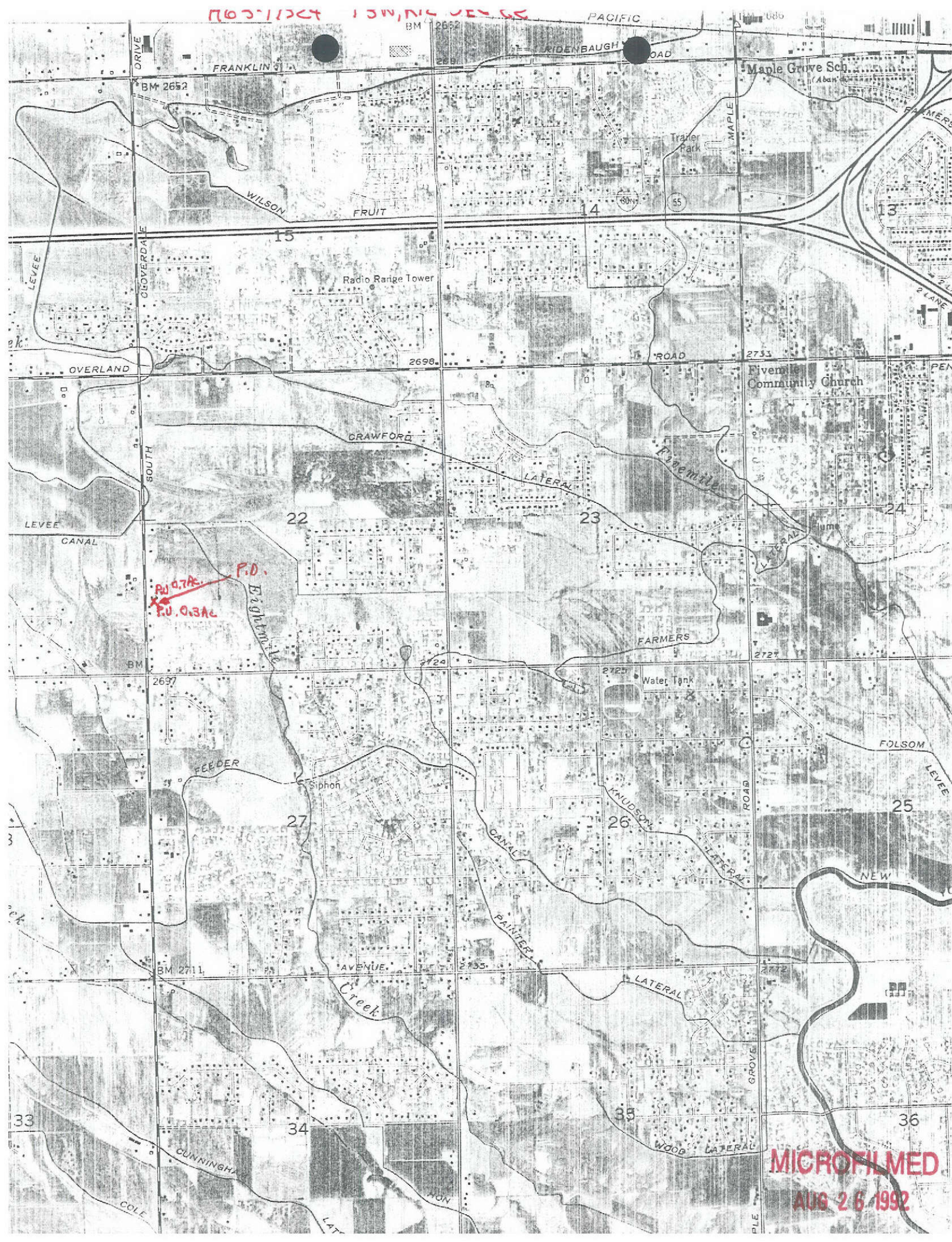


7605-1724 13W, 14N, 25E, 36

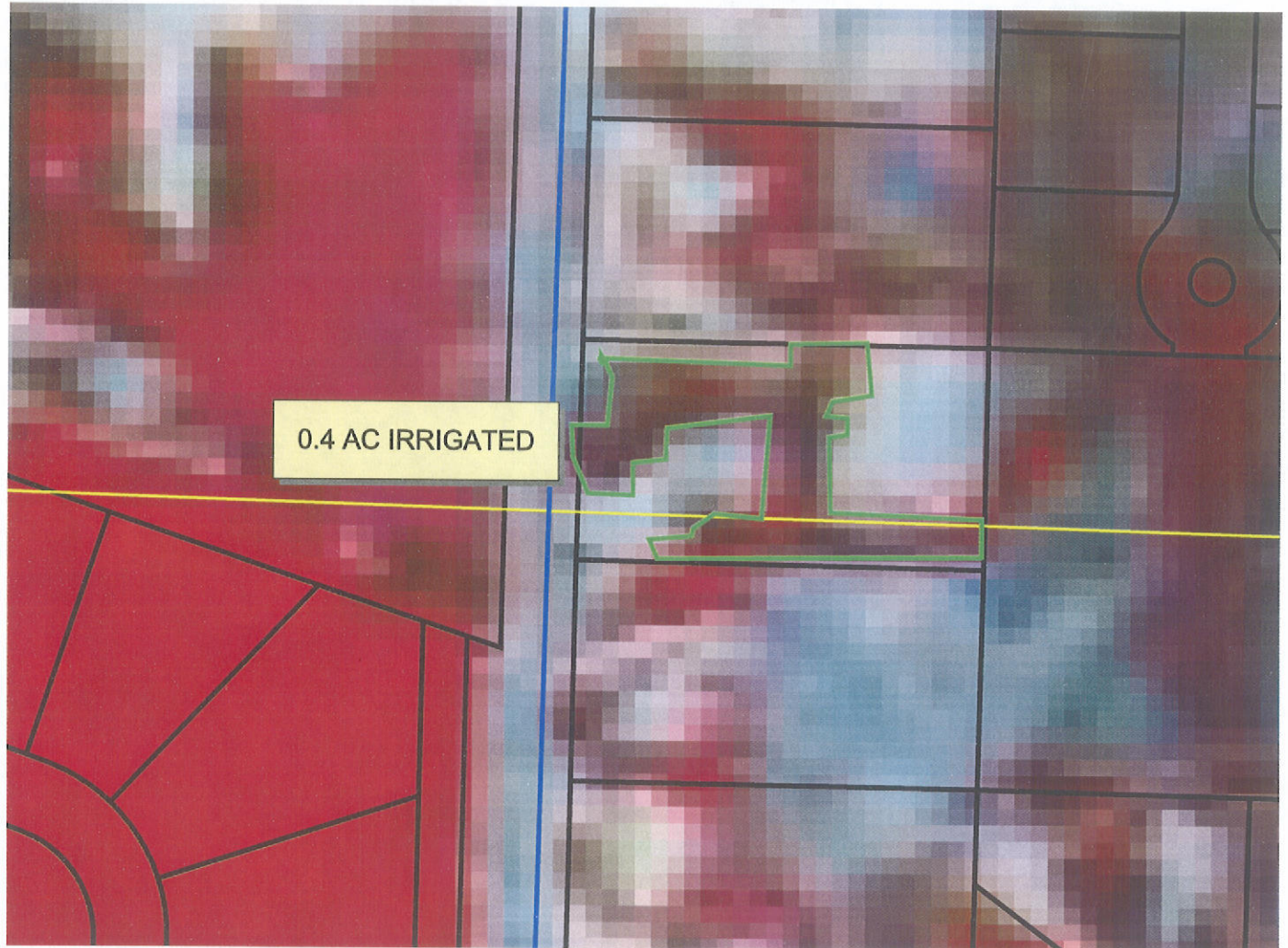


MICROFILMED
AUG 26 1992

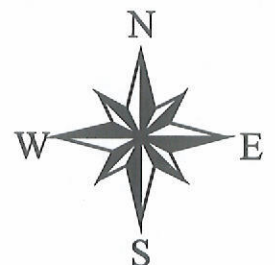


State of Idaho
Idaho Department of Water Resources
Western Region

T3N R1E SECTION 22
Water Right(s) : 63-17324



200 0 200 Feet

A horizontal scale bar with three segments. The left segment is labeled '200', the middle segment is labeled '0', and the right segment is labeled '200 Feet'.

- Point of Diversion
- Place Of Use
- Quarter Quarter Lines
- Section Lines

