

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

02/03/00 14:36:39

Page 1

Water Right Number - 36-02720

Prefix Translation: WATER RIGHT

Old (D) Number - 23823

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

+ - First Name - - +

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

*** A - ATTORNEY ***

FELTON

MICHAEL HARLAND

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

State- ID Zip- 833160589

*** C - CURRENT OWNER ***

AARDEMA

FRANS

1 - PO BOX 140
2 -
3 -

State- ID Zip- 833550140

City- WENDELL
Phone - 208-536-2189

HEIDA

MARY JANE

1 - PO BOX 140
2 -
3 -

State- ID Zip- 833550140

City- WENDELL
Phone - 208-536-2189

HEIDA

THOMAS

1 - PO BOX 140
2 -
3 -

State- ID Zip- 833550140

City- WENDELL
Phone - 208-536-2189

BOX CANYON DAIRY

DBA

1 - PO BOX 140
2 -
3 -

State- ID Zip- 83355

City- WENDELL
Phone - 208-536-2189

AARDEMA

CORNELIA

1 - PO BOX 140
2 -
3 -

State- ID Zip- 833550140

City- WENDELL
Phone - 208-536-2189

*** D - DIR RPT OWNER ***

CLARK

DIANNA W

1 - RT 1 BOX 273
2 -
3 -

State- ID Zip- 83355

City- WENDELL
Phone - 208-536-2451

CLARK

DARWIN L

1 - RT 1 BOX 273
2 -
3 -

State- ID Zip- 83355

City- WENDELL
Phone - 208-536-2451

AARDEMA HEIDA DAIRY

DBA

1 - PO BOX 140
2 -
3 -

State- ID Zip- 833550140

City- WENDELL
Phone - 208-536-2189

+ - - Priority Date - - +
02/23/1953

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

02/03/00 14:36:48
Page 2

Water right number - 36-02720

Prefix Translation: WATER RIGHT

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

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

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.300 260.00
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.300 260.00 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 14E 34 NE NE 35.0 01 IRRIGATION (47) GOODING
08S 14E 34 NW NE 30.0 01 IRRIGATION (47) GOODING
Total Acres: 65.0

+ - - Diversion Means - WELL & PUMP, 80' X 8", 20 HP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

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

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

+ - - Audit Fields - 12/12/97 SCLELLAN 12/15/97 KCHRISTE 02/19/98 PD-DSHAF 11/23/99 CTIMM

+ - - - - Comments - - - - - +
Date: 12/30/1991 User Id: WORSTELL Subject: COPIED FROM REMARKS
ORIGINALLY CLAIMED AS A37-10347 (IN WRONG BASIN). RE-NUMBERED AS A36-15087. REVIEW DISCLOSED LICENSE 36-02720 WAS FOR THIS
LAND, SO CLAIM IS RECOMMENDED UNDER THIS LICENSE NUMBER. RVW 12/30/91
Date: 06/13/1995 User Id: TFAWCETT Subject: NAME CHANGE
6-13-95 TF: CHANGE OF OWNERSHIP MADE. REC'D 4-21-95.

Prefix Translation: WATER RIGHT

-----Comments-----	
Date: 01/02/1996 User Id: DSMITH Subject: NAME AND/OR ADDRESS CHANGE	
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE.	
*CONFORMED NAME TO AVOID DUPLICATE MAILING LABELS	
Date: 01/16/1997 User Id: SSHERMAN Subject: NOTICE OF APPEARANCE	
NOA RECEIVED FROM MICHAEL FELTON.	
Date: 02/20/1997 User Id: TFAWCETT Subject: NAME CHANGE	
NAMES MODIFIED TO MAKE ALL AARDEMA HEIDA CLAIMS CONSISTENT.	
Date: 12/15/1997 User Id: KCHRISTE Subject: REFORMAT	
DELETED CONS USE	
Date: 11/23/1999 User Id: CTIMM Subject: NAME CHANGE	
11/23/99. CHANGED THE NAME ONLY AS PER CERTIFICATE OF ASSUMED BUSINESS NAME AND FORM 1409 TO: BOX CANYON DAIRY. C.T.	

