

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 A36-02066 A
Date Received _____
Receipt Number 5010067 *AP*

COPY

FOR YOUR FILES
DO NOT RETURN

**NOTICE OF CLAIM
TO A**

RECEIVED

OCT 12 1989

**WATER RIGHT
ACQUIRED UNDER STATE LAW**

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Warren W. and Elise Heins Phone (208) 531-5348
Mailing Address Rt. 3, Box 220, Rupert, Idaho Zip 83350

2. Date of Priority (Only one (1) per claim) March 1, 1948

3. Source of water supply (a) groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 7S Range 25E Section 26,
_____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Minidoka

Additional points of diversion if any: North East Quarter North West Quarter of Sec. 26 and North
East Quarter South West Quarter of Sec. 23

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Wells to Depth of 300'; 3 200 H.P. pumps
and motors; main line (buried) with side roll sprinkler wheel lines.

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OCT 13 1989

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from Mar. 1 to Nov. 1 amount 7.68 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 7.68 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1920 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	25E	24									~~15~~	<u>15</u>	15						30
7S	25E	26	40	40	40	40	40	40	40	40	35	25	40	40	35	35	40	40	610

Total number of acres irrigated 640

11. In which county (ies) are lands listed above as place of use located? Minidoka

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

License 36-02469B - 38 acres in Sec. 24 or None ()

14. Remarks:

3 wells are under one license.

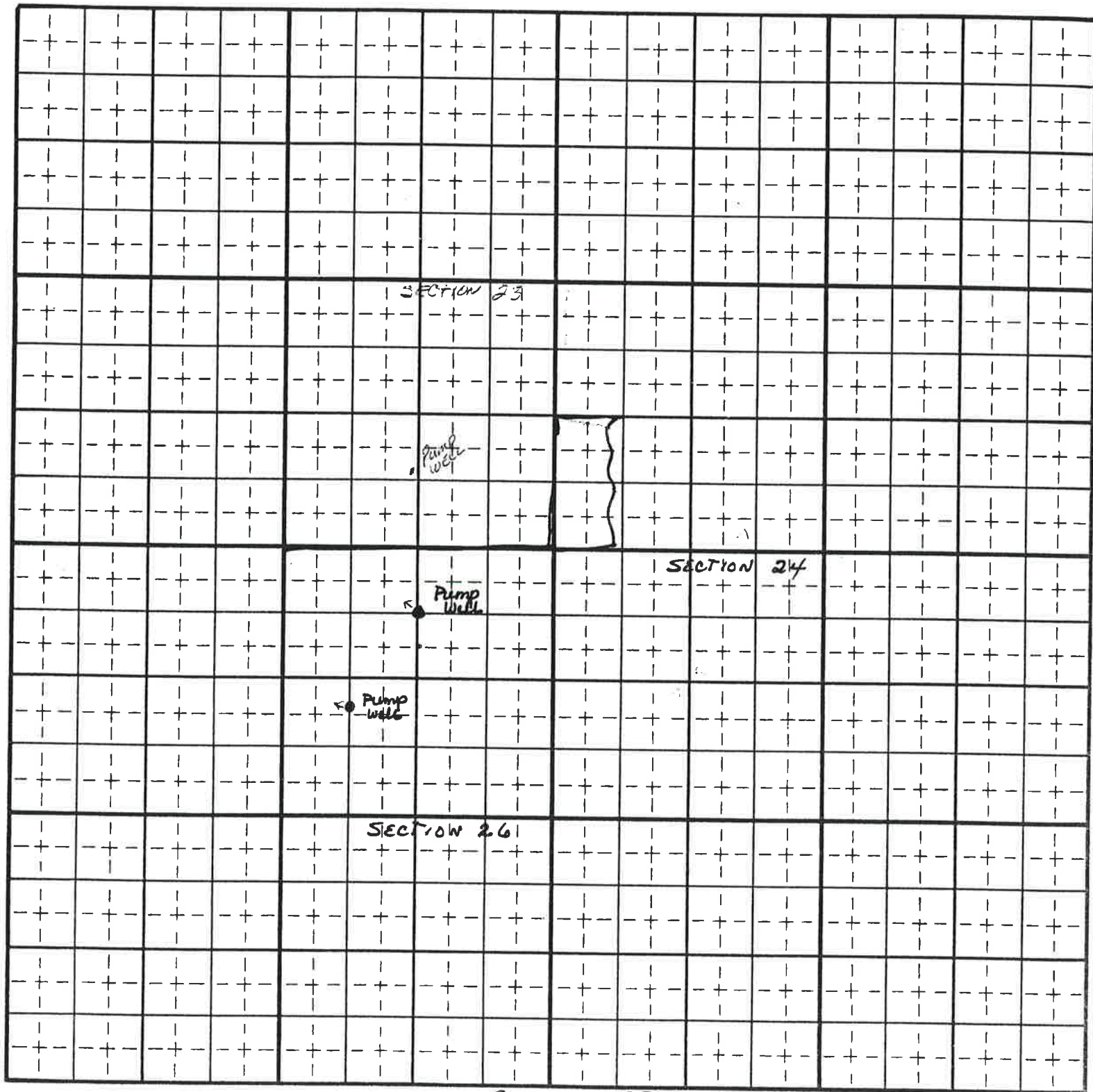
MICROFILMED

Last Name Heins Ident No. _____

Copies: White-Stat, Yellow-Claimant

Map of Project: show clearly the place of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



7S R. 25 E. 1B M.

MICROFILMED

OCT 13 1984

Last Name _____ Heins _____ Ident No. _____

Copies: White-State, Yellow-Clammin

15. Basis of Claim (check one) Be ☐ Special Use ☐ Posted Notice ☐ ☒ License ☐ Permit ☐
Decree ☐
If applicable provide IDWR Water Right Number 36-02066A
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) *Marion H. Heins* Date October 10, 1989
Shirley Heins Date October 10, 1989

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 10th day of October 19 89

SEAL

Notary Public *Roger D. Ling*

Residing at Rupert, Idaho

My Commission Expires 10/30/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature *Roger D. Ling*

Address P.O. Box 396, Rupert, Idaho 83350

Date October 10, 1989

Last Name Heins Ident. Number _____

MICROFILMED

OCT 13 1989
Copies While State, Yellowknife

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: A36-02066A
Date Received: 11/17/1989
Receipt No: S010067
Received By: R. V. J.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WARREN W. HEINS 208-531-5348
Address: RT. 3, BOX 220
RUPERT, ID 83350

AND

Name: ELISE HEINS 208-531-5348
Address: RT. 3, BOX 220
RUPERT, ID 83350

2. Date of Priority: MAR 01, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	25E	23		NE	SW		MINIDOKA
		26		NE	NW		MINIDOKA
				NW	SW		MINIDOKA

5. Description of diverting works:
3- 300' WELLS, 3- 200 HP PUMPS, SIDE ROLL SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	7.680		

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

8. Total consumptive use is 1920.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A36-02066A

Page 1

Date: 11/17/89

MICROFILMED

JAN 25 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	25E	24	NW	SW		IRR	15.0
			SW	SW		IRR	15.0
					Section Acres		30.0
		26	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	35.0
			NW	SW		IRR	25.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	35.0
			NW	SE		IRR	35.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
					Section Acres		610.0
					Total Acres		640.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A36-02469E -- 38 ACRES IN SEC. 24.

14. Remarks:
TRANS. 2897.
3 WELLS ARE UNDER ONE LICENSE.

15. Basis of Claim: LICENSE
Water Right Number: 20329

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

1997 AUG -8 PM 1:36

EX-100 T-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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	SUBCASE NOS. 36-02066A, 36-02098,
	)	36-02469D, 36-02469E, 36-02678,
	)	36-07294, 36-13531, 36-15458

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

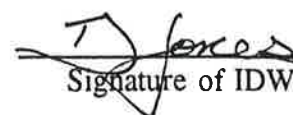
Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

FROM: Claimant/Seller(s):	TO: Claimant/Purchaser(s):
Name and Address of Claimant/Seller(s):	Name and Address of Claimant/Purchaser(s):
Elise Heins	The Duncan Limited Partnership
Warren H Heins	Paul H Duncan
Rt 3 Box 220	Kathy F Duncan
Rupert ID 83350	750 E 100 S
	Rupert ID 83350
Phone: 531-5348	Phone: 436-1214

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 2/10/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8-8, 1997, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Elise Heins
Warren H Heins
Rt 3 Box 220
Rupert ID 83350
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
The Duncan Limited Partnership
Paul H Duncan
Kathy F Duncan
750 E 100 S
Rupert ID 83350
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02066A

NAME & ADDRESS: THE DUNCAN LIMITED PARTNERSHIP
PAUL H DUNCAN
KATHY F DUNCAN
750 E 100 S
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 7.68 CFS
2548.0 AFY

PRIORITY DATE: 03/01/1948

POINT OF DIVERSION: T07S R25E S26 SWNENW Within MINIDOKA County
NENWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	7.68 CFS 2548.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
T07S R25E S26		NENE 40	NWNE 40	SWNE 40	SENE 40
		NENW 40	NWNW 40	SWNW 40	SENW 40
		NESW 40	NWSW 37	SWSW 40	SESW 40
		NESE 40	NWSE 40	SWSE 40	SESE 40
	637 ACRES TOTAL				

CONSUMPTIVE USE: 1911.0 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.



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

August 8, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

THE DUNCAN LIMITED PARTNERSHIP
PAUL H DUNCAN
KATHY F DUNCAN
750 E 100 S
RUPERT ID 83350

RE: SRBA Claim(s) 36-02066A, 36-02098, 36-02469D, 36-02469E,
36-02678, 36-07294, 36-13531, 36-15458

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

cc: Roger D. Ling Esq.

NO. OF CLAIMS IN POLYGON 1
 CLAIM NUMBERS 36-02066A
 DATE 5/2/97
 AGENT su

TRANSFER NUMBER _____
 OBJECTION FILED YES
 TOTAL ACRES FROM RECOMMENDATION 637
 GEOGRAPHIC INFO SYSTEM 628.3

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
RECOM	7s	25E	26	40	40	40	40	40	40	40	40	40	37	40	40	40	40	40	40	637
GIS																				
RECOM																				
GIS																				
RECOM																				
GIS																				
RECOM																				
GIS																				
RECOM																				
GIS																				

