

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right or, in which case, division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	
43-2518					
43-10843					

The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

Name and Address of Former
 Owner/Claimant(s)

Roland Zollinger, Orson J. Zollinger, Russell Zollinger,
Asiel A. Zollinger
1513 South 3350 East
Malta, ID 83342

New Owner/Claimant(s)

Orson & Donna Zollinger Living Trust dated March 18, 2001

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

1527 South 3350 East

City, State and ZIP Code

Malta, ID 83342

New Telephone Number

208-645-2250

Date you acquired the property

January 31, 2006

RECEIVED
 FEB 21 2006
 Department of Water Resources
 Southern Region
 RECEIVED
 FEB 23 2006
 DEPARTMENT OF
 WATER RESOURCES

WARRANTY DEED

306477

#41134

For Value Received

Cathy Jean White, Roland L. Zollinger, and Russell D. Zollinger, Co-Personal Representatives of the Estate of Asiel Aaron Zollinger, deceased and Russell D. Zollinger, also known as Russell Zollinger and Patricia Zollinger, husband and wife, and Roland L. Zollinger, also known as Roland Zollinger and Kathy Zollinger, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Orson J. Zollinger and Donna J. Zollinger, Trustees, or their successors in trust, under the Orson & Donna Zollinger Living Trust, dated March 18, 2001
Address: 1527 South 3350 East
Malta, Idaho 83342

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 10: N $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT the following described tract:

Beginning at the Northeast corner of said Section 10, said corner marked by a USGLO iron pipe with brass cap which shall be the Point of Beginning;
Thence South 00°02'07" West along the East line of Section 10 for a distance of 367.55 feet to a $\frac{1}{2}$ inch rebar;
Thence North 56°07'52" West for a distance of 668.14 feet to a $\frac{1}{2}$ inch rebar on the North line of Section 10;
Thence South 89°30'17" East along the North line of Section 10 for a distance of 555.02 feet to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 10: SE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 3:

TOWNSHIP 13 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 11: Part of the N $\frac{1}{2}$, more particularly described as follows:

Beginning at the West $\frac{1}{4}$ Section of said Section 11, said corner marked by a US GLO iron pipe with brass cap which shall be the Point of Beginning;
Thence North 00°02'07" East along the West line of Section 11 for a distance of 1849.21 feet to a $\frac{1}{2}$ inch rebar;

Thence South 88°53'05" East for a distance of 462.22 feet to a ½ inch rebar;
Thence South 65°28'53" East for a distance of 780.44 feet to a ½ inch rebar;
Thence South 59°54'23" East for a distance of 163.98 feet to a ½ inch rebar;
Thence South 72°04'00" East for a distance of 133.16 feet to a ½ inch rebar;
Thence South 65°08'47" East for a distance of 1155.00 feet to a ½ inch rebar;
Thence South 34°26'57" East for a distance of 72.59 feet to a ½ inch rebar;
Thence South 02°55'09" West for a distance of 292.57 feet to a ½ inch rebar;
Thence North 89°50'07" East for a distance of 116.50 feet to a ½ inch rebar on the East line of the NW¼;
Thence South 00°08'43" West along the East line of the NW¼ for a distance of 553.81 feet to the Center ¼ Section corner of Section 11;
Thence South 89°57'11" West along the South line of the NW¼ for a distance of 2631.18 feet to the Point of Beginning.

PARCEL NO. 4:

TOWNSHIP 13 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: Part of the W¼NW¼, more particularly described as follows:

Beginning at the W¼ section corner of said Section 12, said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence North 00°14'40" East along the West line of Section 12 for a distance of 70.00 feet;
Thence North 89°50'15" East for a distance of 27.46 feet to a ½ inch rebar;
Thence North 89°50'15" East for a distance of 1268.58 feet to a ½ inch rebar;
Thence South 00°19'00" West for a distance of 70.00 feet to a ½ inch rebar on the South line of the NW¼;
Thence South 89°50'15" West along the South line of the NW¼ for a distance of 1295.98 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to all of the Grantor's interest in the State of Idaho, Department of Water Resources Adjudication Nos. 43-2518 and 43-10843.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2006 and subsequent years.

Easement executed by Pearl N. Zollinger, Holland Land Company, and State of Idaho, Grantor, to Sublett Irrigation Company, Grantee, dated June 27, 1955 and recorded November 5, 1955 as Instrument No. 187929 in Book 15 Miscellaneous, page 307, records of Cassia County, Idaho.

Operating Agreement by and between Asiel A. Zollinger and Theda A. Zollinger, husband and wife, Orson J. Zollinger and Donna Jo Zollinger, husband and wife, and Pearl N. Zollinger, a widow, Users, dated October 17, 1961 and recorded July 13, 1962 as Instrument No. 7953, records of Cassia County, Idaho.

Easement executed by Asiel A. Zollinger and Theda A. Zollinger, husband and wife, Grantors, Party of the First Part to Heber J. Zollinger and Theora May Zollinger, husband and wife, and their heirs-at-law, Parties of the Second Part and to Pearl N. Zollinger, a widow, and to her heirs-at-law, Party of the Third Part, dated May 22, 1968

and recorded May 24, 1968 as Instrument No. 41000 on Film No. 68, records of Cassia County, Idaho.

Easement executed by Asiel A. Zollinger and Theda A. Zollinger, husband and wife, Parties of the First part, to Heber J. Zollinger and Theora May Zollinger, husband and wife, Parties of the Second Part and to Pearl N. Zollinger, a widow, Party of the Third Part, dated May 22, 1968 and recorded May 24, 1968 as Instrument No. 41001 on Film No. 56, records of Cassia County, Idaho.

Easement executed by Asiel A. Zollinger and Theda A. Zollinger, husband and wife, Parties of the First part, to CharLane Zollinger, a single woman, Party of the Second part, dated September 23, 1968 and recorded October 3, 1968 as Instrument No. 43085 on Film No. 58, records of Cassia County, Idaho.

Agreement For Purchase of Power between the Raft River Rural Electric Cooperative, Inc., Seller and Zollinger Brothers, Consumer, dated April 6, 1967 and recorded June 19, 1970 as Instrument No. 51661 on Film No. 65, records of Cassia County, Idaho, covering the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 11, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11 Township 13 South, Range 28 East of the Boise Meridian.

Agreement Apportioning Water License by and between Heber J. Zollinger, Orson J. Zollinger, Asiel Zollinger, and the Pearl Zollinger Estate, dated May 1, 1977 and recorded June 9, 1977 as Instrument No. 99334 on Film No. 109, records of Cassia County, Idaho.

Terms and conditions contained in License To Use Ditch Right-of-Way by and between The Sublett Irrigation Company, a corporation, party of the first part and Asiel Zollinger and Theda A. Zollinger, husband and wife, and Orson J. Zollinger and Donna Jo Zollinger, husband and wife and Pearl N. Zollinger, a widow, parties of the second part, dated January 25, 1962 and recorded April 26, 1978 as Instrument No. 107016 on Film No. 116, records of Cassia County, Idaho.

Agreement For Purchase of Power between the Raft River Rural Electric Cooperative, Inc, Seller and Asiel Zollinger, Theda A. Zollinger, Orson Zollinger, Donna T. Zollinger, Heber Zollinger, and Theora Mae Zollinger, Consumer, dated January 23, 1979 and recorded February 16, 1979 as Instrument No. 114399 on Film No. 123, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 31st, 2006

ESTATE OF ASIEL AARON ZOLLINGER

By: Cathy Jean White
Cathy Jean White, Co-Personal Representative

By: Russell D. Zollinger
Russell D. Zollinger, Co-Personal Representative

By: Roland L. Zollinger
Roland L. Zollinger, Co-Personal Representative

Russell D. Zollinger
Russell D. Zollinger

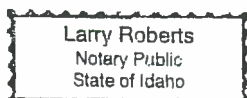
Patricia Zollinger
Patricia Zollinger

Roland L. Zollinger
Roland L. Zollinger

Kathy Zollinger
Kathy Zollinger

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

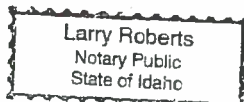
On this 31st day of January, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Cathy Jean White**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel Aaron Zollinger, and acknowledged to me that she executed the same as such Personal Representative.




Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

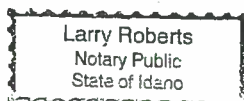
On this 31st day of January, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Roland L. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel Aaron Zollinger, and acknowledged to me that he executed the same as such Personal Representative.




Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

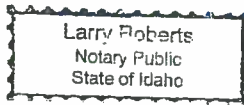
On this 31st day of January, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Russell D. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel Aaron Zollinger, and acknowledged to me that he executed the same as such Personal Representative.




Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

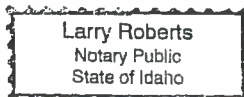
On this 31 day of January, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Roland L. Zollinger and Kathy Zollinger**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 31 day of January, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Russell D. Zollinger and Patricia Zollinger**, known or identified to me to be the persons whose name are subscribed to the within instrument, and acknowledged to me that they executed the same.

