

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: A36-07363A

Date Received: 8/ 9/1988

Receipt No: M000951

Received By: *Cf. summary change*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	MARY JANE HEIDA	208-536-2928
Address:	PO BOX 140	
	WENDELL ID	83355-0140
AND/OR		
Name:	FRANS AARDEMA	208-536-2928
Address:	PO BOX 140	
	WENDELL ID	83355-0140
AND/OR		
Name:	CORNELIA AARDEMA	208-536-2928
Address:	PO BOX 140	
	WENDELL ID	83355-0140
AND/OR		
Name:	TOM HEIDA	208-536-2928
Address:	PO BOX 140	
	WENDELL ID	83355-0140
AND/OR		
Name:	DBA BOX CANYON DAIRY	208-536-2928
Address:	PO BOX 140	
	WENDELL ID	83355-0140

2. Date of Priority: AUG 7, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	14E	27	SE	SE	SW		GOODING

5. Description of diverting works:
PIVOT, WHEEL LINES, HANDLINES, 100 HP. MOTOR, APPROX 100' DEEP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.220		

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

A.F.A.

8. Total consumptive use is 330.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	27	SW	NW		IRR	12.0
			NE	SW		IRR	20.0
			NW	SW		IRR	40.0
			SW	SW		IRR	15.0
			SE	SW		IRR	14.0
						Section Acres	101.0
		28	SE	NE		IRR	1.0
			NE	SE		IRR	7.0
			SE	SE		IRR	1.0
						Section Acres	9.0
						Total Acres	110.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

APPLICANT OWNS PORTION FILED ON ONLY.

4/20/00, CT: CHANGED OWNERSHIP FROM FRED PRINS TO THE AARDEMAS
AND HEIDAS DBA BOX CANYON DAIRY AS PER AGREEMENT FOR PURCHASE OF
CORPORATE STOCK, AND CORPORATION WARRANTY DEED. INCLUDING THE
FORM 1409. ADDED MICHAEL HARLAND FELTON AS ATTORNEY.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R36-07363A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** A - ATTORNEY ***

FELTON

MICHAEL HARLAND

1 - PO BOX 589

2 -

3 -

City- BUHL

Phone - 208-543-4368

State- ID Zip- 833160589

*** C - CURRENT OWNER ***

AARDEMA

CORNELIA

1 - PO BOX 140

2 -

3 -

City- WENDELL

Phone - 208-536-2928

State- ID Zip- 833550140

HEIDA

MARY JANE

1 - PO BOX 140

2 -

3 -

City- WENDELL

Phone - 208-536-2928

State- ID Zip- 833550140

HEIDA

TOM

1 - PO BOX 140

2 -

3 -

City- WENDELL

Phone - 208-536-2928

State- ID Zip- 833550140

AARDEMA

FRANS

1 - PO BOX 140

2 -

3 -

City- WENDELL

Phone - 208-536-2928

State- ID Zip- 833550140

BOX CANYON DAIRY

DBA

1 - PO BOX 140

2 -

3 -

City- WENDELL

Phone - 208-536-2928

State- ID Zip- 833550140

*** D - DIR RPT OWNER ***

PRINS

FREDERICK

1 -

2 -

3 -

City- WENDELL

Phone - 208-000-0000

State- ID Zip- 83355

BOX CANYON LIVESTOCK INC

1 - 3462 S 1600 E

2 -

3 -

City- WENDELL

Phone - 208-536-2381

State- ID Zip- 83355

+ - - Priority Date - - +
08/07/1973

+ - - - Region - - - +
ERROR IN REGION

+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

Water right number - R36-07363A

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	RFlg	Point of Diversion	County
08S	14E	27	SE SE SW			(47) GOODING	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		1.230	440.00
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +		+ - KW Usage - +
1.230		440.00				0.0

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
08S	14E	27	SW NW		5.0	01 IRRIGATION	(47) GOODING	
08S	14E	27	NE SW		13.0	01 IRRIGATION	(47) GOODING	
08S	14E	27	NW SW		40.0	01 IRRIGATION	(47) GOODING	
08S	14E	27	SW SW		18.0	01 IRRIGATION	(47) GOODING	
08S	14E	27	SE SW		21.0	01 IRRIGATION	(47) GOODING	
08S	14E	28	NE SE		13.0	01 IRRIGATION	(47) GOODING	

Total Acres: 110.0

+ - - Diversion Means - PIVOT, WHEEL LINES, HANDLINES, 100 HP MOTOR, APPROX 100' DEEP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
3607363

+ - - - - - Conditions of Approval - - - - -

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

+ - - - - Decree Plaintiff - - - +
STATE OF IDAHO

+ - - - - Decree Defendant - - - +
UNITED STATES ET AL

+ - - Decree Date - +
12/29/1997

Prefix Translation: RESEARCH

+ - - - - - 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	- 08/09/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M000951	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

APR 04 2000

Department of Water Resources

1. Water Right No(s): 36-07363A

Adjudication Claim No(s): _____

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant

Box Canyon Livestock, Inc.

P.O. Box 140, Wendell, Idaho 83355

4. New Owner/Claimant(s)

Frans & Cornelia Aardema, Tom & Mary Jane Heida, d/b/a Box Canyon Dairy

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 140

City, State and ZIP Code

Wendell ID 83355-0140

New Telephone Number

(208) 536-2928

5. Date you acquired the property

01/15/1997 (the date Box Canyon Livestock, Inc. was purchased by the Aardemas & Heidas)

6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.**

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s)

Frans Aardema
Cornelia Aardema
Tom & Mary Jane Heida

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

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Department of Water Resources

COPY

AGREEMENT FOR PURCHASE OF CORPORATE STOCK

THIS AGREEMENT is made and entered into this 15th day of January, 1997, by and between **FREDERICK PRINS and ANN W. PRINS**, husband and wife, (hereinafter referred to as "Seller"); and **FRANS AARDEMA and CORNELIA AARDEMA**, husband and wife, AND **TOM H. HEIDA and MARY JANE HEIDA**, husband and wife, (hereinafter collectively referred to as "Buyers").

RECITALS:

- A. Seller presently owns 3,786 shares of the common stock of Box Canyon Livestock, Inc., an Idaho corporation under, Stock Certificate Nos. 6,14,25,34,44,53,54,58,68,75,76,77 and 80.
- B. The parties wish to agree upon terms and conditions whereby Seller will sell to the Buyers and Buyers will purchase from the Seller all of the Seller's right, title and interest in the common stock.

IT IS THEREFORE AGREED, in consideration of these recitals, and the mutual promises and covenants hereafter contained, as follows:

1. **Stock Purchase:** Seller agrees to sell to Buyers and Buyers agree to purchase from Seller 3,786 shares of common stock in Box Canyon Livestock, Inc., an Idaho corporation, represented by Certificate Nos. 6,14,25,34,44,53,54,58,68,75,76,77 and 80.

2. **Purchase Price:** Buyers agree to pay Seller the total sum of \$455,350.00 for the common stock, which shall be paid in full at closing as hereafter defined.

3. **Closing:** Closing of this transaction shall take place at First American Title, Gooding, Idaho, on the 15th day of January, 1997. Closing costs shall be equally divided between the parties. At closing, Seller shall endorse in blank and deliver to Buyers 3,786 shares of stock of Box Canyon Livestock, Inc., represented by Certificate Nos. 6,14,25,34,44,53,54,58,68,75,76,77 and 80. Seller shall also deliver to Buyers at closing all Box Canyon Livestock, Inc. corporate records including, but not limited to, the minute book and checkbook.

4. **Warranties of Seller:** Seller warrants to Buyers as follows:

- a. Box Canyon Livestock, Inc., is a corporation duly organized under the laws

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36-10098 Decreed

of the state of Idaho and is in good standing.

- b. The total issued and outstanding stock of the corporation consists of 3,786 shares of stock presently issued in the name of Frederick Prins. There is no other stock of the corporation issued or outstanding.
- c. The liabilities of the corporation are as set forth on the financial statement, a copy of which is attached hereto as Exhibit A.
- d. All tax returns of the corporation which are due as of the date of the execution of this agreement have been filed with state and federal authorities. All taxes represented by such tax returns have been fully and timely paid.
- e. Frederick Prins and Ann W. Prins will resign as officers and directors of Box Canyon Livestock, Inc., at the closing of this transaction.
- f. This agreement has been approved by all shareholders of the corporation. Any provision of the Articles of Incorporation, By-laws or any agreement among shareholders concerning the restrictions on the sale and purchase of the corporation's common stock is hereby waived.

11. Assumption of Farm Credit Service Bank Operating Note; Credits to Purchase Price. It is understood by the parties that the note payable under "Current Liabilities" on the attached financial statement is an operating note originally the obligation of the Sellers personally which has been assumed by the corporation. The balance of the operating note as of January 15, 1997, is \$63,866.16. There is a Farm Credit Service Bank stock credit associated with the loan in the amount of \$1,260. Sellers do hereby grant to Buyers a credit against the purchase price described in paragraph 2 in the amount of \$4,606.16, calculated by taking the total amount by which the note exceeds \$58,000, less \$1,260 for the value of the stock. This will make the purchase price due at closing \$450,743.84. Buyers further agree to assume and hold harmless the Seller from all liability under the Farm Credit Service Bank operating note and any other liabilities of the corporation Box Canyon Livestock, Inc.

It is further understood by the parties that Sellers have a loan payable to the corporation in the amount of \$5,423.90. The parties elect to have the Sellers pay this loan at closing in the form of an additional credit against the purchase price in the amount of \$5,423.90, making the total due and payable at closing \$445,319.26.

