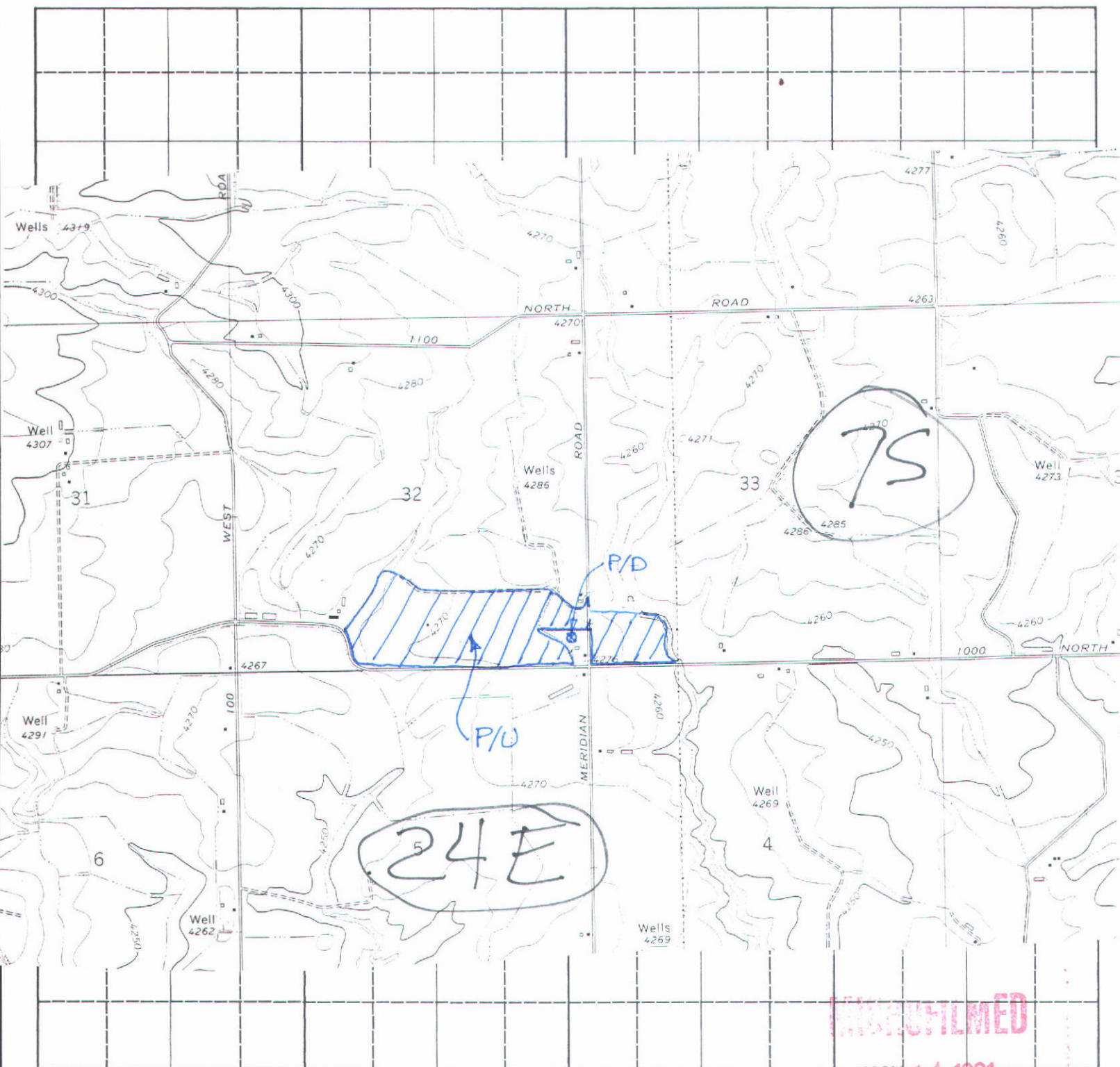


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Laverle M. Bingham
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 13 1993

Department of Water Resources

A. GENERAL INFORMATION

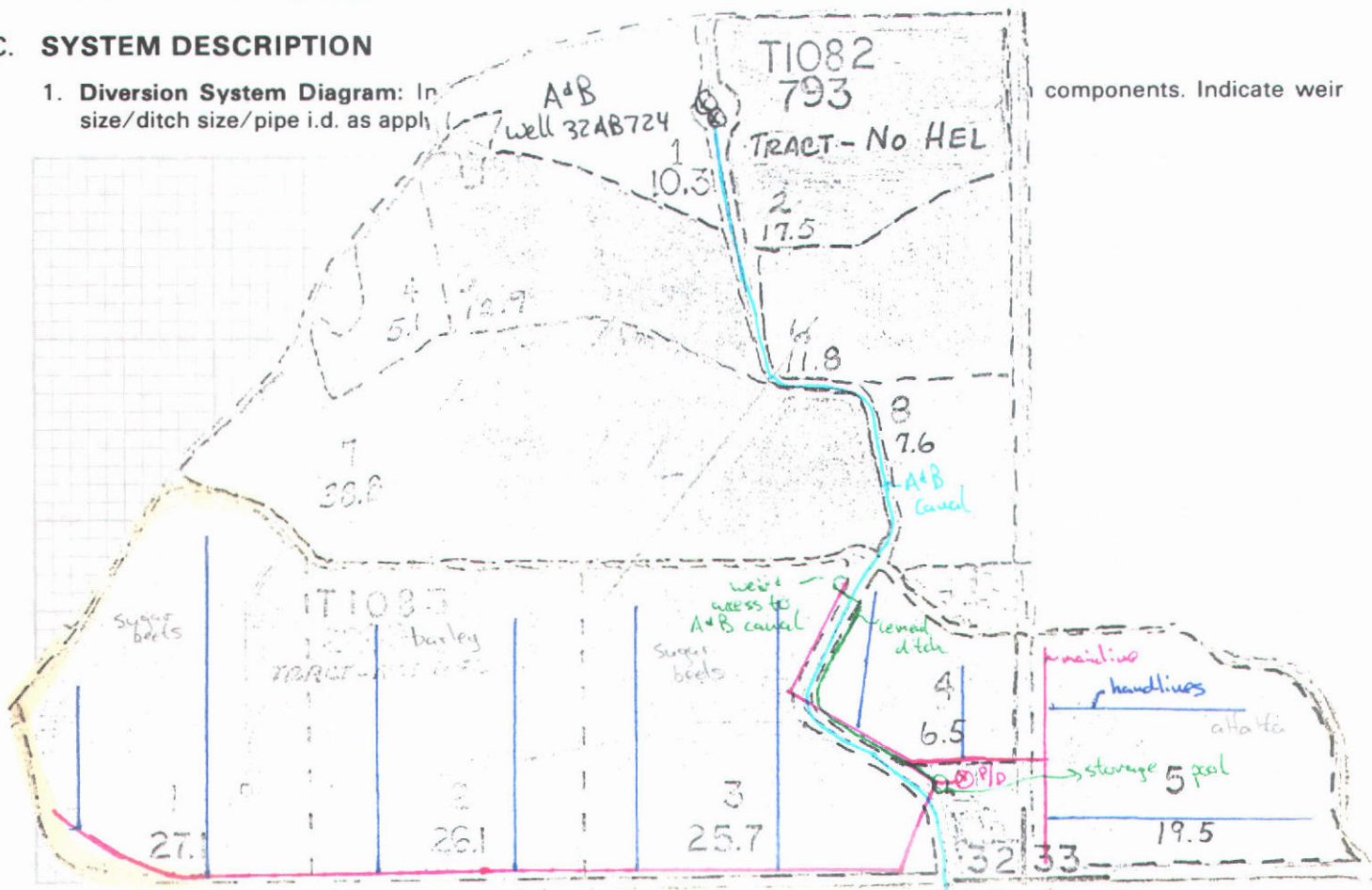
1. Owner: LaVerle M. Bingham Permit No. 36-08425
Current Address: Rt. 3 Box 304 Rupert 83350 Phone No. 532-4276
2. Accompanied by: LaVerle M. Bingham EXAM. DATE: 7-13-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: In size/ditch size/pipe i.d. as appl components. Indicate weir

