

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 31676
 PERMIT No. 23896
 DISTRICT No.

1. Name of Applicant: H. R. BINGHAM

Postoffice address: Weston R.F.D.

County: Franklin

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: two cubic feet per second.

3. Source of water supply: springs on applicant's property ~~which is a tributary of~~ and drainage from applicant's and other persons property forming ponds on applicant's place

4. Location of point of diversion: about 660 feet E ~~feet~~ distant from the NW corner of the SE quarter of Section 6, T. 16 S, R. 39 E, B.M., and is in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6, T. 16 S, R. 39 E, B.M., County of Franklin

5. Water is to be used for irrigation

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section , T. , R. , B.M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 5000.00 Will later increase this.

8. Kind of works: Pumping plant and sprinkling system

9. Height of dam none feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height feet.

Will lay permanent pipe line through center of lands to be irrigated,
 11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
 with branches as needed. Size of pipe: 6 inch main line; 3 inch side lines.
 dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is one years.

13. The time required for the complete application of the water to the proposed use is one additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

Permit No. 23896
Certificate of Completion of Works

✓
TO ALL WHOM IT MAY CONCERN:

This is to certify that H. R. BINGHAM of Weston, County of Franklin, and State of Idaho, the holder of Permit No. 23896, issued upon Application No. 31676 bearing date of priority of March 12, 1953, authorizing the diversion of 2.0 second feet of waters of springs on applicant's property and drainage from applicant's and other persons property forming ponds on applicant's place County of Franklin, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1. second feet of the waters of springs on applicant's property and drainage which forms ponds of water on applicant's property that the point of diversion of said waters NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 16 South, Range 39 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 120 acres in the W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 6, Township 16 South, Range 39 East, B.M. Proof of Completion of Works made: March 21, 1958

Witness my hand this 31st day of March, A.D. 1958

/s/ Mark R. Kulp
State Reclamation Engineer

Proof of Completion of Works made: March 21, 1958
Certificate of Completion of Works issued: March 31, 1958.

LICENSE ISSUED FOR 1.2 SEC. FI.

Page 6849

NAME OF APPLICANT

H. R. Bingham

Form No. 0

Sec. 6, Tp. 16 S. R. 39 E. B. M.

Dot

Indicates point of diversion

Permit Map No. 23896

As Approved

MAR 16 1959
MARK R. KULP

State Reclamation Engineer

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

23896

March 26, 1953

RE: Permit No. 23896

Mr. P. M. Condie
Attorney at Law
Preston, Idaho

Dear Mr. Condie:

We enclose Permit No. 23896 in the name of H. R. Bingham and direct his attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 25666 for the \$5.25 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

fg
Enc.

23896

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. H. R. Bingham

Boise, Idaho January 2, 1954

R.F.D. Weston, Idaho

Dear Sir:-

Under the terms of your permit No. 23896 you are required to complete your diversion works on or before March 16, 1954. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

23896

Permit No. 23896.....

STATE OF IDAHO
Department of ReclamationRECEIVED
MAR 2 1954
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

ss.

County of Franklin.....

H. R. Bingham

being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 23896, and that his postoffice address is Weston R. F. D., Idaho State of Idaho

Second: That the name of the stream from which said water is to be diverted is springs on applicant's property and drainage from applicant's and other persons' property forming ponds on applicant's land.

Third: That the point of diversion of said water is about 660 feet E from NW corner of SE quarter of Section 6, Tp. 16 S., R. 39 E. B. M., in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 6.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 16, 1954, 19.

Fifth: That the use for which said water is intended is Irrigation.

Sixth: That on the date above mentioned, the works constructed under said permit were (~~complete~~) fully completed and consisted of the following:

- I. Kind of works: Have underground pipe- six inch- through center of land to be irrigated about 2000 feet, long ditch, flume, pipe or otherwise) and pumping
 II. Dimensions of work: plant and side laterals amounting to about 1200 feet for sprinkling.
 (a) Height of dam.....feet, length of dam at top.....feet, length of dam at bottom.....feet. Material used in construction.....

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir.....acre feet.

(c) Size of headgate: Width.....feet, height.....feet.

(d) Conduit.....width at bottom.....feet, width at water line.....
(State whether ditch, flume or pipe)

feet, depth of water.....feet; diameter of pipe.....inches, average grade per mile is.....feet. Length of conduit is.....miles.

