



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

July 31, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WELLS FARGO BANK NA
TRUSTEE FOR VICTOR L BINGHAM
299 S MAIN 8TH FL
SALT LAKE CITY UT 84111

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #37-2719 and 37-7473

Dear Claimant:

We have processed your change in ownership of the Notices of Claim referenced above. Enclosed are copies of your Notices of Claim for your files. Please refer to these record numbers in any future inquiries or correspondence.

I have also enclosed our web site www.idwr.state.id.us pamphlet so staff can do their own research. Please make copies as needed. If Wells Fargo is Trustee or lien holder for any other water right holders in Idaho, we will require the same change of ownership form to be completed. All of our forms can be found on our web site.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water rights. Please call us toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Copies of Notices of Claim Referenced Above
Web Site Pamphlet

RECEIVED

JUL 18 2002

RECEIVED

JUL 30 2002

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

Department of Water Resources

Department of Water Resources

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-27194</u>	<u>37-27194</u>	☐	_____	_____	☐
<u>37-7473</u>	<u>37-7473</u>	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

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 usually attached to your deed or on file with the county).

OR

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 **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)

First Interstate Bank, Trustee for
Victor L. Bingham

4. New Owner/Claimant(s)

Wells Fargo Bank, N.A. Trustee for Victor L. Bingham
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

299 S. Main, 8th Floor

City, State and ZIP Code

Salt Lake City, UT 84111

New Telephone Number

(801) 246-1390

5. Date you acquired the property

06-01-1996

SCANNED
JUL 18 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Wells Fargo Bank, N.A.
By: [Signature]
Vice-President

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JUL 18 2002

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.

For Office Use Only

Received by _____ Date _____ Fee due - not needed yet
 Receipted by _____ Date _____ Receipt No. n/a
 Processed by ashmore AJ Date 7-30-2002 WR n/a Date _____
 1-18-02



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

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JUL 09 2002

OIL, GAS & MINERAL
ADMINISTRATION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 3, 2002

RECEIVED

JUL 18 2002

Department of Water Resources

FIRST INTERSTATE BANK NA
C/O WELLS FARGO BANK NA
ATTN ELIZABETH LAUER
1700 LINCOLN
DENVER CO 80203

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #37-2719 and 37-7473
Trustee for Victor L. Bingham

Dear Ms. Lauer:

As the successor to the Trust referenced above, Wells Fargo became the current owner of Notices of Claim #37-2719 and 37-7473. Before we can modify our records to reflect your ownership, we require the enclosed Notice of Change of Water Right Ownership form be submitted. Since these claims are still pending in the SRBA, there is no fee to change the ownership.

Mail we sent to First Interstate Bank was returned undeliverable. It is important that you submit the change of ownership promptly.

Please note that the enclosed Notice of Error form is due by July 23, 2002.
Thank you for your help.

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

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Returned Mail
Form 42-248/42-1409(6)

SCANNED
JUL 18 2002



Department of Water Resources

1301 North Orchard, Boise, Idaho 83706-2237

SALLY SHERMAN
TECHNICAL RECORDS SPECIALIST
ADJUDICATION BUREAU
PH. (208) 327-7862
FAX (208) 327-5400
ssherman@idwr.state.id.us



WELLS FARGO

MEMO TO: Wendy Groen

MAC 4801-022

DATE: July 2, 1997

Scott Patterson
Legal Assistant
Legal Department,
AU 1282
MAC 0188-113
BN 222-4830

COPIES: Estelle Depper (w/o enclosures)

SUBJECT: OCC Letter (Merger of FIB Utah into Wells Fargo Bank)

Enclosed is the official certification of the Office of the Comptroller of the Currency for the merger of First Interstate Bank of Utah into Wells Fargo Bank.

If you have any questions, please let me know.

Thank you.

