

No Color

Documents

In File

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: 65-4861
Date Received: 7/21/00
Receipt No: W026752
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): RICHARD BERGLUND

Phone: (208) 365-2647

Address: PO BOX 32
LETHA ID USA 83636

Name: CATHARINE BERGLUND

Phone: (208) 365-2647

Address: PO BOX 32
LETHA ID USA 83636

2. Date of Priority: 06/01/1945

3. Source: Ground Water

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	03W	36	SW SW	0	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A
DOMESTIC	01/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 1.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	03W	36	SW SW		DOMESTIC	0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Bought property from heirs of Sarepta Horner.
Lots 13-16, Block 14, Letha Townsite.

15. Basis of Claim: Beneficial Use

16. Signature(s) N / A

RECEIVED**JUL 21 2000**WATER RESOURCES
WESTERN REGIONIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A65-04861

Date Received

7/21/00

Receipt Number

W026752 K6**NOTICE OF CLAIM
TO A
WATER RIGHT**

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

- Name of Claimant (s) Richard and/or Catharine Berglund Phone (208) 365-2647
Mailing Address P.O. Box 32 Lethe, ID Zip 83636
- Date of Priority (Only one (1) per claim) 06-01-1945
- Source of water supply (a) Groundwater (well)
which is tributary to (b) _____
- Location of point of diversion is: Township 7 North Range 3 West
Section 36, 1/4 of 1/4 of 1/4; Govt. Lot _____, B.M.,
County of Gem
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well, 4" casing, Artesian, above ground
pump, pipe to house
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) (cfs)
For Domestic purposes from 1-1 to 12-31 amount 0.04
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed .04 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) _____

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

RECEIVED
JUL 5 1988
FEDERAL BUREAU OF SURVEY

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
7N	3W	36											D					

11. In which county (ies) are lands listed above as place of use located? Gem

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: Bought property from heirs of Scepta Hower - Lots 13-16 Block 14
Letha Township

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 65-04861
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do X do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Richard L. Benglund Date 7/7/00
Catherine L. Benglund Date 7/7/00

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Last Name _____ Ident No. _____ Copies White-State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

GREG HIMES
GEM COUNTY ASSESSOR
415 E MAIN
EMMETT ID 83617-3097

ASSESSMENT NOTICE

2000

ADDRESS SERVICE REQUESTED

CATEGORY DESCRIPTION

12 RURAL RES TR
47 I/P TO MAN HSG
48 MANUF HS W/SID

Tax Code

14-00

LOTS/ACRES

.740 AC

MARKET VALUE

18,000

11,080

32,490

Taxes are based on the valuation listed on this statement

**FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE**

JUNE 26, 2000

TOTAL: .740
LESS HOMEOWNERS:

61,570
21,785

PARCEL #
RP 0015500

A

2672 14 36 3 01 14 002

LOT 13-16, BLK 14

LETHA PLUS STREET VACATED

PROPERTY ADDRESS 1450

PETERSBURG AVE

PRIOR YEAR

CURRENT YEAR

Mail To

VALUE

39,785

39,785

BERGLUND

RICHARD L S

BERGLUND

CATHARINE L

PO BOX 32

TAX

PRIOR YEAR
526.08

ESTIMATED
526.08

LETHA

ID 83636

See back for details

DO NOT PAY ESTIMATE



RECEIVED

JUL 21 2000

**WATER RESOURCES
WESTERN REGION**

WR5809NP
No. 65-04861

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/26/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SAREPTA HORNER BOX 43 LETHA ID 83636	06/01/1945	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.040 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R03W S36

SWSW

GEM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
07N	03W	36	:											D						:

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-00043 65-01276 65-03305 65-03362 65-03365 65-03366 65-03389 65-03453 65-03456 65-05405
65-13935

Other Water Rights Listing Overlapping Place(s) of use:

65-00082 65-03456 65-13935

Dates:	App. Received:	Priority Date:	06/01/1945
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

RECEIVED

JUL 21 2000

WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 11, 2002

RICHARD BERGLUND
CATHARINE BERGLUND
1450 PETERSBURG RD AVE
EMMETT ID 83617-8741

RECEIVED

JUL 23 2002

WATER RESOURCES
WESTERN REGION

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 65-4861
Change of Address

Dear Water Right Holder(s):

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation that this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update or records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

208-365-2647
Telephone number

No change made on
AG recommendation.

JH
7/23/02

Sent to S.O.

