

Water Right Number - 36-02610

Prefix Translation: WATER RIGHT

Old (D) Number - 32285

+ - - - - Last Name - - - - +	+ - First Name - - +	+ - - - - Address - - - - - +	
*** A - ATTORNEY *** FELTON	MICHAEL HARLAND	1 - FELTON AND FELTON 2 - PO BOX 589 3 - City- BUHL Phone - 208-543-4368	State- ID Zip- 833160589
*** C - CURRENT OWNER *** HEIDA	THOMAS	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 833550140
AARDEMA	FRANS	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 833550140
HEIDA	MARY JANE	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 833550140
AARDEMA	CORNELIA	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 833550140
BOX CANYON DAIRY	DBA	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355
*** D - DIR RPT OWNER *** PILKINTON	C R	1 - 1449-B BOB BARTON 2 - 3 - City- WENDELL Phone - 208-536-2159	State- ID Zip- 83355
AARDEMA HEIDA DAIRY	DBA	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 833550140
PILKINTON	E A	1 - 1449-B BOB BARTON 2 - 3 - City- WENDELL Phone - 208-536-2159	State- ID Zip- 83355

Water right number - 36-02610

Prefix Translation: WATER RIGHT

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/22/1965 17 SOUTHERN D - DECREED

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

+ - - Point of Diversion - - - +
Twn Rng Sec Tract Lot RFlg County
08S 14E 33 SW SE NE (47) GOODING
34 SE SE NW (47) GOODING

+ - - Water Use - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 2.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.000 0.0

+ - - Place of Use - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 14E 33 NE NE 37.0 01 IRRIGATION (47) GOODING
08S 14E 33 SE NE 37.0 01 IRRIGATION (47) GOODING
08S 14E 34 NE NW 33.0 01 IRRIGATION (47) GOODING
08S 14E 34 NW NW 40.0 01 IRRIGATION (47) GOODING
08S 14E 34 SW NW 40.0 01 IRRIGATION (47) GOODING
08S 14E 34 SE NW 33.0 01 IRRIGATION (47) GOODING

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS & PUMPS, TWO PIVOTS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07650A & 36-04001

+ - - Remarks - - - +

QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.40 CFS AND A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 880 AF.
COMBINED RIGHT NOS.: 36-04001 & 36-07650A.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 220 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-04001 & 36-07650A.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION

Water right number - 36-02610

Prefix Translation: WATER RIGHT

+ - - - - Remarks - - - - -
DESCRIBED ABOVE: 36-04001 & 36-07650A.

+ - - - - Old Water Right Numbers - - - - -
3602610

+ - - - - 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.
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
STATE OF IDAHO UNITED STATES ET AL 12/29/1997

+ - - - - Comments - - - - -
Date: 09/17/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 9/26/91. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/01/1992 User Id: MERRITT Subject: RESPONDED TO NOE BY PHONE TO THOMAS PILKINGTON
Date: 06/14/1995 User Id: TFAWCETT Subject: NAME CHANGE
6/14/95 TF: CHANGE OF OWNERSHIP MADE.
Date: 01/02/1996 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.
*CONFORMED NAME TO AVOID DUPLICATE MAILING LABELS
Date: 01/16/1997 User Id: SSHERMAN Subject: NOTICE OF APPEARANCE
NOA RECEIVED FROM MICHAEL FELTON.
Date: 02/20/1997 User Id: TFAWCETT Subject: NAME CHANGE
NAMES MODIFIED TO MAKE ALL AARDEMA HEIDA CLAIMS CONSISTENT.
Date: 12/13/1997 User Id: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE
Date: 11/23/1999 User Id: CTIMM Subject: NAME CHANGE
CHANGED NAME AS PER CERTIFICATE OF ASSUMED BUSINESS NAME AND FORM 1409 REC'D 8/25/99: BOX CANYON DAIRY. 11/23/99, C.T.

+ - - Audit Fields - - +
11/23/99 CTIMM

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/06/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000714	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	- C
				Notice of Error Flag	- B

Water Right Number - R36-02610

Prefix Translation: RESEARCH

Old (D) Number - 32285

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** A - ATTORNEY ***

FELTON

MICHAEL HARLAND

1 - FELTON AND FELTON
2 - PO BOX 589
3 -
City- BUHL
Phone - 208-543-4368

State- ID Zip- 833160589

*** C - CURRENT OWNER ***

HEIDA

THOMAS

1 - PO BOX 140
2 -
3 -

City- WENDELL
Phone - 208-536-2189

State- ID Zip- 833550140

AARDEMA

FRANS

1 - PO BOX 140
2 -
3 -

City- WENDELL
Phone - 208-536-2189

State- ID Zip- 833550140

HEIDA

MARY JANE

1 - PO BOX 140
2 -
3 -

City- WENDELL
Phone - 208-536-2189

State- ID Zip- 833550140

AARDEMA

CORNELIA

1 - PO BOX 140
2 -
3 -

City- WENDELL
Phone - 208-536-2189

State- ID Zip- 833550140

BOX CANYON DAIRY

DBA

1 - PO BOX 140
2 -
3 -

City- WENDELL
Phone - 208-536-2189

State- ID Zip- 83355

*** D - DIR RPT OWNER ***

PILKINTON

C R

1 - 1449-B BOB BARTON
2 -
3 -

City- WENDELL
Phone - 208-536-2159

State- ID Zip- 83355

AARDEMA HEIDA DAIRY

DBA

1 - PO BOX 140
2 -
3 -

City- WENDELL
Phone - 208-536-2189

State- ID Zip- 833550140

PILKINTON

E A

1 - 1449-B BOB BARTON
2 -
3 -

City- WENDELL
Phone - 208-536-2159

State- ID Zip- 83355

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

Water right number - R36-02610

Prefix Translation: RESEARCH

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08S 14E 33 SW SE NE (47) GOODING
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QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.40 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 880 AF.
COMBINED RIGHT NOS.: 36-04001 & 36-07650A.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE

Water right number - R36-02610

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
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Date: 12/13/1997 User Id: SCELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE
Date: 11/23/1999 User Id: CTIMM Subject: NAME CHANGE
11/23/99, NO OWNER CHANGE, JUST NAME CHANGE AS PER CERTIFICATE OF ASSUMED BUSINESS NAME AND FORM 1409 REC'D 8/25/99...TO BOX CANYON
DAIRY. C.T.

+ - - Audit Fields - - +
11/23/99 CTIMM

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

Water right number - R36-02610

Prefix Translation: RESEARCH

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

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Claim Received Date	- 07/06/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000714	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	- C
				Notice of Error Flag	- B

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

AUG 25 1999

Department of Water Resources
Snake River Basin

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: ⁰⁴⁰⁰¹ 36-40001, 36-02720, 36-02610, 36-02535, 36-02312B, 36-07650A.
Adjudication Claim No(s).: _____

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

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Frans and Cornelia Aardema, Tom and Mary Jane Heida, d/b/a Aardema Heida Dairy

P O Box 140, Wendell, Idaho 83355

4. New Owner/Claimant(s) Frans and Cornelia Aardema, Tom and Mary Jane Heida d/b/a Box Canyon Dairy

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

New Mailing Address

P O Box 140

City, State and ZIP Code

Wendell, Idaho 83355

New Telephone Number

(208) 536-2189

5. Date you acquired the property There has been no change in ownership, only a change in the name the partnership is doing business under. See Certificate of Assumed Business Name attached.
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

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

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

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Frans Aardema Cornelia Aardema
FRANS AARDEMA CORNELIA AARDEMA

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

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

11/23/92 Changed DBA name only. CF

1

CERTIFICATE OF ASSUMED BUSINESS NAME

To the SECRETARY OF STATE, STATE OF IDAHO

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

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

Box Canyon Dairy

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

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

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

Agriculture

See categories on the reverse

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

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

Signed Box Canyon Dairy

By Tom Heida
Tom Heida

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

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

Customer #

Secretary of State use only
IDAHO SECRETARY OF STATE

08/20/1997 09:00
CK: 3320 CT: 47868 IN: 31325

1 @ 20.00 = 20.00 ASSUM NAME

07380

g:\clerk\forms\assumed_nm.jm Revision 10/96

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: A36-02610
Date Received: 7/06/1988
Receipt No: S000714
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. R. PILKINTON 208-536-2159
Address: 1449B BOB BARTON
WENDELL, ID 83355

AND/OR

Name: E.A. PILKINTON 208-536-2159
Address: 1449B BOB BARTON
WENDELL, ID 83355

2. Date of Priority: MAR 22, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	14E	34	SE	NW			GOODING

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.000		400.00

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) 400.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	14E	33	NE		NE		IRR	11.0
			SE		NE		IRR	10.0
							Section Acres	21.0
		34	NE		NW		IRR	20.0
			NW		NW		IRR	11.0
			SW		NW		IRR	28.0
			SE		NW		IRR	20.0
							Section Acres	79.0
							Total Acres	100.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

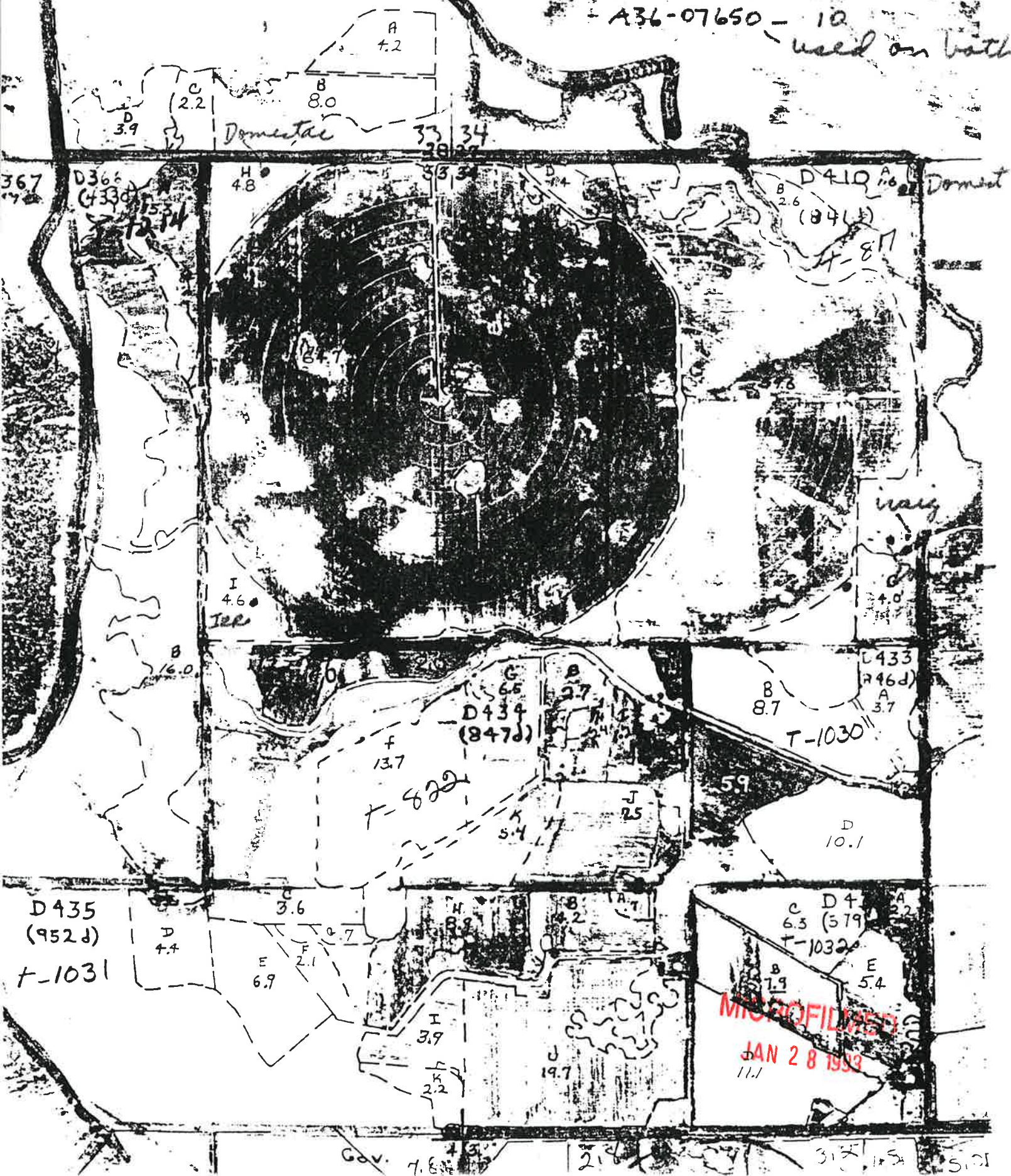
14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 32285

(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.