+ Adjudication Rights Dates and Flags Area +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/30/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S000628	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND	Notice of Error Flag	-

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

FEB 23 1998

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

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: A36-15087

Date Received: 6/29/1988

Receipt No: X777777

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARWIN L. CLARK 208-536-2451
Address: RT 1 BOX 273
WENDELL, ID 83355

AND/OR

Name: DIANNA W. CLARK 208-536-2451
Address: RT 1 BOX 273
WENDELL, ID 83355

2. Date of Priority: JAN 01, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL & PUMP, 80'X8", 20HP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.300		

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

8. Total consumptive use is 195.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	14E	34	NE	NE		IRR	35.0

A36-15087

Page 1

Date: 07/03/90

MICROFILMED
FEB 01 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	34	NW	NE		IRR	30.0

Section Acres 65.0

Total Acres 65.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

NONE

14. Remarks:

THIS CLAIM REPLACES CLAIM A37-10347 ORIGINALLY FILED IN WRONG BASIN.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ 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 _____

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: A37-10347
Date Received: 6/29/1988
Receipt No: S000628
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARWIN L. CLARK 208-536-2451
Address: RT 1 BOX 273
WENDELL, ID 83355

AND/OR

Name: DIANNA W. CLARK 208-536-2451
Address: RT 1 BOX 273
WENDELL, ID 83355

2. Date of Priority: JAN 01, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL & PUMP, 80'X8", 20HP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.300		

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

8. Total consumptive use is 195.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	14E	34	NE	NE	IRR	35.0
			NW	NE	IRR	30.0
					Section Acres	65.0
					Total Acres	65.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

MICROFILMED
FEB 01 1993

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

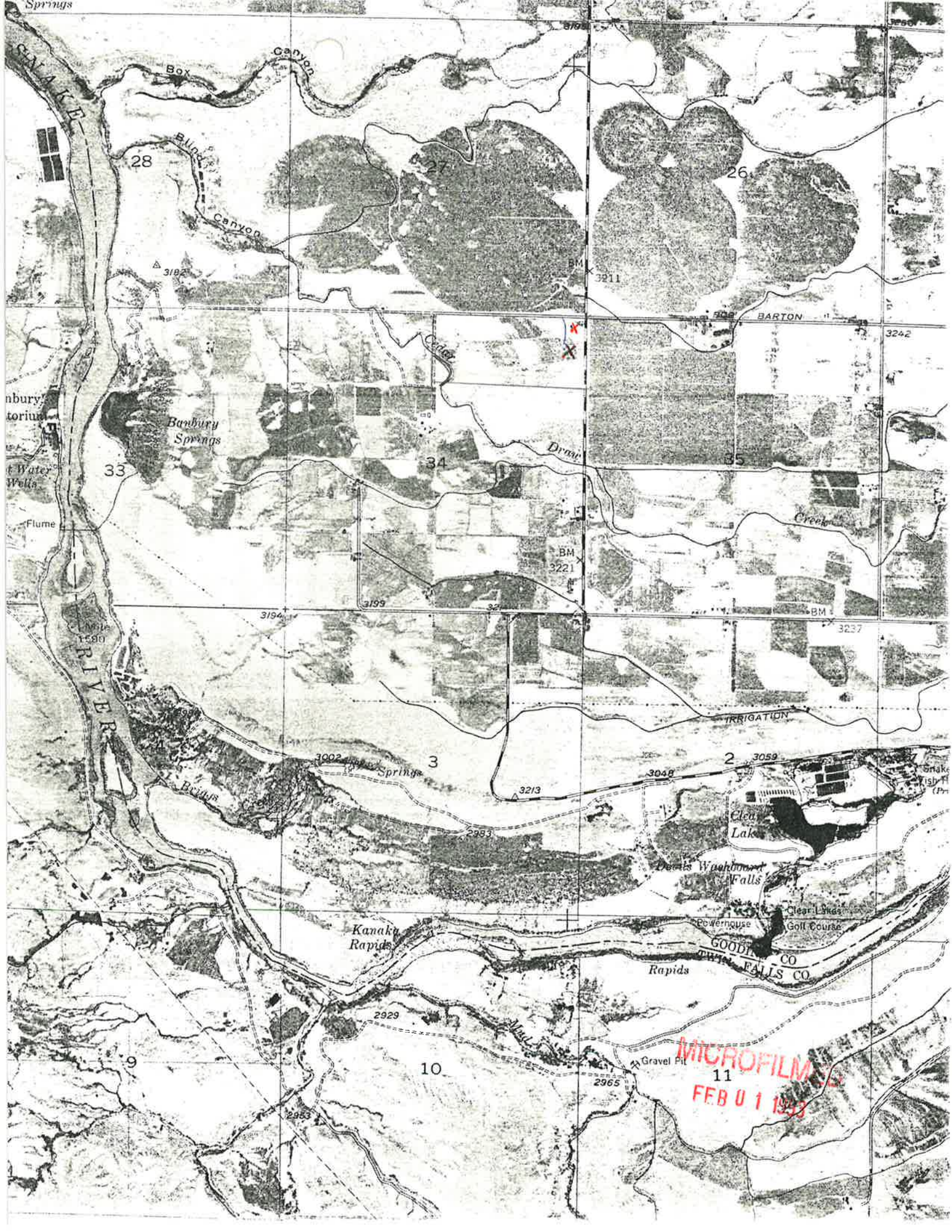
Signature of Claimant(s): Dianna W. Clark Date: 6-29-88
Dianna W. Clark Date: 6-29-88

