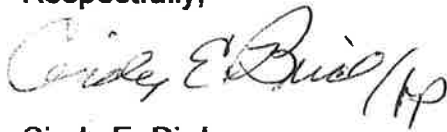
Please submit the documentation supporting the priority date by the above response date referencing **all documents with the corresponding Notice number.**

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 monogram or initials.

Cindy E. Bird
Adjudication Bureau

CEB/bjp

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

401649

300 85
1991 SEP 30 PM 2:06

known to me to be the persons whose names are
subscribed to the within instrument

3-6399-D

WARRANTY DEED

263195

For Value Received MAGDALENA HOFER, a widow

the grantor do hereby grant, bargain, sell and convey unto KEITH E. FLOWER and CARLA FLOWER, husband and wife

whose current address is 129 Toponoe, 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 293.36 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°58'02" W 59.76 feet to the Easterly line of the Mary Lee Goldmining Property; thence N 40°38'00" E 39.31 feet; thence East 36.52 feet to the point of beginning.

Together with the tenements, hereditaments and appurtenances therunto 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 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 to 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
CLERK
C.A. 3043 25 FEB 1980

26 FEB 20 PM 4 55

263195

RECORDED IN THE RECORDS OF
American Land Title Co

JUL 12 2004

By

3-16347

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. RIVINGTON 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.8 N., Bingham County, Idaho,
described as:

Beginning at a point that is 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 194.31 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 owners 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 6th 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 is
subscribed to the within instrument, and acknowledged that
they executed the same

Gloria Hansen
Notary Public

Residing at BINGHAM
Comm. Expires 12/31/91

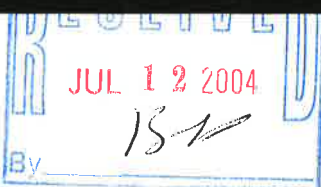


392582

1990 SEP -6 PM 1:32

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

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



WARRANTY DEED

For Value Received

FLOYD G. COLSON and BETH COLSON, 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 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 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. Colson
FLOYD G. COLSON

Beth R. Colson
BETH COLSON

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. COLSON and BETH COLSON

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

Notary Public

Residing at Blackfoot,
Comm. Expires 10/1/97

Idaho

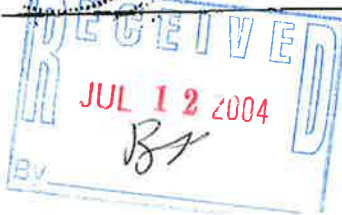
401649

310 ST

SEP 30 PM 2:06

AMERICAN LAND TITLE CO., INC.

