

12/20/2006

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

RIGHT NUMBER: 75-14084

NAME AND ADDRESS: JAMES W BINGHAM
410 SHOUP ST
SALMON ID 83467

CELESTE M BINGHAM
410 SHOUP ST
SALMON ID 83467

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.015 CFS

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION:

T22N R22E S9 SWNSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.015 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S08 NESW 4.20

4.2 ACRES TOTAL

Right Nos. 75-14078 and 75-14084 are limited to the irrigation of a combined total of 4.2 acres in a single irrigation season.

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

11/16/2006

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

RIGHT NUMBER: 75-14084

NAME AND ADDRESS: JAMES W BINGHAM
410 SHOUP ST
SALMON ID 83467

CELESTE M BINGHAM
410 SHOUP ST
SALMON ID 83467

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.011 CFS .015

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION:

T22N R22E S9 SWNWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.011 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S08 NESW 4.20

4.2 ACRES TOTAL

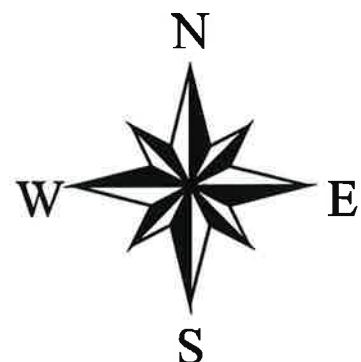
Right Nos. 75-14078 and 75-14084 are limited to the irrigation of a combined total of 4.2 acres in a single irrigation season.

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

Splits of 75-10750 & 75-10751



11/20/2006

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: 12/13/2006

Water right number: 75-14084

JAMES W BINGHAM
410 SHOUP ST
SALMON ID 83467
Telephone Number: (208)756-4330

CELESTE M BINGHAM
410 SHOUP ST
SALMON ID 83467
Telephone Number: (208)756-4330

RECEIVED

DEC 18 2006

IDWR/North

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

I disagree with the water quantity in the preliminary recommendation.

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

This water right in combination with # 75-14077, 75-14078 and 75-14083 should be a minimum of 0.02/cfs/acre or a total of 0.105 cfs

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

This water right was based on a right decreed in a prior adjudication and should not be reduced below the normal water duty. These decreed rights have been used & delivered

I agree with this proposed recommendation: no changes need to be made. By the water master in these quantities

DATE: *12-9-06*

SIGNATURE: *James W. Bingham*

Please print your name: *JAMES W. BINGHAM*

FOR OVER 100 YEARS.

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED ✓

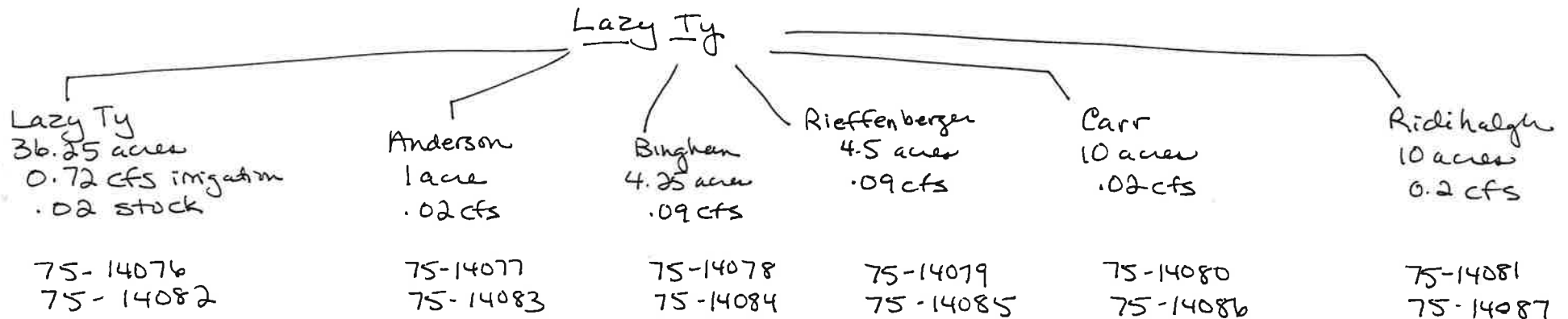
DEC 14 2006

7/10/02 by Jennifer Crabtree



< Split History

End Result





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 9, 2002

LAZY TY LIVESTOCK INC
C/O CLAIR WILEY
PO BOX 185
SALMON ID 83467

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 75-10750 & 75-10751

Dear Ms. Wiley:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-10750 split into:

