

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 25 2019
Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-2205E	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Larry Bingham
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Jerry D. & Valerie H. Bingham
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 1675 W 400 N Blackfoot ID 83221
Mailing address City State ZIP
- 208-680-3868 binghamfarms@hotmail.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: October 25, 2006
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: *Jerry Bingham* Owner 3-25-19
Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date 3/25/2019 Receipt No. E044792 Receipt Amt. \$25. -
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 _____ Approved by _____ Processed by _____ Date _____

Returned + Refund Requested @ 7/19/2019

State of Idaho
Department of Water Resources

Water Right 35-2205E

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.15 0.3 0.6 Miles



573403 QUIT CLAIM DEED

FOR VALUE RECEIVED, GRANTOR(S), Larry E & Lori Ann Bingham hereby convey, release, remise and forever quitclaim unto GRANTEE(S) Jerry D & Valerie H. Bingham

whose address is 11675 W. 400 N. Blackfoot, ID 83221, the following described real property, TO-WIT:

Parcel Description

T 2S R 33E SEC 10

A portion of the W $\frac{1}{2}$ of Section 10, Township 2 South, Range 33 E.B.M., Bingham County, Idaho, lying S. of the Union Pacific Railroad right of way described as: Beginning at a point along the W. line of said Section 10 which is N. 0°02' W. 1600 feet from the SW corner of said Section 10; thence S. 89°47' E. 2648.2 feet to the North-South quarter line of said Section 10; thence N. 0°02' W. 2896 feet along said quarter line to the Southerly line of the Union Pacific Railroad right of way; thence in a Northwesterly direction 1865 feet, more or less, along the Southerly line of said Railroad right of way to the N. line of said Section 10; thence 89°49' W. 970 feet along said N. line to the NW corner of said Section 10; thence S. 0°02' E. 3687 feet along the W. line of said Section 10 to the point of beginning.

SUBJECT TO Reservations in United States Patent, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments as prorated between the parties hereto.

Together with the appurtenances thereto.

DATED THIS 25 day of October, 2006.

Larry E Bingham
Grantor

Lori Ann Bingham
Grantor

STATE OF Idaho

} ss.

COUNTY OF Bingham

On this 25 day of October, 2006, before me the undersigned, a Notary Public in and for said State personally appeared Larry E Bingham, Lori Ann Bingham known or identified to me to be the person(s) whose name is/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 affixed my official seal on the day and year in this certificate first above written.



573403
Stephanie Cooper
Notary Public for Idaho
Residing at: Blackfoot
My Commission Expires: 07/30/2009

2006 OCT 30 AM 9:50
FILED
3-037 C
JERRY BINGHAM
11675 W 400 N
BLACKFT ID 83221



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 19, 2019

JERRY & VALERIE BINGHAM
1675 W 400 N
BLACKFOOT ID 83221

RE: Notice of Change in Water Right Ownership
Water Rights: 35-2205E

Dear Sir/Madam:

On March 25, 2019, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you did not include the proper filing fee – your water right requires a split which is \$100.00 per water right. The ownership change only included a check for \$25.00. On May 15, 2019, we sent a letter requesting the additional filing fee of \$75.00. The additional fee was to be provided within 30 days.

IDWR has never received a response to the request. Without the proper filing fee, we cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your money (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change at any time in the future when you have collected the proper documentation of ownership and have included the correct filing fee.

If you have any questions, please contact me at (208) 525-7161.

Respectfully submitted,

Cher Ramos
Technical Records Specialist

Enclosure(s)

Barg, Jonie

From: Barg, Jonie
Sent: Friday, July 19, 2019 10:29 AM
To: Pline, Treva; Steed, Susan
Subject: Refund Request
Attachments: Receipt(2)

Treva & Susan,

Good morning!!

I have a refund request as follows:

Receipt number: E044792
Amount: \$25.00
Payable to: JerryBingham
1675 W 400 N
Blackfoot ID 83221

Reason: Total filing fee received \$25.00 for an ownership change. The ownership change was filed on a water right that would require a split additional required and requested but not received, therefore could not be complete. The applicant is entitled to a full refund.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

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

Brad Little
Governor

Gary Spackman
Director

May 15, 2019

Jerry Bingham
Valerie Bingham
1675 W 400 N
Blackfoot ID 83221

RE: Change in Ownership Water Right No. 35-2205E

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Filing Fee:** According to the departments review of the information provided the water right listed above will require a split. The filing fee for an ownership change application resulting in a split is \$100.00 per water right. The department received \$25.00 with your application, therefore an additional \$75.00 is required.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

SCANNED

MAY 15 2019