

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72598

This is to certify that: ORSON & DONNA ZOLLINGER LIVING TRUST DATED MARCH 18 2001
 1527 S 3350 E
 MALTA ID 83342
 (208) 645-2250

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-2518	WR/Decreed	03/23/1961	10.00 cfs	2876 af	719.0	744.0	GROUND WATER
43-10843	WR/Decreed	06/30/1985	0.34 cfs	N/A	25.0	744.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-2518	NO	NO	YES	NO	NO	NO
43-10843	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-2518	43-2518	10.00 cfs	2876 af	719.0	1,029		N/A	N/A	N/A	N/A
43-10843	43-10843	0.34 cfs	N/A	25.0	1,029		N/A	N/A	N/A	N/A
COMBINED TOTALS		10.00 cfs	2876 af	744.0	1,029		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of May, 20 06


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 43-2518

WATER RIGHT NO. 43-2518
As Modified by Transfer No. 72598

In accordance with the approval of Transfer No. 72598, Water Right No. 43-2518 is now described as follows.

Right Holder: ORSON & DONNA ZOLLINGER LIVING TRUST DATED MARCH 18 2001
 1527 S 3350 E
 MALTA ID 83342

Priority Date: March 23, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	10.00 CFS	2,876.0 AF
			10.00 CFS	2,876.0 AF

LOCATION OF POINT(S) OF DIVERSION:

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

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

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 28E 2												31.0					31.0
13S 28E 10	39.0	39.0	39.0	39.0									40.0	40.0	40.0	40.0	316.0
13S 28E 11			40.0	35.0	40.0	14.0	39.0	40.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	526.0
13S 28E 14					39.0	39.0	39.0	39.0									156.0

Total Acres: 1029

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 719 acres within the place of use described above in a single irrigation season.
2. Rights 43-2518 and 43-10843 when combined shall not exceed a total diversion rate of 10.0 cfs, a total annual maximum diversion volume of 2,876 af at the field headgate, and the irrigation of 744 acres.

WATER RIGHT NO. 43-2518
As Modified by Transfer No. 72598

CONDITIONS OF APPROVAL

3. Surface water is also used for irrigation of 238 acres within the 744 acres authorized under rights 43-2518 and 43-10843. The following conditions apply to those overlapping acres:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Right 43-10843 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
6. Right 43-10843 is also diverted through the point(s) of diversion described above.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of May, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-10843
As Modified by Transfer No. 72598

In accordance with the approval of Transfer No. 72598, Water Right No. 43-10843 is now described as follows.

Right Holder: ORSON & DONNA ZOLLINGER LIVING TRUST DATED MARCH 18 2001
 1527 S 3350 E
 MALTA ID 83342

Priority Date: June 30, 1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.34 CFS	
		0.34 CFS	

LOCATION OF POINT(S) OF DIVERSION:

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

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

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 28E 2												31.0					31.0
13S 28E 10	39.0	39.0	39.0	39.0									40.0	40.0	40.0	40.0	316.0
13S 28E 11			40.0	35.0	40.0	14.0	39.0	40.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	526.0
13S 28E 14					39.0	39.0	39.0	39.0									156.0

Total Acres: 1029

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 25 acres within the place of use described above in a single irrigation season.
2. Rights 43-2518 and 43-10843 when combined shall not exceed a total diversion rate of 10.0 cfs, a total annual maximum diversion volume of 2,876 af at the field headgate, and the irrigation of 744 acres.

WATER RIGHT NO. 43-10843
As Modified by Transfer No. 72598

CONDITIONS OF APPROVAL

3. Surface water is also used for irrigation of 228 acres within the 744 acres authorized under rights 43-2518 and 43-10843. The following conditions apply to those overlapping acres:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right is an expansion of Right No. 43-2518 pursuant to Section 42-1416B, Idaho Code.
6. Right 43-2518 is also diverted through the point(s) of diversion described above.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of May, 20 06


Chief, Water Allocation Bureau