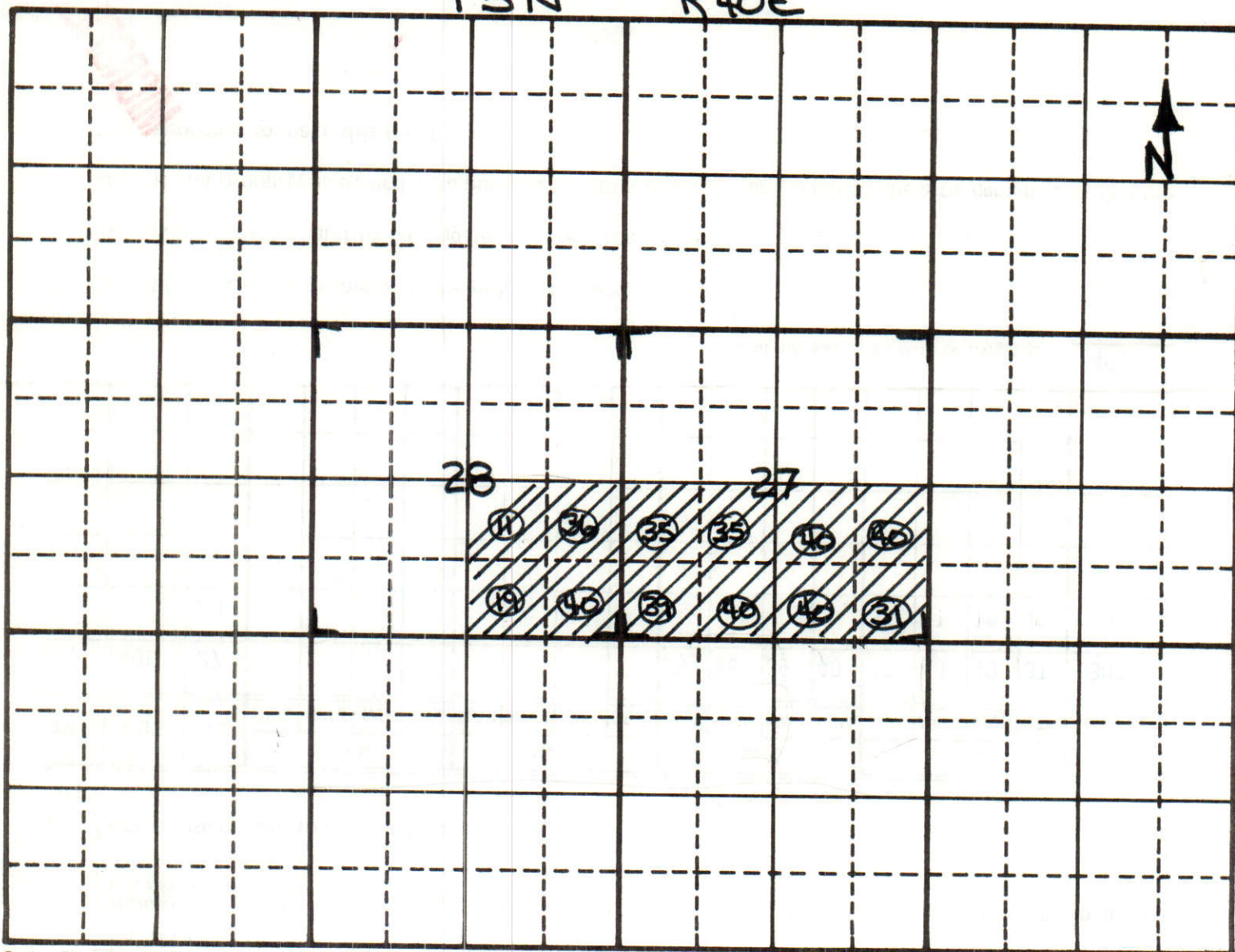


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

T5N R40E



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Base sed, this 20 day of Oct., 19 81.

X Walter J. Jallinger
(Signature)

