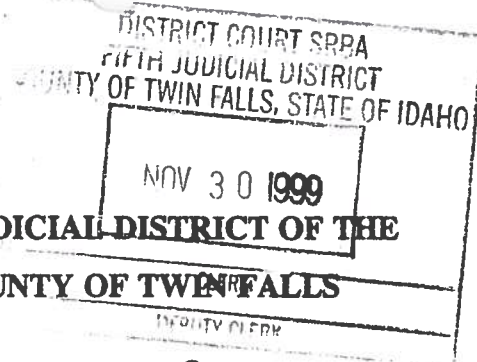




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase

12-04231E

(Insert Water Right Number)

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the 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; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/objector

Spencer Zellmer 11/30/99
date

CONCURRENCE:

Jeanie Robertson 11/30/99
St. Water Res. Agent date
Idaho Dept. of Water Resources

OBJECTOR:

date

Nick Spencer 11-30-99
As to form date
Deputy Attorney General, State of Idaho

data entry
complete per
SF5 R-13-00

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

DATE: NOV-23-1999

PAGE: A-1

RIGHTS FROM: SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-04231E

NAME AND ADDRESS: LINDA ANN ZOLLINGER
HC 63 BOX 1170 SP 10
CHALLIS ID 83226SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVERQUANTITY: 0.16 CFSPRIORITY DATE: 10/10/1911POINT OF DIVERSION: T14N R19E S07 LOT 10 (SWNW1/4) Within CUSTER CountyPURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.16 CFSPLACE OF USE: IRRIGATION Within CUSTER County
T14N R19E S07 SWNE 2.9 SENW 0.1
3 ACRES TOTAL
0 ACRES 707AKUSE OF THIS RIGHT WITH RIGHT NO. 72-00024E IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3 ACRES IN A SINGLE IRRIGATION
SEASON.

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

<u>WATER RIGHT NO.</u>	<u>SOURCE</u>
<u>NONE</u>	<u>NONE</u>

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

<u>WATER RIGHT NO.</u>	<u>SOURCE</u>
<u>NONE</u>	<u>NONE</u>

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

AJ5856NP

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

DATE: NOV-23-1999

PAGE: A-2

72-04231E (CONT.)

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

R

SZ

INSTRUCTIONS FOR MAILING

You must mail this 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 November 30, 1999, 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:

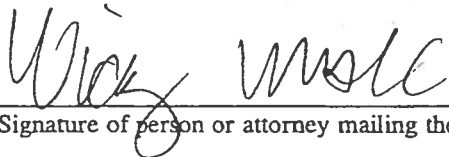
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Adjudication Team
550 W Fort St., MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

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

DATE: NOV-23-1999

PAGE: A-1

RIGHTS FROM: SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-04231E

NAME AND ADDRESS: LINDA ANN ZOLLINGER
HC 63 BOX 1170 SP 10
CHALLIS ID 83226SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVERQUANTITY: 0.16 CFSPRIORITY DATE: 10/10/1911POINT OF DIVERSION: T14N R19E S07 LOT 10 (SWNNW) Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	<u>IRRIGATION</u>	<u>04-01 10-31</u>	<u>0.16</u> CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T14N R19E S07 SWNE 2.9 SENE 0.1
3 ACRES TOTAL
0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 72-00024E IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3 ACRES IN A SINGLE IRRIGATION
SEASON.

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

<u>WATER RIGHT NO.</u>	<u>SOURCE</u>
<u>NONE</u>	<u>NONE</u>

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

<u>WATER RIGHT NO.</u>	<u>SOURCE</u>
<u>NONE</u>	<u>NONE</u>

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

AJ5856NP

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

DATE: NOV-23-1999

PAGE: A-2

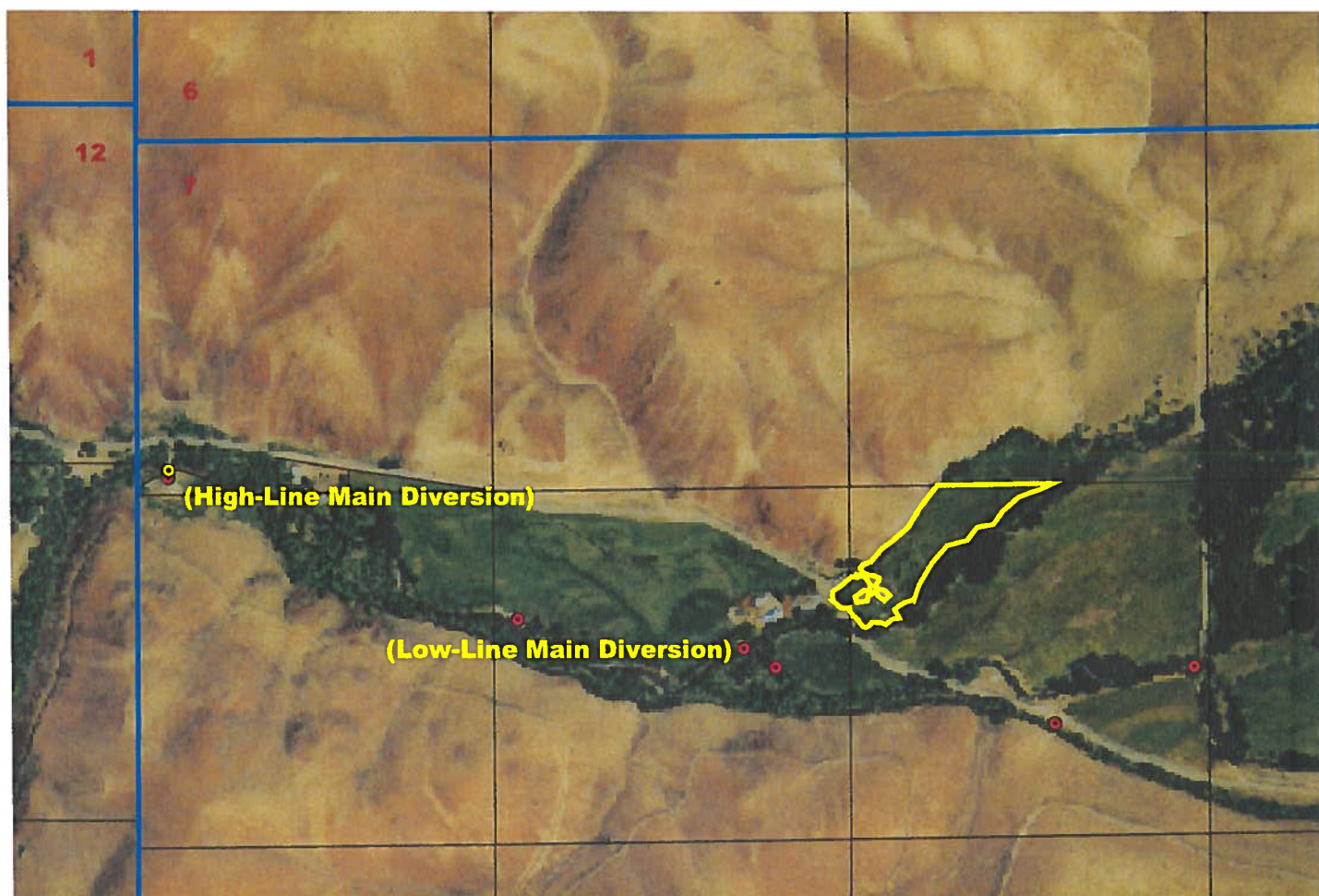
72-04231E (CONT.)

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

SF5 - 72-04231E

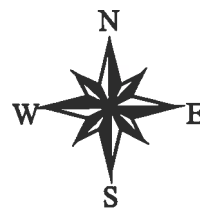
IDAHO DEPARTMENT OF WATER RESOURCES

72-00024E, 72-04231E



0 660 1320 1980 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON NOV. 23, 1999
TWP 14N, R19E, SEC . 7



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

AJ0749NP
No. R72-04231E

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

DATE: 11/22/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LINDA ANN ZOLLINGER HC 63 BOX 1170 SP 10 CHALLIS ID 83226 (208) 879-4840	10/10/1911	IRRIGATION	04-01 10-31	0.160 CFS	
TOTAL DIVERSION:					0.160 CFS	

Water Source: CHALLIS CREEK
Tributary to: SALMON RIVER
Stage: BENEFICIAL USE

Points(s) of Diversion: T14N R19E S07 Lot10(SHMMNH)
CUSTER County

Place of use Legal Description for: IRRIGATION									
		NE	NW	SW	SE				
T	R S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SESE	:	SUM	:
14N	19E 7	: 02	: .1	:	:		:	TOTAL ACRES	: 3.0

POU County: CUSTER
Other Rights: 72-00024E

- Conditions of Approval:
- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Remarks: POU1
USE OF THIS RIGHT WITH RIGHT NO. 72-00024E IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3 ACRES IN A SINGLE IRRIGATION
SEASON.

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

Dates: Exam Made Date: Verified Date: Objection filed Date:

Misc: Water District Number: 72C Field Inspection Flag:
Presumption Flag:

Comments: Date: 11/11/1998 User-ID: JROBERTS Subject: COPIED FROM REMARKS

AC. IRR. = 57.5

OWNERSHIP CHANGE 12/14/93 BY JG.

OWNERSHIP CHANGE MADE 8/29/95 TF.

OWNERSHIP CHANGE/SPLIT 11/13/97 (PARCEL NOS. 1 AND 6) JR

OWNERSHIP CHANGE/SPLIT 5/15/98 (PARCEL #6) JR

10/27/98 TF; OWNERSHIP CHANGED WUNSCH TO ZOLLINGER PER 1409(6)

AND WARRANTY DEED REC'D 9/15/98.

Date: 08/09/1999 User-ID: JROBERTS Subject: REINSTATED RECOMMENDATION PER OBJECTION
ORIGINAL RECOMMENDATION WAS BASED ON OLD SURVEY OF PROPERTY,
SHOWING ONLY 1.2 ACRES FOR PARCEL 6. PROPERTY WAS LATER RE-
SURVEYED AND PARCEL 6 SHOULD BE FOR 5.96 AC. FOUND 4.7 IRRIGATED
SO THIS PREVIOUSLY DISALLOWED RIGHT COULD NOW BE JUSTIFIED. JR

Date: 11/22/1999 User-ID: JROBERTS Subject: REDUCED POU AND DIVERSION RATE
PER BLM OBJECTION, REMOVED 1.7 ACRES FROM THE NAME OF SECTION 7.
SOIL ANALYSIS ALLOWED A TOTAL OF .27 CFS, MINUS THE .11 CFS UNDER
72-00024E ALLOWED .16 CFS FOR THIS RIGHT ON THE 3 RECOMMENDED AC.

Audit: 11/22/99 JROBERTS

Water Right Number - R72-04231E

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
ZOLLINGER

LINDA ANN

1 - HC 63 BOX 1170 SP 10
2 -
3 -
City- CHALLIS
Phone - 208-879-4840

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
LUSHER

BETTY RUSTIN

1 - PO BOX 349
2 -
3 -
City- CHALLIS
Phone - 208-879-2750
1 - PO BOX 349
2 -
3 -

State- ID Zip- 832260000

LUSHER

ARTHUR

MUNSCH

CHARLES

City- CHALLIS
Phone - 208-879-2750
1 - PO BOX 409
2 -
3 -
City- CHALLIS
Phone - 208-879-5955
1 - PO BOX 409
2 -
3 -
City- CHALLIS
Phone - 208-879-5955

State- ID Zip- 83226

MUNSCH

SHIRLEY

City- CHALLIS
Phone - 208-879-5955

State- ID Zip- 83226

+ - - Priority Date - - +
10/10/1911

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

+ - - - - Source - - - - - +
CHALLIS CREEK

+ - - - - Tributary - - - - - +
SALMON RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
14N 19E 7 SW NW NW 10 (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.160

+ - Total Div. Rate - - + + - Total Div. Volume - - + + - Total Consumptive Use - - + + - KW Usage - - +
D.160 0.0

```
+-----+-----+-----+-----+-----+-----+-----+-----+-----+
Date: 11/11/1998 User Id: JROBERTS Subject: COPIED FROM REMARKS
AC. IRR. = 57.5
OWNERSHIP CHANGE 12/14/93 BY JG. *****
OWNERSHIP CHANGE MADE 8/29/95 TF. *****
OWNERSHIP CHANGE/SPLIT 11/13/97 (PARCEL NOS. 1 AND 6) JR *****
OWNERSHIP CHANGE/SPLIT 5/15/98 (PARCEL #6) JR *****
10/27/98 TF; OWNERSHIP CHANGED WUNSCH TO ZOLLINGER PER 1409(6) *****
AND WARRANTY DEED REC'D 9/15/98. *****
```

Water right number - R72-04231E

Prefix Translation: RESEARCH

Comments: Date: 08/09/1999 User Id: JROBERTS Subject: REINSTATED RECOMMENDATION PER OBJECTION ORIGINAL RECOMMENDATION WAS BASED ON OLD SURVEY OF PROPERTY, SHOWING ONLY 1.2 ACRES FOR PARCEL 6. PROPERTY WAS LATER RESURVEYED AND PARCEL 6 SHOULD BE FOR 5.96 AC. FOUND 4.7 IRRIGATED SO THIS PREVIOUSLY DISALLOWED RIGHT COULD NOW BE JUSTIFIED. jr
Date: 11/22/1999 User Id: JROBERTS Subject: REDUCED POU AND DIVERSION RATE
PER BLM OBJECTION, REMOVED 1.7 ACRES FROM THE NAME OF SECTION 7. SOIL ANALYSIS ALLOWED A TOTAL OF .27 CFS, MINUS THE .11 CFS UNDER 72-00024E ALLOWED .16 CFS FOR THIS RIGHT ON THE 3 RECOMMENDED AC.

Audit fields 11/22/99 JROBERTS

Adjudication Rights Dates and Flags Area									
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576			
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-				
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-				
Claim Received Date	- 10/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P				
		Receipt Number	- X9999999	Water District	- 72C				
		POU Ownership Flag	- Y	Federal/State Indicator	- S				
		Name Connector	- AND	Presumption Flag	-				
				Notice of Error Flag	-				

Robertson, Jean

From: Robertson, Jean
Sent: Tuesday, November 09, 1999 1:32 PM
To: Denniston, Sara
Subject: RE: 72-00024E, 72-04231E (Zollinger) and 72-00024F, 72-00032A, 72-04231F (Pethan)

Okay, sounds good...Pethan said something about that but I don't think they'd reached any agreements yet, so maybe this will help them! I'll hold off...