MICROFILMED
JAN 28 1993

used on bath



Log for claim 36-02610

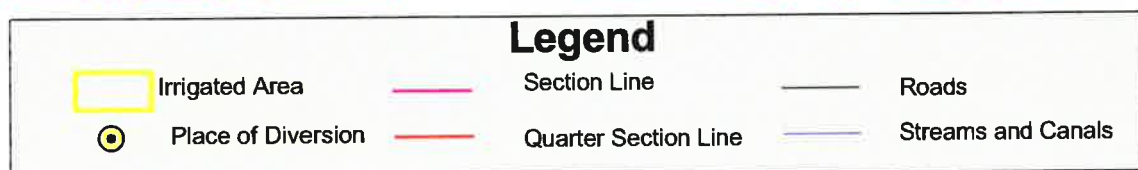
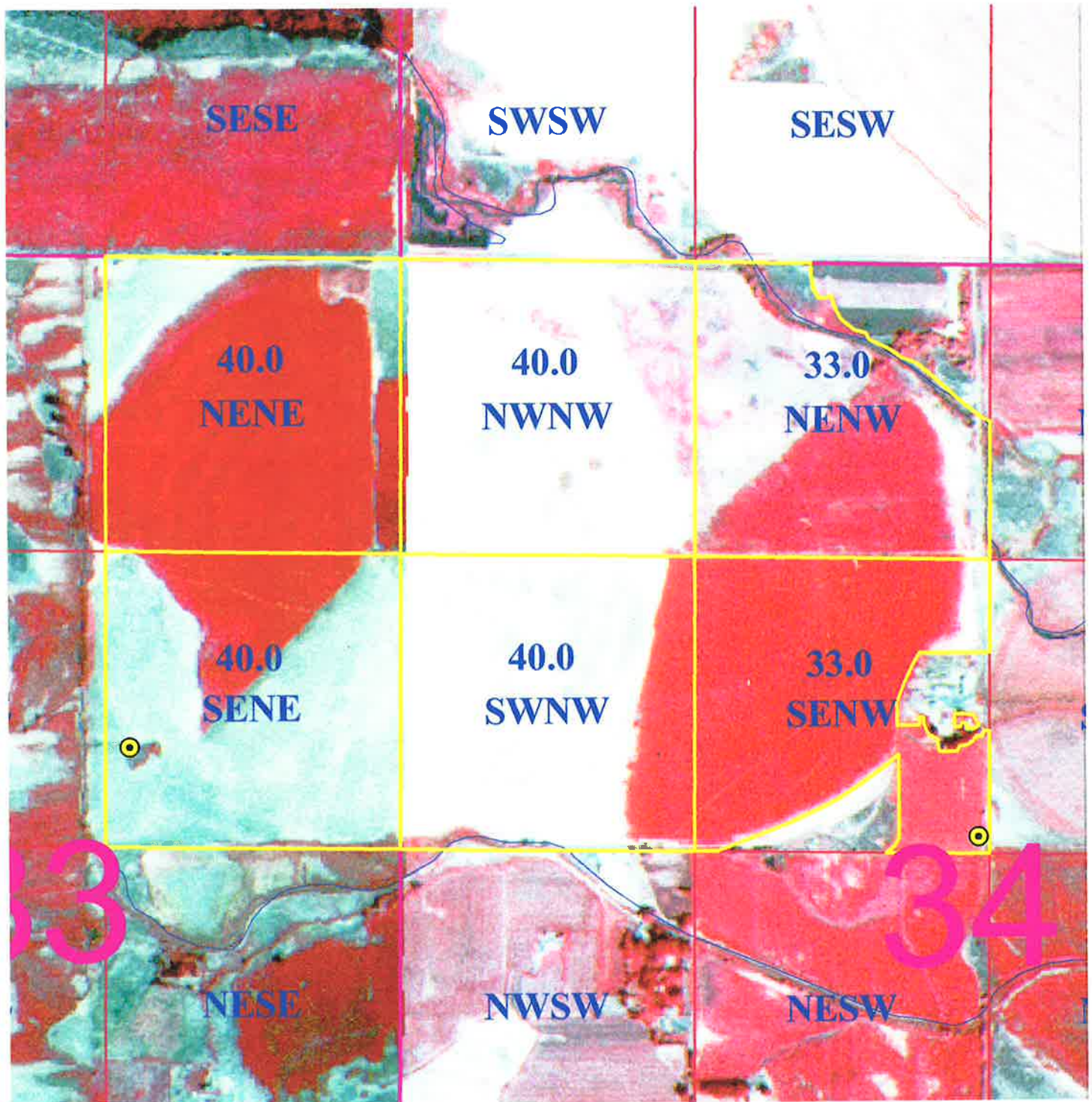
Spatial Dynamics LTD

11/13/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
08s14e	33	NENE	37	40	Permissible place of use
08s14e	33	SENE	37	40	Permissible place of use
08s14e	34	NENW	33	33	
08s14e	34	NWNW	40	40	
08s14e	34	SWNW	40	40	
08s14e	34	SENW	33	33	
Totals:			220	226	

Water Right Number 36-02610
Township , 8S14E

11/13/2001



SRBA Dec. 10734
To S.O. ✓

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

FEB 23 1998

1. Water Right No(s): 36-02610; 36-02720; 36-04001; 36-04050; 36-07650A; 36-10734
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Frans and Cornelia Aardema and Thomas and Mary Jane Heida dba Aardema-Heida Dairy
4. New Owner/Claimant(s) Frans and Cornelia Aardema and Thomas and Mary Jane Heida dba Box Canyon Dairy
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P.O. Box 140
City, State and ZIP Code Wendell, ID 83355
New Telephone Number (208) 536-2189
5. Date you acquired the property N/A See cover L
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Frans Aardema Cornelia Aardema
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

data entered by 1/23/99



Professional Center
1020 Main

Michael Hoyt Felton
Michael Harland Felton (Jr.)

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

August 23, 1999

RECEIVED

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

AUG 25 1999

Department of Water Resources
Southern Region

Attention: Vickie Hancock
Idaho Department of Water Resources
1341 Fillmore Street Suite 200
Twin Falls, Idaho 83301

Dear Ms. Hancock:

RE: Aardema Heida Dairy to Box Canyon Dairy
Change of Water Right Ownership Forms
Our File No. 2476

Enclosed herein please find a Notice of Appearance and a Notice of Change of Water Right Ownership for the following water right numbers:

36-02232
36-15181
36-07387B
36-04117
36-04050
36-~~40001~~ 04001
36-02720
36-02610
36-02535
36-02312B
36-07650A

Also attached hereto we have included a copy of the Certificate of Assumed Business Name filed with the Idaho Secretary of State on August 20, 1997. As I believe we have discussed before, with a number of other water rights, the same partnership still owns the water rights noted above, but the name the partnership is doing business under has changed from Aardema Heida Dairy to Box Canyon Dairy.

Page # 2
Vickie Hancock
August 23, 1999

Please review these records and submit them for processing if they appear to be in order to you. If not, please contact me at your earliest convenience.

Very truly yours,



MICHAEL H. FELTON, (JR.)

MHF/jms



Professional Center
1020 Main

Michael H. Felton, Sr.
Michael H. Felton, Jr.

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

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

August 17, 1998

Vikie Hancock, SRBA Records Clerk
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83303-3380

RECEIVED

AUG 18 1998

Department of Water Resources
Southern Region

Dear Vikie:

RE: Aardema-Heida Dairy and Box Canyon Dairy
Our File No. 2476

Pursuant to your letter dated May 8, 1998, and also pursuant to our telephone conversation of approximately two weeks ago, enclosed herein please find the completed Notice of Change of Water Right Ownership Forms and a copy of the Certificate of Assumed Business Name you have requested.

This letter will also confirm the fact that in our above noted telephone conversation, you stated you did not believe you would need copies of deeds in connection with the water rights addressed herein since there was never actually a deed transferring the water rights. Instead, all that was done is a Certificate of Assumed Business Name was filed with the Secretary of State changing the name of the Aardema-Heida Dairy to Box Canyon Dairy. If I can assist you any further, do not hesitate to contact me.

I have also enclosed a Notice of Appearance for all of the water rights discussed in your letter.

Very truly yours,

MICHAEL H. FELTON (JR.)

MHF/js
pc: Tom Heida
Enclosures

CERTIFICATE OF ASSUMED BUSINESS NAME

To the SECRETARY OF STATE, STATE OF IDAHO

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

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

Box Canyon Dairy

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

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

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

Agriculture

See categories on the reverse

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

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

Signed Box Canyon Dairy

By Tom Heida
Tom Heida

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

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

Customer #

Secretary of State use only
IDAHO SECRETARY OF STATE

08/20/1997 09:00
CK: 3328 CT: 47060 BH: 31325

1 @ 20.00 = 20.00 ASSUM NAME

07380

Department of Water Resources

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

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,) CASE NO. 39576
of Rights to the Use of Water)
From the Snake River Basin Water)
System.)

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

Petitioner,

VS:

NOTICE OF APPEARANCE

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

Respondents.

* * * * *

1 PLEASE BE NOTIFIED that Michael H. Felton, (Jr.), Attorney at Law, and
2 the firm of Felton & Felton, hereby enters an appearance as attorneys of record on behalf
3 of Frans and Cornelia Aardema and Tom and Mary Jane Heida d/b/a Box Canyon Dairy,
4 the Respondents in the above-entitled action, as counsel of record for said Respondents
5 with respect to Water Rights Number 36-04117, and the Clerk of the Court is hereby
6 requested to make such entries as may be required to record such appearance. All
7 further pleadings, notices and correspondence of any kind filed hereafter in this matter
8 should be sent to Michael H. Felton , (Jr.) of Felton & Felton, P. O. Box 589, Buhl, Idaho
9 83316-0589.
10

11
12 DATED: August 24, 1998.