FOR DEPARTMENT USE ONLY

20509

Preliminary check by RC Fee = \$20.00

Received by RC Date 10/20/81

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

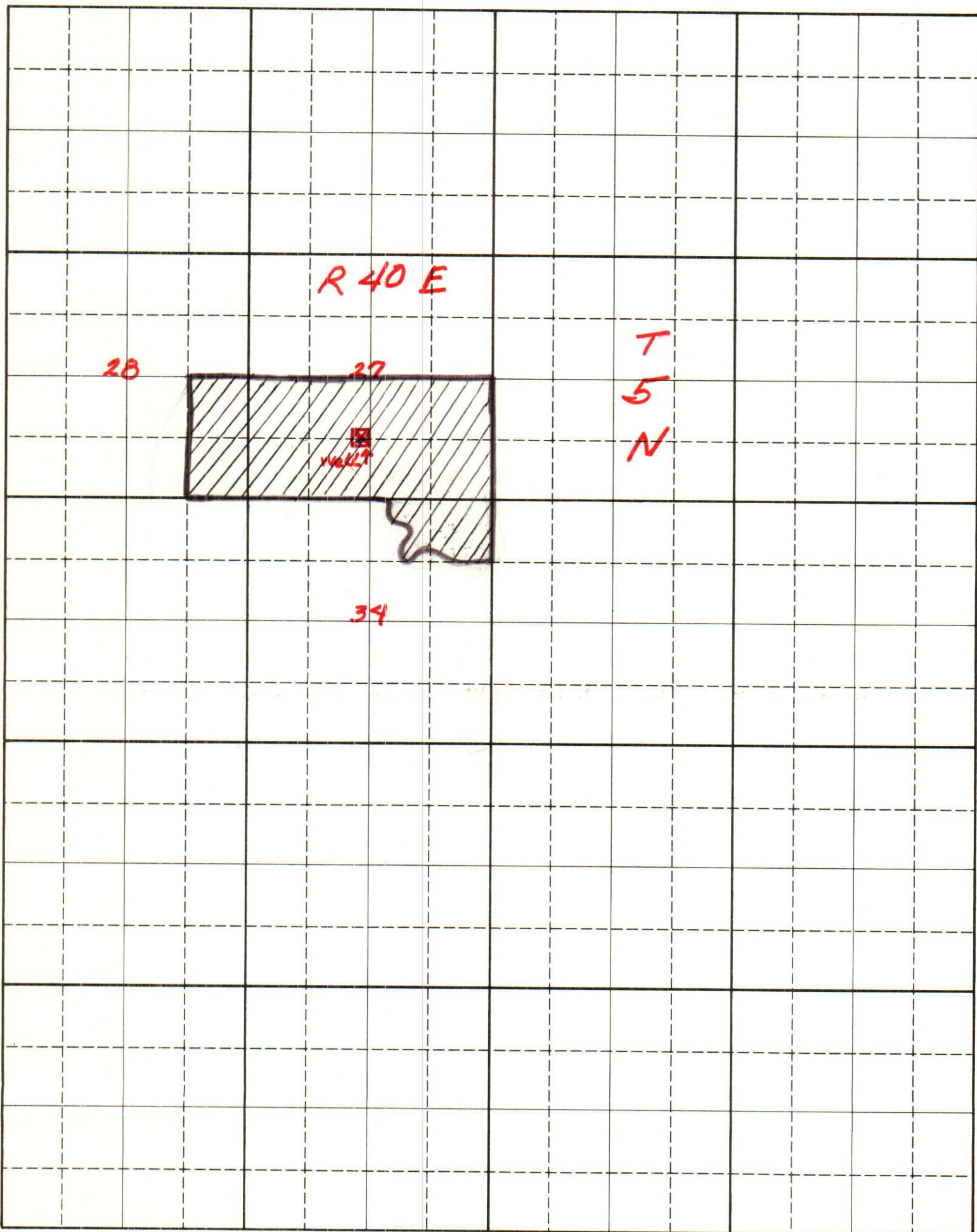
I, A. KENNETH DUNN, of the Department of Water Resources hereby
APPROVE the above application for Amendment of Permit No. 22-7090.

Witness my hand this 31ST day of October, 19 81

Acting for the Norman C Young
Director

MICROFILMED

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

ZOLLINGER FARMS, INC.

By: Herman Zollinger
(Applicant)
Its President.

22 7030

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO



Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, John A. Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG
Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

**Notice of application
for water permit**

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on April 18, 1974
and the last publication having been made
on April 25, 1974.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

John A. Porter

Subscribed to and sworn to before me

this 26th day of April, 1974

John A. Porter
Notary Public.

(SEAL)

My commission expires 8-5-77

RECEIVED

APR 30 1974

WATER ADMINISTRATION
Area Office

RDC

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Zollinger Farms, Inc., P.O. Box 406, Rexburg, Idaho has on April 12, 1974 submitted Application No. 22-7090 for a permit to appropriate 7.5 cubic feet per second of water from a ground-water source by means of well and pump within the SE 1/4 SW 1/4, Sec. 27, T. 5N, R. 40E, B.M., Madison County, to be used from Apr. 1 to Oct. 15 for the irrigation of 465 acres within the S 1/4, Sec. 27, E 1/4 SE 1/4, Sec. 28, N 1/4 NE 1/4, Sec. 34, T. 5N, R. 40E, B.M.

