

RECEIVED

FEB 1 1973

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *Co-publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

January 25, 19 *73*, and ending

with the issue of *February 1*, 19 *73*.

Wayne D. Bell

Fees, \$ *12.21*

Subscribed and sworn to before me this *30* day

of *January*, 19 *73*.

William D. Liddis

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*.

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Eldon B. Bingham, R. R. No. 3, Preston, Idaho has on 1-19-73 submitted Application No. 13-7033 for a permit to appropriate 8.7 cubic feet per second of water from Deep Creek, tributary to Bear River, by means of pump, pipeline and sprinklers within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 15S, R. 39E, B.M., Franklin County; to be used from May 1 to Oct. 15 for the irrigation of 420 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 7; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, T. 15S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before February 12, 1973.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on January 25 and February 1, 1973. Legal No. 2311 — Pub. Jan. 25, Feb. 1, 1973.

13 7033

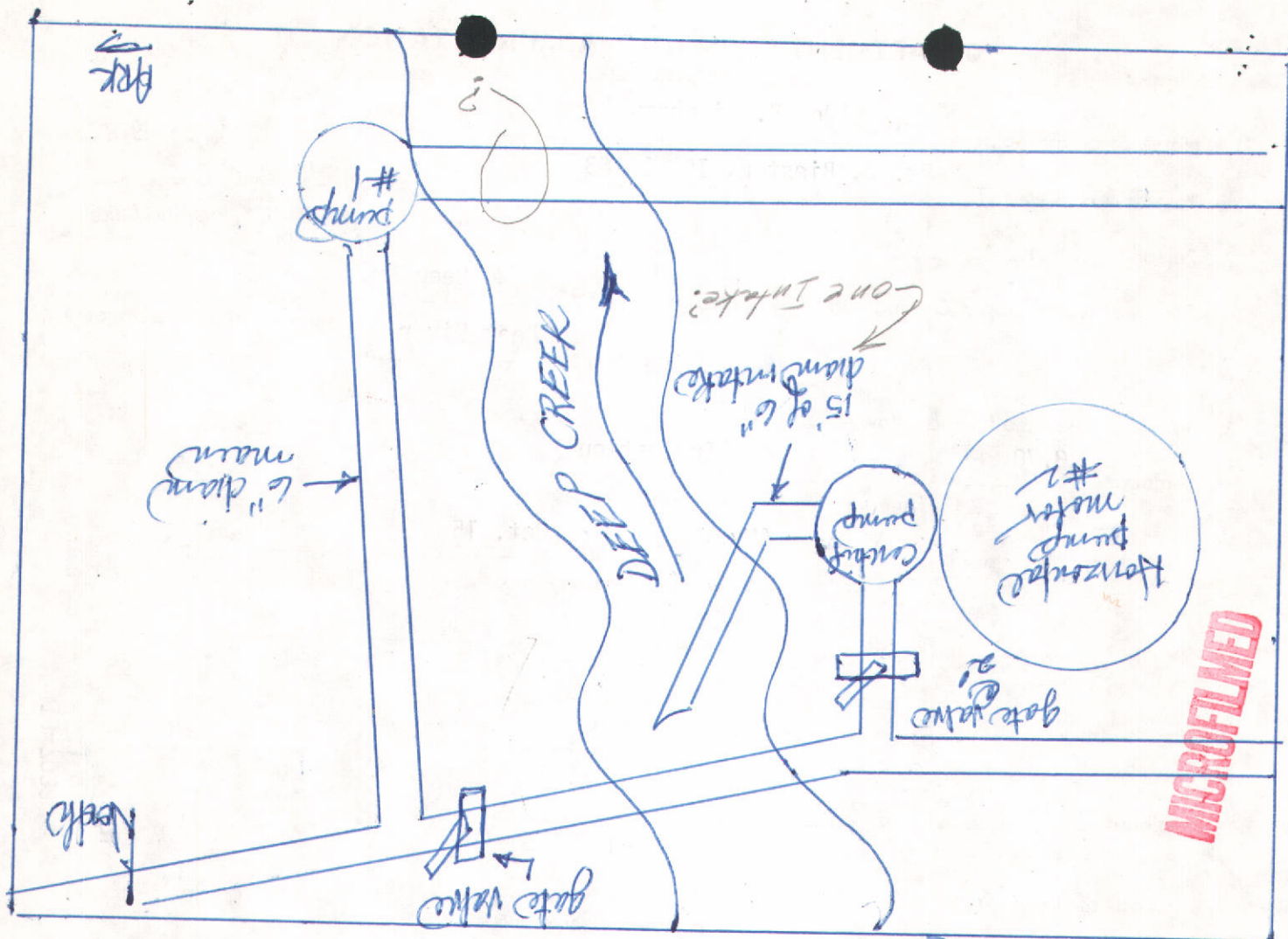
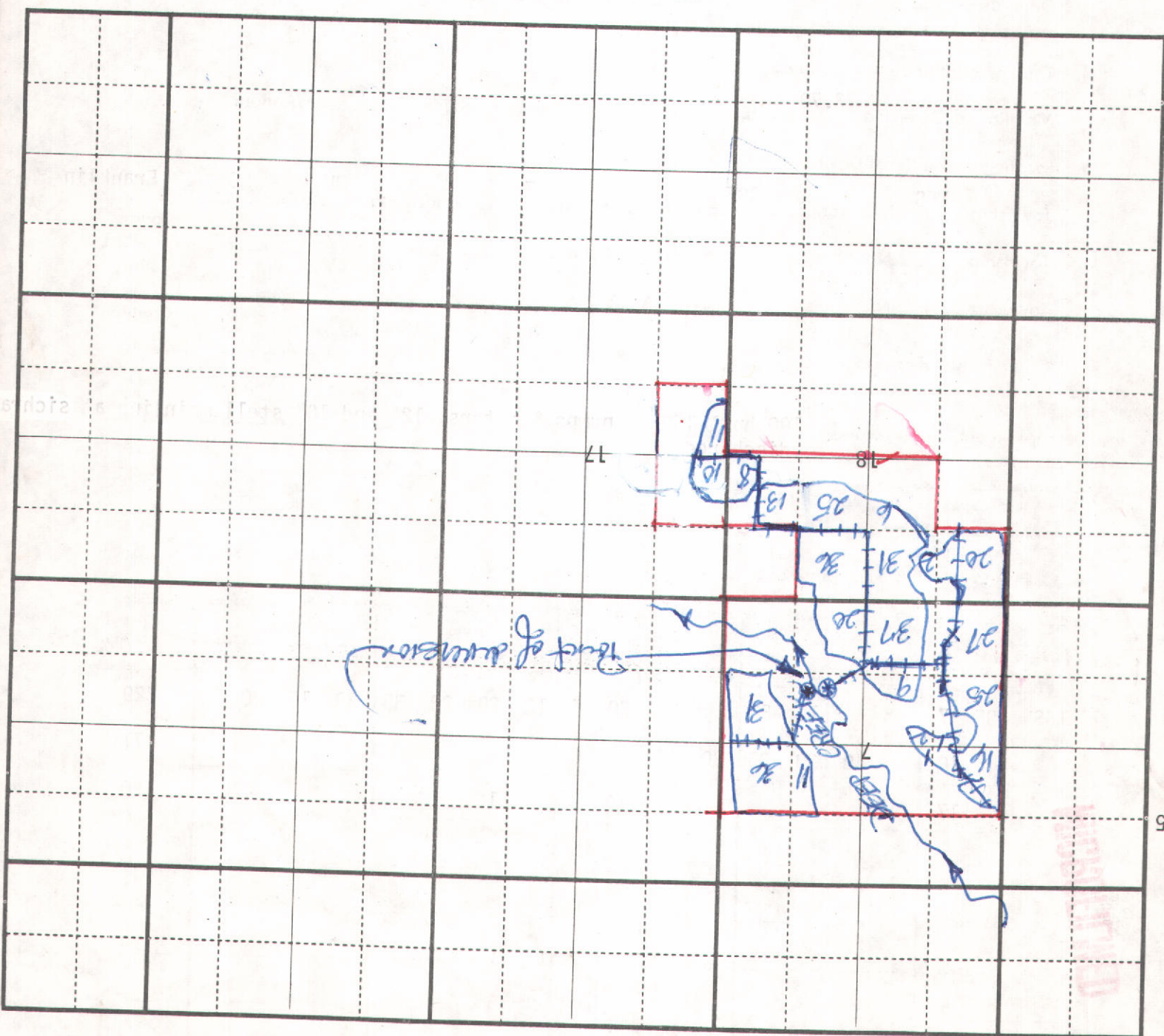


