

05/10/2006

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

RIGHT NUMBER: 22-2057
NAME AND ADDRESS: GARY Zohner
401 W 475 S
VICTOR ID 83455
SHERRY Zohner
401 W 475 S
VICTOR ID 83455

SOURCE: TETON RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 2.130 CFS
PRIORITY DATE: 03/27/1911

POINT OF DIVERSION:
T04N R45E S20 SWNWSW Injection Within TETON County
T04N R45E S20 SWNWSW Rediversion Within TETON County
T04N R45E S20 NWSESW Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/14	2.130 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T04N R45E S19 SENE 40.00	T04N R45E S19 NESE 40.00	
	T04N R45E S19 NWSE 40.00	T04N R45E S19 SESE 40.00	
	T04N R45E S20 SWNW 28.00	T04N R45E S20 NWSW 18.00	
	206 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 206 acres in a single irrigation season. Combined Right Nos.:22-180A, 22-365, 22-575A, 22-2057

This right is limited to the irrigation of 106.5 acres within the place of use described above in a single irrigation season.

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 - License



Idaho Department of Water Resources

SRBA Recommendation

22-365

22-2057

Legend

● Point of Diversion

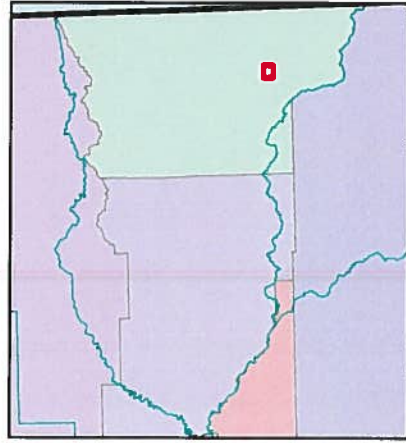
□ Place of Use

□ State Outline

□ Townships

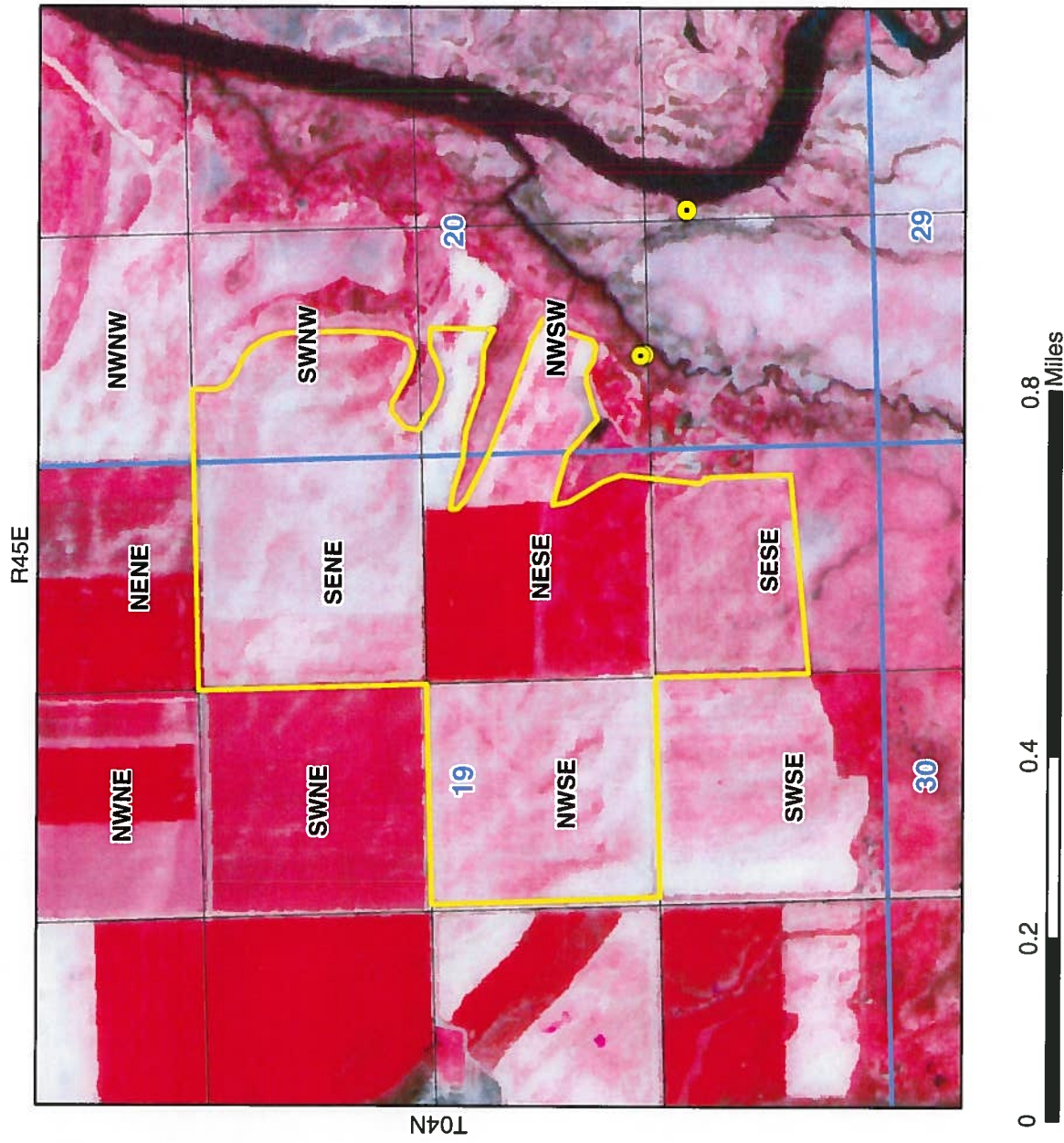
□ PLS Sections

□ Quarter Quarters



Teton County
IDWR Basin 22

Prepared by Michael Holliday
On October 23, 2008
1987/88 Aerial Photography



To: Files 22-575A, 22-365, & 22-2057
From: Michael Holliday
Date: October 22, 2008
Re: Zohner recommendations

The initial hearing for subcase 22-180A was held in Rexburg on August 20, 2008. At the initial hearing Kunz and Zohner agreed that Zohner should not receive any portion of 22-180. Claims 22-575A, 22-365, & 22-2057 are uncontested overlaps with 22-180A. The purpose of this memo is to determine what impact the removal of 22-180A would have on the uncontested rights. SF5s have been prepared for these rights consistent with this memo.