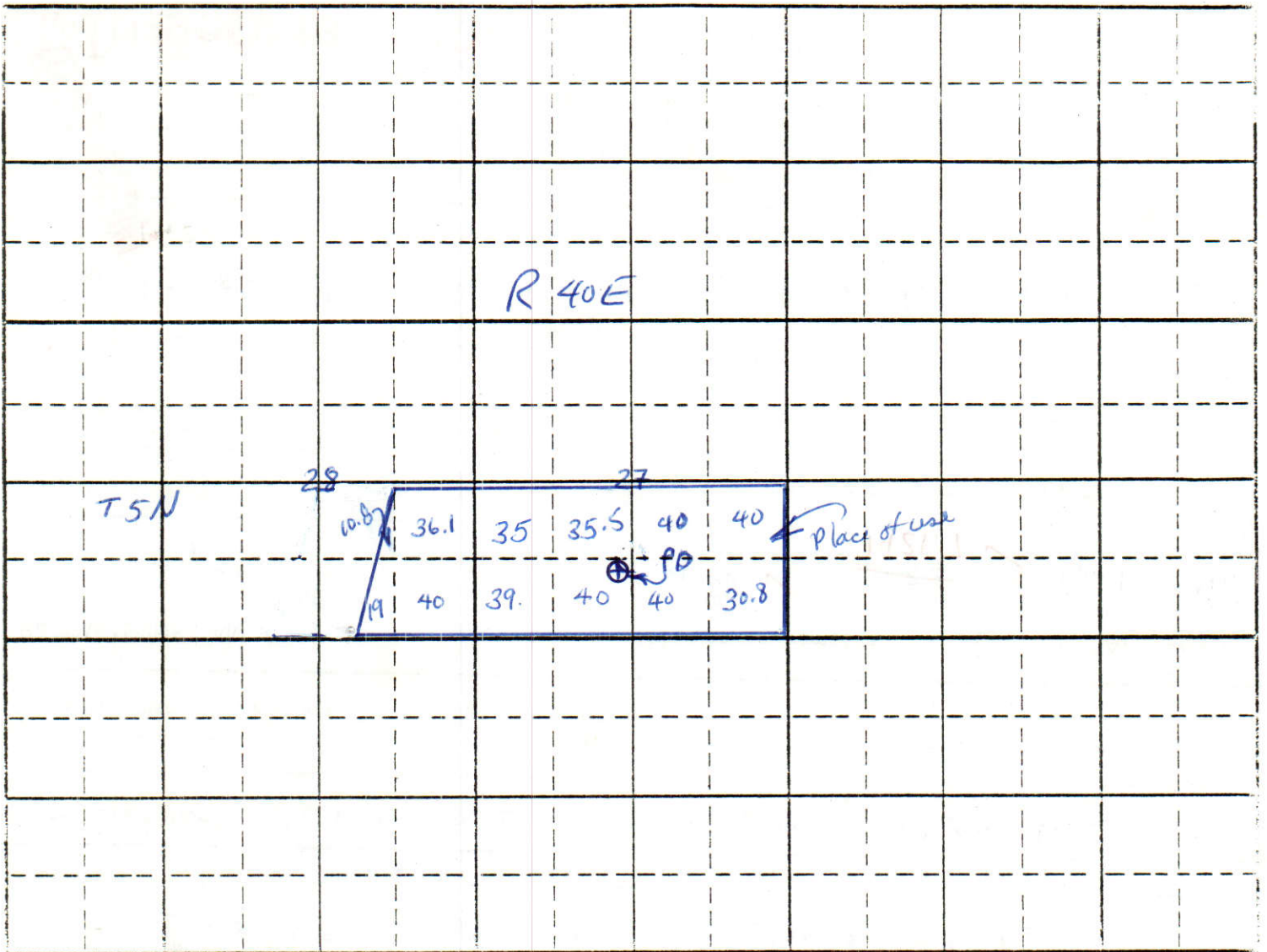
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before May 6, 1974.

R. KEITH HIGGINSON
Director

Published in the Rexburg Journal, Rexburg, Idaho on April 18 and April 25, 1974.

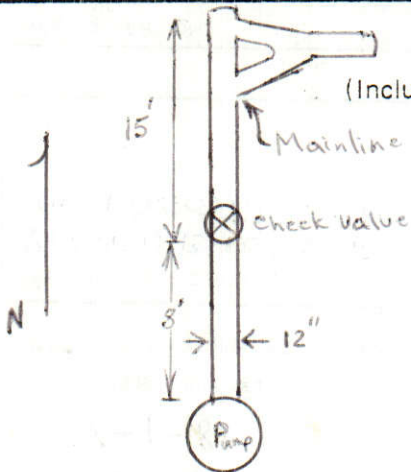
cb

22 7090



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



✓ Point(s) of diversion: SE 1/4 SW 1/4 Sec 27 T 5N R 40E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	40E	27									35.5	35	39	40	40	40	40	30.8	300.3
		28													36.1	10.8	19	40	105.9

rounded to
406 AC.