State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of June 19 88 Lori White
Notary Public

Seal

Residing at T.F.
My Commission Expires 5/95





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-JULY-1990

Darwin &/or Dianna Clark
Rt. 1 Box 273
Wendell, Idaho 83355

RE: SRBA Claim A37-10347 number change to A36-15087
SRBA Claim A37-10348 number change to A36-15088

Dear Claimants:

In reviewing the Department's Adjudication Records it has been determined that your claims were originally filed with an incorrect basin prefix. To correct the oversight it was necessary to renumber your claim A37-10347 to A36-15087 and claim A37-10348 to A36-15088. Please refer to these new numbers in all future correspondence. Please find enclosed copies of the computer records A36-15087 and A36-15088. If you have any questions please feel free to contact our office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enc:

MICROFILMED
FEB 01 1993

RE: A36-15087

T8S R14 EBM Sec 34 ~~SE~~ NE 1/4 NE 1/4

12/23/91

I, Zelma Bartlett, + my husband
Paul Bartlett, moved on the 80 acres
at the end of Bob Barton at
the West end, in October (1948).
The well was put in in
Early (1949) in March or April.

Zelma Bartlett

3213 B South 1500 E

Wendell, Idaho 83355

RECEIVED

DEC 30 1991

Department of Water Resources
Southern Region Office

Signature
Notarized 12/30/91
at Twin Falls, Idaho
by R. V. Horstell

Twin Falls, Idaho

MICROFILMED

FEB 11 1993

My Commission expires

January 15, 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

Dec. 18, 1991

R. KEITH HIGGINSON
Director

RECEIVED

A36-15087

DARWIN L. or DIANNA W. CLARK
RT. 1, Box 273
WENDELL, ID. 83355
RE: Evidence of Priority

DEC 30 1991

Department of Water Resources
Southern Region Office

RESPONSE DEADLINE

JAN. 6, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by JAN. 6, 1992 referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Allen Merritt, P.E.
Water Rights Supervisor