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



KRISTEN MILLER R. 10/25



Paul & Lori Hingleman
Paul Hingleman
SARA ALTIMA 477-1057

lot 4 pages

Paul Lori Bingham

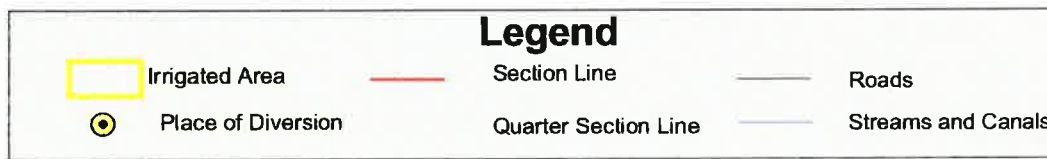
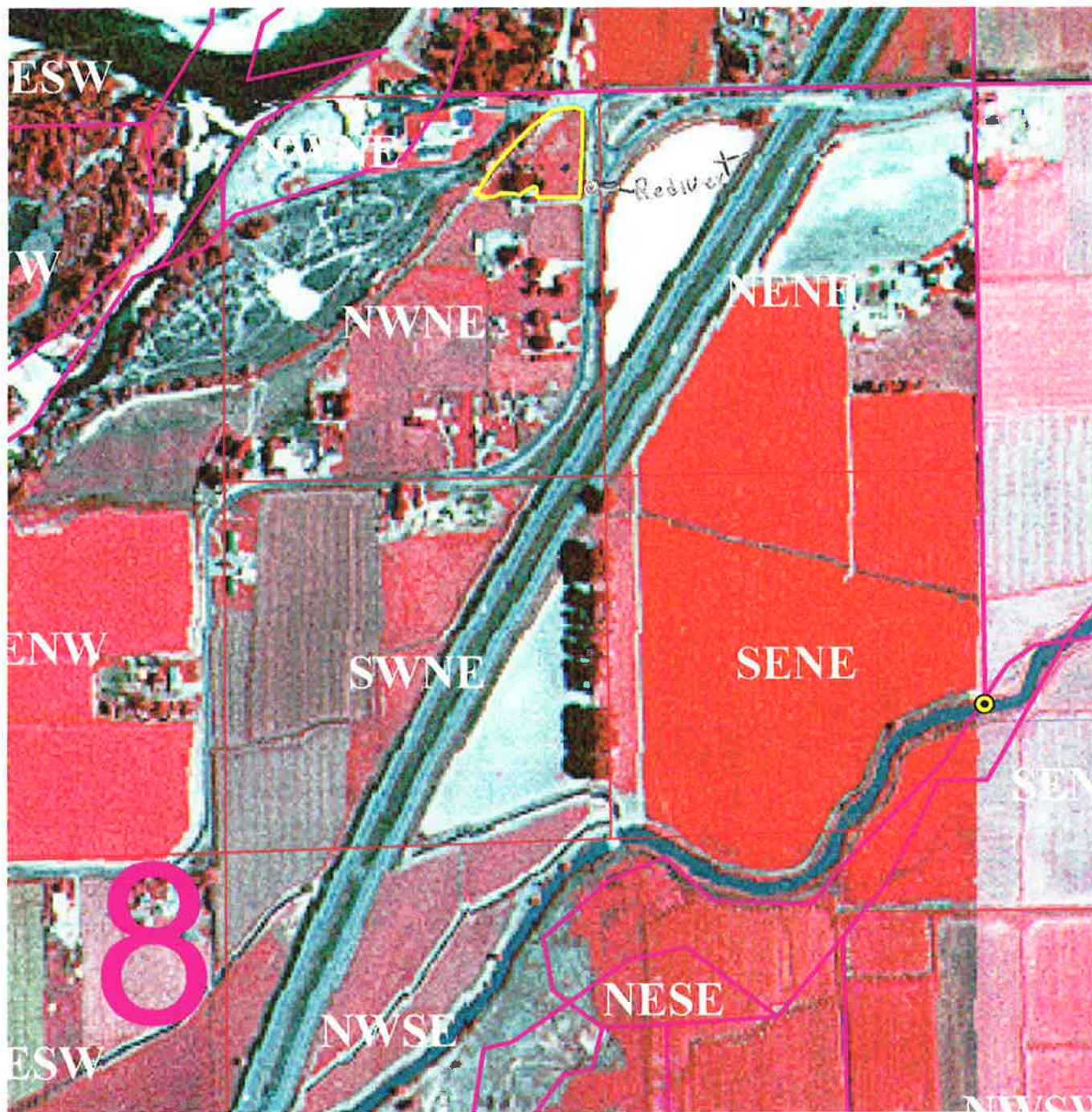
Paul Lori Bingham

SARA ALTIMA 477-1057

RECEIVED
JUL 12 2004
By

Water Right Claim Number 27-00003G
Township , 3S35E

12/18/2000



SCANNED

JUL 13 2001

Log for claim 27-00003G

Spatial Dynamics LTD

12/18/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s35e	8	NWNE	2	1.7	POD placement in section 9 not section 8.
Totals:			2	1.7	

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL BINGHAM 404 W RIVERTON RD BLACKFOOT ID 83221 (208) 785-4253	05/01/1885	IRRIGATION	04-01 10-31	0.100 CFS	
				TOTAL DIVERSION:	0.100 CFS	8.00 AFA
				CONSUMPTIVE USE:		6.00 AFA

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03S R35E S08 SENW BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	SUM
03S	35E	8	:			02		:				:						:					:	2.0	
																							TOTAL ACRES	2.0	

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
27-10702 A27-10702

Dates: **Exam Made Date:** **Verified Date:** **Objection Filed Date:**

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 01/06/95 HJONES 03/29/95 POST-STD

SCANNED

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: A27-00003G
Date Received: 1/4/1995
Receipt No: E020600
Received By: HWJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL BINGHAM 208-785-4253
Address: 404 W. RIVERTON RD
BLACKFOOT ID 83221

2. Date of Priority: MAY 1, 1885

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	35E	8	SE		NW		BINGHAM

5. Description of diverting works:
MINERS DITCH PUMP TO MINERS DITCH AND THEN TO LATERAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.100		

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) 8.00 A.F.A.