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: October 2004



R I E

3DD 106

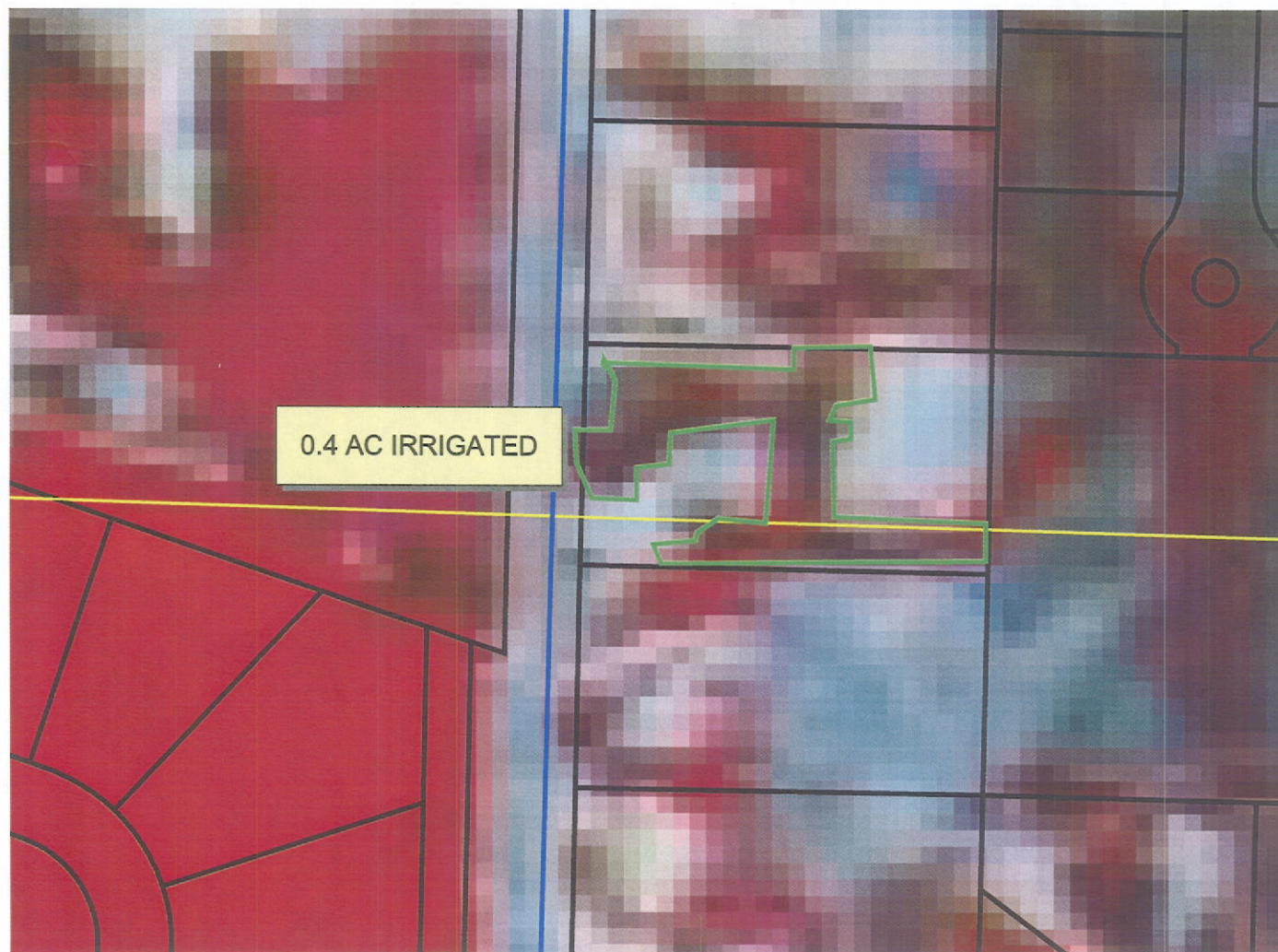


DHT-3DD-104 7-8-64

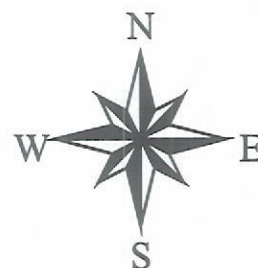


State of Idaho
Idaho Department of Water Resources
Western Region

T3N R1E SECTION 22
Water Right(s) : 63-17324



200 0 200 Feet



-  Point of Diversion
-  Place Of Use
-  Quarter Quarter Lines
-  Section Lines

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: October 2004

63-17324



Idaho Department of Water Resources

Claim Number: 63-17324
Legal: T03N, R01E, S22
Reviewed By:

● Point of Diversion



Place of Use

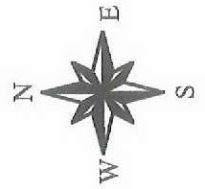


Section Lines



Quarter Quarter Lines

1987 Napp Photo



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: A63-17324
Date Received: 8/11/1989
Receipt No: COU 9460
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD W. BERGAN 208-375-6126
Address: 2590 SO. CLOVERDALE RD.
BOISE, ID 83709

OR
Name: MALINDA D. BERGAN 208-375-6126
Address: 2590 SO. CLOVERDALE RD.
BOISE, ID 83709

2. Date of Priority: JAN 01, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01E	22	NW	SW	SW		ADA

5. Description of diverting works:
DRILLED WELL, APP. 110' DEPTH, 8" CASING WITH PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	03/15	11/15	0.030		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.090 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 3.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR 1 HOUSE, LAWN & GARDEN, STKWTR. UP TO 10 HEAD/MIXED.

A63-17324

Page 1

Date: 08/11/89

MICROFILMED
AUG 26 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01E	22	NW	SW		DOMEST	
			NW	SW		STOCK	
			NW	SW		IRR	0.7
			SW	SW		IRR	0.3
						Section Acres	1.0
						Total Acres	1.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
DITCH RIGHTS FROM NAMPA=MERIDIAN

14. Remarks:
PRESENT WELL REPLACED ORIGINAL WELL PROBABLY IN THE 1970'S.

15. Basis of Claim: BENEFICIAL USE

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 _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Richard W. Bergan Date: 8-11-89

Date: _____

State of Idaho)
County of Ada) ss.

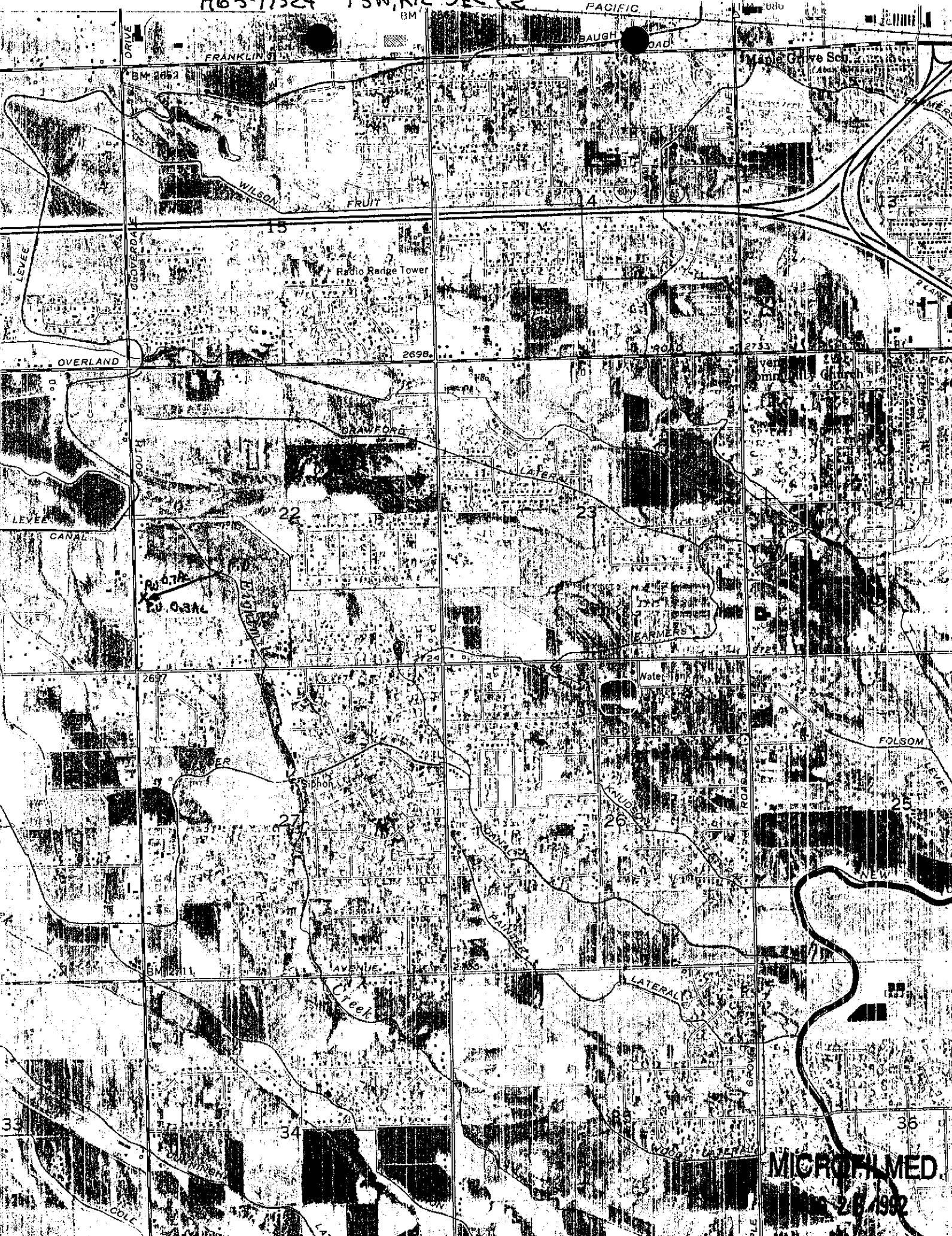
Subscribed and sworn (or affirmed) before me this 11th day
of August 19 89