Seventh: That said works are capable of conducting to the place of intended use one ~~two~~ second feet of water. Will increase capacity as water becomes available.

Eighth: That water appropriated under said permit is available for 120 acres of land described as follows: Twp. 16 South, Range 39 E. B. M., in Section 6, 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, and 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 6.

Ninth: Remarks: That there has not been two second feet available on account of light winters, but as water increases I will increase capacity of the works so as to take care of two second feet.

H. R. Bingham
(Sign Here)

Subscribed and sworn to before me this first day of March, 1954

My commission expires Nov. 29, 1954.

T. Mcandie
Notary Public.

23896

March 2, 1954

RE: Permit No. 23896

Mr. H. R. Bingham
R.F.D.
Weston, Idaho

Dear Mr. Bingham:

We are in receipt of your affidavit in proof of Completion of Works on Permit No. 23896.

However, although your permit calls for 2 second feet, we note your statement that at the present time the capacity of your works is only sufficient to take care of 1 second foot and that you expect to increase the capacity later on.

We cannot accept proof of partial Completion of Works as when proof has once been made and a Certificate of Completion of Works issued the amount therein is the maximum for which a license can be issued.

Since your application only asked for one years time in which to make proof of Completion of Works, an extension of time can be allowed up to the maximum of 5 years allowed by statute.

Our suggestion would be that you withdraw the proof made at this time and apply for an extension until such time as your works are completed of sufficient capacity to convey the full amount of water that you are able to divert from the springs named in the Permit.

An application for extension of time is enclosed herewith.

Very truly yours,

MARK R. KULF
State Reclamation Engineer
By

Chief Clerk

A:br
Encls.

23896

Permit No. 23896

Application for Extension of Time FOR COMPLETION OF WORKS

H. R. Bingham, of Weston, Idaho

State of _____, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 23896

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by March 16, 19 54

That he has heretofore performed the following work described under said permit.

Pipe line through center of land with sidelines 3 inch pipe in side-
lines and 6 inch pipe in main line. This is through part of the land
to be irrigated. Part of the work has not been completed.

Also have installed pumping plant and sprinkling system.

costing \$5000.00 approximately.

That he is unable to complete the remainder of the work within the required time, for the fol-
lowing reasons, to-wit:

There is not sufficient water at this time to warrant completion of
of the project, but it is believed that this situation can be
improved and the work then completed.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the comple-
tion of works under said permit to March 16, 19 59.

Subscribed and sworn to before me this first day of April, 19 54.

My commission expires Nov. 29, 1954.

Notary Public.

Date of receipt at office of Department of Reclamation April 3 - 1954

APPROVAL OF STATE RECLAMATION ENGINEER
~~APPROVAL OF COMMISSIONER OF RECLAMATION~~
State Reclamation Engineer

Mark R. Kulp

Commissioner of Reclamation of the State of Idaho, hereby extend the time for the com-

pletion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No 23896 to

March 16 19 58

Witness my hand this 3rd day of April 1954

23896

Mark R Kulp

State Reclamation Engineer

April 5, 1954

RE: Permit No. 23896

Mr. H. R. Bingham
Weston
Idaho

Dear Mr. Bingham:

We enclose approval of the State Reclamation Engineer of your application for Extension of Time for Completion of Works on Permit No. 23896 to March 16, 1958.

This should be attached to the original permit of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br
Enc.

23896

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

January 1, 1958

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho

Mr. H. R. Bingham
R.F.D.
Weston, Idaho
Dear Sir:-

Under the terms of your permit No. 23896 you are required to complete your diversion works on or before March 16, 1958. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP
State Reclamation Engineer

23896

Permit No. 23896STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
MAR 24 1958

Department of Reclamation

STATE OF IDAHO

County of Franklin

ss.

H. R. Bingham, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 23896, and that his postoffice address is WestonState of IdahoSecond: That the name of the stream from which said water is to be diverted is No stream.Source of water is springs on applicant's property and drainage which forms ponds of water on applicant's property.Third: That the point of diversion of said water is NW 1/4 of SE 1/4, Sec. 6, Twp. 16South, Range 39 E. B. M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 16th, 1958, by extension granted by Department of Reclamation.Fifth: That the use for which said water is intended is irrigation.Sixth: That on the date above mentioned, the works constructed under said permit were (announced) fully completed and consisted of the following:I. Kind of works: Pumping plant and sprinkling system. (Permanent underground pipeline for about 100 rods of 6 inch pipe. (Reservoir, dam, ditch, flume, pipe or otherwise) About 76 rods ofII. Dimensions of work: 3 inch pipe which is portable from point to point.(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.(c) Size of headgate: Width feet, height feet.(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.Seventh: That said works are capable of conducting to the place of intended use
one second feet of water.Eighth: That water appropriated under said permit is available for 120 ~~1200~~ acres of land described as follows: West half of SE 1/4, and South half of South half of Northeast quarter of Section 6, Tp. 16 South, Range 39 E. B. M., but of 120 acres possible to irrigate, there is only sufficient water to irrigate fifty acres.Ninth: Remarks: That