-----Original Message-----

From: Denniston, Sara
Sent: Tuesday, November 09, 1999 12:36 PM
To: Robertson, Jean
Subject: RE: 72-00024E, 72-04231E (Zollinger) and 72-00024F, 72-00032A, 72-04231F (Pethan)

Well, that depends on whether the claimants are going to agree to just deleting the BLM acres and not adding any others. That's why I wanted to wait until Fred worked something out with them. In the past you had mentioned that Pethan was discussing a land swap with the BLM, so we should find out what's going on with that before we do anything.

Let's hold off on making any changes to the R record until we hear from Fred.

-----Original Message-----

From: Robertson, Jean
Sent: Tuesday, November 09, 1999 12:13 PM
To: Denniston, Sara
Subject: RE: 72-00024E, 72-04231E (Zollinger) and 72-00024F, 72-00032A, 72-04231F (Pethan)

Well, why don't I just craft another one getting rid of those acres and re-doing the diversion rates for all those rights? They could update tonight and you could show them to Fred tomorrow? I'd sure like to settle as many as possible before those hearings in Challis...

-----Original Message-----

From: Denniston, Sara
Sent: Tuesday, November 09, 1999 12:04 PM
To: Robertson, Jean
Subject: RE: 72-00024E, 72-04231E (Zollinger) and 72-00024F, 72-00032A, 72-04231F (Pethan)

You are correct. That was the other problem the BLM had with our proposed settlement, we were gonna add BLM acres onto Zollinger's rights.

-----Original Message-----

From: Robertson, Jean
Sent: Tuesday, November 09, 1999 11:09 AM
To: Denniston, Sara
Subject: RE: 72-00024E, 72-04231E (Zollinger) and 72-00024F, 72-00032A, 72-04231F (Pethan)

I don't think the BLM has objected to Zollinger's rights but they will probably want to based on our proposed SF5 because we have simply removed some of the acres from Pethan and given them to Zollinger...which they may not be aware of yet. I'm thinking they probably will want the acres removed from the NWNE on both sets of rights, which will likely result in reduced diversion rates. If this is the case, I can do some figuring...

-----Original Message-----

From: Denniston, Sara
Sent: Tuesday, November 09, 1999 11:02 AM
To: Robertson, Jean
Subject: RE: 72-00024E, 72-04231E (Zollinger) and 72-00024F, 72-00032A, 72-04231F (Pethan)

Jeanie,

Yes, the BLM objected to Pethan's rights. Fred Price from the BLM said that our original proposed SF5 would only reduce the BLM recommended in the POU, not eliminate it, so he wouldn't sign off on it. I asked him to figure it out between him and the claimant how they would resolve this. I have not heard back from Fred yet. I just left another message with him asking him to let me know what's up. I'll let you know as soon as I hear.

-----Original Message-----

From: Robertson, Jean
Sent: Tuesday, November 09, 1999 10:00 AM
To: Denniston, Sara
Subject: 72-00024E, 72-04231E (Zollinger) and 72-00024F, 72-00032A, 72-04231F (Pethan)

Hi Sara,
I had done some preliminary work on these rights in the "R" records to resolve Zollinger's objection where I'd recommended part of her property mistakenly to Pethan...anyway, has the BLM also objected to these rights? I have no copies of Objections in the files and wondered what they were objecting to? Perhaps I can refigure things to please them also and we can do an SF5. Mr. Pethan in California wants to know what's going on and I'm not sure...Thanks, Jeanie

OK - ready for review

Water Right Number - R72-04231E

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
ZOLLINGER

LINDA ANN

1 - HC 63 BOX 1170 SP 10
2 -
3 -
City- CHALLIS
Phone - 208-879-4840

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
MUNSCH

CHARLES

1 - PO BOX 409
2 -
3 -
City- CHALLIS
Phone - 208-879-5955
1 - PO BOX 349
2 -
3 -

State- ID Zip- 83226

LUSHER

BETTY RUSTIN

City- CHALLIS
Phone - 208-879-2750
1 - PO BOX 409
2 -
3 -

State- ID Zip- 832260000

MUNSCH

SHIRLEY

City- CHALLIS
Phone - 208-879-5955
1 - PO BOX 349
2 -
3 -

State- ID Zip- 83226

LUSHER

ARTHUR

City- CHALLIS
Phone - 208-879-2750

State- ID Zip- 832260000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
10/10/1911 17 SOUTHERN J - BENEFICIAL USE

+ - - Source - - - - - + - - - - - Tributary - - - - - +
CHALLIS CREEK SALMON RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
14N 19E 7 SW NW NW 10 (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.310

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.310 0.0

Prefix Translation: RESEARCH

-----Comments-----

Water right number - R72-04231E

Prefix Translation: RESEARCH

Date: 11/11/1998 User Id: JROBERTS Subject: COPIED FROM REMARKS

AC. IRR. = 57.5

OWNERSHIP CHANGE 12/14/93 BY JG.

OWNERSHIP CHANGE MADE 8/29/95 TF.

OWNERSHIP CHANGE/SPLIT 11/13/97 (PARCEL NOS. 1 AND 6) JR

OWNERSHIP CHANGE/SPLIT 5/15/98 (PARCEL #6) JR

10/27/98 TF; OWNERSHIP CHANGED MUNSCH TO ZOLLINGER PER 1409(6)

Date: 08/09/1999 User Id: JROBERTS Subject: REINSTATED RECOMMENDATION PER OBJECTION

ORIGINAL RECOMMENDATION WAS BASED ON OLD SURVEY OF PROPERTY, SHOWING ONLY 1.2 ACRES FOR PARCEL 6. PROPERTY WAS LATER RE-SURVEYED AND PARCEL 6 SHOULD BE FOR 5.96 AC. FOUND 4.7 IRRIGATED SO THIS PREVIOUSLY DISALLOWED RIGHT COULD NOW BE JUSTIFIED. JR

08/09/99 JROBERTS

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000
Objection Filed Date	- 00/00/0000	Field Inspection Flag	- 00/00/0000
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000
Claim Received Date	- 10/26/1989	Last Amended Date	- X999999
		Receipt Number	- Y
		POU Ownership Flag	- AND
		Name Connector	-
		Civil Case Number	- 39576
		Old Case Number	-
		Old Judicial District	-
		Temporary Right	-
		Water District	- 72C
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	-



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 13, 1999

MERYL AND ALDEAN PETHAN
20176 SAN MIGUEL AVE
CASTRO VALLEY CA 94577

RE: 72-00024F, 72-04231F, 72-00032A

Dear Mr. And Mrs. Pethan,

It has come to our attention that the "Place of Use" in the recommendations of the above mentioned water rights were reported incorrectly in the Director's Report. Due to discrepancies in the survey maps with parcel sizes, which were provided during the ownership change process, part of the land purchased by your neighbor, Linda Zollinger, was recommended to you.

In order to stop the recommendations from going forward and being decreed in error, objections must be filed with the court. I have sent copies of STANDARD FORM 1, OBJECTION (SF1) to Ms. Zollinger. The deadline is quickly approaching, so I am also enclosing SF1's for your use, as Objections must also be filed on your rights in order to correct this error. Please follow the instructions with the forms (one for each right), sign and have notarized. In the interest of saving time, if you return the completed forms to my attention in the enclosed pre-addressed envelope, I will take care of forwarding copies to the other parties.

I have also enclosed a copy of the map I sent to Ms. Zollinger to help you "see" the problem.

If you have any questions, or I can be of further assistance, please contact me at the office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over the printed name.

Jeanie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 13, 1999

LINDA ZOLLINGER
HC 63 BOX 1170 SP 10
CHALLIS ID 83226

RE: 72-00024F, 72-04231F, 72-00032A (PETHAN)

Dear Linda,

Jack Challis, the watermaster for Challis Creek, told me that you thought your high water right (72-04231E) was now taken care of and no longer recommended for disallowal. I see where you have filed OBJECTIONS on both of your rights to correct the legal description of the place of use. OBJECTIONS also need to be filed on the Pethan's three rights (their place of use is also wrong - part of your property recommended to them), before the problem can be resolved.

I believe I sent you forms to object to their rights, but as yet the objections don't seem to have been filed. The deadline is quickly approaching, so if you would like to fill out the SF1-Objection forms, sign and have notarized, and return them to my attention, I will send the required copies to the other parties. I am also contacting the Pethans to let them know of the problem.

If you have any questions, or I can be of further assistance, please contact me at the office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over a horizontal line.

Jeanie Robertson
Sr. Water Resource Agent

RECEIVED

APR 12 1999

Department of Water Resources

RECEIVED

APR 19 1999

Department of Water Resources
Southern Region

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

Case No. 39576

A. Subcase 72-04231E
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Linda Zollinger
Address: HC 63 Box 1573
Challis, ID. 83226
Daytime Phone: 879-2255 (Challis High School)

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Linda Zollinger
Address: HC 63
Challis, ID. 83226

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

Parcel #6 of the Mr. Charles Wunsch Ranch on Challis Creek was shown to only have 1.2 acres but when it was re-surveyed Parcel #6 has 5.96 acres. A new copy of the survey map was sent to Dept. of Water Resources. Re: a letter sent to me by Jeanie Robertson.

G.

CERTIFICATE OF MAILING

I certify that on April 9, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

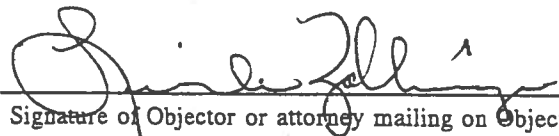
Name: Quince Zelling
Address: HC 163 Box 1573
Challis, ID. 83226

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney mailing on Objector's behalf

F. VERIFICATION (Must be Completed)

State of IDAHO)
County of Custer)ss.

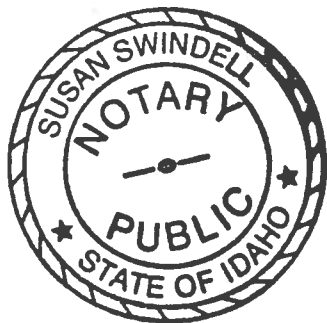
Linda Zollinger, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 5, 1999



Susan Swindell
Notary Public for Idaho
Residing at: Challis
My Commission Expires: 7-21-2004

INSTRUCTIONS FOR MAILING

- You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 9, 1999

LINDA ZOLLINGER
HC 63 BOX 1170 SP 10
CHALLIS ID 83226

RE: 72-00024F, 72-04231F, 72-00032A (Pethan)

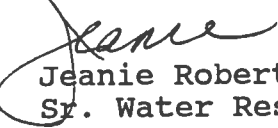
Dear Linda,

As a follow-up to the letter I sent you last month regarding the need to file Objections on the recommendations to your right numbers 72-00024E and 72-04231E, I realized that you will also need to file OBJECTIONS to the "Place of Use" on the Pethan's rights. The old survey map I used caused me to recommend part of the property you own to them. I have enclosed three more objection forms (SF1) for your use.

As before, you must file a separate objection to each right and follow the instructions for mailing on the last page.

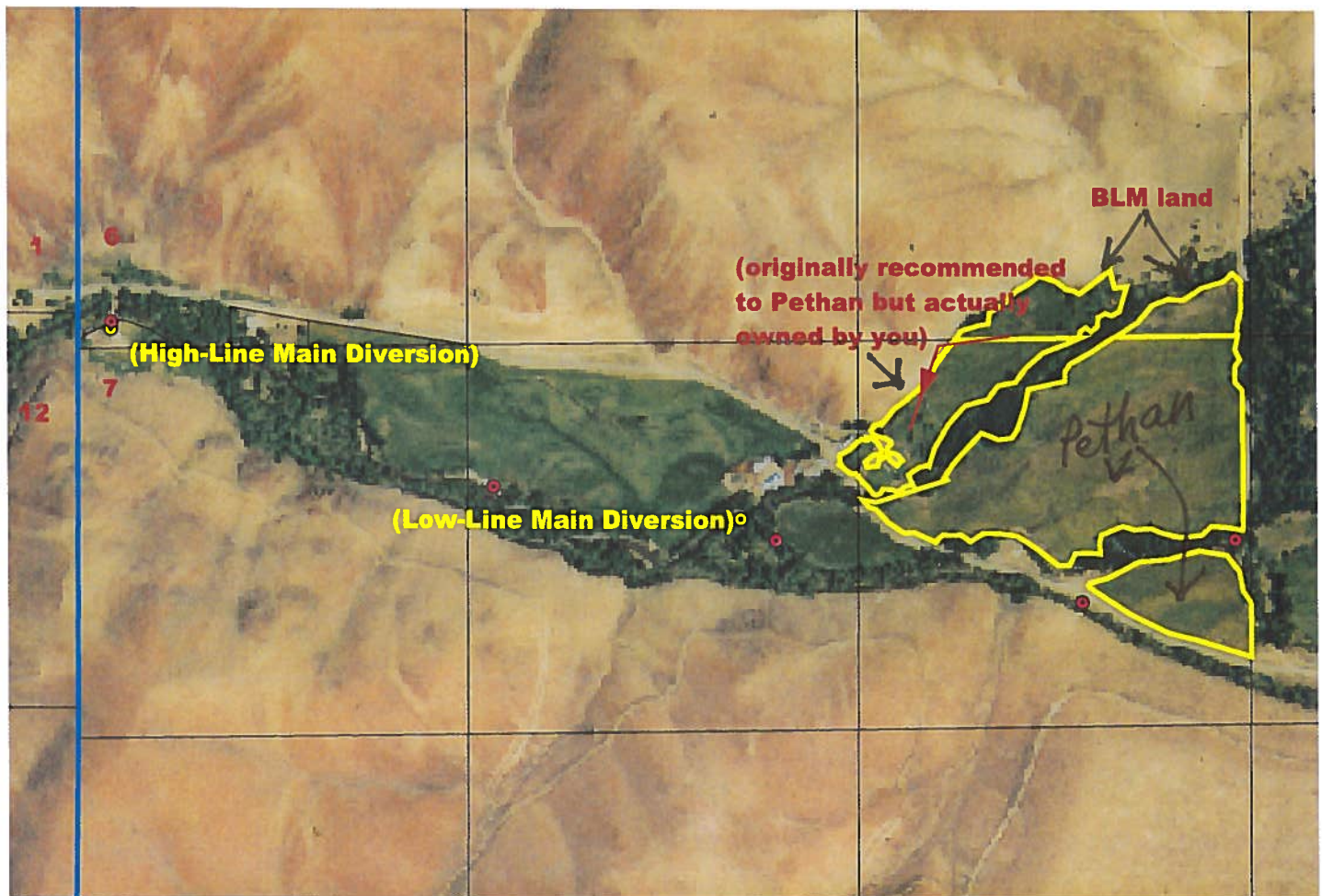
If you have any questions, feel free to give me a call at the office or you can reach the court at (208) 736-3011.