By R. V. Worstell

Enclosures

MICROFILMED
FEB 01 1993

Log for claim 36-02720

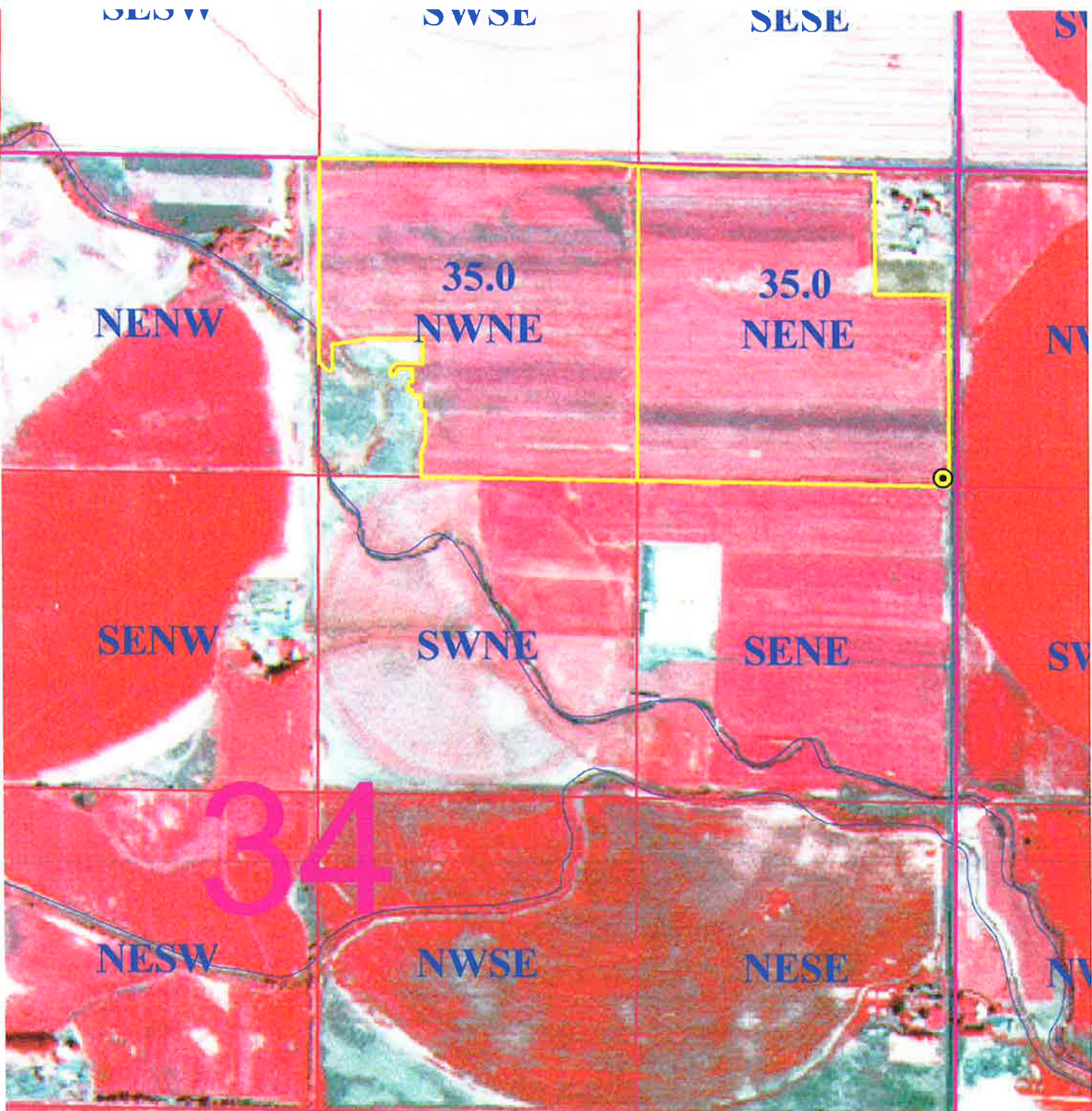
Spatial Dynamics BTD

11/13/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
08s14e	34	NENE	35	35	
08s14e	34	NWNE	30	35	
Totals:			65	70	

Water Right Number 36-02720
Township , 8S14E

11/13/2001



Legend

Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals



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

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

FEB 23 1998

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

1. Water Right No(s).: 36-02610; 36-02720; 36-04001; 36-04050; 36-07650A; 36-10734
 Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: Frans and Cornelia Aardema and Thomas and Mary Jane Heida dba Aardema-Heida Dairy

4. New Owner/Claimant(s): Frans and Cornelia Aardema and Thomas and Mary Jane Heida dba Box Canyon Dairy
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address: P.O. Box 140
 City, State and ZIP Code: Wendell, ID 83355
 New Telephone Number: (208) 536-2189

5. Date you acquired the property: N/A See cover L

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): Tom Heida Mary Jane Heida
Frans Aardema Cornelia Aardema
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

data interrupt 1/23/98



Michael Hoyt Felton
Michael Harland Felton (Jr.)

Professional Center
1020 Main

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

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

August 23, 1999

RECEIVED

AUG 25 1999

Department of Water Resources
Southern Region

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

Dear Ms. Hancock:

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

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

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

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

Page # 2
Vickie Hancock
August 23, 1999

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

Very truly yours,



MICHAEL H. FELTON, (JR.)

MHF/jms

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

Professional Center
1020 Main

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

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

August 17, 1998

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

RECEIVED

AUG 18 1998

Department of Water Resources
Southern Region

Dear Vikie:

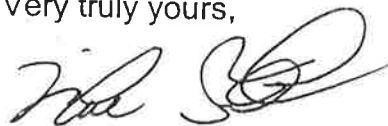
RE: Aardema-Heida Dairy and Box Canyon Dairy
Our File No. 2476

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

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

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

Very truly yours,



MICHAEL H. FELTON (JR.)

MHF/js
pc: Tom Heida
Enclosures

CERTIFICATE OF ASSUMED BUSINESS NAME

To the SECRETARY OF STATE, STATE OF IDAHO

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

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

Box Canyon Dairy

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

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

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

Agriculture

See categories on the reverse

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

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

Signed Box Canyon Dairy

By

Tom Heida
Tom Heida

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

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

Customer #

Secretary of State use only
IDAHO SECRETARY OF STATE

08/26/1997 09:00
CK: 3320 CT: 47068 IN: 31325

1 @ 20.00 = 20.00 ASSUM NAME

07380



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

February 11, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

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

Dear Mr. Felton:

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

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

Sincerely,

Cheryl E. Timm
Office Specialist

Enclosures

CT:ct

AJ0743NP
(OD-124)