After a closer look, it was determined that several changes needed to be made to the three uncontested overlaps. Transfers 3554 and 3555 included combined quantity limits, a measuring device condition, and a watermaster condition. These conditions were inadvertently left off the recommendations and have been added to the SF5s. The combined acreage condition had to be altered by removing 22-180A from the list of rights. Also the permissible place of use was reduced in size from 206 to 169 acres based on aerial photos and a conversation with Ernie, who had been on site and recognized some land under the original recommendations as unirrigated.

Other changes were made to these recommendations as shown in the individual SF5s. Those changes and the reasoning behind those changes are as follows:

22-575A

- The source name was changed from Paradise Spring to Paradise Creek consistent with transfer 3555 and the USGS quad map.

22-365

- Source condition added to describe the injection into and redirection from Paradise Cr.
- The quantity was changed from 1.98 cfs to 2.52 cfs and the acre limit for this right was changed from 86.5 to 126 acres. Zohner owns 126 acres of the decreed pou, although this was probably not clear to Trent when he originally made the recommendation. The decree is for 280 acres. However, the decree shows "SE1/4 of NE1/4, and NE1/4 of Sec. 19, NW1/4 of SW1/4, and SW1/4 of NW1/4 of Sec. 20..." It would have made more sense if the first description in the land list had said NESE of 19 because you need another QQ in order to get to the total of 280 acres as stated in the decree, and an old homestead map shows that Samuel Kunz, Jr. was the owner of the NESE. Since the decree was for an inch to the acre, the SF5 is for 126 miners inches.

22-2057

- Source condition added to describe the injection into and redirection from Paradise Cr.
- The period of use was corrected to reflect the standard season of use for the area.
- The quantity was changed from 2.13 cfs to 0.86 cfs and the acre limit was changed from 106.5 to 43 acres. The 43 acres is 169 total acres less the 126 acres under 22-365. Quantity is an inch to the acre, consistent with license. This quantity reduction eliminates the need for confusing combined quantity conditions.

