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DEPARTMENT OF  
WATER RESOURCES

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OCT 28 2020

Department of Water Resources  
Eastern Region

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RESUMPTION OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the water right holder(s) has/have resumed the use of water for the water right identified below. This form **must** be returned to the department or the water right will revert to the state of Idaho.

Water Right Number(s) 22-7163 (partial)

Name of Water Right Holder(s) John P. Zicker and Gerry Zicker

Mailing Address 415 E. 1st N. Rexburg, ID 83440-1601

Telephone Number (208) 313-5509

Source of Water (Groundwater/Surface) Ground water

Extent of Use: Domestic \_\_\_\_\_ (number of households)

Stockwater \_\_\_\_\_ (number and type of stock)

Irrigation 30.6 \_\_\_\_\_ (number of acres irrigated)

Other/Remarks 5 acres will be placed in the  
Water Supply Bank

Total rate and/or volume of use 0.63 cfs <sup>124.6</sup> ~~10.63~~ acre feet

Show the date water use was resumed under this water right June 1, 20~~19~~<sup>19</sup>; Also irrigated in 2020.

Person to contact to accompany the Department representative if a field examination is conducted:

Name Judd Crapo Telephone No. (208) 313-6311

Address 2900 East 399 North, St. Anthony, ID 83445-4713

The above information is my true statement of the extent to which diversion and use of the above-described water right has been resumed.

Date 10/28/2020 Signature Robert L. Jannis, attorney for John & Gerry Zicker



**Holden Kidwell  
Hahn & Crapo** P.L.L.C.  
LAW OFFICES

1000 Riverwalk Drive, Suite 200  
PO Box 50130  
Idaho Falls, Idaho 83405

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October 28, 2020

James Cefalo  
Idaho Department of Water Resources  
900 N. Skyline Dr., Ste. A  
Idaho Falls, ID 83402-1718

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Eastern Region

**Re: Completed Resumption of Beneficial Use Forms for a Portion of WR 22-7163 and the Entirety of WR 22-13019.**

Dear James:

Enclosed for processing are completed *Resumption of Beneficial Use* forms for a 35.6-acre portion of WR 22-7163 and the entirety of WR 22-13019. I am providing these to you because you were the agent that I worked with in issuing WR Permit No. 22-7648. WR 22-13019 is now owned by various entities associated with the Crapo family. You were the agent that worked on WR Permit No. 22-7648 which included designation of 170 acres under WR 22-13019 for mitigation of the reinstated permit. In 2015, we submitted a request for extension of time to avoid forfeiture on the entirety of this right and 35.6 acres of the base water right, WR 22-7163. This base water right is still owned by John and Gerry Zirker. John has asked that I submit this form on their behalf as well.

Please note that there remains a 59.9-acre portion of 22-13019 and a 5-acre portion of 22-7163 that is appurtenant to the property owned by the Bureau of Reclamation that elected to no longer lease the property. The Crapo entities have farmed the property owned by the Zirkers next to the Reclamation property. Along with the enclosed documents, we are submitting *Water Supply Bank Applications* to have these water right portions placed in the water supply bank.

We appreciate your attention to this matter. If you have any questions or concerns, please let me know.

Best regards,

Robert L. Harris  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

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