12. Additional Instruments. The parties agree to sign any additional instruments which may be needed to carry out the terms of this agreement.

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13. **Inspection:** Buyers warrant to Seller that they have had a thorough, complete opportunity to investigate the books and records of the Seller of the corporation whose stock is being purchased hereunder. Buyers further warrant to Seller that they have had an opportunity to inspect all assets of the corporation and that they are thoroughly familiar with the same. The Buyers further represent that they have not been restricted by the Seller in any manner or means whatsoever from gaining access to any information or making any personal inspection of assets which they have desired. Buyers are purchasing the stock based entirely upon their own inspection of the books, records and assets of Box Canyon Livestock, Inc., and are not relying on any representation or warranty made by the Seller or any person on Seller's behalf, except as specifically set forth in this agreement.

14. **Attorney Fees on Default:** If default be made by either party hereto in keeping or performing any of the covenants, conditions or agreements herein agreed to be kept by them, and the other party is required to employ an attorney to enforce any of the covenants, conditions or agreements herein contained, then and in such event, the party in default agrees to pay, in addition to all other sums herein agreed to be paid by them, a reasonable attorney's fee, together with any costs and disbursements that may be incurred in enforcing this agreement.

15. **Integration:** The parties acknowledge that the terms, conditions and covenants of this agreement shall supersede any prior negotiations and agreements of the parties, that there are no other agreements not contained in this agreement, and that this agreement shall be the final expression of the agreement of the parties and shall control. No modifications of this agreement shall be valid unless in writing and executed by all the parties hereto.

16. **Time Being the Essence:** The parties hereto acknowledge and agree that time is, and shall be, the essence of each and every term and condition contained herein.

17. **Binding Effect:** This agreement shall be binding upon and shall inure to the benefit of, and be binding upon the heirs, successors and assigns of the parties.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names, the day and year in this agreement first above written.

"SELLER"


FREDERICK PRINS


ANN W. PRINS

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"BUYERS"

Frans Aardema
FRANS AARDEMA

Cornelia Aardema
CORNELIA AARDEMA

Tom H. Heida
TOM H. HEIDA

Mary Jane Heida
MARY JANE HEIDA

STATE OF Idaho)
ss:)
County of Gooding)

On this 15th day of January, 1997, before me, the undersigned, a Notary Public in and for said County and State, personally appeared FREDERICK PRINS and ANN W. PRINS, husband and wife, known to me to be such persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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

Shelley McInnis
NOTARY PUBLIC
Residing at: Bliss, ID.
Commission Expires: 05/10/02



STATE OF Idaho)
ss:)
County of Gooding)

On this 15th day of January, 1997, before me, the undersigned, a Notary Public in and for said County and State, personally appeared FRANS AARDEMA and CORNELIA AARDEMA, husband and wife, known to me to be such persons whose name are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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

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36-10098

Shelley McInnis
NOTARY PUBLIC
Residing at: Bliss, ID.
Commission Expires: 05/10/02



STATE OF Idaho)
) ss:
County of Gooding)

On this 15th day of January, 1997, before me, the undersigned, a Notary Public in and for said County and State, personally appeared TOM H. HEIDA and MARY JANE HEIDA, husband and wife, known to me to be such persons whose name are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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



NOTARY PUBLIC
Residing at: Bliss, ID.
Commission Expires: 05/10/02



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BOX CANYON LIVESTOCK, INC.
BALANCE SHEET
December 31, 1996

ASSETS**Current Assets:**

Cash in bank - Farmer's	\$ 389.77
Accounts receivable - Fred	5,423.90
Contr interest receivable	2,393.54
Total Current Assets	8,207.21

Fixed Assets:

Land	25,464.30
Building & improvements	35,895.45
Allow for depr - bldg & impr	(25,045.00)
Machinery & equipment	70,326.54
Allow for depr - Mach & eq	(69,952.10)
Breeding Stock	21,991.00
Allow for depr - stock	(20,640.00)
Other livestock	225.00
Total Fixed Assets	38,265.19

Other Assets:

Contract receivable - Hardy	26,741.46
Pat dividend retained	1,221.14
Investment - FSC stock	2,230.00
Unamortized loan fee	7,500.00
Total Other Assets	37,692.60

Total Assets

\$ 84,165.00

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See accountant's report.

A

BOX CANYON LIVESTOCK, INC.
BALANCE SHEET (continued)
December 31, 1996

LIABILITIES AND EQUITY

Current Liabilities:

Accrued interest payable	\$ 2,171.00
Notes Payable	62,765.68
Current portion of Long Term Debt	3,486.43
Total Current Liabilities	68,423.11

Long-term Debt:

Mortgage payable - FSC	15,733.47
Less: current portion	(3,486.43)

Total Long-term Debt 12,247.04

Other Long-term Liabilities:

Deferred gain - Hardy 26,415.21

Total Other Liabilities 26,415.21

Capital:

Common stock	16,720.00
Retained earnings	(24,393.18)
Equity--net income	(15,247.18)

Total Capital (22,920.36)

Total Liabilities & Equity \$ 84,165.00

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See accountant's report.

CERTIFICATE OF ASSUMED BUSINESS NAME

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 53-504, Idaho Code, the undersigned gives notice of adoption of an Assumed Business Name.

1. The assumed business name which the undersigned use(s) in the transaction of business is:

Box Canyon Dairy

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name is/are:

Name		Address
<u>Frans and Cornelia Aardema</u>	<u>P O Box 140</u>	<u>Wendell, ID 83355</u>
<u>Tom and Mary Jane Heida</u>	<u>P O Box 140</u>	<u>Wendell, ID 83355</u>

3. The general type of business transacted under the assumed business name is:

Agriculture

See categories on the reverse

4. The name and address to which correspondence should be addressed:

Box Canyon Dairy, c/o Tom Heida, P O Box 140, Wendell, ID 83355

Signed Box Canyon Dairy

By

Tom Heida
Tom Heida

Submit Certificate of Assumed
Business Name and \$20.00 fee to:

Secretary of State
700 West Jefferson
PO Box 83720
Boise ID 83720-0080

Customer #

Secretary of State use only
IDAHO SECRETARY OF STATE

08/20/1997 09:00
CK: 3320 CT: 47060 IN: 31325

1 @ 20.00 = 20.00 ASSUM NAME

07380

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36-07387A

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SEP 27 1999

Order No. G970272

Department of Water Resources

COPY

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED

BOX CANYON LIVESTOCK, INC., an Idaho Corporation, as to Parcels 5, 6 and 7

GRANTOR

Does Hereby GRANT, BARGAIN, SELL and CONVEY unto

FRANS AARDEMA AND CORNELIA AARDEMA, Husband and Wife and TOM H. HEIDA AND MARY JANE HEIDA, Husband and Wife, dba BOX CANYON DAIRY

GRANTEES

Whose address is: P.O. Box 140, Wendell, Idaho 83355

The following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 26, 1997

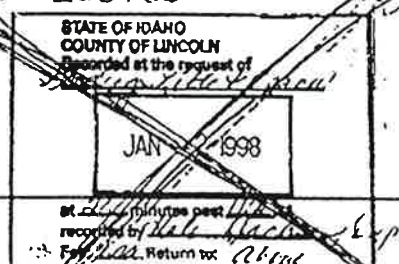
, President

On this 26 day of November, in the year 1997, before me, the undersigned, personally appeared Thomas H. Heida, known to me to be the President of the corporation that executed the within instrument and acknowledged to that said corporation executed the same as said President of the Corporation

WITNESS my hand and official seal.

David R. Stout
Notary Public in and for said State Idaho
Residing At: Kimberly Idaho
Commission Expires: August 6, 2000

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By-hand.

EXHIBIT A

G970272

PARCEL 5:

Township 8 South, Range 14, East of the Boise Meridian, Gooding County, Idaho

Section 26: Part of the Southeast Quarter of the Northeast Quarter and part of the Northeast Quarter of the Southeast Quarter, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 26, from which the East quarter corner of said Section 26 bears North 00°01'46" East 2,639.45 feet;
Thence North 00°01'46" East along the East boundary of the Southeast Quarter of said Section 26 for a distance of 1,792.78 feet to the TRUE POINT OF BEGINNING;
Thence South 89°49'48" West for a distance of 454.34 feet;
Thence North 00°01'57" East for a distance of 152.94 feet;
Thence North 12°33'36" West for a distance of 246.13 feet;
Thence North 26°01'14" West for a distance of 264.54 feet;
Thence North 37°35'53" West for a distance of 209.32 feet;
Thence North 42°53'28" West for a distance of 308.14 feet;
Thence North 78°17'15" West for a distance of 364.43 feet;
Thence North 89°40'48" West for a distance of 1.26 feet to a point on the West boundary of the Southeast Quarter of the Northeast Quarter of said Section 26;
Thence North 00°01'27" East along the West boundary of the Southeast Quarter of the Northeast Quarter of Section 26 for a distance of 1,072.04 feet to the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 26;
Thence South 89°57'54" East along the North boundary of the Southeast Quarter of the Northeast Quarter of said Section 26 for a distance of 1,320.02 feet to the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 26;
Thence South 00°01'46" West along the East boundary of the Southeast Quarter of the Northeast Quarter of said Section 26 for a distance of 1,319.72 feet to the East quarter corner of said Section 26;
Thence continuing South 00°01'46" West along the East boundary of the Northeast Quarter of the Southeast Quarter of said Section 26 for a distance of 846.67 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide County road easement along the Easterly boundary of the above described parcel.