UPDATED

B36-DBPOU.DBF _____
 B36-DBPOD.DBF _____

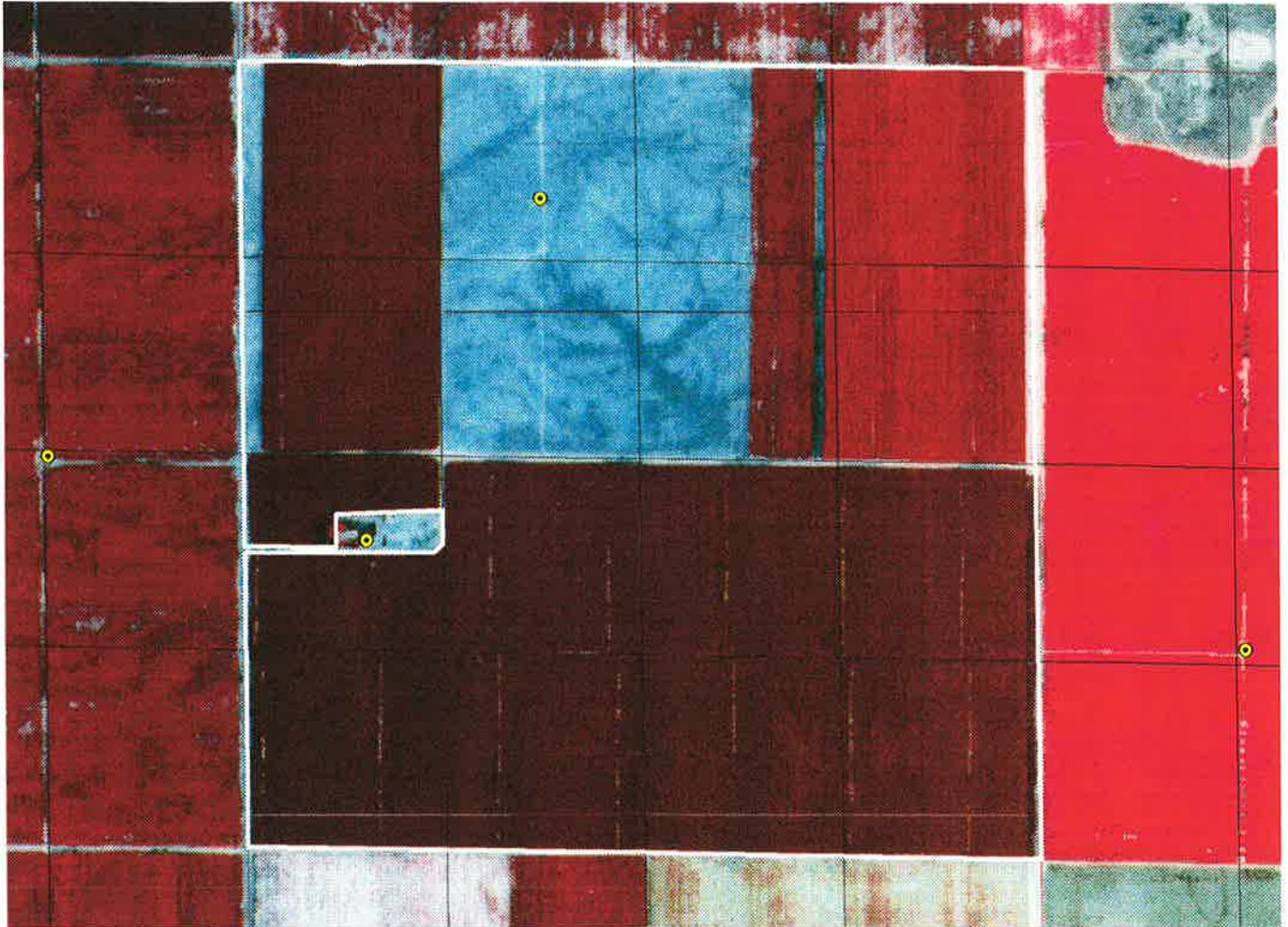
POLYGON #

ATTRIBUTES OF B36-POU.SHP (19) _____
 ATTRIBUTES OF B36-POD.SHP () _____

UPDATED

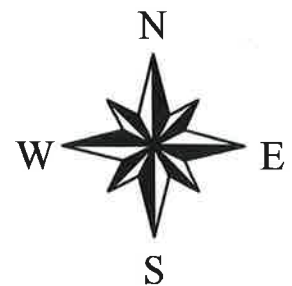
P/U CONFLICT yes () no (X)
 P/D CONFLICT yes () no (X)
 SENT FOR DECREE yes (X) no ()

36-02066A DUNCAN'S



TNS 07S, RNG 25E, SEC 26

0.1 0 0.1 Miles



- B36-pod.shp
- Pou-outline.shp

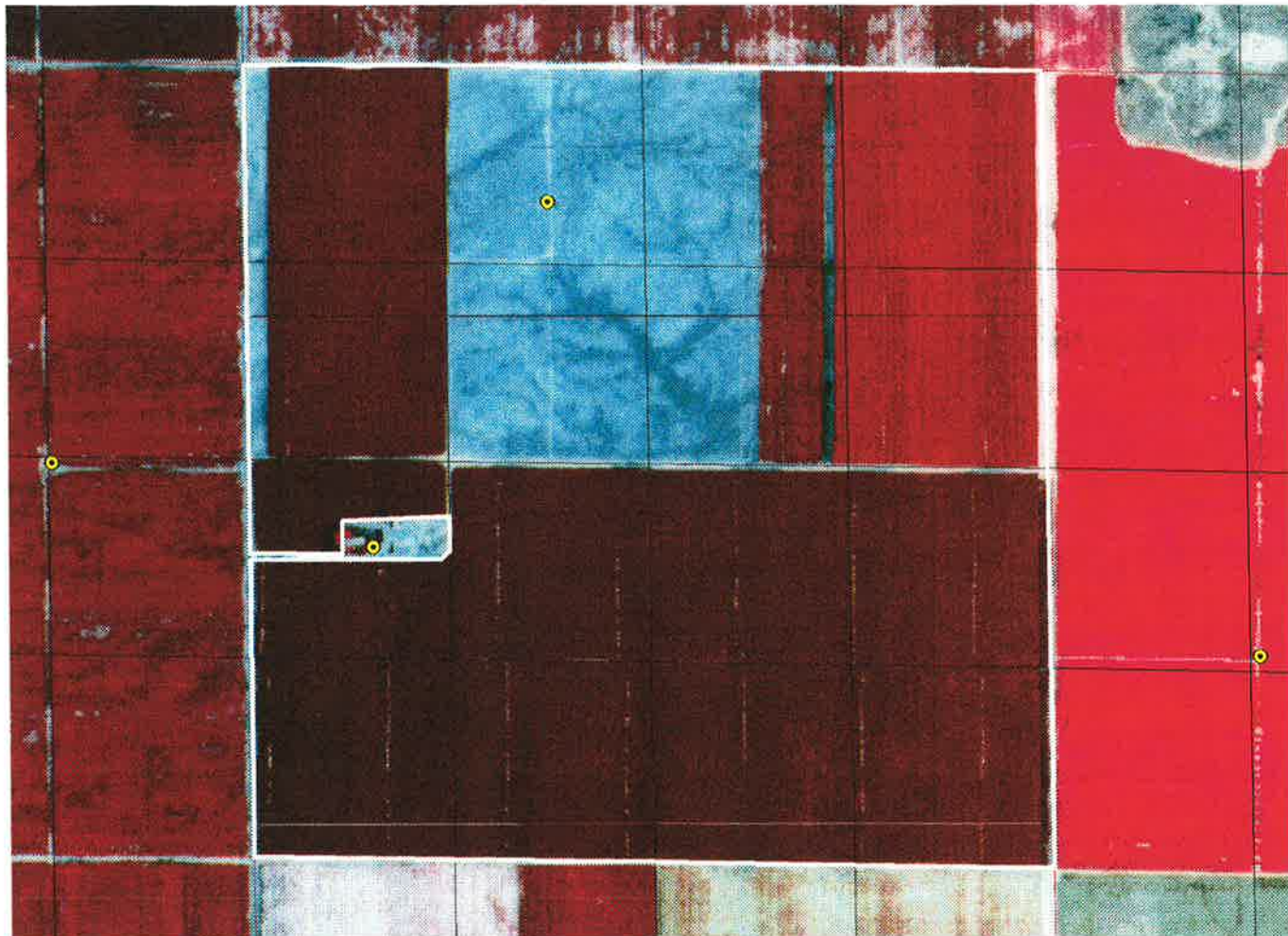
T07s25e.dxf



T7s25eqq.shp

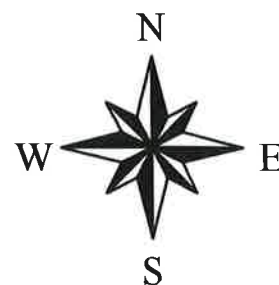
GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY AUGUST 1997
BY S CLELLAND

36-02066A
DUNCAN'S



TNS 07S, RNG 25E, SEC 26

0.1 0 0.1 Miles



- B36-pod.shp
- Pou-outline.shp

T07s25e.dxf



7
T7s25eqq.shp

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY AUGUST 1997
BY S CLELLAND



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

**PHILIP E. BATT
GOVERNOR**

December 17, 1996

**KARL J. DREHER
DIRECTOR**

PAUL H DUNCAN AND
KATHY F DUNCAN AND
JACK F DUNCAN AND
JANET H DUNCAN
RT 1 BOX 364
RUPERT ID 83350

FEB 12 1997

Department of Water Resources
Southern Region

RE: Snake River Basin Adjudication (SRBA)
Minidoka County - Notices of Claim #36-02062, 36-02066A,
36-02098, 36-02099, 36-02100, 36-02109, 36-02141,
36-02143, 36-02221, 36-02446, 36-02447, 36-02469D,
36-02469E, 36-02678, 36-07294, 36-07356, 36-13527,
36-13529, 36-13531, 36-13550 and 36-13458
Ownership Change

Dear Claimants:

As you know, the title company assisted you with some documents dealing with changing the ownership of water rights. Those documents were sent to the SRBA Court who in turn forwarded the Standard Forms 3 you completed to our office. In mid-1996 the Court altered the procedure placing the Department in the 'gate-keeper' role. Before we can make any changes, we must have a copy of the recorded Warranty Deeds to confirm the conveyance and legal descriptions.

Upon receipt of the Deed copies, the water right claim records will be reviewed and changed. Notice of the change will be sent to the SRBA Court, to you and any other necessary parties to the water right cases.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water right claims.

Please contact this office toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region:tf

AJ0749NP
No. 36-02066A

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

DATE: 07/02/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THE DUNCAN LIMITED PARTNERSHIP	03/01/1948	IRRIGATION	04-01 10-31	7.68 CFS	2548.00 AFA
C	PAUL H DUNCAN					
C	KATHY F DUNCAN					
	750 E 100 S			TOTAL DIVERSION:	7.68 CFS	2548.00 AFA
	RUPERT ID 83350			CONSUMPTIVE USE:		1911.00 AFA
	(208) 436-1214					
D	ELISE HEINS					
D	WARREN W HEINS					
	RT 3 BOX 220					
	RUPERT ID 83350					
	(208) 531-5348					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R25E S26

SWNENW

NENWSW

MINIDOKA 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	
07S	25E	26	:	40		40		40		40		40		40		37		40		40	:	637.0
																			TOTAL ACRES	:	637.0	

POU County: MINIDOKA

Other Rights: NONE

Conditions of Approval:

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

Dates: Exam Made Date: 06/07/1991

Verified Date:

Objection Filed Date: 04/29/1993

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: C

Comment

Date: 08/22/1991 User-ID: CLELAND Subject: REVERSAL OF TRANSFER
STRIP THAT WAS TAKEN OUT OF PRODUCTION TO ALLOW THIS
TRANSFER IN 1984 HAS BEEN RETURNED TO PRODUCTION BEFORE THE 1987
SEASON. THERE ARE ONLY 7 ACRES COVERED BY BUILDINGS IN THE NSW.
FINALLY, THE OVERLAP CREATED BY THIS TRANSFER WITH EXISTING WATER
RIGHTS CAUSED THE DIVERSION RATE TO EXCEED THE 0.02 CFS/ACRE.

Date: 09/17/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/17/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 3/11/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/15/1992 User-ID: MERRITT Subject: RESPONDED TO NOE
LETTER SENT 10/15. CHANGED ACRES FROM 33 TO 37 IN NSW BASED ON
LANDSAT DATA.
ADDED ATTORNEY TO CORRECT OVERSIGHT.

Date: 03/11/1994 User-ID: FRAZEE Subject: NOTICE OF APPEARANCE (NOA)
NOA REC'D 2/17/94 FROM ATTORNEY ROGER D LING

Date: 01/30/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.
*NAME/ADDRESS STANDARDIZED TO AVOID DUPLICATE MAILING LABELS

Date: 07/02/1997 User-ID: SCLELLAN Subject: NAME CHANGE
FORMS AND DEEDS SUBMITTED BY DUNCAN CONFIRM CHANGE OF OWNERSHIP.

