

06/16/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 7/21/06

Water right number: 3-2034

R LUCILLE BERGQUIST
1597 CRYSTAL LN
WEISER ID 83672
Telephone Number: (208)549-0307

LEON J BERGQUIST
1597 CRYSTAL LN
WEISER ID 83672
Telephone Number: (208)549-0307

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

Delete extra remark

3. Give a brief explanation as to why you disagree with these portions:

Does not define element.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6/22/06 SIGNATURE: Leon Bergquist
Please print your name: LEON BERGQUIST

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

Remark removed.

Claim Number:

3-2034

Date:

6-22-06

Name of Contact:

Bergquist

Notetaker:

D. SHAFER

Notes:

Delete General remark
From Recovery taken from
C/with

send 3-2034 after fixing
TOD shapes. For this one
\$ 2-1,000.

Don't send layout.



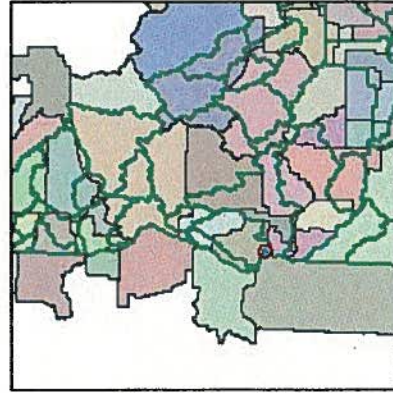
Idaho Department of Water Resources

SRBA Recommendation:

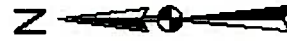
3-2034

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Washington County
IDWR Basin 3



R47E (OR)

0 0.2 0.4 Miles

Prepared by J. Dean
On Wednesday, June 7, 2006
1987/88 Aerial Photography

07/12/2006

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

RIGHT NUMBER: 3-2034

NAME AND ADDRESS: R LUCILLE BERGQUIST
1597 CRYSTAL LN
WEISER ID 83672

LEON J BERGQUIST
1597 CRYSTAL LN
WEISER ID 83672

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.640 CFS

PRIORITY DATE: 01/16/1954

POINT OF DIVERSION:

T10N R05W S23 SWSESW Within WASHINGTON County
T10N R05W S23 SWSESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
1.640 CFS

PLACE OF USE:

IRRIGATION Within WASHINGTON County

as per map no overlap

T10N R05W S22	NESE	1.00	T10N R05W S22 Lot 1 NESE	4.00
T10N R05W S22	SESE	1.50	T10N R05W S23 Lot 3 NESW	1.00
T10N R05W S23	NWSW	0.50	T10N R05W S23 Lot 4 NWSW	29.00
T10N R05W S23	SWSW	21.00	T10N R05W S23 Lot 4 SWSW	4.00
T10N R05W S23	SESW	17.00	T10N R05W S23 Lot 3 SESW	3.00

okay

82 ACRES TOTAL

T10N, R06W S22 NESE, SESE; S23 NWSW, SWSW, & SESW is unsurveyed,
nonfederal land except where noted by government lot number.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are also diverted through point of diversion described
above: 3-10005

Capacity = 2.71 cfs
recommended diversion = 1.64 + .72 = 2.36

okay

07/12/2006

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

RIGHT NUMBER: 3-10005

NAME AND ADDRESS: LEON J BERGQUIST
1597 CRYSTAL LN
WEISER ID 83672

R LUCILLE BERGQUIST
1597 CRYSTAL LN
WEISER ID 83672

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.720 CFS

PRIORITY DATE: 03/15/1971

POINT OF DIVERSION:

T10N R05W S23 SWSESW Within WASHINGTON County

T10N R05W S23 SESESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.720 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S22 NESE 29.00 T10N R05W S22 Lot 1 NESE 0.50

T10N R05W S22 NWSE 6.00 T10N R05W S22 SESE 0.50

36 ACRES TOTAL

T10N, R06W S22 NESE, NWSE, & SESE is unsurveyed, nonfederal land
except where noted by government lot number.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The following rights are also diverted through point of diversion described
above: 3-2034

State of Idaho **License and Certificate of Water Right**

Water License No. 24675Amount 1.64 second feet

Water District No. _____

Priority January 16, 1954THIS IS TO CERTIFY that **EVERETT W. HOFFER**

of **Weiser, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **January 16**, 19 **54**; that Permit No. **24675** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **2.71** second feet, was issued thereunder on **January 13**, 19 **55**, showing that said works were completed on the **6th** day of **January**, 1955; and that on the **11th** day of **February**, 19 **55**,