(Sign Here)

Subscribed and sworn to before me this 21st day of March, 1958My commission expires Nov. 29 1958

Notary Public.

23896

March 31, 1958

Re: Permit No. 23896

Mr. H. R. Bingham
R.F.D.
Weston, Idaho

Dear Mr. Bingham:

Enclosed is the Certificate of Completion of Works issued under Permit No. 23896 for the diversion of 1. second foot of water from springs on your property and drainage which forms ponds on your property, with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, for lands proposed to be irrigation in the W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 6, Township 16 South, Range 39 East, B.M., a total of 120 acres.

Enclosed also is departmental receipt #29032 for \$5.00, issued as receipt of the fee for the Certificate of Completion of Works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

23896

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

RE: Permit No. 23896

Date January 1, 1959

H. R. Bingham
R.F.D.
Weston, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 23896 is due not later than March 16, 1959. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a Notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Enc.

23896

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
FEB 2 1959
Department of Reclamation

(Date) January 5, 1959.

(P. O.) Weston, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Preston Citizen of Preston, Idaho, published in

the county in which the works are situated.

H. R. Bingham

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

23896

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

RECEIVED
FEB 2 1959
Department of Reclamation

Notice is hereby given that at 10 A. M. on the 14th day of March, 1959,
at Preston, County of Franklin, State of Idaho, before
P. M. Condie, Notary Public, proof will be submitted of the
application to beneficial use of One (2) cubic feet per second of the waters of springs on applicant's
property, and drainage from ponds on applicant's property and other persons
properties in accordance with the terms and conditions of Permit No. 23896
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are

H. R. Bingham, Weston RFD, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is one cubic foot per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

20 acres in NW 1/4 Sec. 6, and 30 acres in NW 1/2 SE 1/4 of Section 6, Tp. 16 S.,
Range 39 E. B. M.

Point of Diversion: NW 1/4 SE 1/4, Sec. 6, T. 16 S. - R. 39 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is

No canal. Movable pumping and sprinkling system.

The right to take water from such works is based upon Permit No. 23896

The source of supply from which such water is diverted is springs on applicant's land and

drainage from applicant's and other persons' property forming ponds on

The date of priority which said user is prepared to establish is March 16, 1959.

State Reclamation Engineer.

23896

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. 23896
H. R. Bingham

Date: February 3, 1959

The Preston Citizen
Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to March 14, 1959 the date set for proof;

the expense of the publication is to be paid by the applicant

H. R. Bingham of RFD Weston, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

Geo. H. Carter
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

23896

NOTICE FOR PUBLICATION
**NOTICE OF PROOF APPLICATION OF WATER
 TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A. M. on the 14th day of March, 1959,
 at Preston, County of Franklin, State of Idaho, before
P. M. Condie, Notary Public, proof will be submitted of the
 application to beneficial use of 2 cubic feet per second of the waters of springs
& Drainage on applicant's and other person's properties
 in accordance with the terms and conditions of Permit No. 23896
 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____
H. R. Bingham, Weston RFD, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is One cubic foot per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 6, Twp. 16 So., Rge. 39 E.B.M.

Point of Diversion - NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, Twp. 16 S., Rge. 39 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is _____
Movable pumping and sprinkling system

The right to take water from such works is based upon Permit No. 23896

The source of supply from which such water is diverted is springs and drainage from applicant's

& other persons' properties

The date of priority which said user is prepared to establish is March 12, 1953

GEO. N. CARTER

State Reclamation Engineer.

23896

February 3, 1959

Re: Permit No. 23896

Mr. H. R. Bingham
Weston RFD
Idaho

Dear Mr. Bingham:

This acknowledges the Notice of Proof of Application of Water to Beneficial Use under Permit No. 23896. Final proof is to be made at 10:00 A. M. on the 11th day of March, 1959, at Preston, Idaho, before P. M. Condie, Notary Public.