Audit: 07/02/97 SCLELLAN



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DEC 06 1996

DATE OF CLOSING: 10-18-96

Department of Water Resource
Southern Region

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet. SEE ATTACHED QUITCLAIM DEED
FOR LEGAL DISCRPTION

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: 36-02066A #36-02098 #36-024690 #36-02469E #36-13531

- ☐ Name and Address of Former Owner/Claimant(s)(Seller): JACK F. DUNCAN AND JANET H. DUNCAN, husband and wife

- ☐ New Owner/Claimant (Purchaser): THE DUNCAN LIMITED PARTNERSHIP, AN IDAHO LIMITED PARTNERSHIP

- ☐ New Mailing Address: 750 East 100 South
RUPERT, ID. 83350

- ☐ New Telephone Number: (208) 436-1214

- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: QUITCLAIM DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): THE DUNCAN LIMITED PARTNERSHIP Date _____
by Jack F. Duncan GENERAL PARTNER Date 11-15-96
- ☐ Signature of Former Owner/Claimant(s): Janet H. Duncan Date 11-15-96
Janet H. Duncan Date 11-15-96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 7/2/97 By: sw

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

QUITCLAIM DEED

#10684

COPY

For Value Received

JACK F. DUNCAN and JANET H. DUNCAN, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

THE DUNCAN LIMITED PARTNERSHIP, AN IDAHO LIMITED PARTNERSHIP
750 East 100 South Rupert, Idaho 83350

Hereinafter called the grantee, the following described premises, in MINIDOKA County, Idaho to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: October 18, 1996



JACK F. DUNCAN

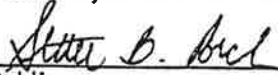


JANET H. DUNCAN

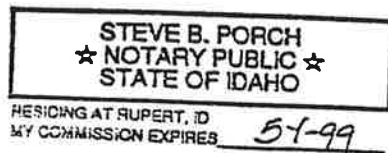
STATE OF IDAHO)

COUNTY OF MINIDOKA)

On this 18th day of OCTOBER, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared JACK F. DUNCAN AND JANET H. DUNCAN, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public
Residing at: Rupert, Id.
My Commission expires: 5-1-99



RECORDED AT REQUEST OF
Land Title-Rupert
FILM NO.
96 NOV 15 15 : 40
MINIDOKA COUNTY, IDAHO
DANIE SMITH, RECORDER
FEE 9 DEPUTY 

427017

Order No.: 10684

AN UNDIVIDED ONE-HALF INTEREST IN AND TO THE FOLLOWING DESCRIBED PARCELS:

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 34: NE¼.

PARCEL NO. 2:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 19: E½, SAVE AND EXCEPT the following described tract:

Beginning at the Northeast corner of said Section 19; thence South for 41¼ rods to the TRUE POINT OF BEGINNING;

Thence West for 15 rods;

Thence South for 15 rods;

Thence East for 15 rods;

Thence North for 15 rods to the POINT OF BEGINNING.

SECTION 20: W½.

PARCEL NO. 3:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 16: All.

PARCEL NO. 4:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 17: NE¼ and S½;

SECTION 35: NE¼;

SECTION 36: SAVE AND EXCEPT the following described tract:

Beginning at the Northeast corner of Section 36, said corner marked by a U.S. GLO iron pipe with brass cap which shall be the POINT OF BEGINNING;

Thence South 00°05'00" East along the East line of Section 36 for 2639.97 feet to a 5/8 inch rebar alongside a bent U.S. GLO iron pipe;

Thence South 00°14'25" East along the East line of Section 36 for 2628.09 feet to a 5/8 inch rebar at the Southeast corner of Section 36;

Thence North 88°56'38" West along the South line of Section 36 for 1982.66 feet to a point;

Thence North 01°02'58" East for 37.49 feet to a ½ inch rebar;

Thence North 01°02'58" East for 1239.35 feet to a ½ inch rebar;

Thence North 89°03'28" East for 78.68 feet to a ½ inch rebar;

Thence North 00°10'53" West for 47.21 feet to a ½ inch rebar;

Thence North 78°47'40" West for 272.35 feet to a ½ inch rebar;

Thence North 00°15'49" West for 1122.27 feet to a ½ inch rebar;

Thence North 43°54'39" West for 52.13 feet to a ½ inch rebar;

Thence North 89°43'54" West for 561.95 feet to a ½ inch rebar;

Thence North 64°50'51" West for 69.79 feet to a ½ inch rebar;

Thence North 50°17'16" West for 200.49 feet to a ½ inch rebar;

Thence North 89°43'41" West for 874.35 feet to a ½ inch rebar;

Thence North 00°55'56" East for 1270.63 feet to a ½ inch rebar;

Thence South 88°50'12" East for 973.71 feet to a ½ inch rebar;

Thence North 01°11'23" East for 1333.41 feet to a ½ inch rebar on the North line of Section 36;

Thence South 88°52'57" East along the North line of Section 36 for 166.05 feet to a 5/8 inch rebar at the North quarter section corner of Section 36;

Thence South 88°52'57" East along the North line of Section 36 for 2640.32 feet to the POINT OF BEGINNING.

EXHIBIT "A"
(CONTINUED)

PARCEL NO. 5:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 23: S½;
SECTION 24: W½SW¼;
SECTION 25: W½, SW¼SE¼;
SECTION 26: All.

PARCEL NO. 6:

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 27: NW¼, SAVE AND EXCEPT the following described tract:

Beginning at the Northwest corner of Tract A in said Section 27, said corner marked by a U.S. Bureau of Reclamation pipe with brass cap which shall be the POINT OF BEGINNING;

Thence North 0°01'00" West along section line for 17.00 feet to a point;

Thence South 89°16'31" East for 391.49 feet to a point;

Thence South 0°01'00" East for 17.00 feet to a ½ inch rebar on the North line of Tract A;

Thence North 89°16'31" West along the North line of Tract A for 391.49 feet to the POINT OF BEGINNING.

PARCEL NO. 7:

TOWNSHIP 8 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 5: Farm Unit F, Tract F of the North Side Pumping Division of the Minidoka Project, Idaho, (as shown by plat, dated July 22, 1954, filed in the office of the County Recorder, Minidoka County, Idaho).

PARCEL NO. 8:

An Easement and road right-of-way for the purpose of ingress and egress as created by Agreement for Easement And Right-Of-Way, recorded January 23, 1973 as Document 230321, Minidoka County records, said Easement described, as:

Beginning at a point 8.78 chains South 0°11' East of the West ¼ corner of Section 5, Township 8 South, Range 24 East, Boise Meridian; Thence South 78°31' East for 10.25 chains; Thence South 72°55' East for 9.46 chains; Thence South 67°41' East for 30 feet; Thence South 22°19' West for 30 feet; Thence North 67°41' West for 30 feet; Thence North 72°55' West for 9.46 chains; Thence North 78°31' West for 10.25 chains to a point on the West section line of said Section 5; Thence North along the said West section line of Section 5 for 30 feet to the POINT OF BEGINNING.



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

DEC 06 1996

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 9-12-96

Department of Water Resources
Southern RegionLEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____If you have additional legal descriptions, please attach separate sheet. SEE ATTACHED WARRANTY DEED
FOR LEGAL DISCRIPTION

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s)
Assigned by IDWR: #36-02066A #36-02098 #36-024690 #36-02469E #36-13531
- [] Name and Address of Former Owner/Claimant(s)(Seller): WARREN W. HEINS AND VICKI J. HEINS, husband and wife
- [] New Owner/Claimant (Purchaser): PAUL H. DUNCAN AND KATHY F. DUCAN, husband and wife
JACK F. DUNCAN AND JANET H. DUNCAN, husband and wife
- [] New Mailing Address: 750 EAST 100 SOUTH
ROUTE #1 BOX 364
RUPERT, IDAHO 83350
- [] New Telephone Number: () 436-1214
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s) Paul H. Duncan Janet H. Duncan Date 9-17-96
Paul H. Duncan Janet H. Duncan Date 9-17-96
- [] Signature of Former Owner/Claimant(s): Warren W. Heins Date 9-17-96
Vicki J. Heins Date 9-17-96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: 7/2/97 By: sm
Claim Numbers of Split, if any:Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

#10684

426065

For Value Received

**GREGORY W. HEINS and CRISTI K. HEINS, husband and wife
AND CLAUDE, INC. an Idaho Corporation**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**JACK F. DUNCAN and JANET H. DUNCAN husband and wife AND PAUL H.
DUNCAN and KATHY F. DUNCAN, husband and wife**
Address: *750 EAST 100 SOUTH RUPERT, IDA. 83350*

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

See attached Exhibit "A"

Together with all water and water rights, ditches or ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1996 and subsequent years.

A Power Line easement dated February 25, 1972 and recorded October 26, 1972 as Document No. 228438 Minidoka County records.

A Power Line Easement dated February 25, 1972 and recorded October 26, 1972 as Document No. 228439 Minidoka County records.

Exceptions and reservations in Special Warranty Deed and Bill of Sale dated December 8, 1988 and recorded December 22, 1988 as Document No. 382905 Minidoka County records, and transferred by Quitclaim Deed dated March 13, 1989 and recorded March 19, 1989 as Document No. 384320, Minidoka County records.

An Easement Agreement For Ingress And Egress dated March 27, 1989 and recorded March 27, 1989 as Document No. 384419, Minidoka County records.

Terms and conditions of an unrecorded Contract of Sale dated December 13, 1988 held at the Rupert office of Land Title & Escrow, Inc.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The 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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 9, 1996

Gregory W. Heins
Gregory W. Heins

Cristi K. Heins
Cristi K. Heins

CLAUDE INC.

BY: Gregory W. Heins President
Gregory W. Heins, President

STATE OF Canada)

) ss.
DISTRICT OF M.D. BIRCH HILLS #19

On this 10 day of September, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared Gregory W. Heins and Cristi K. Heins, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

MARVIN LASCHOWSKI
Notary Public
Residing at:
My Commission expires: FEB. 26, 1998

STATE OF Canada)

) ss.
DISTRICT OF M.D. Birch Hills #19

On this 10 day of September, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared Gregory W. Heins, known or identified to me to be the President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

MARVIN LASCHOWSKI
Notary Public
Residing at:
My Commission expires: FEB. 26, 1998

96 SEP 17 16 : 45
MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE 12 DEPUTY JS

RECORDED AT REQUEST OF
Land Title Dept
FILM NO.

426065

Under section 3 of the Commissioners For Oaths Act, R.S.A. 1980 chapter C-19,

LASCHOWSKI, MARVIN ERNIE

of **GRAND CENTRE**

is appointed a Commissioner For Oaths in and for the Province of Alberta.

Effective Date

February 26, 1995

Expiry Date

February 26, 1998

**LASCHOWSKI, M
ALBERTA WHEAT POOL
P. O. BOX 476
GRAND CENTRE, AB
T0A 1T0**

028637

Appointee # **0647753**

Alberta
JUSTICE


Department of Justice

426064

WARRANTY DEED

#10684

For Value Received

WARREN W. HEINS AND VICKI J. HEINS, husband and wife, and
ELISE HEINS, a single person

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

GREGORY W. HEINS AND CRISTI K. HEINS, husband and wife,
Address: Box 117, TANGENT, AB. T0H3J0, CANADA

Hereinafter called the Grantee, the following described premises situated in MINIDOKA County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH all water and water rights, which in this case includes Water Right No. 36-02066A.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1996 and subsequent years.

A Power Line Easement, dated February 25, 1972, executed by Morgan & Shillington Corp., to Idaho Power Company, a corporation, recorded October 26, 1972 as Document No. 228438, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress.

A Power Line Easement, dated February 25, 1972, executed by Morgan & Shillington Corp., to Idaho Power Company, a corporation, recorded October 26, 1972 as Document No. 228439, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress.

