

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: A36-02662
Date Received: 1/14/1991
Receipt No: 5012947
Received By: AD

Department of Water Resources
Southern Region Office

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

1. Name: DANIEL R. ZOHNER 208-438-5619
Address: P.O. BOX 115
PAUL, ID 83347

AND/OR
Name: MELBA J. ZOHNER 208-438-5619
Address: P.O. BOX 115
PAUL, ID 83347

2. Date of Priority: SEP 19, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	23E	3	NE	NW	SW		MINIDOKA

5. Description of diverting works:
WELL & PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.460		

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

8. Total consumptive use is 219.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	23E	3	NE	SW		IRR	40.0

A36-02662

Page 1

Date: 01/14/91

MICROFILMED
FEB 01 1993
OCT 18 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	23E	3	NW SW		IRR	33.0
Section Acres						73.0
Total Acres						73.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:
THE LICENSE WAS ISSUED INCORRECTLY TO DESCRIBE THE P/D AND
PLACE OF USE; THIS CLAIM MORE ACCURATELY REFLECTS THE WAY THE
WATER IS BEING USED.

15. Basis of Claim: LICENSE

Water Right Number: 33198

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.

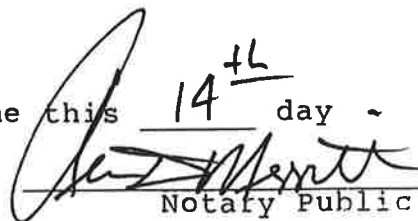
Signature of Claimant(s): Daniel R. Stine Date: 1-14-91
Melba J. Stine Date: 1-14-91

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day -

of Jan 19 91


Notary Public

Seal

Residing at Kelley, Id

My Commission Expires 6/30/99



Date Received

1/14/91

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Name of Claimant Dan R Zohner 628 4385619
Phone Number
Mailing Address P.O. Box 115 Paul Idaho 83347
City State Zip
County(s) where place of use is located Minidoka 10-12-89
Date claim originally due
Identify water right(s) for which extension is requested A 36-02662

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

We were out of the country in New Zealand for
18 mths at time the water claims were being
issued (Aug. 25, 88 - Feb. 24, 90) - Karen Whitting of Paul
Id. (Home Management Inc.) filed 2 other claims for us
on property we own - but over looked this claim on the
farm

Claimant requests an extension to 1-14-91, 19 91
Signature Daniel R Zohner 1/14/91, 19 91
Date of request
Title Land owner

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [] granted [] denied for the following reasons:

and if granted the filing deadline is extended to _____, 19 _____
Signed this _____ day of _____, 19 _____

Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

FEB 01 1993

Receipted Fee without late fee
1/14/91 AD- 5012947

AJ0749NP
No. 36-02662

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/20/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRAD ROGERS	09/19/1966	IRRIGATION	04-01 10-31	1.02 CFS	204.00 AFA
C	DEBORAH ROGERS 350 NORTH 500 WEST PAUL ID 83347 (208) 438-5527					
				TOTAL DIVERSION:	1.02 CFS	204.00 AFA
				CONSUMPTIVE USE:		153.00 AFA

D MELBA J ZOHNER
D DANIEL R ZOHNER
PO BOX 115
PAUL ID 83347
(208) 438-5619

Water Source: GROUNDWATER Tributary to: Stage: LICENSE
Point(s) of Diversion: T09S R23E S03 NENWSW MINIDOKA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
09S	23E	3	:					:					:			23	28	:					:	51.0
																							TOTAL ACRES	51.0

POU County: MINIDOKA

Other Rights: NONE

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Dates: Exam Made Date: Verified Date: Objection Filed Date: 04/29/1993

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 09/24/1991 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
THE LICENSE WAS ISSUED INCORRECTLY TO DESCRIBE THE P/D AND
PLACE OF USE; THIS CLAIM MORE ACCURATELY REFLECTS THE WAY THE

AJ0749NP
No. 36-02662

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/20/97
PAGE: 2

=====

Comments: Date: 09/24/1991 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
WATER IS BEING USED.

Date: 09/17/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/15/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 3/12/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/08/1992 User-ID: SOUTH3 Subject: NO CHANGE TO RECOMMENDATION
CLAIMANT HAS BEEN SENT LETTER OF EXPLANATION CONCERNING BOTH SU
AND THE NUMBER OF ACRES RECOMMENDED. RMC

Date: 09/24/1996 User-ID: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED ZOHNER TO ROGERS PER WARRANTY DEED.

Date: 08/20/1997 User-ID: JROBERTS Subject: NAME CHANGE
CLAIMANT'S WIFE (DEBORAH) WAS ADDED TO CLAIM PER SPECIAL MASTER
DOLAN'S ORDER. NO SUPPORTING DOCUMENTATION FILED. jr

Audit: 08/20/97 JROBERTS

Post-It® Fax Note	371	Date	8/20/97	# of pages	1
To	Doug Jones		From	Bec. H.	
Co./Dept.	Southern		Co.	State office	
Phone #			Phone #	327-7881	
Fax #			Fax #		

MEMO**TO: DOUG JONES****FROM: BECKY HARVEY****RE: F.U. ON HEARINGS IN RUPERT****DATE: 8/20/97**

Hi Doug,

In reviewing the notes from the full day of hearings in Rupert, IDWR needs to change its database on a couple of water rights. So, just as a reminder/confirmation of what was requested by the S.M.:

36-02676

36-07044

36-07158

Change ownership field to add wife: **VIVIAN K. LARSEN**; change of address:
129 S. 2900 E., Paul, ID 83347; change combined diversion rate to 4.25 cfs

*DE'd by
Carter***36-02662**

Change ownership field to add wife: **DEBORAH ROGERS**

Thanks a bunch!!

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: DEC-03-1997
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02662

NAME AND ADDRESS: BRAD ROGERS
DEBORAH ROGERS
350 NORTH 500 WEST
PAUL ID 83347MEKBA J ZOMMER
DANIEL R ZOMMER
PO BOX 113
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.24 CFS
1102 CFS
248.0 AFY
20410 AFY

PRIORITY DATE: 09/19/1966

POINT OF DIVERSION: T09S R23E S03 NENWSW Within MINIDOKA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	
		04/01 10/31	1.24 CFS 1102 CFS 24810 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County		
T09S R23E S03	SWNE 3	SENE 1	NESW 26	NWSW 30
	NWSE 2		NESW 23	NWSW 28
	62 ACRES TOTAL			
	31 ACRES TOTAL			

CONSUMPTIVE USE: 17310 AFY

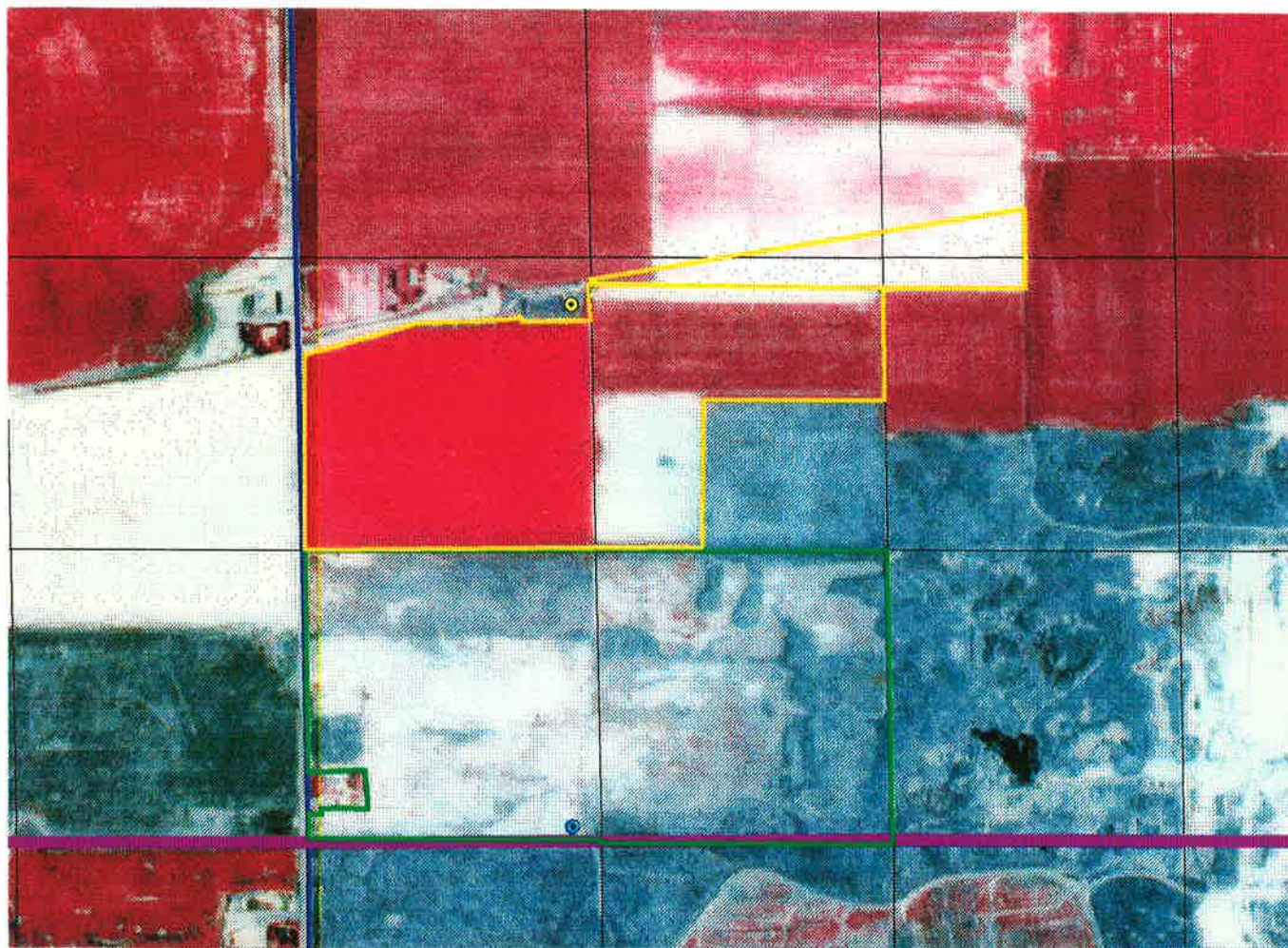
EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