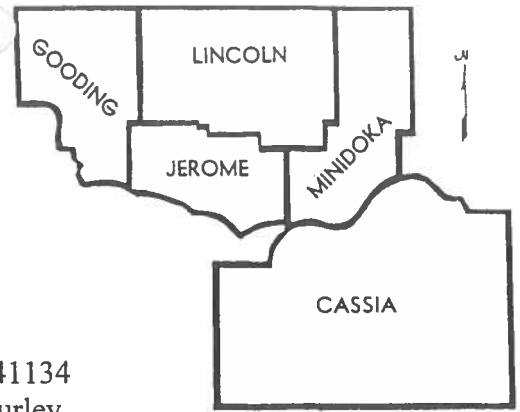


[Signature]
Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

306477
CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 1500 DEPUTY 40
2006 FEB 1 AM 10 22
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #41134
OFFICE: Burley

February 17, 2006

ID Dept. of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

RECEIVED
FEB 21 2006
Department of Water Resources
Southern Region

RE: Zollinger/Zollinger

Dear Clerk:

Enclosed with this letter please find the following:

1. The original executed Notice of Change In Water Right Ownership.
2. A copy of the recorded Warranty Deed.
3. Land Title and Escrow's trust account check no. 13756 in the amount of \$50.00 for the transfer fee.

Please make the necessary changes in the records to indicate the new owner as the Orson & Donna Zollinger Living Trust dated March 18, 2001 for future water assessments and notices. Please send a receipted copy to this office.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.
Certified Mail

If the change in ownership affects the water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

ORSON & DONNA ZOLLINGER LIVING TRUST dated March 18, 2001

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

By: Orson J. Zollinger
Orson J. Zollinger, Trustee
By: Donna J. Zollinger
Donna J. Zollinger, Trustee

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>if</u>	Date <u>2/22/06</u>	Fee <u>50.00</u>
Received by <u>D. Case</u>	Date <u>2/22/06</u>	Receipt No. <u>5028415</u>
Processed by _____	AJ Date _____	WR _____ Date _____

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: **A43-10843**
Date Received: 5/ 5/1993
Receipt No: S015710
Received By: _____

AMENDED

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

AMENDED

1. Name: ASIEL A ZOLLINGER 208-645-2237
Address: HC 61 BOX 1104
MALTA ID 83342
AND/OR
Name: ORSON J ZOLLINGER 208-645-2250
Address: HC 61 BOX 1096
MALTA ID 83342
AND/OR
Name: RUSSELL ZOLLINGER 208-645-2353
Address: HC 61 BOX 1104
MALTA ID 83342
AND/OR
Name: ROLAND ZOLLINGER 208-645-2219
Address: HC 61 BOX 1094
MALTA ID 83342

2. Date of Priority: JUN 30, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	28E	12	SW	SW	NW		CASSIA
			SE	SW	NW		CASSIA

5. Description of diverting works:
TWO CONNECTED WELLS AND PUMPS, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	10.000		100.00

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	28E	2	SW	SW		IRR	40.0
			SE	SW		IRR	31.0
					Section Acres		71.0
		3	NW	NE		IRR	23.0
					Section Acres		23.0
		10	SE	NE		IRR	40.0
			NE	SE		IRR	40.0
					Section Acres		80.0
		11	SW	NE		IRR	38.0
			SE	NE		IRR	37.0
			NE	NW		IRR	38.0
			NW	NW		IRR	34.0
			SW	NW		IRR	40.0
			SE	NW		IRR	36.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	34.0
			SE	SW		IRR	25.0
			NE	SE		IRR	34.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	29.0
					Section Acres		504.0
		12	NW	NW		IRR	12.0
			SW	NW		IRR	35.0
					Section Acres		47.0
		14	NW	NW		IRR	19.0
					Section Acres		19.0
					Total Acres		744.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
43-02518

14. Remarks:

THIS RIGHT IS AN EXPANSION OF 43-02518.

PURSUANT TO APPROVED TRANSFER NO. 4169:

1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE FOR THE LANDS ABOVE.
2. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
3. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SRBA.
4. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THIS TRANSFER SHOULD NOT BE RESCINDED.
5. THE TOTAL COMBINED RATE OF DIVERSION UNDER RIGHT NO. 43-02518C AND SRBA CLAIM NO. A43-10843 SHALL NOT EXCEED 10.0 CFS.
6. RIGHT NO. 43-02518C IS LIMITED TO THE IRRIGATION OF 719 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
7. SRBA CLAIM NO. A43-10843 IS LIMITED TO THE IRRIGATION OF 25 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
8. TWO POINTS OF DIVERSION ARE LOCATED WITHIN SWNW, S12, T13S, R28E.

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: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

04-Nov-1993

ASIEL A ZOLLINGER
ORSON J ZOLLINGER
RUSSELL ZOLLINGER
ROLAND ZOLLINGER
HC 61 BOX 1094
MALTA ID 83342

RE: Amendment of SRBA Claim #A43-02518 & A43-10843

Dear Claimant:

Pursuant to the approval of Transfer No. 4169, your above referenced Notice of Claim in the Snake River Basin Adjudication has been amended to conform with the transfer. Please find enclosed a printout of the way the claim record has been modified. Please look the modified record over carefully to be sure it correctly reflects your intended change. If you have questions please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie'.

Jeanie Robertson
Records Clerk

Encl:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Region Adjunct

TRANSFER OF WATER RIGHT

TRANSFER NO. 4169
WATER RIGHT NO(S). 43-02518C &
NOTICE OF CLAIM TO A WATER RIGHT A43-10843

This is to certify that: ORSON J ZOLLINGER
ASIEL A ZOLLINGER
RUSSELL ZOLLINGER
ROLAND ZOLLINGER
HC 61 BOX 1096
MALTA ID 83342

RECEIVED

OCT 19 1993

Department of Water Resources
Southern Region Office

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 43-02518C :			
IRRIGATION	04/01 to 10/31	10.00 CFS	2876.0 AF
Priority: 03/23/1961			
Claim No. A43-10843 :			
IRRIGATION	04/01 to 10/31	10.00 CFS	100.0 AF
Priority: 06/30/1985			

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 12, Township 13S, Range 28E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S	28E	2	SWSW 40	SESW 31		71
		3	NWNE 23			23
		10	SENE 40	NESE 40		80
		11	SWNE 38	SENE 37	NENW 38	
			NWNW 34	SWNW 40	SENW 36	
			NESW 40	NWSW 40	SWSW 34	
			SESW 25	NESE 34	NWSE 40	
			SWSE 39	SESE 29		504
		12	NWNW 12	SWNW 35		47
		14	NWNW 19			19

Total number of acres irrigated: 744

TRANSFER NO. 4169
WATER RIGHT NO(S). 43-02518C &
NOTICE OF CLAIM TO A WATER RIGHT A43-10843

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. The total combined rate of diversion under Right No. 43-02518C and Snake River Basin Adjudication Claim No. A43-10843 shall not exceed 10.0 cfs.
6. Right No. 43-02518C is limited to the irrigation of 719 acres in the place of use described above in a single irrigation season.
7. Snake River Basin Adjudication Claim No. A43-10843 is limited to the irrigation of 25 acres in the place of use described above in a single irrigation season.
8. Two points of diversion are located within SWNW, S12, T13S, R28E.

Dated this 13th day of October, 1993.


Chief, Water Alloc. Bureau

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4169

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

A.
Name of applicant Asie/ w/ Orson J. w/ Russell w/ Roland Zollinger Phone 645-2250
Post Office address c/o Orson J. Zollinger, HC 61 Box 1096, Malt, ID 83342

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Change P/U to allow installation of pivot sprinkler

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>A43-02518</u>	<u>3-23-1961</u>	<u>10.0 cfs</u>	<u>Irrig.</u>	<u>3-15</u> to <u>11-15</u>
<u>A43-10843</u>	<u>6-30-1985</u>	<u>10.0 cfs</u>	<u>"</u>	<u>"</u> to <u>"</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 10.0 cubic feet per second and/or 2996 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: No Change

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use: Not to exceed 719.25 acres per annum, respectively.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
135	28E	2										40	31						71
		3		23															23
		10				40								40					80
		11			38	37	38	34	40	36	40	40	34	25	34	40	39	29	504
		12						12	35										47
		14						18											19 18 18
								16											

Total acres 744

PART 1

6. General Information:

a. Description of diversion system Two connected wells & pumps, mainline to sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land will no longer be irrigated. The two pivot corners have been in Federal set-aside programs since 1977.

d. Remarks:

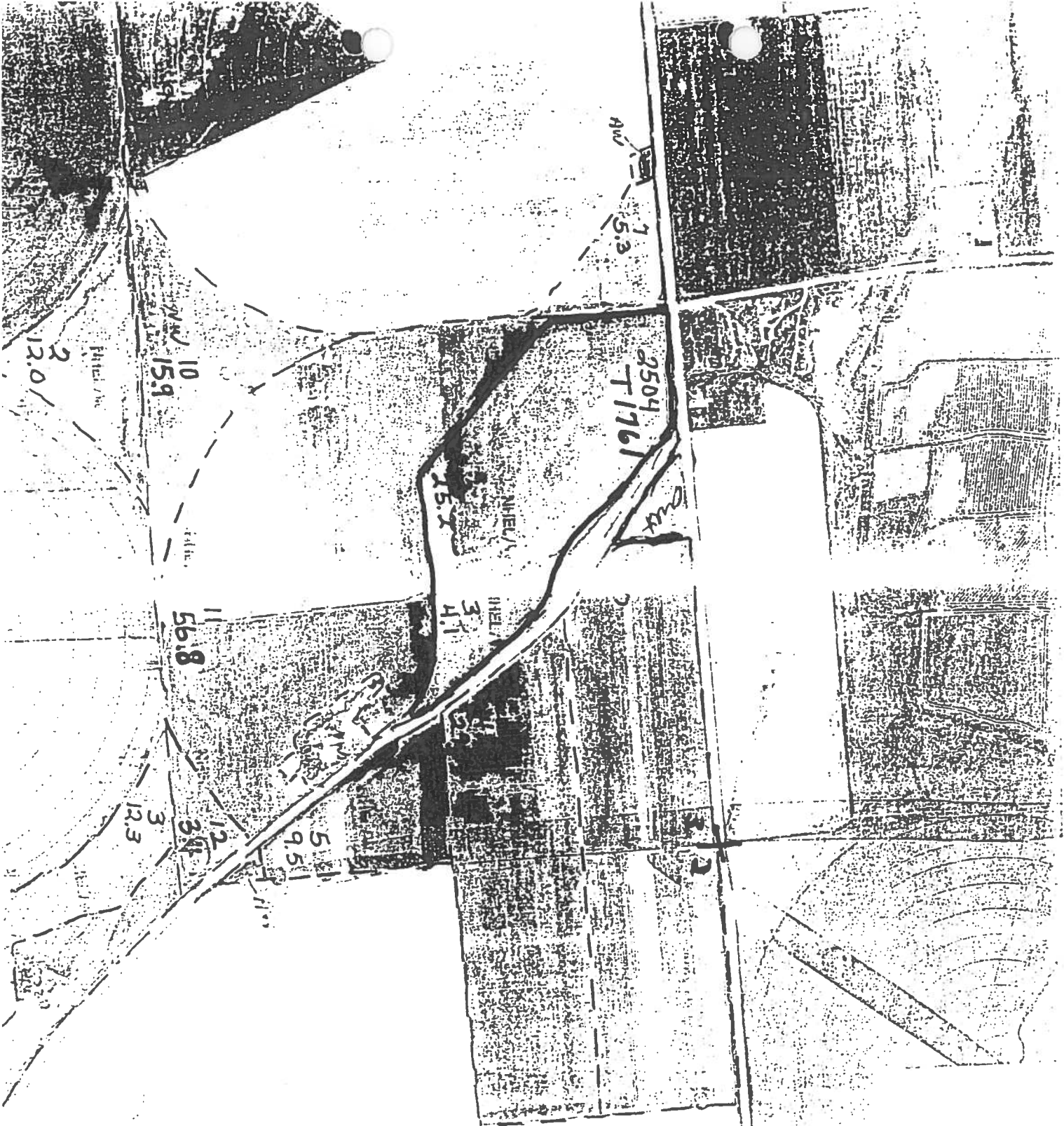
Most of the pivot in the NW 1/4 Sec. 14 will be under Sublett Irrigation Co. shares. Number of irrigated acres will not increase as a result of this transfer.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

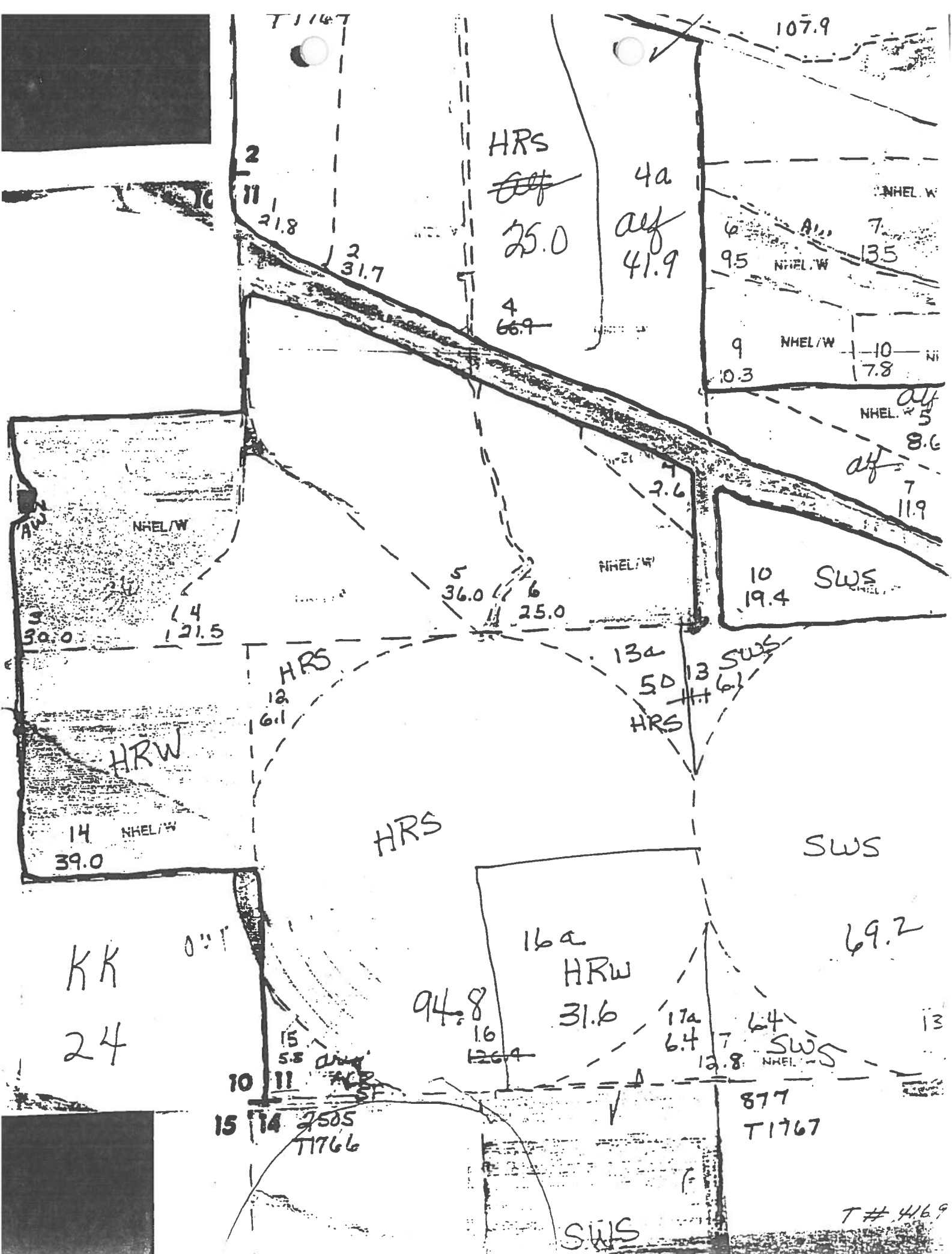
This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____



JJ 24
T#4/6



T 13

2505

T1798

2504

T1791

2504

T1789

10.0

36.1

CRP

88-97

1049

T 1228

6.5

4

4.2

5

4.3

17.1

10

5.7

44/60

2505
T1762

60.7

2
81.1

3
107.9

2504
T1764

3 2
10 11

21.8

2
31.7

4
66.9

6
95

9
10.3

2.6

5
36.0

6
25.0

10
19.4

3
30.0

4
21.5

12
6.1

13
11.1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A43-02518 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 3-23-1961

5. Water is used for the following purpose:

amount 10,0 cfs for Irrig. purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 10,0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	12	13S	28E	Cassia	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	28E	2										40	31						71
		3		123	23														23
		10				40								39					19
		11			38	37	36	34	40	30	40	40	34	25	34	40	39	32	499
		12						12	35										47

Total acres 719

9. Describe any other water rights used for the same purpose as described above A440

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. A43-10843 on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 6-30-1985

5. Water is used for the following purpose:

amount 10.0 cfs for Irrig. purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 10.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	12	135	28E	Cassia	
	SE	SW	NW	"	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
135	28E	10													1			3	4
		11					2		6			6					7		21

Total acres 25

9. Describe any other water rights used for the same purpose as described above None, A43-02518 on adjacent
lands.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes If yes, describe Pivot corners have been in Federal set+aside since 1977.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