PARCEL 6:

Township 8 South, Range 14, East of the Boise Meridian, Gooding County, Idaho

Section 27: Part of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter, more particularly described as follows:

COMMENCING at the Southwest corner of said Section 27, from which the West quarter corner of said Section 27 bears North 00°01'07" West 2,638.27 feet;
Thence North 00°01'07" West along the West boundary of the Southwest Quarter of the Southwest Quarter of said Section 27 for a distance of 994.88 feet to the TRUE POINT OF BEGINNING;
Thence continuing North 00°01'07" West along the West boundary of the Southwest Quarter of said Section 27 for a distance of 1,643.39 feet to the West quarter corner of said Section 27;
Thence South 89°44'54" East along the North boundary of the Southwest Quarter of said Section 27 for a distance of 2,073.06 feet;
Thence South 31°30'43" West for a distance of 231.48 feet;
Thence South 01°05'19" West for a distance of 485.49 feet;
Thence South 52°10'10" West for a distance of 101.35 feet;
Thence South 02°23'34" East for a distance of 787.29 feet;
Thence South 22°36'10" East for a distance of 348.78 feet;

36-02312A
36-07387A
36-10898

Exhibit A - Continued

Thence South 46°50'02" East for a distance of 1,038.64 feet;

Thence South 01°24'08" West for a distance of 77.45 feet to a point on the South boundary of the Southwest Quarter of the Southeast Quarter of said Section 27;

Thence North 89°40'35" West along the South boundary of the Southwest Quarter of the Southeast Quarter of said Section 27 for a distance of 133.19 feet to the South quarter corner of said Section 27;

Thence North 89°45'00" West along the South boundary of the Southeast Quarter of the Southwest Quarter of said Section 27 for a distance of 1,013.65 feet;

Thence North 44°16'02" West for a distance of 150.90 feet;

Thence South 66°48'41" West for a distance of 217.51 feet to a point on the West boundary of the Southeast Quarter of the Southwest Quarter of said Section 27;

Thence North 00°29'41" West along the West boundary of the Southeast Quarter of the Southwest Quarter of said Section 27 for a distance of 505.27 feet;

Thence South 79°05'12" West for a distance of 499.53 feet;

Thence North 84°40'14" West for a distance of 463.66 feet;

Thence North 24°54'40" West for a distance of 309.53 feet;

Thence North 48°52'19" West for a distance of 186.62 feet;

Thence North 46°01'57" West for a distance of 105.46 feet;

Thence North 30°50'14" West for a distance of 57.28 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide County road easement along the East 1,146.84 feet of the Southerly boundary and along the West boundary of the above described parcel.

PARCEL 7:

Township 8 South, Range 14, East of the Boise Meridian, Gooding County, Idaho

Section 25: The Northwest Quarter of the Northwest Quarter.

36-02312A

36-07387A

36-10098

173634

Page 2 of 2

STATE OF IDAHO COUNTY OF GOODING
GOODING TITLE & ESCROW
Filed for record at the request of

15 min. past 12 o'clock P.m. this 5th
of January 1998 9:00
by Penny Watson Deputy

RECEIVED

SEP 27 1993

Department of Water Resources

FELTON AND FELTON

Michael H. Felton, Jr.

1020 Main Street

Post Office Box 589

Buhl, Idaho 83316-0589

Telephone: (208) 543-4368

Facsimile: (208) 543-4360

Idaho State Bar Member No. 4212

Attorneys for Respondents Aardema and Heida

COPY

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.

)

CASE NO. 39576

)

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The State of Idaho, ex rel. R.
Higginson in his official
capacity as Director of the
Idaho Department of Water
Resources,

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Petitioner,

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vs:

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NOTICE OF APPEARANCE

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The United States, the State of Idaho;
and all Claimants to the Use of Water
From the Snake River Basin Water
System,

)

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)

)

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Respondents.

)

* * * * *

36-02312A
36-07387A
36-10098

1 PLEASE BE NOTIFIED that Michael H. Felton, Jr., Attorney at Law, and the
2 firm of Felton & Felton, hereby enters an appearance as attorneys of record on behalf of
3 Frans Aardema and Cornelia Aardema, husband and wife, and Tom H. Heida and Mary
4 Jane Heida, husband and wife, d/b/a Box Canyon Dairy, the Respondents in the above-
5 entitled action, as counsel of record for said Respondents with respect to Water Right No.
6 36-07387A, and the Clerk of the Court is hereby requested to make such entries as may
7 be required to record such appearance. All further pleadings, notices and correspondence
8 of any kind filed hereafter in this matter should be sent to Michael H. Felton, Jr. of Felton
9 & Felton, P.O. Box 589, Buhl, Idaho 83316-0589.
10
11

12 DATED: September 24, 1999.

13 FELTON & FELTON

14
15 By 
16 MICHAEL H. FELTON, JR.
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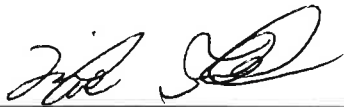
36-02312A
36-07387A
36-10098

1 CERTIFICATE OF SERVICE

2 The undersigned, a resident attorney of the State of Idaho, with offices at
3 1020 Main Street, Post Office Box 589, Buhl, Idaho 83316-0589, and attorney for the
4 Defendant in this action, certifies that he caused to be mailed on September 24, 1999, a
5 copy of the above and foregoing NOTICE OF APPEARANCE to:

6 Director of Idaho Department of Water Resources
7 PO Box 83720
8 Boise, ID 83720-0098

9 Idaho Department of Water Resources
10 1351 Fillmore St., Suite 200
11 Twin Falls, ID 83301-3380

12 
13 _____
14 MICHAEL H. FELTON, JR.

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By TOM H. HEIDA
TOM H. HEIDA, President

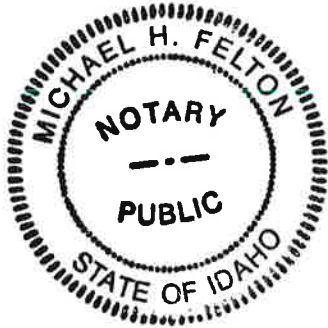
1 ATTEST:

2
3 Mary Jane Heida
4 MARY JANE HEIDA, Secretary
5
6

7 STATE OF IDAHO)
8 : ss
9 County of Twin Falls)

10 On this 15th day of September, 1997, before me, the undersigned, a Notary
11 Public in and for said State, personally appeared TOM H. HEIDA and MARY JANE
12 HEIDA, known to me to be the President and Secretary, respectively, of BOX CANYON
LIVESTOCK, INC., the corporation whose name is subscribed to the foregoing instrument,
and acknowledged to me that they executed the same on behalf of said corporation.

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



23
24
25
26

Notary Public for State of Idaho
Residing at Buhl, Idaho

My Commission Expires: 7/24/05

183947

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Felton & Felton

10 min. past 9 o'clock A. m. this 4th

of January, 2000 600

By Penny Archibald Deputy

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Township 8 South, Range 14, East of the Boise Meridian,
Gooding County, Idaho

COMMENCING at the Southwest corner of said Section 27,
from which the West quarter corner of said Section 27 bears
North 00°01'07" West 2,638.27 feet;

Thence North 00°01'07" West along the West boundary of the Southwest Quarter of the Southwest Quarter of said Section 27 for a distance of 994.88 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 00°01'07" West along the West boundary of the Southwest Quarter of said Section 27 for a distance of 1,643.39 feet to the West quarter corner of said Section 27;

Thence South 89°44'54" East along the North boundary of the Southwest Quarter of said Section 27 for a distance of 2,073.06 feet:

Thence South 31°30'43" West for a distance of 231.48 feet;

Thence South 01°05'19" West for a distance of 485.49 feet;

Thence South 52°10'10" West for a distance of 101.35 feet;

Thence South 02°23'34" East for a distance of 787.29 feet;

Thence South 22°36'10" East for a distance of 348.78 feet;

Thence South $46^{\circ}50'02''$ East for a distance of 1,038.64 feet;

Thence South $01^{\circ}24'08''$ West for a distance of 77.45 feet to a point on the South boundary of the Southwest Quarter of the

Southeast Quarter of said Section 27;

Thence North 89°40'35" West along the South boundary of the Southwest Quarter of the Southeast Quarter of said

Section 27 for a distance of 133.19 feet to the South quarter corner of said Section 27;

1 Thence North 89°45'00" West along the South boundary of
2 the Southeast Quarter of the Southwest Quarter of said
3 Section 27 for a distance of 1,013.65 feet;
4 Thence North 44°16'02" West for a distance of 150.90 feet;
5 Thence South 66°48'41" West for a distance of 217.51 feet to
6 a point on the West boundary of the Southeast Quarter of the
7 Southwest Quarter of said Section 27;
8 Thence North 00°29'41" West along the West boundary of the
9 Southeast Quarter of the Southwest Quarter of said Section
10 27 for a distance of 505.27 feet;
11 Thence South 79°05'12" West for a distance of 499.53 feet;
12 Thence North 84°40'14" West for a distance of 463.66 feet;
13 Thence North 24°54'40" West for a distance of 309.53 feet;
14 Thence North 48°52'19" West for a distance of 186.62 feet;
15 Thence North 46°01'57" West for a distance of 105.46 feet;
16 Thence North 30°50'14" West for a distance of 57.28 feet to
17 the TRUE POINT OF BEGINNING.