Exceptions and Reservations in Special Warranty Deed and Bill of Sale, dated December 8, 1988, executed by The Travelers Insurance Company, a Connecticut corporation, to Warren W. Heins and Elise Heins, husband and wife, recorded December 22, 1988 as Document No. 382905, Minidoka County records, which recites: "EXCEPTING THEREFROM AND RESERVING UNTO THE GRANTOR an undivided one-half interest in all of the minerals and mineral rights on, in or under said described real property".

TRANSFERRED BY QUITCLAIM DEED, dated March 13, 1989, between The Travelers Insurance Company, a Connecticut Corporation, and The Prospect Company, a Delaware corporation, recorded March 19, 1989 as Document No. 384320, Minidoka County records.

An Underground Power Line Easement, dated June 24, 1994, executed by Split Butte Ranch, Inc., to Idaho Power Company, a corporation, recorded December 16, 1994 as Document No. 416211, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The 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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

C

1 Dated: September 12, 1996

Warren W. Heins
WARREN W. HEINS

Elise Heins
ELISE HEINS

Vicki J. Heins
VICKI J. HEINS

STATE OF IDAHO)
COUNTY OF MINIDOKA) ss.

On this 17th day of September, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared WARREN W. HEINS, VICKI J. HEINS and ELISE HEINS, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Steve B. Porch
Notary Public
Residing at: Rupert, Idaho
My Commission expires: 5/1/99

STEVE B. PORCH
★ NOTARY PUBLIC ★
STATE OF IDAHO
RESIDING AT RUPERT, ID
MY COMMISSION EXPIRES 5-1-99

EXHIBIT "A"

TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 26: N½

Page (2) of (2)

RECORDED AT REQUEST OF
Land Title Report
FILM NO. _____
96 SEP 17 16 : 44
MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE 6 DEPUTY JS

426064



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

December 17, 1996

KARL J. DREHER
DIRECTOR

PAUL H DUNCAN AND
KATHY F DUNCAN AND
JACK F DUNCAN AND
JANET H DUNCAN
RT 1 BOX 364
RUPERT ID 83350

DEC 20 1996

Department of Water Resources
Southern Region

RE: Snake River Basin Adjudication (SRBA)
Minidoka County - Notices of Claim #36-02062, 36-02066A,
36-02098, 36-02099, 36-02100, 36-02109, 36-02141,
36-02143, 36-02221, 36-02446, 36-02447, 36-02469D,
36-02469E, 36-02678, 36-07294, 36-07356, 36-13527,
36-13529, 36-13531, 36-13550 and 36-13458
Ownership Change

Dear Claimants:

As you know, the title company assisted you with some documents dealing with changing the ownership of water rights. Those documents were sent to the SRBA Court who in turn forwarded the Standard Forms 3 you completed to our office. In mid-1996 the Court altered the procedure placing the Department in the 'gate-keeper' role. Before we can make any changes, we must have a copy of the recorded Warranty Deeds to confirm the conveyance and legal descriptions.

Upon receipt of the Deed copies, the water right claim records will be reviewed and changed. Notice of the change will be sent to the SRBA Court, to you and any other necessary parties to the water right cases.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water right claims.

Please contact this office toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region:tf

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

September 9, 1996 11:14am

CUSTOMER

STEVE PORCH/LAND TITLE-BURLEY

SUBJECT: PROFILE REPORTS

phone call (X) walk-in (.)

He FAXed a request for AJ Profile Reports for the following claim numbers:

Rancho Verde, Inc 36-02062
36-02099
36-02100
36-02221
36-13527

Split Butte Ranch, Inc 36-02109
36-02141
36-02142B
36-02143
36-02446
36-02447
36-07356
36-13529
36-13530

Gregory & Cristi Heins 36-02678
36-07294
36-15458

Warren & Elise Heins 36-02066A
36-02098
36-02469D
36-02469E
36-13531

MICROFILMED
DEC 03 1996

R PROOF

CVR

MAPS

PHOTOS

MISC

OCT 13 1994

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 36-02066A -0001

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

MICROFILMED

OCT 13 1994

2. Person who filed objection:

Name: GREG HEINS
Address: RT 3 BOX 225
RUPERT ID 83350

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 1, and all allegations regarding this item, IDWR responds as follows: No notice of change of ownership has been filed with IDWR by the owner of the right as required by Idaho Code Sec. 42-1409(7). IDWR therefore lacks sufficient information to form a belief as to the truth of the matter asserted. Upon the filing of a notice of change of ownership, IDWR will correct the name and address of the owner of this water right accordingly. The claimant may also need to file a Standard Form 3 with the SRBA Court.

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director

to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR's irrigation season of use standards have evolved over time as better technical information has become available. A necessary consequence of this is that, depending on when a particular license was issued, water rights in the same area have been licensed inconsistently, some licenses being issued with different lengths of season listed and some being issued with no season of use listed. To remedy this problem IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this water right is located. The director's report does not prohibit pre-season or post-season irrigation; subject to the conditions set forth in general provision 12b of the director's report, water may be used for irrigation outside the standard season of use.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A36-02066A

4

(Over)

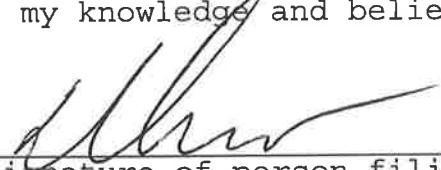
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



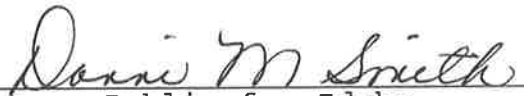
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 30th day of August,
1993.



Notary Public for Idaho

Residing at: _____

My Commission expires _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

2. One copy to the owner of the water right, and you must fill in the following information:

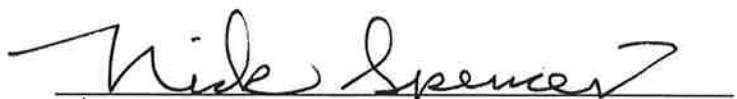
Name: ROGER D LING
Address: PO BOX 396
RUPERT ID 83350

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: GREG HEINS
Address: RT 3 BOX 225
RUPERT ID 83350

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734


Signature of Respondent or attorney
mailing on Respondent's behalf

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 A36-02066 A
Date Received _____
Receipt Number 5010067 *AL*

NOTICE OF CLAIM **RECEIVED**
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
Department of Water Resources
Southern Region Office

OCT 12 1989

Please type or print clearly

- Name of Claimant (s) Warren W. and Elise Heins Phone (208) 531-5348
Mailing Address Rt. 3, Box 220, Rupert, Idaho Zip 83350
- Date of Priority (Only one (1) per claim) March 1, 1948
- Source of water supply (a) groundwater
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 7S Range 25E Section 26,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of Minidoka
Additional points of diversion if any: North East Quarter North West Quarter of Sec. 26 and North
East Quarter South West Quarter of Sec. 23
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4 of
1/4, Govt. Lot B.M., County of
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Wells to Depth of 300'; 3 200 H.P. pumps
and motors; main line (buried) with side roll sprinkler wheel lines.

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JUL 25 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from Mar. 1 to Nov. 1 amount 7.68 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 7.68 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1920 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	25E	24									~~15~~	<u>15</u>	15						30
7S	25E	26	40	40	40	40	40	40	40	40	35	25	40	40	35	35	40	40	610

Total number of acres irrigated 640

11. In which county (ies) are lands listed above as place of use located? Minidoka

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
License 36-02469B - 38 acres in Sec. 24 or None ()

14. Remarks:
3 wells are under one license.

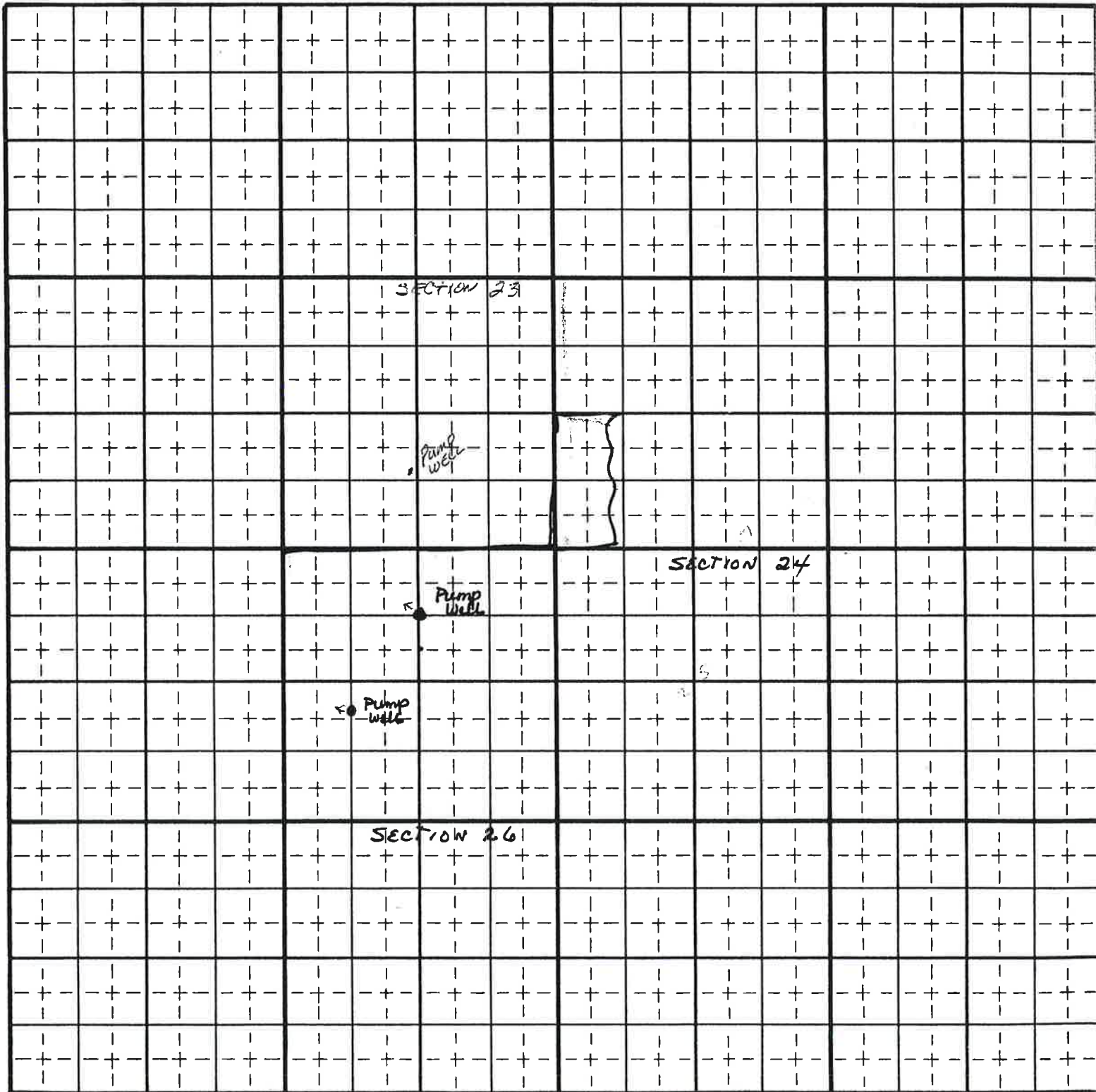
MICROFILMED
JAN 25 1993
OCT 13 1994

Last Name Heins Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



7S R. 25 E. 1B M.