13
14 FELTON & FELTON

15
16
17 By 
18 MICHAEL HARLAND FELTON
19 Attorneys for Defendant
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1
2 CERTIFICATE OF SERVICE

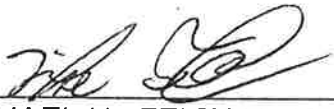
3 The undersigned, a resident attorney of the State of Idaho, with offices at
4 1020 Main Street, Post Office Box 589, Buhl, Idaho 83316-0589, and attorney for the
5 Defendant in this action, certifies that he caused to be via facsimile and mailed on August
6 24, 1998, a copy of the above and foregoing

7 NOTICE OF APPEARANCE

8 to:

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

12 Clerk of the District Court
13 Snake River Basin Adjudication
14 253 Third Avenue North
15 P O Box 2707
16 Twin Falls, ID 83303-2707

17
18 
19 _____
20 MICHAEL H. FELTON, JR.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

February 11, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: Aardema-Heida Dairy DBA Box Canyon Dairy
Snake River Basin Adjudication claims No. 36-02232; 02535; 02610; 02720;
04001; 04117; 04050; 04151; 07650A; 08021; 08169; 15181

Dear Mr. Felton:

Pursuant to your submission of Certificate of Assumed Business name for the above referenced Dairy and the Notice of Appearance submitted to the department, we have made the appropriate changes. I have forwarded the paper work to the State Office in Boise so they can process the claims that have been decreed.

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

Sincerely,

Cheryl E. Timm
Office Specialist

Enclosures

CT:ct

RECEIVED

DEC 20 1996

Department of Water Resources

MICHAEL HARLAND FELTON
FELTON AND FELTON
ATTORNEYS AT LAW
1020 MAIN STREET
P O BOX 589
BUHL ID 83316-0589
TELEPHONE: (208) 543-4368
FACSIMILE: (208) 543-4360
Attorneys for **Respondent**
(C:\WPDOC\ABC-DOC\2476NOT.APP)js

DEC 27 1996

Department of Water Resources

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

* * * * *

In Re the General Adjudication)
of Rights to the Use of Water)
From the Snake River Basin Water)
System.)

CASE NO. 39576

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

Petitioner,)

vs:)

NOTICE OF APPEARANCE

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

Respondents.)

* * * * *

PLEASE BE NOTIFIED that Michael H. Felton hereby appears
on behalf of Frans and Cornelia Aardema and Tom and Mary Jane Heida

NOTICE OF APPEARANCE

-1

1 d/b/a Aardema-Heida Dairy, the Respondent in the above-entitled
2 action, as counsel of record for said Respondents with respect to
3 Water Rights Numbers 36-11070, 36-11071, A36-04050, A36-10734, A36-
4 10735 and A36-10736 and A36-02232, A36-04001, A36-7650, A36-2610,
5 A 36-02535 and A 36-02720.

6 DATED: December 18, 1996.

7 FELTON & FELTON

8
9 By 

10 MICHAEL H. FELTON
11 Attorneys for Respondent
12
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1 CERTIFICATE OF SERVICE

2 The undersigned, a resident attorney of the State of
3 Idaho, with offices at 1020 Main Street, Post Office Box 589, Buhl,
4 Idaho 83316-0589, and attorney for the Respondent in this action,
5 certifies that he caused to be mailed on December 18, 1996, a copy
6 of the above and foregoing
7

8 **Notice of Appearance**

9 to:

10 Director of IDWR
11 P O Box 83720
12 Boise, ID 83720-0098

13 Clerk of the District Court
14 Snake River Basin Adjudication
15 253 Third Avenue North
16 P O Box 2707
17 Twin Falls, ID 83303-2707

18 
19 _____
20 MICHAEL HARLAND FELTON
21
22
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25
26

AJ0749NP
No. 36-02610

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

DATE: 01/16/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARY JANE HEIDA DBA AARDEMA - HEIDA DAIRY PO BOX 140 WENDELL ID 833550140 (208) 536-2189	03/22/1965	IRRIGATION	04-01 10-31	2.00 CFS	
				TOTAL DIVERSION:	2.00 CFS	

C FRANS AARDEMA
C CORNELIA AARDEMA
C THOMAS HEIDA
DBA AARDEMA HEIDA DAIRY
PO BOX 140
WENDELL ID 833550140
(208) 536-2189

D C R PILKINTON
D E A PILKINTON
1449-B BOB BARTON
WENDELL ID 83355
(208) 536-2159

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R14E S33
S34

SWSENE
SESENW

GOODING County
GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
08S	14E	33	:	37				37												:	74.0	
08S	14E	34	:							33	40	40	33							:	146.0	
																				:	220.0	
																				:	TOTAL ACRES	

POU County: GOODING

Other Rights: 36-07650A & 36-04001

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.
- S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

Remarks: GEN THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE

RECEIVED

JAN 30 1997

Department of Water Resources
Southeast Region

DO NOT FILE

AJ0749NP
No. 36-02610

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

DATE: 01/16/97
PAGE: 2

Remarks: PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-04001 & 36-07650A.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL
OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS.: 36-04001 & 36-07650A.

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

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

Comments: Date: 09/17/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 9/26/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/01/1992 User-ID: MERRITT Subject: RESPONDED TO NOE BY PHONE TO THOMAS PILKINGTON

Date: 06/14/1995 User-ID: TFAWCETT Subject: NAME CHANGE
6/14/95 TF: CHANGE OF OWNERSHIP MADE.

Date: 01/02/1996 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.
*CONFORMED NAME TO AVOID DUPLICATE MAILING LABELS

Date: 01/16/1997 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NOA RECEIVED FROM MICHAEL FELTON.

Audit: 01/16/97 SSHERMAN

DO NOT FILM

RECEIVED

JAN 13 1997

Department of Water Resources

MICHAEL HARLAND FELTON
FELTON AND FELTON
ATTORNEYS AT LAW
1020 MAIN STREET
P O BOX 589
BUHL ID 83316-0589
TELEPHONE: (208) 543-4368
FACSIMILE: (208) 543-4360
Attorneys for **Respondent**
(C:\WPDOC\ABC-DOC\2476NOT.APP)js

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) CASE NO. 39576
of Rights to the Use of Water)
From the Snake River Basin Water)
System.)

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

Petitioner,)

vs:)

NOTICE OF APPEARANCE

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

* * * * *

PLEASE BE NOTIFIED that Michael H. Felton hereby
appears on behalf of Frans and Cornelia Aardema and Tom and Mary

NOTICE OF APPEARANCE

1 Jane Heida d/b/a Aardema-Heida Dairy, the Respondent in the above-
2 entitled action, as counsel of record for said Respondents with
3 respect to Water Rights Numbers A36-2610.

4 DATED: January 10, 1997.

5 FELTON & FELTON

6
7 By 
8 MICHAEL H. FELTON
9 Attorneys for Respondent

10 **CERTIFICATE OF SERVICE**

11 The undersigned, a resident attorney of the State of
12 Idaho, with offices at 1020 Main Street, Post Office Box 589, Buhl,
13 Idaho 83316-0589, and attorney for the **Respondent** in this action,
14 certifies that he caused to be **mailed** on **January 10, 1997**, a copy
15 of the above and foregoing

16 **Notice of Appearance**

17 to:

18 DIRECTOR OF IDWR
19 P O BOX 83720
BOISE, ID 83720-0098

20 CLERK OF THE DISTRICT COURT
21 SNAKE RIVER BASIN ADJUDICATION
22 253 THIRD AVENUE NORTH
P O BOX 2707
TWIN FALLS, ID 83303-2707

23
24 
25 MICHAEL HARLAND FELTON
26

NOTICE OF APPEARANCE

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: **A36-02610**
Date Received: 7/ 6/1988
Receipt No: S000714
Received By: df

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: FRANS AARDEMA 208-536-2189
Address: DBA AARDEMA - HEIDA DAIRY
PO BOX 140
WENDELL ID 83355-0140
AND/OR
Name: CORNELIA AARDEMA 208-536-2189
Address: DBA AARDEMA - HEIDA DAIRY
PO BOX 140
WENDELL ID 83355-0140
AND/OR
Name: THOMAS HEIDA 208-536-2189
Address: DBA AARDEMA - HEIDA DAIRY
PO BOX 140
WENDELL ID 83355-0140
AND/OR
Name: MARY JANE HEIDA 208-536-2189
Address: DBA AARDEMA - HEIDA DAIRY
PO BOX 140
WENDELL ID 83355-0140

2. Date of Priority: MAR 22, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	14E	34	SE	NW			GOODING

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.000		400.00

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

400.00 A.F.A.

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	33	NE	NE		IRR	11.0
			SE	NE		IRR	10.0
					Section Acres		21.0
		34	NE	NW		IRR	20.0
			NW	NW		IRR	11.0
			SW	NW		IRR	28.0
			SE	NW		IRR	20.0
					Section Acres		79.0
					Total Acres		100.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

42-1409(7) OWNERSHIP CHANGE, PILKINTON TO ARDEMA AND HEIDA, SF3
SENT TO HEIDA, SS 05/25/95.

6/14/95 TF:CHANGE OF OWNERSHIP COMPLETED.

15. Basis of Claim: LICENSE

Water Right Number: 32285

Michael Hoyt Felton
Michael Harland Felton (Jr.)

Mailing Address:
Post Office Box 589
Buhl, ID 83316-0589
(208) 543-4368 (telephone)
(208) 543-4360 (telecopier)

May 26, 1995

RECEIVED

JUN 07 1995

Department of Water Resources
Southern Region

RECEIVED

MAY 30 1995

Department of Water Resources

Donald Shaff
c/o State of Idaho
Dept. of Water Resources
1301 N Orchard St.
Statehouse Mail
Boise, ID 83720-9000

Dear Mr. Shaff:

Our File No. 2476

Pursuant to our telephone conversation of Thursday May 25, 1995, as well as your correspondence dated May 24, 1995, I have reviewed the transfer of water right file with respect to Aardema-Heida Dairy.

As you will recall, during our conversation I suggested that I believed we had filed the Standard Form 3 with respect to the Aardema-Heida transactions. I have now had the opportunity to review the file and can confirm that my initial suspicion was correct. Enclosed herein please find copies of the Standard Form 3 which were filed in connection with the Aardema-Heida transfer of water rights.

Please review these forms and include them in your files if you have not yet received them. As always, if you have any additional questions or comments regarding this matter do not hesitate to call me.

Very truly yours,
Mike Felton

MICHAEL HARLAND FELTON

MHF:bf
pc: Tom Heida
Enclosures (8)

MICROFILMED
DEC 04 1996

Michael Hoyt Felton
Michael Harland Felton (Jr.)

Mailing Address:
Post Office Box 589
Buhl, ID 83316-0589
(208) 543-4368 (telephone)
(208) 543-4360 (telecopier)

April 19, 1995

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P O Box 2707
Twin Falls, ID 83301

RECEIVED

JUN 07 1995

Department of Water Resources
Southern Region

Dear Madam Clerk:

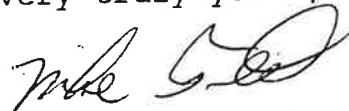
RE: Clark, Roland, Pilkinton to Aardema-Heida
New Property Owner Notice of Change of Water
Right Ownership/Consent to Substitution to Party
Our File No: 2476

Enclosed herein please find the Consent to Substitution of Party for
Water Rights and New Property Owner Notice of Change of Water Right
Ownership forms completed for the transfer from:

- (1) Darwin L. and Dianna W. Clark to Frans and Cornelia
Aardema and Thomas and Mary Jane Heida d/b/a
Aardema-Heida Dairy
- (2) Michael C. and Annalee Roland to Frans and Cornelia
Aardema and Thomas and Mary Jane Heida d/b/a
Aardema-Heida Dairy
- (3) C. R. and E. A. Pilkinton to Frans and Cornelia
Aardema and Thomas and Mary Jane Heida d/b/a
Aardema-Heida Dairy

Please enter the documents with the Court.