75-10751 split into:

75-14076, Lazy Ty, 36.25 acres, 0.72 cfs
75-14077, Anderson, 1 acre, .02 cfs
75-14078, Bingham, 4.25 acres, .09 cfs
75-14079, Rieffenberger, 4.5 acres, .09 cfs
75-14080, Carr, 10 acres, 0.2 cfs
75-14081, Ridihalgh, 10 acres, 0.2 cfs

75-14082, Lazy Ty, 36.25 acres, 0.72 cfs
75-14083, Anderson, 1 acre, .02 cfs
75-14084, Bingham, 4.25 acres, .09 cfs
75-14085, Rieffenberger, 4.5 acres, .09 cfs
75-14086, Carr, 10 acres, 0.2 cfs
75-14087, Ridihalgh, 10 acres, 0.2 cfs

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

cc: M. Gary & Geneal F. Anderson
James W. & Celeste M. Bingham
John & Elizabeth Rieffenberger
Mike Carr
Barbara J. Ridihalgh

DELOG-# 7/26/99
AR RECEIVED

Portion of For 14

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

MAR 13 1998

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

OK jc

1. Water Right Number(s) _____

Adjudication Claim Number(s) A75-10750 A75-10751

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) M. GARY and GENEAL F. ANDERSON

P.O. BOX 869, SALMON, IDAHO 83467

4. New Owner/Claimant(s) JAMES W. and CELESTE M. BINGHAM

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

New Mailing Address 410 SHOUP STREET

City, State and ZIP Code SALMON, IDAHO 83467

New Telephone Number (208) 756-4330

5. Date you acquired the property JULY 2, 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 4.25 Number and type of stock JUL 26 1999

Diversion rate in CFS .085 cfs Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) James W. Bingham Date 7-2-97

Celeste M. Bingham Date 7-2-97

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

10750
10751

WARRANTY DEED

For Value Received, M. GARY ANDERSON and GENEAL F.

ANDERSON, husband and wife, the Grantors, do hereby Grant, Bargain, Sell and Convey unto JAMES W. BINGHAM and CELESTE M. BINGHAM, husband and wife, the Grantees, whose current address is 410 Shoup Street, Salmon, Idaho 83467, those premises in Lemhi County, Idaho, more particularly described on Exhibit "A" annexed hereto and by this reference made a part hereof together with all water and water rights and ditch and ditch rights appurtenant thereto or used in connection therewith.

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 Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances except the following:

1. General taxes for the year 1997 and subsequent years, which are an accruing lien, not yet due and payable.

2. Any and all easements of record and/or easements and claims of easements not shown by the public records but apparent by an inspection of the property transferred hereunder.

3. A Deed of Trust to secure an original indebtedness of \$103,600.00 and any other amounts and/or obligations secured thereby, recorded October 9, 1996 as Instrument No. 231397.

4. Declaration of Protective Covenants appearing of record as Instrument No. 169175 recorded September 22, 1983.

5. Sanitary Regulations and Recommendations appearing of record as Instrument No. 169176, recorded September 22, 1983.

RECEIVED
JUL 26 1999
Department of Water Resources
Eastern Region

6-7555-0

SPLITS OF 1.0 AC.
(KEPT BY ANDERSON)
Sells 4.25 AC. TO BINGHAM

LOT 14 SPLITS
1 AC TO ANDERSON
4.25 TO BINGHAM

6. Easements, reservations, restrictions and dedications as the same appear on the official plat of said subdivision.

7. Terms and conditions contained in Deed recorded February 23, 1982 as Instrument No. 161758, records of Lemhi County, Idaho.

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

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals this 2nd day of July, 1997.