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

11/23/99 11:51:21
Page 1

Water Right Number - R36-02720

Prefix Translation: RESEARCH

Old (D) Number - 23823

+ - - - - Last Name - - - - +	+ - First Name - - +	+ - - - - Address - - - - - +	
*** A - ATTORNEY *** FELTON	MICHAEL HARLAND	1 - FELTON AND FELTON 2 - PO BOX 589 3 - City- BUHL Phone - 208-543-4368	State- ID Zip- 833160589
*** C - CURRENT OWNER *** AARDEMA	FRANS	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 833550140
AARDEMA	CORNELIA	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 833550140
HEIDA	MARY JANE	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 833550140
HEIDA	THOMAS	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 833550140
BOX CANYON DAIRY	DBA	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355
*** D - DIR RPT OWNER *** CLARK	DIANNA W	1 - RT 1 BOX 273 2 - 3 - City- WENDELL Phone - 208-536-2451	State- ID Zip- 83355
CLARK	DARWIN L	1 - RT 1 BOX 273 2 - 3 - City- WENDELL Phone - 208-536-2451	State- ID Zip- 83355
AARDEMA HEIDA DAIRY	DBA	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 833550140

AJ0743NP
(OD-124)

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

11/23/99 11:51:21
Page 2

Water right number - R36-02720

Prefix Translation: RESEARCH

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
 02/23/1953 17 SOUTHERN D - DECREED

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

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

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.300 260.00
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
 1.300 260.00 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 14E 34 NE NE 35.0 01 IRRIGATION (47) GOODING
08S 14E 34 NW NE 30.0 01 IRRIGATION (47) GOODING
Total Acres: 65.0

+ - - Diversion Means - WELL & PUMP, 80' X 8", 20 HP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

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

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

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

+ - - - - Comments - - - - - +
Date: 12/30/1991 User Id: WORSTELL Subject: COPIED FROM REMARKS
 ORIGINALLY CLAIMED AS A37-10347 (IN WRONG BASIN). RE-NUMBERED AS A36-15087. REVIEW DISCLOSED LICENSE 36-02720 WAS FOR THIS
 LAND, SO CLAIM IS RECOMMENDED UNDER THIS LICENSE NUMBER. RVW 12/30/91
Date: 06/13/1995 User Id: TFAWCETT Subject: NAME CHANGE
6-13-95 TF: CHANGE OF OWNERSHIP MADE. REC'D 4-21-95.

AJ0743NP
(OD-124)

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

11/23/99 11:51:22
Page 3

Water right number - R36-02720

Prefix Translation: RESEARCH

+ - - - - -Comments- - - - - +
Date: 01/02/1996 User Id: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE.
*CONFORMED NAME TO AVOID DUPLICATE MAILING LABELS
Date: 01/16/1997 User Id: SSHERMAN Subject: NOTICE OF APPEARANCE
NOA RECEIVED FROM MICHAEL FELTON.
Date: 02/20/1997 User Id: TFAWCETT Subject: NAME CHANGE
NAMES MODIFIED TO MAKE ALL AARDEMA HEIDA CLAIMS CONSISTENT.
Date: 12/15/1997 User Id: KCHRISTE Subject: REFORMAT
DELETED CONS USE
Date: 11/23/1999 User Id: CTIMM Subject: NAME CHANGE
11/23/99, CHANGED NAME, ONLY THE NAME CHANGED AS PER CERTIFICATE OF ASSUMED BUSINESS NAME AND FORM 1409 REC'D 8/25/99. C.T.

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

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/30/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000628	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-



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

Professional Center
1020 Main

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

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

August 17, 1998

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

RECEIVED

AUG 18 1998

Department of Water Resources
Southern Region

Dear Vikie:

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

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

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

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

Very truly yours,

MICHAEL H. FELTON (JR.)

MHF/js
pc: Tom Heida
Enclosures

CERTIFICATE OF ASSUMED BUSINESS NAME

To the SECRETARY OF STATE, STATE OF IDAHO

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

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

Box Canyon Dairy

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

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

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

Agriculture

See categories on the reverse

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

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

Signed Box Canyon Dairy

By

Tom Heida
Tom Heida

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

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

Customer #

Secretary of State use only
IDAHO SECRETARY OF STATE

08/20/1997 09:00
CK: 3328 CY: 47868 IN: 31325

1 @ 20.00 = 20.00 ASSUM NAME

07380



Michael Hoyt Felton
Michael Harland Felton (Jr.)

Professional Center
1020 Main

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

August 23, 1999

RECEIVED

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

AUG 25 1999

Department of Water Resources
Southern Region

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

Dear Ms. Hancock:

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

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

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

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

Page # 2
Vickie Hancock
August 23, 1999

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

Very truly yours,



MICHAEL H. FELTON, (JR.)

