

MICROFILMED
DEC 19 1988

NAME OF APPLICANT Herman A. Zollinger

Form No. 9

Township 5 North, Range 40 E.B.M.

Madison County, Idaho

27

Well

33

34

Permit Recp No. 32105

As Approved JUN 18 1985

CARL E. TAPSCOTT
State Reclamation Engineer

MICROFILMED
DEC 19 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
APR 08 1994

Department of Water Resources

A. GENERAL INFORMATION

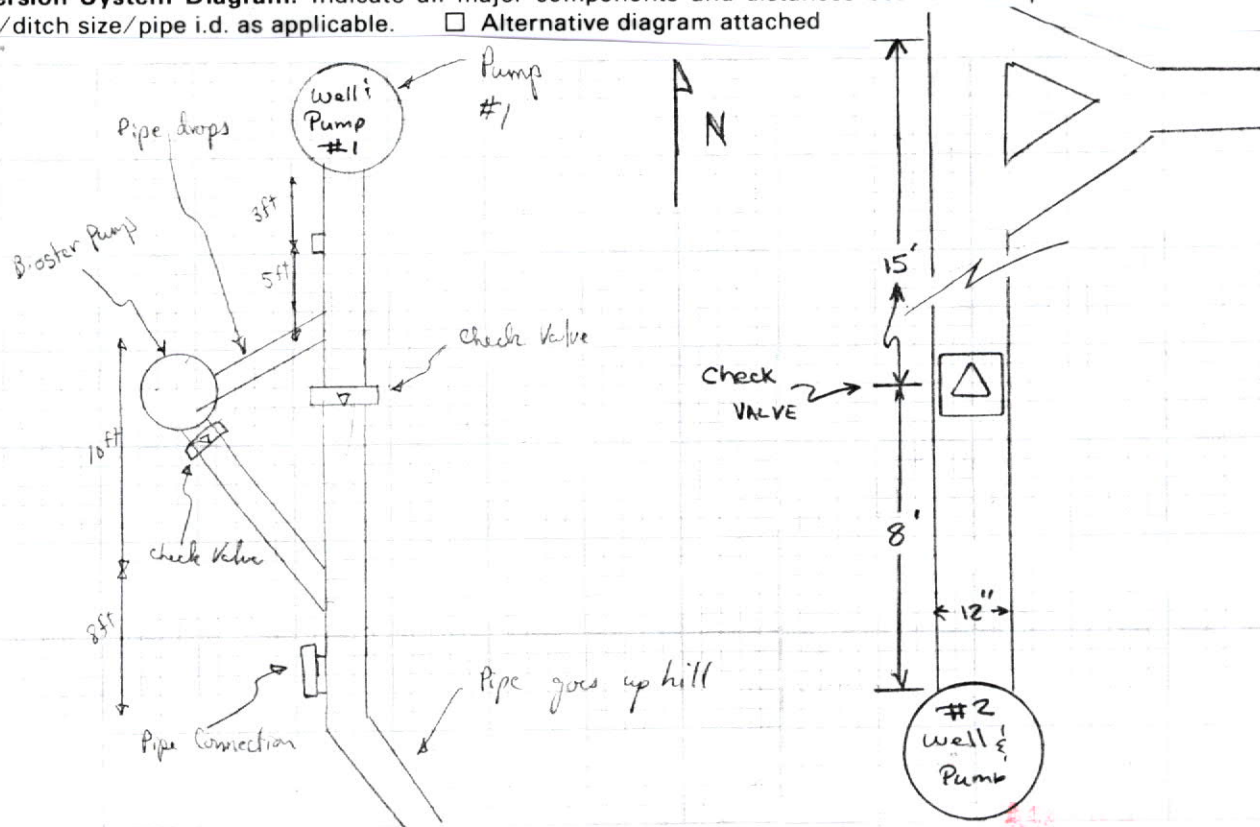
Permit No. 22-02251
Phone No. 334-1335
1. Owner: Herman A. Zollinger % Leroy Zollinger
Current Address: 8611 Brynwood Boise Id 83704
2. Accompanied by: Stanley Sutton EXAM. DATE: 7-16-1992
Address: 578 E 7000 S Rexburg Id 83440 Phone No. 356-3562
Relationship to Permit Holder: Renter
3. Source: GROUNDWATER 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

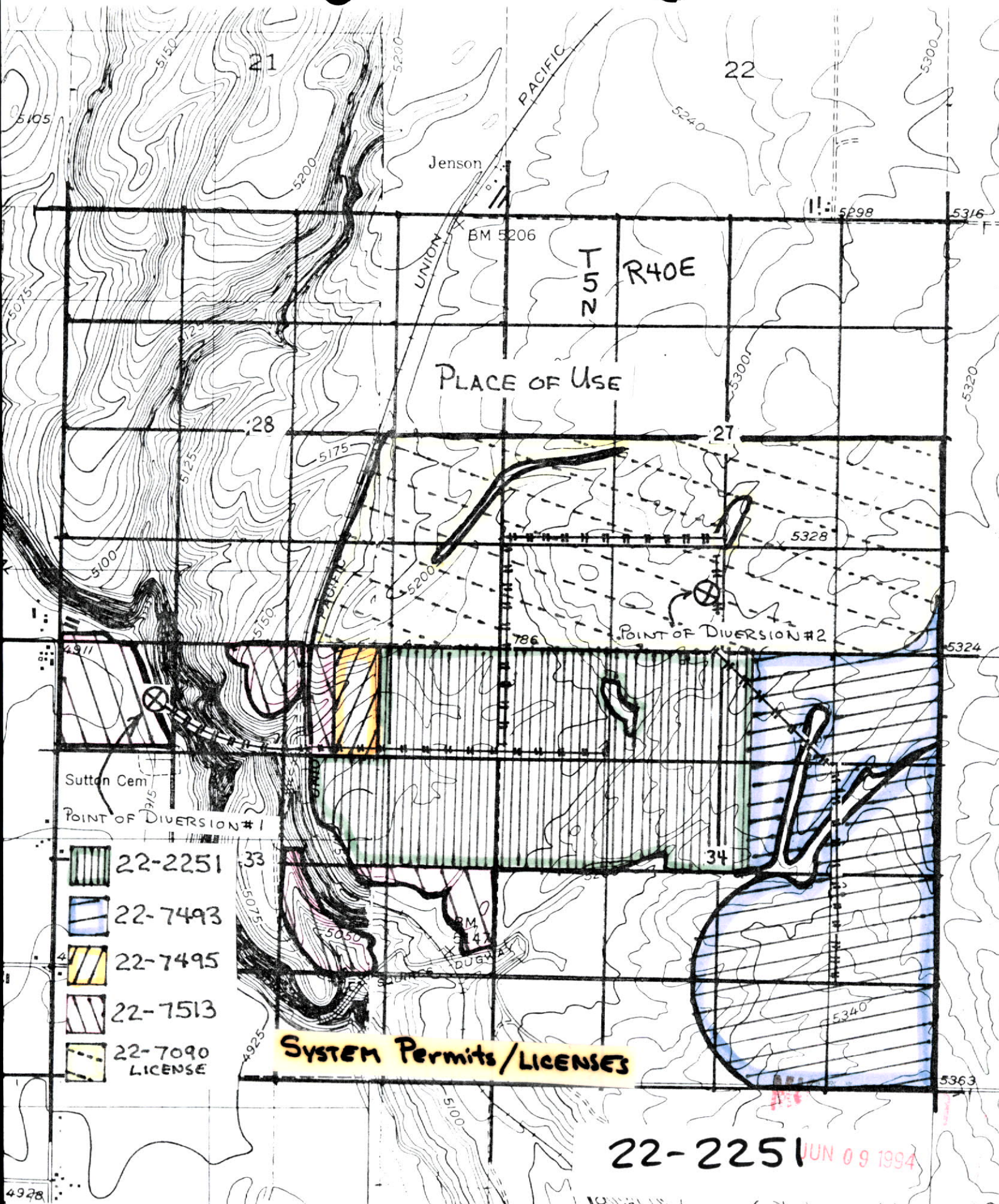
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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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Jenson

