

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 38599
PERMIT No. 30526
DISTRICT No.

1. Name of Applicant: **Vereen Bingham**
Postoffice address: **Weston**
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:

County: **Franklin** State: **Idaho**

II. The financial resources of the applicant are:

(a) Cash on hand:
(b) Treasury stock:

2. Quantity of water claimed: **1.5**

(c) Bond to be issued:
(d) Other resources:
cubic feet per second.

3. Source of water supply: **Unnamed wash**

which is a tributary of **Bear River**

4. Location of point of diversion:

corner of Section **T. R.** feet distant from the
of section **11**, T. **16 S**, R. **38 E.**, B. M., and is in the **NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$**
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:

T. **R.**, B.M., in the corner of Section
of Section of **T. R.**, B.M.
Amount of power generated: feet head.
(c) Water is to be returned to
at a point
distant from the corner of Section **T. R.**, B.M., in the
feet

7. Estimated cost of works: \$ **700.00**

8. Kind of works: **Dam & pumping system**

9. Height of dam **8** feet; length of dam at top **20** feet; length of dam at bottom **10**
feet; material used in dam: **dirt**

10. Size of headgate: Width

feet; height

11. Ditch: Width at bottom

dimensions of flume:

feet; width at water line

feet;

Diameter of pipe

inches; length of conduit

Average grade per mile

feet.

miles.

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 **0**

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: **5 shares in the Twin Lakes Canal Co., 33 shares Weston Creek Irrigation Co.**

- If so, fill in (b) and (c) below:
 Submit:
 t and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit herein set forth.

s/ Vereen Bingham Applicant.
Dell W. Smith, Attorney Agent.

8:00 A.M. June 11, 1962

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is	30526	Approved	June 11, 1962
Recorded in Book	107	Page	30526

This is to certify that I have examined the within application for a permit to 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 **August 11, 1962** and to continue diligently and uninterruptedly to completion.

unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before **December 11, 1962**

The whole of said work to be completed on or before **June 11, 1963**
Beneficial use of water appropriated in accordance herewith, to be made on or before **June 11, 1963**

WITNESS My hand this 11th day of June, 1962

s/ CARL E. TAPPAN
Assistant State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYTHE, Governor of the State of Idaho,
ARNOLD WILLIAMS, Secretary of State of Idaho, have caused this instrument to
and _____

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 17th day of.....

day of June 19..62.
 Countersigned: _____
 STATE OF IDAHO

(SEAL)
By s/ ARNOLD WILLIAMS
Secretary of State.

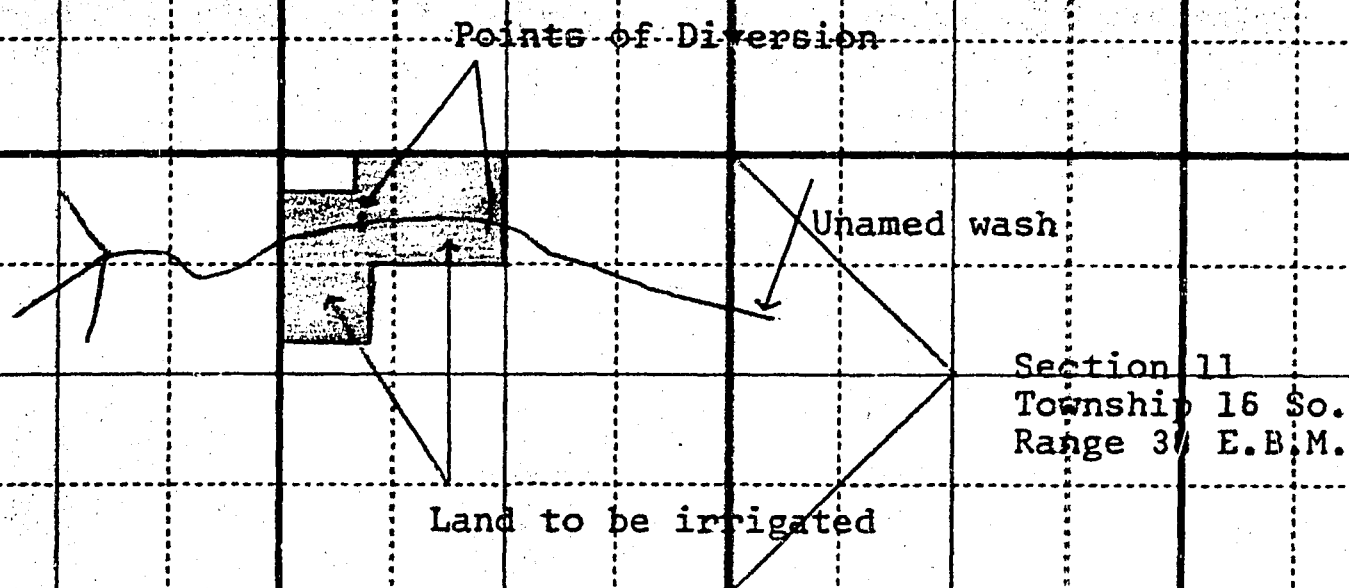
By s/ ROBERT E. SMYTHE
Governor.