Diagram of System



Overlay for 13-7033 Showing areas licensed
Under 13-2264 & Decreed under 11-0887 (T-958)



/// Land described under T-958
\\ Land described under 13-2264

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 13-7033 Priority January 19, 1973 Amount 0.75 cfs

THIS IS TO CERTIFY, that Eldon B. Bingham

of Preston, Idaho, has complied with the terms and conditions of Permit No. 13-7033 issued pursuant to Application for Permit dated January 19, 1973, and has submitted proof to the Department of Water Resources on September 13, 1976, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 4.30 cfs of water from Deep Creek, tributary to Bear River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.75</u> cfs and <u>*</u>	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than 0.75 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed * acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Twp 15S, Rge 39E in the County of Franklin

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
15S	39E	7			11	36			16	1	11	26	27	37	3			20	216
		17							10		11								21
		18		36	25	21	33	20		6									141

Total number of acres irrigated 378

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

* This right when combined with Right 13-2264 and Right 11-0887B shall not exceed 1323.0 acre feet per annum for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12TH day of MARCH, 19 84.

Acting for the Director

MICROFILMED

Identification No. 13 7033

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Eldon B. Bingham
post office address RR #3 Preston, Idaho
2. Source of water supply Deep Creek which is a tributary of Bear River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 15 S
Range 39 E B.M. Franklin County; additional points of diversion if any: none
- b. If water is not consumed, it will be discharged into Deep Creek at a point in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 15 S Range 39 E B.M. Franklin
4. Water will be used for the following purposes:
Amount 3.7 for IRRIGATION purpose from May 1 to Oct. 15 (both dates inclusive)
(cfs or ~~acre-feet per annum~~) ACY
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 3.7 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump - pipeline - Sprinklers - or gated pipe.
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$10,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

13 7033

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
155	39E	7	-	-	12	30	-	20	5	12	20	30	35	30	15	20	-	-	229
155	39E	18	-	41	30	35	30	30	-	6	-	-	-	-	-	-	-	-	171
155	39E	17	-	-	-	-	-	10	-	-	-	10	-	-	-	-	-	-	20

Total number of acres to be irrigated

420

c. Describe any other water rights used for the same purposes as described above.
Transfer Right Certificate No. 958 - 2.57 cfs.
Permit No. 13-2264 1.5 cfs

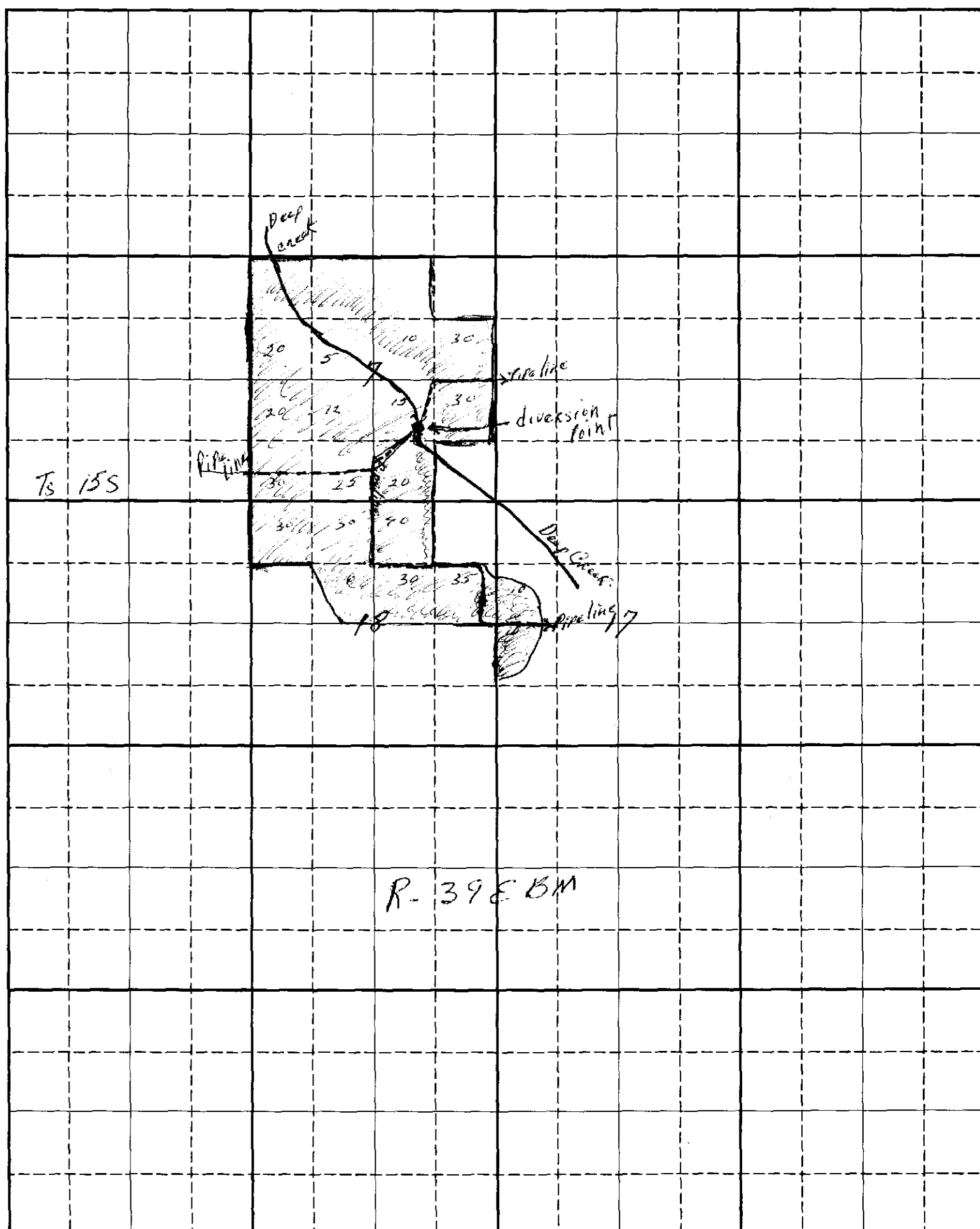
9. a. Who owns the property at the point of diversion. Eldon B. Bingham

b. Who owns the land to be irrigated or place of use. Eldon B. Bingham

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

(Applicant)

