

BY May 30, 1990IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A74-01088Date Received 5-25-90Receipt Number X999999NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 2 1990

Department of Water Resources
Eastern District Office

A7401088

Please type or print clearly

1. Name of Claimant (s) Zook, Clements F. and/or Dorothy J. Phone (208) 768-2625Mailing Address P.O. Box 183, Leadore, Idaho Zip 834642. Date of Priority (Only one (1) per claim) April 1, 19123. Source of water supply (a) Developed (Mine Tunnel) Groundwater Source
which is tributary to (b) Texas Creek and Lemhi River4. a. Location of existing point of diversion is: Township 13N Range 26E Section 23NW 1/4 of NE 1/4 of 1/4, Govt. Lot, B.M., County of LemhiAdditional points of diversion if any: Related Mountain Boy Mining Claims (As Depicted in the PlatIllustration) Located in Texas Mining District, Lemhi County

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,Govt. Lot B.M., County of ending point is: Township Range Section , 1/4 of 1/4 of 1/4, Govt. Lot B.M., County of 5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water Delivery System (Gravity-flow) Includes
Pipeline (Circumference, 1 1/2-inches) and a Network of Ditches (Approximate Width, 12-inches).

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic (D) purposes from 05/01 to 11/01 amount 0.02 or N/A
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) N/A (acre feet)

8. Total consumptive use claimed is 0.02 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic (D) - Serving One to Four Housing Units

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13N	26E	23		D															
13N	26E	24					D												
13N	26E	14												D			D	D	
13N	26E	13											D						

Total number of acres irrigated N/A

11. In which county (ies) are lands listed above as place of use located? Lehi County

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
 _____ or None (X)

14. Remarks: Source of water was developed from mining activities, (i.e., Mine Tunnel Excavation), and has been utilized since 1912 for purposes of domestic (D) consumption, mining operations, and, stockwater. An Application for Permit is congruently being submitted for decreed right covering specific purposes in addition to domestic consumption.

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Last Name Zook Ident No. _____

Copies: White - State, Yellow - Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

