

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: 3-10005

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

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

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

DATE: 6/22/06

SIGNATURE:

Leon Bergquist

Please print your name:

~~Lucille~~ LEON BERGQUIST

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

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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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

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

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

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

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, T₁₀ N., R. 5 W., E. 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 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.

(SEAL)

MARK R. KULP
State Reclamation Engineer.

2-2108
03-2034

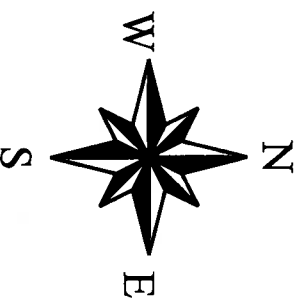
Idaho Department of Water Resources

Claim Number:

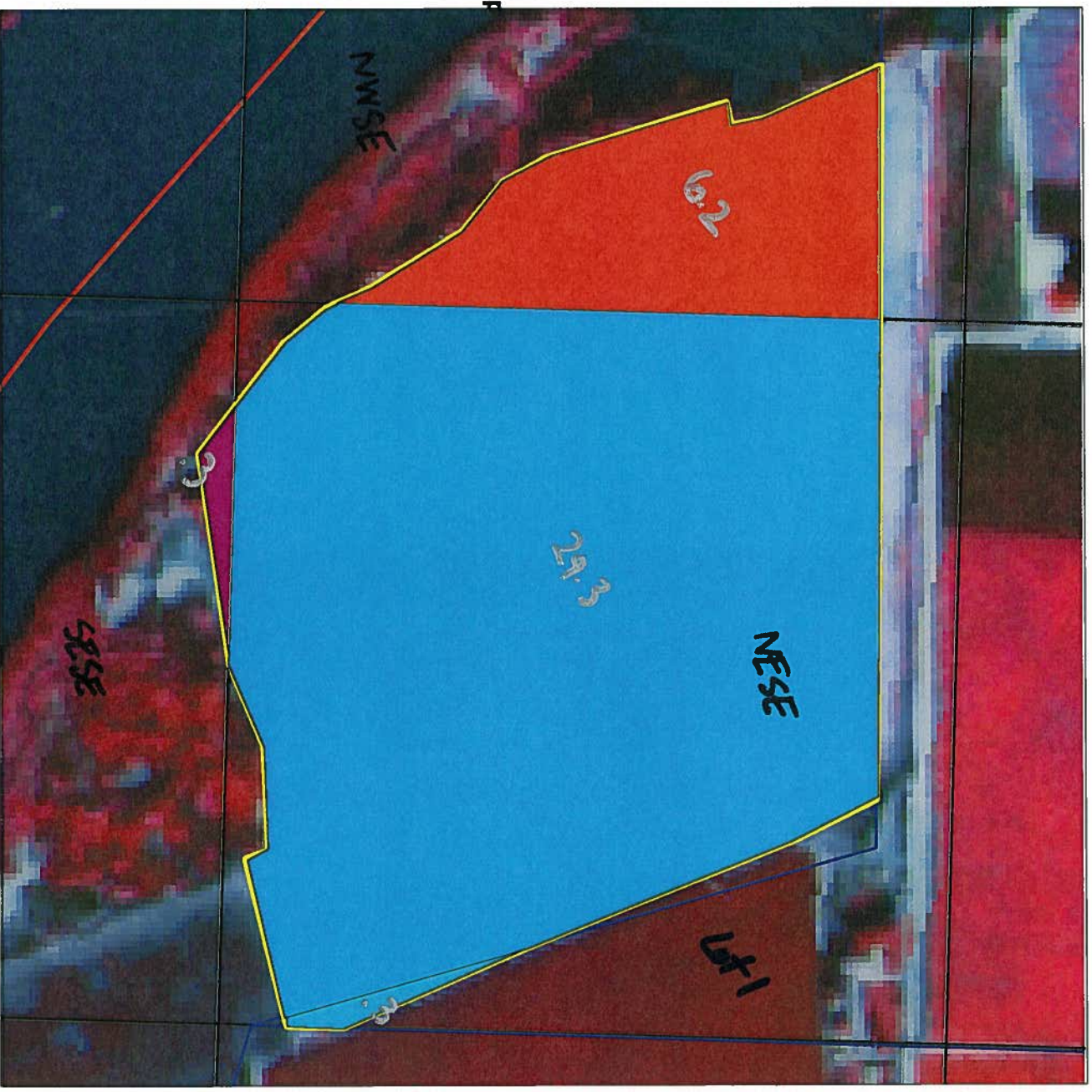
03-10005

- Graph57.shp
- Graph56.shp
- Graph55.shp
- Graph54.shp
- 03_10005_rec_pou.shp
- Sections
- 03_02034_extended_qq.shp
- GCDB10N05W GCDB
- Administrative BasinsAdminbas.shp