406.2

Recommended Amendments:

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature R.C. Wilson

Checked by [Signature]

Approved by [Signature]

Date 7-14-81

Date 8-6-81

Date 10/6/81

Zollinger Farms
22-7090

G



A
103.6

Zollinger Farms

Mainline

D
33.5

29.8

28.3

0.5

13.5

Darwin
Zollinger

DRY TANK

B 3132

J
9.6

H
85.5
51.6

P/u

I
6.7

15.9

E
13.5

8.9

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7090 Priority April 12, 1974 Amount 4.38 cfs

THIS IS TO CERTIFY, that Zollinger Farms, Inc.

of Rexburg, Idaho, has complied with the terms and conditions of Permit No. 22-7090 issued pursuant to Application for Permit dated April 12, 1974, and has submitted proof to the Department of Water Resources on May 1, 1979, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 4.38 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from April 1 to October 15</u>	<u>at 4.38 cfs</u>	<u>and 1421.7 acre feet</u>
_____	_____	_____	_____
_____	_____	_____	_____

Subject, however, to the condition that no more than 4.38 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1421.7 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, Twp. 5N, Rge. 40E in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5N	40E	27									35	35	39	45	40	40	31	300	
		28												36	11	19	40	106	

Total number of acres irrigated 406

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31st day of October, 19 81.

Acting for the Director

Norman C Young

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
< LICENSING >
APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Zollinger Farms, Inc. Phone _____
of (address) Rexburg, ID , and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 22-7090 , and requests that the permit and permit map be changed as follows:

1. Point of diversion: _____ ¼ _____ ¼, Section _____, Township _____, Range _____, B.M.,
NO CHANGE
County of _____ . Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
NO CHANGE
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	40E	27									35	35	39	40	40	40	40	31	300
		28													36	11	19	40	106

Total number of acres to be irrigated = 406

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

RECEIVED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

T5N R40E

Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Base Rd, this 20 day of Oct., 19 81.

X Whitney J. Jallings
(Signature)

FOR DEPARTMENT USE ONLY

20509

Preliminary check by RC Fee = \$20.00

Received by RC Date 10/20/81

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby
APPROVE the above application for Amendment of Permit No. 22-7090.

Witness my hand this 31ST day of October, 19 81

Acting for the Norman C Young
Director

Identification No. 22 7090

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Zollinger Farms, Inc.
post office address c/o Mary Smith, Atty. - P.O. Box 406 - Rexburg, Idaho 83440
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 5N
Range 40E B.M. Madison County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 7.5 cfs for irrigation purpose from April 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 7.5 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep well pump and electric motor discharged into sprinkler system.

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 20 inches; proposed depth of well is 500 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$20,000.00 (well only) \$60,00.00 for sprinkler system.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

22 7090

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
T5N	40E	27	-	-	-	-	-	-	-	-	40	40	40	40	40	40	40	40	320
T5N	40E	28	-	-	-	-	-	-	-	-	-	-	-	-	40	-	-	40	80
T5N	40E	34	40	25	-	-	-	-	-	-	-	-	-	-	-	-	-	-	65

Total number of acres to be irrigated 465

c. Describe any other water rights used for the same purposes as described above. None