Donald E. Sully
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

163-11324 13N, 12E SEC 22



MICROFILMED
2/8/1992

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
C009460	51.00	63	17324		Claim



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 30, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RICDHARD BERGAN
MALINDA BERGAN
2590 N CLOVERDALE
BOISE, ID 83709

RE: EVIDENCE OF PRIORITY

SNAKE RIVER BASIN CLAIM NO(S): A63-17324

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of this priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by **October 18, 2004**. Additionally, a field exam may be necessary and a field examiner may be contacting you in the next few weeks. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully Submitted,

Vicky L. Music
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim Report A63-17324

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-17324

WATER RIGHT NUMBER: 63-17324

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MALINDA D BERGAN 2590 S CLOVERDALE RD BOISE, ID 83709 (208)375-6126
Current Owner	RICHARD W BERGAN 2590 S CLOVERDALE RD BOISE, ID 83709 (208)375-6126

Priority Date: 01/01/1968

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
IRRIGATION	3/15 to 11/15	0.030 CFS	
STOCKWATER	1/01 to 12/31	0.020 CFS	
<u>Total Diversion:</u>		0.090 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4SW1/4	Sec. 22, Twp 03N, Rge 01E, B.M.
ADA County		

Place of UseDOMESTIC Within ADA County

T03N R01E S22 NWSW

IRRIGATION Within ADA County

T03N R01E S22 NWSW 0.7 T03N R01E S22 SWSW 0.3

Total Acres: 1

STOCKWATER Within ADA County

T03N R01E S22 NWSW

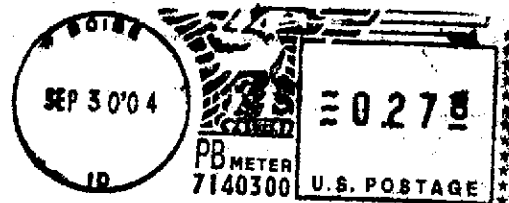
Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

NSA

**RETURN SERVICE
REQUESTED**

**PRESORTED
FIRST CLASS**



RECEIVED

OCT 18 2004

**WATER RESOURCES
WESTERN REGION**

NIXIE

2016 1 08 10/02/04

**RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD
RETURN TO SENDER**

[Redacted address block]

10/06/2004

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

RIGHT NUMBER: 63-17324

NAME AND ADDRESS: MALINDA D BERGAN
2590 S CLOVERDALE RD
BOISE ID 83709

RICHARD W BERGAN
2590 S CLOVERDALE RD
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1968

POINT OF DIVERSION:

T03N R01E S22 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC Within ADA County

T03N R01E S22 NWSW

STOCKWATER Within ADA County

T03N R01E S22 NWSW

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: Beneficial Use

PARCEL NO. S1122325895.

Use of this right is combined with water from Nampa Meridian Irrigation District.

Stockwater use is for 10 range cattle.

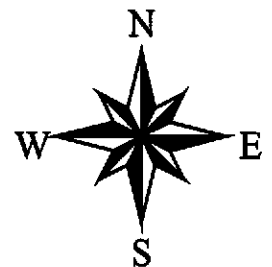


State of Idaho
Idaho Department of Water Resources
Western Region

T3N R1E SECTION 22
Water Right(s) : 63-17324



0 1320 Feet

A horizontal scale bar with a black line and white ends, representing a distance of 1320 feet.

- Point of Diversion
- Place Of Use
- Quarter Quarter Lines
- Section Lines

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: October 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-17324 V1

WATER RIGHT NUMBER: 63-17324 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MALINDA D BERGAN 2590 S CLOVERDALE RD BOISE, ID 83709 (208)375-6126
Current Owner	RICHARD W BERGAN 2590 S CLOVERDALE RD BOISE, ID 83709 (208)375-6126

Priority Date: 01/01/1968

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 22, Twp 03N, Rge 01E, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01E	22											X						

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01E	22											X						

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-17324 V1

1. PARCEL NO. S1122325895.
2. C18 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.
3. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
5. W51 Use of this right is combined with water from Nampa Meridian Irrigation District.
6. X01 Domestic use is for 1 home.
7. X02 Stockwater use is for 10 range cattle.

Remarks:Comments:

1. vmusic 10/6/2004 IRRIGATION PURPOSE

Comment: 1 acre of irrigation was claimed. However, all evidence indicates that the well was drilled in 1968 would render the irrigation an illegal use. Claimants did not respond to requests for evidence of priority. Aerials indicate only .4 ac irrigated. Therefore, irrigation was deleted as purpose. see memo in claim file.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	10/6/2004 9:12:04 AM	vmusic			Active
Priority Date	10/6/2004 9:13:34 AM	vmusic			Active
POD	10/6/2004 9:14:00 AM	vmusic			Active
Source	10/6/2004 9:36:54 AM	vmusic			Active
POU	10/6/2004 9:37:51 AM	vmusic			Active
Use	10/6/2004 9:42:53 AM	vmusic			Active
Quantity	10/6/2004 10:33:01 AM	vmusic			Active
Summary			10/06/2004	vmusic	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-17324 V1

Season 10/6/2004 10:49:57 AM vmusic Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	10/6/2004 9:36:54 AM	vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - INTREPID EXAM
POU	10/6/2004 9:37:52 AM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - AERIAL PHOTOS AND ADA CO ASSESSOR PARCEL INFORMATION.
Use	10/6/2004 9:42:54 AM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (Yes) 13. Is a Purpose of Use remark and/or condition required?
POD	10/6/2004 10:02:21 AM	vmusic	Edited point location
Summary	10/6/2004 10:49:01 AM	vmusic	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-17324 V1

Contacts	10/6/2004 9:12:04 AM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW OF D&S CLAIM.
Priority Date	10/6/2004 9:13:35 AM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - ADA CO ASSESSOR RECORDS OF YEAR HOUSE WAS BUILT, AERIAL PHOTOS.
POD	10/6/2004 9:14:00 AM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	10/6/2004 9:45:08 AM	vmusic	Edited shape boundary
Quantity	10/6/2004 10:33:02 AM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - DE MINIMUS Q. THEORETICAL CALCULATED BY INTREPID.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-17324 V1

Season	10/6/2004 10:49:57 AM	vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POU	10/6/2004 9:44:48 AM	vmusic	Edited shape boundary