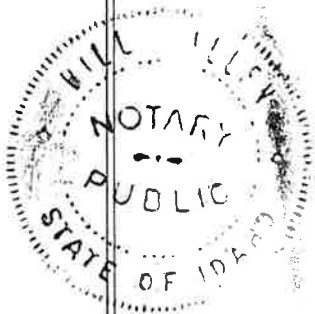
M. Gary Anderson
M. Gary Anderson

Geneal F. Anderson
Geneal F. Anderson

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 2nd day of July, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared M. GARY ANDERSON and GENEAL F. ANDERSON, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.



Th. Allen
Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 2-9-2003

A fraction of Lot 14, Antelope Hills Subdivision Amended 5/11/84, located in the SW 1/4, Section 8, T. 22 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the NW corner of said Lot 14, run thence S 89°41'24" E along the northerly boundary of said Lot 14, a distance of 246.30 ft. to the POINT OF BEGINNING;

Thence continuing S 89°41'24" E along said boundary a distance of 318.70 ft.;

Thence S 09°19'09" W a distance of 160.86 ft.;

Thence S 20°48'54" W a distance of 258.90 ft.;

Thence S 28°05'06" W a distance of 56.88 ft.;

Thence N 89°27'25" W a distance of 419.37 ft. to a point on the centerline of an existing road;

Thence N 00°06'13" W along said road a distance of 273.13 ft.;

Thence S 89°41'24" E a distance of 246.30 ft.;

Thence N 00°06'13" W a distance of 176.87 ft. to the POINT OF BEGINNING.

Bingham

State of Idaho)
County of Lemhi) SS No. **233725**

This instrument was filed for record at the request of Alliance Title
at 3:50 o'clock PM Jul 9 1997
and duly filed and indexed in the records of Lemhi County

Alberta Wiederrick
Ex-Officio Recorder

By Due Dickens Deputy
Fee 9.00
Return to Alliance Title

RECEIVED

JUL 26 1999

Department of Water Resources
Eastern Region

EXHIBIT "A"

P.O.B. FOR PARCEL "B"

246.30'

P.O.B. FOR PARCEL "A"

318.70'

PARCEL B

A FRACTION OF LOT 14, ANTELOPE HILLS SUBDIVISION AMENDED 5/11/84, LOCATED IN THE SW 1/4, SECTION 8, T. 22 N., R. 22 E., BOISE MERIDIAN, LEHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF SAID LOT 14, RUN THENCE S 89°41'24" E ALONG THE NORTHERLY BOUNDARY OF SAID LOT 14, A DISTANCE OF 246.30 FT.;
THENCE S 00°06'13" E A DISTANCE OF 176.87 FT.;
THENCE W 89°41'24" W A DISTANCE OF 246.30 FT. TO A POINT ON THE CENTERLINE OF AN EXISTING ROAD;
THENCE W 00°06'13" W ALONG SAID CENTERLINE A DISTANCE OF 176.87 FT. TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.00 ACRES.

Anderson

N 89°41'24"W
246.30'

S 89°41'24"E
176.87'

N 00°06'13"E
176.87'

PARCEL A

A FRACTION OF LOT 14, ANTELOPE HILLS SUBDIVISION AMENDED 5/11/84, LOCATED IN THE SW 1/4, SECTION 8, T. 22 N., R. 22 E., BOISE MERIDIAN, LEHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID LOT 14, RUN THENCE S 89°41'24" E ALONG THE NORTHERLY BOUNDARY OF SAID LOT 14, A DISTANCE OF 246.30 FT. TO THE POINT OF BEGINNING;
THENCE CONTINUING S 89°41'24" E ALONG SAID BOUNDARY A DISTANCE OF 318.70 FT.;
THENCE S 00°19'09" W A DISTANCE OF 180.86 FT.;
THENCE S 20°40'54" W A DISTANCE OF 258.90 FT.;
THENCE S 28°05'06" W A DISTANCE OF 56.88 FT.;
THENCE N 89°27'25" W A DISTANCE OF 419.37 FT. TO A POINT ON THE CENTERLINE OF AN EXISTING ROAD;
THENCE N 00°06'13" W ALONG SAID ROAD A DISTANCE OF 273.13 FT.;
THENCE S 89°41'24" E A DISTANCE OF 246.30 FT.;
THENCE W 00°06'13" W A DISTANCE OF 176.87 FT. TO THE POINT OF BEGINNING.