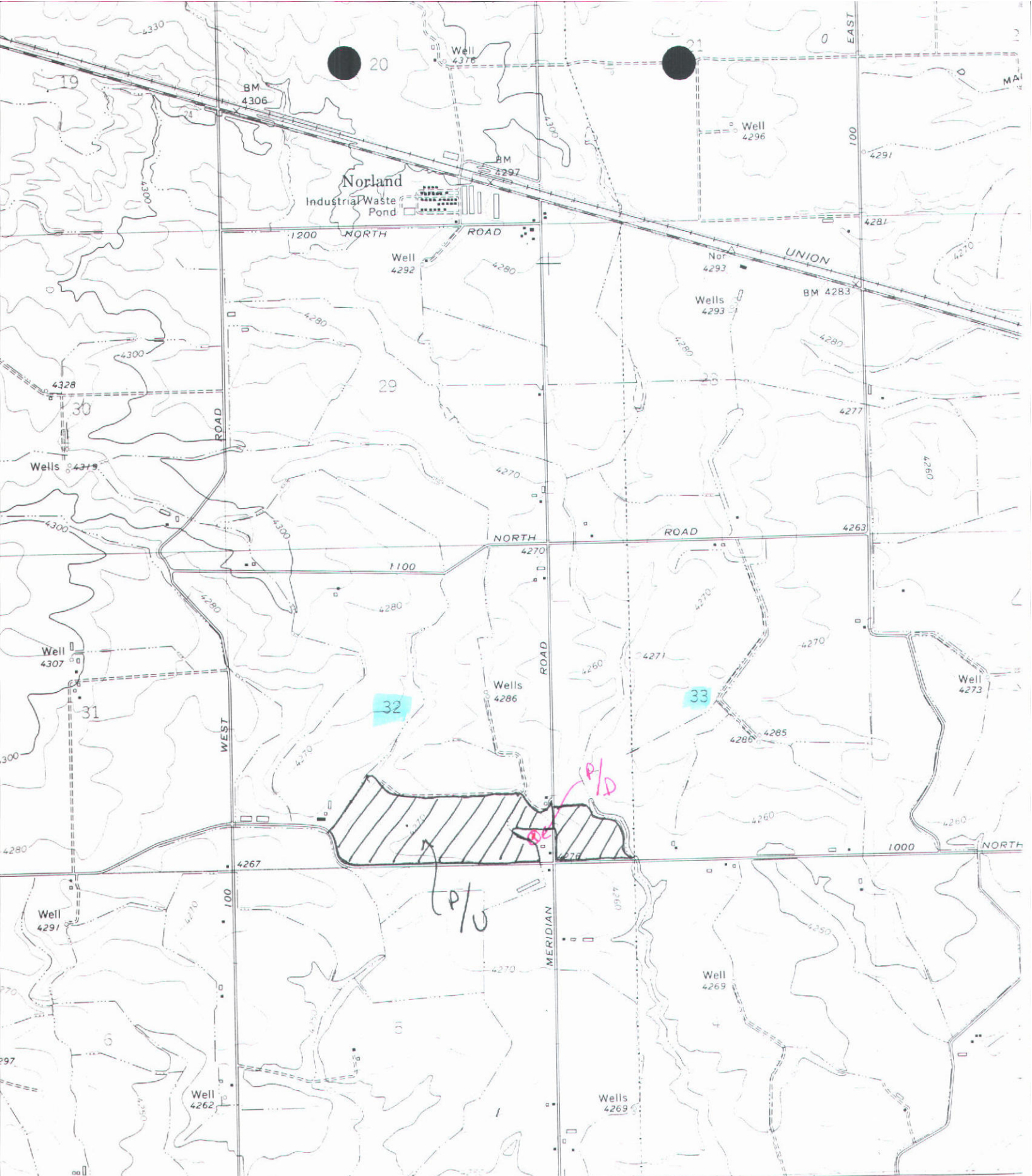


Scale: 1" = 660'

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).

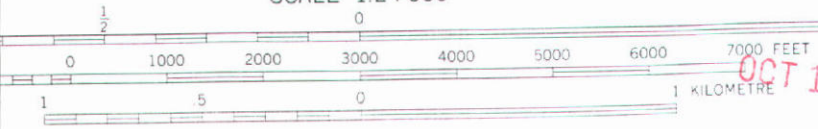
MISSOURI

OCT 19 1993



(RUPERT NW)
3269 II NW

SCALE 1:24 000



CONTOUR INTERVAL 10 FEET

36-08425
07S 24E
Sec. 32 & 33
OCT 19 1993

ROAD CL
Primary highway,
hard surface
Secondary highway,
hard surface
Interstate Route



31.7
26.6

T1081
2288

TRACT - No HEL

T1083
2289

TRACT - No HEL

T1076
786

T1082
793

TRACT - No HEL

T1078
789

TRACT - HEL

36-08425
075 24E
Sec 32 & 33

31.2

29.9

OCT 19 1993

29 28
32 33

14.0

9.7

12.8

27.1

26.1

25.7

32 33

19.5

38.8

5.1
12.7

10.3

17.5

11.8

7.6

6.5

14.4

9.7

78.3

12.0

17.8

8.8

11.7

36-08425

↙ P/O



↙ storage pool

Booster Pumps
25 H.P. ↘ ↘ 40 H.P.



MICHAEL
OCT 19 1993

36-08425



owner's
access
to A+B
canal

P/U ~



OCT 19 1993

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

Monique Jones being first
duly sworn, deposes and says that SAE
is the CLERK of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated April 5 19 91, and
ending with the issue dated April 12,
19 91. Monique Jones

STATE OF IDAHO
COUNTY OF CASSIA }

On this 16 day of April in the year of 1991, before me,
a Notary Public, personally appeared Monique Jones,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Drene Sanchez
Notary Public for Idaho

Residing at Burley, ID

My commission expires: 10-23-96

Cost of Publication: 24.89
Notary Fee: 1.50
Total Cost: 25.34

MICROFILMED

MAY 14 1991

91-147

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

36-08425

BINGHAM, LAVERLE M.