18 SUBJECT TO a 25.00 foot wide County road easement along
19 the East 1,146.84 feet of the Southerly boundary and along
20 the West boundary of the above described parcel.

21 TO HAVE AND TO HOLD the said premises, with their appurtenances unto
22 the said Grantees, their heirs and assigns forever. And the said Grantor does hereby
23 covenant to and with the said Grantees that it is the owner in fee simple of said premises;
24 that it is free and clear from all encumbrances, and that it will warrant and defend the
25 same from all lawful claims whatsoever.

26 BOX CANYON LIVESTOCK, INC.

By 
TOM H. HEIDA, President

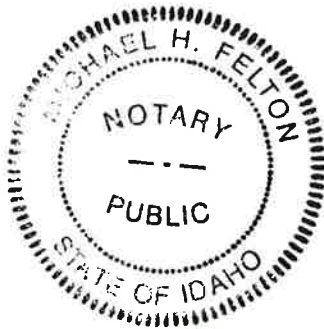
ATTEST:


MARY JANE HEIDA, Secretary

1 STATE OF IDAHO)
2 : SS
3 County of Twin Falls)

4 On this 15th day of September, 1997, before me, the undersigned, a Notary
5 Public in and for said State, personally appeared TOM H. HEIDA and MARY JANE
6 HEIDA, known to me to be the President and Secretary, respectively, of BOX CANYON
LIVESTOCK, INC., the corporation whose name is subscribed to the foregoing instrument,
and acknowledged to me that they executed the same on behalf of said corporation.

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



10 Michael H. Felton

11 Notary Public for State of Idaho

12 Residing at Buhl, Idaho

13 My Commission Expires: 7/21/05

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22 185082

23 STATE OF IDAHO COUNTY OF GOODING

24 Filed for record at the request of Felton & Felton

25 05 min. past 9 o'clock A m. this 31st

26 of March, 2000 9:00

By Penny Archibald Deputy

Felton &
Felton
Attorneys
At Law
Buhl, Idaho

CORPORATION WARRANTY DEED - 3

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 36-11071; 36-2312B; 36-7387B; 36-07363A
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Frans & Cornelia Aardema, Tom & Mary Jane Heida
d/b/a Aardema-Heida Dairy,
P O Box 140, Wendell, ID 83355
4. New Owner/Claimant(s) Frans & Cornelia Aardema, Tom & Mary Jane Heida
d/b/a Box Canyon Dairy (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P O Box 140
City, State and ZIP Code Wendell, ID 83355
New Telephone Number (208) 536-2928
5. Date you acquired the property See claim profile report. There has been no change in the name the partnership is doing business under.
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Frans Aardema Tom Heida
Cornelia Aardema Mary Jane Heida
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

ABA changed on 2312B + 7387B 11/23/99 ct

SD-0601-2 Last Name: PRINS

STATE

S	First	O	Water	Priority	Total	Use
E	Name	N	Right No.	Date	Diversion	Code Desc
L						
-	PRINS					
-	FREDERICK	C	A36-10395	07/01/1984	GROUNDWATER	0.060 43 DOMEST
-						04 STOCK
-	ANN W	C	A36-10395	07/01/1984	GROUNDWATER	0.060 43 DOMEST
-						04 STOCK
-	FREDERICK	C	A36-04117	03/15/1955	GROUNDWATER	1.500 01 IRR
-	ANN W	D	36-10395	07/01/1984	GROUNDWATER	0.060 43 DOMEST
-						04 STOCK
-	FREDERICK	D	36-10395	07/01/1984	GROUNDWATER	0.060 43 DOMEST
-						04 STOCK
-	FREDRICK	C	A36-07363A	08/07/1973	GROUNDWATER	1.220 01 IRR
-	ANN W	C	A36-04117	03/15/1955	GROUNDWATER	1.500 01 IRR
-	FREDERICK	D	36-04117	03/15/1955	GROUNDWATER	0.500 01 IRR
-	FREDERICK	D	R36-04117	03/15/1955	GROUNDWATER	0.500 01 IRR
-	FREDERICK	C	R36-07363A	08/07/1973	GROUNDWATER	1.230 01 IRR
-	FREDERICK	C	36-07363A	08/07/1973	GROUNDWATER	1.230 01 IRR

(Enter=Continue)

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diff. sections

SD-0601-2 Last Name: BOX CANYON DAIRY

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	BOX CANYON DAIRY						
-	DBA	C	36-02232	11/21/1953	GROUNDWATER	0.800	01 IRR
-	DBA	C	36-02535	12/23/1961	GROUNDWATER	1.420	01 IRR
-	DBA	C	36-02610	03/22/1965	GROUNDWATER	2.000	01 IRR
-	DBA	C	36-02720	02/23/1953	GROUNDWATER	1.300	01 IRR
-	DBA	C	36-04050	07/01/1954	GROUNDWATER	0.740	01 IRR
-	DBA	C	36-04117✓	03/15/1955	GROUNDWATER	0.500	01 IRR
-	DBA	C	36-15181	03/15/1982	GROUNDWATER	0.230	01 IRR
-	DBA	C	R36-02535	12/23/1961	GROUNDWATER	1.420	01 IRR
-	DBA	C	R36-02610	03/22/1965	GROUNDWATER	2.000	01 IRR
-	DBA	C	R36-04050	07/01/1954	GROUNDWATER	0.740	01 IRR
-	DBA	C	R36-04117	03/15/1955	GROUNDWATER	0.500	01 IRR
-	DBA	C	R36-07387B	10/27/1973	GROUNDWATER	0.440	01 IRR
-	DBA	C	36-08021	01/02/1982	GROUNDWATER	0.220	04 STOCK 10 COMMER
-	DBA	C	36-08169	04/06/1983	GROUNDWATER	0.260	04 STOCK

(Enter=Continue)

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(Menu _____)

No "Prins" as previous owner as any of the above.

SD-0601-2 Last Name: BOX CANYON DAIRY

STATE

S	First	O	Water	Priority		Total	Use
E	Name	N	Right No.	Date	Source	Diversion	Code Desc
L							
-	BOX CANYON DAIRY						
-	DBA	C	36-08169	04/06/1983		0.260	10 COMMER
-	DBA	C	36-04001	08/01/1954	GROUNDWATER	1.500	01 IRR
-	DBA	C	36-04151	08/15/1954	GROUNDWATER	1.400	01 IRR
-	DBA	C	R36-02232	11/21/1953	GROUNDWATER	0.800	01 IRR
-	DBA	C	R36-02312B	11/26/1956	GROUNDWATER	0.750	01 IRR
-	DBA	C	R36-04001	08/01/1954	GROUNDWATER	1.500	01 IRR
-	DBA	C	R36-04151	08/15/1954	GROUNDWATER	1.400	01 IRR
-	DBA	C	R36-04151A	08/15/1954	GROUNDWATER	0.360	01 IRR
-	DBA	C	R36-08169	04/06/1983	GROUNDWATER	0.260	04 STOCK
-							10 COMMER
-	DBA	C	R36-15181	03/15/1982	GROUNDWATER	0.230	01 IRR
-	DBA	C	36-07650A	07/30/1976	GROUNDWATER	1.220	01 IRR
-	DBA	C	R36-02720	02/23/1953	GROUNDWATER	1.300	01 IRR
-	DBA	C	R36-04151B	08/15/1954	GROUNDWATER	1.040	04 STOCK
-							10 COMMER

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STATE

S	O							
E	W	Water	Priority			Total	Use	
L	N	Right No.	Date	Source		Diversion	Code	Desc

DBA

C R36-07650A

07/30/1976 GROUNDWATER

1.220 01 IRR

(Enter=Continue)

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(Menu _____)

AJ5809NP
No. 36-07363A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/16/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FREDERICK PRINS WENDELL ID 83355	08/07/1973	IRRIGATION	04-01 10-31	1.230 CFS	440.00 AFA
TOTAL DIVERSION:					1.230 CFS	440.00 AFA

C BOX CANYON LIVESTOCK INC
3462 S 1600 E
WENDELL ID 83355
(208) 536-2381

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08S R14E S27

SESESW

GOODING 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
08S	14E	27	:							05				13	40	18	21			:	97.0
08S	14E	28	:															13		:	13.0
TOTAL ACRES																			:	110.0	

POU County: GOODING

Other Rights: NONE

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Comments: Date: 09/30/1991 User-ID: CLELLAND Subject: CHANGE IN DIVERSION RATE
CHANGE WAS TO CORRECT A CALCULATION ERROR OF 0.01 CFS.

Date: 09/30/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS
APPLICANT OWNS PORTION FILED ON ONLY.

Date: 07/16/1992 User-ID: ROBERTSO Subject: NAME STANDARD

Date: 12/15/1997 User-ID: KCHRISTE Subject: REFORMAT

AJ5809NP
No. 36-07363A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/16/00
PAGE: 2

=====

Comments: Date: 12/15/1997 User-ID: KCHRISTE Subject: REFORMAT
DELETED CONS USE

Audit: 12/12/97 SCLELLAN 12/15/97 KCHRISTE 02/19/98 PD-DSHAF

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: A36-07363A

Date Received: 8/09/1988

Receipt No: M000951

Received By: JAC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOX CANYON LIVESTOCK INC. 208-536-2381
Address: 3462 S. 1600 E.
WENDELL, ID 83355
AND/OR
Name: FREDRICK PRINS
Address: WENDELL, ID 83355
2. Date of Priority: AUG 07, 1973
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
08S	14E	27	SE		SE		SW		GOODING
5. Description of diverting works:
PIVOT, WHEEL LINES, HANDLINES, 100 HP. MOTOR, APPROX 100' DEEP.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.220		
7. Total Quantity Appropriated is:
1.220 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 330.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	14E	27	SW		NW		IRR	12.0
			NE		SW		IRR	20.0
			NW		SW		IRR	40.0
			SW		SW		IRR	15.0
			SE		SW		IRR	14.0
							Section Acres	101.0
		28	SE		NE		IRR	1.0
			NE		SE		IRR	7.0
			SE		SE		IRR	1.0
							Section Acres	9.0
							Total Acres	110.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:
APPLICANT OWNS PORTION FILED ON ONLY.

