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

|                |   |                        |
|----------------|---|------------------------|
| In Re SRBA     | ) | STANDARD FORM 5        |
|                | ) |                        |
| Case No. 39576 | ) | SUBCASE NO: 34-10807   |
|                | ) |                        |
|                | ) |                        |
|                | ) | PROPOSED ELEMENTS OF A |
|                | ) | WATER RIGHT            |

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This form is used to report the proposed elements of one federal reserved water right or one water right acquired under state law. Submission of this form will not result in the automatic issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law, and have appeared, prosecuted and defended their positions with regard to this water right dispute.

### Instructions For Use

A copy of this water right as recommended in the director's report shall be submitted with this form. A statement shall accompany **each** element of a water right.

Elements where there has been no objection should be listed exactly as they appear in the director's report. The statement as to an uncontested element shall state "as recommended in the director's report."

Contested elements that are the result of an objection filed with the court shall be accompanied by a statement fully describing all facts, documents, expert opinions and law which support the element of the water right (attach additional pages if necessary).

IDWR and the parties stipulate that water right no. 34-10807 is correctly described in the director's report.

**Signature and Address of Parties and their Attorney of Record**

I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Name: Idaho Dept. of Water Resources  
Address: P.O. Box 83720  
City/State/Zip: Boise, ID 83720-0098  
Attorney of Record: Susan E. Hamlin  
A. Lynne Krogh

A. Lynne Krogh 2/28/95  
Attorney's Signature Date

Name: Bret L. & Jolene Zollinger  
Address: Star Route  
City/State/Zip: Mackay, ID 83251  
Attorney of Record:

Bret L. Zollinger 27 FEB 95  
Party's Signature Date

\_\_\_\_\_  
Attorney's Signature Date

Name: United States through  
Address: Dept. of Justice for BLM  
601 Pennsylvania Ave NW  
City/State: Washington, DC 20004  
Attorney of Record: R. Lee Leininger/  
Daria Zane

R. Lee Leininger 2/6/95  
Attorney's Signature Date

\_\_\_\_\_  
Court Representative (if necessary)

\_\_\_\_\_  
Date

## INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

## CERTIFICATE OF MAILING

I certify that on 2/28, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. Copies to:

US Dept. of Justice  
Env't. & Nat. Resources Div.  
550 W. Fort St. Box 33  
Boise, ID 83724

Bret L. & Jolene Zollinger  
Star Route  
Mackay, ID 83251

A. Lynne Hough  
Signature of person or attorney mailing the form

AL5856NP

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JAN-17-1995  
PAGE: A-51

| RIGHT<br>NUMBER | NAME & ADDRESS | PRIORITY<br>DATE | PURPOSE OF USE | PERIOD OF USE<br>FROM TO | MAXIMUM<br>QUANTITY | BASIS OF CLAIM |
|-----------------|----------------|------------------|----------------|--------------------------|---------------------|----------------|
|-----------------|----------------|------------------|----------------|--------------------------|---------------------|----------------|

|          |                                                                      |            |            |             |          |                |
|----------|----------------------------------------------------------------------|------------|------------|-------------|----------|----------------|
| 34-10807 | BRET L. ZOLLINGER<br>JOLENE ZOLLINGER<br>STAR RT.<br>MACKAY ID 83251 | 03/16/1923 | STOCKWATER | 01-01 12-31 | 0.19 CFS | BENEFICIAL USE |
|----------|----------------------------------------------------------------------|------------|------------|-------------|----------|----------------|

NON-IRRIGATION-USES:  
STOCKWATER, 800 RANGE CATTLE AND HORSES

TOTAL QUANTITY: 0.19 CFS

POINT OF DIVERSION:  
T09N R21E S01  
T10N R21E S02  
T10N R21E S35

NNNW  
NENE  
SANE  
SENE  
SNW  
SEW  
NESE  
SESE

PLACE OF USE: STOCKWATER

T09N R21E S01  
S02  
T10N R21E S35

NNNW  
NENE  
SANE  
SENE

SENE  
SESE

SNW

SEW