

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 36-02678

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

OCT 12 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Greg Heins and Cristi Heins Phone (208) 531-5952Mailing Address Rt. 3, Box 225, Rupert, Idaho Zip 833502. Date of Priority (Only one (1) per claim) January 11, 19673. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 7S Range 25E Section 34,
SE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Minidoka

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.20" well hole, 312' deep with 17'
of casing; Worthington Pump, 190 H.P. motor, 10" mainline and 8-4"
wheelines

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar. 15 to Nov. 15 amount 2.45 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.45 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 474 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	25E	34	40	40	39	39													158

Total number of acres irrigated 158

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (x)

14. Remarks:

Although the license shows water for only 155 acres, there has
always been 158 acres irrigated. This error was a result of an error
in the measurement of the lands being irrigated. Therefore, water
spread occurred at the time the permit was obtained.

Last Name Heins Ident No. _____

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Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 36-2678
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) *My Home* Date 9/18/88
Curtis Heim Date 9/18/88

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

_____ Title _____
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

☒ Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 18th day of September 19 88

SEAL

Notary Public *Logan D. Ling*

Residing at Rupert, Idaho

My Commission Expires 10/30/94

Please Print Name

17. Notice of Appearance:

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

Signature *Roger D. Ling*

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

Date September 18, 1988

Last Name HEINS Ident. Number _____

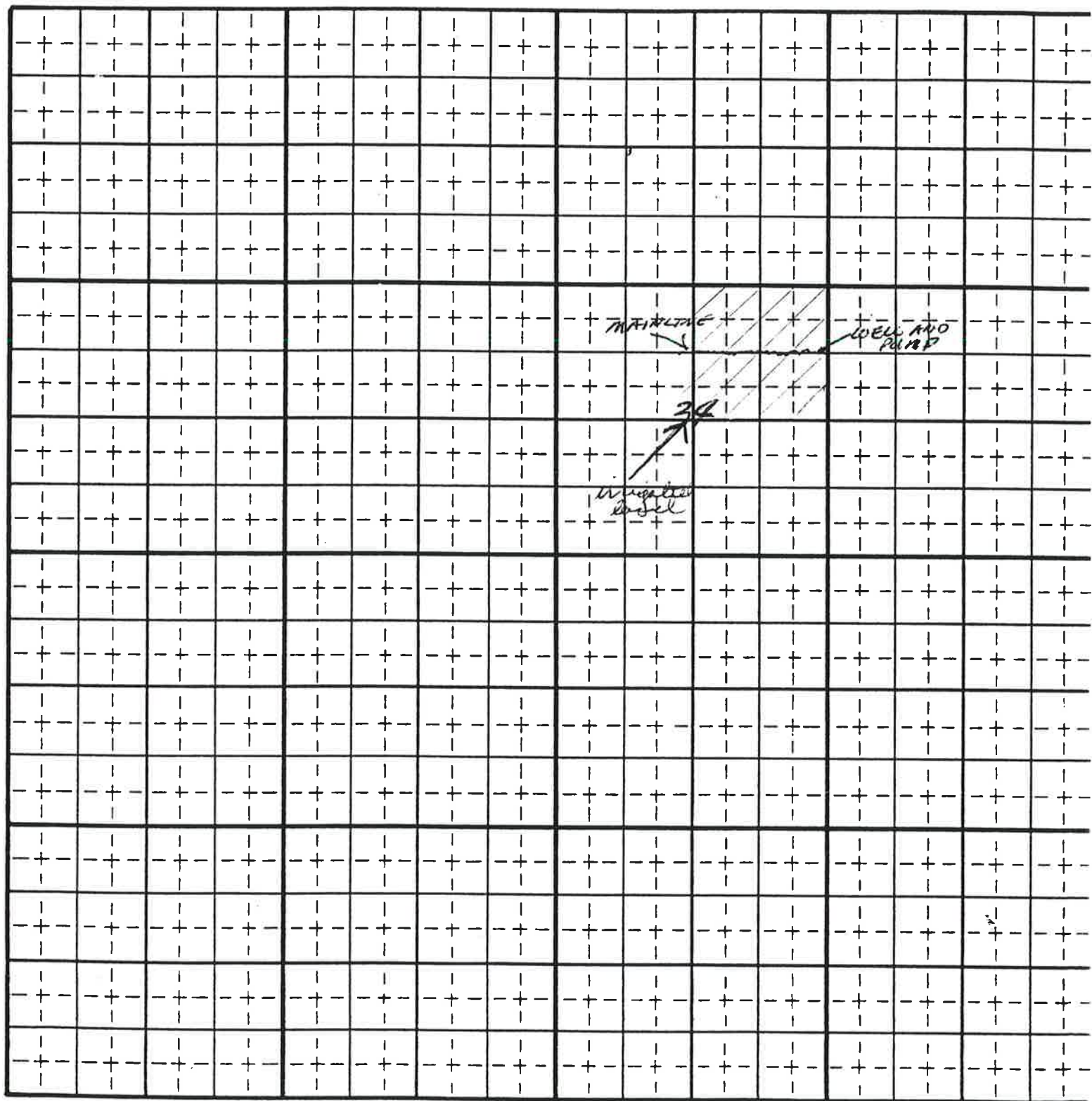
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Copies White-State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



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OCT 18 1994

Last Name Heins

Ident No. _____

Copies: White-State, Yellow-Claimant

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: A36-02678
Date Received: 10/13/1989
Receipt No: S010065
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GREG HEINS 208-531-5952
Address: RT 3 BOX 225
RUPERT, ID 83350

AND/OR

Name: CRISTI HEINS 208-531-5952
Address: RT 3 BOX 225
RUPERT, ID 83350

2. Date of Priority: JAN 11, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	25E	34	SE	NE	NE		MINIDOKA

5. Description of diverting works:
312'X20" WELL, 190HP PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.450		620.00

7. Total Quantity Appropriated is:
2.450 C.F.S. (and/or) 620.00 A.F.A.

8. Total consumptive use is 474.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	25E	34	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	39.0
			SE	NE		IRR	39.0
						Section Acres	158.0
						Total Acres	158.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:
LICENSE SHOWS WATER FOR 155 ACRES...158 ACRES HAVE ALWAYS BEEN
IRRIGATED. ERROR IS RESULT OF AN ERROR IN THE MEASUREMENT OF THE
LANDS BEING IRRIGATED. THEREFORE, ACRE EXPANSION OCCURRED AT
THE TIME THE PERMIT WAS OBTAINED.