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:

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): *John L. Cair* Date: *8-9-88*
_____ Date: _____

State of Idaho)
County of *Goodwin*) SS.

Subscribed and sworn (or affirmed) before me this *9* day

of *Aug* 19

Seal

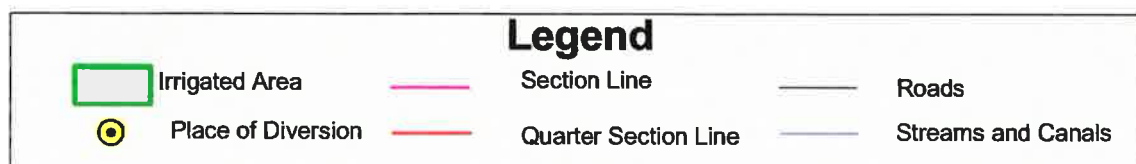
John L. Cair
Notary Public

Residing at *Box 11*

My Commission Expires *8/12/94*



11/21/2001



SPATIAL
DYNAMICS

Log for claim 36-07363A

Spatial Dynamics LTD

11/21/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
08s14e	27	SWNW	5	4.2	
08s14e	27	NESW	13	13	
08s14e	27	NWSW	40	40	
08s14e	27	SWSW	18	19	
08s14e	27	SESW	21	22	
08s14e	28	NESE	13	13	
Totals:			110	111.2	



Professional Center
1020 Main

Michael Hoyt Felton
Michael Harland Felton (Jr.)

Mailing Address:
Post Office Box 589
Buhl, ID 83316-0589

March 30, 2000

(208) 543-4368 (telephone)
(208) 543-4360 (telecopier)

Cheryl Timm
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls ID 83301-3380

RECEIVED
APR 04 2000
Department of Water Resources
Buhl, Idaho

Dear Cheryl:

RE: Box Canyon Dairy - Water Right No. 36-07363A
Our File No. 2476(b)

Pursuant to your fax dated Wednesday, February 23, 2000, I have reviewed a number of the files in my office with respect to the purchase of Box Canyon Livestock, Inc. by Box Canyon Dairy, formerly Aardema-Heida Dairy.

For your review, enclosed is a copy of an Agreement for Purchase of Corporate Stock between Frederick Prins and Ann Prins, and Frans Aardema and Cornelia Aardema and Tom H. Heida and Mary Jane Heida, now doing business as Box Canyon Dairy. As the Agreement for Purchase of Corporate Stock makes clear, the Aardemas and Heidas purchased Box Canyon Livestock, Inc. from Fred and Ann Prins on January 15, 1997. Since the Aardemas and Heidas purchased the entire corporation, and not just the assets of the corporation, such as the real property, there is no corporate deed that I can give to you. The only document actually showing the transfer of the corporation is the enclosed Agreement for Purchase of Corporate Stock.

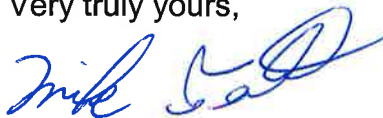
Next, I have also included a copy of a Corporation Warranty Deed from Box Canyon Livestock, Inc. conveying all of the assets of Box Canyon Livestock, Inc. to Frans Aardema, Cornelia Aardema, Mary Jane Heida and Tom Heida, d/b/a Box Canyon Dairy. This deed was prepared so that the assets of Box Canyon Livestock, Inc. could be independently held by the Aardemas and Heidas, d/b/a Box Canyon Dairy. As you will note, the Corporation Warranty Deed concerns the portion of the water right that is located in Township 8 South, Range 14 East, Section 28, which is, of course, located in Gooding County.

With respect to the land located in Township 8 South, Range 14 East, Section 27, you will note that property is contained in Parcel No. 6, which is included as an attachment for the Agreement for Purchase of Corporate Stock previously noted above. Therefore, I am unsure why Frederick Prins' name is listed as an owner since the water right in question, that is, Water Right No. A36-07363A was solely owned by Box Canyon Livestock, Inc. and not Frederick Prins.

Cheryl Timm
Idaho Department of Water Resources
March 30, 2000
Page 2

Finally, I have included a Notice of Change of Water Right Ownership for the water right in question. I believe all of the documentation you need for your file should therefore be attached to this correspondence. If not, please contact me immediately. Otherwise, I will expect to be receiving back the processed water right from your department.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Mike Felton", written over a horizontal line.

MICHAEL H. FELTON, JR.

MHF:pm
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 11, 2000

MICHAEL HARLAND FELTON, JR
FELTON & FELTON ATTORNEYS AT LAW
PO BOX 589
BUHL ID 83316

RE: Aardema-Heida Dairy DBA Box Canyon Dairy
Snake River Basin Adjudication claim No. 36-07363A

Dear Mr. Felton:

Thank you for your prompt response to my request. I have made the appropriate changes to the above referenced claim.

Please find the enclosed copies of the computer record of the claims, noting the change in name. Review these records and if there is an error, or if you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Cheryl E. Timm'.

Cheryl E. Timm
Office Specialist

Enclosure

CT:ct



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

August 6, 1999

KARL J. DREHER
DIRECTOR

BOX CANYON LIVESTOCK INC
PO BOX 140
WENDELL ID 83355

Re: Snake River Basin Adjudication (SRBA)
Water Rights #36-07363A & 36-10397
Change of Address ol D

OC: WA-

10-14-99

8 response,
-12

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by August 24, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

~~ADDRESS SERVICE~~
REQUESTED

PRESORTED
FIRST CLASS



IMPORTANT WATER RIGHT INFORMATION

PO Box 140

36-07363A
BOX CANYON LIVESTOCK INC
3462 S 1600 E
WENDELL ID 83355

Fog
BB

AUTO 53555



+ 36-10397

Printed

Michael H. Felton, Jr.
FELTON AND FELTON
Attorneys at Law
1020 Main Street
P O Box 589
Buhl Id 83316-0589
Telephone: (208) 543-4368
Facsimile: (208) 543-4360
Attorneys for Plaintiff/Defendant
(C:\MyFiles\abc-doc\ 2476Not.App814)Js

RECEIVED
AUG 18 1998
Department of Water Resources
Southern Region

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.

CASE NO. 39576

The State of Idaho, ex rel. R.
Higginson in his official
capacity as Director of the
Idaho Department of Water
Resources,

Petitioner,

vs:

NOTICE OF APPEARANCE

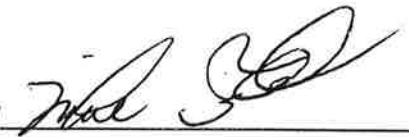
The United States, the State of Idaho;
and all Claimants to the Use of Water
From the Snake River Basin Water
System,

Respondents.

1 PLEASE BE NOTIFIED that Michael H. Felton, (Jr.), Attorney at Law, and
2 the firm of Felton & Felton, hereby enters an appearance as attorneys of record on behalf
3 of Frans and Cornelia Aardema and Tom and Mary Jane Heida d/b/a Box Canyon Dairy,
4 the Respondents in the above-entitled action, as counsel of record for said Respondents
5 with respect to Water Rights Number 36-07363A, and the Clerk of the Court is hereby
6 requested to make such entries as may be required to record such appearance. All
7 further pleadings, notices and correspondence of any kind filed hereafter in this matter
8 should be sent to Michael H. Felton , (Jr.) of Felton & Felton, P. O. Box 589, Buhl, Idaho
9 83316-0589.
10

11
12 DATED: August 17, 1998.

13
14 FELTON & FELTON

15
16
17 By 
18 MICHAEL HARLAND FELTON
19 Attorneys for Defendant
20
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CERTIFICATE OF SERVICE

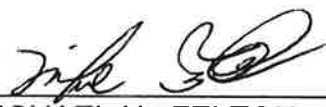
The undersigned, a resident attorney of the State of Idaho, with offices at 1020 Main Street, Post Office Box 589, Buhl, Idaho 83316-0589, and attorney for the Defendant in this action, certifies that he caused to be via facsimile and mailed on August 17, 1998, a copy of the above and foregoing

NOTICE OF APPEARANCE

to:

Director of Idaho Department of Water Resources
P O Box 83720
Boise, ID 83720-0098

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P O Box 2707
Twin Falls, ID 83303-2707



MICHAEL H. FELTON, JR.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

**NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD**

IMPORTANT WATER RIGHT INFORMATION

Fwd. Exp. 1A

36-07363A
FREDERICK PRINS
WENDELL ID 83355

**ADDRESS SENT
REQUESTED**

RECEIVED

AUG 05 1999

Department of Water Resources
Southern Region



REASON CHECKED
Unclaimed.....
Unknown.....
Insufficient address.....
Moved, Left no address.....
No such post office in state.....
Do not remail in this envelope.....