RT. 3 BOX 304

RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SESESE Sec 32 T 07S R 24E

Use: IRRIGATION (.900 CFS)

Total Diversion: (.900 CFS)

Date Filed: 6/23/1989

In: T07S R24E S32 SESW SWSE SESE

S33 NESW SWSW

105.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A, Idaho
Code and/or the new public interest criteria
of Sec. 42-203C, Idaho Code. Protests must
be filed with the Director, Dept. of Water
Resources, Statehouse Mail, Boise, Idaho
83720 on or before APRIL 22, 1991.

/s/ R. Keith Higginson, Director
Published in the South Idaho Press on
April 5 and 12, 1991.

OK
TJL
4-19-91

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08425

Priority: June 23, 1989

Maximum Diversion Rate: 0.88 CFS
Maximum Diversion Volume: 374.0 AF

This is to certify, that LAVERLE M BINGHAM
RT 3 BOX 304

RUPERT ID 83350 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 23, 1989; and has submitted Proof of Beneficial Use on March 6, 1992. An examination indicates that the works have a diversion capacity of .880 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.88 CFS	374.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESESE , Sec. 32, Township 07S, Range 24E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	24E	32	SESW 24.5	SWSE 34	SESE 27	85.5
		33	SWSW 19.5			19.5

Total number of acres irrigated: 105

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

OCT 18 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08425

CONDITIONS/REMARKS:

7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.
8. The issuance of this right in no way grants any right-of-way or easement across the land of another.
9. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 7TH day of September, 1998.

Acting for R. Keith Higginson, Director

RECEIVED

MAR 06 1992

RECEIVED
MAR 6 1992

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 03/04/92
Receipt No. 5014209
Receipt by dkf

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08425 Telephone No. 532-4276
2. Name(s) of Permit Holder(s): Ladele M Bingham
3. Mailing Address: Rt 3 Box 304 Rupert, Idaho 83350
4. Source of Water: well

If GROUNDWATER, Well Driller's Name: Harry King Date Drilled: Nov. 20 1991

OPTIONAL:

Pump horsepower: 35 Pressure (psi): 0 Dynamic pumping level (ft.):

5. Extent of Use (as authorized by the permit):

Domestic (No. of households) Stockwater (No. and type of stock)
Irrigation 105 (No. of acres) Other

6. Total rate and/or volume for which proof is submitted .90 cfs OR acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes X No Installed? Yes No

OR

Flow Measurement Port: Required? X Yes No Installed? X Yes No

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Ladele M Bingham 208 532 4276
Name Telephone No.

Rt 3 Box 304 Rupert, Idaho 83350
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

3-4-92 Ladele M Bingham
Date Signature (and title, if on behalf of a company or organization)

APR 08 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08425

Proposed Priority: June 23, 1989 Maximum Diversion Rate: 0.90 CFS
This is to certify, that **LAVERLE M. BINGHAM**

RT. 3 BOX 304
RUPERT, ID 83350

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.90 CFS
------------	----------------	----------

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	SESESE	Sec. 32, Township 07S, Range 24E MINIDOKA County
---	--------	---

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	24E	32	SESW 25	SWSE 35	SESE 27	87
		33	NESW 2	SWSW 16		18

Total number of acres irrigated: 105

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1992**.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

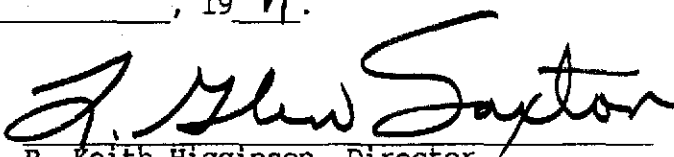
Permit To Appropriate Water

NO. 36-08425

CONDITIONS/REMARKS:

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

8 ^{~~th~~} day of May, 1991.

for 
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant L A VEELE M. BINGHAM Phone 532-4276
Post office address Route 3 Box 304, Rupert, ID 83350

2. Source of water supply GROUND WATER which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 32 Township 7S Range 24E B.M. Minidoka County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .9 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) .9 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well, 1 mainline,
hand lines off one side

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 8" inches; proposed depth of well is 225 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

JUN 14 1991

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
75	24E	32											25			35	27		87
		33								2		16	18						18

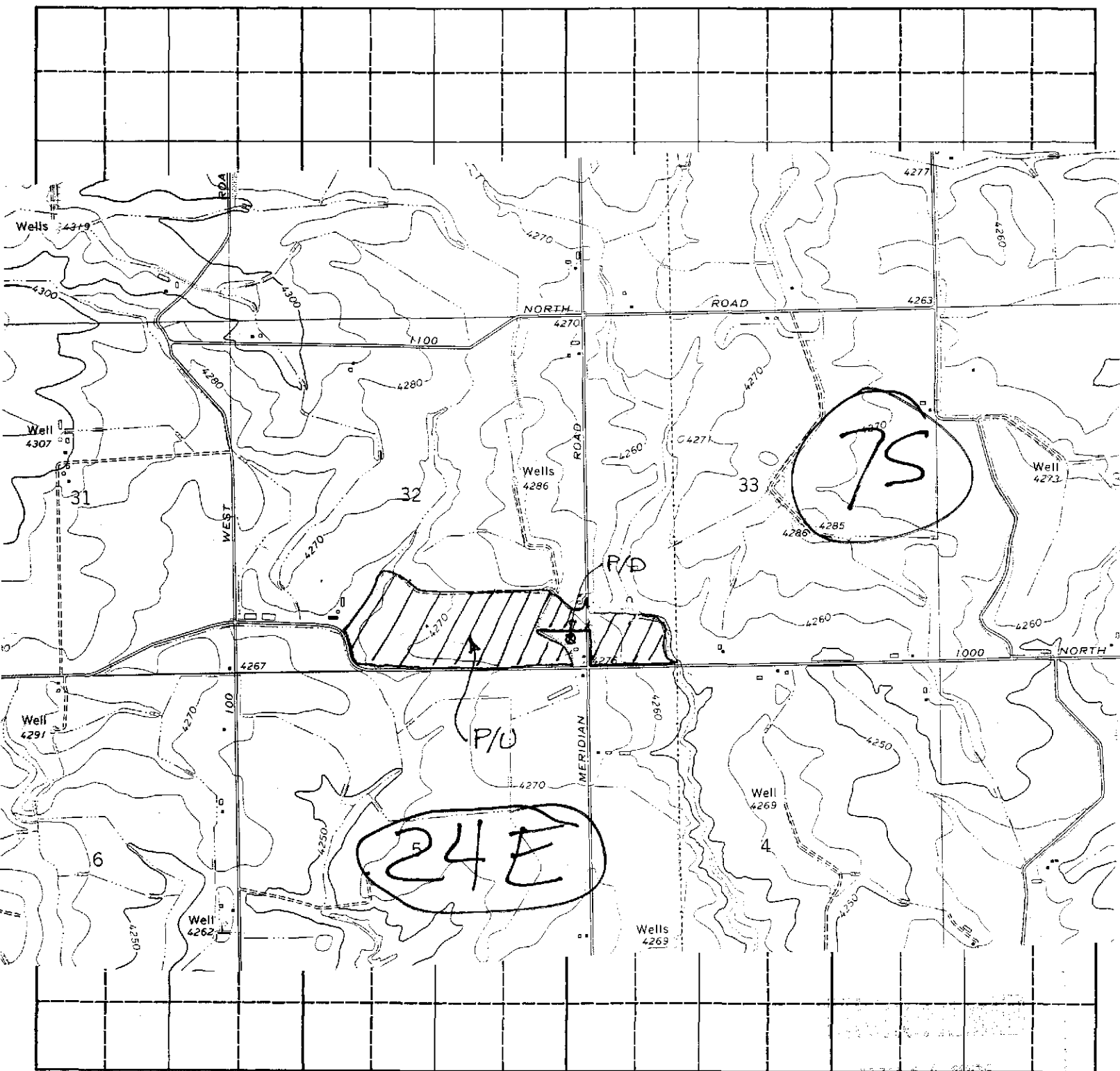
Total number of acres to be irrigated 105

