

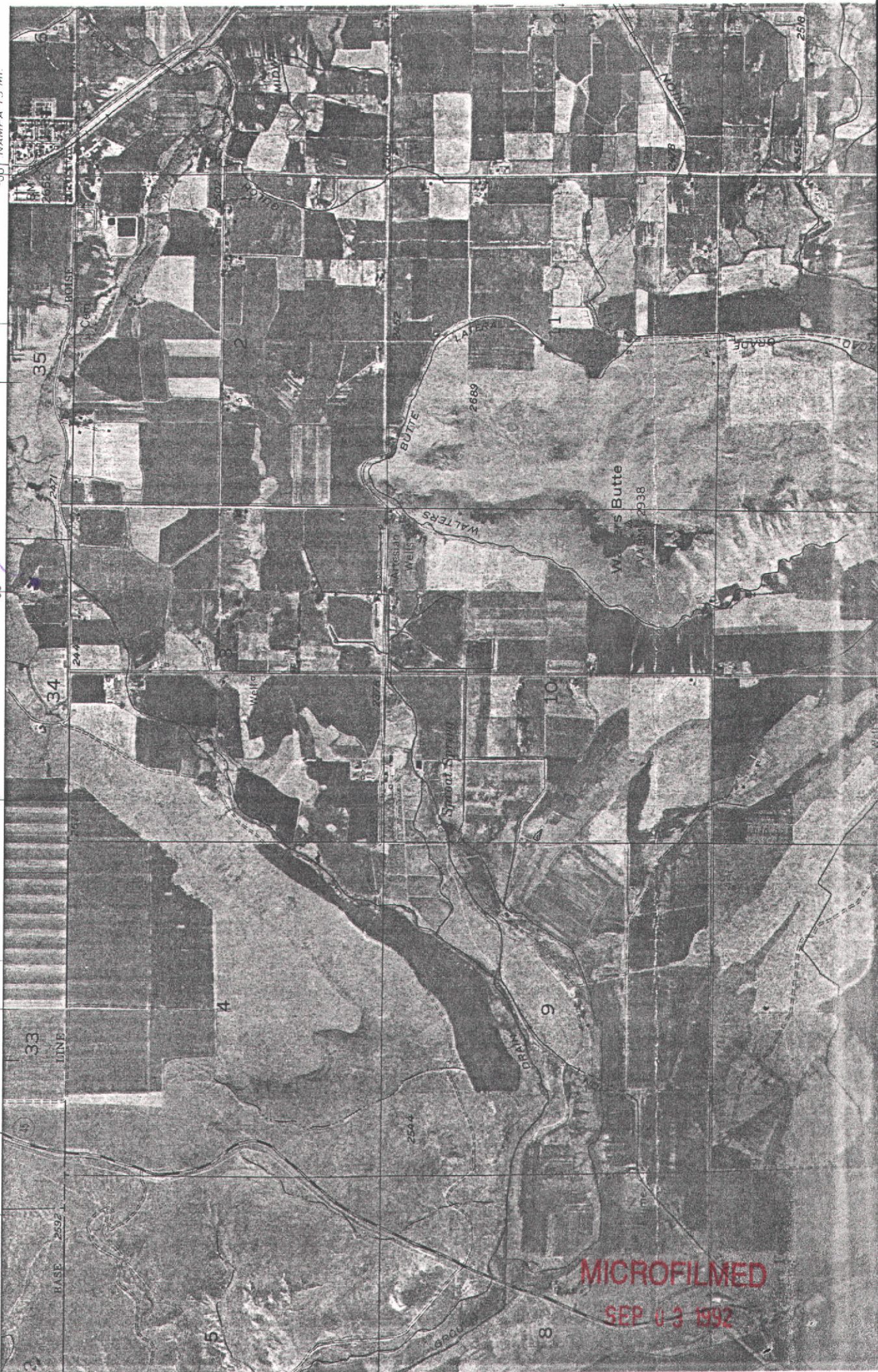
AG3-21178

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MICROFILMED  
SEP 03 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-21178  
Date Received: 2/22/1990  
Receipt No: W009370  
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JACOB HEIDA 208-495-2206  
Address: RT 1, BASE LINE RD.  
MELBA, ID 83641