Sincerely,


Jeanie Robertson
Sr. Water Resource Agent

IDAHO DEPARTMENT OF WATER RESOURCES

72-00024E, 72-00024F, 72-00032A, 72-04231E, 72-04231F



0 660 1320 1980 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON APR. 9, 1999
TWP 14N, R19E, SEC. 7



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

Water right number - R72-04231E

Prefix Translation: RESEARCH

Tm	Rng	Sec	Tract	Lot	Place of Use	Code	Description	County
14N	19E	7	NW 1/4	1.7	Acres	01	IRRIGATION	(37) CUSTER
14N	19E	7	SW 1/4	0.7		01	IRRIGATION	(37) CUSTER
14N	19E	7	SE 1/4	0.1		01	IRRIGATION	

Total Acres:

4.778

- - - Diversion Means - HIGH LINE & LOW LINE CANALS, PUMP

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 72-00024E

- - - Remarks

- - - 7204231 - Old Water Right Numbers -

- - - Conditions of Approval - No Conditions of Approval found.

- - - Decree Plaintiff - - - Decree Defendant - - - Decree Date - 00/00/0000

- - - Date: 11/11/1998 User Id: JROBERTS Subject: COPIED FROM REMARKS

AC. IRR. = 57.5
OWNERSHIP CHANGE 12/14/93 BY JG.
OWNERSHIP CHANGE MADE 8/29/95 TF.
OWNERSHIP CHANGE/SPLIT 11/13/97 (PARCEL NOS. 1 AND 6) JR
OWNERSHIP CHANGE/SPLIT 5/15/98 (PARCEL #6) JR
10/27/98 TF; OWNERSHIP CHANGED MUNSCHE TO ZOLLINGER PER 1409(6)
AND WARRANTY DEED REC'D 9/15/98.

- - - Audit Fields - - - 11/11/98 JROBERTS

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000
Claim Received Date	- 10/26/1989	Last Amended Date	- 00/00/0000
		Receipt Number	- X999999
		POU Ownership Flag	- Y
		Name Connector	- AND
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	-
		Civil Case Number	- 39576
		Old Case Number	-
		Old Judicial District	-
		Temporary Right	- P
		Water District	- 72C

Comb. Use Remarks

Water Right Number - R22041500

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
ZOLLINGER
Last Name - First Name - Address -
LINDA ANN
1 - HC 63 BOX 1170 SP 10
2 -
3 -
City- CHALLIS
Phone - 208-879-4840
State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
MUNSCH
CHARLES
1 - PO BOX 409
2 -
3 -
City- CHALLIS
Phone - 208-879-5955
1 - PO BOX 349
2 -
3 -
City- CHALLIS
Phone - 208-879-2750
1 - PO BOX 409
2 -
3 -
City- CHALLIS
Phone - 208-879-2750
State- ID Zip- 832260000

LUSHER
BETTY RUSTIN
State- ID Zip- 83226

MUNSCH
SHIRLEY
State- ID Zip- 83226

LUSHER
ARTHUR
State- ID Zip- 83226

State- ID Zip- 832260000

Priority Date - 10/10/1991
Region - 17 SOUTHERN
Stage -
Status - DISALLOWED

Source - CHALLIS CREEK
Tributary - SALMON RIVER

Div -
Rng -
Sec -
Tract -
Lot -
Rflg -
County -
Point of Diversion -
CUSTER

Code -
Description -
Period From - 04/01
Period To - 10/31
Water Use -
Diversion Rate - 0.310
Diversion Volume -

Total Div. Rate - 0.310
Total Div. Volume -
Total Consumptive Use - 0.0
KW Usage -

CLAIM NUMBER 72-04231E DATE 1/13/00 TRANSFER NUMBER _____
 AGENT [Signature] CLAIMED ACRE TOTAL _____
 GIS ACRE TOTAL 4.7

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	<u>14N</u>	<u>19E</u>	<u>7</u>																
GIS	<u>14N</u>	<u>19E</u>	<u>7</u>			<u>1.7</u>	<u>2.9</u>				<u>.1</u>								
RECOM	<u>14N</u>	<u>19E</u>	<u>7</u>			<u>1.7</u>	<u>2.9</u>				<u>.1</u>								
						(BLM)													
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP

SHAPE NOS.

336

(removed 1.7 Ac in BLM
per objection - SF5 signed)

B72-DBPOD.SHP

NOS. DESCRIPTION

201 14N, 19E, 07 SWNW NW (Same as Fusher)

Master updated
1-13-00
[Signature]

DBF TABLES UPDATED

B72-DBPOU.DBF ☒

B72-DBPOD.DBF ☒

JPEG LAYOUT ☒

RE-EVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-04231E

DATE: _____, 1998

REVIEWED BY _____

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BB2						
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DB1	.13	.11			5.66	6.65
DB2	.13	.11			5.71	6.69
DEC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
GO1	.10	.12			12.47	10.51
HAYSE						
KEG	.08	.07			8.73	10.06
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL / ROTATION (chart)	ACTUAL / ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
bb1	6.09	3	3	.09	.27 CFS
					CFS
					CFS
					CFS

TOTAL ACRES

3

DECREED RATE =

CLAIMED DIVERSION RATE =

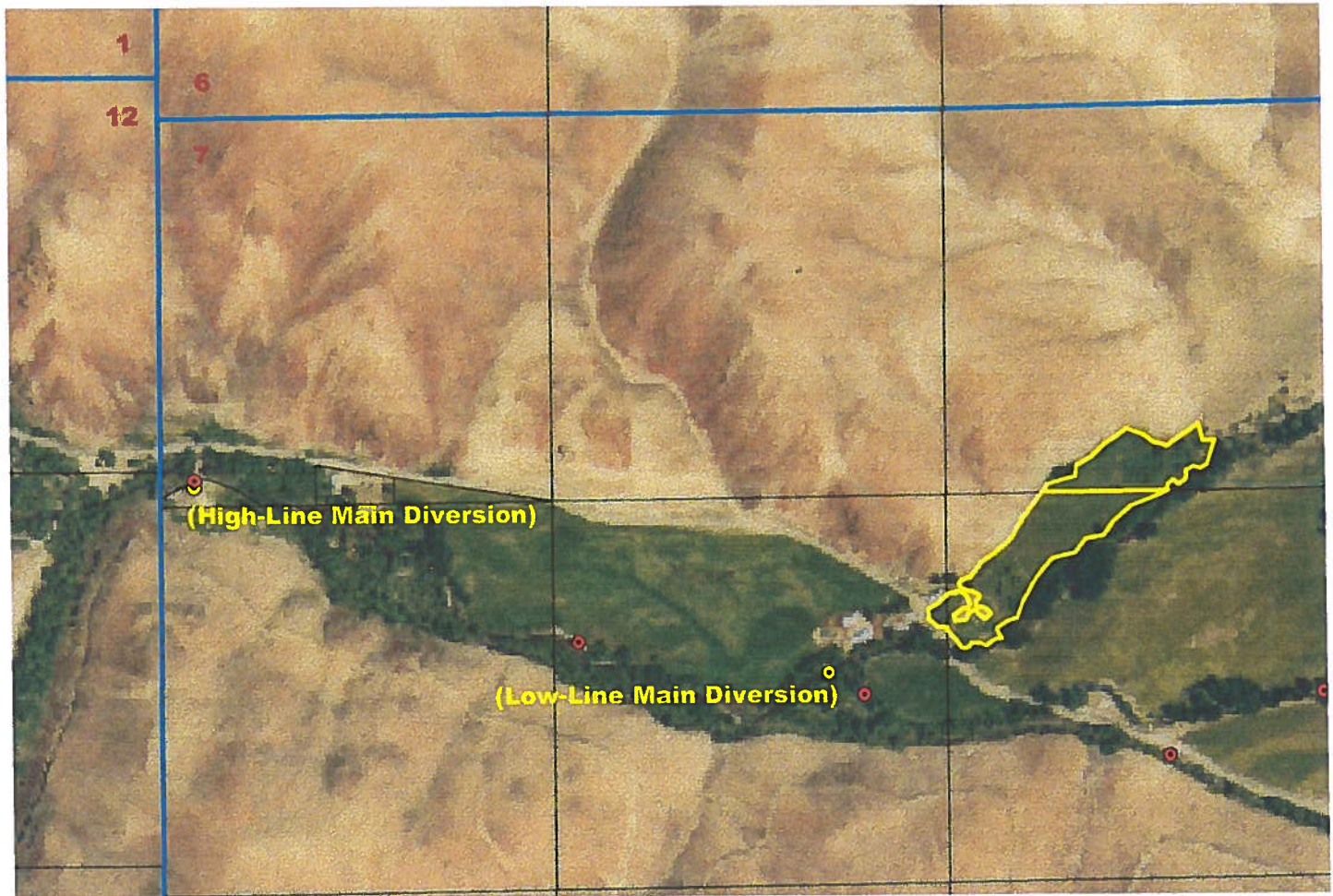
MEASURED DIVERSION RATE =

.31

$.27$
 $-.11$
 $\hline$
 $.16$ CFS
 ↑
 reco.

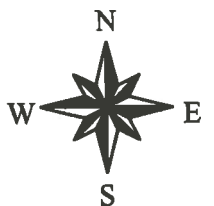
IDAHO DEPARTMENT OF WATER RESOURCES

72-04231E



0 660 1320 1980 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR.30, 1999
TWP 14N, R19E, SEC . 7

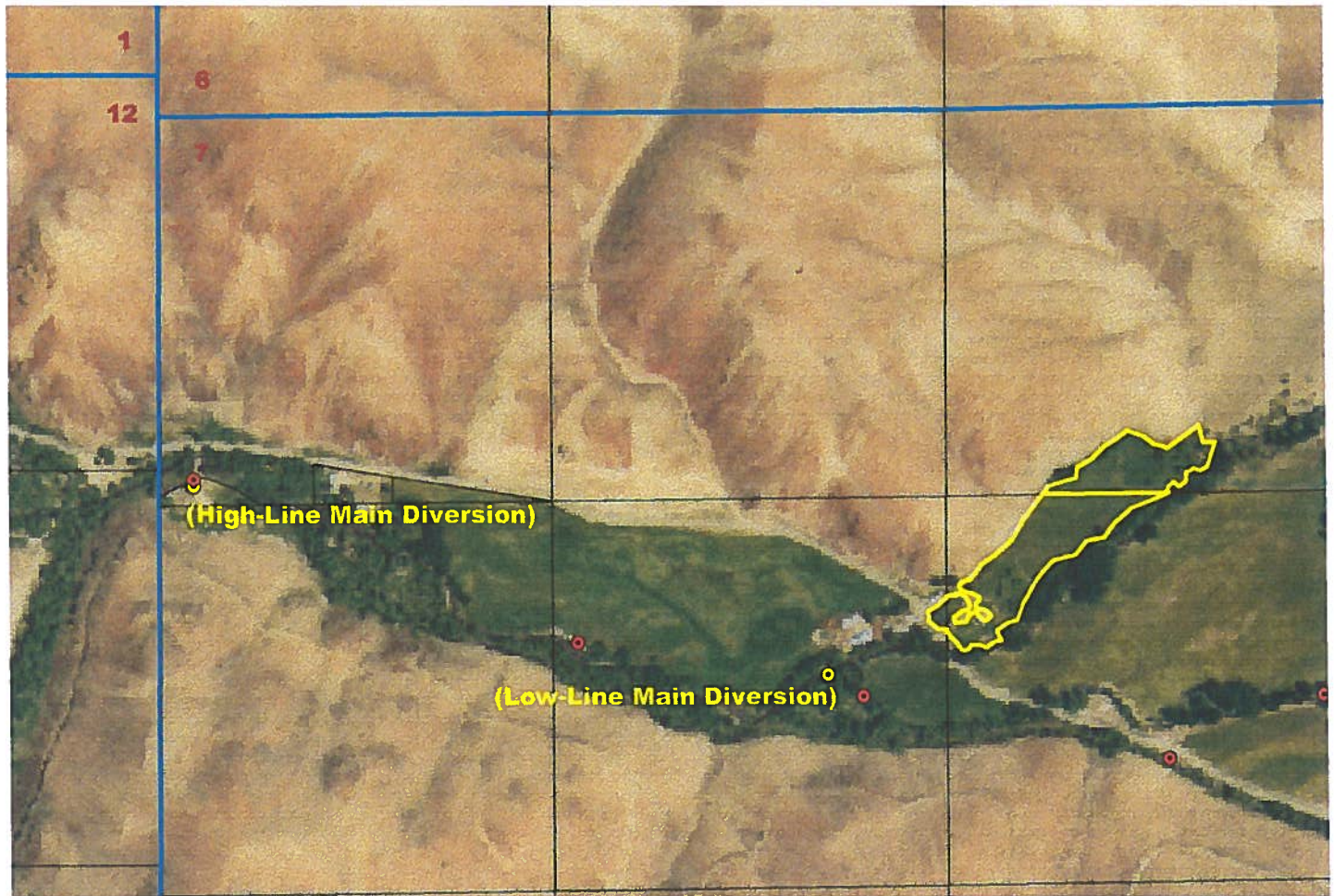


-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

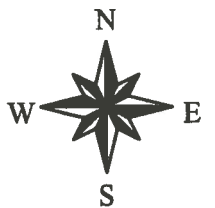
IDAHO DEPARTMENT OF WATER RESOURCES

72-04231E



0 660 1320 1980 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR.30, 1999
TWP 14N, R19E, SEC . 7

