

Instrument # 607203

BINGHAM COUNTY

5-28-2009

02:04:06 No. of Pages: 2

Recorded for : BINGHAM GROUND WATER

SARA J. STAUB

Fee: 6.00

Ex-Officio Recorder Deputy

LEGAL NOTICE
NOTICE OF FILING FO PETITION FOR ANNEXATION

Pursuant to Idaho Code Section 42-5246, notice is hereby given that Basalt, City of; Firth, City of, and Atomic, City of has filed a petition for annexation of the following land(s) into the Bingham Ground Water District, Division(s) 1 and 2,

01S 37E 19 SW SE, 01S 36E 25 NW SE NE, 01S 36E 25 NW SE NE, and
01N 31E 03 NW SW.

Persons interested in or that may be affected by the requested annexation may appear at the office of the Board of Directors of the District, located at 1725 Riverton Road, Blackfoot, Idaho, on May 14, 2009, at 8:00 p.m. for the hearing on the petition, or may write to the Board to show cause as to why the lands should not be annexed into the District. Any such written statement submitted to the Board shall be made before a notary public and must be received by the Board prior to the date shown above.

Signed: _____

Treasurer, Bingham Ground Water District



STATE OF IDAHO)

:SS

County of Bingham)

On this 14 day of May in the year 2009, before me, a Notary public in and for the State, personally appeared

Neal K. Powell, known to me to be the person whose name is subscribed to the within instrument as Treasurer for Bingham Ground Water District, and acknowledged to me that he/she executed the same as such Treasurer.

Tina M. Larsen
Notary Public for the State of Idaho

My Commission expires 10/20/20011

RECEIVED

JUN 10 2009

Department of Water Resources
Eastern Region

Having considered the petitions and there being no written objections thereto, the Bingham Groundwater District Board of Directors deems annexation of the proposed lands and facilities as listed under the specific ground water rights in the Notice of Filing of Petitions for Annexation of Land and Facilities into the Bingham Groundwater District in the best interest of the District. Therefore, the Board hereby orders that said lands and facilities be annexed into the District.

Hereafter, the annexed lands shall be subject to such assessments from time to time as the Boards of Directors shall deem right under the circumstances, and such assessments shall be deemed to be assessments for benefits to said lands by reason of their annexation to said District.

Ordered by unanimous vote of the Board of Directors (present).

Neil Peterson BGWD Secretary
Randy Pelato BGWD Board Member
Division 2 Division 4

DATED this 1st day of March, 2009.

Chairman of the Board

Attest: [Signature]

Secretary/Clerk

Attest: [Signature]

BEFORE THE BINGHAM GROUND WATER DISTRICT BOARD

In The Matter Of Annexation
Into The Bingham Ground
Water District

Petition For Annexation

RECEIVED

JUN 10 2009

Department of Water Resources
Eastern Region

State of Idaho)
County of Bingham) S.S.

I City of Atomic City, _____,
(print name) (corporation name and position held, if applicable)

the Petitioner, ATTEST AS FOLLOWS:

I have ground water rights which are not currently part of the Bingham Ground Water District ("BGWD"). These water rights are identified by the following water right numbers:

35-4209 35-040209

35-13701 I request that the land and/or facilities whose legal description is contained in these water rights be annexed into BGWD for the purpose marked below. I, individually or as a corporate officer, have title to said lands.

(Check one of the following, as applicable:)

(1) I am an irrigator ____.

(2) I am a nonirrigator X. (A nonirrigator is a ground water user holding a ground water right for commercial municipal, or industrial purposes, even if some component of the use is for irrigation or if irrigation is incidental to the commercial, municipal or industrial purpose).

(Check one, as applicable:)

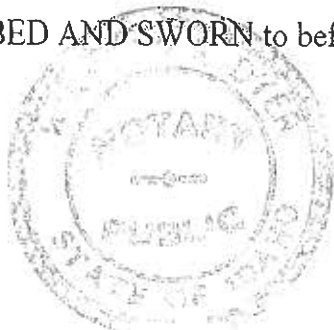
I elect to join BGWD

(a) as a full member X;

(b) solely for the purpose of participating in mitigation activities of the BGWD ____.

SIGNATURE OF PETITIONER: Lisa Morgan, Mayor

SUBSCRIBED AND SWORN to before me this 11th day of November, of 2008.



MR. Dyer
Notary Public in and for the State of Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 2/3/10