Permit No. G-28818

Certificate of Completion of Works

Dated November 16, 19 66

Stream a well

County Franklin

Amount 2.87 c.f.s.

Date of Priority June 13, 1960

Recorded in Book 101

of Permits, page 28818

G-28818

IM 3-1-59

State of Idaho

License and Certificate of Water Right

Water License No. G-28818 Priority June 13, 1960 Amount 2.87 c.f.s.

THIS IS TO CERTIFY that LEWIS BINGHAM - Assignee VEREEN BINGHAM, STIRLING BINGHAM, LEE SCHVANEVELDT, NORMAN & MYRON FONNESBECK of Weston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 13, 1960; that Permit No. G-28818 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.87 second feet, was issued thereunder on November 16, 1966, showing that said works were completed on the 28th day of May, 1965; and that on the 28th day of May, 1965 VEREEN BINGHAM, STIRLING BINGHAM, LEE SCHVANEVELDT, NORMAN & MYRON FONNESBEC of Weston, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well a tributary of subterranean flow for the purpose of irrigation & domestic use, under Use Permit No. G-28818 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 13 of Licenses, at Page 8593, on the 16th day of November, 1966.

The right hereby confirmed dates from June 13, 1960.

The Point of Diversion is located in the NE ¼ NE ¼, Sec. 36, Twp. 15 S, R. 37 E, B.M. Franklin County.

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 2.87 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S	37 E	36	NE¼ NE¼	40	4
	38 E	31	SW¼ NW¼	40	37
			SE¼ NW¼	20	12
			NW¼ SW¼	40	6
16 S	38 E	8	NE¼ NE¼	8	4
			NW¼ NE¼	40	36
			SW¼ NE¼	40	39
			SE¼ NE¼	40	38
			NE¼ SE¼	26	10
			NW¼ SE¼	26	14
		9	SW¼ SW¼	40	39
		10	NW¼ SE¼	40	39
			S½ SE¼	80	80
		11	SW¼ SW¼	40	11
		16	SW¼ NW¼	40	34
Total number of acres to be irrigated:					406

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 16th day of November, 1966.

Carl A. Bennett

Assistant State Reclamation Engineer.

28818

State of Idaho

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. G-28818

To Verene Bingham et al
Weston, Idaho

Source of Supply a well

Franklin County

Amount 2.87 Sec. Ft.

Point of Diversion NE¼NE¼, Sec. 36, T. 15 S., R. 37 E.,B.M.

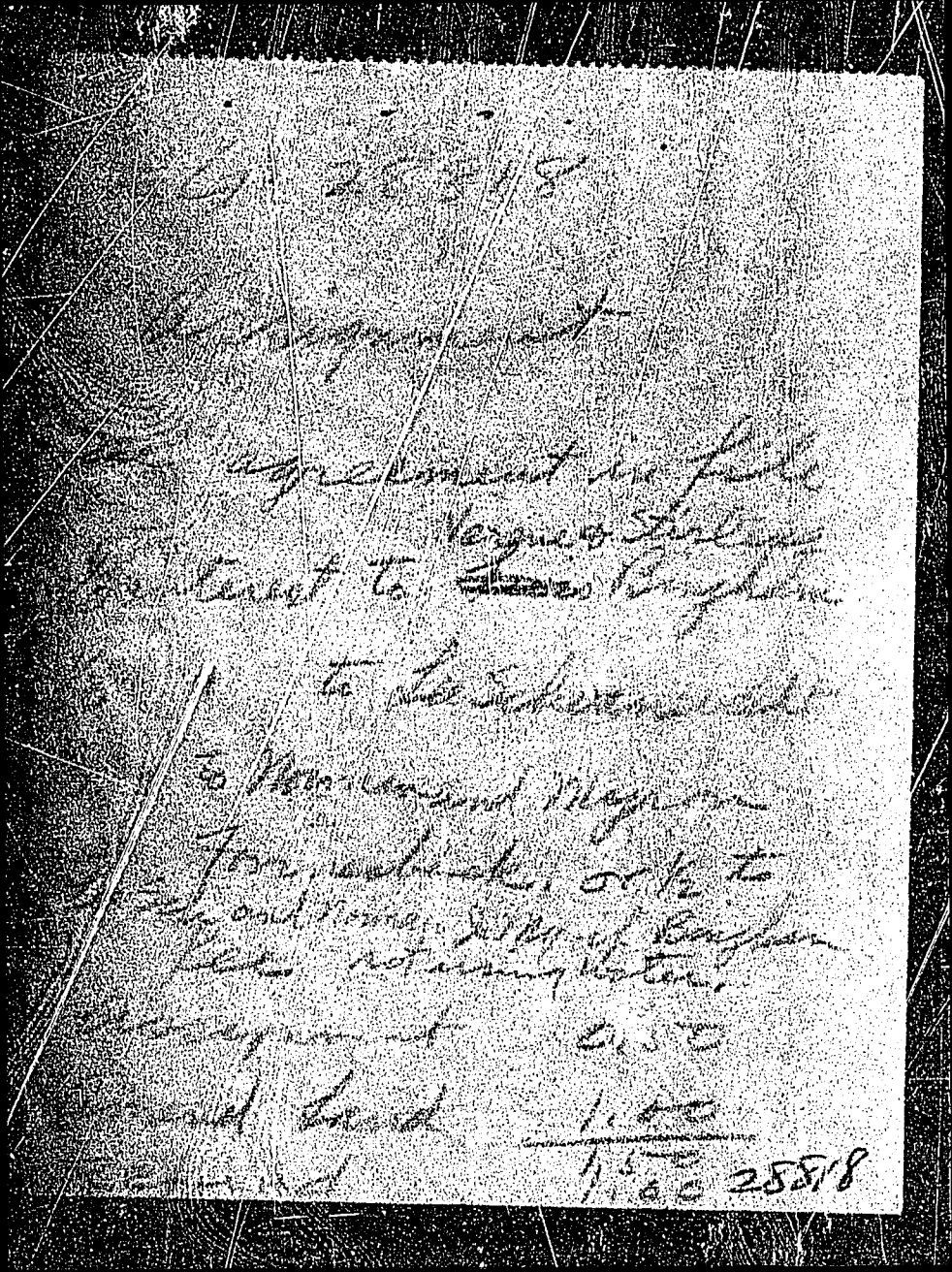
Place of Use NE¼NE¼, Sec. 36, T. 15 S., R. 37 E.,B.M.; NW¼SE¼, S½SE¼, Sec. 10; SW¼SW¼, Sec. 11; NE¼, N½SE¼, Sec. 8; SW¼SW¼, Sec. 9; SW¼NW¼, Sec. 16, T. 16 S., R. 38 E.,B.M.; S½NW¼, NW¼SW¼, Sec. 31, T. 15 S., R. 38 E.,B.M.

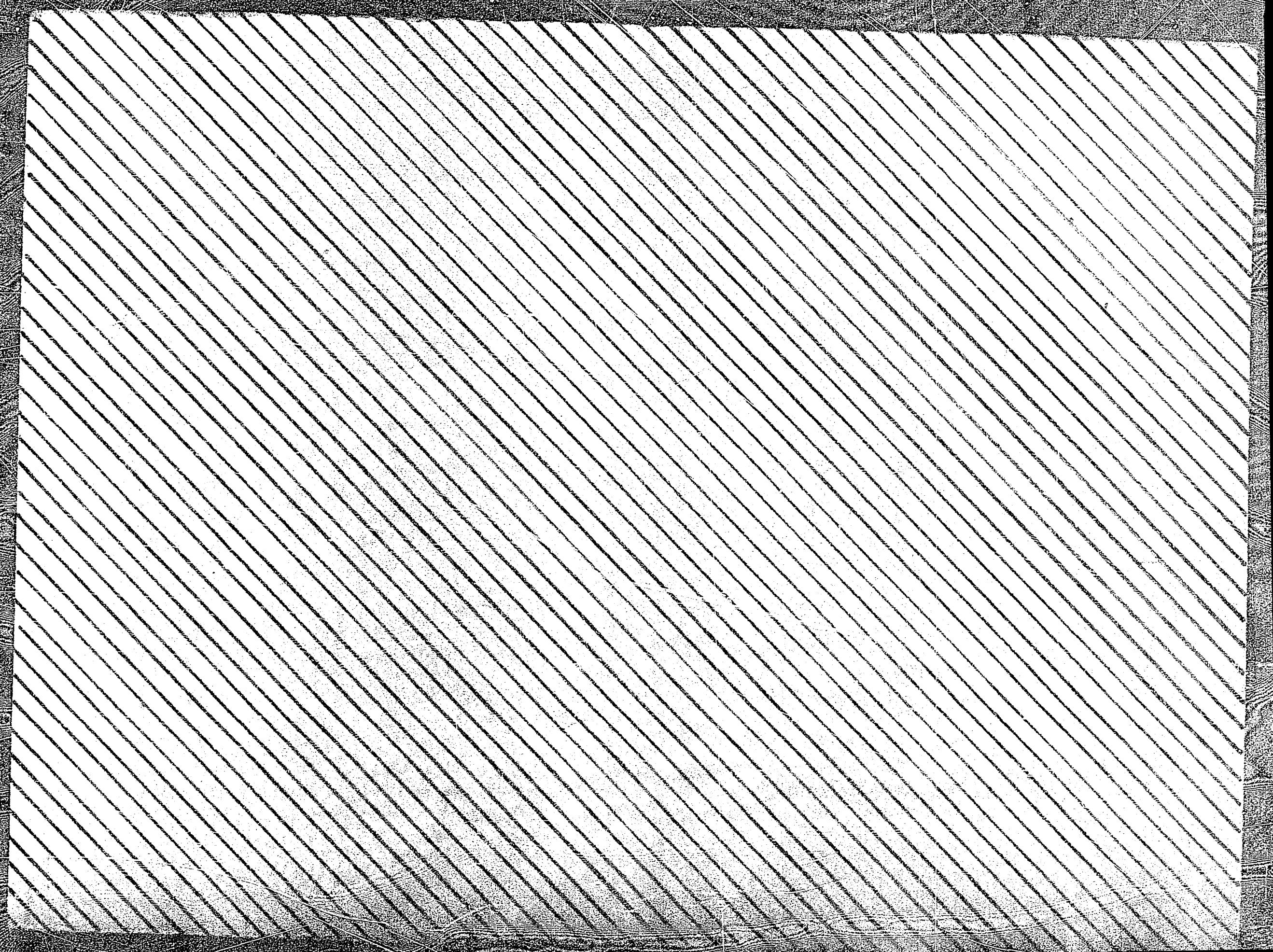
Purpose irrigation & domestic

Date of Priority June 13, 1960

Recorded November 16, 1966

in Book 13 of Licenses, Page 9593





IM 3-1-59

State of Idaho

License and Certificate of Water Right

Water License No. G-28818 Priority June 13, 1960 Amount 2.87 c.f.s.