REMARKS: CONDITION OF PERMIT: Not over one miners inch per acre shall be diverted from all sources of surface water, for the irrigation of this land.

14.

Trwp.	Range	Sec.	NE 1/4 NW 1/4 SW 1/4 SE 1/4	NW 1/4 NE 1/4 SW 1/4 SE 1/4	SW 1/4 NE 1/4 SW 1/4 SE 1/4	SE 1/4 NE 1/4 SW 1/4 SE 1/4	Totals
16 S	38 E	11		40 31 31			102
Permit No. 30526 CERTIFICATE OF COMPLETION OF WORKS							
TO ALL WHOM IT MAY CONCERN: This is to certify that VEREEN BINGHAM of Weston, County of Franklin, and State of Idaho, the holder of Permit No. 30526, issued upon Application No. 38599 bearing date of priority of June 11, 1962, authorizing the diversion 1.5 second feet of waters of unnamed wash, 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 0.42 second feet of the waters of unnamed wash, tributary of Bear River; that the point of diversion of said waters NE 1/4 NW 1/4, NW 1/4 NW 1/4, Sec. 11, T. 16 S, R. 38 E, B.M. and that the lands proposed to be irrigated by the or place of use of said water are described as follows, to-wit: N 1/4 NW 1/4, SW 1/4 NW 1/4, Sec. 11, T. 16 S, R. 38 E, B.M. Proof of Completion of Works Made: June 11, 1963. Witness my hand this 16th day of November, A.D. 1966. S/ Jack A. Barnett Assistant State Reclamation Engineer							

LICENSE ISSUED FOR 42 SEC. 11
 LICENSE PAGE NO. 85-95



Permit Map No. 30526
As Approved

GEO. N. CARTER JUN 11 1962
State Reclamation Engineer

Permit No. 30526

June 21, 1962

Vereen Bingham,
Weston, Idaho.

Dear Mrs. Bingham:

We enclose Permit No. 30526 in which we direct your 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. 31094 which was issued covering payment in the amount of \$ 5.25 for the filing fee of the above mentioned permit. ~~and enclosed receipt~~

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk

Enc.

30526

5-A

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Re: Permit No. 30526

Date: April 1, 1963

Varoon Bingham
Weston, Idaho

Dear Mr. Bingham:

Under the terms of your Permit No. 30526 you are required to make proofs of completion of works and application of water to beneficial use on or before June 11, 1963.

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 in the county.

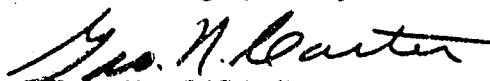
We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point of points of diversion and the location of use or lands which are irrigated - - by legal 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 36-A.

At the time we send the notice to the newspaper we will send 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.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by the field inspection to have been irrigated at the time of proof.