As of this date we have mailed the Notice to the Preston Citizen, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then to mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, at the time and before the Notary, as advertised. Also it is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions (Holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/lw
Encls. (3)
cc: P. M. Condie
Notary Public

23896

Feb. 23, 1959

Re: Permit No. 23896
H. R. Bingham

The Preston Citizen
Preston, Idaho

Gentlemen:

On February 3, we sent you Notice of Publication giving instructions for publishing for H. R. Bingham, on Permit No. 23896.

We also requested acknowledgement of receipt of above notice and copy or tear sheet of the first publication. Neither have been received in this office and prompt attention to these requests will be appreciated.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

HENRY PETRI
Water Rights Clerk

GNC:HP:ew

*Due to delay in receiving the check from
GNC:HP:ew - probably date 2-3-12-53*

23896

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECORDED
MAR 14 1953
Department of Reclamation

Permit No. 23896

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. H. R. Bingham, farmer, Weston, RFD, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 23896, dated March 16, 1953, date of priority March ¹²~~16~~, 1953

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Springs on my land, plus drainage from my land and adjoining properties. Point of diversion is in NW 1/4 Sec. 6, Twp. 16 South, Range 39 E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Movable pumping plant and sprinkling system, natural ponds from which water is pumped into sprinkling system. Half a mile underground pipe 4", quarter mile 4" pipe on surface and quarter mile of 3" pipe. Berkley pump.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation of fifty acres in the West half of Southeast quarter of Sec. 6, Township 16 South, Range 39 East of Boise Meridian. Land cultivated but at present is used for pasturage purpose.

23896

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. All of one cubic foot per second, could use more profitably.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. During irrigation seasons beginning with 1953 and since I have used the full amount of water available from the sources mentioned, to the maximum of one cubic foot per second.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other waters available for this land.

(Sign) *H. B. Bingham*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Preston, County of Franklin, State of Idaho, on this 14th day of March, A. D. 1959.

L. M. Mendenhall
Notary Public, Preston, Idaho.

My commission expires Nov. 29, 1962.

23896

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 1 6 1959
Department of Reclamation

PERMIT NO. 23896

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Laron A. Bright, 62 years, residence RFD Weston, Idaho, farmer.

Ques. 2. Are you acquainted with H. R. Bingham, the holder of Permit No. 23896? How long have you known him and where does he reside?

Ans. Forty years, and he resides at RFD Weston, Idaho.

Ques. 3. Have you read or heard read said Permit No. 23896, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Springs on applicant's property, plus drainage from applicant's and adjoining properties, diversion in NW 1/4 SE 1/4 Sec. 6, Tn. 16 So., R. 39 E.M. Berkley pump, together with movable sprinkling plant consisting of half mile underground pipe 8", and half mile of 4" and 3" pipe.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. One cubic foot per second, and I have seen it operated at full capacity several times.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. NE SE 1/4 Sec. 6, Tn. 16 South, Range 39 E. N. M.
total land irrigated fifty acres.

23896

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Sandy soil, and the full amount of one second foot is needed, more
could be used profitably.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Several times during each irrigation season during past three years
I have seen one second foot of water used on the land described for the
irrigation thereof, or the full capacity of the pump and sprinkling system.

(Signed) Laron B. Bright

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston,
County of Franklin, State of Idaho on this 14th day of March, 1959,
A. D. 19 .

F. M. Leaudie
Notary Public.

My commission expires Nov. 29, 1962.

23896

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 1 6 1959
Department of Reclamation

PERMIT NO. 23896

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Harold Stevenson, 44 years, residence Weston, Idaho, farmer.

Ques. 2. Are you acquainted with H. R. Bingham, the holder of Permit No. 23896? How long have you known him and where does he reside?

Ans. Thirty years. He resides RFD Weston, Idaho.

Ques. 3. Have you read or heard read said Permit No. 23896, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Springs on applicant's property, plus drainage from his and other persons' lands. Diversion in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6, Tp. 16 South, Range 39 E. B. M. Berkley pump, together with movable sprinkling system consisting of half mile 6" underground pipe, and half mile of surface pipe 4" and 3" dimensions.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. One cubic foot per second, and I have seen plant operated to full capacity.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6, Tp. 16 South, Range 39 E. B. M. total land irrigated fifty acres.