THIS IS TO CERTIFY that LEWIS BINGHAM - Assignee _ VEREEN BINGHAM, STIRLING BINGHAM, LEE SCHVANEVELDT, NORMAN & MYRON FONNESBECK of Weston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 13, 1960; that Permit No. G-28818 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.87 second feet, was issued thereunder on November 16, 1966, showing that said works were completed on the 28th day of May, 1965; and that on the 28th day of May, 1965 VEREEN BINGHAM, STIRLING BINGHAM, LEE SCHVANEVELDT, NORMAN & MYRON FONNESBEC of Weston, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation & domestic use, under Use Permit No. G-28818 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 13 of Licenses, at Page 8593, on the 16th day of November, 1966.

The right hereby confirmed dates from June 13, 1960.

The Point of Diversion is located in the NE ¼ NE ¼, Sec. 36, Twp. 15 S, R. 37 E, B.M. Franklin County.

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 2.87 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S	37 E	36	NE¼ NE¼	40	4
	38 E	31	SW¼ NW¼	40	37
			SE¼ NW¼	20	12
			NW¼ SW¼	40	6
16 S	38 E	8	NE¼ NE¼	8	4
			NW¼ NE¼	40	36
			SW¼ NE¼	40	39
			SE¼ NE¼	40	38
			NE¼ SE¼	26	10
			NW¼ SE¼	26	14
		9	SW¼ SW¼	40	39
		10	NW¼ SE¼	40	39
			S½ SE¼	80	80
		11	SW¼ SW¼	40	11
		16	SW¼ NW¼	40	34
		Total number of acres to be irrigated:			406

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 16th day of November, 1966.

Charles A. Barrett

Assistant State Reclamation Engineer.

13 2200 28878

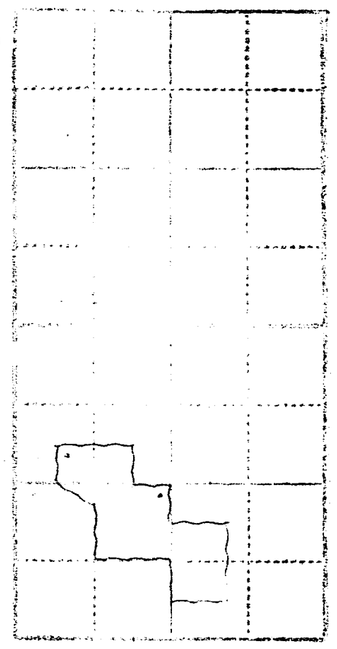
G- 28818

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 26769
Permit No. G- 28818
District No.

1. Name of Applicant: Lewis Bingham

   Postoffice address: Weston County: Franklin State: Idaho



2. Quantity of water claimed:

   (a) Rate of withdrawal in cubic feet per second 6.0 or Idaho Miners' inches 300 or gallons per minute

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the $NE\frac{1}{4}$ $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ $SW\frac{1}{4}$ Section 36 of Section 25

   Twp. 15 S , Rge. 37 E , B.M., County of Franklin

5. Water is to be used for: domestic and irrigation

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp. Rge. , B.M.

   (b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B.M.

7. Kind of works: Wells, pumps and ditches

8. Estimated cost of works: $ 12,000

9. (a) Is reservoir to be used? no

   (b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

   I. (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 (a) Cash on hand: $

   (b) Treasury stock: (c) Bonds to be issued:

   (d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 61.80 shares in the Weston Creek Irrigation Company

   (a) Four (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.

   (b) Two (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Lewis Bingham *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 10:00 A.M. June 13, 1960

Returned to applicant for correction: June 21, 1960

Corrected application received: June 28, 1960

Approval of State Reclamation Engineer

The number of this permit is G— 28818

Recorded in Book 101 Page 28818 Approved June 30, 1960

This is to certify that I have examined the within application for a permit tc appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $ to be filed on or before

Work to begin on or before and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before December 30, 1962

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before June 30, 1965

Witness my hand this 30th day of June, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, W. E. DREVLOW, Acting, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 30th day of June, 19 60

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

STATE OF IDAHO

By s/ W. E. DREVLOW,
Acting *Governor*

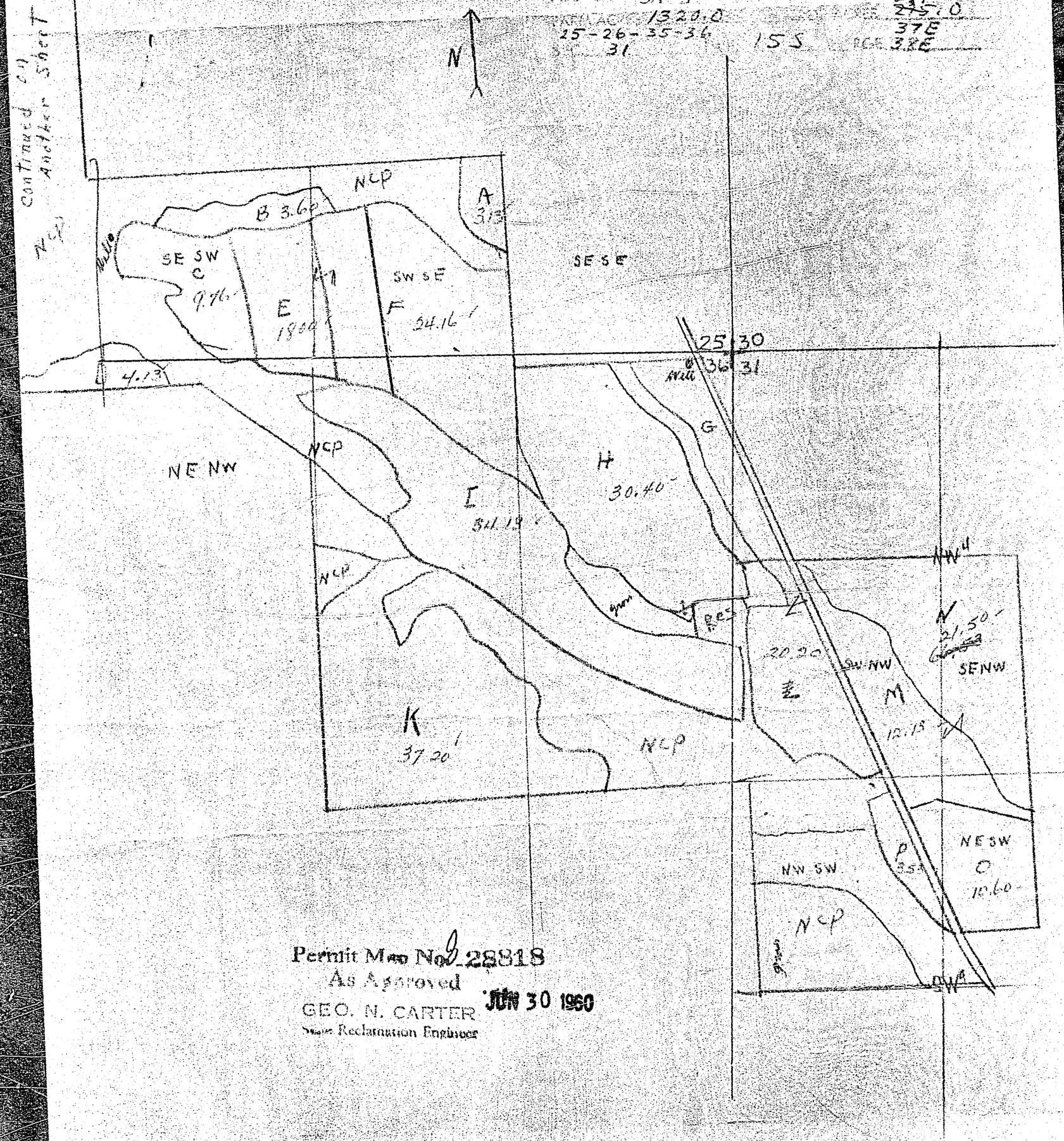
12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15 S	37 E	25												40		40			80
		36	40	40	40	40	20												180
15 S	38 E	31						40		20	20	40							120
																TOTAL			380

RECEIVED
JUN 2 01960
Department of Reclamation

Sheet No. 1

WATER-POWER BOARD
OWNER Lewis Ringham
CHAIRMAN Richard S. Ringham
APPLN. IR-176
MAP 34-E
ACRES 1320.0
25-26-35-36
SEC. 31
$2900.00 YEAR 237
275.0
37E
155 PGE 32E



Permit Map No. 28818
As Approved
JUN 30 1960
GEO. N. CARTER
State Reclamation Engineer

28818

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

ROBERT E. SMYLIE
Governor

June 21, 1960

Re: Application No. G-36769

Mr. Lewis Bingham
Weston, Idaho

Dear Mr. Bingham:

Returned herewith is your application for permit for approval and for completion of answer to Question 13 at the bottom of the second page.

The points of diversion, maps and the land list have been completed as best we can from the map you sent. Kindly check to be sure they are correct.

Show under Question 13 what existing water rights you have on this land.

Return the application to this office within 60 days.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: Edna P. Rule
(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:ew

Enc. application for
permit

6/80 shares in Westar Creek
irrigation Co.
4 ac sup
NE = new

28818

June 21, 1960

Re: Application No. 0-36769

Mr. Lenda Bingham
Weiser, Idaho

Dear Mr. Bingham:

Returned herewith is your application for permit for approval and for completion of answer to Question 13 at the bottom of the second page.

The points of diversion, maps and the land list have been completed as best we can from the map you sent. Kindly check to be sure they are correct.

Show under question 13 what existing water rights you have on this land.