MHF/jms

RECEIVED

DEC 20 1996

Department of Water Resources

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

DEC 27 1996

Department of Water Resources

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

* * * * *

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

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

Petitioner,)

vs:)

NOTICE OF APPEARANCE

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

Respondents.)

* * * * *

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

NOTICE OF APPEARANCE

-1

Felton &
Felton
Attorneys
At Law
Buhl, Idaho

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

6 DATED: December 18, 1996.

7 FELTON & FELTON

8
9
10 By 

11 MICHAEL H. FELTON

12 Attorneys for Respondent
13
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1 CERTIFICATE OF SERVICE

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

8 **Notice of Appearance**

9 to:

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

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

18 
19 _____
20 MICHAEL HARLAND FELTON
21
22
23
24
25
26

AJ0749NP
No. 36-02720

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

DATE: 01/16/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANS AARDEMA	02/23/1953	IRRIGATION	04-01 10-31	1.30 CFS	260.00 AFA
C	CORNELIA AARDEMA					
C	THOMAS HEIDA					
C	MARY JANE HEIDA					
	DBA AARDEMA HEIDA DAIRY					
	PO BOX 140					
	WENDELL ID 833550140					
	(208) 536-2189					
				TOTAL DIVERSION:	1.30 CFS	260.00 AFA
				CONSUMPTIVE USE:		195.00 AFA

D DIANNA W CLARK
D DARWIN L CLARK
RT 1 BOX 273
WENDELL ID 83355
(208) 536-2451

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R14E S34

SENE

GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
08S	14E	34	:	35		30														65.0
																				65.0
																				TOTAL ACRES

POU County: GOODING

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 12/30/1991 User-ID: WORSTELL Subject: COPIED FROM REMARKS
ORIGINALLY CLAIMED AS A37-10347 (IN WRONG BASIN). RE-NUMBERED
AS A36-15087. REVIEW DISCLOSED LICENSE 36-02720 WAS FOR THIS

RECEIVED

JAN 30 1997

Department of Water Resources
Gooding County

DO NOT FILM

AJ0749NP
No. 36-02720

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

DATE: 01/16/97
PAGE: 2

=====

Comments: Date: 12/30/1991 User-ID: WORSTELL Subject: COPIED FROM REMARKS
LAND, SO CLAIM IS RECOMMENDED UNDER THIS LICENSE NUMBER.
RVW 12/30/91

Date: 06/13/1995 User-ID: TFAWCETT Subject: NAME CHANGE
6-13-95 TF: CHANGE OF OWNERSHIP MADE. REC'D 4-21-95.

Date: 01/02/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.
*CONFORMED NAME TO AVOID DUPLICATE MAILING LABELS

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

Audit: 01/16/97 SSHERMAN

DO NOT REMOVE

RECEIVED

JAN 13 1997

Department of Water Resources

1 MICHAEL HARLAND FELTON
2 FELTON AND FELTON
3 ATTORNEYS AT LAW
4 1020 MAIN STREET
5 P O BOX 589
6 BUHL ID 83316-0589
7 TELEPHONE: (208) 543-4368
8 FACSIMILE: (208) 543-4360
9 Attorneys for **Respondent**
10 (C:\WPDOC\ABC-DOC\2476NOT.APP)js

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

* * * * *

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

CASE NO. 39576

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

17 Petitioner,)

18 vs:)

NOTICE OF APPEARANCE

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

22 Respondents.)

* * * * *

23 PLEASE BE NOTIFIED that Michael H. Felton hereby
24 appears on behalf of Frans and Cornelia Aardema and Tom and Mary
25
26

NOTICE OF APPEARANCE

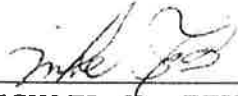
Felton &
Felton
Attorneys
At Law
Buhl, Idaho

36-02720
Record Modified 1-16-97
AS

1 Jane Heida d/b/a Aardema-Heida Dairy, the Respondent in the above-
2 entitled action, as counsel of record for said Respondents with
3 respect to Water Rights Numbers A 36-02720.

4 DATED: January 10, 1997.

5 FELTON & FELTON

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

10 **CERTIFICATE OF SERVICE**

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

16 **Notice of Appearance**

17 to:

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

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

23
24 
25 MICHAEL HARLAND FELTON
26

NOTICE OF APPEARANCE

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A36-02720**
Date Received: 12/30/1991
Receipt No: X777777
Received By: th

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

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

2. Date of Priority: JAN 1, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL & PUMP, 80' X 8", 20 HP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.300		

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

A.F.A.

