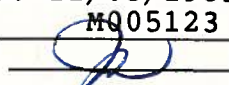


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A02-02155
Date Received: 11/03/1989
Receipt No: MQ05123
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARILYN R. BERNT 208-366-2002
Address: P.O. BOX 67
GLENNS FERRY, ID 83623

Name: GERALD BERNT 208-366-2420
Address: P.O. BOX 67
GLENNS FERRY, ID 83623

2. Date of Priority: NOV 10, 1959

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	09E	34	NE	NW		5	ELMORE

5. Description of diverting works:
PUMP, PIPELINE & GATED PIPE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.160		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	09E	27	SW	SE	2	IRR	21.0
						Section Acres	21.0
		34	NE	NW	5	IRR	18.0
			NW	NW	6	IRR	19.0
						Section Acres	37.0
						Total Acres	58.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE.

14. Remarks:

NOTE: FEE PAID REFLECTS THE DEDUCTION OF THE \$10 FEE PREVIOUSLY
PAID IN THE EARLIER SNAKE 02 ADJUDICATION.

15. Basis of Claim: LICENSE

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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: A02-02155
Date Received: 11/03/1989
Receipt No: 1005123
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARILYN R. BERNT 208-366-2002
Address: P.O. BOX 67
GLENN'S FERRY, ID 83623

Name: GERALD BERNT 208-366-2420
Address: P.O. BOX 67
GLENN'S FERRY, ID 83623

2. Date of Priority: NOV 10, 1959

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	09E	34	NE	NW		5	ELMORE

5. Description of diverting works:
PUMP, PIPELINE & GATED PIPE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.160		

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1.160 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

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NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	09E	27	SW	SE	2	IRR	21.0
						Section Acres	21.0
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			NW	NW	6	IRR	19.0
						Section Acres	37.0
						Total Acres	58.0

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

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: LICENSE

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: 2

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): Marilyn R. Bernt Date: 11-03-89
Gerald Boyd Date: 11-03-89

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 3rd day

of November 19 89

Jean Spurte
Notary Public

Seal

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



MICROFILMED
AUG 07 1992

10/08/2003

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

RIGHT NUMBER: 2-2155
NAME AND ADDRESS: GERALD BERNT
PO BOX 67
GLENN'S FERRY ID 83623

MARILYN R BERNT
PO BOX 67
GLENN'S FERRY ID 83623

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 1.160 CFS
PRIORITY DATE: 11/10/1959
POINT OF DIVERSION:

T05S R09E S34 NENW Lot 6 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.160 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T05S R09E S27 Lot 2 SWSE	22.0	T05S R09E S34 Lot 6 NENW	20.0
T05S R09E S34 Lot 5 NWNW	16.0		

58 ACRES TOTAL

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: License

Idaho Department of Water Resources

Place of Use Layout 2-2155

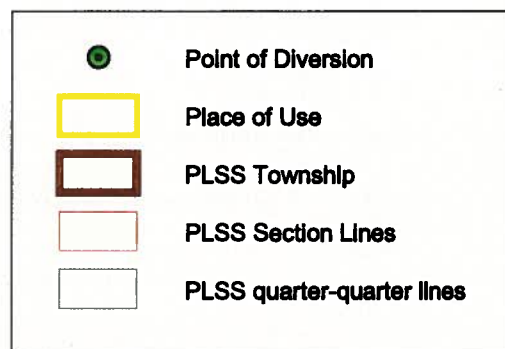


0 0.25 0.5 Miles

Township 5S Range 9E Sections 27 & 34



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: October 9, 2003



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 2-2155

1. No Change NAME IS SAME
NEW OWNER: Bernt
No Change ADDRESS
NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority. Nov 10, '59

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. No Change — SAME SOURCE SNAKE
Source is different than that claimed:
Source found: _____

4. No Change — POINT OF DIVERSION
Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

20-HP, Berkeley Centrifugal, 12" intake & main
June 1966 exam

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02155

Date: 7-3-02

	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	55	9E	27															-2		21
GIS																		21		21
Claim			34					-5	-6											37
GIS								18	19											37
								21	16											
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 58

Overlapping POU Claim #'s:

Total GIS Acres: 58

COMMENTS:

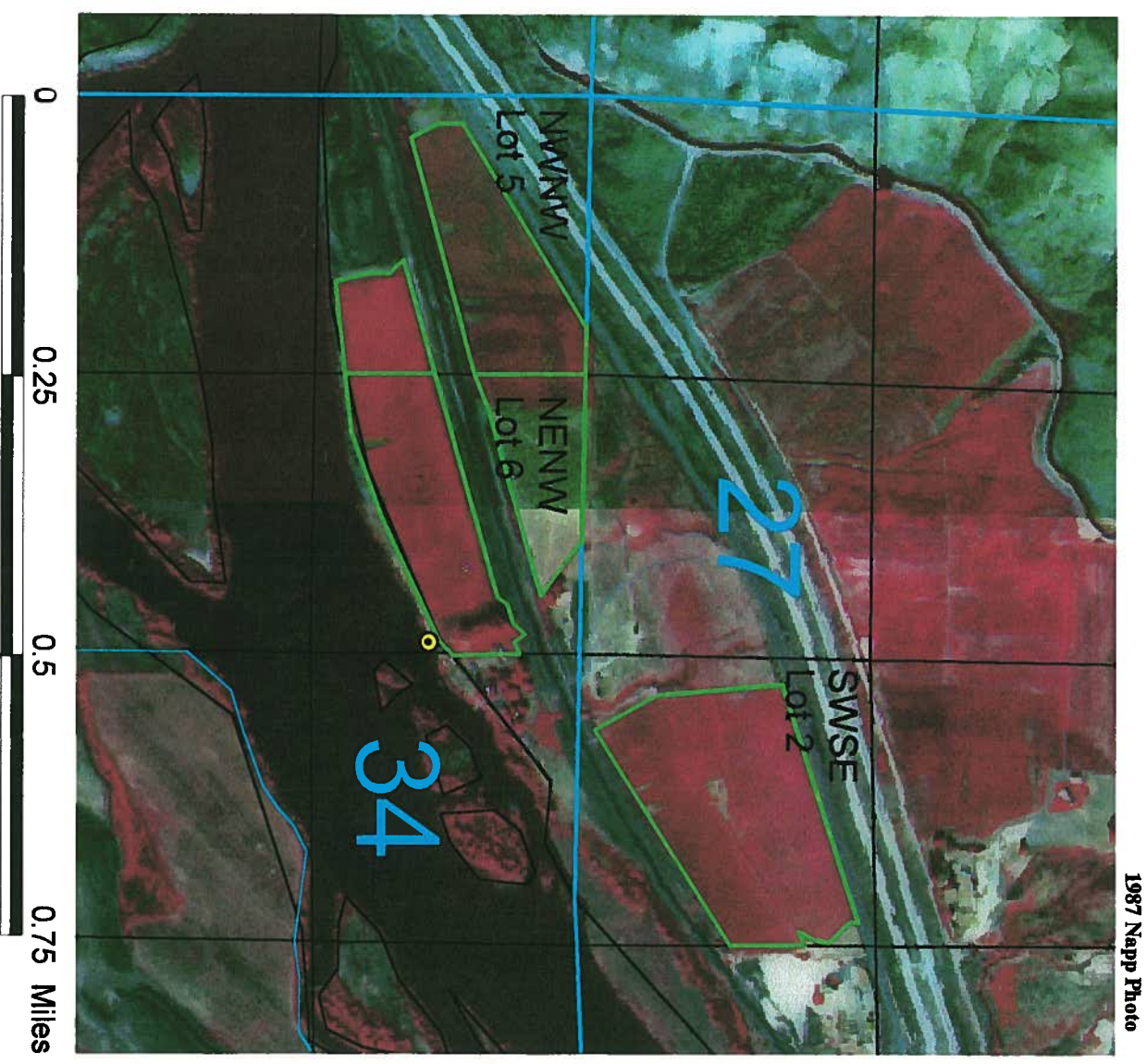
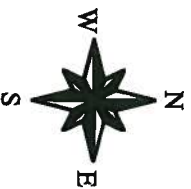
POU - County indicates no ownership in parcels. Mapped per Claim maps & image interpretation

POD - Claim indicates POD in NFNW Sec 34 which corresponds to claim map. However, NENW is lot 6 - lot 5 is NWNW. I mapped it in lot 6.