Very truly yours,



MICHAEL HARLAND FELTON

MHF:js
Enclosures (6)
PC: Thomas Heida

MICROFILMED
DEC 04 1996

FELTON & FELTON
Attorneys at Law

Professional Center
1020 Main

Michael Hoyt Felton
Michael Harland Felton (Jr.)

Mailing Address:
Post Office Box 589
Buhl, ID 83316-0589
(208) 543-4368 (telephone)
(208) 543-4360 (telecopier)

April 19, 1995

RECEIVED

JUN 07 1995

Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Dear Ladies and Gentlemen:

Department of Water Resources
Southern Region

RE: Clark, Roland, Pilkinton to Aardema-Heida
New Property Owner Notice of Change of Water
Right Ownership/Consent to Substitution to Party
Our File No: 2476

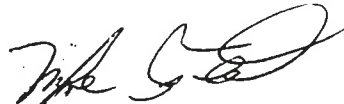
Enclosed herein please find copies of Consent to Substitution of Party for Water Rights and original New Property Owner Notice of Change of Water Right Ownership forms with proof of ownership attached to the transfer form:

- (1) Darwin L. and Dianna W. Clark to Frans and Cornelia Aardema and Thomas and Mary Jane Heida d/b/a Aardema-Heida Dairy
- (2) Michael C. and Annalee Roland to Frans and Cornelia Aardema and Thomas and Mary Jane Heida d/b/a Aardema-Heida Dairy
- (3) C. R. and E. A. Pilkinton to Frans and Cornelia Aardema and Thomas and Mary Jane Heida d/b/a Aardema-Heida Dairy

Please enter the documents into your files.

As always, if you have any questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,



MICHAEL HARLAND FELTON

MHF:js
Enclosures (6)
PC: Thomas Heida

MICROFILMED
DEC 04 1996

RECEIVED

MAY 30 1995

Department of Water Resources
Southern Region

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A36-02610**
Date Received: 7/ 6/1988
Receipt No: S000714
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: FRANS AARDEMA 208-536-2189
Address: DBA AARDEMA - HEIDA DAIRY
PO BOX 140
WENDELL ID 83355-0140
AND/OR
Name: CORNELIA AARDEMA 208-536-2189
Address: DBA AARDEMA - HEIDA DAIRY
PO BOX 140
WENDELL ID 83355-0140
AND/OR
Name: THOMAS HEIDA 208-536-2189
Address: DBA AARDEMA - HEIDA DAIRY
PO BOX 140
WENDELL ID 83355-0140
AND/OR
Name: MARY JANE HEIDA 208-536-2189
Address: DBA AARDEMA - HEIDA DAIRY
PO BOX 140
WENDELL ID 83355-0140

2. Date of Priority: MAR 22, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	14E	34	SE	NW			GOODING

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.000		400.00

MICROFILMED
DEC 04 1996

7. Total Quantity Appropriated is:

2.000 C.F.S. (and/or) 400.00 A.F.A.

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	33	NE	NE		IRR	11.0
			SE	NE		IRR	10.0
						Section Acres	21.0
		34	NE	NW		IRR	20.0
			NW	NW		IRR	11.0
			SW	NW		IRR	28.0
			SE	NW		IRR	20.0
						Section Acres	79.0
						Total Acres	100.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

42-1409(7) OWNERSHIP CHANGE, PILKINTON TO ARDEMA AND HEIDA, SF3
SENT TO HEIDA, SS 05/25/95.

15. Basis of Claim: LICENSE

Water Right Number: 32285



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

APR 27 1995

DATE OF CLOSING: 4/15/93

SEE ATTACHED EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
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.

- ☐ 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: #36-02610 -- # 36-04001 -- # 36-07650A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): C. R. AND E.A. PILKINTON
1449-B Bob Barton Road
Wendell, ID 83355
- ☐ New Owner/Claimant (Purchaser): Frans and Cornelia Aardema and Thomas H. and Mary Jane Heida
- ☐ New Mailing Address: d/b/a Aardema - Heida Dairy
P. O. Box 140
Wendell, ID 83355 -0140
- ☐ New Telephone Number: (208) 536 - 2189
- ☐ 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 Attached
(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): Thomas H. Heida, Mary Jane Heida, Cornelia Aardema Date _____
- ☐ Signature of Former Owner/Claimant(s): Cornelia Aardema Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data Entry

Date: 5-24-95 By: RME

Further Action Needed:

Further Action Taken

Date: 05-25-95 By: de. ardema

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

MICROFILMED

DEC 04 1996

of 3 mailed to Heida 5-23-95.
"A" records only.

EXHIBIT A
LEGAL DESCRIPTIONS OF PROPERTY

RECEIVED
APR 27 1995

Water Right # 36-02610

Department of Water Resources

TOWNSHIP	RANGE	SECTION	TRACT	ACRES	COUNTY
08S	14E	33	NE NE	37.0	GOODING
08S	14E	33	SE NE	37.0	GOODING
08S	14E	34	NE NW	33.0	GOODING
08S	14E	34	NW NW	40.0	GOODING
08S	14E	34	SW NW	40.0	GOODING
08S	14E	34	SE NW	33.0	GOODING

TOTAL ACRES:

220.0

A36-02610

MICROFILMED
DEC 04 1996

This Deed is being re-recorded to add "Subject to" paragraph.



WARRANTY DEED

For Value Received

EVELYN AGNES PILKINTON, TRUSTEE OF THE PILKINTON TRUST DATED FEBRUARY 27, 1990
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto
FRANK ANDERSON, AND CORNELIA ANDERSON, HUSBAND AND WIFE AND
THOMAS H. HEIDA AND MARY JANE HEIDA, HUSBAND AND WIFE,
hereinafter referred to as Grantees, whose current address is

P.O. Box 140, Wendell, ID 83355

RECEIVED
APR 27 1995

Department of Water Resources

the following described premises, to-wit:

SEE ATTACHED EXHIBIT A, attached hereto and made a part hereof.

152176

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the recorder of FIRST AMERICAN TITLE
50 min. past 3 o'clock P.M. this 2
of April 1995
JOHN A. MYERS Recorder
By Deputy State Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant
to and with the said Grantee, that Grantor is the owner in fee simple of said
premises; that said premises are free from all encumbrances except current years
taxes, levies, and assessments, and except U. S. Patent reservations, restrictions,
easements of record, and easements visible upon the premises, and that Grantor will
warrant and defend the same from all claims whatsoever.

Dated: March 29, 1993.

Evelyn Agnes Pilkinton
Evelyn Agnes Pilkinton

STATE OF IDAHO
COUNTY OF GOODING

On this 29th day of March, in the year 1993, before me, a Notary Public in
and for said State, personally appeared Evelyn Agnes Pilkinton, known or identified
to me to be the person whose name is subscribed to the within instrument as Trustee
of The Pilkinton Trust dated February 27, 1990, and acknowledged to me that she
executed the same as such Trustee.



Florence K. Leiber
Notary Public of Idaho
Residing at Gooding, Idaho
Commission Expires: 10/20/98
4/26/98

First American Title Company of Idaho

A36-02610

MICROFILMED
DEC 04 1996

RECEIVED

APR 27 1995

EXHIBIT A

Department of Water Resources

The East Half of the Northeast Quarter of Section 33 and the Northwest Quarter of Section 34, Township 8 South, Range 14 East of the Boise Meridian, Gooding County, Idaho.

EXCEPTING THEREFROM:

Part of the Northeast Quarter of the Northwest Quarter of Section 34, Township 8 South, Range 14 East of the Boise Meridian, Gooding County, Idaho, described as follows:

BEGINNING at the Northeast corner of said Northeast Quarter of the Northwest Quarter;
Thence South 0° 10' 4" West, 722.57 feet to the center of a natural drainage course called "The Coulee";
Thence North 55° 18' 57" West to its intersection with the Northerly boundary of said Northeast Quarter of the Northwest Quarter;
Thence South 89° 37' 28" East, 1056.28 feet to THE POINT OF BEGINNING.

SUBJECT TO THE FOLLOWING:

Mortgage dated August 27, 1976 to secure an indebtedness in the principal sum of \$170,000.00.
Recorded: October 8, 1976, Instrument No. 61502
Mortgagor: C.R. Pilkinton and Evelyn A. Pilkinton, husband and wife
Mortgagee: The Federal Land Bank of Spokane

Financing Statement covering Irrigation Equipment.
Recorded: October 8, 1976, Instrument No. 8975/61503
Debtor: C. R. Pilkinton
Secured Party: The Federal Land Bank of Spokane

CONTINUATION STATEMENT filed August 27, 1991, Instrument No. 145917, records of Gooding County, Idaho.

152185

Re-mend

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

19 min past 2 o'clock P.M. this 5

of Lapham 1993 6.00

JOHN A. MYERS Recorder

by Calvin S. Sells Deputy

MICROFILMED

DEC 04 1996

A36-02610

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

02/13/95 15:22:50

Page 1

Water Right Number - 36-02610

Prefix Translation: WATER RIGHT

Old (D) Number - 32285

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

*** C - CURRENT OWNER ***

PILKINTON

C R

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

E A

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

+ - - Priority Date - - +
03/22/1965

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

08S 14E 33 SW SE NE (47) GOODING
34 SE SE NW (47) GOODING

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

01 - IRRIGATION 04/01 10/31 2.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.000 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S	14E	33	NE NE		37.0	01	IRRIGATION	(47) GOODING
08S	14E	33	SE NE		37.0	01	IRRIGATION	(47) GOODING
08S	14E	34	NE NW		33.0	01	IRRIGATION	(47) GOODING
08S	14E	34	NW NW		40.0	01	IRRIGATION	(47) GOODING
08S	14E	34	SW NW		40.0	01	IRRIGATION	(47) GOODING
08S	14E	34	SE NW		33.0	01	IRRIGATION	(47) GOODING

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS & PUMPS, TWO PIVOTS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07650A & 36-04001

RECEIVED

APR 27 1995

Department of Water Resources

No objection
Recommended

DEC 04 1996

MICROFILMED



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

R. KEITH HIGGINSON
DIRECTOR

May 23, 1995

THOMAS H AND MARY JANE HEIDA
DBA AARDEMA HEIDA DAIRY
PO BOX 140
WENDELL ID 83355-0140

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #36-02610, 36-04001 and 36-07650A *and*

Dear Claimants:

36-02535 and 36-02720

Thank you for notifying us of the change in ownership of the water rights referenced above. SRBA Judge Hurlbutt issued an Amended Order March 22, 1995, requiring claimants such as yourself acquiring property and associated water right(s) identified in a Director's Report to use Standard Form 3 for change in ownership. We have enclosed this form for your use. When the Court's form has been submitted according to the instructions the processing of the change of ownership can be completed.