Very truly yours,


GEO. N. CARTER
State Reclamation Engineer

Enc. Form 36A - 11

30526

APR 22 1963
Department of Reclamation
Bureau of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 20, 1963

(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. Franklin Co.

Verne 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

30526

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 11th day of June
1962, at Preston, County of Franklin, State of Idaho, before
Dell W. Smith, Notary Public, at (address) Preston, Idaho
1.5, proof will be submitted of the completion of works for the diversion of
cubic feet per second of the waters of Unnamed wash, tributary of
Bear River, and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 30526, 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
Vereen Bingham, 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
1.5 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 1.5 cubic
feet per second.
4. The point of diversion of said water is NE 1/4 NW 1/4; NW 1/4 NW 1/4 of Section
11, Twp. 16 South, Range 38 E.B.M.
5. The place where said water is used is NE 1/4 NW 1/4; NW 1/4 NW 1/4; of Section
11, Twp. 16 South, Range 38 E. B. M. - SW 1/4 NW 1/4; same section,
Township and range Total 102 acres.
6. The date of priority which said user is prepared to establish is June 11, 1962

GEO. H. CARTER

State Reclamation Engineer

30526

00
28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. 30526
Vereen Bingham

Date: April 22, 1963

Preston Citizen,
Preston, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to June 11, 1963 the date set for proof; the expense of the publication is to be paid by the applicant

Vereen Bingham

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,



GEO. N. CARTER

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.

Encl.

30526

April 22, 1963

Permit No. 30526

Edna P. Rule,
Preston, Idaho.

Mrs. Bingham:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 30526. The proofs are to be made at 10:00 o'clock A.M., on the 11th day of June, 1963, before Ball H. Smith, 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 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Edna P. Rule
Notary

30526

May 10, 1963

Re: Permit No. 30526
Vernon Bingham

Preston Citizen
Preston, Idaho

Gentlemen:

On April 22nd we mailed you a Notice of Publication on the above numbered permit, requesting that a copy of tear sheet be mailed to this office.

To date we have not received such copy and ask at this time that one be mailed to this office as soon as possible.

Thank you.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

H. PETRI
Water Rights Clerk

RP:ow

30526

RECEIVED

MAY 14 1963

Department of Reclamation

Winston, Idaho

May 13, 1963

Mr. Geo. N. Carter
State Reclamation Engineer
Boise, Idaho

Dear Mr. Carter:

I am writing this letter seeking clarification of ^{the} duties and powers of your department.

My problem is in regards to the enclosed statements and permit #30526 granted to Vereen Bingham. Because of this permit having been granted, Mr. Bingham has constructed a ten foot high dam - reservoir - only four rods from the back up point of ~~my~~ the water in my reservoir. This dam has covered some of the springs, and when closed will practically cut off completely the source of my water supply. The water right to my place has been established ever since it was homesteaded in the 18 hundreds. If your records go back far enough your office probably has it recorded. I have a blue print of the reservoir site, a deed to the land also a right-of-way

30526

to my farm six feet wide. My deed & water Decree calls for all water arising of whatever nature in the Jensen Hollow

The water right to my farm is so well established that it has passed the lawyers of three loan companies - The Beneficial Life Ins. Co. also Miller & Vies of Salt Lake City and a few years ago I obtained a loan from the Federal Land Bank of Spokane. I can furnish your office proof of all these rights or claims, thus, I cannot understand how Mr Bingham can be given a permit to build a Reservoir that will impound my water. He admits it is my water but maintains he has a permit to build the dam. This permit will have to be revoked as I have a lawyer working on the case.

Several statements in the notice are erroneous. It is not an unnamed wash but has always been known as the Jensen Hollow. The stream flow is not 1.5 cu. ft per second but a small continuous spring flow, and as to the date of priority will state that the water could never have been used until dam was built

Yours truly, Arthur Neuwander

May 14, 1963

Re: Permit No. 30526
Verden Bingham

Arthur Neuenhauer
Verden, Idaho

Dear Mr. Neuenhauer:

We received your letter of May 13 in regard to the legal notice of intention to make proof of completion of works and beneficial use of water from an un-named stream by Mr. Bingham.