RECEIVED

AUG 03 1999

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

July 28, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

36-07363A
FREDERICK PRINS

WENDELL ID 83355

RE: Water Rights in Reporting Area 3, Basin 36
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources supplemental recommendations for your water right(s) in basin 36 (the area north of the Snake River from near Lake Walcott on the east to near Hagerman on the west). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area.

In response to the Idaho Supreme Court's decision in Basin-wide Issue 5 after most water rights in Basin 36 had been decreed, the SRBA Court requested me to file supplemental reports for Basin 36 regarding the period of use for irrigation water uses and general provisions applying to all water rights in Basin 36. The enclosed documents fulfill that request. The general provision enclosed is in addition to those already adopted by the Court.

Note you have just over 30 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Hailey, Arco, Jerome, Rupert, Gooding, and Shoshone and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

AJ5875NP
2240

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: July 28, 1999
PAGE: 1

RIGHT NUMBER: 36-07363A

NAME AND ADDRESS: FREDERICK PRINS
WENDELL ID 83355

BOX CANYON LIVESTOCK INC
3462 S 1600 E
WENDELL ID 83355

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03-15 11-15



State of Idaho

DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

MAY 01 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 28, 1998

MICHAEL H FELTON JR
FELTON AND FELTON
PO BOX 589
BUHL ID 83316-0589

RE: Snake River Basin Adjudication (SRBA)
Partial Decree #36-10734 and Water Right #36-07363A
Aardema Heida Dairy

Dear Mr. Felton:

Enclosed is your copy of the Partial Decree referenced above, which was returned by the Post Office last year. Our records have been modified to reflect your new address and your client's address as well. Please retain this partial decree for your records.

The former owner of the property with water right #36-07363A notified us recently that her property and water right have been sold to Aardema Heida Dairy. As you are aware, we cannot modify our records to reflect a new owner without form 42-248/42-1409(6) being completed. I have enclosed an Adjudication Profile Report of #36-07363A for your reference and the ownership change form for your client's possible use.

Please contact me at 1/800-451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Partial Decree #36-10734
Adjudication Profile Report #36-07363A

MAY 01 1998

4-27-98

Department of Water Resources
Southern Region

Sally

CHANGE OF OWNERSHIP
LETTER SENT, 4-28-98, N
to atty Felton

Mrs. Prins called
and told me both rights
and property sold to
Aardema Heida.

36-04117 is now in Aardema Heida's
name.

36-07363A is not, but should
be per Mrs. Prins and
Heida's hired man.

I guess send a Change of Ownership
form to Tom Heida / Aardema Heida
~~100447~~
~~458~~ and hopefully we can
get this one fixed.

Scott

R PROOF



CVR



MAPS



PHOTOS



MISC

MICROFILMED

FEB 03 1993

Water Right Number - R36-07363A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BOX CANYON LIVESTOCK INC

1 - 3462 S 1600 E

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2381

PRINS

FREDRICK

1 -

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/07/1973 ERROR IN REGION L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08S 14E 27 SE SE SW (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.230 440.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.230 440.00 330.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 14E 27 SW NW 5.0 01 IRRIGATION (47) GOODING
08S 14E 27 NE SW 13.0 01 IRRIGATION (47) GOODING
08S 14E 27 NW SW 40.0 01 IRRIGATION (47) GOODING
08S 14E 27 SW SW 18.0 01 IRRIGATION (47) GOODING
08S 14E 27 SE SW 21.0 01 IRRIGATION (47) GOODING
08S 14E 28 NE SE 13.0 01 IRRIGATION (47) GOODING

Total Acres: 110.0

+ - - Diversion Means - PIVOT, WHEEL LINES, HANDLINES, 100 HP MOTOR, APPROX 100' DEEP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

MICROFILMED
FEB 03 1993

Water right number - R36-07363A

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
3607363

+ - - - - Conditions of Approval - - - - - +
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT
- TO IDAHO CODE 42-1416A.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
03/12/92 ROBERTSO

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 08/16/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 03/12/1992	Old Judicial District	-
Claim Received Date	- 08/09/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M000951	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED
FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:56:54
07/03/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07363A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				Y	6	SW 9-29-91	SW 9-29-91	
POINT OF DIV	Y		12-6-91 SW	Y (V)	1, 6, 5 6	SW 12-9-91		
SOURCE				N				
PLACE OF USE	Y			Y	1, 6, 4			
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-			N				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			N				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED
FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:56:54
07/03/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07363A

LAST: BOX CANYON LIVESTOCK INC.
ADDRESS: 3462 S. 1600 E.
CITY: WENDELL
PHONE NUMBER: 208-536-2381

FIRST:
STATE: ID ZIP: 83355

OWNER CODE: C

LAST: PRINS
ADDRESS:
CITY: WENDELL
PHONE NUMBER: 208-000-0000

FIRST: FREDRICK
STATE: ID ZIP: 83355

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER
DATABASE
Y

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: APPLICANT OWNS PORTION FILED ON ONLY.

MICROFILMED

FEB 03 1993

CONTACT PERSON: Fred Prinz

PHONE NUMBER: () -

DATE OF FIELD EXAM: 8/16/90

APPOINTMENT MADE: Y() N(☒)

TIME: 2: A() P(☒)

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
FEB 03 1993

A. AJ CLAIM: # A36-07363A PRIORITY DATE: 08-07-1973

STAGE: ~~D~~ L

B. WR RECORD: # 36-07363 PRIORITY DATE: 08-07-1973

STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

Based on license

RECOMMENDED PRIORITY DATE:
08-07-1973

REVIEWED BY

lw

DATE

8/16/90

MICROFILMED
FEB 03 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.
A36-07363A	08S	14E	27

1/4	1/4	1/4	LOT
SE	SE	SW	
WR RECORDS IN SAME 40 ACRE TRACT			
NONE			

CNTY
GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.
36-07363	08S	14E	27
36-07363	08S	14E	27

1/4	1/4	1/4	LOT
	SW	SE	
	SE	SE	

CNTY
GOODING
GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-02114

A36-07363B NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
N

REMARKS:

confirmed POD with original field exam

corrects confirmed by field Exam 12-6-91

MICROFILMED

FEB 03 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
85	140	27	~~SE~~	~~SW~~	~~SE~~		47

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

lw

DATE:

8/16/90

sw 9-29-91

SE SE SW

CO3

12-9-91
sw

MICROFILMED
FEB 03 1993

A. ROOT WATER RIGHT NUMBERS: A36-07363A
A36-07363B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	14E	27	SW	NW		BOX CANYON LIVESTOCK INC. HARDY , EARL M. STATE OF IDAHO STACEY , ROBERT W.	A36-07363A /12.0	- 36-07175 / 36-07198 / 36-07363 /30.0	3.0 <i>(not to scale on this END)</i>	8	~~15~~
08S	14E	27	NW	SW		BOX CANYON LIVESTOCK INC. STACEY , ROBERT W.	A36-07363A /40.0	- 36-07363 /30.0	39.0	40	40
08S	14E	27	SW	SW		BOX CANYON LIVESTOCK INC. WINDES , JAMES PATRICK STACEY , ROBERT W. BLIND CANYON AQUA RANCH INC.	A36-07363A /15.0 A36-11020 /	- - 36-07363 /35.0 36-08310 /	36.0	18	18
08S	14E	27	SE	SW		BOX CANYON LIVESTOCK INC. VANDER VEGT , IRENE ALLEN , C. R. STACEY , ROBERT W.	A36-07363A /14.0 A36-07363B /12.0	- - 36-02114 /37.0 36-07363 /35.0	39.0 <i>(part)</i>	21	21
08S	14E	27	NE	SW		BOX CANYON LIVESTOCK INC. VANDER VEGT , IRENE STACEY , ROBERT W.	A36-07363A /20.0 A36-07363B /23.0	- - 36-07363 /30.0	35.0 <i>(part)</i>	13	13
08S	14E	28	SE	NE		BOX CANYON LIVESTOCK INC. SPRING COVE RANCH INC. HARDY , EARL M. STATE OF IDAHO HARDY , EARL M.	A36-07363A / 1.0 A37-04136 /	- - 36-07175 / 36-07198 / 36-08336 /		Ø	Ø
08S	14E	28	NE	SE		BOX CANYON LIVESTOCK INC.	A36-07363A / 7.0	-	15.0	13	13
08S	14E	28	SE	SE		BOX CANYON LIVESTOCK INC. LARGE CLAIM	A36-07363A / 1.0 A01-00212Z1/20.0	-	35.0	Ø	Ø
TOTAL ACRES							A36-07363A	110.00	202.00	Ø	Ø

8S 14E 27 SE NW

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(X) N()
IF YES SEE ATTACHED SHEET:

PIVOT HAS BEEN SHIFTED SOUTH

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

113

110

RECEIVED
FEB 03 1993

PRESUMPTION FLAG:

REMARKS:

confirmed 80u with rapp + claimant
~~subtracted 3 from NE SW of sec 27 + added~~
~~3 to SE NW of sec 27.~~

Shift in acres because OPO is not accurate w/ pivot location

RECOMMENDATIONS:

TOTAL ACRES:

110

REVIEWED BY:

lw

DATE:

8/16/90

8u 9-29-91

MICROFILMED

FEB 03 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-07363A IRRIGATION	FROM 03-15 TO 11-15	1.220 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.220 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-07363 IRRIGATION	FROM 03-15 TO 11-15	3.790 CFS 1368.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.790 CFS 1368.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

Original WR split - claimant owns 32% of original land.

