

AFFIDAVIT OF PUBLICATION

RECEIVED

JUN 4 1974

STATE OF IDAHO,)
County of Canyon.) ss.

Department of Water Administration

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

May 16, 23, 1974

Verla Harker

Subscribed and sworn to before me this

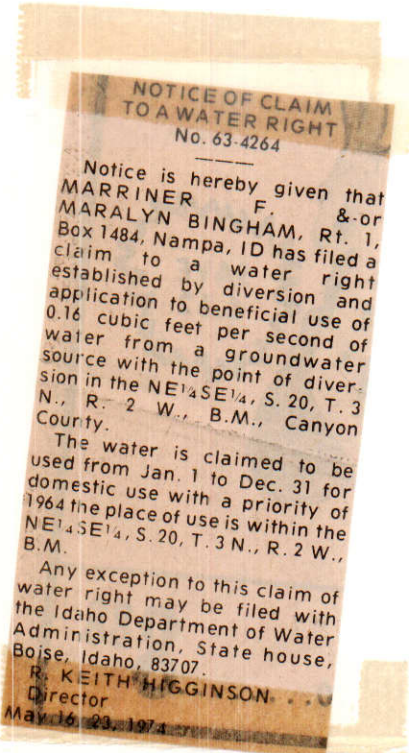
23rd day of May, 19 74

Adam D. Kaut

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1975

63 4264



ordf
6-4-74

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Section 42-225a, Idaho Code

phone: 466-7415

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Marriner F &/or Maralyn Bingham
(name of claimant)
of Route #1, Box 1484 Nampa, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Groundwater;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|-------------|-----|-----------------|---------------------|------------|----|--------------|
| Amount | <u>0.16</u> | Use | <u>Domestic</u> | Period of Use: From | <u>1-1</u> | To | <u>12-31</u> |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
- (cfs, gpm or a/f) (dom., irri., stock, etc.) (both dates inclusive)
- (3) Total quantity of water claimed: 0.16 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1964

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 20 Twp. 3 N Rge. 2 W B. M. County of Canyon

Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. well, pump and pressure system

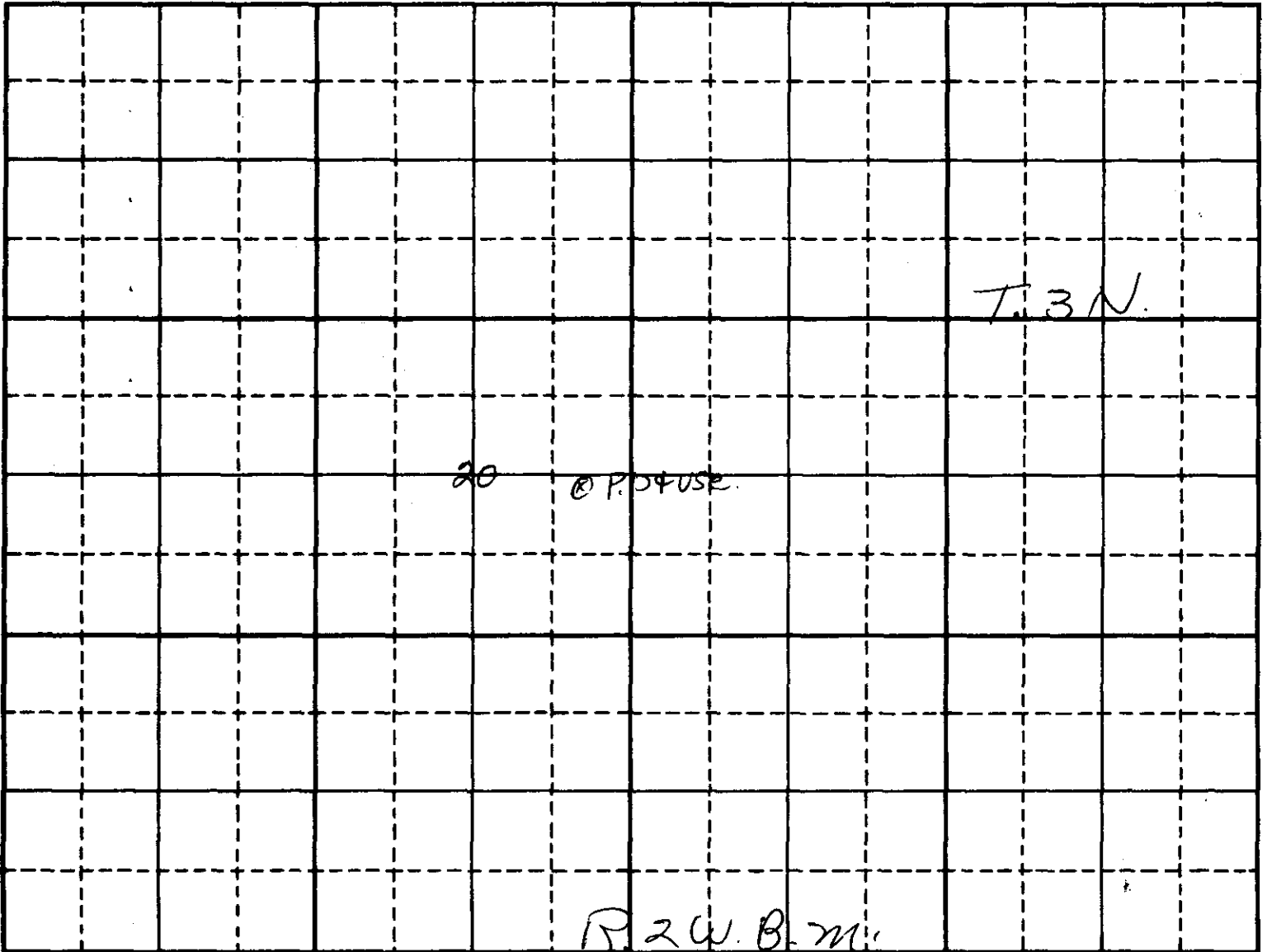
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	2W	20												X					