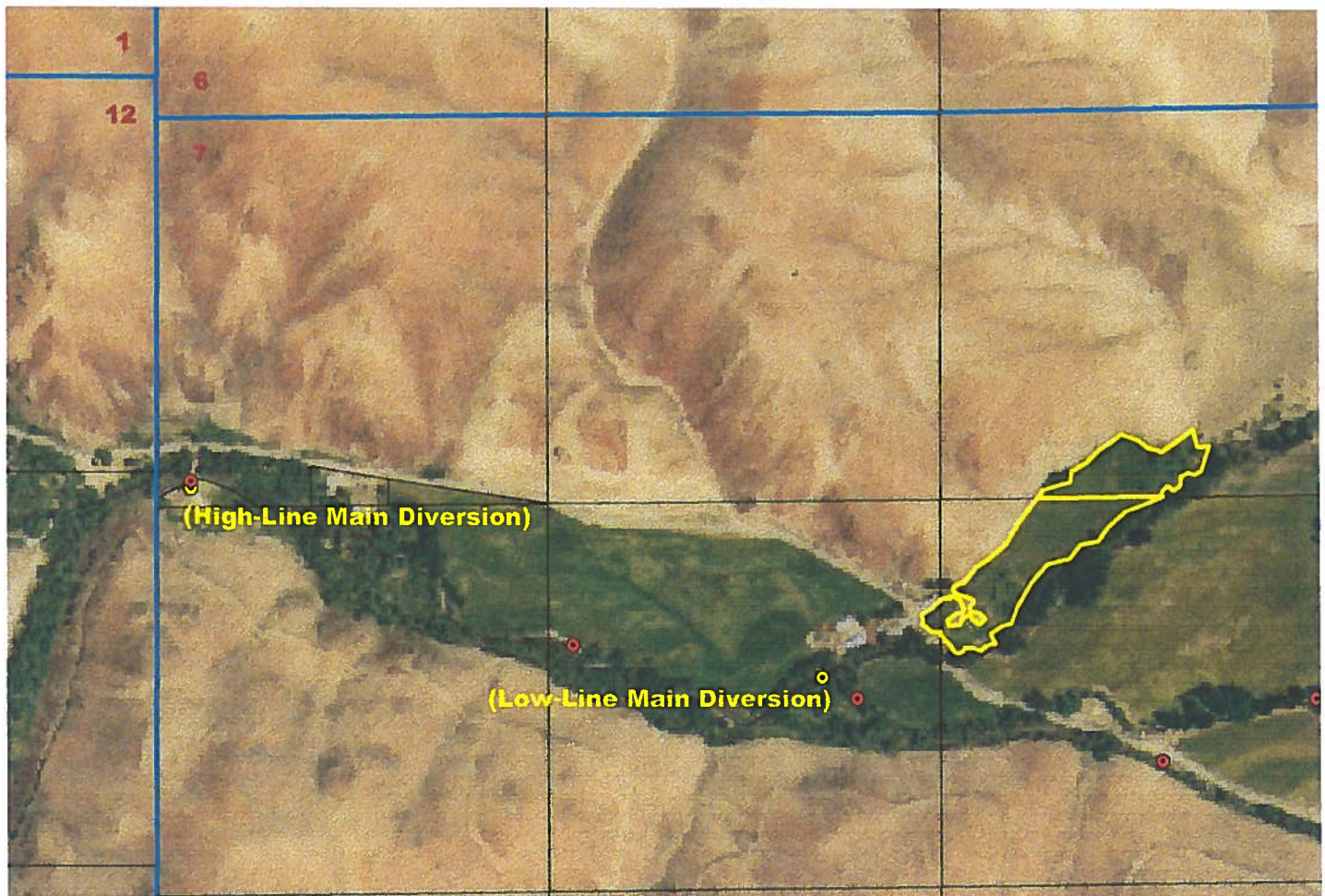


-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

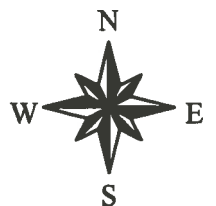
IDAHO DEPARTMENT OF WATER RESOURCES

72-04231E



0 660 1320 1980 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR.30, 1999
TWP 14N, R19E, SEC . 7



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

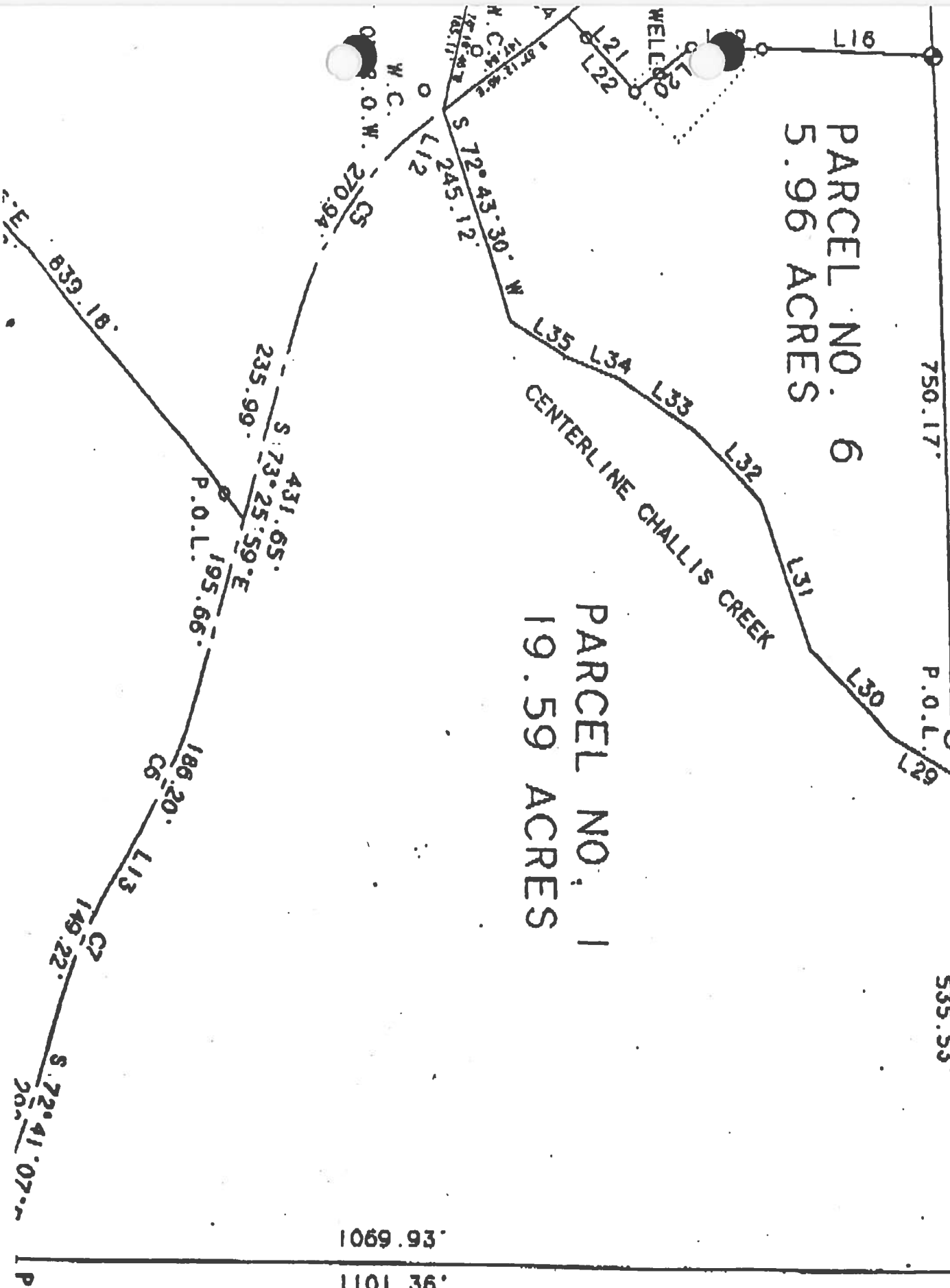
5 SEC. 7
NER SW 1/4 NE 1/4

N 88° 57' 03" E 1324.07'

NE CORNER
SW 1/4 NE 1
SECTION 7

PARCEL NO. 6
5.96 ACRES

PARCEL NO. 1
19.59 ACRES



BASIS OF BEARING
S 00° 03' 00" E 1307.57'

"A"

The agreed split of the water between Charles Wunsch and Shirley Wunsch and Meryl Pethan and Aldean Pethan as it relates to the attached Change of Ownership is as follows:

Water Right #	Present Total	Wunsch	Pethan
72-00032 A	.06 CFS	-0-	.06 CFS
72-00024	.53 CFS	.11 CFS	.42 CFS
72-04231	1.57 CFS	.31 cfs	1.26 CFS

Date: December 31, 1997

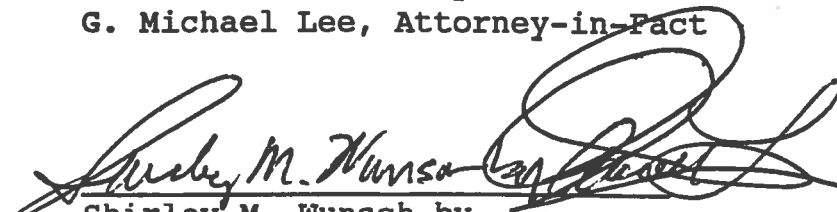
Charles W. Wunsch and Shirley M. Wunsch
Co-Trustees of the Charles W. Wunsch
and Shirley M. Wunsch Family Trust
Dated June 20, 1995



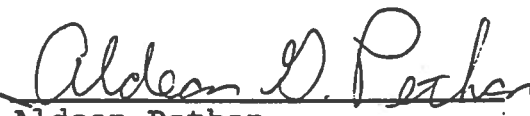
Charles W. Wunsch by
G. Michael Lee, Attorney-in-Fact



Meryl Pethan



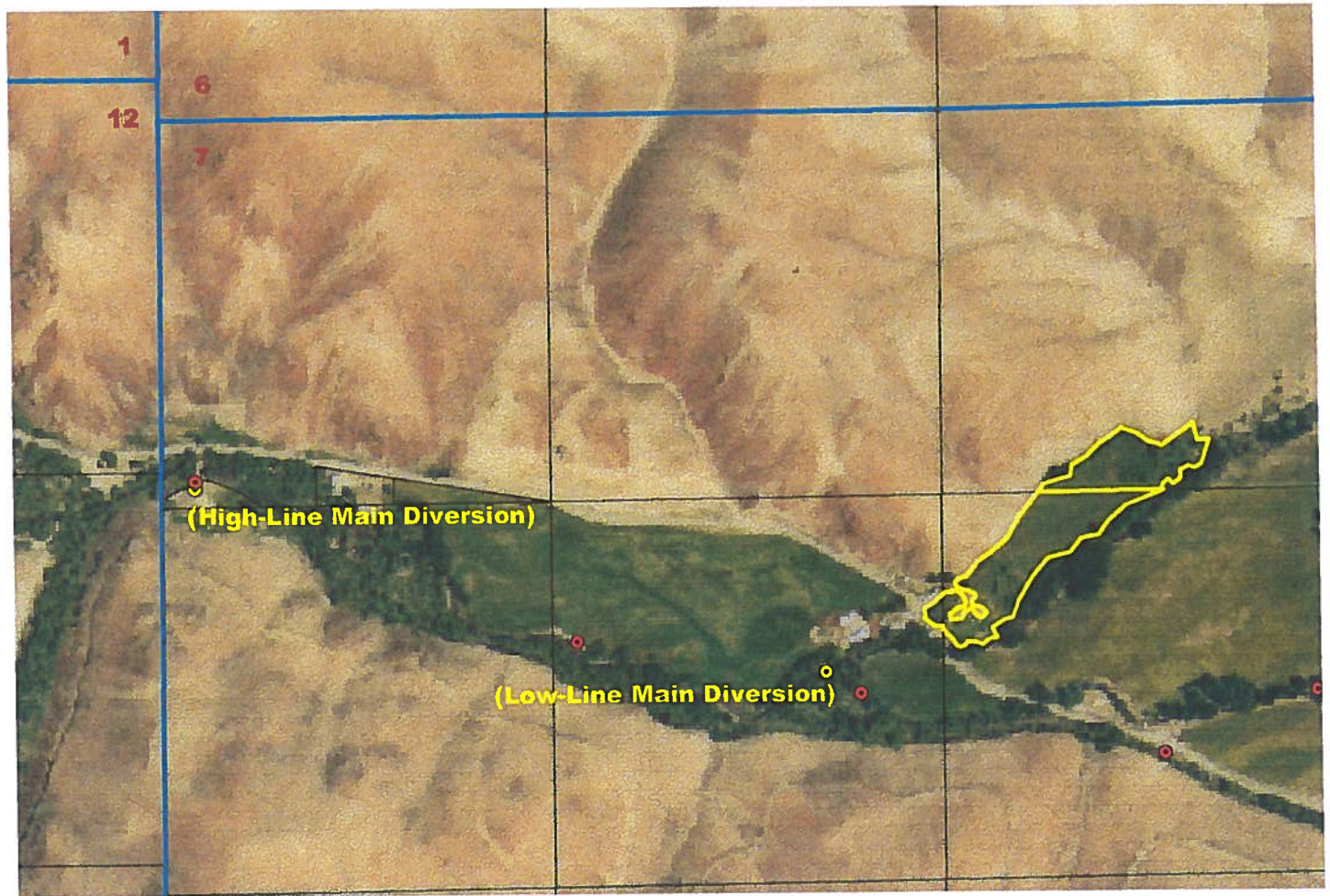
Shirley M. Wunsch by
G. Michael Lee, Attorney-in-Fact



Aldean Pethan

IDAHO DEPARTMENT OF WATER RESOURCES

72-00024E & 72-04231E



0 660 1320 1980 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR.30, 1999
TWP 14N, R19E, SEC . 7



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LINDA ZOLLINGER
HC 63 BOX 1170 SP 10
CHALLIS ID 83226

RE: 72-00024E, 72-04231E

Dear Linda,

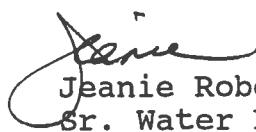
Kelly Christensen, who attended the Water District meeting in Challis earlier this month, told me you had a question on the acreage of your parcel associated with these rights.

According to the information I received with the ownership change form, you purchased parcel #6. Mr. Wunsch sent me a survey map at one time showing the size of the different parcels. Parcel #6 was shown as 1.2 acres, so that is what I recommended. After your conversation with Kelly telling him you had purchased almost 6 acres, I contacted Chris James at the Custer County Assessor's Office. She said Mr. Wunsch had had the property re-surveyed and Parcel #6 was now for 5.96 acres. She also sent me a copy of the new survey map showing showing this correction.

I apologize for the confusion and wish this error had been noticed earlier. Now that the Director's Report has been filed with the court, you must file an OBJECTION with the Snake River Basin Adjudication Court on the enclosed Standard Form 1 (SF1), in order to make any changes. I have enclosed two SF1 forms because the additional acreage will now allow me to recommend right #72-04231E, which I had previously disallowed. You must file a separate objection for each right.

Please follow the instructions with the forms, noting the mailing requirements on the last page. If you have any questions, feel free to give me a call at the office or you can reach the court at (208) 736-3011.

Sincerely,


Jeanie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 21, 1999

LINDA ANN ZOLLINGER
HC 63 BOX 1170 SP 10
CHALLIS ID 83226

RE: 72-04231E

Dear Ms. Zollinger,

This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendation of the claim listed above. Your NOE questioned if this disallowed right was for high water.