Idaho Department of Water Resources

Claim Number: 02-02155
Legal: T05S, R09E, S27 & 34
Reviewed By:

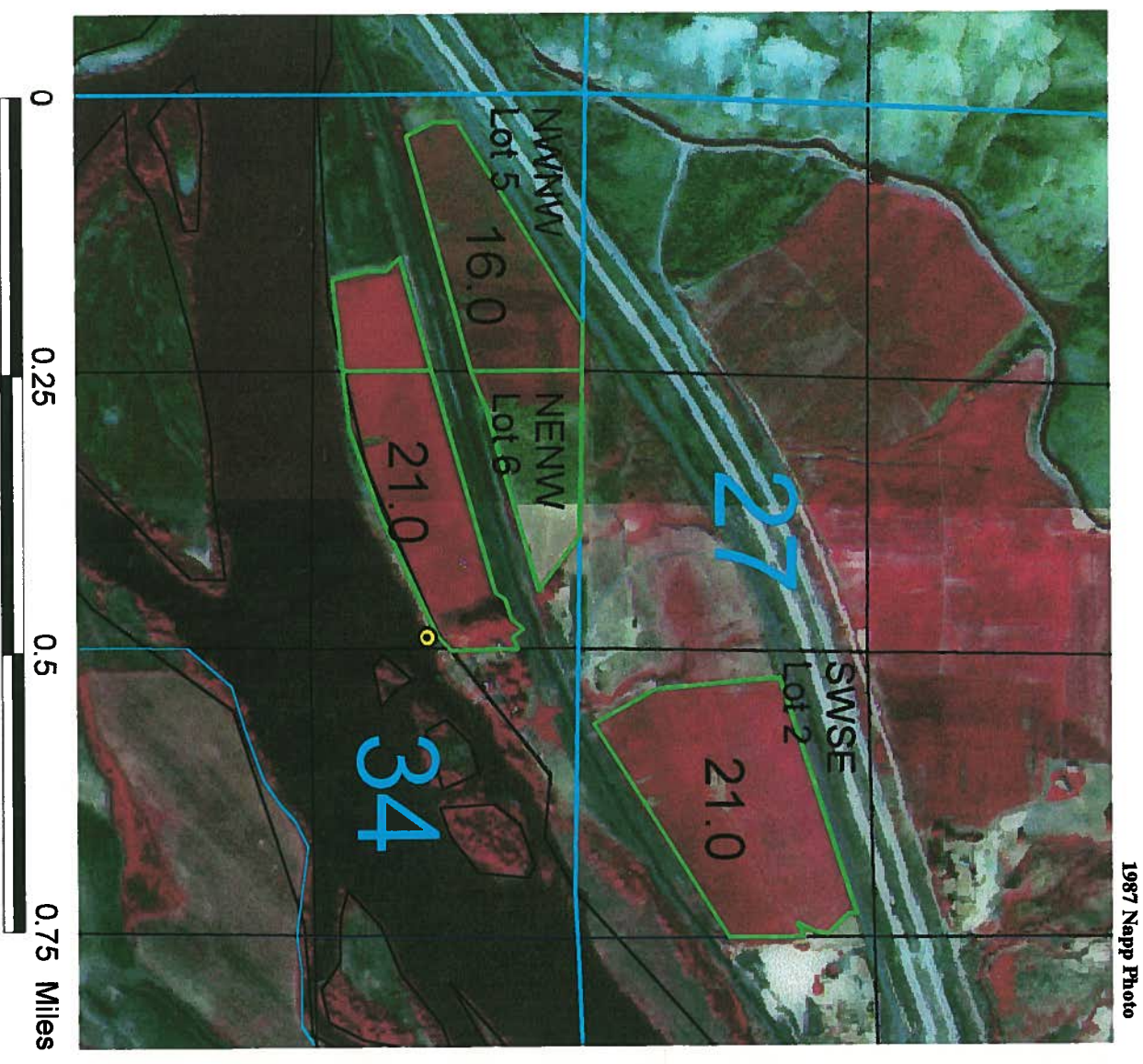
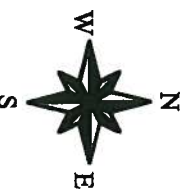
-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 02-02155
Legal: T05S, R09E, S27 & 34
Reviewed By:

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



OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Ada

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF Snake River from base of Milner

Dam to Oregon ~~BRANWADASIMX~~ border.NOTICE OF CLAIM
TO A
WATER RIGHT

02-2155	I.D. No.	Map No.
\$10.00	Fee Paid	#307
		Receipt No.