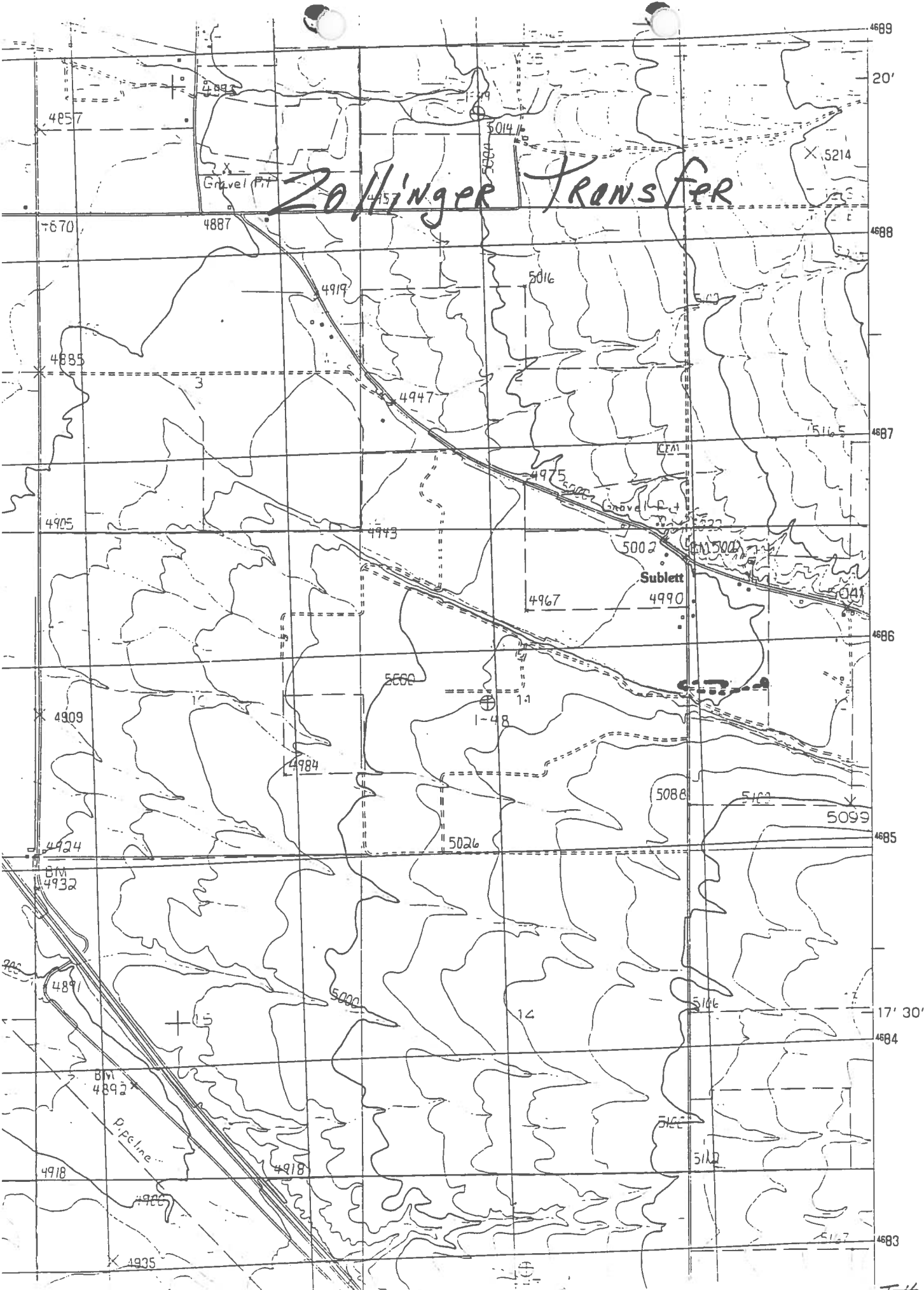
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____



ZOLLINGER TRANSFER

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

-
- A hand-drawn map of a field layout. The map features several numbered plots and a central road. The plots are labeled with numbers: 23 (top left), 3 (top left), 2 (top right), 10 (left), 14 (bottom), 12 (right), and 19 (bottom center). The central road is labeled 11. The plots are arranged in a grid-like fashion, with some plots containing sub-plots or smaller numbers. The road runs vertically through the center, with a horizontal road crossing it. The plots are labeled with numbers: 40, 31, 34, 38, 36, 37, 35, 39, 29, 34, 28, 5, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Quinn J. Zollinger
(Signature of Applicant)

Subscribed and sworn to before me this 5th day of May, 19 93.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/1998

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 6 attachments

Received by J. Edenton Date 5-5-93 Protest filed by _____

Prelim. check by NS Fee \$50.00 5015713

Receipted by JS Date 5-5-93

Published in So. Ed. Press Copies of protest forwarded by _____

Pub. dates 6/25 & 7/2/93 Hearing held by _____ Date _____

Watermaster recommendation requested on 11/14 Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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: **A43-10843**
Date Received: 5/ 5/1993
Receipt No: S015710
Received By: KKC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ASIEL A ZOLLINGER 208-645-2237
Address: HC 61 BOX 1104
MALTA ID 83342
AND/OR
Name: ORSON J ZOLLINGER 208-645-2250
Address: HC 61 BOX 1096
MALTA ID 83342
AND/OR
Name: RUSSELL ZOLLINGER 208-645-2353
Address: HC 61 BOX 1104
MALTA ID 83342
AND/OR
Name: ROLAND ZOLLINGER 208-645-2219
Address: HC 61 BOX 1094
MALTA ID 83342

2. Date of Priority: JUN 30, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	28E	12	SW	SW	NW		CASSIA
			SE	SW	NW		CASSIA

5. Description of diverting works:

TWO WELLS & PUMPS TO PIPELINES & DITCHES & 4 BOOSTER PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	10.000		

7. Total Quantity Appropriated is:

10.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	28E	10	NE	SE		IRR	1.0
			SE	SE		IRR	3.0
					Section Acres		4.0
		11	NE	NW		IRR	2.0
			SE	NW		IRR	6.0
			SW	SW		IRR	6.0
			SE	SE		IRR	7.0
					Section Acres		21.0
					Total Acres		25.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
43-02518

14. Remarks:
THIS RIGHT IS AN EXPANSION OF 43-02518.

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: _____

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): *Quen Zollerger* Date: 5-5-93
Date: _____

State of Idaho)
County of *Twin Falls*) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of May 19 93 *Kelly K Christensen*
Notary Public

Seal

Residing at *Kimberly St*
My Commission Expires 3-2-98



May 4, 1993

EXPANSION ACRES:1

LOCATION: NE OF THE SE SEC 10 T 13S R 28E

ADJUDICATION CLAIM: 39 ACRES

ACTUAL IRRIGATED ACRES: 40

HISTORY: AS SHOWN IN THE 1968 ENGINEERS REPORT THE ENTIRE 40 WAS IRRIGATED IT HAS ALWAYS BEEN AND IS PRESENTLY STILL IRRIGATED. IN 1968 THIS 40 WAS FLOOD IRRIGATED AND IN 1970 THE IRRIGATION SYSTEM WAS CHANGED TO PUMP AND HAND LINES. THEN ON MAY 6, 1977 THE HAND LINES WERE REMOVE AND REPLACED BY 2 WHEEL LINES THAT ARE STILL IN USE. THE ACRE WAS LEFT OFF THE ADJUDICATION CLAIM TO STAY WITHIN THE 719 ACRES WE HAD A LICENSE FOR.

May 4, 1993

EXPANSION ACRES:3

LOCATION: SE OF THE SE SEC 10 T 13S R 28E

ADJUDICATION CLAIM: 0 ACRES

ACTUAL IRRIGATED ACRES: 3

HISTORY: THESE 3 ACRES BECAME IRRIGATED ON MAY 6, 1977 UPON
PUTTING A CENTER PIVOT ON THE SW OF SEC 11. THIS PIVOT
OVERLAPPED ONTO THE ABOVE MENTIONED PROPERTY.

May 4, 1993

EXPANSION ACRES:2

LOCATION: NE OF THE NW SEC 11 T 13S R 28E

ADJUDICATION CLAIM: 36 ACRES

ACTUAL IRRIGATED ACRES: 38

HISTORY: THESE ACRES WERE WATERED IN 1968, WE HAVE NO IDEA WHY THEY WERE NOT FOUND IN THE ENGINEERS REPORT. THE REASON THEY WERE OMITTED FROM THE ADJUDICATION CLAIM WAS TO STAY WITHIN THE 719 ACRES WE HAVE A LICENSE FOR.

May 4, 1993

EXPANSION ACRES:6

LOCATION: SE OF THE NW SEC 11 T 13S R 28E

ADJUDICATION CLAIM: 30 ACRES

ACTUAL IRRIGATED ACRES: 36

HISTORY: ON OUR WATER LICENSE, THIS 40 IS COMPLETELY COVERED BUT ACTUALLY UP UNTIL 1978 THERE WAS ONLY ABOUT 35 ACRES ACTUALLY IRRIGATED. IN 1978 WE PLANTED A WINDBREAK ON THE EASTERN EDGE OF THIS 40 BRINGING THE TOTAL NUMBER OF ACRES TO 36. THE SIX ACRES WERE LEFT OFF OUR ADJUDICATION CLAIM SO WE DID NOT EXCEED OUR LICENSED USE OF 719 ACRES.

May 4, 1993

EXPANSION ACRES:6

LOCATION: SW OF THE SW SEC 11 T 13S R 28E

ADJUDICATION CLAIM: 36 ACRES

ACTUAL IRRIGATED ACRES: 40

HISTORY: IN 1968 THIS GROUND WAS IN THE FEDERAL SOILBANK PROGRAM AND COULDN'T BE DEVELOPED. ON THE ENGINEER'S REPORT OF 1968 THESE ACRES WERE OMITTED FOR THAT REASON. IN 1970 UPON THE COMPLETION OF THE CONTRACT THIS ENTIRE 40 WAS DEVELOPED. IN APRIL 22, 1977 PART OF THIS GROUND WAS COVERED UNDER OUR LICENSE IN A CHANGE OF PLACE OF USE TRANSFER. IN 1970 THE IRRIGATION SYSTEM CONSISTED OF PUMP, MAINLINE AND HAND LINES. THE SYSTEM WAS UPGRADED TO A CENTER PIVOT ON MAY 6, 1977 AND THE CORNER ACRES WERE USED AS ACREAGE REDUCTION ACRES UNDER THE ASC PROGRAMS. THESE ACRES WERE OMITTED ON THE ADJUDICATION CLAIM SO WE DID NOT TO EXCEED OUR 719 LICENSED ACRES.

