

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 37-208C
Date Received: 10/24/1988
Receipt No: M001700
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Son:
Bob

208-788-3181

1. Name of Claimant(s)

ROBERT BERGDAHL Phone: (406)257-3083
JUDY BERGDAHL
PO BOX 2077
BIG FORK MT USA 59911

2. Date of Priority: 06/01/1880

3. Source: CROY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	17E	34	SE NE	BLAINE	

5. Description of diverting works:

DITCHES TO P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.4	

7. Total Quantity Appropriated is:
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02N	17E	35	NE NW	IRRIGATION	15
			SE NW	IRRIGATION	1.2
				Section Acres	16.2
				Total Acres	16.2

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

SPLIT FROM 37-00208A 20 MINERS INCHES FOR 20 AC. IRR.

The claim was amended to correct the point of diversion and place of use. A power of attorney was submitted to appoint Bob Bergdahl, his son.

15. Basis of Claim: Decreed

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.

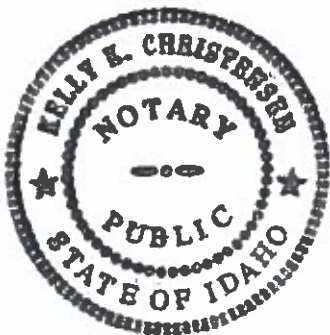
Signature of Claimant(s): Robert Bergdahl Date: 12/27/05 ^{AD}
by Power of Attorney Date: _____ _{BR}

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 27th day of Dec 2005
Kelly K. Christensen
Notary Public

Residing at _____ Twin Falls, ID

My commission Expires 4-2-2010



RECORDING REQUESTED BY

WHEN RECORDED MAIL TO

NAME
STREET
ADDRESS
CITY
STATE
ZIP

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

POWER OF ATTORNEY

SPECIAL

KNOW ALL MEN BY THESE PRESENTS: That I, Robert L. Bergdahl and Judy R. Bergdahl, the undersigned (jointly and severally if more than one, hereinafter collectively "principal"), hereby make, constitute and appoint Bob Bergdahl (Son)

principal's true and lawful attorney to act for principal and in principal's name, place and stead and for principal's use and benefit:

(a) To

Act in our behalf regarding all legal representation of property described as Lot #2 - Croy Creek Meadows (State tax Parcel No. RP 001180000020 A) in Blaine County, Idaho.

Principal hereby grants to said attorney in fact full power and authority to do and perform each and every act and thing which may be necessary, or convenient, in connection with any of the foregoing, as fully, to all intents and purposes, as principal might or could do if personally present, hereby ratifying and confirming all that our said attorney in fact shall lawfully do or cause to be done by authority hereof.

Wherever the context so requires, the singular number includes the plural.

WITNESS my hand this 14th day of October, 19 88.
Robert L. Bergdahl Judy R. Bergdahl
Robert L. Bergdahl Judy R. Bergdahl

STATE OF CALIFORNIA

COUNTY OF SANTA BARBARA

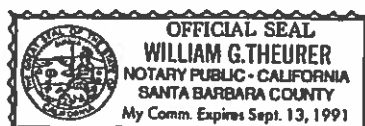
} ss.

On this 14th day of OCTOBER, in the year 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT L. BERGDAHL AND JUDY R. BERGDAHL

personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons, whose names ARE subscribed to the within instrument, and acknowledged to me that They executed it.

WITNESS my hand and official seal.

William G. Theurer
Notary Public in and for said State.



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: A37-00208C

Date Received: 10/24/1988

Receipt No: M001700

Received By: RW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT BERGDAHL 208-788-3181
Address: BOX 2355
HAILEY, ID 83333

2. Date of Priority: JUN 01, 1880

3. Source: CROY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	17E	36	NE	NE			BLAINE

5. Description of diverting works:
DITCHES TO P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	17E	36	NE	NE		IRR	20.0
Section Acres							20.0
Total Acres							20.0

A37-00208C

1

Date: 10/24/88

*see attached note
from Georgia
- this was claimed
wrong 3/6 in
"Section 35"*

MICROFILMED
FEB 22 1993

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
SPLIT FROM 37-00208A 20 MINERS INCHES FOR 20 AC. IRR.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: 2 - map & power of attorney

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): Robert Bergdahl Date: Oct. 24, 1988
for Robert Bergdahl Date: _____
owner - father.

State of Idaho)

County of BLAINE)

SS.

Subscribed and sworn (or affirmed) before me this 24th day

of Oct 19 88

Mahin Gene Gibson
Notary Public

Seal

Residing at Boise, 2nd

My Commission Expires 9-2-1994

Property Owner.