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Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Sandy soil and requires full amount of one second foot; more would be used profitably on this land.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Rent ~~adjoining~~ adjoining land and see irrigation going on each time plant is operated. Have seen the plant operating to full capacity on numerous occasions. during past five years.

(Signed) Harold Stevenson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston,
County of Franklin, State of Idaho, on this 14 day of March,
A. D. 19 59.

T. M. Leondie

Notary Public.

My commission expires Nov. 29, 1962.

23896

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO.

County of Franklin

ss.

RECEIVED
MAR 1 6 1959
Department of Reclamation

Glenn E. Smith

, being duly sworn,

deposes and says:

That he is the 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 four 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

February 12 1959, and ending

with the issue of March 5 1959

Glenn E. Smith

Fees, \$ 23.65

Subscribed and sworn to before me this 14th day

of March 1959

G. M. Condie

Notary Public, Residing at Preston, Idaho

My Commission Expires Nov 29 1962

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 10:00 A. M. on the 14th day of March, 1959, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, proof will be submitted of the application to beneficial use of two cubic feet per second of the waters of springs and Drainage on applicant's and other person's properties in accordance with the terms and conditions of Permit No. 23896 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are H. R. Bingham, Weston RFD, Idaho.

The use to which said water has been applied is Irrigation.

The amount applied to beneficial use is One cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 6, Twp. 16 So., Rge. 39 E.B.M. Point of Diversion—NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, Twp. 16 S., Rge. 39 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Movable pumping and sprinkling system.

The right to take water from such works is based upon Permit No. 23896.

The source of supply from which said water is diverted is springs and drainage from applicant's and other persons' properties.

The date of priority which said user is prepared to establish is March 16, 1953.

GEO. N. CARTER

State Reclamation Engineer

First Pub. Feb. 12, 1959

Last. Pub. March 5, 1959

23896

March 25, 1959

3-59

RE: Permit No. 23896

Mr. H. R. Bingham
R. F. D.
Weston, Idaho

Dear Mr. Bingham:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Preston Citizen, all submitted in proof of beneficial use on Permit No. 23896.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR

23896

Sept. 1, 1959

Re: Permit # 23896

^g
H. R. Bingham
R. F. D.
Weston, Idaho

Dear Mr. Bingham

Statutes requires a field inspection in connection with the proofs on Permit # 23896 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this State.

An inspecting Engineer from this Department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Thursday afternoon

Sept. 10, 1959.

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

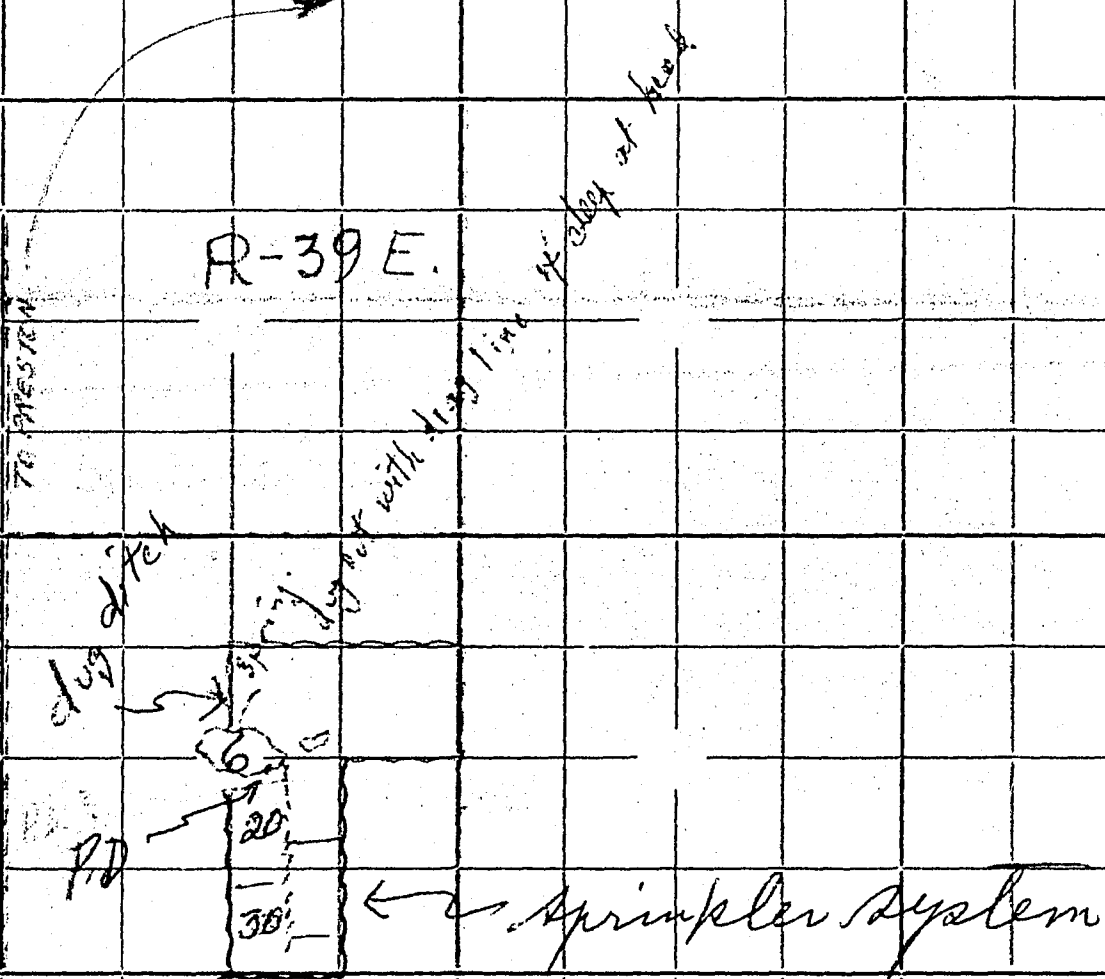
GEO. N. CARTER
State Reclamation Engineer
By

