

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222(4), Idaho Code, provides that a water right holder may apply to protect a valid water right from forfeiture. Upon a showing of reasonable cause, the Director may grant one (1) extension of five (5) years in which to resume use.

1. Water Right No. 22-13019 (one right per application)
☒ Attach a copy of the water right record, available at <http://www.idwr.idaho.gov>, *Water Right Transfers, Step 1*, or by contacting any Department office.
2. Applicant John R. Zirker Phone (208) 356-6951
3. Are you the current water right holder of record? Yes ☒ No ☐
☐ If no, provide documentation of your authority to sign on behalf of the right holder -- OR -- attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee.
4. Mailing address ☒ Same as water right record -- OR -- complete the following information:
Address _____ City _____
State _____ Zip code _____ Email _____
5. Give the last date water was beneficially used September 30, 2013
6. Explain your reasons for non-use of the water right and your reasons for requesting an extension of time.
Attach additional documentation if needed.
22-13019 is an enlargement right of a base water right (22-7163). Even though their places of use are combined, only the acres enlarged under 22-13019 are now idled. The place of use is owned by the Bureau of Reclamation, and the land is no longer farmed (pivots were removed in 2013). It is unclear at this time where the right could be moved.

The information contained in this application is true to the best of my knowledge.

 Signature of applicant or authorized agent	<u>John Zirker</u> Print name (and title, if applicable)	<u>November 3, 2015</u> Date
_____ Signature of applicant or authorized agent	_____ Print name (and title, if applicable)	_____ Date

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water *on or before* _____

Signed this _____ day of _____, 20____. _____
Title: _____

Stamped received ☒ Fee received by SC Date 11/12/15 Receipt # E051614

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

11/3/2015

WATER RIGHT NO. 22-13019

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN R ZIRKER 415 E 1 N REXBURG, ID 83440 (208)356-6951

Priority Date: 04/01/1987

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	4.01 CFS	804.6 AFA
Total Diversion			4.01 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNWNW Lt 1|Sec. 19|Township 07N|Range 42E|FREMONT County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FREMONT County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	41E	13		SWNE	39		SENE	39						

42E	19		NENE	28		NWNE	33		SWNE	40		SENE	35
			NENW	40	1	NWNW	37	2	SWNW	37		SENW	40
			NESE	27		NWSE	40		SWSE	31		SESE	0.9

Total Acres: 466.9

Conditions of Approval:

1. C18 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.
2. E51 Right Nos. 22-7163 and 22-13019 are limited to a total combined diversion rate of 4.17 cfs.
3. K02 This right is for irrigation of land leased from the Bureau of Reclamation under Lease of Land Contract #0-07-14-LA178 and based upon an enlargement of Right No. 22-7163 pursuant to Section 42-1426, Idaho Code.
4. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
5. E55 Right Nos. 22-7163 and 22-13019 are limited to the irrigation of a combined total of 466.9 acres in a single irrigation season.
6. K09 This right is for an enlargement of 229.9 acres within the place of use described for this right.

Dates:

Licensed Date:

Decreed Date: 12/02/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 466.9

Combined Volume Limit: 1634.2

Combined Rate Limit: 4.17

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-13019
Date Received: 9/12/1997
Receipt No: E023624
Received By: KEW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN R ZIRKER
Address: 415 E FIRST NORTH
REXBURG ID 83440 208-356-6951

2. Date of Priority: MAY 15, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	42E	19	NW	NW	NW	1	FREMONT

5. Description of diverting works:
WELL PUMP MAINLINE TO CENTER PIVOT & HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.170		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	42E	19	NE	NE		IRR	19.0
			NW	NE		IRR	25.0
			SW	NE		IRR	40.0
			SE	NE		IRR	34.0
			NE	SE		IRR	34.0

A2213019

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	42E	19	NW	SE		IRR	40.0
			SW	SE		IRR	32.0
			SE	SE		IRR	5.0
						Section Acres	229.0
		30	NW	NE		IRR	7.0
						Section Acres	7.0
						Total Acres	236.0

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

14. Remarks:

PLACE OF USE IS LEASED FROM THE BUREAU OF RECLAMATION UNDER
LEASE OF LAND CONTRACT #0-07-14-LA178
THIS IS AN EXPANSION OF LICENSED RIGHT 22-07163

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

John R. Zierke

Date:

9-12-97

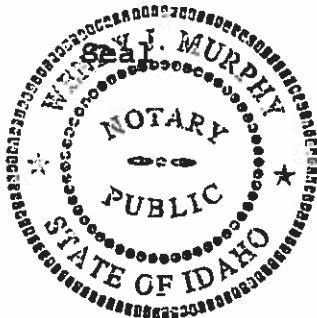
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12th day

