

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

DEC 12 2005

DEPARTMENT OF
WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
43-4225					

The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

Name and Address of Former Owner/Claimant(s)	<u>Estate of Asiel A. Zollinger, Russell D. Zollinger and Roland L. Zollinger</u> <u>1513 South 3350 East</u> <u>Malta, ID 83342</u>
New Owner/Claimant(s)	<u>John H. & Tonya Zollinger and Mark & Connie Streeter</u> Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	<u>1529 South 3350 East</u>
City, State and ZIP Code	<u>Malta, ID 83342</u>
New Telephone Number	<u>(208) 645-2647</u>
Date you acquired the property	<u>December 2, 2005</u>

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

John H. Zollinger

Mark Streeter
Mark Streeter

Tonya Zollinger
Tonya Zollinger
Connie Streeter
Connie Streeter

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

For Office Use Only

Received by MM

Received by MM

Processed by _____ AJ

Date 12-12-05

Date 12-12-05

Date _____

Fee \$ 25.00

Receipt No. 0019805

WR _____ Date _____

SCANNED

MAR 06 2006

WARRANTY DEED

#41133

305494

For Value Received

Cathy Jean White, Russell D. Zollinger and Roland L. Zollinger, Co-Personal Representatives of the Estate of Asiel A. Zollinger, also known as Asiel Aaron Zollinger, deceased, and Russell D. Zollinger, a married man contracting with his sole and separate property and Roland L. Zollinger, a married man contracting with his sole and separate property

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

John H. Zollinger and Tonya Zollinger, husband and wife, and Mark Streeter and Connie Streeter, husband and wife

Address: 1529 South 3350 East - Malta, ID 83342

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

PARCEL NO. 1:

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

Sections 2 and 11: Part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 2 and part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, more particularly described as follows:

Beginning at the Northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 11, which is the True Point of Beginning;

Thence South 00°05'26" West for 1188.49 feet to a $\frac{1}{2}$ inch rebar;

Thence North 59°54'23" West for 163.98 feet to a $\frac{1}{2}$ inch rebar;

Thence North 65°28'53" West for 780.44 feet to a $\frac{1}{2}$ inch rebar;

Thence North 88°53'05" West for 462.22 feet to a $\frac{1}{2}$ inch rebar on the West boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence North 00°02'07" East for 399.95 feet to a $\frac{1}{2}$ inch rebar;

Thence continuing North 00°02'07" East for 367.55 feet to the Northwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence continuing North 1320 feet, more or less, to the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 2;

Thence East 2290 feet;

Thence South 400 feet, more or less, to the centerline of the county road;

Thence in a Northwesterly direction 841 feet, more or less, to a point where the centerline of said county road intersects with the North boundary line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 2;

Thence in a Southwesterly direction 275 feet, more or less, to a point on the West boundary line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, which is 150 feet South of the Northwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2;

Thence South 1170 feet, more or less to the Northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, which point shall be the Point of Beginning

PARCEL NO. 2:

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

Section 11: Part of the E $\frac{1}{2}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 11; Thence South 00°05'26"
West for 1160.28 feet to the True Point of Beginning;
Thence South 65°46'46" East for 1442.46 feet to the East boundary of said E $\frac{1}{2}$ NW $\frac{1}{4}$;
Thence South 00°08'43" West for 313.74 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°50'07" West for 116.50 feet to a $\frac{1}{2}$ inch rebar;
Thence North 02°55'09" East for 292.57 feet to a $\frac{1}{2}$ inch rebar;
Thence North 34°26'57" West for 72.59 feet to a $\frac{1}{2}$ inch rebar;
Thence North 65°08'47" West for 1155.00 feet to a $\frac{1}{2}$ inch rebar;
Thence North 72°04'00" West for 130.38 feet to a $\frac{1}{2}$ inch rebar;
Thence North 00°05'26" East for 28.21 feet to a $\frac{1}{2}$ inch rebar and the True Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Adjudication No. 43-4225 and 8 shares in the Sublett Irrigation Company.

SUBJECT TO:

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

Taxes subsequent to the year 2005.

Easement executed by Pearl N. Zollinger, Holland Land Company, and State of Idaho, Grantor, to Sublett Irrigation Company, Grantee, dated June 27, 1955 and recorded November 5, 1955 as Instrument No. 187929 in Book 15 Miscellaneous, page 307, records of Cassia County, Idaho.

Right of Way from Archie L. Richardson and Carmen F. Richardson, to Salt Lake Pipe Line Company, a Nevada Corporation, dated September 9, 1949, and recorded September 26, 1949 as Instrument No. 166959 in Book 14 of Miscellaneous on Page 52, in the office of the County recorder of Cassia County, Idaho.