E. N. Humphrey
Deputy

ENH:ew

23896

T.
16
S.



Subdivisions: 2

Area = 50 acres

Q = 50"

1 cfs.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 23896

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant H. R. Bingham
and other persons property forming ponds on applicant's place.
2. Source of water supply: Springs on applicant's property and drainage from applicant's/
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6
T. 16 S. R. 39 E. B. M. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: water from ponds
supplied by springs. Enter Motor # T II 2 207655 6 cyl. (combine motor)
Berkley Turb Centr Model # 4BPG # 5116248 5" x 4"
3 lines 17 heads each $\frac{3}{32}$ x $\frac{1}{64}$ "
use storage ponds approx 50 in area (shallow)

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 6., Twp. 16 S., Rge. 39 E. B. M

Mr B. was along.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: This is water that is coming in from
effects of irrigation above.
Pond is getting more water each year.
Formerly was dry - no pond at all.

Mr B. is developing it for pasture first
then farm land later.

This examination was made on the 10 day of Sept, 1959

(Signed) E. N. Humphrey
Examiner.

23896

September 14, 1959

EE: Permit No. 23896

E. R. Bingham
RED
Newton, Idaho

Dear Mr. Bingham:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 23896 shows that the works is capable of conveying 50 miner's inches (1.0 c.f.s.) of water for irrigation of 50 acres.

Upon receipt of the statutory fee, \$4.00 at the rate of \$2.00 for each 40-acre subdivision, we will issue the License and Certificate of Water Right, confirming the right with priority of March 12, 1953, to the use of 1.0 second feet water from ponds supplied from springs, with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, for irrigation of 50 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 6, Township 16 South, Range 39 East Boise Meridian.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:RT:mr

23896

DECEMBER 10, 1959

Re: Permit No. 23896

H. R. Bingham
R. F. D.
Weston, Idaho

Dear Mr. Bingham:

We enclose License and Certificate of Water issued on
Permit No. 23896 in the name of H. R. Bingham.

We also enclose departmental receipt No. 29918 in the
amount of \$4.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

