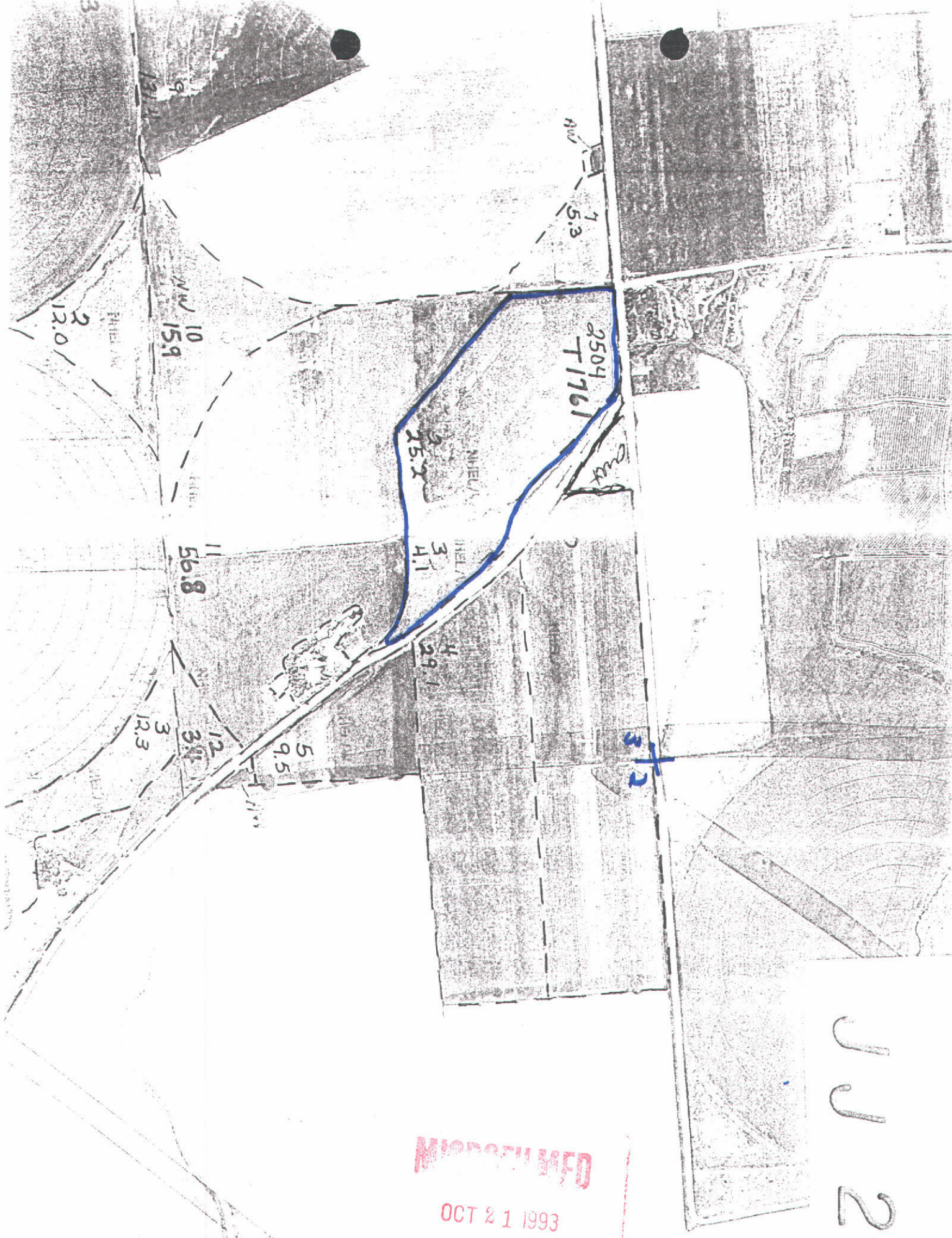




MICROFILMED

OCT 21 1993

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OCT 21 1993

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OCT 21 1993

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PROPOSED

OCT 21 1993

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T#4169

Zollinger Transfer

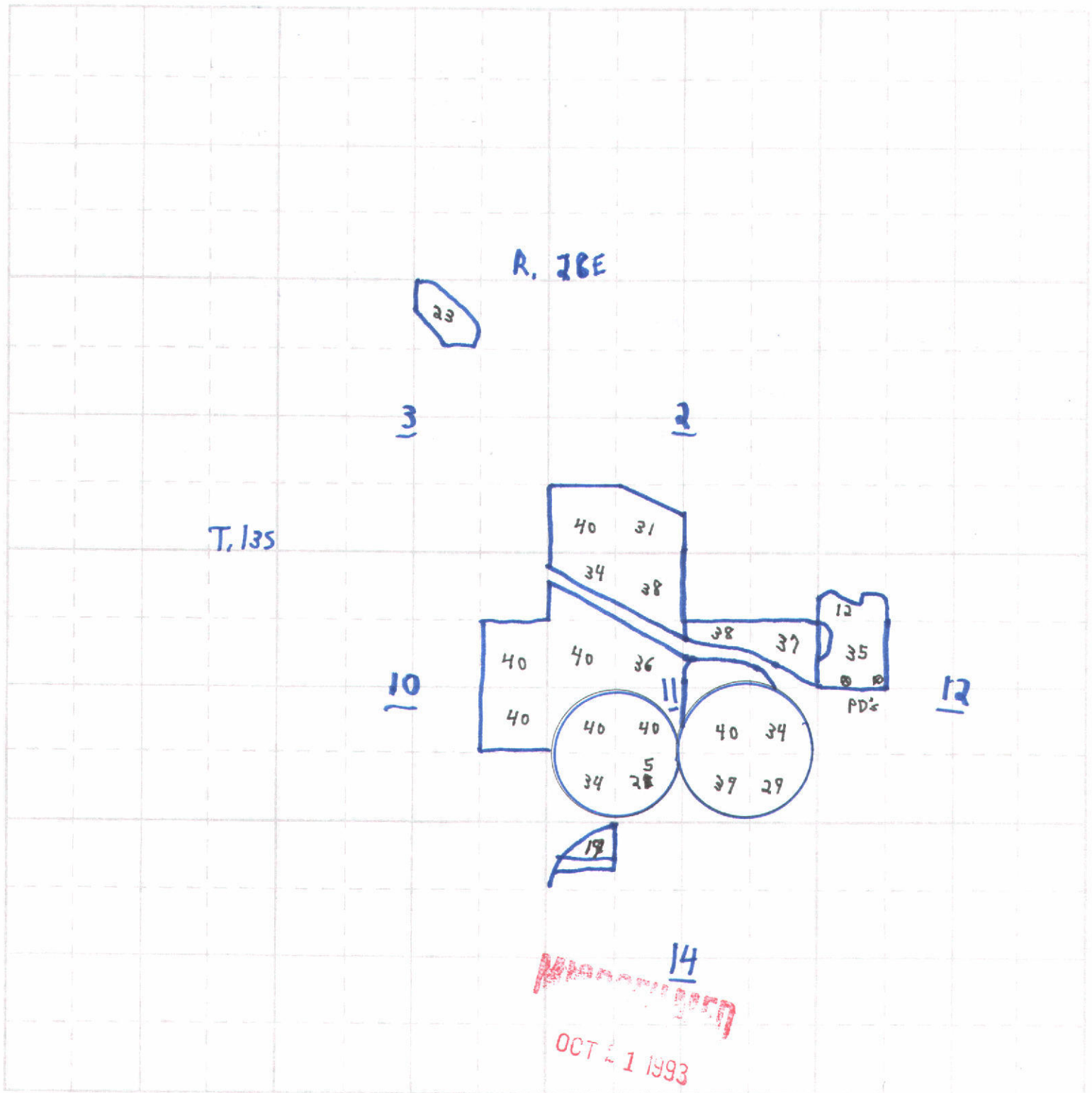
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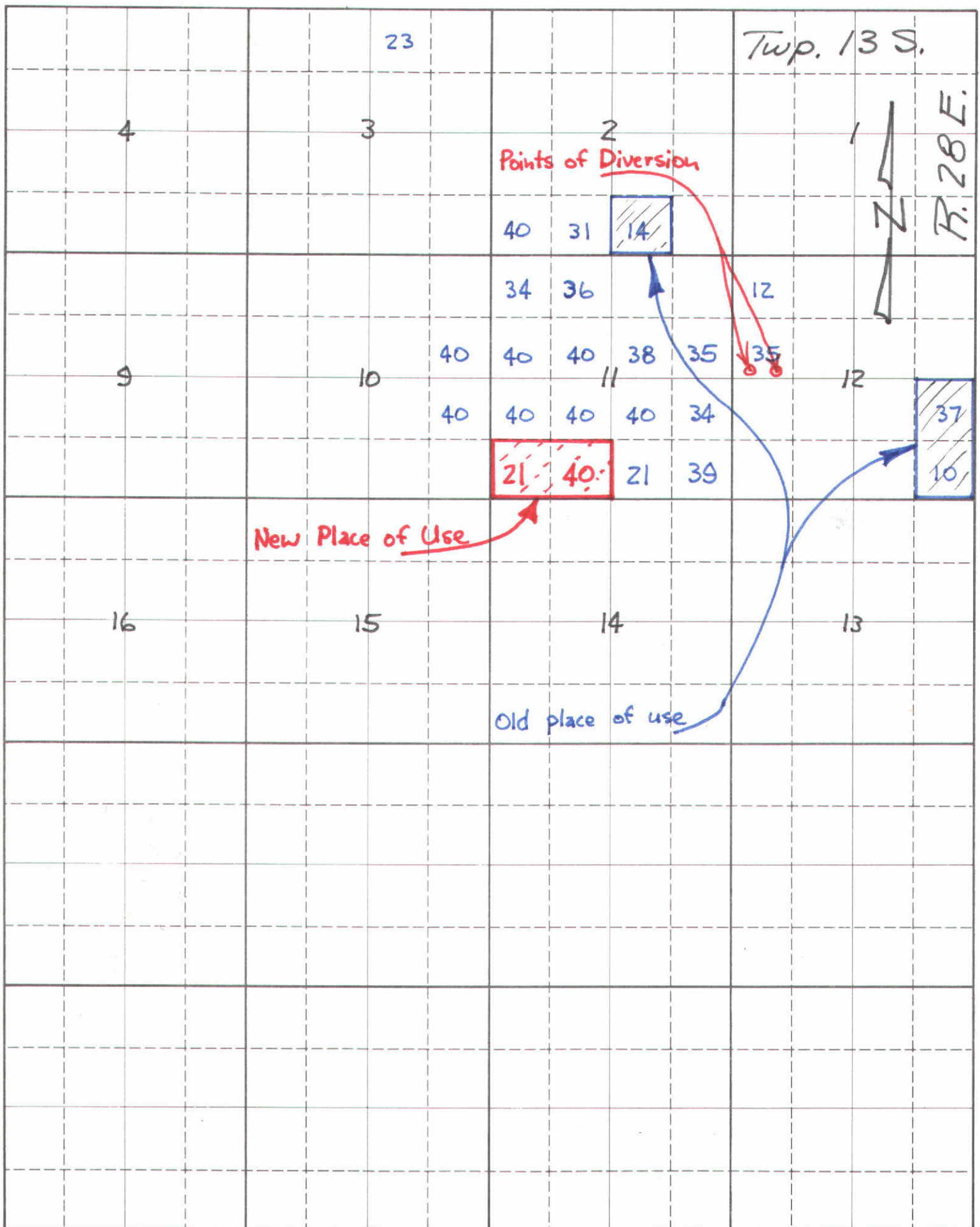
TH 4169

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



RECEIVED

APR 13 1977

SOUTH IDAHO PRESS

BURLEY, IDAHO

Department of Water Resources
Southern District Office

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)
Brenda Eagle

....., being first
duly sworn, deposes and says that^S he is the
bookkeeper

..... of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two

consecutive weeks, commencing with the issue

dated April 5 1977, and ending

with the issue dated April 12, 1977

.....
Brenda Eagle

Subscribed and sworn to before me

this 12th day of April

1977.

Christy Sommer Notary Public

Cost of Publication

Notary Fee

Total Cost \$16.10

Notary Public Residing at Burley, Idaho
My Commission Expires Oct. 10, 1980

77-141

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

Notice is hereby given that Heber J.
&/or Asiel A., &/or Orson J., &/or
Pearl N. Zollinger of Malta, Idaho
83342, has applied to the Department
of Water Resources for a change of the
place of use of the water of a ground-
water source. The right sought to be
changed is evidenced by License #G-
29588 and is recorded as follows:

Amount: 10.0cfs Priority: March 23,
1961 Point of Diversion: (2 points)
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 13S, Rge.
28E., B.M., Cassia County

The water is used for irrigation of 719
acres. The portion of the right for which
the change is requested is as follows:

Amount: 0.85cfs Priority: March 23,
1961 Point of Diversion: (2 points)
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 13S, Rge.
28E., B.M.

The water is currently used for
irrigation of 61 acres within the
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12;
Twp. 13S, Rge. 28E., B.M.

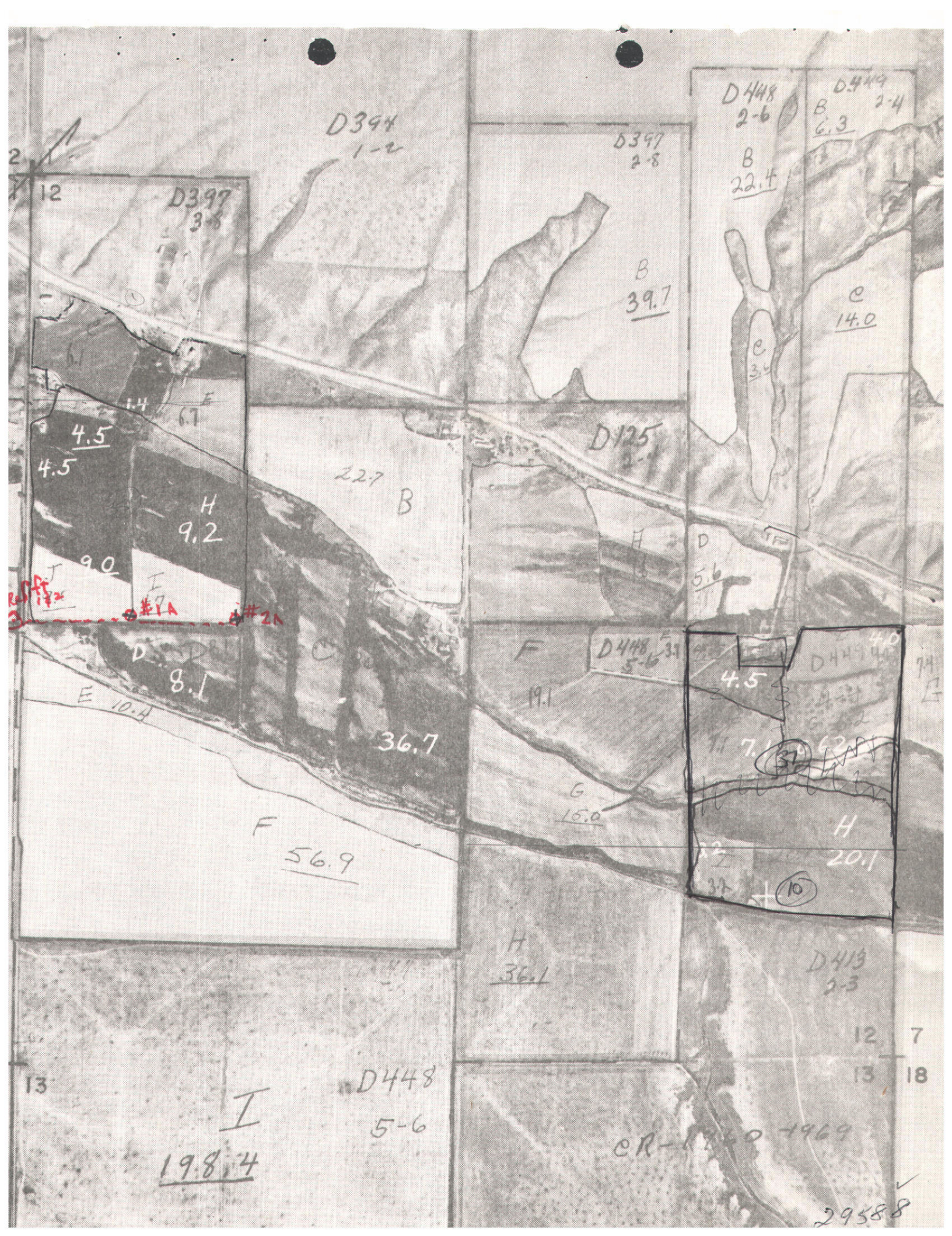
**THE PORTION OF THE RIGHT IS
TO BE CHANGED AS FOLLOWS:**

0.85cfs of this water to be diverted at
the (2 points) SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12,
Twp. 13S, Rge. 28E., B.M., Cassia
County, by means of two underground
wells delivering to sprinkler. The water
will be used for irrigation of 61 acres
within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 11, Twp.
13S, Rge. 28E., B.M. Any protests
against the above proposed change of
water rights must be filed with the
Idaho Department of Water Resources,
1041 Blue Lakes Boulevard North, Twin
Falls, Idaho on or before April 22,
1977.

Director

Published in the South Idaho Press,
April 5 and April 12, 1977.

MICROFILMED



16 15 21 22

23 22 15 14 23 22 15 14

29588

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29588

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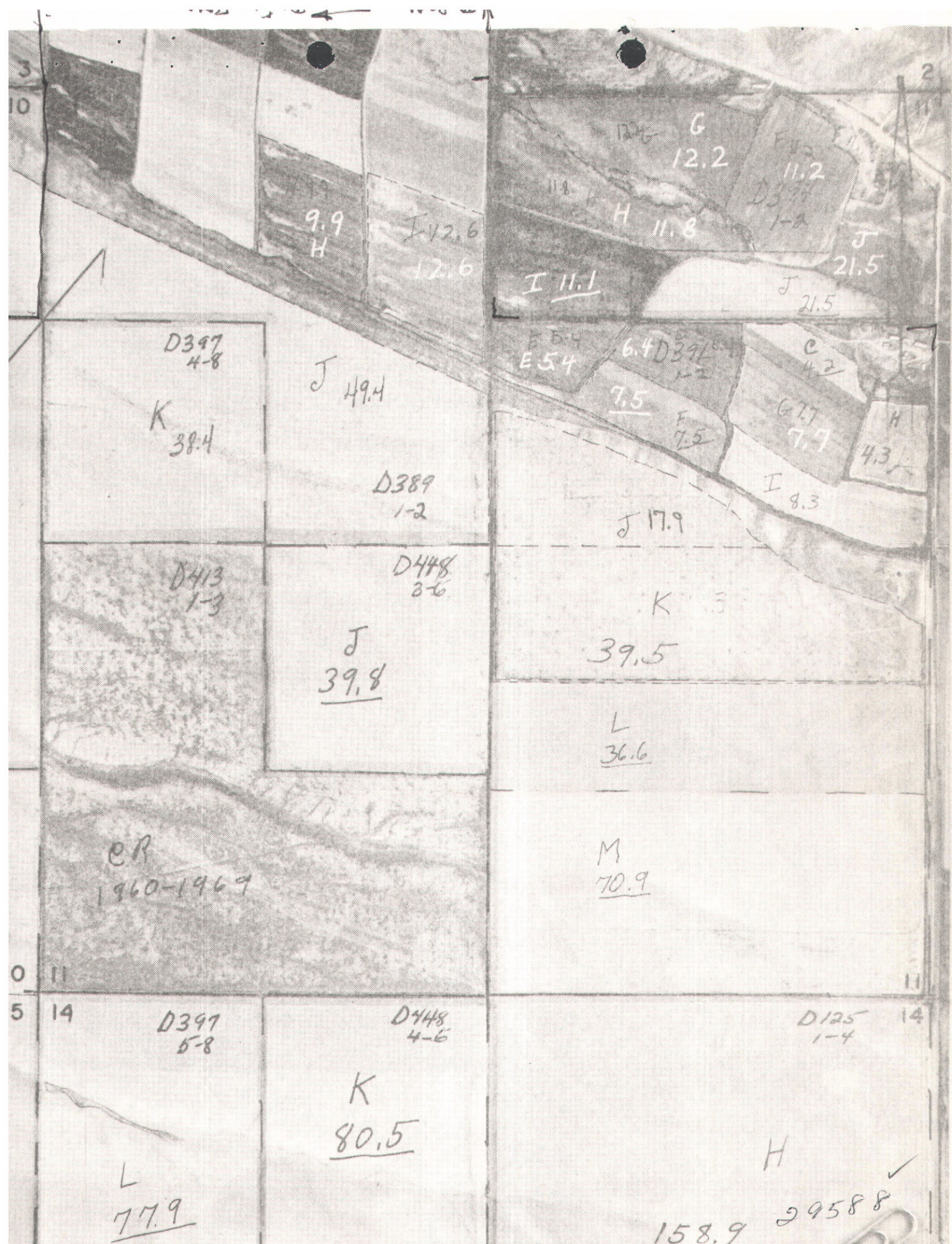
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29588



AND THE MINING CLAIMS

K 28 E

43-

1/2 SHARP

Permit No. G-29588 2702
2701

Name of Applicant Heber J, Asiel A, Orson J, & Pearl N. Zollinger

Source of Water Subterranean Sublett Route, Malta, Idaho

a tributary of _____

Location of P.D. (2) SW 1/4 NW 1/4, Sec. 12, T. 13 S, R. 28 E, B.M.,
Cassia County.