2. Date of Priority: MAY 20, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01N      | 02W   | 34      | SE     | SE     |     |     | CANYON |

5. Description of diverting works:  
60' DEEP

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S. | (or) | A.F.A. |
|----------|-------|-------|--------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.060  | 0.04 |        |
| Stock    | 1-1   | 12-31 | 0.02   |      |        |

7. Total Quantity Appropriated is:  
0.060 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC-1 HOME W/LAWN; STOCK-30 HD CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 01N      | 02W   | 34      | SE     | SE  |     | DOMEST |       |
|          |       |         | SE     | SE  |     | STOCK  |       |

11. Place of use in counties: CANYON

A63-21178

Page 1

Date: 02/22/90

MICROFILMED

SEP 03 1992

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

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: 1

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Frank Glendon* Date: Feb 22 90  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 22 day  
of Feb. 19 90

Seal

*Linda Werner*  
Notary Public  
LINDA WERNER  
Residing at RESIDING AT EAGLE, IDAHO  
MY COMMISSION EXPIRES DEC. 8, 1994  
My Commission Expires \_\_\_\_\_

T1N  
R2W  
Sec. 34

AG3-21178

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530 AMPA 16 MI

35'

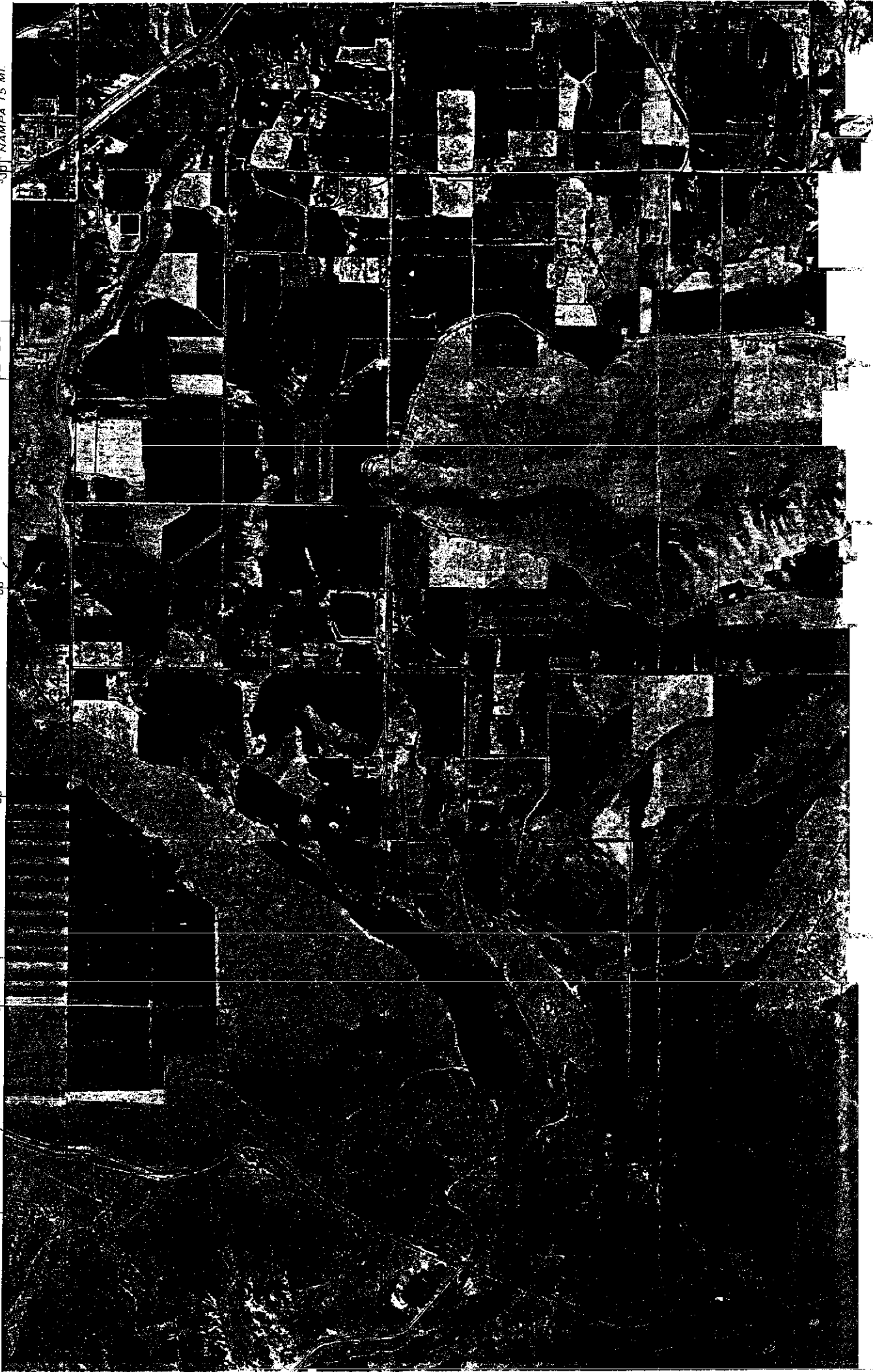
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536