The State Statutes provide that an application for permit must be approved, with some exceptions, if properly completed. One of the exceptions is that the application should not be approved if this office knows that there is no unappropriated water in the stream. Most of the streams in irrigated portions of northern Idaho are over appropriated in so far as a steady flow is concerned during the full irrigation season, however, there are occasions when there is excess water and permits are issued for the use of that excess water.

The priority relates to the date the application is received in this office.

The fact that Mr. Bingham has a permit does not give him the right to take water that has been appropriated.

Very truly yours,

GEORGE L. CAPPER
State Reclamation Engineer

By:

DALE H. SNOW, Deputy
State Reclamation Engineer

WHS:vj

cc Verden Bingham, Verden, Idaho

30526

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. 30526

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.

Ans. Vereen 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.

Ans.

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

Ans. 30526, June 11, 1962.

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

Ans. Source of water is unnamed hollow on the holders premises; a dam is built, a pump and sprinkler diverts the water onto the holders land. Place of diversion NE 1/4 NW 1/4 and NW 1/4 NW 1/4, Section 11, Township 16 South, Range 38 East of the Boise Meridian.

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. The system is a dam on an unnamed wash from which water is pumped through a sprinkler system to the place of use. The sprinkler has 7/8 inch head and approximately 50 lb. pressure -

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. Used for irrigation. The water supplements the holders present supply where it is used on cultivated land from a dam by a sprinkler. Used at NE 1/4 NW 1/4 and NW 1/4 NW 1/4 and SW 1/4 NW 1/4, Section 11, Township 16 South, Range 38 East of the Boise Meridian.

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

Ans.

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. 1.5 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.

Ans. _____

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

Ans. Since the first of June, 1962, I have been pumping water to my land in the amount of 1.5 CFS on cultivated crops.

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. _____

(Sign)

Veren 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 11th day of June, A. D. 1963.

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

My commission expires April 4, 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DEPARTMENT OF RECLAMATION

PERMIT NO. 30526**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.

Ans. Norman Fannesbeck, 35, farmer, Weston, IdahoQues. 2. Are you acquainted with Vereen Bingham, the holder of Permit No. 30526? How long have you known him and where does he reside?Ans. Yes, 30 years, Weston, IdahoQues. 3. Have you read or heard read said Permit No. 30526, 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. Source of water is unnamed hollow on the holders premises a dam is built, a pump and sprinkler diverts the water onto the holders land. Place of diversion NE 1/4, NW 1/4 and NW 1/4 NW 1/4, Section 11, Township 15 South, Range 38 East of the Boise Meridian.

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. 1.5 CFS

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. Used for irrigation. The water supplements the holders present supply where it is used on cultivated land from a dam by a sprinkler; Used at NE 1/4, NW 1/4 and NW 1/4, NW 1/4 and SW 1/4, NW 1/4, Section 11, Township 15 South, Range 38 East of the Boise Meridian.

30526

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. The land is all cultivated, was once a dry farm and now grows irrigated crops, and needs 1.5 CFS of water for proper cultivation.

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

Ans. No

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. That for the past six weeks I have seen the holder pump water from the dam in the amount of 1.5 CFS onto alfalfa, barley and wheat crops onto this land.

(Signed) Norman Fomel

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 10th day of June, A. D. 19 63.

Bill W. Smith

Notary Public.

My commission expires April 4, 1965 Residing at Preston, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 19 1965
Department of Reclamation

PERMIT NO. 30526

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.

Ans. Howard Kofoed, 44, Weston, Idaho, Farmer

Ques. 2. Are you acquainted with Vereen Bingham, the holder of Permit No. 30526? How long have you known him and where does he reside?

Ans. Yes Forty years. Weston, Idaho.