Yes, this right had the priority date of 10/10/1911 and was for high water. I performed a soil-analysis computer program of the soil type on your property and determined that type of soil requires about .09 cfs per acre. Your earlier decreed claim 72-00024E (1879 priority) was for .11 cfs. I found about .8 acre to be irrigated, taking out for house, drive, etc. Multiplying this .8 acre by the .09 cfs required for your soil allowed .07 cfs, which I recommended under 72-00024E. I couldn't justify the extra water claimed under this right.

If you still disagree with the proposed IDWR recommendation to the court, you may file an objection with the court after you receive the final recommendation of your water right. They are due to be mailed next week and you should be receiving yours the first part of February. The objection process will be explained when you receive your final recommendation of your water right.

Sincerely,

Jeanie Robertson
Senior Water Resource Agent

CLAIM NUMBER

72-04231E

DATE

1/13/00

TRANSFER NUMBER

AGENT

X

CLAIMED ACRE TOTAL

GIS ACRE TOTAL

4.73

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	14N	19E	7																
GIS	14N	19E	7		1.7	2.9					.1								4.7
RECOM	14N	19E	7		1.7	2.9					.1								4.7
					(BLM)														
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP

SHAPE NOS.

336

(removed 1.7 Ac in BLM
per objection - SF5 signed)

B72-DBPOD.SHP

NOS. DESCRIPTION

201 14N, 19E, 07 SWNW (Same as Fusher)

Master updated
1-13-00
JK

DBF TABLES UPDATED

B72-DBPOU.DBF

✓

B72-DBPOD.DBF

✓

JPEG LAYOUT

✓

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS 72-0423/E

DATE: _____, 1998

REVIEWED BY _____

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BBD						
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.81	2.78
DB1	.13	.11			5.86	6.65
DEB	.13	.11			5.71	6.69
DEC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DT2	.05	.04			12.48	16.50
DWA	.14	.14			4.79	5.01
G01	.10	.12			12.47	10.51
HAYSE						
KEG	.08	.07			8.73	10.06
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

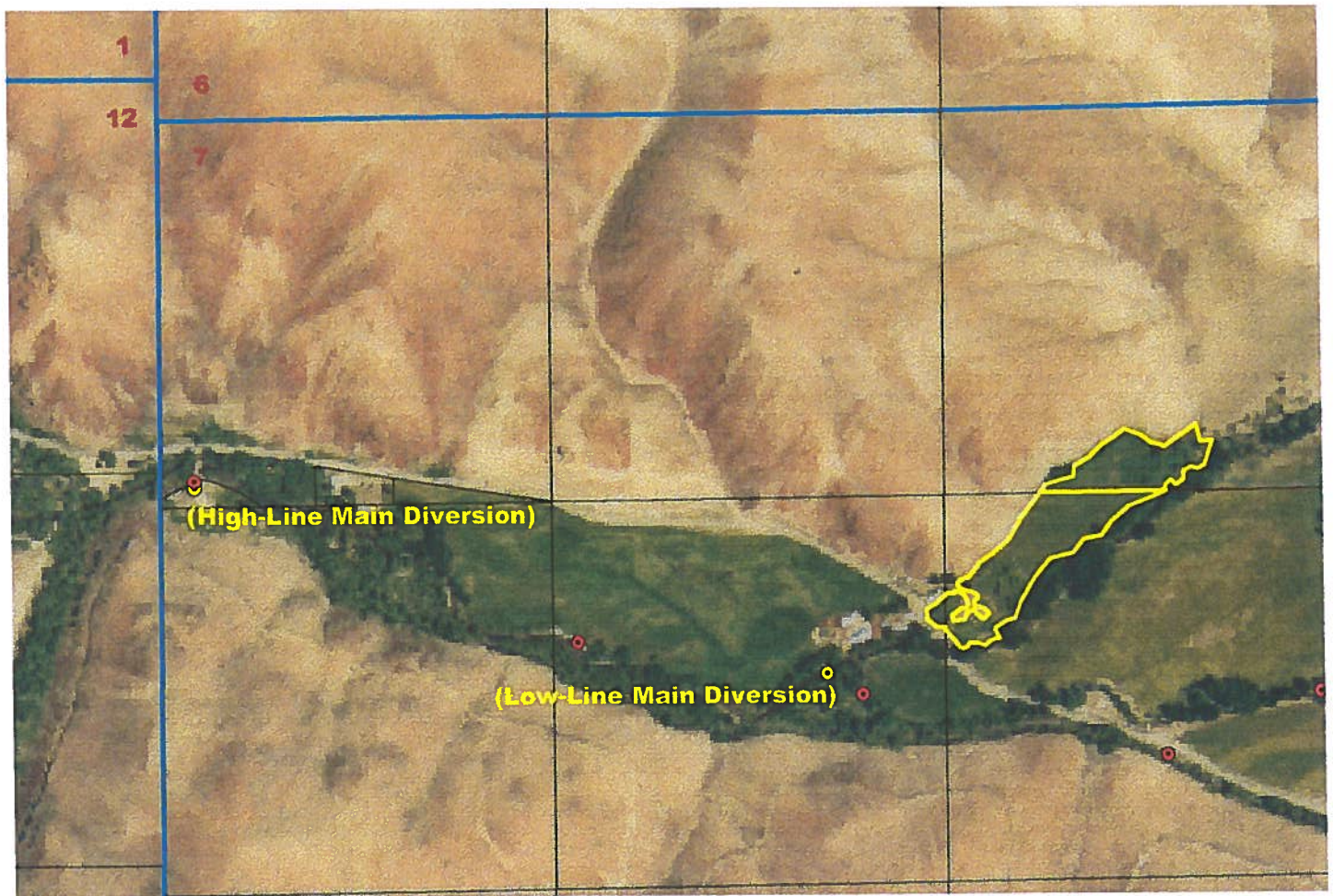
Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
Bb1	6.09	3	3	.09	= .27 CFS
					= CFS
					= CFS
					= CFS
TOTAL ACRES <u>3</u>					DECREED RATE =
					CLAIMED DIVERSION RATE = <u>.31</u>
					MEASURED DIVERSION RATE =

Handwritten notes:
 .27
 .11
 .16 CFS
 reco.

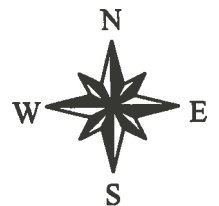
IDAHO DEPARTMENT OF WATER RESOURCES

72-04231E



0 660 1320 1980 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR.30, 1999
TWP 14N, R19E, SEC . 7

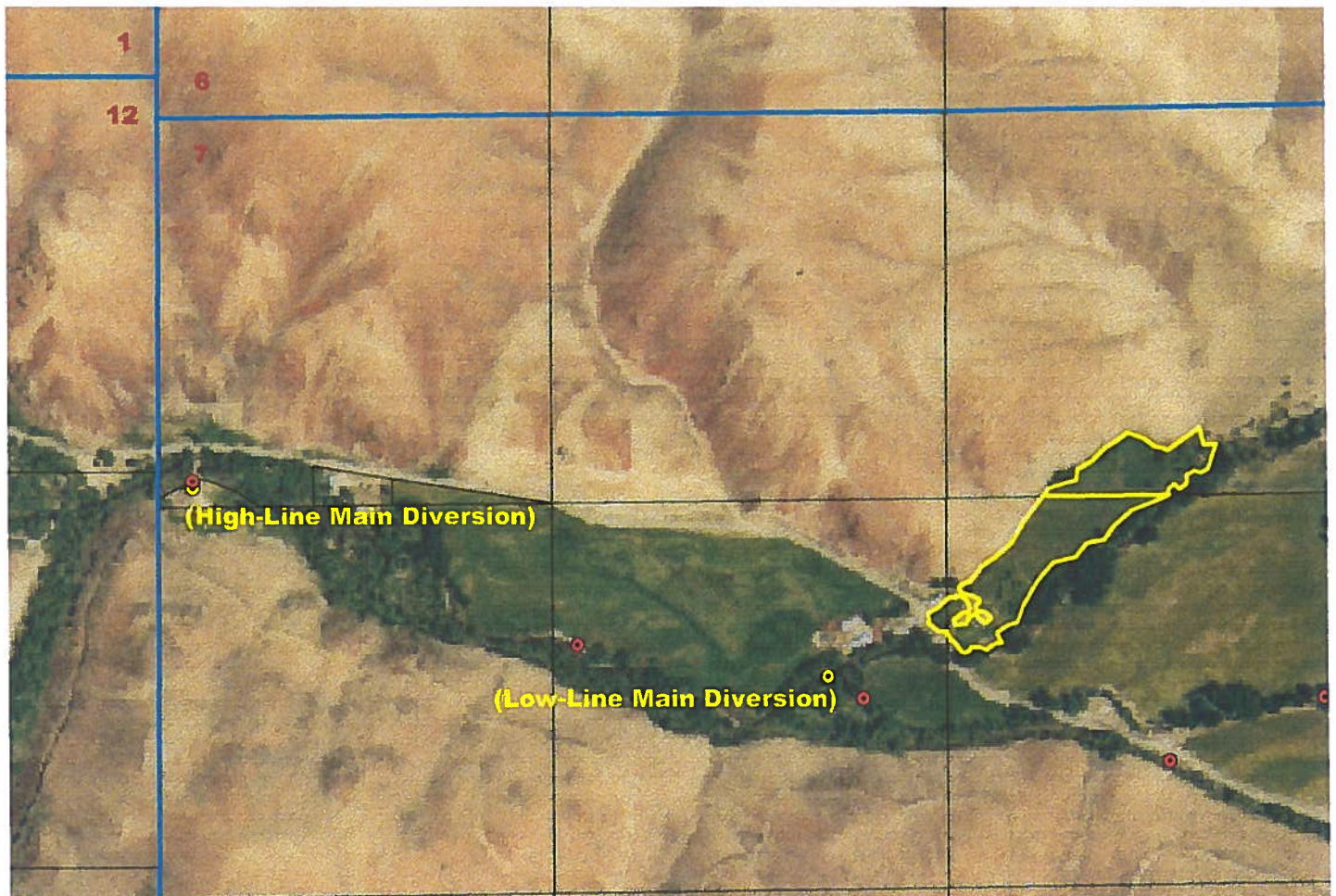


-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

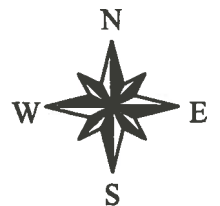
IDAHO DEPARTMENT OF WATER RESOURCES

72-04231E



0 660 1320 1980 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR.30, 1999
TWP 14N, R19E, SEC . 7

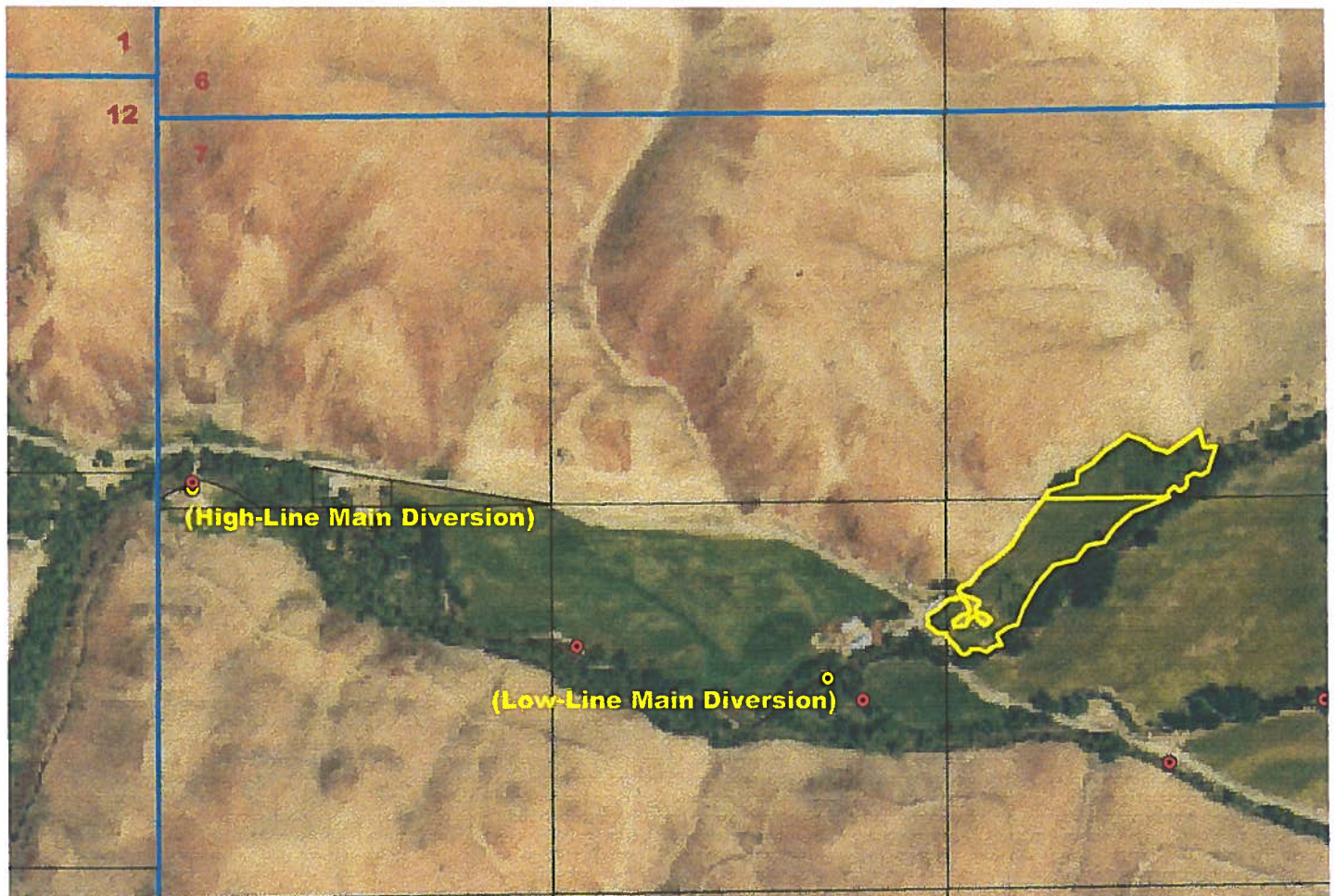


-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

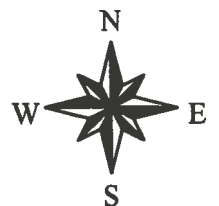
IDAHO DEPARTMENT OF WATER RESOURCES

72-04231E



0 660 1320 1980 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR.30, 1999
TWP 14N, R19E, SEC . 7



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

SEC. 7

1/4 SW 1/4 NE 1/4

N 88° 57' 03" E

1324.07'

788.54'

750.17'

P.O.L.