Return the application to this office within 60 days.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Hula
Chief Clerk

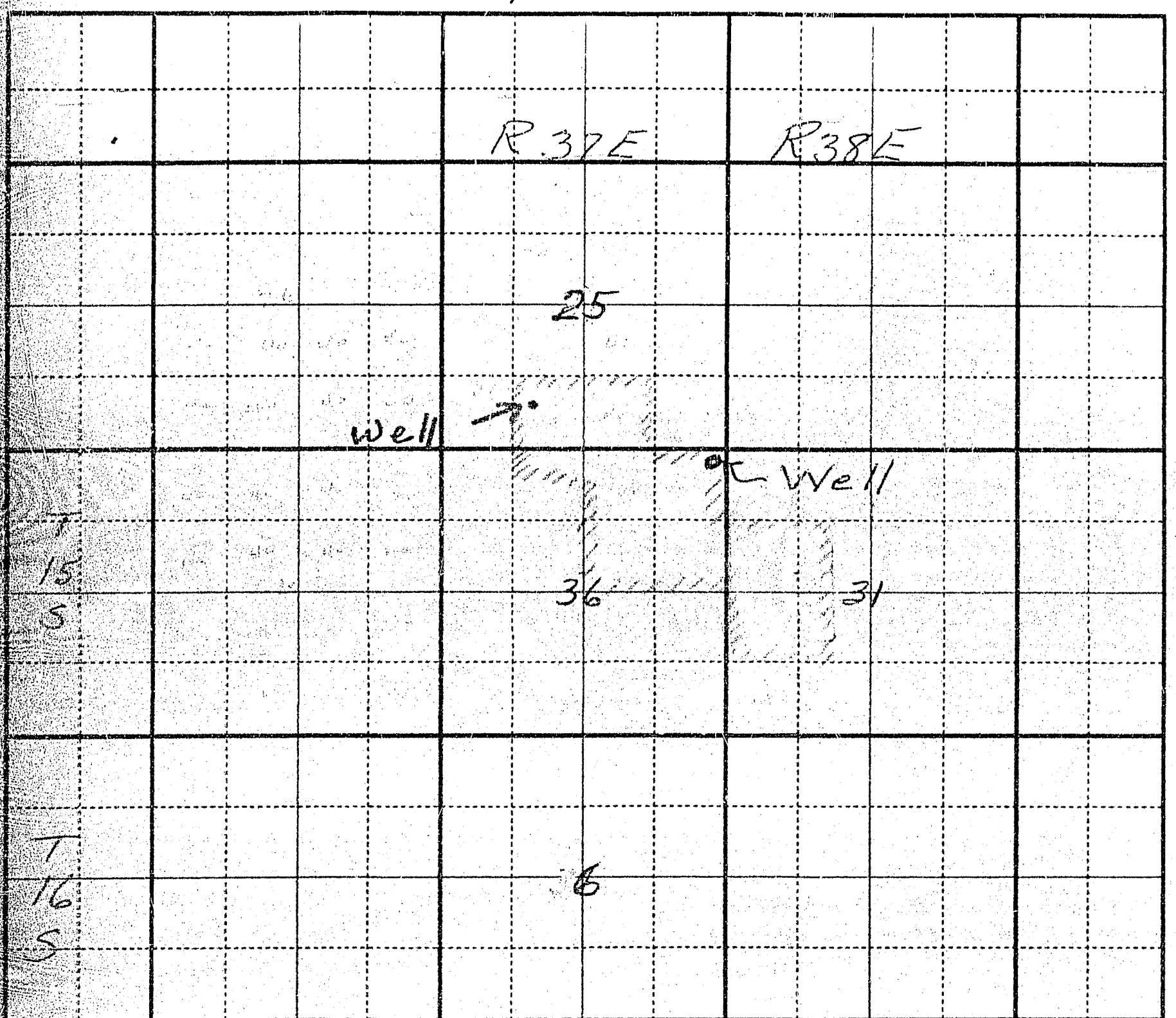
WHBrown

Enc. application for permit

25815

NAME OF APPLICANT Lewis Bingham

Form No. 0



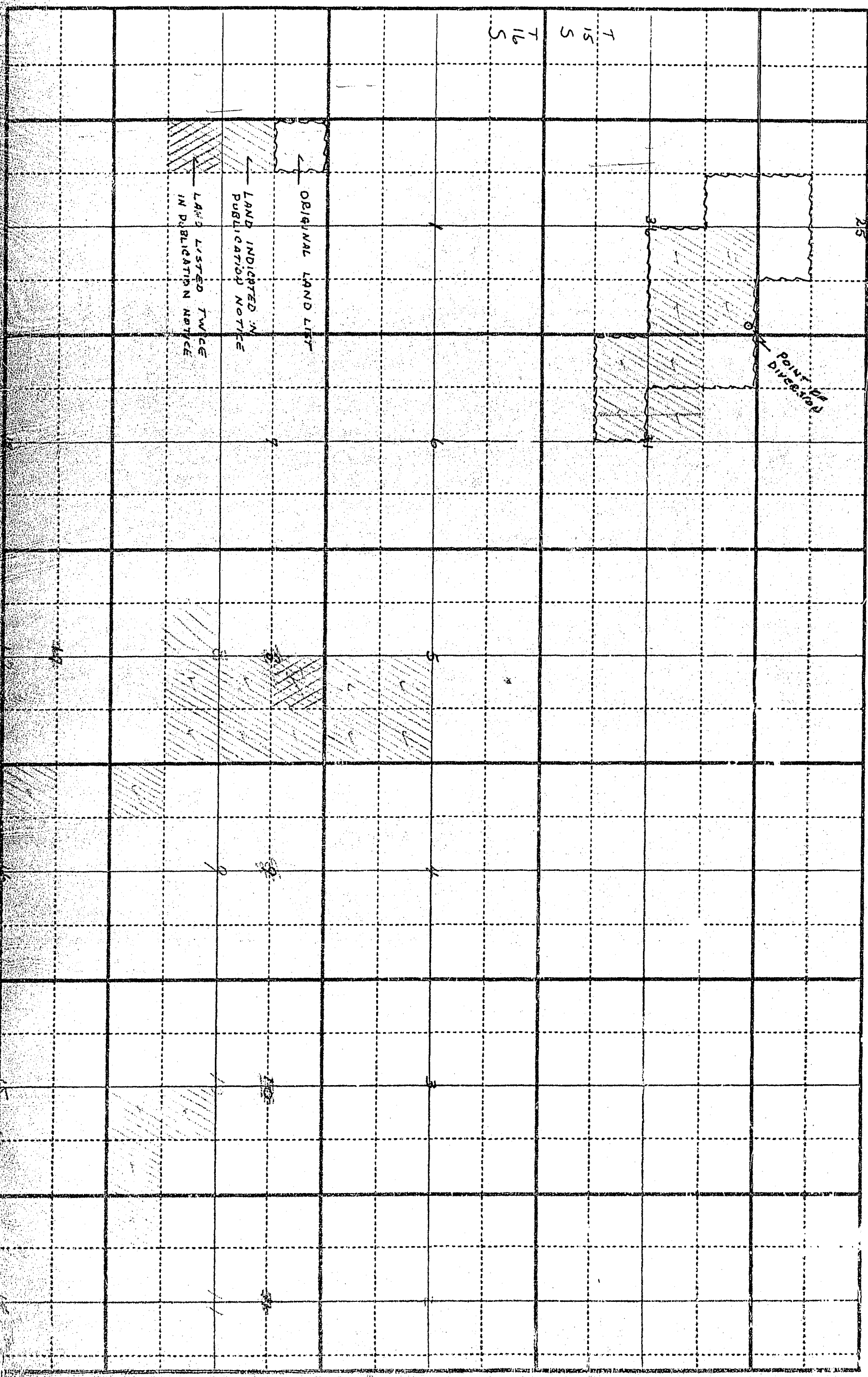
Permit Map No. 9-28918
As Approved
JUN 30 1960
GEO. N. CARTER
Chief Reclamation Engineer

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

28818

NAME OF APPLICANT.....

Form No. 0



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

2 6676

July 11, 1960

Re: Permit No. G-28818

Mr. Ivan Bingham
Gerber, Idaho.

Dear Mr. Bingham:

We enclose Permit No. G-28818 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental Receipt No. G-4886, which was issued covering payment in the amount of $6.25 for the filing fee of the above mentioned permit, was given to you while in our office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Eule
Chief Clerk

Encl.
ER:pak

28818

Dial 352-0546

J. N. Larsen Company

Preston, Idaho

Box 466

RECEIVED
JUN 6 1963
Department of Reclamation

To: Department of Reclamation

MEMO

Date: 6-5-63

Re:

From:

Would you please send the necessary papers to Sterling A. Bingham for the final proof of filing on Permit No. G 28818. His address is Weston, Idaho.

Along with the proof of filing papers would you please send the necessary papers for the transfer of rights in said Permit No. G 28818. Said permit was taken out in the name of Lewis Bingham, who sold his farm and one-third of the permit to his sons Sterling A. and Vereen L. Bingham. Also 1/3 was sold to Lee Schvaneveldt, and 1/3 to Norman and Myron Fonnesbeck.

Yours very truly,

J.N.LARSEN COMPANY

By Ted B. Larsen
Ted B. Larsen

G-28818

28818

June 6, 1963

Re: Permit No. G-28818
Leslie Bingham

Sherling A. Bingham
Weiser, Idaho

Dear Mr. Bingham:

Enclosed are forms preliminary to making necessary proofs under above noted permit and three forms for assignment of permit.

The assignments should be completed by showing portion of permit No. G-28818 to each party with mailing address and description of land to which the portion will be appurtenant. If the lands are not now described in the permit, it will be necessary to amend the permit.

All the new owners may make the proofs together, or separately.

There is a fee of $0.50 for recording each assignment of a permit.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

28818

Dial 852-0546

J. N. Larsen Company

Preston, Idaho

Box 466

RECEIVED
SEP 11 1964
Department of Reclamation

To: Bureau of Reclamation

Re: water rights

MEMO

Date: 9-10-64

From: Ted B. Larsen

2 62 8818

In reference to application for Permit No. 36769 and Permit No. G issued to Lewis Bingham of Weston, Idaho we are enclosing herewith a veri fax copy of Real Estate Agreement of Mr. Bingham which has been legally acknowledged together with copy of bill of sale in regards to the sale of waters from this well. Mr. Bingham has died and their was no probate of his estate as the family had no need, due to the fact that Agreement and property transfer had prior to his death been properly acknowledged.

As you will note from enclosed papers Mr. Lewis Bingham had deeded the waters as follows:

1/3 interest to Vereen L. Bingham and Sterling A. Bingham,
1/3 interest to Lee Schvaneveldt
1/3 interest to Myron Fonnesbeck and Norman Fonnesbeck.

Would you please inform us as to the proper procedure to receive the proper papers for the parties involved.

Thank You.

25818

September 11, 1964

RE: Permit 0-28818
J. N. Larsen Company

J. N. Larsen Company
Preston,
Idaho

Gentlemen:

Returned herewith are the copies of Real Estate Agreement and Sale of Real Property and Receipt.

Please refer to our letter of September 26, 1963, photocopy attached. There are no new regulations affecting situations of a like nature which would permit changing the name of the permit holder as requested by you.

Please follow suggestions about assignment and possible amendments and request for name of executor or administrator as stated in attached photocopy.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

H. PETRI
State Water Rights Clerk

HP:ct

ENC. photocopy

28818

Dial 852-0546

J. N. Larsen Company

Preston, Idaho

RECEIVED
SEP 29 1963
Department of Reclamation

To: Bureau of Reclamation

Re: Water transfer

MEMO

Date:

From: Ted B. Larsen

In reference to Permit No. 4-28818 issued to Lewis Bingham of Weston, Idaho, we are enclosing herewith averi-fax copy of real estate agreement from Lewis Bingham to Vereen Bingham and which is being held in escrow at Walker Bank & Trust Company at Logan, Utah. At the present time Mr. Lewis Bingham is deceased and Vereen Bingham is selling his interest to another party. As you will note in the enclosed agreements that Mr. Lewis Bingham is deeded by agreement his interest in the well. Could you send us the necessary papers and also instructions to help these men in getting the original filing in their respective names prior to their selling same.