BM 5206

T 5 N
R 40 E

PLACE OF USE

POINT OF DIVERSION #2

Sutton Cem

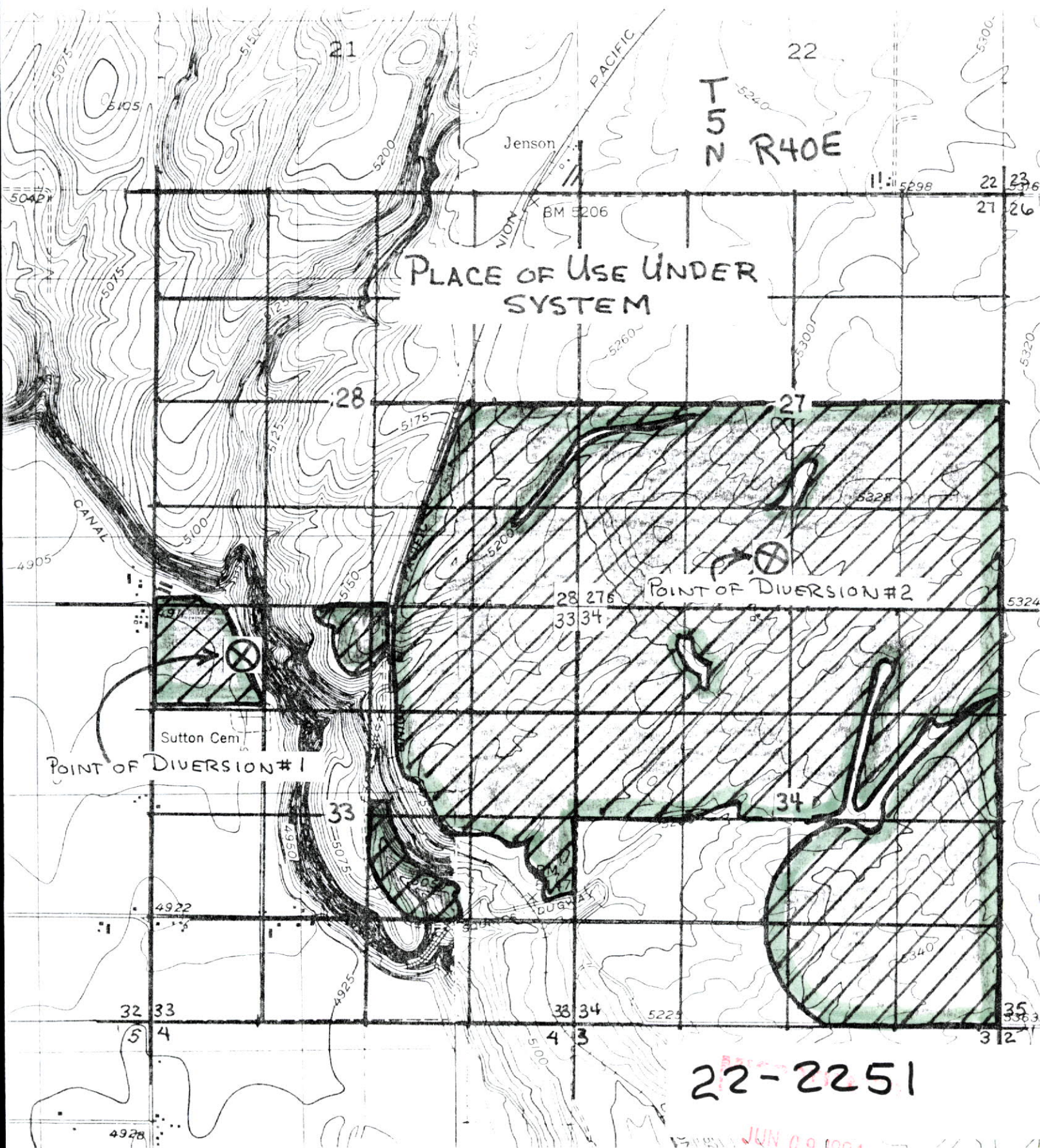
POINT OF DIVERSION #1

BM 5242
DUGWAY

SYSTEM PERMITS/LICENSES

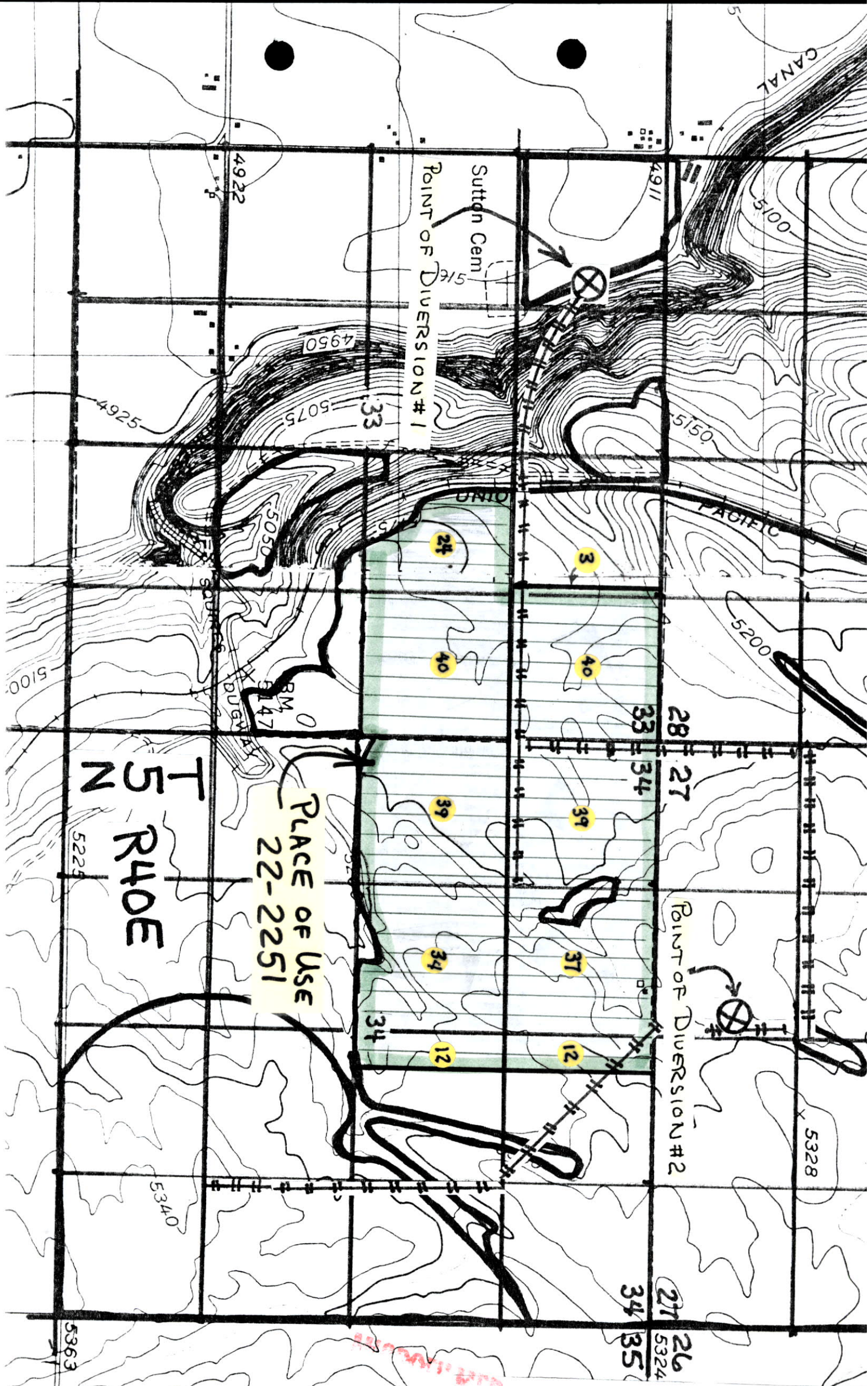
22-2251 JUN 09 1994

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



22-2251

1502514 JUN 09 1994



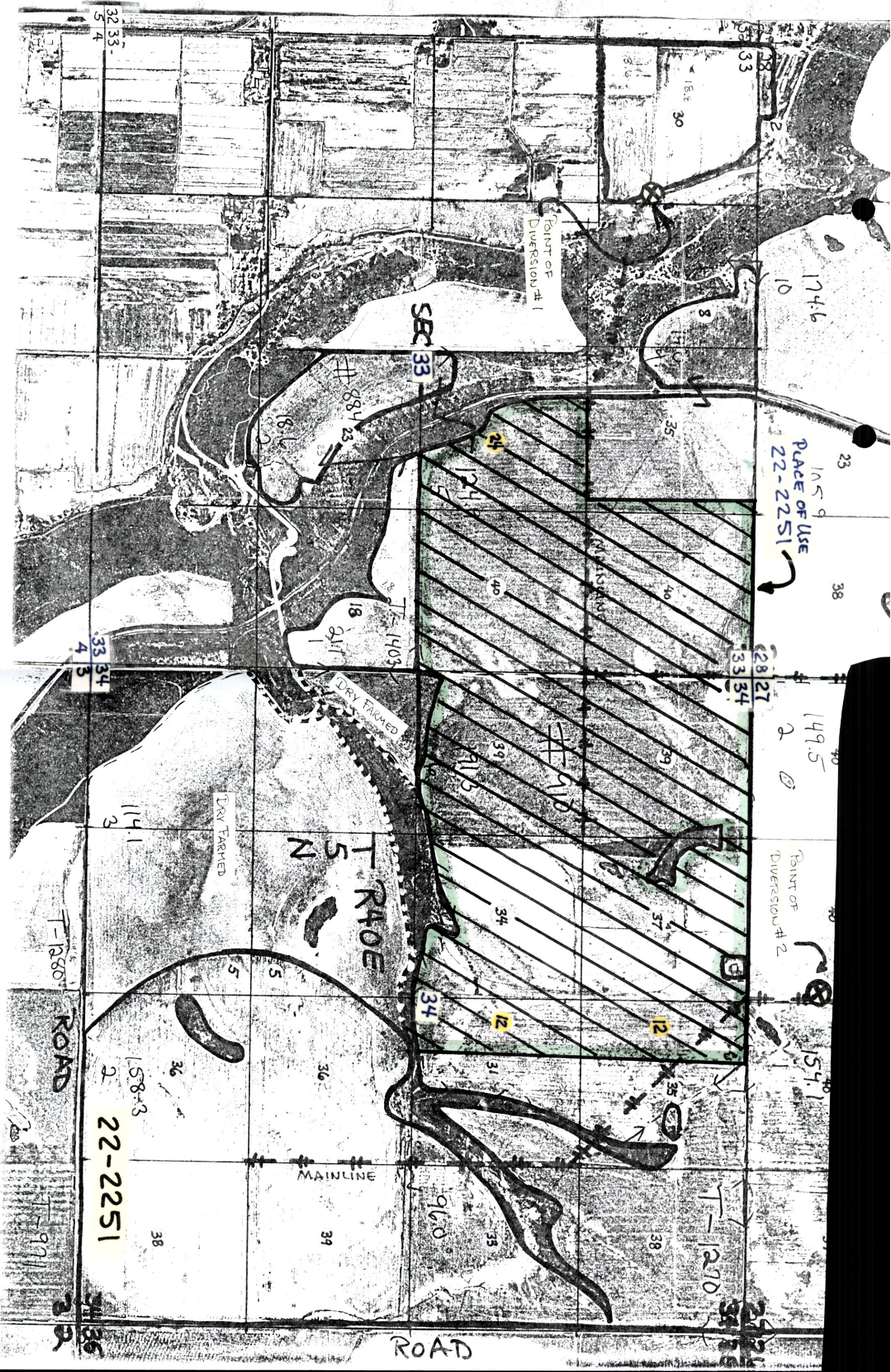
Sutton Cem
Point of Diversion #1

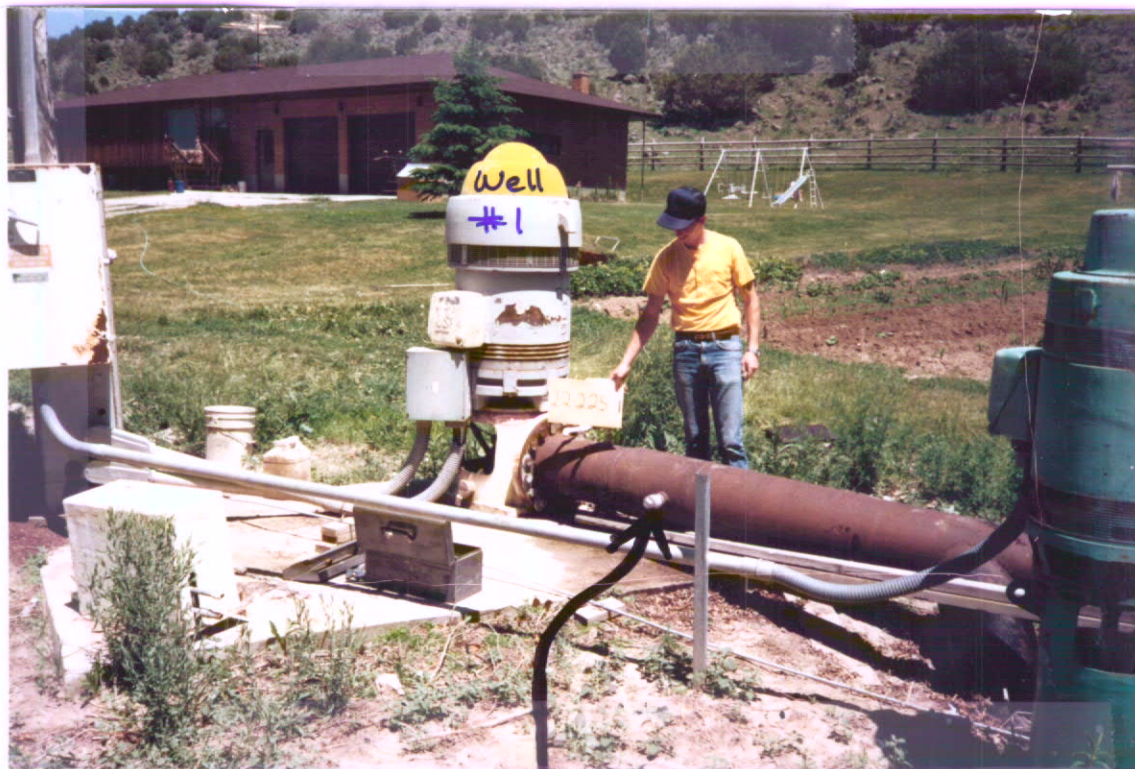
PLACE OF USE
22-2251

I 5 R40E
N

22-2251
1994

5363





FLOW MEASUREMENT PORT

WELL #1

Booster



MAINLINE

well #1

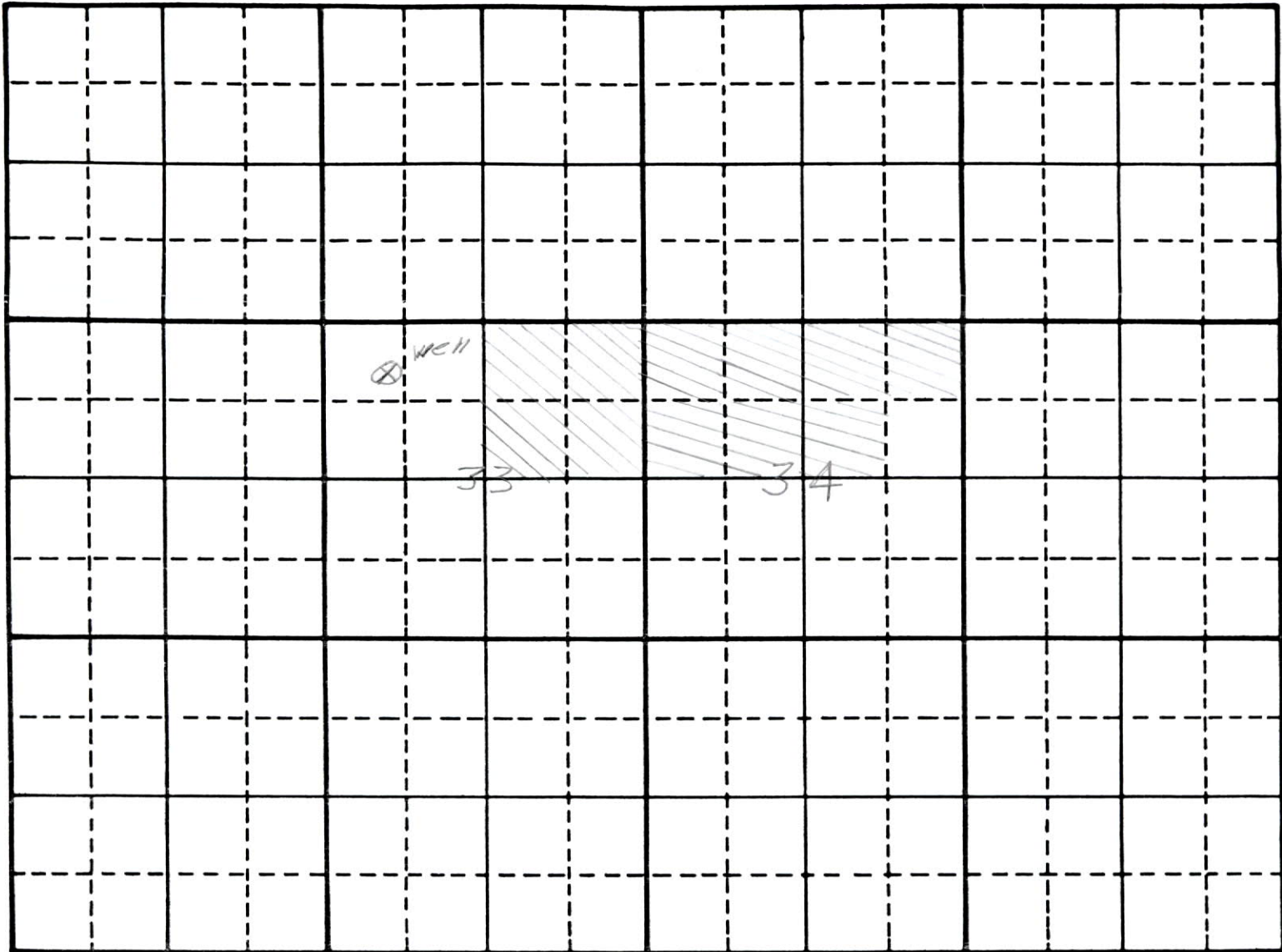
Booster

22-2251

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Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at Helmut Zollinger, this 21 day of Dec, 19 89.