16 7088

Received by Mr. Date 1-19-73 Time 10:00 AM
Preliminary check by Mr. Fee \$ 55.00 ALT # 7066
Receipted by Mr. Date 1-19-73
Publication prepared by Mr. Date 1-19-73
Published in Idaho Statesman
Publication dates 1-85 + 2-01-73
Publication approved Mr. Date 2/12/73
Priority ~~recommended~~ to 1-19-73 Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval/denial by Mr. SDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 13-7033, and said application is hereby APPROVED _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 78.

c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 13th day of February, 19 73.

Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>RWS</u>	<u>1/19</u>	Application No. <u>13-7033</u> Name <u>Eldon B. Bingham.</u>
(2)	<u>RWS</u>	<u>1/19</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)		<u>N/A</u>	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)		<u>N/A</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>RWS</u>	<u>1/19</u>	In form for advertising <u>yes</u>
(6)	<u>BA</u>	<u>2-11-73</u>	Affidavit of Publication received <u>R-01-73</u>
(7)	"	"	Final date for protests <u>2-12-73</u> Protests received: yes <u>no</u> ☒
(8)	"	"	Date and Place of hearing <u>N/A</u> Decision reached at hearing <u>N/A</u>
(9)			Located within Water District No. _____
(10)		<u>N/A</u>	Critical groundwater area: yes _____ no _____
(11)		<u>N/A</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)	<u>NCY</u>	<u>2/12/73</u>	Comments: <u>This applic when combined with other rights of record does not exceed 1" / acre from Deep Cr.</u>
(13)	<u>NCY</u>	<u>"</u>	Action recommended: ☒ Approve Priority <u>1/19/73</u> ☐ Deny Reason for Reduction _____ <u>"</u> <u>"</u> ☒ See attached sheet for conditions of approval _____ No conditions for approval
(14)			District <u>Eastern</u> By <u>Norman C. Young</u> Date <u>2/12/73</u> Title <u>Dist Engineer</u>

RECOMMENDEDCONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *owner/publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

January 25, 19 *73*, and ending

with the issue of *February 1*, 19 *73*.

Wayne D. Bell

Fees, \$ *12.21*

Subscribed and sworn to before me this *30* day

of *January*, 19 *73*.

Richard D. Ladd

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*.

RECEIVED

779 2 1973

Department of Water Administration
Eastern District

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bingham, R. R. No. 3, Idaho has on 1-19-73 Application No. 13- permit to appropriate *one* cfs per second of water from Deep Creek, tributary to Bear River, by means of pump, pipeline and sprinklers within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 15S, R. 39E, B.M., Franklin County; to be used from May 1 to Oct. 15 for the irrigation of 420 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 7; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17; T. 15S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before February 12, 1973.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on January 25 and February 1, 1973. Legal No. 2311 — Pub. Jan. 25, Feb. 1, 1973.

13 7033

March 12, 1984

RE: Permit No. 13-7033

Eldon B. Bingham
Rt. 3
Preston ID 83263

Dear Mr. Bingham:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson", with a long horizontal flourish extending to the right.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

10 DAY LICENSE REVIEW

License vs. Permit

- No. correct A & B
- Priority date correct
- Amount equal to or less than
- Name same
- Permit date correct
- Proof due date correct
- Source correct
- Use correct
- Period of use/use correct
- Rate of diversion/use equal to or less than
- Point of diversion description same or different
- County same
- Place of use description same or different
- Other water used on p/u?

License vs. Field Exam

- Amount for rate of diversion correct — OK
- Capacity correct — OK
- Amount for each use correct
- Total amount correct
- Volume for each use correct — special condition required
- Total volume corrected
- Field exam showing p/d correct
- Field exam showing p/u correct
- Does field exam show more land irrigated than permit allows? UNK
- Overlap review completed
- Conditions of approval correct
- Initial field exam

Cover Letter vs. License

- Name correct
- Number correct
- Amount correct
- P/D description correct
- P/U description correct
- Priority correct
- Conditions correct
- Initial license
- Sign letter

Name

Juni

Date

2-17-84



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 17, 1984

RE: Permit No. 13-7033

Eldon B. Bingham
Rt. 3
Preston, ID 83263

Dear Mr. Bingham:

A representative of this Department has made an examination of the works covered by your Permit No. 13-7033, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.75 cfs Source: Deep Creek trib. to Bear River

The maximum quantity diverted shall not exceed * acre feet
per year.

Point(s) of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp 15S, Rge 39E

Beneficial Use: Irrigation of 216 acres within S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 7, 21 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, and 141 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, Twp 15S, Rge 39E
Priority date established: January 19, 1973

Conditions (if any): This right when combined with all other rights shall provide
no more than 002 cfs per acre nor more than 3.5 afa per acre for the lands above.