1/4 Corner
Fd. Rock Mound
Set Alum. Cap

1/16

N89°56'54"E

1311.20'

N89°36'00"W

655.60'

655.60'

661.24'

60' Roadway &
Right-of-Way

ROAD 663.98'

190.00'

S 83°59' W

757.74'

187.07' S 52°38' W

573.98' W
436.67'

493.67'

CREEK

S 65°13' W

Building Envelope

Building Envelope

Irrigation

Building Envelope

LOT 1

NW 1/4 NE 1/4

40 ac. ±

LOT 2

E 1/2 E 1/2 NW 1/4

40 ac. ±

Building Envelope

LOT 3

W 1/2 E 1/2 NW 1/4

40 ac. ±

W.C.

W.C.

W.C.

CREEK

CROY P/D

S89°29'19"E

1/16 Corner

Pete Oneida Pro

MICROFILMED
FEB 22 1993

C 1/4 Corner

corner

666.67'

666.67'

1319.96'

S89°22'37"E

1333.34'

36' 3"E

RECORDING REQUESTED BY WHEN RECORDED MAIL TO NAME STREET ADDRESS CITY STATE ZIP	(SPACE ABOVE THIS LINE FOR RECORDER'S USE)
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POWER OF ATTORNEY

SPECIAL

KNOW ALL MEN BY THESE PRESENTS: That I, Robert L. Bergdahl and Judy R. Bergdahl, the undersigned (jointly and severally if more than one, hereinafter collectively "principal"), hereby make, constitute and appoint Bob Bergdahl (Son)

principal's true and lawful attorney to act for principal and in principal's name, place and stead and for principal's use and benefit:

(a) To

Act in our behalf regarding all legal representation of property described as Lot #2 - Croy Creek Meadows (State tax Parcel No. RP 001180000020 A) in Blaine County, Idaho.

Principal hereby grants to said attorney in fact full power and authority to do and perform each and every act and thing which may be necessary, or convenient, in connection with any of the foregoing, as fully, to all intents and purposes, as principal might or could do if personally present, hereby ratifying and confirming all that our said attorney in fact shall lawfully do or cause to be done by authority hereof.

Wherever the context so requires, the singular number includes the plural.

WITNESS my hand this 14th day of October, 19 88
Robert L. Bergdahl Judy R. Bergdahl
Robert L. Bergdahl Judy R. Bergdahl

STATE OF CALIFORNIA

COUNTY OF SANTA BARBARA } ss.

On this 14th day of OCTOBER, in the year 19 88, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT L. BERGDAHL AND JUDY R. BERGDAHL

personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons, whose names ARE subscribed to the within instrument, and acknowledged to me that they executed it.

WITNESS my hand and official seal.

William G. Hemer
Notary Public in and for said State.



MICROFILMED
1982 1993

11/30/2006

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

RIGHT NUMBER: 37-208C

NAME AND ADDRESS: ROBERT BERGDAHL
PO BOX 2077
BIG FORK MT 59911

JUDY BERGDAHL
PO BOX 2077
BIG FORK MT 59911

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 06/01/1880

POINT OF DIVERSION:

T02N R17E S34 SENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.400 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R17E S35	NENW	15.00	T02N R17E S35	SENW	1.20
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16.2 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: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

SRBA Recommendation:

37-208C
(Irrigation)