15. Basis of Claim: LICENSE
Water Right Number: 33420

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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Water Right Number - 36-02678

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 33420

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

*** C - CURRENT OWNER ***
MALDONADO

ROGELIO

1 -
2 -
3 -
City- RUPERT
Phone -

State- ID Zip-

*** O - ORIGINAL OWNER ***
WEDEL

C. B.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
01/11/1967 17 L - LICENSE

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

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
07S	25E	34	NE NE			(67)	MINIDOKA

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	2.450	620.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
2.450 620.00

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	25E	34	NE NE		38.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	34	NW NE		39.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	34	SW NE		39.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	34	SE NE		39.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 155.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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Water right number - 36-02678 Adj. flag translation: Standard Water Right Number

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

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

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

+ - - Audit Fields -

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 06/03/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 05/01/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

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FEB 0 1 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Oct. 18, 1989

Re: A36-02678

GREG HEINS
RT 3 BOX 225
RUPERT ID 83350

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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FEB 01 1993

1997 AUG -8 PM 1:36

FILED
TWIN FALLS, IDAHO

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

In Re SRBA

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS**

**SUBCASE NOS. 36-02066A, 36-02098,
36-02469D, 36-02469E, 36-02678,
36-07294, 36-13531, 36-15458**

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

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

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Elise Heins
Warren H Heins
Rt 3 Box 220
Rupert ID 83350

Phone: 531-5348

TO: Claimant/Purchaser(s):

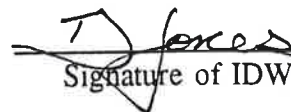
Name and Address of Claimant/Purchaser(s):

The Duncan Limited Partnership
Paul H Duncan
Kathy F Duncan
750 E 100 S
Rupert ID 83350
Phone: 436-1214

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

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

DATED: 7/10/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

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

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



Signature of person or attorney mailing the form

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

DATE: AUG-6-1997

PAGE: A-5

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02678

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

SOURCE: GROUNDWATER

QUANTITY: 2.45 CFS
620.0 AFYUSE OF THIS RIGHT WITH RIGHT NO. 36-15458 IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 2.45 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 632 AF.

PRIORITY DATE: 01/11/1967

POINT OF DIVERSION: T07S R25E S34 SENENE Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.45 CFS 620.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T07S R25E S34	NENE 40	NWNE 40	SWNE 39	SENE 39
	158 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE
IRRIGATION SEASON.THIS RIGHT IS LIMITED TO THE IRRIGATION OF 155 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
RIGHT NO. 36-15458 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
RIGHT NO. 36-15458 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
IDAHO CODE 42-1426.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 8, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

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

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

cc: Roger D. Ling Esq.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

December 17, 1996

KARL J. DREHER
DIRECTOR

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

RECEIVED

FEB 12 1997

Department of Water Resources
Southern Region

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

Dear Claimants:

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

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

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

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

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region:tf

AJ0749NP
No. R36-02678

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

DATE: 08/04/97
PAGE: 1

VERIFIED BY Su

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THE DUNCAN LIMITED PARTNERSHIP	01/11/1967	IRRIGATION	04-01 10-31	2.45 CFS	620.00 AFA
C	PAUL H DUNCAN					
C	KATHY F DUNCAN					
	750 E 100 S			TOTAL DIVERSION:	2.45 CFS	620.00 AFA
	RUPERT ID 83350					
	(208) 436-1214					
D	GREGORY W HEINS					
D	CRISTI K HEINS					
	RT 3 BOX 225					
	RUPERT ID 83350					
	(208) 531-5952					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R25E S34

SENE

MINIDOKA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
07S	25E	34	:	40		40		:	39		39		:					:					:	158.0
																							TOTAL ACRES	158.0

POU County: MINIDOKA

Other Rights: NONE

Conditions of Approval:

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

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 36-15458 IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 2.45 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 632 AF.

POU USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE
IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 155 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 36-15458 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
RIGHT NO. 36-15458 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
IDAHO CODE 42-1426.

DATE: 08/04/97
PAGE: 2

Audit: 08/04/97 SCLELLAN

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUL-10-1997
PAGE: A-5-----
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02678

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

SOURCE: GROUNDWATER

QUANTITY: 2.45 CFS
620.0 AFY

PRIORITY DATE: 01/11/1967

POINT OF DIVERSION: T07S R25E S34 SENENE Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.45 CFS
			620.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T07S R25E S34	NENE 40	NWNE 40	SWNE 39	SENE 39
	158 ACRES TOTAL				

CONSUMPTIVE USE: 465.0 AFY

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

USE OF THIS RIGHT WITH RIGHT NO. 36-15458 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.45 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 632 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 474 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT NO. 36-15458 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

RIGHT NO. 36-15458 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 155 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

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

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUBCASE NOS. 36-02066A, 36-02098,
36-02469D, 36-02469E, 36-02678,
36-07294, 36-13531, 36-15458

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

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

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Elise Heins
Warren H Heins
Rt 3 Box 220
Rupert ID 83350

Phone: 531-5348

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

The Duncan Limited Partnership
Paul H Duncan
Kathy F Duncan
750 E 100 S
Rupert ID 83350

Phone: 436-1214

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

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

DATED: 2/10/97

TJ Fox
Signature of IDWR Representative

CERTIFICATE OF MAILING

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

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

Signature of person or attorney mailing the form

AJ0749NP
No. 36-02678

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

DATE: 07/02/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THE DUNCAN LIMITED PARTNERSHIP	01/11/1967	IRRIGATION	04-01 10-31	2.45 CFS	620.00 AFA
C	PAUL H DUNCAN				2.45 CFS	620.00 AFA
C	KATHY F DUNCAN					465.00 AFA
	750 E 100 S					
	RUPERT ID 83350					
	(208) 436-1214					
D	GREGORY W HEINS					
D	CRISTI K HEINS					
	RT 3 BOX 225					
	RUPERT ID 83350					
	(208) 531-5952					

TOTAL DIVERSION:
CONSUMPTIVE USE:

Water Source: GROUNDWATER

Point(s) of Diversion:

T07S R25E S34

Tributary to:

SENE

Stage: LICENSE

MINIDOKA County

Place of use Legal Description for: IRRIGATION

T	R	S	NE NE	NW NE	SW NE	SE NE	NW	NE NE	NW NE	SW NE	SE NE	SE	SW	SE	SE	SE	SE	SUM	
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07S	25E	34	40	40	39	39												158.0	
																		TOTAL ACRES	158.0

POU County: MINIDOKA

Other Rights: NONE

Conditions of Approval:

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

Remarks: GEN

USE OF THIS RIGHT WITH RIGHT NO. 36-15458 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.45 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 632 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 474 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-15458 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. RIGHT NO. 36-15458 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2). 26. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 155 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

QNT
POU
EXP
POU

Dates:

Exam Made Date: 06/06/1991

Verified Date:

Objection Filed Date: 04/29/1993

Misc:

Water District Number:

Field Inspection Flag:

SW
8/4/97

AJ0749NP
No. 36-02678

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

DATE: 07/02/97
PAGE: 2

Comments: Date: 06/20/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS
LICENSE SHOWS WATER FOR 155 ACRES...158 ACRES HAVE ALWAYS BEEN
IRRIGATED. ERROR IS RESULT OF AN ERROR IN THE MEASUREMENT OF THE
LANDS BEING IRRIGATED. THEREFORE, ACRE EXPANSION OCCURRED AT
THE TIME THE PERMIT WAS OBTAINED.

