

Transfer No. 76374
Receipt No. S031331

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information HAL S BINGHAM
PO BOX 33
CAREY ID 83320
(208)823-4447

And

KARMA R BINGHAM
PO BOX 33
CAREY ID 83320
(208)823-4447

RECEIVED
MAR 22 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Will this transfer result in an ownership change? ☒ Yes ☐ No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
37-405	WR/Decreed	0.30			160.0	LITTLE WOOD RIVER
37-406	WR/Decreed	1.60			160.0	LITTLE WOOD RIVER

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-405	NO	NO	YES	NO	NO	NO
37-406	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

To change the place of use to show where water will actually be used

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

N/A

B. Describe the effects on other water uses resulting from the proposed change

N/A

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
37-405	0.30 cfs		160.0	
37-406	1.60 cfs		160.0	
TOTAL	1.90 cfs		160.0	

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Ed S. Bringham
(Signature of Applicant)

Karina Bringham
(Title or Office)

Subscribed and sworn to before me this _____ day of _____, 20____.

(Notary Public)

My commission expires _____

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 37-405

Priority Date: August 01, 1880
Origin: Water Right
Basis: Decreed
Status: Active

Source: LITTLE WOOD RIVER **Tributary:** MALAD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.30 CFS		
	Total Diversion	0.30 CFS		

Source and Point(s) of Diversion:

LITTLE WOOD RIVER NWSWSE Sec. 30 Twp 01N Rge 21E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 21E 28		40.0	38.0		35.0	25.0		22.0									160.0

Total Acres: 160

Conditions/Remarks:

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. WATER IS DELIVERED THROUGH WEST CANAL.
3. USE OF THIS RIGHT WITH RIGHT NO. 37-406 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON.
4. 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.

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Documentation of Ownership of the Current Place of Use

IDWR records and quitclaim deeds

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

POU will be shifted to reflect where water will be used

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 37-406

Priority Date: April 01, 1881
Origin: Water Right
Basis: Decreed
Status: Active

Source: LITTLE WOOD RIVER **Tributary:** MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	1.60 CFS		
	Total Diversion	1.60 CFS		

Source and Point(s) of Diversion:

LITTLE WOOD RIVER NWSWSE Sec. 30 Twp 01N Rge 21E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	28		40.0	38.0		35.0	25.0	22.0										160.0

Total Acres: 160

Conditions/Remarks:

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. USE OF THIS RIGHT WITH RIGHT NO. 37-405 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON.
3. 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.
4. WATER IS DELIVERED THROUGH WEST CANAL.

Documentation of Ownership of the Current Place of Use

IDWR records and quitclaim deeds

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

POU will be changed to show where water will be used

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-405

Priority Date: August 01, 1880

Origin: Water Right

Basis: Decreed

Status: Active

Source: LITTLE WOOD RIVER

Tributary: MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.30 CFS		
	Total Diversion	0.30 CFS		

Source and Point(s) of Diversion:

LITTLE WOOD RIVER NWSWSE Sec. 30 Twp 01N Rge 21E BLAINE County

Describe the proposed diversion system

Point of Diversion # 1 VIA WEST CANAL

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	28		30.0	39.0		31.0	30.0	30.0										160.0

Total Acres: 160

Transfer No. 76374
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-406

Priority Date: April 01, 1881

Origin: Water Right

Basis: Decreed

Status: Active

Source: LITTLE WOOD RIVER

Tributary: MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	1.60 CFS		
	Total Diversion	1.60 CFS		

Source and Point(s) of Diversion:

LITTLE WOOD RIVER NWSWSE Sec. 30 Twp 01N Rge 21E BLAINE County

Describe the proposed diversion system

Point of Diversion # 1 VIA WEST CANAL

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	28		30.0	39.0		31.0	30.0	30.0									160.0	

Total Acres: 160

01S21E20

01S21E21

01S21E22

NEW
PLACE
OFF USE

01S21E29

01S21E28

01S21E27

01S21E32

01S21E33

01S21E34

And when recorded mail to:

F
Name
Street
Address
City
State
Zip
L

RECEIVED

MAR 22 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Space above this line for recorder's use

QUITCLAIM DEED

DOCUMENTARY TRANSFER TAX \$

- ☐ computed on full value of property conveyed, or
- ☐ computed on full value less liens and encumbrances remaining at time of sale.