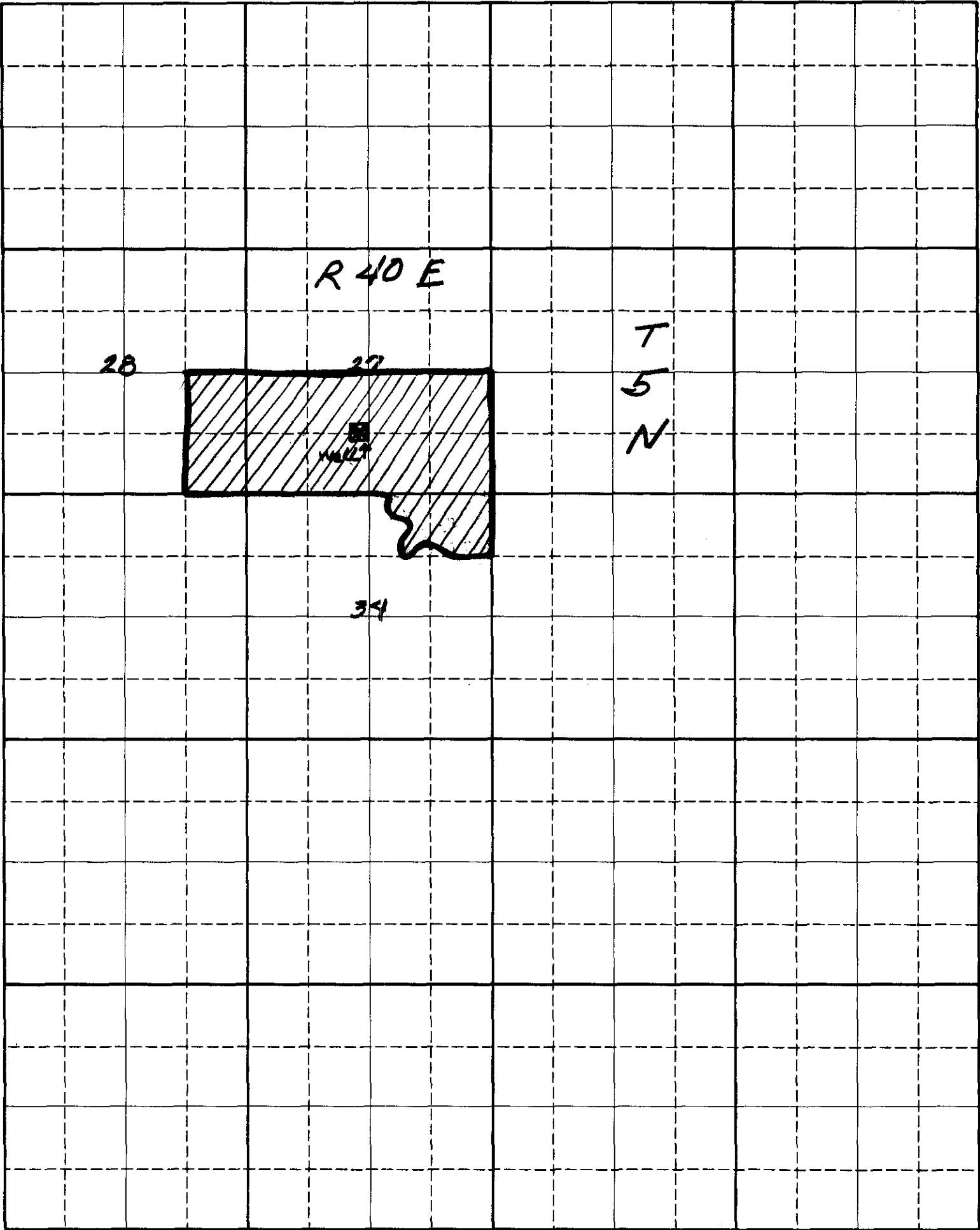
9. a. Who owns the property at the point of diversion Zollingers Farm, Inc.

b. Who owns the land to be irrigated or place of use Zollingers Farm, Inc. & Webster Est.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. The SE and SW ¼ of SE¼ of Section 27 has been willed to LaVinia Webster Zollinger and the legal work is now in process.

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

ZOLLINGER FARMS, INC.

By: Herman Zollinger
(Applicant)
Its President.

22 7090

Proposed Priority 4-12-1974

Received by MB Date 4-12-74 Time 11:10 A

Preliminary check by DC Fee \$ 25.00

Receipted by MB Date 4-12-74 Receipt # 12833

Publication prepared by MB Date 4-12-74

Published in The Spang Journal

Publication dates April 18th - 25, 1974

Publication approved CB Date 4/30/74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DC MB

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7090, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 79.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 20 day of _____ May 19 74.

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. **22-7090**

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>RDC</u>	<u>4/14/74</u>	Application No. <u>ZOLLINGER</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>11</u>	<u>11</u>	In form to receipt <u>YES</u>
	<u>11</u>	<u>11</u>	Send Copies to: ☒ Idaho State Health Department ☒ Idaho Fish and Game Department ☒ Bureau of Land Management
(4)	<u>11</u>	<u>11</u>	☒ Request Special Use Permit from U.S.F.S. ☒ Request Easement from B.L.M. ☒ Request Information from Applicant
(5)	<u>11</u>	<u>11</u>	In form for advertising <u>YES</u>
(6)	<u>11</u>	<u>11</u>	Located within Water District No. <u>22</u>
(7)	<u>11</u>	<u>11</u>	Critical groundwater area: yes <u>no</u> ☒
(8)	<u>11</u>	<u>11</u>	Groundwater levels: <u>Decline (comment)</u> ☒ Stable (comment) <u>NO OBSWELL BUL#29</u> <u>Increasing (comment)</u>
(9)	<u>11</u>	<u>11</u>	Comments: <u>NO CONFLICTING GW RIGHTS SHOWN ON PLATS</u>
(10)	<u>UB</u>	<u>4/30/74</u>	Affidavit of Publication received (date) <u>April 30 1974</u>
(11)	<u>MB</u>	<u>5/6/74</u>	Final date for protests <u>May 6 1974</u> Protests received: yes <u>no</u> ☒
(12)	<u>"</u>	<u>"</u>	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(13)	<u>RDC</u>	<u>11</u>	All requested information received from agencies or applicant yes <u>OK</u> no <u>no</u>
(14)	<u>11</u>	<u>11</u>	Action recommended: ☒ Approve Priority <u>4/12/74</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District <u>E</u>	By <u>RDC</u>	Date <u>5/6/74</u>

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED
APR 30 1974

WATER ADMINISTRATION
Area Office

Affidavit of Publication

RDC

STATE OF IDAHO }
County of Madison } ss.