Please contact us or the SRBA Court at 208/733-3011 if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region

Enclosure:

(3) Standard Form 3

MICROFILMED

DEC 04 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: 4/15/93

APR 21 1995

SEE ATTACHED EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ Southern Region
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ 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: #36-02610 -- # 36-04001 -- # 36-07650A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): C. R. AND E.A. PILKINTON
1449-B Bob Barton Road
Wendell, ID 83355
- ☐ New Owner/Claimant (Purchaser): Frans and Cornelia Aardema and Thomas H. and Mary Jane Heida
- ☐ New Mailing Address: d/b/a Aardema - Heida Dairy
P. O. Box 140
Wendell, ID 83355 -0140
- ☐ New Telephone Number: (208) 536 - 2189
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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 Attached
(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): Thomas H. Heida Date _____
Mary Jane Heida Cornelia Aardema
- ☐ Signature of Former Owner/Claimant(s): Cornelia Aardema Date _____
Date _____

(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: _____ By: _____
Claim Numbers of Split, if any:

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

MICROFILMED
MIDEC 04 1996
DEL

EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-02610

TOWNSHIP	RANGE	SECTION	TRACT	ACRES	COUNTY
08S	14E	33	NE NE	37.0	GOODING
08S	14E	33	SE NE	37.0	GOODING
08S	14E	34	NE NW	33.0	GOODING
08S	14E	34	NW NW	40.0	GOODING
08S	14E	34	SW NW	40.0	GOODING
08S	14E	34	SE NW	33.0	GOODING
TOTAL ACRES:				220.0	

MICROFILMED
DEC 04 1996
4 1996

EXHIBIT A
LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-07650A

TOWNSHIP	RANGE	SECTION	TRACT	ACRES	COUNTY
08S	14E	33	NE NE	37.0	GOODING
08S	14E	33	SE NE	37.0	GOODING
08S	14E	34	NE NW	33.0	GOODING
08S	14E	34	NW NW	40.0	GOODING
08S	14E	34	SW NW	40.0	GOODING
08S	14E	34	SE NW	33.0	GOODING

Total Acres: 220.0

MICROFILMED
DEC 04 1996

EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-04001

TOWNSHIP	RANGE	SECTION	TRACT	ACRES	COUNTY
08S	14E	33	NE NE	37.0	GOODING
08S	14E	33	SE NE	37.0	GOODING
08S	14E	34	NE NW	33.0	GOODING
08S	14E	34	NW NW	40.0	GOODING
08S	14E	34	SW NW	40.0	GOODING
08S	14E	34	SE NW	33.0	GOODING

TOTAL ACRES:

220.0

MICROFILMED

DEC 04 1996



WARRANTY DEED

For Value Received

EVELYN AGNES PILKINTON, TRUSTEE OF THE PILKINTON TRUST DATED FEBRUARY 27, 1990
 hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto
 FRANK ANDERSON AND CORNELIA ANDERSON, HUSBAND AND WIFE AND
 THOMAS H. HEIDA AND MARY JANE HEIDA, HUSBAND AND WIFE,
 hereinafter referred to as Grantees, whose current address is
 P.O. Box 140, Wendell, ID 83355
 the following described premises, to-wit:

SEE ATTACHED EXHIBIT A, attached hereto and made a part hereof.

152176

STATE OF IDAHO COUNTY OF GOODING
 Filed for record at the request of FIRST AMERICAN TITLE
 50 min. past 3 o'clock P.M. this 2
 of April 1993
 JOHN A. MYERS Recorder
 By Deputy State Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
 Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant
 to and with the said Grantee, that Grantor is the owner in fee simple of said
 premises; that said premises are free from all encumbrances except current years
 taxes, levies, and assessments, and except U. S. Patent reservations, restrictions,
 easements of record, and easements visible upon the premises, and that Grantor will
 warrant and defend the same from all claims whatsoever.

Dated: March 29, 1993.

Evelyn Agnes Pilkinton
 Evelyn Agnes Pilkinton

STATE OF IDAHO
 COUNTY OF GOODING

On this 29th day of March, in the year 1993, before me, a Notary Public in
 and for said State, personally appeared Evelyn Agnes Pilkinton, known or identified
 to me to be the person whose name is subscribed to the within instrument as Trustee
 of The Pilkinton Trust dated February 27, 1990, and acknowledged to me that she
 executed the same as such Trustee.



Florence K. Leuze
 Notary Public of Idaho
 Residing at Gooding, Idaho
 Commission Expires: 12/31/98
 6/26/98

First American Title Company of Idaho

EXHIBIT A

The East Half of the Northeast Quarter of Section 33 and the Northwest Quarter of Section 34, Township 8 South, Range 14 East of the Boise Meridian, Gooding County, Idaho.

EXCEPTING THEREFROM:

Part of the Northeast Quarter of the Northwest Quarter of Section 34, Township 8 South, Range 14 East of the Boise Meridian, Gooding County, Idaho, described as follows:

BEGINNING at the Northeast corner of said Northeast Quarter of the Northwest Quarter;
Thence South 0° 10' 4" West, 722.57 feet to the center of a natural drainage course called "The Coulee";
Thence North 85° 18' 57" West to its intersection with the Northerly boundary of said Northeast Quarter of the Northwest Quarter;
Thence South 89° 37' 28" East, 1056.28 feet to THE POINT OF BEGINNING.

SUBJECT TO THE FOLLOWING:

Mortgage dated August 27, 1976 to secure an indebtedness in the principal sum of \$170,000.00.
Recorded: October 8, 1976, Instrument No. 61502
Mortgagor: C.R. Pilkinton and Evelyn A. Pilkinton, husband and wife
Mortgagee: The Federal Land Bank of Spokane

Financing Statement covering Irrigation Equipment.
Recorded: October 8, 1976, Instrument No. 8975/61503
Debtor: C. R. Pilkinton
Secured Party: The Federal Land Bank of Spokane

CONTINUATION STATEMENT filed August 27, 1991, Instrument No. 145917, records of Gooding County, Idaho.

152185

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

19 min past 2 o'clock p.m. this 5

of October 1983 6.00

JOHN A. MYERS Recorder

by Caroline Selig Deputy

MICROFILMED

DEC 04 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

Water Right Number - 36-02610

Prefix Translation: WATER RIGHT

Old (D) Number - 32285

```

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

```

*** C - CURRENT OWNER ***

PILKINTON

C R

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

Priority Date	Region	Stage	Status
03/22/1965	17 SOUTHERN	L - LICENSE	

+ ----- Source ----- +

 GROUNDWATER

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

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name
08S	14E	33	SW SE NE			(47) GOODING		
		34	SE SE NW			(47) GOODING		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31		2.000	

+	-	Total Div. Rate - +	+	-	Total Div. Volume - +	+	-	Total Div. Capacity - +	+	-	Total Consumptive Use - +	+	-	KW Usage - +
		2.000									0.0			

+	Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County	+
	08S	14E	33	NE NE		37.0	01	IRRIGATION	(47)	GOODING
	08S	14E	33	SE NE		37.0	01	IRRIGATION	(47)	GOODING
	08S	14E	34	NE NW		33.0	01	IRRIGATION	(47)	GOODING
	08S	14E	34	NW NW		40.0	01	IRRIGATION	(47)	GOODING
	08S	14E	34	SW NW		40.0	01	IRRIGATION	(47)	GOODING
	08S	14E	34	SE NW		33.0	01	IRRIGATION	(47)	GOODING

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS & PUMPS, TWO PIVOTS

+ - - Non-Irrigation Use -

~~Other Rights for Same Use - 36-07650A & 36-04001~~

No objection
Recommend

MICROFILMED
DEC 04 1996

Water Right Number - 36-07650A

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
PILKINTON

C R

1 - 1449-B BOB BARTON RD

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

E A

1 - 1449-B BOB BARTON RD

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/30/1976 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

Tw	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name
08S	14E	33	SW SE NE			(47) GOODING		
		34	SE SE NW			(47) GOODING		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	1.220	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.220 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	14E	33	NE NE		37.0	01	IRRIGATION	(47) GOODING
08S	14E	33	SE NE		37.0	01	IRRIGATION	(47) GOODING
08S	14E	34	NE NW		33.0	01	IRRIGATION	(47) GOODING
08S	14E	34	NW NW		40.0	01	IRRIGATION	(47) GOODING
08S	14E	34	SW NW		40.0	01	IRRIGATION	(47) GOODING
08S	14E	34	SE NW		33.0	01	IRRIGATION	(47) GOODING

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS, PUMPS & PIVOT SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02610 & 36-04001

DEC 04 1996

MICROFILMED

Water Right Number - 36-04001

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

PILKINTON

E A

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

C R

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/01/1954 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name08S 14E 33 SW SE NE (47) GOODING
34 SE SE NW (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.500+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.500 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 14E 33 NE NE 37.0 01 IRRIGATION (47) GOODING
08S 14E 33 SE NE 37.0 01 IRRIGATION (47) GOODING
08S 14E 34 NE NW 33.0 01 IRRIGATION (47) GOODING
08S 14E 34 NW NW 40.0 01 IRRIGATION (47) GOODING
08S 14E 34 SW NW 40.0 01 IRRIGATION (47) GOODING
08S 14E 34 SE NW 33.0 01 IRRIGATION (47) GOODING

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS AND PUMPS TO TWO PIVOTS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07650A & 36-02610

MICROFILMED
MICROFILMED
DEC 04 1996

APR 13 95

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.

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

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.

Case No. 39576

STANDARD FORM 3

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

CONSENT TO SUBSTITUTION OF
PARTY

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is Frans & Cornelia Aardema and Thomas & Mary Jane Heida

My address is d/b/a Aardema - Heida Dairy

P. O. Box 140, Wendell, ID 83355-0140

My phone number is: Work (208) 543 2189 Home (208) 543 2189

The name and address of the party who I wish to be substituted for are:

C. R. & E. A. Pilkinton

1449B Bob Barton Road

Wendell, Idaho 83355

I am the new claimant/purchaser of #36-02610, # 36-04001, # 36-07650A and

(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

Warranty Deed

C R Pilkinton - deceased

x J A Pilkinton

(Signature of prior claimant/seller)

Thomas Heida

(Signature of new claimant/purchaser)

☒ **ATTORNEY OF RECORD COMPLETING FORM**

My name is Michael Harland Felton

I am the attorney of record for Frans & Cornelia Aardema and Thomas and Mary Jane Heida

(Identify party/claimant)

d/b/a Aardema - Heida Dairy

My address and phone number are P. O. Box 589

Buhl, Idaho 83316

(208) 543 4368

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on _____, 199____, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or 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. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

C. R. & E. A. Pilkinton
1449B Bob Barton Road
Wendell, ID 83355

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

June 14, 1995

AARDEMA-HEIDA DAIRY
PO BOX 140
WENDELL ID 83355-0140

RE: SRBA Claim(s) A36-02720, A36-02535, A36,02610, A36-07650A
AND A36-0401

Ladies and Gentlemen:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

MICROFILMED

DEC 04 1996

Water Right Number - 36-02610

Prefix Translation: WATER RIGHT

Old (D) Number - 32285

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

AARDEMA

FRANS

1 - DBA AARDEMA - HEIDA DAIRY

2 - PO BOX 140

3 -

City- WENDELL

State- ID Zip- 833550140

Phone - 208-536-2189

AARDEMA

CORNELIA

1 - DBA AARDEMA - HEIDA DAIRY

2 - PO BOX 140

3 -

City- WENDELL

State- ID Zip- 833550140

Phone - 208-536-2189

HEIDA

THOMAS

1 - DBA AARDEMA - HEIDA DAIRY

2 - PO BOX 140

3 -

City- WENDELL

State- ID Zip- 833550140

Phone - 208-536-2189

HEIDA

MARY JANE

1 - DBA AARDEMA - HEIDA DAIRY

2 - PO BOX 140

3 -

City- WENDELL

State- ID Zip- 833550140

Phone - 208-536-2189

*** D - DIR RPT OWNER ***

PILKINTON

C R

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

E A

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

+ - - Priority Date - - +
03/22/1965+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

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

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

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

Twn	Rng	Sec	Tract	Lot	RFlg	County
08S	14E	33	SW SE NE		(47)	GOODING
		34	SE SE NW		(47)	GOODING

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 -	IRRIGATION	04/01	10/31		2.000	

MICROFILMED
DEC 04 1996

Water right number - 36-02610

Prefix Translation: WATER RIGHT

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.000 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	14E	33	NE NE		37.0	01	IRRIGATION	(47) GOODING
08S	14E	33	SE NE		37.0	01	IRRIGATION	(47) GOODING
08S	14E	34	NE NW		33.0	01	IRRIGATION	(47) GOODING
08S	14E	34	NW NW		40.0	01	IRRIGATION	(47) GOODING
08S	14E	34	SW NW		40.0	01	IRRIGATION	(47) GOODING
08S	14E	34	SE NW		33.0	01	IRRIGATION	(47) GOODING

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS & PUMPS, TWO PIVOTS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07650A & 36-04001

+ - - - - - Remarks - - - - - +
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-04001 & 36-07650A.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL
OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS.: 36-04001 & 36-07650A.

