

RECEIVED

FEB 24 2015

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Wayne & Marcella Bingham and Sidney Bingham Phone (208) 747-3209
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 2213 South 2400 West City Weston
 State ID Zip 83286 Email _____

2. Source of water supply Spring which is a tributary of Sinks
 3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
16S	39E	21			NW	NE	Franklin	Spring	

4. Water will be used for the following purposes:

Amount .02 cfs for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 0.02 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Spring collected and diverted into a trough.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No

e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____.

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. 50 range cattle

c. Municipal; complete and attach the Municipal Water Right Application Checklist.

d. Domestic; show number of households _____

e. Other; describe fully. _____

13-7933

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	21		S															

Total number of acres to be irrigated: _____

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

None.

10. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

This stockwater system was developed a long time ago. We recently made improvements to the system and discovered we needed to pursue a water right for the system.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Wayne Bingham
Signature of Applicant

Marcella Bingham
Signature of Applicant

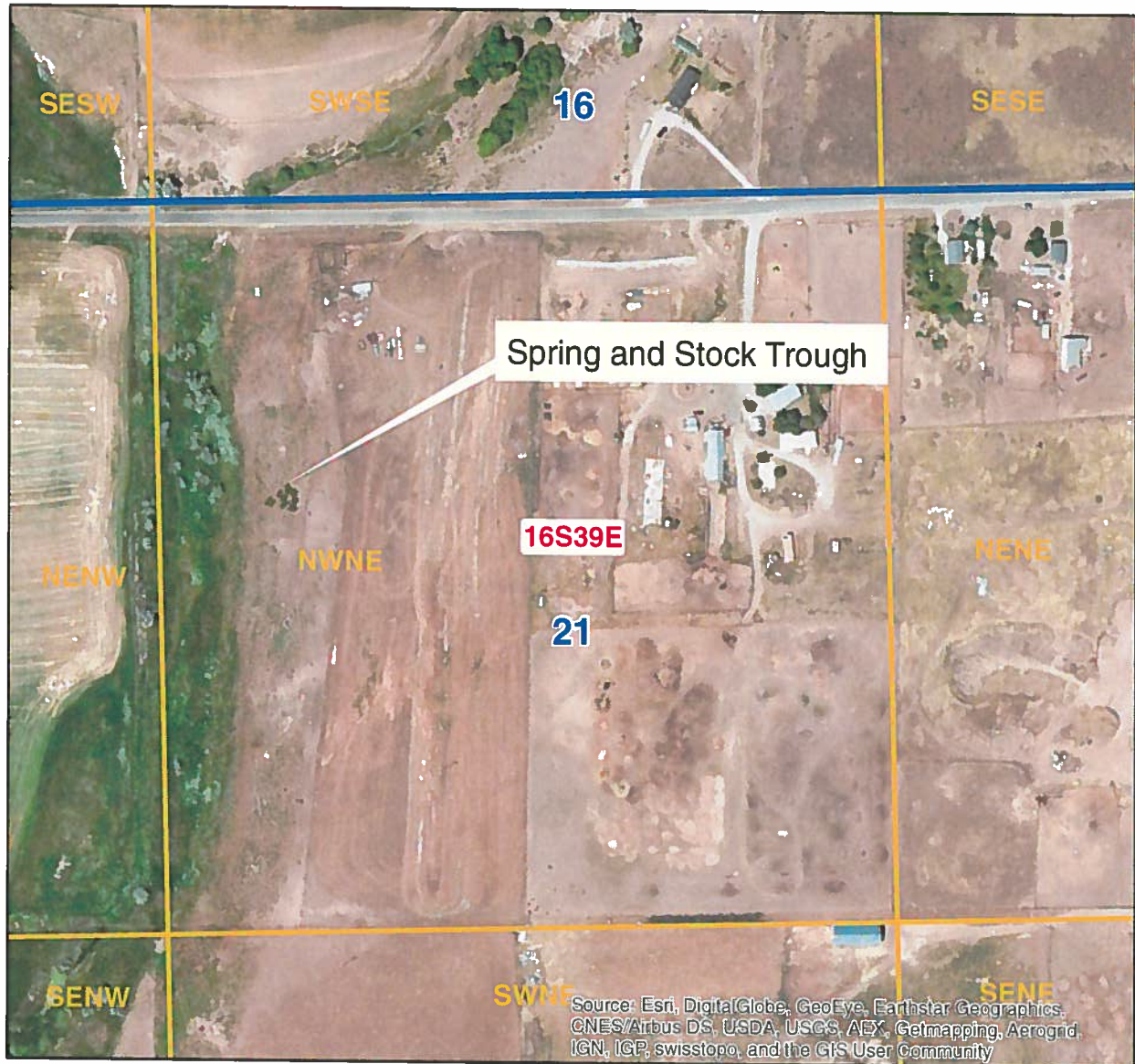
Wayne Bingham
Print Name (and title, if applicable)