I, John A. Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG
Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of application
for water permit

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on April 18, 1974
and the last publication having been made
on April 25, 1974

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

John A. Porter

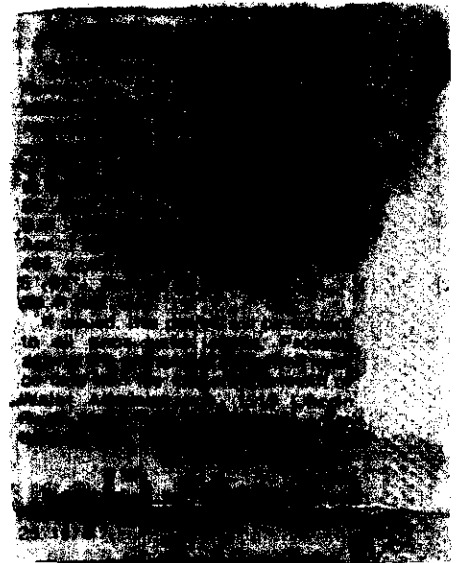
Subscribed to and sworn to before me

this 26th day of April, 1974

(SEAL)

John A. Porter
Notary Public.

My commission expires 8-5-77



22 7090

Send license to.

Zollinger Farms, Inc.

% Mr. LeRoy Zollinger

8611 Brywood Dr.

Boise ID 83704

November 19, 1981

RE: Permit No. 22-7090

Zollinger Farms, Inc.
c/o Mr. LeRoy Zollinger
8611 Brywood Dr.
Boise, ID 83704

Dear Mr. Zollinger:

Enclosed herewith is a copy of the water right license issued on the above referenced permit along with a copy of the approved application for amendment for this permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

RECEIVED
NOV 22 1981
WATER DIVISION
BOISE, IDAHO



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

October 13, 1981

Zollinger Farms, Inc.
c/o Mary Smith, Attorney
P.O. Box 406
Rexburg, ID 83440

Dear Ms. Smith,
A representative of this Department made an examination of the works covered by your Permit No. 22-7090 on July 1, 1981, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 4.38 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1421.7 acre feet per year.

Point of diversion: SESW Section 27, Twp 5N, Rge 40E

Beneficial use: Irrigation of 300 acres in the S 1/2, Section 27, & 106 acres in the SE, Section 28, Twp 5N, Rge 40E. TOTAL 406 acres