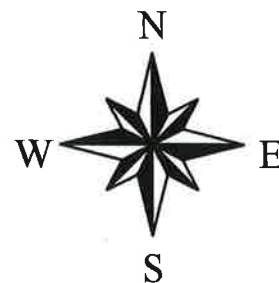
36-02662

BRAD & DEBORAH ROGERS



660 0 660 1320 Feet

TNS 9S, RNG 23E, SEC 3



⊙ RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY DECEMBER 1997
BY JEANIE ROBERTSON

IDAHO DEPARTMENT OF WATER RESOURCES

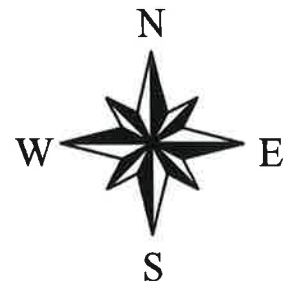
36-02662

BRAD & DEBORAH ROGERS



660 0 660 1320 Feet

TNS 9S, RNG 23E, SEC 3



⊙ RECOMMENDED POINT OF DIVERSION



RECOMMENDED PLACE OF USE



SECTION LINES



QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY DECEMBER 1997
BY JEANIE ROBERTSON

NO. OF CLAIMS IN POLYGON _____

TRANSFER NUMBER 200CLAIM NUMBERS 36-02662DATE 8-1-97OBJECTION FILED yesAGENT KKCTOTAL ACRES FROM RECOMMENDATION 51GEOGRAPHIC INFO SYSTEM 53

RIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
RECOM	9S	23E	3									23	28							51
GIS			3									23	29.6							52.66
						2.52				1.01		3.12					2.00			8.65
RECOM						3				1		26	30				2			62
GIS																				
RECOM																				
GIS																				
RECOM																				
GIS																				

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF 8-1

POLYGON CREATED ON 604

ATTRIBUTES OF B36-POU.SHP 280 8-1B36-DBPOD.DBF 8-1ATTRIBUTES OF B36-POD.SHP 250 8-1

52.66 Ac.

No significant differences found
between GIS & Recommended
acres. KKC 8-1-97

P/U CONFLICT yes () no (X)

P/D CONFLICT yes () no (X)

READY FOR DECREE yes () no ()

SENT FOR DECREE yes () no ()

AJ0749NP
No. R36-02662

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/02/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRAD ROGERS	09/19/1966	IRRIGATION	04-01 10-31	1.24 CFS	248.00 AFA
C	DEBORAH ROGERS 350 NORTH 500 WEST PAUL ID 83347 (208) 438-5527			TOTAL DIVERSION:	1.24 CFS	248.00 AFA

D MELBA J ZOHNER
D DANIEL R ZOHNER
PO BOX 115
PAUL ID 83347
(208) 438-5619

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R23E S03 NENWSW

MINIDOKA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
09S	23E	3	:				03	:					01	:	26	30	:		02	:	62.0
																			TOTAL ACRES	:	62.0

POU County: MINIDOKA

Other Rights: NONE

Conditions of Approval:

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- PURSUANT TO SECTION 42-1425, IDAHO CODE.
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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
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OWNERSHIP CHANGED ZOHNER TO ROGERS PER WARRANTY DEED.

Date: 08/20/1997 User-ID: JROBERTS Subject: NAME CHANGE
CLAIMANT'S WIFE (DEBORAH) WAS ADDED TO CLAIM PER SPECIAL MASTER
DOLAN'S ORDER. NO SUPPORTING DOCUMENTATION FILED. jr

Date: 12/02/1997 User-ID: JROBERTS Subject: DRAFTING AMENDED RECOMMENDATION
DRAFTING AMENDED RECOMMENDATION FOR POTENTIAL SETTLEMENT.

Audit: 12/02/97 JROBERTS

WILLIAM T. GOODMAN
ALAN GOODMAN
RICK BOLLAR

LAW OFFICE
Goodman and Bollar
CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83360 • 0020

AREA CODE 208
TELEPHONE NO.
434-4774
FAX
(208) 436-4837

December 1, 1997

Post-It™ brand fax transmittal memo 7671

of pages ▶ 1+

To	JEANNIE ROBERTSON	From	NICK SPENCER
Co	@ SOUTHERN	Co.	
Dept.		Phone #	
Fax #		Fax #	

Mr. Nicholas Spencer
Deputy Attorney General
Idaho Department of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

Re: Dan Zohner - Bradley Rogers, Sub Case 36-02662

Dear Nick:

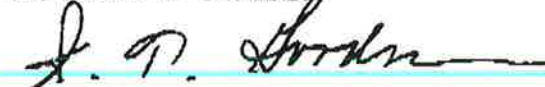
Enclosed is the Affidavit of Daniel R. Zohner we discussed by telephone on this date.

I faxed a copy to your office as agreed.

If the Affidavit is satisfactory, please forward a Standard Form 5 to resolve the matter and eliminate the hearing scheduled for December 12, 1997.

Very truly yours,

GOODMAN & BOLLAR



William T. Goodman

WTG:KH
Encl.

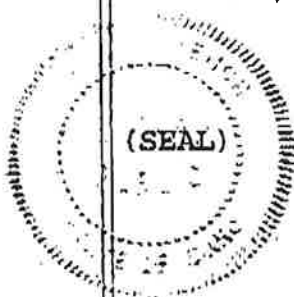
VIA FAX NO. (208) 327-5400

51.0 acres in the NE~~X~~SW~~X~~ and NW~~X~~SW~~X~~ of Section 3, Township 9 South, Range 23 East, Boise Meridian, Minidoka County, Idaho.

That in addition to the 51.0 acres of lands irrigated under the above permit, determined by IDWR, there are 9.2 acres of other farm ground situated in the South Half of the Northeast Quarter of Section 3, Township 9 South, Range 23 East, Boise Meridian, Minidoka County, Idaho, which your affiant has irrigated from the same well and water source. Said tract of land is situated and is set forth on the attached aerial photocopy of said Section 3, consisting of a triangular parcel of land. Said lands have been and are now irrigated with water from the Well described under the above Water Right Number. That the first use of said irrigation water for the 9.2 acres was on and before April 1, 1967, and said irrigation has been continuous since said date to the date of this Affidavit.


Daniel R. Zohner

Subscribed and sworn to before me this 1st day of December, 1997.




Notary Public
Residing at Halton, Idaho
My Commission Expires: 5-24-2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

-0-

IN RE SRBA

) SUBCASE NO. 36-02662

Case No. 39576

) AFFIDAVIT OF DANIEL R. Zohner

-0-

STATE OF IDAHO)
) ss.
County of Minidoka)

DANIEL R. Zohner, being first duly sworn, on oath,
deposes and says:

That he makes this Affidavit upon his personal knowledge
of the facts set forth herein.