Notice is hereby given that Lawrence P. Bernt

(Name of Claimant)

Box 67, Glenss Ferry, ID 83623

(Mailing Address)

Telephone No. 366-2002

(Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) November 10, 1959

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 1.16 cfs Use Irrigation A Period of Use From 4/13/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)(4) 1.16 cfs TOTAL QUANTITY CLAIMED. NW Lot 56
(CFS, GPD, AF)(5) A) Point of Diversion: Give location of point where water is diverted from its source (NE 1/4 NW 1/4)
Sec. 34, Twp. 5S, Rge. 9E, B.M., Elmore County
Additional Points: SCI: 2720(1) 533.1B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Pump, pipeline, with gravity flow ditches.

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
																	Lt. 2		
5S	9E	27															21		21
5S	9E	34																	37

Total no. of acres 58

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

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

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks A portion of the lands under this license were under irrigation and recorded for an earlier priority.

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. License 02-2155

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

March 2, 1981

(Date)

Individual

Lawrence P. Bernt
(Signature of Claimant)

(Signature of Spouse)

Organization

State of Idaho

Organization

County of Ada

ss,

Seal

(Signature of Authorized Agent)

On this 2nd day of March, 1981, in the year 1981 before me

a notary public, personally appeared Lawrence P. Berndt

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires

Life

Notary Public residing at

Boise

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 5/11/83

Right No. 02-2155

Claimant BERNT

Recommendation differs from claim:
(Document any differences)

☐ Yes

☒ No
ESSENTIALLY

☐ Disallow

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☐ A.S.C.S. Records. Year & Photograph No. _____

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date _____

☐ Adj. Report in file ☒ Beneficial Use Report in License (S.O.) File
COPY IN THIS FILE

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. GLENN FERRY, HAMMETT 1980 U-2, 3476-80-152

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks LICENSE INCORRECTLY STATES GOVT LOTS. SEE ENCLOSED PLATS.

V02 10 1984

PRODUCED

State of Idaho
License and Certificate of Water Right

Water License No. 28257 Priority November 10, 1959 Amount 1.16 c.f.s.

THIS IS TO CERTIFY that LAWRENCE P. BERNT

of Glenss Ferry, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 10, 1959; that Permit No. 28257 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.16 second feet, was issued thereunder on November 1, 1966, showing that said works were completed on the 6th day of November, 1964; and that on the 6th day of November, 1964

LAWRENCE P. BERNT

of Glenss Ferry, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Snake River

a tributary of Columbia River for the purpose of irrigation under Use Permit No. 28257 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 13 of Licenses, at Page 8578, on the 1st day of November, 1966.

The right hereby confirmed dates from November 10, 1959.

The Point of Diversion is located Lot 5 (NE1/4NW1/4) in the -- 1/4 -- 1/4, Sec. 34, Twp. 5 S., R. 9 E., E.M. Elmore 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 1.16 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Part-Acre Tract	No. Acres Benefitted by Permit	No. Acres Actually Irrigated
5 S	9 E	27	Lot 2 (SW1/4SE1/4)	26	21
			Lot 5 (NE1/4NW1/4)	30	18
			Lot 6 (NW1/4NW1/4)	15	19
			Total number of acres to be irrigated:		58

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 1st day of November, 1966.

R. Keith Higgins
State Reclamation Engineer.

NOV 10 1966
MICROFILMED

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 28257

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant: Lawrence P. Berni
2. Source of water supply: Snake River
3. Location of point of diversion: Is in the Lot 5 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 34
T. 5 S. R. 9 E. S. 9 E. Co. of Blaine
4. Describe works as they exist, giving dimensions and capacities of same:
20 H.P. 7.1 Motor #2934611
Beachley Centrifugal Pump serial 416104
12" intake and 12" main
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion:
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
Sec. 27.,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Lot ²(SW $\frac{1}{4}$ SE $\frac{1}{4}$), Lot 1 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Lot 5 (NE $\frac{1}{4}$ SW $\frac{1}{4}$), Lot 6 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
Sec. 34., all in Twp. 5 S., Rgn. 9 E.S.M.
Total number of Acres to be irrigated 105

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Pumps water to three ditches at different
elevations allow Q = 50"

This examination was made on the

(Signed)

17th

day of June
Don Walter

19th

28257