EVERETT W. HOFFER

of **Weiser**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of **Snake River**, a tributary of **Columbia River**, for the purpose of **irrigation**, under Use Permit No. **24675** 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 **9** of Licenses at page **5484**, on the **27th** day of **April**, 1955;

The right hereby confirmed dates from **January 16**, 19 **54**;

The Point of Diversion is located

in the **SE 1/4 SW 1/4**, Sec. **23**, Tp. **10 N.**, R. **5 W.**, **B. M.** **Washington** 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 **1.64** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 N.	5 W.	23	All of lots 34, 35 and 40; All that part of lots 36, 37, 38, and 39, lying South and West of the Oregon Short Line Railway Company right-of-way. All of the above lots being part of the Southern Idaho Land Company's Orchard and Garden Tracts as same are shown on the official plat on file in the office of the County Recorder of Washington County, Idaho.	135.5	82

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

27th day of **April**, 19 **55**.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

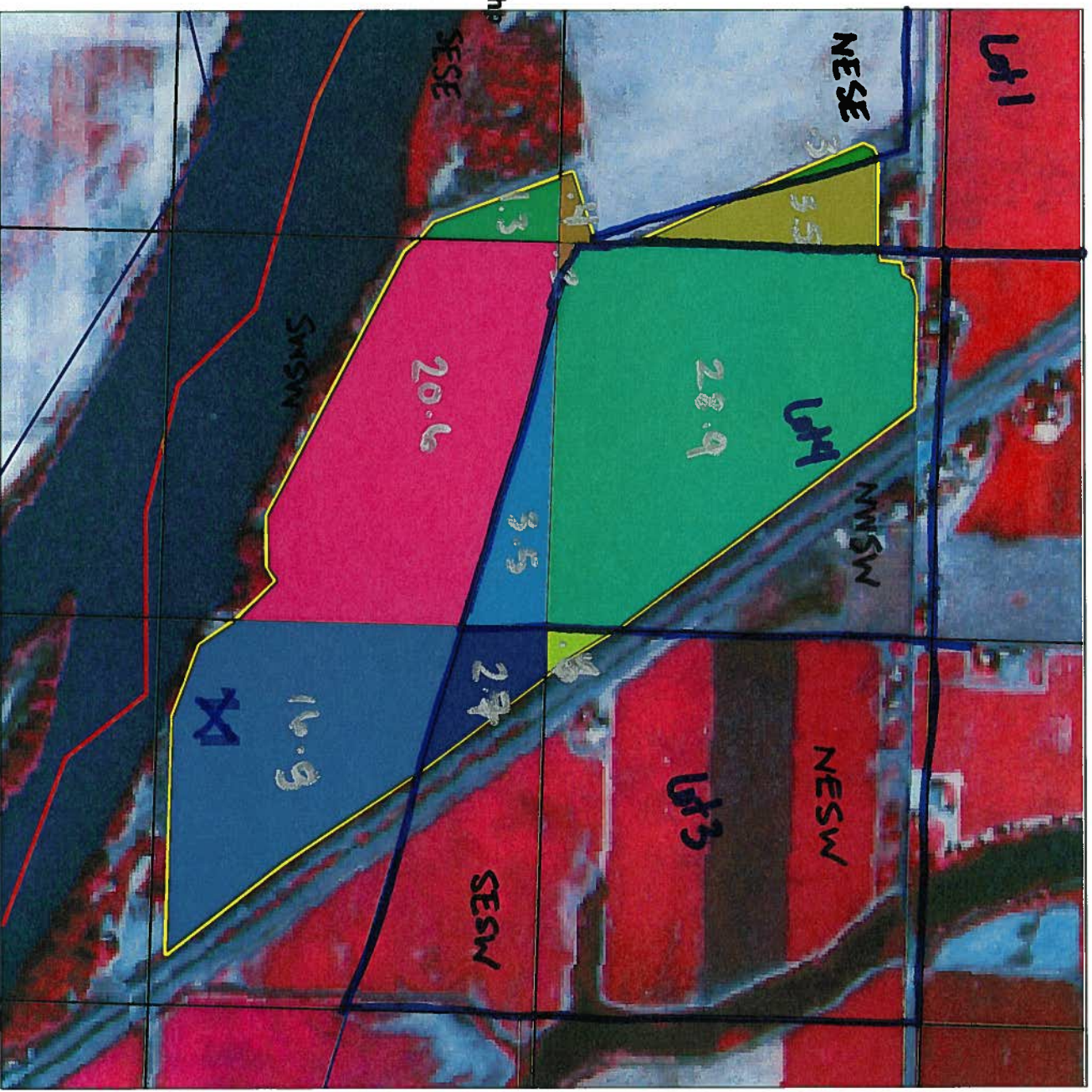
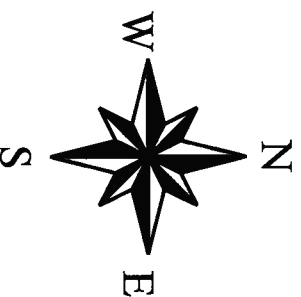
2-2408
03-2034