- Describe any other water rights used for the same purposes as described above. 80 shares of A+B water (3/4" per acre share)
- Who owns the property at the point of diversion? Boyd A. Bingham
 - Who owns the land to be irrigated or place of use? La Verle M. Bingham
 - If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Easement

12. Remarks: Supplemental water to bring total per acre to .02 cfs

MAY 14 1991

13. 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.

LaVerle M Bingham
(Applicant)

Received by DR Date 6/23/89 Time 4 PM Preliminary check by JP Stanton
Fee \$ 45.00 Receipted by DR # 5008341 Date 6/23/89
Publication prepared by BLM Date 3-26-91 Published in South Idaho Press
Publication approved jd Date 4-19-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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 _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

FILED

MAY 14 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 7, 1993

LAVERLE M BINGHAM
RT 3 BOX 304
RUPERT ID 83350

RE: WATER RIGHT NO. 36-08425

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over a circular stamp.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

OCT 19 1993

WR0749NP
No. L36-08425

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 08/31/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAVERLE M BINGHAM RT 3 BOX 304 RUPERT ID 83350 (208) 532-4276	06/23/1989	IRRIGATION	04-01 10-31	0.88 CFS	374.0 AFA
TOTAL DIVERSION:					0.88 CFS	374.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.88 CFS

Point(s) of Diversion: T07S R24E S32 SE SE SE

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	24E	32	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	85.5
07S	24E	33	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	19.5
TOTAL ACRES																			105.0		

Pou County: MINIDOKA

Other Rights: 80 SHARES OF A & B IRRIGATION DISTRICT

Other Water Rights with Same Point(s) of Diversion and Source:
36-08425

Other Water Rights Listing Overlapping Place(s) of use:
36-08425

Conditions of Approval:

- R55 - This right is for the use of trust water and is subject to review
 - 20 years after the issuance of the permit to determine
 - availability of water and to re-evaluate the public interest.
- R56 - Diversion and use of water under this right is subject to an
 - annual use fee if rules are subsequently promulgated which
 - provide for the submittal of the fee.
- R57 - The Director retains jurisdiction of the right issued to
 - change, add or remove any requirement as determined to be
 - appropriate.
- 004 - The issuance of this right in no way grants any right-of-way
 - or easement across the land of another.
- R31 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 4.0 afa per acre for the
 - lands above.

Dates:	App. Received:	06/23/1989	Priority Date:	06/23/1989
	Proof Due Date:	05/01/1992	Proof Made Date:	03/06/1992
	Exam Made Date:	07/13/1992	Exam Sent to S.O.:	08/12/1993
	Licensed Date:			

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT
(REGIONAL)

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L3608425	T07S R24E S32 GROUNDWATER																	
	:													24	:		34	27 : 85
0100014	SNAKE RIVE :																	
A360208020	GROUNDWATE :	99*0	99*16	99*06	99*15	93*26	93*27	98*01	92*17	97*35	98*24	95*16	97*07	97-29	97*02	97*34	97*29	563
T360208020	GROUNDWATE :	99*1	94*1	92*1	97*1	93*1	92*1	91*1	92*1	97*1	98*1	95*1	97*1	97-1	97*1	97*1	96*1	
~~3608425~~	~~GROUNDWATE :~~													25	:		35	27 : 87
A361512720	GROUNDWATE :		93-0				92*0							97-08			97-0	9
L3608425	T07S R24E S33 GROUNDWATER																	
	:													19	:			19
0100014	SNAKE RIVE :																	
A360208020	GROUNDWATE :	91-36	93*13	93*20	91-37	94*28	99*0	99*0	93-29	98*30	97*07	98*04	98*03	95-36	98*01	98-40	95-38	532
T360208020	GROUNDWATE :	91-1	93*1	93*1	91-1	94*1	99*1	97*1	93-1	93*1	97*1	96*1	98*1	95-1	98*1	98-1	95-1	
~~3608425~~	~~GROUNDWATE :~~									02		16						18
A361512720	GROUNDWATE :	91-01	91-01	93-0	91-0	93-01			93-04		97-05	97*02	98-01					15

LICENSE REVIEW CHECKLIST

Permit # 36-8425 Date 8-24-93 Brenda Chapman

NAME ✓ Or Address Change?

PRIORITY DATE ✓ Advance? Memo to Advance
 ✓ Order to Reinstate Needed?

SOURCE ✓ Changes? Clarification of **Originally Intended** source
 ✓ Notice of Intent to Void - Source change.

P/D ✓ Amendment Needed?
 ✓ Is Overlap Analysis a Consideration?

P/U ✓ Amendment Needed? DELETE NESW OF 33
 ✓ Is Overlap Analysis a Consideration?

TOTAL CFS ✓ Incorrect Fee for rate recommended?
 ✓ Disagree/Measurement POLYSONIC = 395 gpm = .88 CFS
 ✓ Pumping Theoretical $(\frac{8.8 \times .70 \times 35}{235 + 2.31 \times 10 \text{ psi}}) = .84$
 ✓ System Capacity .88
 Allowable Amount: CAPACITY OF .88

TOTAL VOLUME Rate/ac 4.0 AFA Irr. Season C
 4-1 to 10-31 Standard Irr. Season
 Season Recommended
 ✓ Disagree with Examiner's Calculations?
 105 @ 4.0 = 420
 ✓ Flow limit: .88 x 214 x 1.9835 = 373.5

USES ✓ Change(s) in Nature of Use?
 ✓ Amendment Needed?