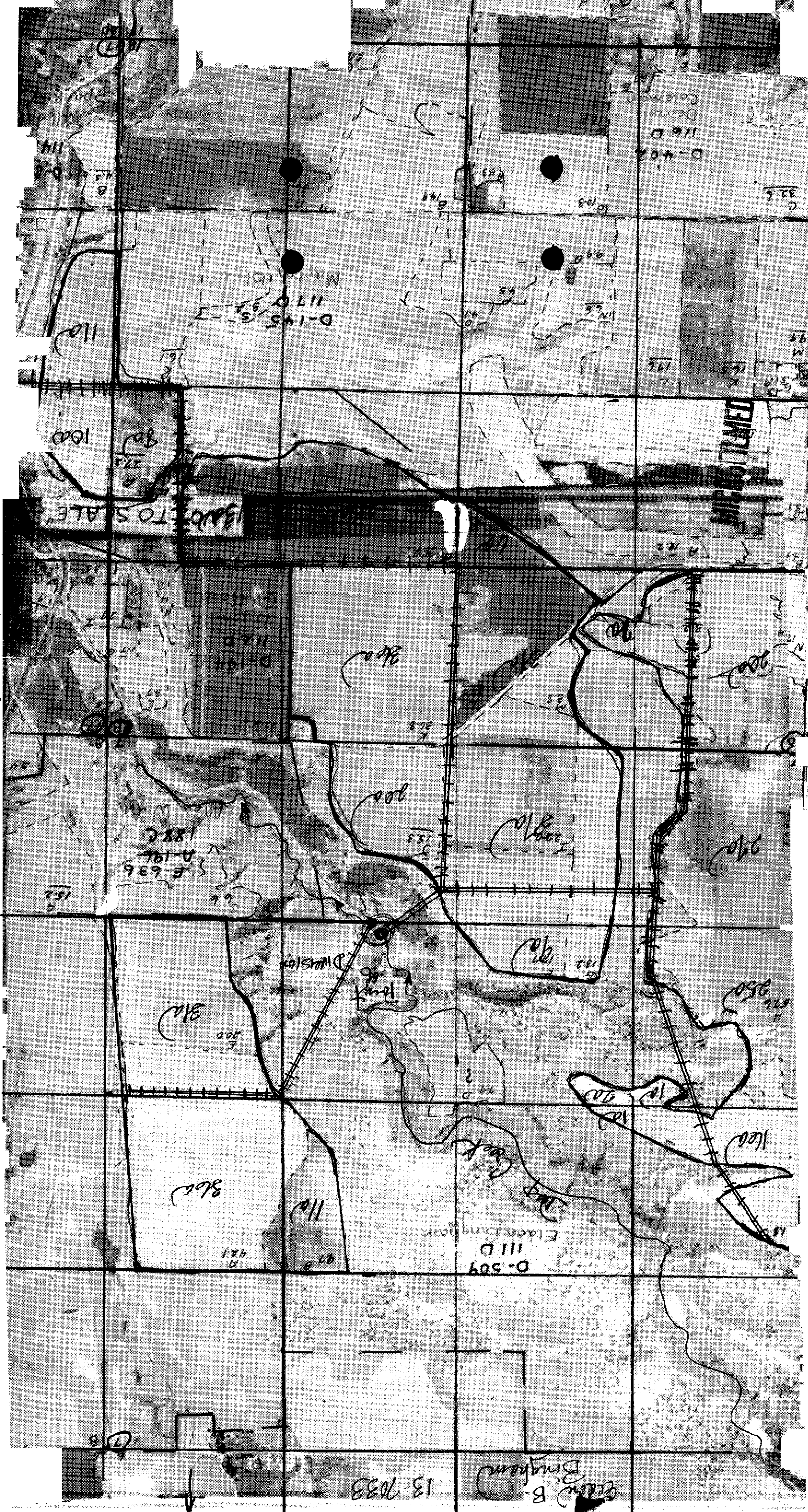
* This right when combined with Right 13-2264 and Right 11-0887B shall not
exceed 1323.0 acre feet per annum for the lands above.

If you do not concur with these findings, please contact us within 10 days, other-
wise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc



13 7033

Edwin B. Bingham

DATE OF EXAM

7th day of June, 1979

ACREAGE

Found

Recommended

318a
318

Irrigation Requirement

3.5

Ac Ft/Ac

USE

Irrigation Q = 1.42 c.f.s.

V = 639.8

AF/Ann. from

May 1

to

Oct 15

Domestic Q = c.f.s.

V =

AF/Ann. from

to

Livestock Q = c.f.s.

V =

AF/Ann. from

to

214 days

allow 4/1 to 11/1

per water users handbook

Is water co-mingled? yes no ☒

Name source:

n/a

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Exchange? yes no ☒

Name source exchanged with:

n/a

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Point of injection:

n/a

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Point of exchange:

n/a

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Total Q measured

4.30 cfs Capacity

Method of measurement

Pitot tube

Total Q recommended

1.42 cfs

Meter No.

MR-111

Type

Marshall

Condition

std.

Total V recommended

639.8

Recommended Amendments:

P.D. ☒

Place of Use

leas acres -

Other

None

MEASUREMENT CALCULATION

See reverse side for pitot tube measurement. $Q = 4.30$ cfs
 $Q = 4.30 - 1.44$ (from overlap of License) $= 2.86$ cfs
 $2.86 = 1.42 \times 2$ (all from same p.d. and
 $V = 318 \times 3.5 = 1123$ ft³/day $1.9835 \times 1.42 \times 10 \text{ days} = 639.8$ on some lands.

SYSTEM DESCRIPTION:

Surface water from dead creek is diverted by 150 H.P. General Electric (V-cad) induction vertical pump motor on a 5K6277XC30A 3/4" B47-224163 and by a Berkeley vertical turbine pump mfr. 12K5A 3/4" 71666.
 Pump #2: 100 H.P. General Electric (V-cad) horizontal pump motor mfr. 5K365 1/2" 159 3/4" DN174036 and by a (Cornell) centrifugal pump mfr. 41BDM2 3/4" 18804. Average irrigated by 15-labeled sprinkler lines of various lengths.

REMARKS:

License 13-2264 overlaps this filing on 357a from same point of diversion - conditional 1.4 cfs to overlapping lands. Volume needs to be conditioned. System shown and described by Eldon Bingham.

Examiner's Signature

Anthony R. Kozlowski

Date

1-31-80

Checked by

John A. Carlson

Date

4/1/80

Approved by

Ray Walker

Date

1-20-84

See also T 958 - contributes .99 cfs to

305 overlapping acres from same diversion point

Overlap Review Attached

MICROFILMED

East of Deep Creek

Q total =

- 134.64
- 111.21
- 171.99
- 194.67
- 240.41
- 244.20
- 112.75
- 169.50
- 45.60
- 164.01
- 51.51
- 144.06
- 144.06

1928.61

÷ 448.8

= 4.30 cfs

OK

4 3/16
33 jet

Avg psi/jet = 5
4.08 x 33 =
134.64

4 1/16 Avg psi/jet = 14
3.37 x 33 =
111.21

25 3/16

24 1/16

24 3/16

Avg psi/jet = 22
Avg gpm/jet =
4.91 x 35 =
171.99

35 jet

20 3/16

West of creek on Bluff

38 13/16 7.30

Avg gpm/jet = 7.21

27 jet 7.21 x 27 =
194.67

30 13/16 6.80

Avg gpm/jet = 7.29 gpm/jet
x 33

33 jet = 240.41

30 13/16

Avg psi/jet = 36

7.40 gpm/jet
x 33 jet =
244.20

46 3/16 7.11

55 3/16 7.77

42 13/16

West of creek not on Bluff

Avg psi/jet = 32

5.93 gpm/jet
5.93 x 19 =
112.75

32 3/16

19 jet

32 3/16

Avg psi/jet = 29

Avg gpm/jet = 5.65
5.65 x 30 =
169.50

31 3/16

29 3/16

8 jet

30 3/16

Avg psi = 29.5

Avg gpm/jet = 5.70
5.70 x 8 =
45.60

28 3/16

30 jet

30 3/16

20 3/16

Avg psi/jet = 23.5

33 jet

Avg gpm/jet = 4.71

4.71 x 33 =
154.01

29 3/16

Avg psi = 13.5
Avg gpm = 3.96

13 jet

12 3/16

30 jet

12 3/16

Avg psi = 21

4.80 gpm/jet
4.80 x 30 =
144.06

30 jet

11 3/16

Avg psi = 21

4.80 gpm/jet

4.80 x 30 = 144.06

3.96 x 13 =
51.51

MICROFILMED

Overlapping p/u's

11-0887B - see copy #3

amt. 8.0 cfs

Transfer 958 - see copy #4

Eldon Bingham - 2.57 cfs - Deep Creek - irrig. & domestic purposes - does not list amount of acres irrigated within sections 7 and 18, but does list lands within these sections as p/u's. Per field examiner's note this water comes from same pump as 13-7033. ✓ ok

13-2264 - see p/d overlap ok

Rights 13-2264, 11-0887B and 13-7033 are all from same pump. ✓

Capacity of exam 13-2264 was 4.82.

use first measurement

MICROFILMED

SPRINKLER
SYSTEM
MEASUREMENT

4.82 capacity of 13-2264

- 1.50 licensed 13-2264

3.32

- 2.57 decreed 11-0887B(T. 958)

.75 left for 13-7033 ✓

³
4.30 capacity found 6/7/79

- 1.50 licensed 13-2264

2.80

- 2.57 decreed 11-0887B(T. 958)

0.23 left for 13-7033

over

no volumes listed on decreed
rights - Condition R16(3.5)
should cover them.