Thank You.

Other than agreement apparently Lewis Bingham has made no other assignment of his interest in this water before his death.

28818

September 25, 1963

Re: Permit No. G-25818
Lewis Bingham

S. E. Iverson Co.
Preston, Idaho

Dear Sir:

Returned herewith are the copies of Real Estate Agreement and Sale of Real Property and Receipt.

The Real Estate Agreement cannot be accepted as it is not signed and notarized.

The sale of Real Property and Receipt cannot be accepted as it does not describe the location of the well.

The executor of the Lewis Bingham Estate can assign the permit or portion thereof on the enclosed form.

There are also forms to amend the land list as I presume Schwendsville and Tannebock will use the water on land not described in the permit.

There are fees of $0.50 for recording each assignment and $1.00 for recording each amendment to a permit.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT:ew

Encl. real estate Agreement
Sale of Real Estate
Property

P. S. Also, please send a copy of the Court Order showing the executor or administrator of the Lewis Bingham Estate.

25818

RECEIVED
SEP 11 1964
Department of Reclamation

RECEIVED
Department of Reclamation

Copy

SALE OF REAL PROPERTY AND RECEIPT
* * * * * * * * * * * * * * * * * *

For and in consideration of the sum of $ 4,351.00, I hereby grant unto Lee Schvaneveldt a one-third interest in a water well on my premises together with the water therefrom, as per an agreement hereinafter to be consumated, and unto Norman Fennesbeck and Myron Fennesbeck a one-third interest in said water well together with the water therefrom on my premises as per agreement hereinafter to be consumated, and hereby reserve unto myself a one-third interest to the water well and the water thereof.

S/ Lewis Bingham
LEWIS BINGHAM
S/ Ada Bingham
ADA BINGHAM

STATE OF IDAHO)
: SS
COUNTY OF FRANKLIN)

On this 23 day of November, 1960, before me, Odell Smith, a Notary Public in and for said state, personally appeared Lewis Bingham and Ada Bingham known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(seal)

Odell Smith
Notary Public for Idaho
Residing at Preston, Idaho

28818

RECEIVED
SEP 11 1964
Department of Reclamation

 Printed and For Sale by GATEWAY PRINTERS, Pocatello, Idaho

Real Estate Agreement
(ESCROW)

THIS AGREEMENT, Made and entered into this 3rd day of October, 19 62,

between **LEWIS BINGHAM and ADA L. BINGHAM, husband and wife,**

of **Weston**

County of **Franklin** State of Idaho, hereinafter called "Vendor", and

VERREEN L. BINGHAM and RUBY T. BINGHAM, husband and wife, and STERLING A. BINGHAM and HELDA C. BINGHAM, husband and wife, of Weston,

County of **Franklin** State of Idaho, hereinafter called "Purchaser".

WITNESSETH, That the Vendor, in consideration of the covenants and agreements on the part of the Purchaser, hereinafter contained, agrees to sell and convey unto the Purchaser, and the Purchaser agrees to buy all that certain piece or parcel of land situated and lying and being in **the** County of **Franklin**, State of Idaho, and bounded and particularly described as follows, to-wit:

Township 15 South, Range 37 East, Boise Meridian
Section 25: SW¼SE¼, S½SW¼, NW¼ SW¼
Section 26: S½
Section 35: N½, SE¼, E½SW¼, NW¼SW¼
Section 36: NE¼

A portion of Section 31, Township 15 South, Range 38 East of the Boise Meridian, described as:
Beginning at a point 21 rods N of the NE corner of the SW¼SW¼ of said Section 31, and running thence
E 36 rods; thence N 137 rods; thence
E 45 rods; thence N 2 rods, to the NE corner of the SE¼NW¼ of said Section 31, thence
W 160 rods, more or less, to the W line of said Section 31, thence
S 139 rods; thence
E 80 rods, more or less, to the place of beginning.

61.81 shares in Weston Creek Irrigation Co.;
All waters of Cherry Canyon;
1/3 interest in well in NE corner of NE¼, T. 15 S., Section 30, R. 37 E.B.M. and;
126 head range right on Caribou Forest adjoining above described premises, which right Vendor waives and relinquishes in favor of the Purchaser.

together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; subject, however, to all zoning laws, city ordinances, easements, restrictive agreements and rights of ways of public roads as of the date of this agreement.

28818

for the sum of SEVENTY-FIVE THOUSAND and no/100ths DOLLARS, ($75,000.00), lawful money of the United States of America, and the said Purchaser in consideration of the premises, agree to pay to the said Vendor the said sum of SEVENTY-FIVE THOUSAND and no/100ths DOLLARS, ($75,000.00), as follows, to-wit: $7,000.00 by the assumption and agreement to pay that certain mortgage dated December 20, 1954, executed by Lewis Bingham and wife, Ada L. Bingham, to The Federal Land Bank of Spokane to secure the payment of $10,300.00 and interest; recorded December 23, 1954 in Book 59 of Mortgages, page 117, records of Franklin County, Idaho, the unpaid balance of which is in the approximate sum of $7,000.00; and The balance of $78,000.00 payable at the rate of $5,000.00 or more per year, the first payment to be made on the 20th day of December, 1963, and $5,000.00 or more on the 20th day of December of each and every succeeding year until the sum of $78,000.00 has been fully paid.

It is specifically understood and agreed that this contract shall draw no interest.

The Purchaser agree to keep the buildings located on said premises insured against loss by fire for their insurable value with the loss payable to the Vendor as present owner, and to the Purchaser as purchaser under contract, as their respective interests may appear, premiums on said policies to be paid by the Purchaser on and after the date of this contract, provided, however, that if the buildings located on said premises are now insured against loss by fire, the parties hereto agree to prorate the premiums heretofore paid on said policies as of the date the Purchaser takes possession of said premises, in which event proper riders shall be placed on said policies protecting the interests of the respective parties as they may appear.

The Vendor agree to pay all state, city, school and county taxes and all assessments, of whatsoever nature, which were levied against said premises for the year 1962, and prior years and no /12ths of the taxes and assessments levied against said premises for the year 1963, and the Purchaser agree to pay 12 /12ths of all state, city, school and county taxes and assessments, of whatsoever nature, which were assessed against said premises for the year 1963, and all of said taxes and assessments for each and every year thereafter.

The Vendor agree to place in escrow a Title Insurance Policy which shall insure the Purchaser against loss or damage by reason of any defect in or lien of encumbrance effecting the title to said real estate by reason of the unmarketability of the title of the Vendor

2888

It is further agreed by and between the parties that a copy of this agreement, together with a good and sufficient Warranty Deed executed by the Vendor to the Purchaser, and the ~~Abstract of Title~~ Title Insurance Policy to said premises, together with all insurance policies, with the proper riders attached thereto, shall be placed in escrow with the **Walker Bank & Trust Company, Cache Valley Office, Logan, Utah**

and all moneys paid under this contract by the Purchaser, other than the down payment, shall be paid directly to the escrow holder, and the said escrow holder shall be instructed to deliver to the Purchaser the said escrow papers upon **their** paying the purchase price, ~~with interest~~ as herein specified.

Time is of the essence of this agreement and in case of the Purchaser shall fail, refuse or neglect to pay to the Vendor or the escrow holder the money as is agreed herein to be paid or to pay the taxes and assessments at the time the same shall become due or shall fail to fulfill any of the covenants of agreements on **their** part to be kept and performed, then and in that event the Vendor shall be relieved from obligation in law or in equity to convey said property and the Vendor may, at **their** option forfeit any and all rights of the Purchaser in and to the said real estate, and all money paid to the Vendor or the escrow holder by the Purchaser under this agreement shall be retained by the Vendor as liquidated damages for non-performance of this contract and as rent for said premises, and the Vendor shall have the right to demand the escrow holder to re-deliver to **them** the escrow papers and from the time the escrow papers are re-delivered to the Vendor, the Purchaser shall cease to have any right, title or interest in and to said premises and agree to immediately surrender peaceable possession of the same to the Vendor.

It is agreed that the above remedy is cumulative and the Vendor shall have any other remedy for the enforcement of this contract given to **them** by the laws of the State of Idaho.

It is further agreed that **all escrow charges shall be equally divided between Vendor and Purchaser.** ~~will pay the initial escrow charges and~~ ~~will pay all escrow charges thereafter~~.

It is further agreed that if it becomes necessary for the Vendor to bring an action in any court of competent jurisdiction for the enforcement of this contract for the repossession of said premises upon failure of the Purchaser to make the payments and perform the covenants as herein specified, the Purchaser shall pay all court costs contracted by the Vendor, together with a reasonable attorney's fee.

It is further agreed that the stipulations herein set forth are to apply to and bind the heirs, executors, administrators and assigns of the respective parties hereto and the Purchaser shall have possession of said premises on the **third** day of **January**, 19**63**.

IN WITNESS WHEREOF, The parties hereto have hereunto set their hands and seals the day and year first above written.

~~Signed, Sealed and Delivered in the Presence of~~

Vernon L Bingham (SEAL)

Ruby T. Bingham (SEAL)

Vendors

Stirling A Bingham (SEAL)

Zelda C Bingham (SEAL)

Purchasers

STATE OF IDAHO } ss.

~~COUNTY OF~~

STATE OF **IDAHO** } ss.

COUNTY OF **BANNOCK**

On the **3rd** *day of* **OCTOBER**, *in the year 19* **62**, *before me, a Notary Public, in and for said County, personally appeared* **VERNON L. and RUBY T. BINGHAM, husband and wife, and STERLING A. and ZELDA C. BINGHAM, husband and wife,** *known to me to be the person* **s** *whose name* **s are** *subscribed to the within instrument, and acknowledged to me that* **they** *executed the same.*

IN WITNESS WHEREOF, *I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.*

August Jam

Notary Public

My commission expires ....., 19.....

Residence **Pocatello, Idaho**

GATEWAY PRINTERS - POCATELLO

28818

It is further agreed by and between the parties that a copy of this agreement, together with a good and sufficient Warranty Deed executed by the Vendor to the Purchaser, and the ~~Abstract of Title~~ Title Insurance Policy to said premises, together with all insurance policies, with the proper riders attached thereto, shall be placed in escrow with the **Walker Bank & Trust Company, Cache Valley Office, Logan, Utah**

and all moneys paid under this contract by the Purchaser, other than the down payment, shall be paid directly to the escrow holder, and the said escrow holder shall be instructed to deliver to the Purchaser the said escrow papers upon **their** paying the purchase price, ~~and interest~~ as herein specified.