Date: 09/23/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/22/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 9/26/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/07/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B - NO CHANGE.
SENT LETTER RE: SEASON OF USE.

Date: 10/23/1992 User-ID: THORNTON Subject: CHANGE IN RECOMMENDATION
A NEW CLAIM FOR EXPANDED ACRES HAS BEEN RECOMMENDED AND THIS
CLAIM HAS BEEN CHANGED TO REFLECT THE EXPANSION.

Date: 03/14/1994 User-ID: FRAZEE Subject: NOTICE OF APPEARANCE (NOA)
NOA REC'D 2/17/94 FROM ATTORNEY ROGER D LING

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

Audit: 07/02/97 SCLELLAN



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 9-12-96

DEC 06 1996

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resource
Section _____ 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM. Southern Region

Lot _____ Block _____ Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet. SEE ATTACHED WARRANTY DEED
See Attached FOR LEGAL DIScription

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) Assigned by IDWR: 36-15458, 36-02678, 36-02066A, 36-07294 *
- [] Name and Address of Former Owner/Claimant(s)(Seller): Gregory W. Heins and Cristi K. Heins
- [] New Owner/Claimant (Purchaser): Jack F. Duncan, Janet H. Duncan AND Paul H. Duncan, Kathy F. Duncan
- [] New Mailing Address: 750 EAST 100 SOUTH
RUPERT, IDAHO 83350
- [] New Telephone Number: () 436 . 1214
- [] Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
Township 7 South, Range 25 East Boise Meridian Minidoka County, Idaho
Section 26: N1/2 Split water right 36-02066A in 1/2

- [] Attach proof of ownership, describe proof attached: WARRANTY DEED
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s): Janet H. Duncan Jack F. Duncan Date 9-17-96
Paul H. Duncan Kathy F. Duncan Date 9-17-96
- [] Signature of Former Owner/Claimant(s): X Gregory W. Heins Date Sept 10, 1996
X Cristi K. Heins Date Sept 10, 1996

(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 Number(s) of Split, if any: SC

*36-02066 A covered by another form by DUNCANS.
Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

#10684

426065 ✓

For Value Received

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

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

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

Hereinafter called the Grantee, the following described premises situated in **Minidoka** County, Idaho, to-wit:**See attached Exhibit "A"**

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

SUBJECT TO:

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

Taxes for 1996 and subsequent years.

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

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

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

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

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

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

Dated: September 9, 1996

C

Order No.: 10684

EXHIBIT "A"PARCEL NO. 1:TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 34: NE¼.

PARCEL NO. 2:TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 26: N½

PARCEL NO. 3:TOWNSHIP 7 SOUTH, RANGE 25 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

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

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

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

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

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

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

Together with all water rights for the hereinabove described real property including water rights 36-15458, 36-02678 which affect Parcel No. 1; 36-02066A which affects Parcel No. 2; and, 36-07294 which affects Parcel No. 3.

Gregory W. Heins
 Gregory W. Heins

Cristi K. Heins
 Cristi K. Heins

CLAUDE INC.

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

STATE OF Canada)

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

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

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

STATE OF Canada)

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

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

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

426065

RECORDED AT REQUEST OF
Land Title-Rupert
 FILM NO.

'96 SEP 17 16 : 45

MINIDOKA COUNTY, IDAHO
 DUANE SMITH, RECORDER
 FEE 12 DEPUTY

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



LASCHOWSKI, MARVIN ERNIE

of **GRAND CENTRE**

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

Effective Date

February 26, 1995

Expiry Date

February 26, 1998

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

A handwritten signature in black ink, appearing to read "Whit", written over a faint, circular official stamp.

Department of Justice

028637

Appointee # **0647753**



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 10-18-96

DEC 06 1996

Department of Water Resources
Southern Region

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

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

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: 36-15458 36-02678 36-02066A 36-07294

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

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

☐ New Mailing Address: 750 East 100 South
RUPERT, IDAHO 83350

☐ New Telephone Number: (208) 436 - 1214

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
TOWNSHIP 7 SOUTH, RANGE 25 EAST BOISE MERIDIAN MINIDOKA COUNTY, IDAHO
SECTION 26: N1/2 Split water right 36-02066A in 1/2

☐ Attach proof of ownership, describe proof attached: QUITCLIAM DEED

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

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

☐ Signature of Former Owner/Claimant(s) Jack F. Duncan Date 11-15-96
Janet F. Duncan Date 11-15-96

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 7/2/97 By: sw

Claim Numbers of Split, if any:

* 36-02066A covered by ANOTHER FORM by DUNCANS.

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

QUITCLAIM DEED

#10684

COPY

For Value Received

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

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

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

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

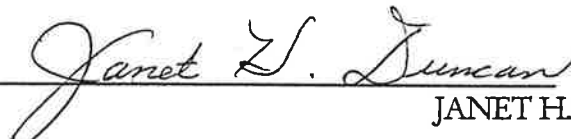
SEE ATTACHED EXHIBIT "A"

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

Dated: October 18, 1996



JACK F. DUNCAN

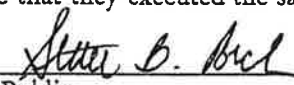


JANET H. DUNCAN

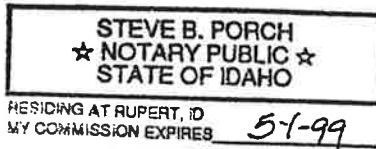
STATE OF IDAHO)

COUNTY OF MINIDOKA)

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



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



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

427017

Order No.: 10684

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

EXHIBIT "A"

PARCEL NO. 1:

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

SECTION 34: NE¼.

PARCEL NO. 2:

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

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

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

Thence West for 15 rods;

Thence South for 15 rods;

Thence East for 15 rods;

Thence North for 15 rods to the POINT OF BEGINNING.

SECTION 20: W½.

PARCEL NO. 3:

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

SECTION 16: All.