MEMORANDUM TO CLAIM FILE

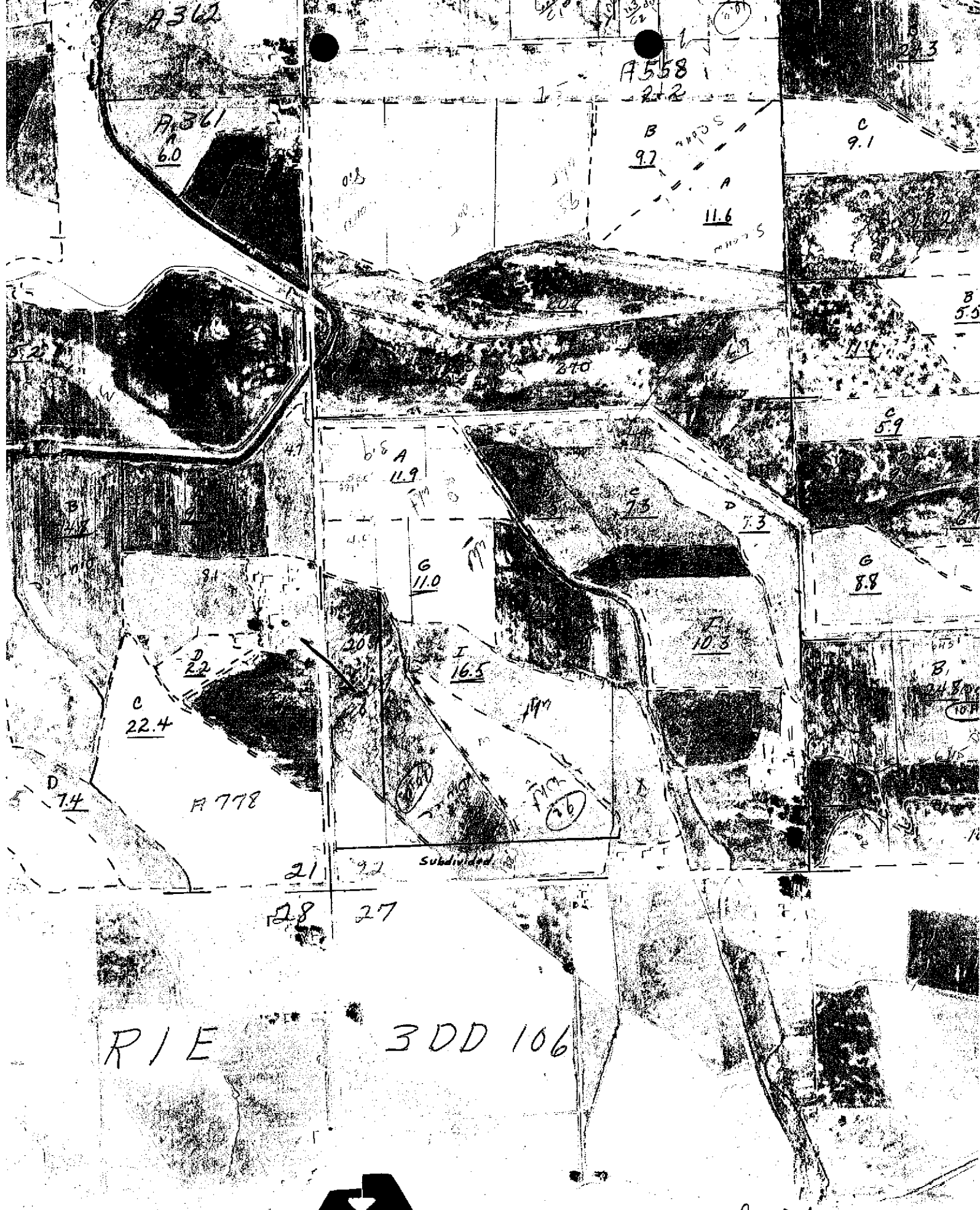
TO: CLAIM FILE
FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN
REGION
SUBJECT: B/U CLAIM REVIEW
DATE: 10/6/2004
CC: CLAIM FILE 63-17324

Claimants claimed an irrigation use from a well with a 1968 priority date. All evidence indicates that the well was not drilled in compliance with the 1963 ground water permitting statute. Claimants were contacted twice for evidence of priority. No evidence has been submitted.

I think that the well was drilled in 1968 as a domestic well. Evidence that it was not drilled prior to 1963 is a 1964 aerial which shows the parcel undeveloped but part of an irrigated field, the Ada Co. Assessor printout of the parcel information that states that the house was built in 1968. Finally, although 1 acre of irrigation is claimed, an Arcview map that I generated with the irrigated portion outlined on the 1987 NAPP photo reveals 0.4 acres irrigated at that time.

Instead of disallowing the right for lack of evidence of priority, I am recommending the right as a D & S right and removing the irrigation purpose of use, which is an illegal use.

VLM



DHT-3DD-104 7-8-64



Land Records

Characteristics Detail[Go Back to Property](#)

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

Residential**Land****Residential Characteristics 1 for Parcel "S1122325895"**

Occupancy Date:	No Date Available
Year Built:	1968
Year Remodel:	0
Effective Age:	0
Construction Class:	4
Number of Bedrooms:	4
Number Bathrooms:	2.0
Number of Fireplaces:	1
Air Conditioning:	N
Car Storage Sq Ft #1:	572
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	232
Deck Covered:	N
Patio Sq Ft:	0
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	2288
Main Floor Sq Ft:	1144
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	1144
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Ada County Links