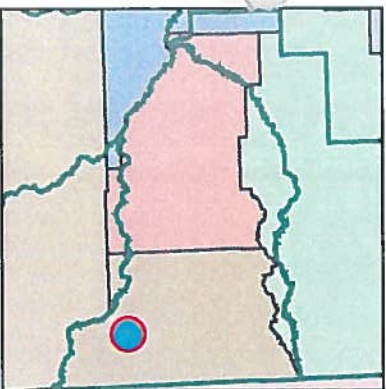


Idaho Department of Water Resources

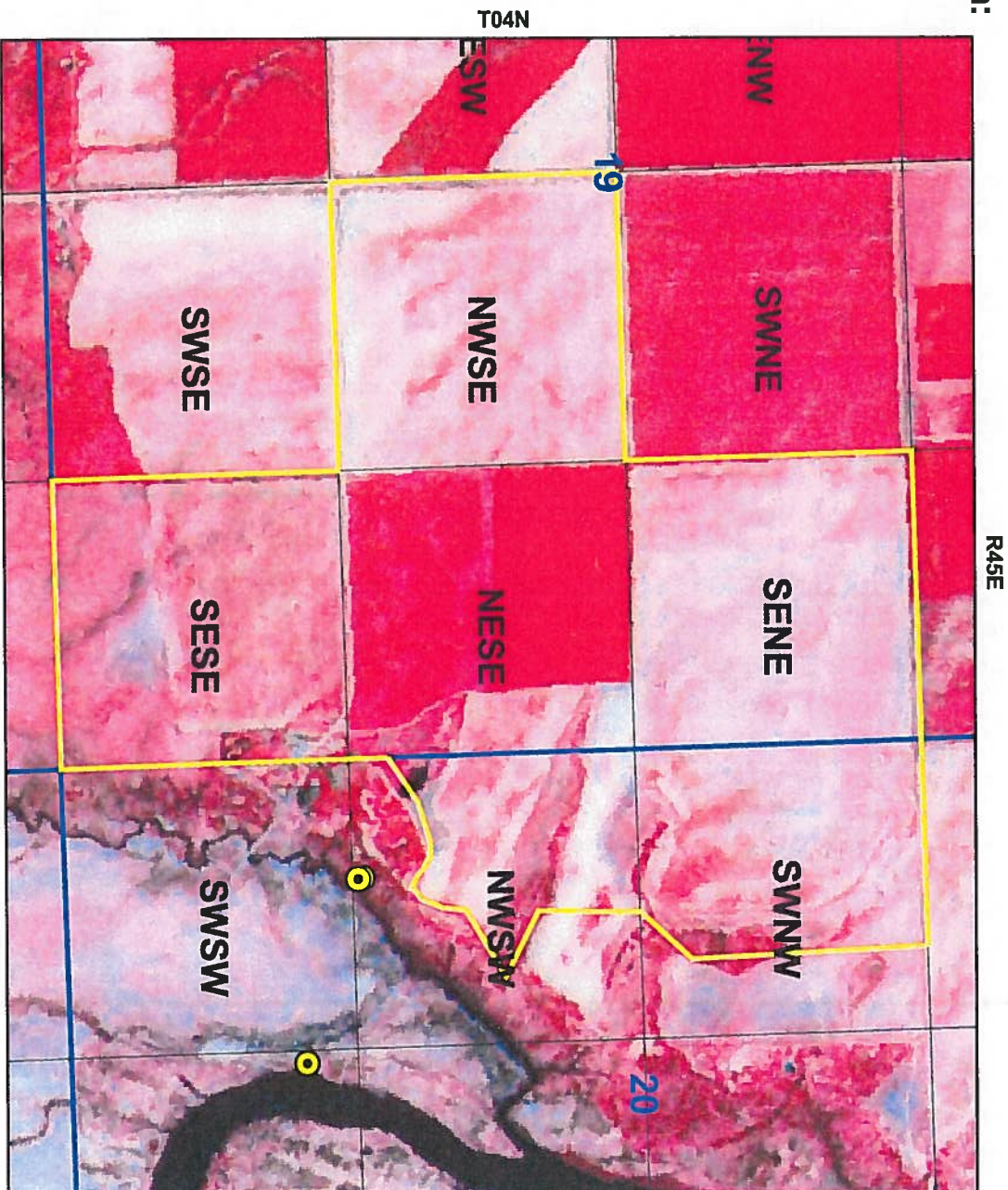
SRBA Recommendation:

22-180A
22-365
22-575A
22-2057

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



Teton County
IDWR Basin 22



Prepared by T. Galbraith
On Wednesday, May 10, 2006
1987/88 Aerial Photography

5-10-06

- Claimant irrigates 106.5 acres of the 129 acres that 22-2057 was transferred to.
- 2.58 cts was transferred onto 129 acres.
- $2.58 \div 129 = .02 \text{ cts/acre}$
 $.02 \text{ cts} \cdot 106.5 \text{ acres} = 2.13 \text{ cts}$