Boise Idaho

Helmut Zollinger
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00

Received by J. Davis Date 12/29/89

Publication prepared by _____ Date _____

Published in _____

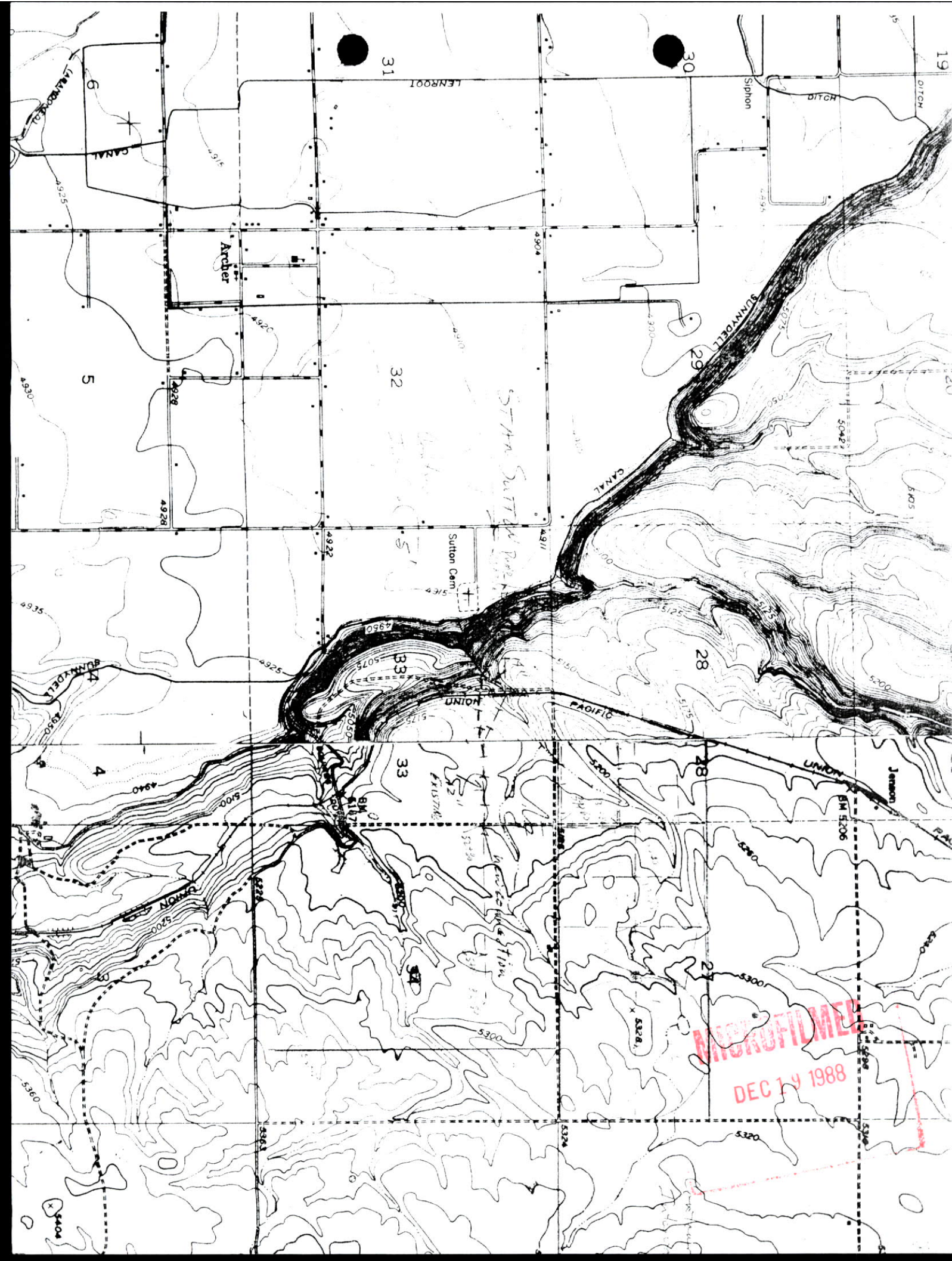
Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19 _____.

JUN 09 1994



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DEC 19 1988

NAME OF APPLICANT..... Herman A. Zollinger

Form No. 0

Township 5 North, Range 40 E.B.M.
Madison County, Idaho

27

Well

33

34

Permit Map No. 32105

As Approved Jan 18 1935

CARL E. TAYLOR
State Registration Engineer

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-02251

Priority: April 20, 1988

Maximum Diversion Rate:

2.36 CFS

This is to certify, that ZOLLINGER FARM INC
C/O H LEROY ZOLLINGER
8611 BRYNWOOD
BOISE ID 83704

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 16, 1965; and
has submitted Proof of Beneficial Use on April 20, 1988. 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	33	NENE 40	NWNE 3	SWNE 24	
			SENE 40			107
		34	NWNE 12	SWNE 12	NENW 37	
			NWNW 39	SWNW 39	SENW 34	173

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. 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.
5. The combined rights include: 22-07493, 22-07495, 22-07513, and 22-07090.
6. The following rights are also diverted through the point(s) of diversion described above: 22-07493, 22-07495, 22-07513, and 22-07090.

[Handwritten signature]

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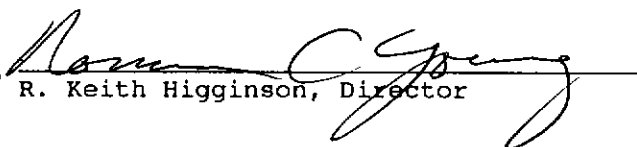
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-02251

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 30TH
day of APRIL, 1994.

Acting for


R. Keith Higginson, Director

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APPROVED

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-02251

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APR 21 1994
Department of Water Resources

Date of Priority: April 20, 1988 Maximum Diversion Rate: 2.36 CFS
Comes now ZOLLINGER FARM INC
C/O H LEROY ZOLLINGER
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. 22-02251, 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 RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 40E 33	NENE 40 ✓	NWNE 3 ✓ 35	SWNE 24 ✓	
	SENE 40 ✓			107
34	NWNE 12 ✓	SWNE 12 ✓	NENW 37 ✓	
	NWNW 39 ✓	SWNW 39 ✓	SENW 34 ✓	173

Total number of acres irrigated: 280

From 527 Well
Sec 34 930

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 H. Leroy Zollinger, this 20 day of ap, 19 94.
H. Leroy Zollinger
(Signature)

JUN 09 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-02251

FOR DEPARTMENT USE ONLY

Preliminary check by BC Fee = 30⁰⁰ 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. 22-02251 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. 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.
5. The combined rights include: 22-07493, 22-07495, 22-07513, and 22-07090.
6. The following rights are also diverted through the point(s) of diversion described above: 22-07493, 22-07495, 22-07513, and 22-07090.

Witness my hand this 30TH day of April, 1994.

Acting for R. Keith Higginson Director

[Handwritten signature]

JUN 09 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 22-2251 IN THE NAME OF	)	ORDER OF REINSTATEMENT
	)	
HERMAN A. ZOLLINGER	)	

This matter having come before the Idaho Department of Water Resources (Department) the Department finds as follows:

FINDINGS OF FACT

1. On June 18, 1965 the Director of the Department of Water Resources issued Permit No. 22-2251 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before June 18, 1970.

2. On April 1, 1970, the Department sent a proof due notice to the permit holders.

3. On July 14, 1970, the Department sent a lapse notice to the permit holders since neither proof of beneficial use nor a request for extension of time had been received from the permit holders.

4. On April 20, 1988, Proof of Beneficial Use was received by the Department from the permit holders.

5. Section 42-218a, Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use

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prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holders submitted evidence to confirm that water has been put to beneficial use. These documents include: 1) a signed statement from Stanley Sutton, former lessee of land described in permit and owned by permit holders, stating that well was completed in 1969 and first put to use for irrigating the land in 1970; 2) copy of lease between Mr. Sutton and the permit holders stating lands to be irrigated and when; 3) copy of bills for well pump installation and irrigation pipe welding; and 4) a 1966 ASCS aerial photo showing dry land crops on the land described in the permit, and a 1978 aerial photo showing irrigated crop land.

7. The permit holders have stated that proof was not submitted earlier because of communication misunderstandings between the permit holders and the lessee, Stanley Sutton. Both parties believed that the other had submitted proof on time.

CONCLUSIONS OF LAW

1. The permit holders have submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holders have shown sufficient cause why proof of beneficial use was not submitted in a timely manner.

3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 22-2251 is reinstated.

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IT IS FURTHER ORDERED that the date of priority of this permit
is advanced to April 20, 1988.

Dated this 2nd day of December, 1988.

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

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12/19/88

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APR 20 1988

For Office Use Only

Fee Received 55
Date 4-20-88
Receipt # C 000374
Receipt by mf
Reviewed by mf
Sent to region

Department of Water Resources
STATE OF IDAHO

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 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. 22-2751

Name(s) of Permit Holder: Mrs. Herman Zollinger

Post Office Address: 1304 Laurel Drive Idaho Falls 4340

Telephone No.

Source of Water: Well, underground water

Extent of Use:

Domestic (number of households) Stockwater (number and type of stock)

Irrigation 600 (acres) Other/Remark

Total rate and/or volume for which proof is submitted 12.0 cfs 1200 acre-feet

Show the date water was first diverted and beneficially used under this permit: May 1969

Measuring Device: Required? Yes No
Installed? Yes No

Fee enclosed \$ 375.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes No
Installed? Yes No

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

Stanley Sutton 356-3562
(Name) (Telephone Number)

578 East 7000 So. Rexburg Idaho 83440
(Address)

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.

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4-16-88
Date

Mrs. Herman Zollinger
Signature of Permit Holder (and title, if appropriate)

FARM LEASE

THIS INDENTURE, MADE and entered into this 1st day of August, 1968, between HERMAN ZOLLINGER and LAVINA ZOLLINGER, his wife, of Rexburg, Idaho, lessors, and STANLEY SUTTON of Rexburg, Idaho, lessee,

WITNESSETH:

That the lessors, for and in consideration of the covenants and agreements hereinafter mentioned to be kept and performed by the lessee, have by these presents, demised and leased to the lessee the following described land, to-wit:

355 acres in the following described property: The Northwest Quarter of Section 34; The Northeast Quarter of Section 33, less the railroad; and the West Half of the Northeast Quarter of Section 34, all in Township 5 North, Range 40 E.B.M., in Madison County, State of Idaho.

TERM OF LEASE

TO HAVE AND TO HOLD the same to the lessee from the 1st day of August, 1968, to the 1st day of November, 1973.

RENTAL

Lessee, in consideration of the leasing of the premises as above set forth, covenants and agrees with the lessors to pay as rent for the same in the following manner, to-wit:

\$12,425.00 December 1, 1969
\$12,425.00 December 1, 1970
\$12,425.00 December 1, 1971
\$12,425.00 December 1, 1972
\$12,425.00 December 1, 1973

EXPENSE

The lessee will pay all expenses in connection with the farming operations except real property taxes, which are to be paid by the lessors.

POSSESSION

Possession of said premises shall be given to the lessee August 1, 1968.

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GENERAL TERMS & CONDITIONS

It is further agreed between the parties hereto as follows:

A. The lessee agrees to farm the premises in a manner that is generally accepted in the area as representing good and proper farming practices, and to follow a weed control program.

B. Lessee covenants not to sublet the said premises or any part thereof during the full term of this lease without first obtaining the written consent of lessors, and that at the expiration of this lease to quietly yield the aforesaid premises to the lessors in as good order and condition as when entered, reasonable wear and tear and damage by the elements alone excepted.