PARCEL NO. 4:

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

SECTION 17: NE¼ and S½;

SECTION 35: NE¼;

SECTION 36: SAVE AND EXCEPT the following described tract:

Beginning at the Northeast corner of Section 36, said corner marked by a U.S.
GLO iron pipe with brass cap which shall be the POINT OF BEGINNING;
Thence South 00°05'00" East along the East line of Section 36 for 2639.97 feet
to a 5/8 inch rebar alongside a bent U.S. GLO iron pipe;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EXHIBIT "A"
(CONTINUED)

PARCEL NO. 5:

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

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

PARCEL NO. 6:

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

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

Beginning at the Northwest corner of Tract A in said Section 27, said corner marked by a U.S. Bureau of Reclamation pipe with brass cap which shall be the POINT OF BEGINNING;
Thence North 0°01'00" West along section line for 17.00 feet to a point;
Thence South 89°16'31" East for 391.49 feet to a point;
Thence South 0°01'00" East for 17.00 feet to a ½ inch rebar on the North line of Tract A;
Thence North 89°16'31" West along the North line of Tract A for 391.49 feet to the POINT OF BEGINNING.

PARCEL NO. 7:

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

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

PARCEL NO. 8:

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

December 17, 1996

KARL J. DREHER
DIRECTOR

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

DEC 20 1996

Department of Water Resources
Southern Region

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

Dear Claimants:

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

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

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

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

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region:tf

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent JEANIE M ROBERTSON

DATE September 9, 1996 11:14am **CUSTOMER** STEVE PORCH/LAND TITLE-BURLEY

SUBJECT: PROFILE REPORTS
phone call (X) walk-in (.)

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

Rancho Verde, Inc	36-02062
	36-02099
	36-02100
	36-02221
	36-13527
Split Butte Ranch, Inc	36-02109
	36-02141
	36-02142B
	36-02143
	36-02446
	36-02447
	36-07356
	36-13529
	36-13530
Gregory & Cristi Heins	36-02678
	36-07294
	36-15458
Warren & Elise Heins	36-02066A
	36-02098
	36-02469D
	36-02469E
	36-13531

MICROFILMED
DEC 04 1996

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 18 1994

RECEIVED

MAR 15 1994

Department of Water Resources
Southern Region Office

RECEIVED

FEB 17 1994

Department of Water Resources
Adjudication Bureau

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

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

In Re SRBA) Subcase No. 36-02678
Case No. 39576)
NOTICE OF APPEARANCE

*cm ok. Added Ling to
blank, made NOA
comment.
of 3-14-94*

DESCRIPTIVE SUMMARY

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

NOTICE OF APPEARANCE

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

DATED this 16th day of February, 1994.

LING, NIELSEN AND ROBINSON

By: Roger D. Ling
Roger D. Ling
Attorney for Greg and
Cristi Heins

MICROFILMED
OCT 18 1994

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

1
2
3 CERTIFICATE OF MAILING

4 I hereby certify that on the 16th day of February,
5 1994, I served a true and correct copy of the NOTICE OF
6 APPEARANCE upon:

7 **Original to:**

8 Clerk of the District Court
9 Snake River Basin Adjudication
10 253 Third Avenue North
11 P.O. Box 2707
12 Twin Falls, ID 83303-2707

13 **Copies to:**

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

19 United States Department of Justice
20 Environment and Natural Resource Division
21 550 West Fort Street, Box 33
22 Boise, Idaho 83734

23 Greg Heins
24 Route 3, Box 225
25 Rupert, Idaho 83350

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

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DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.

in case follow-up is needed.

WARREN HEINS
GREG & CRISTI HEINS

2. SUBJECT OF INQUIRY:

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

3. RESPONSE TO INQUIRY:

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

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

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

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

4. IDWR STAFF AND DATE:

Steve Clelland 4-9-93

Print name and initial

STEVE CLELLAND

Sm

(22) WATER RIGHT CLAIM (Nos.):

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

A36-2026, A36-2066A, A36-02098, A36-2098
A36-2100, A36-2109, A36-2141, A36-2142B
A36-2143, A36-2221, A36-2446, A36-2447,
A36-2469D, A36-2469E, A36-2678

MICROFILMED

OCT 18 1994

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

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

Case No. 36-02678 -0001

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

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

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

2. Person who filed objection:

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

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR's irrigation season of use standards have evolved over time as better technical information has become available. A necessary consequence of this is that, depending on when a particular license was issued, water rights in the same area have been licensed inconsistently, some licenses being issued with different lengths of season listed and some being issued with no season of use listed. To remedy this problem IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this

water right is located. The director's report does not prohibit pre-season or post-season irrigation; subject to the conditions set forth in general provision 12b of the director's report, water may be used for irrigation outside the standard season of use.

CHANGES TO THE DIRECTOR'S REPORT

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

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

No. of
Pages

Notice of Claim No. A36-02678

4

(Over)

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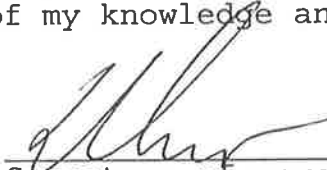
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

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



Signature of person filing response

By: 
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 16th day of August,
1993.



Notary Public for Idaho

Residing at: _____

My Commission expires: _____

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

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

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

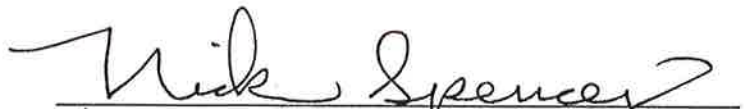
Name: GREG & CRISTI HEINS
Address: RT 3 BOX 225
RUPERT ID 83350

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

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

4. One copy to:

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



Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 36-02678 ³⁹⁵⁷⁶

Ident. Number _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 12 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Greg Heins and Cristi Heins Phone (208) 531-5952Mailing Address Rt. 3, Box 225, Rupert, Idaho Zip 833502. Date of Priority (Only one (1) per claim) January 11, 19673. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 7S Range 25E Section 34,
SE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Minidoka

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 20" well hole, 312' deep with 17'
of casing; Worthington Pump, 190 H.P. motor, 10" mainline and 8-4"
wheelinesMICROFILMED
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FEB 01 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar. 15 to Nov. 15 amount 2.45 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.45 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 474 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	25E	34	40	40	39	39													158

Total number of acres irrigated 158

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

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

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

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

or None (X)

14. Remarks:

Although the license shows water for only 155 acres, there has
always been 158 acres irrigated. This error was a result of an error
in the measurement of the lands being irrigated. Therefore, water
spread occurred at the time the permit was obtained.

