

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/28/2024

Water Right 22-7163 (Before Issuing License 22-7648)

Owner Type **Name and Address**
 Current Owner JOHN R ZIRKER
 415 E 1ST N
 REXBURG, ID 83440-1601
 (208) 356-6951

Current Owner GERRY ZIRKER
 415 E 1 N
 REXBURG, ID 83440
 (208) 356-6951

Priority Date: 9/4/1975

Basis: Decreed

Status: Active

Source
 GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	4.170 CFS	829.5 AF
	<u>Total Diversion</u>		4.170 CFS	829.5 AF

Source and Point(s) of Diversion:

GROUND WATER NWNWNW Sec. 19, Twp 07N, Rge 42E, FREMONT County

Place Of Use:

IRRIGATION within FREMONT County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	41E	13			39.0	39.0													78.0
07N	42E	19	28.0	33.0	40.0	35.0	40.0	37.0 L1	37.0 L2	40.0					27.0	40.0	31.0	0.9	388.9

Right Acre Limit: 237.00
 POU 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.

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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 and Other Information:

Decreed Date: 11/24/2008

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: AND

Water District Number: 100

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
4.170	1,634.2	466.9	22-7163 ,22-13019

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES

8/28/2024

Proof Report

Water Right 22-7163 (After 22-7648 License)

Owner Type **Name and Address**
 Current Owner JOHN R ZIRKER
 415 E 1ST N
 REXBURG, ID 83440-1601
 (208) 356-6951

Current Owner GERRY ZIRKER
 415 E 1 N
 REXBURG, ID 83440
 (208) 356-6951

Priority Date: 9/4/1975**Basis:** Decreed**Status:** Active

Source
 GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	4.170 CFS	829.5 AF
	<u>Total Diversion</u>		4.170 CFS	829.5 AF

Source and Point(s) of Diversion:

GROUND WATER

NWNWNW

Sec. 19, Twp 07N, Rge 42E, FREMONT County

Place Of Use:

IRRIGATION within FREMONT County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	41E	13			39.0	39.0													78.0
07N	42E	19	28.0	33.0		3.9	40.0	37.0 L1	37.0 L2	40.0									218.9

Right Acre Limit: 237.00
 POU Total Acres: 296.9

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.

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- | | | |
|----|-----|---|
| 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 296.9 acres in a single irrigation season. |

Dates and Other Information:

Decreed Date: 11/24/2008

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: AND

Water District Number: 100

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
4.170	1,039.2	296.9	22-7163 ,22-13019

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/21/2023

Water Right 22-13019 (Before Partial Abandonment)

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JUNIPER VIEW LLC 130 E INDUSTRIAL PARK RD SAINT ANTHONY, ID 83445-4713 (208) 624-3293
Current Owner	FROMOVER 9 LLC 130 E INDUSTRIAL PARK RD SAINT ANTHONY, ID 83445-4713 (208) 624-3293
Current Owner	RGC FARMS LLC 130 E INDUSTRIAL PARK RD SAINT ANTHONY, ID 83445-4713 (208) 624-3293
Current Owner	JKC FARMS LLC 130 E INDUSTRIAL PARK RD SAINT ANTHONY, ID 83445-4713 (208) 624-3293
Current Owner	UNIT 2 LLC 22 N WOLCOTT ST SALT LAKE CTY, UT 84103-4477 (917) 923-0009

Priority Date: 4/1/1987

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.040 CFS	209.6 AF
MITIGATION BY NON-USE	04/01	10/31	2.970 CFS	595.0 AF
	<u>Total Diversion</u>		4.010 CFS	804.6 AF

Source and Point(s) of Diversion:

GROUND WATER	L1(NWNWNW)	Sec. 19, Twp 07N, Rge 42E, FREMONT County
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IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/21/2023

Place Of Use:

MITIGATION BY NON-USE within FREMONT County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	42E	19			X	X									X	X	X	X	

IRRIGATION within FREMONT County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	41E	13			39.0	39.0													78.0
07N	42E	19	28.0	33.0		3.9	40.0	37.0 L1	37.0 L2	40.0									218.9

POU 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 296.9 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.
7. 193 This right mitigates for the depletion of water resulting from the diversion and use of water under Right 22-7648. To prevent injury to other water right holders, the right holder shall cease diverting 2.97 cfs, 595 af from ground water and cease the irrigation of 170.0 acres of this right. If the mitigation portion of this right is used for any purpose other than conveyance loss, then water shall not be diverted under Right 22-7648. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Right 22-7648 that are being mitigated shall be reduced by the same proportion as the reduction to this right.

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
4.170	1,634.2	466.9	22-7163 ,22-13019

SubCase:

IDAHO DEPARTMENT OF WATER RESOURCES

8/29/2024

Proof Report

Water Right 22-13019 (After Partial Abandonment)

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JUNIPER VIEW LLC 130 E INDUSTRIAL PARK RD SAINT ANTHONY, ID 83445-4713 (208) 624-3293
Current Owner	FROMOVER 9 LLC 130 E INDUSTRIAL PARK RD SAINT ANTHONY, ID 83445-4713 (208) 624-3293
Current Owner	RGC FARMS LLC 130 E INDUSTRIAL PARK RD SAINT ANTHONY, ID 83445-4713 (208) 624-3293
Current Owner	JKC FARMS LLC 130 E INDUSTRIAL PARK RD SAINT ANTHONY, ID 83445-4713 (208) 624-3293
Current Owner	UNIT 2 LLC 22 N WOLCOTT ST SALT LAKE CTY, UT 84103-4477 (917) 923-0009

Priority Date: 4/1/1987Basis: DecreedStatus: ActiveSource

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

1.040 CFS

Volume

209.6 AF

Total Diversion

1.040 CFS

209.6 AF

Source and Point(s) of Diversion:

GROUND WATER

L1(NWNWNW)

Sec. 19, Twp 07N, Rge 42E, FREMONT County

Place Of Use:

IRRIGATION within FREMONT County

IDAHO DEPARTMENT OF WATER RESOURCES

8/29/2024

Proof Report

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	41E	13			39.0	39.0													78.0
07N	42E	19	28.0	33.0		3.9	40.0	37.0 L1	37.0 L2	40.0									218.9

POU Total Acres: 296.9

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 296.9 acres in a single irrigation season.
6. K09 This right is for an enlargement of 59.9 acres within the place of use described for this right

Dates and Other Information:

Decreed Date: 12/2/2008
 Enlargement Statute Priority Date: 4/12/1994
 Civil Case Number: 39576
 Judicial District: FIFTH
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 100
 Generic Max Rate Per Acre: 0.020
 Generic Max Volume Per Acre: 3.5
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
4.170	1,039.2	296.9	22-7163 ,22-13019

SubCase:

N/A

Water Supply Bank:

N/A