Legend

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

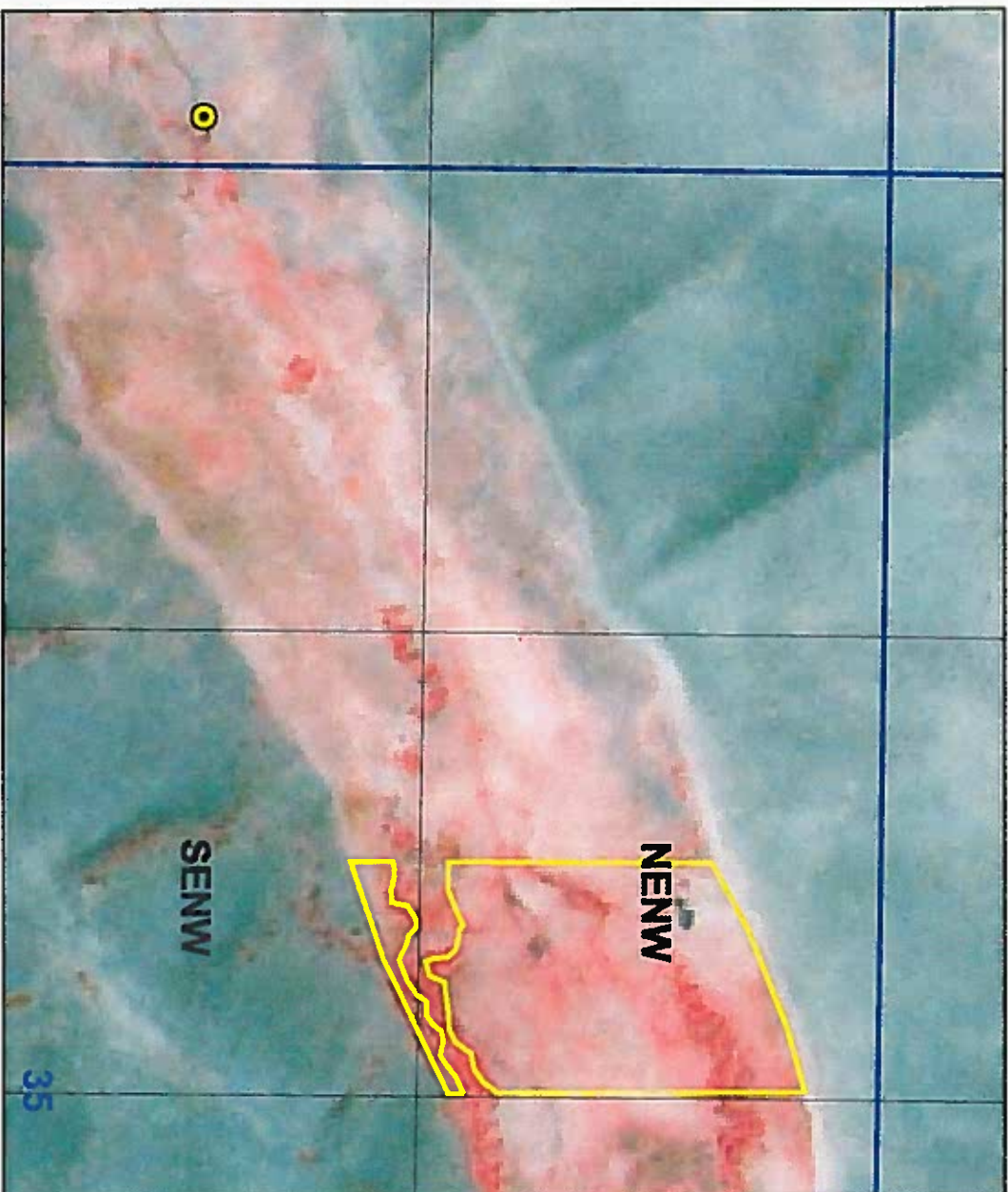


Blaine County
IDWR Basin 37