Last Name Heins Ident No. _____

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Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 36-2678
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s)

My Heins
Chris Heins

Date 9/18/88

Date 9/18/88

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

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

☒ Signature of Authorized Agent _____

Title and Organization _____

Date _____

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

Subscribed and sworn (or affirmed) before me this 18th day of September 19 88

SEAL

Notary Public

Rogers-Ding

Residing at Rupert, Idaho

My Commission Expires 10/30/94

Please Print Name

17. Notice of Appearance:

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

Signature

Rogers-Ding

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

Date September 18, 1988

Last Name

HEINS

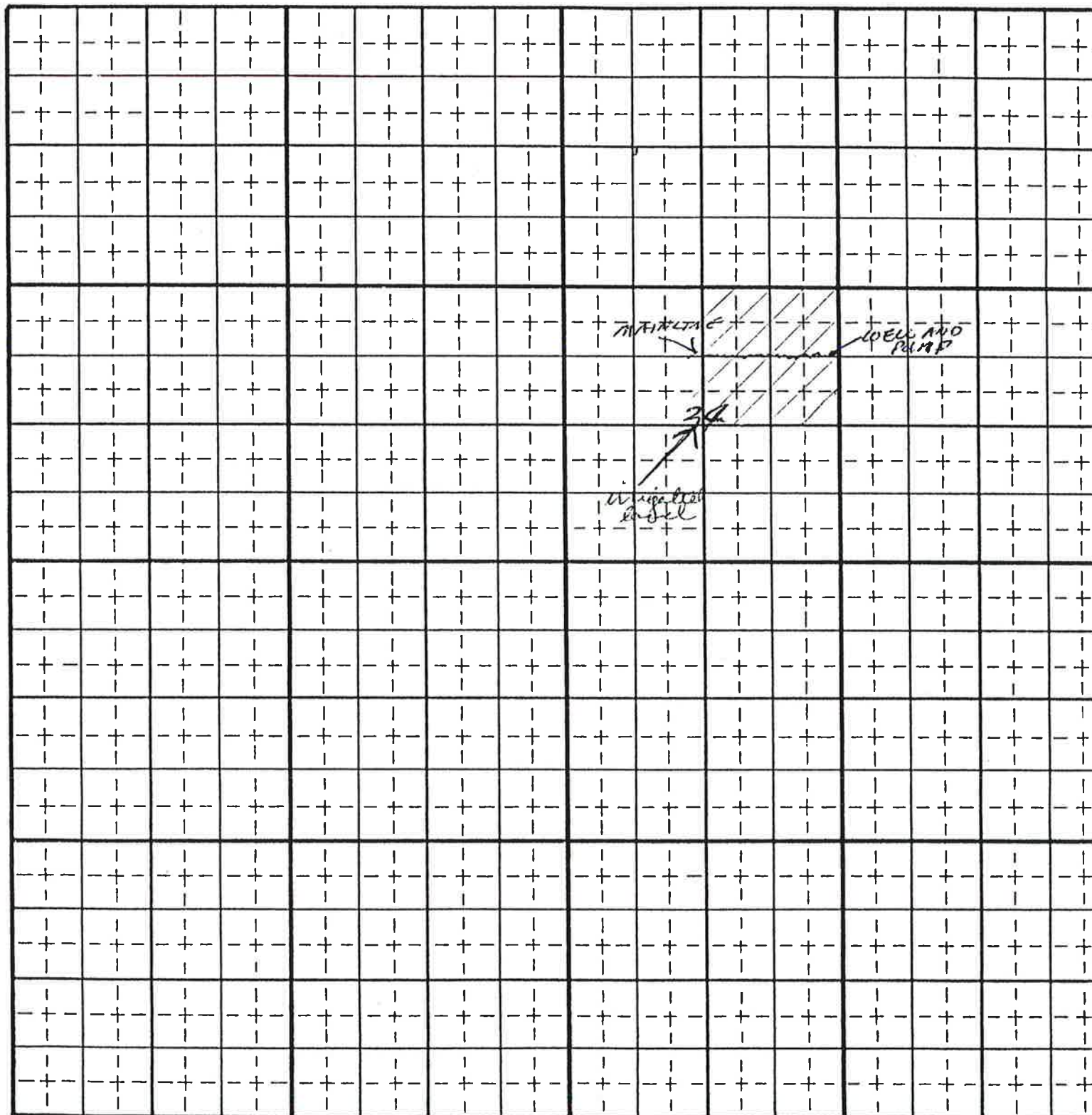
Ident. Number _____

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Copies White-State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



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OCT 18 1994

Last Name Heins

Ident No. _____

Copies: White-State, Yellow-Claimant

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APR 30 1993

Department of Water Resources
Adjudication Bureau

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

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. 36-02678
(You must insert the
water right number you
are objecting to)

OBJECTION

36-02678 -0001/
93-04-0235

INSTRUCTIONS

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

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

(Over)

OBJECTION - 1

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OCT 18 1994

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: _____

Greg HEINS
ROUTE 3, BOX 225
RUPERT, ID 83350

Address: _____

Briefly describe your interest in this water right:

Owner.

2. Owner of the water right:

Name: _____

Greg & Crista HEINS

Address: _____

ROUTE 3, BOX 225
RUPERT, ID 83350

3. If this objection is filed by an attorney:

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

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

II. STATEMENT OF THE OBJECTION

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

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

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

REASONS SUPPORTING EACH BOX CHECKED

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

Box #8. WE Typically irrigate in MARCH.

CHANGES TO THE DIRECTOR'S REPORT

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

Period of use changed to. - Period of use from 3-01 to 11-01

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

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

I do have support material, Please call.

VERIFICATION (Must be Completed)

State of IDAH

County of Minidoka

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

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

[Signature]
Signature of person filing objection

By:

[Signature]
(Attorney signing in
representative capacity)

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

William J. [Signature]
Notary Public for Idaho
Residing at: Rupert
My Commission expires: 12-3-98

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

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

1. Original to:

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

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

Owner name:

Greg & Crista

HEINS

Owner's address:

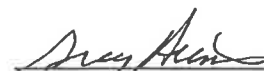
ROUTE 3, BOX 225
RUPERT, ID 83350

3. One copy to:

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

4. One copy to:

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



Signature of Objector or attorney
mailing on Objector's behalf

NOTICE OF ERROR



RESPONSE



CORRECTED R PROOF



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NOTICE OF ERROR FORM

Write or print clearly, fill out completely, and return to:
Idaho Department of Water Resources
Post Office Box 100
Boise, Idaho 83720-9000

This notice of error must be received at IDWR by the deadline date printed
on your proposed recommendation.

RECEIVED
SEP 22 1992

Department of Water Resources

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

Water right number: (s) 36-07294 ✓

AND

36-02678 ✓

Name: Gregory W. Heins
Cristi K. Heins

Address: Rt 3 Bx 225
Rupert ID 83350

Weekday Telephone Number: (208) 531-5952

RECEIVED

SEP 28 1992

Department of Water Resources
Southern Region Office

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

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(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:
4. Describe the changes you wish to have made in the proposed recommendation:
5. Describe why you disagree with the proposed recommendation:
6. Date:

SIGNATURE _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

23-Oct-1992

Gregory W. and Cristi Heins
Rt 3 Box 225
Rupert ID 83350

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim A36-02678 and A36-15458

Dear Mr. and Mrs. Heins:

Please find enclosed profile reports of recommendations on the above referenced claims.