C. Lessors reserve the right in the fall of 1973^{8 D}, to plow the ground when lessee may have harvested the crops grown thereon, and further, that lessors or their legal representative may enter upon said premises for the purpose of viewing, seeding, or making repairs.

D. In the event of any legal action to enforce, or which may arise out of any of the terms and conditions of this agreement, the successful party in any such litigation shall be entitled to an award of a reasonable attorney's fee to be paid by the unsuccessful party.

E. If the lessee shall fail to cultivate said premises as herein agreed, or shall fail to keep any of the covenants contained in this lease, then this lease shall at the election of the lessors be null and void, and the lessors or their legal representative shall have the right to take possession of said premises, using such force as may be necessary with or without process of law, and the lessee shall be liable for and agree to pay all damage growing out of the failure to perform any of the covenants of this lease.

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F. It is understood and agreed that this lease agreement is binding upon all the parties hereto, their heirs, successors, administrators, and assigns.

G. It is understood and agreed that the lessors shall have a first lien upon all crops grown on the above described premises each and every year during the term of this lease, until the rental for that year has been paid in full.

IN WITNESS WHEREOF, we have hereunto set our hands the day and year first above written.

Herman Zollinger

Lavina Zollinger
Lessors

Stanley Sutton
Lessee.

STATE OF IDAHO,)
 (SS
County of Madison.)

On this 1st day of August, 1968, before me, the undersigned, a Notary Public in and for said state, personally appeared HERMAN ZOLLINGER and LAVINA ZOLLINGER, his wife, and STANLEY SUTTON, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.

Hea Fullmer
Notary Public, residing at
Rexburg, Idaho. My commission
expires June 25, 1971.

(Seal)

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- 3 Source of water supply: Santo, a well.
- 4 Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24
Twp. 10 N., Rge. 10 E., B.M., County of Madison
- 5 Water is to be used for: Irrigation
- 6 If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
- 7 Kind of works:
- 8 Estimated cost of works: \$ 3,000.00
- 9 (a) Is reservoir to be used? No
(b) Capacity of reservoir:
- 10 The time required for the completion of such work and complete application of the water to the proposed uses is 1 year
- 11 If applicant is a corporation, give:
 - (a) Date and place of incorporation:
 - (b) Amount of capital stock: \$ (c) Amount paid in: \$
 - (d) Names and addresses of directors:
- 11 The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
- 12 The land to be irrigated is described in the following tabulation:
- 13 Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None - Permit G-2127 to be cancelled
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 12.0 (cubic feet per second, inches or gallons per minute) is for new lands.

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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.

s/ H. A. Zollinger Applicant

By Agent

Date of first receipt at Department of Reclamation: 1:30 P.M. June 16, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G- 32405

Recorded in Book 113 Page 12405 Approved June 18, 1965

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

Bond in the sum of \$ to be filed on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

Work to begin on or before one fifth of the work above specified to be completed on or before December 18, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and profits offered on or before June 1, 1970

Witness my hand this 18th day of June, 1965

s/ CARL E. TAYLOR
STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, ROBERT E. SHYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 18th day of June, 1965.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SHYLLIE
Governor

By: Paula L. Fleenor
Secretary of State

12.

Twp	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12	34	27									40	40	40	40					160
		33	40	40	40	40													160
		34	40	40	40		40	40	40	40									160

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NAME OF APPLICANT Herman A. Zollinger

Form No. 8

Township 5 North, Range 40 E.B.M.

Madison County, Idaho

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Permit No. 32105

As Approved Jan 18 1935

CARL E. TAYLOR
State Registration Engineer

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APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40557
Permit No. G- 32405
District No.

1. Name of Applicant: Herman A. Hollinger
Postoffice address: Roxburg County: Madison State: Idaho
2. Quantity of water claimed: 12.0 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34
Twp. 11 N., Rge. 10 E., B.M., County of Madison
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works:
8. Estimated cost of works: \$ 35,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is: 0 years.
11. If applicant is a corporation, give:
 - (a) Date and place of incorporation:
 - (b) Amount of capital stock: \$
 - (c) Amount paid in: \$

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OF JUL 1988

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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

ZOLLINGER FARM INC
C/O H LEROY ZOLLINGER
8611 BRYNWOOD
BOISE ID 83704

RE: WATER RIGHT NO. 22-02251

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.

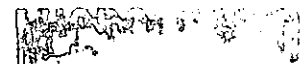
Should you have any questions regarding these documents, please feel free to contact this office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure



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

ZOLLINGER FARM INC
C/O H LEROY ZOLLINGER
8611 BRYNWOOD
BOISE ID 83704

RE: WATER RIGHT NO. 22-02251

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. 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

RECEIVED

JUN 09 1994

WR0749NP
No. L22-02251

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/11/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ZOLLINGER FARM INC C/O H LEROY ZOLLINGER 8611 BRYNWOOD BOISE ID 83704 (208) 334-1335	04/20/1988	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
S33

SESW
NWNW

MADISON County
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	:	SUM
05N	40E	33	:	40		03		24		40										:	107.0
05N	40E	34	:			12		12				37		39		39		34		:	173.0
																				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 L22-07493 L22-07513

Other Water Rights Listing Overlapping Place(s) of use:
22-02251 22-07493 L22-07493 L22-07513

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: 22-07493, 22-07495, 22-07513, and 22-07090. The following rights are also diverted through the point(s) of diversion described above: 22-07493, 22-07495, 22-07513, and 22-07090.

Dates:	App. Received:	06/16/1965	Priority Date:	04/20/1988	(Priority Date Advanced.)
	Proof Due Date:	06/18/1970	Proof Made Date:	04/20/1988	(Proof Received Late.)
	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 04/11/94 CHAPMAN

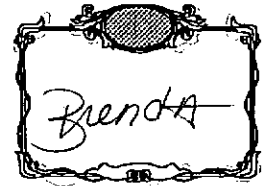
(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE								NW								SW								SE								SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
L2202251	T05N R40E S33	GROUNDWATER																																
	:	40		03		24		40	:																							107		
0100180	SNAKE RIVE :								:																									
A0110013	SNAKE RIVE :								:			36		39		02	:			1		1		39		39		38	:			20		223
2202251	GROUNDWATE :	40		40		40		40	:																								160	
A2202251	GROUNDWATE :	40		40		30		40	:			20																					170	
A2204064	GROUNDWATE :								:			02																					2	
2207495	GROUNDWATE :								:			20																					20	
L2207495	GROUNDWATE :					20			:																								20	
2207513	GROUNDWATE :								:				40																				95	
L2207513	GROUNDWATE :					12		02	:			08		30																			93	
L2202251	T05N R40E S34	GROUNDWATER																																
	:					12		12	:			37		39		39		34	:														173	
2202251	GROUNDWATE :	40		40		40		40	:			40		40		40		40	:														280	
A2202251	GROUNDWATE :			20		20		20	:			40		40		40		40	:														200	
2207493	GROUNDWATE :	40		20		20		40	:										:			40		40		40		40		40		40	440	
L2207493	GROUNDWATE :	38		23		19		33	:										:			05				05		39		36		36	38	272
A2211435	GROUNDWATE :	40		20		20		40	:										:								40		40		40		40	280

POU COMPARISON

LICENSE REVIEW CHECKLIST

PERMIT NO. 22-2251 DATE 4-11-94



NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	☒	Advance? <u>YES</u> Advanced to: <u>April 20, 1988</u> Order to reinstate needed? <u>Done</u> Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV <u>22-7493/7495</u> <u>22-7513/7090</u>	☒	Amendment needed? <u>CHANGE to NW NW SEC.33</u> Overlaps? <u>and SE SW SEC.27</u>
PLACE OF USE	☒	Amendment needed? _____ Overlaps? <u>Same group</u>
DIV RATE	☒	Measurement done? ☒ Theoretical only? _____ <u>Well #1 Q = 4.73</u> <u>280 acres x NEW ACM</u> <u>Well #2 Q = 4.38</u> <u>rate = 2.36 CFS</u> Capacity: <u>9.11</u> Combined rates exceed capacity <u>YES</u> - Allowable amount: <u>2.36 CFS</u> <u>CONDITION</u>
COMBINED TOTAL = 10.42 CFS		
ANNUAL VOLUME	☒	Season of use: <u>B/3.5</u> <u>4-15 to 10-15</u> Calculations: <u>1081 acres x 3.5 = 3783.5</u> Flow limit: <u>9.11</u> cfs x <u>184</u> x <u>1.9835</u> = <u>3324.8</u> Combined volumes exceed capacity/allowable <u>YES</u> - <u>CONDITION</u>
USES	☒	Change(s) in Nature of Use? _____ Amendment necessary? _____
REMARKS	☒	Multiple p/d(s) in 1/4 1/4? _____ <u>W28</u> <u>W29</u> Other <u>RATE = 9.11 / 00L = 3324.8</u>
CONDITIONS	☒	Measuring/Locking Devices _____ Watermaster control - District _____ Irrigation Overlap _____ Water Quality _____ Other _____
COMMENTS:	<u>Reduce acres & rate</u>	

Amend P/B

RECOMMENDED	CFS	VOLUME	LICENSE
<u>Irrigation</u>	<u>2.36</u>	<u>DO NOT</u>	
		<u>LIST</u>	1ST AMENDMENT LETTER <u>P39 + P38</u>
			FINAL AMENDMENT LETTER <u>P47</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

22-2251
Permit No.

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
- ☐ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index L.W. 6-14-89 (Initial and 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 L.W. 6-14-89 (Initial and 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: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and 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
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Larry J. M. 8-17-89 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent ALJ 3-25-89 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

APR 08 1994

Department of Water Resources

A. GENERAL INFORMATION

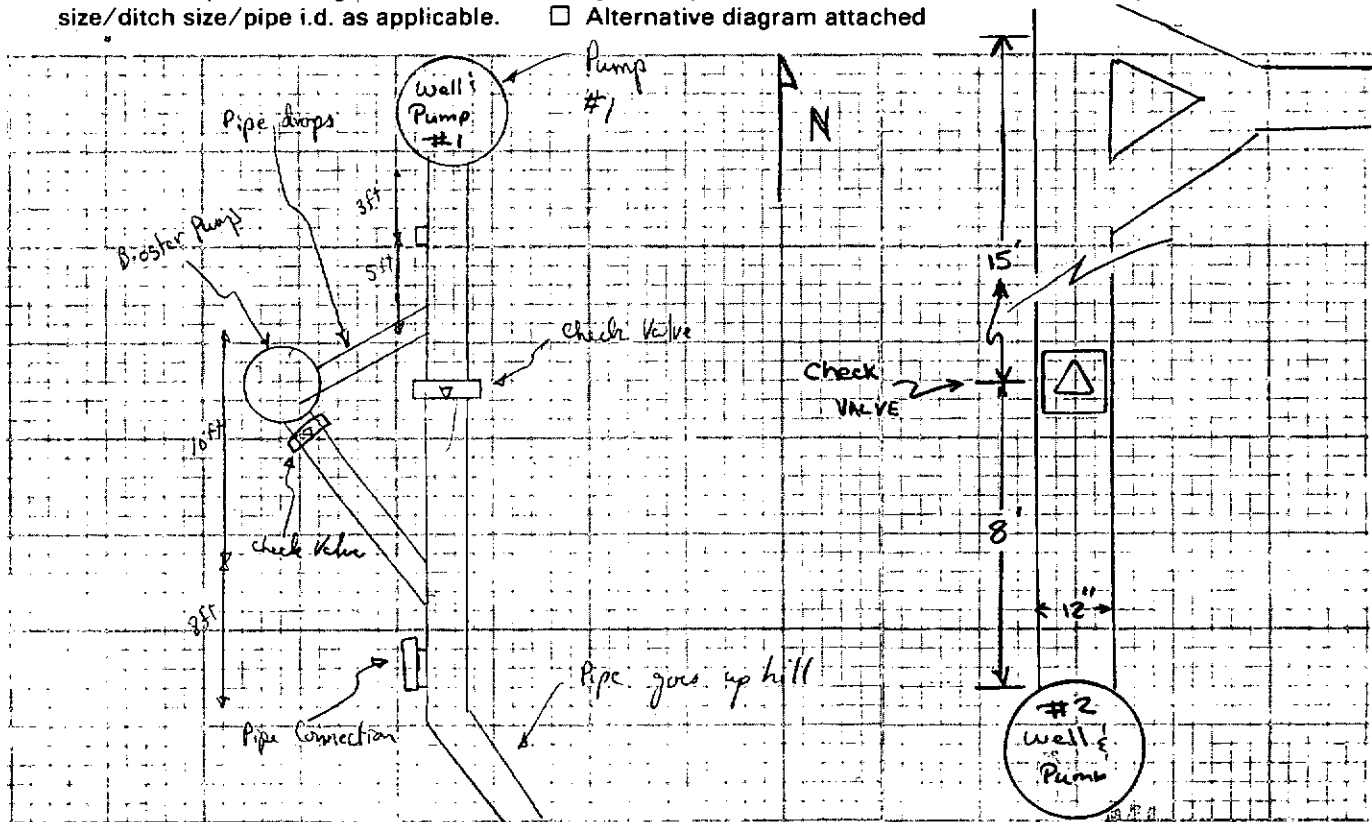
1. Owner: Herman A. Zollinger % Leroy Zollinger Permit No. 22-02251
Current Address: 8611 Brynwood Boise Id 83704 Phone No. 334-1335
2. Accompanied by: Stanley Sutton EXAM. DATE: 7-16-1992
Address: 578 E 7000 S Rexburg Id 83440 Phone No. 356-3562
Relationship to Permit Holder: Renter
3. Source: GROUNDWATER 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). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more). JUN 09 1994
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