Legal: T10N, R06W, S22



1987 Aerial Photo

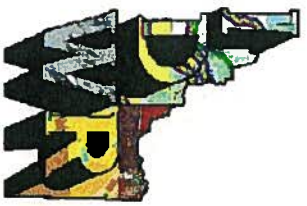


0.06 0 0.06 0.12 0.18 Miles

3-10005

Township	Range	Section	QQ	Lot	GIS Acres	Rec Acres	QQ Sum	Claim
10N	05W	22	NESE	1	0.3	0.5		
			NESE		29.3	29	29.5	31
			NWSE		6.2	6	6	5
			SESE		0.3	0.5	0.5	
					36.1	36	36	36
						35.5		

Idaho Department of Water Resources

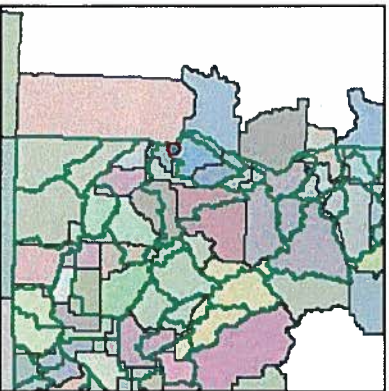


SRBA Recommendation:

3-10005

Legend

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



Prepared by J. Dean
On Monday, June 12, 2006
1987/88 Aerial Photography

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: A03-10005

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

Receipt No: M4880

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEON J. BERGQUIST 208-549-0307
Address: 1597 CRYSTAL LN.
WEISER, ID 83672

OR
Name: R. LUCILLE BERGQUIST 208-549-0307
Address: 1597 CRYSTAL LN.
WEISER, ID 83672

2. Date of Priority: MAR 15, 1971

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 W/PIPELINE FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.720		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A03-10005

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	31.0
			NW	SE	IRR	5.0
Section Acres						36.0
Total Acres						36.0

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. A03-02034 - SAME PUMPS, ADDITIONAL ACRES.

14. Remarks:

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 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 Shurtz
Notary Public

Seal

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



Pump
pumps

23

13

14

10

LIMITED

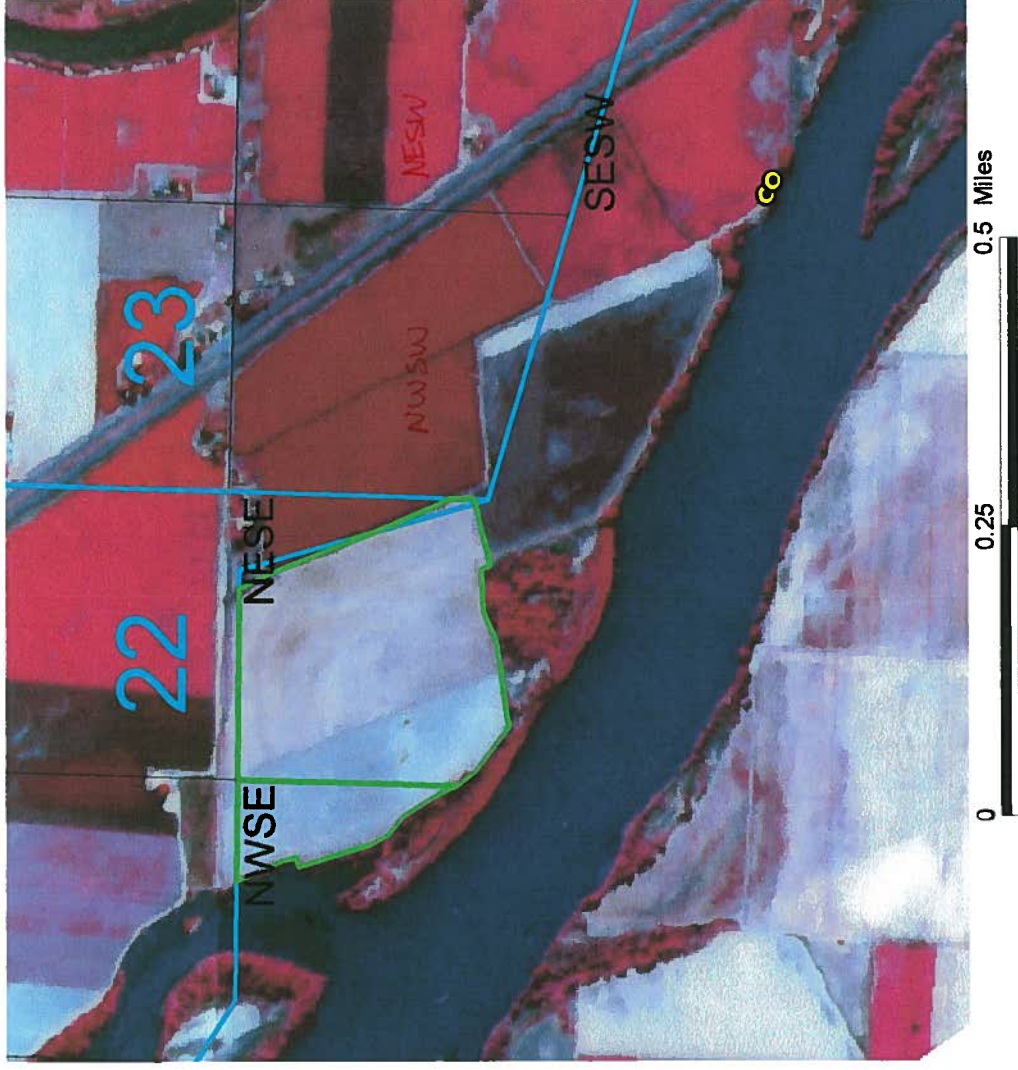
APR 10 1990



Idaho Department of Water Resources

Claim Number: 03-10005
Legal: T10N, R05W, S22
Reviewed By:

1987 Napp Photo

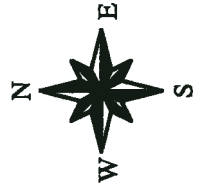


● Point of Diversion

☐ Place of Use

☐ Section Lines

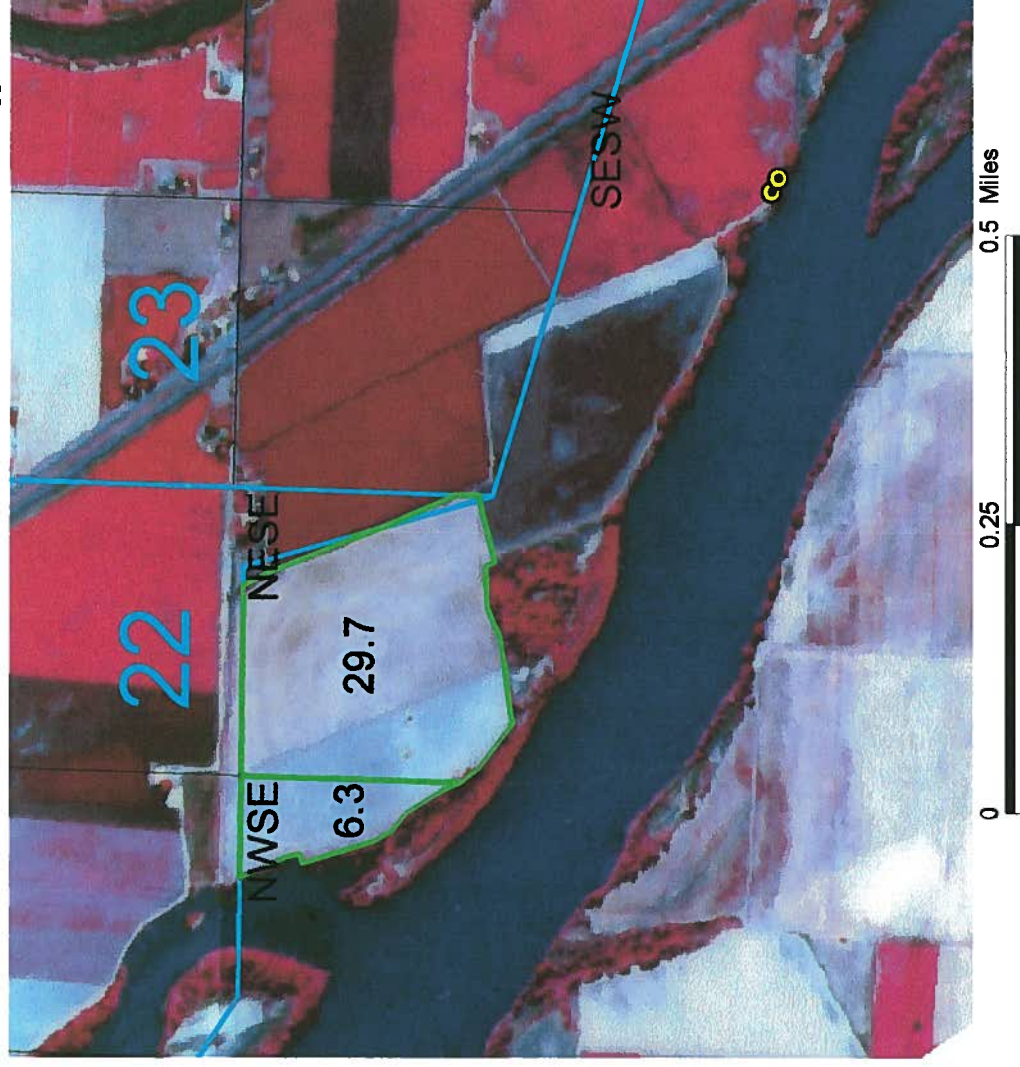
☐ Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 03-10005
Legal: T10N, R05W, S22
Reviewed By:

1987 Napp Photo

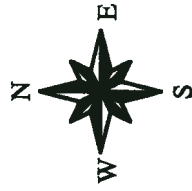


● Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 03-10605

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													31	5			36
GIS																29.7	6.3			36
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 36

Overlapping FOU Claim #'s:

Total GIS Acres: 36

COMMENTS:

Per claim map. The legal description for the PODs is different than the map. I placed them per the claim map.