Time is of the essence of this agreement and in case of the Purchaser shall fail, refuse or neglect to pay to the Vendor or the escrow holder the money as is agreed herein to be paid or to pay the taxes and assessments at the time the same shall become due or shall fail to fulfill any of the covenants of agreements on **their** part to be kept and performed, then and in that event the Vendor shall be relieved from obligation in law or in equity to convey said property and the Vendor may, at **their** option forfeit any and all rights of the Purchaser in and to the said real estate, and all money paid to the Vendor or the escrow holder by the Purchaser under this agreement shall be retained by the Vendor as liquidated damages for non-performance of this contract and as rent for said premises, and the Vendor shall have the right to demand the escrow holder to re-deliver to **them** the escrow papers and from the time the escrow papers are re-delivered to the Vendor, the Purchaser shall cease to have any right, title or interest in and to said premises and agree to immediately surrender peaceable possession of the same to the Vendor.

It is agreed that the above remedy is cumulative and the Vendor shall have any other remedy for the enforcement of this contract given to **them** by the laws of the State of Idaho.

It is further agreed that **all escrow charges shall be equally divided between** ~~will pay the initial escrow charges and~~ **Vendor and Purchaser.** ~~thereafter the Purchaser will pay all escrow charges.~~

It is further agreed that if it becomes necessary for the Vendor to bring an action in any court of competent jurisdiction for the enforcement of this contract for the repossession of said premises upon failure of the Purchaser to make the payments and perform the covenants as herein specified, the Purchaser shall pay all court costs contracted by the Vendor, together with a reasonable attorney's fee.

It is further agreed that the stipulations herein set forth are to apply to and bind the heirs, executors, administrators and assigns of the respective parties hereto and the Purchaser shall have possession of said premises on the **third** day of **January**, 19**63**.

IN WITNESS WHEREOF, The parties hereto have hereunto set their hands and seals the day and year first above written.

~~Signed, Sealed and Delivered in the Presence of~~

Lewis Bingham (SEAL)

Ada L Bingham (SEAL)

Vendors

Vernon J Bingham (SEAL)

Riley J. Bingham (SEAL)

Sterling A Bingham (SEAL)

Neil L Bingham (SEAL)

Purchasers

STATE OF IDAHO }
COUNTY OF ~~Bannock~~ } ss.

On the **3rd** day of **October**, in the year 19**63** before me, a Notary Public in and for said State personally appeared **LEWIS BINGHAM and ADA L. BINGHAM, husband and wife** known to be the persons whose names are subscribed to the within instrument, and acknowledged to me that **they** executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public

(SEAL)

Residing at _____

My commission expires _____, 19____.

September 26, 1963

Re: Permit No. 0-28818
Lewis Bingham

J. J. Larsen Co.
Preston, Idaho

Dear Sir:

Returned herewith are the copies of Real Estate Agreement and Sale of Real Property and Receipt.

The Real Estate Agreement cannot be accepted as it is not signed and notarized. Agreement has been notarized - originally

The sale of Real Property and Receipt cannot be accepted as it does not describe the location of the well. fully notarized

The executor of the Lewis Bingham Estate can assign the permit or portion thereof on the enclosed form. As probate as Mr. Bingham had specified all such papers filed to his death.

There are also forms to amend the land list as I presume Schwanavelt and Fennebock will use the water on land not described in the permit.

There are fees of $0.50 for recording each assignment and $1.00 for recording each amendment to a permit.

Very truly yours,

ALLEN W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. real estate agreement
Sale of real estate
Property

P. S. Also, please send a copy of the Court Order showing the executor or administrator of the Lewis Bingham Estate.

28818

Dial 852-0546

J. N. Larsen Company

Box 466

Preston, Idaho

RECEIVED
SEP 15 1964
Department of Reclamation

To: Bureau of Reclamation

Re: Statement

MEMO

Date: 9-14-64

From: Ted B. Larsen

If you would please refere to our letter of September 10 you will note that we enclosed copy of agreement of Mr. Bingam which was notorized, when the first copy was sent to you a year ago the entire agreeement was not sent to you as it was not suggested at the time that it was necessary and when we asked the bank for a copy of only the first page showing grantors and grantees and water and property involved.

We have since received from the bank the entire copy of agreeement which was notorized as you will note.

Would you please refer to our letter and recheck this agreeement.

Thank You.

2881 8

September 17, 1964

RE: Permit No. G-28818
Lewis Bingham

J. F. Larsen Company
Box 466
Preston, Idaho

Dear Mr. Larsen:

We received "Sale of Real Property and Receipt" wherein Lee Schwanavelt was deeded 1/3 interest and Norman and Byron Fonnesbeck were deeded 1/3 interest in a water well on the Lewis Bingham premises; however the location of the well is not given and this paper cannot be accepted as a partial assignment of Permit No. G-28818.

We also received a copy of Real Estate Agreement wherein certain lands and the well are described and can be accepted as assignment of 1/3 interest in the permit.

A copy of the agreement with Schwanavelt and also Norman and Byron Fonnesbeck describing the land and location of the well would complete the record.

There is a fee of $0.50 for recording each assignment or a total of $1.50 which should accompany the final papers.

Very truly yours,

RALPH M. THOMAS
Deputy State Reclamation Engineer

RMT:mr

28818

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

April 1, 1965

Re: Permit No. G- 28818
Lewis Bingham

J. M. Larsen Co.
P. O. Box 455
Preston, Idaho

Dear Mr. Larsen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 28818 are due not later than June 30, 1965

Before these proofs 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 in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated -- all by legal land description.

Enclosed also 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 two Forms 36.

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, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

Carl E. Taylor

State Reclamation Engineer

Enclosures Form 36 and 11
cc: Lewis Bingham
Weston, Idaho

Note: See our letter of September 15, 1964

28818

April 19, 1965

RE: Permit 0-28818
Jesse Bingham

J. N. Larsen Company
Box 156
Preston, Idaho

Dear Mr. Larsen:

Returned herewith is the publication notice for the above numbered permit. This permit cannot be advertized until the "Sale of Real Property and Receipt" forwarded by your office is corrected to show the location of the well as requested by our letter of September 17, 1964.

Note that the enclosed plat showing the land as it is listed on the permit is colored in yellow; the land that you indicate the water is used on is marked with green lines. For the publication notice to be valid, the land list will have to be amended to include the new land and exclude the land the water is not used on (not lined in green), or the land as now shown on the permit.

Upon receipt of the corrected "Sale of Real Property and Receipt" and $1.50, the permit will be assigned to all three owners individually.

Enclosed is a form for making an amendment to the land list; the fee is $1.00.

Please return the forms 36 & 11 with the corrected "Sale of Real Property and Receipt", the amendment to the land list and your check for $2.50 so that this permit may be advertized without further delay.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

N. RUSSELL BOSCH
Assistant
State Water Rights & Records

NRBjct
Enc. pub. notice, plat
amend. land list
form 36

28818

May 3, 1965

Re: Permit No. G-28818
Bingham Schvaneveldt, Fonnesbeck

J. N. Larsen Co.
P. O. Box 466
Preston, Idaho

Dear Mr. Larsen:

We received the agreement about the well and note that Mr. Bingham may not use the water until some time in the future.

If he is not using the water beneficially at time of inspection, his land will not be included in any water license we may issue.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

cc: Stirling Bingham
Weston, Idaho

28818

RECEIVED
MAY 3 1965
Department ... ating

AGREEMENT

* * * * *

This agreement made this 23rd day of November, 1960, by and between Lewis Bingham, Lee Schvanevelat and Norman and Myron Fonnesbeck;

Whereas, Lewis Bingham has paid $856.00, Lee Schvanevelat has paid $856.00 and Norman and Myron Fonnesbeck have paid $856.00 to dig a water well on the premises of Lewis Bingham in the County of Franklin, State of Idaho, and described as follows:

> At or near the Northeast Corner of the Northeast Quarter of the Northeast Quarter, Section 36, Township 15 South, Range 37 East of the Boise Meridian; and

Whereas, it is the intention and desire of the above named parties to each have an equal undivided one-third interest in and to said water well. It is hereby agreed as follows:

That Lee Schvanevelat and Norman and Myron Fonnesbeck shall pay for the installation of the pump motor, pipe, power lines, ditches, ~~head-gates~~, measuring devices and whatever is necessary for the conveyance of the water from said well to the afore mentioned parties land, and shall have the flow of the water from said well as follows: One-half to Lee Schvanevelat and one-half to Norman and Myron Fonnesbeck except as hereinafter provided.

Said Lewis Bingham now has his land in Soil Bank and at any time he or his assigns, purchasers or heirs desire to use one-third of the water from said well, said Lewis Bingham or his transferee shall pay one-third of the expense of installing the afore mentioned pump motor, pipe, power lines, ditches, headgates, measuring devices and whatever is necessary for the conveyance of the water from said well.

Provided further, that the afore mentioned pump motor, pipe, power lines, ditches, headgates and measuring devices shall be depreciated each year at the rate of 7½ percent, that is to say, that Lewis Bingham's one-third share shall be deducted 7½ percent for each year that he is not receiving water.

Said Lewis Bingham further agrees and hereby grants to all parties connected herewith a right-of-way for maintenance and repairs and necessary ditches, roads and easements leading to and from said water well to the parties property named herein.

Said Lee Schvanevaldt and Norman and Myron Fonnesbeck will pay all expenses of power maintenance and assessments levied against said water well the time they use the water, and in the event that said Lewis Bingham joins in the use of his one-third, then he shall pay one-third of the expenses and maintenance.

To clarify this contract, Norman and Myron Fonnesbeck shall be considered as one and have a one-third undivided interest.

Lewis Bingham hereby agrees to perfect his Water Application and Well Permit.

IN WITNESS WHEREOF We hereby set our hands and seals this 30 day of January, 1969.

Lewis Bingham

L. E. Schvanevaldt

Lee Myron Fonnesbeck

Norman D Fonnesbeck

STATE OF IDAHO)
: ss
COUNTY OF FRANKLIN)

On this 30 day of January, 1969, before me, Dell W. Smith, a Notary Public in and for said state, personally appeared Lewis Bingham, Lee Schvanevaldt, Norman and Myron Fonnesbeck, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Dell W. Smith
Notary Public for Idaho
Residing at Preston, Idaho

28818

J. N. LARSEN COMPANY
LAND TITLES
10 WEST ONEIDA STREET
PRESTON, IDAHO
Phone 852-0546

Established 1918

RECEIVED
MAY 3 1965
Department of Reclamation

April 30, 1965

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

Re: Permit G.28818
Lewis Bingham

Gentlemen:

In reference to your letter dated April 19th, we are submitting the following papers:

Our check No. 150 in the amount of $2.50 for filing fees
Application for amendment land list
Form No 36 in duplicate
Form No. 11
Form No. 0 which was prepared in your office which we are returning.
Agreement from Lewis to Schvaneveldt and Fonnespeck establishing well location as requested in your letter of September 17, 1964.