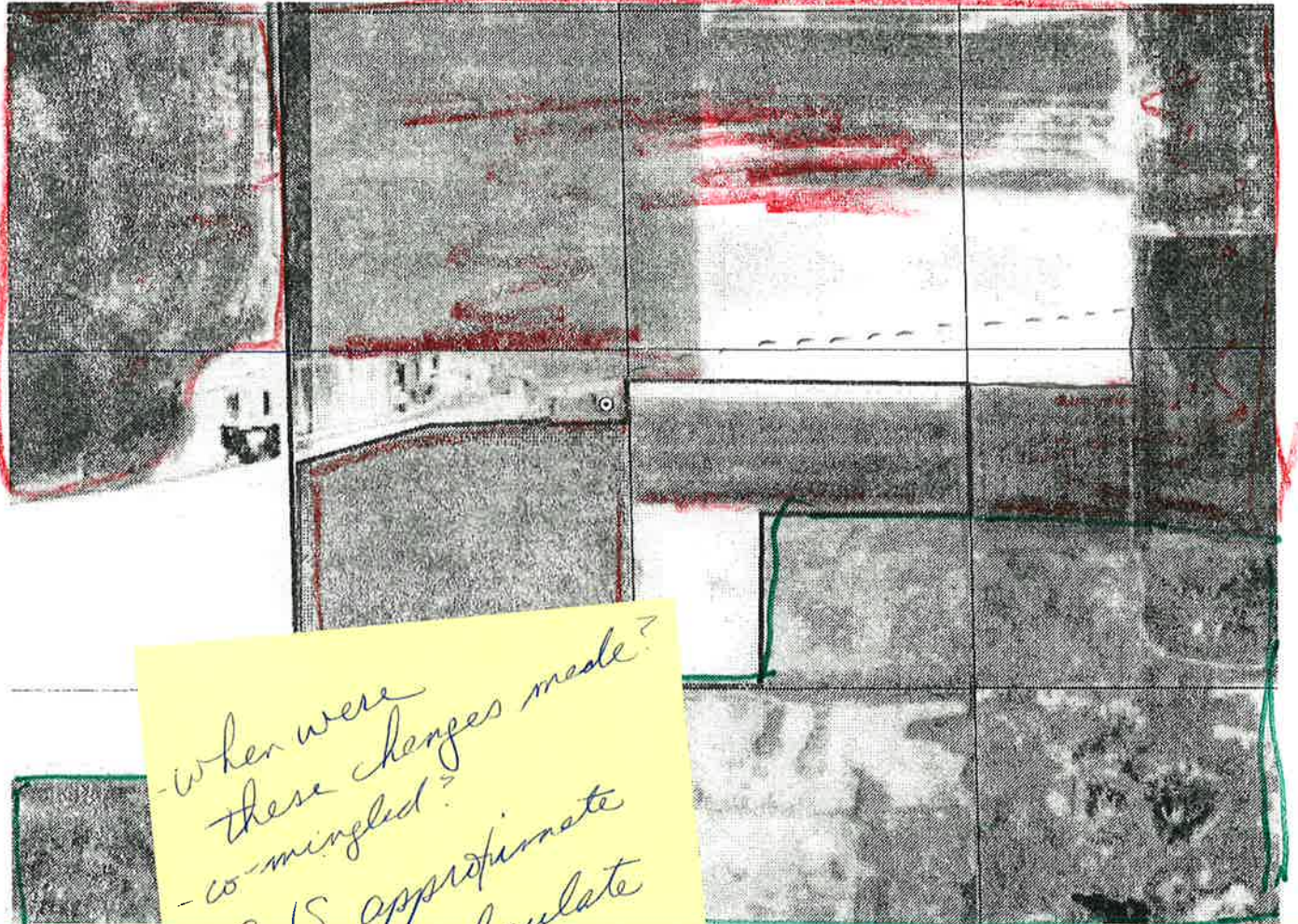
That he was the owner of Idaho Department of Water
Resources Water Right Number 36-02662. That prior hereto he sold
under Contract of Sale to Bradley Rogers and Deborah Rogers,
husband and wife, the land irrigated and under the above Water
Right Number. as well as adjacent lands under the A & B Irrigation
District. Said sale of lands was on December 6, 1995. That the
above Water Right Number 36-02662 was transferred to the Buyers,
Bradley Rogers and Deborah Rogers, husband and wife, by your
affiant.

That the lands owned by your affiant under the above
permit as determined by IDWR and irrigated thereby consisted of

ACR

* measured by: *Johnnie Redfield* 624 ✓
Wardrobe County 2664
 FSA

36-02662 BRAD ROGERS

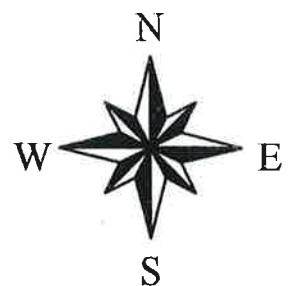


0.05 0 0 * SEC 3

- when were these changes made?
- co-mingled?
* GIS approximate area & calculate acres
top of ridge - ASCS
Brad Rogers 438-5527
9.2 Ac. (431-5527)

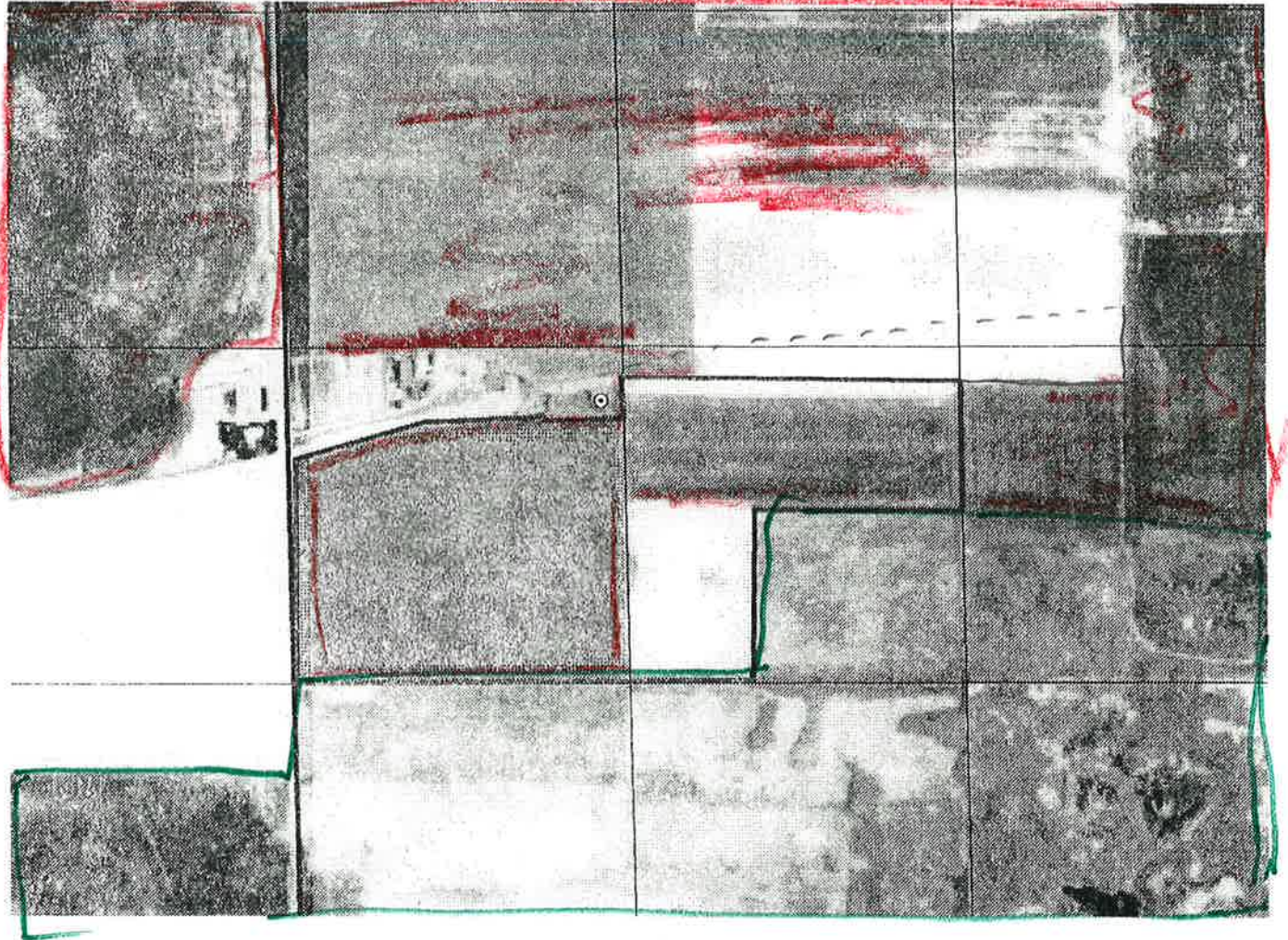
○ B36-poc
□ Pou-out
09s23e.dxf
8
□ T09s23e

about 14 yr. (whenever sprinkler system was put in by some till Friday)