Marcella Bingham
Print Name (and title, if applicable)

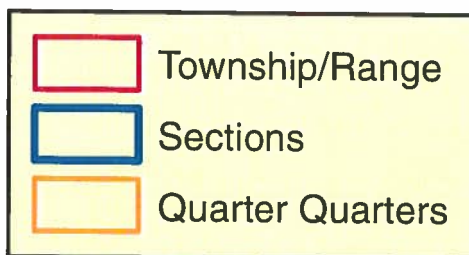
For Department Use:

Received by SC Date 2/24/15 Time _____ Preliminary check by _____
Fee \$ 100 - Received by SC Receipt No. ED40671 Date 2/24/15

Bingham - Application for Permit



2010 Aerial Photo



0 250 500 Feet



5260217
1159 West
Hog 0 South

Range No. 39

Boise 365439

272500 20 AC
Bosen Land &
Livestock LLC
2235676

726.00

Jensen Land & Weststock LLC

39
576

40 Ac

✓
439
#2728.11

T10

2727.00
r Assets LP

53-239 241909
167191 242618
196869
241733

Edward J. C. Trust	Cub River
134854	Irrig.
180943	532115

464.00

J. Barrow Gilbert Trust
Cherill H. Johnson
Trust
198726
198279-80
2722

#3570.00
T. 11
Bird Family
Trst
158179-80
#842970
21.25 Ac.

#3568.00
T-15
Michael Hyde
185545-6
201827
2907105
1055W
4000 S
18.75 Ac

3569.001
Swendsen
Family
Trust etel
233019

B. Ross Hall
232448
229567
196116
16.57
A.C
3562.03

DAVID H. ROBERTS
99870
#356201

#2723.00
Carl Howlett Family Trust

137197 238161
50073
233686, 87
234019, 2
234524
238083 RDS
238558

Jeff
Hyde
210238
#3571.04
11.11AC
25

#3571.00
Bracken
Christensen
Family Trust
209646
240219

Blain
Jack's on
2/25/8
3564
62.44 AC
229615

David Roberts
197555
#3563
89.43 Ac

Ellis N.
Robert
158180
171927
#3566
77.0342

Jason Shepard
R85422
Marilyn Harris
845810 #3571.02
Ron Bowles
190801 #3571.05
Jan Brwlow #3571.09
Dwight Allen
211864 #3571.10

J. Rick Atkinson
171083 #3571.06

Bracken Christensen
3571.87 - 228869

#365900
 (See RefSub)
 for Receipt
 Rich Holdings
 146523
 159617
 197937
 #3659

TN #3658/03
45 Michael
Earlson
#3658.00
Michael فر
Jensen

Ryan Del
Clark
326117
#3657.91

1 See
Two Rich
Subdivisions

Rural Farm Tbl
158179-80
#3590

134
David C
Yamane
211910
3655-02
6-56 MC

JAVIER DUART
312 985 2130
#3562.04 1.02
Kurt C. Line
312 985
#3562.02

Weldon Smith #3
Cub River Irr
284737

Links Bowles

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
28 West Oneida
Preston, ID 83263

Recorded at the request of

First American Title Co.