Enclosures

37-2719

37-7473

**Comptroller of the Currency
Administrator of National Banks**

**Multinational Banking
250 E Street, S.W.
Washington, D.C. 20219
(202) 874-4610**

Control Nr. 96-ML-02-022

June 3, 1996

**Mr. J. Michael Shepherd
Brobeck, Phleger & Harrison
One Market Plaza
Spear Street Tower
San Francisco, California 94105**

37-2719
37-7473

Dear Mr. Shepherd:

This letter is the official certification of the Office of the Comptroller of the Currency for the merger of First Interstate Bank of Utah, National Association, Salt Lake City, Utah, Charter Nr. 17241, into and under the charter and title of Wells Fargo Bank, National Association, San Francisco, California, Charter Nr. 1741, effective June 1, 1996.

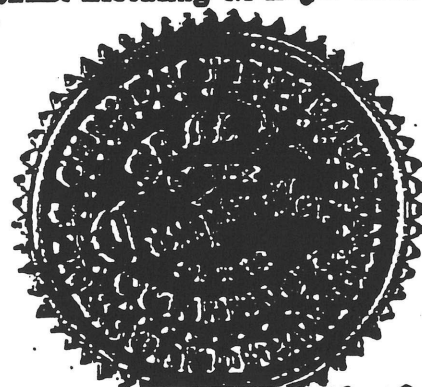
This letter also serves as the official authorization for Wells Fargo Bank, National Association, Charter Nr. 1741, to operate the former head office of First Interstate Bank of Utah, N.A., Charter Nr. 17241, as a branch at the following location:

**Popular Name : Salt Lake City Main Branch
Certificate Nr. : 102200A
Address : 180 South Main Street
Salt Lake City, Utah**

Branch authorizations previously granted to First Interstate Bank of Utah, N.A. automatically convey to the resulting bank and will not be reissued. Please furnish a copy of this certificate to personnel responsible for branch administration. Under the authority of 12 C.F.R. 7.3100, approval is also granted to Wells Fargo Bank, N.A. for an aggregate investment in fixed assets of \$2,250,000,000.00. In the event of questions, please contact Licensing Manager Richard T. Erb at (202) 874-4610.

Sincerely,


**Ralph E. Sharpe
Deputy Comptroller**



SCANNED

JUL 18 2007

WELLS
FARGO

MAC C7300 070
Oil, Gas and Mineral Administration
P O Box 5381
Denver, CO 80217
303 863-5750 Fax

FAX 208-327-5400

July 10, 2002

Ms. Sally Sherman
Department of Water Resources
1301 North Orchard
Boise, Idaho

Re: Victor L. Bingham Trust

Dear Ms. Sherman:

We are in receipt of your letter dated July 3, 2002 regarding the Notice of Claim to a Water Right. I am forwarding your request to a Mr. John Corkle in our Real Estate Department. His direct line is 720-947-6675. I handle Victor Bingham's account as it refers to oil, gas and other minerals but not water.

Thank you for your attention.

Yours very truly,

WELLS FARGO BANK, N.A.



Elizabeth B. Lauer
Assistant Vice President

Cc:
John Corkle
Mac C7300-494

37-2719
37-7473



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

July 3, 2002

KARL J. DREHER
DIRECTOR

FIRST INTERSTATE BANK NA
C/O WELLS FARGO BANK NA
ATTN ELIZABETH LAUER
1700 LINCOLN
DENVER CO 80203

RE: Snake River Basin Adjudication (SRBA)
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Trustee for Victor L. Bingham