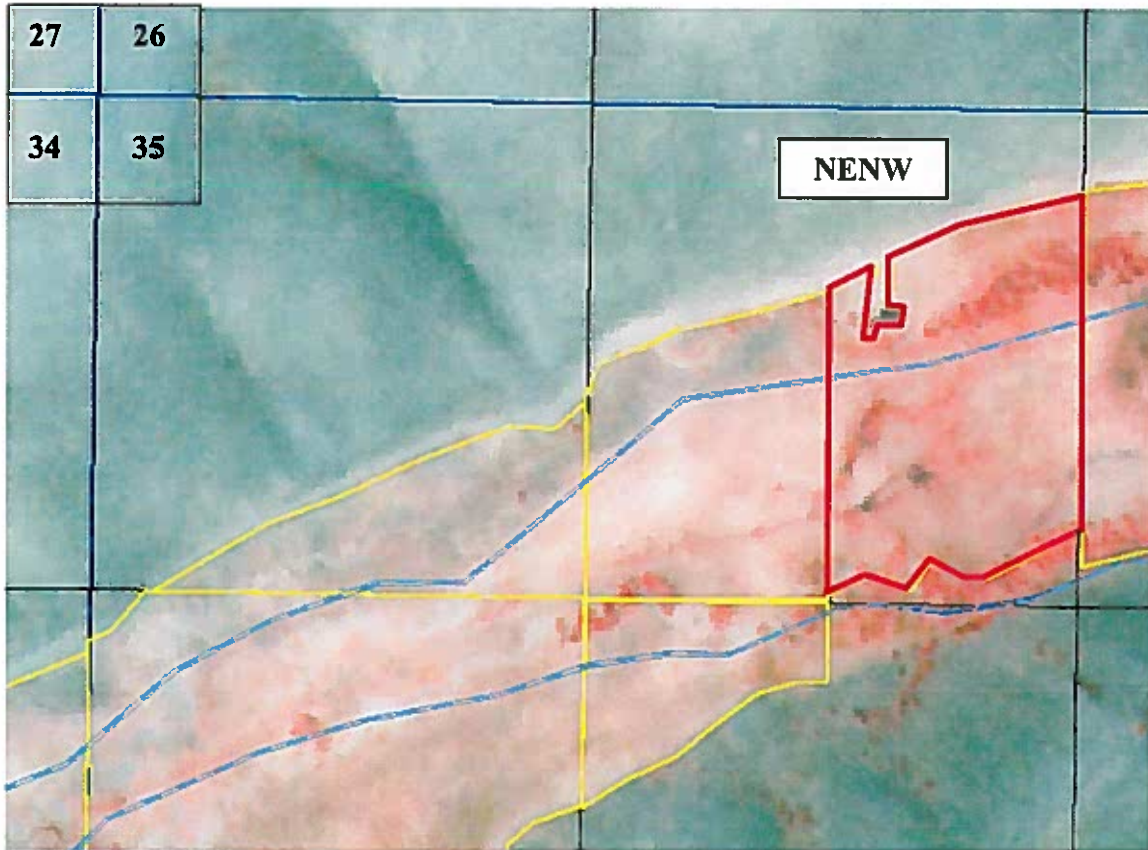
T02N

R17E



Prepared by S. Clelland
On Thursday, November 30, 2006
1987/88 Aerial Photography