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

Two wells, pumps mainlines to 7 center pivots, and laterals with sprinklers. Corners of circles are done with corner catcher from the pivots and laterals 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 Hollo Shaft	300	HC1029564	Peerless	219596
#1 Boute	GE	100	DFJ408134	Johnston	GC-1410
#2 Well	GE	600	MMJ1222020	Layne Boute	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	33	40	3	24	40													107
		34		12	12		37	39	39	34									173
																			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	Manometer	IDWR			60"	
Pressure gage		Rambird			0-160	

2. Measurements:

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

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$Q = 9.11 \text{ cfs}$

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) $\div$ 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:

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

2. Volume Calculations for Other Uses:

JUN 09 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

SEE ATTACHED "POINT OF DIVERSION OVERLAP REVIEW"

Right holders will try ~~and~~ to get the priority of this right back to the 1970 priority in the ~~SR~~ adjudication. If that is possible the number of acres under this right will increase to the permitted number of acres and one of the corresponding rights will be reduced.

I. RECOMMENDATIONS

1. Recommended Amounts

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

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 ☐ Other

J. AUTHENTICATION

Field Examiner's Name KEITH C. WILSON & Larry Waters

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.

JUN 09 1994

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

Measured by: Larry J. Natus
Owner: _____

Date 6-15-89
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 H₂O (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 1994

22-2251

PERMIT NUMBER

ALTERNATE COMPUTATION SHEET:

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

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

WELL #2 (Note: If 400 hp well has a 141 ft pumping depth then 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)

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

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

APPROVED
JUN 09 1994

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

22-2251

Permit Number

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

A. Total Diversion Rate (Q_t) =
 $4.38 \text{ cfs}(22-7090) + 4.73 \text{ cfs}(22-2251/7493/7495/7513)$

$Q_t = 9.11 \text{ cfs}$

B. Total Number of Acres irrigated = 1081 acres

$Q_c = \text{Total Diversion rate [1.A] / Total irrigated acres [1.B]}$

= 9.11 cfs / 1081 acres = 0.0084273 cfs/ac

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

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

$Q_c = 0.0107881 \text{ cfs/ac}$

3. Comparison of Application Rates:

Old Application Rate(Q_o) > New Application Rate(Q_c)

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

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

Total Acres(#1.B) - Lic. Acres(#2) = New Acres
(1081 ac) - (406 ac) = 675 ac

22-02251 = 280 acres
22-07493 = 280 acres
22-07495 = 20 acres
22-07513 = 95 acres
<u>675 acres</u>

$Q_t \text{ for } 22-2251 = Q_c(\#1) \times (\# \text{ New Acres } 22-2251) = 0.0084273 \text{ cfs/ac} \times 280 \text{ ac}$

$Q_t \text{ } 22-2251 = 2.359 \text{ cfs} = 2.36 \text{ cfs}$

$Q_t \text{ for } 22-7493 = Q_c(\#1) \times (\# \text{ New Acres } 22-7493) = 0.0084273 \text{ cfs/ac} \times 280 \text{ ac}$

$Q_t \text{ } 22-7493 = 2.359 \text{ cfs} = 2.36 \text{ cfs}$

$Q_t \text{ for } 22-7495 = Q_c(\#1) \times (\# \text{ New Acres } 22-7495) = 0.0084273 \text{ cfs/ac} \times 20 \text{ ac}$

$Q_t \text{ } 22-7495 = 0.1685 \text{ cfs} = 0.17 \text{ cfs}$

$Q_t \text{ for } 22-7513 = Q_c(\#1) \times (\# \text{ New Acres } 22-7513) = 0.0084273 \text{ cfs/ac} \times 95 \text{ ac}$

$Q_t \text{ } 22-7513 = 0.8006 \text{ cfs} = 0.80 \text{ cfs}$

CONDITIONS/REMARKS:

THIS RIGHT IN COMBINATION WITH 22-7090, 22-7493, 22-7495,
& 22-7513, SHALL NOT EXCEED 9.11 CFS.

JUN 09 1994

LAND LIST ATTACHMENT

Description and location of place of use:

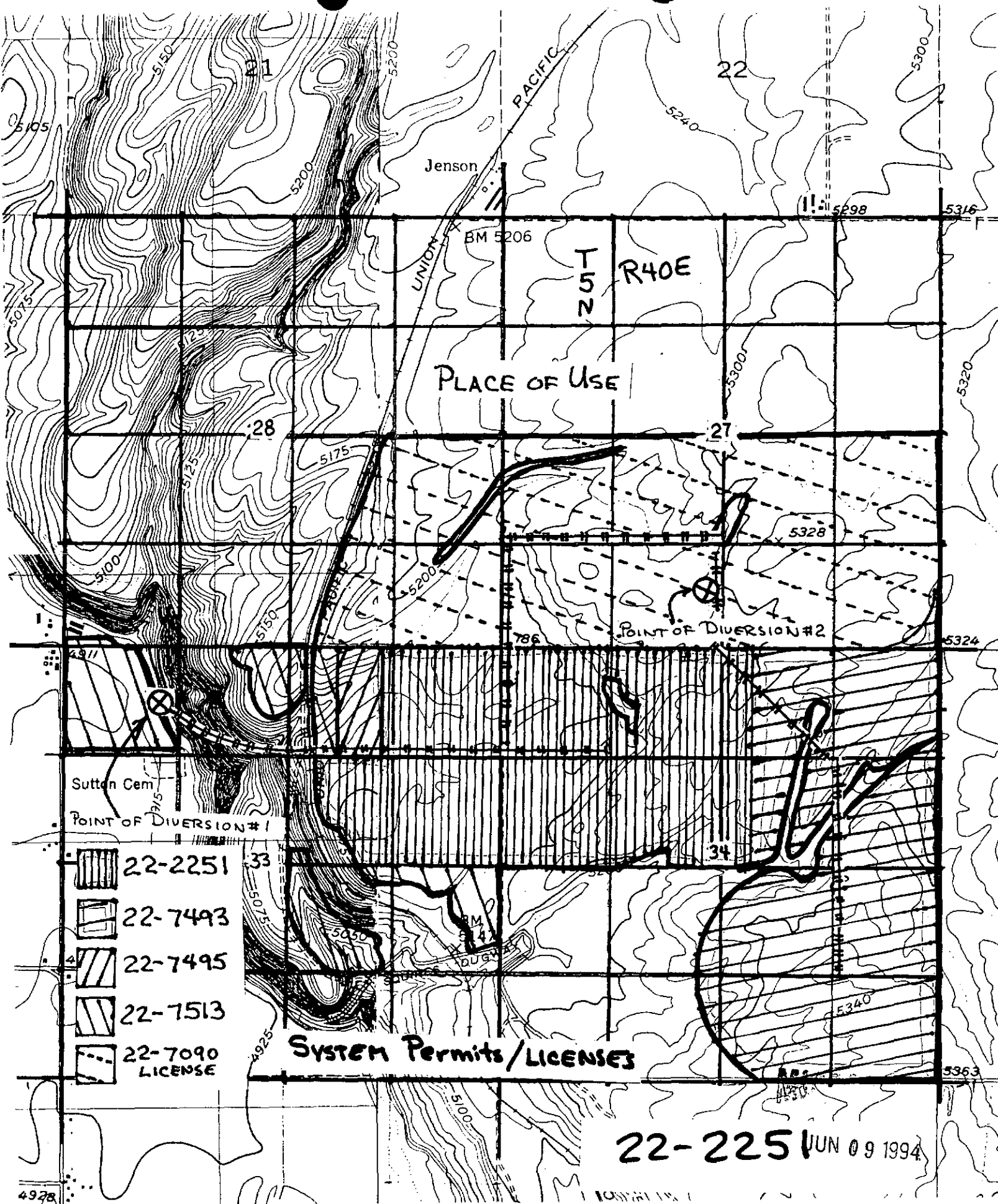
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<22-2251>																			<22-2251>
5N	40E	33	40	3	24	40													107
		34		12	12		37	39	39	34									173
<22-7493>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