Claim Number:

03-02034

- | | |
|---|-----------------------------------|
|  | Graph53.shp |
|  | Graph52.shp |
|  | Graph51.shp |
|  | Graph50.shp |
|  | Graph49.shp |
|  | Graph48.shp |
|  | Graph47.shp |
|  | Graph46.shp |
|  | Graph45.shp |
|  | Graph44.shp |
|  | Graph43.shp |
|  | Sections |
|  | 03_02034_extended_qq.shp |
|  | GCDB10N05W GCDB |
|  | 03_02034_rec_pou.shp |
|  | Administrative BasinsAdminbas.shp |

~~Fogalt-TION, ROEW, S41~~



1987 Aerial Photo

3-02034

Township	Range	Section	QQ	Lot	GIS Acres	Rec Acres	QQ Sum	Claim
10N	05W	22	NESE	1	3.5	4	5	2
			NESE		0.7	1		
			SESE		1.3	1.5	1.5	1
10N	05W	23	NESW	3	0.6	1	1	2
			NWSW	4	28.9	29	29.5	33
			NWSW		0.2	0.5		
			SWSW	4	3.5	4	25	20
			SWSW		20.6	21		
			SESW	3	2.7	3	20	24
			SESW		16.5	17		
					78.5	82	82	82
						45		



Shp. →
For Analysis only
2004 photos.
2 pumps JD
110 AC total
2034 & 10005

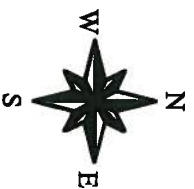
Idaho Department of Water Resources

Claim Number: 03-02034

Legal: T10N, R05W, S22, 23

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



Idaho Department of Water Resources

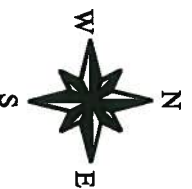
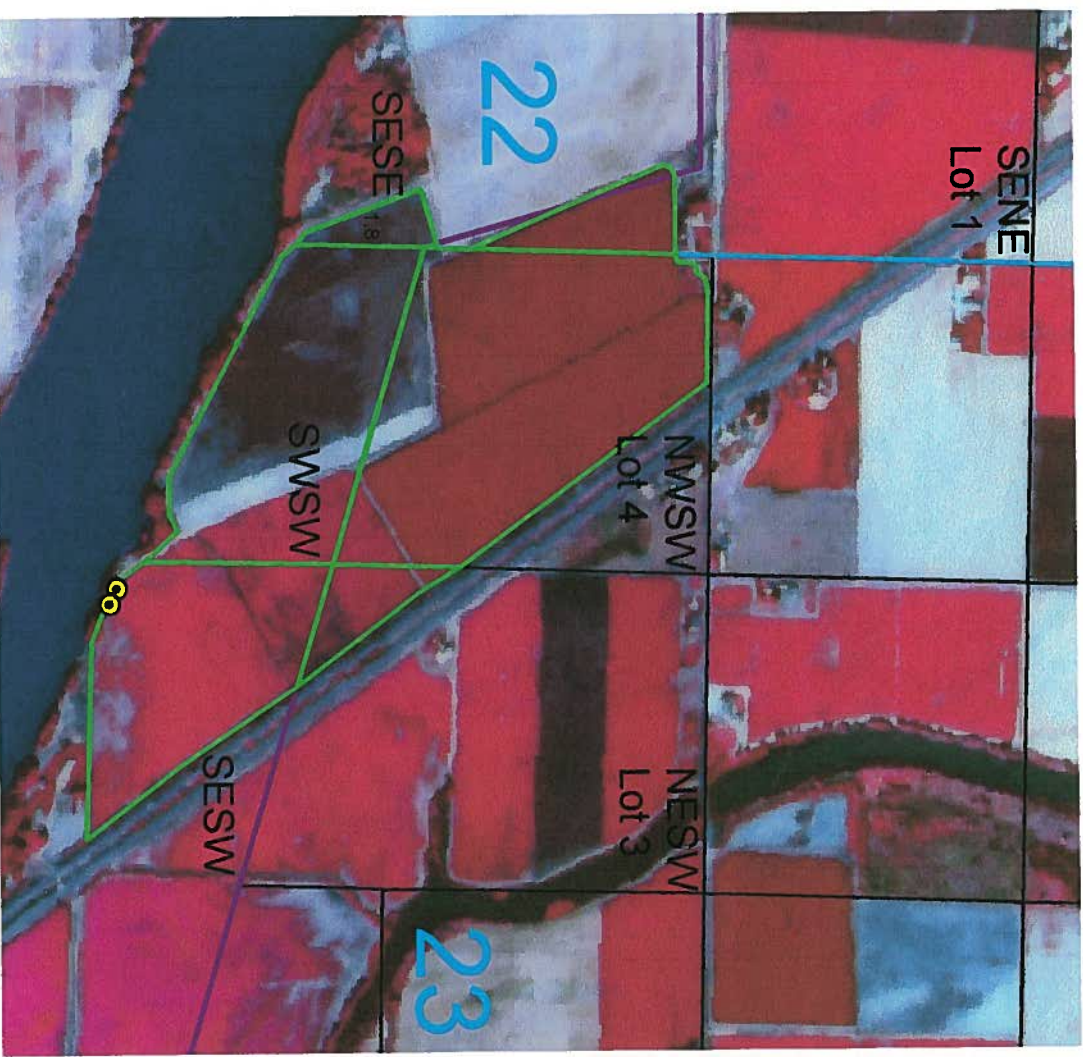
Claim Number: 03-02034