Robert Bergdahl
37-208C



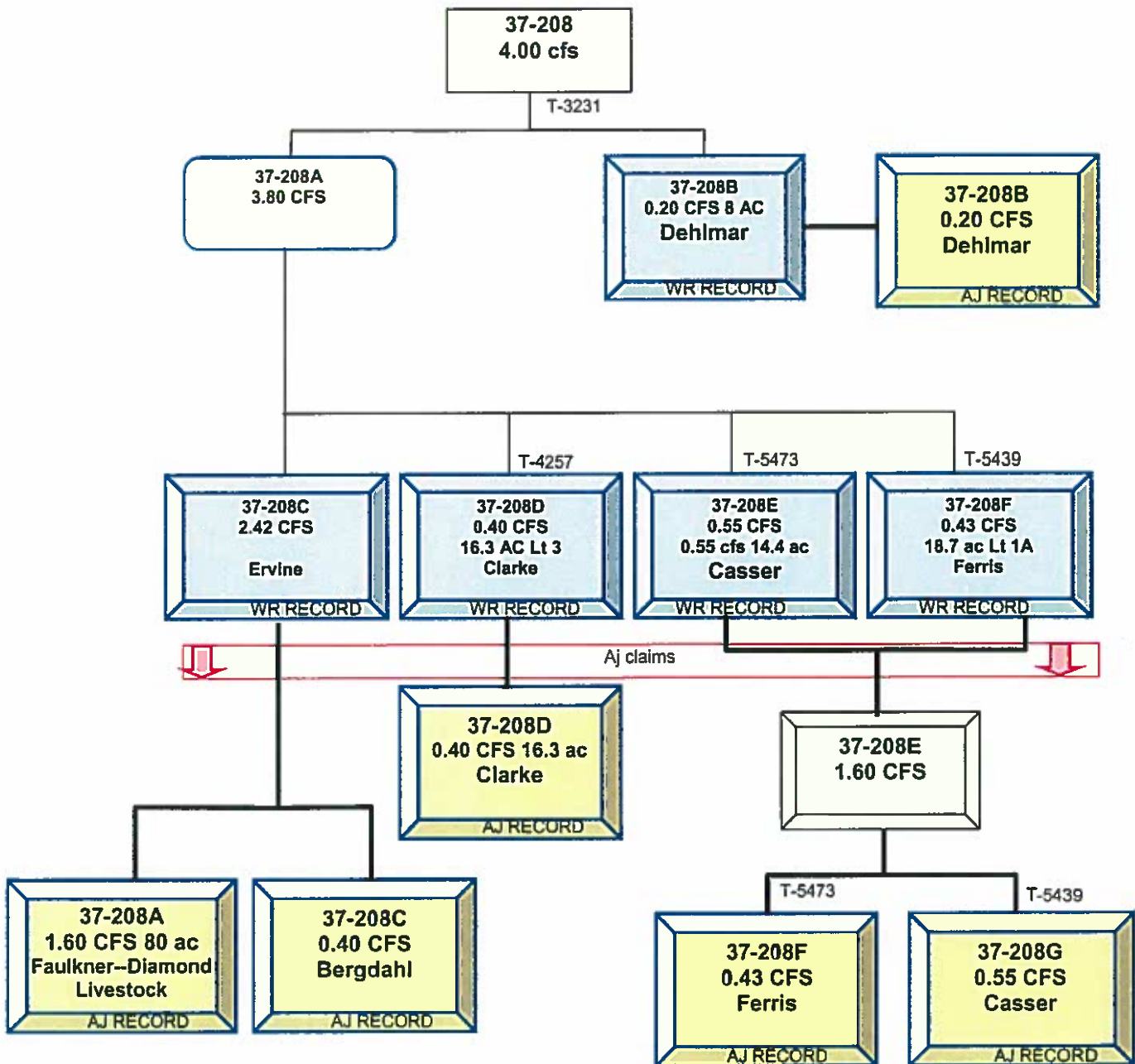
Bas	Seque	Suff	Basis	Status	Priority Date	Rate(cfs)	Owner(s)	Source Table	Comments
37	208	A	Decreed	Active	1880-06-01	1.6	DIAMOND A LIVESTOCK INC ; FAULKNER LAND & LIVESTOCK CO INC	AJ Claim	
37	208	B	Decreed	Active	1880-06-01	0.2	DEHLMAR, GEORGE A ; DEHLMAR, RUTH M ; ROWLAND, DENZEL R ; ROWLAND, MARY S	AJ Claim	T-3231
37	208	C	Decreed	Active	1880-06-01	0.4	BERGDAHL, ROBERT	AJ Claim	
37	208	D	Decreed	Active	1880-06-01	0.4	CLARKE, LESLIE	AJ Claim	T-4257
37	208	F	Decreed	Active	1880-06-01	0.43	FERRIS, GREG ; FERRIS, LEE ANN	AJ Claim	T-5473
37	208	G	Decreed	Active	1880-06-01	0.55	CASSER, CONRAD V ; CASSER, MINNA H	AJ Claim	T-5439
					Subtotal 208	3.58			
37	208	E		See Remarks	1880-06-01	1.6		AJ Claim	See 208F and 208G
37	548		Decreed	Active	1880-06-01	3.8	BENJAMIN & HELEN CROCKER TRUST	AJ Claim	
37	4405		Statutory Claim	Closed	1880-06-01	0.04	COUNTY OF BLAINE RECREATION DIST	AJ Claim	
37	208	A	Decreed	Active	1880-06-01	1.6	DIAMOND A LIVESTOCK INC ; FAULKNER LAND & LIVESTOCK CO INC	AJ Rec	
37	548		Decreed	Active	1880-06-01	3.8	BENJAMIN & HELEN CROCKER TRUST COUNTY OF BLAINE RECREATION DIST ;	AJ Rec	
37	4405		Beneficial Use	Closed	1880-06-01	0.04	UNITED STATES OF AMERICA ACTING THROUGH	AJ Rec	
37	208	B	Decreed	Active	1880-06-01	0.2	DEHLMAR, GEORGE A ; DEHLMAR, RUTH M ; ROWLAND, DENZEL R ; ROWLAND, MARY	wrWaterRight	
37	208	C	Decreed	Active	1880-06-01	2.42	ERVIN, MARY E	wrWaterRight	
37	208	D	Decreed	Active	1880-06-01	0.4	CLARKE, LESLIE	wrWaterRight	
37	208	E	Decreed	Active	1880-06-01	0.55	CASSER, CONRAD V ; CASSER, MINNA H	wrWaterRight	
37	208	F	Decreed	Active	1880-06-01	0.43	FERRIS, GREG ; FERRIS, LEE ANN	wrWaterRight	
					Subtotal 208	4			
37	548		Decreed	Active	1880-06-01	entire flow	PLUMMER, JOSEPH J COUNTY OF BLAINE RECREATION DIST ;	wrWaterRight	source = hot springs cr
37	4405		Decreed	Active	1880-06-01	0.04	UNITED STATES OF AMERICA ACTING THROUGH	wrWaterRight	