Total number of acres irrigated

675 acres

22-2251

234



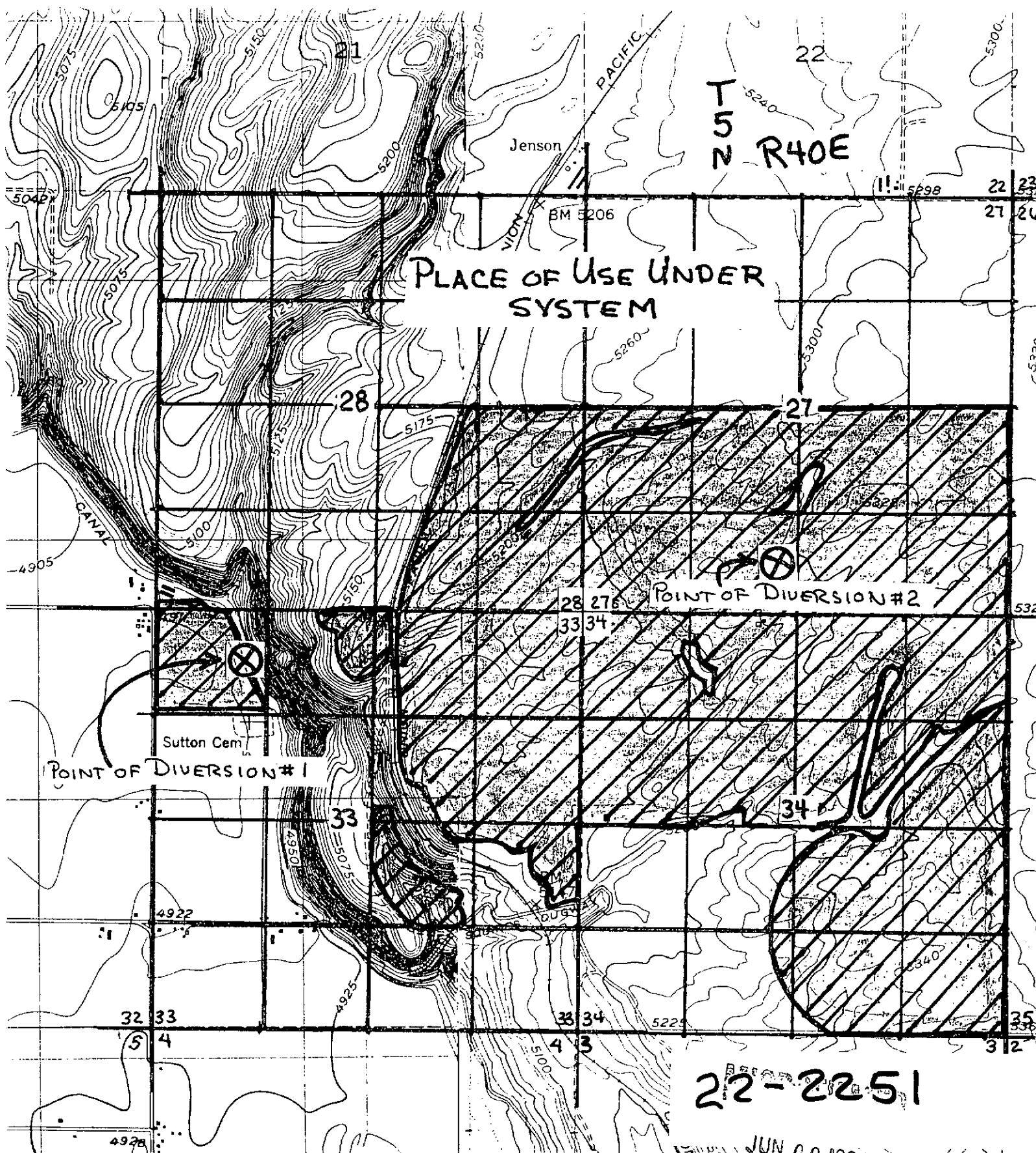
Sutton Cem

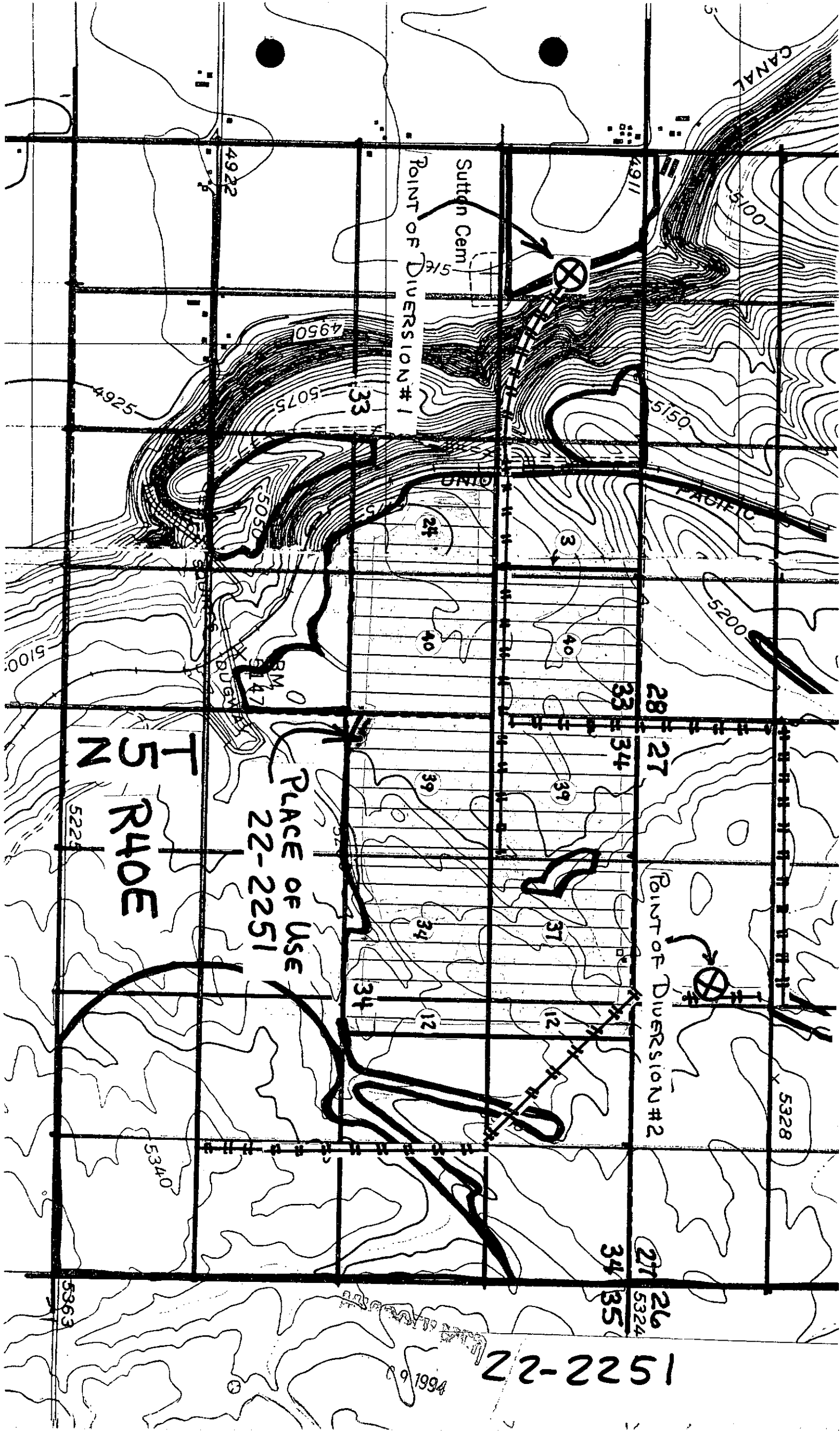
POINT OF DIVERSION #1

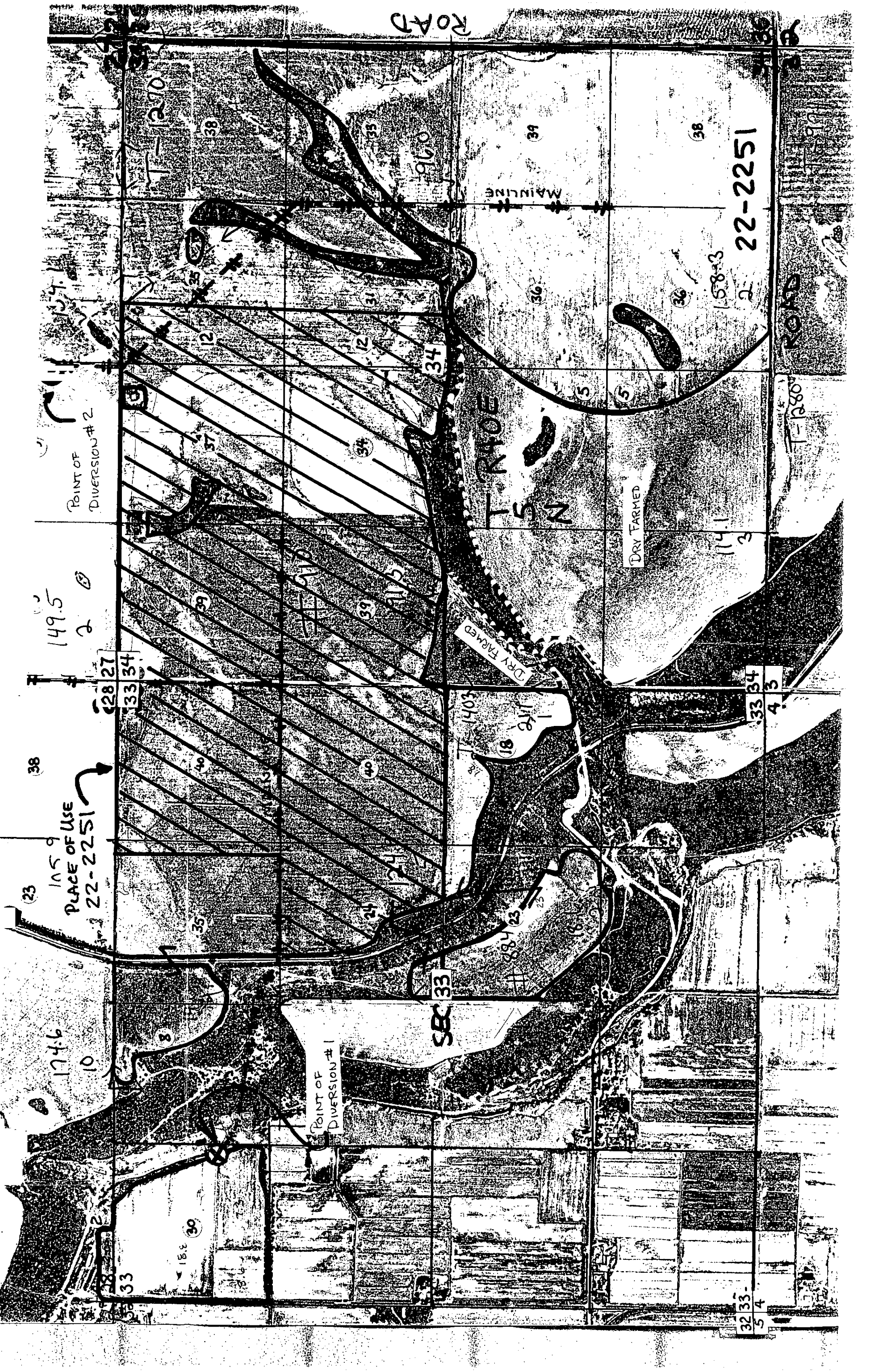
- 22-2251
- 22-7493
- 22-7495
- 22-7513
- 22-7090
LICENSE

SYSTEM PERMITS/LICENSES

22-225 JUN 09 1994







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PLACE OF USE
22-2251

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MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: ASSIGNMENT/NAME CHANGE/ PERMIT NO. 22-2251

DATE: 7-17-90

The original permit holder of record, Herman Zollinger has passed away since the time of filing and his son, H. Leroy Zollinger, who recently reinstated the permit wishes to have the permit in the corporation's name (as advised by Department in previous correspondence).

Mr. Zollinger submitted the attached documentation showing proof of corporation and that he is a registered agent of the corporation.

In lieu of an assignment, which is not possible in this case, the attached documentation is acceptable for allowing the Department to change ownership of the permit from Herman Zollinger to Zollingers Farm Inc. Address changes for database purposes are also required.

*Computer updated
7/18/90
SC*

MAILED
JUN 09 1994

Permit No 22-2257

Also change consent ownership of 22-7090
22-7493
22-7495

RECEIVED
CERTIFICATE OF APPOINTMENT
OF REGISTERED AGENT

73 JUN 29 AM 10 33

KNOW ALL MEN BY THESE PRESENTS:

That H. LeRoy ZOLLINGER ^{Farm} (Zollingers, INC)
51A (Name of Corporation)

an Idaho corporation, pursuant to section 30-1-12, Idaho Code, and by authority of its Board of Directors, does hereby appoint H. LeRoy ZOLLINGER
(Name of Registered Agent)
of 8611 BAYWOOD BOISE, Idaho as its
(street address) (city)

Registered Agent in the State of Idaho, upon whom process issued by authority of or under any law of the State of Idaho may be served.

IN WITNESS WHEREOF the corporation has caused this certificate to be executed and verified by its President (or Vice-President) on this 29 day of June, 19 79.

Zollingers Farm Inc.
(Name of Corporation)
By Wesley Zollinger
(President or Vice-President)
President
(Title)

STATE OF Idaho
County of ADA } ss.

Subscribed and sworn to before me this 29th day of June, 19 79.

Notary Public Residing at Boise, Idaho
My Commission expires July 12, 1980.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal
Pat Morris
notary
(Title)

JUN 09 1994

CORPORATION LICENSE

STATE OF IDAHO
OFFICE OF SECRETARY OF STATE

LICENSE

NO. 045212

DATED THIS TWENTY-FIRST

DAY OF JULY

1980

HAVE PAID THE SUM OF

\$50

The License Tax for the fiscal year ending June 30, 1981 in accordance with the provisions of Sections 30-603, and 30-604, Idaho Code, the said corporation is hereby granted authority to exercise its corporate rights within the State of Idaho, subject to existing laws, during the fiscal year, or fractional part thereof, for which said license tax was paid.

ZOLLINGER FARM, INC.

H. LEROY ZOLLINGER

8611 BRYNWOOD

BOISE, IDAHO

A CORPORATION
AUTHORIZED CAPITAL STOCK

83704

JUN 09 1994

Pete D. Canine

SECRETARY OF STATE

THIS IS YOUR LICENSE AND RECEIPT

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

8142
Date
02/14/90
Code
193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
TO

LEROY ZOLLINGER
8611 BRYNWOOD DR.
BOISE, ID 83704

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	06 10 199	1238	8831		REFUNDS PER TIM LUKE RECEIPT #C013738 2/13/90 20.00 22-225/ Rebecca - Plz insert this in Feb Turn	20.00	
TOTAL						20.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

JUN 09 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 13, 1990

Leroy Zollinger
8611 Brynwood Dr.
Boise, ID 83704

RE: Permit No. 22-02251

Dear Leroy:

I wish to inform you that the Department has received your letter dated February 1, 1990 in which you requested a withdrawal of the amendment for permit No. 22-02251 and a refund of the amendment fee which you paid on December 29, 1989. The amendment matter will be handled via the field examination report and subsequent correspondence.

I have asked our accounting department to prepare a refund of the earlier amendment fee. The refund will be returned to you at a later date under a separate cover letter.

Thank you for your patience and cooperation in this matter.

Sincerely,

Tim Luke
Sr. Water Resource Agent
Water Allocation Bureau

JUN 09 1994

RES.: BRYNWOOD DR.
BOISE, IDAHO 83704
(208) 342-8285

OFF.: (208) 334-1335

H. LEROY ZOLLINGER P.E.
STATE CONSERVATION ENGINEER



SOIL CONSERVATION SERVICE
U.S. DEPARTMENT OF AGRICULTURE
3244 ELDER STREET - RM 108
BOISE, IDAHO 83705

Keith C. Wilson
Senior Resource agent.

2/1/90

Amendment Permit 22-02251

In answer to your letter dated 1/26/90,
and after discussion with Tim Luke and
his telephone conversation with you, let's
forget the amendment and take care
of the matter by field examination.

If I understand correctly, you will
send me a permit to appropriate water
covering the land shown on copy 3 photo
you sent me.