TH

Water Right No(s). _____

Diversion from telon river

2727737

1387504

upt Ident = ~~150~~ 22-180A-1

Injection into paradise spring

2727482

1387576

Ident = 22-180A-2

Rediversion from pump

2727480

1387583

Ident = 22-180A-3

GPS DATA:

Tag # none Location: _____

Diversion Data:

Source: Telon River Trib to: _____

MOTOR

Make: _____ Model: _____ Hp: _____

SN: _____

PUMP

Make: _____ Model: _____ Disch: _____

SN: _____

NOTES:

Transfer #3554 moves water from pine creek to telon
River and changes POV.

Field Exam Date: 5-9-06

Agent: Trent Galbraith



22-180A-1

Looking East



~~200~~

Culvert just west of diversion from
Teton River

Looking East



22-180A-2

Point of injection into paradise creek

Looking west



22-180A-3

pod for paradise
springs

Rediversion for
teton river

Looking west

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3554APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Gary or Sherry Zohner Phone 354-2537
Post Office address 401 W. 475 S., Victor, ID 83455

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ ^{at 11/14/90} Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Headwaters of Teton River have been dropping the past 10 years making current headgate impossible to use. Would like to put pump into river and deliver water to POU by pressurized sprinklers. ASCS is assisting with project plans.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|--------------|-----------|--------------------|---------------|------------------------|
| 22-00365B | 7-31-1903 | 2.31 <u>2.52</u> | Irrig. | 4-15 to 10-15 |
| 22-02057B | 3-27-1911 | 2.58 <u>0.86</u> | Irrig. | 4-15 to 10-15 <u>3</u> |
| _____ | _____ | _____ | _____ | to _____ |
| _____ | _____ | _____ | _____ | to _____ |
2. Total amount of water being transferred 4.89 ^{3.38} cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Pine Creek * TETON R tributary to Teton River HF
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	SW	20	4N	45E	Teton	
	NW							

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	45E	19				40									40			20	100
		20										30	10						59

Total acres 159

PART 1**6. General Information:**a. Description of diversion system Pump in stream to mainline and sprinkler systemb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

This transfer only defines my place of use and changes the point of diversion.

d. Remarks:

* Water will physically be diverted from the Teton River just below where Pine Creek comes in.APPLICANT WILL AMEND ADJ. CLAIMS A22-00365 AND A22-02057 IF TRANSF. APPROVED**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**This is to certify that I have examined Application for Transfer of Water Rights No. 22-0365B/2057BAnd said application is hereby APPROVED, subject to the following limitations and conditions:SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.**MICROFILMED**

AUG 31 1990

Witness my hand this

16th

day of

August19 90J. Glen Saxton
Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 22-00365 Decreed to Samuel Kunz Jr.
 In case of Rexburg Irr. Co. et al vs. Teton Irr. Canal Co. et al
 dated 12-10-1910 in _____ county of Teton
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Pine Creek tributary to Teton River

4. Date or priority 7-31-1903

5. Water is used for the following purpose:

amount 5.60cfs for Irrig. purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 5.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: *****Not Listed in decree ***** by use was in SE1/4 Sec. 29 T4N R45E

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	45E	19	X												X				
		20						X				X							

9. Describe any other water rights used for the same purpose as described above

Total acres Not listed 280
22-00575, 00180, 02057

TJL
1/18/90

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.31 for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	29	4N	45E	Teton	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	45E	19				40													40
		20							30				29						59

Total acres 99

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 3.29cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Not listed

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

AUG 31 1990

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	45E	19	X	X	X														

Total acres Not listed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 22-02057 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Pine Creek tributary to Teton River

4. Date or priority 3-27-1911

5. Water is used for the following purpose:

amount 3.60cfs for irr. purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 3.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			SE	29	4N	14E	Teton	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	45E	19				10									30		40	20	100
		20							40				40						80

0 = OWNED BY ZOTNER
 = COVERED BY 22-365

Total acres 180

9. Describe any other water rights used for the same purpose as described above 22-00575, 00180, 00365

Zotner owns 106 ac of licensed POU

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.53cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	29	4N	45E	Teton	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	45E	19				10									30			20	60
		20							40				29						69