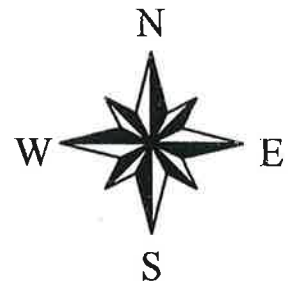
GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY AUGUST 1997
BY K CHRISTENSEN

36-02662
BRAD ROGERS



TNS 09S, RNG 23E, SEC 3

0.05 0 0.05 0.1 Miles



- B36-pod.shp
- Pou-outline.shp
- 09s23e.dxf
- 8
- T09s23eqq.shp

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY AUGUST 1997
BY K CHRISTENSEN

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-02662

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Melba J and Daniel R Zohner
PO Box 115
Paul ID 83347

Phone: 438-5619

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Brad Rogers
350 North 500 West
Paul ID 83347

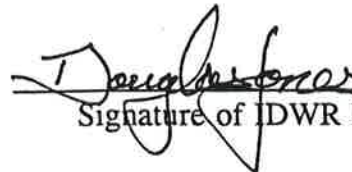
Phone: 438-5527

The Claimant has filed Objections or Responses to the following water rights: None

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 9/27/1996


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9-27, 1996, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Melba and Daniel Zohner
PO Box 556
Paul ID 83347
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Brad Rogers
350 North 500 West
Paul ID 83347
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-26-1996

PAGE: A-5

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02662

NAME & ADDRESS: BRAD ROGERS
350 NORTH 500 WEST
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.02 CFS
204.0 AFY

PRIORITY DATE: 09/19/1966

POINT OF DIVERSION: T09S R23E S03 NENWSW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.02 CFS 204.0 AFY

PLACE OF USE: IRRIGATION Within MINIDOKA County
T09S R23E S03 NESW 23.0 NWSW 28.0
51.0 ACRES TOTAL

CONSUMPTIVE USE: 153.0 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

SEP 27 PM 3:19
DISTRICT COURT-SEDA
TWIN FALLS CO., IDAHO
FILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

September 27, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

BRAD ROGERS
350 NORTH 500 WEST
PAUL ID 83347

RE: SRBA Claim(s) 36-02662 and 36-13437

Dear Mr. Rogers:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

The ownership change for claim 36-13437 was submitted by Mr. Zohner on the Notice of Error filed in 1992. However, the warranty deed or some type of proof was not included, so the change was not completed at that time. The warranty deed you submitted for the ownership change to 36-02662 also worked for changing ownership on 36-13437.

Also enclosed is your copy of the Notice of Completed Administrative Proceeding the department filed with the SRBA Court. This conforms with Administrative Order 11 which requires IDWR to report to the court all changes to claims in basins where a Director's Report has been filed.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

cc: Melba and Daniel Zohner

RECEIVED

SEP 12 1996

Department of Water Resources
Southern Region

WARRANTY DEED

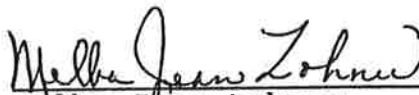
FOR VALUE RECEIVED, DANIEL R. ZOHNER, also known as Daniel Zohner, and MELBA JEAN ZOHNER, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto BRADLEY ROGERS and DEBORAH ROGERS, husband and wife, whose present address is Route #1, Box 1320, Paul, Idaho 83347, the Grantees, the following described premises, located in Minidoka County, Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE APART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that Grantors are the owners in fee of said premises, that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 6th day of December, 1995.


Daniel R. Zohner


Melba Jean Zohner

STATE OF IDAHO)
) ss.
County of Minidoka)

On this 6th day of December, in the year of 1995, before me the undersigned notary public in and for said state, personally appeared Daniel R. Zohner, also known as Daniel Zohner, and Melba Jean Zohner, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)


Notary Public
Residing at Rupert, Idaho
My Commission expires 10-6-97

EXHIBIT "A" TO ZOHNER/ROGERS TRANSACTION

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 23 EAST, BOISE MERIDIAN, MINIDOKA COUNTY,
IDAHO

SECTION 3:

Farm Unit A, Tract A of the North Side Pumping Division, Minidoka Project, according to the official plat thereof, dated May 4, 1956 now on file in the office of the County Recorder of Minidoka County, Idaho.

SAVE AND EXCEPT:

Beginning at the Northeast corner of said Section 3; thence South 0°06'30" East for 858.66 feet; thence South 88°00' West for 1674.39 feet to a point, which point shall be known as the TRUE POINT OF BEGINNING, and which corner is Corner No. 1 of said Farm Unit A, Tract A; thence South 20°43' West for 472.56 feet to Corner No. 8 of said Farm Unit A, Tract A; thence South 5°26' West for 1102.20 feet to Corner No. 7 of said Farm Unit A, Tract A; thence South 81°29' West for 36.01 feet; thence North 0°31'23" East for 1534.26 feet; thence North 88°00' East for 293.34 feet to the TRUE POINT OF BEGINNING.

ALSO SAVE AND EXCEPT the following described parcel:

Beginning at the West quarter section corner of said Section 3, said corner marked by a 5/8 inch rebar; Thence South 0°40'00" East along section line for 27.50 feet to a 1/2 inch rebar which point shall be the POINT OF BEGINNING; Thence South 89°00'18" East for 881.29 feet to a 1/2 inch rebar; Thence South 2°46'49" East for 122.36 feet to a 1/2 inch rebar; Thence South 2°46'49" East for 13.67 feet to a point on the tract line common to Tract A and Tract C; Thence South 76°04'00" West along said tract line for 910.23 feet to Corner Number 4 of Tract A, said corner marked by a 1/2 inch rebar; Thence North 0°40'00" West along section line for 370.38 feet to the POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 23 EAST, BOISE MERIDIAN, MINIDOKA COUNTY,
IDAHO

SECTION 3:

Part of Farm Unit B, Tract B of the North Side Pumping Division, Minidoka Project, according to the official plat thereof, dated April 25, 1960, now on file in the office of the Bureau of Land

Management, Boise, Idaho, and the office of the County Recorder of Minidoka County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of said Section 3; Thence South $0^{\circ}06'30''$ East for 858.66 feet; Thence South $88^{\circ}00'$ West for 1967.73 feet; Thence South $0^{\circ}31'23''$ West for 1534.26 feet to a point, which point shall be known as the TRUE POINT OF BEGINNING; Thence South $0^{\circ}31'23''$ West for 321.32 feet; Thence West for 669.76 feet; Thence North $0^{\circ}35'$ West for 224.30 feet to Corner No. 5 of said Tract B; Thence North $81^{\circ}44'$ East for 599.94 feet to Corner No. 4 of said Tract B; Thence North $81^{\circ}29'$ East for 76.19 feet, more or less, to the TRUE POINT OF BEGINNING.

PARCEL NO. 3:

TOWNSHIP 9 SOUTH, RANGE 23 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

SECTION 3:

Farm Unit C, Tract C of the North Side Pumping Division Minidoka Project according to the official plat thereof dated April 25, 1960, now on file in the office of the County Recorder of Minidoka County, Idaho.

Together with all water rights appurtenant thereto.

COPY

SEP -6 PM 3:05

DISTRICT COURT-SICA
TWIN FALLS CO, IDAHO
FILED

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Water Rights: 36-02662

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☒ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

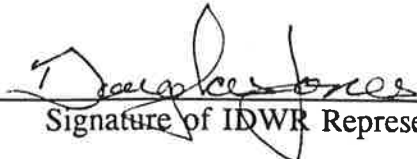
☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than: August 31, 1997.