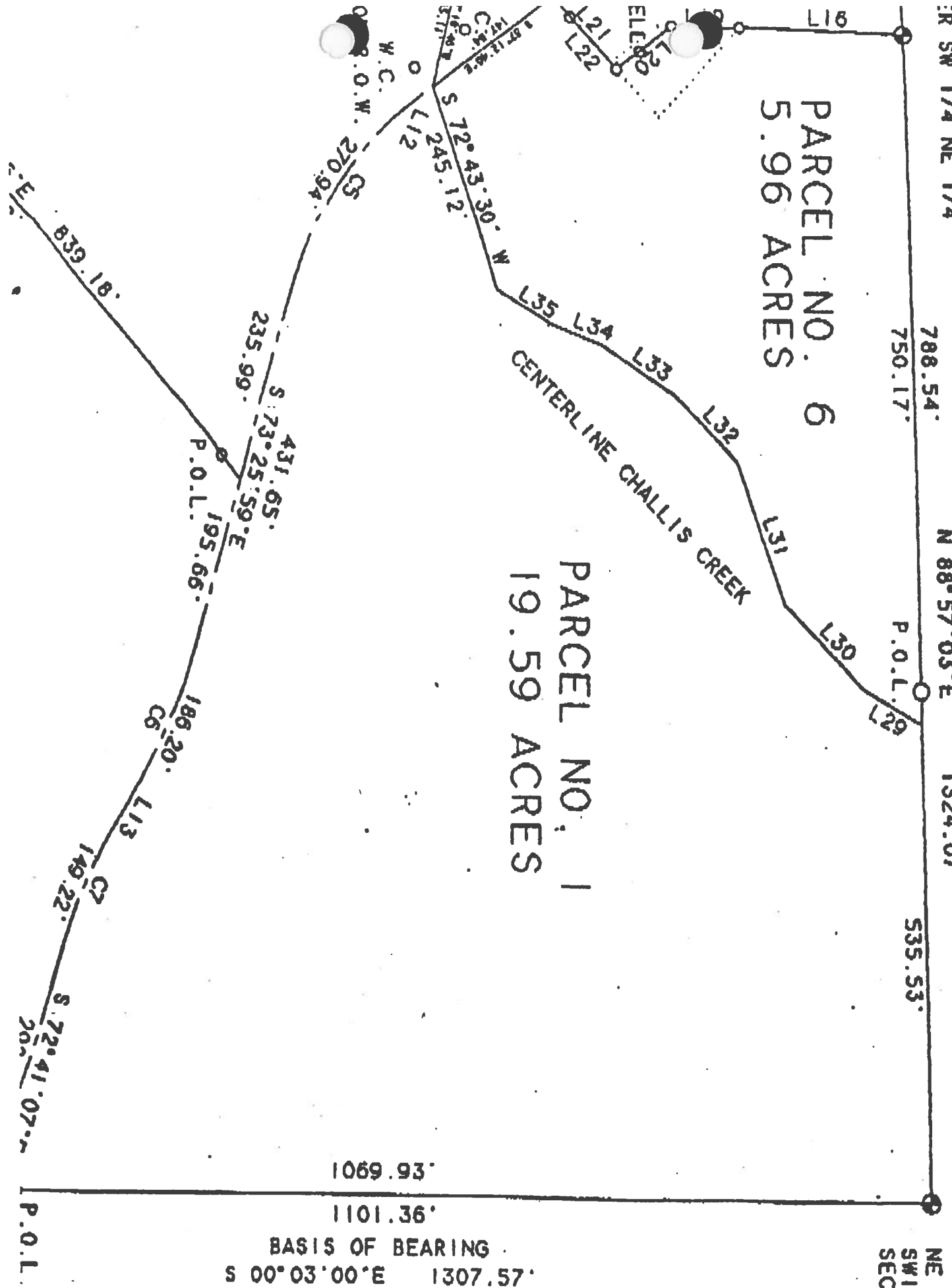
535.53'

NE CORNER
SW 1/4 NE 1
SECTION 7

PARCEL NO. 6
5.96 ACRES

PARCEL NO. 1
19.59 ACRES

CENTERLINE CHALLIS CREEK



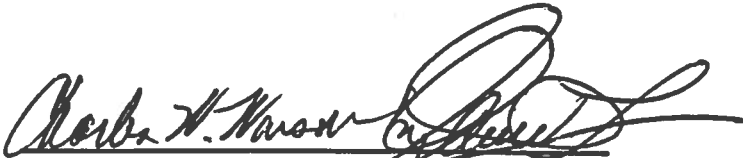
"A"

The agreed split of the water between Charles Wunsch and Shirley Wunsch and Meryl Pethan and Aldean Pethan as it relates to the attached Change of Ownership is as follows:

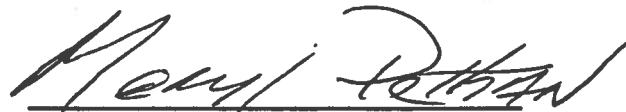
<u>Water Right #</u>	<u>Present Total</u>	<u>Wunsch</u>	<u>Pethan</u>
72-00032 A	.06 CFS	-0-	.06 CFS
72-00024	.53 CFS	.11 CFS	.42 CFS
72-04231	1.57 CFS	.31 cfs	1.26 CFS

Date: December 31, 1997

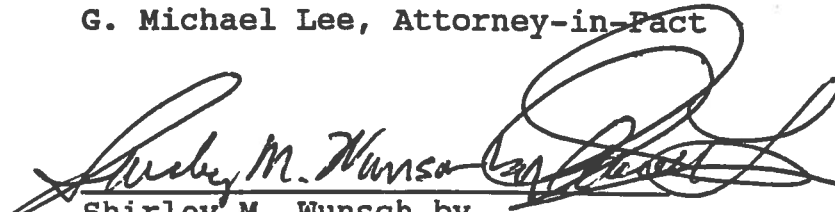
Charles W. Wunsch and Shirley M. Wunsch
Co-Trustees of the Charles W. Wunsch
and Shirley M. Wunsch Family Trust
Dated June 20, 1995



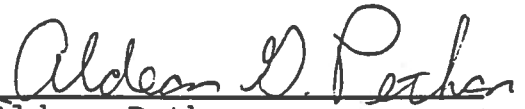
Charles W. Wunsch by
G. Michael Lee, Attorney-in-Fact



Meryl Pethan



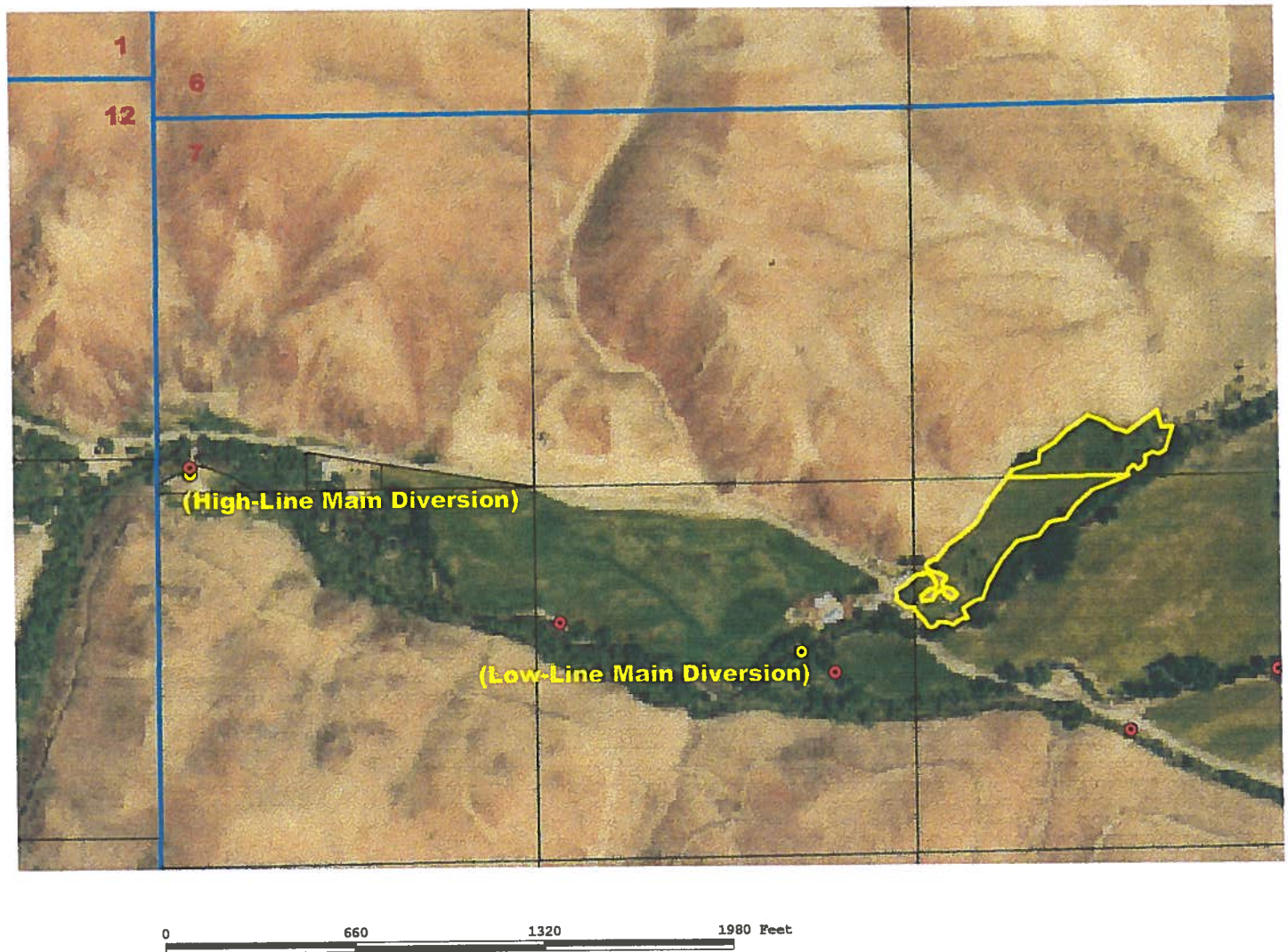
Shirley M. Wunsch by
G. Michael Lee, Attorney-in-Fact



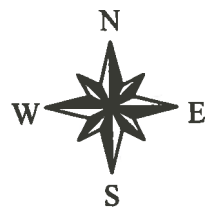
Aldean Pethan

IDAHO DEPARTMENT OF WATER RESOURCES

72-00024E & 72-04231E



RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR.30, 1999
TWP 14N, R19E, SEC . 7



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LINDA ZOLLINGER
HC 63 BOX 1170 SP 10
CHALLIS ID 83226

RE: 72-00024E, 72-04231E

Dear Linda,

Kelly Christensen, who attended the Water District meeting in Challis earlier this month, told me you had a question on the acreage of your parcel associated with these rights.

According to the information I received with the ownership change form, you purchased parcel #6. Mr. Wunsch sent me a survey map at one time showing the size of the different parcels. Parcel #6 was shown as 1.2 acres, so that is what I recommended. After your conversation with Kelly telling him you had purchased almost 6 acres, I contacted Chris James at the Custer County Assessor's Office. She said Mr. Wunsch had had the property re-surveyed and Parcel #6 was now for 5.96 acres. She also sent me a copy of the new survey map showing showing this correction.

I apologize for the confusion and wish this error had been noticed earlier. Now that the Director's Report has been filed with the court, you must file an OBJECTION with the Snake River Basin Adjudication Court on the enclosed Standard Form 1 (SF1), in order to make any changes. I have enclosed two SF1 forms because the additional acreage will now allow me to recommend right #72-04231E, which I had previously disallowed. You must file a separate objection for each right.

Please follow the instructions with the forms, noting the mailing requirements on the last page. If you have any questions, feel free to give me a call at the office or you can reach the court at (208) 736-3011.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 21, 1999

LINDA ANN ZOLLINGER
HC 63 BOX 1170 SP 10
CHALLIS ID 83226

RE: 72-04231E

Dear Ms. Zollinger,

This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendation of the claim listed above. Your NOE questioned if this disallowed right was for high water.

Yes, this right had the priority date of 10/10/1911 and was for high water. I performed a soil-analysis computer program of the soil type on your property and determined that type of soil requires about .09 cfs per acre. Your earlier decreed claim 72-00024E (1879 priority) was for .11 cfs. I found about .8 acre to be irrigated, taking out for house, drive, etc. Multiplying this .8 acre by the .09 cfs required for your soil allowed .07 cfs, which I recommended under 72-00024E. I couldn't justify the extra water claimed under this right.

If you still disagree with the proposed IDWR recommendation to the court, you may file an objection with the court after you receive the final recommendation of your water right. They are due to be mailed next week and you should be receiving yours the first part of February. The objection process will be explained when you receive your final recommendation of your water right.

Sincerely,

Jeanie Robertson
Senior Water Resource Agent

November 20, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED
DEC 22 1998
Department of Water Resources
Southern Region

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: December 18, 1998

Water right number: 72-04231E

LINDA ANN ZOLLINGER
HC 63 BOX 1170 SP 10
CHALLIS ID 83226

Daytime Telephone Number:

Evening Telephone Number:

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

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

3. Give a brief explanation as to why you disagree with these portions:

Was this for High Water.

____ **I AGREE with this proposed recommendation; no changes need to be made.**

DATE: _____ **SIGNATURE:** _____
Please print your name: _____

Prefix Translation: RESEARCH

Total Acres: 0.8

Remarks

----- Old Water Right Numbers -----

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
00/00/0000	00/00/0000	00/00/0000

AC. IRR. = 57.5

OWNERSHIP CHANGE MADE 8/29/95 TF.

OWNERSHIP CHANGE/SPLIT 11/13/97 (PARCEL NOS. 1 AND 6) j...

OWNERSHIP CHANGE/SPLIT 5/15/98 (PARCEL #6) jr

10/27/98 TF; OWNERSHIP CHANGED WUNSCH TO ZOLLINGER PER 1409(6) AND WARRANTY DEED REC'D 9/15/98.