32' 30"

536 AMPA 15 MI  
7.5



DATE: 06/26/98  
PAGE: 1

**CANYON County**

Audit: 06/26/98 CVALKER



WATER RIGHT NUMBER - A63-21178 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -  
+ - - - - LAST NAME - - - - + - - - - FIRST NAME - - - - + - - - - ADDRESS - - - - -

\*\*\* C - CURRENT OWNER \*\*\*  
HEIDA JACOB  
1 - RT 1, BASE LINE RD.  
2 -  
3 -  
CITY- MELBA STATE- ID ZIP- 83641  
PHONE - 208-495-2206

+ - - - - PRIORITY DATE - - - + - - - - REGION - - - + - - - - STAGE - - - + - - - - STATUS - - - +  
05/20/1940 14 WESTERN J - BENEFICIAL USE  
+ - - - - SOURCE - - - - + - - - - TRIBUTARY - - - - -

+ - - - - TOWN RNG SEC TRACT LOT RFLG COUNTY POINT OF DIVERSION - - - - - STREAM INDEX (BLANK IF NO INDEX CODE)  
01N 02W 34 SE SE (27) CANYON

+ - - - - CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE - - - - - DIVERSION RATE DIVERSION VOLUME  
43 - DOMESTIC 01/01 12/31 0.040  
04 - STOCKWATER 01/01 12/31 0.020

+ - - - - TOTAL DIV. RATE - + - - - - TOTAL DIV. VOLUME - + - - - - TOTAL DIV. CAPACITY - + - - - - TOTAL CONSUMPTIVE USE - + - - - - KW USAGE - +  
0.060

+ - - - - TOWN RNG SEC TRACT LOT ACRES PLACE OF USE CODE DESCRIPTION COUNTY  
01N 02W 34 SE SE 04 STOCKWATER (27) CANYON  
01N 02W 34 SE SE 43 DOMESTIC (27) CANYON

+ - - - - DIVERSION MEANS - 60' DEEP  
+ - - - - NON-IRRIGATION USE - DOMESTIC-1 HOME W/LAWN; STOCK-30 HD CATTLE  
+ - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - NO REMARKS FOUND.  
+ - - - - OLD WATER RIGHT NUMBERS - - - - - NO OLD WATER RIGHT NUMBERS FOUND.  
+ - - - - CONDITIONS OF APPROVAL - - - - - NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + - - - - DECREE DEFENDANT - - - + - - - - DECREE DATE - - +  
00/00/0000