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

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

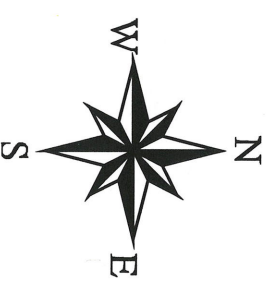
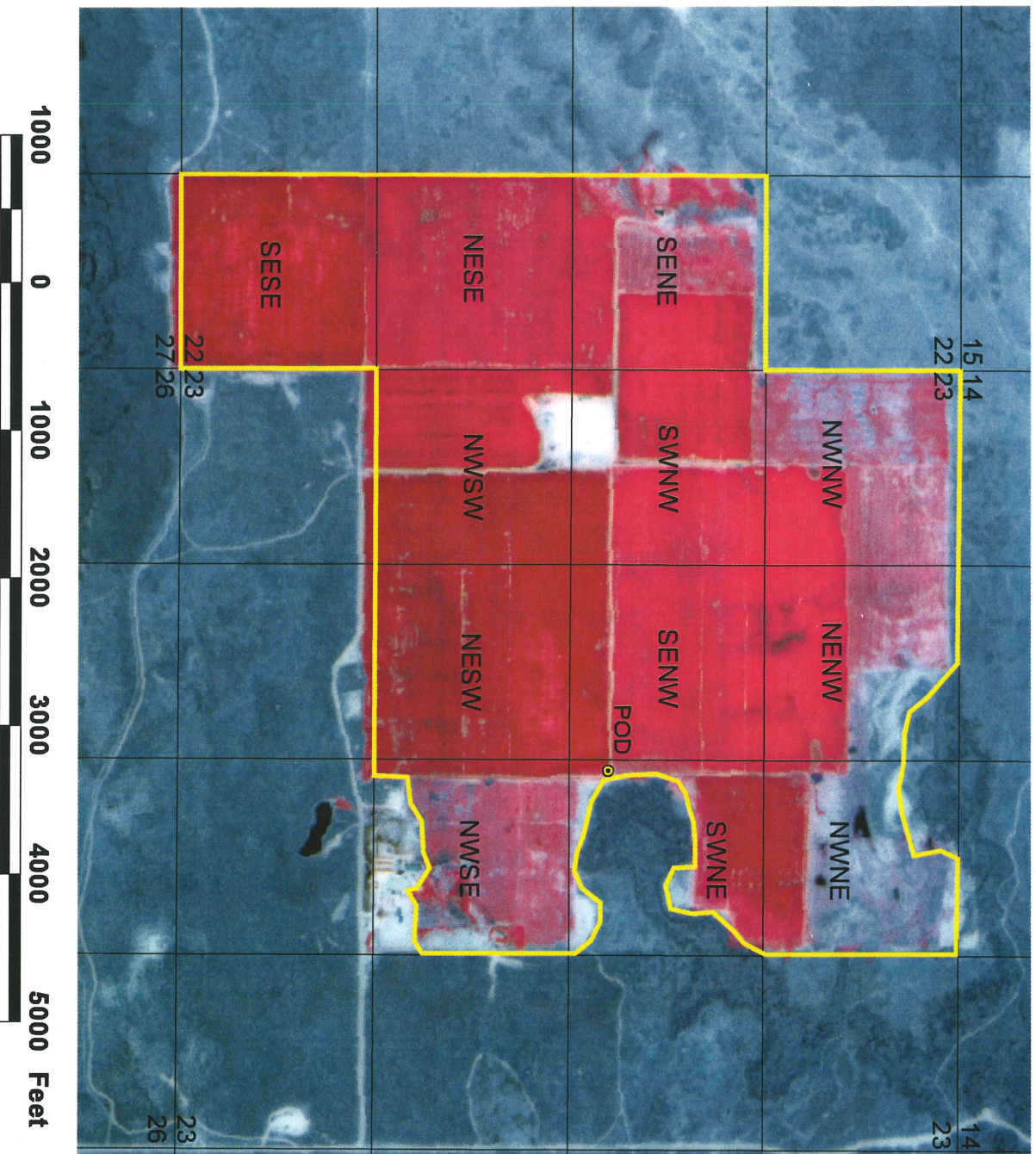
SS:region

Enclosures:

Returned Mail
Form 42-248/42-1409(6)

37-7473

T05S R15E S22 & S23



Map prepared by: Carter Fritschle
Date prepared: 10/16/01
1987-1988 NAPP photography
Idaho Department of Water Resources

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

10/17/2001

RIGHT NUMBER: 37-7473

NAME AND ADDRESS: FIRST INTERSTATE BANK
TRUSTEE FOR VICTOR L BINGHAM
PO BOX 2817
BOISE ID 83701

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.46 CFS
1,600.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-2719 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1756 AF.