Ques. 3. Have you read or heard read said Permit No. 30526, 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. Source of water is unnamed hollow on the holders premises
a dam is built, a pump and sprinkler diverts the water onto the
holders land. Place of diversion NE 1/4, NW 1/4 and NW 1/4 NW 1/4,
Section 11, Township 16 South, Range 38 East of the Boise Meridian.

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. 1.5 CFS

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. Used for irrigation. The water supplements the holders
present supply where it is used on cultivated land from a dam by a
sprinkler. Used at NE 1/4, NW 1/4 and NW 1/4, NW 1/4 and SW 1/4,
NW 1/4, Section 11, Township 16 South, Range 38 East of the Boise
Meridian.

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. The land is all cultivated, was once a dry farm and now grows irrigated crops, and needs 1.5 CFS of water for proper cultivation.

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

Ans. No

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. That for the past six weeks I have seen the holder pump water from the dam in the amount of 1.5 CFS onto alfalfa, barley and wheat crops onto this land.

(Signed)

Harold Kofas

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 10th day of June, A. D. 1963.

Will W. Smith

Residing at Preston, Idaho Notary Public.

My commission expires April 4, 1965.

No 529

AFFIDAVIT OF PUBLICATION

Department of Reclamation

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 11th day of June, 1963, at Preston, County of Franklin, State of Idaho, before Dell W. Smith, Notary Public, at Preston, Idaho, proof will be submitted of the completion of works for the diversion of 1.5 cubic feet per second of the waters of Unnamed wash, contributory of Bear River, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30526, 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 is Verdeen Bingham, 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 1.5 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 1.5 cubic feet per second.
4. The point of diversion of said water is NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Twp. 16 South, Range 28 E.B.M.
5. The place where said water is used is NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$, of Section 11, Twp. 16 South, Range 28 E.B.M., — SW $\frac{1}{4}$ NW $\frac{1}{4}$; same section, township and range. Total 102 acres.
6. The date of priority which said user is prepared to establish is June 11, 1962.

GEO. N. CARTER

State Reclamation Engineer
No. 529—First Pub. May 2, 1963
Last Pub. May 23, 1963

STATE OF IDAHO,

ss.

County of Franklin

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *Co-publisher* of

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

four consecutive weeks in the regular 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 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 2, 19 *63*, and ending

in the issue of

May 23
Wayne D. Bell

23.22

Subscribed and sworn to before me this *6th* day

June, 19 *63*
Wayne D. Bell

Notary Public, Residing at Preston, Idaho

Commission Expires *December*, 19 *64*.

30526

1M April 1962

June 13, 1963

Re: Permit No.

30526

Versen 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. 30526.

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,

~~XXXXXXXXXXXX~~ CARL E. TAPPAN
Acting State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

30526

RECEIVED

MAY 13 1964

Department of Reclamation

May 12, 1964

Department of Reclamation
Boise, Idaho

Dear Sir:

I sent in and got an application
for a permit for water in the spring
of 1963 and went through all the
procedures of having it approved and
through a letter that Arthur Newsom
wrote they stopped my permit. This
permit was not intended to interfere
with anyone else's water. I was
just using my own water (irrigating
and well water on my own place.

Yours truly,

VEREEN BINGHAM
WESTON, IDAHO.

30526

30526

May 13, 1964

RE: Permit No. 30526

Vereon Bingham
Weston, Idaho

Dear Mr. Bingham:

We received your letter of May 12 in regard to water right under your permit.

Permits to divert water from any source are approved for unappropriated water. This office does not have information concerning all water rights, nor the amount of water available.

If Mr. Neuenswander has a prior right to all the water in the stream and uses the water beneficially, your permit is of no value.

The field examination of your works under the permit will be made as soon as possible.