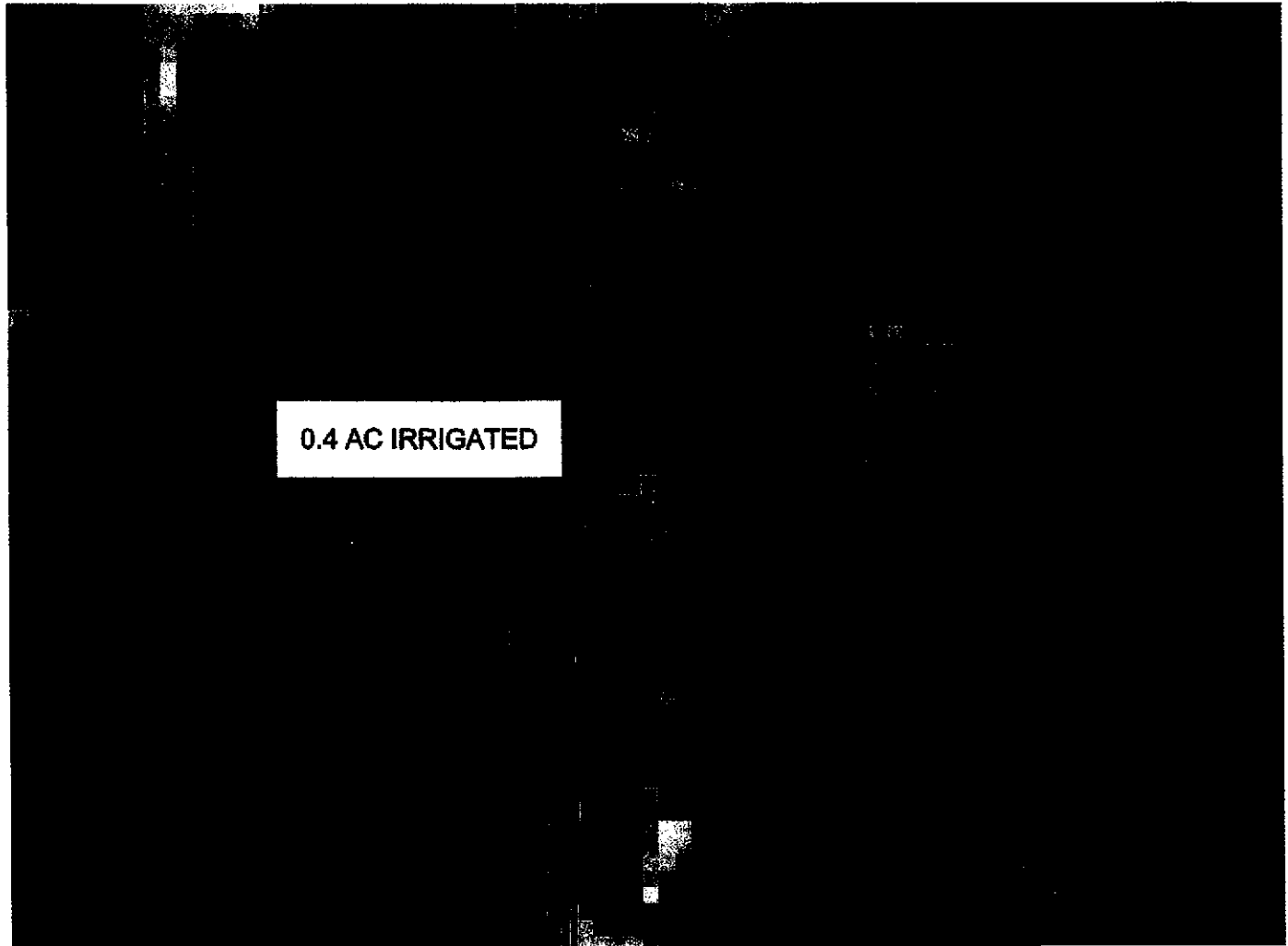
- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)

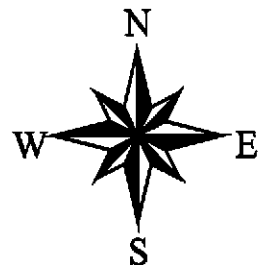


State of Idaho
Idaho Department of Water Resources
Western Region

T3N R1E SECTION 22
Water Right(s) : 63-17324



200 0 200 Feet

A horizontal scale bar with a black line in the center. The number '200' is at the left end, '0' is in the middle, and '200 Feet' is at the right end.

- Point of Diversion
- Place Of Use
- Quarter Quarter Lines
- Section Lines

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: October 2004

desktop review/vlm

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
☒ Check fees paid
 NA ☐ Well logs (if needed)
☐ Copy of topo or NAPP
☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
☒ Check POD & POU overlap, see below - include overlapping right for exam
 * ☐ Evidence of Priority - if none, talk with claimant

CLAIMANT INFORMATION - verify contact information is completeClaim No(s) 63-17324

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
☐ NEW OWNER _____
☐ No change Address
☐ NEW ADDRESS _____
☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☐ No change - Complete evidence submitted or not necessary
☒ Incomplete - Claimant should be asked when water was first used and submit proof of date.
☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 1-1-1968

(If priority date, based on your exam, seems questionable, explain below.)

- (1) 1964 (6-8-64) aerial shows possible cultivation but no evidence of well
 (2) Ada Co. Assessor info states house built in 1968.

Source: _____ Tributary to _____

- ☒ No Change - SAME SOURCE
☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
☐ POD found is different than claimed: _____
☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

see claim, interpret exam.**OVERLAP REVIEW**

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES☐ No change☒ Different Uses

Q ↓ from .09 to .06
delete irrigation use - violates mod. permit statute

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use DOM From _____ To _____ Amount .04 CFS _____ AFA
Use GW From _____ To _____ Amount .02 CFS _____ AFA
.06

TOTAL VOLUME – Groundwater only☒ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: no

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

NA

Delivery System Narrative:

see claim

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

comments: delete in purpose of use, rec for D#5 because then can rec. 1968 p. date;

✓ r/e parcel # 51122325895 quantify
✓ c/pump x01 dam use is for 1 house up to 10 head of stock

✓ c/pa N1220m US not to > 13,000 gal/day

✓ c/e N110 not a determination of hist. b/u.