REMARKS ✓ Multiple P/Ds in 1/4 1/4?
Trust 20 yr condition? ✓ Special Overlap Condition
R55/56/57 Other

CONDITIONS ✓ Measuring/Locking Devices Misc/Dates
 ✓ W/Master Control ✓ Water Dist
R31 ✓ Irrigation Overlap 6-23-89 App Rec'd
 ✓ Water Quality 7-13-92 Exam Made

COMMENTS: REDUCE RATE ; NOTE - HAS 80 SHARES OF A+B IRRIGATION
DISTRICT CANAL CO WATER USED ON
SAME ACRES

RECOMMENDED	CFS	VOL	
Irrigation	<u>.88</u>	<u>374</u>	LICENSE <u>✓</u>
Domestic	<u> </u>	<u> </u>	
Stockwater	<u> </u>	<u> </u>	AMEND <u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 13 1993

Department of Water Resources

A. GENERAL INFORMATION

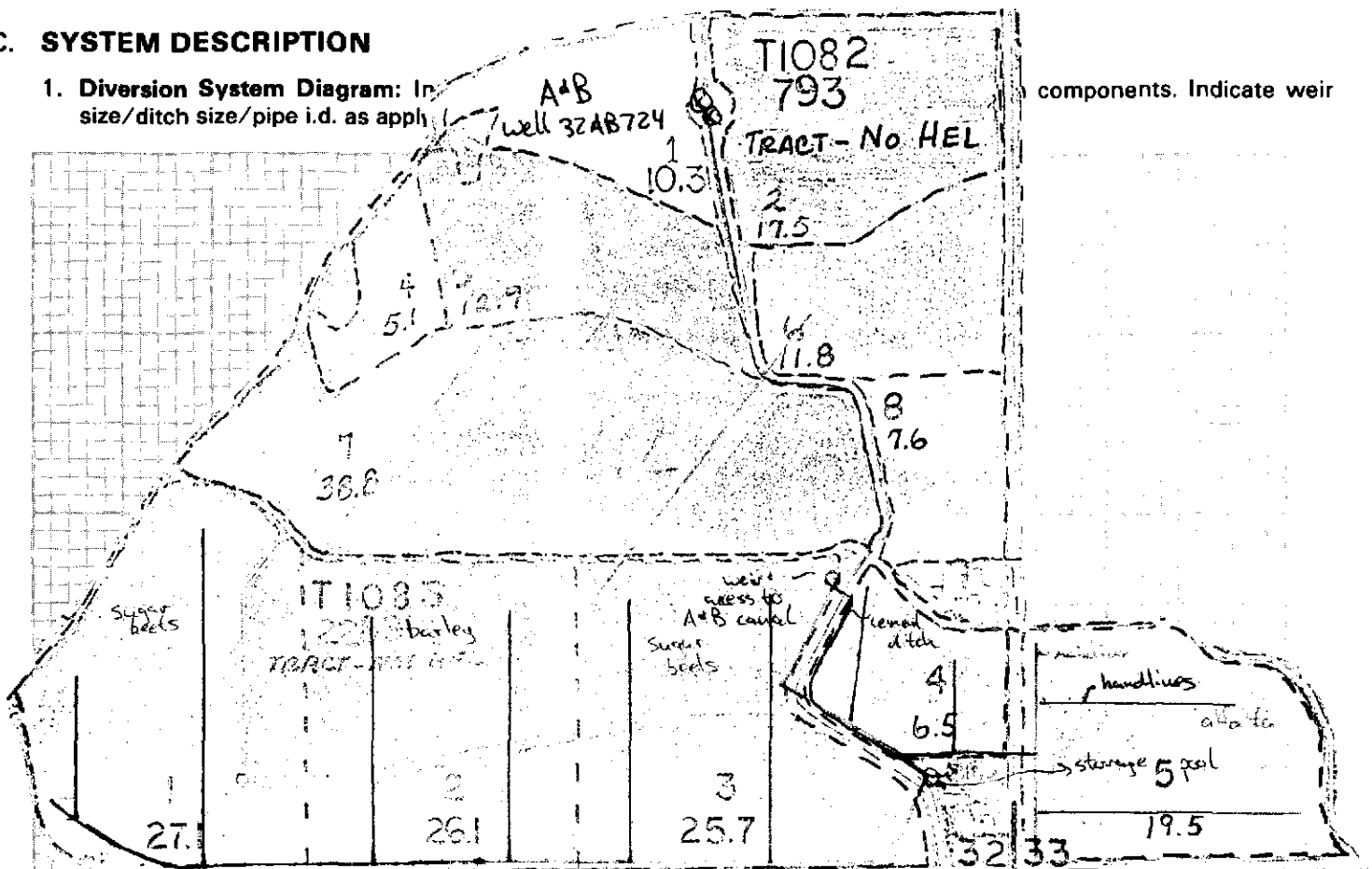
1. Owner: LaVerle M. Bingham Permit No. 36-08425
Current Address: Pl. 3 Box 304 Rupert 83350 Phone No. 532-4276
2. Accompanied by: LaVerle M. Bingham EXAM. DATE: 7-13-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: In size/ditch size/pipe i.d. as appl components. Indicate weir



Scale: 1" = 660'

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more)
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater.)

OCT 19 1993

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

This system consists of an open discharge into a storage pool. The owner also has canal shares from A-B well 32AB724. He diverts this canal water along a cement ditch into his storage pool. The owner has two booster pumps; a 40 & 25 H.P. He uses the 40 H.P. booster and uses 25 H.P. only when the 40 H.P. pump breaks down. This system consists of different sizes of buried & unbent mainline; 4", 6", or 8". The system has risers & 3" handlines that run off his mainline. The owner usually runs 80-90 rainbird heads with 5/32" or 9/64" nozzles at one time. The owner thought the static water level was about 220'.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Holbrook	35	A324HP		
	Baldor (Booster)	40	691C		
	Baldor (Booster)	25	1090C		

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	32	07S	24E	Minidoka	USGS Topo Map, Aerial photo

6. Place(s) of Use:

Indicate Method of Determination Inspection, Planimeter
Aerial
bird

Twp.	Rge.	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	
07S	24E	32												24.5			34	27	85.5
		33											19.5						19.5
																			105

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic meter	Tyne Flyte	Polysonics	TF-P	N7H5806		

2. Measurements:

On July 22, Mike Harshbarger of IDWR took a polysonic reading on the water flow from the 35 H.P. pump into the storage pool. The owner, Mike, concluded that the average diversion rate due to the capacity of the pump was 395 gpm or .88 cfs.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (105)(4.0) = 420 \text{ afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.88)(214)(1.9835) = 374 \text{ afa}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 374 \text{ afa}$

2. Volume Calculations for Other Uses:

OCT 19 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

REMARKS AND OVERALL REVIEW ANALYSIS	
(CFS)	(afa)
Legal limit 2.1	Legal limit 420
Excess fee paid up to 1.0	Capacity of system 374
Found during exqus .88 (polysonit reading)	

The owner uses this system to supplement his canal water. He was allowed 75 inches of canal water a day on this farm from the canal company. He said ^{he} averaged about 45 inches of usage on this farm and saved the rest for another farm downstream on the canal.

