

12/04/2006

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

RIGHT NUMBER: 78-12246

NAME AND ADDRESS: MICHAEL GIZINSKI
HC 75 BOX 3588 ELK LAKE ROAD
NEW MEADOWS ID 83654

SHERRIL GIZINSKI
HC 75 BOX 3588 ELK LAKE RD
NEW MEADOWS ID 83654

SOURCE: BIG ELK CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.110 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/19/1907

POINT OF DIVERSION:

T22N R01E S27 SWNE Within IDAHO County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.090 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in IDAHO County

T22N R01E S27 SWNE 3.00

STOCKWATER in IDAHO County

T22N R01E S27 SWNE

3 ACRES TOTAL

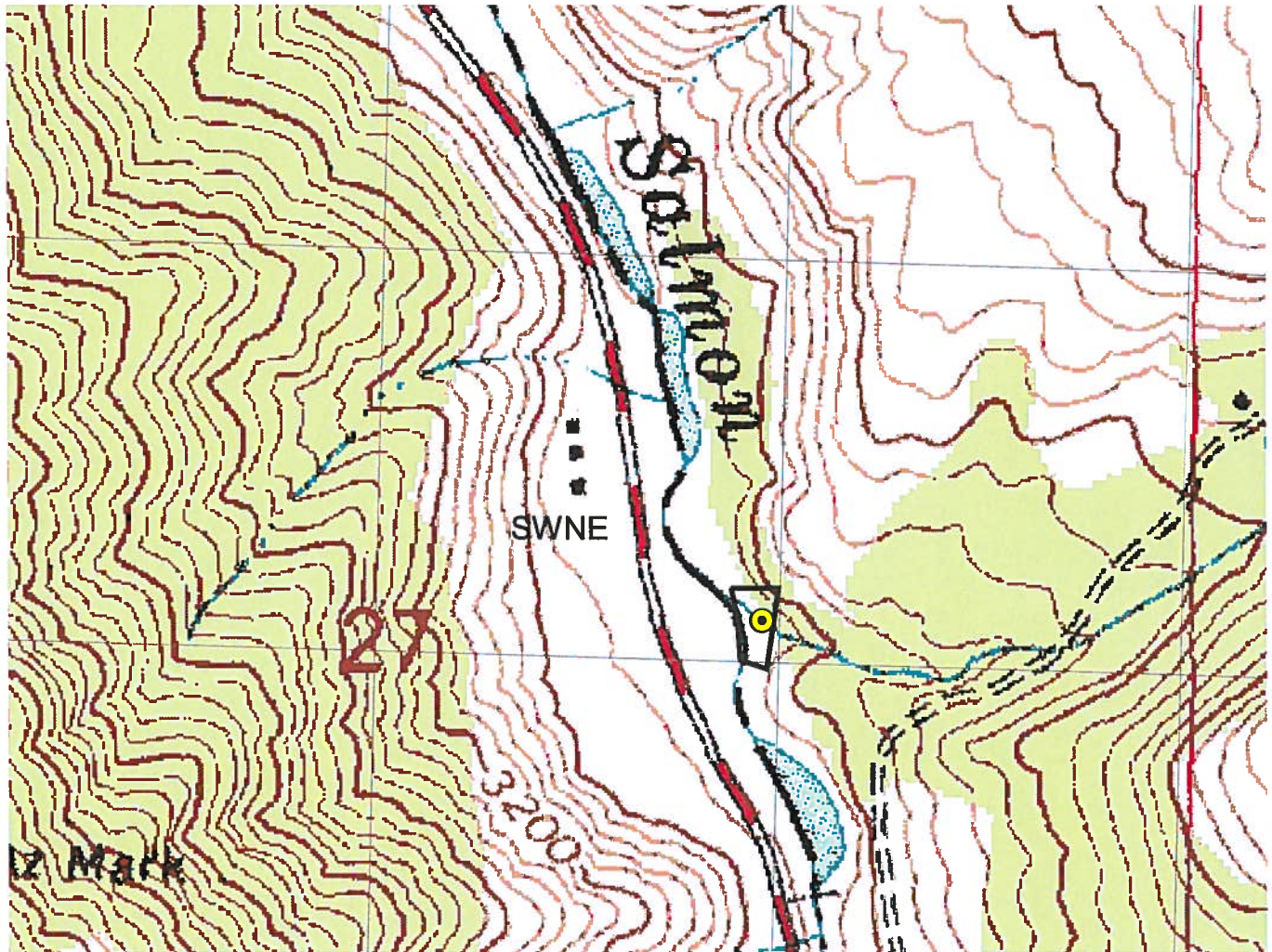
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