3.79 x .32 = 1.22 CFS

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FEB 03 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 1.220 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.790 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-07363A	GROUNDWATER	BOX CANYON LIVESTOCK INC.	1.220	0.011		
A36-07363B	GROUNDWATER	VANDER VEGT , IRENE	2.790	0.012		
A01-00212Z1	LARGE CLAIM	LARGE CLAIM	9999999.000	415.354		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-11020	DOMESTIC	WINDES , JAMES PATRICK	FROM 01-01 TO 12-31	.040 CFS	
A36-11020	STOCKWATER	WINDES , JAMES PATRICK	FROM 01-01 TO 12-31	.020 CFS	
A37-04136	DOMESTIC	SPRING COVE RANCH INC.	FROM 01-01 TO 12-31	.040 CFS	
A37-04136	STOCKWATER	SPRING COVE RANCH INC.	FROM 01-01 TO 12-31	.050 CFS	

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FEB 03 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 110 x 0.02 CFS/ACRE = 2.2 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 330.0 AF/A

ACRES 110 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 330 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 110 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 440 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

1b. CALCULATIONS

* limit to proportional split
1.23 cfs

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER ~~1.220~~ /	DATABASE EXAMINER ~~440~~	DATABASE EXAMINER 330.0
TOTAL FOR THIS RIGHT		~~1.220~~ 1.23		330.0

REVIEWED BY: lw

DATE: 8/17/90

* rate changed per split review
this info was not available at the
time the right was claimed.

see 9-29-91

C09 (portion of acres)
C05
C03

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FEB 03 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(☒)	()
(<i>N/A</i>)	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07363

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.790

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-07363	A36-07363A	1.220	-		36-07363	3.790
A36-07363	A36-07363B	2.790	-		36-07363	3.790
TOTAL CFS		4.010				3.790

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

*This portion of split O.K. See separate sheet reviewed
see 9-29-91*

AUTHENTICATION:

SIGNATURE: *lu*

DATE: 9-29-91

NAME OF FIELD EXAMINER: _____ TITLE: _____

MICROFILMED

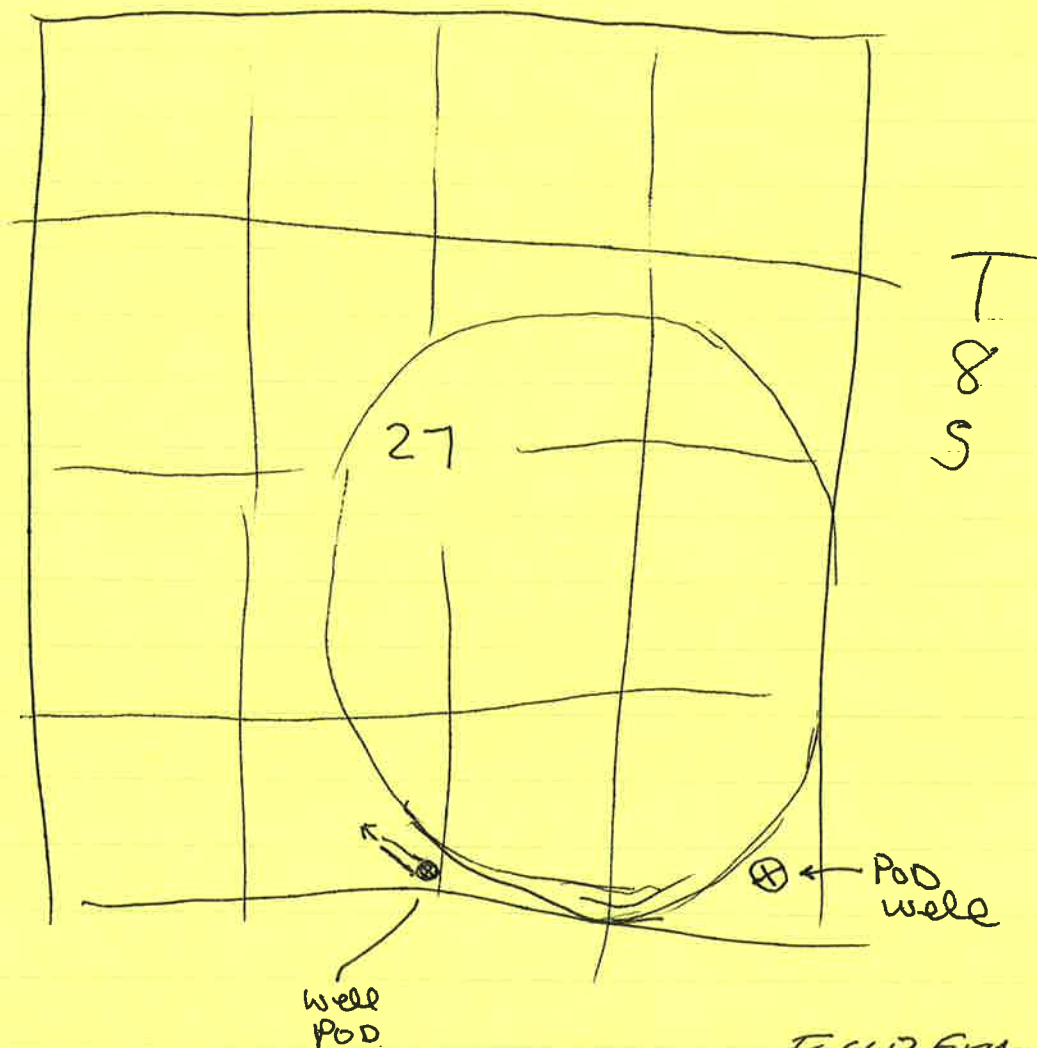
FEB 03 1993

Field Exam

12-6-91

Steve Chilled

R14E



model - 5K6267XH4A

100 HP GE motor

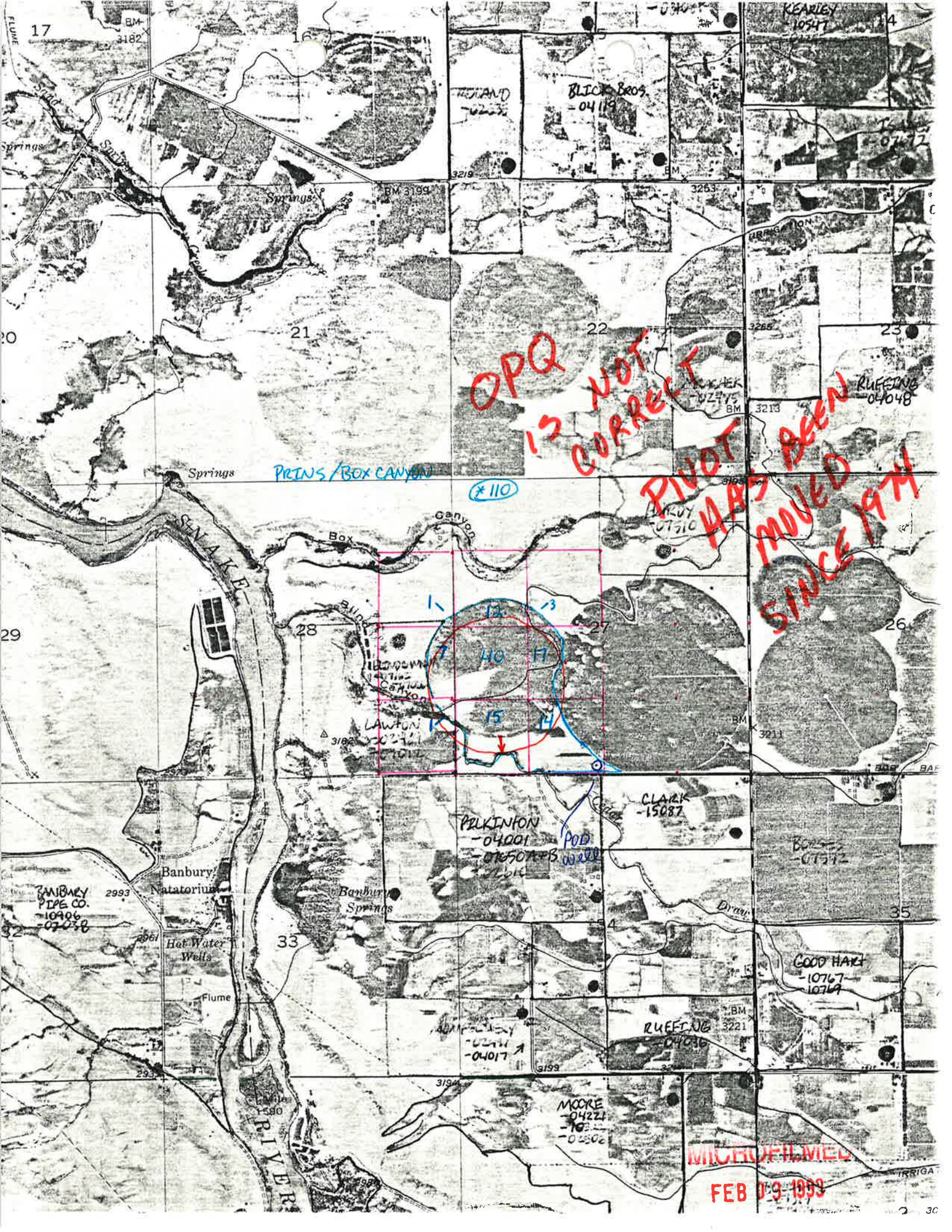
Serial # HJJ8 22160

no pump plate found

Field Exam
12-6-91
SC

MICROFILMED

FEB 03 1993



OPQ IS NOT CORRECT

PIVOT HAS BEEN MOVED SINCE 1974

(110)

MICROFILMED

FEB 09 1953

SPLIT REVIEW OF 36-07363

36-07363

3.79 cfs

342 Acres

Claims:	A36-07363A	1.22 cfs	110
	A36-07363B	2.79 cfs	228
		<u>4.01</u>	<u>338</u>

$$3.79 \div 338 \text{ Ac} = 0.011213 \text{ cfs/Ac}$$



X 110	=	1.23 cfs
X 228	=	2.56 cfs

Recommended split Rates
based on proportional Rates.