Legal: T10N, R05W, S22, 23

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range 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: A03-02034

Date Received: 10/03/1989 10/10/89

Receipt No: 24880

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEON J. BERGQUIST
Address: 1597 CRYSTAL LN.
WEISER, ID

208-549-0307

83672

Name: R. LUCILLE BERGQUIST
Address: 1597 CRYSTAL LN.
WEISER, ID

208-549-0307

83672

2. Date of Priority: JAN 16, 1954

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	23	SW	SE	SW		WASHINGTON
			SE	SE	SW		WASHINGTON

5. Description of diverting works:

TWO PUMPS, 1-10 HP & 1-5 HP PUMP W/PIPELINE FOR FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.640		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A03-02034

Page

1

Date: 10/03/89

MICROFILMED

AUG 10 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	22	NE	SE		IRR	2.0
			SE	SE		IRR	1.0
						Section Acres	3.0
		23	NE	SW	3	IRR	2.0
			NW	SW	4	IRR	33.0
			SW	SW	4	IRR	20.0
			SE	SW	3	IRR	24.0
						Section Acres	79.0
						Total Acres	82.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
CLAIM NO.

14. Remarks:

NOTE: THE ACREAGE ON THIS CLAIM WAS DERIVED FROM THE ORTHOPHOTOQUAD FOR THIS AREA. THERE ARE A FEW ACRES IN SEC. 22 THAT WERE IRRIGATED AS A PART OF THE 82 ACRES LICENSED. THERE HAS NOT BEEN A TRANSFER OF WATER TO OTHER LANDS.

15. Basis of Claim: LICENSE
Water Right Number: 24675

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 X 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): Leon J. Bergquist Date: 10-3-89
R. Lucille Bergquist Date: "

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of October 19 89 Jan Shulte
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94



13

14

17

12

FILMED

10/1/52

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 03-02034 Date: 11-06-02

	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	10N	5W	22				0									2			1	3
GIS							-1 3.8									0			0	3.8
				Outside of meander lines																1.8
Claim			23									-3	-4	-4	-3					79
GIS												2	33	20	24					33.9
				Outside of meander lines																3.7
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 82

Overlapping FOU Claim #'s:

Total GIS Acres: 76.5

COMMENTS:

No ownership data in the County data in this area.
Per claim map.

I placed PODs next to each other as on the claim map even though
the legal on claim shows two different descriptions

State of Idaho

License and Certificate of Water Right

Water License No. 24675Amount 1.64 second feet

Water District No.