Water is used for Irrigation

Quantity of water claimed: Permit 10.0 c.f.s. Depositions 10.0 c.f.s.

Type of measuring device installed or method of measurement and general description
of diversion works 2 wells, 2 pumps, 3 booster pumps, concrete
boxes, some sprinklers, pipelines, bank ditches

Well #1 - 340' X 16" / H-96' / Q-200"; Well #2 - 217' X 20" / H-97' /
Q-300"; Sprinklers 102-9 / 64-70#

Land to be irrigated or place of use:
TWP. RGE. SEC.

Description		
13 S	28 E	2 S 1/2 SW 1/4, SW 1/4 SE 1/4
		3 NW 1/4 NE 1/4
		10 SE 1/4 NE 1/4, NE 1/4 SE 1/4
		11 S 1/2 NE 1/4, NW 1/4, N 1/2 SW 1/4, SE 1/4
		12 W 1/2 NW 1/4, NE 1/4 SE 1/4

Total acreage 760

Filed - March 23, 1961

Made - March 11, 1968

Due - April 25, 1966

Priority - February 9, 1963 March 23, 1961

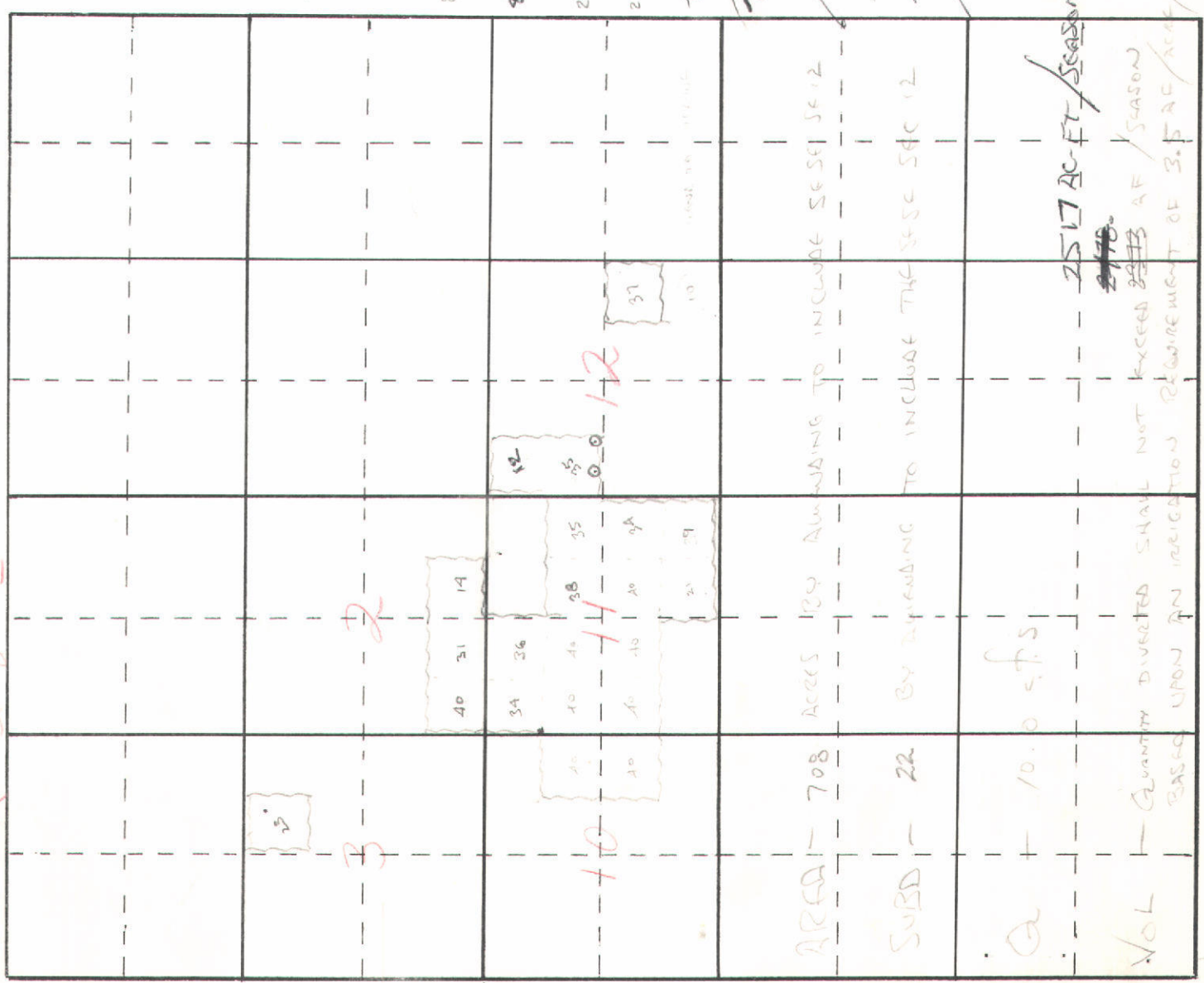
(late proof)

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and per R.K.H.)

acreage covered by subdivision; also show land covered on the map.

36 shares of Sublett Irrigation Company

29588



The World of Idaho

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss:

Gary L. Fernau, being first

duly sworn, deposes and says that he is the

General Manager

of The World, a daily newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general paid circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular daily editions of The World for

four (4) consecutive weeks, commencing February 16, 1968 with the issue dated March 8, 1968, and ending with the issue dated March 13, 1968.

Gary L. Fernau
Subscribed and sworn to before me this

13 day of March, 1968

Ruth Chambers Notary Public

My Commission Expires Feb. 18, 1969

RECEIVED
MAR 13 1968

—68.42 NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on March 11, 1968 at Burley, County of Cassia, State of Idaho before notary public James Anness, 1742 Overland Avenue, Burley, Idaho, proof will be submitted of the completion of works for the diversion of 10.0 c.f.s. of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-29583, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holders are Heber J. Zollinger, Aslie A. Zollinger, Orson J. Zollinger, and Pearl N. Zollinger, all of Sublett Rouet, Malta, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 10.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 10.0 c.f.s.

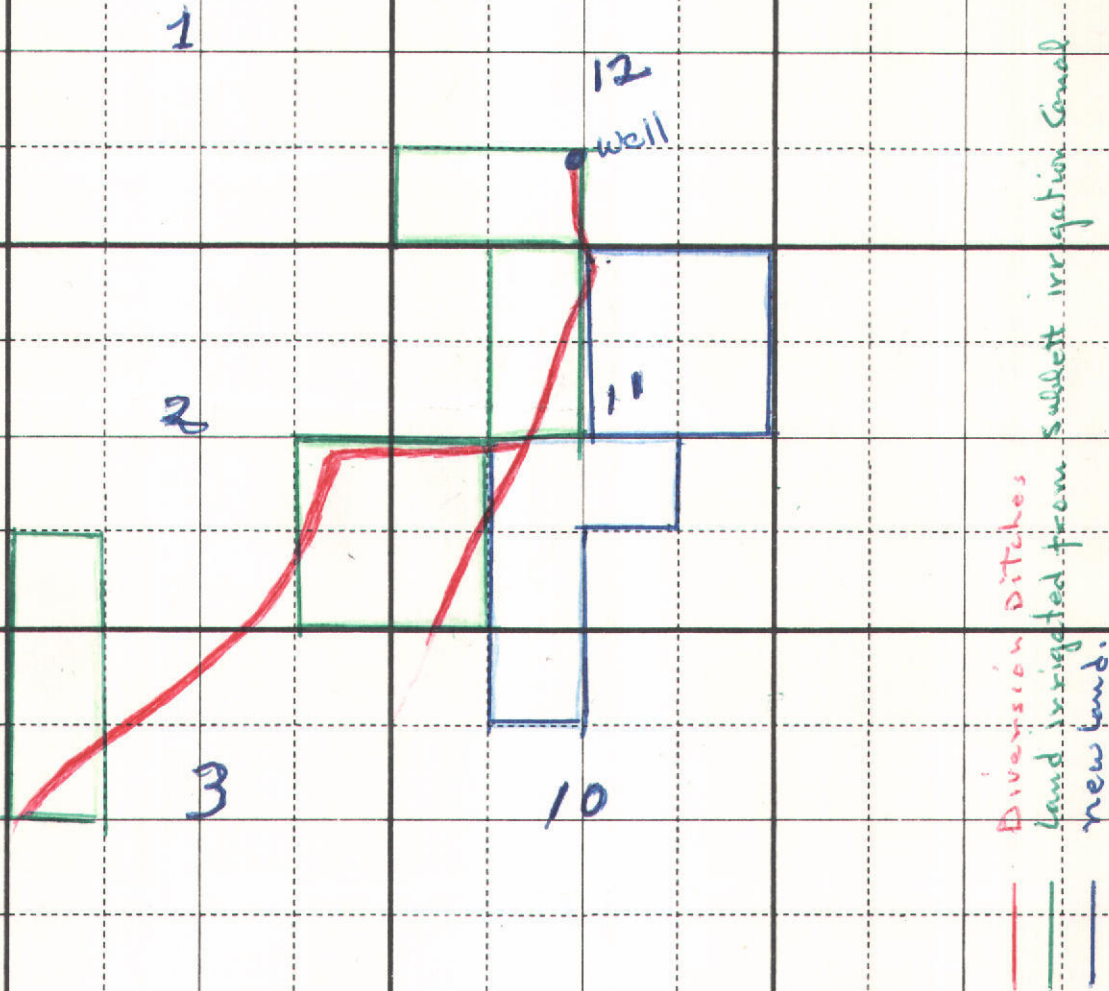
4. The point of diversion of said water is two points in SW 1/4 NW 1/4, Sec. 12, T. 13 S., R. 28 E., B.M., Cassia County.

5. The place where said water is used is S 1/2 SW 1/4, SW 1/4 SE 1/4, Sec. 2, NW 1/4 NE 1/4, Sec. 3, SE 1/4 NE 1/4, NE 1/4 SE 1/4, Sec. 10, S 1/2 NE 1/4, NW 1/4, N 1/4 SW 1/4, SE 1/4, Sec. 11, W 1/2 NW 1/4, NE 1/4 SE 1/4, Sec. 12, T. 13 S., R. 28 E., B.M., totaling 760 acres.

6. The date of priority which user is prepared to establish is March 23, 1961.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in The World of Idaho
February 16, 23, Mar. 1, & 8, 1968.

29588



Permit Map No. 29588
As Approved
MAR 24 1961
GEO. N. CARTER
Reclamation Engineer

WATER RIGHT
NUMBER

NAME

CFS

T43-02518C

ZOLLINGER , ORSON J
ZOLLINGER , ASIEL A
ZOLLINGER , RUSSELL
ZOLLINGER , ROLAND

10.00

MICROFILMED
OCT 21 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4169
WATER RIGHT NO(S). 43-02518C &
NOTICE OF CLAIM TO A WATER RIGHT A43-10843

This is to certify that: **ORSON J ZOLLINGER**
ASIEL A ZOLLINGER
RUSSELL ZOLLINGER
ROLAND ZOLLINGER
HC 61 BOX 1096
MALTA ID 83342

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 43-02518C :			
IRRIGATION	04/01 to 10/31	10.00 CFS	2876.0 AF
Priority: 03/23/1961			
Claim No. A43-10843 :			
IRRIGATION	04/01 to 10/31	10.00 CFS	100.0 AF
Priority: 06/30/1985			

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 12, Township 13S, Range 28E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S	28E	2	SWSW 40	SESW 31		71
		3	NWNE 23			23
		10	SENE 40	NESE 40		80
		11	SWNE 38	SENE 37	NENW 38	
			NWNW 34	SWNW 40	SENW 36	
			NESW 40	NWSW 40	SWSW 34	
			SESW 25	NESE 34	NWSE 40	
			SWSE 39	SESE 29		504
		12	NWNW 12	SWNW 35		47
		14	NWNW 19			19

Total number of acres irrigated:

744

NOTIFIED

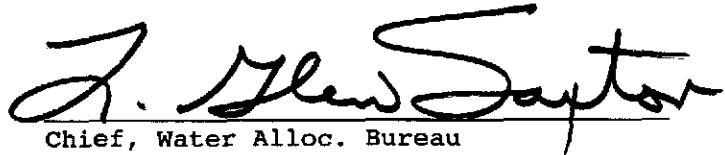
OCT 21 1993

TRANSFER NO. 4169
WATER RIGHT NO(S). 43-02518C &
NOTICE OF CLAIM TO A WATER RIGHT A43-10843

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. The total combined rate of diversion under Right No. 43-02518C and Snake River Basin Adjudication Claim No. A43-10843 shall not exceed 10.0 cfs.
6. Right No. 43-02518C is limited to the irrigation of 719 acres in the place of use described above in a single irrigation season.
7. Snake River Basin Adjudication Claim No. A43-10843 is limited to the irrigation of 25 acres in the place of use described above in a single irrigation season.
8. Two points of diversion are located within SWNW, S12, T13S, R28E.

Dated this 13th day of October, 1993.


Chief, Water Alloc. Bureau

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OCT 21 1993

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4169RECEIVED
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

JUL 21 1993

Name of applicant A. Orson J. Zollinger Phone 645-2250
 Department of Water Resources
 Post Office address C/o Orson J. Zollinger, HC 61 Box 1096, Maltz, ID 83342

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Change P/U to allow installation of pivot sprinkler

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>A43-02518</u>	<u>3-23-1961</u>	<u>10.0 cfs</u>	<u>Irrig.</u>	<u>3-15</u> to <u>11-15</u>
<u>A43-10843</u>	<u>6-30-1985</u>	<u>10.0 cfs</u>	<u>"</u>	<u>"</u> to <u>"</u>
				to
				to

2. Total amount of water being transferred 10.0 cubic feet per second and/or 2976 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use: Not to exceed 719.25 acres per annum, respectively.

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	
13S	28E	2											40	31					71
		3		23															23
		10				40									40				80
		11			38	37	38	34	40	36	40	40	34	25	34	40	39	29	504
		12						12	35										47
		14						12											19

Total acres 744

OCT 2 1 1993

RECEIVED

19

day of

Witness my hand this

This is to certify that I have examined Application for Transfer of Water Rights No. _____, subject to the following limitations and conditions: _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

d. Remarks:

Most of the pivot in the NW 1/4 Sec. 14 will be under Sublett Irrigation Co. shares. Number of irrigated acres will not increase as a result of this transfer.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land will no longer be irrigated. The two pivot corners have been in Federal set-aside programs since 1977.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

6. General Information:

a. Description of diversion system

Two connected wells & pumps, mainline to sprinklers

PART 1

Transfer No.

4169

Page 2 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
 (Attach one copy for each right)

RECEIVED

MAY 21 1993

Department of Water Resources

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A43-02518 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date or priority 3-23-1961

5. Water is used for the following purpose:

amount 10.0 cfs for Irrig. purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 10.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	12	13S	28E	Cassia	

8. Lands irrigated or place 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	
13S	28E	2											40	31					71
		3		12	23														23
		10				40									39				79
		11			38	37	36	34	40	30	40	40	34	25	34	40	39	32	499
		12						12	35										42

Total acres 7199. Describe any other water rights used for the same purpose as described above A44

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

- | | | | | |
|----|-------------|-----|---------------|----|
| 1. | amount | for | purposes from | to |
| | (cts/ac-ft) | | | |
| | amount | for | purposes from | to |
| | (cts/ac-ft) | | | |
| | amount | for | purposes from | to |
| | (cts/ac-ft) | | | |

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

- | | | | | |
|----|--------------------|-----|---------------|----|
| 1. | amount (cfs/ac-ft) | for | purposes from | to |
| | amount (cfs/ac-ft) | for | purposes from | to |
| | amount (cfs/ac-ft) | for | purposes from | to |
| | amount (cfs/ac-ft) | for | purposes from | to |

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED**OCT 21 1993****A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ *Department of Water Resources*
 in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. A43-10843 on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 6-30-1985

5. Water is used for the following purpose:

amount 10.0 cfs for Irrig. purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 10.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	12	135	28E	Cassia	
	SE	SW	NW	"	"	"	"	

8. Lands irrigated or place 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	
135	28E	10													1			3	4
		11					2		6			6					7	21	

Total acres 25

9. Describe any other water rights used for the same purpose as described above None, A43-02518 on adjacent lands.

Yes If yes, describe Pivot comens have been in Federal side since 1979.

(If the entire right is to be changed by the applicant, omit part B and C.)

- [illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres

1. amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres

T1764

3
107.9

HRS

4a

25.0

all
41.9

4
66.9

NHEL/W

6

95

NHEL/W

7

135

9

NHEL/W

10.3

10

7.8

NHEL/W

5

all

8.6

7

11.9

2

11

21.8

2

31.7

NHEL/W

3

30.0

4

21.5

5

36.0

6

25.0

NHEL/W

10

19.4

SWS

HRS

12

6.1

HRW

14

NHEL/W

39.0

HRS

13a

50

HRS

13

SWS

SWS

KK

24

16a

HRW

31.6

94.8

16

126.4

17a

6.4

17

6.4

12.8

SWS

69.2

10

15

5.8

15

14

7505

7766

OCT 21 1993

877

T1767

SWS

T# 4169

T13

2505

T1788

2504

T1791

CRP

88-97

(4)