Volume listed on Right 13-2264
is 639 afa

Volume for 13-7033

$$V = 378 \times 3.5 = \underline{1323.0 \text{ afa}} \leftarrow \text{use}$$

$$V = 4.82 \times 1.9835 \times 214 \text{ days} = 2045.94 \text{ afa}$$

$$V = 0.75 \times 1.9835 \times 214 \text{ day} = 318.4 \text{ AFA}$$

13-7033 - 1323.0 needed
13-2264 639.0 licensed
684.0 afa for 13-7033

MICROFILMED

Overlap Review for 13-7033

as per micro-fische 1/20/84

p/d — '11-0888 — Deep Creek } both have ^{ok}
'13-2264 — Deep Creek } same source

p/u — Sec. 7
— '11-0887B Deep Creek (acres irrigated not shown) ^{ok}
— '13-2264 Deep Creek
— '13-7229 g.w. } different source
— '13-2171 g.w. } R16(3.5)

Sec. 17
— '11-0864 Battle Ck. — different source ^{ok}
— '13-2264 Deep Creek

Sec. 18
— '11-0887B Deep Creek ^{ok}
— '13-2171 g.w. — different source
— '13-2264 Deep Creek

Overlapping p/d's

11-0888 — see copy - #1
West Cache Canal Irr. Co.
— no land list — recommend
R16(3.5) ^{ok}

13-2264 — see copy - #2
Eldon B. Bingham — 1.50 cfs
390 acres — 639.0 afa
same place of use as 13-7033
examiner found 4.82 cfs capacity

390 acres } .0038
15000
1170
3300
3120
180
.003 cfs per acre
licensed —
capacity of system
listed at 4.82 cfs ^{see copy #5}

MICROFILMED

#1

DATE OF
PRIORITYAMOUNT IN
SECOND FEETPOINT OF DIVERSION AND
PLACE OF USEDATE
PRIORITY

east quarter of Section 7, Township 15 South, Range 39 East, for the irrigation of 537 acres in Sections 19 and 20, Township 15 South, Range 38 East, B.M. Said water to be divided among the above named parties as follows:

18/84ths to Willis Mendenhall,
27/84ths to Jacob Peterson,
39/84ths to Loren Mendenhall.

510. Isa

507. *West Cache Irrigation Company,*
a corporation:

★ 11 0888 1911—May 6 25 c.f.s.

To be diverted from said Deep Creek through a ditch diverting therefrom at a point North 42° 40' West, 610 feet of a point 57° 15' West 1260 feet of a point North 60° 50' West 410 feet of the South-east corner, Section 7, Township 15 South, Range 39 East, B.B.M., for the supplemental irrigation of 14,832 acres of land heretofore enumerated under the right of the West Cache Canal Irrigation Company to divert water from Bear River.

UNNAMED SPRINGS IN NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 15 SOUTH, RANGE 39 EAST.

508. *Loren Mendenhall, Willis Mendenhall and Jacob Peterson:*

11 0889 1882—June 1 0.66 c.f.s.

Said water to be diverted and used in equal proportions by the above named parties for the irrigation of their lands hereinabove described near Deep Creek.

WESTON CREEK.

★ 509. *Weston Creek Irrigation Company:*

11 0830 1868—May 1 15 c.f.s.
11 0891 1885—May 1 25 c.f.s.

Said right includes the natural flow of Weston Creek and the stored and freshet waters impounded in the reservoir system connected therewith and in particular the Weston Reservoir Company, successor to the Weston Reservoir & Power Company, to be diverted through three ditches, two of which have their intake, one on the North side and one on the South side of the said Weston Creek in the Southeast quarter of the Southeast quarter of Section 6, Township 16 South, Range 38 East, B.M., the third having its intake from Weston Creek in the Southwest quarter of Section 9, said Township and Range, for

MICROFILMED

#2 copy for field exam 13-7033

State of Idaho,
Department of Water Administration
LICENSE OF WATER RIGHT

FEB 5 1973
Department of Water Administration
Eastern District Office

License of Water Right No. 32249/13-2264 Priority Feb. 23, 1965 Amount 1.50 cfs

THIS IS TO CERTIFY, that ELDON B. BINGHAM
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 32249/13-2264 issued pursuant to Application for Permit dated February 23, 1965,
and has submitted proof to the Department of Water Administration on July 12, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 4.82 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Deep Creek
tributary of the Bear River, is hereby confirmed in the following amounts:
Amount 1.50 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.50 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, Twp. 15 S, Rge. 39 E, B. M.

in the county of Franklin; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 639 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

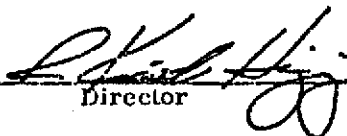
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
15 S	39 E	7			12	40			18	2	13	21	30	37	35	3	16		227
		18		39	20	25	26	29		4									143
		17							9			11							20

Total number of acres irrigated 390

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of

January, 19 73.


Director

RECORDED

#3
DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

the irrigation of 707 acres in Sections 22 and 27, said Township and Range.

- 11 9882
501. *Rushville Irrigation Company:*
1869—May 1 6 c.f.s.

To be diverted from said Clifton Creek in Section 16, Township 14 South, Range 39 East, for the irrigation of 300 acres in Sections 15, 16, 21 and 22, said Township and Range.

FIVE MILE CREEK.

- 11 9883
502. *Five Mile Irrigation Company:*
1880—May 2 8 c.f.s.

To be diverted from said Five Mile Creek in the Southwest quarter of Section 15, Township 15 South, Range 38 East, B.M., for the irrigation of 400 acres in Sections 11, 13, 14, 22, 23 and 27, said Township and Range.

- 11 9884
503. *Loren Mendenhall, Willis Mendenhall and Jacob Peterson:*
1880—May 1 0.5 c.f.s.

To be diverted and used by the above named parties for the irrigation of their lands hereinafter described near Deep Creek in the following proportions:
One-half to Willis Mendenhall,
One-fourth to Jacob Peterson,
One-fourth to Loren Mendenhall.

DEEP CREEK AND TRIBUTARIES.

- 11 9885
504. *Ira R. Steed, substituted for A. D. Henderson:*
1881—May 1 3.0 c.f.s.