Yours very truly,

J.N.LARSEN COMPANY

By Ted B. Larsen
Ted B. Larsen

TBL/s
encls:

28808

RECEIVED
MAY 3 1965
Department of Reclamation

Application for Amendment

LAND LIST

Permit No. G-28818

Comes now Lyron Fonnesbeck, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-28818, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

Twp. 15 S.R. 37 EBM
Section 36: 160 acres NE¼

Twp. 15 S.R. 38 EBM
Section 31: 40 acres SW¼NW¼, 40 acres NW¼SW¼, 20 acres W½SE¼NW¼, 20 acres

Twp 16 S.R. 38 EBM
Section 5: 160 acres SE¼
Section 8: 132 acres NE¼, 52 acres N½SE¼, 40 acres NW¼SW¼
Section 9: 40 acres SW¼SW¼
Section 10: 80 acres W½ST¼, 40 acres SE¼SE¼
Section 14: 40 acres SW¼SW¼
Section 15: 40 acres SW¼NW¼

, making a total of 904 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Preston, Idaho this 30th day of April, 1965

Lyron Fonnesbeck

Date of receipt at office of Department of Reclamation May 3, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

I, [illegible], State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. [illegible]. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 101 of
[illegible]
May 6, 1965

Deputy
State Reclamation Engineer

28818

Form No. 11
2M 12-64

RECEIVED
MAY 3 1965
Department of Reclamation

RECEIVED
APR 19 1965
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 15, 1965

(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.

Veneen 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

28858

No. 36

RECEIVED MAY 3 1965 Department of Reclamation

10/1/63

NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 20th day of May 1965, at Preston, Idaho, County of Franklin, State of Idaho, before Ted B. Larson, Notary Public, at (address) 10 West Oneida Preston, Idaho, proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 28818, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
Vorene Bingham and Sterling Bingham 1/3 interest Preston, Idaho
Byron Pomeroy and Norman Pomeroy 1/3 interest Weston, Idaho
Leo Schwenneke 1/3 interest Weston, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4 cubic feet per second.

3. The use to which said water has been applied is Irrigation, purposes, and the amount applied to beneficial use is 4 cubic feet per second.

4. The point of diversion of said water is E/4 corner NE¼NE¼ Section 36, Twp 14 South, Range 37 East of the Boise Meridian

5. The place where said water is used is 160 acres NE¼ Sec 36 Twp 15 SR 37 EBM 40 acres SW¼NW¼, 40 acres NW¼SW¼, 20 acres W½SW¼NW¼, 20 acres W½NE¼SW¼ Section 31 Twp 15 SR 38 EBM, 160 acres SE¼ Sec 5; 132 acres W½SE¼, 40 acres NE¼SW¼ Sec 8; 40 acres SW¼SE¼ Sec 9; 80 acres W½SE¼, 40 acres SE¼SW¼ Section 10; 40 acres SW¼SW¼ Section 11; 40 acres SW¼NW¼ Sec 16 Twp 16 SR 38 EBM.

6. The date of priority which said user is prepared to establish is May 20, 1960.

Carl J. Tibbs

State Reclamation Engineer

2885

Re: Permit No. G-20518 Date: May 4, 1965
Bingham - Fonnesbeck & Schvaneveldt

Preston Citizen,
Preston, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to May 28, 1965 the date set for proof; the expense of the publication is to be paid by the applicant Vereen & Sterling Bingham; Myron & Norman Fonnesbeck, and Lee Schvaneveldt, of 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,

Carl E Tappan

CARL E. TAPPAN
State Reclamation Engineer

** 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

28518

May 4, 1965

Re: Permit No. 0-28818

Ivarsen & Sterling Bingham,
Myrrm & Norman Fornesbeck, and
Lee Schwarzwaldt,
Preston, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. 0-28818. The proofs are to be made at 10:00 o'clock A.M., on the 28th day of May, 1965, before Ted B. Ivarsen, 10 West Center, Preston, Idaho, Notary Public.

As of this date, we have mailed the Notice to the Preston Citizen Preston, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then 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, and at the time and before the Notary, as advertised. 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,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:ork
cc: Notary
cc: Myrrm & Norman Fornesbeck
cc: Lee Schwarzwaldt

28818

May 5, 1965

Re: Permit No. G-28818 - Leola Bingham

J. N. Larsen Company
10 West Oneida Street
Preston, Idaho

Gentlemen:

Enclosed is the Application for Amendment to the land list on the above noted permit, which has been recorded in this office. Also, the agreement giving 1/3 interest to Leola Bingham, Lee Schvaneveldt and Norman and Myron Pomeabeck, has been placed on file in this office.

Attached hereto is departmental receipt No. G-9252 in the amount of $2.50 covering fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew
Enc.
Amendment
receipt

28818

RECEIVED
MAY 6 1965
Department of Reclamation

G-28818

Weston, Idaho
May 5, 1965

Mr. Ralph W. Thomas, Deputy
State Reclamation Engineer
Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

Dear Mr. Thomas:

In reference to your letter dated May 3rd concerning the benificial use of water on our farm as listed in the proof of use papers:

When we purchased this farm from our father, the grass stand under soil bank was not good and the ASC had us redrill the farm in grass. In order to get a good stand we irrigated this land in soil bank. And we have been irrigating this grass each year since redrilling.

Yours very truly,

Harding A Bingham
Vernon Bingham

28818

June 2, 1965

RE: Permit 02[illegible]6

Mr. Vernon Bingham
Weston,
Idaho

Dear Mr. Bingham:

Your proofs for the above numbered permit and the affidavit of publication are returned herewith. It is noted that the publication specifies all three owners, you list all the land on the permit so it looks as though you are making proofs for the whole permit rather than just one third. Therefore, will you please have the other holders sign the proofs and return them to this office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

H. RUSSELL BOSCH
Assistant
State Water Rights & Records

MAB:ct
Enc. proofs
affidavit of publication

28 R/6

ROBERT E. SMYLIE
Governor

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

June 2, 1965

RECEIVED
JUN 8 1965
Department of Reclamation

RE: Permit G28818

Mr. Verene Bingham
Weston,
Idaho

Dear Mr. Bingham:

Your proofs for the above numbered permit and the affidavit of publication are returned herewith. It is noted that the publication specifies all three owners, you list all the land on the permit so it looks as though you are making proofs for the whole permit rather than just one third. Therefore, will you please have the other holders sign the proofs and return them to this office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

M. Russell Bosch

M. RUSSELL BOSCH
Assistant
State Water Rights & Records

MRB:ct
Enc. proofs
affidavit of publication

28818

Form 16
1.5 M - 7-31-62

RECEIVED
JUN 1 1965
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G 28818 (PART

RECEIVED
JUN 0 1965
Department of Reclamation

* * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

* * * * * * *

DEPOSITION OF HOLDER

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

Verene Bingham Weston, Idaho Farmer

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:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; June 30, 1960 Priority date ~~May 20, 1960~~ Jun 13, 1960

Ques. 4. State source of water supply: Well
Give location of point of diversion, showing subdivision, section, township and range:

NE corner NE¼NE¼ Sec 36 Twp 15 SR 37 EBM

Ques. 5. Describe your works of diversion: Well and pump

; state amount of water they are capable of conveying from point of diversion to place of use 4 cfs ; Give name of canal or ditch or other works by which water is conducted to such place of use: private ditch and weston creek ; if a well, state depth of well 150 feet ; depth and size of casing: 150 feet 18" ; depth to water 90 feet ; if pump is used, state discharge of pump: 4 cfs ; tell how it was measured or determined: measured by watermaster with weir. ; if sprinkler irrigation, give number and size of nozzles and operating pressure:

Ques. 6. State for what purpose water is used: irrigation
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water :160 acres NE¼ Sec 36 Twp 15 SR 37 EBM, 40 acres SW¼NW¼ 40 acres NW¼SW¼, 20 acres W½SE¼NW¼ Sec 31 Twp 15 SR 38 EBM, 160 acres SE¼ Sec 5, 132 acres NE¼, 52 acres N½SE¼, 40 acres NE¼SW¼ sec 8, 40 acres SW¼SW¼ sec 9, 80 acres W½SE¼, 40 acres SE¼SE¼ sec 10, 40 acres SW¼SW¼ sec 11, 40 acres SW ¼NW¼ Sec 16 Twp 16 SR 38 EBM.

State nature of all improvements which have been made as a direct result of said use:

Irr all land

28818

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: James Gardner Malad, Idaho

Ques. 7. If for other than irrigation purposes, state purpose and how used:

Ques. 8. What is the minimum amount of water required for the purpose specified above:
4 cfs

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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: May 20, 1960 4 cfs Time used since first use:
Continous during irrigation season since the above date.

Ques. 11. Describe all other water rights appurtenant to same place of use:
Weston Creek Irrigation Company water stock.

Norman Tonnel
Lee Schwendeldt

(sign) Vernon Bingham
Sterling A 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 28th day of May, A.D. 19 65.

Ted Bdarsen

My Commission expires: May 12, 1966

28818

Form 17A
1.5 M 7-31-62

RECEIVED
JUN 1 1965
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G 28818

RECEIVED
JUN 8 1965
Department of Reclamation

* * * * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

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:

Ralph Daley 71 Weston, Idaho Farmer

Ques. 2. Are you acquainted with _____, the holder of Permit No. G 28818 ? How long have you known him and where does he reside:

Thirty years - Weston, Idaho

Ques. 3. Have you read or heard said Permit No. G 28818 read, and are you familiar with its provisions and conditions: Yes: x No: _____

Ques. 4. State source of water supply: Well

State place of diversion: NE corner $NE\frac{1}{4}NE\frac{1}{4}$ Section 36 Twp 15 South, Range 37 East of the Boise Meridian.

Describe works for conveying water to place of use: Ditch and Sprinkler pipe

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4 cfs How much water have you seen being so conveyed: 4 cfs

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving full legal description: 160 acres $NE\frac{1}{4}$ Sec 36 Twp 15 SR 37 EBM, 40 acres $SW\frac{1}{4}NW\frac{1}{4}$ 40 acres $NW\frac{1}{4}SW\frac{1}{4}$, 20 acres $W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$ Sec 31 Twp 15 SR 38 EBM, 160 acres $SE\frac{1}{4}$ Sec 5, 132 acres $NE\frac{1}{4}$, 52 acres $N\frac{1}{2}SE\frac{1}{4}$, 40 acres $NE\frac{1}{4}SW\frac{1}{4}$ Sec 6, 40 acres $SW\frac{1}{4}$ $SW\frac{1}{4}$ Sec 9, 80 acres $W\frac{1}{2}SE\frac{1}{4}$, 40 acres $SE\frac{1}{4}SE\frac{1}{4}$ sec 10, 40 acres $SW\frac{1}{4}SW\frac{1}{4}$ Sec 11, 40 acres $SW\frac{1}{4}NW\frac{1}{4}$ Sec 16, Twp 16 SR 38 EBM.