May 4, 1993

EXPANSION ACRES:7

LOCATION: SE OF THE SE SEC 11 T 13S R 28E

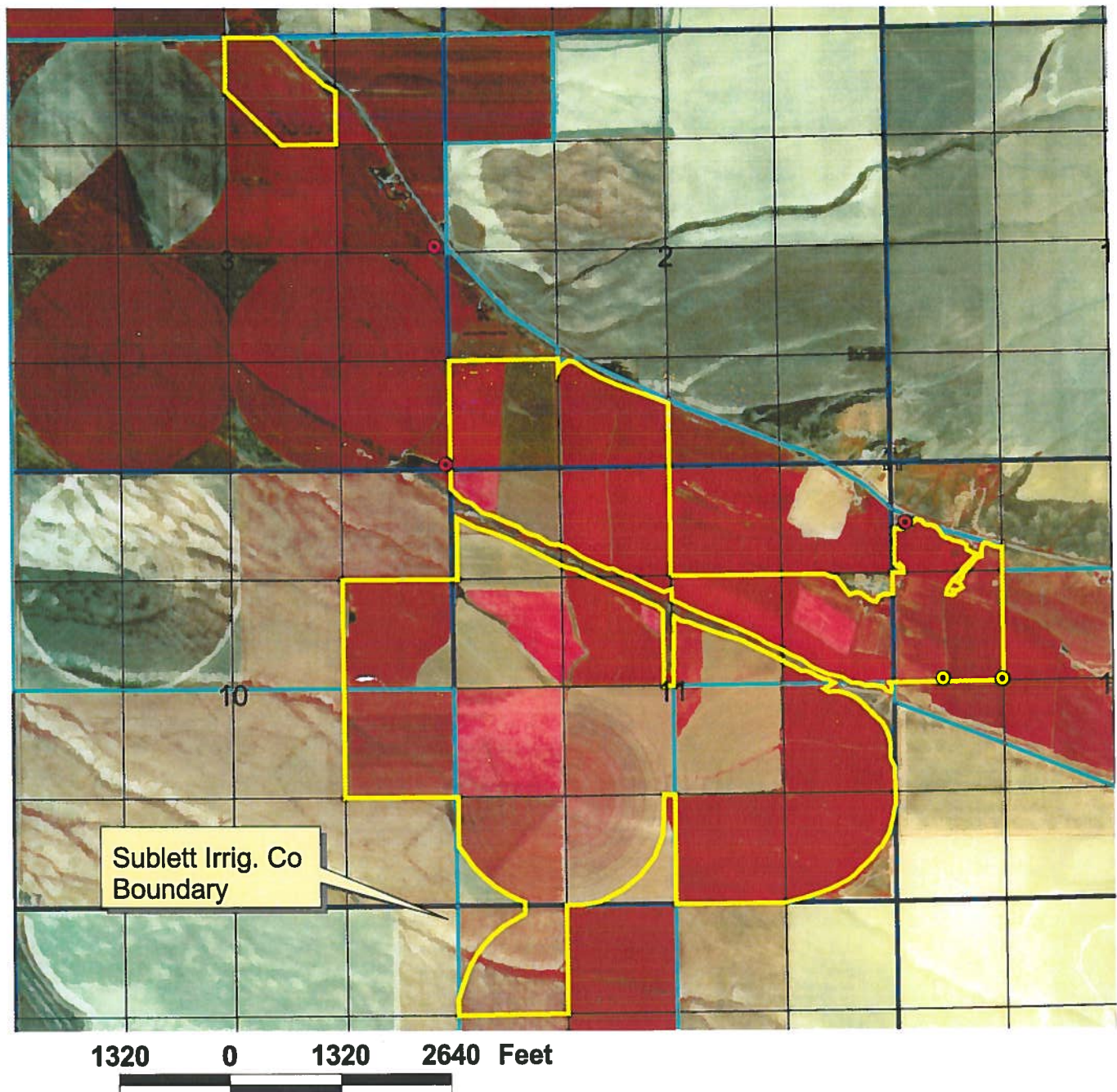
ADJUDICATION CLAIM: 32 ACRES

ACTUAL IRRIGATED ACRES: 39

HISTORY: IN 1968 THE ENGINEERS REPORT SHOWS THAT 39 ACRES WERE IRRIGATED. THEY WERE UNDER A HAND LINE SYSTEM. THIS SYSTEM WAS CHANGED TO A WHEEL LINE SYSTEM IN THE SPRING OF 1969. A CENTER PIVOT WAS INSTALLED ON THIS PROPERTY ON MAY 6, 1977. THE CORNER WAS USED AS ACR ACRES UNDER THE FEDERAL GOVERNMENT PROGRAMS. THESE ACRES WERE LEFT OFF OUR ADJUDICATION CLAIM SO WE DID NOT EXCEED OUR LICENSED USE OF 719 ACRES.

IDAHO DEPARTMENT OF WATER RESOURCES

43-2518 & 43-10843



T13S R28E



-  RECOMMENDED PLACE OF USE
-  POINT OF DIVERSION
-  SECTION LINES
-  1/4-1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: May 24, 2001

03/21/2001

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

RIGHT NUMBER:

43-10843

NAME AND ADDRESS:

ROLAND ZOLLINGER
1513 S 3350 E BOX 1094
MALTA, ID 83342

ORSON J ZOLLINGER
1527 S 3350 E
MALTA, ID 83342

ASIEL A ZOLLINGER
RUSSELL ZOLLINGER
3368 E SUBLETT RD BOX 1104
MALTA, ID 83342

SOURCE:

GROUND WATER

QUANTITY:

0.34 CFS

USE OF THIS RIGHT WITH RIGHT NO. 43-2518 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 10.0 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2876 AF.

PRIORITY DATE:

06/30/1985

POINT OF DIVERSION:

T13S R28E S12
T13S R28E S12

SWSWNW
SESWNW

Within CASSIA County
Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.34 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R28E S2	SWSW	40	T13S R28E S2	SESW	31
T13S R28E S3	NWNE	23	T13S R28E S10	SENE	40
T13S R28E S10	NESE	40	T13S R28E S11	SWNE	38
T13S R28E S11	SENE	37	T13S R28E S11	NENW	38
T13S R28E S11	NWNW	34	T13S R28E S11	SWNW	40
T13S R28E S11	SENW	36	T13S R28E S11	NESW	40
T13S R28E S11	NWSW	40	T13S R28E S11	SWSW	34
T13S R28E S11	SESW	25	T13S R28E S11	NESE	34
T13S R28E S11	NWSE	40	T13S R28E S11	SWSE	39
T13S R28E S11	SESE	29	T13S R28E S12	NWNW	12
T13S R28E S12	SWNW	35	T13S R28E S14	NWNW	19

744 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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

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.

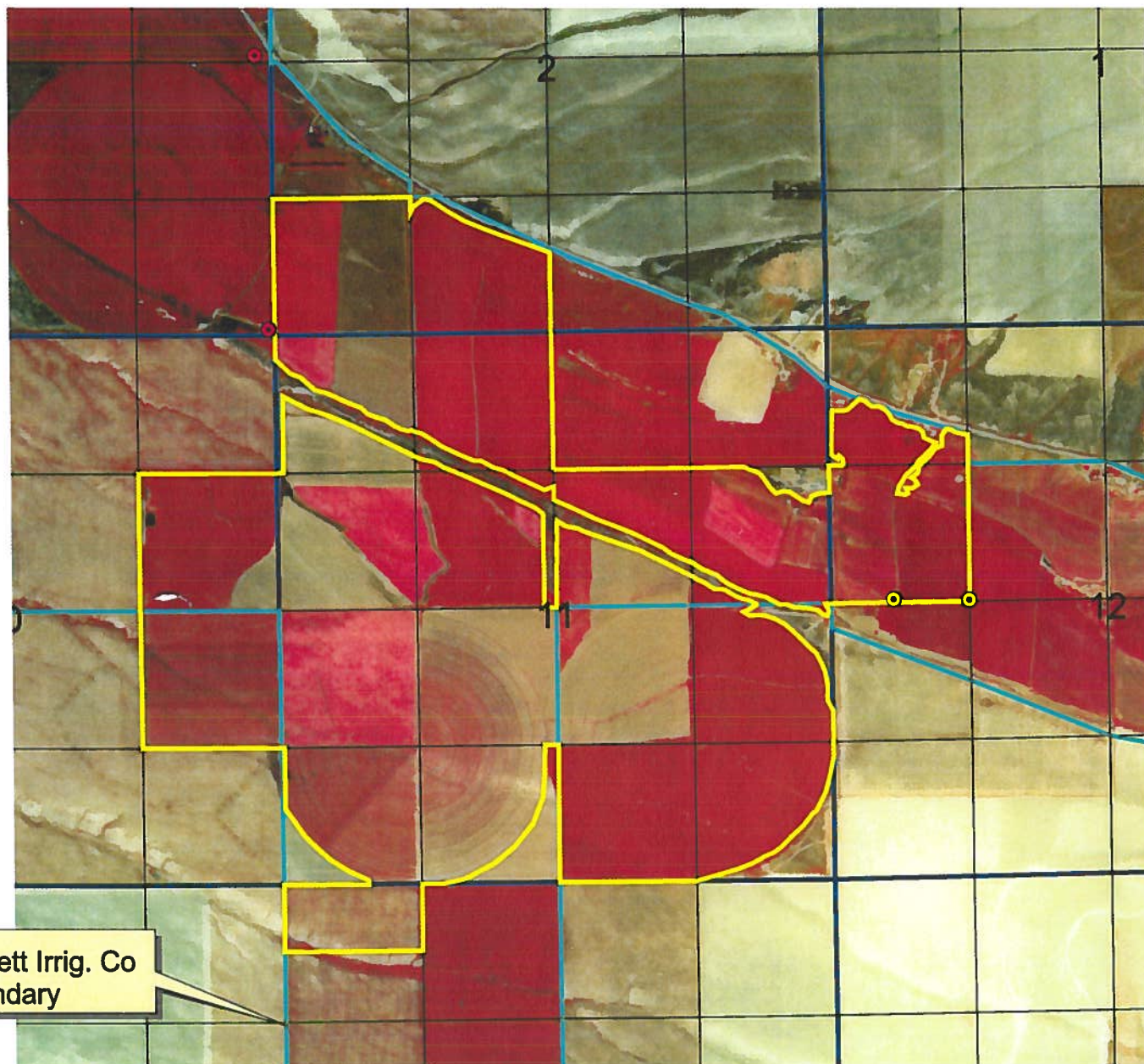
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-2518 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS FOR AN EXPANSION OF 25 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES

43-2518 & 43-10843



Sublett Irrig. Co
Boundary

660 0 660 1320 1980 2640 Feet



T13S R28E



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4-1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: March 21, 2001

T13S, R28E

Zollinger

A43-02518 (719 Ac.) } 744 Ac. Total
A43-10843 (25 Ac.) }





Idaho Statutes

TITLE 42 IRRIGATION AND DRAINAGE -- WATER RIGHTS AND RECLAMATION CHAPTER 14

ADJUDICATION OF WATER RIGHTS

42-1416B. CLAIM FOR EXPANDED USE IN CRITICAL GROUND WATER AREA -- DETERMINATION OF WATER AVAILABILITY. (1) Within any critical ground water area designated pursuant to section 42-233a, Idaho Code, a claim to the expanded use of a ground water right, which use was expanded in violation of the mandatory permit requirements, may be decreed in a general water rights adjudication if the expansion occurred after the designation of the critical ground water area, before the commencement of the adjudication, and before the date of enactment of this section. The priority date for the right decreed shall be June 30, 1985.

(2) Water shall be deemed unavailable to fill the rights for expanded use, even if decreed in the adjudication, unless the director finds that a management program exists which will, within a time period acceptable to the director, limit the average annual water withdrawals from the aquifer designated in the critical ground water area to no more than the average annual recharge to the aquifer.

(3) Within two (2) years after a decree determining the water rights within a critical ground water area becomes final, but not sooner than four (4) years from the date of enactment of this section, the director of the department of water resources shall make a finding as to whether an adequate management program exists to bring withdrawals into balance with recharge.

(4) If the director finds that an adequate management program to bring withdrawals into balance with recharge does not exist, the director shall order all holders of rights to expanded use of ground water within the area to cease or reduce withdrawal of water until such time as the director determines that withdrawals have been brought into balance with recharge and sufficient ground water is available to resume or increase withdrawals. The director's order shall be issued before September 1 and shall be effective beginning with the following growing season.

(5) For purposes of this section, the following definitions shall apply:

(a) "Expanded use" means an increase in the number of acres irrigated, or other additional use, under a valid ground water right without any increase in the rate of diversion or volume of water diverted.

(b) "Management program" means a program to recharge the aquifer, limit withdrawals from the aquifer or provide surface water supplies for all, or a portion, of the land irrigated with water withdrawn from the aquifer, including any actions designed to bring withdrawals into balance with the average annual recharge to the aquifer.

(c) "Recharge" refers to all processes, natural or artificial, which add water to the aquifer.

(d) "Withdrawal" refers to all processes, natural or artificial, which take water from the aquifer.

(6) The hearing and judicial review provisions of section 42-1701A, Idaho Code, shall apply to any findings and orders issued by the director pursuant to this section.

(7) Nothing contained in this section shall be construed to limit the authority of the director of the department of water resources to administer and enforce any other ground water laws of the state.

The Idaho Code is made available on the Internet by the Idaho Legislature as a public service. This Internet version of the Idaho Code may not be used for commercial purposes, nor may this database be published or repackaged for commercial sale without express written permission.



Farm Credit Services

1305 Albion Avenue
P.O. Box 1168
Burley, Idaho 83318
208/678-3516 FAX 208/678-1302

June 8, 1993

RECEIVED

JUN 10 1993

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources
Attn: Jim Stenton
222 Shoshone St. East
Twin Falls, ID 83301

RE: Orson Zollinger, et., al.
Application for Transfer of Water Right;
Right Numbers, A43-02518 and A43-10843;
dated 5-5-93

Dear Jim:

As first mortgage holder on real estate included in the above transfer application, the Farm Credit Bank of Spokane does hereby consent to said transfer.

Sincerely,

Thomas E. Steele
Credit Officer

cc: Mr. Orson Zollinger

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
BURLEY, ID 83318

IMPORTANT NOTICE - PLEASE READ

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
BURLEY, ID 83318
PERMIT NO. 146

CATEGORY DESCRIPTION
1 IRRGTD AG
5 DRY GRAZING

TAX CODE 18-00

LOTS / ACRES

MARKET VALUE

114.500 AC 33,205
5.500 AC 176

120.000

33,381*

1993

TAXPAYERS

VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 25, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER
S1/2SW, NWSW
S 11 T 13 R 28

Mail To:
ZOLLINGER, HEBER J
X ZOLLINGER, ORSON J
HC 61 BOX 1096
MALTA, ID 83342

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
BURLEY, ID 83318

IMPORTANT NOTICE - PLEASE READ

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
BURLEY, ID 83318
PERMIT NO. 146

CATEGORY DESCRIPTION
1 IRRGTD AG
5 DRY GRAZING

TAX CODE 18-00

LOTS / ACRES

MARKET VALUE

46.180 AC 13,392
6.000 AC 192

52.180

13,584*

1993

TAXPAYERS

VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 25, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER
T 4664
S 2 E S 11 T 13 R 28

Mail To:
ZOLLINGER, ORSON
E ZOLLINGER, DONNA JO
HC 61 BOX 1096
MALTA, ID 83342

RECEIVED

JUN 21 1993

Department of Water Resources
Southern Region Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that ASIEL A. &/OR Orson J. &/OR RUSSELL &/OR ROLAND ZOLLINGER, C/O ORSON J. ZOLLINGER of Malta, ID have applied to the Department of Water Resources for changes to places of use from groundwater sources and further classified as **Transfer # 4169**.

The rights to be changed authorize diversion of water from two wells located in S12, T13S, R28E within Cassia County. The rights are claimed in the Snake River Basin Adjudication recorded in part as follows:

Number: A43-02518
Priority: 3/23/1961
Amount: 10.0 cfs
Acres: 719

Number: A43-10843
Priority: 6/30/1985
Amount: 10.0 cfs
Acres: 25

TO BE CHANGED AS FOLLOWS

These water rights (A43-02518, A43-10843) will be diverted from two wells located in SW1/4SW1/4NW1/4, SE1/4SW1/4NW1/4, S12, T13S, R28E and will be used for irrigation of 744 acres within S1/2SW1/4, S2, T13S, R28E; NW1/4NE1/4, S3, T13S, R28E; SE1/4NE1/4, NE1/4SE1/4, S10, T13S, R28E; S1/2NE1/4, NW1/4, SW1/4, SE1/4, S11, T13S, R28E; W1/2NW1/4, S12, T13S, R28E; NW1/4NW1/4, S14, T13S, R28E using a total diversion rate of 10.0 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before July 12, 1993.

R. Keith Higginson, Director

Published in South Idaho Press on 6/25 & 7/2/93.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

18-Jun-1993

R. KEITH HIGGINSON
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

18-Jun-1993

R. KEITH HIGGINSON
Director

ORSON ZOLLINGER
HC 61 BOX L096
MALTA ID 83342

Re: Application for Transfer No. 4169 (A43-02518, A43-10843)

Dear Mr. Zollinger:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the South Idaho Press for 6/25 and 7/2/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and/or a notarized statement from any lien holder on the property.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mel Schulte
Water Right Agent

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Zollinger Transfer

FROM: Jim Stanton

DATE: 6-7-93

Last week I met with Mr. Zollinger to do a pre-transfer exam on this system. There are 2 wells located near the South Canal out of Sublett Reservoir. The wells can be totally co-mingled with reservoir water for use anywhere on the Zollinger property. Mr. Zollinger stated that the possible place of use is larger than what he claimed, but that he claimed the groundwater as it has been historically used. He owns or has purchased enough canal water to run the proposed pivot, except for 19 acres of groundwater that is being removed from 2 existing pivot corners that have been in federal set-aside programs for a long time. Since the claims on this system are much different than the license with regard to P/U, the transfer is based on the claims. The other 3 acres are now watered under an Off-center pivot; the pivot will be shut off as it crosses this land. Transfer appears reasonable.