78-12246



0 400 800 Feet

Section 27
T22N R1E



● Point of Diversion

□ Place of Use

Map prepared on March 6, 2006
By Kenneth Knoblock
Idaho Department of Water Resources



No enclosure received. *Ⓟ*

RECEIVED
DEC 15 2006
IDWR/North

December 12, 2006

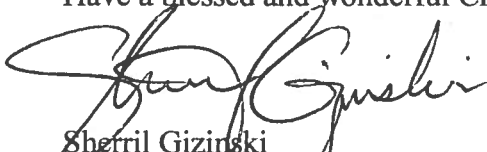
Ken Knoblock
State of Idaho
Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d' Alene, Idaho 83815

Ken Knoblock,

Thank you, for your quick response and help in fixing and making the changes to our files and paperwork, for our water rights. Here is a copy of what you sent me, with box address corrections; I also sent this on to the Boise office.

Once again thank you, you've been very kind and helpful.

Have a blessed and wonderful Christmas Season,


Sherri Gizinski
1-208-628-3688

18- 12246

HC 75 BX 3558
New Meadows, ID 83654

18-122 Ale

Ken Knoblock
Attention

State of Idaho
Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d'Alene, Idaho

83815

13 DEC 2006 PM 3 L

FOISE ID 838



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DEC 15 2006

IDWR/North

83815+7763





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.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 14, 2005

MICHAEL AND SHERRIL GIZINSKI
HC 75 BOX 3588
NEW MEADOWS ID 83654

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #78-12246

Dear Claimants:

We have received your claim you filed for your property in Idaho County, but have some questions before we can complete the processing of your claim. I have enclosed a computer-generated claim form for you to use in your response.

At Item #6 you listed "Elk Calving" as a water use. If you want to claim wildlife as an additional use, please list "Wildlife" instead of "Elk Calving" at Item #6 and indicate the location of that use at Item #10. Also, if you claim Wildlife as an additional water use, please include a period of use and an amount of water.

Also at Item #10, please clarify the number of acres you are irrigating by writing that number in under "Acres". We didn't understand what you meant when you wrote "4/1" in the SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Please initial any changes you make to your claim, sign it in front of a Notary Public and return it to me as soon as possible. You may want to make a copy of your claim before returning it to me.

Please call me at 208/287-4922 if you have any questions or concerns.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:region
Enclosure:

Computer-generated Notice of Claim #78-12246

SCANNED

NOV 14 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 1, 2006

Michael & Sherril Gizinski
HC 75 Box 3588
New Meadows, ID 83638

RE: 78-12246

Dear Mr. & Mrs Gizinski:

We have reviewed your Claim to a water right for 5 acres of irrigation and wildlife. To make sure that we understand, the stock water that was claimed under 78-4002A is now for wildlife use. You are filing on 5 acres of the 14 acres which leaves 9 acres of irrigation and two domestic rights for Elgie Brothers and Charles & Barbara Spence.

Is this correct?