DATED: 9/6/1996


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 6, 1996, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Dan and Melba Zohner
PO Box 115
Paul ID 83347
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
Brad Rogers
350 North 500 West
Paul ID 83347
4. One copy to:
Each party in the subcase, or attorney of record
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form



State Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

September 5, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

BRAD ROGERS
350 NORTH 500 WEST
PAUL ID 83347

RE: SRBA Claim(s) 36-02662

Dear Claimant:

Please find the enclosed copy of the Notice of Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Before we can complete the ownership change, however, we will need a copy of the warranty deed or some other document showing conveyance of ownership from the Zohners to you as well as a description of the property being conveyed. As soon as the necessary documents are received, the ownership change will be completed.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf
Enc



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

RECEIVED
AUG 08 1996
Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 9S Range 23E
Section 3, NE 1/4 of 18W 1/4 of SW 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: 36 - 02662

☐ Name and Address of Former
Owner/Claimant(s)(Seller): Dan Zohner

☐ New Owner/Claimant
(Purchaser): Brad Rogers

☐ New Mailing Address: 350 N 500 W
Paul Idaho 83347

☐ New Telephone Number: (208) 438 - 5527

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s) Brad Rogers Date 7-19-96

☐ Signature of Former
Owner/Claimant(s) Dan Zohner - Melba Zohner Date 7-19-96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

Note

We need to have a deed showing the conveyance to Rogers. Signature of Zohner's does not match claim. - so + 42-248 requires deed. This is 'old form' 08-27-96

FOR IDWR USE ONLY:

Initial Review and Data-Entry

08-20-96 Date: _____ By: _____

Further Action Needed:

See Note

Further Action Taken

Date: 9-16-96 By: LB

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any: _____

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Department of Water Resources
Southern Region

AUG 29 1996

RECEIVED

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 18 1994

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 36-02662 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: DANIEL R & MELBA J ZOHNER
Address: PO BOX 115
PAUL ID 83347

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
- 9b. ☒ The number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR's irrigation season of use standards have evolved over time as better technical information has become available. A necessary consequence of this is that, depending on when a particular license was issued, water rights in the same area have been

licensed inconsistently, some licenses being issued with different lengths of season listed and some being issued with no season of use listed. To remedy this problem IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this water right is located. The director's report does not prohibit pre-season or post-season irrigation; subject to the conditions set forth in general provision 12b of the director's report, water may be used for irrigation outside the standard season of use.

In response to Statement of the Objection 9 and 9.b, and all allegations of the objection regarding those items, IDWR responds that the recommended water right accurately describes the total number of acres within each 40 acre subdivision upon which IDWR found water was beneficially used for irrigation under this water right.

In response to Statement of the Objection item 10 and all allegations of the objection regarding this item, IDWR responds as follows: The license upon which the claimant's claim is based does not set an annual volume of consumptive use for this water right. Idaho Code Sec. 42-1411(2)(i) requires the director to determine the annual volume of consumptive use for each water right acquired under state law and recommended in the director's report. IDWR has developed uniform standards of consumptive use for various climatic areas throughout the state, based upon the definition of consumptive use contained in Idaho Code Sec. 42-1401A(2), which is the maximum volume of water consumed by "the most water consumptive crop that can be grown in the area during the period of year when water is used for irrigation." The consumptive use recommended for this water right is based upon the maximum volume of water consumed by the most water consumptive crop (pasture) that can be grown in the area during the irrigation season. Idaho Code Sec. 42-1401A(2) provides that the quantification of consumptive use "is included as a rebuttable presumption in a decree only for the purpose of transfers pursuant to section 42-222, Idaho Code." Therefore, the consumptive use recommended for this water right is included solely for use in future transfer proceedings, and not as a limitation on the quantity of water that the claimant may divert pursuant to this recommended right. As consumptive use volume and diversion volume are two different elements of the water right, the diversion volume cannot properly be substituted for

(Over)

the consumptive use volume of this recommended water right. IDWR further responds that the 3 AFY per acre consumptive use volume it recommended is the same per acre consumptive use volume that was claimed.

Responding to the verification of this objection, IDWR states that the objection was executed by John A. Stevenson, as attorney in fact for the claimant/objector Daniel R. Zohner. As the Power of Attorney referenced in the listing of documents section of the objection was not attached, IDWR has insufficient information to enable it to determine if Mr. Stevenson is empowered to act on behalf of Mr. Zohner in this matter.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A36-02662

4

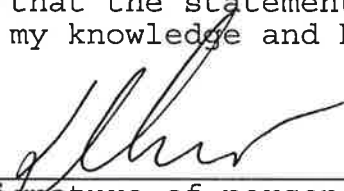
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 31st day of August,
1993.



Notary Public for Idaho

Residing at: _____

My Commission expires _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

(Over)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of August, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: DANIEL R & MELBA J ZOHNER
Address: PO BOX 115
PAUL ID 83347

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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

RECEIVED

JAN 14 1991

Ident. Number: A36-02662
Date Received: 1/14/1991
Receipt No: 5012947
Received By: ADM

Department of Water Resources
Southern Region Office
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: DANIEL R. ZOHNER 208-438-5619
Address: P.O. BOX 115
PAUL, ID 83347
AND/OR
Name: MELBA J. ZOHNER 208-438-5619
Address: P.O. BOX 115
PAUL, ID 83347

2. Date of Priority: SEP 19, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	23E	3	NE	NW	SW		MINIDOKA

5. Description of diverting works:
WELL & PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.460		

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

8. Total consumptive use is 219.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	23E	3	NE	SW		IRR	40.0

A36-02662

Page 1

Date: 01/14/91

MICROFILMED

FEB 01 1993

OCT 18 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	23E	3	NW	SW		IRR	33.0
Section Acres							73.0
Total Acres							73.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:
THE LICENSE WAS ISSUED INCORRECTLY TO DESCRIBE THE P/D AND
PLACE OF USE; THIS CLAIM MORE ACCURATELY REFLECTS THE WAY THE
WATER IS BEING USED.

15. Basis of Claim: LICENSE

Water Right Number: 33198

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.

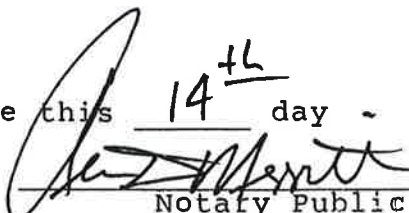
Signature of Claimant(s): Daniel R. John Date: 1-14-91
Melba J. John Date: 1-14-91

