

07/28/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 21-4116

ANN ZOLLINGER
PO BOX 26
IDAHO FALLS ID 83401

~~GORDON~~ ZOLLINGER
BOX 8
ISLAND PARK ID 83429

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

The water right does have beneficial use. Enclosed are various documents which show acquisition of property and some permits to start the service station in 1961-62. a sample of checks and invoices from 1963-64 are enclosed. 1963-63 invoices have been destroyed.

2. Describe the changes you wish to make in the proposed recommendation:

*(1) that status be changed from disallowed to allowed.
(2) that Ann Zollinger's name be removed since she died in 1992. Gordon Zollinger acquired her interest and is now sole owner. Certificate inclosed.*

3. Give a brief explanation as to why you disagree with these portions: *We have been using water since 1962. we use the water and our customers use the restrooms and often take water for their camps and cabins when their systems are down. The US Post office purchased a lot from us and hooked into our water system in 1987.*

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: Oct. 3, 2005

SIGNATURE: Gordon V. Zollinger

Please print your name: Gordon V. Zollinger

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

*ownership updated
KMT 10/11/05*

*KMT
10/11*

09/08/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-4116
NAME AND ADDRESS: ANN ZOLLINGER
PO BOX 26
IDAHO FALLS ID 83401

GORDON ZOLLINGER
BOX 8
ISLAND PARK ID 83429

Disallowed

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.040 CFS
PRIORITY DATE: 07/01/1961
POINT OF DIVERSION:

T13N R43E S15 SENE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	1/01 12/31	0.040 CFS

PLACE OF USE: COMMERCIAL Within FREMONT County
T13N R43E S15 SENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

CERTIFICATE OF DEATH

DATE FILED: APRIL 13, 1992

STATE FILE NUMBER: 92-01903

DECEDENT: ANN JOHANSON ZOLLINGER

DATE OF DEATH: APR. 07, 1992 PLACE OF DEATH: REXBURG, IDAHO

DATE OF BIRTH: APR. 12, 1913 PLACE OF BIRTH: IDAHO

AGE: 78 YEARS SEX: FEMALE VETERAN? NO

MARITAL STATUS: WIDOWED

SOCIAL SECURITY NUMBER: [REDACTED] RESIDENCE: REXBURG, IDAHO

FATHER: JOSEPH A. JOHANSON

FATHERS BIRTHPLACE: UTAH

MOTHER (MAIDEN): ANNA WILHELMINA BLUNCK

MOTHERS BIRTHPLACE: GERMANY

MORTUARY: FLAMM FUNERAL HOME, INC.
MORTICIAN: GARTH E. FLAMM

REXBURG, IDAHO
DISPOSITION: BURIAL

CERTIFYING PHYSICIAN: CHARLES JEFFERY ZOLLINGER, MD

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

CARDIOPULMONARY ARREST

METASTATIC CARCINOMA OF THE STOMACH

7 MINUTES

9 MONTHS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

NONE LISTED

MANNER OF DEATH: NATURAL

This is a true and correct reproduction of the document officially registered and placed
on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

JULY 18, 1996

DATE ISSUED:

This copy is not valid unless prepared on engraved border
displaying state seal and signature of the Registrar.

Jane S. Smith

JANE S. SMITH
STATE REGISTRAR





June 5, 1986

FIELD REAL ESTATE & BUILDING OFFICE
P.O. Box 2000
Kent, WA 98032-0200

Gordon Zollinger
c/o Elk Creek Service
Island Park, ID 83429

Subject: Island Park, ID 83429
Proposed New Postal Facility

Dear Mr. Zollinger:

This is to acknowledge receipt of the executed PS Form 7428-H, Extension of Option to Purchase Land, relative to the site you have offered to the Postal Service for the subject facility. Enclosed herewith in consideration is a \$1.00 Money Order.

As discussed with Ann recently, please provide this office with a preliminary title commitment as soon as possible.

Do not hesitate to contact the undersigned should you have any questions relative to this matter.