Priority January 16, 1954THIS IS TO CERTIFY that **EVERETT W. HOFFER**

of **Weiser, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **January 16**, 19 **54**; that Permit No. **24675** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **2.71** second feet, was issued thereunder on **January 13**, 19 **55**, showing that said works were completed on the **6th** day of **January**, 1955; and that on the **11th** day of **February**, 19 **55**,

EVERETT W. HOFFER

of **Weiser**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of **Snake River**, a tributary of **Columbia River**, for the purpose of **irrigation**

, under Use Permit No. **24675** 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 **9** of Licenses at page **5484**, on the **27th** day of **April**, 19 **55**;

The right hereby confirmed dates from **January 16**, 19 **54**;

The Point of Diversion is located

in the **SE 1/4 SW 1/4**, Sec. **23**, Tp. **10 N.**, R. **5 W.**, B. M. **Washington** 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 **1.64** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 N.	5 W.	22	All of lots 34, 35 and 40;	135.5	82
		23	All that part of lots 36, 37, 38, and 39, lying South and West of the Oregon Short Line Railway Company right-of-way. All of the above lots being part of the Southern Idaho Land Company's Orchard and Garden Tracts as same are shown on the official plat on file in the office of the County Recorder of Washington County, Idaho.		

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

27th day of **April**, 19 **55**.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