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day -

of Jan 19 91


Notary Public

Seal

Residing at Kimberly, Id

My Commission Expires 6/30/99

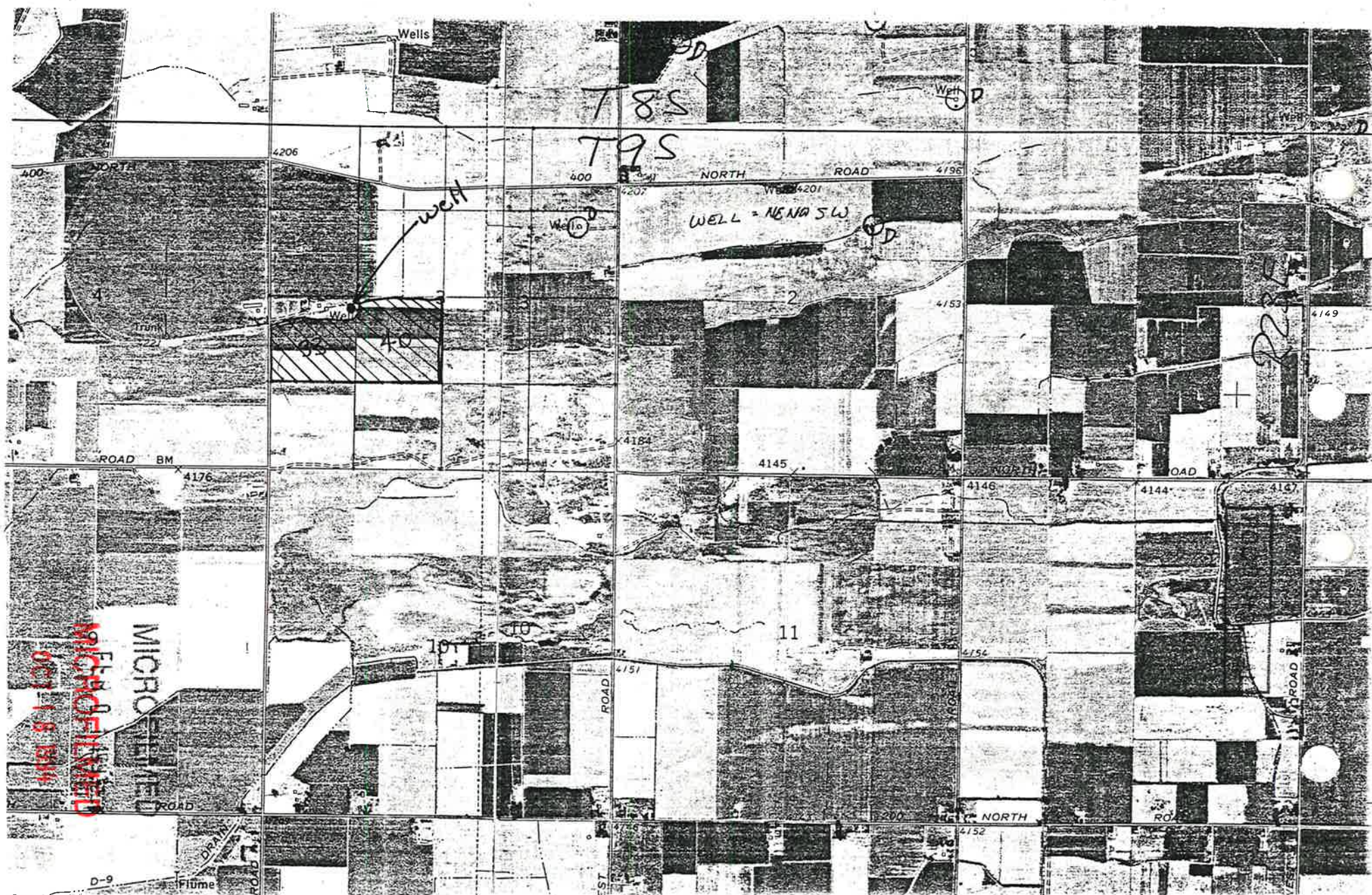
MICROFILMED

FEB 0 1 1991

MICROFILMED

OCT 18 1994

POOR ORIGINAL



APR 30 1993

Department of Water Resources
Adjudication Bureau

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

1993 APR 29 PM 3:15

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

In Re the General Adjudication of Rights
to the Use of Water from the Snake River
Basin Water System

Case No. 36-02662

(You must insert the water
right number you are
objecting to)

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department of
Water Resources,

Department of Water Resources
Adjudication Bureau

Petitioner,

vs.

The United States; the State of Idaho; and
all Claimants to the Use of Water from the
Snake River Basin Water System,

Respondents.

OBJECTION

36-02662 -0001/
93-04-0232

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. *You may object to one water right per objection form.* The water right number you are objecting to must be indicated above in the blank space following "Case No." *To object to more than one water right, you must file a separate objection form for each.* Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. **Person objecting:**

Name: Daniel R. Zohner

Address: P.O. Box 115

Paul, Idaho 83347

Phone: Days: (208) 532-4524 Evenings: Same

Briefly describe your interest in this water right: Owner of the
farm this water right applies to.

2. **Owner of the water right:**

Name: Daniel R. Zohner

Address: P.O. Box 115

Paul, Idaho 83318

3. **If this objection is *filed by an attorney*:**

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ *Name and Address*: I object to the name and/or address of the owner of the water right.
2. ☐ *Source*: I object to the source of water.
3. ☐ *Quantity*: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ *Priority Date*: I object to the priority date.
5. ☐ *Points of Diversion*: I object to the legal description of the point(s) of diversion.
6. ☐ *Instream Flow*: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ *Purpose(s) of Use*: I object to the purpose(s) of use.
8. ☒ *Period of Year*: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ *Place of Use*: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☒ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ *Consumptive Use*: I object to the annual volume of consumptive use.
11. ☐ *Remarks*: I object to the "remarks" listed with the water right.
12. ☐ *Water Right Recommendation*: I object to:
 - a. ☐ this water right being recommended at all; or
 - b. ☐ this water right not being recommended.

13. ☐ *Description of Reservation:* I object to the legal description of the reservation.

14. ☐ *Other:* I object to: _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

8 Original license was for March 15th through November 15th.

9-B Number of total acres should be 75.0 acres.

10 Consumptive use should be 204.0 AFY.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

8 From April 1st through October 31st to March 15th through
November 15th.

9-B From 51 acres to 75 acres.

10 From 153.0 AFY to 204.00 AFY.

All of the above were on the original license.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

Power of attorney

VERIFICATION (Must be Completed)

State of Idaho

County of Minidoka

Daniel R. Zohner, by John A. Stevenson/, being first duly
(Name of person filing objection) Power of Attorney.
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Daniel R. Zohner
by John A. Stevenson Power of attorney

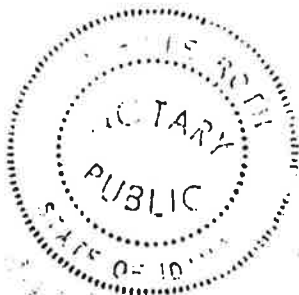
Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 29th day of April,
1993.

Arnette Rast
Notary Public for State of Idaho
Residing at: Rupert, Idaho
My Commission expires: 8-4-93



OBJECTION - 5

(Over)

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OCT 18 1994

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 29 day of April, 1998, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: _____

Owner's address: _____

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Daniel R. Johnson
by John A. Stevenson Power of attorney

Signature of Objector or attorney
mailing on Objector's behalf

Certified to be a true
and exact copy of the
original document.

Land Title & Escrow, Inc.
by *Donetta Ruttz*

POWER OF ATTORNEY

This Power of Attorney is made on this 27th day of October, 1992, between the Principal, DANIEL R. ZÖHNER, whose address is P. O. Box 115, Paul, ID 83347, and the Agent, JOHN A. STEVENSON, a/k/a Bert Stevenson, whose address is Route # 5, Rupert, ID 83350.

GRANT OF AUTHORITY. I constitute and appoint you to act as my Agent (called an Attorney in Fact) to do each and every act which I could personally do for the following uses and purposes:

1. Collect Monies. To endorse, deliver, cash, deposit or send for collection any and all checks, certificates of deposit, drafts and notes payable to me or to my order.

2. Maintain Accounts. To open, maintain and close deposit and other accounts, sign and endorse checks, drafts, withdrawal slips and other instruments for the payment of money, transfer funds by wire or otherwise, use any line of credit connected with any deposit account, and perform all other matters respecting the accounts.

3. Electronic Fund Transfer. To obtain and use any access device or enter into any agreement to transfer electronically, deposit or withdraw all funds on deposit in any account or make payment by electronic means.

4. Discount Notes. To discount promissory notes, drafts, bills receivable or other instruments.

5. Borrow. To borrow money, with or without collateral, pledge, assign, mortgage or hypothecate any stocks, bonds, certificates of deposit, land, buildings or other personal or real property, either tangible or intangible, as collateral or security for any borrowing and execute any other instruments necessary in connection with any borrowing.

6. Letters of Credit. To apply for and obtain letters of credit, sign trust receipts or any other documents, and pay all drafts and acceptances when due.

7. Stocks and Bonds. To purchase, sell, exchange and transfer any and all shares of stock, bonds or other securities, or money market funds, that may be issued by any association, trust or corporation, whether private or public, including any bonds, notes or obligations issued by the United States of America, and to exercise options or subscription rights and to make, execute and deliver all necessary and proper assignments and transfers therefor and to maintain, open or close any brokerage accounts therefor.

8. Interest, Dividends and Proxies. To collect and dispose of any interest, dividends or other payments, vote proxies and arrange for safekeeping of any securities or other valuables.

9. Personal Property. To purchase or sell any personal property of any kind, including valuables and collectibles, or

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OCT 18 1994

any interest or rights in it, for such price and terms of sale as I might do, and to sign and deliver such instruments as may be necessary to complete the sale.

10. Real Property. To purchase or sell, assign, transfer, convey, lease, sublease and mortgage any real estate owned by me, or any interest or rights therein, for and upon such terms, and in the case of sale for such price, as may be deemed most advantageous, and to execute and deliver good and sufficient agreements, deeds, bonds, mortgages and related papers in connection therewith.

11. Collect Debts. To demand, compromise, sue for, collect, settle, recover and receive all goods, claims, debts, monies, dividends, interest and demands whatsoever, now due or that may hereafter become due or belong to me, and to make, execute and deliver receipts, releases or other discharges therefor under seal or otherwise.

12. Pay Debts. To compromise and settle any claims, debts or demands against me and to pay all sums of money or deliver such things at any time or times that you may hereafter deem to be due and owing from me.

13. Safe Deposit Box. To open and enter any and all safe deposit box or boxes registered in my name alone or jointly with some other person or persons in any bank, trust company or safe deposit company in the State of Idaho, or in any other state, and to remove therefrom any item or thing found therein belonging to me.

