

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 12 2015
Department of Water Resources
Eastern Region

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. 22-7163 (portion) (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 for some corners, July 30, 2012 for the others.

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.

The pivot corners identified on attached map of 35.6 acres are not currently being irrigated under 22-7163 by the tenant who is leasing the property. It is unclear at this time when they will be irrigated again, but the applicant would like to protect the water rights on the pivot corners from an argument that they have been partially forfeited.

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

John R. Zirker
Signature of applicant or authorized agent

John Zirker
Print name (and title, if applicable)

November 4, 2015
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 # E041617

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

11/3/2015

WATER RIGHT NO. 22-7163

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GERRY ZIRKER
Current Owner	JOHN R ZIRKER
	415 E 1 N
	REXBURG, ID 83440
	(208)356-6951
Original Owner	LUDEAN W JERGENSEN
Original Owner	LEROY BEDDES
	637 SPRINGTREE LN APT A
	MURRAY, UT 84107

Priority Date: 09/04/1975

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	4.17 CFS	829.5 AFA
Total Diversion			4.17 CFS	

Location of Point(s) of Diversion:

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

IRRIGATION Use:

Acre Limit: 237

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. K01 Right No. 22-13019 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
4. K06 This right is limited to the irrigation of 237 acres within the place of use described above in a single irrigation season.
5. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. 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.

Dates:

Licensed Date:

Decreed Date: 11/24/2008

Permit Proof Due Date: 10/1/1980

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 10/6/1975

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

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: AND

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:

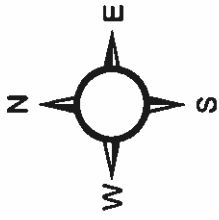
Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

ZIRKER WATER RIGHTS



Prepared by
Robert L. Harris
2013 NAIP Aerial



Google earth

feet 2000
meters 800



9/4/2012 IMAGE (CORNERS PLANTED INTO WHEAT)



Google earth

feet 2000
meters 700



9/4/2012 IMAGE (CORNERS PLANTED INTO WHEAT)