Your letter does not show who stopped your permit. If you believe that there is water available in the stream in excess of your neighbors prior water right, you can take action in the District Court.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

30526

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 30526

REPORT ON PROOF OF Completion of Works & Beneficial Use

Vereem Bingham, Weston, Idaho

40

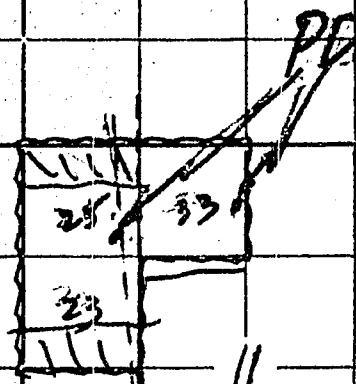
38

38

34

41 1530 6
37.84 38th 47

R+38E.



58

23

81

T
16
S.

PRESTON

14

13

Protect in file
from newswander

Subdivisions 3

AREA. 81 acres

Q. 42 ch 21 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 30526

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Vereen Bingham

2. Source of water supply: Unnamed wash

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11
T. 16 S. R. 38 E.B.M. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: 4 Cylinder
LP6 Engine. direct connection to a Berkeley centrifugal
Pump #5315 4" suction & 3" outlet. Pump & Motor mounted on a
2 wheel trailer and is moved from one pt to the other.
2 Earth filled holding pond type ditches. 10 to 11' high with
12" screw gate. outlets in bottom. #1 will hold approximately 2 ac
and #2 will hold approximately 8 ac. or less. ~~ac~~

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):

102 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11., Twp. 16 S., Rge. 38 E.B.M.

Mr. Newsawander has sold to Mr. Terrell Campbell, (in ASGS Office)
and has no more interest. New owner doesn't seem to have any
complaint.

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

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

Remarks: Mr. V. Bingham alone

The turn of Weston Creek water is some time turned and held in
these ponds and applied to the land through the sprinkler systems.

Measured by taking pressure readings at nozzles 38" avg psi: $\frac{62.5 \times 2.0}{5.2} = 24$ ft

This examination was made on the 26th day of July, 1966

(Signed)

Loren Jensen

Examiner

30526

300-475

R 38 E

C
42.5

D
44.5

D 515
313D

27
37
258
89

1.5 23 20.0
B
89 acres

A
15.2

H
10.1

G
5.9

306D
D 251

33

10.2

D 417
305D

3.6

D
19.4

G
30.2

D 320
304D

E
37.8

B
34

B
38.5

A
16.0

D 497
315D

W L

C B A
5.6 5.0 7.4

W
Bia

D-252
3020

B
301D
D 430
16.9

Boys

9.7

10.11
15.14

305 26.7

Permit No. 10-76

Examination for Completion of Works & Beneficial Use

County Franklin

Sec. 11 T16S R. 38 EBM

Quantity: 1.5 acs.

Source: Hand-drawn sketch

P.D.: NE NW. } Sec. 11, T16S-R. 38 EBM
NW. NW. }

Use: Driveway

Filed: June 11, 1963

Due: June 11, 1963

Made: June 11, 1963

Priority: June 11, 1963

Extension:

Protest:

Completion of Works:

Other Rights: 5 Shares in Town of Lakes

Land Co.

33 shares in Western Creek

Driveway, 1/2

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.

RECEIVED

AUG 9 1966

Department of Reclamation

October 7, 1966

RE: Permit No. 30526

Perceen Bingham
Heaton, 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. 30526 shows the pump and pond type dams are capable of conveying 21 minor's inches, or 0.42 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) minor's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$11.00, we will issue the Certificate of Completion of Works for 0.42 c.f.s. and the License and Certificate of Water Right for 0.42 c.f.s. confirming the right, with priority of June 11, 1962, to the use of surface water from an unnamed wash with the point of diversion in NW1/4 and NE1/4, for irrigation of 81 acres in NW1/4, SW1/4, Sec. 11, T. 16 N, R. 38 E, E.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:ny

30526

RECEIVED



14 1866

Oct. 13, 1966

State Of Idaho

Department of Reclamation

Department Of Reclamation

Baiee, Idaho

Dear Sirs:

Here is the Checks for Completion of
Water rights.

yours truly,

VEREEN BINGHAM

WESTON, IDAHO.