(X) For your information

() Response required

J. E. Stanton
signature

May 4, 1993

EXPANSION ACRES:6

LOCATION: SE OF THE NW SEC 11 T 13S R 28E

ADJUDICATION CLAIM: 30 ACRES

ACTUAL IRRIGATED ACRES: 36

HISTORY: ON OUR WATER LICENSE THIS 40 IS ALL COVERED. BUT ACTUALLY ONLY 35 ACRES WERE IRRIGATED AT THE TIME THAT THE ENGINEER DID THE FIELD STUDY. THE OTHER ACRE WAS ADD IN 1978 WHEN WE PLANTED A WINDBREAK ON THE EAST EDGE OF THE PROPERTY. BRINGING THE NUMBER OF ACRES TO 36. THE SIX ACRES WERE LEFT OFF OUR ADJUDICATION CLAIM SO WE DID NOT EXCEED OUR LICENSED USE OF 719 ACRES.

I. ASIEL A ZOLLINGER, DO HEREBY STATE THAT THE ABOVE WRITTEN STATEMENTS ARE ACCURATE. I KNOW THIS BECAUSE I HAVE OWNED THE ABOVE MENTIONED PROPERTY WITH THE EXPECTATION OF THE NORTHEAST CORNER WHICH WAS OWNED BY MY MOTHER, PEARL ZOLLINGER. AND THEN MY BROTHER HEBER OBTAINED THE CORNER FROM THE ESTATE OF PEARL ZOLLINGER. HEBER IN TURN SOLD THE PROPERTY TO MY BROTHER ORSON. ORSON OWNS THE CORNER OF THE 40 AT THE PRESENT TIME .


ASIEL A ZOLLINGER

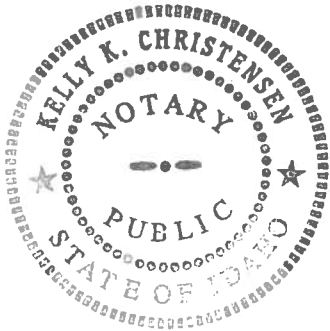
STATE OF IDAHO,

County of Twin Falls.

)
ss.
)

On this 24th day of May, 1993, before me,
the undersigned a Notary Public in the for said State, personally
appeared Asiel A Zollinger, known to me to be the person whose
name is subscribed to the within instrument and acknowledged to
me that he 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.



Kelly K Christensen
Notary Public for Idaho

Residing at Kimberly, Idaho

My Commission Expires 2-2-98

May 4, 1993

EXPANSION ACRES:6

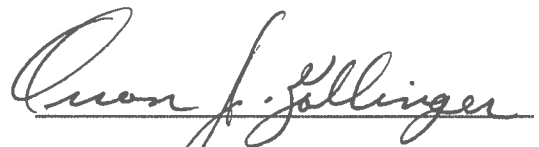
LOCATION: SW OF THE SW SEC 11 T 13S R 28E

ADJUDICATION CLAIM: 36 ACRES

ACTUAL IRRIGATED ACRES: 40

HISTORY: IN 1968 THIS GROUND WAS IN THE FEDERAL SOILBANK PROGRAM AND COULDN'T BE DEVELOPED. ON THE ENGINEER'S REPORT OF 1968 THESE ACRES WERE OMITTED FOR THAT REASON. IN 1970 UPON THE COMPLETION OF THE CONTRACT THIS ENTIRE 40 WAS DEVELOPED. IN APRIL 22, 1977 PART OF THIS GROUND WAS COVERED UNDER OUR LICENSE IN A CHANGE OF PLACE OF USE TRANSFER. IN 1970 THE IRRIGATION SYSTEM CONSISTED OF PUMP, MAINLINE AND HAND LINES. THE SYSTEM WAS UPGRADED TO A CENTER PIVOT ON MAY 6, 1977 AND THE CORNER ACRES WERE USED AS ACREAGE REDUCTION ACRES UNDER THE ASC PROGRAMS. THESE ACRES WERE OMITTED ON THE ADJUDICATION CLAIM SO WE DID NOT TO EXCEED OUR 719 LICENSED ACRES.

I, ORSON J ZOLLINGER, ATTEST THAT THE STATEMENTS MADE IN THIS DOCUMENT IS TRUE AND ACCURATE. I HAVE PERSONAL KNOWLEDGE OF THIS BECAUSE IN 1968 THE PROPERTY WAS OWNED BY MY BROTHER, HEBER. HE HELD OWNERSHIP UNTIL HE SOLD THE PROPERTY TO ME IN 1977. I AM STILL THE OWNER OF SAID PROPERTY.


ORSON J ZOLLINGER

STATE OF IDAHO,

County of Cassia

)
ss.
)

On this 6th day of May, 1993, before me,
the undersigned a Notary Public in the for said State, personally
appeared Orson J Zollinger, known to me to be the person whose
name is subscribed to the within instrument and acknowledged to
me that he 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.

Michael J. Smith
Notary Public for Idaho

Residing at Bailey, Idaho

My Commission Expires 5-1-98

May 4, 1993

EXPANSION ACRES:7

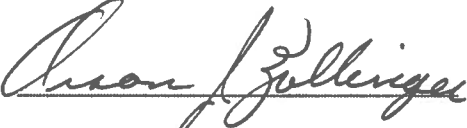
LOCATION: SE OF THE SE SEC 11 T 13S R 28E

ADJUDICATION CLAIM: 32 ACRES

ACTUAL IRRIGATED ACRES: 39

HISTORY: IN 1968 THE ENGINEERS REPORT SHOWS THAT 39 ACRES WERE IRRIGATED. THEY WERE UNDER A HAND LINE SYSTEM. THIS SYSTEM WAS CHANGED TO A WHEEL LINE SYSTEM IN THE SPRING OF 1969. A CENTER PIVOT WAS INSTALLED ON THIS PROPERTY ON MAY 6, 1977. THE CORNER WAS USED AS ACR ACRES UNDER THE FEDERAL GOVERNMENT PROGRAMS. THESE ACRES WERE LEFT OFF OUR ADJUDICATION CLAIM SO WE DID NOT EXCEED OUR LICENSED USE OF 719 ACRES.

I, ORSON J ZOLLINGER, DO HEREBY ATTEST THAT THE ABOVE STATEMENTS ARE TRUE AND ACCURATE. I HAVE OWNED THE PROPERTY FROM 1968 UNTIL THE PRESENT TIME.


ORSON J ZOLLINGER

STATE OF IDAHO,

County of Cassia.

)
ss.
)

On this 6th day of May, 1993, before me,
the undersigned a Notary Public in the for said State, personally
appeared Orson J Zollinger, known to me to be the person whose
name is subscribed to the within instrument and acknowledged to
me that he 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.

Michael J. Stuehl
Notary Public for Idaho

Residing at Burley, Idaho

My Commission Expires 5-1-98

May 4, 1993

EXPANSION ACRES:3

LOCATION: SE OF THE SE SEC 10 T 13S R 28E

ADJUDICATION CLAIM: 0 ACRES

ACTUAL IRRIGATED ACRES: 3

HISTORY: THESE 3 ACRES BECAME IRRIGATED ON MAY 6, 1977 UPON
PUTTING A CENTER PIVOT ON THE SW OF SEC 11. THIS PIVOT
OVERLAPPED ONTO THE ABOVE MENTIONED PROPERTY.

I, ORSON J ZOLLINGER, DO HEREBY WITNESS THAT THE STATEMENTS MADE
IN THIS DOCUMENT IS CORRECT. I AM THE OWNER OF BOTH OF THE ABOVE
STATED PROPERTIES AND I AM THE OWNER OF THE CENTER PIVOT.

A handwritten signature in cursive script, reading "Orson J. Zollinger", written over a horizontal line.

ORSON J ZOLLINGER

STATE OF IDAHO,

County of Cassia.

)
ss.
)

On this 6th day of May, 1993, before me,
the undersigned a Notary Public in the for said State, personally
appeared Orson J Zollinger, known to me to be the person whose
name is subscribed to the within instrument and acknowledged to
me that he 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.

Michael J. Strand
Notary Public for Idaho

Residing at Boyle, Idaho

My Commission Expires 5-1-98

May 4, 1993

EXPANSION ACRES:1

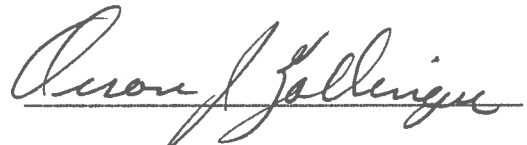
LOCATION: NE OF THE SE SEC 10 T 13S R 28E

ADJUDICATION CLAIM: 39 ACRES

ACTUAL IRRIGATED ACRES: 40

HISTORY: AS SHOWN IN THE 1968 ENGINEERS REPORT THE ENTIRE 40 WAS IRRIGATED IT HAS ALWAYS BEEN AND IS PRESENTLY STILL IRRIGATED. IN 1968 THIS 40 WAS FLOOD IRRIGATED AND IN 1970 THE IRRIGATION SYSTEM WAS CHANGED TO PUMP AND HAND LINES. THEN ON MAY 6, 1977 THE HAND LINES WERE REMOVE AND REPLACED BY 2 WHEEL LINES THAT ARE STILL IN USE. THE ACRE WAS LEFT OFF THE ADJUDICATION CLAIM TO STAY WITHIN THE 719 ACRES WE HAD A LICENSE FOR.