WATER RIGHT NUMBER - A63-21178

PREFIX TRANSLATION: ADJUDICATION CLAIM

AUDIT FIELDS - 02/22/90 WERNER

COMMENTS - NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA

|                       |              |                       |              |                         |         |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| COURT REPORT FILING   | - 00/00/0000 | FIELD INSPECTION MADE | - 00/00/0000 | CIVIL CASE NUMBER       | - 39576 |
| OBJECTION FILED DATE  | - 00/00/0000 | FIELD INSPECTION FLAG | -            | OLD CASE NUMBER         | -       |
| RESPONSE FILED DATE   | - 00/00/0000 | VERIFIED DATE         | - 00/00/0000 | OLD JUDICIAL DISTRICT   | -       |
| CLAIM RECEIVED DATE   | - 02/22/1990 | LAST AMENDED DATE     | - 00/00/0000 | TEMPORARY RIGHT         | - P     |
| PROOF DUE DATE        | - 00/00/0000 | PROOF MADE DATE       | - 00/00/0000 | WATER DISTRICT          | -       |
| LICENSED DATE         | - 00/00/0000 | RECEIPT NUMBER        | - W009370    | FEDERAL/STATE INDICATOR | - S     |
| CLAIMS TAPE ERROR FLG | -            | POU OWNERSHIP FLAG    | - Y          | PRESUMPTION FLAG        | -       |
| FEE EXEMPT FLAG       | -            | NAME CONNECTOR        | -            |                         |         |

9R01N0Zw349802

DATA ENTRY  
ENTERED  
CHECKED

Verified By  
Topo Map/Ortho-PQ  
ASCS Map  
Watermaster Records  
NAPP Photos  
Field Exam  
Other (See Remarks)  
County Records  
Watermaster  
Flood Insurance  
IDWR Records

VERIFIED  
FEB 14 1993

CERTIFIED  
FEB 23 1993  
WATER EXAMINER



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

June 13, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

ROD SHANNON  
3750 TRACK ROAD  
MELBA, IDAHO 83641

RE: Jacob Heida water rights in regards to Rod Shannon

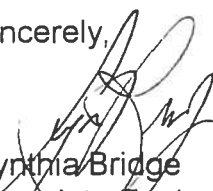
Dear Mr. Shannon:

In response your letter delivered June 11, 2001, I am sending profile reports for the water rights listed in the name of Mr. Jacob Heida: water right nos. 63-21177 and 63-21178. As identified in the reports, the place of use and point of diversion for both water rights are located in the SESE quarter quarter of Township 1N, Range 2W, section 34. The seasons of use, diversion rates, and nature of use are also described on the attached reports.

Water right no. 63-21177 is a Snake River Basin Adjudication Claim based on beneficial use that has not yet been verified by the Department of Water Resources. Additionally, the Department has not verified that these rights are sufficient for the planned dairy use.

Please give me a call if you have questions.

Sincerely,

  
Cynthia Bridge  
Associate Engineer  
Water Right Permits Section

cc: Allen Giacomini, State Dairy Inspector

Enclosures

RECEIVED  
JUN 11 2001  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources  
1301 North Orchard  
Boise, Idaho 83706  
ATTENTION: Cynthia Bridge

Dear Cynthia,

I am writing to request a letter from the Department of Water Resources indicating that the dairy site, which I plan on leasing, has the appropriate Water Rights. The State Dairy Inspector with the Idaho Department of Agriculture has requested that I obtain this letter in order for a change of permit to be issued.

At present time and for the last 22 years, the owner of the subject property has been Mr. Jacob Heida. Mr. Heida will reside on the property, but will be leasing the dairy facility to me. Mr. Heida has been dairying at this facility since his ownership began. According to Mr. Heida, the subject property was a dairy prior to his ownership as well. At this time Mr. Heida wishes to retire from milking cows, thus giving me an opportunity to lease his dairy facility. The subject property is located at 8184 Base Line Road, Melba, Idaho 83641. Mr. Heida's dairy does not have a specific name. I have attached two affidavits and a past Profile Report from the Department of Water Resources, which indicates the property's legal description that you requested. According to the affidavits, the legal description is as follows:

|          |       |         |        |        |         |        |
|----------|-------|---------|--------|--------|---------|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 Lot | County |
| 01N      | 02W   | 34      |        | SE     | SE      | Canyon |

Thank you for your time and please feel free to contact me with any questions you may have. I may be reached at 495-2947 (home) or 1-208-899-0784 (cellular).

