

Transfer No. 72828
Receipt No.S028706

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

RECEIVED

1. Applicant Information Z BAR LIVESTOCK LLC
1513 S 3350 E
MALTA ID 83342
(208)312-5219

JUN 09 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Will this transfer result in an ownership change? Yes (Name Change Only)

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
43-4235A	WR/Decreed	0.09				GROUND WATER

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-4235A	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

We have decided to move our cattle to land that we recently purchased to avoid conflicts due to sharing the existing stock trough with cattle owned by others. The well will continue to be shared.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

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

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
43-4235A	0.09 cfs			
TOTAL	0.09 cfs			

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STATE OF IDAHO
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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Kathy Zellings
(Signature of Applicant)

(Title or Office)



Subscribed and sworn to before me this 9th day of June, 2006.

J. F. Stanton
(Notary Public)

My commission expires 10-25-06

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 43-4235A

Priority Date: January 01, 1905

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01 12/31	0.09 CFS		
	Total Diversion	0.09 CFS		

Source and Point(s) of Diversion:

GROUND WATER SENE Sec. 12 Twp 13S Rge 28E CASSIA County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	28E	12				X													

Conditions/Remarks:

1. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP13S28E120000 STOCKWATER, 400 RANGE

NO

Cattle owned by applicant are being moved to other land. The trough will still be used by others owning portions of the original right.

NO

Receipt No.S028706

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 43-4235A

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.09 CFS		
	Total Diversion	0.09 CFS		

GROUND WATER NESENE Sec. 12 Twp 13S Rge 28E CASSIA County

Point of Diversion # 1 Existing shared well, motor, pump, about 1/8 mile of pipeline to new stock trough

PLACE OF USE: STOCKWATER

[illegible]

T72828
Z Bar Cattle POU

NE 1/4 Sec. 12
T. 13S R. 28E

T72828
Actual POD





ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED EFFECTIVE
2006 MAY 30 AM 10:04
SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

Z Bar Livestock, L.L.C.

2. The street address of the initial registered office is:

1513 South 3350 East, Malta, Idaho 83342

and the name of the initial registered agent at the above address is:

Roland L. Zollinger

3. The mailing address for future correspondence is:

1513 South 3350 East, Malta, Idaho 83342

4. Management of the limited liability company will be vested in:

Manager(s) ☐ or Member(s) ☒ (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

<u>Name</u>	<u>Address</u>
<u>Roland L. Zollinger</u>	<u>1513 South 3350 East, Malta, Idaho 83342</u>
<u>Kathy Zollinger</u>	<u>1513 South 3350 East, Malta, Idaho 83342</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

6. Signature of at least one person responsible for forming the limited liability company:

Signature: *Roland L. Zollinger*

Typed Name: Roland L. Zollinger

Capacity: Member

Signature

Typed Name:

Capacity:

Secretary of State use only

IDAHO SECRETARY OF STATE
05/31/2006 05:00
CK: 3213 CT: 200847 BH: 957378
1 @ 100.00 = 100.00 ORGAN LLC # 2

W51206

306892

WARRANTY DEED

#41524

For ~~Value~~ Received

CATHY JEAN WHITE, RUSSELL D. ZOLLINGER and ROLAND L. ZOLLINGER, Co-Personal Representatives of the ESTATE OF ASIEL A. ZOLLINGER, deceased and RUSSELL D. ZOLLINGER and ROLAND L. ZOLLINGER, married men contracting with their sole and separate property

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

ROLAND L. ZOLLINGER and KATHY ZOLLINGER, husband and wife
Address: 1513 South 3350 East Malta, ID 83342

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

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 5 shares of stock in the Sublett Irrigation Company.

SUBJECT TO:

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

Taxes for 2006 and subsequent years, a lien, but not yet due or payable.

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

Easement executed by Asiel A. Zollinger and Theda A. Zollinger, husband and wife, Grantors, Party of the First Part to Heber J. Zollinger and Theora May Zollinger, husband and wife, and their heirs-at-law, Parties of the Second Part and to Pearl N. Zollinger, a widow, and to her heirs-at-law, Party of the Third Part, dated May 22, 1968 and recorded May 24, 1968 as Instrument No. 41000 on Film No. 56, records of Cassia County, Idaho.

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

Easement For Irrigation Line (Underground) by and between Raft River Highway District, a political subdivision of the State of Idaho, Grantor, and Orson J. Zollinger and Donna Jo Zollinger, husband and wife; and Heber J. Zollinger and Theora M. Zollinger, husband and wife; and Asiel A. Zollinger and Theda A. Zollinger, husband and wife; and Pearl N. Zollinger Estate, Grantee, dated April 14, 1978 and recorded June 22, 1978 as Instrument No. 108924 on Film No. 118, records of Cassia County, Idaho.