11:20
____ a.m. OCT 16 2008 p.m. ____

V. ELLIOTT LARSEN, RECORDER
By Ruth Rawlings Deputy
FRANKLIN COUNTY, IDAHO

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **273835-PR (mh)**

Date: **October 15, 2008**

For Value Received, **Ross Curtis Bird, Delsa Maxcine Bird, Trustees of the Bird Family Trust**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Wayne L Bingham and Marcella Bingham, husband and wife and Sidney V. Bingham, a married man**, hereinafter called the Grantee, whose current address is **316 N. Westside Hwy., Weston, ID 83286**, the following described premises, situated in **Franklin County, Idaho**, to-wit:

Township 16 South, Range 39 East of the Boise Meridian, Franklin County, Idaho

Section 21: NW $\frac{1}{4}$ NE $\frac{1}{4}$.

Excepting Therefrom: Commencing at the Northwest corner of Northeast Quarter of the Northeast Quarter of Section 21; thence South 80 rods; thence West 40 rods; thence North to the road right of way; thence East to the Place of Beginning.

Also Excepting therefrom 1 rod off the South end of this property.

TOGETHER with 30 shares of Cub River Irrigation water.

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.

Ross Curtis Bird, Delsa Maxcine Bird,
Trustees of the Bird Family Trust

Ross Curtis Bird

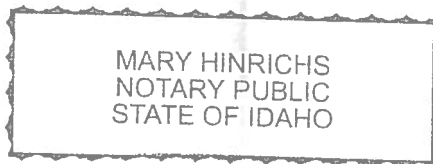
Ross Curtis Bird, Trustee

243171 2 -2

Delsa Maxcine Bird
Delsa Maxcine Bird, Trustee

STATE OF Idaho)
COUNTY OF Franklin)
SS.

On this **Sixteenth day of October, 2008**, before me, a Notary Public in and for said State, personally appeared **Ross Curtis Bird and Delsa Maxcine Bird**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Trustees of Bird Family Trust**, and acknowledged to me that he/she/they executed the same as such **Trustees**.



Mary Hinrichs
Notary Public for the State of Idaho
Residing at: Preston, Idaho
My Commission Expires: June 16, 2014



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 12, 2015

WAYNE L BINGHAM
MARCELLA BINGHAM
SIDNEY BINGHAM
2213 SOUTH 2400 WEST
WESTON, ID 83286

Application For Permit No. 13-7932

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the PRESTON CITIZEN on March 18 and 25, 2015. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**April 6, 2015 at 5:00 pm**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Sharla Cox
Administrative Assistant

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, March 12, 2015 12:49 PM
To: 'Preston Citizen'
Subject: Legal Notice for your paper
Attachments: Preston Citizen E-Mail.doc

Contacts: Preston Citizen

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

13-7932

WAYNE L BINGHAM
MARCELLA BINGHAM
2213 SOUTH 2400 WEST
WESTON, ID 83286
Point of Diversion
SENNW S8 T16S R39E
FRANKLIN County
Source SPRING Tributary BEAR RIVER
Use: DOMESTIC
01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 2/25/2015
Place Of Use: DOMESTIC
T16S R39E S8 NENW

13-7933

WAYNE L BINGHAM
MARCELLA BINGHAM
SIDNEY BINGHAM
2213 SOUTH 2400 WEST
WESTON, ID 83286
Point of Diversion
NWNWNE S21 T16S R39E
FRANKLIN County
Source SPRING Tributary SINKS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 2/25/2015
Place Of Use: STOCKWATER
T16S R39E S21 NWNE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before April 6, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on March 18 and 25, 2015