✓ u151 Ditch rts. from Nampa-manchain

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 1/19

10-6-04

FIELD EXAMINER:

10-6-04
Wicki Wicki



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 30, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RICDHARD BERGAN
MALINDA BERGAN
2590 N CLOVERDALE
BOISE, ID 83709

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-17324

Dear Claimant(s),

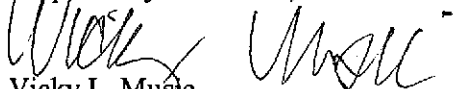
In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of this priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by October 18, 2004. Additionally, a field exam may be necessary and a field examiner may be contacting you in the next few weeks. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully Submitted,


Vicky L. Musc
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim Report A63-17324

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

IP THORNE
ernor

DREHER
ector

November 9, 2001

RE: Investigation of Water Right

Dear Claimant:

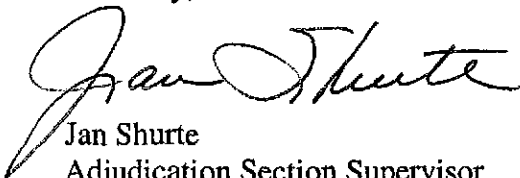
As you may be aware, the Idaho Snake River Basin Adjudication (Basin 63). This investigation is Engineering Services, to assist

The purpose of this letter is to assist in the investigation of your water use. the IDWR Senior Water Resource rights. Accordingly, we request system so that their personnel can information on the rate of flow, be reporting this information to

If you have sold your property to the purchaser, so that the purchaser is unable to forward this letter, please Regional Office located at 2735

The process of adjudicating your issuance of decreed water rights work with our agency early in the experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,



Jan Shurte
Adjudication Section Supervisor
Western Regional Office

- Need to ask them
about priority date
can they get it before 63?

- E.O.P. letter

- no links done

- left msg. 7/18

work #

939-6426 x27

DICK

spoke to Mr. Bergen 7/18
he will try to find EOP
prior to 63'

its
asin

a field
on to
water
on
g
d will

letter to
ou are
stern

n the
who

better



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

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-17324

WATER RIGHT NUMBER: 63-17324

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MALINDA D BERGAN 2590 S CLOVERDALE RD BOISE, ID 83709 (208)375-6126
Current Owner	RICHARD W BERGAN 2590 S CLOVERDALE RD BOISE, ID 83709 (208)375-6126

Priority Date: 01/01/1968 ✓
 Basis: Beneficial Use ✓
 Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER ✓	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC ✓	1/01 to 12/31	0.040 CFS ✓	
~~IRRIGATION~~	~~3/15 to 11/15~~	~~0.030 CFS~~	
STOCKWATER ✓	1/01 to 12/31	0.020 CFS ✓	
<u>Total Diversion:</u>		0.090 CFS ✓	

*in violation of mandatory
law permitting statute.*

Location of Point(s) of Diversion

GROUND WATER
 ADA County

~~NW 1/4~~SW 1/4SW 1/4

Sec. 22, Twp 03N, Rge 01E, B.M.

Place of UseDOMESTIC Within ADA County

T03N R01E S22 NWSW

~~IRRIGATION~~ Within ADA County

T03N R01E S22 NWSW 0.7

T03N R01E S22 SWSW 0.3

Total Acres: 1

STOCKWATER Within ADA County

T03N R01E S22 NWSW

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES 10/06/2004
 ADJUDICATION CLAIM POU REVIEW REPORT
 ADJUDICATION CLAIM NUMBER: 63-17324 1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-2106 Claim	03N	01E	22	NW	SW	IRRIGATION		UNITED STATES OF AMERICA ACTING THROUGH		
63-17324	Claim	03N	01E	22	NW	SW	IRRIGATION	0.7/1		MALINDA D BERGAN
63-2000 Water Right		03N	01E	22	NW	SW	IRRIGATION	30/80		OLIVER O HAGA
63-2066 Water Right		03N	01E	22	NW	SW	IRRIGATION	30/245		OLIVER O HAGA
63-2106 Water Right		03N	01E	22	NW	SW	IRRIGATION			US DEPT OF INTERIOR
63-17324	Claim	03N	01E	22	NW	SW	STOCKWATER			MALINDA D BERGAN
63-17803	Water Right	03N	01E	22	NW	SW	STOCKWATER			DENNIS R KENNEDY
63-2576 Claim	03N	01E	22	NW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-2605 Claim	03N	01E	22	NW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-2874 Claim	03N	01E	22	NW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-2954 Claim	03N	01E	22	NW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-2956 Claim	03N	01E	22	NW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-2989 Claim	03N	01E	22	NW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-3164 Claim	03N	01E	22	NW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-7067 Claim	03N	01E	22	NW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-7577 Claim	03N	01E	22	NW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-7998 Claim	03N	01E	22	NW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-19456	Claim	03N	01E	22	NW	SW	MUNICIPAL			UNITED WATER IDAHO INC
63-17324	Claim	03N	01E	22	NW	SW	DOMESTIC			MALINDA D BERGAN
63-17163	Water Right	03N	01E	22	NW	SW	DOMESTIC			BENNY R SHELTON
63-17803	Water Right	03N	01E	22	NW	SW	DOMESTIC			DENNIS R KENNEDY
63-20927	Water Right	03N	01E	22	NW	SW	DOMESTIC			JOYCE L BALDERSTON
63-21792	Water Right	03N	01E	22	NW	SW	DOMESTIC			CHARLES R DODGE
63-29754	Water Right	03N	01E	22	NW	SW	DOMESTIC			CLIFFORD SEXTON
63-2106 Claim	03N	01E	22	SW	SW	IRRIGATION				UNITED STATES OF AMERICA ACT THROUGH
63-9198 Claim	03N	01E	22	SW	SW	IRRIGATION	20/122			UNITED WATER IDAHO INC
63-9816 Claim	03N	01E	22	SW	SW	IRRIGATION	2/2			CHARLES L ARMSTRONG
63-17324	Claim	03N	01E	22	SW	SW	IRRIGATION	0.3/1		MALINDA D BERGAN
63-2000 Water Right		03N	01E	22	SW	SW	IRRIGATION	30/80		OLIVER O HAGA
63-2066 Water Right		03N	01E	22	SW	SW	IRRIGATION	40/245		OLIVER O HAGA
63-2106 Water Right		03N	01E	22	SW	SW	IRRIGATION			US DEPT OF INTERIOR
63-9816 Water Right		03N	01E	22	SW	SW	IRRIGATION	2/2		CHARLES L ARMSTRONG
63-2576 Claim	03N	01E	22	SW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-2605 Claim	03N	01E	22	SW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-2874 Claim	03N	01E	22	SW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-2954 Claim	03N	01E	22	SW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-2956 Claim	03N	01E	22	SW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-2989 Claim	03N	01E	22	SW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-3164 Claim	03N	01E	22	SW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-7067 Claim	03N	01E	22	SW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-7577 Claim	03N	01E	22	SW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-7998 Claim	03N	01E	22	SW	SW	MUNICIPAL				UNITED WATER IDAHO INC
63-19456	Claim	03N	01E	22	SW	SW	MUNICIPAL			UNITED WATER IDAHO INC
63-31512	Claim	03N	01E	22	SW	SW	DOMESTIC			WILLIAM L WALKER
63-18027	Water Right	03N	01E	22	SW	SW	DOMESTIC			ORLAND C MAYER
63-19004	Water Right	03N	01E	22	SW	SW	DOMESTIC			T S BUD THOMPSON
63-30278	Water Right	03N	01E	22	SW	SW	DOMESTIC			SUSAN MILLER
63-30419	Water Right	03N	01E	22	SW	SW	DOMESTIC			KAREN NICKELL