	+	-	-	-	-	+
Audit Fields	-	-	-	-	-	+

Court Report Filing	-	00/00/0000
Objection Filed Date	-	00/00/0000
Response Filed Date	-	00/00/0000
Claim Received Date	-	10/26/1989

Objection Filed Date - 00/00/0000

Response Filled Date - 00/00/0000

Claim Received Date - 10/26/1989

Field Inspection Made	- 00/00/0000	Civil Case Number	-	359576
Field Inspection Flag	-	Old Case Number	-	
Verified Date	- 00/00/0000	Old Judicial District	-	
Last Amended Date	- 00/00/0000	Temporary Right	- P	
Receipt Number	- X999999	Water District	- 72C	
POU Ownership Flag	- Y	Federal/State Indicator	- S	
Name Connector	- AND	Presumption Flag	-	

Notice of Error Flag

Water Right Number - R72-04231E

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - +

*** C - CURRENT OWNER ***
ZOLLINGER

LINDA ANN

1 - HC 63 BOX 1170 SP 10
2 -
3 -
City- CHALLIS
Phone - 208-879-4840

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
MUNSCH

CHARLES

1 - PO BOX 409
2 -
3 -
City- CHALLIS
Phone - 208-879-5955
1 - PO BOX 349
2 -

State- ID Zip- 83226

LUSHER

BETTY RUSTIN

City- CHALLIS
Phone - 208-879-2750
1 - PO BOX 409
2 -
3 -

State- ID Zip- 832260000

MUNSCH

SHIRLEY

City- CHALLIS
Phone - 208-879-5955
1 - PO BOX 349
2 -
3 -

State- ID Zip- 83226

LUSHER

ARTHUR

City- CHALLIS
Phone - 208-879-2750

State- ID Zip- 832260000

+ - - Priority Date - - +
10/10/1911

+ - - Region - - +
17 SOUTHERN

+ - - Stage - - +

+ - - Status - - +
I - DISALLOWED

+ - - Source - - - - +
CHALLIS CREEK

+ - - Tributary - - - - +
SALMON RIVER

+ - - Point of Diversion - - - - +
Twn Rng Sec Tract Lot Rflg County
14N 19E 7 SW NW NW 10 (37) CUSTER

+ - - Water Use - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.310

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.310 0.0

REEVALUATION OF IRRIGATION RATES BASED UPON 1980 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00024E
72-04231E

DATE: 11/11, 1998

REVIEWED BY [Signature]

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BBD						
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
G01	.10	.12			12.47	10.51
HAYSE						
KEG	.08	.07			8.73	10.06
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL / ROTATION (chart)	ACTUAL / ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
Bb1	6.09	?	.8	.09	.072 CFS
					CFS
					CFS
					CFS

TOTAL ACRES .8

DECREED RATE =

CLAIMED DIVERSION RATE =

MEASURED DIVERSION RATE =

72-00024E = .11
72-04231E = .31
42 CS

new. in 72-00024E (Dis. -04231E)

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: **A72-04231E**
Date Received: 10/26/1989
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LINDA ANN ZOLLINGER 208-879-4840
Address: HC 63 BOX 1170 SP 10
CHALLIS ID 83226

2. Date of Priority: OCT 10, 1911

3. Source: CHALLIS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	7	SW	NW		2	CUSTER

5. Description of diverting works:
HIGH LINE & LOW LINE CANALS, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.310		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	7	NW	NE		IRR	1.7
			SW	NE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.7
					Total Acres	4.7

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00024E

14. Remarks:

AC. IRR. = 57.5

OWNERSHIP CHANGE 12/14/93 BY JG.

OWNERSHIP CHANGE MADE 8/29/95 TF.

OWNERSHIP CHANGE/SPLIT 11/13/97 (PARCEL NOS. 1 AND 6) jr

OWNERSHIP CHANGE/SPLIT 5/15/98 (PARCEL #6) jr

10/27/98 TF; OWNERSHIP CHANGED WUNSCH TO ZOLLINGER PER 1409(6)
AND WARRANTY DEED REC'D 9/15/98.

A PREVIOUSLY UNRECORDED "NEW" SURVEY RESULTED IN A CORRECTION OF
THE SPLIT, ADDING 3.7 ACRES TO THE PLACE OF USE. 8/9/99 jr

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: _____

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: **A72-04231E**
Date Received: 10/26/1989
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: LINDA ANN ZOLLINGER
Address: HC 63 BOX 1170 SP 10
CHALLIS ID

208-879-4840

83226

2. Date of Priority: OCT 10, 1911

3. Source: CHALLIS CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	19E	7	SW	NW		2	CUSTER

5. Description of diverting works:
HIGH LINE & LOW LINE CANALS, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.310		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14N	19E	7	SW	NE		IRR	1.0

Section Acres 1.0

Total Acres 1.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00024E

14. Remarks:

AC. IRR. = 57.5

OWNERSHIP CHANGE 12/14/93 BY JG.

OWNERSHIP CHANGE MADE 8/29/95 TF.

OWNERSHIP CHANGE/SPLIT 11/13/97 (PARCEL NOS. 1 AND 6) jr

OWNERSHIP CHANGE/SPLIT 5/15/98 (PARCEL #6) jr

10/27/98 TF; OWNERSHIP CHANGED WUNSCH TO ZOLLINGER PER 1409(6)
AND WARRANTY DEED REC'D 9/15/98.

15. Basis of Claim: BENEFICIAL USE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
SEP 15 1998
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: _____
Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Charles W. Wensch ^{city in fact} Shirley M. Wensch

4. New Owner/Claimant(s) Spencer Aron Zellinger
 Name Connector (Check one) ☒ and, ☐ or, ☐ and/or
 New Mailing Address HC 63 Box 1170 Sp 10
 City, State and ZIP Code Challis, Id. 83226
 New Telephone Number (208) 879-4840

5. Date you acquired the property 8-24-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Spencer Aron Zellinger
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

WARRANTY DEED

For Value Received CHARLES W. WUNSCH AND SHIRLEY M. WUNSCH, CO-TRUSTEES OF THE CHARLES W. AND SHIRLEY M. WUNSCH FAMILY TRUST DATED JUNE 20, 1995, the Grantors, do hereby grant, bargain, sell and convey unto LINDA ANN ZOLLINGER, a widow, the Grantee, whose current address is HC 63 Box 2300, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Beginning at the NW corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ run thence North 88°57'03" East, along the Northerly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 788.54 feet to a point on the centerline of Challis Creek; thence the following courses and distances along said centerline:
South 30°23'38" West, 79.15 feet; thence
South 45°21'06" West, 130.17 feet; thence
South 71°11'40" West, 170.99 feet; thence
South 45°58'13" West, 100.78 feet; thence
South 33°52'54" West, 103.10 feet; thence
South 20°57'34" West, 58.40 feet; thence
South 33°13'42" West, 76.35 feet; thence
South 72°43'30" West, 245.12 feet, to a point on the centerline of Challis Creek Road; thence the following courses and distances along said centerline;
North 37°12'40" West, 147.84 feet; thence
27.65 feet along a curve to the left with a chord of 27.64 feet bearing North 38°48'07" West, a delta of 03°10'55", a radius of 497.83 feet; thence
North 48°38'53" East a distance of 109.94 feet; thence
North 37°58'26" West a distance of 82.53 feet; thence
North a distance of 79.49 feet; thence North 02°20'40" East a distance of 190.94 feet to said NW corner and the Point of Beginning. As shown

WARRANTY DEED

For Value Received CHARLES W. WUNSCH AND SHIRLEY M. WUNSCH, CO-TRUSTEES OF THE CHARLES W. AND SHIRLEY M. WUNSCH FAMILY TRUST DATED JUNE 20, 1995, the Grantors, do hereby grant, bargain, sell and convey unto LINDA ANN ZOLLINGER, a widow, the Grantee, whose current address is HC 63 Box 2300, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Beginning at the NW corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ run thence North 88°57'03" East, along the Northerly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 788.54 feet to a point on the centerline of Challis Creek; thence the following courses and distances along said centerline:
 South 30°23'38" West, 79.15 feet; thence
 South 45°21'06" West, 130.17 feet; thence
 South 71°11'40" West, 170.99 feet; thence
 South 45°58'13" West, 100.78 feet; thence
 South 33°52'54" West, 103.10 feet; thence
 South 20°57'34" West, 58.40 feet; thence
 South 33°13'42" West, 76.35 feet; thence
 South 72°43'30" West, 245.12 feet, to a point on the centerline of Challis Creek Road; thence the following courses and distances along said centerline;
 North 37°12'40" West, 147.84 feet; thence
 27.65 feet along a curve to the left with a chord of 27.64 feet bearing North 38°48'07" West, a delta of 03°10'55", a radius of 497.83 feet; thence
 North 48°38'53" East a distance of 109.94 feet; thence
 North 37°58'26" West a distance of 82.53 feet; thence
 North a distance of 79.49 feet; thence North 02°20'40" East a distance of 190.94 feet to said NW corner and the Point of Beginning. As shown by the record of survey filed February 24, 1998, as instrument No. 215229, records of Custer County, Idaho.

SUBJECT TO: an easement for access to a well and water tank as described:

Commencing at the NW corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, run thence S. 02°20'40" W. a distance of 190.94 ft. to the POINT OF BEGINNING;
 Thence S. 47°27'03" E. a distance of 142.87 ft.;
 Thence S. 48°38'53" W. a distance of 72.56 ft.;
 Thence N. 37°58'26" W. a distance of 82.53 ft.;
 Thence North a distance of 79.49 ft. to the POINT OF BEGINNING.

TOGETHER WITH: an easement for access to a well and water tank as described;

Commencing at the NW corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, run thence S. 02°20'40" W. a distance of 190.94 ft.; thence South a distance of 79.49 ft. to the POINT OF BEGINNING
 Thence S. 37°58'26" E. a distance of 82.53 ft.;
 Thence S. 48°38'53" W. a distance of 10.00 ft.;
 Thence N. 37°58'26" W. a distance of 70.33 ft.;
 Thence North a distance of 16.23 ft. to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 24 day of AUGUST, 1998.

CHARLES W. WUNSCH AND SHIRLEY M. WUNSCH,
CO-TRUSTEES OF THE CHARLES W. AND SHIRLEY
M. WUNSCH FAMILY TRUST, DATED JUNE 20, 1995

Charles W. Wunsch
CHARLES W. WUNSCH

Shirley M. Wunsch
SHIRLEY M. WUNSCH

STATE OF IDAHO)

: ss

County of:)

On this 24 day of
AUGUST, 1998, before
me, a Notary Public, per-
sonally appeared Charles
W. Wunsch and
Shirley M. Wunsch
known or identified to me to
be the person(s) whose name(s)
are subscribed to the within
instrument, and acknowledged to
me that the y executed the same.

Patsy Kindt
Notary Public for Idaho

Residing at Challis

Commission Expires 3/12/2001

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Custer County Title
at 55 minutes past 10
o'clock P.M., this 25th day of August
1998, in my office, and duly recorded in Book
_____ of Deeds at page _____.

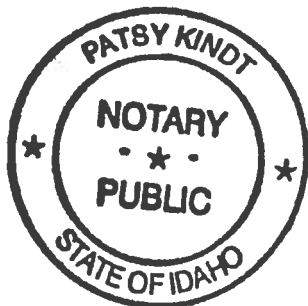
Ethel M. Peck

Ex-Officio Recorder

BY Wanda J. Murphy
Deputy

Fee: \$ 6⁰⁰

Mail to:





ADJUDICATION AND OTHER WATER RIGHT MATTERS DISCLOSURE ADDENDUM



EARNEST MONEY# 21-98

☒ APPLICABLE

DATE 8-24-98

☐ NON APPLICABLE

THIS IS AN ADDENDUM TO A PURCHASE AND SALE AGREEMENT. READ THE ENTIRE DOCUMENT, INCLUDING ANY ATTACHMENTS, CAREFULLY BEFORE SIGNING. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY BEFORE SIGNING.

This is an ADDENDUM to the Real Estate Purchase and Sale Agreement and Receipt for Earnest Money:

Earnest Money Dated: 8-4, 19 98 ID# 53434

ADDRESS: W: veglass Ranch - Challis Creek

BUYER(S): Linda Zollinger

SELLER(S): Chuck & Shirley Wunsch

Seller(s) and Broker or their representative hereby disclose:

1. Buyer(s) is/are aware of the Snake River Basin Adjudication Process and understand(s) that the Seller(s) is/are unable to guarantee that the water right(s) appurtenant to the land will remain unchanged past the date of closing.

2. The Bureau of Reclamation of the Department of Interior is developing a policy on water spreading which is defined as the unauthorized use of federally developed project facilities or water supplies on lands not approved by reclamation for such use. This could impact the amount of land that can be irrigated in Idaho.

3. Buyer(s) is/are aware that the Idaho Department of Water Resources is in the process of developing rules for the conjunctive management of the State's above-ground and under-ground water resources. These rules could have an impact on junior and senior water right holders throughout the State.

4. Buyer(s) and Seller(s) are advised to contact their own attorney, accountant, residential structural and/or environmental specialist if there are questions concerning the Purchase and Sale Agreement, at their own expense. For information on the adjudication process or water law and rules in Idaho, you should contact the Idaho Department of Water Resources, the local office of the Bureau of Reclamation and your attorney.

Linda Zollinger BUYER
(Signature)

Charles W. Wunsch SELLER
(Signature) #17 in fact

(Signature) BUYER

Shirley M. Wunsch SELLER
(Signature)

DATED: 8-24-98

DATED: 8-24-98

TIME: _____ ☐ A.M. ☐ P.M.

TIME: _____ ☐ A.M. ☐ P.M.

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DATE: 08/24/98
PAGE: 3

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. A72-04231E

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES MUNSCH	10/10/1911	IRRIGATION	04-01 11-01	0.31 CFS	
C	SHIRLEY MUNSCH					
	PO BOX 409					
	CHALLIS ID 83226					
	(208) 879-5955					
TOTAL DIVERSION:					0.31 CFS	

Water Source: CHALLIS CREEK Tributary to: SALMON RIVER Stage: BENEFICIAL USE
Point(s) of Diversion: T14N R19E S07 Lot02(SUNW) CUSTER County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		
T	R	S	Ac	Lt	Ac	Lt	Ac	SESE
14N	19E	7	01	---	---	---	---	SUM
TOTAL ACRES								1.0

POU County: CUSTER

Other Rights: A72-00024E

Remarks: GEN AC. IRR. = 57.5

OWNERSHIP CHANGE 12/14/93 BY JG.

OWNERSHIP CHANGE MADE 8/29/95 TF.

