

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

September 12, 2001

Regarding:

Customer:

CRESTVIEW FARMS

Clayne Zollinger

36-7010
36-7784

36-2387
36-7784A

36-2351
36-7784B

The above claims are owned by Crestview Farms and Clayne Zollinger but being purchased by Perry Van Tassel.

In response to an inquiry from Perry Van Tassel on 9-10-2001, I discovered that no supplemental decree documents were received by the claimant from the SRBA court regarding the above claims because they had no valid address for Crestview Farms.

This date, Clayne Zollinger called and said that we could send the information on these claims to Perry Van Tassel. I explained that we needed a signed notice from him to change the address in our database because he was the owner of record. I told him that if he wanted to put Van Tassel's address on the form he could, and that I would send him the form.

This document is to make note that the contact address submitted in response to this inquiry, and the owner of record of the above claims, may not be one and the same. From sent to:

Clayne Zollinger
936 E 350 N
Declo, Idaho 83323

36-7784B

Important Information About Your Water Right

January 2, 2002

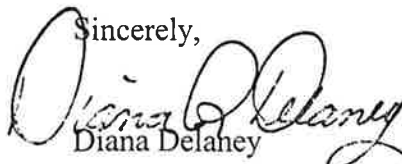
Crestview Farms Inc.
c/o Clayne Zollinger
RT 1 Box 408
Rupert, ID 83350

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 36-07784B. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order**, in combination with the **Partial Decree** that was issued for this water right on January 15, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of this **Order** and the original of the **Partial Decree** for this water right are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,

Diana Delaney
Case Administrator

2002 JAN -2 PM 2:37

FILED

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	)	Water Right 36-07784B
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on January 15, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*; 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the ***Partial Decree*** was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the ***Partial Decree***.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated **JAN 02 2002**



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

Important Information About Your Water Right

January 2, 2002

Crestview Farms Inc.
c/o Clayne Zollinger
RT 1 Box 408
Rupert, ID 83350

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 36-07784A. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order***, in combination with the ***Partial Decree*** that was issued for this water right on January 15, 1998; sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of this water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued on the same date that the ***Partial Decree*** was originally issued.

Sincerely,


Diana Delaney
Case Administrator

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FILED
TWIN FALLS, IDAHO
JAN -2 2002

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	)	Water Right 36-07784A
	)	
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Dated | **JAN 02 2002**



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

RETURNED
TO
SENDER
NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD

RECEIVED

JAN 10 2002

Department of Water Resources
Southern Region

RECEIVED

JAN - 7 2002

Department of Water Resources



R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 20 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.

in case follow-up is needed

678-0802 1501 BURTON AVE
BURLEY, ID. 83318
ED BURGESS-ARL WEST REALTY (home address)

2. SUBJECT OF INQUIRY:

ADTUD. CLAIM PROOF reports for:
CRESTVIEW FARMS
(for \$5 not found under ZOLLINGER request made
01-25-1993 - CLAIMS A36-02397 - 02615, -10030,
-10031. TOFS R21E: 56 15, 21, 22, 33, 34 & 35.)
telephone call, 12:25 PM, WED, 01-27-1993.
message recd from BOB FOSTER.

3. RESPONSE TO INQUIRY:

review AJQ1 & AJQ4 for name and
legal description.
print AJ558 ADTUD CLAIM PROFILE
REPORTS - A36 & blank-36 profts for WIR #s.
attach POST-IT sheet noting title of
report - highlight fields of profts
NOTE: A36-07784 split into A+B
in AIR'S REPORT

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

F. Hitchcock 01-28-1993
F. Hitchcock (FH)
A36-02351, -02387, -07010,
-07784, -14487

MICROFILMED

OCT 20 1994

None

Water Right Number - A36-07784B

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

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

*** C - CURRENT OWNER ***
COMBINED RIGHT1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000*** O - ORIGINAL OWNER ***
NEILSON

VIRGIL A.

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000
1 - 1117 S. STANFORD
2 -
3 -
City- NAMPA State- ID Zip- 836510000
Phone - 208-000-0000

KAMMER

DARRELL

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/17/1978 17 Z - SEE REMARKS+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER
COMBINED RIGHT+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
07S 21E 33 SE NE (63) LINCOLN+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.110+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.110+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 21E 32 NE NE 38.0 01 IRRIGATION (63) LINCOLN
07S 21E 32 SE NE 32.0 01 IRRIGATION (63) LINCOLN
07S 21E 33 NE NE 40.0 01 IRRIGATION (63) LINCOLN
07S 21E 33 NW NE 40.0 01 IRRIGATION (63) LINCOLN
07S 21E 33 SW NE 40.0 01 IRRIGATION (63) LINCOLN
07S 21E 33 SE NE 40.0 01 IRRIGATION (63) LINCOLN

Total Acres: 230.0

+ - - Diversion Means -

Civil Case Number	-	39576
Old Case Number	-	
Old Judicial District	-	
Temporary Right	-	P
Water District	-	
Federal/State Indicator	-	S
Presumption Flag	-	

Feb 04 1993