Idaho Dept of Water Resources
Claims review notes and narrative

Date: 9-7-2005

File: 37-208 split tree analysis

Prepared by Kelly K Christensen



COMMUNICATION DOCUMENTATION

IDWR Employee/Agent Georgia Satterlee

DATE
March 9, 1999 3:08pm

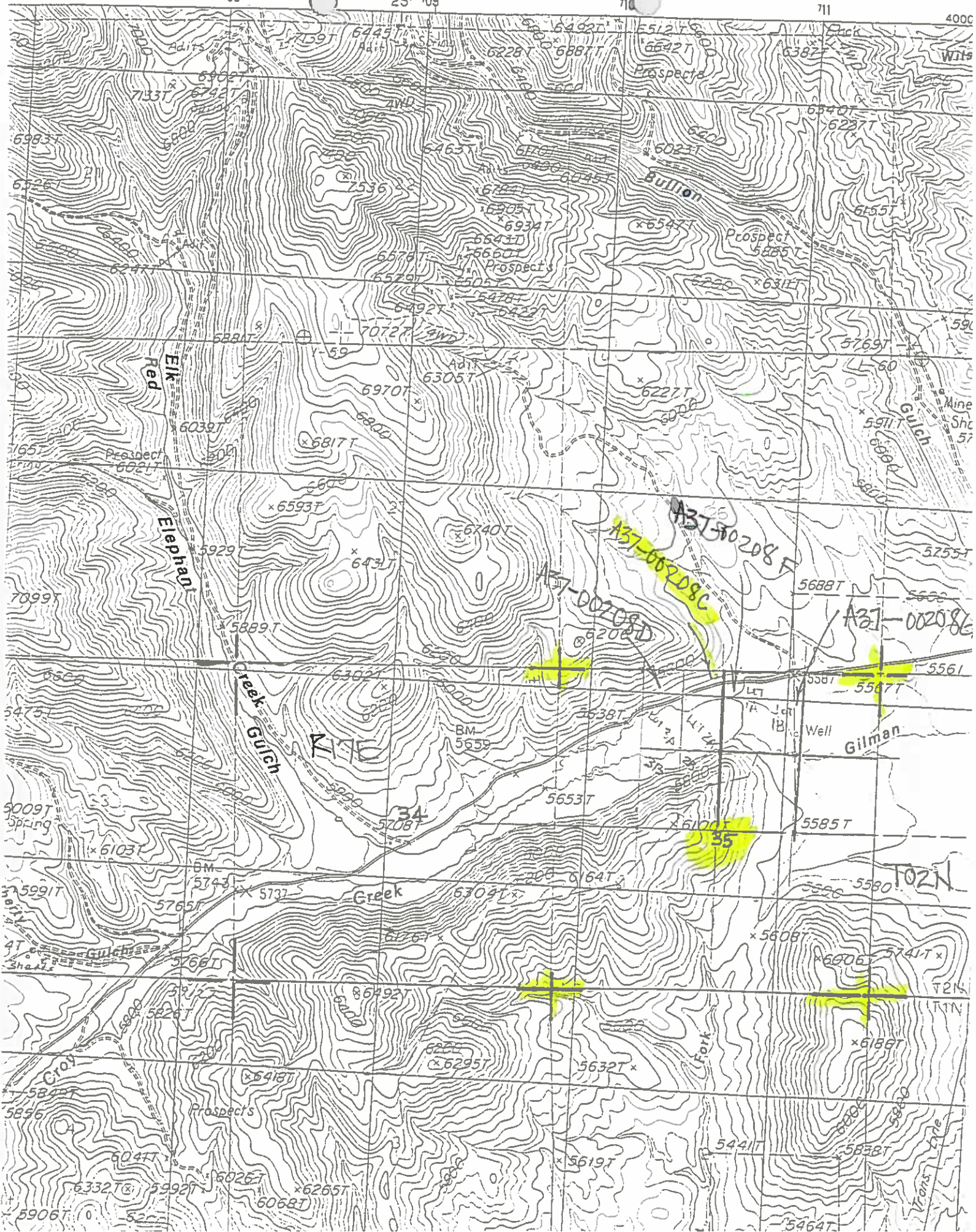
CUSTOMER
Bergdahl, Robert

SUBJECT: A37-00208C

phone call (.) other (x) walk-in (.)

I am preparing a transfer for Casser, A37-00208G, upon reviewing the split tree for the adjudication claims I came across the claim for Bergdahl. It appears that the point of diversion and place of use are claimed incorrectly. The deed that is attached to the original claim states, Lot 2 of the Croy Creek Meadows Subd., which is in the N $\frac{1}{2}$ of Section 35, T02N, R17E. Please be aware...

POU is E $\frac{1}{2}$ NE NW
S. 35 south of Croy G Rd
POD is SE/NE S. 34
Quad X-23





Looking @ West Side of House
Located @ 555 Gray-Grk Rd.