Taking in account only the discharge rate from the groundwater & the polysomic rendering, I recommend the beneficial amounts described in Section I of this report. Also, I determined the P/U by an aerial photo with a planimeter & aerial grid.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	10/31	.88	374
Totals:			.88	374

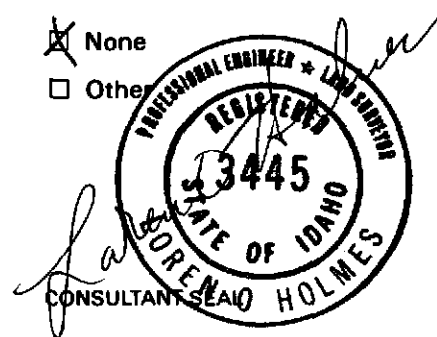
2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
- ☒ Change P.U. as reflected above ☐ Add P.U. as reflected above

- ☒ None
- ☐ Other

J. AUTHENTICATION

Field Examiner's Name Brett Barry
Signature Brett Barry
Certification Date 3/31/93
Field Report Preparation Date 7-23-92



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

OCT 19 1993

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-08425

DATE: 7-16-92

BY: Brett Barry

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (35 \text{ H.P.}) \times (0.70)}{[(.235 \text{ feet}) + (.0 \text{ psi} \times 2.31)]} = .92 \text{ cfs}$$

LIFT FROM:

measurement ()

owner (✓)

area estimate ()

well logs (✓)

Booster (Y) (N)

PSI FROM:

measurement ()

owner (✓)

estimate (✓)

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Hollosworth pump motor A324 HP

Pump Make, Serial or ID, rating

Baldor Motor Booster 40 H.P. 691C

Baldor Motor Booster 25 H.P. 1090C

REMARKS open discharge into storage pond; uses 40 H.P. Motor to pump water from storage pond into system - recently purchased 40 H.P. Booster to replace 25 H.P. booster - uses only 40 H.P. booster & has 25 H.P. as back up

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)
3/15 - 11/15	246
4/1 - 11/1	215
4/15 - 10/15	184
3/1 - 12/1	276

$$\text{POTENTIAL} = \frac{(214 \text{ days}) \times (1.98) \times (.92 \text{ cfs})}{(.105 \text{ acres})}$$

$$\text{POTENTIAL} = 3.71$$

REQUIRED Acre Feet/Acre/Annum = 4.0

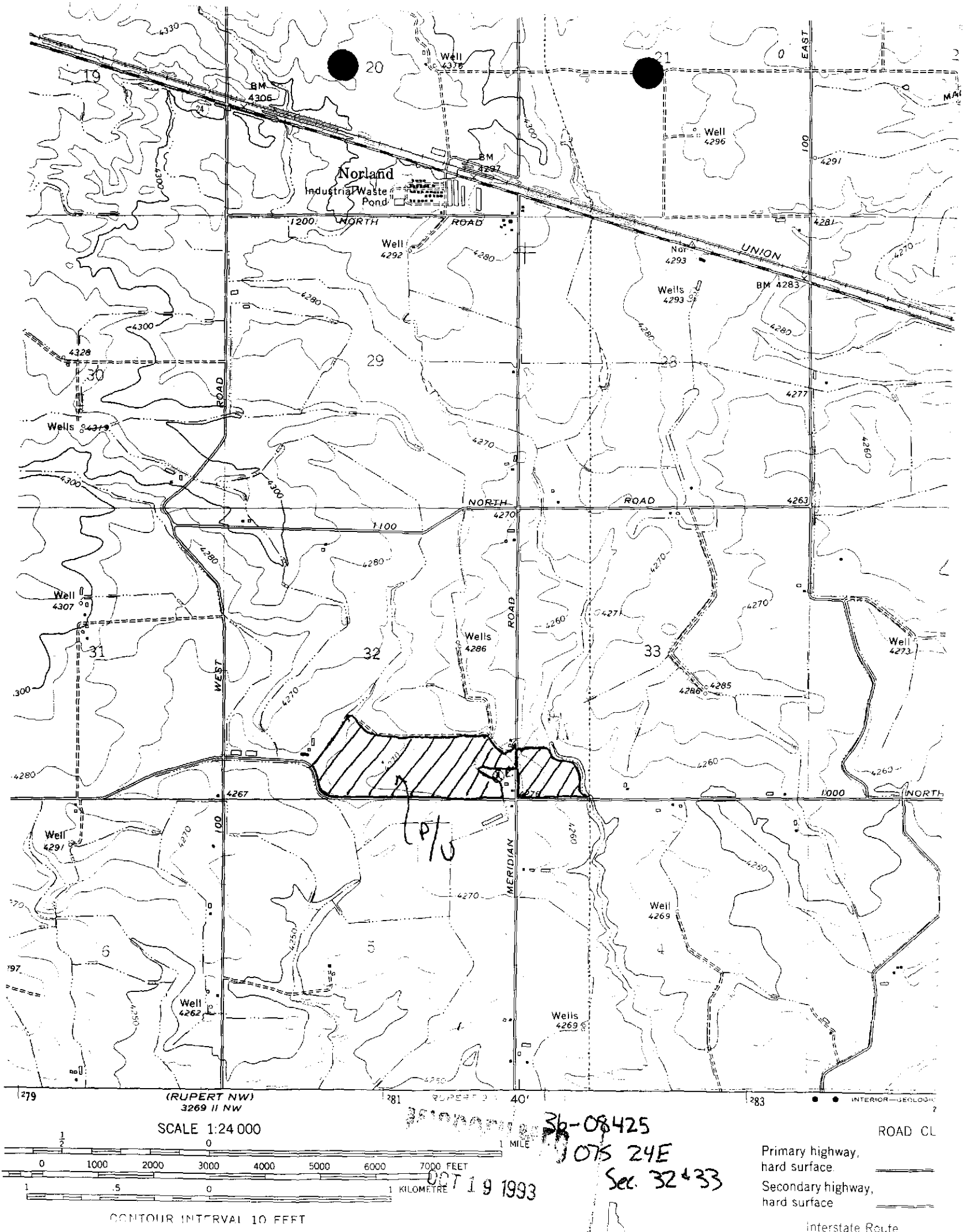
(AF/Ann/Ac irrigation requirement from chart for area)

