

11/08/2006

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

RIGHT NUMBER: 75-4294A

NAME AND ADDRESS: ZIEGLER BROTHERS
PO BOX 1101
SALMON ID 83467

SOURCE: WASTE WATER

TRIBUTARY: SALMON RIVER

QUANTITY: 3.470 CFS

PRIORITY DATE: 04/01/1886

POINT OF DIVERSION:

T22N R22E S19 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	3.470 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S19	NENE	3.50	T22N R22E S19	NWNE	13.00
T22N R22E S19	SWNE	39.00	T22N R22E S19	SENE	8.20
T22N R22E S19	SENW	14.00	T22N R22E S19	NESW	12.00
T22N R22E S19	SESW	31.00	T22N R22E S19	NESE	4.30
T22N R22E S19	NWSE	40.00	T22N R22E S19	SWSE	36.00
T22N R22E S19	SESE	0.70	T22N R22E S30	NWNE	2.90
T22N R22E S30	NENW	6.00			

210.6 ACRES TOTAL

Right Nos.75-4294A and 75-10437 are limited to the irrigation of a combined total of 211 acres in a single irrigation season.

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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 -

Use of water under this right is combined with water from the Norton Ditch Company.

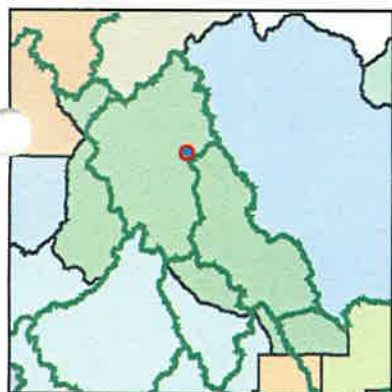


Idaho Department of Water Resources

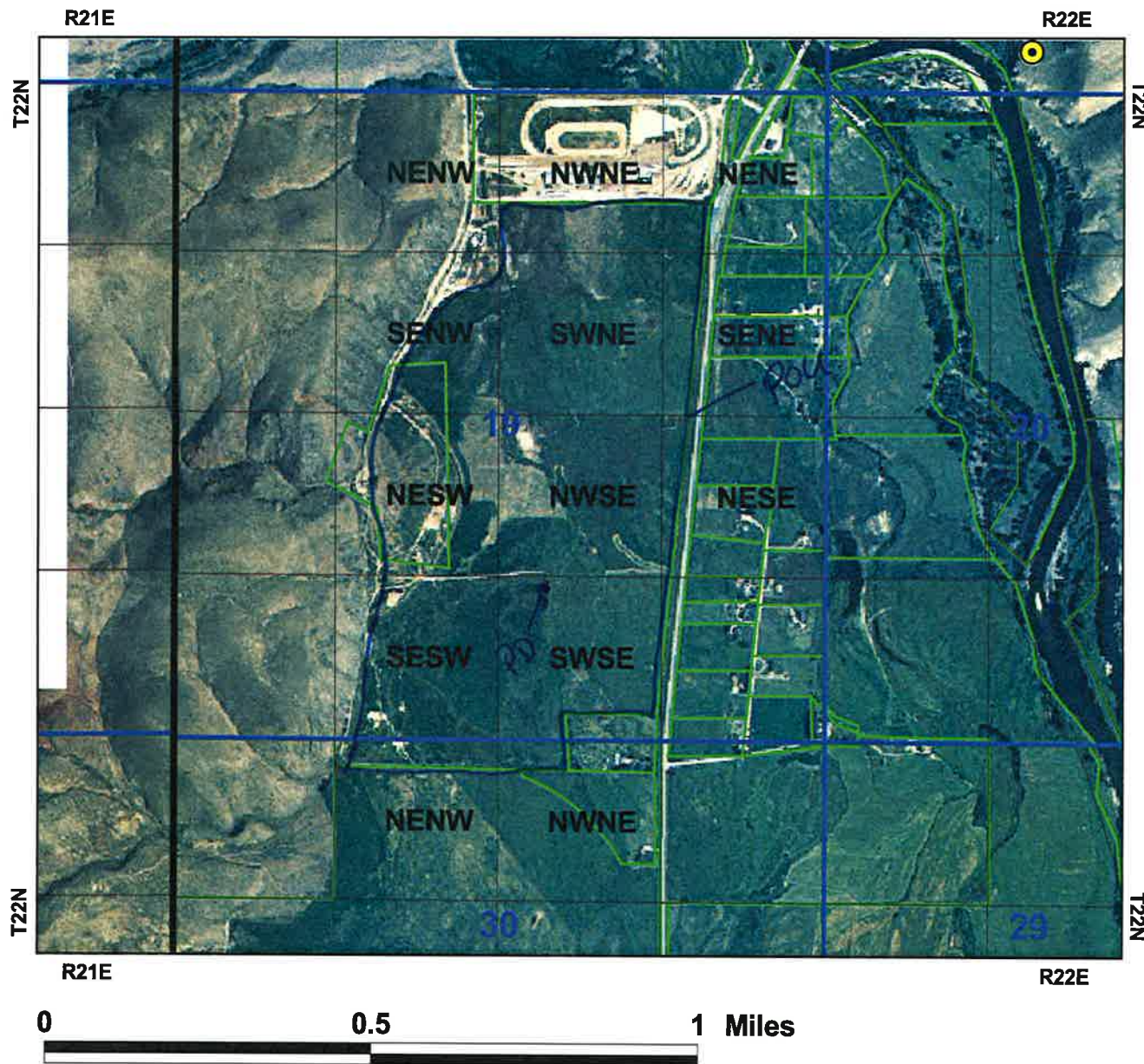
SRBA Claim:
75-4294A

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters
- Parcels



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Tuesday, May 16, 2006
1987/88 Aerial Photography

RECEIVED

DEC 15 2006

11/20/2006

Department of Water Resources
Adjudication Bureau

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-4294A

ZIEGLER BROTHERS

PO BOX 1101

SALMON ID 83467

Telephone Number: (208) 756-3791

RECEIVED
DEC 20 2006
IDWR/North

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12 12 06

SIGNATURE: John Ziegler Ziegler Bros

Please print your name: John Ziegler

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED

DEC 15 2006

11/20/2006

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-4294A

ZIEGLER BROTHERS

PO BOX 1101

SALMON ID 83467

Telephone Number: (208)756-3791

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2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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DATE: 12 12 06 SIGNATURE: John Ziegler Ziegler Bros
Please print your name: John Ziegler

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED
DEC 14 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 75-4299 A

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☐ No Change — SAME SOURCE

☒ Source is different than that claimed:

Source found: Springs, North Ditch

4. ☐ No Change — POINT OF DIVERSION

☒ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0017495, A0017278

Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____
Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____

5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

50 hp pump 10' lift, main line to wheelers
estimated pump discharge below

$$\frac{8.8 \times .80 \times 50 \text{ hp} = 352}{10' * (2.31 \times 40) = 102} = 3.47 \text{ cfs}$$

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

claimant stated wastewater no longer reaches property
land now covered by 75-10437 and Norton DITCH shares
No water being diverted at time of exam

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-26-06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

SCANNED

OCT 0 2001

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: A75-04294A
Date Received: 5/02/1990
Receipt No: M007034
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ZEIGLER BROTHERS 208-756-3791
Address: P.O. BOX 1101
SALMON, ID 83467

2. Date of Priority: APR 01, 1886

3. Source: WASTEWATER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
22N	22E	30	NW	NE	NE		LEMHI
			NE	NW			LEMHI

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 527.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
22N	22E	19	NE	NE		IRR	4.0
			NW	NE		IRR	14.0
			SW	NE		IRR	40.0

A75-04294A

Page 1

Date: 05/02/90

A7504294A



MICROFILMED

DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
22N	22E	19	SE		NE		IRR	6.0
			NE		NW		IRR	3.0
			SE		NW		IRR	18.0
			NE		SW		IRR	15.0
			SE		SW		IRR	27.0
			NE		SE		IRR	3.0
			NW		SE		IRR	40.0
			SW		SE		IRR	35.0
							Section Acres	205.0
		30	NW		NE		IRR	2.0
			NE		NW		IRR	4.0
							Section Acres	6.0
							Total Acres	211.0

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am Gen. Partner of
Ziegler Bros. Organization, that I have signed the foregoing
document in the space below as Gen. Partner of
Ziegler Bros. Organization and that the statements contained in the
foregoing document are true and correct.