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03S	35E	8	NW	NE		IRR	2.0

RECORDED

NOV 13 1995

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

11. Place of use in counties: BINGHAM

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: DECREED

Case Number:

Court :

Decree date: 8/ 1/1891

FRED S STEVENS, ET AL
Decree Plaintiff

EASTERN IDAHO WATER CO.
vs Decree 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 X 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: Jan. 4, 1995
Date: _____

ENCLOSURE
NOV 13 1995

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 4 day

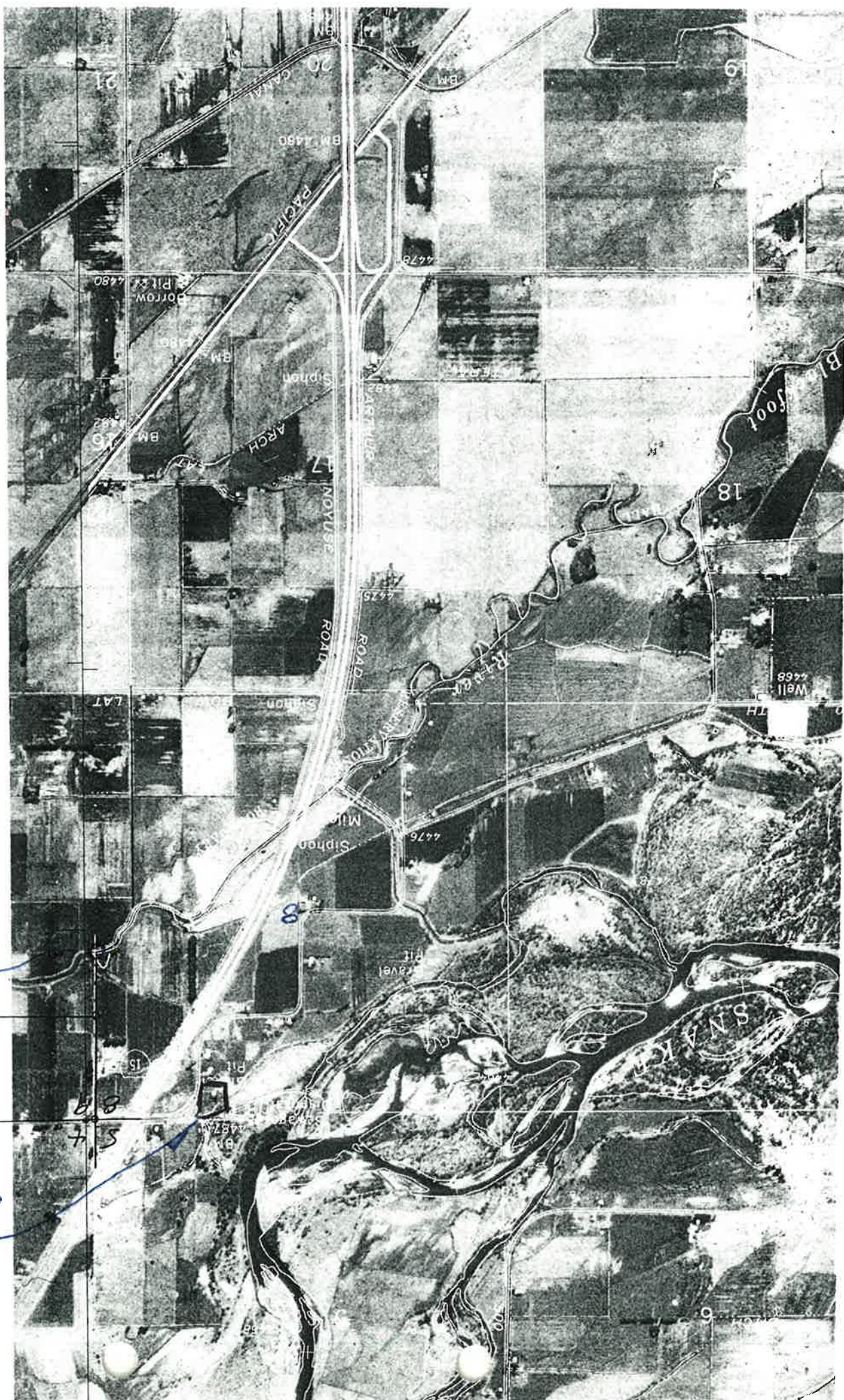
of Jan 19 95

Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
My Commission Expires RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 7-05-2000

ENCLOSURE
NOV 13 1995



NOV 13 1944

A27-00036

TH 93.70

T35

Point of Div.

Place of use

T