To be diverted from Sperry Hollow and Henderson Spring tributary to said Deep Creek at a point two miles West and two miles South of the Village of Clifton, Franklin County, Idaho, for the irrigation of 160 acres in the Southwest quarter of Section 35, Township 14 South, Range 38 East.

- 11 9886
505. *Mrs. Sarah Hess:*
1881—May 1 3.0 c.f.s.

To be diverted from North Canyon Hollow, a tributary of said Deep Creek, at a point two miles West and two miles South of the Village of Clifton, Franklin County, Idaho, for the irrigation of 160 acres in Section 34 and 35, Township 14 South, Range 38 East.

- 11 9887
506. *Loren Mendenhall, Willis Mendenhall and Jacob Peterson:*
1882—June 1 8.0 c.f.s.

To be diverted from said Deep Creek through the West Cache Supplemental Canal diverting therefrom in the South-

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

DATE OF
PRIORITY

east quarter of Section 7, Township 15
South, Range 39 East, for the irrigation of
537 acres in Sections 19 and 20, Township
15 South, Range 38 East, B.M. Said water
to be divided among the above named par-
ties as follows:
18/84ths to Willis Mendenhall,
27/84ths to Jacob Peterson,
39/84ths to Loren Mendenhall.

510. Isaac
1868-
1885-

507. *West Cache Irrigation Company,*
a corporation:

11 0888 1911—May 6 25 c.f.s.

To be diverted from said Deep Creek
through a ditch diverting therefrom at a
point North 42° 40' West, 610 feet of a
point 57° 15' West 1260 feet of a point
North 60° 50' West 410 feet of the South-
east corner, Section 7, Township 15 South,
Range 39 East, B.B.M., for the supple-
mental irrigation of 14,832 acres of land
heretofore enumerated under the right of
the West Cache Canal Irrigation Company
to divert water from Bear River.

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which said
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shall be
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UNNAMED SPRINGS IN NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 15
SOUTH, RANGE 39 EAST.

508. *Loren Mendenhall, Willis Men-*
denhall and Jacob Peterson:

11 0888 1882—June 1 0.66 c.f.s.

Said water to be diverted and used in
equal proportions by the above named
parties for the irrigation of their lands
hereinabove described near Deep Creek.

WESTON CREEK.

509. *Weston Creek Irrigation Com-*
pany:

11 0890 1868—May 1 15 c.f.s.
11 0891 1885—May 1 25 c.f.s.

Said right includes the natural flow of
Weston Creek and the stored and freshet
waters impounded in the reservoir system
connected therewith and in particular the
Weston Reservoir Company, successor to
the Weston Reservoir & Power Company,
to be diverted through three ditches, two
of which have their intake, one on the
North side and one on the South side of
the said Weston Creek in the Southeast
quarter of the Southeast quarter of Sec-
tion 6, Township 16 South, Range 38 East,
B.M., the third having its intake from Wes-
ton Creek in the Southwest quarter of
Section 9, said Township and Range, for

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sors i

#4

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Copy
for
field
exam
13-7033

In the Matter of the Application of)

Eldon B. Bingham

of

Route #3,
Preston, Idaho

For a Transfer of Water Right in
Water District No. 28, Franklin
County

ORDER GRANTING TRANSFER

NO. 958

see
p 3

WHEREAS, on the 15th day of March, 1961, at the Department of Reclamation, of the State of Idaho, at Boise, Idaho, this matter of an application of Eldon B. Bingham of Route #3, Preston, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and;

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed at Boise, Idaho, this 30th day of March, 1961.

GEO. N. CARTER
State Reclamation Engineer

MICROFILMED

RECEIVED
MAR 31 1961
FBI - BOISE

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 958

THIS IS TO CERTIFY, That Eldon B. Bingham of Route #3, Preston, Idaho, is the owner of and using a certain water right of 2.57 cubic feet per second of the waters of Deep Creek, with priority of June 1, 1882, being decreed to Loren Mendenhall, by Decree of Judge F. S. Dietrich of the District Court of the United States, Eastern Division, State of Idaho, in the case of

UTAH POWER & LIGHT COMPANY
Plaintiff

vs.

LAST CHANCE CANAL COMPANY, Ltd.
et al,
Defendants

11-0887

Said Decree bearing date of July 14, 1920, for the purpose of irrigating the following described lands situate, lying and being in Water District No. 28, in the County of Franklin, State of Idaho, to-wit:

Commencing at the southeast corner of the Northwest quarter of Section 20, Township 15 South, Range 39 East of the Boise Meridian, in Idaho, thence running West 80 rods; thence North 52 rods; thence East 80 rods; thence South 52 rods; to the place of beginning, containing 26 acres.

The Southwest quarter of the Northeast quarter of Section 20, Township 15 South, Range 39 East of the Boise Meridian.

Also, commencing at the Northwest corner of the Northeast quarter of the Southwest quarter of Section 20, Township 15 South, Range 39 East of the Boise Meridian, thence running East 160 rods; thence South 68 rods; thence West 160 rods; thence North 68 rods to the place of beginning; approximately 100 acres in Section 20, Township 15 South, Range 39 E.B.M.,

That said Decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume No. 4 of Decrees, at Page 383 thereof;

And that said Eldon B. Bingham of Route #3, Preston, Idaho, has become the owner of said right by purchase;

And that now, upon the application of Eldon B. Bingham of Route #3, Preston, Idaho, for the transfer of 2.57 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted the right to the use of 2.57 cubic feet per second of the waters of Deep Creek upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate, become appurtenant for irrigation and domestic purposes, is described as follows, to-wit:

MICROFILMED

MICROFILMED

11-0887

Commencing at the Southeast corner of the Northwest quarter of Section 20, Township 15 South, Range 39 East of the Boise Meridian, in Idaho, thence running West 80 rods; thence North 52 rods; thence East 80 rods; thence South 52 rods; to the place of beginning, containing 26 acres.

The Southwest quarter of the Northeast quarter of Section 20, Township 15 South, Range 39 East of the Boise Meridian.

Also, commencing at the Northwest corner of the Northeast quarter of the Southwest quarter of Section 20, Township 15 South, Range 39 East of the Boise Meridian, thence running East 160 rods; thence South 68 rods; thence West 160 rods; thence North 68 rods to the place of beginning; approximately 100 acres in Section 20, Township 15 South, Range 39 E. B. M.,

NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ W $\frac{1}{4}$, Section 18, Township 15 South, Range 39 E. B. M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

2.57 cubic feet per second of
the waters of Deep Creek with
priority of June 1, 1882;

And that the water right hereby transferred has heretofore been conducted from Deep Creek with point of diversion in the SE $\frac{1}{4}$, Section 7, Township 15 South, Range 39 E. B. M., and delivered through the West Cache Supplemental Canal;

That the water right hereby transferred will hereafter be conducted to the last above described lands from Deep Creek through the West Cache Supplemental Canal with no change in point of diversion; and from a diversion point from Deep Creek approximately 200 feet above the West Cache Canal heading by pumping directly out of Deep Creek for lands described in Sections 7 & 18, Township 15 S., Range 39 E. B. M. *Same pump as on 13-1033*

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 30th day of March, 1961.