Sincerely,

Nancy Yamaguchi
Nancy Yamaguchi
Real Estate Specialist, Staff
Seattle Field Office, USPS
Telephone: (206) 395-1351

Enclosure

CONTINENTAL OIL COMPANY

Pocatello, Idaho
August 31, 1961

Mr. Vern Zollinger
Six Creek Lodge
Island Park, Idaho

Dear Mr. Zollinger:

This is in reference to the Lease Agreement between you as Lessor and Continental Oil Company as Lessee, dated the 31st day of August, 1961, covering the following described property, to wit:

A 300 ft. x 200 ft. piece of property on the East side of U. S. Highway 191 opposite Idaho Highway 22, located in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the East $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 15, Twp 13, 43 E2N.

This letter will confirm our agreement that Continental, as additional rental for the lease of said premises, shall pay lessor a gallonage rental of one and one-half cents per gallon for all gasoline delivered by Continental into the storage tanks located upon the leased premises.

This obligation upon Continental to pay additional gallonage rental may be cancelled by Continental at its option at the end of the first year of the lease term or at the end of any subsequent yearly period by giving Lessor 30 days' advance notice to that effect.

It is understood and agreed that all of the provisions and terms of the aforesaid Lease Agreement shall remain unchanged except as modified herein.

CONTINENTAL OIL COMPANY

By M. F. Johnson

Agreed to and accepted

this 31st day of August, 1961.

Vern Zollinger
Vern Zollinger

Ann J. Zollinger
Ann J. Zollinger

[Handwritten signature]

STATE OF IDAHO
DEPARTMENT OF HIGHWAYS

District No. 6

No. 6-61-33

Permit To Use Right-of-Way

In accordance with Chapter 33, Idaho Session Laws, 1951, and subject to all the terms, conditions and provisions written or printed below or on any part of this form

PERMISSION IS HEREBY GRANTED TO Mr. Vern Zellinger
Elk Creek Ranch
Island Park, Idaho

to

Remove approximately 10,000 yards of borrow material from the State right-of-way and construct a new 30' approach on US-191 between Pond's Lodge and Mack's Inn. This excavation ~~work~~ is necessary for access to a proposed new business office and service station. The approach will be located at highway station 1567+60 on project No. 34-A 13 B.P.R. plans and at milepost 218.3 in Fremont county.

During the progress of the work such barriers shall be erected and maintained as may be necessary or as may be directed for the protection of the traveling public; the barriers shall be properly lighted at night.

The work covered by this permit is to comply with current Department of highways requirements and the work shall be under the supervision of a Department representative.

The approach is to slope away from the edge of the cut mat.

All costs of the project are to be borne by the permittee.

During the progress of this work no heavy earth moving equipment will be allowed on the travelway of US-191, unless prior approval has been made through this office.

No work shall be done under this permit until the party or parties to whom it is granted shall have communicated with and received instructions from Loris R. Briggs, Administrative Clerk

P. O. Box 98,

Rigby, Idaho

This permit shall be void unless the work herein contemplated shall have been completed before

October 31,

Dated at Rigby, Idaho

this 9th day of August

19 61
19 61

STATE HIGHWAY ENGINEER

By *[Signature]*
District Engineer

FOUNDED 1894

Underwriters' Laboratories, Inc.

For Service - Not for Profit

CERTIFICATE

Mfrs.

Ref. No. R 3869

SPONSORED BY
National Board of Fire Underwriters

207 EAST OHIO STREET, CHICAGO

Nº B 1746

This Certifies that the manufacturer whose name appears below is listed by Underwriters' Laboratories, Inc., as furnishing *Concrete Masonry Units* classified as *B-4 Retardants*. This manufacturer is therefore, authorized to apply this certificate to the material at the location given below as its representation that such material is manufactured in compliance with the requirements established by Underwriters' Laboratories, Inc. for this class.

NOTICE:—This certificate does not indicate proper application or installation of the material and does not apply to other material which may be used at the location specified.

Date of Issuance of Certificate 6-26-62

Date Material Supplied OCT 61 - MAY 62

Statement by Manufacturer

The material described herein was manufactured by us as represented above.

Signed VALLEY BLOCK CO.