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Use on Lot #4, Block 5, Morgan 2nd SubdivisionPoint of diversion is on Lot #5.

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of Ada

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 8th day of May

Margaret L. Bingham
(Claimant) 19 74

Notary Public

Residing at Boise, IdahoMy commission expires 6-15-77

Rec'd #14431

For Department Use Only

Received by <u>[Signature]</u>	Date <u>5-17-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>5-8-74</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>5-08-74</u>			
Approved for publication by <u>[Signature]</u>				
Published in <u>Idaho Free Press</u>				
Dates <u>5-16-74</u> <u>5-23-74</u>				

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May 16, 23, 1974

Verla Harker

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23rd day of May, 19 74

Adam J. Lamb

Notary Public, Residing at Nampa, Idaho
My Commission Expires June 23, 1975

63 4264

ACT
ION

N OWNER LAST NAME - BINGHAM
N OWNER LAST NAME - BINGHAM
N ADDRESS LINE 1 - RT. 1 BOX 1484

FIRST NAME - MARRINER F.
FIRST NAME - MARALYN

CITY - NAMPA

STATE - ID ZIP CODE - 83651

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

PRIORITY - 06-01-1964 COUNTY - CANYON

TOTAL DIV. RATE - .1600CFS

N DIVERSION POINT - NESE 20 03N 02W

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .1600CFS

N USE - DOMESTIC

PLACE OF USE - TWN 03N RNG 02W SEC 20 TRACT NESE

3/79

IDENT. NO. 63-4264

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 63 4264
OTd No. _____ New No. _____

Record

1. Original Owner: Manner F. & Maralyn Bingham

Present Owner: _____

2. Address: Rt. 1 Box 14843. City: Nampa State: ID Zip: 836514. A. Source of Water: fw

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 6-1-1964D. County: 27E. Total Diversion Rate: .16

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NE SE</u>	<u>20</u>	<u>3N</u>	<u>2W</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for 0 purposes. Amount .16
(cfs or AC-Ft/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: D

9. A. Decree Name:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

June 4, 1974

Marriner F. &/or Maralyn Bingham
Route #1, Box 1484
Nampa, Idaho 83651

Re: Claim to a Water Right No. 63-4264

Dear Mr. & Mrs. Bingham:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. POIT, P. E.
Western District Engineer

KHF:def

Enclosure

63 4264

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse -- Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

May 10, 1974

Idaho Free Press
P. O. Box 88
Nampa, ID 83651

Re: Claim to a Water Right No. 63-4264 - Marriner F. &/or Maralyn Bingham
Application for Permit No. 63-7976 - Hoff Better Living Center

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)

Sincerely,

Bill submitted 6-4-74 by df

63 4264

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4264**

Notice is hereby given that MARRINER F. &-or MARALYN BINGHAM, Rt. 1, Box 1484, Nampa, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.16 cubic feet per second of water from a groundwater source with the point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, S. 20, T. 3 N., R. 2 W., B.M., Canyon County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic use with a priority of 1964 the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, S. 20, T. 3 N., R. 2 W., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, State house, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

May 16, 23, 1974

OK 5-16-74

63 4264

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4264

Notice is hereby given that MARRINER F. &/or MARALYN BINGHAM, Et. 1,
Box 1484, Nampa, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.16 cubic feet per second ~~xxxx feet~~ of water
from a groundwater source
with the point of diversion in the NE 1/4, S. 20, T. 3 N., R. 2 W., B.M.,
Canyon County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic use
with a priority of 1964;
the place of use is within the NE 1/4, S. 20, T. 3 N., R. 2 W., B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, Statehouse, Boise, Idaho, 83707.

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Director

Published in the Idaho Free Press, Nampa, Idaho
on May 16, 1974 and May 23, 1974.