PARCEL CONTAINS 4.25 ACRES.

Bingham

N 20°40'54"W
258.90'

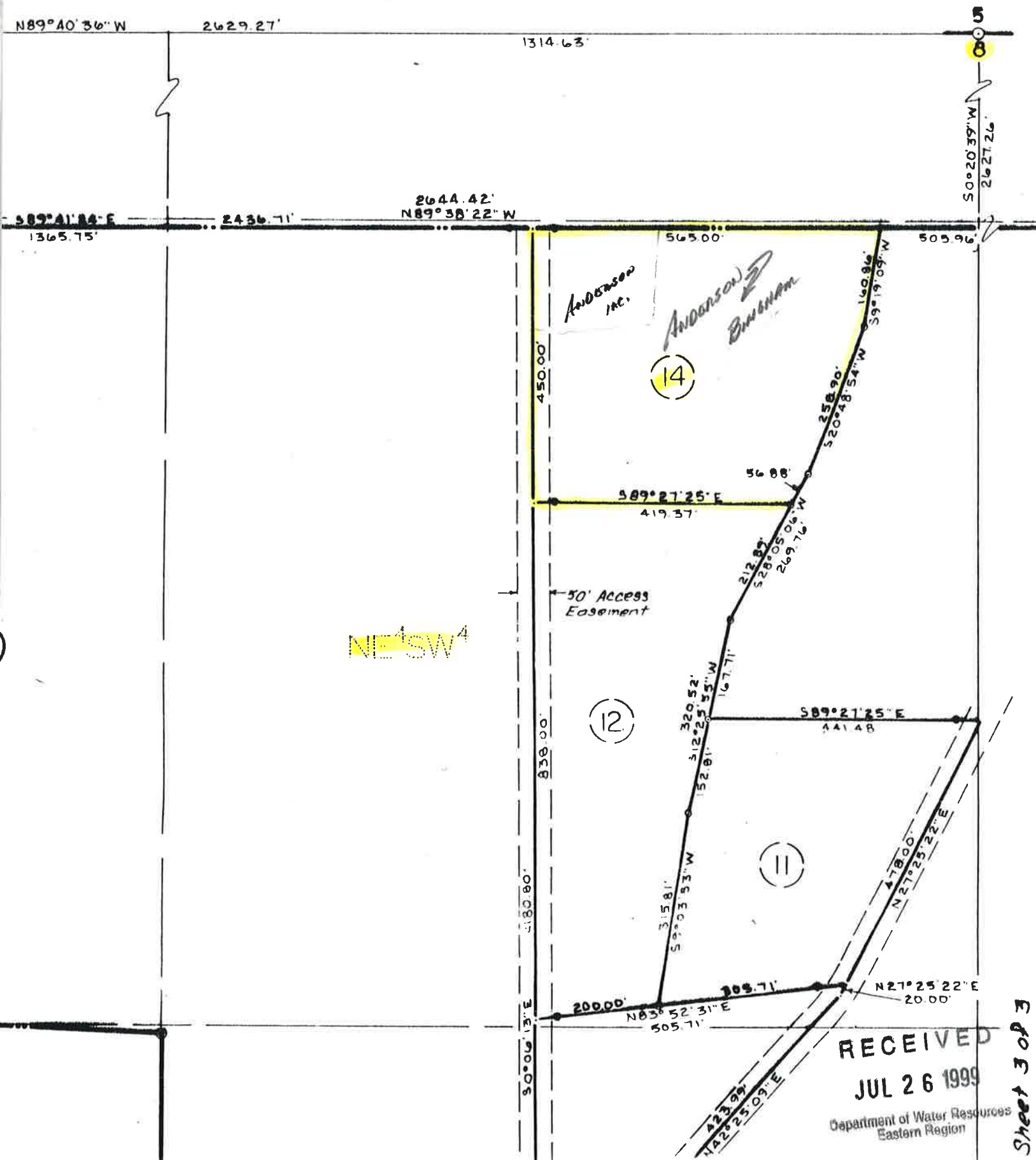
N 89°27'25"W
419.37'

LOT 15

273.13'
RECEIVED
JUL 26 1999
Department of Water Resources
Eastern Region

P.O.L.