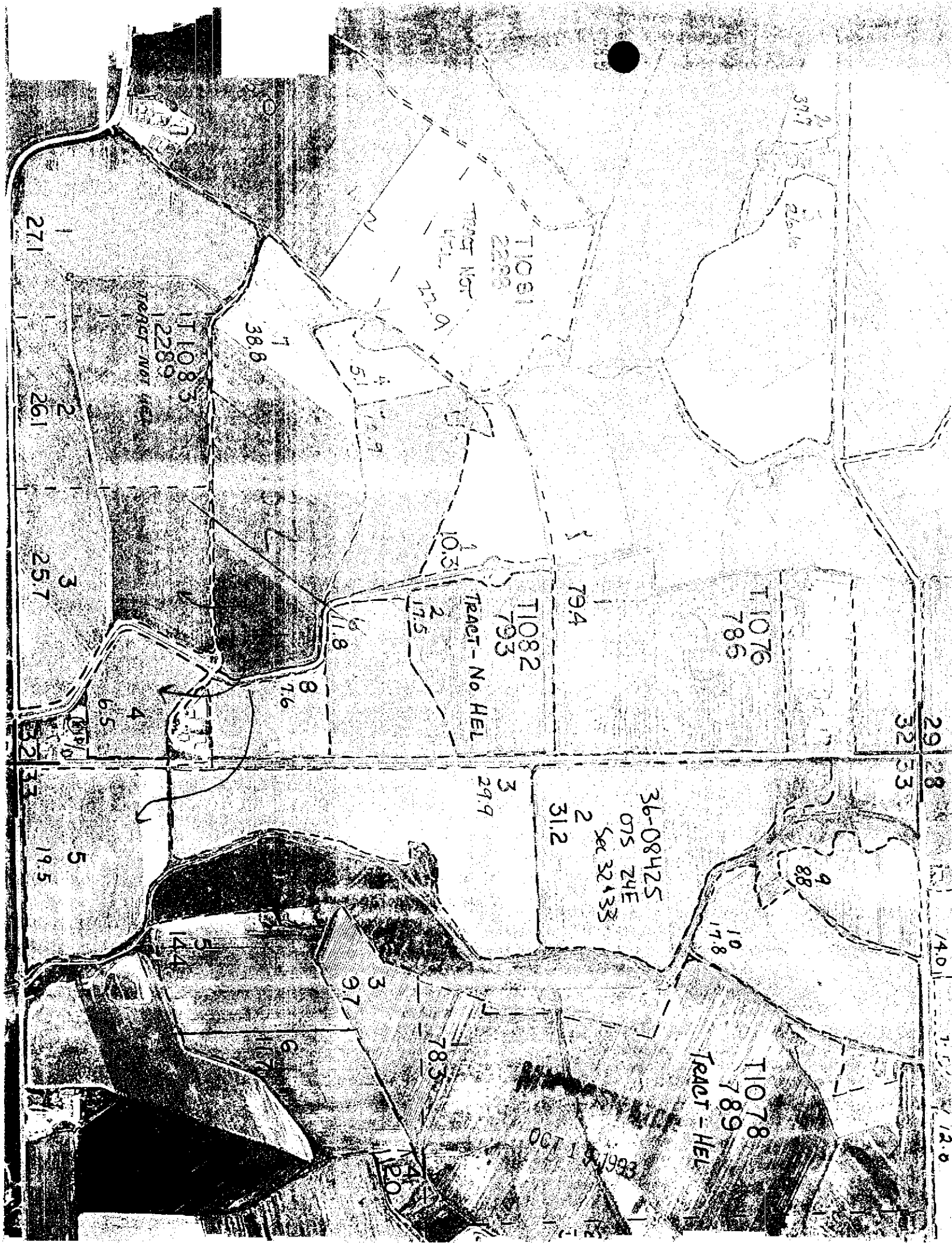
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

OCT 19 1992

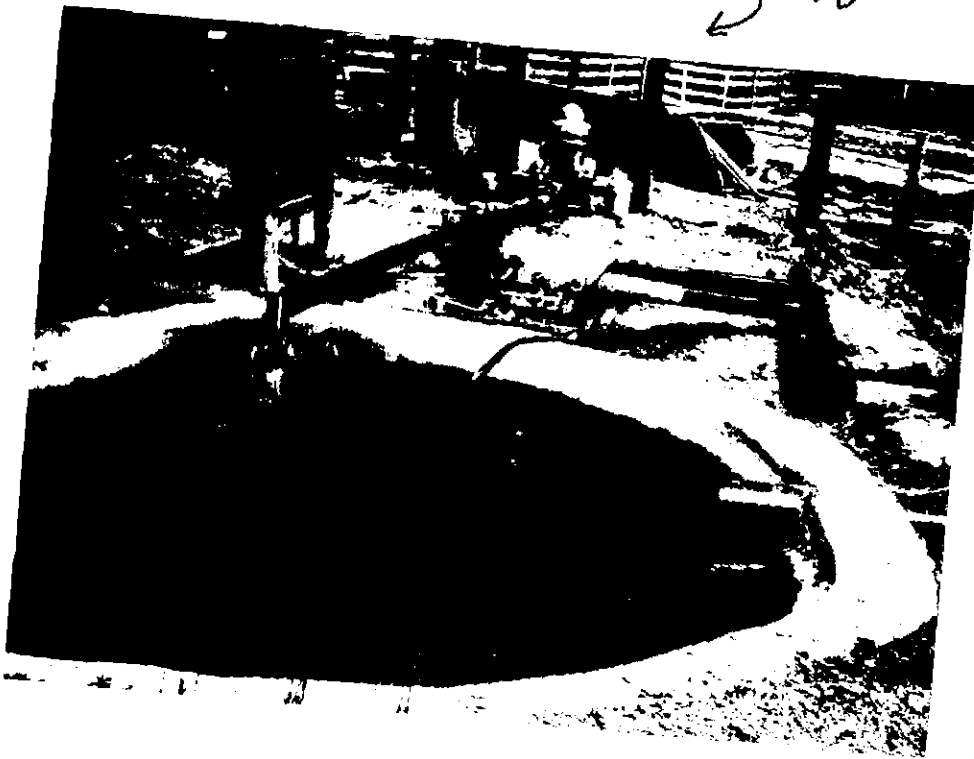




State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

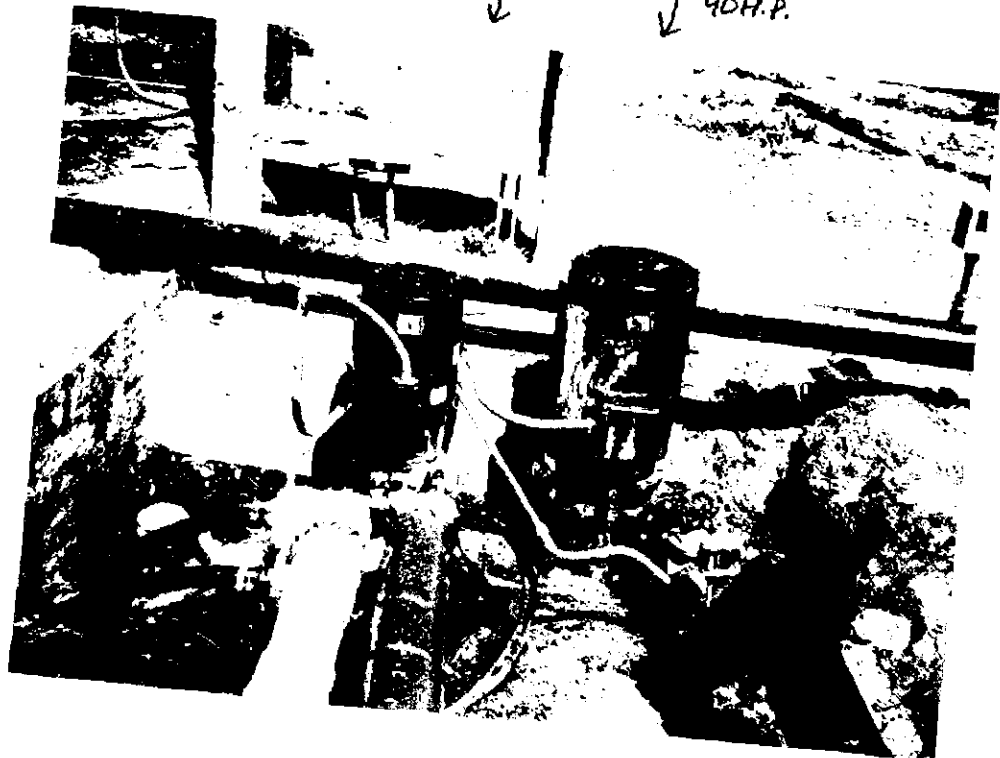
36-08425

← P/O



← storage pool

25H.P. → Booster Pumps → 40H.P.