113.2

HEL

2504

T1789

2

100

136.1

CRP

88-97

4
14.3

OCT 21 1993

1049

T1228

6.5

4
4.2

5
4.3

6
17.1

10
5.7

T # 4169

2505
T1762

60.7

152.8

2
81.1

2504
T1764

3
107.9

3 2
10 11

21.8

2
31.7

4
66.9

6
95
9
10.3

2.6

5
36.0

6
25.0

10
19.4

OCT 21 1993

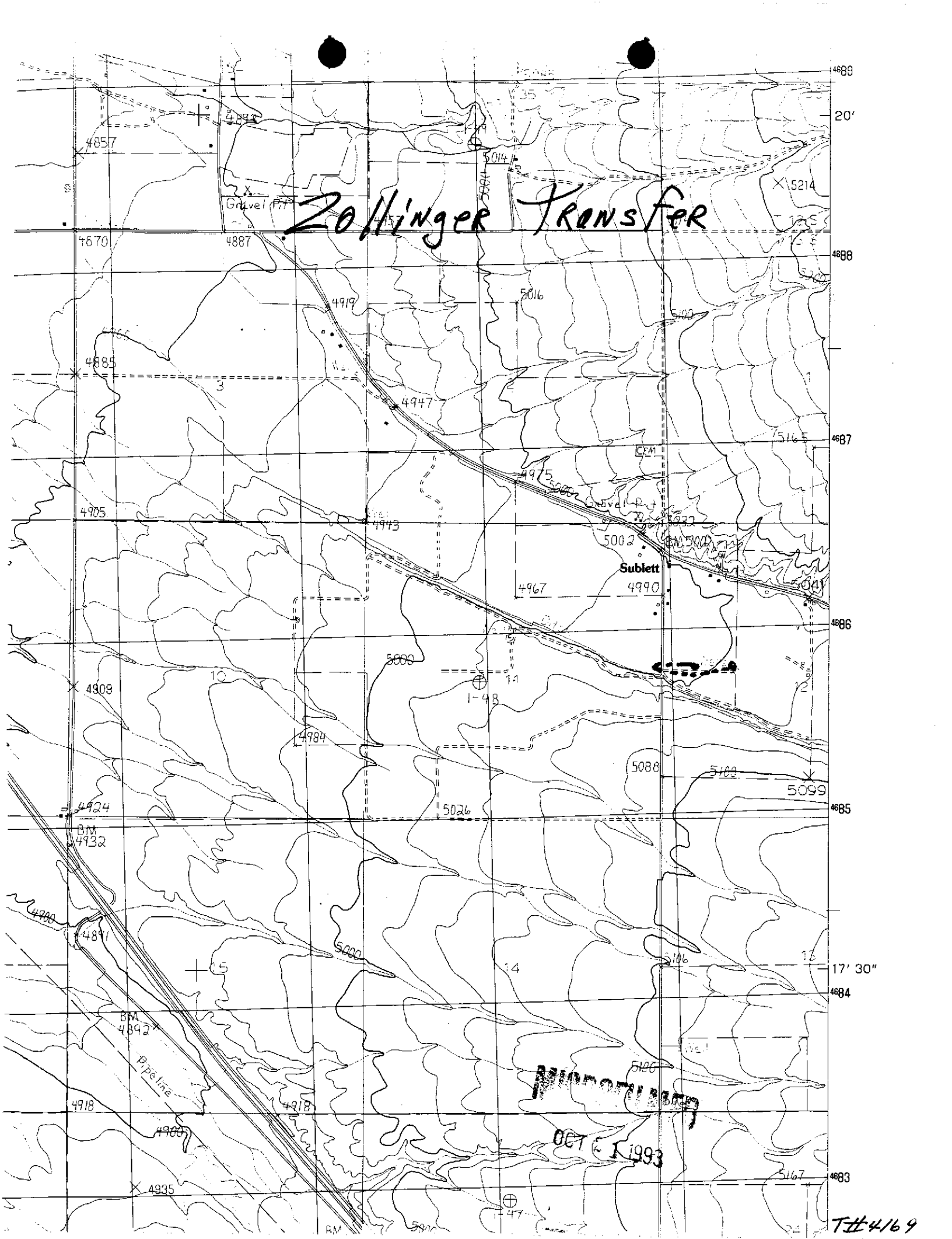
4
21.5

3
30.0

13
11.1

12
6.1

T#469



Zollinger Transfer

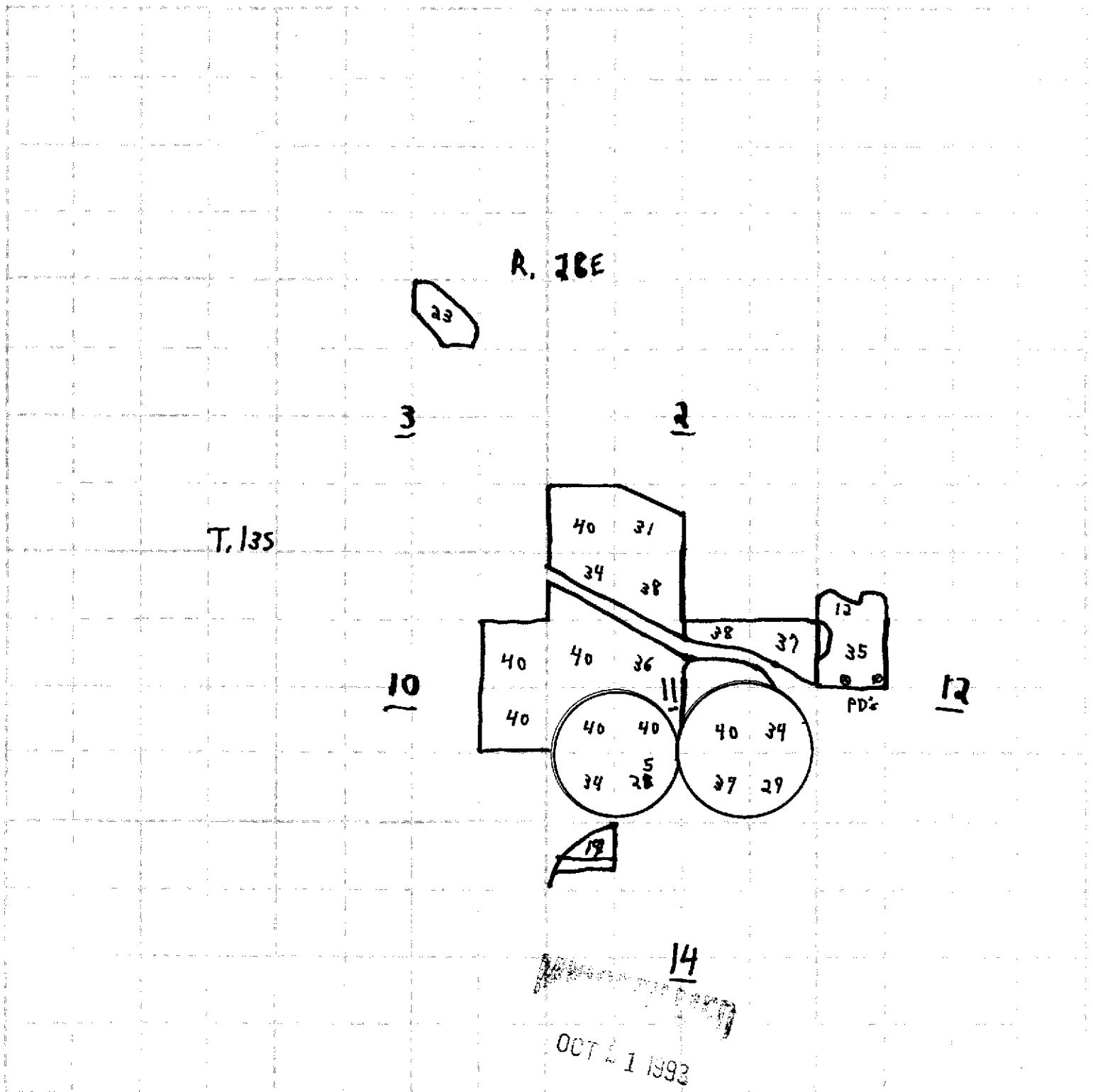
MINOTAP

OCT 1993

T#4169

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



B. CHANGES IN NATURE OF USE

1 New Nature of Use

Amount (cfs/ac-ft)

Hours/days/year

Period of Use

PART 3

Transfer No. 4169

Page 8 of 8

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

2. Quantity and quality of return flows and location of discharge:

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.

(Signature of Applicant)

Subscribed and sworn to before me this

(Notary Public)

My commission expires

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 6 attachments

Received by

5-5-93

Prelim. check by

Received by

Published in

Pub. dates

Watermaster recommendation requested on

rec'd. by

Copy of transfer sent to lien holder

Recommended for

by

denial

OCT 21 1993

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
BURLEY, ID 83318

IMPORTANT NOTICE - PLEASE READ

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
BURLEY, ID 83318
PERMIT NO. 146

CATEGORY DESCRIPTION
1 IRRGTD AG
5 DRY GRAZING

PARCEL NO. RP 13S28E115400 A
TAX CODE 18-00
LOTS / ACRES MARKET VALUE
114.500 AC 33,205
5.500 AC 176
120.000 33,381*

1993
TAXPAYERS
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 25, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER
S1/2SW, NWSW
S 11 T 13 R 28

Mail To:
ZOLLINGER, HEBER J
X ZOLLINGER, ORSON J
HC 61 BOX 1096
MALTA, ID 83342

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
BURLEY, ID 83318

IMPORTANT NOTICE - PLEASE READ

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
BURLEY, ID 83318
PERMIT NO. 146

CATEGORY DESCRIPTION
1 IRRGTD AG
5 DRY GRAZING

PARCEL NO. RP 13S28E112400 A
TAX CODE 18-00
LOTS / ACRES MARKET VALUE
46.180 AC 13,392
6.000 AC 192
52.180 13,584*

1993
TAXPAYERS
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 25, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER
T 4664
S 2 E S 11 T 13 R 28
NW1/4

Mail To:
ZOLLINGER, ORSON
E ZOLLINGER, DONNA JO
HC 61 BOX 1096
MALTA, ID 83342

RECEIVED

JUN 24 1993

Department of Water Resources
Southern Region Office

RECEIVED

OCT 21 1993



The Economics Press, Inc.
12 Daniel Road, Fairfield, NJ 07004-2575 USA

Dedicated to training and motivating today's work force.

ADDRESS CORRECTION REQUESTED

Office Hours

Tips for getting along, working better.

IMPORTANT:

This is the current issue
of your subscription

OCT 21 1993

1-OH 14397673-1
MRS MARY BALDWIN, SECY
IDAHO DEPT OF WATER RES
222 SHOSHONE STREET EAST
TWIN FALLS ID 83301-6105

REGISTERED
JUL 16 1993

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Heber J. &/or Asiel A., &/or Orson J. &/or Pearl N. Zollinger
Phone 645-2242
Post office address Sublett Route, Malta, Idaho 83342

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
 - a. Decree to _____
(Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
 - b. License No. G-29588(43-2518) issued by the Idaho Department of Water Resources
 - c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Groundwater tributary to _____
4. Date of priority March 23, 1961
5. Water is used for the following purposes:
amount 10.0cfs for irrigation purposes from April 1 to Oct. 31
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)
6. Total amount of water under right: a. 10.0 cubic feet per second
&/or
b. _____ acre feet per annum
(2 points)
7. Location of original point of diversion is SW (2 points) $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12
Township 13S Range 28E., B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
13S	28E	2											40	31			14		85
		3		23															23
		10				40									40				80
		11			38	35	36	34	40	40	40	40			34	40	21	39	437
		12						12	35						37			10	94

Total number of acres to be irrigated 719

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (if the entire right is requested changed, omit part B)

requested changed, omit part B)

1. Amount of water: a. $\frac{0.85}{8/60}$ cubic feet per second

b. $\frac{213.5}{\text{acre feet per annum}}$

2. Point of diversion (2 points) SW

Additional points

3. Place of use:

[illegible]

C.	DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a.	Amount of water to be diverted (2 points)	0.85	c.f.s. &/or	213.5	acre feet
----	--	------	-------------	-------	-----------

b. Point(s) of diversion	SW $\frac{1}{4}$	NW $\frac{1}{4}$, Section 12	Township 13S
--------------------------	------------------	-------------------------------	--------------

Range _____ ZOE., B.M.,
CASSIA
County _____

Additional points

c.	Description of diverting works	Two underground wells delivering to sprinkler

irrigation system.

d. Describe the reasons for applying for a change in the point(s) of diversion

wishes to sell the below described land with his portion of the water license

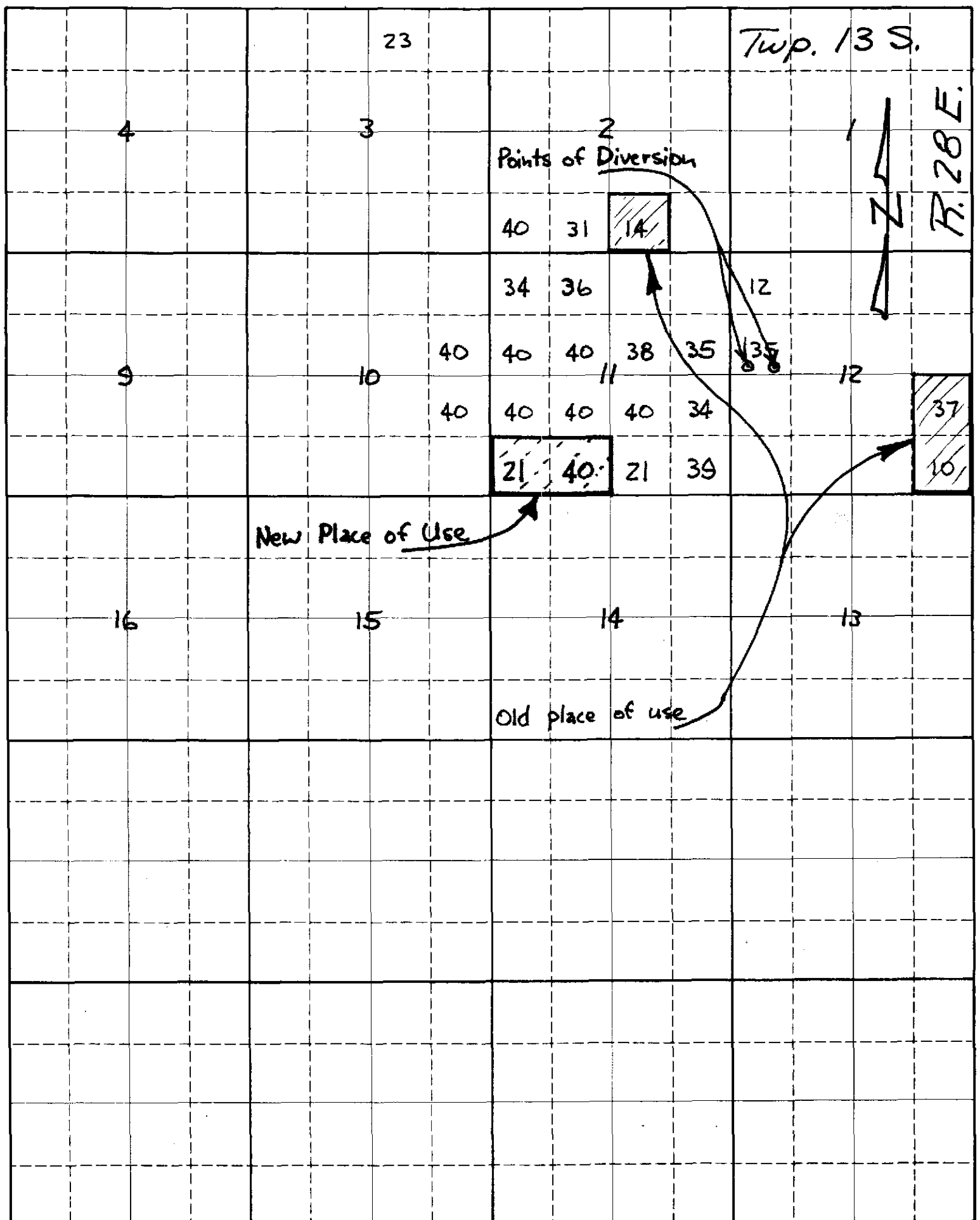
2. Change in place of use

a. Describe the lands or place of use to which the right will be transferred:

[illegible]

61 Total number of acres to be irrigated

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks

I hereby assert that no one will be injured by such change and 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.

Subscribed and sworn to before me this 25th day of March, 19 77

John J. Hollings
(Signature of applicant)

My commission expires 9-22-81

[Signature]
(Notary public)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2518, and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:
2. Denial of said application is for the following reasons:

Witness my hand this 23 day of June, 1977

[Signature]

RECEIVED

FOR DEPARTMENT USE ONLY

MAR 25 1977

Department of Water Resources
Southern District Office

Received by ADM Date 3-25-77
Prelim. check by T.G.B. Fee 3000
Received by ADM Date 3-25-77
#2396
Received by ADM Date 3-25-77
Published in North Star News
Pub. dates 4/5 & 4/12/77
Watermaster recommendation requested on _____
rec'd. _____
by Jim F
Recommended for approval denial
Hearing held by _____ Date _____
Copies of protest forwarded by _____

May - 9 - 1977

Department of Water Resources
Southern Region

RECEIVED

MAY 10 1977

Department of Water Resources
Southern District Office

Mr Alan Merritt:

In regards to the transfer of
lands being made by Heber Zollinger -
Water license no - Y 29588 -

there is 14 acres in joint ownership
of Heber + Orson Zollinger lying in
Twp 13 S - Range 28 E - Sec 2 - SW $\frac{1}{4}$
of SE $\frac{1}{4}$. It is my wish that
my 7 acres be transferred as Heber
has indicated .

thank you

Orson Zollinger

DEED RECORD No. 58, CASSIA COUNTY, IDAHO

STYMS-YORK CO., PRINTERS & BINDERS, BOISE, IDAHO 212206

#184077

COMPARED

WARRANTY DEED

(\$9.35 Revenue Stamps Attached)

THIS INDENTURE, Made this 6th day of October, 1954, between
~~XXXXXXXXXXXXXXXXXXXX~~ James M. Kossman and Edith Kossman, husband and wife,
of Leslie, County of Custer, State of Idaho,
the parties of the first part, and Heber Zollinger and Theora Mae Zollinger, husband and
wife, Orson J. Zollinger and Donna Jo Zollinger, husband and wife,
of Sublett, County of Cassia, State of Idaho,
the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
Eight Thousand Five Hundred and No/100 - - - - - DOLLARS
lawful money of the United States of America, to them in hand paid by the said parties of the second
part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bar-
gain, sell, convey, and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the
following described real estate, situated in County of Cassia, State of
Idaho, to-wit:

Southeast Quarter, Section Two, Township Thirteen South,
Range Twenty-eight, East Boise Meridian.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise apper-
taining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and
interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances,
unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and
their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their
heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons
whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the
day and year first above written.

Notary Public and Delivered in the Presence of
Executed

James M Kossman (SEAL)

Edith Kossman (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

ss.

County of Custer

On this 6th day of October, in the year 19 54, before me,
undersigned, a Notary Public in and for said State, personally appeared
James M. Kossman and Edith Kossman, husband and wife,
known to me ()

to be the { persons whose name s are subscribed to }
that they executed the same. the within instrument, and acknowledged to me

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first
above written.

(NOTARIAL SEAL)

My commission expires:
My commission expires March 22, 1958

Vern Roberts
Notary Public for the State of Idaho,
Residing at Burley, Idaho.

STATE OF IDAHO, } ss.
County of Cassia,

I hereby certify that this instrument was filed for record at the request of McMurray Investment Co.
at 12 minutes past 1 o'clock P.M., this 3rd day of November, A.D. 19 54,
in my office, and duly recorded in Book 58 of Deeds at page 575.

Wm. Baugh Jr..

Ex-Officio Recorder.

Fee, \$1.50

By D. G. McClafflin, Deputy.

53
DEED RECORD No. 53 CASSIA COUNTY, IDAHO

#161996 COMPARED WARRANTY DEED (\$11.10 Revenue Stamps Attached)

THIS INDENTURE, Made this 5th., day of March, in the year of our Lord one thousand nine hundred and forth-eight, between Aaron A. Zollinger and Pearl N. Zollinger, who were at the time of acquiring title to the real estate hereinafter described of Sublett, County of Cassia, State of Idaho, /ever since have the parties of the first part, and /been and now are husband and wife, Heber J. Zollinger (whoes wife's name is Theora M. Zollinger) of Sublett, County of Cassia, State of Idaho the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and no/100 DOLLARS lawful money of the United States of America, to them in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey, and confirm unto the said part y of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in County of Cassia State of Idaho, to-wit:

East Half of the Southeast Quarter (E $\frac{1}{2}$ of SE $\frac{1}{4}$) of Section Twelve (12) and all water appurtenant thereto, represented by nine shares of stock in the Sublett Irrigation Company, a Corporation, Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13); South Half of Northwest Quarter (S $\frac{1}{2}$ of NW $\frac{1}{4}$); North Half of the Southwest Quarter (N $\frac{1}{2}$ of SW $\frac{1}{4}$) Section Twenty-four (24); all in Township Thirteen (13) south, Range Twenty-eight (28) east, Boise Meridian.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said part of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said part ies of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

S. T. Lowe	Aaron A. Zollinger	(SEAL)
	Pearl N. Zollinger	(SEAL)
		(SEAL)
		(SEAL)

STATE OF IDAHO, } ss.
County of Cassia
On this 5th., day of March, in the year 19 48, before me, S. T. Lowe, a Notary Public in and for said State, personally appeared Aaron A. Zollinger and Pearl N. Zollinger, husband and wife, known to me ()
to be the { persons whose names are subscribed to } the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(NOTARIAL SEAL)

S. T. Lowe
Notary Public for the State of Idaho,
Residing at Burley, Idaho.

STATE OF IDAHO, } ss.
County of Cassia,
I hereby certify that this instrument was filed for record at the request of S. T. Lowe
at minutes past 10 o'clock A. M., this 17th day of March, A.D. 19 48,
in my Book 53 of Deeds at page 351.

IVIN HOGGAN
Ex-Officio Recorder.

Fee, \$1.20 By D. G. McClaflin, Deputy.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Brenda Eagle

....., being first

duly sworn, deposes and says that^She is the

bookkeeper

..... of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two

consecutive weeks, commencing with the issue

dated April 5 1977, and ending

with the issue dated April 12, 1977

.....
Brenda Eagle

Subscribed and sworn to before me

this 12th day of April

1977.