Agreement For Purchase of Power between the Raft River Rural Electric Cooperative, Inc, Seller and Asiel Zollinger, Theda A. Zollinger, Orson Zollinger, Donna T. Zollinger, Heber Zollinger, and Theora Mae Zollinger, Consumer, dated January 23, 1979 and recorded February 16, 1979 as Instrument No. 114399 on Film No. 123, records of Cassia County, Idaho, covering SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12, of Township 13 South Range 28 East of the Boise Meridian, and covers additional property not included herein.

ation contained in State of Idaho Deed dated September 12, 1980, and recorded October 8, 1980 as
rument No. 129656 on Film No. 137, records of Cassia County, Idaho.

AL AND GAS LEASE, dated October 1, 1981, recorded January 4, 1982, as Instrument No. 140364, records
of Cassia County, Idaho.

Ratification Rental Stipulation Designation of Depository from Asiel A. Zollinger and Theda A. Zollinger,
Individually and as husband and wife, as lessor to Fairway Energy Corporation, as lessee, dated March 28, 1983
and recorded May 6, 1983 as Instrument No. 151608 on Film No. 157, records of Cassia County, Idaho.

Reservation contain in State of Idaho Deed dated January 22, 1990 and recorded February 6, 1990, as Instrument
No. 206067 on Film No. 213, records of Cassia County, Idaho.

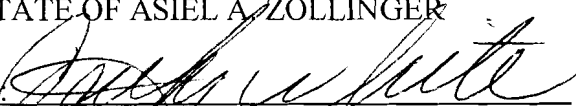
OIL AND GAS LEASE, dated October 1, 1981, recorded January 4, 1982, as Instrument No. 140363, records
of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric
Cooperative of Malta, Seller and Roland Zollinger, Consumer, dated August 12, 1996 and recorded August 21,
1996 as Instrument No. 244586 on Film No. 279, records of Cassia County, Idaho, covering the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of
Section 12, Township 13 South, Range 28 East of the Boise Meridian.

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

Dated: February ~~24~~²⁴, 2006

ESTATE OF ASIEL A. ZOLLINGER

BY: 

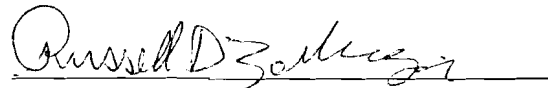
Cathy Jean White, Co-Personal Representative

BY: 

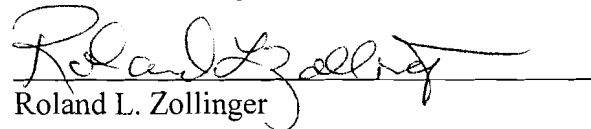
Russell D. Zollinger, Co-Personal Representative

BY: 

Roland L. Zollinger, Co-Personal Representative



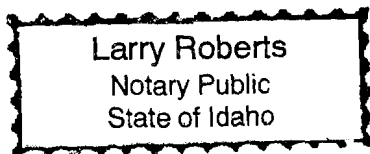
Russell D. Zollinger

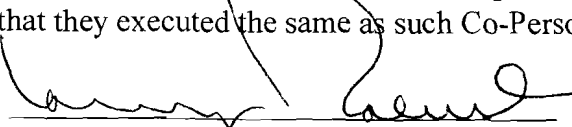


Roland L. Zollinger

OF IDAHO)
) ss.
COUNTY OF CASSIA)

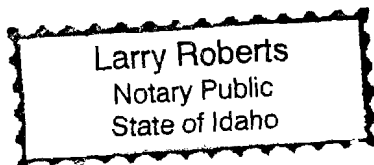
On this 24th day of **February, 2006**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Cathy Jean White, Russell D. Zollinger and Roland L. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representatives of the **Estate of Asiel A. Zollinger**, and acknowledged to me that they executed the same as such Co-Personal Representatives.




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

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 24th day of **February, 2006**, before me, the undersigned, a Notary Public in and for said State, personally appeared **RUSSELL D. ZOLLINGER and ROLAND L. ZOLLINGER**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



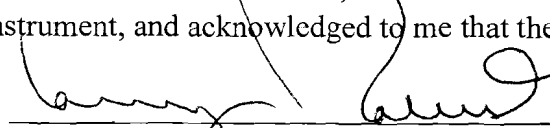

Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

EXHIBIT "A"

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

- Section 1: S½S½SW¼SE¼, which is sometimes described as the S¼SW¼SE¼
- Section 12: NW¼NE¼ and W½NW¼, EXCEPTING THEREFROM the following described tracts.