28818

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

none

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:

3 acre feet per season

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: no

Ques. 10. When did you first see this water used: May 1960

Other times you have seen such use: Through all irrigation season since the above date

(Signed) Ralph Dailey

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 28th day of May, A. D., 1962. 65.

Ted B. Larsen

Notary Public for State of Idaho

Residing: Preston, Idaho

My commission expires: May 12, 1966

28878

Form 17A
1.5M 7-31-62

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JUN 1 1965
Department of Reclamation

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JUN 0 196
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G 28818

* * * * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

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:

Vere Jensen 76 Weston, Idaho Farmer

Ques. 2. Are you acquainted with _____, the holder of Permit No. G 28818 ? How long have you known him and where does he reside:

Thirty years Weston, Idaho

Ques. 3. Have you read or heard said Permit No. G 28818 read, and are you familiar with its provisions and conditions: Yes: x No: _____

Ques. 4. State source of water supply: Well

State place of diversion: NE corner NE¼NE¼ Sec 36 Twp 15 SR 37 EBM

Describe works for conveying water to place of use: Ditch and Sprinkler pipe

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4 cfs How much water have you seen being so conveyed: 4 cfs

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving full legal description: 160 acres NE¼ sec 36 twp 15 SR 37 EBM, 40 acres SW¼NW¼ 40 acres NW¼SW¼, 20 acres W½SE¼NW¼ Sec 31 Twp 15 SR 38 EBM, 160 acres SE¼ Sec 5, 132 acres NE¼, 52 acres N½SE¼, 40 acres NE¼SW¼ Sec 6, 40 acres SW¼SW¼ Sec 9, 80 acres W½SE¼, 40 acres SE¼SE¼ Sec 10, 40 acres SW¼SW¼ sec 11, 40 acres SE¼NW¼ Sec 15 Twp 15 SR 38 EBM.

28818

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

none

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:

3 acre feet per season

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: no

Ques. 10. When did you first see this water used: May 1960

Other times you have seen such use: Through all irri ation season since the above date

(Signed) Vera Jensen

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 28th day of May, A. D., 1965.

Rel B Larsen

Notary Public for State of Idaho

Residing: Preston, Idaho

My commission expires: May 12, 1966

28818

No 886

AFFIDAVIT OF PUBLICATION

RECEIVED
JUN 1 1965
Department of Reclamation

STATE OF IDAHO, } ss.
County of Franklin }

Wayne D. Bell being duly sworn

RECEIVED
JUN 1 1965
Department of Reclamation

deposes and says:

That he is the Co-publisher of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for

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

May 6, 1965, 19—, and ending

with the issue of May 27 19 65

Wayne D. Bell

Fees, $ 31.82

Subscribed and sworn to before me this 28th day

of May, 1965.

Beverly M. Martineau

Notary Public, Residing at Preston, Idaho

My Commission Expires 1 Dec, 19 68

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 28th day of May, 1965, at Preston, Idaho, County of Franklin, State of Idaho, before Ted B. Larsen, Notary Public, at 10 West Oneida, Preston, Idaho, proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 28318, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of the person or corporation holding said permit is Verene Bingham and Sterling Bingham, 1/3 interest, Weston, Idaho; Myron Fonnesbeck and Norman Fonnesbeck, 1/3 interest, Weston, Idaho; Lee Schvaneveldt, 1/3 interest, Weston, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of ust is 4 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 4 cubic feet per second.

4. The point of diversion of said water is NE corner NE¼NE¼ Section 36 Twp 15 South, range 37 East of the Boise Meridian.

5. The plcae where said water is used is 160 acres NE¼ Sec. 36 Twp 15 SR 37 EBM, 40 acres SW¼NW¼, 40 acres NW¼SW¼, 20 acres W½SE¼NW¼, 20 acres W½NE¼SW¼ Section 31 Twp 15 SR 38 EBM, 160 acres SE¼ Sec 5; 132 acres NE¼, 52 acres N½SE¼, 40 acres NE¼SW¼ Sec. 8; 40 acres SW¼SW¼ Sec 9; 80 acres W½SE¼, 40 acres SE¼-SE¼ Section 10; 40 acres SW¼SW¼ Section 11; 40 acres SW¼NW¼ Sec 16, Twp 16 SR 38 EBM.

6. The date of priority which said user is prepared to establish is May 20, 1960.

Carl E. Tappan
State Reclamation Engineer

No. 886 — Pub. May 6, 1965 to May 27, 1965.

2818

June 8, 1965

Re: Permit No. G28818 (Part)
Vereen Bingham

Vereen Bingham
Weston,
Idaho

Dear Mr. Bingham:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the PRESTON CITIZEN _____, all submitted in proof of completion of works and beneficial use on Permit No. G28818 (Part)

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,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR: ct

28818

RE: Permit No. G-29935, Jerry Schvaneveldt et al
G-28818, Stirling Bingham et al

Lelay Cooley
Weston, Idaho

Dear Mr. Cooley:

This is in reply to your letter of November 12 requesting information on two wells.

Our records do not contain all the information you requested; we hope what we have will be of use to you.

The well on the Bingham farm, Permit No. G-28818, is in the NE¼NE¼, Sec. 36, T. 15 S., R. 37 E.,B.M. It has 150 feet of 18 inch casing, is 150 feet deep and the static water level is 90 feet. The proofs of completion of works and beneficial use of the water claim 4.0 c.f.s. for use on the NE¼, Sec. 36, T. 15 S., R. 37 E.,B.M.; SW¼NW¼, W½SE¼SW¼, W½SE¼NW¼, N½SW¼, Sec. 31, T. 15 S., R. 38 E.,B.M.; SE¼, Sec. 5; 132A. NE¼, 52A. N½SE¼, NE¼SW¼, Sec. 8; SW¼SW¼, Sec. 9; W½SE¼, SE¼SE¼, Sec. 10; SW¼SW¼, Sec. 11; SW¼NW¼, Sec. 16; T. 16 S., R. 38 E.,B.M. This office has not inspected the works.

The other well to which you refer, Permit No. G-29935, is in the NW¼NE¼, Sec. 8, T. 16 S., R. 38 E.,B.M. The permit is for 4.0 c.f.s. for use on the SW¼NW¼, Sec. 9; S½NE¼, 30A. NW¼NE¼, 10A. NE¼SE¼, 25A. NW¼SE¼, Sec. 8; 25A. SE¼SW¼, Sec. 5; 10A. SW¼NW¼, 24A. SE¼SW¼, Sec. 16; 6A. SW¼NE¼, 5A.SE¼NW¼, Sec. 11; T. 16 S., R. 39 E.,B.M.

The rights to the water covered in these permits can be assigned by completion of the enclosed assignment forms. The fee is $0.50 each.

Returned find your questionnaires.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

Enc. assignment forms, questionnaires

28818

Dial 852-0546 Box 466

J. N. Larsen Company

Preston, Idaho

To: Bureau of Reclamation

Re: Statement

MEMO

Date: 3-14-66

From: Ted B. Larsen

In reference to permit No. G 28818 of which was to be completed on or before December 30, 1962 we are wondering if you could give an extension on this. Would you please check this out and advise as the gentlemen are now ready to complete this.

Thank You.

Josephine

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MAR 15 1966
Department of Reclamation

28818

March 15, 1966

A-28818

J. N. Larsen Company
Box 566
Preston, Idaho

Dear Sir:

This is to advise you that proofs have been made on Permit No. U-28818 and all that remains to be done is an inspection of the works before a license can be issued.

Very truly yours,

Donald J. Watts
Office Engineer

DJW:mr

28818

Form 23
2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF EXAMINER

PERMIT NO. G-28818 Part

REPORT ON PROOF OF Compeltion of Works & Beneficial Use

Verene Bingham
Weston, Idaho

Map #1

Map #2

Map #3

Subdivisions 16 406

AREA. 2.87 cfs in 143½ minutes

Q:

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

Form 23
2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G28818 Part

This proof is for Comp. of Works & Bene. Use In Water District No.

1. Name of applicant Verene Bingham

2. Source of water supply: Well

3. Location of point of diversion: Is in the NE corner NE¼NE¼ of Section 36

T. 15S R. 37E County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: 75 HP US Hollowshaft Motor "127S014, Peerless Pump #189422, 8" discharge to a check Valve and 10" steel pipe (345' x 10" buried steel pipe from pump west that Coomingles with Weston Creek Canal water. Then re diverted through Weston Creek Irrigation Co. Canals.

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):

NE¼, Sec. 36, T.15S-R37E; SW¼NW¼, NW¼SW¼, W½SE¼NW¼, Section 31, T.15S-R38E; SE¼, Sec. 5; NE¼, N½SE¼, NE¼SW¼, Section 8; SW¼SW¼, Sec. 9; W½SE¼, SE¼SE¼, Sec. 10; SW¼SW¼, Sec. 11; SW¼NW¼, Sec. 16; all in T16S-R38E.

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

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

Remarks: Mr Norman Bingham along

Cap Flow Meter 9 1/2" = D: $\frac{75.62 \times 15.9 \times 107}{445.8}$ = 2.87 cfs.

This examination was made on the 15th day of July, 19 62

(Signed) Lawrence Johnson
Examiner.

28818

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

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AUG 9 1966
Department of Reclamation

8/3852

Verene Bingham
Weston, Idaho

Permit No. G28818

Examination for Comp. of Works & Bene. Use

County Franklin

Sec. 36 T. 15S R. 37E

Quantity: 6 CFS

Source: SUBTERRANEAN

P.D.: NW¼NE¼ 36/15S-37E

Use: IRRIGATION

Extension:

Protest:

Completion of Works:

Other Rights: U.S. SUBJECT TO WESTON CR. IRRIG. CO.