.....
Clayton Sommer Notary Public

Cost of Publication

Notary Fee

Total Cost \$16.10

Notary Public Residing at Burley, Idaho
My Commission Expires Oct. 10, 1980

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Heber J. Asiel, A. & Co. Oregon, & Co. Pearl N. Zolinger of Idaho, Idaho 83342, has applied to the Department of Water Resources for a change of the place of use of the water of a ground-water source. The right sought to be changed is evidenced by License #0-29588 and is recorded as follows:

Amount: 10.0cfs Priority: March 23, 1961 Point of Diversion: (2 points) SW 1/4 NW 1/4, Sec. 12, Twp. 13S, Rge. 28E., B.M., Cassia County

The water is used for irrigation of 719 acres. The portion of the right for which the change is requested is as follows:

Amount: 0.85cfs Priority: March 23, 1961 Point of Diversion: (2 points) SW 1/4 NW 1/4, Sec. 12, Twp. 13S, Rge. 28E., B.M.

The water is currently used for irrigation of 61 acres within the SW 1/4 SE 1/4, Sec. 2, E 1/4 SE 1/4, Sec. 12, Twp. 13S, Rge. 28E., B.M.

THE PORTION OF THE RIGHT IS TO BE CHANGED AS FOLLOWS:

0.85cfs of this water to be diverted at the (2 points) SW 1/4 NW 1/4, Sec. 12, Twp. 13S, Rge. 28E., B.M., Cassia County, by means of two underground wells delivering to sprinkler. The water will be used for irrigation of 61 acres within the S 1/2 SW 1/4, Sec. 11, Twp. 13S, Rge. 28E., B.M. Any protests against the above proposed change of water rights must be filed with the Idaho Department of Water Resources, 1641 Blue Lakes Boulevard North, Twin Falls, Idaho on or before April 22, 1977.

..... Director
Published in the South Idaho Press
April 5 and April 12, 1977.

WATER LICENSE

Water License No. G-29588 Priority March 23, 1961 Amount 10.0 c.f.s.

THIS IS TO CERTIFY, that Heber J., Asiel A., Orson J., & Pearl N. Zollinger
of Malta, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated March 23, 1961; that Permit G-29588 was issued pursuant
to said application; that the proposed works were completed on or about Well # 1 - 1961 & Well # 2 - 1967
with a storage or carrying capacity of 10.16 c.f.s., said works consisting of 2 wells,
2 pumps, 2 motors, concrete diversion works and ^{earth ditches} ; and that on March 11, 1968
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 2517
acre feet per season, with a maximum rate of diversion of 10.0 cubic feet per second of the waters
of 2 underground water sources, tributary of _____,
for the purpose of irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in 2 points in SW¹/₄ NW¹/₄ 1/4, Sec. 12, T. 13 S, R. 28 E, B.M., and
other additional points _____, in the County of
Cassia; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 2517 acre feet per year.

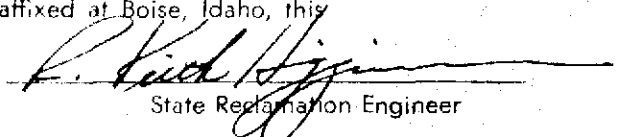
Description and location of place of use:

TWP.	RANGE	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	
13 S	28 E	2											40	31			14		85
		3		23															23
		10				40									40				80
		11			38	35	36	34	40	40	40	40			34	40	21	39	437
		12						12	35						37			10	94

Total number of acres irrigated 719

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

31st day of January, 19 69

State Reclamation Engineer

43 2517

29588

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37593
Permit No. G- 29588
District No.

*See partial
assignment*

1. Name of Applicant: Asiel A. Zollinger, Orson J. Zollinger, Pearl N. Zollinger
Postoffice address: Malta County: Cassia State: Idaho

2. Quantity of water claimed: Ten (10) cubic feet

(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches 500 or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Deep well

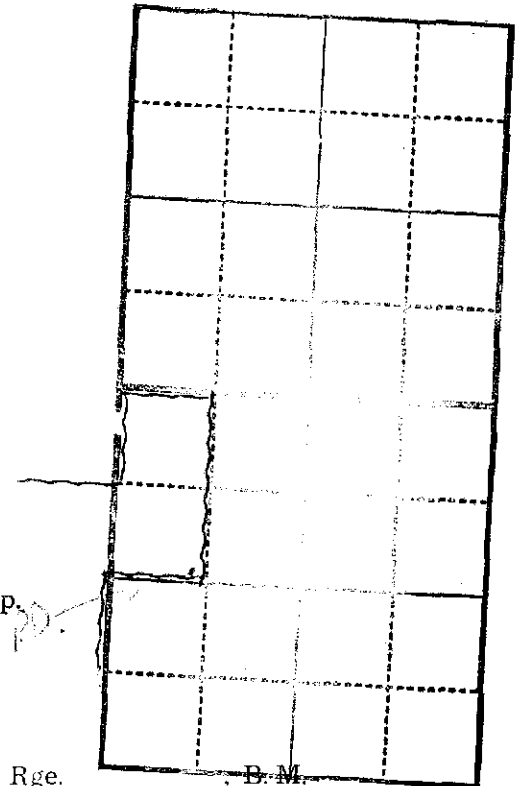
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12
Twp. 13 S. , Rge. 28 E , B.M., County of Cassia

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section
Rge. , B.M.,

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.



7. Kind of works: Deep well, pump, bank ditches, headgates, pipeline

8. Estimated cost of works: \$ 20,000.00

9. (a) Is reservoir to be used? no

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is ^{five}
(5) years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock: (c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
36 shares Sublett Irrigation Company

(a) 180 (~~cubic feet per second~~ inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 320 (~~cubic feet per second~~ inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Pearl N. Zollinger, Asiel Zollinger and
Orson J. Zollinger *Applicant.*

By James Annest Agent.

Date of first receipt at Department of Reclamation: 8:30 A.M. March 23, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29588

Recorded in Book 104 Page 29588 Approved March 24, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 24, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before March 24, 1966

Witness my hand this 24th day of March, 1961

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 24th
day of March, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE
Governor

Secretary of State.

s/ By: Paula L. Fleenor
Deputy Secretary of State

12.

Twp.	Range	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	
13 S	28 E	12																	80
		11			40	40		40	40	40	40				40	40	40	40	440
		10				40													40
		2						40					40	40					120
		3	40	40															80
																	TOTAL	760	
EXTENSION OF TIME APPROVAL ✓																			
I, R. Keith Higginson, Deputy State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho No. G-29588 to March 24, 1968. Witness my hand this 25th day of April, 1966.																			
/s/ R. KEITH HIGGINSON, Deputy State Reclamation																			
Recorded: April 25, 1966.																			

AMENDMENT TO POINT OF DIVERSION

Comes now the undersigned Permittees and represent to the State Reclamation Engineer of the State of Idaho: That they are the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. 29588. That the point of diversion is described in said Permit as being located: In the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) in Section 12, Township 13 South, Range 28 E.B.M. That they now request an additional point of diversion and that the additional point of diversion be located: forty rods West of the Southeast corner of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) in Section 12, Township 13, Range 28 E.B.M. That the reason for desiring to make such change is as follows: To complete the diversion, appropriation and application to beneficial use, of ten cubic feet of water provided for in said permit. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk. Signed at Burley, Idaho, this 16th day of December, 1966.

/s/ Asiel A. Zollinger

/s/ Orson J. Zollinger

/s/ Pearl N. Zollinger

Date of Receipt at Department of Reclamation, December 20, 1966.

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 29588. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ R. KEITH HIGGINSON

State Reclamation Engineer

Recorded in book 104 of Permits, at Page 29588, January 6, 1967.

APPLICATION FOR AMENDMENT TO LAND LIST

Comes now Asiel A. Zollinger, Orson J. Zollinger, Pearl N. Zollinger, and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, G-29588 and requests that the permit be changed as follows:

1. Place of use or land to be irrigated: SW $\frac{1}{4}$ SW $\frac{1}{4}$, 40a., SE $\frac{1}{4}$ SW $\frac{1}{4}$, 33a., SW $\frac{1}{4}$ SE $\frac{1}{4}$, 15 a., Section 2; NW $\frac{1}{4}$ NE $\frac{1}{4}$, 30a., Section 3; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40a., NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40a., Section 10; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 25a., SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40a., NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40a., NW $\frac{1}{4}$ NW $\frac{1}{4}$, 40a., SW $\frac{1}{4}$ NW $\frac{1}{4}$, 40a., SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40a., NE $\frac{1}{4}$ SW $\frac{1}{4}$, 40a., NW $\frac{1}{4}$ SW $\frac{1}{4}$, 40a., NE $\frac{1}{4}$ SE $\frac{1}{4}$, *SW $\frac{1}{4}$ SE $\frac{1}{4}$* both 40a., NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40a., SE $\frac{1}{4}$ SE $\frac{1}{4}$, 40a., Section 11; NW $\frac{1}{4}$ NW $\frac{1}{4}$ 19a., SW $\frac{1}{4}$ NW $\frac{1}{4}$, 40a., NE $\frac{1}{4}$ SE $\frac{1}{4}$, 38a., T 13 S., R 28 E., B.M. for a total of 760 acres.

That no one will be injured by such change and such change will be made at Permit Holder's own risk.

Signed at Sublett, this 20th day of October, 1967.

/s/ ASIEL A. ZOLLINGER

/s/ ORSON J. ZOLLINGER

/s/ PEARL N. ZOLLINGER

Date of receipt at office of Department of Reclamation: October 26, 1967

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit G-29588.

Witness my hand this 26th day of October, 1967.

/s/ R. KEITH HIGGINSON

State Reclamation Engineer

ASSIGNMENT

For value received, we hereby assign part of well water, whichever is less, amounting to 100 inches or 20% of our right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, Permit No. G-29588 to Heber J. Zollinger, address; Sublett, Idaho.

* 7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2; 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11; and 38 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12--all located in Township 13 South, Range 28 East, of Boise Meridian.

/s/ PEARL N. ZOLLINGER
Permit Holder/s/ ASIEL A. ZOLLINGER,
Permit Holder/s/ ORSON J. ZOLLINGER,
Permit Holder/s/ THELDA A. ZOLLINGER,
Wife of Permit Holder/s/ DONNA JO. ZOLLINGER,
Wife of Permit Holder

State of Idaho)
: ss
County of Cassia)

On this 14th day of December, 1967, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho personally appeared Pearl N. Zollinger, a widow; Asiel A. Zollinger and Thelda A. Zollinger, husband and wife; and Orson J. Zollinger and Donna Jo Zollinger, husband and wife, known to me to be the persons whose

names are subscribed to the within instrument and duly acknowledged to me that they executed the same. In witness whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

/s/ RUTH J. N. LAMBERT
Notary Public residing at Burley,
Idaho.

(S E A L)

My commission expires January 14, 1968

LICENSE ISSUED FOR 10.0 SEC. FT.
LICENSE PAGE NO. 29588

AJ0749NP
No. X43-10843

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/15/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROLAND ZOLLINGER C/O ORSON J ZOLLINGER HC 61 BOX 1096 MALTA ID 83342 (208) 645-2219	06/30/1985	IRRIGATION	04-01 10-31	10.00 CFS	100.0 AFA
				TOTAL DIVERSION:	10.00 CFS	100.0 AFA
C	ORSON J ZOLLINGER HC 61 BOX 1096 MALTA ID 83342 (208) 645-2237					
C	ASIEL A ZOLLINGER C/O ORSON J ZOLLINGER HC 61 BOX 1096 MALTA ID 83342 (208) 645-2237					
C	RUSSELL ZOLLINGER C/O ORSON J ZOLLINGER HC 61 BOX 1096 MALTA ID 83342 (208) 645-2353					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T13S R28E S12 SWNW

CASSIA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM			
13S	28E	2	:											40	31					71.0			
13S	28E	3	:			23														23.0			
13S	28E	10	:				40									40				80.0			
13S	28E	11	:			38	37		38	34	40	36		40	40	34	25	34	40	39	29	504.0	
13S	28E	12	:							12	35												47.0
13S	28E	14	:							19													19.0
																			TOTAL ACRES		744.0		

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: 43-02518

AJ0749NP
No. X43-10843

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/15/93
PAGE: 2

=====

Other Water Rights with Same Point(s) of Diversion and Source:

A43-02518A A43-02518B

Other Water Rights Listing Overlapping Place(s) of use:

A43-02486 A43-02518 A43-04227 A43-07072 A43-10800 A43-10843

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for the
- lands above.
- T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.
- T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.
- T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.

Remarks: The total combined rate of diversion under Right No. 43-02518C
and Snake River Basin Adjudication Claim No. A43-10843 shall not
exceed 10.0 cfs.
Snake River Basin Adjudication Claim No. A43-10843 is limited to
the irrigation of 25 acres in the place of use described above in
a single irrigation season.
Two points of diversion are located within SWNW, S12, T13S, R28E.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Part C



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 15, 1993

ORSON J ZOLLINGER
ASIEL A ZOLLINGER
RUSSELL ZOLLINGER
ROLAND ZOLLINGER
HC 61 BOX 1096
MALTA ID 83342

RE: Transfer of Water Right No. 43-02518C

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4169). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a circular stamp.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

OCT 21 1993

TRANSFER REVIEW SHEET

Transfer # 4169

Date Reviewed 10-1-93 28

Right(s) 43-02518A + B = Part C

A43-10843 (SRBA Claim)

B: Change P/D C: Add P/D D: Change P/U E: Change Nature of Use
F: Change Period of Use G: Other H: Change P/D & Add P/D
I: Change P/D & P/U J: Add P/D & Change P/U

Proof of Ownership 93 Tax Notice - Covers SESW + SENW (T4664)
Cassia Co Assessor confirms Orson Zollinger owns SE 1/4, S11.

Transfer ✓ All of Right Portion of Right (Part B)

Resulting Split(s) NONE - This transfer combines Parts A + B
to create Part C (License + Claim)

Check Transfer Against Right

C/4.0

- (1) ✓ Priority (2) ✓ Use (3) Season (4) Rate (5) Volume
(6) ✓ Source (7) ✓ P/D (8) P/U (9) ✓ Proof/Owner (10) ✓ Map
(11) NO Water District (12) NO Pertinent Conditions (13) Expansion

- (3) Standard Season 4-1 to 10-31 - Reduce Season on Claim
(4) Under single system 10 cfs - limited under presumption to Licensed 10 cfs
(5) $744 \times 4.0 = 2976 \text{ cfs}$ $10 \text{ cfs} \times 214 \text{ days} \times 1.9835 = 4244.7$ 2518 Licensed @ 3.5 old standard
Allow new vol per current standard since $V_{OR} > V_{ER}$ $719 \times 4 = 2876$ $25 \times 4 = 100$
(8) P/U slightly modified with addition of 25 Acres under 10843 = 744 total Acres
under system.
(13) Expansion of Right under SRBA Claim 43-10843 not thru transfer

Transfer Remarks 2518C 10843 WBI/P/D overlap
PPU 719/744 25/744 2 P/Ds in SWNW, S11

Conditions R31, T07, T09, T08

Database/Processing Notes T File Part C + 10843 / Approve Single Term
Clear 2518A + B w/remark - Parts A+B combined under XFER #4169

Edit XFER DOCUMENT Before Printing / Headers SRBA Claim
Delete Remark PPU on 2518C after approved.

WR Reports - SK-Zoll-lis;

Database updated 10-15-93

WR0749NP
No. T43-02518C

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 10/01/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ORSON J ZOLLINGER HC 61 BOX 1096 MALTA ID 83342 (208) 645-2250	03/23/1961	IRRIGATION	04-01 10-31	10.00 CFS	2876.0 AFA
TOTAL DIVERSION:					10.00 CFS	2876.0 AFA

C ASIEL A ZOLLINGER
C/O ORSON J ZOLLINGER
HC 61 BOX 1096
MALTA ID 83342
(208) 645-2237

C RUSSELL ZOLLINGER
C/O ORSON J ZOLLINGER
HC 61 BOX 1096
MALTA ID 83342
(208) 645-2353

C ROLAND ZOLLINGER
C/O ORSON J ZOLLINGER
HC 61 BOX 1096
MALTA ID 83342
(208) 645-2219

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T13S R28E S12 SW NW

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM					
13S	28E	2	:											40	31					:	71.0					
13S	28E	3	:			23														:	23.0					
13S	28E	10	:					40									40			:	80.0					
13S	28E	11	:				38	37		38	34	40	36		40	40	34	25		34	40	39	29	:	504.0	
13S	28E	12	:								12	35								:					:	47.0
13S	28E	14	:								19									:					:	19.0
																				TOTAL ACRES			744.0			

Pou County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: A43-02036, A43-02584

Other Water Rights with Same Point(s) of Diversion and Source:
43-02518A 43-02518B 43-04224 43-04226

Other Water Rights Listing Overlapping Place(s) of use:

43-02486 43-02518A 43-02518B 43-04224 43-04227 43-07072

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 4.0 afa per acre for the
 - lands above.
- T07 - The change authorized by this transfer shall be accomplished
 - within one (1) year of the date of this approval.
- T09 - Approval of this transfer does not preclude the opportunity for
 - review of the validity of the water right(s) in the ongoing
 - Snake River Basin Adjudication.
- T08 - Failure to comply with the conditions of this transfer is cause
 - for the director to issue an order to show cause why the approval
 - of the transfer should not be rescinded.

Remarks: The total combined rate of diversion under Right No. 43-02518C and Snake River Basin Adjudication Claim No. A43-10843 shall not exceed 10.0 cfs.
Right No. 43-02518C is limited to the irrigation of 719 acres in the place of use described above in a single irrigation season.
~~SNAKE RIVER BASIN ADJUDICATION CLAIM NO. A43-10843 IS LIMITED TO THE IRRIGATION OF 25 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~
Two points of diversion are located within SWNW, S12, T13S, R28E.

Dates: App. Received: 05/05/1993 Priority Date: 03/23/1961
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 06/18/1993 User-ID: BALDWIN Subject: Transfer No. 4169
Transfer No. 4169 was filed to change the place of use under Right Nos. 43-02518A, 43-02518B and SRBA Claim No. A43-10843. The transfer combines 43-02518A and 43-02518B creating part C. The transferred rights represent a single integrated system. The approved version of A43-10843 will be stored on the AJ database pending review.

Audit: 10/01/93 SKAGGS

WR0749NP
No. T43-10843

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 10/01/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RUSSELL ZOLLINGER C/O ORSON J ZOLLINGER HC 61 BOX 1096 MALTA ID 83342 (208) 645-2353	06/30/1985	IRRIGATION	04-01 10-31	10.00 CFS	100.0 AFA
				TOTAL DIVERSION:	10.00 CFS	100.0 AFA
C	ROLAND ZOLLINGER C/O ORSON J ZOLLINGER HC 61 BOX 1096 MALTA ID 83342 (208) 645-2219					
C	ORSON J ZOLLINGER HC 61 BOX 1096 MALTA ID 83342 (208) 645-2237					
C	ASIEL A ZOLLINGER C/O ORSON J ZOLLINGER HC 61 BOX 1096 MALTA ID 83342 (208) 645-2237					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T13S R28E S12 SW NW

Place of use Legal Description for: IRRIGATION

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Pou County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: 43-02518

Other Water Rights with Same Point(s) of Diversion and Source:
43-02518A 43-02518B 43-04224 43-04226

WR0749NP
No. T43-10843

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 10/01/93
PAGE: 2

Other Water Rights Listing Overlapping Place(s) of use:

43-02486 43-02518A 43-02518B 43-04224 43-04227 43-07072

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for the
- lands above.
- T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.
- T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.
- T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.

Remarks: The total combined rate of diversion under Right No. 43-02518C
and Snake River Basin Adjudication Claim No. A43-10843 shall not
exceed 10.0 cfs.
Snake River Basin Adjudication Claim No. A43-10843 is limited to
the irrigation of 25 acres in the place of use described above in
a single irrigation season.
Two points of diversion are located within SWNW, S12, T13S, R28E.

Dates: App. Received: Priority Date: 06/30/1985
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/01/1993 User-ID: SKAGGS Subject: TRANSFER NO. 4169
Transfer No. 4169 was filed to change the place of use under
Right Nos. 43-02518A, 43-02581B and SRBA Claim No. A43-10843.
The transfer combines 43-01518A and 43-02518B creating part C.
The transferred rights represent a single integrated system.
The approved version of A43-10843 will be copied to the AJ
database and stored under an X prefix pending review.

Audit: 10/01/93 SKAGGS

Part B

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A43-10843**
Date Received: 5/ 5/1993
Receipt No: S015710
Received By: KKC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ASIEL A ZOLLINGER 208-645-2237
Address: HC 61 BOX 1104
MALTA ID 83342
AND/OR
Name: ORSON J ZOLLINGER 208-645-2250
Address: HC 61 BOX 1096
MALTA ID 83342
AND/OR
Name: RUSSELL ZOLLINGER 208-645-2353
Address: HC 61 BOX 1104
MALTA ID 83342
AND/OR
Name: ROLAND ZOLLINGER 208-645-2219
Address: HC 61 BOX 1094
MALTA ID 83342

2. Date of Priority: JUN 30, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	28E	12	SW	SW	NW		CASSIA
			SE	SW	NW		CASSIA

5. Description of diverting works:

TWO WELLS & PUMPS TO PIPELINES & DITCHES & 4 BOOSTER PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	10.000		

7. Total Quantity Appropriated is:

10.000 C.F.S. (and/or)

A.F.A.