Priority date established: April 12, 1974

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

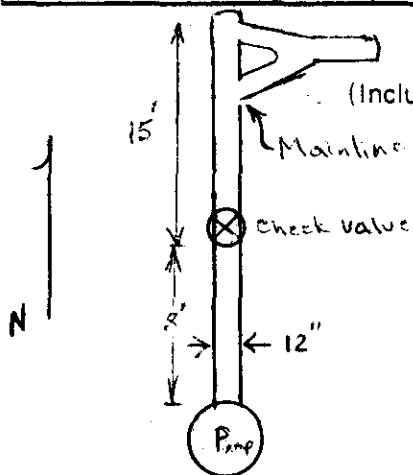
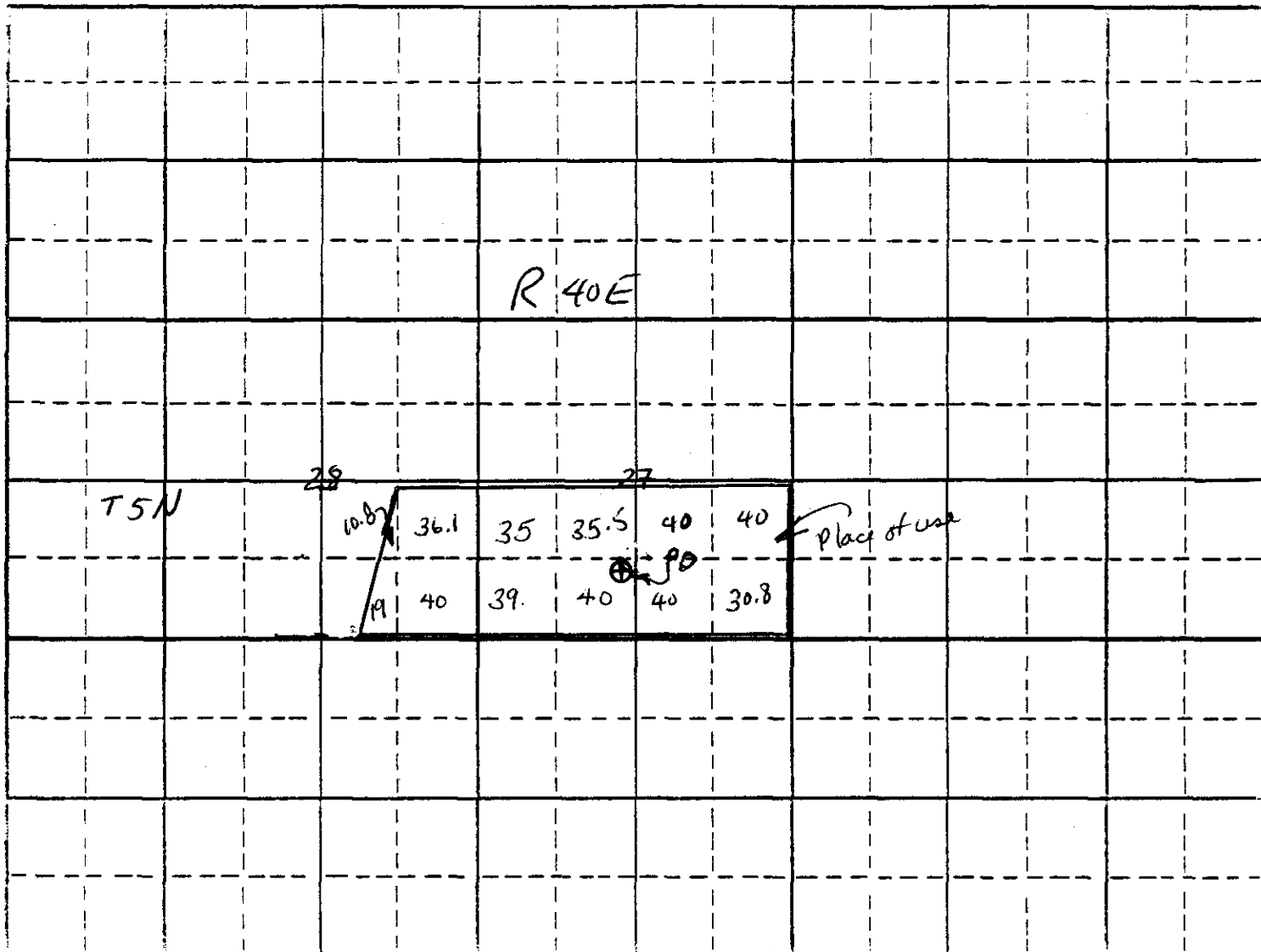
Jim Johnson
Water Rights Supervisor

JG:j
Enclosure

MICROFILMED

RECOMMENDED AMOUNTS	Irrigation requirement =		AFA/Acre	
USE	Q (cfs)	V (afa)	FROM	TO
Irrigation	4.38 ✓	~~1422~~ 1421.7 ✓	Apr 1	Nov 1
Total				

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE 1/4 SW 1/4 Sec 27 T5N R40E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	40E	27									35.5	35	39	40	40	40	40	30.8	300.3
		28													36.1	10.8	19	40	105.9

round to 406.2

406.2

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature R.C. Wilson

Date 7-14-81

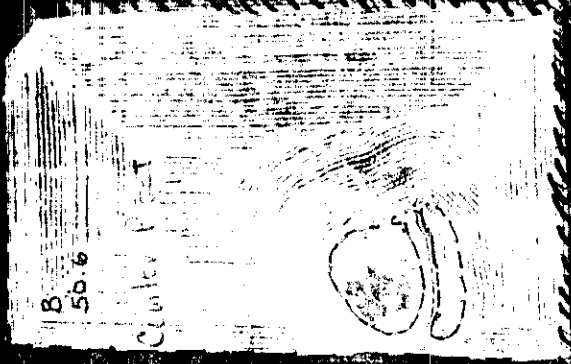
Checked by [Signature]

Date 8-6-81

Approved by [Signature]