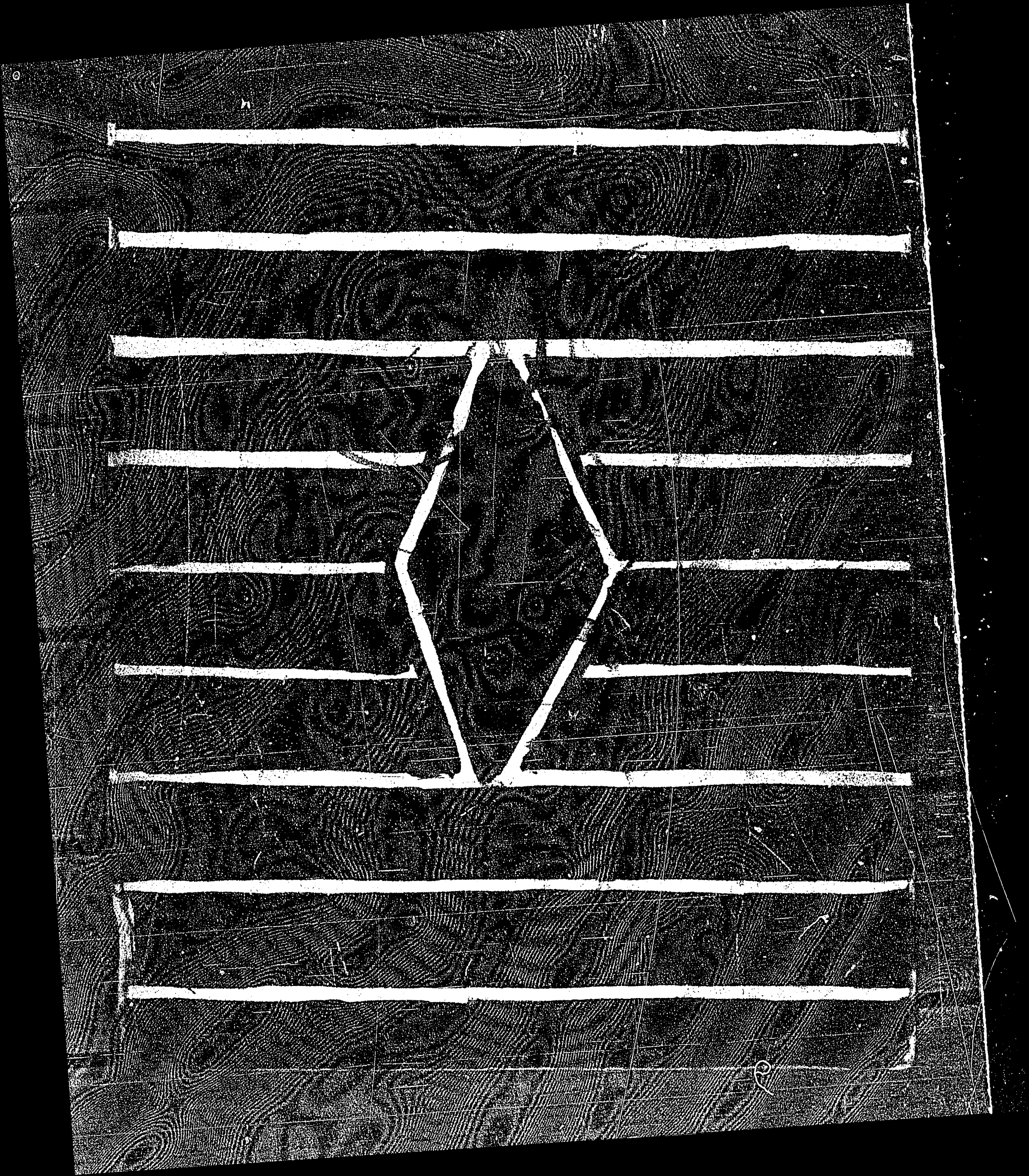
By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
Enc. license
receipt

23896

Rx



State of Idaho
License and Certificate of Water Right

Water License No. 23896

Amount 1.0 c.f.s.

Water District No.

Priority March 12, 1953

THIS IS TO CERTIFY that H. R. BINGHAM
of Weston, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 12, 1953; that Permit No. 23896
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.0 second feet, was issued thereunder on March 31, 1958, showing that said works
were completed on the 21 day of March, 1958; and that on the 14
day of March, 1959,

H. R. BINGHAM

of Weston, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of springs &
drainage, a tributary of applicant's and other persons property, for the purpose of irrigation
under Use Permit No. 23896 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6849, on the 10 day of December, 1959;

The right hereby confirmed dates from March 12, 1953;

The Point of Diversion is located

In the NW 1/4 SE 1/4, Sec. 6, Tp. 16S., R. 39 E., B. M. County of Franklin

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S.	39E.	6	NW 1/4 SE 1/4 SW 1/4 SE 1/4	40 40	20 30
			Total number of acres irrigated:		50

The right to the use of the water aforesaid hereby confirmed is restricted to the mode & place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, at Boise, Idaho, this

10 day of December, 1959.

/s/ G. M. W. CARTER
State Reclamation Engineer

(SEAL)

13 2173