As you will note, we are recommended the 3 expanded acres claimed on A36-15458 and have changed the recommendation on A36-02678 to reflect the total 158 acres and the expansion claim.

Also enclosed is Receipt No. C025699. The final recommendations will be mailed out in approximately two weeks when the final Director's Report is submitted to the SRBA Court.

Sincerely,


Helen Harrington-Thornton
Water Resource Agent

HHT

Enclosures:

Profile Reports
Receipt No. C025699

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Water Right Number - R36-02678

Prefix Translation: RESEARCH

Old (D) Number - 33420

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

*** C - CURRENT OWNER ***
HEINS

GREGORY W

1 - RT 3 BOX 225

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5952

1 - RT 3 BOX 225

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5952

HEINS

CRISTI K

+ - - Priority Date - - +
01/11/1967

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

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

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

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

TwN Rng Sec Tract Lot RFlg County

07S 25E 34 SE NE NE (67) MINIDOKA

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

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 2.450 620.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.450 620.00 465.0

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

TwN Rng Sec Tract Lot Acres Code Description County

07S 25E 34 NE NE 40.0 01 IRRIGATION (67) MINIDOKA

07S 25E 34 NW NE 40.0 01 IRRIGATION (67) MINIDOKA

07S 25E 34 SW NE 39.0 01 IRRIGATION (67) MINIDOKA

07S 25E 34 SE NE 39.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 158.0

+ - - Diversion Means - 20"X 312' WELL, 190 HP PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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FEB 0 1 1993

Water right number - R36-02678

Prefix Translation: RESEARCH

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

USE OF THIS RIGHT WITH RIGHT NO. 36-15458 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.45 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 632 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 474 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-15458 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
RIGHT NO. 36-15458 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
IDAHO CODE 42-1416(2).
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 155 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

No Old Water Right Numbers Found

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

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - - Decree Date - +

00/00/0000

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

Date: 06/20/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS
LICENSE SHOWS WATER FOR 155 ACRES...158 ACRES HAVE ALWAYS BEEN IRRIGATED. ERROR IS RESULT OF AN ERROR IN THE MEASUREMENT OF THE
LANDS BEING IRRIGATED. THEREFORE, ACRE EXPANSION OCCURRED AT THE TIME THE PERMIT WAS OBTAINED.
Date: 09/23/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/22/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 9/26/91. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/07/1992 User Id: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B - NO CHANGE. SENT LETTER RE: SEASON OF USE.
Date: 10/23/1992 User Id: THORNTON Subject: CHANGE IN RECOMMENDATION
A NEW CLAIM FOR EXPANDED ACRES HAS BEEN RECOMMENDED AND THIS CLAIM HAS BEEN CHANGED TO REFLECT THE EXPANSION.

+ - - Audit Fields - - +

10/23/92 THORNTON

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/06/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010065	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	- E

FEB 0 1 1993

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IDAHO DEPT. OF WATER RESOURCES
STATEHOUSE MAIL
BOISE, ID 83720-9000

RE: NOTICE OF ERROR FORM

Deadline for filing a notice of error is: 9/24/92

1. Water right number: 36-02678 ✓

2. Name: GREGORY W HEINS
CRISTI K HEINS

Address: Rt 3 Box 225
Rupert, ID 83350

Weekday Telephone Number: (208) 531-5952

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

- a) PERIOD OF USE FROM
- b) PERIOD OF USE TO
- c) ACRES TOTAL
- d) NENE
- e) NWNE
- f) SWNE
- g) SENE
- h) TOTAL VOLUME
- i) CONSUMPTIVE USE

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

	Error	Correction
a) PERIOD OF USE FROM	04-01	03-15
b) PERIOD OF USE TO	10-31	11-15
c) ACRES TOTAL	155	160
d) NENE	38.0	40.0
e) NWNE	39.0	40.0

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f) SWNE	39.0	40.0
g) SENE	39.0	40.0
h) TOTAL VOLUME	620.00	640.00
i) CONSUMPTIVE USE	465.0	480.00

5. Describe why you disagree with the proposed recommendation:

a) PERIOD OF USE FROM

The original License of Water Right states March 15th. There are when we need to irrigate on the 15th of March to sprout the seeds.

b) PERIOD OF USE TO

November 15th is the date written on the License of Water Right.

c) ACRES TOTAL

This needed correction is a result of an error in the original measurement of the lands being irrigated. Therefore, water spread occurred at the time the permit was obtained.

Although the license shows water for only 155 acres, there has always been 157.8 farmable acres, and 160 total acres, in accordance with the ASCS and SCS. Also, the Minidoka County Property Assessor measured the property to be 160 acres with 157 acres farmable. We have a constuted history of irrigation of the additional 2.2 acres of beneficial use that has been used since 1967.

d) NENE

refer to "c) ACRES TOTAL"

e) NWNE

refer to "c) ACRES TOTAL"

f) SWNE

refer to "c) ACRES TOTAL"

g) SENE

refer to "c) ACRES TOTAL"

h) TOTAL VOLUME

To be in agreement with the 160 acre actual total.

i) CONSUMPTIVE USE

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To be in agreement with the 160 acre actual total.

6. Date: September 18, 1992

SIGNATURE: Custi Heim, Secretary
Margery Heim

See attached photo taken in 1978 by ASCS.

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700 E.

28 + 27
33 + 34

E535

(76E)

T1559

E535

A
142.5

T1657

B

7.3

C

6.7

Certified

Photo taken
in 1987

Thomas A. Smith
CED

9-18-92

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FEB 01 1993

800 E.

27 + 26
34 + 35

E524

(227E)

C
80.0 80.0

D
77.8 77.8

77.8

79.2

A
51.8 51.8

D
50.2 50.2

50.2

48.1

AJ0749NP
No. R36-02678

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

DATE: 10/07/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GREGORY W HEINS	01/11/1967	IRRIGATION	04-01 10-31	2.45 CFS	620.0 AFA
C	CRISTI K HEINS					
	RT 3 BOX 225					
	RUPERT ID 83350			TOTAL DIVERSION:	2.45 CFS	620.0 AFA
	(208) 531-5952			CONSUMPTIVE USE:		465.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R25E S34

SENE

MINIDOKA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
07S	25E	34	:	38		39		39		39										:	155.0	
																				:	155.0	
																				:	TOTAL ACRES	155.0

POU County: MINIDOKA

Other Rights: NONE

Dates: Exam Made Date: 06/06/1991 Verified Date:

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

Comments: Date: 06/20/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS
LICENSE SHOWS WATER FOR 155 ACRES...158 ACRES HAVE ALWAYS BEEN
IRRIGATED. ERROR IS RESULT OF AN ERROR IN THE MEASUREMENT OF THE
LANDS BEING IRRIGATED. THEREFORE, ACRE EXPANSION OCCURRED AT
THE TIME THE PERMIT WAS OBTAINED.

