

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

No. changed 13-4201



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Wayne L. Bingham

Rt. #1, Box 50 Weston, Id. 83286 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 747-3209

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1962

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

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

SPRINGS (Jensen Hollow) tributary to Bear River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day) (Mo., Day)	
Quantity <u>1.75cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/15</u>	To <u>9/15</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity <u>1.75cfs</u>	Use _____	Period of Use From _____	To _____

- (4) 1.75cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ NW ¼, Sec. 11 Twp. 38E Rge. 38E B.M., County of Franklin

Additional points of diversion: NE¼NW¼ & SW¼NE¼, Sec. 11, T. 16S, R. 38E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Five impoundments with mainline and headgates for sprinkler irrigation

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16S	38E	11	7	10	35	36	33	13	35	37									206

No. of acres 206

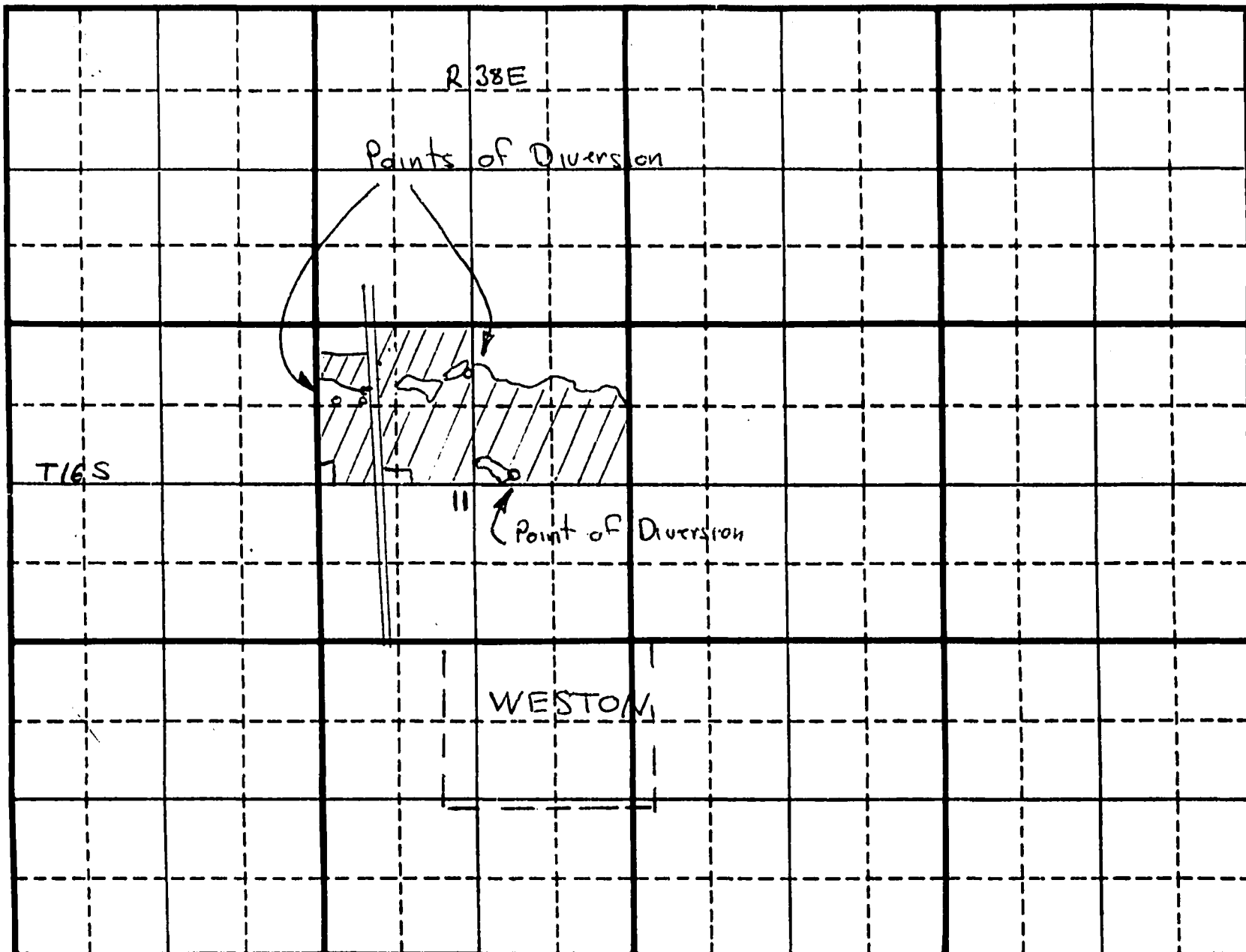
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

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

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(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Franklin) ss.

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

Wayne L. Bingham
(Claimant)

Sworn to before me this 30th day of April, 1982.

Judy A. Herricks
Notary Public
Residing at Preston, Idaho

My commission expires lifetime

FOR DEPARTMENT USE ONLY
Assisted by HWJ
Reviewed by CU Date 5-03-82 Exception filed by: _____ Date _____
Published in Preston Citizen Date 5-03-82 # 22237 Forwarded to claimant by: _____ Date _____
Dates 5-13 to 5-20

No 1631

AFFIDAVIT OF PUBLICATION

JUN 22 1982

Department of Water Resources
Eastern District Office

STATE OF IDAHO, }
County of Franklin } ss.

J. Warren Ross

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 2 consecutive weeks in the regular and entire issue of said paper during the period of 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 13, 1982, and ending with the issue of May 20, 1982.

Fee \$ 22.50

Subscribed and sworn to before me this 15th day of June, 1982.