wide permanent public utilities, drainage and irrigation easement unless otherwise noted



RECEIVED

JUL 26 1999

Department of Water Resources
Eastern Region

Sheet 3 of 3

WARRANTY DEED

For Value Received JIMMY D. OWENS AND FAYE MCDONALD OWENS,
HUSBAND AND WIFE., ALSO KNOWN AS FAYE MCDONALD.

the grantor_s : do

hereby grant, bargain, sell and convey unto

M. GARY ANDERSON AND GENEAL F. ANDERSON, HUSBAND AND WIFE.
P.O. BOX 235, CARMEN, IDAHO 83462

the grantee_s , the following described premises, in LEMHI

County Idaho, to wit:

LOT 14 IN ANTELOPE HILLS BUDDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF
FILED FOR RECORD IN BOOK 5 OF PLATS AT PAGE NO. 60 THROUGH 62, INCLUSIVE,
RECORDS OF OF LEMHI COUNTY, IDAHO; AMENDED PLAT RECORDED MAY 22, 1984, AS
INSTRUMENT NO. 171804.

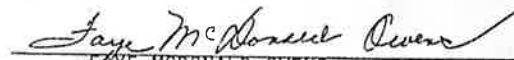
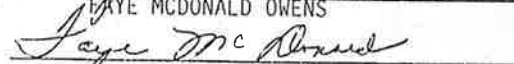
2/19/96
OWENS TO
ANDERSON

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee_s ,
their heirs and assigns forever. And the said Grantor does hereby covenant to
and with the said Grantee , 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: NOVEMBER 4, 1996

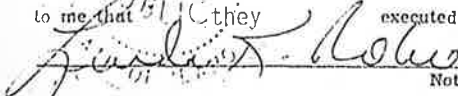

JIMMY D. OWENS


FAYE MCDONALD OWENS

FAYE MCDONALD

STATE OF IDAHO, COUNTY OF LEMHI
On this 4TH day of NOVEMBER , 19 96,
before me, a notary public in and for said State, personal-
ly appeared

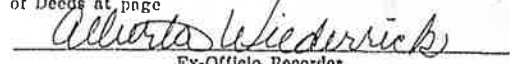
JIMMY D. OWENS AND FAYE MCDONALD OWENS
AKA FAYE MCDONALD

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


Notary Public
Residing at SALMON, Idaho
Comm. Expires 10-6-93

STATE OF IDAHO, COUNTY OF Lemhi
I hereby certify that this Instrument was filed for re-
cord at the request of Lemhi Title

at 15 minutes past 3 o'clock p. m.,
this 4th day of November
1996, in my office, and duly recorded in Book
of Deeds at page


Ex-Officio Recorder

By  Deputy.

Fees \$ 300
Mail to:

INSTRUMENT NO.

231706

REC'D

JUL 26

ED 99

Department of Water Resources
LEMMI TITLE & ABSTRACT -- SALMON, IDAHO

DEED

FOR VALUE RECEIVED, LAZY TY LIVESTOCK, INC.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto JIMMY D. OWENS and FAYE McDONALD, Joint Tenants, grantee, the following described real estate, to-wit:

A Parcel of land located in the SW $\frac{1}{4}$, Section 8, T. 22 N. R. 22 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the West Quarter Corner of said Section 8, a distance of 21.47 feet on a bearing of S. 59° 58' 09" E. to the northwest corner of Lot 1, Antelope Hills Subdivision, thence S. 89° 26' 45" E. 532.71 feet along the north boundary of said Lot 1; thence S. 89° 41' 24" E. 1030.24 feet to the REAL POINT OF BEGINNING.

Thence S. 89° 41' 24" E. 335.51 feet along the north boundary of said Lot 1;

Thence S. 00° 06' 13" E. 1284.21 feet along the east boundary of Lot 1;

Thence S. 85° 29' 32" W. 336.50 feet;

Thence N. 00° 06' 13" W. 1312.47 feet to the REAL POINT OF BEGINNING, said parcel contains 10.00 Acres.