I, ORSON J ZOLLINGER, DO HEREBY WITNESS THAT THE STATEMENTS MADE ABOVE ARE TRUE AND ACCURATE. I HAVE PERSONAL KNOWLEDGE THAT THIS IS TRUE BECAUSE THE PROPERTY DESCRIBED ABOVE WAS OWNED BY MY BROTHER, HEBER, FROM 1968 UNTIL I PURCHASED IT FROM HIM IN 1977. I AM STILL THE OWNER OF THE PROPERTY .


ORSON J ZOLLINGER

STATE OF IDAHO,

County of Cassia.

)
ss.
)

On this 6th day of May, 1993, before me,
the undersigned a Notary Public in the for said State, personally
appeared Orson J Zollinger, known to me to be the person whose
name is subscribed to the within instrument and acknowledged to
me that he 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.

Michael J. Stuel

Notary Public for Idaho

Residing at Busley, Idaho

My Commission Expires 5-1-98

May 4, 1993

EXPANSION ACRES:2

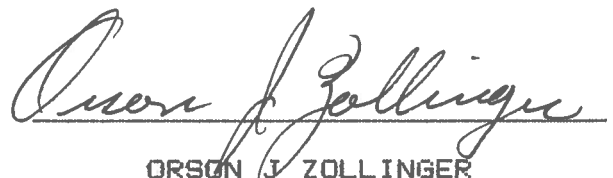
LOCATION: NE OF THE NW SEC 11 T 13S R 28E

ADJUDICATION CLAIM: 36 ACRES

ACTUAL IRRIGATED ACRES: 38

HISTORY: THESE ACRES WERE WATERED IN 1968, WE HAVE NO IDEA WHY THEY WERE NOT FOUND IN THE ENGINEERS REPORT. THE REASON THEY WERE OMITTED FROM THE ADJUDICATION CLAIM WAS TO STAY WITHIN THE 719 ACRES WE HAVE A LICENSE FOR.

I, ORSON J ZOLLINGER, WITNESS THAT THE STATEMENTS MADE IN THIS DOCUMENT IS CORRECT AND ACCURATE. I HAVE PERSONAL KNOWLEDGE OF THIS BY THE FACT THAT IN 1968 THE ABOVE LEGAL DESCRIPTION WAS OWNED BY MY MOTHER, PEARL ZOLLINGER, AND MY BROTHER ASIEL A ZOLLINGER. MOTHER OWNED ALL BUT THE SOUTHWEST CORNER OF THE 40 WITH ASIEL OWNING THE CORNER. UPON THE PASSING OF MY MOTHER, MY BROTHER, HEBER, OBTAINED HER PORTION OF THE PROPERTY. I PURCHASED THAT PORTION OF THE PROPERTY FROM HIM IN 1980.


ORSON J ZOLLINGER

STATE OF IDAHO,

County of

Cassia

)
ss.
)

On this 6th day of May, 1993, before me,

the undersigned a Notary Public in the for said State, personally appeared Orson J Zollinger, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.

Michael J. French

Notary Public for Idaho

Residing at Boise, Idaho

My Commission Expires 5-1-98

AJ0749NP
No. A43-10843

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/12/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ASIEL A ZOLLINGER 3368 E SUBLETT RD BOX 1104 MALTA ID 83342 (208) 645-2237	06/30/1985	IRRIGATION	04-01 10-31	10.00 CFS	100.00 AFA
TOTAL DIVERSION: CONSUMPTIVE USE:					10.00 CFS	75.00 AFA

C ORSON J ZOLLINGER
1527 S 3350 E
MALTA ID 83342
(208) 645-2250

C RUSSELL ZOLLINGER
3368 E SUBLETT RD BOX 1104
MALTA ID 83342
(208) 645-2353

C ROLAND ZOLLINGER
1513 S 3350 E BOX 1094
MALTA ID 83342
(208) 645-2219

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T13S R28E S12

SMSNM

SESNM

CASSIA County

Place of use Legal Description for: IRRIGATION

	NE	ENE	NENE	SENE	ENE	NENE	SENE	ENE	NENE	SENE	ENE	NENE	SENE	ENE	NENE	SENE	ENE	NENE	SENE	SUM
T R S	2	3	10	11	12	14	19	31	34	36	37	40	40	40	40	40	40	40	40	71.0
13S 28E	2	3	10	11	12	14	19	31	34	36	37	40	40	40	40	40	40	40	40	23.0
13S 28E	2	3	10	11	12	14	19	31	34	36	37	40	40	40	40	40	40	40	40	80.0
13S 28E	2	3	10	11	12	14	19	31	34	36	37	40	40	40	40	40	40	40	40	504.0
13S 28E	2	3	10	11	12	14	19	31	34	36	37	40	40	40	40	40	40	40	40	47.0
13S 28E	2	3	10	11	12	14	19	31	34	36	37	40	40	40	40	40	40	40	40	19.0
13S 28E	2	3	10	11	12	14	19	31	34	36	37	40	40	40	40	40	40	40	40	744.0
TOTAL ACRES																			744.0	

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: 43-02518

Remarks: GEN THIS RIGHT IS AN EXPANSION OF 43-02518.

PURSUANT TO APPROVED TRANSFER NO. 4169:

1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE

DO NOT FILM

Remarks:

- NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE FOR THE LANDS ABOVE.
2. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
 3. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SRBA.
 4. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THIS TRANSFER SHOULD NOT BE RESCINDED.
 5. THE TOTAL COMBINED RATE OF DIVERSION UNDER RIGHT NO. 43-02518C AND SRBA CLAIM NO. A43-10843 SHALL NOT EXCEED 10.0 CFS.
 6. RIGHT NO. 43-02518C IS LIMITED TO THE IRRIGATION OF 719 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
 7. SRBA CLAIM NO. A43-10843 IS LIMITED TO THE IRRIGATION OF 25 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
 8. TWO POINTS OF DIVERSION ARE LOCATED WITHIN SNW, S12, T13S, R28E.
- ADDRESS CHANGES BY CLAIMANT LETTERS
ADDED GRID ADDRESS TO ORSON ZOLLINGER

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag: G	Presumption Flag:

"DO NOT FILM"



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

December 3, 1997

KARL J. DREHER
DIRECTOR

ROLAND ZOLLINGER
KATHY ZOLLINGER
1513 S 3350 E Box 1094
MALTA ID 83342

RECEIVED
DEC 12 1997

Re: Snake River Basin Adjudication (SRBA) ✓
Notices of Claim #A43-02518, A43-04221, A43-04225, ✓
A43-04235A & A43-10843 records modified 12-12-97.
Change of Address AS

Department of Water Resources

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Please return the letter by December 10, 1997. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

December 3, 1997

KARL J. DREHER
DIRECTOR

RECEIVED
DEC 12 1997

Department of Water Resources

ASIEL A ZOLLINGER
RUSSELL ZOLLINGER
PATTY ZOLLINGER
3368 E SUBLETT RD BOX 1104
MALTA ID 83342

Re: Snake River Basin Adjudication (SRBA) ✓
Notices of Claim #A43-02518, A43-04221, A43-04225,
A43-04235A & A43-10843 ✓
Change of Address

Records Modified 12-12-97.
-M

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Please return the letter by December 10, 1997. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

SEE JO 24
Low Elevation

10
4.7

2504
T8769

NHEL/W

1
78.0 NHEL/W

2505
T8770

CRP
93-02

NHEL/W

12
127.0

13
8.0

①
35.5

NHEL/W

18

1
113.9

NHEL/W

②
157.0

CRP
93-02

10 11
15 14

LOW
ELEVATION

738

AW

5.3

NHEL

2504
T1761

43.0

NHEL/W

NHEL/W

25.2

4.1

9.1

NHEL/W

5
9.5

AW

12
38

3
12.3

NHEL/W

56.8

NHEL/W

10
15.9

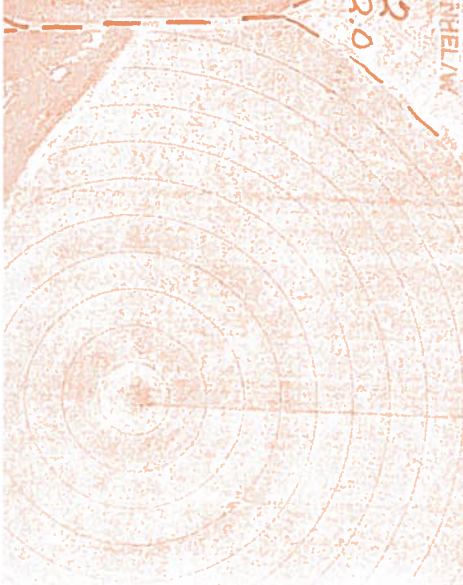
NHEL/W

2
12.0

763

7

NHEL/W



CRP
87-96

CRP

2
81.1

NHEL/W

3
107.9

2504
T1764

3 2
10 11
21.8

2
31.7

NHEL/W

4
66.9

NHEL/W

23
15.0

4 Aw 7
95 NHEL/W 13.5

9 NHEL/W 10
10.3 17.8

7
2.6

NHEL/W

NHEL/W

5 6
36.0 25.0

NHEL/W

10
19.4

NHEL/W

3 4
30.0 21.5

NHEL/W

12
6.1

NHEL/W

13
11.1

NHEL/W

14
39.0

NHEL/W

CRP 92-01

(13)

183.4

CRP 92-01

(13)

13 118 235.9

2504
T1794

T13 46.4

14 13 2
74.9

23 24

24

19

T