SRBA

SUBCASE SUMMARY REPORT 65-04861

[Return to SRBA Home Page](#)

SRBA
07-23-2002

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 65-04861 FILE#: 00000
CLAIMANT: BERGLUND, CATHARINE
PO BOX 32

LETHA ID 83636
STATUS: PD UNDELIVERED SPECIAL MASTER:
WATER SOURCE: GROUND WATER,

**** PARTIES INVOLVED ****

CATHARINE BERGLUND C PRO SE
RICHARD BERGLUND C PRO SE

**** ROA ENTRIES ****

06-28-2002	PARTIAL DECREE FILED	06-28-2002
07-08-2002	PARTIAL DECREE RETURNED UNDELIVERABLE	07-08-2002

[Return to SRBA Home Page](#)



m
State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
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Director

July 11, 2002

RICHARD BERGLUND
CATHARINE BERGLUND
1450 PETERSBURG RD
EMMETT ID 83617-8741

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If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

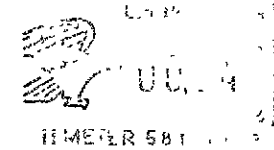
Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

Telephone number

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707



RECEIVED

JUL - 9 2002

Department of Water Resources

65-4861

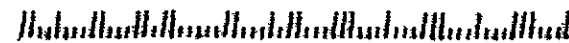
NAME AND ADDRESS:

CATHARINE BERGLUND
RICHARD BERGLUND
PO BOX 32
LETHA, ID 83636

BERGOS 83636 017 1401 17 07/02/02
BERGLUND TIME EXP RTN TO SEND
14500 PETERSBURG RD
EMMETT ID 83617-8741

RETURN TO SENDER

83303/2707



Address change letter
Sent 7-10-02

WATER RESOURCES
WESTERN REGION PAGE 1
Jun-27-2002

08/29/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-4861

NAME AND ADDRESS: CATHARINE BERGLUND
RICHARD BERGLUND
PO BOX 32
LETHA, ID 83636

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
1.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1945

POINT OF DIVERSION: T07N R03W S36 SWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC 1 HOME	01-01 12-31	0.04 CFS 1.2 AFY

PLACE OF USE:

DOMESTIC Within GEM County
T07N R03W S36 SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL
PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR
FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS
MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN
TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE.
SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT
IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PROPERTY IS ALSO KNOWN AS LOTS 13-16, BLK 14, LETHA
TOWNSITE.

MAR 02, 1979

465-04861
PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 291

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-9391	HORNE, DONALD R. & HORNE, JEAN STAR ROUTE, BOX 76, KILLEBREW DRIVE, PAYETTE, IDAHO 83661	6/ 1/1945	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESW S12 T 8N R 5W	SESW S12 T 8N R 5W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *1.90*AFA *.04*CFS		SAME AS OTHER USE	
65-4861	HORNER, SAREPTA BOX 43, LETHA, IDAHO 83636	6/ 1/1945	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSW S36 T 7N R 3W	SWSW S36 T 7N R 3W	BENEFICIAL USE
65-3591	HUGHES, JOHN E. & WILSON, HELEN & MELTON, ANNALEE H. ROUTE 1, BOX 71, MC CALL, IDAHO 83638	6/ 1/1945	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESW S36 T17N R 3E	SESW S36 T17N R 3E	BENEFICIAL USE
65-0088	KERSTEIN, JO ANNE FAY 7777 PIERCE PARK LANE, BOISE, IDAHO 83703	6/ 1/1945	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESE S 4 T 7N R 1E	NESE S 4 T 7N R 1E	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	1.40 AFA .03 CFS *1.60*AFA *.04*CFS		SAME AS OTHER USE	
65-8807	KRAUSE, HERBERT H. BOX 704, DONNELLY, IDAHO 83615	6/ 1/1945	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S10 T16N R 3E	SWSE S10 T16N R 3E	BENEFICIAL USE
65-3526	LANTZ, JOHN D. ROUTE 2, NEW PLYMOUTH, IDAHO 83655	6/ 1/1945	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S17 T 7N R 3W	SWSE S17 T 7N R 3W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *1.90*AFA *.06*CFS		SAME AS OTHER USE	
65-3288	MEEK, LARRY ROUTE 3, EMMETT, IDAHO 83617	6/ 1/1945	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESW S 3 T 6N R 1W	SESW S 3 T 6N R 1W	BENEFICIAL USE
65-10878	NETZER, KENNETH & NETZER, DARLENE ROUTE 1, BOX 195, HOMEDALE, IDAHO 83628	6/ 1/1945	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NWNW S17 T 7N R 3W	NWNW S17 T 7N R 3W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	2.70 AFA .05 CFS *3.90*AFA *.09*CFS		SAME AS OTHER USE	

WR5809NP
No. 65-04861

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/28/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SAREPTA HORNER BOX 43 LETHA ID 83636	06/01/1945	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.040 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R03W S36

SWSW

GEM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
07N	03W	36	:					:					:					:					:

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-00043 65-01276 65-03305 65-03362 65-03365 65-03366 65-03389 65-03453 65-03456 65-05405
65-13935

Other Water Rights Listing Overlapping Place(s) of use:

65-00082 65-03456 65-13935

Dates:	App. Received:	Priority Date:	06/01/1945
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT