

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 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	¼	¼	¼	County	Source	Local name or tag #
16S	39E	8		SE	NE	NW	Franklin	Spring	

4. Water will be used for the following purposes:
 Amount .02 cfs for Domestic 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:
- Describe type and size of devices used to divert water from the source. Spring collected and diverted into one home.
 - 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
 - Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
 - 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):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households 1 home
 - Other; describe fully. _____

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	8					D												

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?

Domestic water will be used for lawn & garden irrigation.

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 domestic system was developed about 5 years ago.

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

Wayne Bingham
Print Name (and title, if applicable)

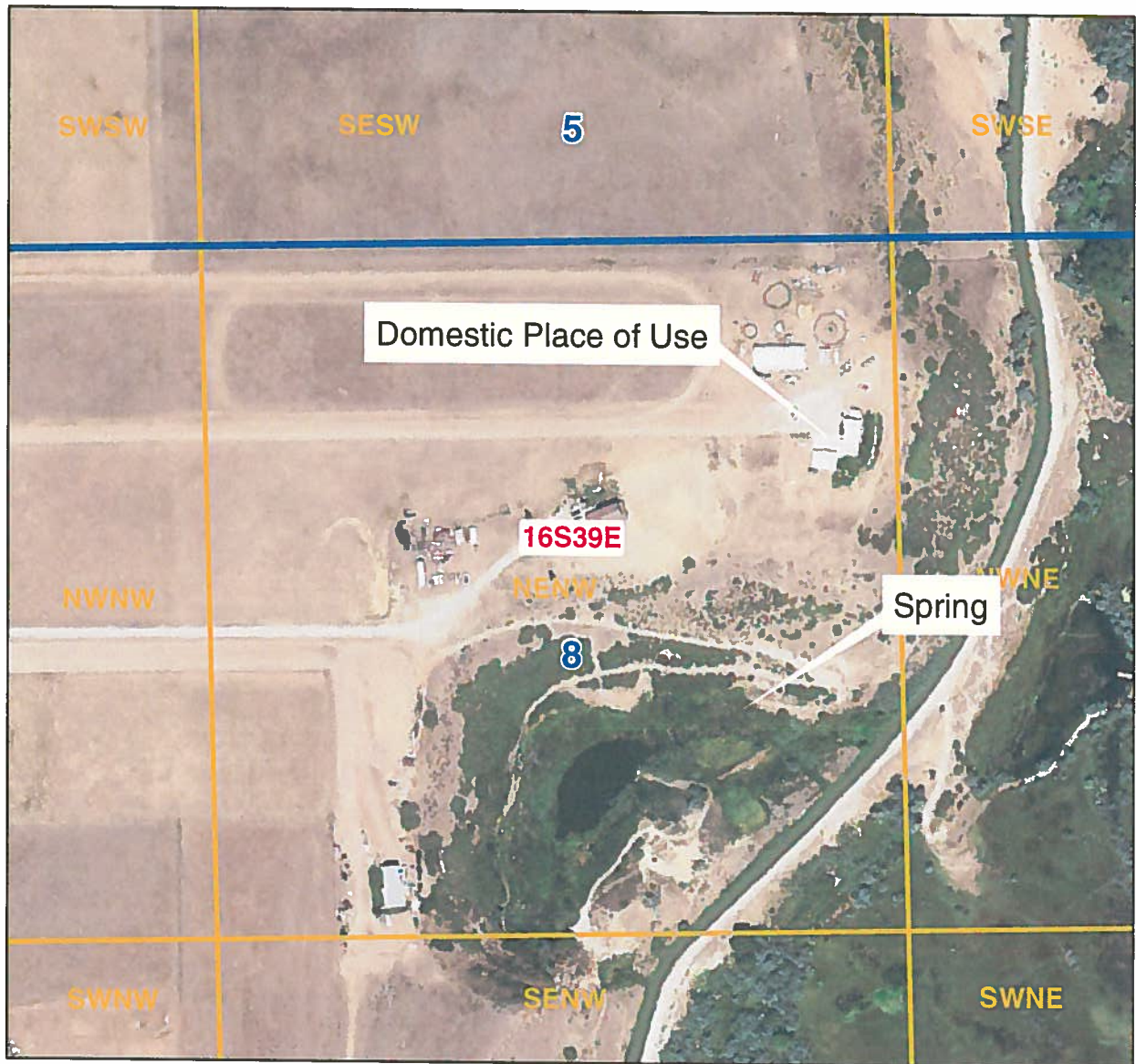
Marcella Bingham
Signature of Applicant

Marcella Bingham
Print Name (and title, if applicable)

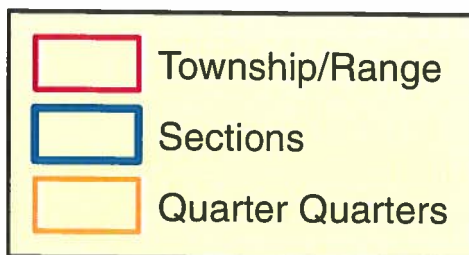
For Department Use:

Received by 2/24/15 Date _____ Time _____ Preliminary check by _____
 Fee \$ 100- Received by SC Receipt No. E040671 Date 2/24/15

Bingham - Application for Permit



2013 Aerial Photo



0 250 500 Feet



256041

Recorded at the request of
Wayne Bingham
Time 9:00

SEP 21 2012

SHAUNA T GERDES, RECORDER
BY C. Lane Deputy
FRANKLIN COUNTY IDAHO

WARRANTY DEED

For Value Received, Robert W. Fitzgerald

Hereinafter called the Grantors, hereby grant, bargain, sell and convey unto

Wayne L. Bingham and Marcella D. Bingham, husband and wife

whose address is: 2213 S. 2400 West

Hereinafter called the Grantee, 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 8: Beginning at the Northwest corner of the Northwest quarter of the Northwest quarter of Section 8; the South 330 feet; thence East 2310 feet; thence South 378 feet to the Point of Beginning; thence West 600 feet; thence South 320 feet; thence East 600 feet; thence North 320 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 their 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.

Dated: 9-17-12

Robert W. Fitzgerald

13 - 7932

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Robert W. Fitzgerald

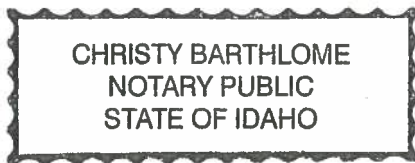
State of IDAHO

County of Franklin

On this 17 day of Sept, 20 12 before me, a Notary Public in and for said State, personally appeared

Robert Fitzgerald

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. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.



Christy Barthlome
Notary Public, State of IDAHO
Residing at: Duxton
Commission Expires: 11-26-16



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 and 13-7933

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,

A handwritten signature in blue ink, appearing to read 'Sharla Cox', is written over a circular blue ink stamp.

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
SEENW 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