9-29-91 SC

MICROFILMED

FEB 03 1993

Rge. 14E

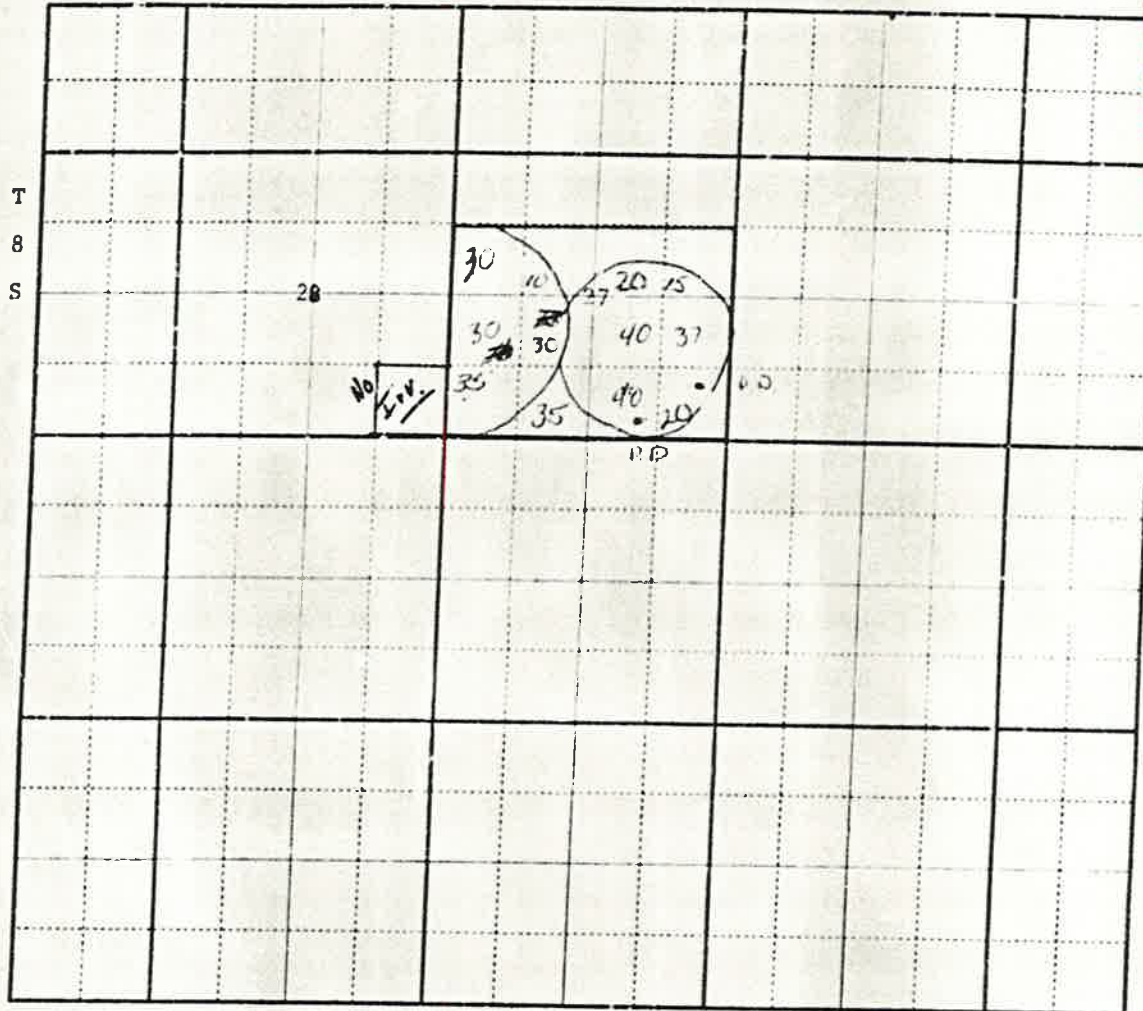
T
8
S

Diagram of System

WICHORLIVED

FEB 03 1993

24-2561

2017年12月27日 星期三

36-7263
b/m

Gooding,

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

RECEIVED

DEC 19 2001

Department of Water Resources

Important Information About Your Water Right

December 12, 2001

RECEIVED

DEC 24 2001

Department of Water Resources
Southern Region

Frederick Prins
Wendell, ID 83355

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 36-07363A. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order***, in combination with the ***Partial Decree*** that was issued for this water right on December 29, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of this water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued on the same date that the ***Partial Decree*** was originally issued.

Sincerely,


Diana Delaney
Case Administrator

2001 DEC 12 PM 2:46

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	)	Water Right 36-07363A
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the ***Partial Decree*** was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the ***Partial Decree***.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated December 12, 2001.


ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707



- ☐ Not Deliverable As Addressed
Unable To Forward
- ☐ Insufficient Address
- ☐ Moved, Left No Address
- ☐ Unclaimed ☐ Refused
- ☐ Attempted - Not Known
- ☐ No Such Street ☐ Number
- ☐ Vacant ☐ Illegible
- ☐ No Mail Receptacle
- ☐ Box Closed - No Order
- ☐ Returned For Better Address



Water Right Number - R36-07363

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SPLIT RIGHT

1 -

2 -

3 -

City- X

Phone - 208-000-0000

VERIFIED BY

KMC

State- ID Zip- 0

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/07/1973 17 SOUTHERN Z - SEE REMARKS+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
SPLIT RIGHT+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County08S 14E 27 SW SE (47) GOODING
SE SE (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 3.790 1368.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.790 1368.00 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S	14E	27	SW NE	20.0	01	IRRIGATION	(47)	GOODING
08S	14E	27	SE NE	15.0	01	IRRIGATION	(47)	GOODING
08S	14E	27	SW NW	30.0	01	IRRIGATION	(47)	GOODING
08S	14E	27	SE NW	10.0	01	IRRIGATION	(47)	GOODING
08S	14E	27	NE SW	30.0	01	IRRIGATION	(47)	GOODING
08S	14E	27	NW SW	30.0	01	IRRIGATION	(47)	GOODING
08S	14E	27	SW SW	35.0	01	IRRIGATION	(47)	GOODING
08S	14E	27	SE SW	35.0	01	IRRIGATION	(47)	GOODING
08S	14E	27	NE SE	37.0	01	IRRIGATION	(47)	GOODING
08S	14E	27	NW SE	40.0	01	IRRIGATION	(47)	GOODING
08S	14E	27	SW SE	40.0	01	IRRIGATION	(47)	GOODING
08S	14E	27	SE SE	20.0	01	IRRIGATION	(47)	GOODING

Total Acres: 342.0

+ - - Diversion Means - PIVOT, WHEEL LINES, HANDLINES, 100 HP. MOTER APPOX. 100'DEEP.

+ - - Non-Irrigation Use -

SOURCES
ING REPORT

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	- 04/20/1992	Old Judicial District	-
Claim Received Date	- 08/09/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

Water Right Number - A36-07363

Adj. Flag Translation: Adjudication Temporary Work Area

Old {D} Number -

+ - - - - Last Name - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT RIGHT

1 - RT. 1

DEL

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/07/1973 17 Z - SEE REMARKS+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPLIT RIGHT+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

08S 14E 27 SW SE (47) GOODING

08S 14E 27 SE SE (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

03/15

11/15

3.790

1368.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.790 1368.00+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S 14E 27 SW NE 20.0 01 IRRIGATION (47) GOODING

08S 14E 27 SE NE 15.0 01 IRRIGATION (47) GOODING

08S 14E 27 SW NW 30.0 01 IRRIGATION (47) GOODING

08S 14E 27 SE NW 10.0 01 IRRIGATION (47) GOODING

08S 14E 27 NE SW 30.0 01 IRRIGATION (47) GOODING

08S 14E 27 NW SW 30.0 01 IRRIGATION (47) GOODING

08S 14E 27 SW SW 35.0 01 IRRIGATION (47) GOODING

08S 14E 27 SE SW 35.0 01 IRRIGATION (47) GOODING

08S 14E 27 NE SE 37.0 01 IRRIGATION (47) GOODING

08S 14E 27 NW SE 40.0 01 IRRIGATION (47) GOODING

08S 14E 27 SW SE 40.0 01 IRRIGATION (47) GOODING

08S 14E 27 SE SE 20.0 01 IRRIGATION (47) GOODING

Total Acres: 342.0

+ - - Diversion Means - PIVOT, WHEEL LINES, HANDLINES, 100 HP. MOTER APPROX. 100'DEEP.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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	-	06/18/1985	Old Judicial District	-	
Claim Received Date	-	08/09/1988	Last Amended Date	-	00/00/0000	Temporary Right	-	P
Claims Tape Error Flg	-		Receipt Number	-	X777777	Water District	-	
Fee Exempt Flag	-		POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-	AND/OR	Presumption Flag	-	