A37-00208C

Town, R17E

Lot 1

522

26/25
35/36

Lot 4

CROY CREEK ROAD

CROY CREEK MEADOWS SUBDIVISION

RANCHO CIELO SUBDIVISION

577
Clark
437-002087

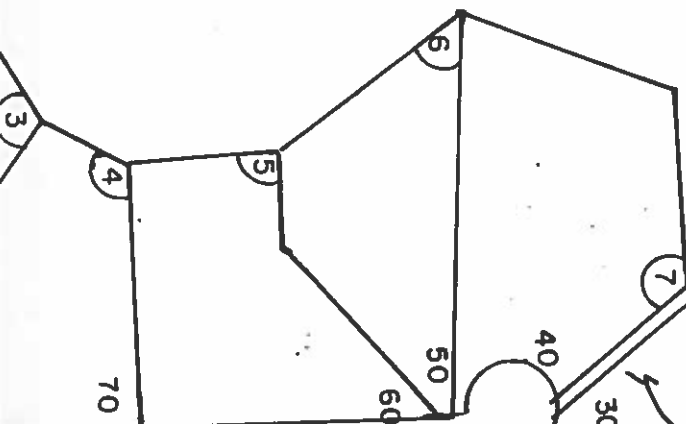
588
Bergdahl
437-002088

551
Fennis
437-002089

549
Gassen
437-002090

O.S.

SCALE 1" = 500'



CIELO DRIVE

(2)

20

10

(1)

MEMO TO THE FILE

FROM: Georgia Satterlee
DATE: 26 August 1999
RE: Transfers 4257, 5439, 5473

All three transfers are located in the Croy Creek Meadows Subdivision and are portions of water right, 37-00208. First, a brief history of the last eight months regarding my association with the three transfers. Minna Casser and LeeAnn Ferris came in the office December 1998. Both ladies wanted to file the same applications for transfer, which is, to move the existing point(s) of diversion, to a diversion point from the creek adjacent to their property. Minna Casser got her information together and filed an application for transfer in March 1999. LeeAnn Ferris was a couple months behind her.

While doing the research, I found the protest per T#4257 in the name of Leslie Clarke still pending. In addition to staffing the Casser application, I began the process of contacting the protestant to find out if there was a resolution or a continuation of their protest. The protest was withdrawn in May 1999.

Because the water rights are claimed for more than 1 miner's inch/acre, an excess flow analysis was performed to justify on-field diversion requirements.

The soil present on the site is Carey Lake Loam and Marshdale Bruneel Loam, according to the SCS soil data publication for Blaine County. Crop ET data was taken from Allen and Brockway (1983) for the Hailey Ranger Station. Only pasture crop was analyzed.

Historically, the land appears to have been flood irrigated from ditches on the north portion of the land. The land slopes southerly, towards Croy Creek.

The furrow spacing of 2.5 feet and a slope equally to the average field slope were assumed. A set time of 10 and 12 hours was used. The efficiency was above the 70 percent allowed. Therefore, 70 percent was used. The field irrigation requirement has been determined to be 0.015 cfs/acre, and the recommendation will be 0.02 cfs/acre.

The location of the "field headgate" for T#4257 is located 2,100 feet westerly of Clarke's place of use. Using the Worstall program, a conveyance loss of 0.05 cfs will be added to the field requirement.

Because Casser and Ferris will be diverting at their property, no ditch conveyance loss will be incorporated. Also their diversion rate will decrease according to the furrow program analysis.

Transfer #4257 37-00208D

The application for transfer, in the name of Leslie Clarke, requests a change in diversion point, from the ditch, via Croy Creek, also the applicant is requesting to drill a well for a supplemental irrigation diversion point.

The original adjudication claim A37-00208D filed on October 26, 1988, shows a rate of 0.40 cfs to irrigate 20 acres. The application for transfer shows irrigation of 13 acres. Using GIS, there are 16.3 acres delineated. The recommended rate for 37-00208D will be 0.33cfs plus the ditch conveyance loss of 0.05 cfs, for a total diversion rate of 0.38 cfs for the irrigation of 16.3 acres.

Transfer #4257 37-00208D continue

NO WELL WILL BE RECOMMENDED FOR IRRIGATION of acres associated with 37-00208D.

Transfer #5439 37-00208G

The application for transfer, in the name of Conrad and Minna Casser, is moving the existing point of diversion to a diversion point that is approximately 4,000 feet downstream. They will pump directly out of the creek at their property, which is the most easterly lot in the subdivision. The Casser lot contains approximately 20 acres, however, a portion of their lot is on the north side of Croy Creek Road and has not been historically irrigated.