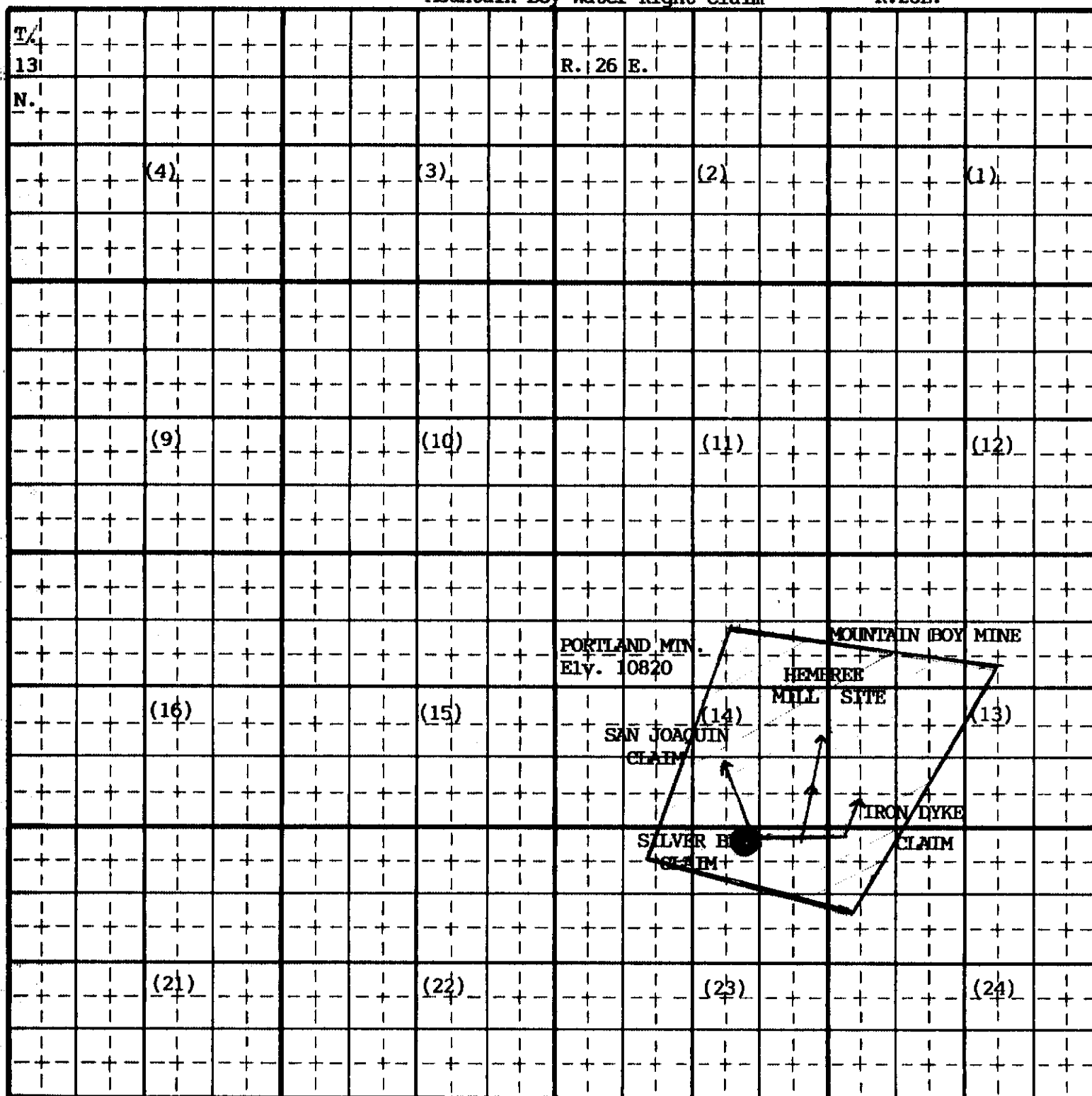
Scale: 2 inches equals 1 mile

T.
13
N.

(Plat Illustration)

Mountain Boy Water Right Claim

R. 26E.



MOUNTAIN BOY MINE
TEXAS MINING DISTRICT
LEMHI COUNTY

Last Name

Zook

Ident No.

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Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 74-01088
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments One

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Clements F. Zook

Date _____

Dorothy J. Zook

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)

County of Lemhi)

SS.

Subscribed and sworn (or affirmed) before me this 24th day of May 19 90

SEAL

Notary Public

Clara E. Elmer

Residing at

Leadore, Idaho

My Commission Expires

5-1-92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Zook Ident. Number _____

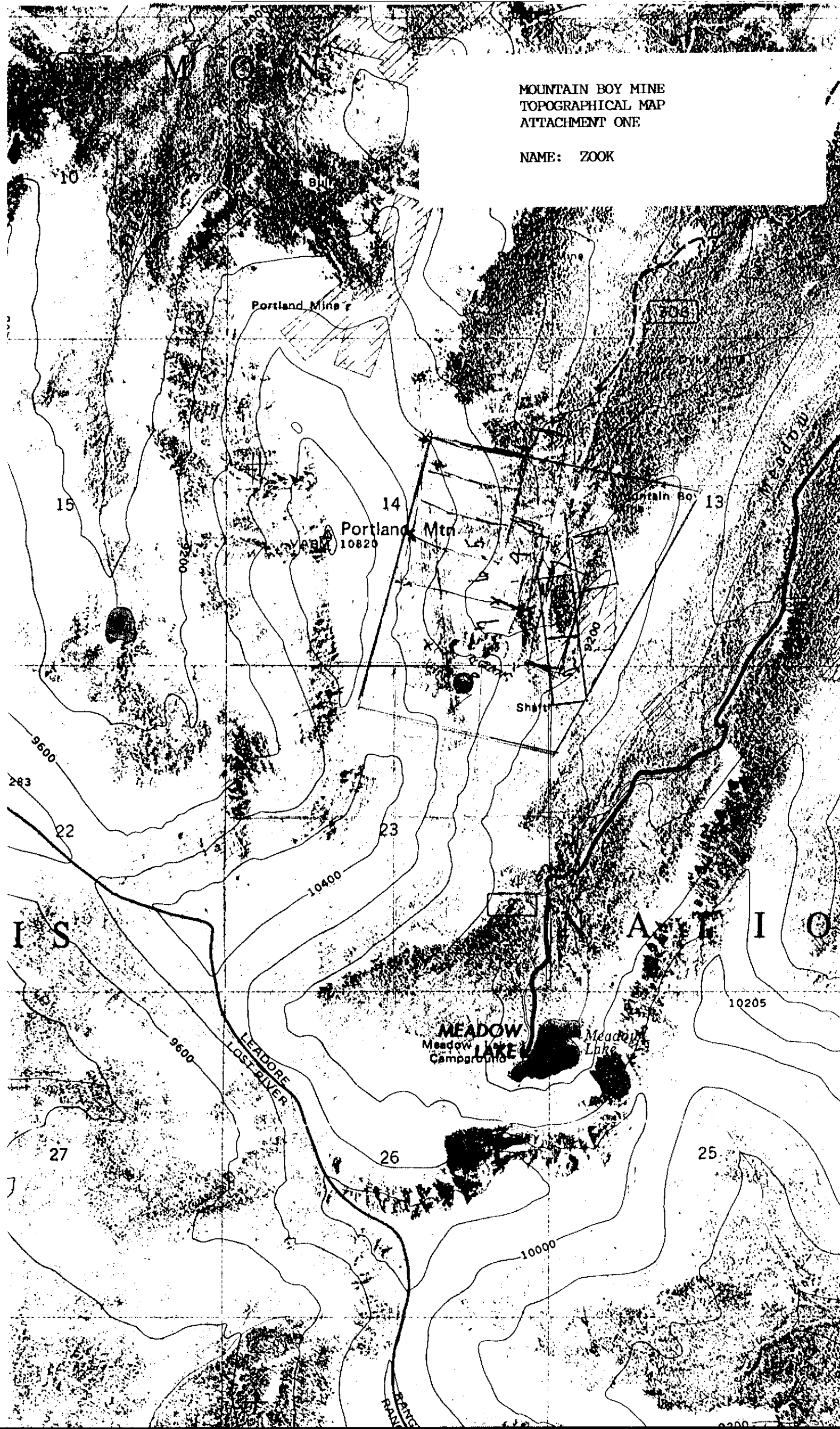
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Copies White-State, Yellow-Claimant