PRIORITY DATE: 02/04/1976

POINT OF DIVERSION:

T05S R15E S23 SWSWNE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	3.460 CFS 1,600.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within GOODING County

T05S R15E S22	SENE	40.0	T05S R15E S22	NESE	40.0
T05S R15E S22	SESE	40.0	T05S R15E S23	NWNE	20.0
T05S R15E S23	SWNE	20.0	T05S R15E S23	NENW	20.0
T05S R15E S23	NWNW	40.0	T05S R15E S23	SWNW	40.0
T05S R15E S23	SENE	40.0	T05S R15E S23	NESW	40.0
T05S R15E S23	NWSW	40.0	T05S R15E S23	NWSE	20.0

400 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-2719 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 439 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: License

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7473 Priority February 4, 1976 Amount 3.46 cfs

THIS IS TO CERTIFY, that VICTOR L. BINGHAM
of Gooding, Idaho, has complied with the terms and conditions of Permit
No. 37-7473 issued pursuant to Application for Permit dated February 4, 1976,
and has submitted proof to the Department of Water Resources on March 30, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 5.90 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>3.46</u> cfs and	<u>1200</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.46 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1200 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 5S,
Rge. 15E, B. M. in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	15E	22				40									40			40	120
		23		20	20		20	40	40	40	40	40			20				280

Total number of acres irrigated 400

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22 day of

September, 19 78

Director

1APIN 1877

Name of permit holder Victor L. Bingham

Post office address Box 517, Gooding, ID 83330 Phone 934-4061

Southern District Office

Person to contact _____ Phone _____

3. Water will be used for the following purposes:

Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated: 3.46

Max Rate of Diversion 3.50 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5S N/S, Range 15E E/W, B.M., Section 23, Subdivision SW 1/4 NW 1/4, Gooding

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____

Other Points of Diversions: _____

Description of diverting works: 2 pumps and motor with sprinkler system. 200 hp motor, 100 hp motor

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ **400**

DATE OF EXAM 7-15-77

ACREAGE
Found 412
Recommended 400

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 3.46 c.f.s. V = 1200 AF/Ann. from April 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 2650 ^{gal} / min = 5.90 c.f.s. Method of measurement Rata-Flow Meter

Total Q recommended 3.46 c.f.s. Meter No. 766 172 Type _____ Condition New

Total V recommended 1200 Ac Ft / ANN.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒ _____

MEASUREMENT CALCULATION:
Meas: $(2650 \text{ gal/min}) \div \left(\frac{498.8 \text{ gal}}{\text{min}} \right) = 5.90 \text{ c.f.s.}$ Allowed 3.46 c.f.s. Amount App
Volume = $1200 \text{ Ac.Ft./ANN.} = (\text{Irr Reg. } 30 \text{ AcFt/Ac}) (400 \text{ Acres})$

SYSTEM DESCRIPTION:

G.E. 200 Hp large Bowler. Tri clad Motor BBJ202149
(Booster) Berkley pump 100 Hp #2670621

15 (1/4) mile lines @ 32 Heads @ 5.5 P.S.I.
1/4 mile line has 32 to 33 times sections each line

REMARKS:

Mr Bingham was present during field Exam.

Examiner's Signature Jay Lundberg Date 8-19-77

Checked by Allen Merritt Date 10/3/77

Approved by Michael L. Steel Date 12-29-77

25 25 30

22 34 *40 40 30 23

40 40 40 35

38

Diagram of System