RECORDED

OCT 21 1993

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	28E	10	NE		SE		IRR	1.0 -
			SE		SE		IRR	3.0 -
							Section Acres	4.0
		11	NE		NW		IRR	2.0 -
			SE		NW		IRR	6.0 -
			SW		SW		IRR	6.0 -
			SE		SE		IRR	7.0 -
							Section Acres	21.0
							Total Acres	25.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
43-02518

14. Remarks:
THIS RIGHT IS AN EXPANSION OF 43-02518.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

NOTED

DEC 21 1993

PART A

Original Text

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Zollinger Transfer

FROM: Jim Stanton

DATE: 6-7-93

Last week I met with Mr. Zollinger to do a pre-transfer exam on this system. There are 2 wells located near the South Canal out of Sublett Reservoir. The wells can be totally co-mingled with reservoir water for use anywhere on the Zollinger property. Mr. Zollinger stated that the possible place of use is larger than what he claimed, but that he claimed the groundwater as it has been historically used. He owns or has purchased enough canal water to run the proposed pivot, except for 19 acres of groundwater that is being removed from 2 existing pivot corners that have been in federal set-aside programs for a long time. Since the claims on this system are much different than the license with regard to P/U, the transfer is based on the claims. The other 3 acres are now watered under an Off-center pivot; the pivot will be shut off as it crosses this land. Transfer appears reasonable.

(X) For your information

() Response required

J.E. Stanton
signature

OCT 1 1993

STATE OF IDAHO ^{Zollinger, Asiel, & Orson & Russell}
DEPARTMENT OF WATER RESOURCES ^{& Roland}

TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: MS & JS

1. Right number 43-2518 & 43- Applicant Zollinger, Asiel, et al
2. Type of right: ☐ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred. Need.
 - h. ☒ Check for expansion in use of right. Comments (See memo dated 6-7-93)
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 43-2518A (See memo dated 6-7-93)
- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: SA

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* Subject to findings of SRBA

4. By Loren O. Halverson Date 7/16/93

NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

Notice is hereby given that ASIEL A. &/OR Orson J. &/OR RUSSELL &/OR ROLAND ZOLLINGER, C/O ORSON J. ZOLLINGER of Malta, ID have applied to the Department of Water Resources for changes to places of use from groundwater sources and further classified as Transfer # 4169.

The rights to be changed authorize diversion of water from two wells located in S12, T13S, R28E within Cassia County. The rights are claimed in the Snake River Basin Adjudication recorded in part as follows:

Number: A43-02518
Priority: 3/23/1961
Amount: 10.0 cfs
Acres: 719

Number: A43-10843
Priority: 6/30/1985
Amount: 10.0 cfs
Acres: 25

TO BE CHANGED AS FOLLOWS

These water rights (A43-02518, A43-10843) will be diverted from two wells located in SW1/4SW1/4NW1/4, SE1/4SW1/4NW1/4, S12, T13S, R28E and will be used for irrigation of 744 acres within S1/2SW1/4, S2, T13S, R28E; NW1/4NE1/4, S3, T13S, R28E; SE1/4NE1/4, NE1/4SE1/4, S10, T13S, R28E; S1/2NE1/4, NW1/4, SW1/4, SE1/4, S11, T13S, R28E; W1/2NW1/4, S12, T13S, R28E; NW1/4NW1/4, S14, T13S, R28E using a total diversion rate of 10.0 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before July 12, 1993.

R. Keith Higginson, Director

Published in the South Idaho Press on June 25 and July 2, 1993.

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

County of Cassia)
STATE OF IDAHO) ss
)

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for two consecutive week(s), commencing with the issue dated June 25, 19 93, and ending with the issue dated July 2, 19 93.

Kary D Miller

STATE OF IDAHO)

COUNTY OF Cassia)

On this 7th day of July in the year of 1993 before me, a Notary Public, personally appeared Kary Miller, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Wally Blommon
Notary Public for Idaho

Residing at Burley, ID

My commission expires: May 23, 1997

Cost of Publication 56.16

Notary Fee 50

Total Cost 56.66

R E C E I V E D

JUL 09 1993

Department of Water Resources
Southern Region Office

OCT 21 1993

NOTICE OF PROPOSED CHANGE OF
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R. Keith Higginson, Director

Published in South Idaho Press
on 6/25 & 7/2/93.

RECEIVED
OCT 21 1993



Farm Credit Services

1305 Albion Avenue
P.O. Box 1168
Burley, Idaho 83318
208/678-3516 FAX 208/678-1302

June 8, 1993

State of Idaho
Department of Water Resources
Attn: Jim Stanton
222 Shoshone St. East
Twin Falls, ID 83301

RE: Orson Zollinger, et., al.
Application for Transfer of Water Right;
Right Numbers, A43-02518 and A43-10843;
dated 5-5-93

Dear Jim:

As first mortgage holder on real estate included in the above transfer application, the Farm Credit Bank of Spokane does hereby consent to said transfer.

Sincerely,

Thomas E. Steele
Credit Officer

cc: Mr. Orson Zollinger

RECEIVED

OCT 21 1993

JUN 24 1993

Department of Water Resources
Southern Region Office



Norwest Agricultural Credit, Inc.
Post Office Box 1837
Sioux Falls, South Dakota 57101
605/339-7417

June 22, 1993

Orson J. Zollinger
HC 61 Box 1096
Malta, Idaho 83342

Dear Mr. Zollinger,

I have reviewed your Application for Transfer of Water Right pertaining to the small acreage located in Section 10-13S-28E.

Norwest Ag Credit, Inc. does hereby acknowledge and concur with the transfer of water rights requested.

If you should have any questions, please contact me at 734-3256.

Sincerely,

A handwritten signature in cursive script that reads 'Robert Zell'.

Robert Zell
Manager-AVP

kw

RECEIVED

JUN 24 1993

Department of Water Resources
Southern Region Office

JUN 24 1993

To the Idaho Dept of Water Recouse.

The undersigned do hereby transfer their water rights from the following land (that part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of SEC 11 TWS 13 Range 28 consisting of a three cornered peice of land containing 7 acres) to Orson Zollinger and Donna Zollinger.

Signed

Orson J. Zollinger 6/24/93

Signed

Mae J. Zollinger 6/24/93

RECEIVED

JUN 24 1993

Department of Water Resources
Southern Region Office

RECORDED
6/24/93

OCT 21 1993

NOTARY

STATE OF IDAHO

COUNTY OF CASSIA

On this 24th day of June, 19 93, before me, the undersigned, a Notary Public, personally appeared Heber J & Mae J Zollinger, know to me to be the person(s) whose name(s) are/is subscribed to the within instrument, and acknowledged to me that he/she they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.

Barbara Anderson
Notary Public for the State of IDAHO
Residing at Albion IDAHO
My Commission expires 7-23-93

RECEIVED

JUN 24 1993

Department of Water Resources
Southern Region Office

RECEIVED

OCT 21 1993

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that ASIEL A. &/OR Orson J. &/OR RUSSELL &/OR ROLAND ZOLLINGER, C/O ORSON J. ZOLLINGER of Malta, ID have applied to the Department of Water Resources for changes to places of use from groundwater sources and further classified as **Transfer # 4169**.

The rights to be changed authorize diversion of water from two wells located in S12, T13S, R28E within Cassia County. The rights are claimed in the Snake River Basin Adjudication recorded in part as follows:

Number: A43-02518
Priority: 3/23/1961
Amount: 10.0 cfs
Acres: 719

Number: A43-10843
Priority: 6/30/1985
Amount: 10.0 cfs
Acres: 25

TO BE CHANGED AS FOLLOWS

These water rights (A43-02518, A43-10843) will be diverted from two wells located in SW1/4SW1/4NW1/4, SE1/4SW1/4NW1/4, S12, T13S, R28E and will be used for irrigation of 744 acres within S1/2SW1/4, S2, T13S, R28E; NW1/4NE1/4, S3, T13S, R28E; SE1/4NE1/4, NE1/4SE1/4, S10, T13S, R28E; S1/2NE1/4, NW1/4, SW1/4, SE1/4, S11, T13S, R28E; W1/2NW1/4, S12, T13S, R28E; NW1/4NW1/4, S14, T13S, R28E using a total diversion rate of 10.0 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before July 12, 1993.

R. Keith Higginson, Director

Published in South Idaho Press on 6/25 & 7/2/93.

6/25/93

OCT 21 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

18-Jun-1993

R. KEITH HIGGINSON
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

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 required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

6/21/93

7012136



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

18-Jun-1993

R. KEITH HIGGINSON
Director

ORSON ZOLLINGER
HC 61 BOX L096
MALTA ID 83342

Re: Application for Transfer No. 4169 (A43-02518, A43-10843)

Dear Mr. Zollinger:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the South Idaho Press for 6/25 and 7/2/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and/or a notarized statement from any lien holder on the property.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mel Schulte
Water Right Agent

OCT 21 1993



Farm Credit Services

1305 Albion Avenue
P.O. Box 1168
Burley, Idaho 83318
208/678-3516 FAX 208/678-1302

June 8, 1993

RECEIVED

JUN 10 1993

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources
Attn: Jim Stanton
222 Shoshone St. East
Twin Falls, ID 83301

RE: Orson Zollinger, et., al.
Application for Transfer of Water Right;
Right Numbers, A43-02518 and A43-10843;
dated 5-5-93

Dear Jim:

As first mortgage holder on real estate included in the above transfer application, the Farm Credit Bank of Spokane does hereby consent to said transfer.

Sincerely,

Thomas E. Steele
Credit Officer

cc: Mr. Orson Zollinger

APPROVED
OCT 13 1993

June 27, 1977

Re: Transfer No. 2064/43-2518

Heber J. &/or Asiel A. &/or
Orson J. &/or Pearl N. Zollinger
Sublett Route
Malta, ID 83342

Dear Messrs and Mme:

Enclosed is a copy of your approved Application for Transfer of Water Right No. 43-2518. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

ZOLLINGER, &/or Asiel A., &/or
Heber J. Asiel A., &/or Orson J., &/or
Pearl N.

1. Source Groundwater

Name _____

2. Right Being Transferred

Right No. _____

a. ☐ Decree

Transfer No. 43-

☒ License

☐ Use

b. ☒ Priority

c. ☒ Location - Original P. D.

d. ☒ " - Original P. U.

e. ☒ " - New P.D.

f. ☒ " - New P.U.

g. ☒ Amount

☐ All

☒ Part

3. ☒ Proof of Ownership of Right TGB-5-18-77

Comment Pending ok JJ-5-31-77

4. ☒ Expansion of Right

Comment _____

5. ☒ Map

6. ☒ Signature

7. ☒ Fee

8. Watermaster's Comments DNA

9. Comments _____

10. Initial Review by TGB.

Date 5-18-77

11. Recommended Action

☒ Approve

☐ Deny

Conditions _____

By Michael L. Steele

Date 5-23-77

cc sent to Bae- 3/28/77

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Heber J. &/or Asiel A., &/or Orson J., &/or Pearl N. Zollinger of Malta, Idaho 83342, has applied to the Department of Water Resources for a change of the place of use of the water of a groundwater source. The right sought to be changed is evidenced by License #G-29588 and is recorded as follows:

Amount: 10.0cfs

Priority: March 23, 1961

Point of Diversion: (2 points) SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 13S, Rge. 28E., B.M., Cassia County

The water is used for irrigation of 719 acres. The portion of the right for which the change is requested is as follows:

Amount: 0.85cfs

Priority: March 23, 1961

Point of Diversion: (2 points) SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 13S, Rge. 28E., B.M.

The water is currently used for irrigation of 61 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12; Twp. 13S, Rge. 28E., B.M.

THE PORTION OF THE RIGHT IS TO BE CHANGED AS FOLLOWS:

0.85cfs of this water to be diverted at the (2 points) SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 13S, Rge. 28E., B.M., Cassia County, by means of two underground wells delivering to sprinkler. The water will be used for irrigation of 61 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 11, Twp. 13S, Rge. 28E., B.M. Any protests against the above proposed change of water rights must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho on or before April 22, 1977.

Director

Published in the South Idaho Press, April 5 and April 12, 1977.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Heber J. & for Asiel A., & for Orson J., & for Pearl N. Zollinger of Malto, Idaho 83342, has applied to the Department of Water Resources for a change of the place of use of the water of a groundwater source. The right sought to be changed is evidenced by license #G-29586 and is recorded as follows:

Amount: 10.0 cfs Priority: March 23, 1961 Point of Diversion: (2 points) SW 1/4 NW 1/4, Sec. 12, Twp. 13S, Rge. 28E., B.M., Cassia County

The water is used for irrigation of 719 acres. The portion of the right for which the change is requested is as follows:

Amount: 0.85 cfs Priority: March 23, 1961 Point of Diversion: (2 points) SW 1/4 NW 1/4, Sec. 12, Twp. 13S, Rge. 28E., B.M.

The water is currently used for irrigation of 41 acres within the SW 1/4 SE 1/4, Sec. 2, Twp. 13S, Rge. 28E., B.M.

THE PORTION OF THE RIGHT IS TO BE CHANGED AS FOLLOWS:

0.85 cfs of this water to be diverted at the (2 points) SW 1/4 NW 1/4, Sec. 12, Twp. 13S, Rge. 28E., B.M., Cassia County, by means of two underground wells delivering to sprinkler. The water will be used for irrigation of 61 acres within the SW 1/4 NW 1/4, Sec. 12, Twp. 13S, Rge. 28E., B.M. Any protests against the above proposed change of water rights must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho on or before April 22, 1977.

Director

Published in the South Idaho Press,
April 5 and April 12, 1977

06/11/74-1-77

March 28, 1977

South Idaho Press
Box 190
Burley, Idaho 83318

RE: Application For Transfer of Water Right-Heber J. &/or Asiel A., &/or Orson J.,
 &/or Pearl N. Zollinger

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 ample 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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sb

Enclosed

Bill submitted: _____

December 23, 1968

Re: Permit No. G-29588

Heber J. Asiel A. Orson T,
and Pearl M. Zollinger
Sublett Route
Malta, Idaho

Gentlemen:

A representative of this department has made an examination of the works covered by your permit G-29588 and has found the following:

Quantity of water diverted: 10.16 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 10.0 c.f.s.*

Purpose of use: Irrigation of 709 acres in S1/4, S1/2, Sec. 2; N1/2, Sec. 3; S1/2, N1/2, Sec. 10; S1/2, N1/2, N1/2, Sec. 11; W1/2, N1/2, S1/2, Sec. 12, T. 13 S, R. 28 E, B.M.

The priority date established is: March 23, 1961.

A fee totaling \$ 49.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean P. Schnafble
Reclamation Engineering Administrator

DRS:df

*The maximum quantity diverted shall not exceed 2373 acre feet per season.

CERTIFIED MAIL

1-9-69 : THE AMENDMENT IS TO BE RETURNED "SIGNED"
WITH \$54.00. (49 FOR LIC & 5.00 AMENDMENT)
DO NOT ISSUE LICENSE UNTIL AMENDMENT IS RECORDED

January 31, 1969

Re: Permit No. G-29588

Herber J., Asiel A., Orson T.,
and Pearl N. Zollinger
Sublett Route
Malta, Idaho 83342

Gentlemen:

Enclosed you will find your Water License issued on the above
numbered permit and receipt Nos. 2578 and 2555 totaling \$54.00.

Also enclosed is a copy of your approved amendment covering
permit No. G-29588.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

29588

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 21, 1969

Re: Permit No. G-29588
Herber J., Asiel A., Orson J., and Pearl N. Zollinger

Mr. Asiel Zollinger
Sublett Route
Malta, Idaho 83342

Dear Mr. Zollinger:

Please be advised that the department has received the checks (4) totalling \$54.40. The fee for the amendment is \$5.00 and the fee for the license is 49.00. This totals \$54.00. As you can see, the four (4) checks are in excess of 40¢.

We are therefore returning your check as it was the last check written and request that you return a check to this department totalling \$13.30. You could then possibly make arrangements with the other owners of the permit.

Your assistance and prompt remittance is appreciated.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: Check for \$13.70

29588

January 21, 1969

Re: Permit No. G-29588
Herber J., Asiel A., Orson J., and Pearl N. Zollinger

Mr. Asiel Zollinger
Sublett Route
Malta, Idaho 83342

Dear Mr. Zollinger:

Please be advised that the department has received the checks (4) totalling \$54.40. The fee for the amendment is \$5.00 and the fee for the license is 49.00. This totals \$54.00. As you can see, the four (4) checks are in excess of 40¢.

We are therefore returning your check as it was the last check written and request that you return a check to this department totalling \$13.30. You could then possibly make arrangements with the other owners of the permit.

Your assistance and prompt remittance is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: Check for \$13170

29588

REGISTERED

JAN 14 1968

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

APPLICATION FOR AMENDMENT

Permit No. G-29588

Comes now Heber J, Asiel A, Orson J, & Pearl N. Zollinger of (address)

Sublett Route, Malta, Idaho, and represents to the State Reclamation Engineer of the State of Idaho:

That they ^{are} ~~is~~ the owners and holders of Permit to appropriate the Public Waters of the State of Idaho No. _____, and requests that the permit and permit map be changed as follows:

1. Point of diversion: _____ 1/4 _____ 1/4, Sec. _____, T. _____, R. _____, B.M. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day mo. - day

For _____ purposes from _____ to _____ (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

TWP.	RANGE	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	
13S	28 E	2											40	31			14		85
		3		23															23
		10				40									40				80
		11			38	35	36	34	40	40	40	40			34	40	21	39	437
		12						12	35						37			10	94

Total number of acres to be irrigated

719

29588

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

Hand-drawn map on a grid showing a coastline and various numerical data points. The coastline is irregular, with several inlets and points. Numbers are written in various orientations around and inside the coastline. A large '9' is written on the right side, and a '23' is written below it. A '2' is written near the bottom center. Other numbers include 10, 37, 32, 35, 34, 39, 21, 40, 40, 40, 38, 35, 36, 34, 40, 31, 14, 11, 12, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50.

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 _____, this _____ day of _____, 19____.

David A. Becking
John A. Becking
John A. Becking
John A. Becking
John A. Becking

ACTION OF STATE RECLAMATION ENGINEER

David A. Becking
John A. Becking
John A. Becking
John A. Becking
John A. Becking

(Signature) _____

_____, State Reclamation Engineer of the State of Idaho,

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby APPROVE the above application for amendment for Permit No. G-29588

Witness my hand this 29th day of January, 1969.

State Reclamation Engineer

48565

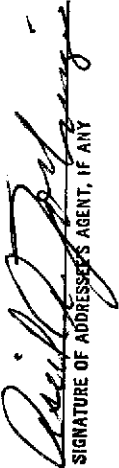
7-29588

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)	
CERTIFIED NO. 20621		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
INSURED NO.		
DATE DELIVERED Dec 24 1968	SHOW WHERE DELIVERED (only if requested)	
	29588	

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300

POSTMARK OF
DELIVERING OFFICE

1968
APR 26
8961

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

**RETURN
TO**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

Department of Documentation

POST OFFICE, STATE, AND ZIP CODE

Annex #2, Statehouse

Boise, Idaho 83707

Asel Zollinger
isubelt RST
Malta
Lolab 83342



RETURN RECEIPT REQUESTED

State of Idaho.
Department of Reclamation
Statehouse Annex 2,
Boise Idaho.

83707.

RETURN RECEIPT REQUESTED

29588



December 23, 1968

Re: Permit No. G-29588

Heber J, Astel A, Orson T,
and Pearl N. Zollinger
Sublett Route
Malta, Idaho

Gentlemen:

A representative of this department has made an examination of the works covered by your permit G-29588 and has found the following:

Quantity of water diverted: 10.16 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 10.0 c.f.s.*

Purpose of use: Irrigation of 708 acres in S1/4, S1/4, Sec. 2; NW1/4, Sec. 3; SE1/4, NE1/4, Sec. 10; S1/4, NW1/4, NE1/4, Sec. 11; NW1/4, NE1/4, S1/4, Sec. 12, T. 13 S, R. 28 E, 9.N.

The priority date established is: March 23, 1961.

A fee totaling \$ 49.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean P. Schnaible
Reclamation Engineering Administrator

DRS:dj

*The maximum quantity diverted shall not exceed 2373 acre feet per season.

CERTIFIED MAIL

29588

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 23, 1968

Re: Permit No. G-29588

Heber J, Asiel A, Orson T,
and Pearl N. Zollinger
Sublett Route
Malta, Idaho

Gentlemen:

A representative of this department has made an examination of the works covered by your permit G-29588 and has found the following:

Quantity of water diverted: 10.16 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 10.0 c.f.s.*

Purpose of use: Irrigation of 708 acres in S¹/₄SW¹/₄, SW¹/₄SE¹/₄, Sec. 2; NW¹/₄NE¹/₄, Sec. 3; SE¹/₄NE¹/₄, NE¹/₄SE¹/₄, Sec. 10; S¹/₄NE¹/₄, NW¹/₄, N¹/₄SW¹/₄, SE¹/₄, Sec. 11; W¹/₄NW¹/₄, NE¹/₄SE¹/₄, SE¹/₄SE¹/₄, Sec. 12, T. 13 S., R. 28 E. B.M.

The priority date established is: March 23, 1961.

A fee totaling \$49.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

A handwritten signature in cursive script, reading "Dean R. Schnaible".

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

*The maximum quantity diverted shall not exceed 2373 acre feet per season.

CERTIFIED MAIL

29588

December 23, 1968

Re: Permit No. G-29588

Heber J, Asiel A, Orson J,
and Pearl N. Zollinger
Sublett Route
Malta, Idaho

Gentlemen:

Be advised that the enclosed proposed application for amendment form and the fee letter outlining the findings of the field examiner are to be reviewed by you. If you agree with these findings, sign the application for amendment form and remit the statutory fee of \$5.00. In addition remit the fee required for issuance of the water license, \$49.00, and certified mailing fee of \$0.40.

If you disagree with the examiner's findings, please contact the Department within 30 days. Otherwise, we would appreciate receiving the completed application for amendment and fees of \$54.40 as soon as possible.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dj
Enclosures

CERTIFIED MAIL

THE ZOLLINGER BROS. VISITED THE OFFICE 1-9-69 - THEY
WILL HAVE THE AMENDMENT SIGNED & RETURNED TO THIS
OFFICE WITH THE \$54.40. DO NOT LIC UNTIL
AMENDMENT IS RECEIVED DRR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 29588

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: Asiel A. Zollinger,
Farmers at Sublett
Orson J. Zollinger, Pearl N. Zollinger, Heber Zollinger Route, Malta, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority: G 29588,

March 24, 1961; as amended April 25, 1966 and January 6, 1967;
Priority date, March 24, 1961.

Ques. 4. State source of water supply: subterranean water
Give location of point of diversion, showing subdivision, section, township and range
Two wells located in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 13 S., R. 28, E.B.M.; one is lo-
located in SE corner of said subdivision and other is located approx. 40 rods
west of SE corner of same.

Ques. 5. Describe your works of diversion: 2 wells, 2 pumps, 3 booster pumps,
diversion boxes, some sprinklers
pipe lines bank ditches, concrete/; state amount of water they are capable of con-
veying from point of diversion to place of use: 10 cu. ft.; Give name of canal or ditch
or other works by which water is conducted to such place of use: none

#1 - 340 ft.
; if a well, state depth of well #2 - 217 ft. depth and size of
casing #1 - 16" casing 340 ft #1 - 96 ft.
#2 - 20" casing 300 ft; depth to water #2 - 97 ft.; if pump is used,
state discharge of pump: #1 200" miners
#2 300" miners; tell how it was measured or determined
measured by pump company; if sprinkler irrigation, give number and size
of nozzles and operating pressure: 102 risers and nozzles size 9/64, 70lb. press.

Ques. 6. State for what purpose water is used: irrigation only
(If for irrigation, name each subdivision in which used and number of acres in
each subdivision that have actually been irrigated with said water:

Sec. 2 - 73 A. in S $\frac{1}{2}$ SW $\frac{1}{4}$, 15 A. in SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 3 - 30 A. in NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 10 - 40 A. in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 A. in NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11 - 70 A. in S $\frac{1}{2}$ NE $\frac{1}{4}$, 155 A. in NW $\frac{1}{4}$, 80 A. in N $\frac{1}{2}$ SW $\frac{1}{4}$, 157 A. in SE $\frac{1}{4}$; and
Sec. 12 - 60 A. in W $\frac{1}{2}$ NW $\frac{1}{4}$, 40 A. in NE $\frac{1}{4}$ SE $\frac{1}{4}$,
all in Twp. 13 So., Range 28, E.B.M.

#1 Clarence C. Bishop
#2 Lloyd Darrington

29588

State nature of all improvements which have been made as a direct result of said use:
Land has been reclaimed, ditches constructed, land cultivated and planted to crop.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: No. 1 well - Clarence C. Bishop, Burley, Idaho; No. 2 well,

Lloyd Darrington, Elba, Idaho
Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used: None

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

a part

Holder, Heber Zollinger, received/interest by assignment of original holders.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: _____ - Time used since first use:

Well No. 1, September, 1961, used continuously thereafter during irrigation season. Well No. 2, June, 1967, used throughout irrigation season of 1967.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

45 shares of water in Sublett Irrigation Company.

(sign)

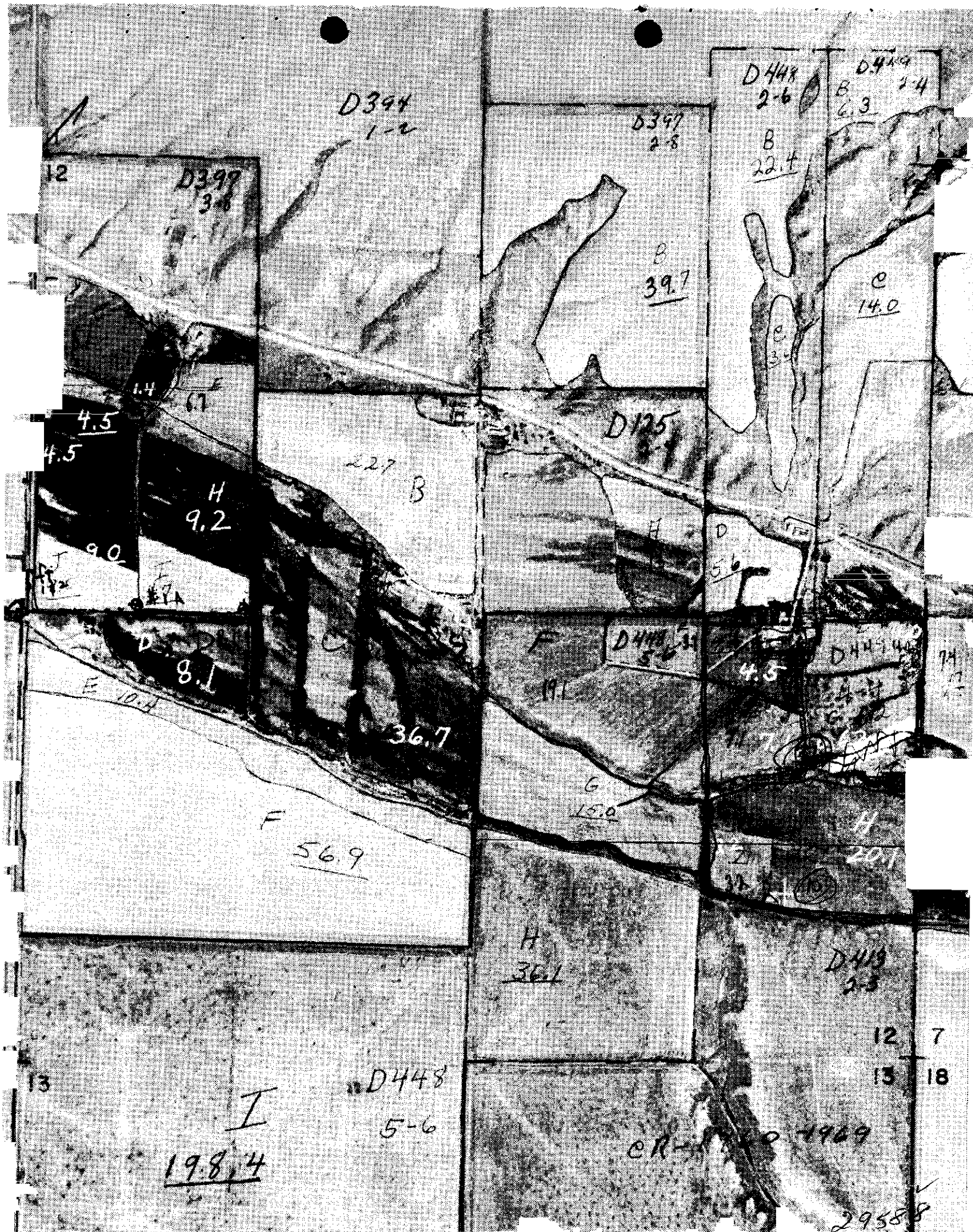
I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

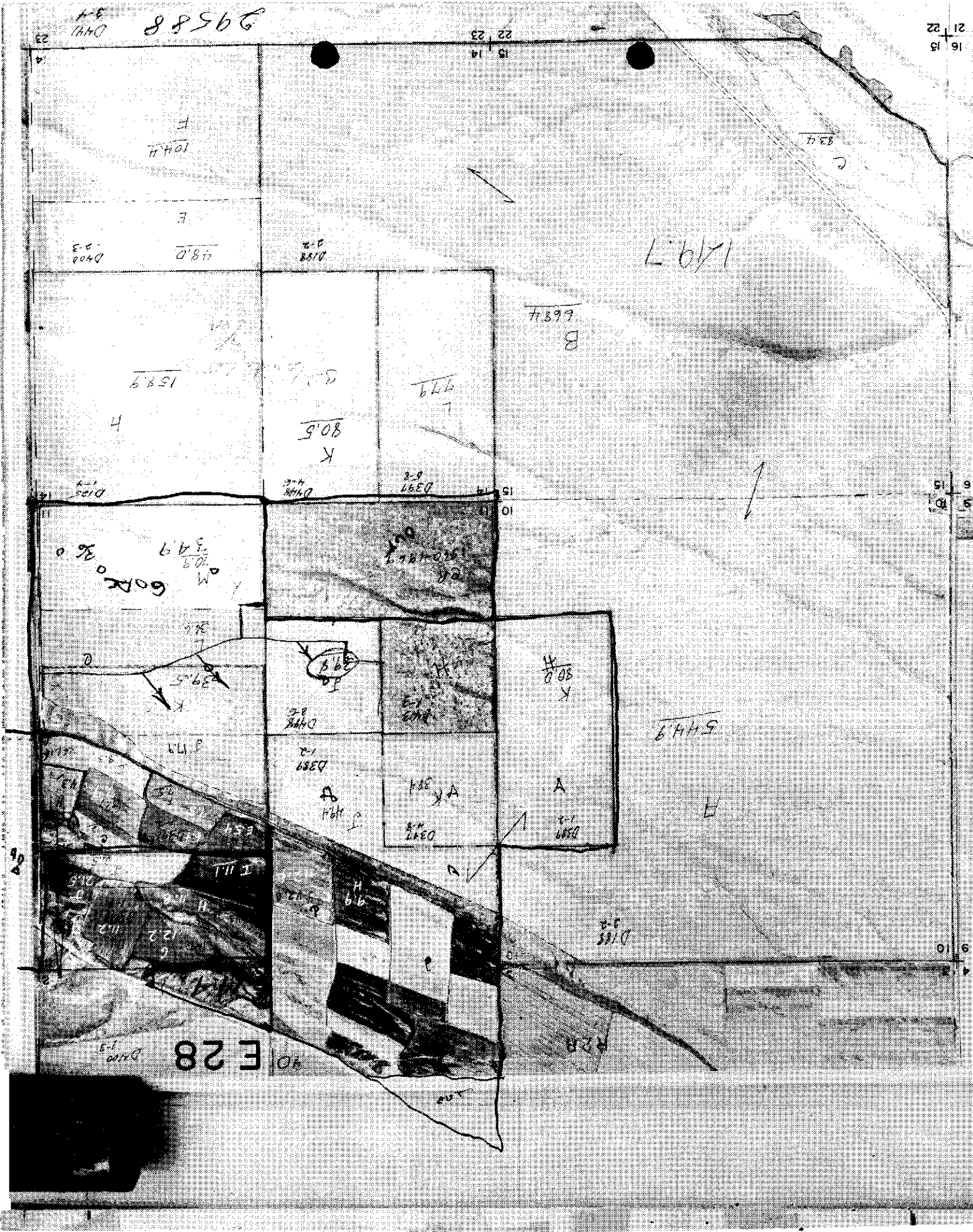
Burley, County of Cassia

State of Idaho, on this 11th day of March, A. D. 19 68.

My commission expires: June 15, 1969

29588





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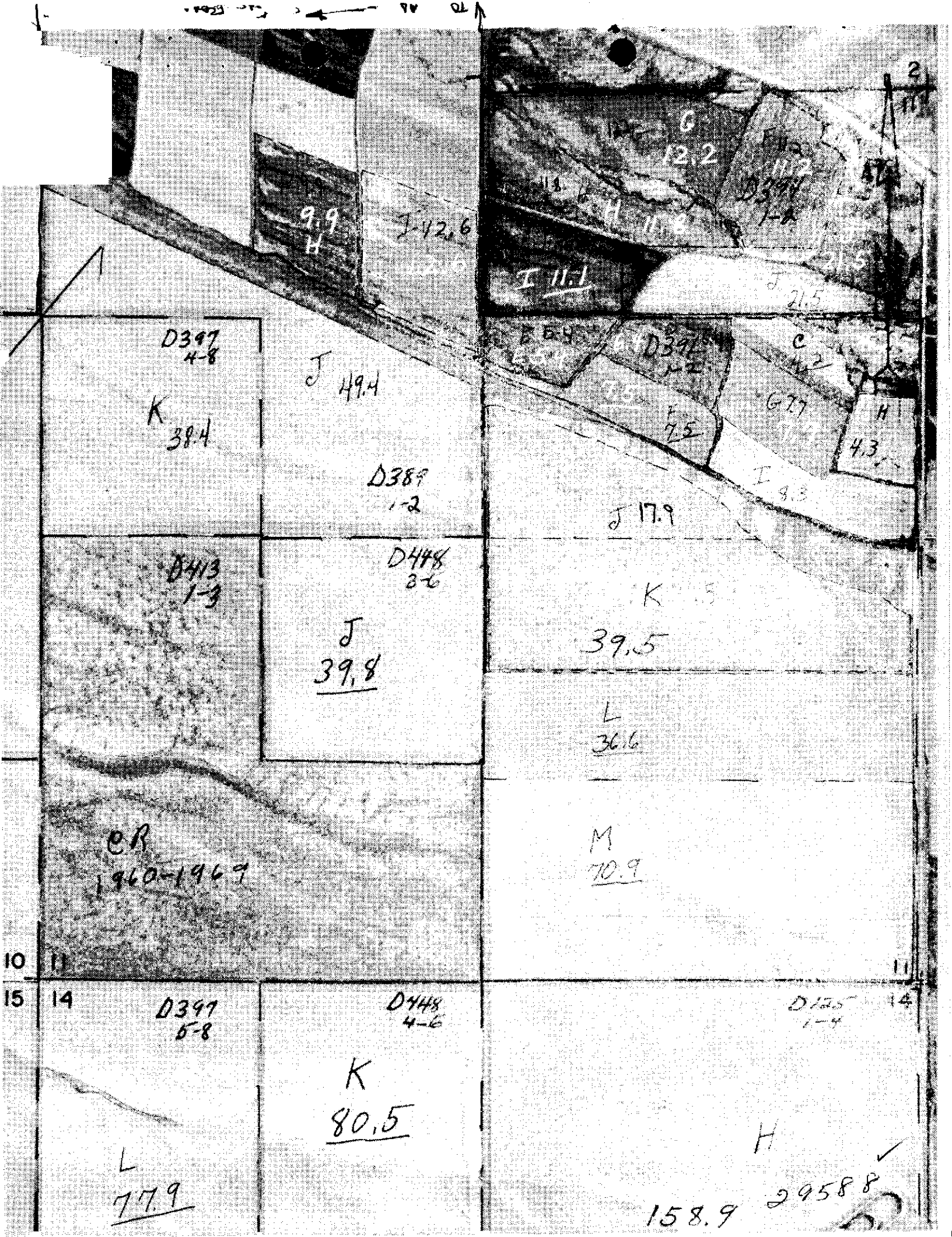
20.1

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[illegible]

Source of supply SUBSTATION

a tributary of _____

Location of P.D.(s) 2 wells located within the
SUNN SEC 12 13 28 E CASSIA CO.

Water is used for IRRIGATION

Quantity of water found _____

How was the measurement made? ANEROIDETER & PISTON

Measurement calculations _____

#1 500 c.f. 2:15.8 = 307 c.f.s

ACTUAL = (3.7 c.f.s) (1.15) = 4.26 c.f.s.

#2 12" DRAIN PIPE

(.785 sq ft) (10.5 ft/sec) = 8.24 c.f.s

NOTE: DESIGN CAPACITY 2700 gpm = 6.03 c.f.s

Division works description and diagram

#1 100 HP US HORIZONTAL ELECT MOTOR #1224931

INTAKE VTRP #10285 10" DISCHARGE

5" INTO CONCRETE DIVISION WORKS MEASUREMENT CANAL DITCHES

#2 150 HP US HORIZONTAL ELECT MOTOR #147170

44 B VTRP #206426 2700 gpm @ 180'

NOTE: 2400 UNITS #1 30 HP USED ELECTRON #3938968, 144 B VTRP #206742

200 gpm 45' 10" DISCHARGE #2 25 HP ELECT MOTOR #681504567

8" DISCHARGE #15 VTRP #217069 1500 gpm 55'

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 698 acres

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?
JOEL & OASON 204 INCORP

Recommended allowance for licensing 1000 c.f.s.

Description of required amendments. Comments. APPROX 10 ACRES 5' 5" 12"

FOR LICENSE - ALLOW:

AREA = 698 acres

SUBA = 22

Q = 10.0 c.f.s.

VAL = 1570 AF / SEASON

Report checked? _____

Examination date 8-28-68

Signature [Signature]

29588

plan
202

April 25, 1968

Re: Permit No. G-29588
Jolingers

James Annest
Attorney at Law
P. O. Box 686
Burley, Idaho 83318

Dear Mr. Annest:

Thank you for your letter of April 15, 1968. In order for the Jolingers to divide the permit in question, they should do so as the assignment of December 14, 1967 indicates. A partial assignment must state the quantity of water that is being assigned, the name and address of the party to whom the assignment is being made, the permit number, and must list the lands to be covered by the permit and the acres in each legal subdivision, and show each section, township, and range. The assignment will also have to be signed by all the permit holders as was the case of the December 14, 1967 assignment. A copy of this assignment is enclosed.

You may submit your own assignment form if you desire or use the blank assignment forms we are enclosing. Please feel free to contact us if we can assist you in any manner.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Copy of 12-14-67 assignment
Assignment forms (6)

29588

1742 Overland Avenue
P. O. Box 686
Burley, Idaho 83318

JAMES ANNEST
Attorney at Law

APR 17 1968

Area Code 208
678-7783

MESSAGE

REPLY

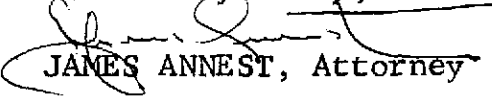
TO Department of Reclamation
State House
Boise, Idaho

Attention: Mr. McEldowney
DATE April 15, 1968

The Zollingers under permit No. G 29588
desire to file with your office an appropriate
form distinguishing between the amount of water
that each of permittees are to be entitled to
under that permit and the eventual certificate of
water right.

Could you please furnish me with the proper
form so that I might have it completed and
file the same with your office.

Yours very truly,


JAMES ANNEST, Attorney

JA:rl

SIGNED

SIGNED

March 19, 1968

Re: Permit No. G-29588

Heber J. Zollinger, Asiel A. Zollinger
Orson J. Zollinger, Pearl N. Zollinger
Sublett Route
Malta, Idaho 83342

Gentlemen:

We acknowledge receipt of the depositions and affidavit of publication in ~~the~~
The World of Idaho submitted as proof of com-
pletion of works and beneficial use on Permit G-29588.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

29588

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MAR 18 1968

Boise, Idaho

Department of Reclamation

Permit No. G 29588

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

ARTHUR SCHORZMAN, age 55, farmer, Malta, Idaho (Sublett Route)

Ques. 2 Are you acquainted with Asiel A. Zollinger, Orson J. Zollinger
Pearl N. Zollinger & Heber J. Zollinger, the holders of

Permit No. G 29588? How long have you known him and where does he reside?