MOUNTAIN BOY MINE
TOPOGRAPHICAL MAP
ATTACHMENT ONE

NAME: ZOOK



4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Zook

CLAIM IDENT. NO.

A74-01088

DATE RECEIVED

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ N/A ☐ NO *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☒ N/A ☐ NO *
- Is the consumptive use correct? ☐ YES ☒ N/A ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☒ N/A ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☒ N/A ☐ NO *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☒ N/A ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☒ Exempt ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ N/A ☐ NO *
22. Should this claim be data entered? ☐ YES ☒ NO *

Claim checked by: EMCDate: 10-31-90

Claim must be returned to claimant:

(Yes) ☐ (No) ☒

Claimant must be notified of modifications:

(Yes) ☐ (No) ☒

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

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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: A74-01088
Date Received: 1/14/1991
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOROTHY J. ZOOK 208-768-2625
Address: P.O. BOX 183
LEADORE, ID 83464

AND/OR

Name: CLEMENTS F. ZOOK 208-768-2625
Address: P.O. BOX 183
LEADORE, ID 83464

2. Date of Priority: APR 1, 1912

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	26E	23	NW	NE			LEMHI

5. Description of diverting works:
GRAVITY FLOW/PIPELINE/NETWORK OF DITCHES ~12INCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	05/01	11/01	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, SERVING ONE TO FOUR HOUSING UNITS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	26E	13	SW	SW		DOMEST	
		14	NE	SE		DOMEST	
			SW	SE		DOMEST	
			SE	SE		DOMEST	
		23	NW	NE		DOMEST	
		24	NW	NW		DOMEST	

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/U & P/D IN SILVER BELL MINING CLAIM IN TEXAS MINING DIST. SOURCE OF WATER WAS DEVELOPED FROM MINING ACTIVITIES, (I.E., MINE TUNNEL EXCAVATION, AND HAS BEEN UTILIZED SINCE 1912 FOR PUROSES OF DOMESTIC CONSUMPTION, MINING OPERATIONS, AND STOCK-WATER. AN APPLICATION FOR PERMIT IS CONGRUENTLY BEING SUBMITTED FOR DECREEED RIGHT COVERING SPECIFIC PURPOSES IN ADDITION TO DOMESTIC CONSUMPTION.

15. Basis of Claim: DECREEED

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: _____

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 _____

RECEIVED

MAY 23 1990

May 23, 1990

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Subject: Decreed Water Rights Nos. 74-01088 and 74-07099,
Notices of Claim and Application for Permit

Attention: Ernest Carlsen, Adjudication Supervisor

In response to both your letter of May 18, 1990 and related telephone discussion with Mr. Keith Wilson on May 21; the following materials regarding the claims of the subject decreed water rights and Application for Permit are enclosed:

I. Notice of Claim to a Water Right A74-01088

A. Exceptions to the subject claim, as itemized, redressed:

1. Item (3) - Water source modified to read, "Groundwater";
2. Item (4) - Legal description verified and Attachment One corrected for consistency;
3. Item (6) - Water quantity (0.02 cfs) and usage period changed to agree with the Decree (Reference Part III, Application for Permit); and
4. Item (7) - Water quantity again reflected at 0.02 cfs to correspond with the decreed amount (Reference Part III, Application for Permit).

B. Completed and executed Notice of Claim submitted.

C. Prescribed fee of \$25.00 enclosed.

II. Notice of Claim to a Water Right A74-07099

A. Completed and executed Notice of Claim submitted.

B. Prescribed fee of \$25.00 enclosed.

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Idaho Department of Water Resources
Subject: Claims/Permit:Clements F. Zook
May 23, 1990
Page two

III. Application For Permit

- A. Other usage purposes of source in decreed right
74-01088 requested for
 - 1. General Mining Operations, and
 - 2. Stockwater.
- B. Domestic use, as decreed, be amended to reflect:
 - 1. Quantity claimed for domestic consumption
increased from 0.02 (cfs) to 0.04 (cfs); and
 - 2. Usage period changed from May 1 thru October 31
to the entire calendar year (01/01-12/31).
- C. Completed and executed Application for Permit
submitted; and
- D. Prescribed application fee of \$45.00 enclosed.

Hopefully, the enclosed materials are accurately prepared and
satisfactorily meet the Department's requirements. I also take
this opportunity to thank Keith Wilson for his assistance.

Respectfully submitted,



David C. Zook

Enclosures

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