14. Tax Returns. To prepare, sign and file any state or federal tax returns, either alone or with others, and to tender and pay any taxes determined by you to be due thereon, and to appeal, sue upon, compromise or settle any tax disputes, claims or assessments and to exercise any elections which may be available to me.

15. Gifts. To make such gifts to persons or charities which you may in your sole judgment and discretion deem desirable for me or consider that I would have made myself or in your like discretion to refuse or disclaim any gift, devise, bequest, or inheritance to me.

16. Hire Persons or Services. To hire such persons or engage such services and for such terms and compensation as may be deemed by you as necessary or desirable for my care and maintenance or advisable for the protection, care and maintenance of my property or for the advancement or exercise of any other power herein provided.

17. Trust Accounts. To withdraw or add any funds, securities or property from or to any existing trust, custodial, investment, management or similar account established by me, or to revoke or terminate the same.

GENERAL POWERS. I give and grant to you all the power and authority which I may legally do to negotiate, enter into, make, sign, execute and deliver, acknowledge and perform any contract, agreement or other arrangements affecting any property, interest or thing, and to do and perform any act whatsoever that I could do, which in your sole opinion and judgment you may deem necessary or proper to be done for me in my name, place and stead

12. ☐ Water Right Recommendation: I object to:

a. ☐ this water right being recommended at all; or

b. ☐ this water right not being recommended.

13. ☐ Description of Reservation: I object to the legal description of the reservation.

14. ☐ Other: I object to: _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

Box 9 and Box 9a were checked because the Place of Use includes federal land. The claimant has no valid authorization for this claimed use of the federal property. Boxes 3, 3a, and Box 10 were checked because the quantity of water is overstated to the extent the water would be improperly used on federally owned land.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The Directors report should be changed to recommend disallowance of this claim in part. The Place(s) of Use, described as, T06S R22E S29 (NE SW) 40.0, S30 (SE NE) 4.0, should be deleted.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

** this appears to relate to 36-02207 (Woodland)! JR 8/5/97*

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

VERIFICATION (Must be Completed)

State of Idaho

County of Lincoln

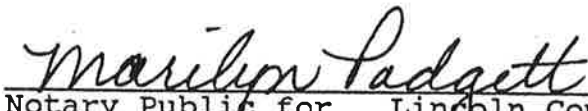
MARY C. GAYLORD, SHOSHONE DIST. MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 27th day of April,
1993.


Notary Public for Lincoln County
Residing at: Shoshone, Idaho
My Commission expires: July 1, 1994

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 30 day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: PATRICIA WOODLAND
MICHAEL WOODLAND
Owner's address: RT 2 BOX 2542
PAUL, IDAHO 83347

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
500 West Fort Street
Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

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FEB 0 1 1993

DATE: 10/08/92
PAGE: 1

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FEB 01 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 8, 1992

DANIEL R ZOHNER
PO BOX 115
PAUL ID 83347

Re: Snake River Basin Adjudication (SRBA)
Notice of Error Response
Recommended Right No. 36-02662

Dear Mr. Zohner,

You recently filed a Notice of Error with IDWR concerning the water right referenced above. No change to our recommendation has been made at this time.

The proposed recommendation is based on irrigation season of use standards adopted by the Director for the various regions throughout the state. Our standard irrigation season is the period of the year in which there is less than a 75% chance of a 24 degree F. frost.

Since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for such irrigation under certain conditions: the water must be beneficially used, all water rights with a period of use outside the irrigation season must be satisfied and the use must not conflict with the public interest as determined by the Director.

A careful review of your file has been done. Our investigation indicated that irrigation occurs only on the 51.0 acres recommended. You may wish to submit evidence to the contrary before October 14, 1992.

You may still disagree with the proposed IDWR recommendations. You may file an objection with the Court after you receive the final recommendation of your water right. The objection process will be explained at the time you receive this final recommendation.

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FEB 0 1 1993

Please contact this office if you have other questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Roxanne McCarthy".

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:rm

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FEB 01 1993

NOTICE OF ERROR FORM

AUG-24-1992

RECEIVED

SEP 15 1992

Department of Water Resources

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number:

36-02662

2. Name:

Daniel R Zohner

Address:

P.O. Box 115, Paul, Idaho 83347

Weekday Telephone Number:

438-5619

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FEB 01 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

The Period of use from 03-15 to 11-15, to 04-01 to 10-31

The reduction of acres from 73.0 to 51.0 and CFS from 1.46 to 1.02.

4. Describe the changes you wish to have made in the proposed recommendation:
Change should be made back to the original 73.0 acres and 1.46 CFS.
and the original dates of use. 03-15 to 11-15.

5. Describe why you disagree with the proposed recommendation:
The acreage cut was irrigated pasture & alfalfa. This is watered by handline sprinklers and has a permanent mainline. My current renter is not utilizing all of this pasture. This is probably the reason for the ASC crop report. This acreage can & will be turned into productive cropland. Years such as this year require an earlier watering, (also Later)
6. Date: 9-11-92 for planting & harvest.

SIGNATURE

Daniel M. John

Phone Call 9-9-92

Dan Zonner - Claim 36-02662

complaint - acres recommended are less than claimed.

Per Dan, the ground listed as out on the ASCS map is actually in pasture. Some if not all has been dry when a renter has operated the farm but while he ran the farm he used it as in pasture & ran up to 10 or so head of calves on it. the ground is rocky but is sprinkle in.

ASCS photo lists a portion as "out" (approx 10 acres)
The NAPP Photo BB-28-SE (7-13-87) shows that ground as having the same appearance as the surrounding in claimed ground.

The original licensing exam has an attached aerial photo for the P/U with the recommended P/U acres listed. it seems as though the original recommendation was generous on the acre recommendation.

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R PROOF



CVR



MAPS



PHOTOS

MISC

MICROFILM

FEB 01 1993

Water Right Number - R36-02662 Prefix Translation: RESEARCH Old (D) Number - 33198

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

ZOHNER DANIEL R. 1 - P.O. BOX 115
2 -
3 -
City- PAUL State- ID Zip- 83347
Phone - 208-438-5619

ZOHNER MELBA J. 1 - P.O. BOX 115
2 -
3 -
City- PAUL State- ID Zip- 83347
Phone - 208-438-5619

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
09/19/1966 17 SOUTHERN L - LICENSE

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
09S 23E 3 NE NW SW (67) MINIDOKA

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.020 204.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.020 204.00 153.0

+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 23E 3 NE SW 23.0 01 IRRIGATION (67) MINIDOKA
09S 23E 3 NW SW 28.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 51.0

+ - - Diversion Means - WELL & PUMP TO SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
No Remarks found.

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Water right number - R36-02662

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT
- TO IDAHO CODE 42-1416A.

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

03/12/92 ROBERTSO

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 01/14/1991

Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 03/12/1992
Last Amended Date - 00/00/0000
Receipt Number - S012947
POU Ownership Flag - Y
Name Connector - AND/OR

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - S
Presumption Flag - C
Notice of Error Flag -

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FEB 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:53:07
01/18/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02662

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N				
POINT OF DIV	Y			N	1			
SOURCE				N				
PLACE OF USE	Y			Y	1, 2, 4			
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-			Y				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM	Y			N				
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED
FEB 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:53:07
01/18/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02662

LAST: ZOHNER
ADDRESS: P.O. BOX 115
CITY: PAUL
PHONE NUMBER: 208-438-5619

FIRST: DANIEL R.

STATE: ID ZIP: 83347

OWNER CODE: C

LAST: ZOHNER
ADDRESS: P.O. BOX 115
CITY: PAUL
PHONE NUMBER: 208-438-5619

FIRST: MELBA J.

STATE: ID ZIP: 83347

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THE LICENSE WAS ISSUED INCORRECTLY TO DESCRIBE THE P/D AND
PLACE OF USE; THIS CLAIM MORE ACCURATELY REFLECTS THE WAY THE
WATER IS BEING USED.