Date: 09/23/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/22/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 9/26/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/07/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B - NO CHANGE.
SENT LETTER RE: SEASON OF USE.

Audit: 10/07/92 THORNTON

FER 0 1 1993
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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

07-Oct-1992

Gregory W. and Cristi K. Heins
Rt 3 Box 225
Rupert, ID 83350

RE: Snake River Basin Adjudication (SRBA)
Notice of Error - A36-07294 and A36-02678

Dear Mr. and Mrs. Heins:

We are in receipt of the Notices of Error on the above referenced claims. We are not making any changes to the recommendations at this time.

The proposed recommendations are based on irrigation season of use standards adopted by the director for the various regions throughout the state. These standards are based on the period of the year in which there is less than a 75% chance of a 24 degree F. frost.

In addition, since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for irrigation outside the irrigation season under certain conditions. The conditions are that the water is beneficially used, as determined by the director; that all water rights with a period of use outside the irrigation season regardless of priority, are satisfied; and that the use does not conflict with the public interest as determined by the director. This proposed general provision will be included in the Director's Report.

You also raised an issue regarding adding additional irrigated acres to the recommendation on claim A36-02678. The irrigated acres recommended for your water right is based on the acres originally licensed. IDWR cannot recommend total acres more than the licensed total acres.

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If you still disagree with IDWR's recommendations you will have an opportunity to file an objection to the Director's report with the court. When the Director's Report is filed with the court, you will be mailed a notice that will contain more information about the objection process.

Sincerely,

/s/

Helen Harrington-Thornton
Water Resource Agent

HHT

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FEB 01 1993

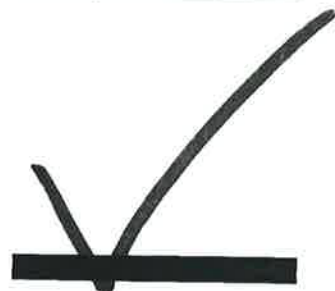
R PROOF



CVR



MAPS



PHOTOS



MISC



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FEB 01 1983

Water Right Number - R36-02678

Prefix Translation: RESEARCH

Old (D) Number - 33420

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

*** C - CURRENT OWNER ***
HEINS

GREGORY W.

1 - RT. 3 BOX 225

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5952

HEINS

CRISTI K.

1 - RT. 3 BOX 225

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5952

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/11/1967 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 25E 34 SE NE NE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 2.450 620.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.450 620.00 465.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 25E 34 NE NE 38.0 01 IRRIGATION (67) MINIDOKA
07S 25E 34 NW NE 39.0 01 IRRIGATION (67) MINIDOKA
07S 25E 34 SW NE 39.0 01 IRRIGATION (67) MINIDOKA
07S 25E 34 SE NE 39.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 155.0

+ - - Diversion Means - 20"X 312' WELL, 190 HP PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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FEB 01 1993

Water right number - R36-02678

Prefix Translation: RESEARCH

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

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

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

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

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

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/06/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/26/1991	Old Judicial District	-
Claim Received Date	- 10/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010065	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:21:18
08/17/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02678

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			6-6-91 sw	N			sw 6-20-91	
POINT OF DIV	Y			N	1,5			
SOURCE				N				
PLACE OF USE	Y			(Y)	1456	sw		
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE				(Y)	6			
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS	Y			N				

"VERIFIED BY" CODES

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

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

RECORDED
FEB 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:21:18
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02678

LAST: HEINS
ADDRESS: RT. 3 BOX 225
CITY: RUPERT
PHONE NUMBER: 208-531-5952

FIRST: GREGORY W.

STATE: ID ZIP: 83350

OWNER CODE: C

LAST: HEINS
ADDRESS: RT. 3 BOX 225
CITY: RUPERT
PHONE NUMBER: 208-531-5952

FIRST: CRISTI K.

STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: LICENSE SHOWS WATER FOR 155 ACRES...158 ACRES HAVE ALWAYS BEEN
IRRIGATED. ERROR IS RESULT OF AN ERROR IN THE MEASUREMENT OF THE
LANDS BEING IRRIGATED. THEREFORE, ACRE EXPANSION OCCURRED AT
THE TIME THE PERMIT WAS OBTAINED.

*Disallow Expansion
Rec. as licensed.*

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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:

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FEB 01 1993

A. AJ CLAIM: # A36-02678 PRIORITY DATE: 01-11-1967 STAGE: L
B. WR RECORD: # 36-02678 PRIORITY DATE: 01-11-1967 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

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

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
01-11-1967

REVIEWED BY SCC

DATE 6-20-91

=====

RECEIVED

FEB 01 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02678	07S	25E	34	SE	NE	NE		MINIDOKA
OTHER AJ CLAIMS WITH SAME AJ POD				WR RECORDS IN SAME 40 ACRE TRACT				
A PREFIX				R PREFIX				
NONE				NONE				

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02678	07S	25E	34		NE	NE		MINIDOKA
OTHER WR RECORDS WITH SAME WR POD				AJ CLAIMS IN SAME 40 ACRE TRACT				
				A PREFIX R PREFIX				
NONE				NONE NONE				

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
			Y	<u>N</u>
			N	

REMARKS:

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

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

—	—	—	OK	—	—	—	—
---	---	---	----	---	---	---	---

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: See DATE: 6-20-91

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FEB 01 1993

A. ROOT WATER RIGHT NUMBERS: A36-02678

B. POU LISTING

D. POU LISTING							AJ	WR	LANDSAT	FIELD	RECOMM.	
TWP	RNG	SEC	1/4	1/4	LOT	NAME	#/ACRES	#/ACRES	DATA	EXAM.	ACRES	
07S	25E	34	NE	NE		HEINS , GREGORY W.	A36-02678 /40.0	36-02678 /38.0	39.0	39	38	
07S	25E	34	NW	NE		HEINS , GREGORY W.	A36-02678 /40.0	36-02678 /39.0	37.0	40	39	
07S	25E	34	SW	NE		HEINS , GREGORY W.	A36-02678 /39.0	36-02678 /39.0	35.0	40	39	
07S	25E	34	SE	NE		HEINS , GREGORY W.	A36-02678 /39.0	36-02678 /39.0	38.0	39	39	
TOTAL ACRES							A36-02678	158.00	155.00	149.00	158	155

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
X

PRESUMPTION FLAG:

REMARKS:

Recomm'd as licensed

RECOMMENDATIONS:

TOTAL ACRES:

155

REVIEWED BY:

SC

DATE:

6-20-91

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY	
A36-02678 IRRIGATION	FROM 03-15 TO 11-15	2.450 CFS	620.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.450 CFS	620.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY	
36-02678 IRRIGATION	FROM 03-15 TO 11-15	2.450 CFS	620.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.450 CFS	620.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

RECEIVED
FEB 01 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.450 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.450 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

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

Y

N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 155 x 0.02 CFS/ACRE = 3.1 CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

$$\frac{2.45 \text{ cfs}}{155 \text{ Ac}} = 0.0158 \frac{\text{cfs}}{\text{Ac}}$$

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 474.0 AF/A

ACRES 155 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 465 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 620.00 AF/A

ACRES 155 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 620 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

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=====

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 2.450 <u> </u>	DATABASE EXAMINER 620.00 <u> </u>	DATABASE EXAMINER ~~474.0~~ <u>465</u>
TOTAL FOR THIS RIGHT		2.450	620.00	~~474.0~~

REVIEWED BY: SCU

DATE: 6-20-91

=====

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02678

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.450

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02678	2.450	-	N/A	36-02678	2.450
	TOTAL CFS	2.450				2.450

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
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

John Call O

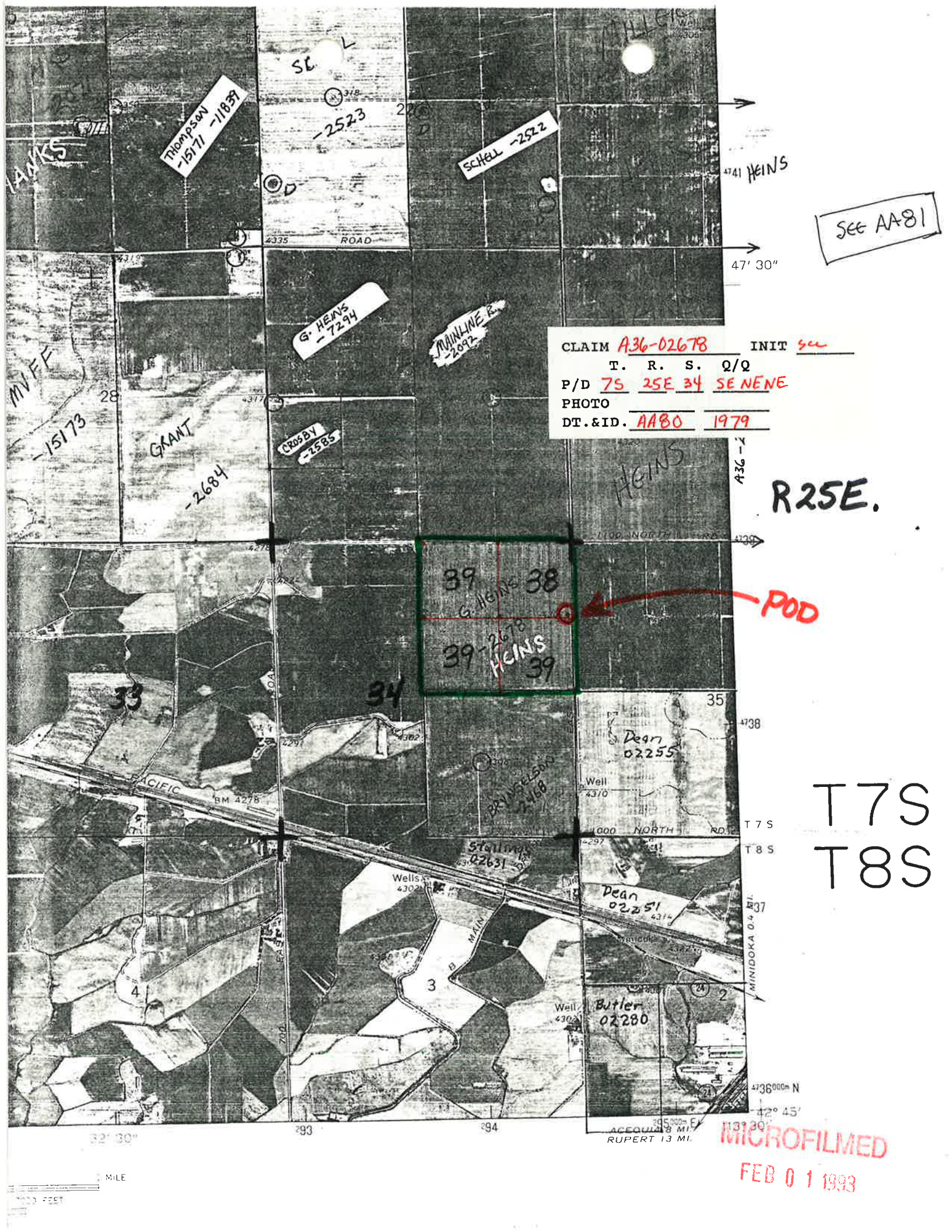
DATE:

6-20-91

NAME OF FIELD EXAMINER:

TITLE:

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FEB 01 1993



TANKS
Thompson
-15171 -11839

SC
-2523

SCHILL -2522

4741 HEINS

SEE AA81

47' 30"

G. HEINS
-7294

MAINLINE R.
-2692

CLAIM A36-02678 INIT see
T. R. S. Q/Q
P/D 7S 25E 34 SE NENE
PHOTO
DT.&ID. AA80 1979

MVFF
-15173

GRANT
-2684

CROSBY
-2585

A36-2

R25E.

39
G. HEINS 38
39-2678 HEINS 39
34

POD

T7S
T8S

Dean
02255

Well
4370

000 NORTH RD.

Dean
02251

Butler
02280

Well
4302

Well
4302

Stallings
022631

BRINSELEND
2458

MINIDOKA 0.4

4736000 N

42° 45'

ACEQUILA 8 MI.
RUPERT 13 MI.

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FEB 01 1993

32' 30"

293

294

1 MILE

7000 FEET

Gregory &

CLAIMANT'S NAME: Christi HeinsDATE: 9-17-92COUNTY: Minidoka

531-05952

EMPLOYEE: Carter Fritschle^{CA}Telephone conversation with Christi Heins on 9-17-92

She stated that IDWR had not recommended all of the acres they were irrigating under this right. Their notice of claim was for 158 acres, we recommended the licensed number of acres (155). She indicated that she didn't know an expansion claim was necessary for the additional acres. She has been mailed a long form with instructions. Unless there is information in the file to indicate she refused to file the expansion claim earlier, I think we should accept the expansion claim with the standard filing fees, and not try to collect a late fee.

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