Sincerely,



Kenneth Knoblock
Water Resources Agent

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JAN 18 2006

DEPARTMENT OF
WATER RESOURCES

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 78-12246
Date Received: 11/3/2005
Receipt No: C079535
Received By:

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

1. Name of Claimant(s)

MICHAEL GIZINSKI Phone: (208)628-3688
HC 75 BOX 3588
NEW MEADOWS ID 83654

SHERRIL GIZINSKI Phone: (208)628-3688
HC 75 BOX 3588
NEW MEADOWS ID 83654

2. Date of Priority: 06/01/1898

3. Source: BIG ELK CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	01E	23	NE SE SW	IDAHO	

5. Description of diverting works:

Concrete headgate diverts water into irrigation ditch from Big Elk. Then flowing to T22N, R01E, S23, NESESW where flow passes on through lower pastures heading to the confluence of the Salmon River, at T22N, R01E, S27.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.2	
& "Wildlife"	1/01	12/31	.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

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JAN 18 2006

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	01E	27	SW	NE	IRRIGATION	5
<u>22N</u>	<u>01E</u>	<u>27</u>	<u>XW</u>		<u>Wildlife</u>	<u>5</u>

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

The water has been flowing consistently from the Big Elk to the confluence of the Salmon River. We would like for this flow and the beauty of it to never change.

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: NA

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): [Signature] Date: 1-13-06
[Signature] Date: 1/13/06

State of Idaho)
 County of Adams) SS.

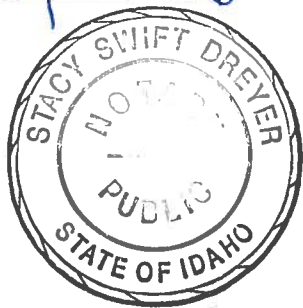
Subscribed and sworn (or affirmed) before me this 13th day
 of January 2006

[Signature]

Notary Public

Residing at New Meadows ID

My commission Expires 3/12/11



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Department of Water Resources

IN 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 A78-04002ADate Received 7/12/1988Receipt Number 11000353

78-12246

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Mike + Sherri Gizinski Phone (208) 628-3688Mailing Address HC 75 Box 3558, New Meadows, ID Zip 836542. Date of Priority (Only one (1) per claim) 6/01/1898 ← same as
78-4002A3. Source of water supply (a) Big Elk Crk
which is tributary to (b) Little Salmon River4. a. Location of existing point of diversion is: Township 22N Range 01E Section 23,
NE 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of IDAHOAdditional points of diversion if any: None

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. concrete headgate diverts water
into irrigation ditch from Big Elk. Then flowing to
T22N R01E SEC 23 NE 1/4 SE 1/4 SW 1/4
where flow passes on through lower pastures
heading to the confluence of the Salmon River,
at T22N R1E SEC 27

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NOV 03 2005

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 10/31 amount .20 or _____

For ELK Calving purposes from _____ to _____ amount _____ or _____

For Sub irrigation purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .20 (cfs) and/or (b) NA (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Game, ELK Calving area, waterfall (beauty, aesthetic value)

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	
<u>T22N</u>	<u>B1E</u>	<u>27</u>			<u>4/1</u>														

Total number of acres irrigated _____

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

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.
None or None ()

14. Remarks: The water has been flowing consistently
from the Big ELK to the confluence at the
Salmon River.
We would like for this flow & the beauty of it
to never change

Last Name Gizinski Ident No. A78-04002A

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Copies: White -State, Yellow-Claimant

NOV 07 2005

red line showing
water course from
Big Elk to Little Salmon

INDIAN M

7.5 MINUT

R.1 E. R.2 E

NGEVILLE 64 MI.
GINS 12 MI.