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JAN 25 1993
OCT 13 1994

Last Name Heins Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim. (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 36-02066A
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) *Harold H. Heins* Date October 10, 1989

Shirley Heins Date October 10, 1989

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 10th day of October 19 89

SEAL

Notary Public *Roger D. Ling*

Residing at Rupert, Idaho

My Commission Expires 10/30/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature *Roger D. Ling*

Address P.O. Box 396, Rupert, Idaho 83350

Date October 10, 1989

Last Name Heins Ident. Number _____

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OCT JAN 25 1993

Copies White-State, Yellow-Claimant

RECEIVED

MAR 15 1994

Department of Water Resources
Southern Region Office

RECEIVED

FEB 17 1994

Department of Water Resources
Adjudication Bureau

Movant's Name: Warren W. and Elise Heins
Attorney Name & Address: ROGER D. LING
LING, NIELSEN & ROBINSON
615 H. Street, P.O. Box 396
Rupert, Idaho 83350

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) Subcase No. 36-02066A
Case No. 39576) NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

This document is a Notice of Appearance by Roger D. Ling of the firm of Ling, Nielsen and Robinson on behalf of Warren W. and Elise Heins.

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE, that Roger D. Ling of the firm of Ling, Nielsen and Robinson hereby enters an appearance of the firm as the attorneys of record in the subcase listed above for Warren W. and Elise Heins.

DATED this 16th day of February, 1994.

LING, NIELSEN AND ROBINSON

By: Roger D. Ling
Roger D. Ling
Attorney for Warren W. and
Elise Heins

MICROFILMED

OCT 13 1994

LING, NIELSEN & ROBINSON
ATTORNEYS AT LAW
RUPERT, IDAHO 83350

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of February, 1994, I served a true and correct copy of the NOTICE OF APPEARANCE upon:

Original to:

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

Copies to:

Nicholas B. Spencer
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Greg Heins
Route 3, Box 225
Rupert, Idaho 83350

by depositing a copy thereof in the United States mail, postage prepaid, in an envelope addressed to said persons at the foregoing addresses.


Roger D. Ling

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

WARREN HEINS
GREG & CRISTI HEINS

2. SUBJECT OF INQUIRY:

They called to set up an appointment to get copies and review all their SR319 claims on file with the Court. They came in and asked for these copies and objection forms.

3. RESPONSE TO INQUIRY:

On the phone I told Cristi Heins, I cannot discuss the recommendations or objections; I can explain the process of the adjudication.

When they came in I explained this is a lawsuit and is operated under certain legal rules and procedures. Since I am not a lawyer I am unable to give this or other information which might be legal advice.

I gave them ^{per file} copies of the recommended rights and the claims record. I explained the differences between Total Volumes and Consumptive Volumes. I showed them the map published by IDWR listing these values and the season of use.

I gave them 22 objection forms and explained I cannot assist in completing them. They also got a handout explaining D+S special procedure for late filing after the DReprt.

4. IDWR STAFF AND DATE:

Steve Clelland 4-9-93

Print name and initial

STEVE CLELLAND

SW

(22) WATER RIGHT CLAIM (Nos.):

A36-7294, A36-7356
A36-13527, A36-13529
A36-13530, A36-13531
A36-15458

A36-2026, A36-2066A, A36-02098, A36-2099,
A36-2100, A36-2109, A36-2141, A36-2142, A36-2143,
A36-2221, A36-2446, A36-2449, A36-2469D,
A36-2469E, A36-2678

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OCT 15 1994

RECEIVED

APR 30 1993

Department of Water Resources
Adjudication Bureau

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

AJ5809NP

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

Case No. AJ36-02066A
(You must insert the
water right number you
are objecting to)

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

OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

36-02066A -0001/
93-04-0144

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

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OCT 13 1994

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Greg HEINS

Name:

ROUTE 3, BOX 225

RUPERT, ID 83350

Address:

Briefly describe your interest in this water right:

ASSISTANT MANAGER

2. Owner of the water right:

Name:

WARREN HEINS

Greg & CRISTIE HEINS

Address:

RT#3 Box 220

RT#3 Box 225

Rupert, IDAHO 83350

Rupert, IDAHO 83350

3. If this objection is filed by an attorney:

Attorney Name:

Attorney Address:

Attorney Phone No.:

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

Box #1 - NAME WARREN W HEINS & ELISE HEINS ARE DIVORCED and WARREN NOW OWNS FARM. WARREN also SOLD NE & NW of SEC. 26 - 075-25E TO Greg & Cristi Heins.

Box #8 NEED of USE DATE CHANGE BECAUSE WE typically irrigate in MARCH.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Box #1. WARREN W. HEINS Greg & Cristi Heins
Owner Code Changed RT#3 Box 220 RT#2 Box 225
TO Rupert, IDAD 83350 Rupert, IDAD 83350

Box #8. Change TO 3-01 → 11-01 as in original WATER RIGHT

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

I have support material, please call.

VERIFICATION (Must be Completed)

State of IDAHO

County of minidoka

Greg Heins, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Greg Heins
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 26 day of April,
1993.

William J. Bryant
Notary Public for Idaho
Residing at: Boise
My Commission expires: 12-3-98

BC: 10/24/97

JUN 10 1997

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 28 day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name:

Warren W. Heins

Greg & Cristi Heins

RT#3 Box 220

RT#3 Box 225

Owner's address:

Rupert, IDAHO 83350

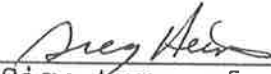
Rupert, IDAHO 83350

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



MICROFILMED

JAN 25 1993

Water Right Number - R36-02066A

Prefix Translation: RESEARCH

Old (D) Number - 20329

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

*** A - ATTORNEY ***
LING

ROGER

1 - PO BOX 396

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-000-0000

*** C - CURRENT OWNER ***
HEINS

ELISE

1 - RT 3 BOX 220

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5348

HEINS

WARREN W

1 - RT 3 BOX 220

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5348

+ - - Priority Date - - +
03/01/1948+ - - - Region - - - +
17 SOUTHERN+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - - +

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

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

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County
07S	25E	26	SW NE NW NE NW SW			(67) MINIDOKA (67) MINIDOKA

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	----------------	------------------

01 - IRRIGATION		04/01	10/31	7.680	2548.00
-----------------	--	-------	-------	-------	---------

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
7.680	2548.00	1911.0	

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	25E	26	NE NE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	NW NE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	SE NE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	NE NW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	NW NW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	SW NW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	SE NW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	NE SW		40.0	01	IRRIGATION	(67) MINIDOKA

MICROFILMED
JAN 25 1993

Water right number - R36-02066A

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
07S	25E	26	NW SW		37.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	SW SW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	SE SW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	NE SE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	NW SE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	SW SE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	26	SE SE		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 637.0

+ - - Diversion Means - 2- 300' WELLS, 2- 200 HP PUMPS, SIDE ROLL SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Remarks
No Remarks found.

Old Water Right Numbers
3602066A

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

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments
Date: 08/22/1991 User Id: CLELLAND Subject: REVERSAL OF TRANSFER THE AIRSTRIP THAT WAS TAKEN OUT OF PRODUCTION TO ALLOW THIS TRANSFER IN 1984 HAS BEEN RETURNED TO PRODUCTION BEFORE THE 1987 SEASON. THERE ARE ONLY 7 ACRES COVERED BY BUILDINGS IN THE NWSW. FINALLY, THE OVERLAP CREATED BY THIS TRANSFER WITH EXISTING WATER RIGHTS CAUSED THE DIVERSION RATE TO EXCEED THE 0.02 CFS/ACRE.
Date: 09/17/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE) RECEIVED NOE 9/17/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 3/11/92. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/15/1992 User Id: MERRITT Subject: RESPONDED TO NOE LETTER SENT 10/15. CHANGED ACRES FROM 33 TO 37 IN NWSW BASED ON LANDSAT DATA.
ADDED ATTORNEY TO CORRECT OVERSIGHT.

Audit Fields
10/15/92 MERRITT

MICROFILMED
JAN 25 1993

Water right number - R36-02066A

Prefix Translation: RESEARCH

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/07/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 10/15/1992	Old Judicial District	-
Claim Received Date	- 10/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010067	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	- C
				Notice of Error Flag	- C

MICROFILMED

JAN 25 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

15-Oct-1992 15:02

Warren & Elise Heins
Rt 3 Box 220
Rupert, ID 83350

RE: Heins SRBA 36-02066A
Split Butte Ranch SRBA 36-02143

Dear Mr. & Mrs. Heins:

This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendations of the claims listed above.

Your NOE indicates that you would like the recommendations to show a longer season of use for irrigation. For the reasons stated in my earlier letter to you regarding 36-02098 & others, the season of use that will be recommended in the Director's Report will remain as proposed.

Additionally your NOE indicates that you would like the recommendations to be changed back to the number of acres claimed with the associated AFY amounts. Our recommendations are based on field review, landsat data, NAPP photography and ASCS aerial photography to determine the extent of the beneficial use.

I have re-evaluated the basis for the acres recommended for 36-02066A and 36-02143. NAPP photography tends to support our original recommendation however Landsat information tends to support cultivation or watering of a few more acres in the areas where the farmsteads exist and where acres were reduced. For this reason I have changed our recommendations to increase the acres and associated AFY. (Please find enclosed a profile report of the corrected recommendations for 36-02143 & 36-02066A) Please note that there are still acres reduced due to roads, buildings, etc.

If you still disagree with IDWR's recommendations you will have an opportunity to file an objection to the Director's report with the court.

Sincerely,


Allen D. Merritt, P.E.
Water Rights Supervisor

CC: Roger Ling, PO Box 396, Rupert, ID 83350

MICROFILMED

JAN 25 1993

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

SEP 17 1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-02066A #20329

2. Name: Warren or Elise Heins
Monogram Farms
Rt. 3 Box 220
Address: Rupert, ID 83350

Weekday Telephone Number: 208-531-5348

MICROFILMED

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE 5 1993

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

The Period of use From date was was changed from March 1 to April 1.

The acreage was changed from 640 to 633.

4. Describe the changes you wish to have made in the proposed recommendation:

Change it back to the original March 1 date as in the 1948 license.

The acreage contains a few buildings and roadways but also has a lawn, trees etc which have to be irrigated and constitute a beneficial use.

5. Describe why you disagree with the proposed recommendation:

The license and water right that was in the property purchase should not be changed. Is not a contract a valid contract regardless of when the contract was made? To change it by administrative decree doesn't seem quite legal.

6. Date: September 15, 1992

SIGNATURE

Elise Weins Secretary

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED

JAN 23 1993

Water Right Number - R36-02066A

Prefix Translation: RESEARCH

Old (D) Number - 20329

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

*** C - CURRENT OWNER ***
HEINS

ELISE

1 - RT 3 BOX 220

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5348

HEINS

WARREN W.

1 - RT 3 BOX 220

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5348

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/01/1948 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 25E 26 SW NE NW (67) MINIDOKA
NE NW SW (67) MINIDOKA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 7.680 2532.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
7.680 2532.00 1899.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 25E 26 NE NE 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 NW NE 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 SW NE 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 SE NE 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 NE NW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 NW NW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 SW NW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 SE NW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 NE SW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 NW SW 33.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 SW SW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 SE SW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 NE SE 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 NW SE 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 26 SW SE 40.0 01 IRRIGATION (67) MINIDOKA

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JAN 5 1993

Water right number - R36-02066A

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	25E	26	SE SE		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 633.0

+ - - Diversion Means - 2- 300' WELLS, 2- 200 HP PUMPS, SIDE ROLL SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Remarks
No Remarks found.