30526

November 16, 1966

RE: Permit No. 30526

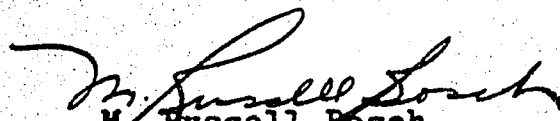
Vereen Bingham
Weston, Idaho

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. 33468 in
the amount of \$11.00 covering the fees.

Very truly yours,


M. Russell Bosch
Office Manager

MRB:mr

Enc. certificates, receipt

30526

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that VEREEN BINGHAM
 of Weston , County of Franklin , and State of
 Idaho , the holder of Permit No. 30526 , issued upon
 Application No. 38599 ... bearing date of priority of June 11, 1962, authorizing the
 diversion of ... 1.5 second feet of waters of Unnamed Wash

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 0.42 second feet of the waters of Unnamed Wash
 tributary of Bear River;

that the point of diversion of said waters NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 11, ...
 T. 16 S., R. 38 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: N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T. 16 S., R. 38 E., B.M.

Proof of Completion of Works Made: June 11, 1963

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

Carl A. Barnett
 Assistant State Reclamation Engineer

30526

Permit No. 30526

Certificate of Completion
of Works

Dated November 16, 1966

Stream Unnamed Wash

County Franklin

Amount 0.42 c.f.s.

Date of Priority June 11, 1962

Recorded in Book 107

of Permits, page 30526

License and Certificate of Water Right

Water License No. 30526 Priority June 11, 1962 Amount 0.42 c.f.s.

THIS IS TO CERTIFY that

VEREEN BINGHAM

of Weston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 11, 1962; that Permit No. 30526 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.42 second feet, was issued thereunder on November 16, 1966, showing that said works were completed on the 11th day of June, 1963; and that on the 11th day of June, 1963

VEREEN BINGHAM

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 Unnamed Wash

a tributary of Bear River for the purpose of irrigation, under Use Permit No. 30526 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 8595, on the 16th day of November, 1966.

The right hereby confirmed dates from June 11, 1962.

The Point of Diversion is located NE $\frac{1}{4}$ NW $\frac{1}{4}$, in the NW $\frac{1}{4}$ 14 NW $\frac{1}{4}$ 14, Sec. 11, Twp. 16 S, R. 38 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 0.42 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S	38 E	11	NE¼ NW¼	40	33
			NW¼ NW¼	31	25
			SW¼ NW¼	31	<u>23</u>
			Total number of acres to be irrigated: 81		

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.

Assistant

State Reclamation Engineer.

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. 30526

To Vereen Bingham
Weston, Idaho

Source of Supply Unnamed Wash

Franklin County

Amount 0.42 Sec. Ft.

Point of Diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 11, T. 16 S., R. 38 E., B.M.

Place of Use N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11,
T. 16 S., R. 38 E., B.M.

Purpose irrigation

Date of Priority June 11, 1962

Recorded November 16, 1966

in Book 13 of Licenses, Page 8595



13-2251

State of Idaho
License and Certificate of Water Right

Water License No. 30526

Amount 0.42 c.f.s.

Water District No.

Priority June 11, 1962

THIS IS TO CERTIFY that

VEREEN BINGHAM

of Weston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 11, 1962; that Permit No. 30526 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.42 second feet, was issued thereunder on November 16, 1966, showing that said works were completed on the 11th day of June, 1963; and that on the 11th day of June, 1963,

VEREEN 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 Unnamed Wash, a tributary of Bear River, for the purpose of irrigation

, under Use Permit No. 30526 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 8595, on the 16 day of November, 1966;

The right hereby confirmed dates from June 11, 1962;

The Point of Diversion is located NE $\frac{1}{4}$ NW $\frac{1}{4}$,

in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, Tp. 16 S, R. 38 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 0.42 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	38 E	11	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	33
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	31	25
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	31	23
Total number of acres to be irrigated:					81

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.

/s/ JACK A. BARNETT
Assistant State Reclamation Engineer.

(SEAL)