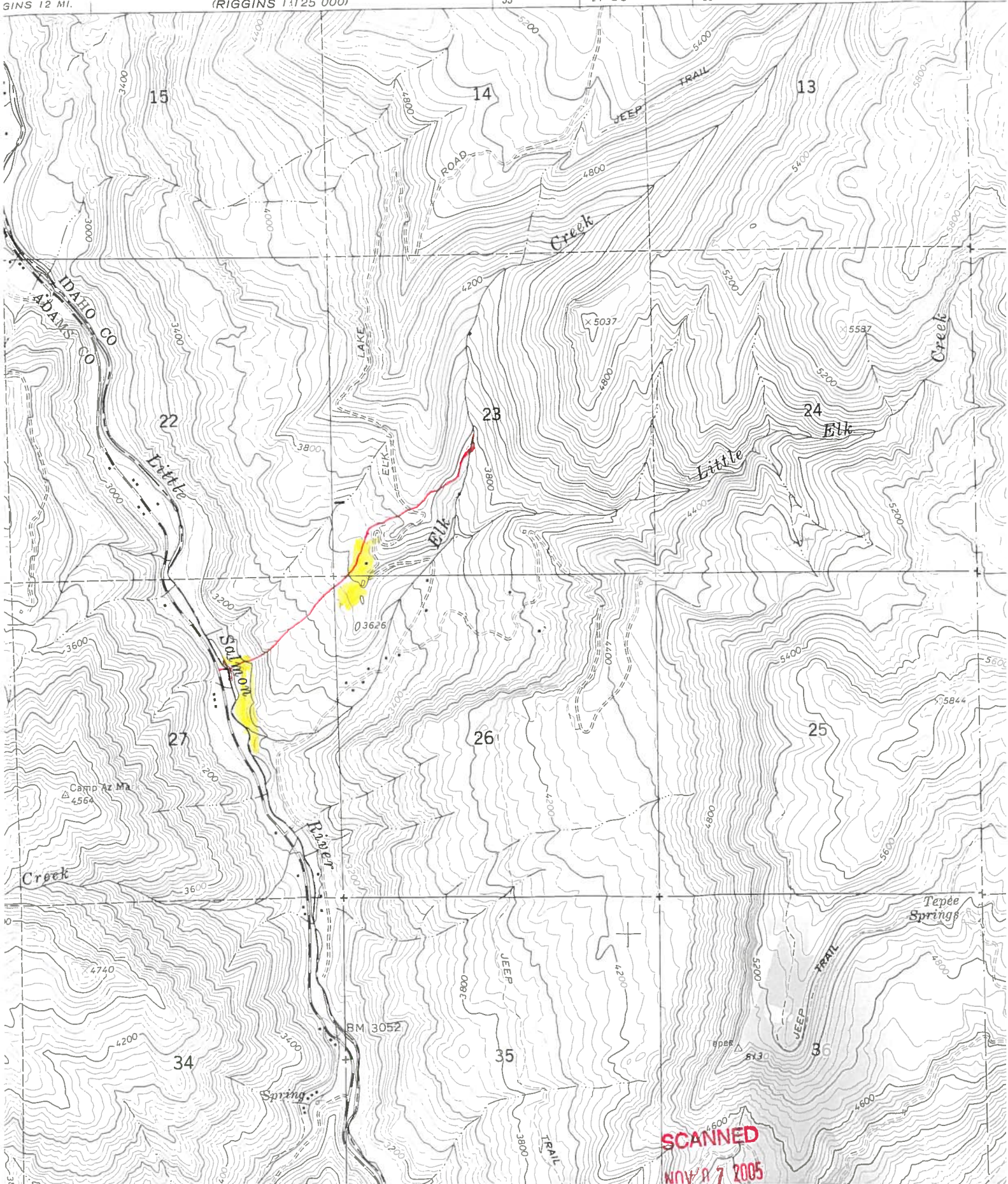
(RIGGINS 1:125 000)

555

17'30"

556

557



PANGEVILLE 64 MI.
GGINS 12 MI.