Total acres 129**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.02cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft) ~~1.02cfs~~ _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
			SE	29	4N	44E	Teton	

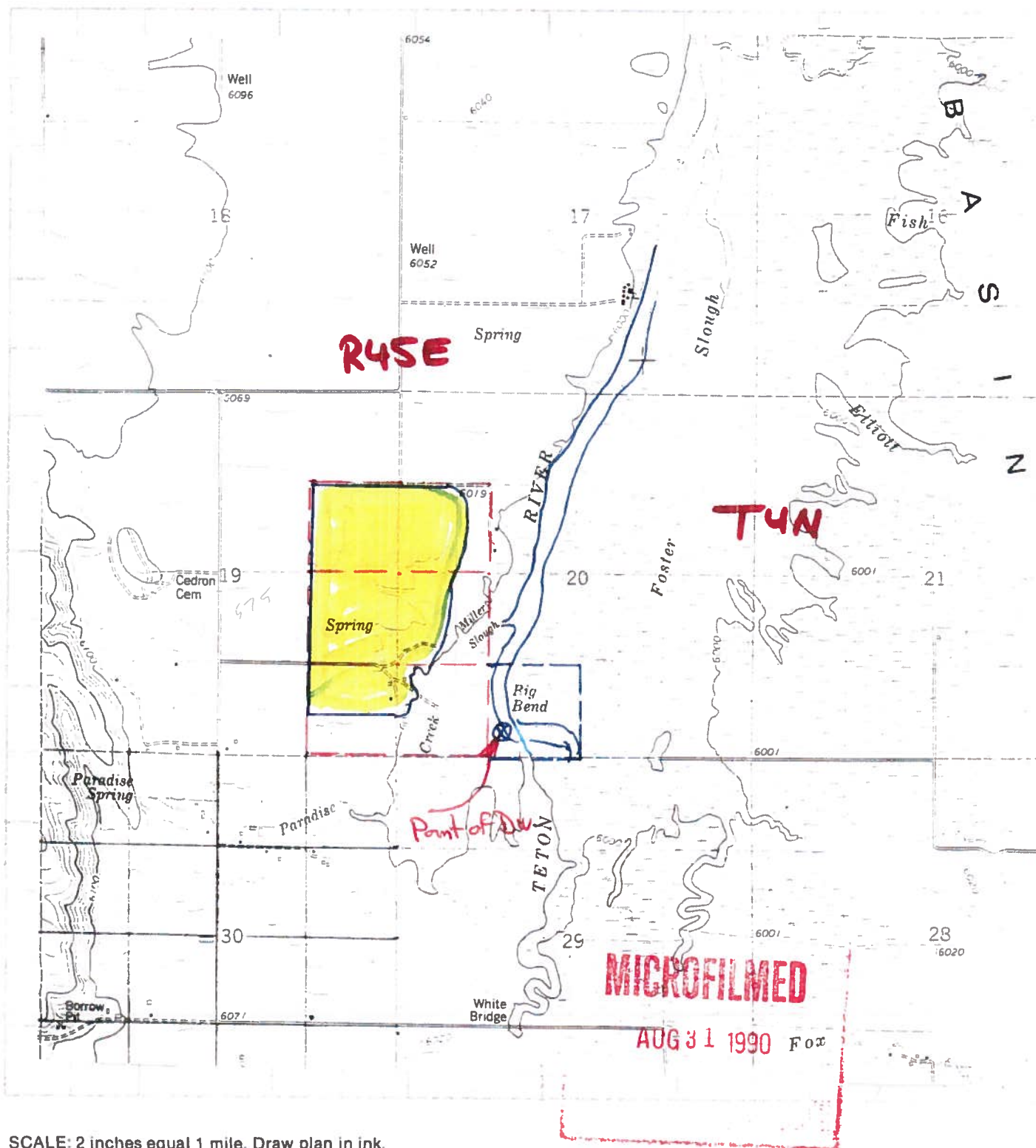
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	45E	19															40		40
		20							21				28						11

Total acres 51

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

X [Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 10 day of April, 1988.