~~2-2108~~
03-2034

T.
10
N.

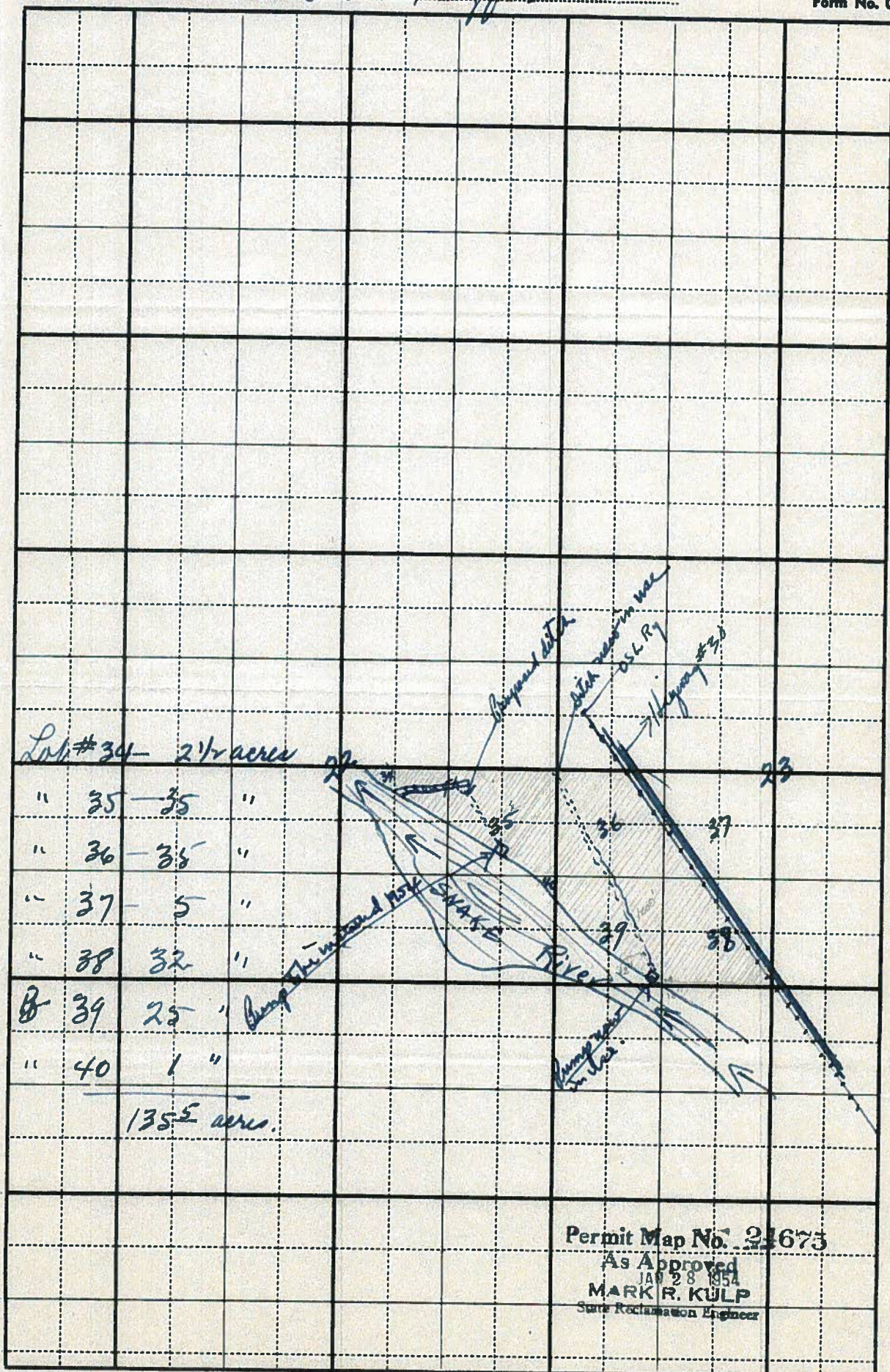
$$B/4 = 82 \text{ inches.}$$

24675

NAME OF APPLICANT

Everett - W. Hoffer

Form No. 0



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

24675

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

02-2108

APPLICATION No. 32482
 PERMIT No. 24675
 DISTRICT No.

1. Name of Applicant: **EVERETT W. HOFFER**

Postoffice address: **Route 3, Weiser**

County: **Washington**

State: **Idaho**

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:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2.71

2. Quantity of water claimed: **135.5 inches continuous flow** / cubic feet per second.

3. Source of water supply: **Snake River**

which is a tributary of

4. Location of point of diversion: **of the SE corner 1300 ft. W. of SE $\frac{1}{4}$ Sec. 23 and 900 ft. NW of SE corner NE $\frac{1}{4}$ Sec. 22**

corner of Section 22, T. 10 N., R. 5 W., B.M., and is in the

of Section , T. , R. , B.M., County of **Washington**

5. Water is to be used for **Irrigation of farm**

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
 T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

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

7. Estimated cost of works: \$ **3,000.00** (One pump in at cost of \$2,000, the other to go in at cost of \$1,000)

8. Kind of works: **One 10 HP pump and one $7\frac{1}{2}$ HP pump with dirt delivery ditches.**

9. Height of dam feet; length of dam at top feet; length of dam at bottom
 feet; material used in dam:

10. Size of headgate: Width feet; height feet.
 6' wide at top.

11. Ditch: Width at bottom **V type ditch about** width at water line feet; depth of water feet;
 dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

Large pump installed and has been in use two years, the small pump to be installed 1954.

12. The time required for the completion of such work is / years.

13. The time required for the complete application of the water to the proposed use is **No** 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: **Not known**

16. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

EVERETT W. HOFFER

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. January 16, 1954

Returned to applicant for correction: January 19, 1954

Corrected application received: January 21, 1954

Approval of State Reclamation Engineer

The number of this permit is 24675

Recorded in Book 87 Page 24675 Approved January 28, 1954

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 March 28, 1954

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 July 28, 1954

The whole of said work to be completed on or before January 28, 1955

Beneficial use of water appropriated in accordance herewith, to be made on or before January 28, 1955

WITNESS My hand this 28th day of January, 1954

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th

day of January, 1954.

STATE OF IDAHO

Countersigned:

By LEN JORDAN

Governor.

(SEAL)

By IRA H. MASTERS

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
10 N.	5 W.		All of Lots 34, 35 and 40 of Section 22, and all that part of Lots 36, 37, 38 and 39 lying South and West of the Oregon Short Line Railroad Company right-of-way in Section 22; All of the above lots being part of the Southern Idaho Land Company's Orchard and Garden Tracts, as the same are shown on the official plat thereof now on file in the office of the County Recorder of Washington County, Idaho, all being in Township 10 North, Range 5 West of the Boise Meridian. Washington County, Idaho.				135.5

Everett W. Hoffer
Route 3, Weiser, Idaho

Permit No. 24675

Examination for Beneficial Use

County Washington

23-10N.-5W.

Q - 2.71 c.f.s.

S - Snake River

P.S. - 1300' W. of S.E. cor. of S.E. SW
Sec. 20, T. 20 N. - 5 W.

Use migration

Priority - Jan. 16, 1954
Done - Jan. 28, 1955

C/W - 1-13-53

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plot same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plot 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
MAR 24 1955

Department of Reclamation

24" x 16" concrete test
river

4' x 12' well

10 hp. G.E. motor

RKJ 305050

26. pumps 220 V. 3 ph.

3353 Cascade Pump

160 mds @ 20' lift

8" Col. X 12' 2 story "Ende

10' x 50' to stand pipe

1000' x 12" concrete pipe to lift 6
up to