Filed: June 13, 1960

Due: June 30 1965

Made May 28, 1965

Priority June 13, 1960

PD

25 30

36 31

Hwy

21.5

A

10.8

E

5.2

238D

D360

E

5.6

D

15.6

D

16.7

36 31

1 6

2.0

E

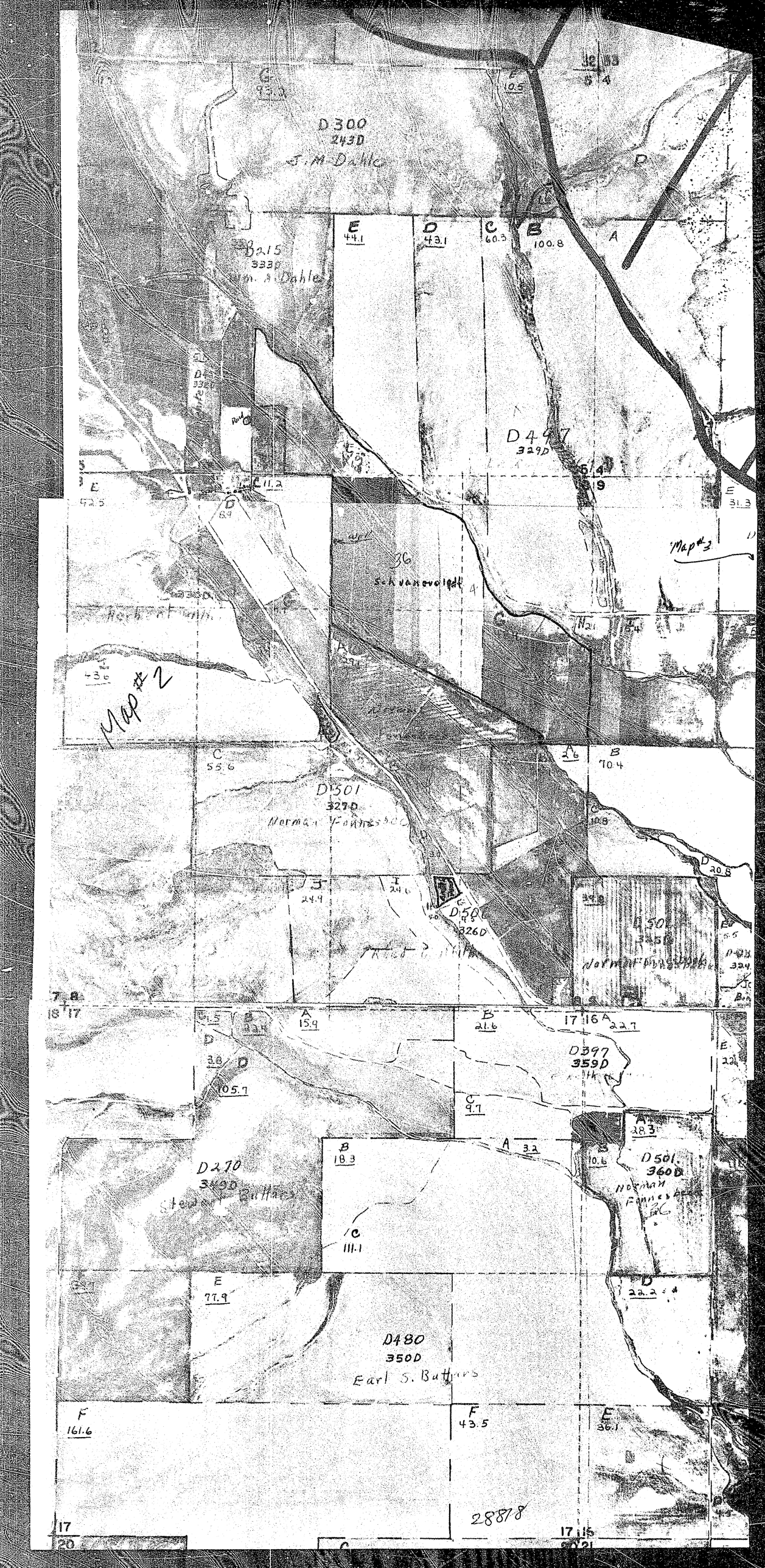
2.8

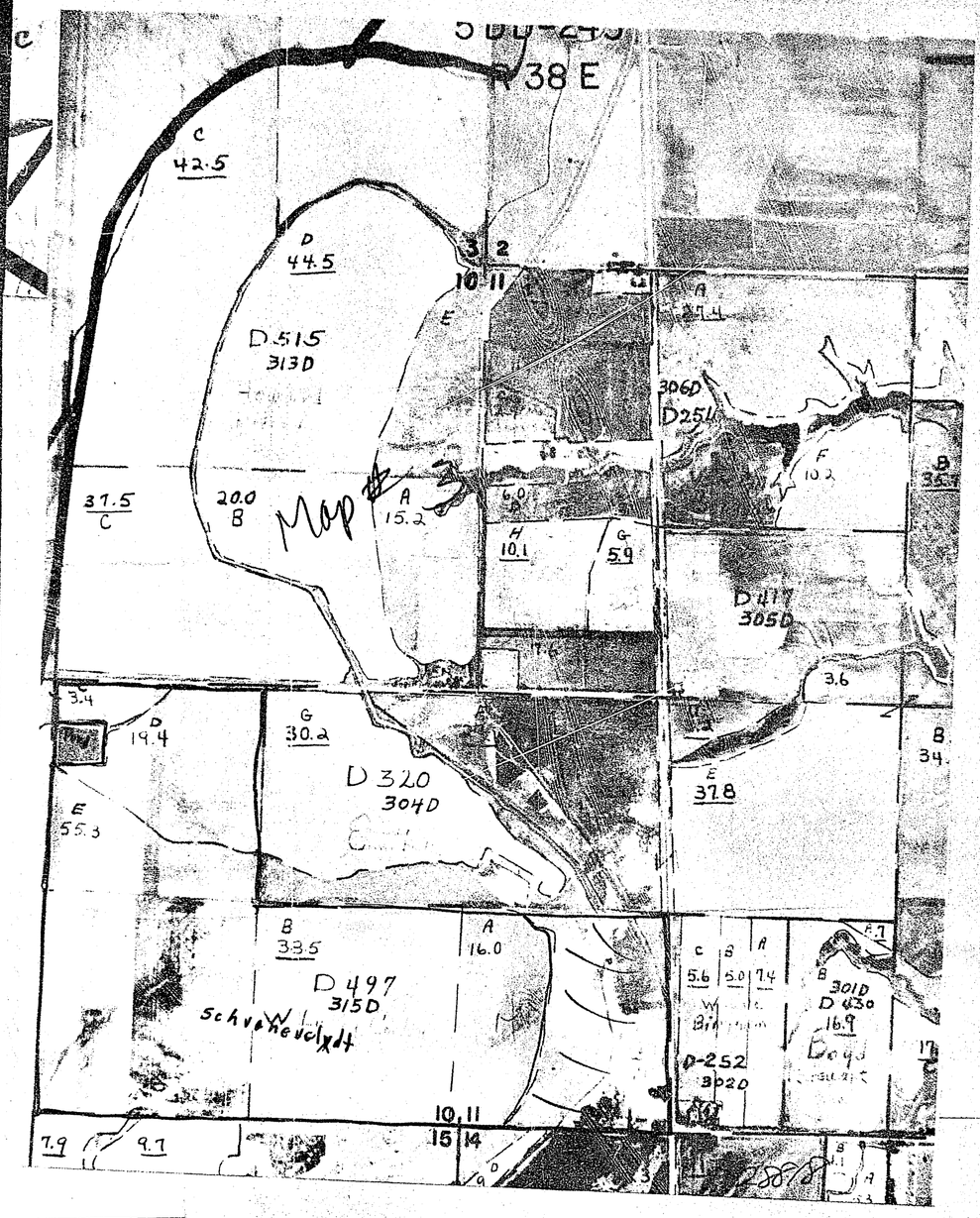
E

2.8

Continued on

500-1ft


D300
243D
J.M. Dahle
D497
329D
MAP #2
D501
327D
D501
345D
D397
359D
D270
340D
Stewart Buffers
D480
350D
Earl S. Buffers
28878


R38E
C
42.5
D
44.5
D515
313D
37.5
C
20.0
B
Map #3
A
15.2
3 2
10 11
A
25.4
306D
D254
F
10.2
B
35.7
G.O.
B
H
10.1
G
5.9
D417
305D
3.6
3.4
D
19.4
G
30.2
D320
304D
E
55.3
E
37.8
B
34.
B
33.5
A
16.0
D497
315D
Schwerdtfeger
C
5.6
B
5.0
A
7.4
A.T.
B
301D
D430
16.9
D-252
302D
10,11
15 14
7.9
9.7

October 10, 1966

RE: Permit No. G-28818

Verone Bingham
Weston, Idaho

Dear Mr. Bingham:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-28818 shows the well(s) is (~~are~~) capable of conveying 143.5 miner's inches, or 2.87 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling $ 37.00 , we will issue the Certificate of Completion of Works for 2.87 c.f.s. and the License and Certificate of Water Right for 2.87 c.f.s. confirming the right, with priority of June 13, 1960 , to the use of subterranean water with the point of diversion in NE¼NE¼, Sec. 36, T. 15 S, R. 37 E, for irrigation of 406 acres in NE¼NE¼, Sec. 36, T. 15 S, R. 37 E; S½NW¼, NW¼SW¼, Sec. 31, T. 15 S, R. 38 E; W½SE¼, SE¼SE¼, Sec. 10, T. 16 S, R. 37 E; SW¼NW¼, Sec. 16, T. 16 S, R. 37 E; NE¼, N½SE¼, Sec. 8; SW¼SW¼, Sec. 9; SW¼SW¼, Sec. 11, T. 16 S, R. 38 E, B.M.

Very truly yours,

M. Russell Dosch
Office Manager

MRB:nw

28818

xxxxxxxxx

November 16, 1966

RE: Permit No. G-28818

Verone Bingham et al
Weston, Idaho

Dear Mr. Bingham:

Enclosed are the Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. G-10977 in the amount of $37.00 covering the fees.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

Enc. certificates, receipt

28818

FORM 22 Permit No. G-28818

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that LEWIS BINGHAM - Assignee - VEREEN BINGHAM, STIRLING BINGHAM LEE SCHVANEVELDT, NORMAN & MYRON FONNESBECK of Weston, County of Franklin, and State of Idaho, the holder of Permit No. G-28818, issued upon Application No. G-36769, bearing date of priority of June 13, 1960, authorizing the diversion of 6.0 second feet of waters of 2 wells

County of Franklin, State of Idaho, for irrigation and domestic 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 2.87 second feet of the waters of a well from subterranean flow;

that the point of diversion of said waters NE¼NE¼, Sec. 36, T. 15 S., R. 37 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: NE¼NE¼, Sec. 36, T. 15 S., R. 37 E., B.M.; NW¼SE¼, S½SE¼, Sec. 10; SW¼SW¼, Sec. 11; NE¼, N½SE¼, Sec. 8; SW¼SW¼, Sec. 9; SW¼NW¼, Sec. 16, T. 16 S., R. 38 E., B.M.; S½NW¼, NW¼SW¼, Sec. 31, T. 15 S., R. 38 E., B.M.

Proof of Completion of Works Made: May 28, 1965

Witness my hand this 16th day of November, A. D. 19 66.

Assistant State Reclamation Engineer

28818