[Signature]
(Notary Public)

My commission expires 9-20-93

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by CU Date 11-29-88 4-1-89 Protest filed by _____

Prelim. check by DMO Fee \$50

Receipted by ESU Date 12-1-88 E004827

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by KDC

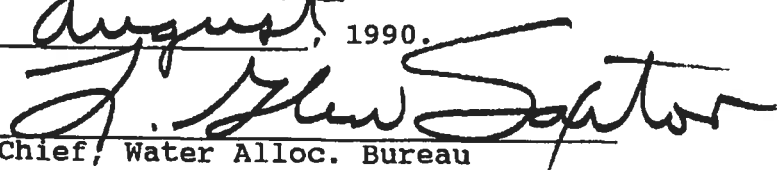
Copy of transfer sent to lien holder _____

RECEIVED
AUG 31 1990

CONDITIONS OF APPROVAL
Transfer of Water Right Nos. 22-0365B/2057B

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. These rights when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.
3. Approval of this transfer when combined with all other rights, does not validate a diversion rate of more than .02 cfs per acre.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Use of water under these rights is subject to control by the watermaster of State Water District No. 01, Snake River.

Dated this 16th day of August, 1990.


Chief, Water Alloc. Bureau

RECEIVED
AUG 31 1990

 Fremont County *
 Pine Creek, *
 3.6 second feet *
 Irrigation *
 Priority 3/27/11. *

S T A T E O F I D A H O.

Water License No. 7257.

WHEREAS, On the 27th day of March, A. D. 1911, JOSEPH KUNZ, WALTER W. KUNZ, and CAROLINE WIRTHRICH, of Bates, County of Fremont, State of Idaho, duly made application (No. 10498) to me for a permit to use 4.5 cubic feet per second of the waters of PINE CREEK, County of Fremont, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 29th day of April, A. D. 1911, Permit No. 7257 was issued to said applicants for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 29th day of April, A. D. 1912, and for the application to beneficial use of said water on or before the 29th day of April, A. D. 1912, and,

WHEREAS, On the 29th day of April, A. D. 1912, JOSEPH KUNZ, WALTER W. KUNZ, and CAROLINE WIRTHRICH, the holders of said permit, duly made proof of the completion of adequate works for the diversion of 4.5 cubic feet per second of said waters, as evidenced by my certificate No. 7257, dated August 24th, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4.5 cubic feet per second of water, with date of priority of March 27th, 1911, and,

WHEREAS, On the 29th day of April, A. D. 1912, JOSEPH KUNZ, WALTER W. KUNZ, and CAROLINE WIRTHRICH, the holders of said permit, duly made proof of the application to beneficial use of 3.6 cubic feet per second of said water:

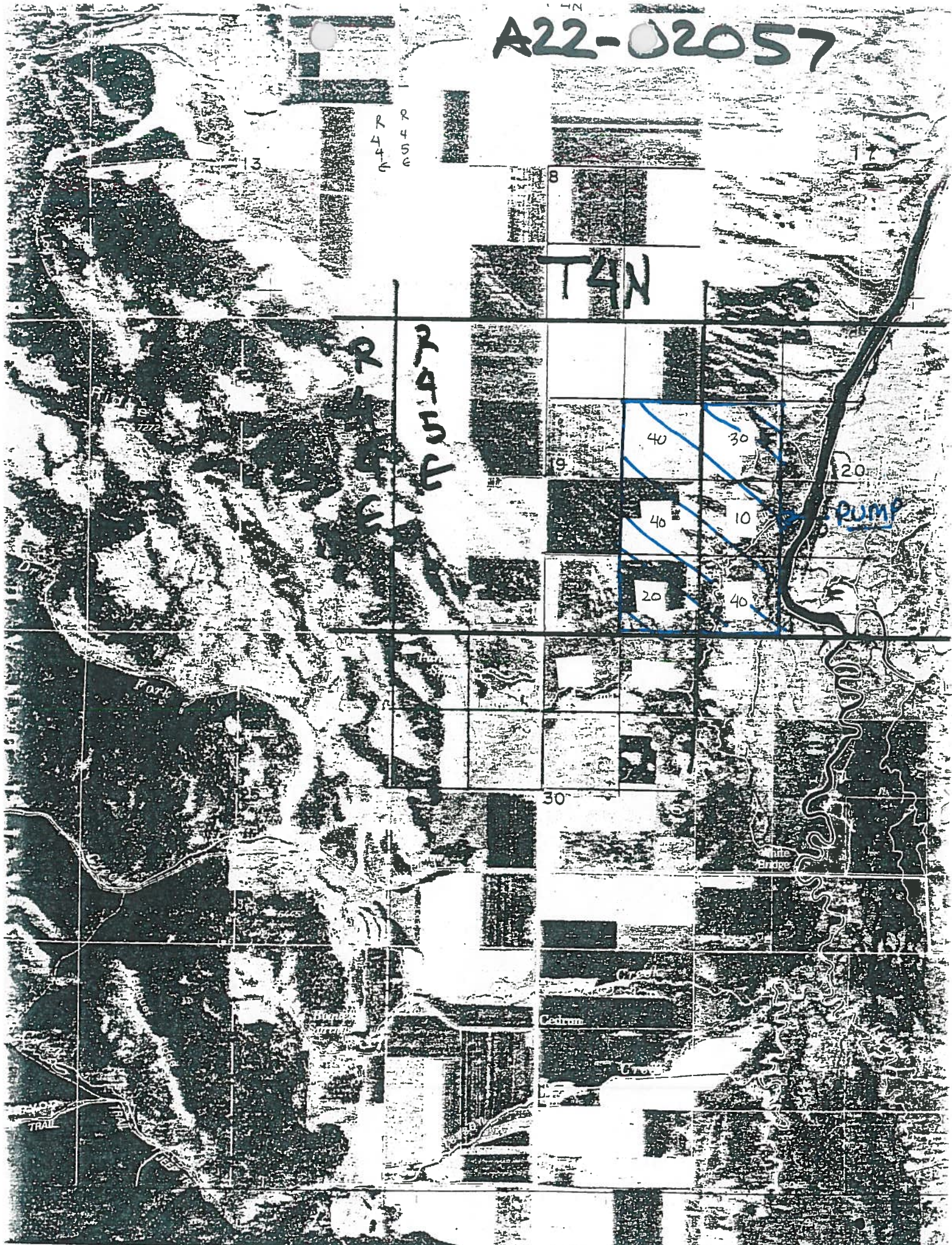
NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to JOSEPH KUNZ, WALTER W. KUNZ, and CAROLINE WIRTHRICH, of Bates, County of Fremont, State of Idaho, the holders and owners of said Permit No. 7257, a perpetual right, dating from March 27th, 1911, to the use of 3.6 cubic feet per second of the waters of PINE CREEK, in the County of Fremont and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near center of unsurveyed Southeast quarter (SE $\frac{1}{4}$), Section 29, Township 4 North, Range 44, East of the Boise Meridian, and conducted to and upon (100 acres) divided as follows: (40 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, 40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and 40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20, Township 4 North, Range 45, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 24th day of August, A. D. Nineteen hundred and twelve.

(SEAL)

A. E. Robinson,
 State Engineer.

A22-02057



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: A22-02057
Date Received: 9/13/1988
Receipt No:
Received By: EDV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY ZOHNER 208-354-2537
Address: 401 W. 475 S.
RT. 1 BOX 592
VICTOR, ID 83455

OR

Name: SHERRY ZOHNER 208-354-2537
Address: 401 W. 475 S.
RT. 1 BOX 592
VICTOR, ID 83455

2. Date of Priority: MAR 27, 1911

3. Source: TETON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	45E	29	NW	NE	SW		TETON

5. Description of diverting works:
PUMP IN STREAM TO SPRINKLER LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/14	10/14	3.600		

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

8. Total consumptive use is 360.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	19	SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			SE	SE		IRR	20.0
						Section Acres	100.0
		20	SW	NW		IRR	30.0
			NW	SW		IRR	10.0
			~~SW~~	~~SW~~		IRR	40.0
						Section Acres	80.0
						Total Acres	180.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
22-00365

14. Remarks:

LIC. INCORRECTLY DESCRIBES SOURCE AS PINE CREEK. ORIGINALLY WATER FLOWED TO POU IN SEVERAL SLOUGHS/DITCHES. IN 1952 OPERATORS PUT DIESEL POWERED PUMP INTO BACKSATES OF SLOUGH ON TETON RIVER BANK. PAST 4 YEARS SLOUGH HAS DRIED SO AS TO PREVENT USING THIS LOCATION FOR A PUMPING STATION. CLAIMANT IS IN PROCESS OF TRANSFERING POINT OF DIVERSION TO A NEW, PROPOSED DITCH HEADING OUT OF RIVER. CLIAM FILED TO RECORD CURRENT USE OF WATER

15. Basis of Claim: LICENSE
Water Right Number: 7257

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): *Ray John* Date: 9/13/88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of Bonneville 19 88
Septembe
Seal

[Signature]
Notary Public

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994

A22-02057