SUBJECT TO: A fifty (50) foot wide access easement, being 50 feet north of the south boundary line, and across the south end of the above described parcel.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this

By

M. J. Wiley
M. J. WILEY, PRESIDENT.

ATTEST:

Clair Wiley
CLAIR WILEY, SECRETARY.

STATE OF IDAHO, COUNTY OF Lemhi

On this 24th day of June, 1992

before me, a notary public in and for said State, personally J. WILEY and CLAIR WILEY, known to me to be the President and Secretary of the corporation that executed the instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.

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

Clair Wiley
Notary Public

Residing at Salmon, Idaho
Comm. Expires 1/10/98

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of Bill Allen Iscrow

at 31 minutes past 3 o'clock p.m., this 23rd day of July, 1993, in my office, and duly recorded in Book of Deeds at page

Albusta Wiederrick
Ex-Officio Recorder

By Debra Jackson

Fees \$ 3.00
Mail to:

RECORDED

JUL

Deputy Department of

INSTRUMENT NO. 2251

ED

1999

Resources

~1992
LAZY TY TO
OWENS

THIS DEED DOES
NOT DEFINE
LOT 14.

6-17-00

WARRANTY DEED

RECEIVED

FEB 07 2000

Department of Water Resources
Eastern Region

For Value Received, M. GARY ANDERSON and GENEAL F.

ANDERSON, husband and wife, the Grantors, do hereby Grant, Bargain, Sell and Convey unto JAMES W. BINGHAM and CELESTE M. BINGHAM, husband and wife, the Grantees, whose current address is 410 Shoup Street, Salmon, Idaho 83467, those premises in Lemhi County, Idaho, more particularly described on Exhibit "A" annexed hereto and by this reference made a part hereof together with all water and water rights and ditch and ditch rights appurtenant thereto or used in connection therewith.

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 Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances except the following:

1. General taxes for the year 1997 and subsequent years, which are an accruing lien, not yet due and payable.
2. Any and all easements of record and/or easements and claims of easements not shown by the public records but apparent by an inspection of the property transferred hereunder.
3. A Deed of Trust to secure an original indebtedness of \$103,600.00 and any other amounts and/or obligations secured thereby, recorded October 9, 1996 as Instrument No. 231397.
4. Declaration of Protective Covenants appearing of record as Instrument No. 169175 recorded September 22, 1983.
5. Sanitary Regulations and Recommendations appearing of record as Instrument No. 169176, recorded September 22, 1983.

6. Easements, reservations, restrictions and dedications as the same appear on the official plat of said subdivision.

7. Terms and conditions contained in Deed recorded February 23, 1982 as Instrument No. 161758, records of Lemhi County, Idaho.

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

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals this 2nd day of July, 1997.

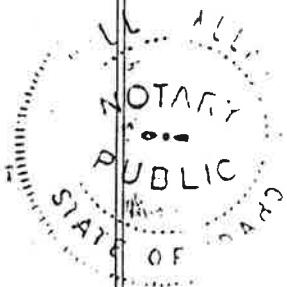
M. Gary Anderson
M. Gary Anderson

Geneal F. Anderson
Geneal F. Anderson

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 2nd day of July, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared M. GARY ANDERSON and GENEAL F. ANDERSON, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.



Tai Allen
Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 2-9-2003

This instrument was filed for record at the request
 of Alliance Title
 at 3:50 clock p.m. Jul 9 1997
 and duly filed and indexed in the records of Lemhi
 County

Alberta Wiedemiet
 Ex-Officio Recorder
 By Shea Dickson Deputy
 Fee 9.00
 Return to Alliance Title

A fraction of Lot 14, Antelope Hills Subdivision Amended
 5/11/84, located in the SW 1/4, Section 8, T. 22 N., R. 22 E.,
 Boise Meridian, Lemhi County, Idaho, more particularly described as
 follows:

Beginning at the NW corner of said Lot 14, run thence
 S 89°41'24" E along the northerly boundary of said Lot 14, a
 distance of 246.30 ft.;

Thence S 00°06'13" E a distance of 176.87 ft.;

Thence N 89°41'24" W a distance of 246.30 ft. to a point on
 the centerline of an existing road;

Thence N 00°06'13" W along said centerline a distance of
 176.87 ft. to the POINT OF BEGINNING.