Date 10-6-81

Zollinger Farms
22-7090



H
85.5
51.6

P/u

I
67.7

151.9

9.6

D
33.5

29.2

8.8



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

December 26, 1979

RE: Permit No. 22-7090

Zollinger Farms, Inc.
C/O Mary Smith, Atty.
P.O. Box 406
Rexburg, Idaho 83440

Dear Ms. Smith:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

JACKIE S. DENNING
Senior Clerk

cc: IDWR - State Office

DEC 27 1979

8/78
RECEIVED

MAY 1 1979

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

MAY 1 1979

Department of Water Resources
Eastern District Office

1. a) Name of permit holder Zollinger Farms, Inc.
- b) Post office address c/o Mary Smith, P. O. Box 427, Rexburg, Idaho 83440
2. Permit number 22-7090
3. Date of priority that you are prepared to establish May 12, 1974
4. a) Source from which water was appropriated Ground water
- b) Location of the point of diversion: SE 1/4 SW 1/4, Section 27
Township 5 N., Range 40 E. Boise Meridian. Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
 Amount 5.55 cfs for irrigation purposes from April 1 to Oct. 15 incl.
 (cfs &/or acre-feet per annum) (month-day) (month-day)
 Amount _____ for _____ purposes from _____ to _____ incl.
 (cfs &/or acre-feet per annum) (month-day) (month-day)
 Amount _____ for _____ purposes from _____ to _____ incl.
 (cfs &/or acre-feet per annum) (month-day) (month-day)
 b) Total amount appropriated 5.55 cfs and/or acre-feet per annum.
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:
Measured by Robert R. Lee, Professional Engineer #1823
from a review of pump curves
6. If the means of diversion and conveyance are owned by someone other than the permit holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

 b) Describe the agreement of understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):
Pump size - 12 inch bowls; motor size - 600 hp; size of well casing -
16 inch and reduced to 12 inch; depth of well - 795 feet.

 b) Describe the provision for making a measurement which you have at your point of diversion (i.e., installed measuring device, access port, other)
Saddle flow meter, propeller type.

MICROFILMED

7/12/79

sf

c) Give well driller's name and address and the date the well was completed: _____

May, 1976, Hopkins Brothers, Route #3, Rexburg, Idaho 83440

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

None

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	40E	27	-	-	-	-	-	-	-	-	40	40	40	40	40	40	40	40	320
5N	40E	28	-	-	-	-	-	-	-	-	-	-	-	-	40	-	-	40	80
5N	40E	34	40	25	-	-	-	-	-	-	-	-	-	-	-	-	-	-	65

Total number of acres irrigated 465

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

ZOLLINGER FARMS, INC.

April 30, 1979.

(Date)

By: Lorenall Zollinger
Secretary. (Signature)

State of IDAHO,)
County of Madison) ss.

On this 30th day of April, 1979, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Mary Smith
Notary Public
Residing at Rexburg, Idaho

My commission expires Life



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

February 28, 1979
Re: Permit No. 22-7090

100611

Zollinger Farms, Inc.
c/o Mary Smith, Attorney
P.O. Box 406
Rexburg, ID 83440

Gentlemen:

One of the conditions of approval of your water Permit No. 22-7090 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before May 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.


RITA FLECK
Water Rights

Encl: Proof affidavit

100611



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

Nov. 20, 1978

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure

MICROFILMED

May 20, 1974

Re: Permit No. 22-7090

Zollinger Farms, Inc.
c/o Mary Smith, Attorney
P. O. Box 406
Rexburg, Idaho 83440

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 22-7090 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

22 7090

April 12, 1974

Re: Application for Permit No. 22-7090 ZOLLINGER

Rexburg Journal
23 South 1st East
Rexburg, ID 83440

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 4/30/74 by LB

NCY:MB

Enc: Legal Notice (1)

22 7090

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Zollinger Farms, Inc.,

P.O. Box 406, Rexburg, Idaho

has on 4/12/74 submitted Application No. 22-7090

for a permit to appropriate 7.5 cubic feet per second ~~zero feet per second~~

of water from a ground-water source

by means of well and pump

within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 5N, R. 40E, B.M., Madison County;

to be used from Apr. 1 to Oct. 15

for the irrigation of 465 acres

within the S $\frac{1}{2}$, Sec. 27, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 34, T. 5N, R. 40E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before May 6, 1974.

R. KEITH HIGGINSON

Director

Published in the Rexburg Journal, Rexburg, Idaho

on April 18 and April 25, 1974.

22 7090

April 12, 1974

RE: Application for Permit No. 22-7090 ZOLLINGER FARMS, INC.

Mrs. Mary Smith
Attorney at Law
30 South 2nd West
Rexburg, ID 83440

Dear Mrs. Smith:

Attached herewith is departmental receipt No. 12833 in the amount of \$95.00 for 7.5 c.f.s. requested for the diversion rate of the above referenced application.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

RONALD D. CARLSON
Asst. to the District Engineer

RDC:ME

Attachment

22 7090

SMITH & HANCOCK

Attorneys at Law

MARY SMITH
J. D. HANCOCK
W. LLOYD ADAMS (1885-1969)

30 SOUTH 2ND WEST
REXBURG, IDAHO 83440
PHONE: 208-356-5498

April 10, 1974

RECEIVED

APR 12 1974

Department of Water Administration
Eastern District Office

Department of Water Administration
1515 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

I am enclosing herewith the Application for Permit
of Zollinger Farms, Inc.

I am enclosing a check in blank and would
appreciate it if you would fill in the same for
the necessary fees.

Yours very truly,

Mary Smith
Mary Smith

fo

Enclosures

22 7090