OWNERSHIP CHANGE/SPLIT 11/13/97 (PARCEL MOS. 1 AND 6) JF

OWNERSHIP CHANGE/SPLIT 5/15/98 (PARCEL #6) JF

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 72C	Field Inspection Flag:	
		Presumption Flag:	

DATE: 08/24/98
PAGE: 1

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. A72-00024E

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES WUNSCH	05/01/1879	IRRIGATION	04-01 11-01	0.11 CFS	
C	SHIRLEY WUNSCH PO BOX 406 CHALLIS ID 83226 (208) 879-5955				0.11 CFS	
TOTAL DIVERSION:						0.11 CFS

Water Source: CHALLIS CREEK Tributary to: SALMON RIVER Stage: DECREEED
Point(s) of Diversion: T14N R19E S07 Lot02(SANW) CUSTER County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		SUM		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
14N	19E	7	01							
									TOTAL ACRES	1.0

POJ County: CUSTER

Other Rights: A72-04231E

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- R02 - A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 72C.

Remarks: GEN OWNERSHIP CHANGE WITH SPLIT 12/16/93 BY JG.

OWNERSHIP CHANGE MADE 8/29/95 TF.
OWNERSHIP CHANGE/SPLIT 11/13/97 (PARCEL NOS. 1 AND 6) JR
OWNERSHIP CHANGE/SPLIT 5/15/98 (PARCEL #6) JR

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 72C Field Inspection Flag: Presumption Flag:

CUSTER COUNTY TITLE, INC.

P.O. Box 370

Challis, ID 83226

(208) 879-4424

(208) 879-5249 FAX

RECEIVED

SEP 15 1998

Department of Water Resources
Southern Region

September 14, 1998

RE: Our Order No. 9946 Wunsch - Zollinger

Idaho Department of Water Resources
Southern Region Office
1341 Fillmore Street, #200
Twin Falls, ID 83301-3380

To Whom It May Concern:

Please find enclosed Notice of Change of Water Right Ownership, Adjudication and other Water Right Matters Disclosure Addendum and a copy of the Warranty Deed on the above mentioned order.

If you have any questions, please call the new owners.

Thank you,



Heidi Thomas
Secretary

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: **A72-04231E**

Date Received: 10/26/1989

Receipt No: X999999

Received By: ownership change/s

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES WUNSCH 208-879-5955
Address: PO BOX 409
CHALLIS ID 83226

AND

Name: SHIRLEY WUNSCH 208-879-5955
Address: PO BOX 409
CHALLIS ID 83226

2. Date of Priority: OCT 10, 1911

3. Source: CHALLIS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	7	SW	NW		2	CUSTER

5. Description of diverting works:
HIGH LINE & LOW LINE CANALS, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.310		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	7	SW	NE		IRR	1.0

10. Place of Use: Continued

Section Acres 1.0

Total Acres 1.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

A72-00024E

14. Remarks:

AC. IRR. = 57.5

OWNERSHIP CHANGE 12/14/93 BY JG.

OWNERSHIP CHANGE MADE 8/29/95 TF.

OWNERSHIP CHANGE/SPLIT 11/13/97 (PARCEL NOS. 1 AND 6) jr

OWNERSHIP CHANGE/SPLIT 5/15/98 (PARCEL #6) jr

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): _____ Date: _____

_____ Date: _____

A 72-04231

Lusher

58 Ac

2 cfs

(A)

Lusher

3.5 Ac.

.14 cfs

(B)

Peterson → Wunsch

54.5 Ac

1.86 cfs

(C)

Wunsch

31 Ac.

1.57 cfs

(D)

Thornton

23.5 Ac.

.29 cfs

(E)

Wunsch

1 Ac.

.31 cfs

(F)

Pethan

30 Ac.

1.26 cfs

of 1972-73

רמב"ם

MAY 14 1998

Department of Water Resources
Southern Region

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

0214022

WARRANTY DEED

For Value Received CHARLES W. WUNSCH AND SHIRLEY M. WUNSCH, CO-TRUSTEES OF THE CHARLES W. AND SHIRLEY M. WUNSCH FAMILY TRUST DATED JUNE 20, 1995, the Grantors, do hereby grant, bargain, sell and convey unto MERYL PETHAN AND ALDEAN PETHAN, husband and wife, the Grantees, whose current address is 20176 San Miguel Avenue, Castor Valley, California 94577 the following described premises, in Custer County, Idaho, to-wit:

A parcel of land located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Beginning at the NE corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ run thence South 00°03'00" East along the Easterly boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 1101.36 feet to a point on the centerline of Challis Creek Road; thence the following courses and distances along said centerline; North 72°41'07" West, 292.66 feet, 149.22 feet along a curve to the right having a chord of 148.84 bearing North 65°36'14" West, a delta of 14°09'46", a radius of 603.65; North 58°31'22" West, 36.59 feet; 186.20 feet along a curve to the left having a chord of 185.68 feet bearing North 65°58'40" West, a delta of 14°54'39", a radius of 715.49 feet; North 73°25'59" West, 431.65 feet; 270.94 feet along a curve to the right having a chord of 266.45 bearing North 55°19'20" West, a delta of 36°13'20", a radius of 428.57 feet; North 37°12'45" West, 14.95 feet to a point on the centerline of Challis Creek; thence the following courses and distances of said centerline; North 72°43'30" East, 245.12 feet; North 33°13'42" East, 76.35 feet; North 20°57'34" East, 58.40 feet; North 33°52'54" East, 103.10 feet; North 45°58'13" East, 100.78 feet; North 71°11'40" East, 170.99 feet; North 45°21'06" East, 130.17 feet; North 30°23'38" East, 79.15 feet to a point on the Northerly Boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, thence North 88°57'03" East, along said boundary a distance of 535.53 feet to the POINT OF BEGINNING.

TOGETHER with an easement for an existing pipeline and headgate to be used for irrigation purposes, benefiting the above lands. The burdened lands are those lands lying across the Custer County road to the South of the burdened lands owned by the Grantors. The easement shall be perpetual and shall run with the lands as necessary for the proper maintenance, repair and replacement of the pipeline as it runs from the canal or ditch way on the burdened lands to the lands of Grantee lying to the North of the easement.

0214022
Custer County Title
Time 3:52 P.M.
12/17/97
Bridget M. Peth, Clerk

0314922

JUNE 20 1995
Charles L. Smith

by G. Michael Lee
G. MICHAEL LEE, Attorney-in-Fact for Chairman
of the Chesapeake and Shiloh M. Waters, Inc.

Q. MICHAEL LEE, Attorney-in-fact for Sh
Wunsch, Co-Trustees of the Charles W. and

On this 3/5/ day of December 1997, before me, a Notary Public, personally appeared G. Michael Lee Attorney-in-fact for Charles W. Wunsch and Shirley M. Wunsch, Co-Trustees of the Charles W. and Shirley M. Wunsch Family Trust Dated June 20, 1995, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that he executed the same.

I hereby certify that this instrument was filed for record at the request of _____ at _____ minutes past _____ o'clock _____ M., this _____ day of _____ 199____, in my office, and duly recorded in Book _____ of Deeds at page _____.

BY _____ Deputy

Fee: \$
Mail to:



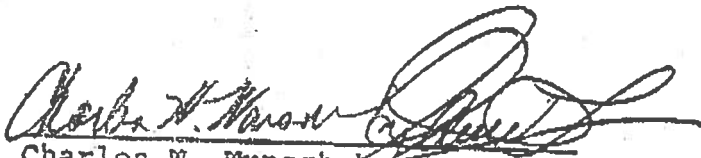
"A"

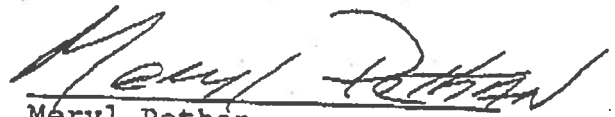
The agreed split of the water between Charles Wunsch and Shirley Wunsch and Meryl Pethan and Aldean Pethan as it relates to the attached Change of Ownership is as follows:

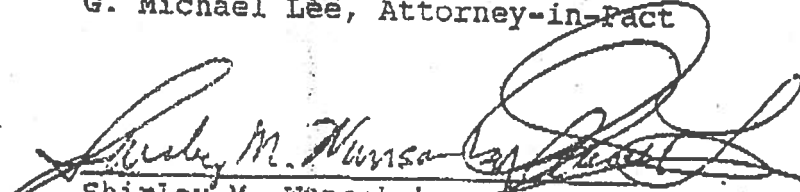
Water Right #	Present Total	Wunsch	Pethan
72-00032 A	.06 CFS	-0-	.06 CFS
72-00024	.53 CFS	.11 CFS	.42 CFS
72-04231	1.57 CFS	.31 cfs	1.26 CFS

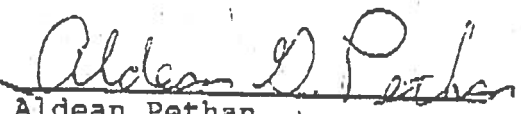
Date: December 31, 1997

Charles W. Wunsch and Shirley M. Wunsch
Co-Trustees of the Charles W. Wunsch
and Shirley M. Wunsch Family Trust
Dated June 20, 1995


Charles W. Wunsch by
G. Michael Lee, Attorney-in-Fact


Meryl Pethan

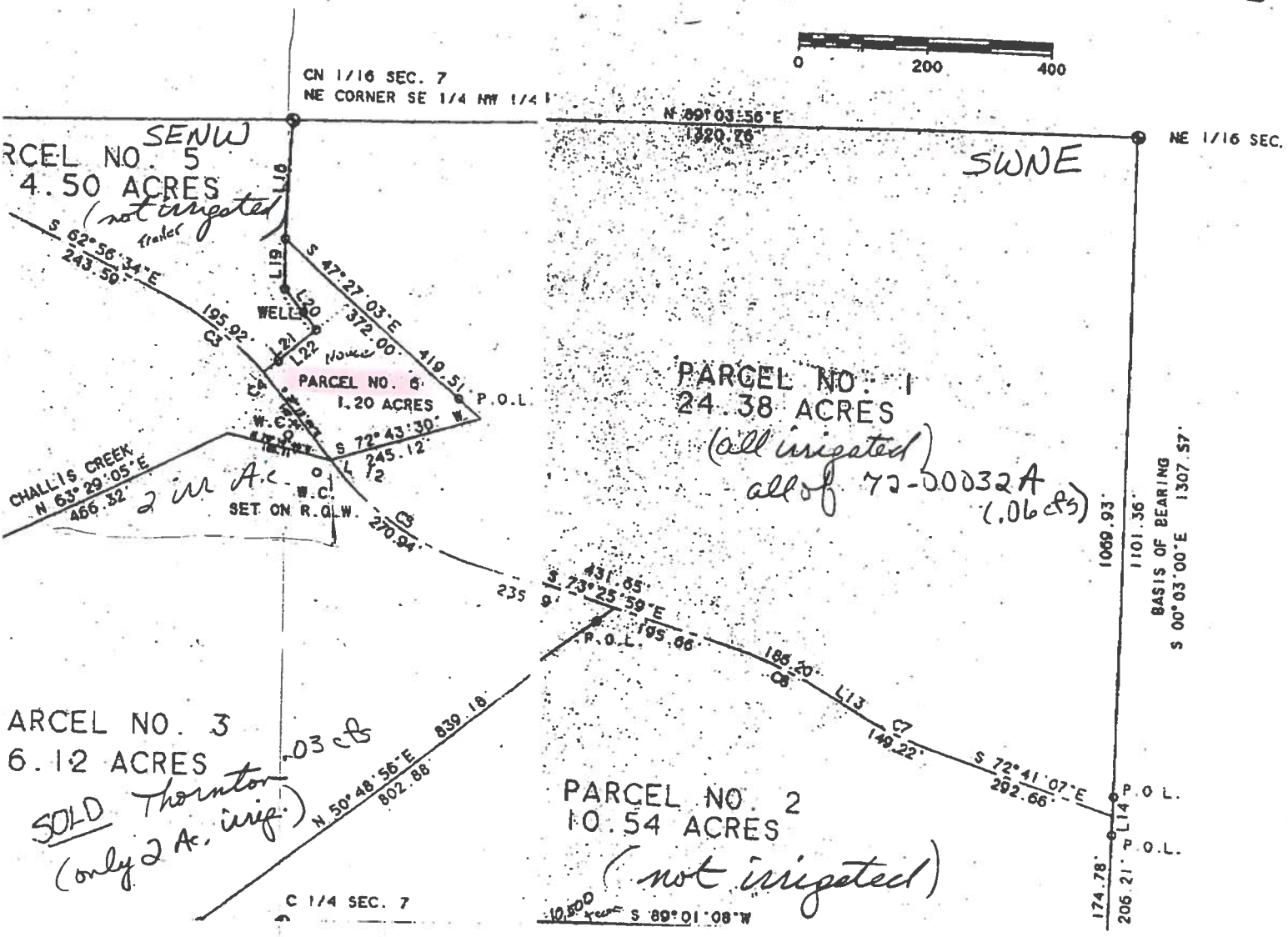

Shirley M. Wunsch by
G. Michael Lee, Attorney-in-Fact


Aldean Pethan

Send to
Bill Knox
HC 67
Box 2089
Challis,
83

IDAHO

Q





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

MAY 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES AND SHIRLEY WUNSCH
PO BOX 406
CHALLIS ID 83226

RE: SRBA CLAIM A72-00024C AND A72-02431C

Dear Mr. and Mrs. Wunsch:

Pursuant to the notification that you sold a portion of the property to which the above referenced adjudication claims are appurtenant, the Department has split the original claims into parts E and F. Your portions have been renumbered to A72-00024E and A72-02431E. Please find enclosed a copy of the computer generated claims noting the changes.

Please review the records and if you have any corrections or questions, feel free to give me a call at the office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over the typed name.

Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

May 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MERYL AND ALDEAN PETHAN
20176 SAN MIGUEL AVE
CASTRO VALLEY CA 94577

RE: SRBA CLAIM A72-00024C AND A72-04231C
(A72-00032A)
WUNSCH/PETHAN

Dear Mr. and Mrs. Pethan:

Pursuant to the notification that you purchased a portion of the property to which the above referenced adjudication claims are appurtenant, the Department has split the original claims into parts E and F. Your portions have been renumbered to A72-00024F and A72-04231F. (I have also transferred the whole of A72-00032A, which was not a split right, into your name.) Please find enclosed a copy of the computer generated claims noting the changes.

Please review the records and if you have any corrections or questions, feel free to give me a call at the office.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie".

Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures:

May 11, 1998

MAY 14 1998

State of Idaho
Department of Water Resources
Vikie Hancock
S.R.B.A. Records Clerk
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Dear Ms. Hancock:

Enclosed is our proof of ownership in form of Warranty Deed.

We apologize for the delay as we were back East on vacation.

Please acknowledge receipt of this.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Pethan", written over the word "Respectfully,".

Meryl Pethan

Snake River Basin Adjudication (SRBA)
Claim Nos: A72-00024C, A72-04231C & A72-00032A