Upon receiving that, I will send
you the assignment of permit.

Sorry about the confusion. I hope this
clears everything up.

I will wait to hear from you before
any further action.

H. Kelly Zollinger

Microfilm

RECEIVED

JUN 09 1994

FEB - 2 1990

Department of Water Resources
Eastern District Office

RECEIVED

DEC 29 1989

RECEIVED
Department of Water Resources

JAN 17 1990

Department of Water Resources
Eastern District Office

STATE OF IDAHO

VOID

Ident. No. _____

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now ZOLLINGER PARTNERSHIP Phone 376-8285

of (address) 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. 22-2251, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NW 1/4, Section 33, Township 5N, Range 40, B.M.,
County of MADISON. Other points of diversion: _____

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

Amount 12 cfs for IRRIG. purposes from Apr. 1 to Oct. 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)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5</u>	<u>40</u>	<u>34</u>	<u>40</u>	<u>40</u>	<u>40</u>		<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>									<u>280</u>
<u>5</u>	<u>40</u>	<u>33</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>													<u>160</u>

Total number of acres to be irrigated = 440

4. a. Who owns the property at the point of diversion? ZOLLINGER PARTNERSHIP

b. Who owns the land to be irrigated or the place of use? ZOLLINGER PARTNERSHIP

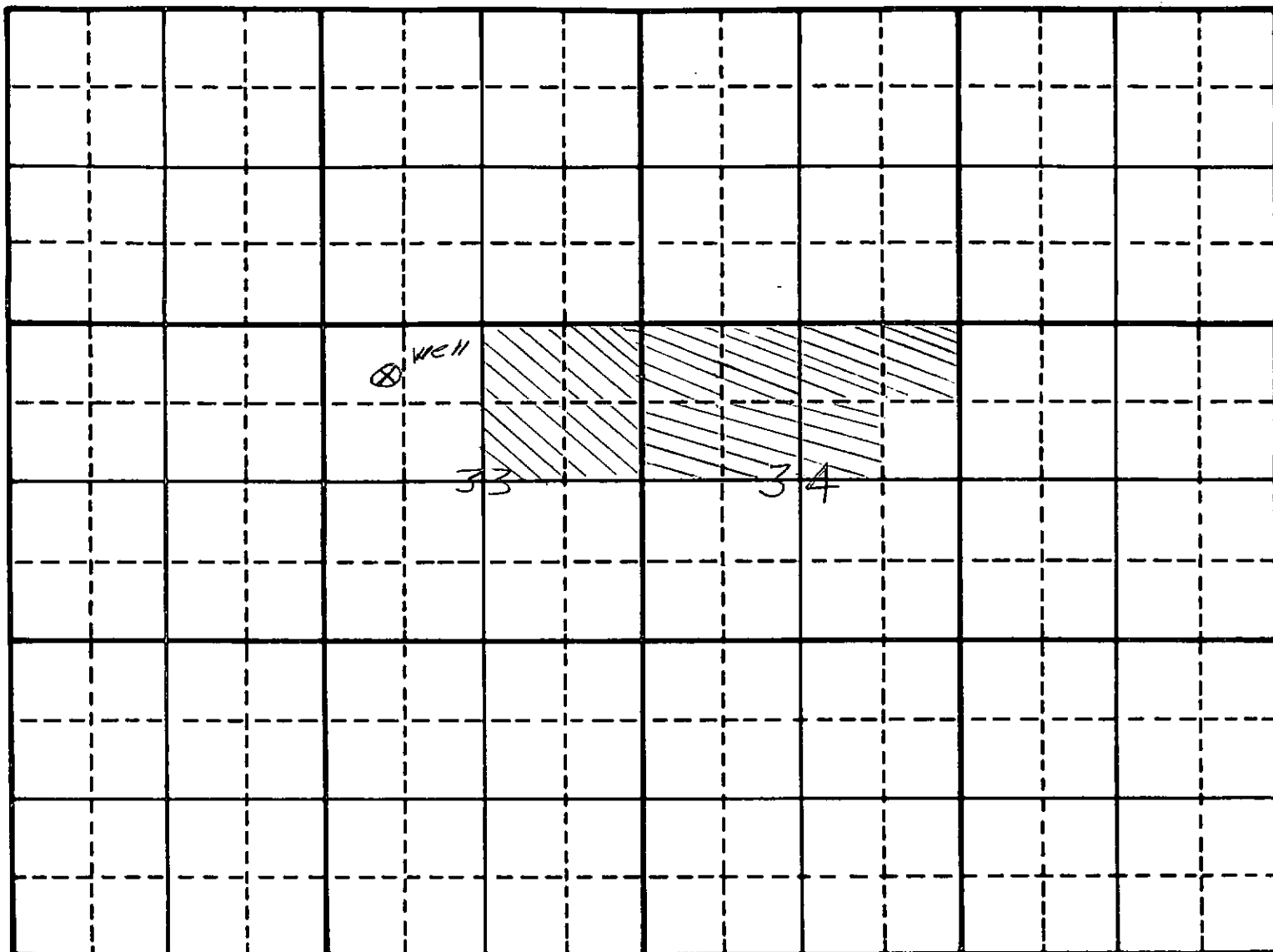
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: Purchased permanent easement
to well & land well resides on.

RECEIVED

JUN 09 1994

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at Helena Zolinger, this 21 day of Dec, 19 89.
Boise Idaho Helena Zolinger
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00

Received by J. Davis Date 12/29/89

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19 _____.

JUN 09 1994

FROM Tim Luke

DATE

TO File

SUBJECT Amendments to Permit - POV & POD

MR. Zollinger (Terry Zollinger) was in last month to discuss reinstatement of this permit & to drop evidence off concerning reinstating. He informed me that the POD on this permit is incorrect & should be NWNW sec 33 TSN, R40E. He also mentioned that the POV should exclude acreage in section 27. I advised MR. Zollinger, & he agreed, that it would be best to handle the amendments of this permit thru the field exam - licensing process.

RECEIVED

JUN 09 1994


SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 14, 1988

RE: Permit No. 22-2251

Herman A. Zollinger
1304 Laurel Drive
Idaho Falls, ID 83401

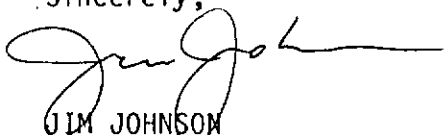
Dear Permit Holder(s):

We acknowledge receipt of the statement of beneficial use and the supporting documentation for reinstating the above referenced permit. Enclosed is a copy of the Order of Reinstatement. Please note that the priority date has been advanced to April 20, 1988.

Before a license can be issued, a field examination will be made by a representative of this Department.

If you have any questions regarding this matter, please contact this office or our Eastern Regional Office at 525-7161.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

DEC 19 1988

Tim Luke

Nov. 8, 1988

Sr. Water Rights Agent
Id. Dept. Water Resources

Ref. Permit No. 22-2251

In accordance with your letter dated Sept. 14, 1988, the following material is enclosed as evidence to show beneficial use of water did commence from said well in 1970.

1. Letter to Dept. from Stan Sutton, Lessee of land owned by Zollinger Inc.
2. Copy of lease between Mrs. Sutton and Zollinger stating land to be irrigated and when.
3. Letter from Golden West Irrigation and copy of bills for wiring and installing pump (1970)
4. Copy of bill from High Pipe Welding for welding of steel mainline appurtenances to new well. (1970)
5. A5C5 photos dated 1966 & 1978. 1968 showing dry crop land, and 1978 showing sprinkle irrigated.

Reasonal proof of beneficial use was not filed earlier because

MICROFILMED
DEC 19 1988

of communications misunderstanding
between Mr. Sutton and my father
Norman Zollinger. Each, thinking the other
had taking care of the matter. In
1973 my father pass away and I
was un aware of the problem untill
I bought the well from Mr. Sutton
and discovered this problem.

If you have any further questions
please contact me.

Norman Zollinger

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DEC 19 1988

Department of Water.

I Stan Sutton rented land from Herman Zollinger in the fall of 1968 to crop in 1969. I was to develop and put water on this land. The pipe line was installed and the first year 1969 water was rented from Jubilee pool. And pumped from Sunnydell Dr. Canal. That summer the well in question was drilled and in Jan of 1970 pump was moved from Canal and put on well. I have rented this land from Mr. Zollinger or his family ever since.

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DEC 14 1988

I have raised potatoes
grains and hay on this
land and have watered
it since 1969.

Stanley Sutton

RECEIVED

DEC 19 1988



GOLDEN WEST IDAHO FALLS, INC.
P.O. BOX 488 356-9318 REXBURG, IDAHO 83440

Oct 30, 1988

To whom it may concern.

this letter is to verify that Stan
Saultan bought & used the
attached copies of irrigation equipment
installed & put into use between the
years of 1970 - ~~1971~~ 1974.

Stan Saultan
President -

MICROFILMED

DEC 19 1988

STATEMENT

Wigles Pipe welding
Horton
July - 19 70
Gim Stat Inc.

Reynolds -
Stan Suttons
Archer

hookup on main
hookup on Booster 157.5

12 - 1" x 8" Belts	14.4
1 - heavy duty Spline	
Flange	18.00
	\$1789.9

refacing check valve
& flanges 132.50

MICROFILMED

DEC 19 1988

IRRIGATION PUMPS
& SPRINKLERS

ESTIMATE & AGREEMENT

STEEL, ALUMINUM PIPE
VALLEY SELF-PROPELLED
CIRCULARS

GEM STATE IRRIGATION, INC.

BOX 351

SOUTH YELLOWSTONE HWY.

REXBURG, IDAHO 83440

PHONE 356-9318

TO

Stan Sutton

DATE

Aug. 7, 1974

COMPLETION DATE

BID: WE HEREBY PROPOSE TO FURNISH MATERIAL AND LABOR TO COMPLETE THE WORK
OUTLINED HEREIN FOR THE SUM OF:

DOLLARS \$

PAYMENT
TO BE MADE
AS FOLLOWS:

20% Down Balance on Start up

WE HEREBY SUBMIT SPECIFICATIONS AND BID FOR:

QUANTITY	STOCK NUMBER OR DESCRIPTION	AMOUNT
6	1/4 mile Wreco Speed Roll lines 10 5" pipe plus 5" Mover adapter pipe in middle of line. The balance is to be 4" Tubing 5/32 Rain Bird Heads \$4,500/LINE Valve Openers TELESCOPE HOOK UPS \$27,000.00 * FALL DELIVERY *	
6	1/4 mile Wreco Speed Roll lines 10 5" pipe plus 5" Mover adapter pipe in middle of line. The balance is to be 4" Tubing 5/32 Rain Bird Heads Valve Openers TELESCOPE HOOK UPS * SPRING 1975 DELIVERY * 4,500/LINE 27,000.00	
	COST OF INFLATION TO BE ASSUMED BY BUYER	
		\$54,000.00

MICROFILMED

DEC 19 1988

TERMS: 10TH OF MONTH FOLLOWING DATE OF PURCHASE. Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and in if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 12% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

NO. 1184

DATE Aug 7, 1974

SIGNED Ken S. Anderson

THE ABOVE SPECIFICATIONS TERMS AND CONTRACT ARE SATISFACTORY, AND I HEREBY AUTHORIZE THE PERFORMANCE OF THIS WORK.

SIGNED

Stanley Sutton

DATE

8/15/74

THIS BID VOID AFTER 30 DAYS FROM DATE UNLESS ACCEPTED BY SIGNATURE AT RIGHT

OFFICE COPY

SHORE ELECTRIC CO.

P. O. Box 2816
IDAHO FALLS, IDAHO
202-1356
923 1000

No 1341

PHONE	DATE OF ORDER
ORDER TAKEN BY	CUSTOMER'S ORDER NUMBER 225
☐ DAY WORK	☐ CONTRACT ☐ EXTRA
JOB NAME / NUMBER Sutton	
JOB LOCATION	
JOB PHONE	STARTING DATE 4-13-70

TO Gem State Irrigation

TERMS: 10th of month following purchase. 1 1/2% charge per month on past due accounts. I agree to pay all charges in case of forced collection.

QTY.	MATERIAL	PRICE	AMOUNT	DESCRIPTION OF WORK
1	100HP 3P 440V		375.00	100HP Sutton
1	Large Cap		33.00	STAN
1	Time Delay		5.00	
				OTHER CHARGES
				Wire 100HP 225.00
				Hook up & move panel and make alterations to 300HP 250.00
				TOTAL OTHER 475.00
				LABOR
				HRS. RATE AMOUNT
				TOTAL LABOR 475.00
				TOTAL MATERIALS 458.00

MICROFILMED

DEC 19 1988

DATE COMPLETED

TOTAL MATERIALS

458.00

Work ordered by

Signature

I hereby acknowledge the satisfactory completion of the above described work.

Thank You!