*Home & 1 ac
 Parcel Box Plat*

WARRANTY DEED

For Value Received, **M. GARY ANDERSON and GENEAL F.**

ANDERSON, husband and wife, the Grantors, do hereby Grant, Bargain, Sell and Convey unto **JAMES W. BINGHAM and CELESTE M. BINGHAM**, husband and wife, the Grantees, whose current address is 410 Shoup Street, Salmon, Idaho 83467, those premises in Lemhi County, Idaho, more particularly described on Exhibit "A" annexed hereto and by this reference made a part hereof together with all water and water rights and ditch and ditch rights appurtenant thereto or used in connection therewith.

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 Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances except the following:

1. General taxes for the year 1997 and subsequent years, which are an accruing lien, not yet due and payable.
2. Any and all easements of record and/or easements and claims of easements not shown by the public records but apparent by an inspection of the property transferred hereunder.
3. A Deed of Trust to secure an original indebtedness of \$103,600.00 and any other amounts and/or obligations secured thereby, recorded October 9, 1996 as Instrument No. 231397.
4. Declaration of Protective Covenants appearing of record as Instrument No. 169175 recorded September 22, 1983.
5. Sanitary Regulations and Recommendations appearing of record as Instrument No. 169176, recorded September 22, 1983.

6. Easements, reservations, restrictions and dedications as the same appear on the official plat of said subdivision.

7. Terms and conditions contained in Deed recorded February 23, 1982 as Instrument No. 161758, records of Lemhi County, Idaho.

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

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals this 2nd day of July, 1997.

M. Gary Anderson
M. Gary Anderson

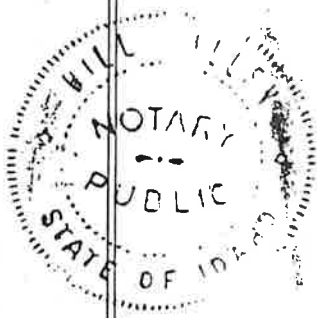
Geneal F. Anderson
Geneal F. Anderson

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 2nd day of July, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared M. GARY ANDERSON and GENEAL F. ANDERSON, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

R. Allen
Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 2-9-2003



A fraction of Lot 14, Antelope Hills Subdivision Amended 5/11/84, located in the SW 1/4, Section 8, T. 22 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the NW corner of said Lot 14, run thence S 89°41'24" E along the northerly boundary of said Lot 14, a distance of 246.30 ft. to the POINT OF BEGINNING;

Thence continuing S 89°41'24" E along said boundary a distance of 318.70 ft.;

Thence S 09°19'09" W a distance of 160.86 ft.;

Thence S 20°48'54" W a distance of 258.90 ft.;

Thence S 28°05'06" W a distance of 56.88 ft.;

Thence N 89°27'25" W a distance of 419.37 ft. to a point on the centerline of an existing road;

Thence N 00°06'13" W along said road a distance of 273.13 ft.;

Thence S 89°41'24" E a distance of 246.30 ft.;

Thence N 00°06'13" W a distance of 176.87 ft. to the POINT OF BEGINNING.

State of Idaho)
County of Lemhi) SS No. **233725**

This instrument was filed for record at the request of Alliance Title
at 3:50 o'clock P M Jul 9 1997
and duly filmed and indexed in the records of Lemhi County

Alberta Wiederrick
Ex-Officio Recorder
By Due Dickens Deputy
Fee 9.00
Return to Alliance Title

Parcel A on Plat
Average only

EXHIBIT "A"

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 75-14084
Date Received: 7/2/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES W BINGHAM Phone: (208)756-4330
410 SHOUP ST
SALMON ID USA 83467

CELESTE M BINGHAM Phone: (208)756-4330
410 SHOUP ST
SALMON ID USA 83467

2. Date of Priority: 05/01/1882

3. Source: CARMEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	22E	9	SW NW SW	LEMHI	

5. Description of diverting works:

HEADGATE TO DITCH TO PLACE OF USE FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.09	

7. Total Quantity Appropriated is:
0.09 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

7514084



22N	22E	8	NE	SW	IRRIGATION	4.25
					Section Acres	4.25
					Total Acres	4.25

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-10751

15. Basis of Claim: Decreed