+ - - - - - Old Water Right Numbers - - - - - +
3602610

+ - - - - - 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.
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

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

MICROFILMED
DEC 04 1996

Water right number - 36-02610

Prefix Translation: WATER RIGHT

+ - - - - - Comments - - - - - +

Date: 09/17/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 9/26/91. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/01/1992 User Id: MERRITT Subject: RESPONDED TO NOE BY PHONE TO THOMAS PILKINGTON
Date: 06/14/1995 User Id: TFAWCETT Subject: NAME CHANGE
6/14/95 TF: CHANGE OF OWNERSHIP MADE.

+ - - Audit Fields - - +

06/14/95 TFAWCETT

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/06/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000714	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	- B

MICROFILMED
DEC 04 1996

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

X

—

X

—

X

—

MICROFILMED

JAN 28 1993

Water Right Number - R36-02610 Prefix Translation: RESEARCH Old (D) Number - 32285

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

*** C - CURRENT OWNER ***

PILKINTON C R 1 - 1449-B BOB BARTON
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-2159

PILKINTON E A 1 - 1449-B BOB BARTON
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-2159

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

03/22/1965 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - + + - - - - Tributary - - - - - +

GROUNDWATER

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

TwN	Rng	Sec	Tract	Lot	RFlg	County
08S	14E	33	SW SE NE		(47)	GOODING
		34	SE SE NW		(47)	GOODING

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

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	2.000	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +

2.000 0.0

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

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	14E	33	NE NE		37.0	01	IRRIGATION	(47) GOODING
08S	14E	33	SE NE		37.0	01	IRRIGATION	(47) GOODING
08S	14E	34	NE NW		33.0	01	IRRIGATION	(47) GOODING
08S	14E	34	NW NW		40.0	01	IRRIGATION	(47) GOODING
08S	14E	34	SW NW		40.0	01	IRRIGATION	(47) GOODING
08S	14E	34	SE NW		33.0	01	IRRIGATION	(47) GOODING

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS & PUMPS, TWO PIVOTS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07650A & 36-04001

MICROFILMED
JAN 28 1993

Water right number - R36-02610

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-04001 & 36-07650A.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL
OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS.: 36-04001 & 36-07650A.

+ - - - - - Old Water Right Numbers - - - - - +
3602610

+ - - - - - 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.
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

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

+ - - - - - Comments - - - - - +

Date: 09/17/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 9/26/91. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/01/1992 User Id: MERRITT Subject: RESPONDED TO NOE BY PHONE TO THOMAS PILKINGTON

+ - - Audit Fields - - +
10/01/92 MERRITT

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 10/01/1992	Old Judicial District	-
Claim Received Date	- 07/06/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000714	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	- B

MICROFILMED
JAN 28 1993

RESPONSE TO NOTICE OF ERROR
IN THE SNAKE RIVER BASIN ADJUDICATION

Water Right No: 36-04001/36-02610/36-07650A Contact Date: 10/1/92

IDWR Contact Person: (print and initial) Allen Mervitt (ADM)

Claimant Contact Person Thomas Pilkington

Others Present None

Contact By (give date) _____

Meeting (location): _____

Phone Call (no.) 536-2159

Letter (attach letter): _____

IDWR USE ONLY	
Date	Initials
Date Entered <u>10/1/92</u>	<u>ADM</u>
Verified <u>10/1/92</u>	<u>ADM</u>

I. Issues identified by claimant: Combined diversion rate limit for the three rights was 4.40 cfs and not the arithmetic total of the individual rights ($1.50 + 2.00 + 1.22$) = 4.72 cfs

II. Reasons provided claimant for original recommendation: The limit was based on the total number of acres irrigated (220) times the legal limit (0.02 cfs/acre or 1 miners inch) without showing further justification for the need for a greater diversion rate.

III. Additional information provided by claimant: None

IV. Changes to be made in final recommendation (if any): None

V. Action taken (date): Changed notice of error flg on all three rights from "A" to "B". Sent copy of this response to Mr. Pilkington.

MICROFILMED

JAN 28 1993

AUG-24-1992

NOTICE OF ERROR FORM

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

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

RECEIVED

SEP 14 1992

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: 36-4001; 36-2610; and 36-07650A

2. Name: E. A. Pilkinton

Address: 1449-B BOB BARTON ROAD
WENDELL, ID 83355

Weekday Telephone Number: (208) 536-2159

MICROFILMED
JAN 28 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(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:
Remarks section of recommendation on the three rights.
It states that "right with rights listed below is limited to a total combined diversion rate of 4.40 CFS...."
4. Describe the changes you wish to have made in the proposed recommendation:
The combined total of the recommendation is 4.72 CFS (1.50 CFS + 2.00 CFS + 1.22 CFS, respectively) yet the remarks would limit the total to 4.40 CFS. We would like the remarks section altered to reflect the arithmetic total of the the separate recommendations.
5. Describe why you disagree with the proposed recommendation:
Northside Canal Co. Water has been sold, effective: 1 Jan 93. The language of the remarks reflects language reserved only for two of the three rights as amended. We have proven and used the diversion as originally applied for.
6. Date: 5 September 1992

SIGNATURE



Thomas R. Pilkinton, Attorney In Fact
for Evelyn A. Pilkinton and the Pilkinton
Family Trust

R PROOF

X

CVR

X

MAPS

X

PHOTOS

—

MISC

X

MICROFILMED

JAN 28 1993

VERIFIED BY

Water Right Number - R36-02610

Prefix Translation: RESEARCH

Old (D) Number - 32285

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

*** C - CURRENT OWNER ***

PILKINTON

C R

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

E A

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/22/1965 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
08S 14E 33 SW SE NE (47) GOODING
08S 14E 34 SE SE NW (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 2.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.000 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
08S 14E 33 NE NE 37.0 01 IRRIGATION (47) GOODING
08S 14E 33 SE NE 37.0 01 IRRIGATION (47) GOODING
08S 14E 34 NE NW 33.0 01 IRRIGATION (47) GOODING
08S 14E 34 NW NW 40.0 01 IRRIGATION (47) GOODING
08S 14E 34 SW NW 40.0 01 IRRIGATION (47) GOODING
08S 14E 34 SE NW 33.0 01 IRRIGATION (47) GOODING

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS & PUMPS, TWO PIVOTS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07650A & 36-04001

MICROFILMED
JAN 28 1993

Water right number - R36-02610

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-04001 & 36-07650A.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE
USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL
OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS.: 36-04001 & 36-07650A.

+ - - - - Old Water Right Numbers - - - - - +
3602610

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

C03 - RIGHT INCLUDES CHANGE IN POINT OF DIVERSION.
C05 - RIGHT INCLUDES CHANGE IN PLACE OF USE.
S17 - USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

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

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

+ - - Audit Fields - - +
09/26/91 CLELLAND

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/26/1991	Old Judicial District	-
Claim Received Date	- 07/06/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000714	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:13:00
06/30/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02610

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	N			N		SW 9-24-91	DB 10-11-90	
POINT OF DIV	Y N			(Y)	6.5			
SOURCE	N			N				
PLACE OF USE	Y N			N (Y)	6. 12,4			
DIV. AMOUNT CFS/VOLUME	N			(Y)	6			
CONSUMPTIVE USE	N			(Y)				
PURPOSES	N			N (Y)				
PERIOD OF USE	N			N				
BASIS OF CLAIM	N			N (Y)	6.			
REMARKS	N			N				
	N			(Y)	6.			

SW 7/21/90

"VERIFIED BY" CODES

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

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

MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:13:00
06/30/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02610

LAST: PILKINTON
ADDRESS: 1449B BOB BARTON
CITY: WENDELL
PHONE NUMBER: 208-536-2159

FIRST: C.R.

STATE: ID ZIP: 83355

OWNER CODE: C

LAST: PILKINTON
ADDRESS: 1449B BOB BARTON
CITY: WENDELL
PHONE NUMBER: 208-536-2159

FIRST: E.A.

STATE: ID ZIP: 83355

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

MICROFILMED
JAN 28 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 28 1993

A. AJ CLAIM: # A36-02610 PRIORITY DATE: 03-22-1965 STAGE: L

B. WR RECORD: # 36-02610 PRIORITY DATE: 03-22-1965 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER
N N

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
03-22-1965

REVIEWED BY lw

DATE 7/21/90

=====

MICROFILMED
JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02610	08S	14E	34		SE	NW		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-07650 NONE

WR RECORDS IN SAME 40 ACRE TRACT

36-07650

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02610	08S	14E	34		SE	NW		GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-07650

A36-07650 NONE
A36-10153

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

N
N

REMARKS:

confirmed 10 acre POD with map - 10 + old field Exam for 36-7650

See 9-24-91

MICROFILMED
JAN 28 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>85</u>	<u>14E</u>	<u>34</u>	<u>SE</u>	<u>SE</u>	<u>NW</u>	<u>---</u>	<u>47</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: lw

DATE: 7/21/90

add POD

S. 34 SWSENE

COB

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JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02610