By Paul E. D. [Signature]

Underwriters' Laboratories, Inc., reserves the right to inspect this material during the construction of the building.

UNDERWRITERS' LABORATORIES, Inc.

Location of Building ISLAND PARK IDAHO
STREET NO. AND CITY OR TOWN
ELK CREEK RANCH

Amount of Material Supplied 1900

Size of Units 8 X 8 X 16
(HEIGHT, WIDTH, LENGTH AS LAID IN THE WALL)

Proposed Use of Material SERVICE STATION

Countersigned [Signature]
INSPECTOR, UNDERWRITERS' LABORATORIES, INC.

NOT VALID UNLESS COUNTERSIGNED BY INSPECTOR

THIS INDENTURE, Made this 21st day of December
 in the year of our Lord one thousand nine hundred and * sixty-one , between
 HARLO B. RIGBY and ELSIE G. RIGBY, his wife,
 of Rexburg , County of Madison , State of Idaho,
 the parties of the first part, and VERN ZOLLINGER and ANN J. ZOLLINGER,
 his wife,
 of Rexburg , County of Madison , State of Idaho,
 the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
 ----- Ten and no/100 ----- DOLLARS,
 lawful money of the United States of America, and other valuable considerations
 to them in hand paid by the said
 parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
 and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
 of the second part, and to their heirs and assigns forever, all of the following described real estate,
 situated in the , County of Fremont , State of Idaho, to-wit:

From the NE corner of Sec. 15, Twp. 13 N., R. 43, E.B.M.,
 West 260' to the center line of State Highway; thence South
 19° 46' West 2300' along said State Highway to Station 1567+60;
 thence South 70° 14' East 100' which is the point of beginning
 of said property, and running thence South 19° 46' West 150';
 thence South 70° 14' East 200'; thence North 19° 46' East 300';
 thence North 70° 46' West 200'; and thence South 19° 46' West
 150' to the place of beginning, containing 1.4 acres, more or
 less.



*

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

_____ [Seal]
 _____ [Seal]
 _____ [Seal]
 _____ [Seal]

STATE OF IDAHO,

COUNTY OF

Madison.

} ss.

On this

21st

day of

December

in the year 19 61, before me

the undersigned

, a Notary Public

in and for said State, personally appeared HARLO B. RIGBY and ELSIE G. RIGBY,

known 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 in this certificate first above written.

 Notary Public for the State of Idaho,
 Residing at Rexburg, Idaho.

My commission expires: 1-26-63

Harlo B. Rigby [Seal]
Elsie G. Rigby [Seal]
 _____ [Seal]
 _____ [Seal]

STATE OF IDAHO,

COUNTY OF

Madison.

SS.

On this 21st day of December in the year 19 61, before me
 the undersigned, a Notary Public

in and for said State, personally appeared HARLO B. RIGBY and ELSIE G. RIGBY,

known 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
 in this certificate first above written.

Lay W. Rigby
 Notary Public for the State of Idaho,
 Residing at Rexburg, Idaho.

My commission expires: 1-26-63

No. 226314

WARRANTY DEED

Harlo B. Rigby
at and

— TO —

Thorn Zoelinger
husband

Dated Dec 21, 19 61

STATE OF IDAHO,

SS.

COUNTY OF

Sherman

I hereby certify that this instrument was filed

for record at request of

Sherman Zoelinger

at 40 minutes past

12 M., this 22 day

of Dec, A. D. 19 61

in my office, and duly recorded in Book

of 443 at page 443

By *Thorn Zoelinger*

Ex-Officio Recorder.

By *Thorn Zoelinger*

Deputy.