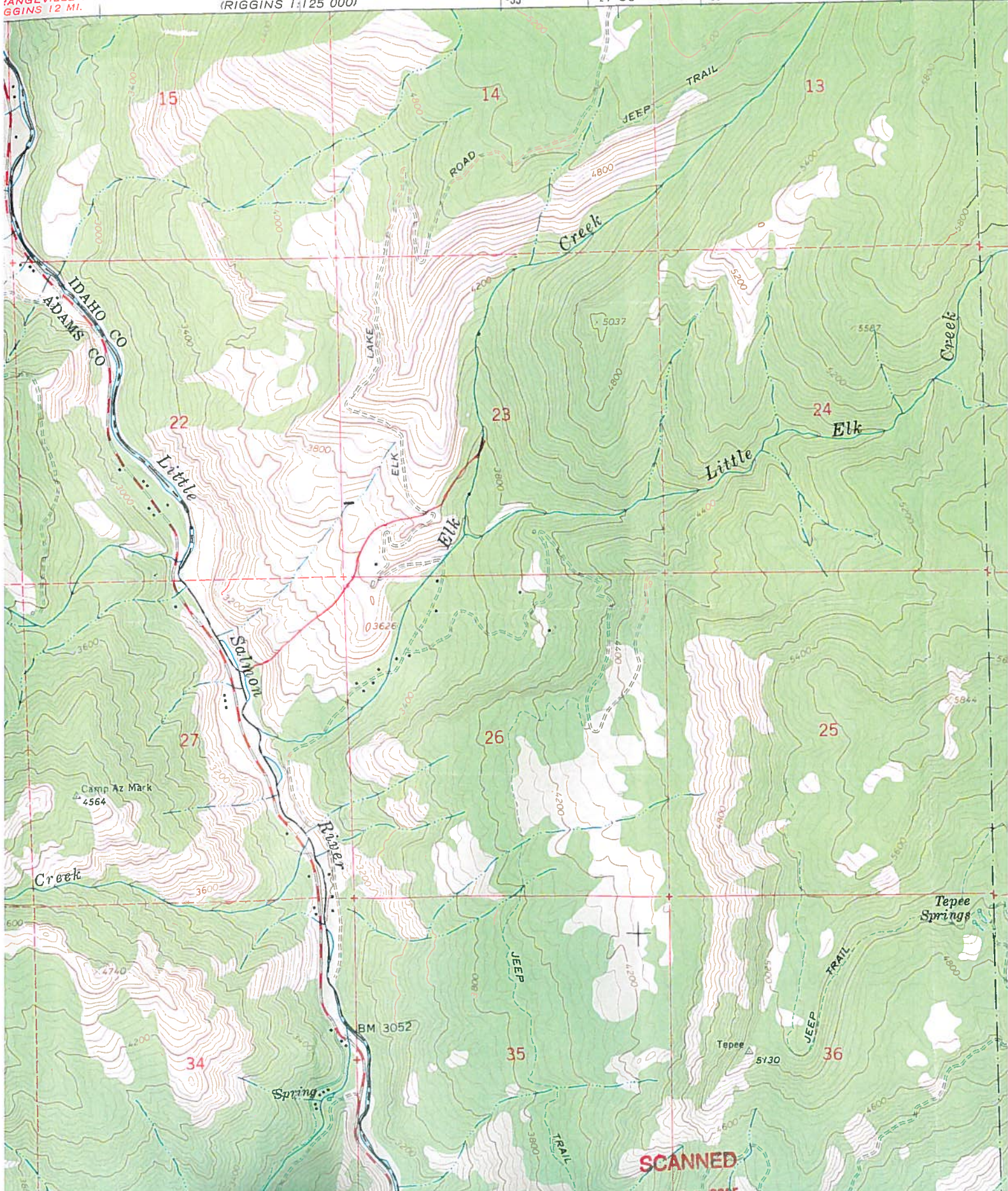
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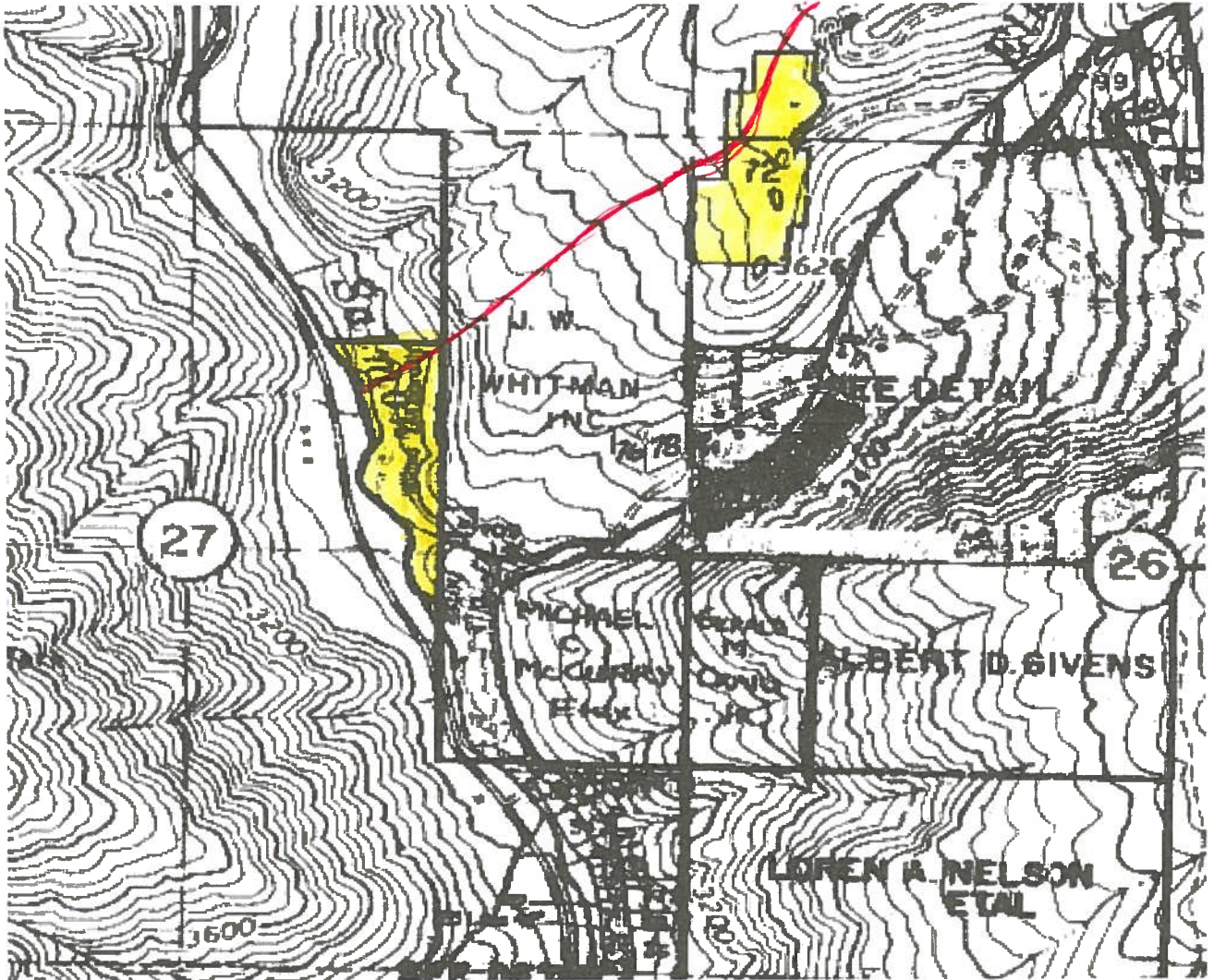
555

17'30"

556

557





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15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number A 78-4002A
Court _____ Case Number 39576 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 _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) _____

Date 11/2/05

Date 11/2/05

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 Canyon) SS.

Subscribed and sworn to before me this _____

Notary Public

Residing at _____

My Commission Expires _____

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 GIZINSKI Ident. Number A78-0400 **SCANNED** Copies White-State, Yellow-Claimant

NOV 07 2005

SCANNED
NOV 22 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098
Return Service Requested

MICHAEL AND SHERRIL GIZINSKI
HC 75 BOX 3588
NEW MEADOWS ID 83654

*78-12249 11-21-05
Remailed, p*

INVOICE

030654



GIZI075 TO36542013 1A05 17 11/17/05
GIZINSKI RETURN TO SENDER
RETURN TO SENDER
TEMPORARILY AWAY

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
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MAILED FROM ZIP CODE 83702
PRINCE BROOKES

RECEIVED
NOV 22 2005
Department of Water Resources