Sincerely,



Rod Shannon  
3750 Track Road  
Melba, Idaho 83641

Allen Giacomini  
State Dairy Inspector  
Idaho Dept of Agriculture  
Bureau of Dairying  
P O Box 790  
Boise, ID. 83701

1115 Albany Street  
Caldwell 83605  
HH (Caldwell) Lacey

water resource  
327 7900

Office...332-8550  
Cell Phone...850-8486

Dear Producer;

Please be advised that in order to receive a permit to ship milk in Idaho, the following requirements must be met,

- ✓ **Pre-Qualifying Inspection.** Must be conducted by State Dairy Inspector to determine what items if any need to be brought into compliance.
- **Qualifying Inspection.** To be conducted by State Dairy Inspector to determine that facility is in compliance.
- **Approval of Dairy Waste Facilities (and construction if necessary).** To be conducted by ISDA Technical Services Engineer (Michael Mitchell or Jenifer Beddoes...332-8665)
- **Milkroom Water Supply.** Sample to be collected by Dairy Inspector and must test Negative for Coliform Bacteria.
- **Sweetwater (chiller / glycol tanks if used).** Sample to be collected by Dairy Inspector and tested negative for Coliform Bacteria.
- ✓ **Nutrient Management Plan.** Must be developed by a Certified Planner and Approved by ISDA. (a list of planners can be obtained by calling Kellie Gray, Nutrient Management Coordinator at 332-8665).

In addition to the above items, the following documents must be provided to State Dairy Inspector or ISDA Bureau of Dairying prior to receiving approval for permit to ship milk.

- See  
attached  
Memo
- **Letter or Certificate from County P & Z .....**stating that facility is in compliance with Livestock Ordinance.
  - **Letter from Idaho Dept of Water Resources.....**stating that the facility has appropriate Water Rights.

Please remember that all of these criteria and documents must be complied with prior to receiving a permit to ship milk in Idaho.....so Plan Ahead.

If you have any questions, please contact your Dairy Inspector at 850-8486....or Bureau of Dairying at 332-8550.

Thank you,

Allen Giacomini

RECEIVED

JUN 11 2001

DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF )  
NOTICE OF CLAIM TO )  
A WATER RIGHT NO.(S) )  
A63-21177 )  
\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)  
State of Idaho )  
County of Canyon )

AFFIDAVIT

Jacob Heida

being first duly sworn,

deposes and says: As the present owner of the described  
property located at 8184 Baseline Road in Melba, Idaho in

Canyon County:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------|
| 01N      | 02W   | 34      | SE SE             |     | Canyon |

I declare by speaking with several long-time residents in  
the area of the described property that even as early as  
1920, wastewater and irrigation water have been used for  
irrigation purposes and for stock water at the described  
property and location.

Jacob Heida  
(Signature)

Subscribed and sworn to before me this  
day 29 of August, 1995.

Lisa D. Rehto  
(Notary Public)

SEAL

Residing at Nampa.

My Commission Expires 10/30/98.

JUN 11 2001

IN THE MATTER OF )  
NOTICE OF CLAIM TO )  
A WATER RIGHT NO. (S) )  
A63-21177 )

AFFIDAVIT

State of Idaho  
County of Canyon

Mrs. H.W. Kaufman

being first duly sworn,

deposes and says: As a former owner of the described property  
located at 8184 Baseline Road in Melba, Idaho in Canyon County:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------|
| 01N      | 02W   | 34      | SE                | SE  | Canyon |

I declare that wastewater and irrigation water have been used since 1940 for irrigation purposes and for stock water at the described property and location.

(Signature)

Subscribed and sworn to before me this  
day 29<sup>th</sup> of August, 1995.

SEAL

(Notary Public)

Residing at

My Commission Expires