GEO. N. CARTER
State Reclamation Engineer

RECORDED
INDEXED

MAR 31 1961
MAR 31 1961

DATE OF EXAM 9/18/72

ACREAGE

Found 388 390, 2nd

Recommended 388 390

Irrigation Requirement 3.0 Ac Ft/Ac

USE

Irrigation Q = 1.5 c.f.s. V = 639 AF/Ann. from Apr 1 to Nov 1

Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

Name source: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Exchange? yes _____ no _____

Name source exchanged with: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Point of injection:

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Point of exchange:

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Total Q measured 4.82 cfs. Method of measurement press gauge

Total Q recommended 1.5 Meter No. _____ Type _____ Condition good

Total V recommended 639

Recommended Amendments:

P.D. yes (attached)

Place of Use _____

Other _____

None _____

MEASUREMENT CALCULATION:

391 heads @ 42" 1/4 for 4.82 cfs

SYSTEM DESCRIPTION:

GE Motor 150 hp Ser# 3AD224163

Berkley pump model 12K5H

E7166U

5 foot dam with concrete pad + spillway

REMARKS:

this 1.5 cfs is in addition to a 2.5 cfs decreed
right on Deep Creek possibly div No. 506 under
Deep Creek & tribs of Bear River Decree possibly transfer 928
This is the maximum flow with all lines sprinkling

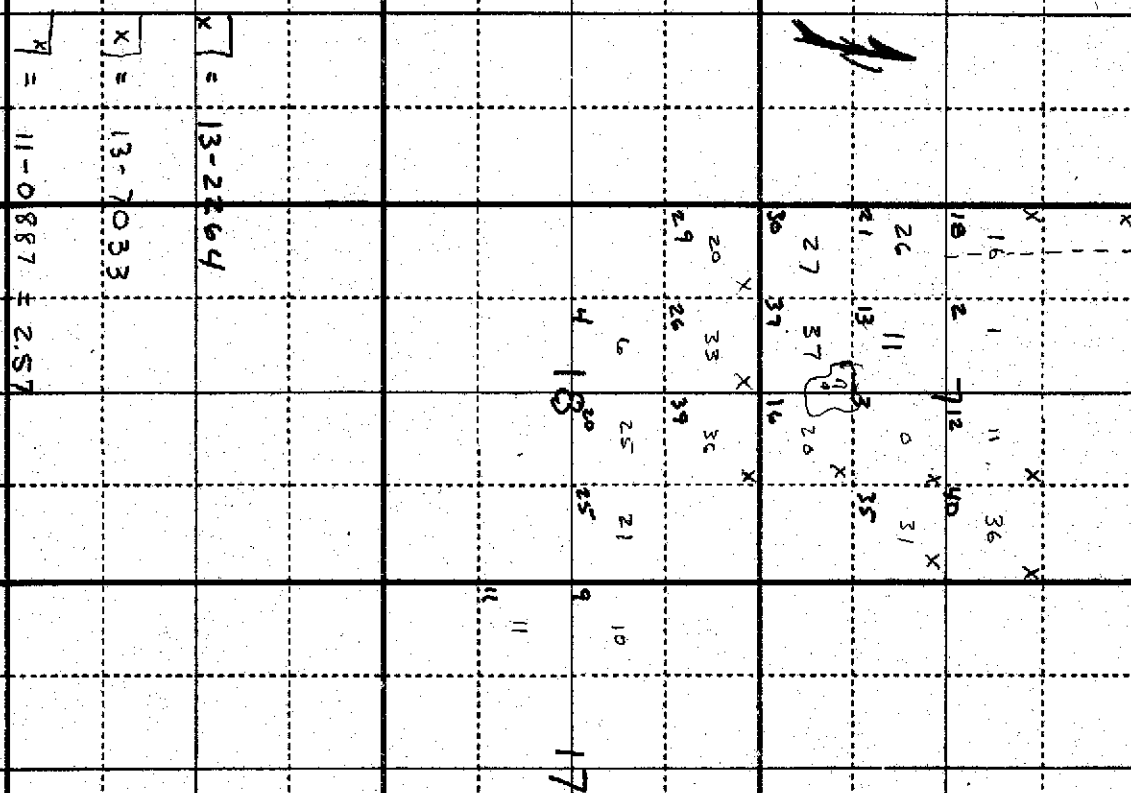
Examiner's Signature L. M. Townsend Date 9/1/72

Checked by Norman C. Young Date 9/25/72

Approved by _____ Date 13 2264

NAME OF APPLICANT.....

Form No. 0



REFINED MICROFILMED
FILE: 2

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

Memo

From T. King

To H. Jones Via J. Johnson Jr

RECEIVED

FEB 28 1982

Department of Water Resources
Eastern District Office

Subject: Field Report # 13-7033

Re: T-958 (from 11-0887) & Lic # 13-2264

Based on the field reports of 13-2264 and 13-7033 it would appear that the water diverted under T-958, 13-2264 and 13-7033 is used to irrigate the same parcels of land. Because of the types of discrepancies in the legal descriptions of the irrigated acreage we should probably use the acreage listed on 13-2264. I am enclosing a small composite map showing the recommended acreage from the above referenced rights.

The total capacity of the system is unclear and is probably due in part to the different methodology used by the examiners. The system was examined in 1972 and at that time there was one 150 H.P. pump & 391 sp. hds. at 42 psi. The field examiner calculated this to be a diversion rate of 4.82 cfs. The system was again examined in 1979, but at that time a second pump of 100 H.P. had been added, and only 357 sprinkler heads were in use, with an average pressure of 27 psi. The field examiner calculated the average pressure for each lateral for a total of 4.30 cfs. He also mentioned the measuring device but