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CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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FEB 0 1 1993

A. AJ CLAIM: # A36-02662 PRIORITY DATE: 09-19-1966 STAGE: L
B. WR RECORD: # 36-02662 PRIORITY DATE: 09-19-1966 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(/)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
09-19-1966

REVIEWED BY W

DATE

1/24/91

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FEB 01 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02662	09S	23E	3	NE	NW	SW		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02080 NONE
A36-02080Z0

WR RECORDS IN SAME 40 ACRE TRACT
36-02080

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02662	09S	23E	3		NW	SE		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
N

REMARKS:

Per other photo well indicator
as submitted by claimant the
PIP is actually in the SW quarter
rather than the SE 1/4.
PIP changed accordingly
recommended as claimed
Requires Presump. Code "C"
condition code "C03"

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

---	---	---	---	---	---	---	---
-----	-----	-----	-----	-----	-----	-----	-----

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

1/24/91

MICROFILMED

FEB 01 1993

A. ROOT WATER RIGHT NUMBERS: A36-02662

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	23E	3	NE	SW	99	ZOHNER, DANIEL R. LARGE CLAIM	A36-02662 /40.0 A36-02080Z4/ 1.2	36-02662 /35.0 -		25	25
09S	23E	3	NW	SW		ZOHNER, DANIEL R.	A36-02662 /33.0	36-02662 /40.0			
			NW	SW		ZOHNER, DANIEL	A36-13437 /	-		30	30
			NW	SW	99	LARGE CLAIM	A36-02080Z4/ 6.7	-			
TOTAL ACRES							A36-02662	73.00	75.00		55

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(✓)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG: C

REMARKS:

see enclosed ASCS map

*per ascs irrac are the
labeled acres which
total 50.3 + 28# in NW SW
I recommend
and 23# in NE SW
per the ASCS photo.
KHC
This claim
requires Presumption code "C"
and condition code "C05"*

RECOMMENDATIONS:

TOTAL ACRES:

55 / 51

REVIEWED BY:

lw

DATE:

1/25/91

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FEB 01 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY
A36-02662 IRRIGATION	FROM 03-15 TO 11-15
TOTAL DIVERSION RATE/VOLUME CLAIMED	

DIVERSION QUANTITY
1.460 CFS
1.460 CFS

51~~7~~.02 = 1.02 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY
36-02662 IRRIGATION	FROM 03-15 TO 11-15
TOTAL DIVERSION RATE/VOLUME CLAIMED	

DIVERSION QUANTITY
1.500 CFS 300.00 AF/A
1.500 CFS 300.00 AF/A

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u> N </u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u> N </u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<u> N </u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(/) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 1.460 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.500 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y

*51 * .02 = 1.02 CFS*
Legal limit for
found acres
KKC
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B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02662	GROUNDWATER	ZOHNER , DANIEL R.	1.460	0.020		
A36-0208024	LARGE CLAIM	LARGE CLAIM	9999999.000	965.204	9999999.00	965.20

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-13437	DOMESTIC	ZOHNER , DANIEL	FROM 01-01 TO 12-31	.040 CFS	

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 55 x 0.02 CFS/ACRE = 1.1 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☒) N(☐)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(☐) N(☐) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 219.0 AF/A

ACRES 55 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 165 AF/A

51 * 4 = 204
* 3 = 153
KKC

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 55 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 220 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(☐) N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER ~~1.460~~ ~~1.1~~	DATABASE EXAMINER ~~220~~ ~~220~~	DATABASE EXAMINER ~~219.0~~ ~~165~~
TOTAL FOR THIS RIGHT		~~1.460~~ 1.02	264	~~219.0~~ 153
REVIEWED BY: <u>lw</u>		DATE: <u>1/25/91</u>	KKC	

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02662

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	1.500		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02662	1.460	-		36-02662	1.500
TOTAL CFS		1.460				1.500

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
N	<u>N/A</u>

REMARKS:

AUTHENTICATION:

SIGNATURE: lw

DATE: 1/25/91

NAME OF FIELD EXAMINER: _____ TITLE: _____

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33 34

4 3

E 79

D 60

E 72

H 109

M 67

L 88

A 60

B 82

G 456 (1760)

D 304

F 77

G 5.9

H 244

I 245

J 259

K 100

L 152

M 90

N 100

O 100

P 100

Q 100

R 100

S 100

T 100

U 100

V 100

W 100

X 100

Y 100

Z 100

AA 100

AB 100

AC 100

AD 100

AE 100

AF 100

AG 100

AH 100

AI 100

AJ 100

AK 100

AL 100

AM 100

AN 100

AO 100

AP 100

AQ 100

AR 100

AS 100

AT 100

AU 100

AV 100

AW 100

AX 100

AY 100

AZ 100

BA 100

BB 100

BC 100

BD 100

BE 100

BF 100

BG 100

BH 100

BI 100

BJ 100

BK 100

BL 100

BM 100

BN 100

BO 100

BP 100

BQ 100

BR 100

BS 100

BT 100

BU 100

BV 100

BW 100

BX 100

BY 100

BZ 100

CA 100

CB 100

CC 100

CD 100

CE 100

CF 100

CG 100

CH 100

CI 100

CJ 100

CK 100

CL 100

CM 100

CN 100

CO 100

CP 100

CQ 100

CR 100

CS 100

CT 100

CU 100

CV 100

CW 100

CX 100

CY 100

CZ 100

DA 100

DB 100

DC 100

DD 100

DE 100

DF 100

DG 100

DH 100

DI 100

DJ 100

DK 100

DL 100

DM 100

DN 100

DO 100

DP 100

DQ 100

DR 100

DS 100

DT 100

DU 100

DV 100

DW 100

DX 100

DY 100

DZ 100

EA 100

EB 100

EC 100

ED 100

EE 100

EF 100

EG 100

EH 100

EI 100

EJ 100

EK 100

EL 100

EM 100

EN 100

EO 100

EP 100

EQ 100

ER 100

ES 100

ET 100

EU 100

EV 100

EW 100

EX 100

EY 100

EZ 100

FA 100

FB 100

FC 100

FD 100

FE 100

FF 100

FG 100

FH 100

FI 100

FJ 100

FK 100

FL 100

FM 100

FN 100

FO 100

FP 100

FQ 100

FR 100

FS 100

FT 100

FU 100

FV 100

FW 100

FX 100

FY 100

FZ 100

GA 100

GB 100

GC 100

GD 100

GE 100

GF 100

GG 100

GH 100

GI 100

GJ 100

GK 100

GL 100

GM 100

GN 100

GO 100

GP 100

GQ 100

GR 100

GS 100

GT 100

GU 100

GV 100

GW 100

GX 100

GY 100

GZ 100

HA 100

HB 100

HC 100

HD 100

HE 100

HF 100

HG 100

HH 100

HI 100

HJ 100

HK 100

HL 100

HM 100

HN 100

HO 100

HP 100

HQ 100

HR 100

HS 100

HT 100

HU 100

HV 100

HW 100

HX 100

HY 100

HZ 100

IA 100

IB 100

IC 100

ID 100

IE 100

IF 100

IG 100

IH 100

II 100

IJ 100

IK 100

IL 100

IM 100

IN 100

IO 100

IP 100

IQ 100

IR 100

IS 100

IT 100

IU 100

IV 100

IW 100

IX 100

IY 100

IZ 100

JA 100

JB 100

JC 100

JD 100

JE 100

JF 100

JG 100

JH 100

JI 100

JJ 100

JK 100

JL 100

JM 100

JN 100

JO 100

JP 100

JQ 100

JR 100

JS 100

JT 100

JU 100

JV 100

JW 100

JX 100

JY 100

JZ 100

KA 100

KB 100

KC 100

KD 100

KE 100

KF 100

KG 100

KH 100

KI 100

KJ 100

KK 100

KL 100

KM 100

KN 100

KO 100

KP 100

KQ 100

KR 100

KS 100

KT 100

KU 100

KV 100

KW 100

KX 100

KY 100

KZ 100

LA 100

LB 100

LC 100

LD 100

LE 100

LF 100

LG 100

LH 100

LI 100

LJ 100

LK 100

LL 100

LM 100

LN 100

LO 100

LP 100

LQ 100

LR 100

LS 100

LT 100

LU 100

LV 100

LW 100

LX 100

LY 100

LZ 100

MA 100

MB 100

MC 100

MD 100

ME 100

MF 100

MG 100

MH 100

MI 100

MJ 100

MK 100

ML 100

MM 100

MN 100

MO 100

MP 100

MQ 100

MR 100

MS 100

MT 100

MU 100

MV 100</

REMARKS

Examiner's Signature _____

Checked by

Approved by

Die tre

Date _____

Date _____

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100-100000

36 2602

SEE G-11

NOT TO SCALE

Dan Zohner farm

SEE G-11

34 35
3 2

SEE G-12

Per telephone conversation with ASCS on 9-24-91 the listed acreage is the only irrigated ground south of the farmstead. the unit labeled out is dry farm pasture. H.C.

Recommend 28A
Total in acres = 28.8
7.3
14.2
50.3

50.3
28
22.3

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