

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: A29-10888
Date Received: 3/30/1990
Receipt No: 4006437
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT F. ZAUSCH 208-233-2358
Address: 8083 W. POCA TELLO CREEK RD.
POCA TELLO, ID 83201

AND/OR

Name: KATHLEEN A. ZAUSCH 208-233-2358
Address: 8083 W. POCA TELLO CREEK RD.
POCA TELLO, ID 83201

2. Date of Priority: APR 01, 1904

3. Source: POCA TELLO CREEK, NORTH FORK Trib. to: POCA TELLO CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	35E	20	SE	NE	NE		BANNOCK
		21	SW	NW	NW		BANNOCK

5. Description of diverting works:
HEADGATE AND DITCH, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.220		

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

8. Total consumptive use is 27.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A2910888



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	20	SE	NE		IRR	11.0
Section Acres							11.0
Total Acres							11.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:
SHARES DIVERSION SYSTEM WITH WATER RIGHTS A29-10889 & A29-04220.

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): *Robert J. Gausman* Date: 3-30-90

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of March 19 90 *Carter Fritschle*
Notary Public

Seal

Carter Fritschle, Notary Public
Residing at _____ Residing at Eagle, Idaho
My commission Expires March 21, 1994
My Commission Expires _____

A29-10888



T65
R35E

OK
P.D.'s
P.U.

MICROFILMED

NOV 1968

April 25, 2001

29-04220, 29-10888
ROBERT ZAUSCH
KATHLEEN ZAUSCH
8083 W POCATELLO CR RD
POCATELLO ID 83201

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will 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".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by May 11, 2001, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim 29-04220, 29-10888

Log for claim A29-10888

Spatial Dynamics LTD

9/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s35e	20	SENE	11	8.8	
Totals:			11	8.8	

Tanny Ranch

5/10/01 Bob Zauch Called and is still in Cal. on Family Business
Next Week he will get me Evidence, Thinks Right
is based on old survey

Property Went From Anderson → Martindale 1969 → Zauch 1971

10:30

Debbie Boyce

Bob & Matthew

→ Zauch ←

Open Heart Surgery - Mat

Next 29-04220

29-10888

(208) 234-6655

American Micro Systems

Call Monday

AJ5809NP
No. A29-10888

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 158

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KATHLEEN A ZAUSCH	04/01/1904	IRRIGATION	04-01 11-01	0.220 CFS	
C	ROBERT F ZAUSCH					
	8083 W POCATELLO CREEK RD			TOTAL DIVERSION:	0.220 CFS	
	POCATELLO ID 83201			CONSUMPTIVE USE:		27.50 AFA
	(208) 233-2358					
Water Source: POCATELLO CREEK, NORTH FORK			Tributary to: POCATELLO CREEK		Stage: BENEFICIAL USE	

AJ5809NP
No. A29-10888

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
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Point(s) of Diversion:

T06S R35E S20

SENEE

BANNOCK County

AJ5809NP
No. A29-10888

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

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Point(s) of Diversion:

T06S R35E S21

SWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
06S	35E	20	:				11	:					:					:					:	11.0
																							TOTAL ACRES	11.0

POU County: BANNOCK

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-10085	29-10709	29-10710	29-10887	29-11064	29-11359	29-11651	29-12072	A29-04220	A29-10085
A29-10709	A29-10710	A29-10887	A29-10889	A29-10890	A29-11064	A29-11359	A29-11651	A29-12072	

Other Water Rights Listing Overlapping Place(s) of Use:

A29-04366 A29-10539 A29-10889

Remarks: GEN SHARES DIVERSION SYSTEM WITH WATER RIGHTS A29-10889 & A29-04220.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/30/90 MOBILE2 08/04/94 THOMPSON 03/29/95 POST-STD