Old Water Right Numbers
3602066A

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

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments
No Comments Found

+ - - Audit Fields - - +
03/11/92 ROBERTSO

Adjudication Rights Dates and Flags Area					
Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/07/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 03/11/1992	Old Judicial District	-
Claim Received Date	- 10/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010067	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	- C
				Notice of Error Flag	-

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JAN 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:04:10
08/17/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02066A

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			6-7-91 SW	N			SC 8-22-91	
POINT OF DIV	Y			(Y)	145			
SOURCE				N				
PLACE OF USE	Y			(Y) (Y)	1456	SC		
DIV. AMOUNT CFS/VOLUME				(Y) (Y)				
CONSUMPTIVE USE	-			N (Y)				
PURPOSES				N				
PERIOD OF USE	Y			(Y)				
BASIS OF CLAIM	Y			N				
REMARKS				(Y)				

"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.

JAN 25 1993

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:04:10
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02066A

LAST: HEINS
ADDRESS: RT. 3 BOX 220
CITY: RUPERT
PHONE NUMBER: 208-531-5348

FIRST: ELISE
STATE: ID ZIP: 83350

OWNER CODE: C

~~LAST: MONTGOMERY
ADDRESS:
CITY: XXXXXXXXXXXX
PHONE NUMBER: 208-000-0000~~

FIRST: BILLY
STATE: ID ZIP: XXXXXXXX

~~OWNER CODE: O~~

~~LAST: PATTERSON FARMS OF IDAHO INC.
ADDRESS: RT. 1 BOX 1272
CITY: PAUL
PHONE NUMBER: 208-000-0000~~

FIRST:
STATE: ID ZIP: 83347

~~OWNER CODE: O~~

LAST: HEINS
ADDRESS: RT. 3 BOX 220
CITY: RUPERT
PHONE NUMBER: 208-531-5348

FIRST: WARREN W.
STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
N

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

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JAN 25 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED

JAN 25 1993

A. AJ CLAIM: # A36-02066A PRIORITY DATE: 03-01-1948 STAGE: L

B. WR RECORD: # 36-02066A PRIORITY DATE: 03-01-1948 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(X)
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
03-01-1948

REVIEWED BY See

DATE 8-22-91

=====

MICROFILMED
JAN 25 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02066A	07S	25E	26		NE	NW		MINIDOKA
A36-02066A	07S	25E	26		NW	SW		MINIDOKA
~~A36-02066A~~	~~07S~~	~~25E~~	~~23~~		~~NE~~	~~SW~~	<del></del>	~~MINIDOKA~~

SW
NE

DO.

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

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02066A	07S	25E	26		NE	NW		MINIDOKA
36-02066A	07S	25E	26		NW	SW		MINIDOKA
36-02066A	07S	25E	23		NE	SW		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

NONE

NONE

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

Y

REMARKS:

* See POU Remarks

RECORDED
JAN 25 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: _____

DATE: 8-22-91

C03

MICROFILMED

JAN 25 1993

A. ROOT WATER RIGHT NUMBERS: A36-02066B
A36-02066A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	25E	26	SW	SE		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	40.0	40	40.0 = 40
07S	25E	26	SE	SE		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	42.0	38	38 (40)
07S	25E	24	NW	SW		HEINS , ELISE	A36-02066A /15.0	36-02066A /15.0	15.0	13	15.0
						MILLER , JOLENE R.	A36-02469C /18.0	- /			13
						HEINS , WARREN W.	A36-02469E /18.0	- /			13
						SHILLINGTON , KARIN L.		36-02469B /18.0			13
07S	25E	24	SW	SW		HEINS , ELISE	A36-02066A /15.0	36-02066A /15.0	21.0	16	16
						MILLER , JOLENE R.	A36-02469C /20.0	- /			16
						HEINS , WARREN W.	A36-02469E /20.0	- /			16
						SHILLINGTON , KARIN L.		36-02469B /20.0			16
07S	25E	26	NE	NE		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	40.0	39	40.0 = 40
07S	25E	26	NW	NE		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	39.0	40	40 = 40
07S	25E	26	SW	NE		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	39.0	38 40	40 38 40
07S	25E	26	SE	NE		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	38.0	31 40	31 38 40
07S	25E	26	NE	NW		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	38.0	39	40 39 40
07S	25E	26	NW	NW		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	36.0	40	40 = 40
07S	25E	26	SW	NW		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	37.0	39 40	40 39 40
07S	25E	26	SE	NW		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	39.0	38 40	40 38 40
07S	25E	26	NE	SW		HEINS , ELISE	A36-02066A /35.0	36-02066A /35.0	39.0	40	40 38 40
07S	25E	26	NW	SW		HEINS , ELISE	A36-02066A /25.0	36-02066A /25.0	37.0	31 33	31 33
07S	25E	26	SW	SW		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	37.0	39 39	40 39 40
07S	25E	26	SE	SW		HEINS , ELISE	A36-02066A /40.0	36-02066A /40.0	39.0	40	40 = 40
07S	25E	26	NE	SE		HEINS , ELISE	A36-02066A /35.0	36-02066A /35.0	39.0	38 40	38 40
07S	25E	26	NW	SE		HEINS , ELISE	A36-02066A /35.0	36-02066A /35.0	40.0	38 40	38 40
TOTAL ACRES							A36-02066A	640.00	640.00	655.00	643

- Acres appear within tolerances but there is a significant change in the place of use for those irrigated acres. ∴ changes have been made to all tracts. (*) The airstrip that was taken out of production to allow this transfer has been returned to production prior to 1987 season as per NAPP photo AA81 SW #383-13. Confirmed by field Exam on 6-7-91/see

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
☒

PRESUMPTION FLAG:

REMARKS:

~~Acres in Sec. 23 overlap 100% w/ 36-2469E~~ only covered by 36-2469E
— transfer would have allowed 0.026 cfs/Acre diversion
rate on lands listed; Doesn't appear the system used could
segregate out these lands for additional diversion rates. (above that
already licensed.)

RECOMMENDATIONS:

TOTAL ACRES:

~~640~~ 633

REVIEWED BY:

See

DATE:

6-24-91

C05
C09

A. AJ CLAIMED USES:

PURPOSES
A36-02066A IRRIGATION

MONTH/DAY
FROM 03-01 TO 11-01

DIVERSION QUANTITY
7.680 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

7.680 CFS

B. WR RECORDED USES:

PURPOSES
36-02066A IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
7.680 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

7.680 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
N
N
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐) Explain in remarks, below.

REMARKS:

4 Season 3/15 11/15

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 7.680 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 7.680 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)

N

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: ~~A36-02469E~~ NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02066A	GROUNDWATER	HEINS , ELISE	7.680	0.012		
A36-02469C	GROUNDWATER	MILLER , JOLENE R.	7.290	0.018		
A36-02469E	GROUNDWATER	HEINS , WARREN W.	0.417	0.010		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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JAN 25 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES ~~640~~ x 0.02 CFS/ACRE = 12.80 CFS
633 (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() ***

1b. CALCULATIONS

$$\frac{7.68 \text{ cfs}}{640 \text{ Ac}} = \frac{0.012 \text{ cfs}}{\text{Ac}}$$
$$\frac{633}{633} = 0.012 \text{ cfs/Ac}$$

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1920.0 AF/A

ACRES ~~640~~ x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE ~~1920~~ AF/A

1899

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES ~~640~~ x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME ~~2560~~ AF/A

2532

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

$$(36-2469 \text{ E} = 0.014 \text{ cfs}) \rightarrow \text{TOTAL} = 0.026 \text{ cfs/Ac}$$

Exceeds Standards

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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 ~~01~~ 11- ¹⁵ ~~01~~	DATABASE EXAMINER 7.680 <u> </u>	DATABASE EXAMINER <u> </u>	DATABASE EXAMINER <u> </u>
TOTAL FOR THIS RIGHT		7.680	2532	~~1920.0~~ 1899

REVIEWED BY: Sc

DATE: 6-24-91

003
005
009

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JAN 25 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED
(X)
()
(X)

NEEDS
REVIEW
()
(X)
()

*Transfer conditions reversed prior to
commencement.*

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02066

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
9.680

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-02066	A36-02066B	2.000	-		36-02066	
-	A36-02066A	7.680	-		36-02066A	7.680
-	-		-		36-02066B	2.000
TOTAL CFS		9.680	N/A			9.680

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:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

8-22-91

NAME OF FIELD EXAMINER: _____

TITLE: _____

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JAN 25 1993

3 SEPARATE
SYSTEMS

POD

DISALLOW
THIS POD
UNDER 36-02066A
THIS POD
OVERLAPS
W/ 36-2469E
ONLY

HEINS -2469 D

TRANSFER INCOMPLETE.

AIRSTRIIP REMOVED - ONLY 7 ACRES BUILDING
AND PUT BACK INTO
IRRIGATED PRODUCTION; = 15 ACRES

CLAIM A36-02066A INIT 3
T. R. S. Q/Q
P/D 7S 25E 26 SWNENW + NENWSW
PHOTO ID. 23 NWSWSE (center)

HEINS -2447

RECOMMEND
ACRES
= 633

R25E.

R26E.

T7S
T8S

AA 81
1979
(SW)

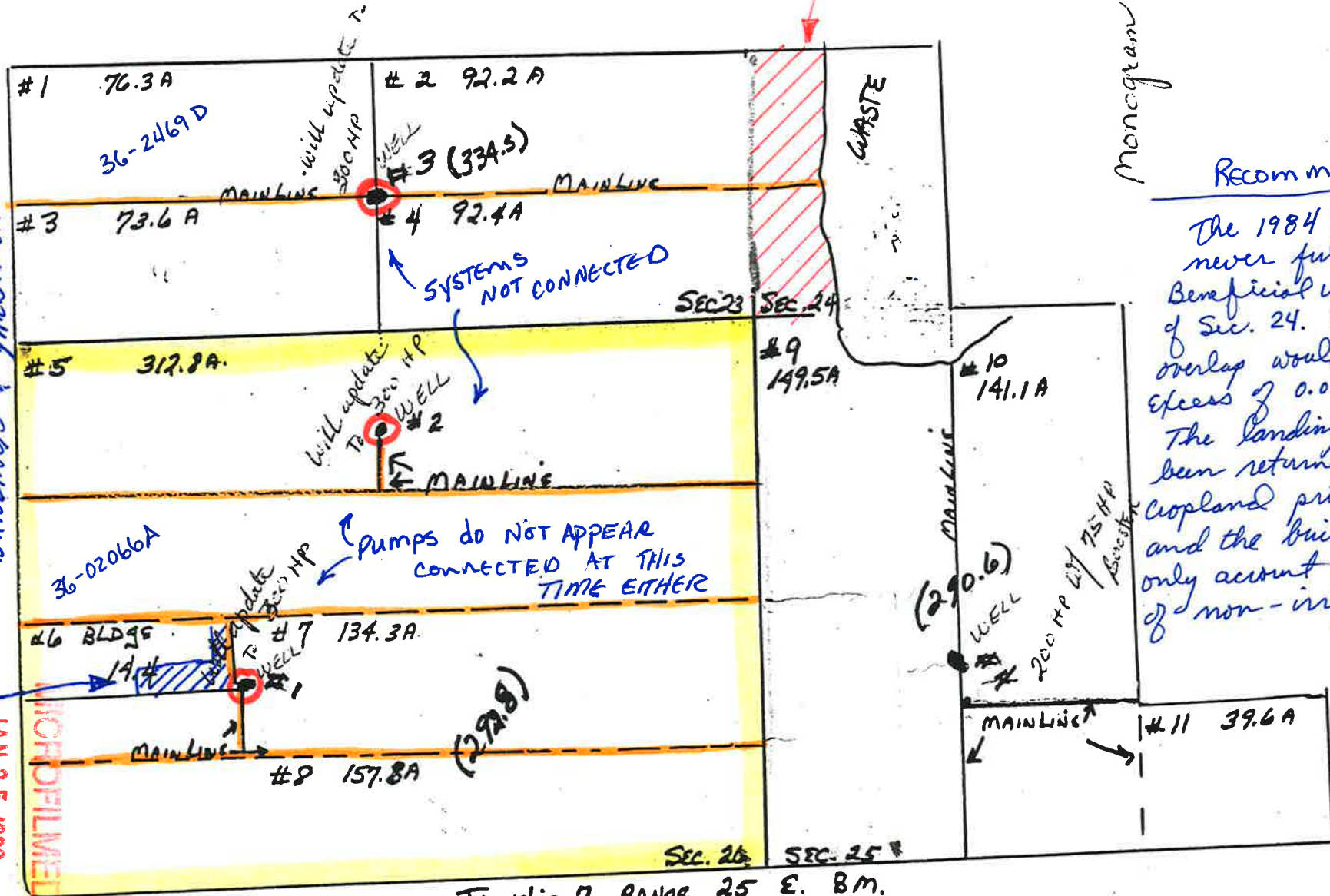
42° 45' 113° 30' 296 640 000 FEET R 25 E R 26