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	14E	34	NW	NW		PILKINTON , C.R. LARGE CLAIM PILKINTON , E.A.	A36-02610 /11.0 A01-00212Z1/25.0 A36-07650 /40.0	36-02610 /11.0 - / 36-07650 /40.0	36.0	40	11
08S	14E	34	SW	NW		PILKINTON , C.R. BUTLER , LEONARD A. LARGE CLAIM PILKINTON , E.A.	A36-02610 /28.0 A36-10643 / A01-00212Z1/40.0 A36-07650 /40.0	36-02610 /28.0 - / - / 36-07650 /40.0	42.0	40	28
08S	14E	34	SE	NW		PILKINTON , C.R. PILKINTON , C. R. LARGE CLAIM PILKINTON , E.A. PILKINTON , E.A. PILKINTON , C. R.	A36-02610 /20.0 A36-10153 / A01-00212Z1/40.0 A36-07650 /33.0 A36-04001A /40.0	36-02610 /20.0 - / - / 36-07650 /33.0 - / 36-04001 /40.0	41.0	34	23
08S	14E	33	NE	NE		PILKINTON , C.R. PILKINTON , C. R. LARGE CLAIM PILKINTON , E.A.	A36-02610 /11.0 A36-10151 / A01-00212Z1/30.0 A36-07650 /37.0	36-02610 /11.0 - / - / 36-07650 /37.0	41.0	39	
08S	14E	33	SE	NE		PILKINTON , C.R. LARGE CLAIM PILKINTON , E.A.	A36-02610 /10.0 A01-00212Z1/35.0 A36-07650 /37.0	36-02610 /10.0 - / 36-07650 /37.0	39.0	40	10
08S	14E	34	NE	NW		PILKINTON , C.R. PILKINTON , THOMAS R. PILKINTON , E.A. PILKINTON , E.A. PILKINTON , C.R. PILKINTON , C. R.	A36-02610 /20.0 A36-10152 / A36-07650 /37.0 A36-04001A /36.0 A36-04001B / 4.0	36-02610 /20.0 - / 36-07650 /37.0 - / - / 36-04001 /40.0	37.0	36	20
TOTAL ACRES						A36-02610	100.00	100.00	236.00		100

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
N

* Recommended
as P.P.U.
on 220 Acres
see attached

See 9-24-91

JAN 28 1993

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PPU

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

100 / 220

REVIEWED BY:

LN

DATE:

7/21/90

SN

9-24-91

65

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A. AJ CLAIMED USES:

PURPOSES
A36-02610 IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
2.000 CFS 400.00 AF/A
2.000 CFS 400.00 AF/A

B. WR RECORDED USES:

PURPOSES
36-02610 IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
2.000 CFS 400.00 AF/A
2.000 CFS 400.00 AF/A

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)

DATABASE FIELD
EXAMINER
N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 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?

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

FIELD
DATABASE EXAMINER
N N

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B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: ~~NONE~~ A36-07650A, 04001, canal water

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02610	GROUNDWATER	PILKINTON , C.R.	2.000	0.020	400.00	4.00
A01-00212Z1	LARGE CLAIM	LARGE CLAIM	9999999.000	415.354		
A36-04001A	GROUNDWATER	PILKINTON , E.A.	1.420	0.018		
A36-04001B	GROUNDWATER	PILKINTON , C.R.	0.080	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-10643	DOMESTIC	BUTLER , LEONARD A.	FROM 01-01 TO 12-31	.040 CFS	
A36-10643	STOCKWATER	BUTLER , LEONARD A.	FROM 01-01 TO 12-31	.040 CFS	
A36-10153	DOMESTIC	PILKINTON , C. R.	FROM 01-01 TO 12-31	.040 CFS	
A36-10151	DOMESTIC	PILKINTON , C. R.	FROM 01-01 TO 12-31	.040 CFS	
A36-10152	DOMESTIC	PILKINTON , THOMAS R.	FROM 01-01 TO 12-31	.040 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 100 x 0.02 CFS/ACRE = 2.0 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 300.0 AF/A

ACRES 100 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 300 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 400.00 AF/A

ACRES 100 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 400 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

This right when combined with A36-07650A shall not exceed 880 AF/A. Also limited to 1" per acre when used with canal water.

NOTES

A36-02610 - 04001			
TO:	- 07650A - 07650B		DATE: 9/11/90
	CFS		AF/A
A36-02610	2	300	400
A36-07650A	1.22	660	880
A36-07650B	.08	12	16
A36-04001 (224 * acres)	1.5	462	616
Combined limits	<u>4.48</u>	<u>672</u>	<u>896</u>
2 well Capacity 4.90 cfs			
FROM:		W	

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	<u>3/15</u> <u>11/15</u> ~~04-01~~ ~~10-31~~	DATABASE EXAMINER 2.000 <u>✓</u>	DATABASE EXAMINER 400.00 <u>✓</u>	DATABASE EXAMINER 300.0 <u>✓</u>
TOTAL FOR THIS RIGHT		2.000	400.00	300.0

REVIEWED BY: lw

DATE: 7/21/90

See 9-24-91

K06
F06
E04

C03
C05
S17

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(☒)	()
FORFEIT/ABANDON _____	(☒)	()
ADDITIONAL DIV. AMOUNT _____	(☒)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02610

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	2.000	<u>N/A</u>	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02610	2.000	-		36-02610	2.000
TOTAL CFS		2.000				2.000

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	FIELD EXAMINER
Y	<u>N/A</u>

REMARKS:

AUTHENTICATION:

SIGNATURE: Jon White

DATE: 7/21/90

NAME OF FIELD EXAMINER: _____ TITLE: _____

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RECOMMENDED PERMISSIBLE PLACE OF USE:

CLAIMS: A36-02610
A36-07650A

A36-04001

NUMBER	TNS	RNG	SEC	NE <u>(S. 33)</u>				NW <u>(S. 34)</u>				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
A36-2610				11			10	20	11	28	20									100	
A36-4001				37			37		40	40										154	
A36-7650A				37			37	33	40	40	33									220	
FIELD EXAM				39			40	36	40	40	34									229	

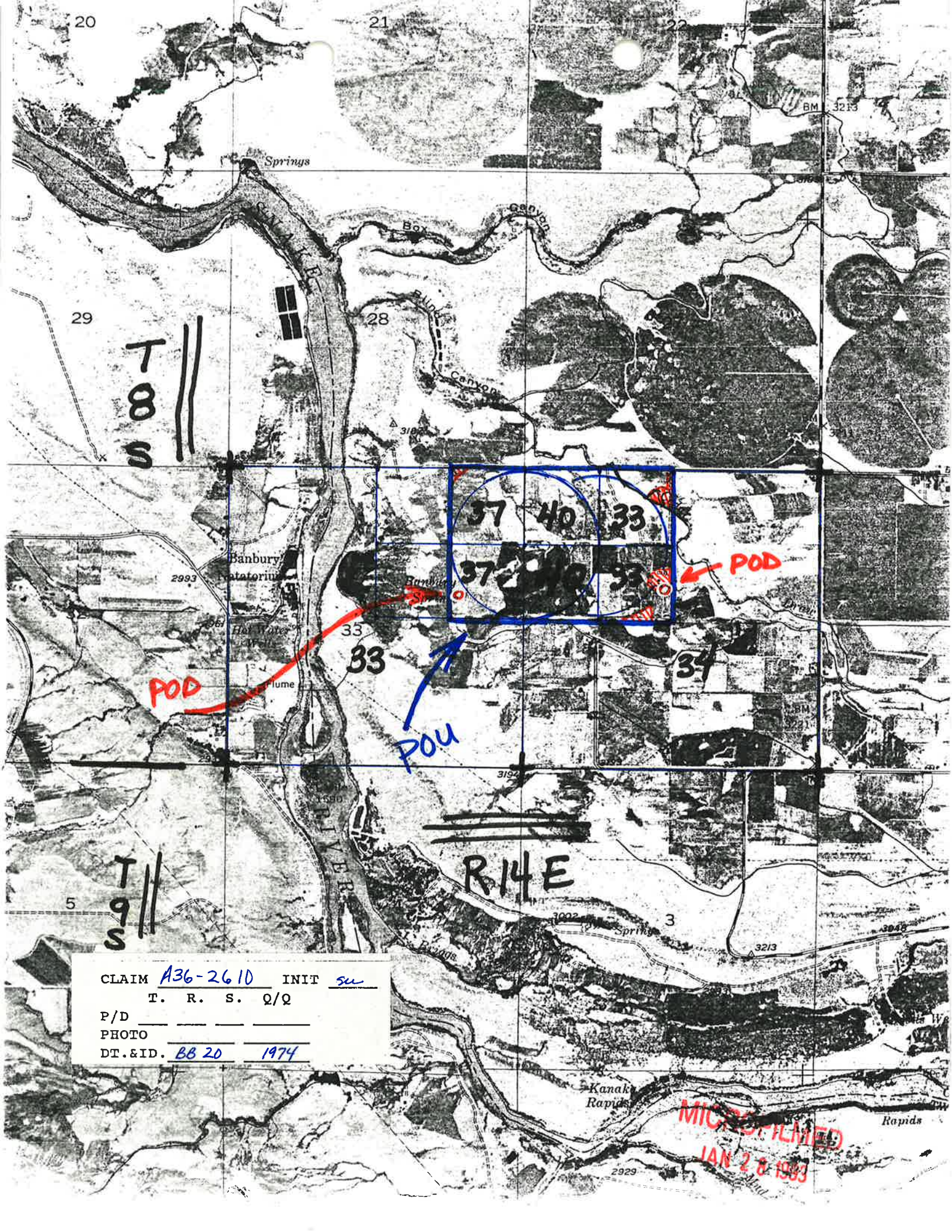
NUMBER	TNS	RNG	SEC	NE <u>(33)</u>				NW <u>(34)</u>				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
* PPU				37			37	33	40	40	33									220	