TOTAL OTHER

TAX

TOTAL

475.00

458.00

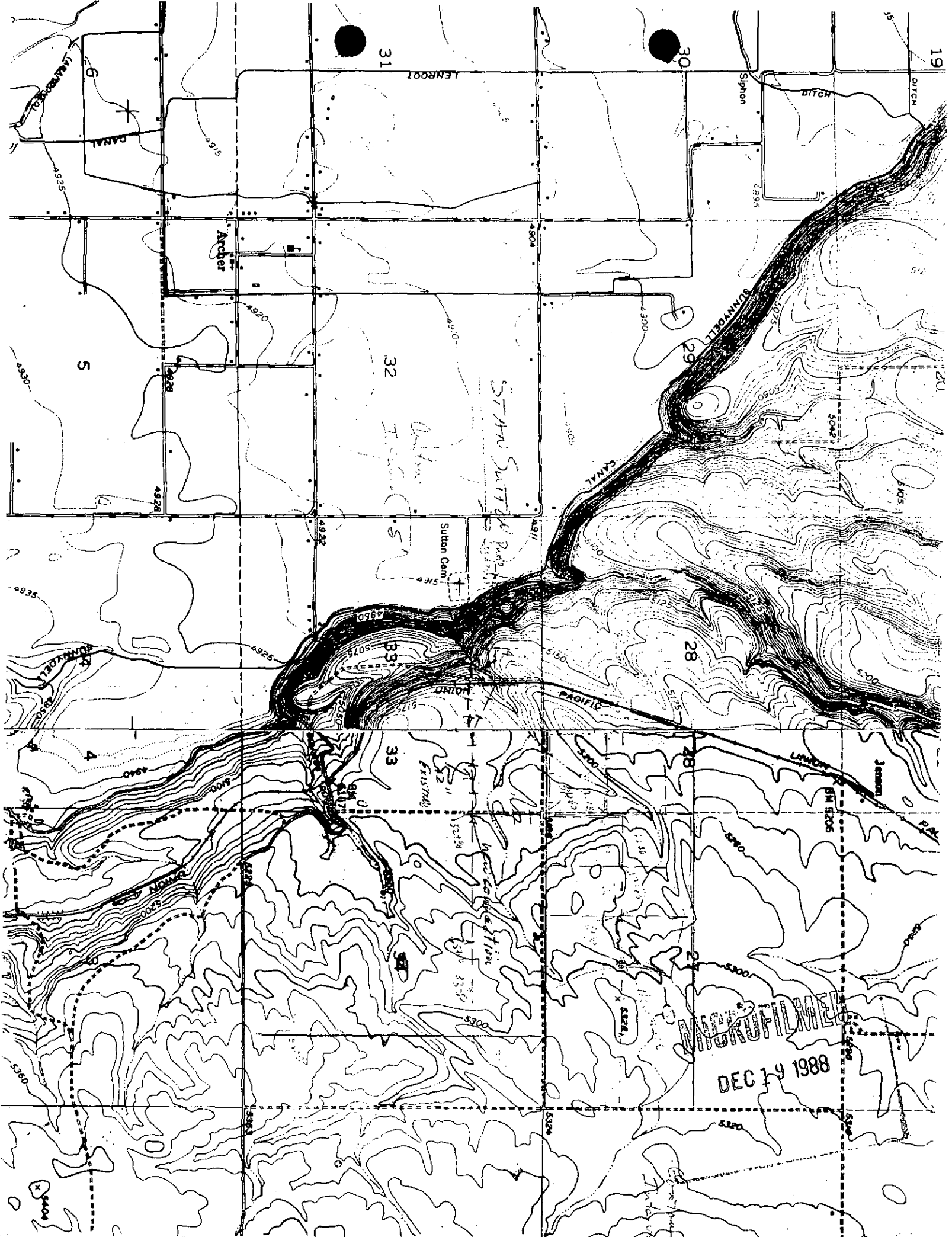
933.00

Phones: 522-1356
523-3483

PHONE	START DATE
ORDER TAKEN BY	CUSTOMER'S ORDER NUMBER
☐ DAY WORK ☐ CONTRACT ☐ EXTRA	
JOB NAME / NUMBER Sutton	
JOB LOCATION HARPER	
JOB PHONE	STARTING DATE 1-16-70

TERMS: 10th of month following purchase. 1 1/2% charge per month on past due accounts. I agree to pay all charges in case of forced collection.

[illegible]



REPRODUCTION
DEC 14 1988

8611 B

RES.: BRYNWOOD DR.
BOISE, IDAHO 83704
(208) 376-8285

OFF.: (208) 334-1335

H. LEROY ZOLLINGER P.E.
STATE CONSERVATION ENGINEER



SOIL CONSERVATION SERVICE
U.S. DEPARTMENT OF AGRICULTURE
3244 ELDER STREET • RM 108
BOISE, IDAHO 83705





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 14, 1988

RE: Permit No. 22-2251

Mrs. Herman Zollinger
1304 Laurel Dr.
Idaho Falls, ID 83401

Dear Permit Holder(s):

The Department received your proof of beneficial use statement for the above referenced permit on April 20, 1987. The permit lapsed in July of 1970, so the 60-day late period during which the permit can be readily reinstated has passed.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can now be reinstated only if you submit the following:

- a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date. Besides any other supporting documentation you may submit, dated aerial photos should definitely be submitted to show the extent of use of water for irrigation purposes.
- b) Reasonable cause why the proof of beneficial use was filed late.

In regards to the first requirement outlined above, the Department suggests that you contact your local ASCS office to obtain aerial photos which may have been taken during the authorized permit period. Photos should be dated by an ASCS office agent, and if possible, a brief statement signed by the agent to verify that irrigation has taken place during the authorized period.

Your proof of beneficial use statement along with any information which may have been submitted with it will remain on file in this office for 60 days to allow you an opportunity to assemble and submit

MICROFILMED

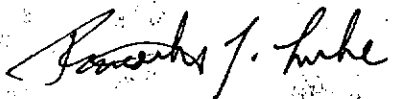
DEC 19 1988

Page 2

the additional required information. We apologize for the delay in responding to your initial request of reinstatement which was forwarded to our office in April of this year.

Please feel free to contact this office if you have additional questions.

Sincerely,



TIM LUKE
Sr. Water Rights Agent

TL:sc

Enclosure

MICROFILMED

DEC 19 1988

FROM Ernest C.

DATE 6 April 1968

TO Rita J.

SUBJECT - Attached is a request for reinstatement of Permit 22-2251 and my response. You should expect to receive the B.U. form shortly.

SIGNATURE

April 4, 1988

8611 Brynwood Drive
Boise, Idaho 83704

Mr. Ronald D. Carlson
Department of Water Resources
Eastern Region
150 Shoup
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

In 1965 Herman Zollinger applied to appropriate 12.0 cfs for the irrigation of 620 acres. The ground was developed under a lease with Stan Sutton. Mr. Zollinger was granted permit 22-2251.

Perhaps because of the lease with Mr. Sutton and the inadequate transfer of paperwork between the lessor and lessee, permit 22-2251 lapsed. Mr. Sutton, however, developed the ground and has been irrigating it since 1968.

Additional applications have since been filed when it was discovered that the department's records showed no water rights for approximately 600 acres of the Zollinger farm. However, because of the slowdown in processing of applications by the IDWR, Zollinger farms, the heir to the estate of Herman Zollinger, requests that the department reinstate permit 22-2251 pursuant to Idaho Code Section 42-218a.

Sincerely,

H. LeRoy Zollinger
H. LeRoy Zollinger

cc: Stan Sutton, 578 E. 7000 So., Rexburg, Idaho 83440

MICROFILMED

DEC 19 1988

RECEIVED

APR 11 1988

Department of Water Resources

RECEIVED

APR 5 1988

Department of Water Resources
Eastern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

April 7, 1988

Stan Sutton
578 E. 7000 S.
Rexburg, ID 83440

RE: Reinstatement of Permit 22-2251

Dear Mr. Sutton:

Your letter of April 4, 1988, requesting reinstatement of lapsed permit #22-2251 has been forwarded to our state office for consideration. However, prior to any action by the Department, you must also complete and return the enclosed proof of beneficial use form. The form should be accompanied by the appropriate licensing examination fee. The fee is based on the quantity of water diverted by the well(s) originally covered by the permit up to the permitted amount. This amount was 12.0 cfs so the fee will not exceed \$375.

The priority date for the permit will be advanced to the day both the beneficial use form and the fee are received by the Department.

Please send both items to Department of Water Resources, 1301 N. Orchard St., Statehouse Mail, Boise, ID 83720, attention Rita Fleck.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/dg
Enclosure

MICROFILMED

DEC 19 1988

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215

July 14, 1970

Re: Permit No. G-32405/22-2251



R. Keith Higginson
Director

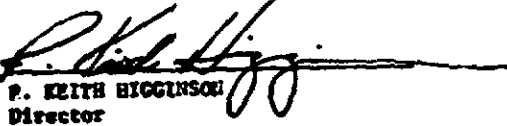
Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Mr. Herman A. Zollinger
Rexburg
Idaho 83440

Dear Mr. Zollinger:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit G-32405/22-2251 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.


P. KEITH HIGGINSON
Director

April 1, 1970

Re: Permit No. G-32405/22-2251

Mr. Herman A. Zollinger
Rexburg
Idaho 83440

Dear Mr. Zollinger:

One of the conditions of the approval of your permit no. G-32405/22-2251 was that proof of application of the water to beneficial use be submitted to this office on or before June 18, 1970.

Enclosed is an affidavit form which must be used to submit this proof. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code Amended.

Either the proof or a request for extension of time must be received by this department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higgins
State Reclamation Engineer

Enc: Proof form
or

RECEIVED MAR 11 1970

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32405/22-2251)

in the name of Herman A. Zollinger,)

Rexburg, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 22-2251 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this 23rd day of January, 1970.


R. Keith Buchanan
State Reclamation Engineer

January 23, 1970

Re: Permit No. G-32405 (Rev No. 22-2231)

Norman A. Zollinger
Rexburg, Idaho 83440

Dear Mr. Zollinger:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McElwain
Appropriation Engineer

Enc. 3

Enc. Order

Advertising Notice

Enc. 3

June 25, 1945

Re: Permit No. 0-32405
Robert A. Tallinger

Miss Mary Smith,
Attorney at Law,
Baltimore, Md.

Dear Miss Smith:

We enclose Permit No. 0-32405 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 0-013 which was issued covering payment in the amount of \$ 7.00 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. ZEPF
State Reclamation Engineer
By

(S.S.) ELLA F. ELLI
Chief Clerk

Encl.
cc: Robert A. Tallinger
Baltimore, Md.

632405

140 OFFICES
W. LLOYD ADAMS
AND
MARY SMITH
RECEIVED, IDAHO 83445

June 15, 1965

RECEIVED
JUN 16 1965
Department of Reclamation

Mrs. Edna P. Rule
Chief Clerk
Department of Reclamation
State House
Boise, Idaho

Dear Mrs. Rule:

Herman A. Zollinger has not been able to complete his well under Permit No. G-28878. His time for submitting proof expires July 26, 1965.

I am enclosing herewith an application for permit signed by Mr. Zollinger, which includes the land under permit no. G-28878 and also additional land.

I would appreciate it very much if you would approve this permit. I am enclosing my check in blank for the necessary fees.

Kindest regards,

Mary Smith
Mary Smith

ks

Enclosures

832405

NAME OF APPLICANT Herman A. Zollinger

Form No. 0

Township 5 North, Range 40 E.B.M.

Madison County, Idaho

27

Roll

33

34

Permit Recd No. 32405

As Approved Jan 18 1905

CARL J. TAYLOR
State Engineer

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Herman A. Zollinger, Rexburg, Idaho,
_____ has received an approved permit No.
G-32405/22-2251 issued by the Idaho State Reclamation Department authorizing the
diversion ~~diversion~~ of 12.0 cubic feet per second ~~from the Snake River~~
of water from 0 ground-water source
subject to all prior rights. The priority to be established under this permit is
June 16, 1965 and the permit was approved June 18, 1965.
Water is to be diverted by well
from a point within the NE 1/4, Sec. 34, T. 5 N. R. 40 E. B. M., Madison
County,
to be used for irrigation
in the SW 1/4, Sec. 27; NE 1/4, Sec. 33; NW 1/4, SW 1/4, NW 1/4, Sec. 34, T. 5 N.
R. 40 E. B. M.

Proof of the application of the water to beneficial use is to be submitted to the
department on or before June 18, 1970. Any protests against
the issuance of a license for the above referenced permit should be filed with the
Department of Reclamation within ten (10) days of the last date of publication of
this notice or prior to the licensing of the permit. Licensing may commence prior
to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Rexburg Journal, Rexburg, Idaho, on

and _____