Produced by the Geological Survey
in cooperation with the Soil Conservation Service
Orthophotograph prepared from 1:78,000-scale
aerial photography taken August 4, 1979

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JAN 25 1993

ONLY FOUND 7 ACRES UNDER
BUILDINGS & YARD AREA

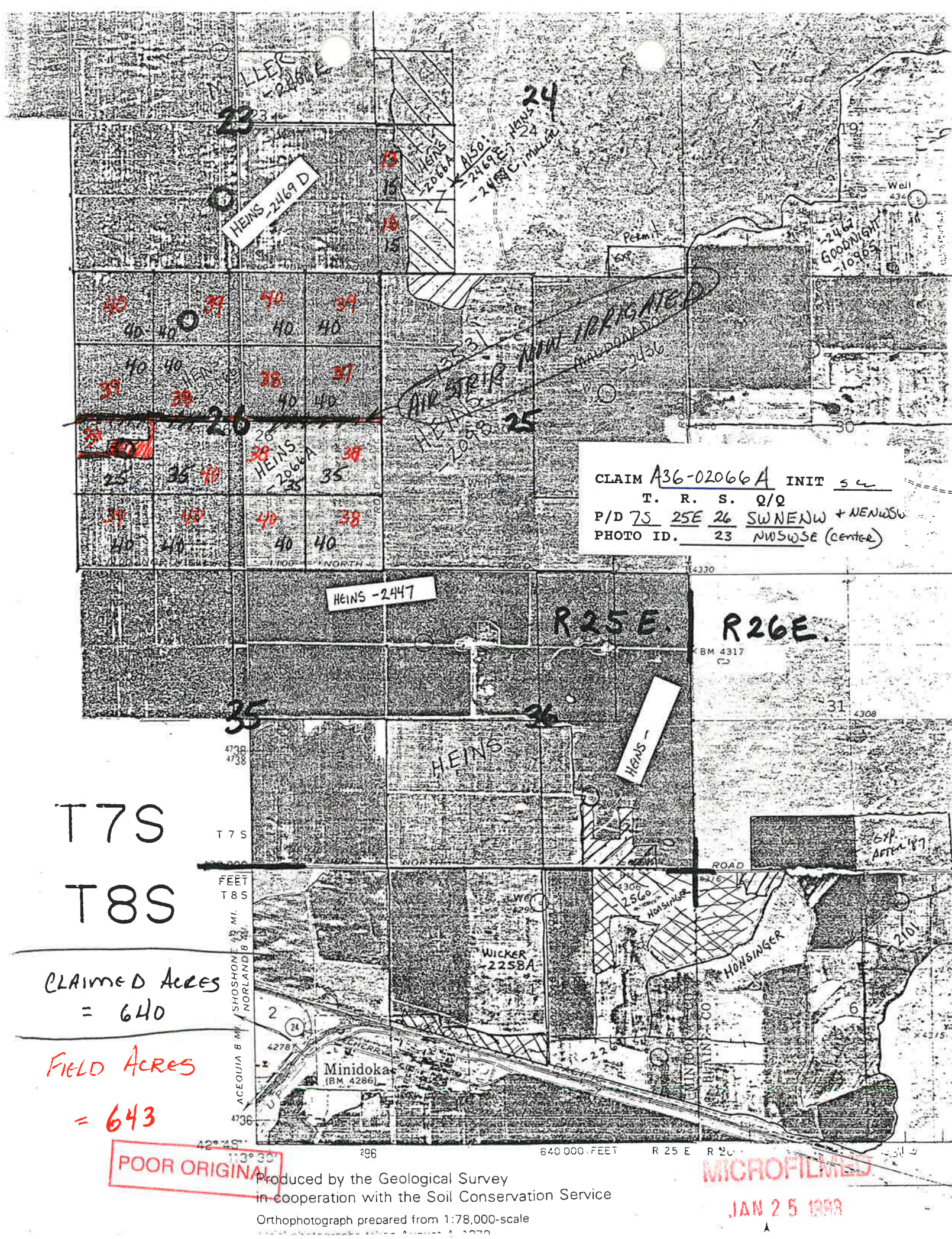
JAN 25 1993



RECOMMENDATION

The 1984 transfer was never fully put to a Beneficial use in SW 1/4 E. of Sec. 24. The system overlap would provide in excess of 0.02 cfs/Acre. The landing strip has been returned to irrigated cropland prior to 1987 and the buildings left only account for 7 acres of non-irrigated lands.

Last Name Heins



POOR ORIGINAL

Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78,000-scale

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JAN 25 1993

7/11/91

2:20 pm

Steve —

Elise Heins^(Rupert) called about your message to her concerning her claim + some overlaps of 320 ac. and 189 ac.

She requested that you write out an explanation of the problem or conflicts and Fax it to her at 531-4837. She will be away until Monday but she feels a written explanation will help her to understand and explain the differences.

This involves claim A36-02109,

Split Butte Ranch,

Warren + Elise Heins, and perhaps

Rancho Verde claims.

Bob W.

2109
436-6804
FAX

FAXED memo 7/22/91 sa

MICROFILMED

JAN 25 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

M E M O

TO: WARREN & ELISE HEINS

FROM: STEVE CLELLAND

DATE: 15-Jul-1991 10:53

RE: ADJUDICATION CLAIMS

THE FOLLOWING FOUR ITEMS ARE IN NEED OF FURTHER ACTION OR INFORMATION FROM YOU. MAY I SUGGEST, THAT AFTER YOU REVIEW THE FILES INVOLVED, WE ARRANGE AN APPOINTMENT HERE IN TWIN FALLS TO COMPLETE THE FINAL REPORT INFORMATION. THANK YOU FOR YOUR PROMPT ATTENTION AND RESPONSE.

1. A36-02447 & A36-07356

THESE TWO WATER RIGHTS ARE CLAIMED TO IRRIGATE LANDS AT LESS THAN 1/2 INCH PER ACRE. IT APPEARS THESE RIGHTS ARE USED IN COMBINATION WITH A36-02446. BECAUSE OF THE OVERLAP OF ACRES COVERED BY THESE RIGHTS, THEY MAY NEED TO BE REPORTED AS A COMBINED SYSTEM.

2. A36-02098 & A36-13531

I TOLD GREG THIS MIGHT NEED AN AMENDMENT FOR MORE ACRES. THIS SITUATION HAS BEEN RESOLVED AND RECOMMENDED AS A COMBINED SYSTEM UNDER A PERMISSABLE PLACE OF USE.

3. LICENSE 36-02109

THIS IS AN UNCLAIMED WATER RIGHT THAT APPEARS TO BE APPURTENANT TO LANDS OWNED BY YOU. T07S, R25E, S35, NE1/4 FOR 160 ACRES AND S36, NW1/4 FOR 120 ACRES.

4. A36-02469E & A36-02066A

30 ACRES IN THE SW1/4 OF S24, T07S, R25E HAVE OVERLAPPING WATER RIGHTS. THE COMBINED RATE EXCEEDS 1" PER ACRE, AN IDWR STANDARD, AND THE IRRIGATION SYSTEMS APPEAR TO BE SEPARATE. I AM NOT SURE HOW TO REPORT THIS OVERLAP IN THE FINAL REPORT. PERHAPS YOU CAN EXPLAIN HOW IT IS IRRIGATED AND THE SYSTEM AND WATER RIGHTS USED.

***ALL THE OTHER CLAIMS YOU HAVE FILED, THAT ARE NOT MENTIONED HERE, ARE BEING REPORTED AS YOU HAVE CLAIMED; NO DISCREPANCIES FOUND.

MICROFILMED

JAN 25 1993

FAXED 7/22/91 sc

M E M O

TO: WARREN & ELISE HEINS

FROM: STEVE CLELLAND

DATE: 15-Jul-1991 10:53

RE: ADJUDICATION CLAIMS

THE FOLLOWING FOUR ITEMS ARE IN NEED OF FURTHER ACTION OR INFORMATION FROM YOU. MAY I SUGGEST, THAT AFTER YOU REVIEW THE FILES INVOLVED, WE ARRANGE AN APPOINTMENT HERE IN TWIN FALLS TO COMPLETE THE FINAL REPORT INFORMATION. THANK YOU FOR YOUR PROMPT ATTENTION AND RESPONSE.

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***ALL THE OTHER CLAIMS YOU HAVE FILED, THAT ARE NOT MENTIONED HERE, ARE BEING REPORTED AS YOU HAVE CLAIMED; NO DISCREPANCIES FOUND.

MICROFILMED

JAN 25 1993

A36-02066 A
HEINS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: T.G. Blau

1. Right number 36-2066 Applicant PATTERSON FARMS OF IDAHO, INC.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☐ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - ok a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - ok c. ☒ Check description of point(s) of diversion. — added P/O
 - ok d. ☒ Check description of place of use. Does not match map c/c.
 - ok e. ☒ Check map (shows p.d. and p.u. after transfer).
 - ok f. ☒ Check for correct signature, notarization, and fee. See warranty deed
 - ok g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - ok h. ☒ Check for expansion in use of right. Comments none shown on transfer app.
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 36-2469 R - NOT KNOWN IF RIGHTS OVERLAP
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: ADN

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

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* [Signature]

4. By ADN Date 12/8/83

3-6-84
* All uses within Watermaster Districts require special conditions.

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JAN 25 1993

Transfer no. 2897

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Patterson Farms of Idaho, Inc. Phone 438-4800

Post Office address Rt 1 Box 1272 Paul, Id 83347

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ In _____ county of _____
(Name of court)

b. License No. 36-2066 Issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Groundwater tributary to _____

4. Date of priority 3/1/1948

5. Water is used for the following purposes:

amount 7.68 for Irrigation purposes from 3/15 to 11/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 7.68 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26
Township 7S Range 25E, B.M., in Minidoka County

Additional points of diversion, if any NW 1/4 Sec 26 T 7S R 25E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>7S</u>	<u>25E</u>	<u>26</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>640</u>

Total number of acres to be irrigated 640

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

JAN 25 1993

36-2066 T# 2897

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DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, part B).

Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____

Range _____, B.M., _____ County

Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

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

1. General Information

a. Amount of water to be diverted _____ 7.68 c.f.s. &/or _____ acre feet

b. Description of diverting works well with pump and pipe line
into sprinkler system

c. Describe the reasons for the proposed changes have put in shop
area and airstrip and taken acreage out
of production

2. Change in point of diversion

Point of diversion NE 1/4 SW 1/4, Section 23 Township 7S

Range 2SE, B.M., Minidoka County

Additional points NE NW and NWSW Sec 26 T 7S R 2SE

3. Change in place of use

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
land is being dried up by shop area and airstrip

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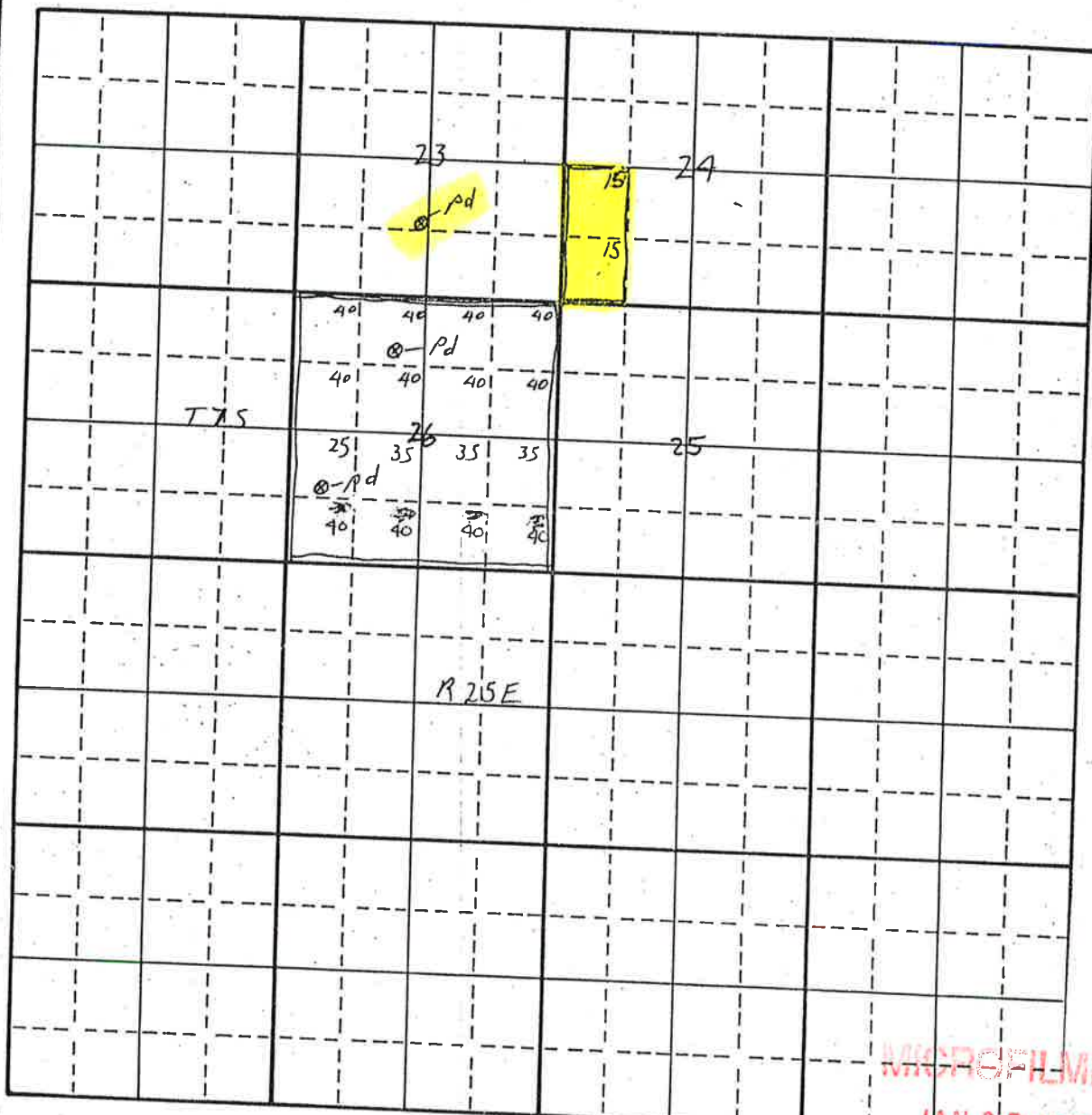
JAN 25 1993

Describe the lands or place of use to which the right will be referred:

RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
		NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	25E	24								15	15							30
		26	40	40	40	40	40	40	40	35	25	40	40	35	35	40	40	610

Total number of acres to be irrigated 640

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

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JAN 25 1973

ARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 29 day of June, 19 83

Patterson Farms of Idaho Inc
X Russell Patterson V.P.
(Signature of Applicant)

Nancy M. Northway
(Notary Public)

My commlssion expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2066 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 6th day of March, 19 84

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

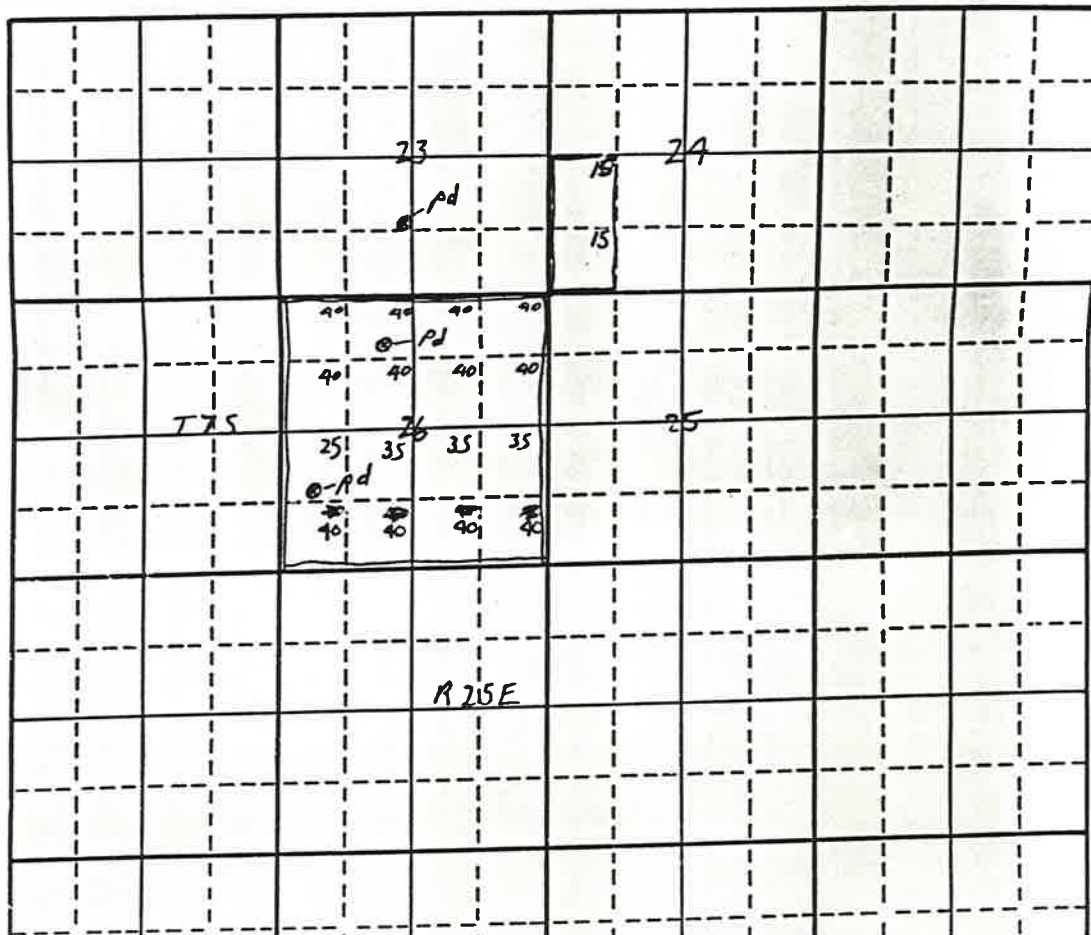
Received by HL Date 6-30-83 Protest filed by None
Prelim. check by IB Fee 50.00
Receipted by manga Date 6/30/83 #29127
Published in minidoka Co. news
Pub. dates 8/3 & 8/10/83
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Watermaster recommendation requested on NA
Recommended for approval denial
by ADL jim

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JAN 25 1993

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	25E	24										15	15						30
		26	40	40	40	40	40	40	40	40	35	25	40	40	35	35	40	40	610

Total number of acres to be irrigated 640

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



3-6-1984
36-2066
Transferred
by Patterson Farms

RECEIVED
JAN 25 1993

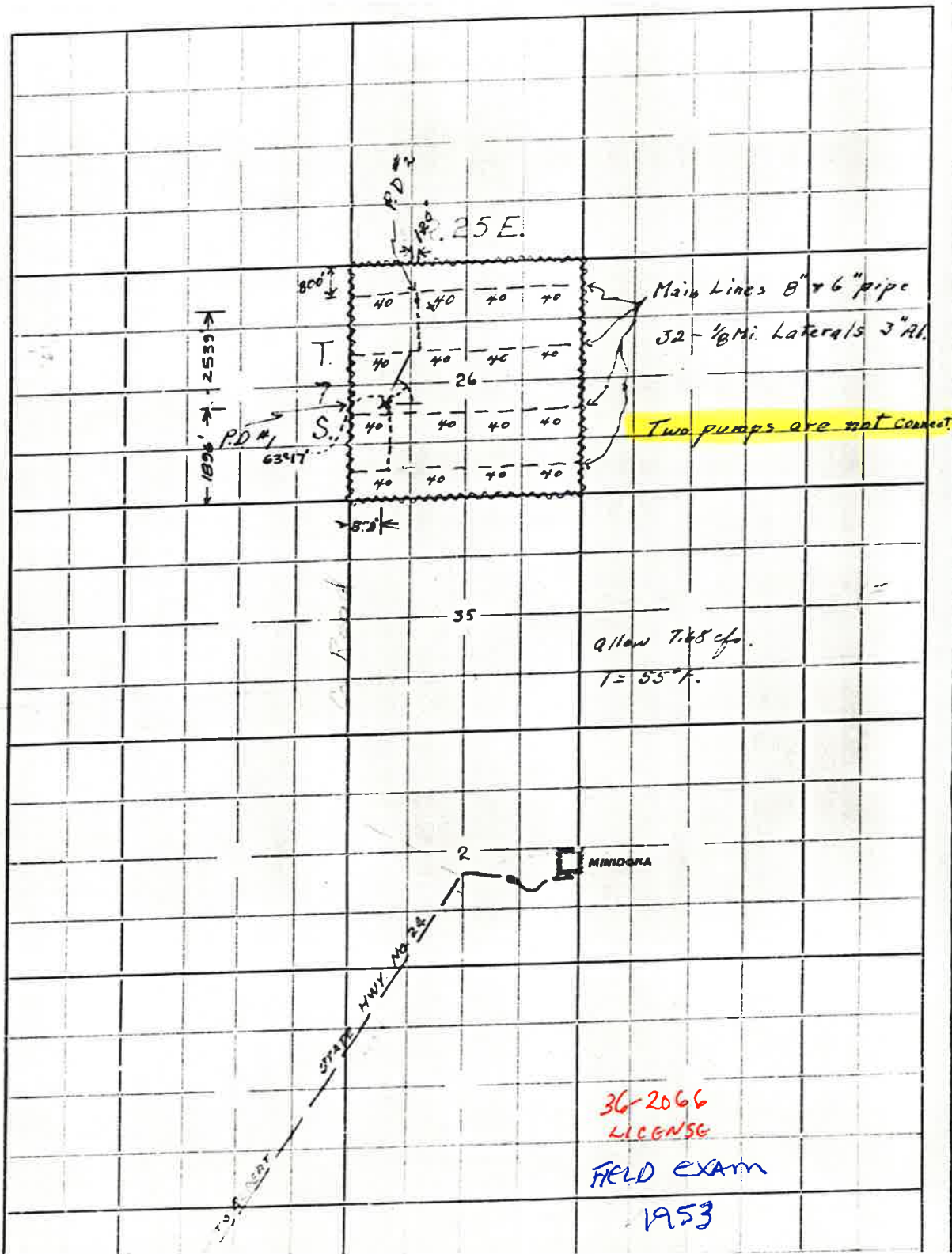
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