TRACT NO. 1:

Commencing at a point 500 feet South of the Northwest corner of said Section 12:
Thence South 200 feet;
Thence East 231 feet;
Thence North 200 feet;
Thence West 231 feet to the Point of Beginning.

TRACT NO. 2:

Beginning at a point 1320 feet South and 23 feet East of the Northwest corner of Section 12;
Thence North 150 feet;
Thence East 100 feet;
Thence South 150 feet;
Thence West 100 feet to the Point of Beginning.

TRACT NO. 3:

Beginning at a point 1320 feet South of the Northwest corner and running thence South 200 feet;
Thence East 100 feet;
Thence North 200 feet;
Thence West 100 feet to the Point of Beginning.

TRACT NO. 4:

Beginning at the Northwest corner of said Section 12, said corner marked by a U.S. General Land Office pipe with brass cap; thence South 0°08'00" West (South, rec.) along section line for 1520.00 feet to a point which shall be the Point of Beginning.
Thence South 89°52'00" East (East, rec.) for 100.00 feet to a point;
Thence North 0°08'00" East (North, rec.) for 17.06 feet to a point;
Thence South 84°28'48" East for 35.47 feet to a ½ inch rebar;
Thence South 3°05'33" West for 200.00 feet to a ½ inch rebar;
Thence North 84°28'48" West for 125.54 feet to a ½ inch rebar on section line;
Thence North 0°08'00" East along section line for 174.22 feet to the Point of Beginning.

-Continued-

TRACT NO. 5:

Beginning at the W $\frac{1}{4}$ section corner of said Section 12, said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence North 00°14'40" East along the West line of Section 12 for a distance of 70.00 feet;
Thence North 89°50'15" East for a distance of 27.46 feet to a $\frac{1}{2}$ inch rebar;
Thence North 89°50'15" East for a distance of 1268.58 feet to a $\frac{1}{2}$ inch rebar;
Thence South 00°19'00" West for a distance of 70.00 feet to a $\frac{1}{2}$ inch rebar on the South line of the NW $\frac{1}{4}$;
Thence South 89°50'15" West along the South line of the NW $\frac{1}{4}$ for a distance of 1295.98 feet to the Point of Beginning.

TRACT NO. 6:

Beginning at the Northeast corner of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 12 said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence South 00°19'00" West along the East line of the W $\frac{1}{2}$ NW $\frac{1}{4}$ for a distance of 2630.33 feet to the Southeast corner of the W $\frac{1}{2}$ NW $\frac{1}{4}$;
Thence South 89°50'15" West along the South line of the W $\frac{1}{2}$ NW $\frac{1}{4}$ for a distance of 27.18 feet to a $\frac{1}{2}$ inch rebar;
Thence North 00°19'00" East for a distance of 70.00 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°50'15" West for a distance of 588.59 feet to a $\frac{1}{2}$ inch rebar;
Thence North 00°14'40" East for a distance of 1676.68 feet to a $\frac{1}{2}$ inch rebar;
Thence North 63°31'43" West for a distance of 123.28 feet to a $\frac{1}{2}$ inch rebar;
Thence North 41°55'44" East for a distance of 46.43 feet to a $\frac{1}{2}$ inch rebar;
Thence North 41°55'44" East for a distance of 18.29 feet to the centerline of a county road;
Thence South 69°45'00" East along said centerline for a distance of 136.85 feet;
Thence North 36°50'35" East for a distance of 27.76 feet to a $\frac{1}{2}$ inch rebar;
Thence North 36°50'35" East for a distance of 374.62 feet to a $\frac{1}{2}$ inch rebar;
Thence North 11°02'29" West for a distance of 109.81 feet to a $\frac{1}{2}$ inch rebar;
Thence North 66°06'06" West for a distance of 83.67 feet to a $\frac{1}{2}$ inch rebar;
Thence North 15°34'41" East for a distance of 286.58 feet to a $\frac{1}{2}$ rebar;
Thence North 10°40'48" East for a distance of 91.43 feet to a $\frac{1}{2}$ inch rebar on the North line of the W $\frac{1}{2}$ NW $\frac{1}{4}$;
Thence North 89°59'25" East along said line for a distance of 323.84 feet to the Point of Beginning.

3 0 6 8 9 2

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 15.00 DEPUTY *[Signature]*

2006 FEB 27 PM 1 24
RECORDED AT THE REQUEST OF
LAND TITLE & ESROW