OCT 19 1993

36-08425



owner's
access
to A+B
canal



P/O ~



OCT 19 1993

March 13, 1992

LAVERLE M. BINGHAM
RT. 3 BOX 304
RUPERT ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08425

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
APR 08 1992

7/90

Drilling Permit No. 56-41-2-164Water Right Permit 36-8425
Injection Permit No. _____State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) LAVERIE M BINGHAM
2. Mailing Address Rte 3 Box 304
Reupert Idaho Telephone 532 4276
- ☒ Well Owner () Well Operator () Other, specify _____
3. Proposed well location SE 1/4 SE 1/4, or Gov't Lot No. _____
Sec. 32, Twp. 7S, Rge. 24E, County MINIDOKA
Street Address of Well Site 1600 N. MERIDIAN RD
Lot, block and subdivision _____
4. Proposed use of well:
- () Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
- Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
- ☒ Non-Domestic: Any beneficial use not included within the definition of domestic.
- () Injection
- () Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
5. Well construction information:
- A. () New well ☒ Deepen () Replace - See Condition 9
- B. Proposed Surface Diameter _____ Proposed Maximum Depth _____
- C. Anticipated bottom hole temperature:
- ☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)
6. Construction Start Date SOON AS POSSIBLE
7. Anticipated Well Driller HARRY KING DRILLING CO.
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Laverie M Bingham Date Oct 19 1991
Title Owner
(Owner, Firm Representative, Other)

MICROFILMED
APR 08 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 10/21/91

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Loren O. Halbur
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 5013787 Received by PF Fee 200.00 Date 10-21-91

APR 08 1992

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

February 28, 1992

LAVERLE M. BINGHAM
RT. 3 BOX 304
RUPERT ID 83350

PROOF DUE NOTICE

RE: PERMIT NO. 36-08425

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

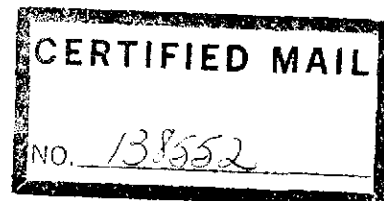
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



MICROFILMED

APR 08 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 13, 1991

LAVERLE M. BINGHAM
RT. 3 BOX 304
RUPERT, ID 83350

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08425

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of

RECORDED

MAY 14 1991

Idaho for the use and benefit of the people within the state.
Conditions pertaining to a term review, annual use fee and
jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

ENCLOSURE

APR 14 1991

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

MONIQUE JONES being first
duly sworn, deposes and says that SHE
is the CLERK of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for ~~two~~
consecutive weeks, commencing with the
issue dated April 5 19 91, and
ending with the issue dated April 12,
19 91. Monique Jones

STATE OF IDAHO

COUNTY OF CASSIA }

On this 16 day of April in the year of 1991, before me,
a Notary Public, personally appeared Monique Jones,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Drene Sanchez
Notary Public for Idaho
Residing at Burley ID
My commission expires: 1023-96

Cost of Publication: 24.84
Notary Fee: .50
Total Cost: 25.34

11-117

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

36-08426

BINGHAM, LAVERLE M.

RT. 3 BOX 304

RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SESESE Sec 32 T 07S R 24E

Use: IRRIGATION (.900 CFS)

Total Diversion: (.900 CFS)

Date Filed: 6/23/1989

In: T07S R24E S32 SESW SWSE SESE

S33 NESW SWSW

105.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A, Idaho
Code and/or the new public interest criteria
of Sec. 42-203C, Idaho Code. Protests must
be filed with the Director, Dept. of Water
Resources, Statehouse Mail, Boise, Idaho
83720 on or before APRIL 22, 1991.

/s/ R. Keith Higginson, Director
Published in the South Idaho Press on
April 5 and 12, 1991.

OK
JL
4-19-91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 26, 1991

South Idaho Press
Box 190
Burley, ID 83318

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 22, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

RECEIVED
MAY 14 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

36-08425

BINGHAM, LAVERLE M.
RT. 3 BOX 304
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SESESE Sec 32 T 07S R 24E

Use: IRRIGATION (.900 CFS)
Total Diversion: (.900 CFS)

Date Filed: 6/23/ 1989

In: T07S R24E S32	SESW	SWSE	SESE
S33	NESW	SWSW	

105.0 ACRES TOTAL

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before APRIL 22, 1991.

R. KEITH HIGGINSON, Director

Published 4/ 5/1991 & 4/12/1991

MICROFILMED

MAY 14 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 36-8425/Trust Water Processing

DATE: 3-25-91

The above application has come up for sequential trust water processing. The applicant returned the trust water questionnaire and states that the groundwater source under this application has not been developed. The groundwater source will be supplemental to surface water diversions via the A&B Irrigation District. Based on comments of the applicant on the original application, the applicant has enough canal shares to irrigate his full 105 acres at about one-half inch per acre.

All of the land under the filing appears developed per review of a 1978 orthophoto. Review of a 1980 infrared aerial photo shows all of the land irrigated, except that there is one 25 to 30 acre tract which may have been dry farmed. The aerial photo is not conclusive as to whether this tract was irrigated in that year or not. The IDWR remote sensing section classified all of the land under this application as irrigated for the 1986 season. I would conclude therefor that all of the land under the filing has been irrigated.

The application will be processed as a trust filing but the acreage will not be counted as trust acreage since it has been irrigated prior to 1984 with surface water.

APR 27 1991

MAY 14 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 36-8425

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes ☒ No ☐

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes ☐ No ☒

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. 0

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 105

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

A+B Irrigation District shares

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Ladell M. Bingham

Date 3-15-91

RECEIVED

MAR 15 1991

Department of Water Resources
Southern Region Office

FILMED
MAY 14 1991

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3608425																							
0100014	A & B IRRIGATION DISTR D		SNAKE RIVER	07S	24E	32																	
3608425	BINGHAM	A	GROUNDWATER	07S	24E	32											25			35	27	87	
	1986 MAPPING DATA --- -		COUNTY 67 QUAD AA 32	07S	24E	32																	
3608425																							
0100014	A & B IRRIGATION DISTR D		SNAKE RIVER	07S	24E	33																	
3608425	BINGHAM	A	GROUNDWATER	07S	24E	33											2	16			18		
	1986 MAPPING DATA --- -		COUNTY 67 QUAD AA 32	07S	24E	33																	

MAY 14 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 26, 1991

RE: APPLICATION FOR PERMIT NO. _____

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, or if the application proposes diversion of more than 5.0 cfs, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

MAY 14 1991

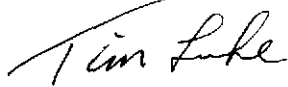
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Spec.

Enclosures

APR 14 1991

11-Jul-1989

LaVerle M. Bingham
Rt. 3 Box 304
Rupert, ID 83350

Re: Application for permit No. 36-08425

Dear Mr. Bingham:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

Because your application proposes to appropriate water which has been identified as "trust water" in the Swan Falls agreement, it will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your application.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

RECEIVED

MAY 14 1991