John T. Ziegler
Signature of Authorized Agent

Gen. Partner, Ziegler Bros.
Title and Organization

5, 10, 90
Date

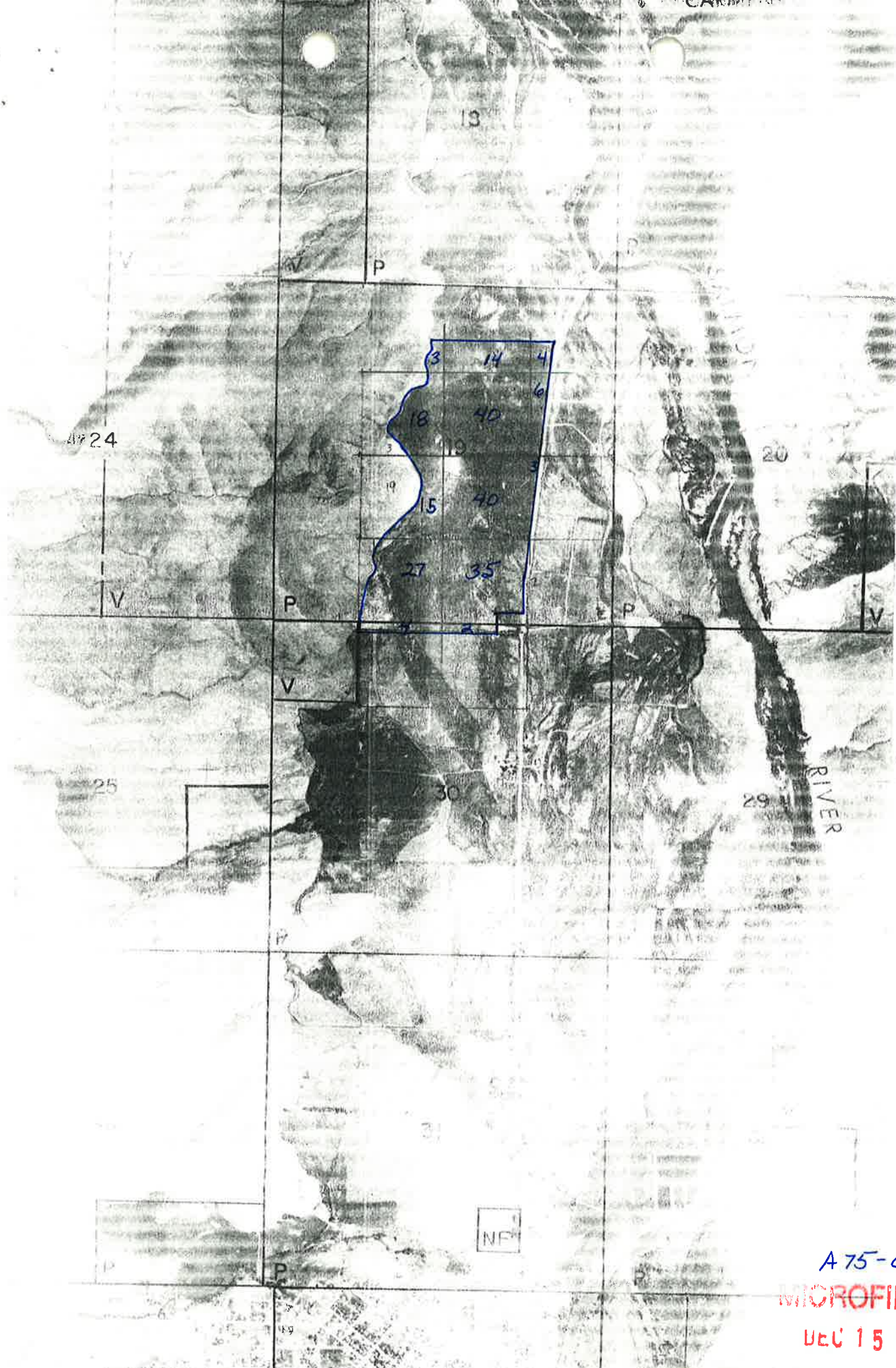
State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of May 19 90

Carter Fritschle
Notary Public

Seal

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



T 22N
R 22E

A75-04294A
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DEC 15 1992