MICROFILMED

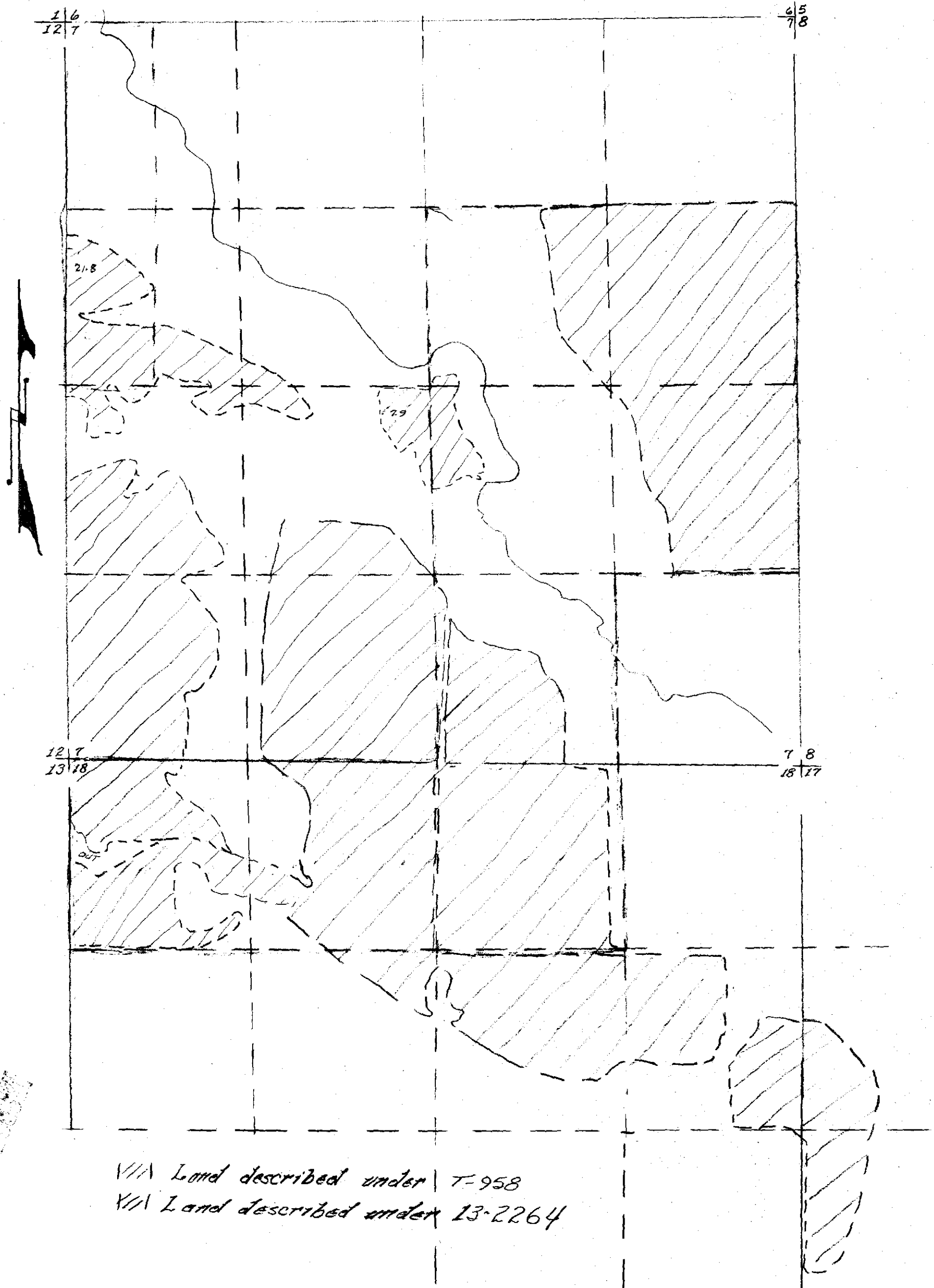
recorded no reading from the device
on the exam.

I am returning the exam along with all
the information I can think of that may be
of some help to you.

JH

MICROFILMED

Overlay for 13-7033 Showing areas licensed
Under 13-2264 & Decreed under 11-0887 (T-958)



Overlap Review for 13-7033

License 13-2264

P/D same

P/U see attached copy

$$\frac{1.50 \text{ cl/s}}{390 \text{ AC}} = .004 \text{ cl/s/AC}$$

Transfer 958

P/D same

P/U see attached copy

$$\frac{.97 \text{ cl/s}}{305} = .003 \text{ cl/s/AC}$$

RECEIVED

Exam returned to Regional Office 2-24-82 -JK

IDENT. NO. 13-7033

WATER RIGHT
DATA ENTRY LOG

[illegible]

September 15, 1976

Re: Permit No. 13-7033

Eldon B. Bingham
Rt. 3,
Preston, Idaho 83263

Dear Mr. Bingham:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

Identification No. _____

Permit No. 13-7033

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Eldon B. Bingham
b) Post Office Address Rt. #3, Preston, Idaho 83263
2. Permit Number 13-7033
3. Date of Priority that you are prepared to establish 1-19-1973
4. a) Source from which water was appropriated Deep Creek - Franklin County, Idaho
b) Location of the point of diversion: NW ¼ SE ¼, Section 7
Township 15 South, Range 39 East Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 3.7 C.F.S. for Irrigation purposes from May 1 to Oct. 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 3.7 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Measurement was made with flowmeter described in 7-b below by Eldon Bingham and Pitcher Irr. Co.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
N/A
b) Describe the agreement or understanding by which you take water from the works:
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch)
100 H.P. & 150 H.P. pumps & motors, 12" and 10" steel mainline at discharge
b) Describe the type and size of measuring device which you have installed at your point of diversion:
Propeller driven 12" flowmeter - "McCrometer"
c) Give well driller's name and address and the date the well was completed:
N/A - (Water is from stream)
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
N/A

FEDERAL LAND BANK ASSOCIATION OF PRESTON

P.O. BOX 386 102 NORTH STATE PRESTON, IDAHO 83263

TELEPHONE: 852-2145



J. P. GARNER, MANAGER

September 10th, 1976

Re: Loan No. 165979-8

Department of Water Resources
State Capitol
Boise, Idaho 83720

Re: Permit No. 13-7033

Gentlemen:

Enclosed is a completed "Proof of Application of Water to Beneficial Use" form for the above said permit in the name of Eldon B. Bingham. Please send us your standard letter acknowledging receipt of this form.

Your assistance in this matter is appreciated.

Sincerely yours,

A handwritten signature in cursive script that reads "Joe S. Kennedy".

Joe S. Kennedy
Assistant Manager

JSK:kla
Encl:



INTER-DEPARTMENT MEMO — 1

FROM Norm Young

DATE February 12, 1973

TO Bob Fleenor

SUBJECT 13-7033

1. How is the above subject application and others for surface waters in the Bear River Drainage affected by the Bear River Compact?
2. There is not an active water district on Deep Creek, and I do not believe the Bear River watermaster controls water on this creek. However, I am sure taking water out at this point would affect the flow of the Bear River.

NY

13 7033

SIGNATURE

February 13, 1973

Re. Permit No.: 13-7033

Eldon B. Bingham
R. R. #3
Preston, Idaho

Dear Mr. Bingham:

Enclosed is a copy of your approved Application for Permit No. 13-7033 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

13 7033

January 19, 1973

Re: Application No. 13-7033 - Eldon E. Bingham

Preston Citizen
Box 472
Preston, ID 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted L-N-B by HE

NCY:BA
Enc: Legal notice

13 7033

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8804 87

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Eldon B. Bingham, R. R. #3, Preston, Idaho

has on 1-19-73 submitted Application No. 13-7033
for a permit to appropriate 3.7 cubic feet per second ~~acre feet per annum~~
of water from Deep Creek, tributary to Bear River
by means of pump, pipeline and sprinklers
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 15S, R. 39E, B.M., Franklin County;

to be used from May 1 to Oct. 15
for the irrigation of 420 acres

within the S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 7; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13;
SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, T. 15S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before February 12, 1973.


R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho
on January 25 and February 1, 1973

13 7033

January 19, 1973

Mr. Eldon B. Bingham
R.R. #3
Preston, ID

Dear Mr. Bingham:

Attached herewith is departmental receipt No. 7066 in the amount of \$55.00 for the application for permit which was received in this office under the above date.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Attachment

13 7033