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

Diversion Description

RIGHT ID 63 17324
POD ID 170449
Quad Cloverdale 1
Claim Type Small
Easting 311633
Northing 278026
GPSID A0013058

DRILLED WELL, APR. 110' DEPTH, 8" CASING WITH PUMP & PIPELINE.

Assumptions

Horse power and pressure head.

Invoice

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin)
Phase-III (Complete w/Issues)
Phase-IV (Total Complete)

Linked
Photos

a Photos\170449a.JPG

EPE (ft)

17

Date (M/D/Y)

12/7/01

Time

12.52

Flow Rate (CFS)

0.10

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	Concrete lined	.016
	Smooth earth	.025
	Earth	.033
	Rough bed, weeds on sides	.04
	Smooth natural stream	.033
	Rough natural stream	.1

Pumped System ☒

HP 3

Pressure Head (psi) 35

Elevation Head (ft) 110

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

This form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Services, Inc.



INTREPID
Engineering Services, Inc. (IESI)
Enabling People and Solutions

RIGHT ID

63 17324

63-17324



Idaho Department of Water Resources

Claim Number: 63-17324

Legal: T03N, R01E, S22

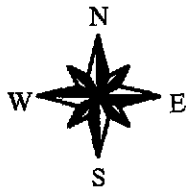
Reviewed By:

⊙ Point of Diversion

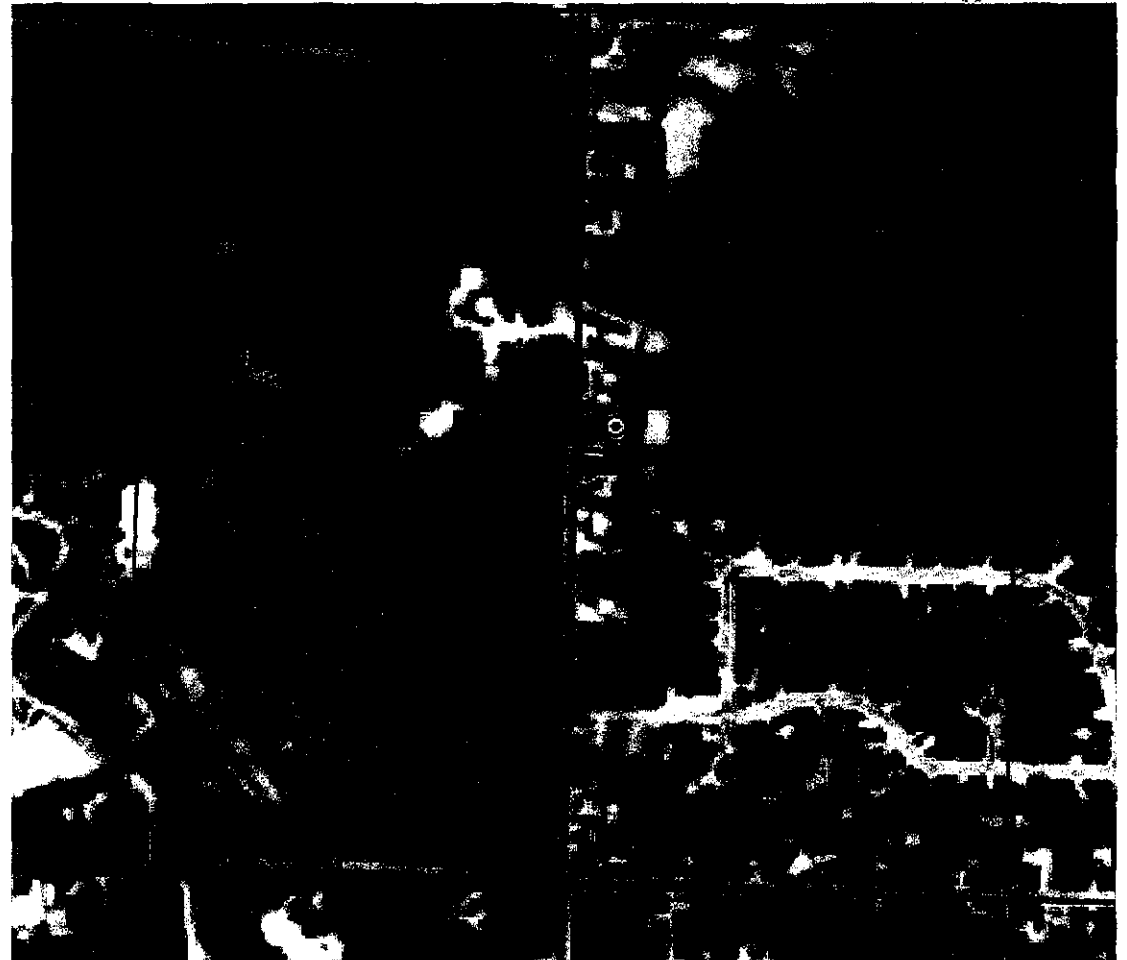
▭ Place of Use

▭ Section Lines

▭ Quarter Quarter Lines



1987 Napp Photo



0 0.25 0.5 Miles

A horizontal scale bar with three segments. The first segment is labeled '0', the second '0.25', and the third '0.5 Miles'.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: 63-17324 Date: 3-12-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	1E	22									.7	.3							1
GIS												.8	.2							1
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 1

Overlapping POU Claim #'s:

Total GIS Acres: 1

COMMENTS:
