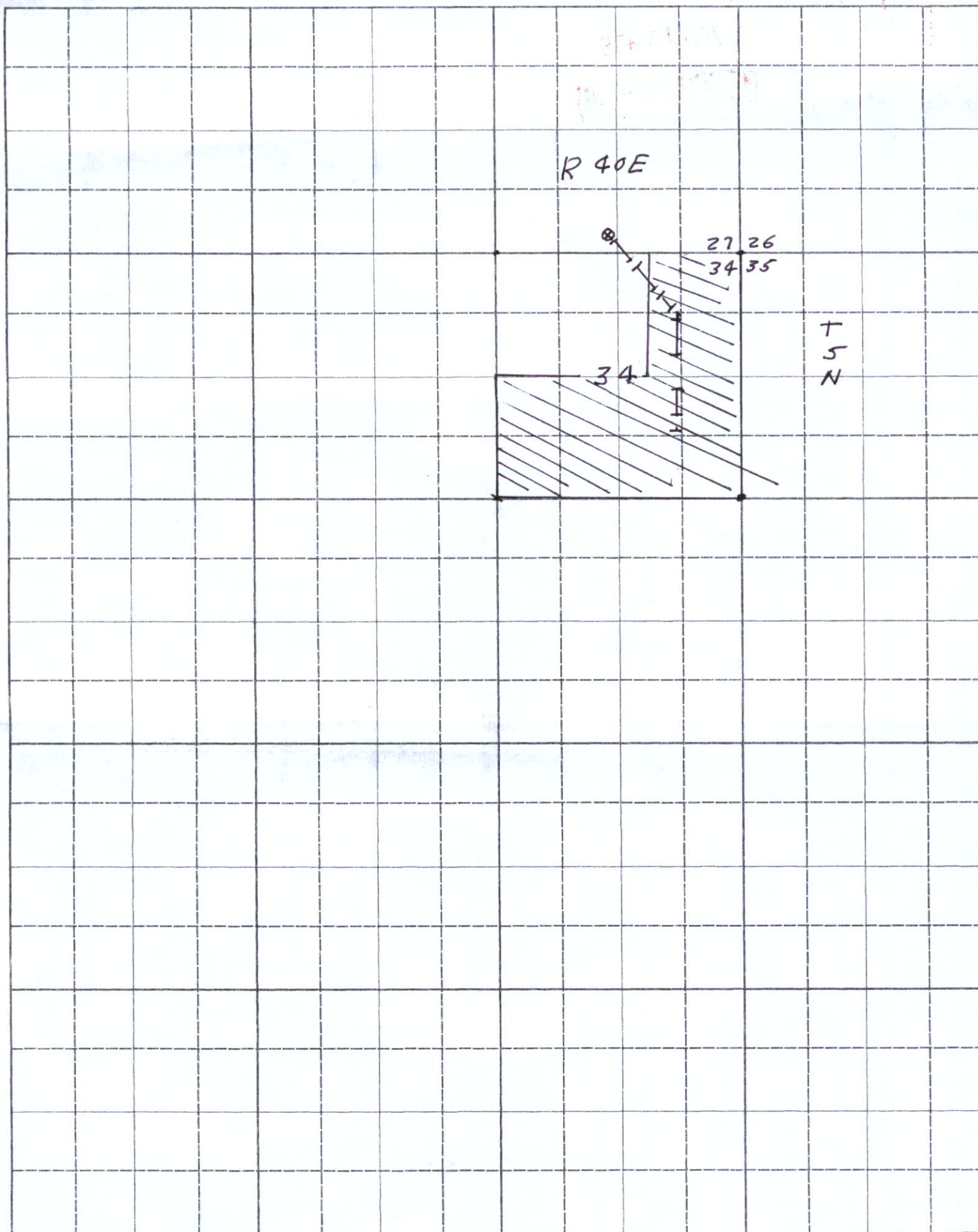


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

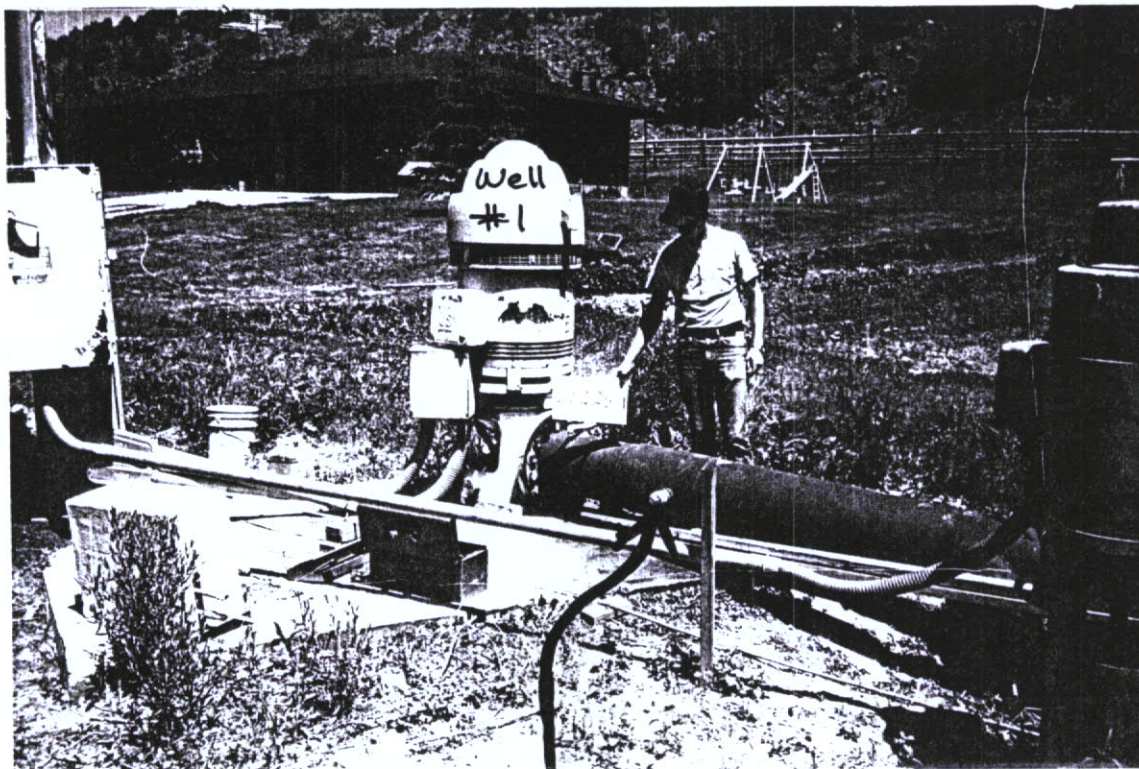
MICROFILMED

SEP 24 1987

Heber J. Dinger

(Applicant)

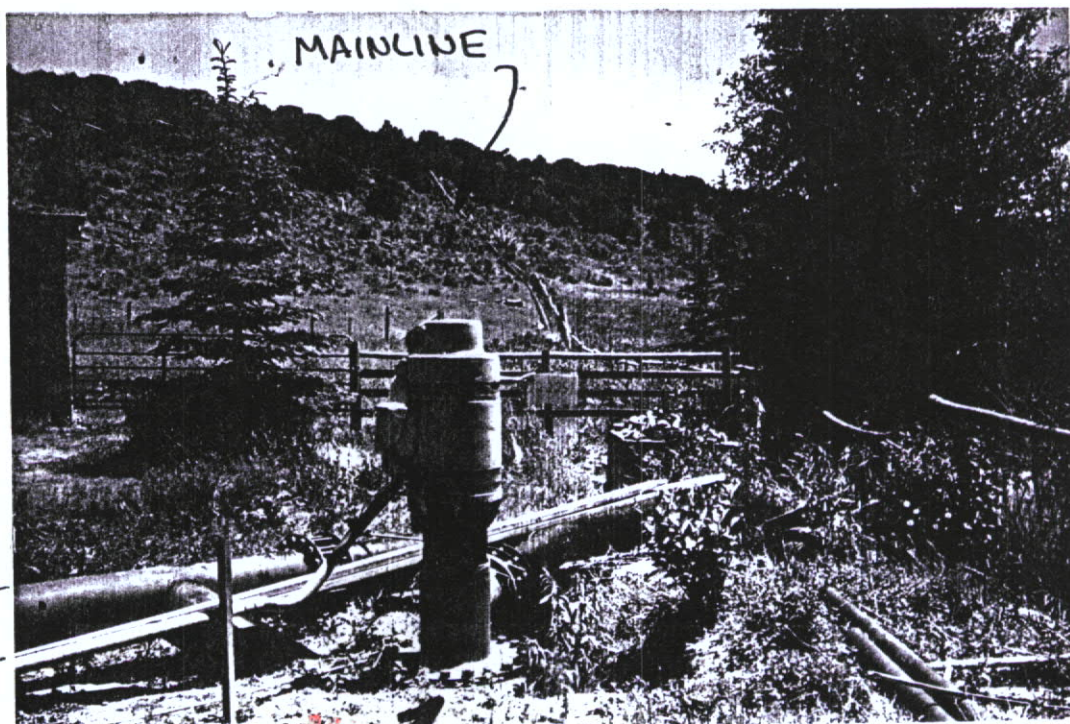
(OWNER)



FLOW MEASUREMENT PORT

WELL #1

Booster



MAINLINE

well #1

Booster

22-2251

JUN 09 1994

SEC 28

T-1390

#874

174.6

10

105.9

3

POINT OF
DIVERSION #1

SEC 33

124.1

26

5

2027
2034

149.5

2

T 5 R 40 E

POINT OF
DIVERSION #2

#910

22-7493

PLACE OF USE
22-7493

191.3

39

34

34

T-1139

ROAD

T-1210

8

38

19

23

37

40

40

40

38

23

8

35

39

40

40

33

30

18.3

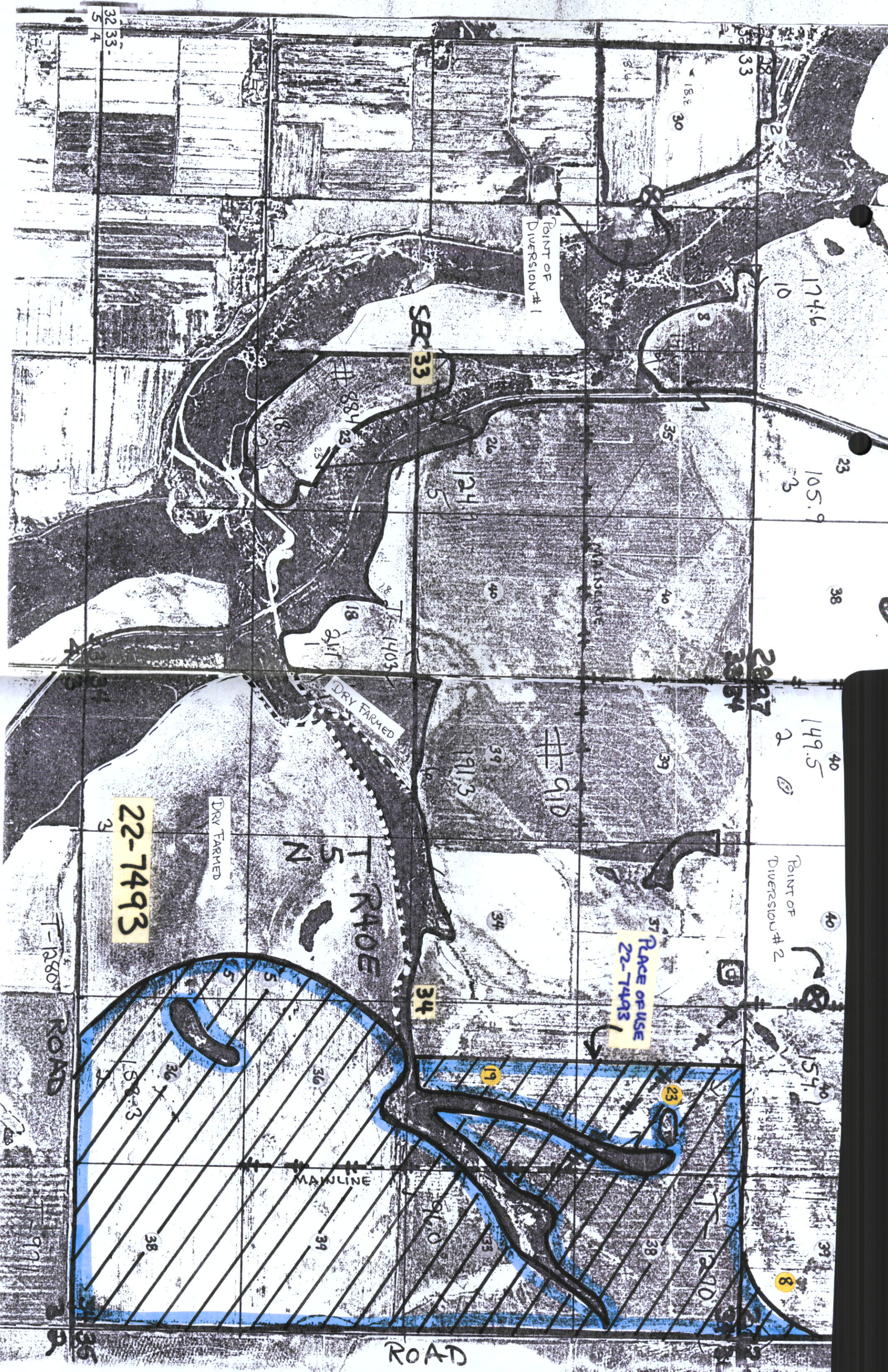
8.4

MAINLINE

MAINLINE

T-1403

R



CANAL

5100

4911

Sutton Cem

POINT OF DIVERSION #1

4950

5075

33

4925

5150

PACIFIC

5200

28 27 33 34

I 5 R40E

PLACE OF USE
22-7493

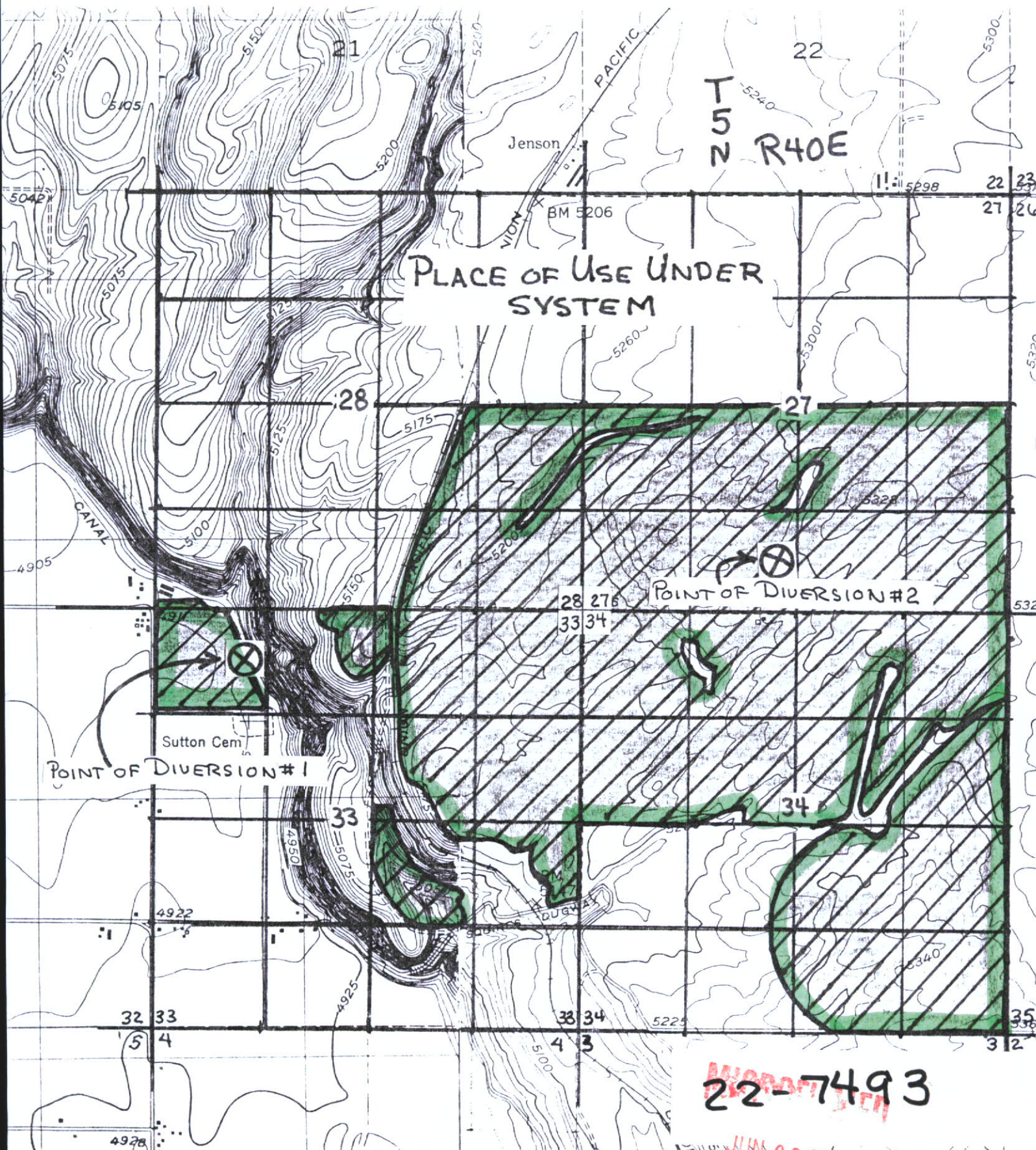
POINT OF DIVERSION #2

5328



22-7493

JUN 09 1994



PLACE OF USE UNDER
SYSTEM

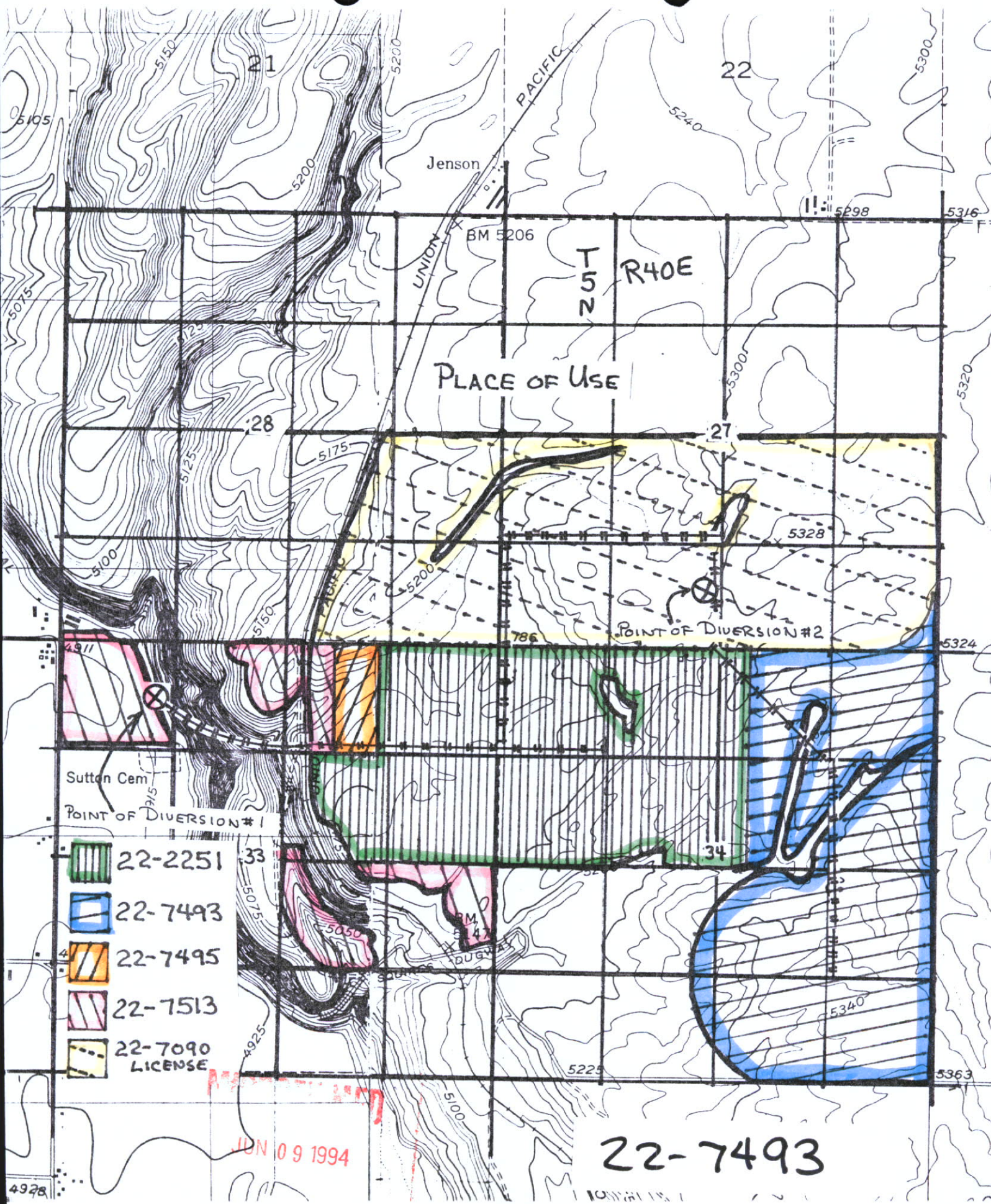
T 5 N
R 40 E

POINT OF DIVERSION #2

POINT OF DIVERSION #1

22-7493

JUL 09 1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
APR 08 1994
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-7493

1. Owner: Zollingers Farm Inc % Leroy Zollinger Phone No. 334-1335

Current Address: 8611 Brynwood Boise Id 83704

2. Accompanied by: Stanley Sutton EXAM. DATE: 7-16-1992

Address: 578 E 7000 S Rexburg Id 83440 Phone No. 356-3562

Relationship to Permit Holder: Renter

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

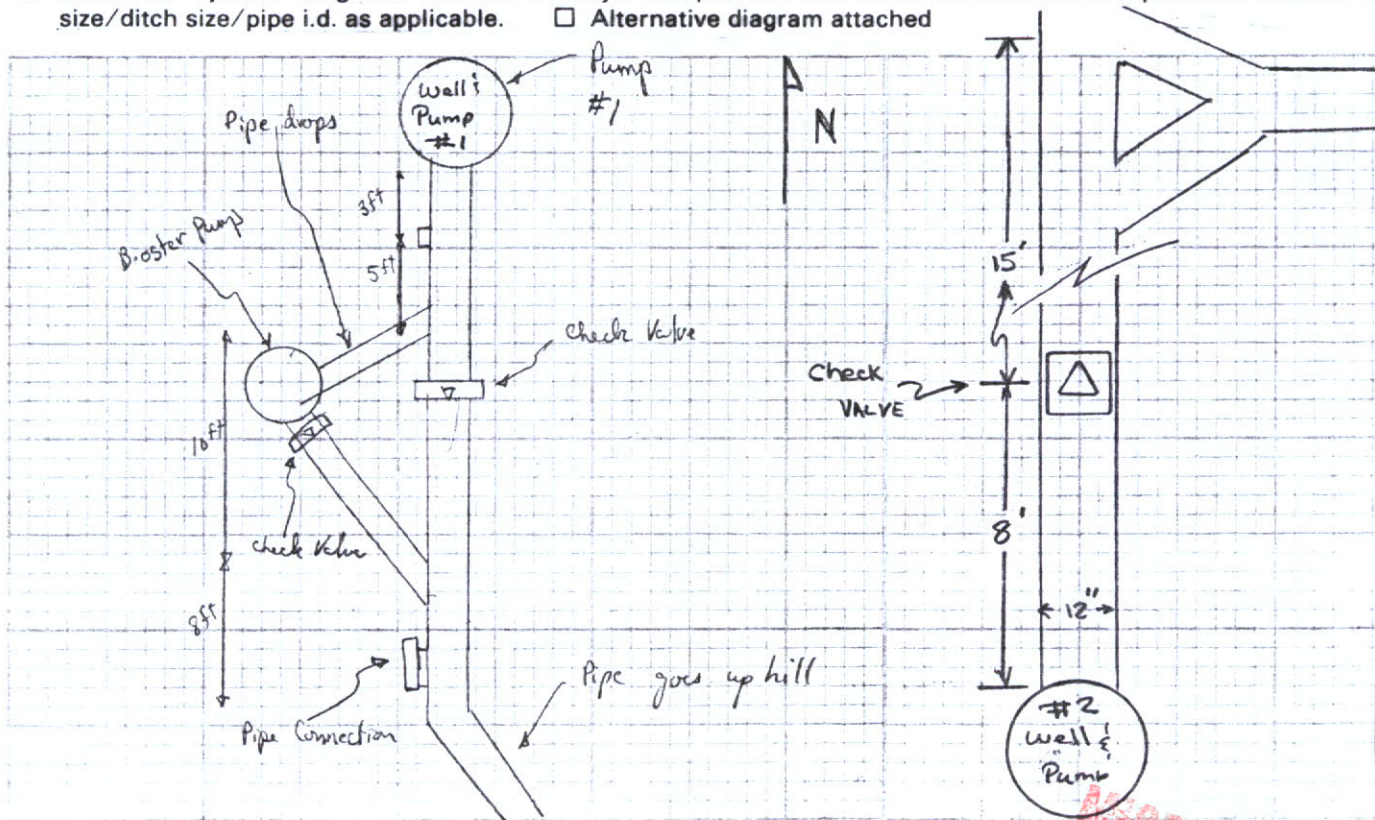
1. Other water rights with same place of use: _____ ☐ Copies Attached

2. Other water rights with same point of diversion: 22-2251/7090/7493/7495/7513

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more)

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JUN 08 1994

THE STANDARD/JOURNAL

REXBURG, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Madison } ss

I, Terry Weatherston,
being first duly sworn, depose and say, that I am
the printer of THE STANDARD/JOURNAL, a bi-
weekly newspaper printed and published bi-
weekly at Rexburg, Madison County, Idaho; and I
do solemnly swear that the

Notice Of Correction

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

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

ing been made on July 16, 1987
and the last publication having been made

on July 23, 1987.

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

Terry Weatherston

~~~~~

Subscribed to and sworn to before me

this July 24, 1987

*Gayle K. Jorda*  
Notary Public.

(SEAL)

My commission expires June 8, 1993

### NOTICE OF CORRECTION

Notice is hereby given that Application  
No. 22-7493 in the name of Zollingers Farm  
Inc., Boise, Idaho, was advertised incorrect-  
ly on June 4 and June 11, 1987. The place  
of use was advertised as being within the

NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 34, T. 5N, R.  
40E. for 440 acres.

Whereas, the actual Place of Use is  
within NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec.  
34, T. 5N, R. 40E. for 440 acres.

Any protests against the granting of this  
transfer as a result of this correction must  
be filed with the Idaho Department of Water  
Resources, 150 Shoup Ave., Suite 15,  
Idaho Falls, Idaho 83402 on or before  
August 3, 1987.

A. KENNETH DUNN  
Director

Publ. July 16 and 23, 1987J

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SEP 24 1987

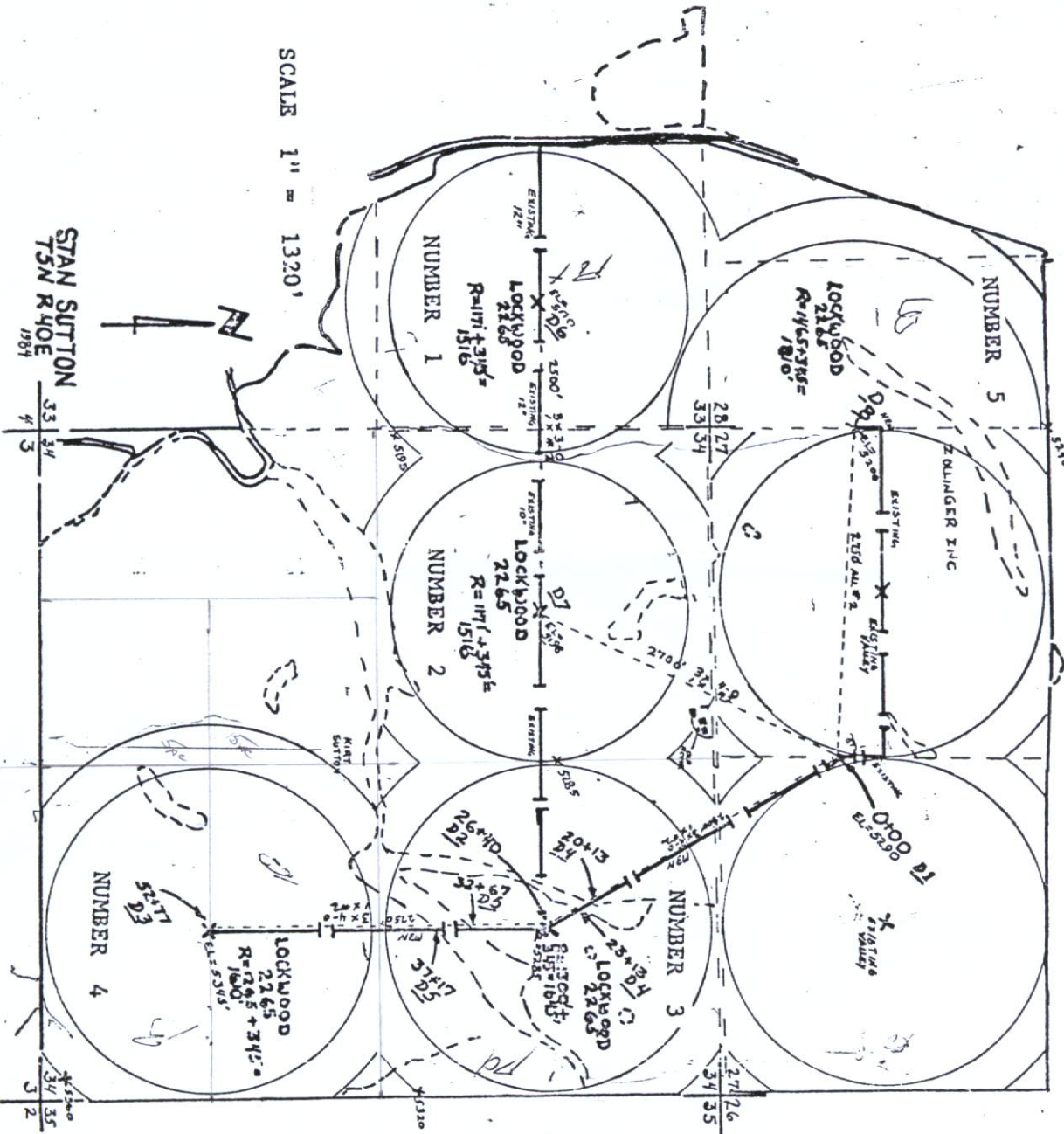
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AUG 4 1987

Department of Water Resources  
Eastern District Office

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OCT 15 1985  
Department of Water Resources  
Eastern District Office

SCALE 1" = 1320'



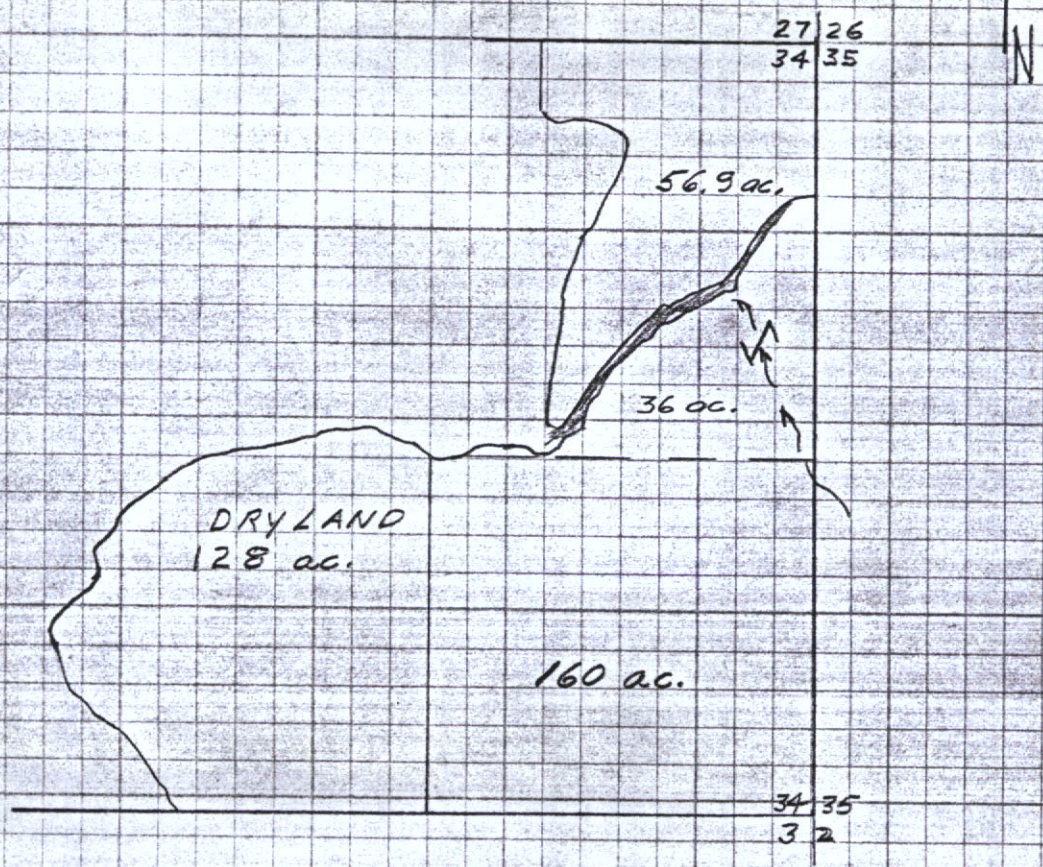
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SEP 24 1987

220

|                                    |                     |                            |      |
|------------------------------------|---------------------|----------------------------|------|
| STATE <u>Id.</u>                   |                     | PROJECT <u>RENT</u>        |      |
| BY <u>H.L. Z</u>                   | DATE <u>9/21/84</u> | CHECKED BY                 | DATE |
| SUBJECT <u>ZOLLINGER FARM INC.</u> |                     | JOB NO.                    |      |
|                                    |                     | SHEET <u>1</u> OF <u>1</u> |      |

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OCT 15 1985  
Department of Water Resources  
Eastern District Office



Total NEW IRRIGATED LAND  
= 252.9 acres.

USE 252 acres

MICROFILMED

SEP 24 1987

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 22-07493

Priority: May 24, 1985

Maximum Diversion Rate:

2.36 CFS

This is to certify, that ZOLLINGERS FARM INC  
8611 BRYNWOOD  
BOISE ID 83704

has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated May 24, 1985; and  
has submitted Proof of Beneficial Use on July 10, 1990. An examination indicates  
that the works have a diversion capacity of 9.110 cfs of water from a GROUNDWATER  
source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/15 to 10/15       | 2.36 CFS                 |                      |

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 27, Township 05N, Range 40E  
NWNW , Sec. 33, Township 05N, Range 40E  
MADISON 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 05N        | 40E        | 27         | SESE 8       | NENE 38      | NWNE 23      | 8            |
|            |            | 34         | SWNE 19      | SENE 33      | NESW 5       |              |
|            |            |            | SESW 5       | NESE 39      | NWSE 36      |              |
|            |            |            | SWSE 36      | SESE 38      |              | 272          |

Total number of acres irrigated: 280

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

JUN 09 1994

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

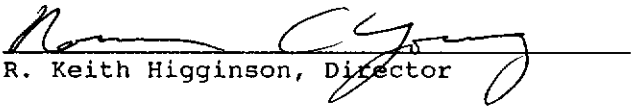
WATER RIGHT NO. 22-07493

CONDITIONS/REMARKS:

6. Use of this right with the rights listed below is limited to a total combined diversion rate of 9.11 cfs, a total combined annual diversion volume of 3324.8 af, and to the irrigation of a combined total of 1081 acres in a single irrigation season.
7. The combined rights include: 22-02251, 22-07495, 22-07513, and 22-07090.
8. The following rights are also diverted through the point(s) of diversion described above: 22-02251, 22-07495, 22-07513, and 22-07090.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 30<sup>th</sup> day of APRIL, 1994.

Acting for

  
R. Keith Higginson, Director

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JUN 09 1994

APPROVED

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 22-07493**

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APR 21 1994

Department of Water Resources

Date of Priority: May 24, 1985 Maximum Diversion Rate: 2.36 CFS  
Comes now ZOLLINGERS FARM INC  
8611 BRYNWOOD  
BOISE ID 83704 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 22-07493, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/15 to 10/15       | 2.36 CFS                 |                      |

LOCATION OF POINT(S) OF DIVERSION: SESW, Sec. 27, Township 05N, Range 40E  
NWNW, Sec. 33, Township 05N, Range 40E  
MADISON 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 05N        | 40E        | 27         | SESE 8       | NENE 38✓     | NWNE✓ 23     | 8            |
|            |            | 34         | SWNE 19✓     | SENE 33✓     | NESW 5✓      |              |
|            |            |            | SESW 5✓      | NESE 39✓     | NWSE 36✓     |              |
|            |            |            | SWSE 36✓     | SESE 38✓     |              | 272          |

Total number of acres irrigated: 280

*This from original cert in  
Sec. 37*

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

Signed at Boise ID, this 20 day of ap, 1994.

*[Signature]*

*[Signature]*  
(Signature)

JUN 09 1994

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 22-07493**

\*\*\*\*\*

**FOR DEPARTMENT USE ONLY**

Preliminary check by PC Fee = 20<sup>00</sup> Receipted by dw # C030124 Date 4/21/94 ✓

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 22-07493 with the following;

**CONDITIONS/REMARKS:**

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Use of this right with the rights listed below is limited to a total combined diversion rate of 9.11 cfs, a total combined annual diversion volume of 3324.8 af, and to the irrigation of a combined total of 1081 acres in a single irrigation season.
7. The combined rights include: 22-02251, 22-07495, 22-07513, and 22-07090.
8. The following rights are also diverted through the point(s) of diversion described above: 22-02251, 22-07495, 22-07513, and 22-07090.

Witness my hand this 30<sup>TH</sup> day of April, 1994.

Acting for R. Keith Higginson, Director

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APR 21 1994

JUN 09 1994

**RECEIVED**  
JUL 10 1990

For Office Use Only  
Amt. of Fee \$ 200.00  
Date 7/10/90  
Receipt No. C 012596  
Received by L. J. Darrin  
8-2-90

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 22-07493 Telephone No. 208-376-8285

Name(s) of Permit Holder(s): ZOLLINGER FARM

Post Office Address: 8611 BRYNWOOD DR Boise Id 83704

Source of Water: GROUND WATER

If ground water, well driller's name: HOPKINS BROS Date drilled: COMPLETED SPRING 1975

Extent of Use:  
Domestic \_\_\_\_\_ (No. of households) Irrigation 280 (No. of acres)  
Stockwater \_\_\_\_\_ (No. and type of stock) Other \_\_\_\_\_

Total rate and/or volume for which proof is submitted 4.38 cfs \_\_\_\_\_ acre/feet

Show date water was first diverted and beneficially used under this permit: 5/1/1975

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☒ Yes \_\_\_ No Installed? \_\_\_ Yes \_\_\_ No

OR OR

Flow Measurement Port: Required? ☒ Yes \_\_\_ No Installed? ☒ Yes \_\_\_ No

Fee Enclosed: \$ 268 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

STAN SCITTON  
Name

208 356-3562  
Telephone No.

ARCHER Id Route 3  
Address

The following acres ARE NOT IRRIGATED  
SEC-34- NW1/4-40- NE1/4-40- SW1/4-40- SE1/4-40

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

**UNFILMED**

AUG 14 1990

7/6/90  
Date

H. LeRoy Zollinger Pres.  
Signature (and title if on behalf of a company or organization)

H. LeRoy ZOLLINGER

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**

NO. 22-07493

Proposed Priority: May 24, 1985

Maximum Diversion Rate:

4.38 CFS

This is to certify, that **ZOLLINGERS FARM INC.**

8611 BRYNWOOD

BOISE, ID 83704

has applied for a permit to appropriate water from: **GROUNDWATER**  
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 10/15

4.38 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESW Sec. 27, Township 05N, Range 40E  
MADISON 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 05N        | 40E        | 34         | NENE 40      | NWNE 20      | SWNE 20      |              |
|            |            |            | SENE 40      | NESW 40      | NWSW 40      |              |
|            |            |            | SWSW 40      | SESW 40      | NESE 40      |              |
|            |            |            | NWSE 40      | SWSE 40      | SESE 40      | 440          |

Total number of acres irrigated: 440

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

**MICROFILMED**

**AUG 21 1989**

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 22-07493

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this

14<sup>th</sup> day of August, 1989.

*for* J. Glen Saxton  
R. Keith Higginson, Director

MICROFILMED

AUG 21 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Zollingers Farm Inc. Phone <sup>(O) 334-1335</sup> (H) 376-8285

Post office address 8611 Brynwood, Boise, Idaho 83704

2. Source of water supply well-ground water which is a tributary of \_\_\_\_\_

3. Location of point of diversion is S.E.  $\frac{1}{4}$  of S.W.  $\frac{1}{4}$  of Section 27 Township 5N

Range 40E B.M. Madison County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 4.38 for irrigation purposes from April 1 to October 15 (both dates inclusive)  
(cfs ~~or acre-feet per annum~~)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 4.38 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump and Motor

Steel pipeline and pivot sprinklers

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

(5 yrs 1984) 3.5  
use is completed years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_

Range \_\_\_\_\_ B.M. \_\_\_\_\_

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be

supplied with domestic water \_\_\_\_\_

(5) If water is to be used for other purposes describe: \_\_\_\_\_

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SEP 24 1987

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

[illegible]

Total number of acres to be irrigated 440

c. Describe any other water rights used for the same purposes as described above.

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

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

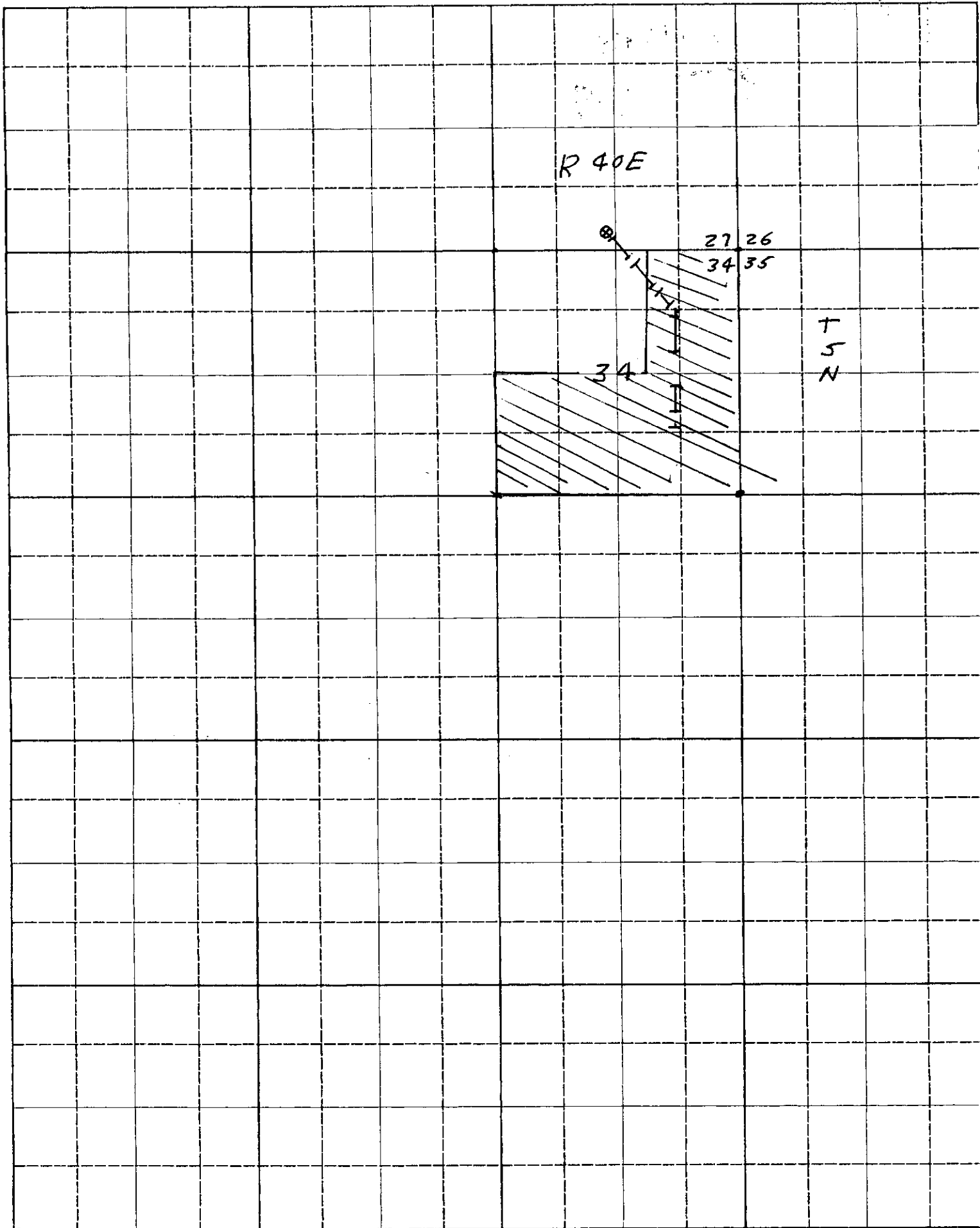
10. Remarks

rk's This does not preclude our rights  
to establish prior priority rights date  
since the well has been in use since  
1978

SECRET

SEP 24 1987

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



Scale: 2 inches equal 1 mile.

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

MICROFILMED

SEP 24 1981

*Walter J. Dwyer*  
Applicant (OWNER)

Received by CW kw Date 5-28-85 5/24/85 Time 11:31  
Preliminary check by Jim GFR Fee \$ 125.00  
Receipted by kw Date 5/24/85 # 36534  
Publication prepared by dlg Date 5-28-87  
Published in Standard Journal  
Publication dates 6/4 + 6/11/87  
Publication approved 8-6-87 Date dlg  
Protests filed by: none  
  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by Emc

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19\_\_\_\_.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

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**SEP 24 1987**

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

WITH RESPECT TO INTERIM APPROVAL OF

APPLICATION FOR PERMIT NO. 22-7493

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7493; and interim approval is granted subject to the following limitations and conditions:

- a. Subject to all prior water rights.
- b. A measuring device or an access port of a design approved by IDWR shall be installed prior to diverting water under the interim approval.
- c. The water user acknowledges that the interim approval does not convey a continuing right to divert water and does not convey any right to divert water except as specifically provided in the interim approval.
- d. The water user assumes all risk that he or she will be successful in obtaining a permit for water which may be reallocated under the Water Appropriation Rules and Regulations. The water user accepts all risk that storage water will be available and obtainable from the rental pool in future years to allow the interim approval procedure to continue, if storage water is required.
- e. Violation of interim approval conditions, provisions of the Idaho Code, or the Water Allocation Rules and Regulations is cause for cancellation of the interim approval and denial of future requests.
- f. By accepting and commencing diversion of water under this interim approval, the water user acknowledges and agrees that the Director of IDWR is authorized to disconnect the power supply from the pump motor used to divert water under the interim approval or to take other reasonable steps to insure that water is not diverted during any period the interim approval is suspended or revoked.
- g. The Director may impose additional conditions not a part of the original interim approval conditions as determined by the Director.
- h. The filing on which the interim approval is given may be reprocessed under the provisions of Section 42-203C, Idaho Code, at the request of the water user or as determined by the Director in compliance with pertinent adopted rules and regulations and statutes.
- i. Investments made by the water user to divert and use water under the interim approval will not be considered by IDWR when reprocessing the filing under the provisions of 42-203C, Idaho Code.
- j. If construction of the well under this permit was not initiated prior to July 1, 1987, commencement of well construction or diversion of water under this permit is prohibited unless a drilling permit is obtained from the Department.

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SEP 24 1987

Page 2

- k. Interim approval of this application does not apply to the lands in the SW1/4 of Section 35, T5N, R40E which were not irrigated prior to July 1, 1985.

Witness my hand this 31<sup>st</sup> day of August, 1987.

A. Glen Saylor  
Chief, Operations Bureau

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SEP 24 1987

RECEIVED

MAY 19 1987

Department of Water Resources  
Eastern District Office

Idaho Department of Water Resources  
Eastern District Office  
150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402

Mr. Ron Carlson:

Would you please commence required processing of my application  
for permit # 22-7493.

I understand the interim approval nature of this permit and agree  
to abide by the interim conditions imposed by the Department of  
Water Resources. I also ask for permanent conversion of this  
permit when interim conditions end.

Thank you for your help in this matter.

Respectfully yours,

*Harvey Zollinger*

MICROFILMED

SEP 24 1987



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

May 2, 1994

ZOLLINGERS FARM INC.  
8611 BRYNWOOD  
BOISE ID 83704

RE: WATER RIGHT NO. 22-07493

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please feel free to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON  
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

JUN 09 1994

**RECEIPT**  
For Monies Paid  
to the  
Idaho Department of Water Resources

Receipt No: C030124

Date: 4/21/1994  
Time: 16:01:11

Received  
From: ZOLLINGER FARM

| Type of Payment     |       | Program A cct | Amount  |
|---------------------|-------|---------------|---------|
| AMENDMENT #22-02251 | 56105 | 229 21 1155   | 20.00   |
| AMENDMENT #22-07493 | 56105 | 229 21 1155   | 20.00   |
| AMENDMENT #22-07495 | 56105 | 229 21 1155   | 20.00   |
|                     |       |               | <hr/>   |
|                     |       |               | \$60.00 |
| CHECK               | 1027  |               |         |

Region: STATE

Signature: DWright

RECEIVED  
JUN 09 1994



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

April 15, 1994

ZOLLINGERS FARM INC  
8611 BRYNWOOD  
BOISE ID 83704

RE: WATER RIGHT NO. 22-07493

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:dc

Enclosure

JUN 09 1994

WR0749NP  
No. L22-07493

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 04/14/94  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                           | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | ZOLLINGERS FARM INC<br>8611 BRYNWOOD<br>BOISE ID 83704<br>(208) 334-1335 | 05/24/1985       | IRRIGATION | 04-15 10-15           | 2.36 CFS          |                     |
| TOTAL DIVERSION: |                                                                          |                  |            |                       | 2.36 CFS          |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 9.11 CFS

Point(s) of Diversion: T05N R40E S27 SESW MADISON County  
S33 NWNW MADISON 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 | : Lt | Ac | Lt | Ac | : SUM |     |       |
| 05N         | 40E | 27 | :    |    |    |    |    |    |    |    | :    |    |    |    |    |    |    |    | :    |    |    |    | :     | 8.0 |       |
| 05N         | 40E | 34 | :    | 38 |    | 23 |    | 19 |    | 33 | :    |    |    | 05 |    |    |    | 05 | :    | 39 |    | 36 | 38    | :   | 272.0 |
| TOTAL ACRES |     |    |      |    |    |    |    |    |    |    |      |    |    |    |    |    |    |    |      |    |    |    | 280.0 |     |       |

Pou County: MADISON

Other Water Rights with Same Point(s) of Diversion and Source:  
22-07090 22-07493 22-07495 22-07513 L22-02251 L22-07495 L22-07513

Other Water Rights Listing Overlapping Place(s) of use:  
22-02251 22-07090 22-07493 L22-02251

Conditions of Approval:

- 048 - The use of water under this right shall not give rise to any  
- claim against the holder of a senior water right based upon the  
- theories of forfeiture, abandonment, adverse possession, waiver,  
- equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right to incorporate  
- the use into a water district, require streamflow augmentation  
- or other action needed to protect prior surface water and  
- groundwater rights.

Remarks: Use of this right with the rights listed below is limited to a total combined diversion rate of 9.11 cfs, a total combined annual diversion volume of 3324.8 af, and to the irrigation of a combined total of 1081 acres in a single irrigation season. The combined rights include: 22-02251, 22-07495, 22-07513, and 22-07090. The following rights are also diverted through the point(s) of diversion described above: 22-02251, 22-07495, 22-07513, and 22-07090.

WR0749NP  
No. L22-07493

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 04/14/94  
PAGE: 2

=====  
Dates: App. Received: 05/24/1985 Priority Date: 05/24/1985  
Proof Due Date: 09/01/1990 Proof Made Date: 07/10/1990  
Exam Made Date: 07/16/1992 Exam Sent to S.O.: 04/01/1994  
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 04/11/94 CHAPMAN

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '\*\*' ARE ADJUDICATION CLAIMS)

| WR-NUMBER           | SOURCE                    | NE            |               |               |               | NW            |               |               |               | SW            |               |               |               | SE            |               |               |               | SUM              |
|---------------------|---------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|------------------|
|                     |                           | Lt            | Ac            | Lt            | Ac            | Lt            | Ac            | Lt            | Ac            | Lt            | Ac            | Lt            | Ac            | Lt            | Ac            | Lt            | Ac            |                  |
| L2207493            | T05N R40E S27 GROUNDWATER |               |               |               |               |               |               |               |               |               |               |               |               |               |               |               |               | 08 : 8           |
| 2202190             | GROUNDWATE :              | 39            | 37            | 40            | 39            | 39            | 39            | 39            | 39            |               |               |               |               |               |               |               |               | : 311            |
| A2202190            | GROUNDWATE :              | 39            | 37            | 40            | 39            | 39            | 39            | 39            | 39            |               |               |               |               |               |               |               |               | : 311            |
| 2202251             | GROUNDWATE :              |               |               |               |               |               |               |               |               | 40            | 40            | 40            | 40            |               |               |               |               | : 160            |
| 2207090             | GROUNDWATE :              |               |               |               |               |               |               |               |               | 35            | 35            | 39            | 40            | 40            | 40            | 40            | 31            | : 300            |
| A2207090            | GROUNDWATE :              |               |               |               |               |               |               |               |               | 35            | 35            | 39            | 40            | 40            | 40            | 40            | 31            | : 300            |
| 2207408             | GROUNDWATE :              | 39            | 37            | 40            | 39            | 39            | 39            | 39            | 39            |               |               |               |               |               |               |               |               | : 311            |
| L2207493            | T05N R40E S34 GROUNDWATER |               |               |               |               |               |               |               |               |               |               |               |               |               |               |               |               |                  |
|                     | :                         | 38            | 23            | 19            | 33            |               |               |               |               | 05            |               |               |               | 05            | 39            | 36            | 36            | 38 : 272         |
|                     | :                         |               |               |               |               |               |               |               |               |               |               |               |               |               |               |               |               | :                |
| <del>2202251</del>  | <del>GROUNDWATE :</del>   | <del>40</del> | <del>40</del> | <del>40</del> | <del>:</del>  | <del>40</del> | <del>40</del> | <del>40</del> | <del>40</del> | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>: 280</del> |
| <del>A2202251</del> | <del>GROUNDWATE :</del>   | <del>20</del> | <del>20</del> | <del>:</del>  | <del>:</del>  | <del>40</del> | <del>40</del> | <del>40</del> | <del>40</del> | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>: 200</del> |
| <del>L2202251</del> | <del>GROUNDWATE :</del>   | <del>:</del>  | <del>12</del> | <del>12</del> | <del>:</del>  | <del>37</del> | <del>39</del> | <del>39</del> | <del>34</del> | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>: 173</del> |
| <del>2207493</del>  | <del>GROUNDWATE :</del>   | <del>40</del> | <del>20</del> | <del>20</del> | <del>40</del> | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>40</del> | <del>40</del> | <del>40</del> | <del>40</del> | <del>40</del> | <del>40</del> | <del>40</del> | <del>40</del> | <del>: 440</del> |
| <del>A2211435</del> | <del>GROUNDWATE :</del>   | <del>40</del> | <del>20</del> | <del>20</del> | <del>40</del> | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>:</del>  | <del>40</del> | <del>40</del> | <del>40</del> | <del>40</del> | <del>: 280</del> |

POU COMPARISON

# LICENSE REVIEW CHECKLIST

PERMIT NO. 22-7493 DATE 4-11-94



|               |                                     |                                                                                                                                                                                                                                                                                                                     |
|---------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NAME          | Yes <input type="checkbox"/>        | No <input checked="" type="checkbox"/> Or Address Change?                                                                                                                                                                                                                                                           |
| PRIORITY DATE | <input type="checkbox"/>            | Advance? <input checked="" type="checkbox"/> Advanced to: _____<br>Order to reinstate needed? _____<br>Incorrect fee for rate recommended? <u>NO</u>                                                                                                                                                                |
| SOURCE        | <input type="checkbox"/>            | Changes or just clarification of originally intended source? _____<br>Notice of Intent to Void necessary? _____                                                                                                                                                                                                     |
| POINT OF DIV  | <input checked="" type="checkbox"/> | Amendment needed? <u>Add NWNW Sec 33</u><br>Overlaps? <u>22-2251, 22-7493, + 22-7513, 22-709.</u><br>TOTAL SYSTEM = 1081000g/NEW ACRES IN                                                                                                                                                                           |
| PLACE OF USE  | <input checked="" type="checkbox"/> | Amendment needed? <u>TOTAL SYSTEM = 675 ACRES</u><br>Overlaps? <u>22-2251 same 1/4 - different acres</u>                                                                                                                                                                                                            |
| DIV RATE      | <input type="checkbox"/>            | Measurement done? <input checked="" type="checkbox"/> Theoretical only? <input type="checkbox"/><br><u>280 X .02 = 5.6 NEW RATE (.0084273) X 280 = 2.36 CFS</u><br><u>Q#1 = 4.73 Q#2 = 4.38</u><br>Capacity: <u>9.11</u> Combined rates exceed capacity <u>YES</u> -<br>Allowable amount: <u>2.36 CFS</u> CONDITION |
| ANNUAL VOLUME | <input type="checkbox"/>            | Season of use: <u>B/3.5 (4-15 to 10-15)</u><br>Calculations: <u>(1081 X 3.5 = 3783.5)</u><br><u>280 X 3.5 = 980 afa</u><br>Flow limit: <u>9.11</u> cfs x <u>184</u> x <u>1.9835</u> = <u>3324.8</u><br>Combined volumes exceed capacity/allowable <u>YES</u> -<br>CONDITION                                         |
| USES          | <input type="checkbox"/>            | Change(s) in Nature of Use? _____<br>Amendment necessary? _____                                                                                                                                                                                                                                                     |
| REMARKS       | <input checked="" type="checkbox"/> | Multiple p/d(s) in 1/4 1/4? _____<br>Other <u>W28 W29 RATE = 9.11 VOLUME = 3324.8 (all rate will produce)</u>                                                                                                                                                                                                       |
| CONDITIONS    | <input checked="" type="checkbox"/> | Measuring/Locking Devices _____<br>Watermaster control - District _____<br>Irrigation Overlap _____<br>Water Quality _____<br>Other <u>NON-TRUST</u>                                                                                                                                                                |

COMMENTS: Reduce acres and rate. If don't respond to amendment -  
delet. 2nd P/D & adjust acres accordingly  
Add P/D/amend P/U

|                   |             |                     |                                     |
|-------------------|-------------|---------------------|-------------------------------------|
| RECOMMENDED       | CFS         | VOLUME              | LICENSE                             |
| <u>Irrigation</u> | <u>2.36</u> | <u>DON'T LIST -</u> |                                     |
|                   |             | <u>CONDITION</u>    | 1ST AMENDMENT LETTER <u>P37+P38</u> |
|                   |             |                     | FINAL AMENDMENT LETTER <u>P47</u>   |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet  
for  
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with Conditions of Approval
- ☒ Well Inspection Form (If Needed)
- ☒ Aerial Photo Required? ☐ yes ☐ no If yes: ☐ copy attached
- ☒ SRBA Attachment A Submitted to Adjudication Section
- ☒ SRBA Claim Check Received \_\_\_\_\_ (initial & date)  
☐ N/A ☐ Applicable, See Attachment A \_\_\_\_\_
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of government plat
- ☒ Check of P/D index Kaw 7-16-92 (initial & date)
- ☒ Overlap ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?
- ☒ Type of Overlap? ☐ Add acres or uses to existing system  
☐ Increase rate of flow or volume  
☐ Other: \_\_\_\_\_
- ☒ Check of P/U index Kaw 7-16-92 (initial & date)
- ☒ Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
- ☒ Type of Overlap? ☐ Increase rate of flow or volume  
☐ Add P/D's  
☐ Increase number of acres within tracts  
☐ Other: \_\_\_\_\_
- ☒ Scheduling Letter Sent? \_\_\_\_\_ (initial & date)
- ☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully Completed and Signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Copy of SRBA Claim Verification Sheet / ☐ Original Returned to Adjudication Section

C. Review and Processing:

- Exam Completed Kaw 7-16-92 (signature of examiner & date)
- Exam Reviewed by Senior Water Resource Agent [Signature] 7-23-94 (initial & date)
- Exam Reviewed by Manager of Regional Office \_\_\_\_\_ (initial & date)
- Exam Sent to State Office \_\_\_\_\_ (initial & date)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
APR 08 1994  
Department of Water Resources

**A. GENERAL INFORMATION**

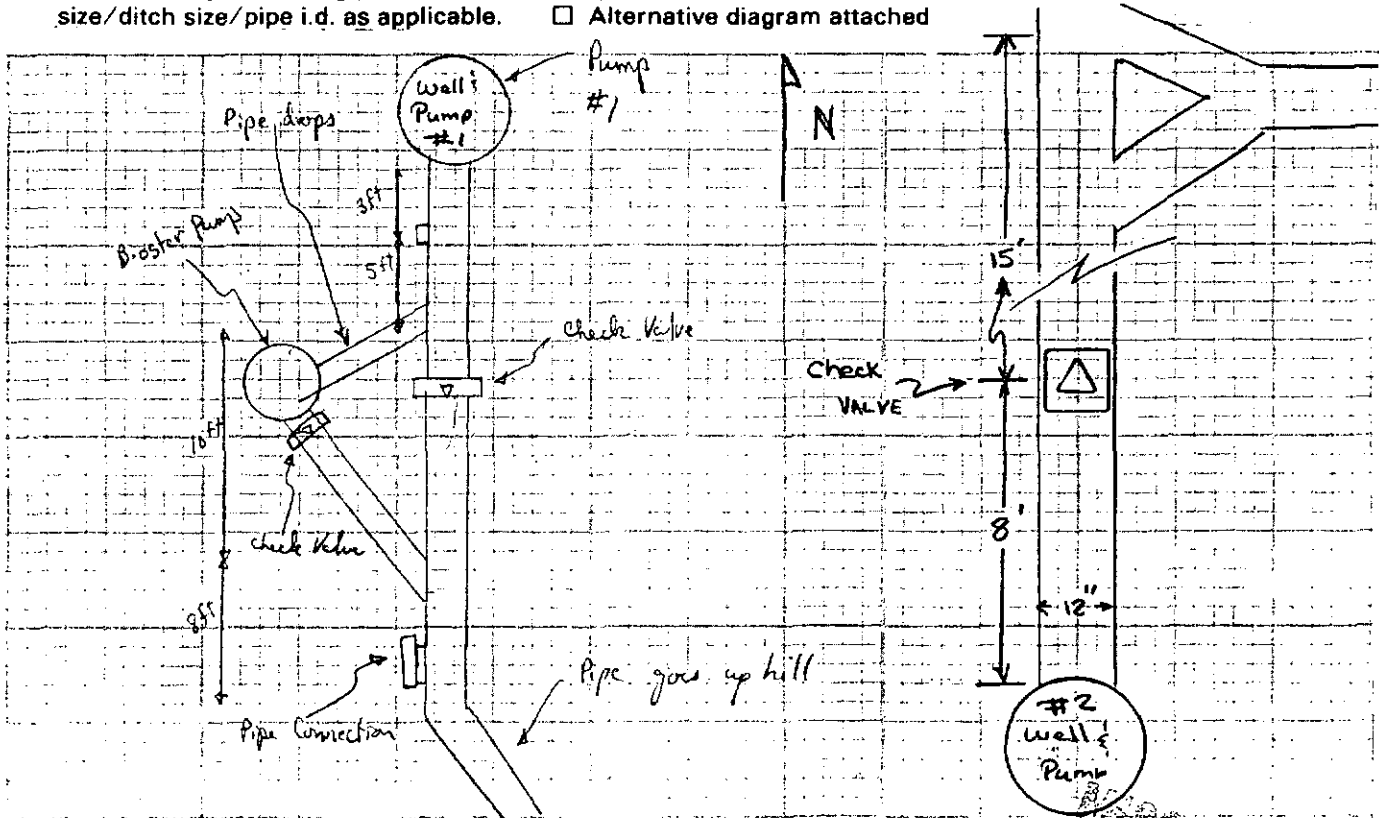
Permit No. 22-7493  
1. Owner: Zollingers Farm Inc % Leroy Zollinger Phone No. 334-1335  
Current Address: 8611 Brynwood Boise Id 83704  
2. Accompanied by: Stanley Sutton EXAM. DATE: 7-16-1992  
Address: 578 E 7000 S Rexburg Id 83440 Phone No. 356-3562  
Relationship to Permit Holder: Renter  
3. Source: GROUNDWATER tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: \_\_\_\_\_ ☐ Copies Attached
2. Other water rights with same point of diversion: 22-2251/7090/7493/7495/7513  
\_\_\_\_\_ ☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = \_\_\_\_\_

2. ☒ Copy of U.S.G.S. Quadrangle Attached  
Showing location(s) of point(s) of diversion and  
place(s) of use (required).  
☐ Photo of Diversion and System Attached  
(required for all but single household domestic groundwater, and stockwater.)  
☒ Aerial Photo Attached  
(required for irrigation of 10 acres or more)

JUN 20 1994

**System Description (continued)**

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Two wells, pumps mainline to 7 center pivots, and lateral with sprinklers. Corners of circles are done with corner catcher from the pivots and lateral with sprinkler portable mainline from the mainline delivers water to NW $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$  & SW $\frac{1}{4}$  SE $\frac{1}{4}$  (1/2 ac) Sec 33, T5N, R40E.

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make              | Hp  | Motor Serial No. | Pump Make      | Pump Serial No. or Discharge Size |
|---------------------------------------|-------------------------|-----|------------------|----------------|-----------------------------------|
| #1                                    | US Motors<br>Holloshaft | 300 | HC1029564        | Peerless       | 219596                            |
| #1 Boster                             | GE                      | 100 | DFJ408134        | Johnston       | GC-1410                           |
| #2 Well                               | GE                      | 600 | MMJ1222020       | Layne & Bowler | 12"                               |
|                                       |                         |     |                  |                |                                   |

\*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County  | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|------|------|------|---------|---------------------------------|
| #1         |            |     | NW  | NW  | 33   | 5N   | 40E  | Madison | Map / on site inspection        |
| #2         |            |     | SE  | SW  | 27   | 5N   | 40E  | Madison | " "                             |
|            |            |     |     |     |      |      |      |         |                                 |
|            |            |     |     |     |      |      |      |         |                                 |

6. Place(s) of Use:

Indicate Method of Determination ON SITE INSPECTION

| Twp.                                                                         | Rge. | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|------------------------------------------------------------------------------|------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|                                                                              |      |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 5N                                                                           | 40E  | 27   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 8                | 8      |
|                                                                              |      | 34   | 38               | 23               | 19               | 33               |                  |                  |                  |                  | 5                |                  |                  | 5                | 39               | 36               | 36               | 38               | 272    |
|                                                                              |      |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 280    |
| SEE ATTACHED LAND LIST ATTACHMENT FOR COMPLETE SYSTEM PLACE OF USE LAND LIST |      |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Do not use this space

JUN 09 1994

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type      | Make      | Model No.   | Serial No. | Size  | Calib. Date |
|-----------------------|-----------|-----------|-------------|------------|-------|-------------|
| Flow Meter Station    | Annubar   | Dieterich | 7517-316-SS | 191166     | 13.25 |             |
| Flow indicator        | Monometer | IDWR      |             |            | 60"   |             |
| Pressure gage         |           | Rainbird  |             |            | 0-160 |             |
|                       |           |           |             |            |       |             |

2. Measurements:

System #1 Use Measurements Permit # 22-7090 (7-1-1981) Pump # 2  $Q = 4.38$  cfs  
 PSI = 145 psi 22-2251 (6-15-1989) Pump # 1  $Q = 4.73$  cfs  
 Manometer =  $28.6 - 20.4 = 8.2$ "  
 $Q_{TOTAL} = 9.11$  cfs  
 System # 2 Field Exam  $Q = 4.38$  cfs

#### E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$$Q_T = 9.11 \text{ cfs} \quad Q_{22-7493} = 2.36 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

#### F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)  
 Total Head: (1) + (2) = \_\_\_\_\_ (3) : Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)  
 Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)  
 Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)  
 Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x .001732 = \_\_\_\_\_ (6)  
 Panel Input HP: (6) x 1.34 = \_\_\_\_\_ (7) Efficiency: (5)/(7) x 100 = \_\_\_\_\_ %

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (280 \text{ ac}) 3.5 \text{ afc} = 980 \text{ afc}$   
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.36 \text{ cfs} (183 \text{ d}) 1.9835 = 856.6 \text{ afc}$   
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 856.6 \text{ afc}$

2. Volume Calculations for Other Uses:

JUN 09 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

SEE ATTACHED "POINT OF DIVERSION OVERLAP REVIEW"

This right may change if the priority of 22-2251 is changed

I. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use |      | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|------|------------------------------|--------------------------|
|                | From          | To   |                              |                          |
| IRRIGATION     | 4/1           | 11/1 | 2.36cfs                      | 856.6                    |
|                |               |      |                              |                          |
|                |               |      |                              |                          |
|                |               |      |                              |                          |
| Totals:        |               |      | 2.36cfs                      | 856.6                    |

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name

KEITH C. WILSON

Signature

Keith C. Wilson

Certification Date

Field Report Preparation Date

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED  
JUN 09 1994

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Perry J. Nantz

Date 6-15-89

Owner: \_\_\_\_\_

Permit No. 22-2251

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Item E, pump #1 NWNW, Sec 33, T5N, R40E

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = \_\_\_\_\_

T = Pipe Thickness in Inches = \_\_\_\_\_

ID =  $2 [ (0.1592 \times \text{CIR}) - T ] = \dots\dots\dots 13.625''$

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 13.25''

State ID No. 191166

Select C based on size from Table below.

| Nominal Pipe Size | C    |
|-------------------|------|
| 4"                | 4.23 |
| 6"                | 3.75 |
| 8"                | 3.87 |
| 10"               | 3.94 |
| 12"               | 3.99 |
| 14"- 16"          | 4.01 |
| 18"- 24"          | 4.02 |
| 30" or larger     | 4.03 |

C selected 3.99

DIFFERENTIAL PRESSURE READING IN INCHES OF H<sub>2</sub>O (H)

High Reading = 28.6''

Low Reading = 20.4''

High - Low = H = 8.2''

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(13.625)^2 \cdot (\sqrt{8.2}) \cdot (3.99)}{448.8} = 4.726 \text{ cfs} \approx 4.73 \text{ cfs}$$

SKETCH (If not shown on Field Report)

ALSO FOR:

22-07493

22-07495

22-07090

22-07513

BC

JUN 09 1989

22-7493

PERMIT NUMBER

## ALTERNATE COMPUTATION SHEET:

WELL LOGS: WELL #1 (Static level = 52 ft) drilled 1970  
 WELL #2 (Static lever = 451 ft) drilled 1975

ELEVATIONS DIFFERENCE BETWEEN WELL #1 & #2 = 375 ft.  
 ELEVATION OF WELL #2 - ELEVATION OF WELL #1 =  
 (5300 ft - 4925 ft) = 375 ft

## ASSUMPTIONS:

1. Wells #1 & #2, are in the same aquifer
2. The static water level of the wells 1 & 2 differs only by the elevation difference.
3. The current static water level will be determined by the well drilled last (i.e. well #2).
4. The efficiency of both wells is 70%
5. Dynamic pumping level well #1 will be an additional 65 ft. or 141 ft total dynamic pumping level.
6. Well #1 psi = 165 psi
7. Well #2 (600 hp) will have a proportional change in the dynamic pumping level as well #1 (400 hp).

STATIC WATER LEVEL: (Assumptions #1 - #3)

WELL #2 = 451 ft.

WELL #1 = STATIC LEVEL WELL #2 - ELEVATION DIFFERENCE =  
 = (451 ft - 375 ft) = 76 ft

FLOW CALCULATIONS: (Assumptions #4 - #7)

WELL #1 (hp = 300 motor + 100 booster = 400 hp)  
 pumping depth = 65 ft + 76 ft = 141 ft

$$Q = \frac{(HP)(8.814)(EFF)}{(LIFT) + (2.308 \times PSI)} = \frac{(400)(8.814)(0.70)}{(141) + (2.308 \times 165 \text{ psi})} = \underline{4.73 \text{ cfs}}$$

WELL #2 (Note: If 400 hp well has a 141 ft pumping depth a 600 hp well would have 661 ft pumping depth.)  
 (141 ft/400 hp = X ft/600 hp, X = 211.5 ft. = 210 ft)  
 210 ft + static level (451 ft) = 661 ft)

$$Q = \frac{(HP)(8.814)(EFF)}{(LIFT) + (2.308 \times PSI)} = \frac{(600)(8.814)(0.70)}{(661) + (2.308 \times 80 \text{ psi})} = \underline{4.38 \text{ cfs}}$$

TOTAL DIVERSION RATE = Q1 + Q2 = 4.73 cfs + 4.38 cfs = 9.11 cfs

RECEIVED  
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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
POINT OF DIVERSION OVERLAP REVIEW

22-7493  
Permit Number

1. Analysis of Entire System, Current Application Rate per Acre (Qc):  
Limit to 0.02 cfs/ac, Permitted Amount, or System Capacity, Whichever is Less.

A. Total Diversion Rate (Qt) =  

$$\frac{4.38 \text{ cfs}(22-7090) + 4.73 \text{ cfs}(22-2251/7493/7495/7513)}{Qt = 9.11 \text{ cfs}}$$

B. Total Number of Acres irrigated = 1081 acres

Qc = Total Diversion rate [1.A]/Total irrigated acres [1.B]  

$$= \frac{9.11 \text{ cfs}}{1081 \text{ acres}} = 0.0084273 \text{ cfs/ac}$$

2. Old Application Rate per Acre (Qo) from Licensed Flow Rates:

License # 22-07090 @ 4.38 cfs / 406 ac = 0.0107881 cfs/ac  
 Qc = 0.0107881 cfs/ac

3. Comparison of Application Rates:

Old Application Rate(Qo) > New Application Rate(Qc)  

$$Qo(\#2) = 0.0107881 \text{ cfs/ac} > Qc(\#1) = 0.0084273 : \text{EXCLUDE Licensed Lands.}$$

4. Calculate Flow Rate to be licensed excluding licensed land.

|                                                                                                          |                                                                                                                |
|----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| Total Acres(#1.B) - Lic. Acres(#2) = New Acres<br>( <u>1081 ac</u> ) - ( <u>406 ac</u> ) = <u>675 ac</u> | 22-02251 = 280 acres<br>22-07493 = 280 acres<br>22-07495 = 20 acres<br>22-07513 = 95 acres<br><u>675 acres</u> |
|----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|

Qt for 22-2251 = Qc(#1) x (# New Acres 22-2251) = 0.0084273 cfs/ac x 280 ac

Qt 22-2251 = 2.359 cfs = 2.36 cfs

Qt for 22-7493 = Qc(#1) x (# New Acres 22-7495) = 0.0084273 cfs/ac x 280 ac

Qt 22-7493 = 2.359 cfs = 2.36 cfs

Qt for 22-7495 = Qc(#1) x (# New Acres 22-7495) = 0.0084273 cfs/ac x 20 ac

Qt 22-7495 = 0.1685 cfs = 0.17 cfs

Qt for 22-7513 = Qc(#1) x (# New Acres 22-7513) = 0.0084273 cfs/ac x 95 ac

Qt 22-7513 = 0.8006 cfs = 0.80 cfs

CONDITIONS/REMARKS:

THIS RIGHT IN COMBINATION WITH 22-7090, 22-2251, 22-7495,  
 & 22-7513, SHALL NOT EXCEED 9.11 cfs

JUN 09 1994

# LAND LIST ATTACHMENT

Description and location of place of use:

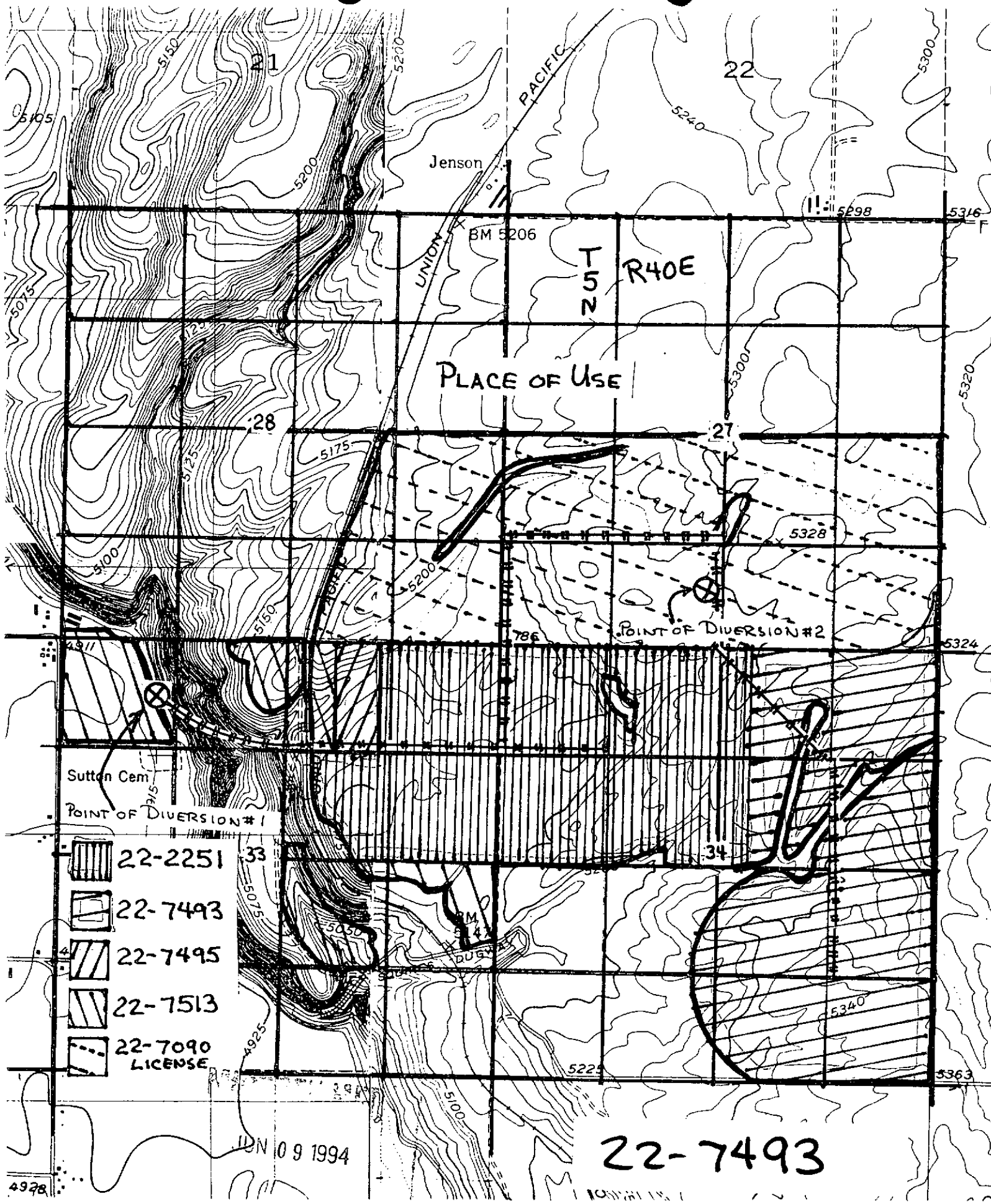
| TWP.      | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS    |
|-----------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-----------|
|           |       |      | 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 |           |
| <22-2251> |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | <22-2251> |
| 5N        | 40E   | 33   | 40     | 3      | 24     | 40     |        |        |        |        |        |        |        |        |        |        |        |        | 107       |
|           |       | 34   |        | 12     | 12     |        | 37     | 39     | 39     | 34     |        |        |        |        |        |        |        |        | 173       |
|           |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 280 ac    |
| <22-7493> |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | <22-7493> |
| 5N        | 40E   | 27   |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 8      |        | 8         |
|           |       | 34   | 38     | 23     | 19     | 33     |        |        |        | 5      |        | 5      | 39     | 36     | 36     | 38     |        |        | 272       |
|           |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 280 ac    |
| <22-7495> |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | <22-7495> |
| 5N        | 40E   | 33   | 20     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 20        |
|           |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 20 ac     |
| <22-7513> |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | <22-7513> |
| 5N        | 40E   | 28   |        |        |        |        |        |        |        | 2      |        |        |        |        |        |        |        |        | 2         |
|           |       | 33   | 12     | 2      |        | 8      | 30     |        |        |        |        |        | 18     | 23     |        |        |        |        | 93        |
|           |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 95 ac     |

New Acres - Does  
not include  
license 22-7090.  
BC

Total number of acres irrigated 675 acres

22-7493

09 1994

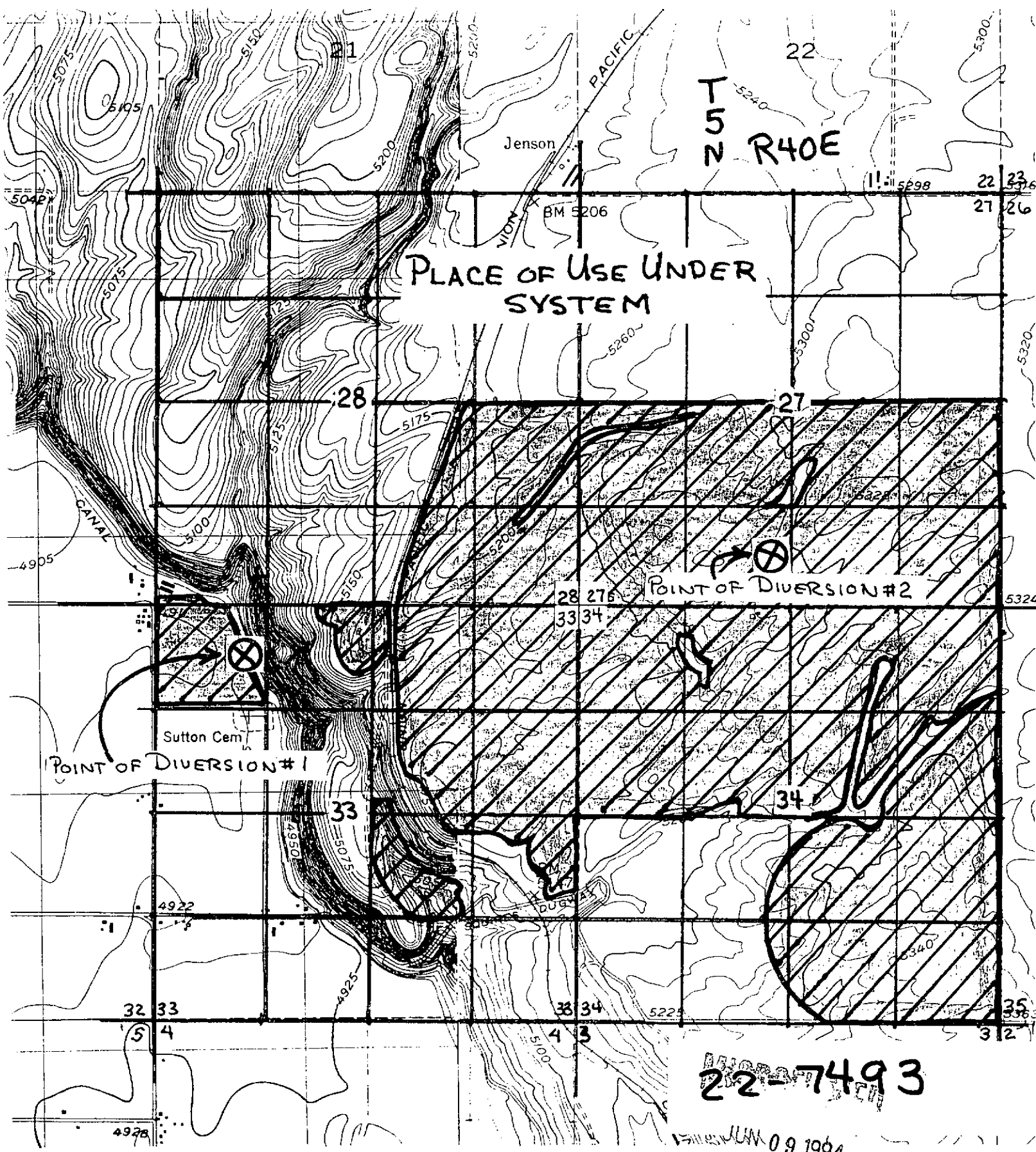


Sutton Cem  
POINT OF DIVERSION #1

- 22-2251
- 22-7493
- 22-7495
- 22-7513
- 22-7090  
LICENSE

JUN 09 1994

22-7493



T 5 N R 40 E

PLACE OF USE UNDER SYSTEM

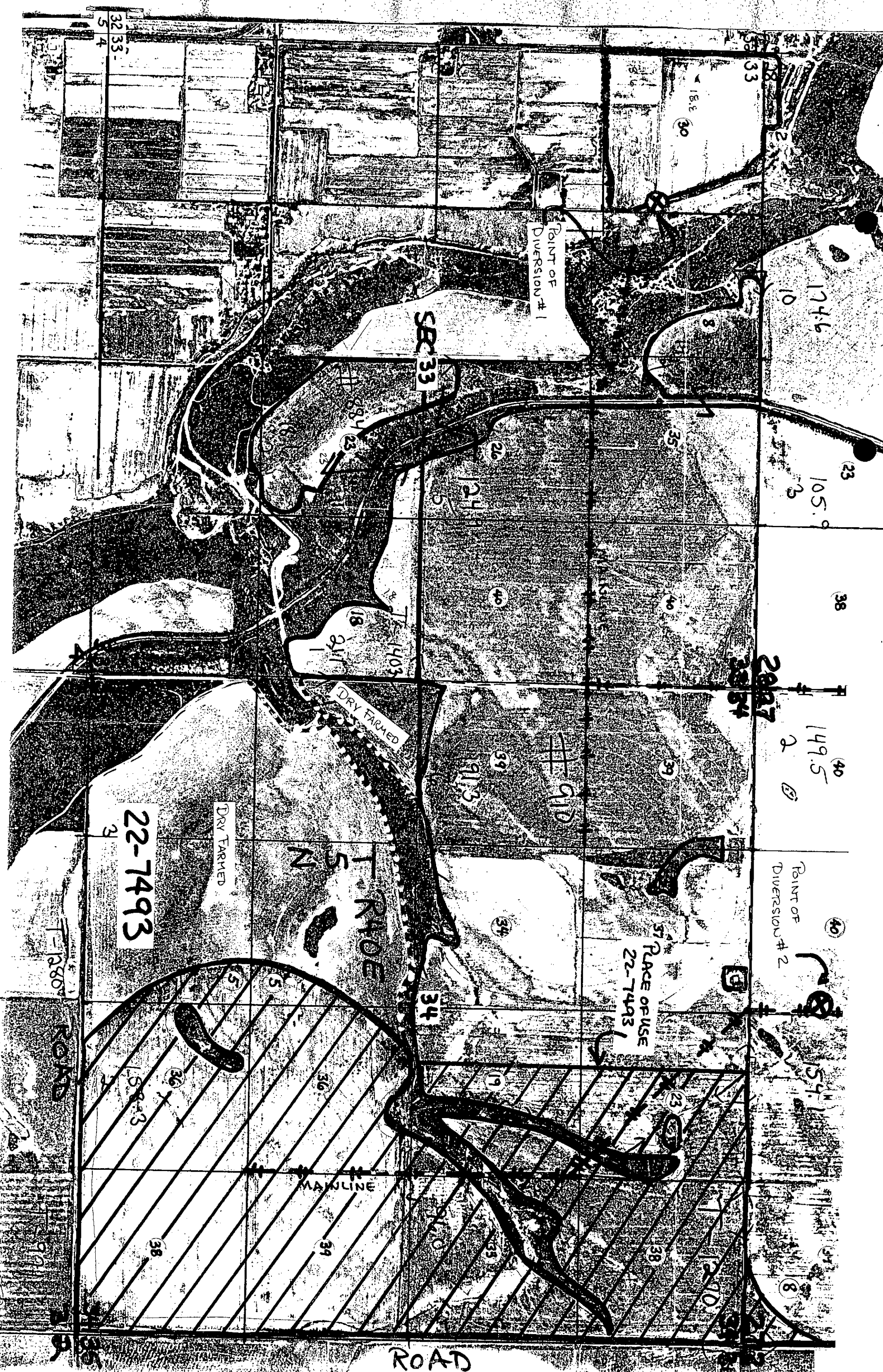
POINT OF DIVERSION #2

POINT OF DIVERSION #1

22-7493

09 1994





3233-  
54

5333

POINT OF  
DIVERSION #1

SR33

174.6  
10

105.9  
3

2027  
3334

149.5  
2

DRY FARMED

22-7493

DRY FARMED

PLACE OF USE  
22-7493

POINT OF  
DIVERSION #2

MAINLINE

ROAD

SEC 28

T-1390

#874

174.6

10

105.9

3

2027  
2034

149.5

2

I 5 R 40E

POINT OF  
DIVERSION #2

PLACE OF USE  
22-7493

22-7493

#910

91.3

34

19

ROAD

POINT OF  
DIVERSION #1

SEC 33

26

124.6

5

33

30

18.8

8

35

23

38

36

8

34

38

39

39

54.1

40

39

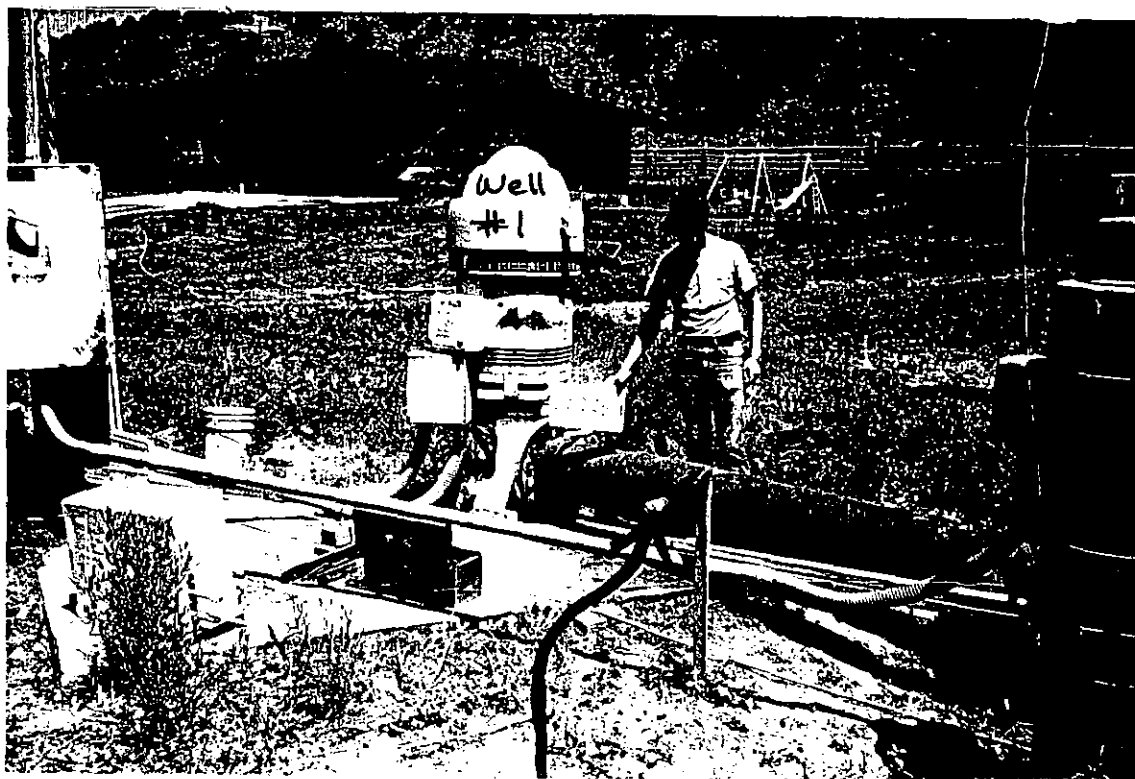
8

38

40

39

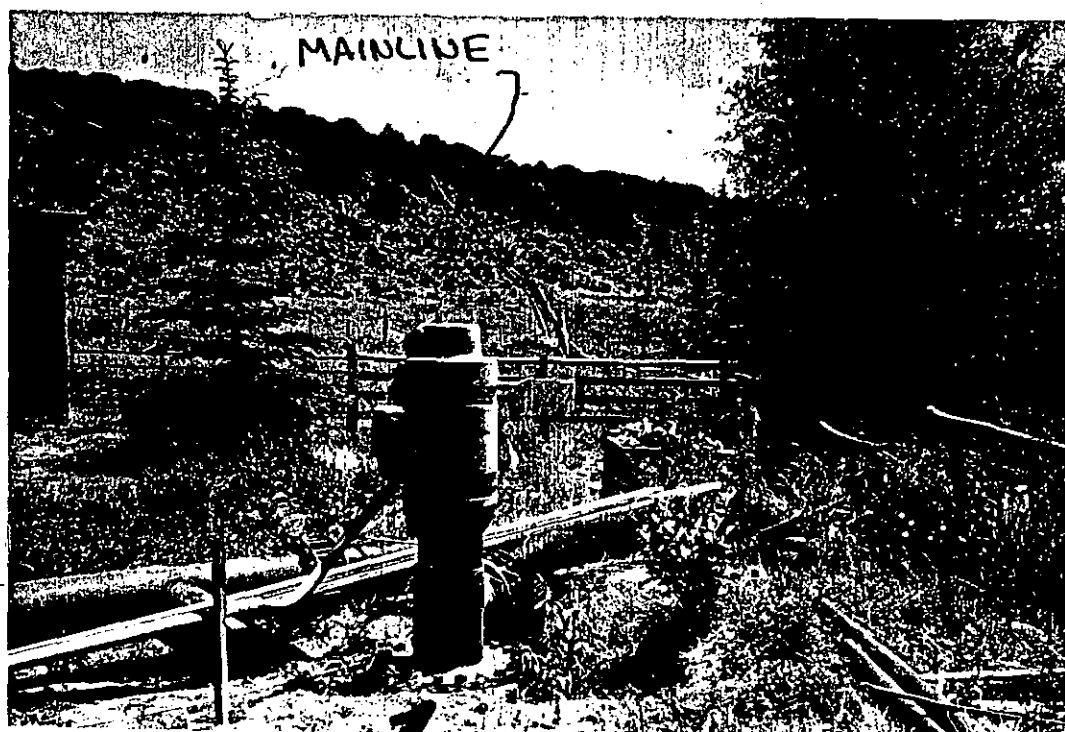
38



FLOW MEASUREMENT PORT

WELL #1

Booster



MAINLINE

well  
#1

Booster

22-2251

JUN 09 1994

August 8, 1990

ZOLLINGERS FARM INC.  
8611 BRYNWOOD  
BOISE, ID 83704

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07493

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

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AUG 14 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 22-7493

Date: 8-2-90

General Considerations:

- ☒ Name same as permit  
☒ Signature the same as permit holder  
☒ Address change no If yes, prepare a data entry  
☒ Proof received timely  
☐ Reinstated

Source of Water:

- ☐ Surface water  
☒ Groundwater  
    1. well log in file Spring 1975  
    2. drilling permit NA  
    NA A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses  
☒ Is rate or volume and fee appropriate?  
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?  
☒ Has one been installed?  
☐ Waiver or modification of measuring device requested

Remarks:

*Proof acceptable*

Priority Calculation:

|                     |           |   |
|---------------------|-----------|---|
| Date proof received | <u>NA</u> |   |
| Date proof due      |           | - |
| No. of days late    |           | = |
| Priority date       |           | + |
| NEW PRIORITY DATE   |           | = |

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138923

June 30, 1990

ZOLLINGERS FARM INC.  
8611 BRYNWOOD  
BOISE, ID 83704

PROOF DUE NOTICE

RE: PERMIT NO. 22-07493

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck  
Secretary/Records Manager

Enclosures

MICROFILMED

AUG 14 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

Statehouse  
Boise, Idaho 83720  
(208) 334-7900  
August 15, 1989

ZOLLINGERS FARM INC.  
8611 BRYNWOOD  
BOISE, ID 83704

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P22-07493

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

MICROFILMED

AUG 41 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

Statehouse  
Boise, Idaho 83720  
(208) 334-7900  
August 15, 1989

ZOLLINGERS FARM INC.  
8611 BRYNWOOD  
BOISE, ID 83704

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P22-07493

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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AUG 21 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

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AUG 21 1999

MEMORANDUM

TO: File No. 22-7943 in the Name of Zollingers Farm, Inc.  
FROM: Gary Spackman *Gary*  
DATE: July 31, 1989

RE: Waiver of Rule 4,5. Requirements

The diversion for application no. 22-7943 falls outside of the trustwater. Normally, it would be subject to the additional information requirements of Rule 4,5. of the Water Appropriation Rules and Regulations. The application states, however, that the well has been in use since 1976. In addition, the Department issued an interim approval for this application in August 1987 so that the permit holder could irrigate his land.

Any issues meant to be addressed by Rule 4,5. have probably already surfaced as a result of existing development and operation. Pursuant to a memorandum signed by Glen Saxton on July 19, 1989, the additional information requirement of Rule 4,5. are waived.

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AUG 21 1989

MEMORANDUM

TO: Regions and Water Allocation Bureau  
FROM: Glen Saxton *WJS*  
RE: NEED FOR ADDITIONAL INFORMATION UNDER RULE 4,5. OF THE  
WATER APPROPRIATION RULES AND REGULATIONS: PRE-EXISTING  
DEVELOPMENT  
DATE: July 19, 1989

Many applications are being submitted to the department representing development which occurred several years ago. Some of these applications request diversion in excess of 5 cfs or irrigation in excess of 200 acres, prompting review under Rule 4,5. of the Water Appropriation Rules and Regulations.

The purpose of Rule 4,5. requirements for additional information is to force pre-development analysis of the application. If the development is already complete, many of the analysis criteria are of little value.

If development is already in place prior to filing of the application, the requirements of Rule 5 in some cases may be waived. The waiver of the requirements is based on the fact that many of the negative effects of the development should already have been felt or recognized. One exception, however, is when development is so recent that possible problems associated with the development may not yet have surfaced.

An analysis of the system prior to the development will help us in avoiding conflicts with other public interests which may be injured by the development.

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AUG 21 1989

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: Missing documentation from file

DATE: DEC. 21, 1988

=====

Mr. Leroy Zollinger was in the office today on another matter but also inquired as to the status of this file. I explained that approval of the application had formerly been upheld as a result of the Swan Falls litigation and is presently being upheld due to the Non-Trust Area Moratorium petition.

Mr Zollinger produced some documentation relating to this application which did not already appear in the file. This includes a Department Beneficial Use Survey form with attached correspondence dated 10/10/85 referencing the date of first beneficial use. The form and letter would have been sent to the Eastern regional office since that was where the form originated or was sent from. Apparently this documentation never made it to the original file.

Note that Mr. Zollinger states in his letter that all of the land under the application was irrigated in 1984 prior to 10/84, EXCEPT for the acres in the SW 1/4 of Sec. 34. It appears that language in past interim approvals incorrectly restricted irrigation in the SW 1/4 of Sec. 35.

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AUG 21 1989

08/85

DEPARTMENT OF WATER RESOURCES  
BENEFICIAL USE SURVEY

22-7493

ZOLLINGERS FARM INC.

8611 ERYNWOOD, BOISE, ID 83704

Source: GROUNDWATER

Date Filed: 05/24/1985

Diversion Pt: SE5W Sec 27 T 05N R 40E

Use: IRRIGATION (4.38 CFS)

In: NENE NWNE SUNE SENE NESW NWSW SWSW SE5W NESE NWSE SWSE SESE  
Sec 34 T 05N R 40E FOR 440 ACRES

Check the box to the left of the paragraph which accurately describes the status of the project described by the application and then sign on the line at the bottom of the page.

- A. ☐ Prior to October 1, 1984, the source of water listed on application for permit No. \_\_\_\_\_ was not being diverted and put to beneficial use as represented by the application.
- B. ☒ Prior to October 1, 1984, the source of water listed on application for permit No. 22-7493 was being diverted and put to beneficial use as represented by the application.

If paragraph "B" was selected return the form with documentation confirming beneficial use occurred prior to October 1, 1984. This documentation should include a sworn statement from you as applicant, plus other evidence that will substantiate beneficial use.

Additional information is not required for paragraph "A".

W. Roy Zollinger  
(Signature) Pres.

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AUG 21 1989

Ernest Carlsen

10/10/85

Asst. Regional Sup.

S.D. WR

150 Shoup - Suite 15

Ed. Falls Ed 83402

Enclosed are the following concerning application for water rights verification for permit no. 22-7493

1. Letter to Stan Sutton, lessee of ground in question, stating new lease agreement for 1984 irrigated land.
2. Map of said land.
3. Map of sprinkler lay-out on said land.

as per form letter I here by swear that said land was irrigated in 1984 per to Oct. 1, except for the acres<sup>in</sup> SW  $\frac{1}{4}$  of Sec. 34

Wesley Zollinger  
Pres.

MICROFILMED

AUG 21 1989



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

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

September 10, 1987

RE: Water Right No. 22-7493

Zollingers Farm Inc.  
8611 Brynwood  
Boise, ID 83704

Gentlemen:

Enclosed is your interim approval for the 1987 irrigation season. Please note the condition stating that authorization herein only applies to 290 acres irrigated prior to July 1, 1985 rather than the total 440 acres shown on the application.

The copy of the application for permit to appropriate water attached to the interim approval defines the various components of your interim approval. The inclusion of the copy of the application is only for the purpose of definition, and any terms contained therein are limited by the conditions of the interim approval.

Sincerely,

GARY SPACKMAN  
Supervisor, Water Allocation Section

GS:sc

Enclosures

cc: Eastern Region  
Tom Nelson

**MICROFILMED**

SEP 24 1987

FROM: Ernest *ENC*  
TO: File  
DATE: August 11, 1987  
RE: Interim Approval

Information furnished by the application indicates a majority of the proposed place of use was irrigated prior to July 1, 1985.

Land irrigated prior to July 1, 1985, consists of the 280 acres in the E1/2, Sec. 34, T. 5N, R. 40E plus 5 acres in both the NE1/4SW1/4 and SE1/4SW1/4 of the same section. A total of 290 acres are irrigated.

Land not irrigated is limited to the SW1/4, Sec. 34, T. 5N, R. 40E. It consists of 80 acres in W1/2SW1/4 and 35 acres in both the NE1/4SW1/4, and SE1/4SW1/4, Sec. 34, T. 5N, R. 40E.

One of the conditions for interim approval should specify it only pertains to lands irrigated prior to July 1, 1985. It does not authorize irrigation of 80 acres in the W1/2SW1/4 and 70 acres in E1/2SW1/4. A corresponding reduction in the quantity of water is not warranted since the amount requested does not exceed 0.02 cfs/acre on 290 acres.

FILMED

SEP 24 1987

July 8, 1987

The Standard Journal  
P.O. Box 10  
Rexburg, Idaho 83440

Gentlemen:

We are re-submitting a legal notice to be published on July 16, and June 23, 1987. This notice was originally published in your paper on June 4 and June 11, 1987. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print we, therefore, request this be re-advertised again at your expense.

To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any correction, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by August 3, 1987. Your cooperation in this matter is greatly appreciated.

Sincerely,

Deena Green  
Office Secretary

**MICROFILMED**

SEP 24 1987

NOTICE OF CORRECTION

Notice is hereby given that Application No. 22-7493 in the name of Zollingers Farm Inc., Boise, Idaho, was advertised incorrectly on June 4 and June 11, 1987. The place of use was advertised as being within the NE1/4NE1/4, NW1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4SE1/4, Sec. 34, T. 5N, R. 40E. for 440 acres.

Whereas, the actual Place of Use is within NE1/4NE1/4, NW1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, NE1/4SW1/4, NW1/4SW1/4, SW1/4SW1/4, SE1/4SW1/4, NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4SE1/4, Sec. 34, T. 5N, R. 40E. for 440 acres.

Any protests against the granting of this transfer as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before August 3, 1987

A. Kenneth Dunn

Director

Published July 16 & July 23, 1987

**MICROFILMED**

SEP 24 1987

June 23, 1987

The Standard Journal  
P.O. Box 10  
Rexburg, Idaho 83440

Re: Applications No. 22-7493 & 22-7494, Zollingers Farm, Inc.

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on June 4, and June 11, 1987.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Deena Green  
Office Secretary

**MICROFILMED**

SEP 24 1987

June 3, 1987

Mr. John Rosholt  
P.O. Box 1906  
Twin Falls, Idaho 83303

RE: Applications for Permit 22-7493, 22-7494, 25-7416

Dear Mr. Rosholt:

Enclosed for your information please find 3 applications for permit being advertised under the interim approval condition.

Sincerely,

Deena Green  
Office Secretary

Enclosure

ENCLOSURE

SEP 24 1987



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans  
Governor

150 Shoup — Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

A. Kenneth Dunn  
Director

May 28, 1987

Zollingers Farm Inc.  
8611 Brynwood  
Boise, ID 83704

RE: Application for Permit No. 22-7493 & 22-7494

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned identification no.'s 22-7493 & 22-7494. Please refer to these numbers in all further correspondence.

This office is currently in the process of advertising the applications in The Standard Journal. 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 applications are 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.

If the applications are not protested, they will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Ernest Carlsen  
Assistant Regional Manager

EC/dg

MICROFILMED

SEP 24 1987

THE STANDARD/JOURNAL  
REXBURG, IDAHO

AFFIDAVIT OF  
PUBLICATION

STATE OF IDAHO }  
County of Madison } ss

I, Terry Weatherston,  
being first duly sworn, depose and say, that I am  
the printer of THE STANDARD/JOURNAL, a bi-  
weekly newspaper printed and published bi-  
weekly at Rexburg, Madison County, Idaho; and I  
do solemnly swear that the

Notice Of Correction  
a copy of which notice appears attached here-  
to, was published in the regular and entire issue  
of said newspaper, and not in any

supplement issue thereof for Two  
consecutive issues, the first publication hav-  
ing been made on July 16, 1987  
and the last publication having been made

on July 23, 1987.  
Further, that said newspaper is one of general  
circulation in said county; that it is a legal  
newspaper, conforming to legal specifications  
under the Idaho Statutes; that it has at least two  
hundred bona fide subscribers living within the  
county of publication; and that it has been  
continuously and uninterruptedly published in said  
county during a period of seventy-eight con-  
secutive weeks prior to the first publication of the  
said notice.

*Terry Weatherston*

Subscribed to and sworn to before me  
this July 24, 1987  
*[Signature]*  
Notary Public.  
(SEAL)

My commission expires June 8, 1993

NOTICE OF CORRECTION

Notice is hereby given that Application  
No. 22-7493 in the name of Zollingers Farm  
Inc., Boise, Idaho, was advertised incorrect-  
ly on June 4 and June 11, 1987. The place  
of use was advertised as being within the

NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ,  
SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ,  
SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ,  
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 34, T. 5N, R.  
40E. for 440 acres.

Whereas, the actual Place of Use is  
within NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ,  
SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ,  
SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ,  
NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec.  
34, T. 5N, R. 40E. for 440 acres.

Any protests against the granting of this  
transfer as a result of this correction must  
be filed with the Idaho Department of Water  
Resources, 150 Shoup Ave., Suite 15,  
Idaho Falls, Idaho 83402 on or before  
August 3, 1987.

A. KENNETH DUNN  
Director

Publ. July 16 and 23, 1987J

MICROFILMED  
SEP 24 1987

RECEIVED

AUG 4 1987

Department of Water Resources  
Eastern District Office

NOTICE OF APPLICATION

FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

Application is being advertised under the interim approval condition.

The permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42.203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before June 22, 1987.

Ken Dunn

Director

Published June 4, and June 22, 1987

MICROFILMED

SEP 24 1987

called paper + talked  
to Anne 5-28-87

# THE STANDARD/JOURNAL

REXBURG, IDAHO

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }  
County of Madison } ss

I, Terry Weatherston,  
being first duly sworn, depose and say, that I am  
the printer of THE STANDARD/JOURNAL, a bi-  
weekly newspaper printed and published bi-  
weekly at Rexburg, Madison County, Idaho; and I  
do solemnly swear that the

### Notice Of Application

a copy of which notice appears attached here-  
to, was published in the regular and entire issue  
of said newspaper, and not in any

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

ing been made on June 4, 1987  
and the last publication having been made

on June 11, 1987.

Further, that said newspaper is one of general  
circulation in said county; that it is a legal  
newspaper, conforming to legal specifications  
under the Idaho Statutes; that it has at least two  
hundred bona fide subscribers living within the  
county of publication; and that it has been  
continuously and uninterruptedly published in said  
county during a period of seventy-eight con-  
secutive weeks prior to the first publication of the  
said notice.

*Terry Weatherston*

Subscribed to and sworn to before me  
this June 12, 1987

*Roger D. [Signature]*  
Notary Public.  
(SEAL)

My commission expires Aug. 5, 1991

RECEIVED

JUN 29 1987

Department of Water Resources  
Eastern District Office

### NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been fil-  
ed to appropriate the public waters of the  
State of Idaho:

22-7494  
ZOLLINGERS FARM INC.  
8611 BRYNWOOD, BOISE, ID. 83704  
Source: GROUNDWATER  
Date Filed: 05/24/1985  
Diversion Pt: SENW Sec 27 T 05N R 40E  
Use: IRRIGATION (1.00 CFS)  
In: SENW NESW Sec 28 T 05N R 40E FOR  
70 ACRES

22-7493  
ZOLLINGER FARM INC.  
8611 BRYNWOOD, BOISE, ID. 83704  
Source: GROUNDWATER  
Date Filed: 05/24/1985  
Diversion Pt: SESW Sec 27 T 05N R 40E  
Use: IRRIGATION (4.38 CFS)  
In: SESE NENE NWNE SWNE SENE NESW  
NWSW SWSW NESE NWSE SWSE SESE  
Sec 34 T 05N R 40E FOR 440 ACRES

Application is being advertised under the  
interim approval condition.

The permits will be subject to all prior  
water rights. Protests may be submitted  
based on the criteria of Sec. 42-203A,  
Idaho Code and/or the new public interest  
criteria of Sec. 42-203C, Idaho Code. Pro-  
tests must be filed with the Director,  
Dept. of Water Resources, 150 Shoup  
Ave., Suite 15, Idaho Falls, Idaho, 83402  
on or before June 22, 1987.

KEN DUNN  
Director

Publ. June 4 and 11, 1987J.

MICROFILMED  
SEP 24 1987

22-7493

ZOLLINGERS FARM INC.

8611 BRYNWOOD, BOISE, ID. 83704

Source: GROUNDWATER

Date Filed: 05/24/1985

Diversion Pt: SESW Sec 27 T 05N R 40E

Use: IRRIGATION (4.38 CFS)

In: NENE NWNE SWNE SENE NESW NWSW SWSW SESW NESE NWSE SWSE SESE  
Sec 34 T 05N R 40E FOR 440 ACRES

MICROFILMED

SEP 24 1987

May 8, 1987

Leroy Zollinger  
8611 Brianwood  
Boise, Idaho 83704

RE: Applications for permits 22-7493 & 22-7494

Dear Mr. Zollinger:

Pursuant to our telephone conversation on May 6, 1987, enclosed you will find two letters requesting the Department proceed with processing with the above captioned applications in order for you to secure interim approval allowing the diversion and beneficial use of water as described under the applications. Please sign each document and return them to this office at your earliest convenience.

Application 22-7495 which identifies Mr. Sutton's well as the point of diversion is not eligible for interim approval because of its location. Since you intend to use this well during the 1987 irrigation season I strongly suggest an effort be made to transfer an existing water right to cover the lands under that application. Should either you or Mr. Sutton have questions concerning such a transfer feel free to contact this office.

Respectfully submitted,

Ernest Carlsen  
Water Rights Supervisor

EC/md

Enclosures: Interim request letters

REPROFILMED

SEP 24 1987

08/85

DEPARTMENT OF WATER RESOURCES  
BENEFICIAL USE SURVEY

22-2493

ZOLLINGERS FARM INC.

8611 BRYNWOOD. BOISE, ID 83704

Source: GROUNDWATER

Date Filed: 05/24/1985

Diversion Pt: SE1/4 Sec 27 T 05N R 40E

Use: IRRIGATION (4.38 CFS)

In: NENE NWNE SWNE SENE NESW NWSW SWSW SESW NESE NWSE SWSE SESE  
Sec 34 T 05N R 40E FOR 440 ACRES

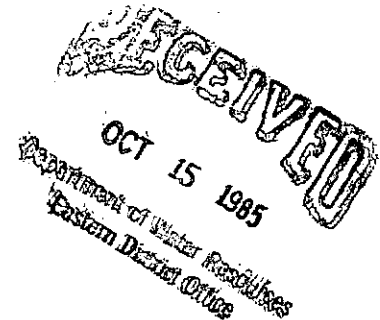
Check the box to the left of the paragraph which accurately describes the status of the project described by the application and then sign on the line at the bottom of the page.

- A. ☐ Prior to October 1, 1984, the source of water listed on application for permit No. \_\_\_\_\_ was not being diverted and put to beneficial use as represented by the application.
- B. ☒ Prior to October 1, 1984, the source of water listed on application for permit No. 22-1493 was being diverted and put to beneficial use as represented by the application.

If paragraph "B" was selected return the form with documentation confirming beneficial use occurred prior to October 1, 1984. This documentation should include a sworn statement from you as applicant, plus other evidence that will substantiate beneficial use.

Additional information is not required for paragraph "B" SEP 24 1985

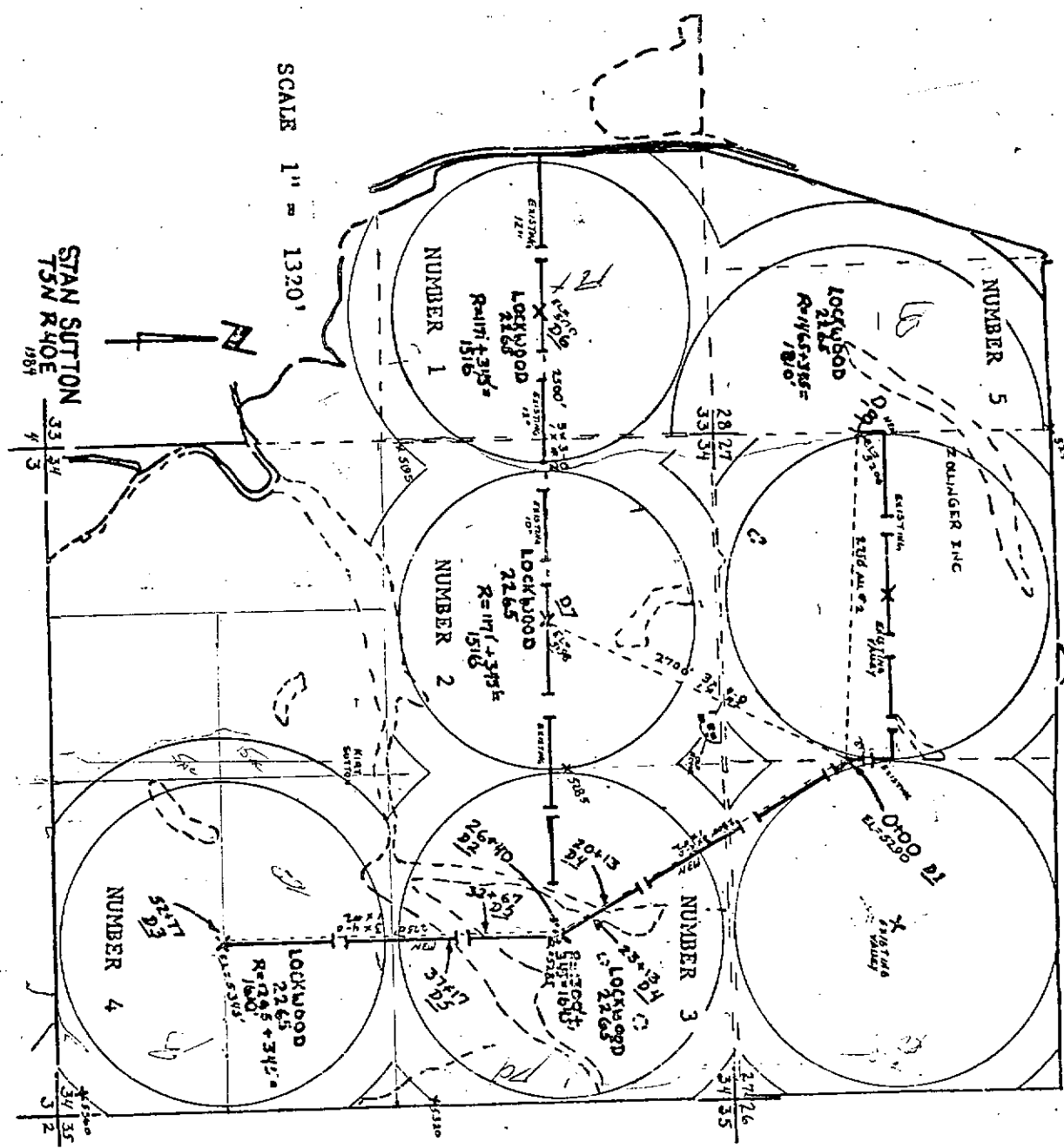
*W. Roy Zollinger*  
(Signature) Pres.



RECEIVED  
OCT 15 1985  
Department of Water Resources  
Eastern District Office

SCALE 1" = 1320'

STAN SUTTON  
75N R40E  
1984

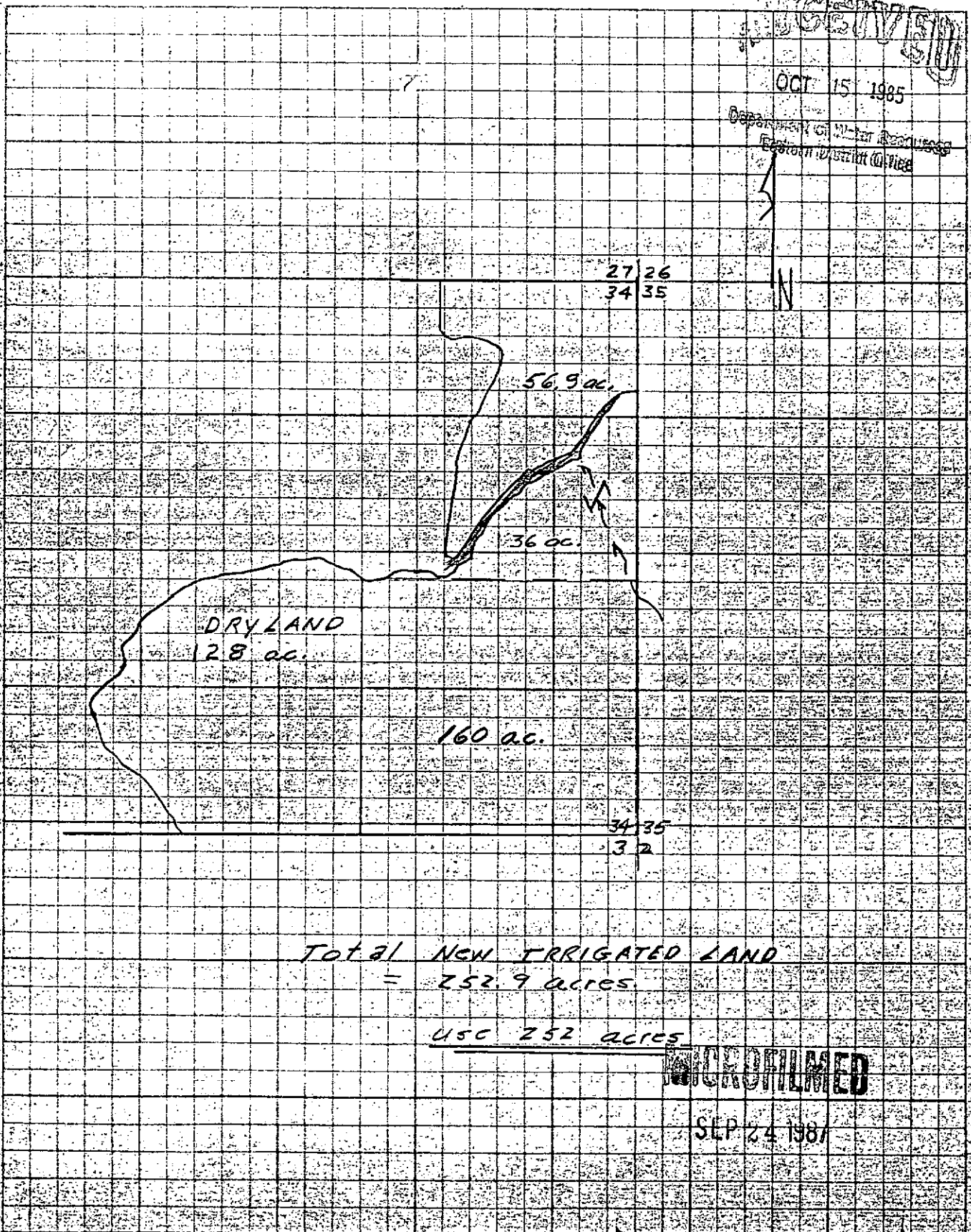


RECEIVED

SEP 24 1981

1120  
63

|                                    |                     |                            |      |
|------------------------------------|---------------------|----------------------------|------|
| STATE <u>Id.</u>                   |                     | PROJECT <u>RENT</u>        |      |
| BY <u>H.L. Z</u>                   | DATE <u>9/21/84</u> | CHECKED BY                 | DATE |
| SUBJECT <u>ZOLLINGER FARM INC.</u> |                     | JOB NO.                    |      |
|                                    |                     | SHEET <u>1</u> OF <u>1</u> |      |



RECEIVED

OCT 15 1985

Department of Water Resources  
South District Office

10-11-84

Dear Stan

Enclosed is a map showing the new irrigated acres of 1984.

The lease we agreed to shall be as last year.

In summary

acres at \$65/ac = 770.1 acres

acres at \$100/ac = 160.9 acres

New irrigated acres at \$65/ac = 252.9 acres

Leave the remaining dryland on a  $\frac{1}{3} - \frac{2}{3}$  crop share, with an intensive effort to control morning glory.

W. LeRoy Zollinger  
Pres. Zollingers Farm

cc. Larvinia Zollinger

MICROFILMED

SEP 24 1987

RECEIVED

OCT 15 1985

Department of Water Resources  
Eastern District Office

10/10/85

Ernest Carlsen

Asst. Regional Sup.

S.D.W.R.

150 Sharp - Suite 15

Ed. Falls Ed 83402

Enclosed are the following concerning  
application for water rights verification  
for permit no. 22-7493

1. Letter to Stan Sutton, lessee of ground  
in question, stating new lease agreement  
for 1984 irrigated land.
2. Map of said land.
3. Map of sprinkler lay-out on said  
land.

as per form letter I here by swear  
that said land was irrigated in 1984 prior  
to Oct. 1, except for the acres<sup>in</sup> SW  $\frac{1}{4}$  of Sec. 34

Wesley Zollinger  
Pres.

MICROFILMED

SEP 24 1981



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

150 Shoup — Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

August 13, 1985

RE: Application for Permit No. 22-7493

Zollingers Farm Inc.  
8611 Brynwood  
Boise, Idaho 83704

Gentlemen:

In October of 1984, Idaho Power Company and the State of Idaho signed an agreement stating the Company's water rights would be subordinated to those persons who beneficially used water prior to October 1, 1984, and who filed an application or claim for said use by June 30, 1985.

To insure proper consideration of your application pursuant to the above agreement, follow the directions on the enclosed form and return it to this office when completed. For your benefit in identifying the point of diversion and place of use, included on the form is a description of the major items contained on the application.

Your cooperation in returning the completed form and supplemental documentation will expedite future administrative action on your application when processing of applications above Swan Falls resumes.

Respectfully submitted,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

SEP 24 1987