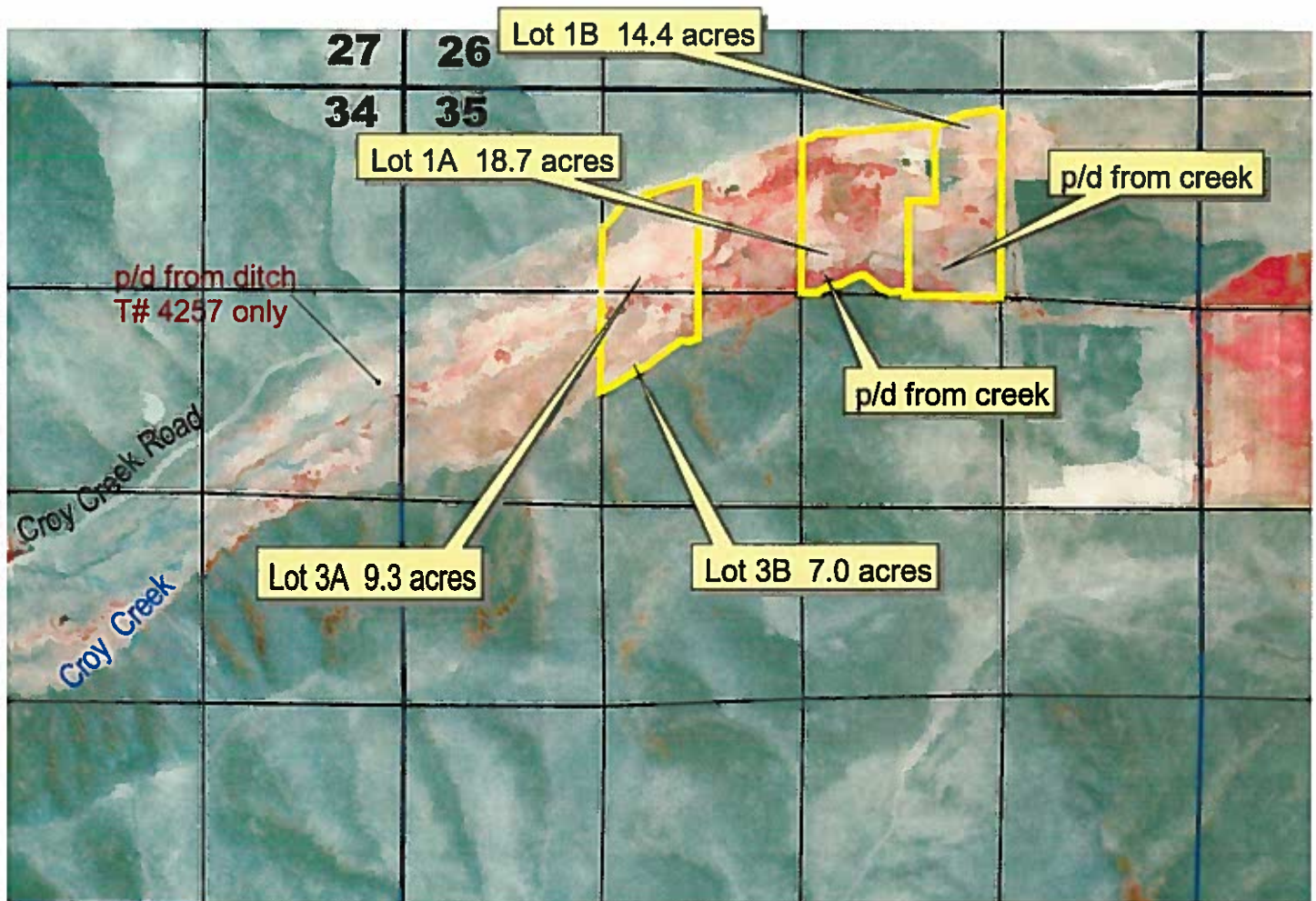
The diversion rate of an 1 inch/acre has been justified using the furrow program, which decreases the claimed amount from 0.77 cfs to 0.29 cfs for 14.4 acres. The delineated acres were verified using GIS. The incidental stockwater will be included with the recommendation, without an increase in diversion rate.

Transfer #5473 37-00208F

The application for transfer, in the name of Greg and LeeAnn Ferris, is requesting to move the existing point of diversion. Similar to the Casser's, the Ferris' will pump directly out of the creek at their property. The Ferris' lot contains approximately 20 acres, all of the land being on the south side of Croy Creek Road. Using GIS, the actual irrigation will be recommended as 18.7 acres with a justified diversion rate of 0.37 cfs (see furrow program output included with transfer). Like the Casser's, the incidental stockwater will be included without an increase of the diversion rate.

IDAHO DEPARTMENT OF WATER RESOURCES

Clarke, Leslie T#4257
Casser, Minna & Conrad T#5439
Ferris, Greg & LeeAnn T#5473



T02N, R17E

Croy Creek Meadows Subdivision

Clarke 37-00208D Lots 3A & 3B

Ferris 37-00208F Lot 1A

Casser 37-00208G Lot 1B



GIS PLACE OF USE PRESENTATION
1987 NAPP PHOTOGRAPHY
DATA ENTRY BY G. SATTERLEE