Fees, \$ 1.50

Mail to

ELK CREEK SERVICE
ISLAND PARK, IDAHO 9W

92.72
1241

PAY TO THE ORDER OF Continental Oil Co. DATE Dec 21 1963 NO. 1200
Two Thousand Two Hundred and 710 DOLLARS
REXBURG OFFICE
First Security Bank of Idaho
NATIONAL ASSOCIATION
REXBURG, IDAHO
Mrs Vern Zollinger
⑆ 1 2 4 1 0 0 7 2 ⑆

ELK CREEK SERVICE
ISLAND PARK, IDAHO 9W

92.72
1241

PAY TO THE ORDER OF St Anthony Auto Parts DATE Jan 21 1964 NO. 18399
One Hundred Eighty Three and 99 DOLLARS
REXBURG OFFICE
First Security Bank of Idaho
NATIONAL ASSOCIATION
REXBURG, IDAHO
Mrs Vern Zollinger
⑆ 1 2 4 1 0 0 7 2 ⑆

ELK CREEK SERVICE
ISLAND PARK, IDAHO 9W

92.72
1241

PAY TO THE ORDER OF Ford Johnson Oil Co. DATE Jan 21 1964 NO. 26533
Two Hundred Eighty Five and 33 DOLLARS
REXBURG OFFICE
First Security Bank of Idaho
NATIONAL ASSOCIATION
REXBURG, IDAHO
Mrs Vern Zollinger
⑆ 1 2 4 1 0 0 7 2 ⑆

St. Anthony Auto Parts

AUTOMOTIVE JOBBER

35 SOUTH BRIDGE • PHONE 624-3467 • ST. ANTHONY, IDAHO 624-7412

INVOICE NO. F 03624

DATE 6-25 1964

CUSTOMER ORDER NO.

NAME Elk Creek Service

ADDRESS

CASH ☐ CHARGE ☒ C.O.D. ☐ SALESMAN T

QUAN.	PART NO.	MATERIAL	UNIT PRICE	TOTAL LIST	UNIT NET	NET TOTAL
8	455	AC PLUGS	1.08		67	536
1	RB	STANT CAP	1.40			84
1	C232	AC Filter	2.00			110
6	STP		1.35		85	510
25	SFE 14	BUSS FUSE	.35		20	1.00
15	SFE 20	" "	.35		20	.60
5	AGC 15	" "	.35			.20
5	AGC 30	" "	.35			.20
1	564	GROSS				.90
2	558	" "	.44			.88
1	8209	GATES Belt	2.75			1.50
1	8261	" "	3.00			1.65

TERMS: ACCOUNTS DUE AND PAYABLE 10TH OF MONTH FOLLOWING INVOICE DATE. IN THE EVENT THIS CLAIM IS NOT PAID AT MATURITY, I OR WE AGREE TO PAY FULL ATTORNEY FEES AND/OR COLLECTION COSTS. 1 1/2% SERVICE CHARGE PER MONTH APPLIED ON ALL PAST DUE ACCOUNTS.

RECEIVED BY X

© 266727

TOTAL ► 19.33

PARTS NOT RETURNABLE AFTER TEN DAYS



ORIGINAL INVOICE OF

CONTINENTAL OIL COMPANY

MAKE ALL CHECKS PAYABLE TO THE COMPANY



BULK PLANT (Address)

ASHTON

IDAHO 440 31

Date

6-1-64

PRODUCT	Packages		QUANTITY	PRICE	TAX	Price Plus Tax	AMOUNT
	No.	Size					
CONOCO Regular Gasoline			5537	19 ³ / ₁₀	10	29 ² / ₁₀	1616 80
CONOCO Premium Gasoline			2619	22 ⁷ / ₁₀	10	32 ⁷ / ₁₀	856 41
S. S. Rental c per gallon							
CONOCO Super Motor Oil							
CONOCO All Season Super Motor Oil							

Seller agrees to assume and pay when due, all taxes for which it is liable.

STATE MOTOR FUEL TAX

Gallons Rate Amount

State Sales or Occupational Tax

Total Amount

Less

Cash Discount

Net Amount

Of Invoice

2473 21

The undersigned hereby certifies that the purchaser of the motor fuel invoiced hereon at the time of the purchase expressly declared it was his intention to use such motor fuel for a non taxable purpose and to file claim for a refund of the tax thereon.

Signed

SOLD TO

(Please Print) SS No.

Number-Street

Island Park Idaho

City State

Same

Delivered to or Price Area

Stephen Hase

Delivered By

Received Payment



Lic. or GOSI #



If Charge Show Terms

X

Goods Received in Good Order By

Customer's Order No.