Autograph of Declarant or Agent Determining Tax Firm Name

I/We, HAL SPENCER BINGHAM

(Name of grantor(s))

the undersigned grantor(s), for a valuable consideration, receipt of which is hereby acknowledged, do hereby remise, release, convey and forever quitclaim to HAL SPENCER BINGHAM and KARMA R. BINGHAM

(Name of grantee(s))

the following described real property in the City of CAREY, County of BLAINE, State of IDAHO 83320
TOWNSHIP 1 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO
SECTION 28, W 1/2 NE 1/4, E 1/2 NW 1/4, NW 1/4 NW 1/4
TOGETHER WITH ANY WATER RIGHTS APPURTENANT THERETO.

Assessor's parcel No. _____

Executed on _____, in the City of _____, State of _____

Hal S. Bingham

State of Idaho

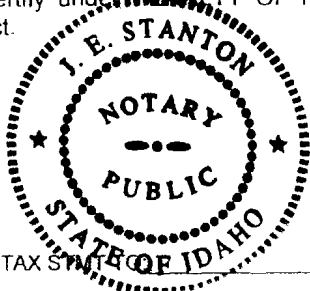
County of Twin Falls

On 22nd before me, James E Stanton, Notary
 Public, personally appeared Hal S Bingham & Karma Bingham

who proved to me on the basis of satisfactory evidence 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 his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



J E Stanton
 Signature of Notary Public

CAPACITY CLAIMED BY SIGNER(S)

- ☒ Individual(s)
- ☐ Corporate Officer(s)
- ☐ Partner(s) ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian/Conservator

RIGHT THUMBPRINT Signer #1



RIGHT THUMBPRINT Signer #2



MAIL TAX STATE OF IDAHO

Recording Requested By

And when recorded mail to:

Name
Street
Address
City
State
Zip
L

Space above this line for recorder's use

QUITCLAIM DEED

DOCUMENTARY TRANSFER TAX \$

- ☐ computed on full value of property conveyed, or
☐ computed on full value less liens and
 encumbrances remaining at time of sale.

Autograph of Declarant or Agent Determining Tax Firm Name

We, ISIDRO + MELINDA ORNELAS

(Name of grantor(s))

the undersigned grantor(s), for a valuable consideration, receipt of which is hereby acknowledged, do hereby remise, release, convey and forever quitclaim to HAL + KARMA BINGHAM

(Name of grantee(s))

the following described WATER RIGHT in the City of CAREY, County of BLAINE, State of IDAHO:

37-405

37-406

Assessor's parcel No. _____

Executed on _____, in the City of CAREY, State of IDAHO.State of IdahoCounty of BlaineOn March 10, 2010 before me, Kathie L. Peck, NotaryPublic, personally appeared Isidro and Melinda Ornelas

CAPACITY CLAIMED BY SIGNER(S)

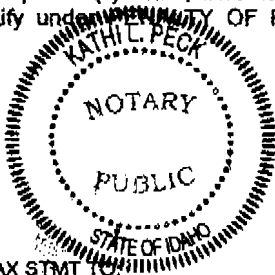
- ☐ Individual(s)
☐ Corporate Officer(s)
☐ Partner(s) ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian/Conservator
 RIGHT THUMBPRINT Signer #1

who proved to me on the basis of satisfactory evidence 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 his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Kathie L. Peck
 Signature of Notary Public



MAIL TAX STMT TO: _____

RIGHT THUMBPRINT Signer #2

QUITCLAIM DEED

For Value Received

Merrell Max Bingham and Janet S. Bingham, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

Hal Spencer Bingham

Address: Foot Hill Rd PO Box 33 CAREY, IDAHO 83320

Hereinafter called the grantee, the following described premises, in Blaine County, Idaho to-wit:

Township 1 South, Range 21, East of the Boise Meridian, Blaine County, Idaho
Section 28: W $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$

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

Dated: February 2, 2006

Merrell Max Bingham
Merrell Max Bingham

Janet S. Bingham
Janet S. Bingham

STATE OF IDAHO)
)
COUNTY OF MINIDOKA)

On this 2nd day of February, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Merrell Max Bingham and Janet S. Bingham, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Terri L. Smith

Notary Public
Residing at: Burley, ID
My Commission expires: 08/02/08

TERRI L. SMITH
NOTARY PUBLIC
STATE OF IDAHO