Kenn O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

15-4002

BINGHAM, WAYNE L.
RT. 1, BOX 50, WESTON, ID 83286
Source: SPRINGS (JENSEN HOLLOW) tributary to BEAR RIVER

Priority Date: 4/01/1982

Amount: 1.75 CFS

Diversion Point: NWNW NENW SWNE Sec 11 T 16S R 38E, FRANKLIN Co.

Use: IRRIGATION (1.75 CFS) from 04/15 to 04/15

Place of Use: NENE NWNE SWNE SENE NENW NWNW SWNW SENW Sec 11 T 16S R 38E FOR 200 ACRES
Diversion Means: MAINLINE, HEADGATES & SPRINKLER

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN
Director

Published 5/13 & 5/20.

Legal No. 1631 -361- Published May 13, 20, 1982.

#875

No 1664

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Walter Ross

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 2 consecutive weeks in the regular and entire issue of said paper during the period of 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

July 8, 1982, and ending
with the issue of July 15, 1982

Fee \$ N/C

Subscribed and sworn to before me this 31st day
of July, 1982

Kenn O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

RECEIVED

AUG 6 1982

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that Claim No. 15-4092 (Departmental No. Change to 13-4201) in the name of Wayne L. Bingham was advertised incorrectly on May 13 and 20, 1982. The period of use for irrigation was advertised as being from 4-15 to 9-15. WHEREAS, the period of use for irrigation is from 4-15 to 9-15.

Any exception to any claim of water right may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401.

A. KENNETH DUNN
Director

Published in the Preston Citizen,
July 8 and 15, 1982.
Legal No. 1664 -19L- Published
July 8, 15, 1982.

RECORDED

15-4092-

BINGHAM, WAYNE L.

RT. 1, BOX 50, WESTON, ID 83286

Source: SPRINGS (JENSEN HOLLOW) tributary to BEAR RIVER

Priority Date: 04/01/1962

Amount: 1.75 CFS

Diversion Point: NWNW NENW SWNE Sec 11 T 16S R 38E, FRANKLIN Co.

Use: IRRIGATION (1.75 CFS) from 04/15 to 09/15

Place of Use: NENE NWNE SWNE SENE NENW NWNW SWNW SENW Sec 11 T 16S R 38E
FOR 206 ACRES

Diversion Means: MAINLINE, HEADGATES & SPRINKLER

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NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN

Director

Published 5/13 & 5/20.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

MAY 6, 1982

The Preston Citizen
P. O. Box 472
Preston, Idaho 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 1, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

RECEIVED
MAY 11 1982



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

March 26, 1982

Wayne L. Bingham
Rt. #1, Box 50
Weston, Id. 83286

Dear Mr. Bingham:

Enclosed you will find your claim to a water right.
Please review it and if all is correct, sign the document
in the presence of a notary and send it to this office
with a fee of \$30.

Sincerely,

Harold W. Jones
HAROLD W. JONES
Sr. Resource Agent

HWJ:brs

enclosure: as stated

Dear Sirs:

*The reason this claim hasn't been
sent back sooner it was given to another
Bingham by a mistake in the mail.*

Thank you

Wayne L Bingham

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 15 4092 Applicant Bingham

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

June 1, 1982
July 26, 1982

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date Aug 10, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 8/16/82

NOT
RETURNED

June 4, 1982

RE: Claim to a Water Right No. 15-4092 BINGHAM

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on May 13 and 20, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

RECEIVED
JUN 10 1982
BINGHAM
COUNTY
CLERK
JUN 10 1982
BINGHAM
COUNTY
CLERK

June 30, 1982

RE: Notice of Correction No. 15-4092 (No. changed 13-4201) BINGHAM

Preston Citizen
P.O. Box 472
Preston, Idaho 83263

Gentlemen:

We are resubmitting a legal notice to be published on July 8 and 15, 1982. This notice was originally published in your paper on May 13 and 20, 1982. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print we, therefore, request this be readvertised again at your expense.

To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any corrections, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by July 26, 1982. Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

Enclosure

NOTICE OF CORRECTION

Notice is hereby given that Claim No. 15-4092 (Departmental No. Change to 13-4201) in the name of Wayne L. Bingham was advertised incorrectly on May 13 and 20, 1982. The period of use for irrigation was advertised as being from 4-15 to 94-15.

WHEREAS, the period of use for irrigation is from 4-15 to 9-15.

Any exception to any claim of water right may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401.

A. KENNETH DUNN

Director

Published in the Preston Citizen, July 8 and 15, 1982.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

July 12, 1982

RE: Claim to a Water Right No. 13-4201
Application for Amendment No. 13-2281

BINGHAM
STENSAAS

Russell Stoker, Watermaster
Water District NO. 11
379 East 3rd North
Soda Springs, ID 83276

Dear Mr. Stoker:

We are enclosing a copy of claim No. 13-4201 filed within your district, for your information only.

Also enclosed is a copy of an application for amendment No. 13-2281. Should you have any comments concerning this application, please submit them to our department as soon as possible. The last date of protest is July 26, 1982, and we are required to take final action shortly thereafter.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures (2)

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

July 28, 1982

RE: Claim to a Water Right No. 13-4201 (No. Chg. 15-4092) BINGHAM
Application for Amendment 13-2281 STENSAAS

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on July 8 and 15, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

Called 8-2-82 BP

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 1, 1982

WAYNE L. BINGHAM
RT. 1, BOX 50
WESTON

ID 83286

RE: Claim No. 15-4032 / 13-4201

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

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

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED

AUG 12 1982

Department of Water Resources