493 314

IF THIS IS THE FIRST SALE TO A NEW CUSTOMER ATTACH FORM 15-180 BE, REQUEST FOR CUSTOMER IDENTIFICATION CARD

FOR TEXAS DELIVERIES PURCHASER AGREES TO PAY CONTINENTAL OIL COMPANY AT FORT WORTH, TARRANT COUNTY, TEXAS, FOR MERCHANDISE AS INVOICED HEREIN, AND FOR ALL OTHER DELIVERIES PURCHASER AGREES TO PAY AT THE LOCATION OF THE INVOICING OFFICE.

FARR CANDY CO., INC.

"BY FARR THE BEST"

CANDY AND ICE CREAM MANUFACTURERS AND DISTRIBUTORS

JA 2-8215

345 D Street

Idaho Falls, Idaho, 6/23, 1964

Name Elk Creek Service

Address _____ Truck No. 8

	2½-GAL. — BULK		
	1-GAL. — REG.		
	1-GAL. — BULK		
	½-GAL. — REG.		
	½-GAL. — BULK		
	QUARTS ICE CREAM		
	QUARTS SHERBET		
	PINTS — REG.		
	PINTS — FRENCH		
	12 — 5c NOVELTIES		
	BROWNIES		
	DRUMSTICKS		
	12 — 10c NOVELTIES		
	CAKE ROLLS		
7	24 — 5c CANDY	6	30
2	24 — 10c CANDY	3	60
3	GUM AND LIFE SAVERS	3	50
4	~~80 — 1c CANDY~~ <u>SAVERS</u>	2	96
	80 — 2c CANDY	16	36
	120 — 1c CANDY	16	31
	120 — 2c CANDY		
	160 — 1c CANDY	16	05
	240 — 1c CANDY		
		16	05

01702

Old Faithful Beverage Company

Idaho Falls, Idaho

Dial 522-1500

P. O. Box 1179

43224

DATE 6-30, 1964

SOLD TO Elk Creek Service

ADDRESS Idaho Falls SALESMAN John

QUAN.	DESCRIPTION	AMOUNT
	8 oz. Pepsi Cola	
15	12 oz. Pepsi Cola	2.25
	Quart Pepsi Cola	
	12 oz. Patio Diet	
2	7 oz. 7-Up	0.50
	12 oz. 7-Up	
	Quart 7-Up	
1	12 oz. Like Diet	2.00
2	8 oz. Hires	0.50
	12 oz. Hires	
	Quart Hires	
	7 oz. Orange	
4	12 oz. Orange	1.00
	7 oz. Grape	
	12 oz. Grape	
1	7 oz. Creme	2.00
	12 oz. Creme	
1	7 oz. Strawberry	2.50
	12 oz. Strawberry	
	Quart Sparkling Water	
	Fountain Syrup	
	Cooler Rental # _____	
	Gas Drum No. _____	
	Gals. Distilled Water	
	12 oz. Pepsi Cola Cans	
	12 oz. Seven Up Cans	
	12 oz. Hires Root Beer Cans	
	SHELLS	
	PAID OUT	

Thank you!

SIGNED BY X John TOTAL DEBITS } 71.10

MEMORANDUM C R E D I T	12	Small	C & B Returned	1.00	12
		32 oz.	C & B Returned		
	5	Quart Small	Shells Returned	5.00	2.00
			Shells Returned		
			Small Btls. Returned		
			Lge. Btls. Returned		
			Gas Drum Ret'd No.		
			Distilled Water Bottle		

TOTAL EMPTIES 17 60

CASH REC'D 56 50

TOTAL CREDITS

Elk Creek Station
P.O. Box 8
Island Park, ID 83449

attn: Trent Gulenath
Idaho Dept of Water Resources
900 N Skyline Drive
Idaho Falls, ID [REDACTED]
83440



9261



83448

U.S. POSTAGE
PAID
RIGBY, ID
OCT 04, 05
83442
AMOUNT
\$0.83
00090352-0