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

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JAN 28 1993

220 Acres
 $\times 0.02 = 4.40 \text{ cts}$
 $\times 3 = 660 \text{ AF CH.}$
 $\times 4 = 880 \text{ AF D.V.}$



CLAIM A36-2610 INIT su
T. R. S. Q/Q
P/D _____
PHOTO _____
DT.&ID. BB 20 1974

MICROFILMED
JAN 28 1983

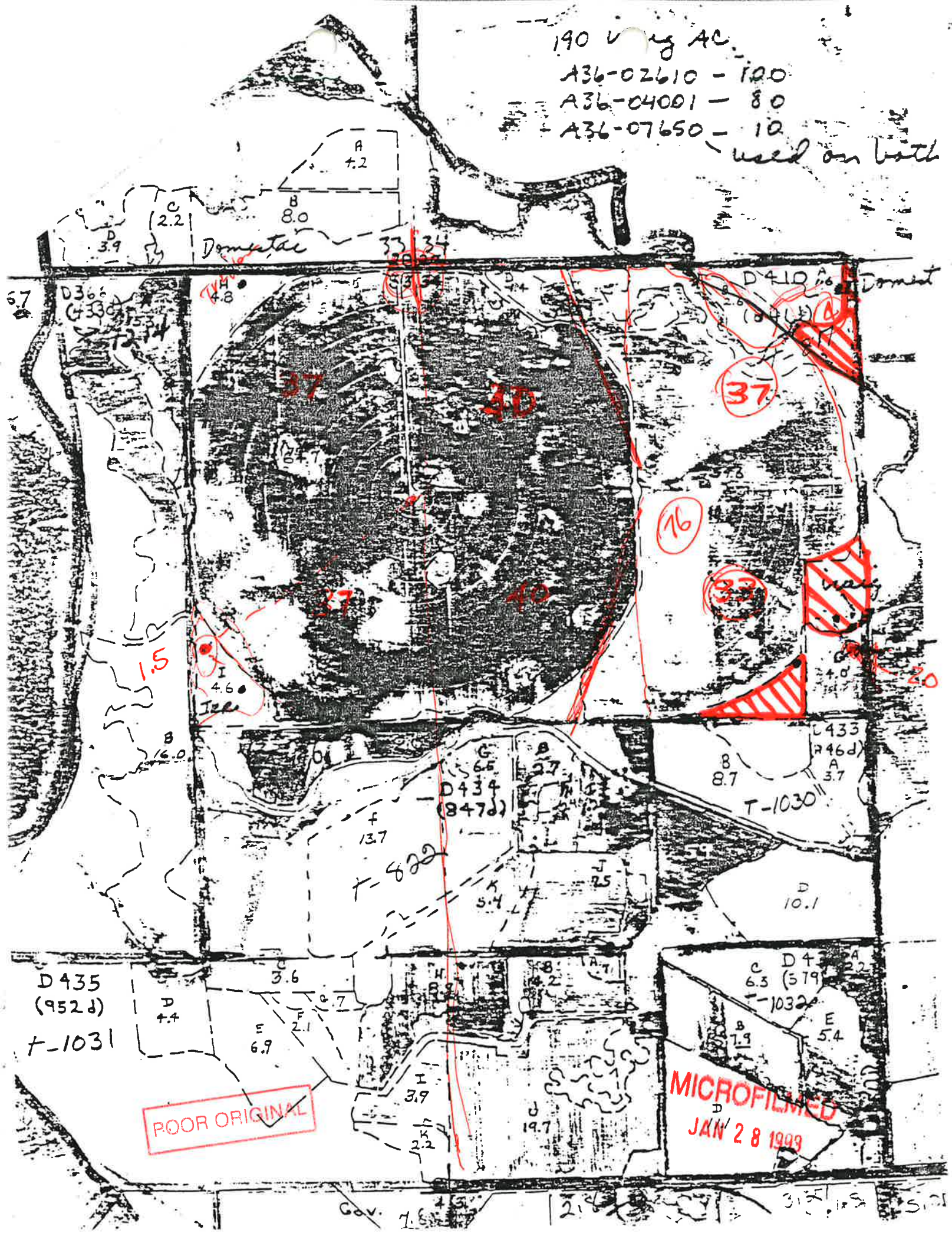
190 V ng AC

A36-02610 - 100

A36-04001 - 80

A36-07650 - 10

used on both



POOR ORIGINAL

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JAN 28 1993

E/2NE 1/4

NW 1/4

A36-7650
A36-2610DATE OF EXAM 5-23-78

ACREAGE

Found 224Recommended 224Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = 1.30 c.f.s. V = 548.26 AF/Ann. from April 1 to Oct. 31Domestic Q = c.f.s. V = AF/Ann. from to Livestock Q = c.f.s. V = AF/Ann. from to Is water co-mingled? yes no ✓Name source:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County Exchange? yes no ✓Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County Point of Injection:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County Total Q measured 2200 gal/min = 4.90 Method of measurement MCGROMETERTotal Q recommended 1.3 c.f.s. Meter No 73-8-314 Type 10" Condition NEWTotal V recommended 548.26 Ac Ft/ANN

Recommended Amendments:

P.D.
Place of Use
Other
None ✓

MEASUREMENT CALCULATION:

① MEAS. $(1100 \text{ gal/min} \div 998.8 \text{ c.f.s./min}) = 2.45 \text{ c.f.s.}$ TOTAL 4.90 c.f.s.
② MEAS. $(1100 \text{ gal/min} \div 998.8 \text{ c.f.s./min}) = 2.45 \text{ c.f.s.}$ ALLOWED 1.30 c.f.s.
TOTAL VOLUME 548.26 Ac Ft/ANN = (1.98 Ac Ft) (213 DAYS) (1.30 c.f.s.)

SYSTEM DESCRIPTION:

① G.E. MOTOR 100HP SERIAL # FKJ5512.7 MODEL # 5K6267XHIA Verti-Line Pump # 012017
② G.E. Motor 100HP SERIAL # KKJ1002147 Verti-Line Pump # V7403560
③ JACKWOOD PIVOTS, 81 10 TOWER & 81 9 TOWER
SYSTEMS DO NOT COMINGLE.

REMARKS:

MR. C.R. PILKINSON WAS PRESENT DURING THE FIELD EXAM.
SYSTEM WAS AT CAPACITY.(in file)
See memo of 10-20-76 for priority date verification.Examiner's Signature Jerry Funderburg Date 5-23-78Checked by D. E. Stent Date 5-23-78Approved by LN Date MICROFILMED
JAN 28 1993

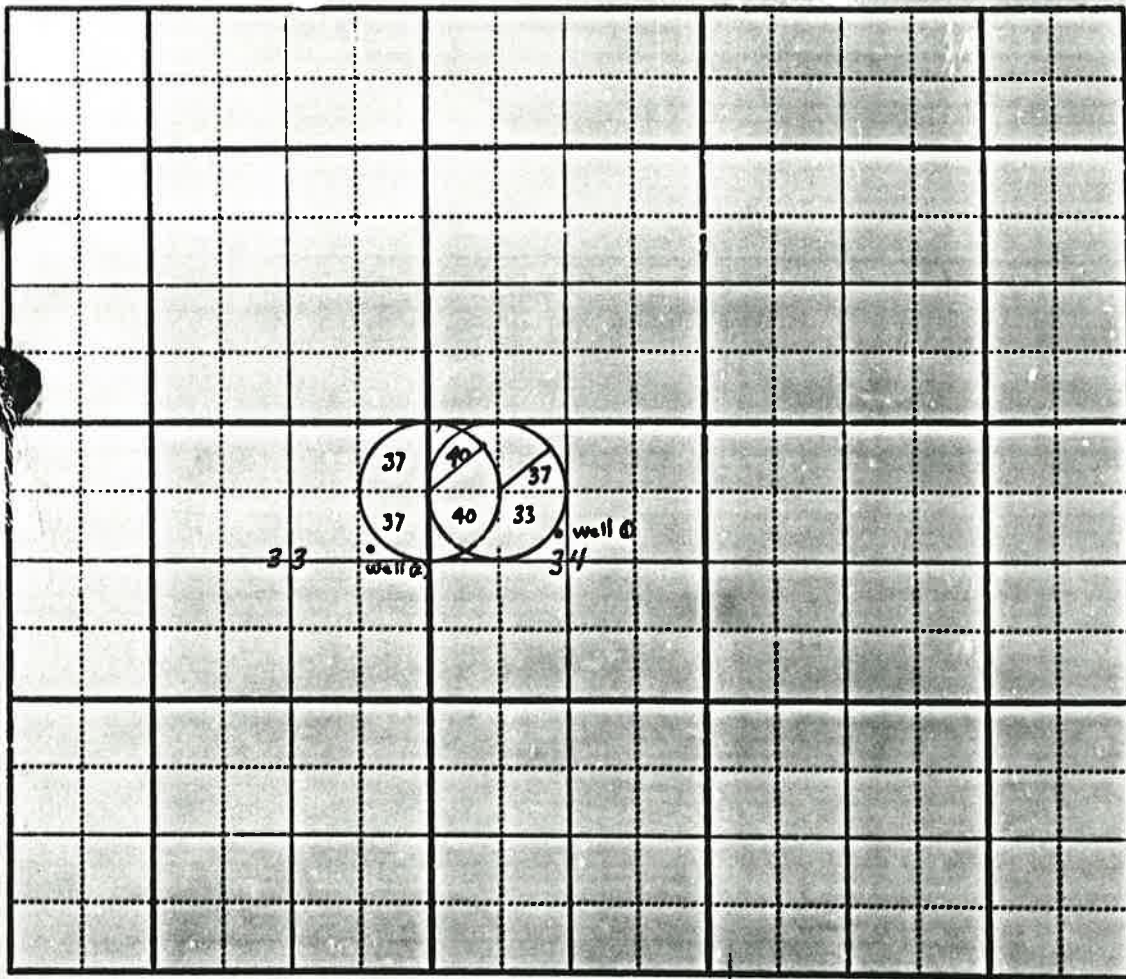
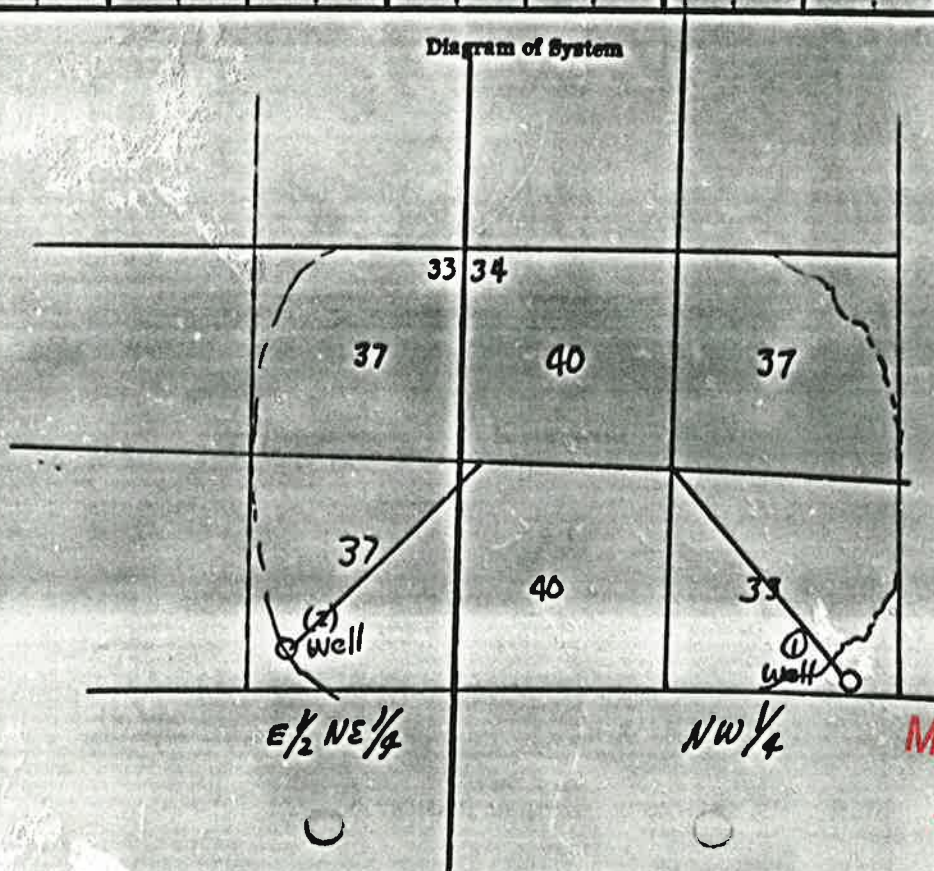


Diagram of System



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JAN 28 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7650 Priority July 30, 1976 Amount 1.30 cfs

THIS IS TO CERTIFY, that C. R. PILKINTON
of Wendell, Idaho, has complied with the terms and conditions of Permit
No. 36-7650 issued pursuant to Application for Permit dated July 30, 1976
and has submitted proof to the Department of Water Resources on November 17, 1977
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.90 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>October 31</u>	at <u>1.30</u> cfs and <u>549</u> acre feet	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than 1.30 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
549 acre feet per year, said waters to be diverted within the SE1/4, Sec. 33; SE1/4, Sec. 34, Twp. 8S, Rge. 14E, B.M. in the County of Gooding

Description and location of place of use:

Description and location of place of use:															Totals	
Twp.	Range	Sec.	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		
															74	
8S	14E	33	37			37									150	
		34				37	40	40	34							
		</														

Total number of acres irrigated 224

CONDITION:

The maximum volume of water diverted under this license when
combined with License No. 36-2610 shall not exceed 896 acre feet
per annum.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands of place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
October, 19 79

[Signature]
Director

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JAN 28 1983

36-2610 file

Signature _____

Eronald J. Watts