



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

RECEIVED

JAN 25 2006

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 23, 2005

DON M WARREN SR
PO BOX 17
SALYER CA 95563-0017

*Copy of
your letter*

RECEIVED

JAN 23 2006

WATER RESOURCES
WESTERN REGION

RE: EVIDENCE OF PRIORITY FOR SNAKE RIVER BASIN ADJUDICATION
(SRBA) CLAIM 67-04084

Dear Water Right Claimant:

I recently received the packet of information you sent regarding evidence of priority for the above-mentioned claim. At this time, there are several points you should be aware of:

1. Part of the documentation you submitted for priority evidence included portions of the Muir vs. Allison Decree. However, our initial investigation indicates that the water right you referenced, was in fact applicable to the property on the north side of the Little Weiser River and not to the parcel you claimed. So evidence of when the water was diverted to your side of the creek is still needed.
2. The packet of deeds you sent, although helpful for establishing ownership, does not mention specific application of water to the property claimed in 67-04084. Thus, the deeds do not establish a priority date for 67-04084.
3. The tax documents from 1915 you included mention William and George Shaw, and lands assessed to them appear to match a portion of your property, described as: 15N 01W S10 NWNW and SENW. On closer inspection we determined those lands were on the opposite side of the creek from your own. We have a record of the points of diversion (PODs) for those lands and the diversion works would have allowed for irrigation of property on the other side of the creek from your own. You claim an additional parcel of property, described as 15N 01W S10 SWNW, which is not included in the 1915 documents and, as with the other parcels, still needs evidence of a priority date.

At this time, there is no solid evidence verifying a priority date for irrigation on the property you are claiming in 67-04084. There are several options open to you to establish a priority date on this property. In a case such as yours, most commonly, the claimant will obtain an affidavit from someone who has been in the area a lengthy amount of time who has personal knowledge of irrigation on the property. This could potentially be a neighbor to the property. I have included an affidavit form. Another option is to establish the date the diversion works was installed. This can be done through gathering information on the pump in place in the creek or establishing when the diversion works was put in place.



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Governor

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Director

If you have any questions, please feel free to call me at (208) 287-4907.

Respectfully submitted,

Monica LB

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

We do not know our neighbors.
We don't live in the area - we do
however plan to live on our property
We need the river water for irrigation.
The copies are from the previous
owners.

Thank you - Linda Don
Warren

1/19/06



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 31, 1997

Re: Notice of Claim to a Water Right No. A67-10588, A67-04084

OTTO EDWIN ZINIKER
WILLA RUTH ZINIKER
1480 HWY 95
COUNCIL ID 83612

RECEIVED

JAN 23 2006

WATER RESOURCES
WESTERN REGION

Dear Mr. & Mrs. Ziniker:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

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: **A67-10588**
Date Received: 10/ 5/1989
Receipt No: M004812
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: OTTO EDWIN ZINIKER 208-253-4295
Address: 1480 HWY 95
COUNCIL ID 83612
OR
Name: WILLA RUTH ZINIKER 208-253-4295
Address: 1480 HWY 95
COUNCIL ID 83612
2. Date of Priority: OCT 15, 1904
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	01W	10	NE	SW	NW		ADAMS
5. Description of diverting works:
WELL 93' DEEP, 6" CASING, 1 HP PUMP.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		
7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER, 12 BULLS; DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
15N	01W	10	NW	NW		STOCK	
			SW	NW		DOMEST	
			SW	NW		STOCK	
			SE	NW		STOCK	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS USE WAS FIRST ESTABLISHED USING A SPRING, IN 1933 A WELL WAS PUT IN, (SANDPOINT), THIS WAS REPLACED IN 1979 WITH THE DRILLED WELL.

ADDRESS CHANGED PER REQUEST RECEIVED 8/2/96. LH
OWNERSHIP CHANGE BY DB 12/31/97.

15. Basis of Claim: BENEFICIAL USE