Idaho

Yes, I have been acquainted with them for 25 years. They live at Sublett,
/G 29588

Ques. 3. Have you read or heard said Permit No. / (Yes) read, and are you familiar
with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: A subterranean irrigation well

Give location of place of diversion, showing subdivision, section, township and range

There are two wells. Both are located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 13 S., R. 28 E.
One is located in SE corner & the other is approx. 40 rods west of SE corner/
Describe works for conveying water to place of use: /in said subdivision.

Irrigation pumps, concrete diversion boxes and gates, bank ditches and
pipe lines.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 10 or more cubic feet How much water have you seen being so
conveyed? The total production of the two wells being conveyed through the
system, estimated to be 10 cubic feet per second.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description: (approximate acreages)

Sec. 2 - 73 A. in S $\frac{1}{2}$ SW $\frac{1}{4}$, 15 A. in SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 3 - 30 A. in NW $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 10 - 40 A. in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 A. in NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 11 - 70 A. in S $\frac{1}{2}$ NE $\frac{1}{4}$, 155 A. in NW $\frac{1}{4}$, 80 A. in N $\frac{1}{2}$ SW $\frac{1}{4}$, 157 A. in SE $\frac{1}{4}$;

and
Sec. 12 - 60 A. in W $\frac{1}{2}$ NW $\frac{1}{4}$, 40 A. in NE $\frac{1}{4}$ SE $\frac{1}{4}$,

all in Twp. 13 So., Range 28, E.B.M.

29588

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Water used for irrigation purposes only.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Clay loam - requires about 5/8th of inch to inch per acre.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? none

Ques. 10. When did you first see this water used At various times during 1965, 1966 & '67

Other times you have seen such use: _____

(Signed):

Arthur Schrymer

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley

_____, County of Cassia, State of Idaho, on

this 11th day of March, A. D. 1968

[Signature]

Notary Public for the State of Idaho

Residing Burley

My commission expires June 15, 1969

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 29588

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

FRED RIGBY, age 50, Sublett District, Cassia County, Idaho, farmer-rancher,
P. O. - Sublett Route, Malta, Idaho

Ques. 2 Are you acquainted with Asiel A., Orson J., Heber J. & Pearl N. Zollinger, the holders of
Permit No. G 29588? How long have you known him and where does he reside?

Yes - I have known them for forty-four years.

Ques. 3. Have you read or heard said Permit No. G 29588 read, and are you familiar
with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: deep well

Give location of place of diversion, showing subdivision, section, township and range
There are two wells located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 13-S., R. 28, E.B.M.
One is located in SE corner of said subdivision and the other is located
approximately 40 rods west of SE corner.

Describe works for conveying water to place of use: Irrigation pumps, concrete
diversion boxes and gates, bank ditches and pipe lines.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 10 cubic feet or more How much water have you seen being so
conveyed? The water from both wells being operated at once, estimated at
10 cubic feet per second.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description: (The following acreages are approximated)

Sec. 2 - 73 A. in S $\frac{1}{2}$ SW $\frac{1}{4}$, 15 A. in SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 3 - 30 A. in NW $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 10 - 40 A. in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 A. in NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 11 - 70 A. in S $\frac{1}{2}$ NE $\frac{1}{4}$, 155 A. in NW $\frac{1}{4}$, 80 A. in N $\frac{1}{2}$ SW $\frac{1}{4}$, 157 A. in SE $\frac{1}{4}$;
and

Sec. 12 - 60 A. in W $\frac{1}{2}$ NW $\frac{1}{4}$, 40 A. in NE $\frac{1}{4}$ SE $\frac{1}{4}$,
all in Twp. 13-S., Range 28, E.B.M.

29588

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

None

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Clay loam - requires about 5/8th of inch to inch per acre

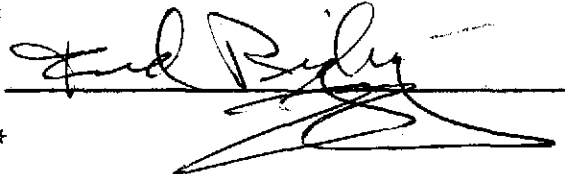
Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? none

Ques. 10. When did you first see this water used? 1965

Other times you have seen such use: 1966 & 1967 - at various times.

(Signed):



I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley

 , County of Cassia, State of Idaho, on this 11th day of March, A. D. 19 68



Notary Public for the State of Idaho

Residing Burley, Idaho

My commission expires June 15, 1969.

29588

The World of Idaho

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss:
STATE OF IDAHO)

Gary L. Fernau, being first
duly sworn, deposes and says that he is the
General Manager of The World,
a daily newspaper published at Burley, Idaho,
in the county aforesaid, and that the paper is
of general paid circulation therein. Deponent
further states that the printed notice attached
hereto was duly published according to law
in the regular daily editions of The World for
four (4) consecutive weeks, commencing
February 16, 1968
with the issue dated 19, and
March 8, 1968
ending with the issue dated 19.

Subscribed and sworn to before me this
13 day of March, 19 68

Ruth Chambers Notary Public

My Commission Expires Feb. 18, 1969

RECEIVED

NOTICE OF RIGHT OF COM-
PLETION OF WORKS AND AS-
SIGNMENT OF WATER

March 12, 1968

of Cassia, Idaho, County
notary public James H. Hines, 142
Overland Avenue, Burley, Idaho,
proof will be submitted of the di-
completion of work for the water
version of the source, and
of a sufficient beneficial use
of said water in accordance with
the provisions of law issued by
the State of Idaho.

13/ S. H. Hines, Notary Public, 1968
acres.
6. The date of priority which
user is prepared to establish is
March 23, 1961.
R. KERR, Notary Public
State of Idaho, Engineer
Published in the State of Idaho
no February 16, 20, Mar. 1, & 8,
1968.

29588

1742 Overland Avenue
P. O. Box 686
Burley, Idaho 83318

JAMES ANNEST
Attorney at Law

RECEIVED

MAR 18 1968

Area Code 208
678-7783

Department of

MESSAGE

REPLY

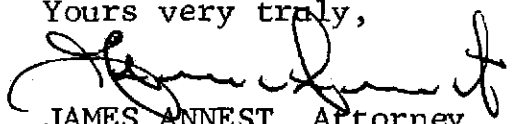
TO Mr. Donald W. McEldowney
Appropriation Examiner
DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

DATE March 15, 1968

Dear Mr. McEldowney:

Enclosed are depositions of holders and witnesses in regard to Permit No. G-29588 - Zollingers, together with the affidavit of publication which we received from the paper today. Please acknowledge if everything is in order or if anything is lacking.

Yours very truly,


JAMES ANNEST, Attorney

rl - encls.

SIGNED

DATE March 19, 1968

Dear Mr. Annest: The depositions and affidavit of publication are in order and have been accepted by the Department of Reclamation. The permit holders have been notified of the acknowledgement of the proof, and they have been advised as to future action by this Department.

If we can be of further help to you in this matter, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

SIGNED
DWM:dj

Re: Permit No. G-29588

February 12, 1968

Heber J. Zollinger, Asiel A. Zollinger
Orson J. Zollinger, Pearl H. Zollinger
Sublett Route
Malta, Idaho

Gentlemen:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit No. G-29588.

We have mailed the notice to the World of Idaho to be published once a week for four consecutive weeks prior to March 11, 1968, which is the hearing date when the permit holder: Asiel A. Heber J. Orson J. and Pearl H. Zollinger

and two disinterested witnesses must appear before James Annett, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by the above named permit holders. Be sure all the forms have the notary's seal and are signed. Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McKelowney
Appropriation Examiner

DWM:dj

Enc: Depositions

cc: Notary

29588

February 12, 1968

Re: Permit No. G-29588

World of Idaho
Burley, Idaho 83318

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to March 11, 1968. The expense of the publication is to paid by Heber J., Asiel A., Orson J., and Pearl N., Hollinger, Sublett Route, Malta, Idaho.

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: Legal Notice

29588

1742 Overland Avenue
P. O. Box 686
Burley, Idaho 83318

JAMES ANNEST
Attorney at Law

Area Code 208
678-7783

M E S S A G E

R E P L Y

TO State Reclamation Department

107 State House

Boise, Idaho 83701

DATE January 17, 1966

Gentlemen: Permit # G 29588

As per a telephone conversation
this morning with one of your officers we
returning and
are/enclosing the original assignment
of Asiel, Orson & Pearl Zollinger to a part
interest to Heber Zollinger in the above
permit, executed December 14, 1967.

Yours very truly,

JAMES ANNEST, Attorney

rl - encl.

SIGNED

DATE

RECEIVED

JAN 18 1968

Department of Reclamation

SIGNED

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on March 11, 1968, at Burley,
County of Cassia, State of Idaho, before notary public (name & address) _____
James Annest, 1742 Overland Avenue, Burley, Idaho, proof will be
submitted of the completion of works for the diversion of 10.0 c.f.s. of the waters
of a subterranean source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-29588, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holders^{are} Heber J. Zollinger, Asiel A. Zollinger, Orson J. Zollinger, and Pearl N. Zollinger, all of Sublett Route, Malta, Idaho.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 10.0 cubic feet per second.
3. The use to which said water has been applied is _____
irrigation purposes, and the amount applied to beneficial use is 10.0 c.f.s.
4. The point of diversion of said water is two points in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 13 S, R. 28 E, B.M., Cassia County.
5. The place where said water is used is S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 11; W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 13 S, R. 28 E, B.M., totaling 760 acres.
6. The date of priority which said user is prepared to establish is March 23, 1961.

R. KEITH HIGGINSON

State Reclamation Engineer

29588

RECEIVED

**NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Notice is hereby given that on March 11, 1968 at 1:30 P.M. Idaho in
County of Cassia, State of Idaho, before notary public (name & address) _____
JAMES ANNEST, 1742 Overland Avenue, Burley, Idaho,, proof will be
submitted of the completion of works for the diversion of 10.0 c.f.s. of the waters
of a subterranean source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-29588, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder ^{are} ~~is~~ Heber Zollinger, ~~Malta, Idaho~~
Asiel Zollinger, Orson Zollinger & Pearl N. Zollinger, all of
Sublett Route, Malta, Idaho.

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
10.0 cubic feet per second.

3. The use to which said water has been applied is _____
irrigation purposes, and the amount applied to beneficial
use is 10.0 c.f.s.

4. The point of diversion of said water is two points in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12,
T. 13 S, R. 28 E, B.M., Cassia County

5. The place where said water is used is S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
3; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 11; W $\frac{1}{2}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 13 S, R. 28 E, B.M.

6. The date of priority which said user is prepared to establish is _____
March 23, 1961

State Reclamation Engineer

29588
H

RECEIVED

JAN 17 1968

Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the World of Idaho of Burley, Idaho; published in the county in which the works are situated.

Signature

Address

Date

Signature

Address

Date

(signature)

(address)

(date)

Signature

Address

Date

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

29588

1742 Overland Avenue
P. O. Box 686
Burley, Idaho 83318

JAMES ANNEST

Attorney at Law

JAN 17 1968

Area Code 208
678-7783

Department of Reclamation

MESSAGE

REPLY

TO Mr. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho 83701

DATE

2-12-68

Dear Mr. Annest.

DATE January 16, 1966

Awiel, Orson, Heber &
Re: Pearl Zollinger, G 29588

Dear Mr. Higginson:

Enclosed are your Forms 11 and
36, Authorization and Notice of Proof
of Completion of Works (for Publication)
for the above named permittees. May we
please have confirmation.

Yours very truly,

JAMES ANNEST, Attorney

rl - encls.

SIGNED

SIGNED

Dell Elbourn

1742 Overland Avenue
P. O. Box 686
Burley, Idaho 83318

JAMES ANNEST
Attorney at Law

Area Code 208
678-7783

RECEIVED

MESSAGE

REPLY

TO Mr. R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho 83701

DATE

Department of Reclamation
2-12-68

Dear Mr. Annest;

DATE January 8, 1968 Re: Water Permit
No. G 29588
Zollinger

Dear Mr. Higginson: Heber Zollinger received your letter of Jan. 4 relative to completion of works on the above permit. All papers were filled in as if he were the only party to this permit, however, the original applicants were Pearl Zollinger and her sons Asiel and Orson and just recently, December 14, 1967, Heber was made one of the parties.

Will you please check your file and advise us if you have a different understanding of this. Meanwhile, we have advised all the Zollingers to sign the forms.

One more question: referring to #5 of your Form 36, will it be necessary to show the exact amount of land to be irrigated in each section?

We will appreciate hearing from you soon as the Zollingers wish to have publication soon so that the hearing may be set for the latter part of February- preferably around 20th.

Yours very truly,

JAMES ANNEST, Attorney

SIGNED

SIGNED

Donald M. Elmore

January 4, 1968

Re: Permit G-29588

Reber Zollinger
Malta, Idaho

Dear Mr. Zollinger:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than March 24, 1968.

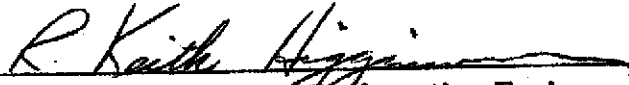
Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

ASSIGNMENT

For value received, ^{We} ~~X~~ hereby assign part of ^{amounting to 100 inches or 20% of well water, whichever is lesser} ~~our~~ right, title and interest

in and to Permit to appropriate the Public Waters of the State of Idaho, Permit

No. G 29588 to HEBER J. ZOLLINGER.

Address: Sublett, Idaho

* 7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 2; 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 10; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 11; and 38 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12--all located in Township 13, South, Range 28, East of the Boise Meridian.

Pearl N. Zollinger
PEARL N. ZOLLINGER,
Permit Holder

Asiel A. Zollinger
ASIEL A. ZOLLINGER,
Permit Holder

Orson J. Zollinger
ORSON J. ZOLLINGER,
Permit Holder

Theda A. Zollinger
THEDA A. ZOLLINGER,
Wife of Permit Holder

Donna Jo Zollinger
DONNA JO ZOLLINGER,
Wife of Permit Holder

STATE OF IDAHO)
: ss
County of Cassia)

On this 14th day of December, 1967, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho personally appeared Pearl N. Zollinger, a widow; Asiel A. Zollinger and Theda A. Zollinger, husband and wife; and Orson J. Zollinger and Donna Jo Zollinger, husband and wife, known to me to be the persons are whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

Ruth J. N. Lambert
Notary Public for Idaho
Residing at Burley, Idaho

My commission expires: January 14, 1968

Note:

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

1742 Overland Avenue
P. O. Box 686
Burley, Idaho 83318

JAMES ANNEST
Attorney at Law

Area Code 208
678-7783

M E S S A G E

R E P L Y

TO The Department of Reclamation

State House

Boise, Idaho

DATE December 14, 1967

Re: Permit No. G 29588 - Zollinger
Gentlemen:

Fill you please file and ac-
knowledge the enclosed original and copy
of Assignment of part interest from
Asiel, Orson and Pearl Zollinger to Heber
Zollinger.

Thank you.

Yours very truly,

JAMES ANNEST, Attorney

By *(Mrs.) Ruth Lambert*
Secretary

rl - encls.
SIGNED

DATE December 15, 1967

Returned herewith is your copy of the
assignment. This assignment has been
recorded on our records.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

SIGNED

THIS COPY FOR PERSON ADDRESSED

November 1, 1967

RE: Permit G-29588

Asiel A. Zollinger
Malta, Idaho 83342

Dear Mr. Zollinger:

Enclosed herewith is a copy of the amendment to land list under the names of Asiel A., Orson J., and Pearl N. Zollinger. This amendment has been recorded in this office under Permit No. G-29588.

Also enclosed is Departmental Receipt No. 114 in the amount of \$5.00 which covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Receipt
Amendment to land list

29588

Permit No. G-29588

Form 11 29588

February 17, 1967

RE: Permit 29588
Asiel A., Orson J. and Pearl N. Zollinger

James Annest
Attorney at Law
P.O. Box 686
Burley, Idaho 83318

Dear Mr. Annest:

Enclosed is departmental receipt No. 33650 in the amount of \$0.00 which covers the amount of the recording fee of the point of diversion amendment dated January 10, 1967.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Encl: Receipt

29588

1742 Overland Avenue
P. O. Box 686
Burley, Idaho 83318

JAMES ANNEST
Attorney at Law

Area Code 208
678-7783

MESSAGE

REPLY

TO State Reclamation Engineer

State House

Boise, Idaho

DATE

December 15, 1966

Dear Sir:

Enclosed are two copies
of Application for Amendment
Point of Diversion, Permit 29588,
signed by Permittees, Asiel A.,
Orson J. and Pearl N. Zollinger,
which is submitted for your approval.

SIGNED

JAMES ANNEST, Attorney

DATE

January 10, 1967

Enclosed herewith is amendment to
Point of Diversion which has been
recorded in this office under Permit
29588. There is a recording fee for
this service however in the amount
of \$1.00 which you may remit to
this department so our records can
be cleared.

Very truly yours,

M. RUSSELL BOSCH
Office Manager
Department of Reclamation
Room 107 Statehouse
Boise, Idaho 83701

SIGNED

Rec. No. 33636

RECEIVED
DEC 20 1966

Application for Amendment

POINT OF DIVERSION

Department of Reclamation

Permit No. 29588

Comes now the undersigned Permittees and represent to the State Reclamation Engineer of the State of Idaho:

That ~~they is~~ (are) the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. 29588.

That the point of diversion is described in said Permit as being located:

In the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) in Section 12, Township 13 South, Range 28 E.B.M.

That ~~they~~ now requests that the point of diversion be changed to a point an additional point of diversion and that the additional point of diversion be located: forty rods West of the Southeast corner of the Southwest Quarter of the Northwest Quarter in (SW $\frac{1}{4}$ NW $\frac{1}{4}$) in Section 12, Township 13, Range 28 E.B.M.

That the reason for desiring to make such change is as follows:

To complete the diversion, appropriation and application to beneficial use, of ten cubic feet of water provided for in said permit.

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

Signed at Burley, Idaho, this 16th day of December, 19 66.

Date of Receipt at Department of Reclamation 12/20/66

APPROVAL OF STATE RECLAMATION ENGINEER

R. KEITH HIGGINSON

I, ~~ROBERT M. CARLSON~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 29588. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 104 of
Permits, at Page 29588
January 6, 19 67

15/ R. Keith Higginson
State Reclamation Engineer

29588

May 4, 1968

RE: Permit No. G-29588
Cecil A., Orson J., and Pearl N. Zollinger

Mr. James Annest
Attorney at Law
P.O. Box 686
Burley, Idaho 83218

Dear Mr. Annest:

We are sorry that you received the notice of cancellation on the same date as you received the extension of time. We have a system of sending out our pre-cancellation notices and since our letter with the extension went out on the same date the copy was not filed when it was checked the day before.

Therefore, please disregard the pre-cancellation notice and the proofs will be due on March 24, 1968.

Hope this clarifies the matter.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

29588

LAW OFFICE OF

JAMES ANNEST

ATTORNEY AND COUNSELOR AT LAW
AREA CODE 208 PHONE 678-7783

1742 OVERLAND AVENUE
BURLEY, IDAHO 83318
POST OFFICE BOX 686

May 2, 1966

Mr. R. Keith Higginson
Deputy State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho

RECEIVED
MAY 4 1966

Department of Reclamation

Re: Permit # G-29588 and letters of April 25

Dear Mr. Higginson:

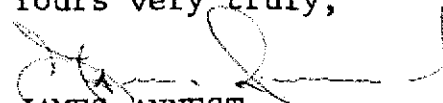
First, I wish to thank you for your favorable consideration of our application for an extension of time on the above permit as indicated by Mr. Bosch's letter of April 25, 1966.

I am a little confused, however, because dated the same date I received a notice of cancellation of the same permit pursuant to Section 42-234 of the Idaho Code, that the same permit is being held for cancellation because of the failure to submit proof.

May I have a clarification so that if you desire that we submit proof on the work that has been completed, we would be most happy to do so. If on the other hand, you would prefer that we wait until all work is completed by March 24, 1968, then we will withhold submitting a Completion of Works and Beneficial Use Proofs until that time.

Please advise me as soon as possible so that these permits will not be placed in jeopardy.

Yours very truly,



JAMES ANNEST
Attorney at Law

JA:ag

29588

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE
IF NOT PAID BY POSTAGE

POSTMARK OF
DELIVERY OFFICE
APR 27 1966
IDAHO

APR 28 1966

RECEIVED

INSTRUCTIONS: Show name and address below and complete instructions on back where applicable. **Do not attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.**

RETURN
TO

NAME OF SENDER

Idaho Dept. of Reclamation

STREET AND NO. OR P.O. BOX

Room 107, Statehouse

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

29588

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐

Show to whom and
when delivered

☐

Show to whom, when, and
address where delivered

☐

Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

19026

INSURED NO.

Asel Zedlman

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

29588

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

April 25, 19 66

Re: Permit No. G- 29588

To Asiel A., Orson J. & Pearl M. Zollinger

Malta, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 29588 to appropriate the Public Waters of the State of Idaho, have not been complied with as to _____

Completion of Works and Beneficial Use Proofs which were
due March 24, 1966

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 29588 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 29588 claims the use of 10 cubic feet per second of the Subterranean Waters wells with point of diversion located SW1/4, Sec. 12, T. 13 S., R. 28 E., B. M. - Cassia County and was approved March 24, 1961.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 25th day of April, 19 66.

State Reclamation Engineer

cc: James Annett
Attorney at Law
Box 107, Burley, Idaho

29588

April 25, 1966

RE: Permit No. G-29588
Ariel A., Orson J., and Pearl N. Zollinger
Malta, Idaho

James Annest
Attorney at Law
P.O. Box 686
Burley, Idaho 83318

Dear Mr. Annest:

Enclosed is approval of State Reclamation Engineer for an extension of time on the above numbered permit. This approval is extended to March 24, 1968.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl: Approval

29588

RECEIVED

APR 21 1966

STATE OF IDAHO
Department of Reclamation

Department of Reclamation

Application for Extension of Time for Completion of Works

State of Idaho

ss.

Permit No. G-29588County of AdaArson Zollinger, of Malta,State of Idaho, being first duly sworn, upon his oath deposes and says:That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. G-29588.That under the terms and conditions of said permit, construction work thereunder was required to be
completed by March 24, 1966.

That he has heretofore performed the following work described under said permit:

Dug & Constructed Irrigation WellConstructed DitchesPurchased Irrigation Pump (100 hp)approximate Costing \$13,000⁰⁰That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: that financing for development of waters under
said permit was obtained from Farmers Home Administration
that original loan (\$2,000⁰⁰) was recently paid & new loan is
necessary to complete work and will be negotiated upon extension of permit.WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of
works under said permit to March 24, 1966Subscribed and sworn to before me this 21st day of April, 1966Arson J. ZollingerWm. Russell South

Notary Public.

My commission expires Jan. 19, 1969Date of receipt at office of Department of Reclamation April 21, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, Deputy, State Reclamation Engineer of the State of Idaho, hereby extend

the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho,

No. G-29588 to March 24, 1968Witness my hand this 25th day of April, 1966R. Keith Higginson
DeputyState Reclamation Engineer.

79588

RECEIVED
APR 21 1966
Department of Reclamation

Burley, Idaho
April 21, 1966

Re: Permit No. G-29588

Honorable Carl E. Tappan
State Reclamation Engineer
Room 107, Statehouse
Boise, Idaho

Dear Mr. Tappan:

I have your letter of April 1, 1966, before me for reply.

As you recall, about the time that I was receiving the testimony of proof on the above application, I called you concerning the possibility of extending the time to complete the works required to be done by the permit. At the time of our telephone conversation you indicated that the basis for the request seemed reasonable to you, and I was left with the impression that ~~this~~ office would favorably consider an extension of time, the exact length which you would determine. This morning Mr. Orson Zollinger and I drove to Boise in the hopes that we could meet with you and in your absence talked with Mr. Keith Higginson. He suggested that we request reconsideration on this matter, and that is the purpose of this letter.

In view of the fact that Mr. Zollinger has had to finance through the Farmers Home Administration he has been unable to obtain the necessary funds to purchase the proper size of pumps, etc., to develop the amount of water that is permitted by the permit, but has, and is now, in a position to re-negotiate for another loan for that purpose. It appears to me that under the statute what is good cause is discretionary with the State Reclamation Engineer, and under the circumstances which Mr. Zollinger and the other permittees have found themselves we respectfully urge that financial ability is a good cause.

29588

April 21, 1966

Mr. Zollinger believes that a two-year extension of time would be sufficient to complete the necessary works and to purchase the required equipment to fully comply with the permit. Accordingly we request you for reconsideration in this matter based upon Mr. Zollinger's request for a two-year renewal. In Mr. Higginson's letter of April 1st he referred to the matter of submission of proof. Allow me to say that I have taken the testimony of witnesses and publication of final proof has been made and for all intents and purposes has been completed, except for filing in this office, which we have withheld pending final determination of this application for renewal.

With best regards,

Sincerely yours,

JAMES ANNEST

JA: ew

cc: R. Keith Higginson, Deputy
State Reclamation Engineer
Boise, Idaho

29588

RECEIVED
APR 21 1966
Department of Reclamation

Burley, Idaho

April 21, 1966

Re: Permit No. G-29588

Honorable Carl E. Tappan
State Reclamation Engineer
Room 107, Statehouse
Boise, Idaho

Dear Mr. Tappan:

I have your letter of April 1, 1966, before me for reply.

As you recall, about the time that I was receiving the testimony of proof on the above application, I called you concerning the possibility of extending the time to complete the works required to be done by the permit. At the time of our telephone conversation you indicated that the basis for the request seemed reasonable to you, and I was left with the impression that ~~this~~ office would favorably consider an extension of time, the exact length which you would determine. This morning Mr. Orson Zollinger and I drove to Boise in the hopes that we could meet with you and in your absence talked with Mr. Keith Higginson. He suggested that we request reconsideration on this matter, and that is the purpose of this letter.

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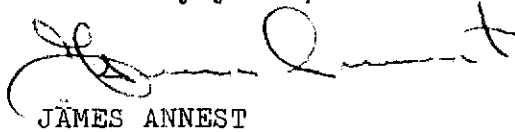
29588

April 21, 1966

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With best regards,

Sincerely yours,



JAMES ANNEST

JA; ew

cc: R. Keith Higginson, Deputy
State Reclamation Engineer
Boise, Idaho

April 1, 1966

RE: Permit No. G-29588

Mr. James Annest
Attorney at Law
1742 Overland Avenue
Burley, Idaho

Dear Mr. Annest:

We have your letter of March 23, 1966, in which you request an additional five years in behalf of the owners of Permit No. G-29588 to allow them to complete the works and make proof of use.

Upon consideration of the basis for this request it is our decision that it is not sufficient grounds for us to grant additional time beyond the five years limit indicated by the Legislature in the Idaho Code. The request for further time is therefore denied.

You are reminded that proof of completion of works and beneficial use under this permit was due March 24, 1966, and we are required to send notice it is subject to cancellation if proof is not received within 30 days from that date.

Very truly yours,

R. Keith Higginson, Assistant
State Reclamation Engineer

RKH:ejw

29588

JAMES ANNEST

ATTORNEY AND COUNSELOR AT LAW
AREA CODE 208 PHONE 678-7783

1742 OVERLAND AVENUE
BURLEY, IDAHO 83318
POST OFFICE BOX 686

March 23, 1966

Handwritten signature
Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho

RECEIVED
MAR 24 1966
Department of Reclamation

Re: Permit No. G-29588, Asiel A. Zollinger, Orson J. Zollinger
and Pearl N. Zollinger

Dear Mr. Tappan:

This will acknowledge our telephone conversation of the 14th day of March, 1966, wherein we discussed the situation involving the completion of works by the Zollingers under Permit #G-29588.

In accordance with that conversation, Applicants Asiel Zollinger, Pearl Zollinger and Orson Zollinger do hereby respectfully request that the time for completion of works under the above numbered permit be extended an additional five years to allow them sufficient time in which to complete and apply the waters authorized by said permit to be beneficially applied to the land.

In support of this application, Permittees, who are Applicants herein, represent as follows:

That following the allowance of the permit the 24th day of March, 1964, they proceeded to develop as far as their financial resources would permit them to by drilling a well and purchasing an irrigation pump and applying approximately 200 inches of water allowed by the permit to beneficial use on the lands referred to in the permit;

That it was necessary in order to finance the development of the waters to be appropriated by the permit, for the Permittees to obtain Farmers Home Administration financing, and

29588

Mr. Carl E. Tappan

March 23, 1966

Page 2

before they could receive additional advances, it was essential for them to pay off the original loan; that it is anticipated that that loan will be paid within the next year or year and a half, and that at that time it will be possible for Permittees to obtain additional financing to complete the development; and that in any event all of the work can be and will be completed within the period of the extension of time.

Referring again to our conversation, Mr. Tappan, I would like to advise that I took testimony from witnesses who have observed the development and which has been completed to date, and that this testimony shows that the above facts are true and correct and that Applicants have actually applied approximately 200 inches, more or less, to the lands which are listed in the permit. We are holding the submission of the testimony of witnesses and of the Applicants pending your action on this application for an extension of time. We respectfully request that it be granted.

With best regards.

Yours very truly,

A handwritten signature in dark ink, appearing to read "James Annest", with a stylized flourish at the end.

JAMES ANNEST

Attorney at Law

JA:ag

Re: Permit No. G-29588
Asiel A. & Orson J. Zollinger

February 4, 1966

Mr. James Annest,
Attorney at Law,
Box 686,
Burley, Idaho.

Dear Mr. Annest:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29588, in the name of Asiel A. and Orson J. Zollinger. Final Proof is to be made before you, as Notary on the 14th day of March, 19 66, ~~at~~ XXXXXX, at 1742 Overland Ave., Burley, Idaho.

As of this date, we have mailed the Notice to the Burley Herald Bulletin Burley, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

29588

Re: Permit No. G-29588
Asiel A. Zollinger and
Orson J. Zollinger

February 4, 1966

Burley Herald Bulletin,
Burley, Idaho.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to March 14, 1966. The expense of the publication is to be paid by James Annest, Attorney at law, of Box 686, Burley, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

29588

RECEIVED
FEB 4 1966

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that on the 14th day of March
1966, at Burley, County of Cassia, State of Idaho
before James Annest, Notary Public, at (address 1742 Overland Ave
Burley, Idaho), proof will be submitted of the completion
of works for the diversion of ten cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G - 29588, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Asiel A. Zollinger, Orson J. Zollinger and Pearl N. Zollinger
Sublette Route, Malta, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is ten cubic feet per second.

3. The use to which said water has been applied is for agricultural and domestic
_____, purposes and the amount applied to beneficial use is
six cubic feet per second.

4. The point of diversion of said water is The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12,
Township 13 South, Range 28 E.B.M. of the County of Cassia, State of

5. The place where said water is used is Township 13 South, Range 28 East,
W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 12; S $\frac{1}{2}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 11;
SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10; NW $\frac{1}{4}$ of NW $\frac{1}{4}$, and S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 2; and
N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 3, all in said township and range.

6. The date of priority which said user is prepared to establish is the 24th day
of March, 1961

CARL E. TAPPAN

State Reclamation Engineer

29.588

RECEIVED
FEB 4 1966

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE
Department of Reclamation

(Date) January 27, 1966

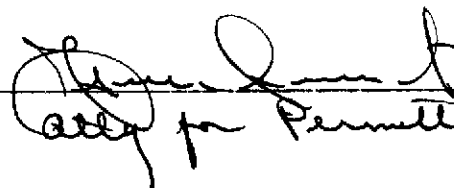
(P. O.) Box 686, Burley, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Burley Herald-Bulletin of of
Burley, Cassia County, Idaho Published in
the county in which the works are situated.


atty for Permittee.

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached
notice are true.

Engineer

LAW OFFICE OF

JAMES ANNEST

ATTORNEY AND COUNSELOR AT LAW
AREA CODE 208 PHONE 678-7783

1742 OVERLAND AVENUE
BURLEY, IDAHO 83318
POST OFFICE BOX 686

February 1, 1966

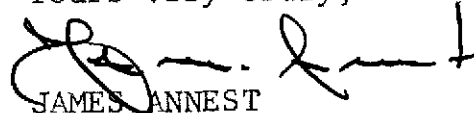
Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Permit No. G-29588, Asiel A. Zollinger & Orson J. Zollinger and
Pearl N. Zollinger

Dear Mr. Tappan:

Enclosed are the two Forms 36 and also a Form 11 as
per your instructions in your letter of January 1, 1966, pertain-
ing to the above named matter.

Yours very truly,


JAMES ANNEST
Attorney at Law

ag
Enclosures

29588

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Jan 1, 1966

Re: Permit No. G - 29588
Asiel A. Zollinger & Orson
J. Zollinger and Pearl N. Zollinger

James Annest, Attorney
Box 107
Burley, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29588 are due not later than **March 24, 1966**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

CARL E. TAPPAN

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc: Asiel A., Orson J. & Pearl N. Zollinger
Malta, Idaho

29588

February 19, 1963

RE: Permit No. G-29588, Asiel A. Zellinger
G-26347, Maurice J. Matthews
G-26348, Jean J. Matthews

James Annest
Attorney at Law
Box 107
Burley, Idaho

Dear Mr. Annest:

Enclosed is departmental receipt No. G-7724 in the amount of
\$5.50 covering the fees for making copies of the above
numbered permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna F. Rule
Chief Clerk

EPR:mr

Enc. receipt

29588

LAW OFFICES OF
KALES E. LOWE & JAMES ANNEST
ATTORNEYS AND COUNSELLORS AT LAW
PHONE 678-5512

1337 ALBION AVENUE
POST OFFICE BOX 107
BURLEY, IDAHO

February 18, 1963

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Re: Permits No. G-29588-Asiel A. Zollinger
G-26347-Maurice J. Matthews
G-26348-Jean J. Matthews

Gentlemen:

Enclosed is our check for \$5.50 to cover charges
for copying the above three permits. Thank you.

Yours very truly,

KALES E. LOWE & JAMES ANNEST

BY


James Annest

rl
Encl., Ck. #408

29588

February 7, 1963

Re: Permit No. G-29588 - Asiel A. Zollinger, et al
G-26347 - Maurice J. Matthews
G-26348 - Jean J. Matthews

Kales R. Lowe & James Annest
Attorneys & Counsellors at Law
P. O. Box 107, Burley, Idaho

Attn: James Annest

Dear Mr. Annest:

Enclosed are copies of the above numbered permits
as requested by you in your letter of February 6th.

The fees for these three copies are \$5.50, which
should be mailed to this office as soon as possible.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. copies 3 permits

29588

LAW OFFICES OF
KALES E. LOWE & JAMES ANNEST

ATTORNEYS AND COUNSELLORS AT LAW

PHONE 678-5512

1337 ALBION AVENUE
POST OFFICE BOX 107
BURLEY, IDAHO

February 6, 1963

State Department of Reclamation
State House
Boise, Idaho

Attention: Mr. George N. Carter, Engineer

Gentlemen:

Would you please send us by return mail copies
of the following permits:

G 29 588, Acel Zollinger, and
G 26 347
G 26 348, for Maurice Matthews and Jean
Matthews

Proof has been made on the permit for H. P. Matthews and Sons on the Almo waters, and the forms will be sent to you immediately.

Yours very truly,

KALES E. LOWE & JAMES ANNEST

BY


James Annest

rl

29588

March 31, 1961

Re: Permit No. G-29588
Asiel A., Orson J., & Pearl N. Zollinger

Mr. James Annest,
c/o S. T. & Kales E. Lowe,
Attorneys at Law,
Box 107,
Burley, Idaho.

Dear Mr. Annest:

We enclose Permit No. G-29588 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-5804 which was issued covering payment in the amount of \$7.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: Asiel A. Zollinger
Malta, Idaho

29588

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 14th day of March 1966, at Burley, County of Cassia, State of Idaho before James Annett, Notary Public, at 1742 Overland Ave., Burley, Idaho, proof will be submitted of the completion of works for the diversion of ten cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of permit No. G-29588, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Asiel A. Zollinger, Orson J. Zollinger and Earl N. Zollinger Sublette Route, Malta, Idaho.

2. Said works of diversion will be fully completed on the date of such completion, and the amount of water which said works are capable of conveying to the place of use is ten cubic feet per second.

3. The use to which said water has been applied is for agricultural and domestic purposes and the amount applied to beneficial use is six cubic feet per second.

4. The point of diversion of said water is The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Township 13 South, Range 28 E.B.M. of the County of Cassia, State of Idaho.

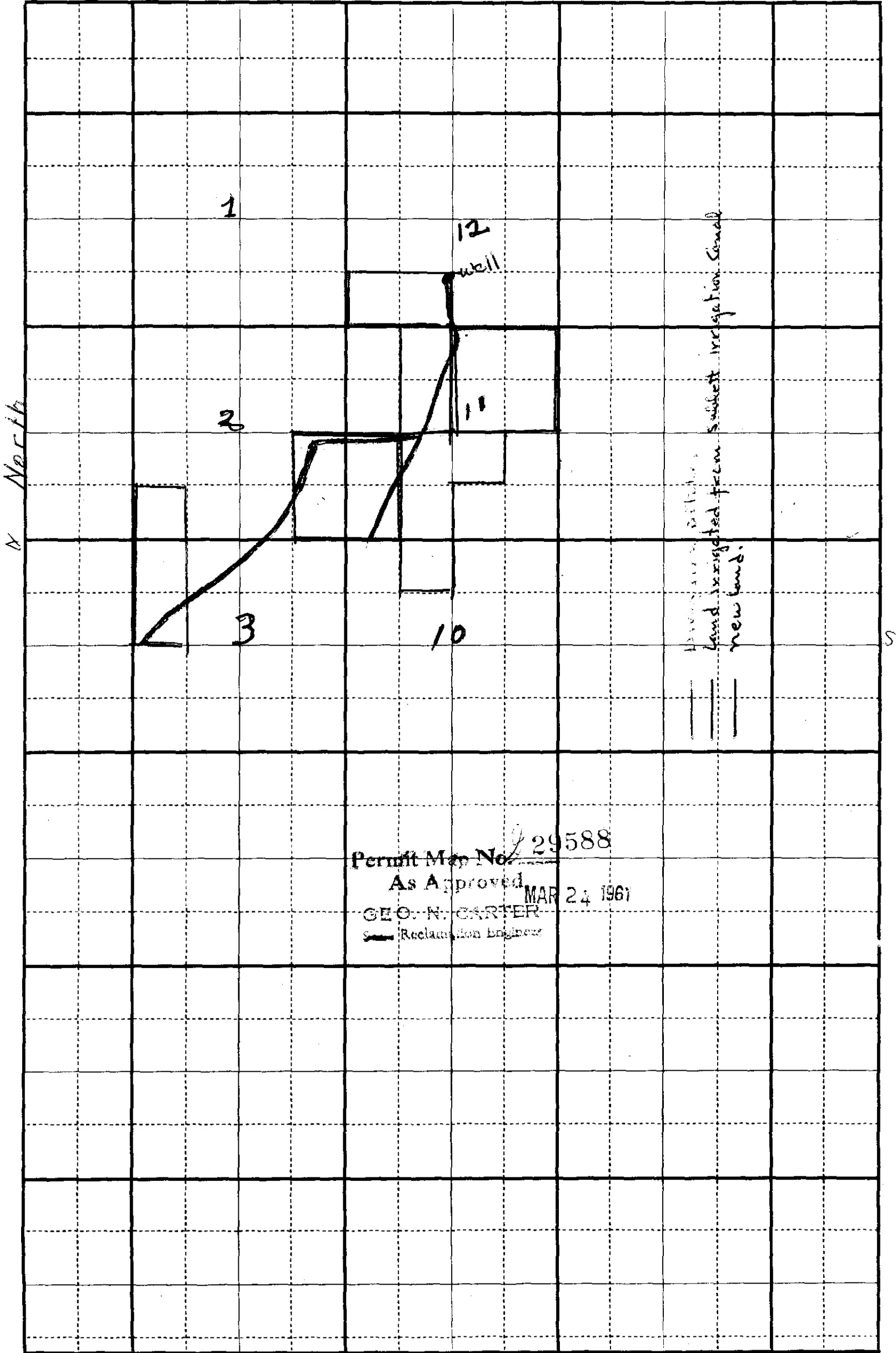
5. The place where said water is used is Township 13 South, Range 28 East, W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 12; S $\frac{1}{2}$ of NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 11; SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8; NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and S $\frac{1}{2}$ of W $\frac{1}{4}$ of Section 2; and N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 3, all in said township and range.

6. The date of priority which said user is prepared to establish is the 23rd day of March, 1961.

CARL E. TAPPAN

State Reclamation Engineer

Published in the Burley Herald-Bulletin February 24, 1966, 28, M 7 10



Permit Map No. 29588
 As Approved MAR 24 1961
 GEO. N. CARTER
 Reclamation Engineer