Easement or right of way from Lyman M. Zollinger and Ruth R. Zollinger, to Salt Lake Pipe Line Company, a Nevada Corporation, dated May 4, 1955, and recorded August 17, 1956 as Instrument No. 190794 in Book 15 of Miscellaneous on Pages 381 and 382 in the office of the County Recorder of the County of Cassia, State of Idaho.

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.

Materials Lease from Lyman M. Zollinger and Ruth R. Zollinger, as Lessors, to the Idaho Department of Highways, as Lessee, recorded May 14, 1964 as Instrument No. 18530 on Film No. 27, records of Cassia County, Idaho.

Access limitations as set forth in Warranty Deed to the State of Idaho, for highway purposes, recorded April 20, 1967 as Instrument No. 34598 on Film No. 48, records of Cassia County, Idaho.

Easement and terms and conditions contained therein executed by Pearl N. Zollinger, Grantor to Asiel A. Zollinger, and Heber J. Zollinger, and their heirs-at-law, Grantees, dated April 12, 1968 and recorded May 24, 1968 as Instrument No. 41002 on Film No. 56, records of Cassia County, Idaho

MEMORANDUM AGREEMENT dated May 2, 1988 and recorded May 11, 1988 as Instrument No. 195415 on Film No. 198, records of Cassia County, Idaho. (Parcel No. 1 and additional property not included herein)

Materials Lease between Dean Compton and Carol B. Compton, his wife, to the Idaho Department of Highways, recorded May 30, 1972, as Instrument No. 63000 on Film No. 76, 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.

Terms and conditions contained in License To Use Ditch Right-of-Way by and between The Sublett Irrigation Company, a corporation, party of the first part and Asiel Zollinger and Theda A. Zollinger, husband and wife, and Orson J. Zollinger and Donna Jo Zollinger, husband and wife and Pearl N. Zollinger, a widow, parties of the second part, dated January 25, 1962 and recorded April 26, 1978 as Instrument No. 107016 on Film No. 116, records of Cassia County, Idaho.

Terms and conditions of 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, dated April 14, 1978 and recorded June 22, 1978 as Instrument No. 108924 on Film No. 118, records of Cassia County, Idaho.

Reservation contained in Warranty Deed executed by Dean Compton and Carol B. Compton, to Harris Oneida Investment Co., dated August 27, 1984 and recorded October 30, 1984 as Instrument No. 164666 on Film No. 168, 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 Orson Zollinger, Consumer, dated May 21, 1996 and recorded June 6, 1996 as Instrument No. 243256 on Film No. 277, records of Cassia County, Idaho.

Effect of Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and Zollinger Cattle Company, Consumer, dated September 10, 2003 and recorded November 7, 2003 as Instrument No. 292454, records of Cassia County, Idaho

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: December 1, 2005

ESTATE OF ASIEL A ZOLLINGER,
aka Asiel Aaron Zollinger

By: Cathy Jean White
Cathy Jean White, Co-Personal
Representative

By: Russell D Zollinger
Russell D. Zollinger, Co-Personal
Representative

By: Roland L Zollinger
Roland L. Zollinger, Co-Personal

Russell D Zollinger
Russell D. Zollinger

Roland L Zollinger
Roland L. Zollinger

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 21 day of **December, 2005**, 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.

Larry Roberts
Notary Public
State of Idaho

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

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

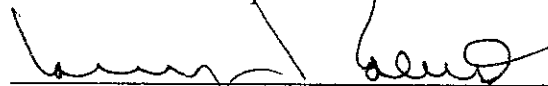
On this 21 day of **December, 2005**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Cathy Jean White**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, aka Asiel Aaron Zollinger, and acknowledged to me that she executed the same as such Co-Personal Representative.

Larry Roberts
Notary Public
State of Idaho

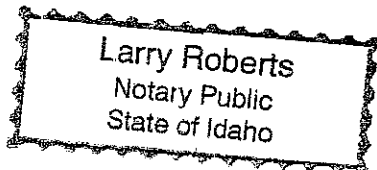
Larry Roberts
Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 21 day of **December, 2005**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Roland L. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, aka Asiel Aaron Zollinger, and acknowledged to me that he executed the same as such Co-Personal Representative.



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

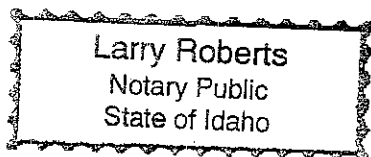


STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 21 day of **December, 2005**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Russell D. Zollinger**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of Asiel A. Zollinger, aka Asiel Aaron Zollinger, and acknowledged to me that he executed the same as such Co-Personal Representative.



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



RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW PT

2005 DEC 5 PM 2 24

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 1500 DEPUTY Jan

305494