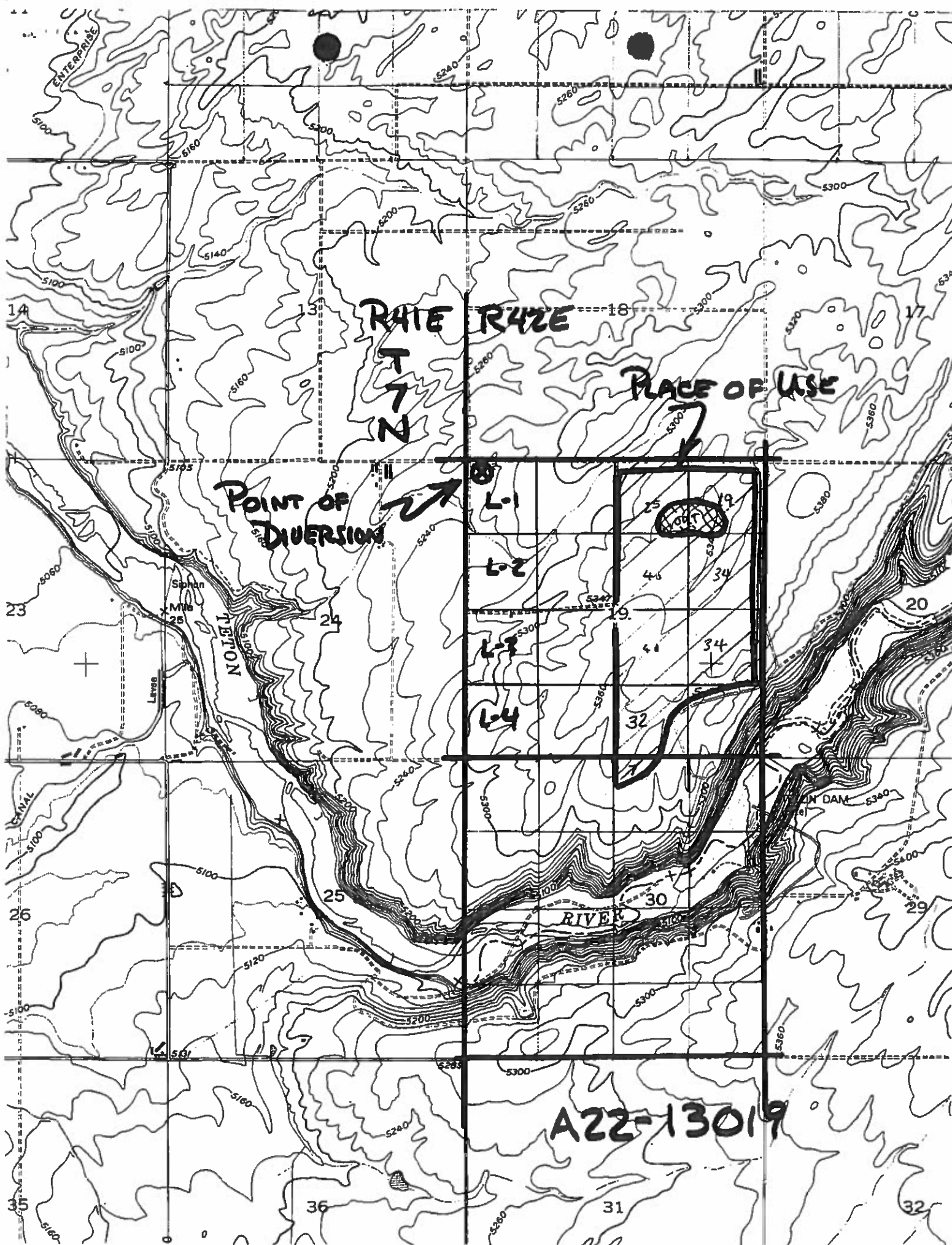
of September 19 97

Wendy J. Murphy
Notary Public



Residing at Adabo Falls

My Commission Expires 6/23/2002



Log for claim 22-13019

Spatial Dynamics LTD

8/22/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07n42e	19	NENE	19	38	Indiscernible
07n42e	19	NWNE	25	37	Indiscernible
07n42e	18	SWNE	40	40	
07n42e	19	SENE	34	40	Indiscernible
07n42e	19	NESE	34	29	
07n42e	19	NWSE	40	40	
07n42e	19	SWSE	32	30	
07n42e	19	SESE	5	0.9	
07n42e	30	NWNE	7	7.7	
Totals:			236	262.6	

 **SPATIAL
DYNAMICS**