8. Total consumptive use is 195.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	34	NE	NE		IRR	35.0
			NW	NE		IRR	30.0
						Section Acres	65.0
						Total Acres	65.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

ORIGINALLY CLAIMED AS A37-10347 (IN WRONG BASIN). RE-NUMBERED
AS A36-15087. REVIEW DISCLOSED LICENSE 36-02720 WAS FOR THIS
LAND, SO CLAIM WAS THEN MADE UNDER THIS LICENSE NUMBER.

RVW 12/30/91
42-1409(7) OWNERSHIP CHANGE, CLARK TO AARDEMA AND HEIDA, SF3 SENT
TO HEIDA, SS 05/24/95.

SF3 REC'D 4-21-95. OWNERSHIP CHANGE COMPLETED 6-14-95 TF.

15. Basis of Claim: LICENSE

Water Right Number: 23823

Michael Hoyt Felton
Michael Harland Felton (Jr.)

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

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

April 19, 1995

RECEIVED

APR 21 1995

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

Department of Water Resources
Southern Region

Dear Ladies and Gentlemen:

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

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

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

Please enter the documents into your files.

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

Very truly yours,



MICHAEL HARLAND FELTON

MHF:js
Enclosures (6)
PC: Thomas Heida

MICROFILMED
DEC 04 1996

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

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

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

Petitioner,

vs.

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

Respondents.

Case No. 39576

STANDARD FORM 3

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

CONSENT TO SUBSTITUTION OF
PARTY

INSTRUCTIONS FOR USE

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

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

☒ **CONSENT TO SUBSTITUTION OF PARTY**

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

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

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

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

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

Darwin L. and Dianna W. Clark

Route # 1 Box 273

Wendell, Idaho 83355

I am the new claimant/purchaser of # 36-02720 and

(Insert each water right number)

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

Warranty Deed

 
(Signature of prior claimant/seller) (Signature of new claimant/purchaser)

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is Michael Harland Felton

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

d/b/a Aardema - Heida Dairy (Identify party/claimant)

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

Buhl, ID 83316

(208) 543 4368

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on _____, 199__, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

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

Darwin L. and Dianna W. Clark

Route # 1 Box 273

Wendell, Idaho 83355

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

RECEIVED

MAY 30 1995

Department of Water Resources
Southern Region

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A36-02720**
Date Received: 12/30/1991
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

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

2. Date of Priority: JAN 1, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL & PUMP, 80' X 8", 20 HP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.300		

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

A.F.A.

8. Total consumptive use is 195.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	34	NE	NE		IRR	35.0
			NW	NE		IRR	30.0
Section Acres							65.0
Total Acres							65.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

ORIGINALLY CLAIMED AS A37-10347 (IN WRONG BASIN). RE-NUMBERED
AS A36-15087. REVIEW DISCLOSED LICENSE 36-02720 WAS FOR THIS
LAND, SO CLAIM WAS THEN MADE UNDER THIS LICENSE NUMBER.

RVW 12/30/91
42-1409(7) OWNERSHIP CHANGE, CLARK TO AARDEMA AND HEIDA, SF3 SENT
TO HEIDA, SS 05/24/95.

15. Basis of Claim: LICENSE

Water Right Number: 23823



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 3/4/94

LEGAL DESCRIPTION OF PROPERTY: Township SEE ATTACHED EXHIBIT "A" Range Range

Section 1/4 of 1/4 of 1/4 Govt. Lot 1/4, B.M.

Lot 1/4, Block 1/4, Subdivision/Townsite 1/4

If you have additional legal descriptions, please attach separate sheet.

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APR 27 1995

☐ 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: 36-02720

☐ Name and Address of Former Owner/Claimant(s)(Seller): Darwin L. and Dianna W. Clark
Route # 1 Box 273

☐ New Owner/Claimant (Purchaser): Wendell, ID 83355
Frans & Cornelia Aardema & Thomas & Mary Jane Heida

☐ New Mailing Address: d/b/a Aardema - Heida Dairy
P O Box 140
Wendell, ID 83355-0140

☐ New Telephone Number: (208) 536 - 2189

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

☐ Attach proof of ownership, describe proof attached: Warranty Deed Attached

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

☐ Signature of New Owner/Claimant(s): Thomas W. Heida Frans Aardema Date 5-23-95

☐ Signature of Former Owner/Claimant(s): Mary J. Heida Cornelia Aardema Date 5-23-95

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5-24-95 By: RMF

Further Action Needed:

Further Action Taken

Date: 5-24-95 By: RMF

Final Review and Data-Entry

Date: 5-24-95 By: RMF

Claim Numbers of Split, if any:

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

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EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-02720

RECEIVED

APR 27 1995

TOWNSHIP	RANGE	SECTION	TRACT	ACRES	COUNTY	Department of Water Resources
08S	14E	34	NE NE	35.0	GOODING	
08S	14E	34	NW NE	30.0	GOODING	

A36-02720

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DEC 04 1996

RECEIVED

APR 27 1994

WARRANTY DEED

FOR CONSIDERATION, DARWIN L. CLARK and DIANNA W. CLARK, husband and wife, the Grantors, do hereby grant and convey unto the Grantees, FRANK AARDENA and CORNELIA AARDENA, husband and wife, and TOM H. NEIDA and MARY JANE NEIDA, husband and wife, d/b/a AARDENA-NEIDA DAIRY, whose current address is Post Office Box 140, Wendell, Idaho 83355-0140, the following described premises in Gooding County, Idaho, to wit:

NINEth, Section 34, Township 6 South, Range 14 East of the Boise Meridian, according to the records of the Recorder for Gooding County, Idaho

TOGETHER with permits for the existing domestic and irrigation wells, and all other water rights appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that it is free and clear from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: March 4th, 1994.

DARWIN L. CLARK

DIANNA W. CLARK

STATE OF IDAHO

County of Twin Falls

On this 4th day of March, 1994, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DARWIN L. CLARK and DIANNA W. CLARK, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

WARRANTY DEED - 1

Follow &
Follow
Follow
At Law
Subl. Make

A36-02720

FOOD

MICROFILMED
DEC 26 1996

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



[Signature]
Notary Public for State of Idaho
Residing at: *[Signature]*
My Commission Expires: *7-27-97*

156460

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of *Land Title & Escrow Inc.**8* min. past *2* o'clock *P.* m. this *8*of *April* *1994* *6:00*

JOHN A. MYERS Recorder

by *Christa Stiles* Deputy

WARRANTY DEED - 2

Felton &
Felton
Attorneys
At Law
Boise, Idaho

A36-02720

MICROFILMED
POOR ORIGINAL

DEC 04 1996

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

02/21/95 15:01:37
Page 1

Water Right Number - 36-02720

Prefix Translation: WATER RIGHT

Old (D) Number - 23823

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

*** C - CURRENT OWNER ***
CLARK

DIANNA W

1 - RT 1 BOX 273

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2451

1 - RT 1 BOX 273

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2451

DARWIN L

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/23/1953 17 SOUTHERN L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot Rflg County Diversion Name
08S 14E 34 SE NE NE (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.300 260.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.300 260.00 195.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
08S 14E 34 NE NE 35.0 01 IRRIGATION (47) GOODING
08S 14E 34 NW NE 30.0 01 IRRIGATION (47) GOODING

Total Acres: 65.0

+ - - Diversion Means - WELL & PUMP, 80' X 8", 20 HP

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

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

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Rec for 65 acres
No objection CLARK

Department of Water Resources

APR 27 1995

RECEIVED

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DEC 04 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 25, 1995

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

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #36-02535 and 36-02720

Dear Claimants:

I realized today that I omitted the above two water right numbers from my transmittal letter of May 23, 1995, when I sent you the Standard Form 3. I've enclosed two additional SF3's for your use. Your paperwork was very well-organized; better than I was!

I hope my omission did not cause you undue consternation.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:region
Enclosures:

(2) Standard Form 3

MICROFILMED
DEC 04 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 23, 1995

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

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

Dear Claimants:

and
36-02535 and 36-02720

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

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

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region

Enclosure:

(3) Standard Form 3

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DEC 04 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

June 14, 1995

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

RE: SRBA Claim(s) A36-02720

Ladies and Gentlemen:

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

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

Water Right Number - 36-02720 Prefix Translation: WATER RIGHT Old (D) Number - 23823

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

*** C - CURRENT OWNER ***

AARDEMA FRANS 1 - DBA AARDEMA - HEIDA DAIRY
2 - PO BOX 140
3 -
City- WENDELL State- ID Zip- 833550140
Phone - 208-536-2189

AARDEMA CORNELIA 1 - DBA AARDEMA - HEIDA DAIRY
2 - PO BOX 140
3 -
City- WENDELL State- ID Zip- 833550140
Phone - 208-536-2189

HEIDA THOMAS 1 - DBA AARDEMA - HEIDA DAIRY
2 - PO BOX 140
3 -
City- WENDELL State- ID Zip- 833550140
Phone - 208-536-2189

HEIDA MARY JANE 1 - DBA AARDEMA - HEIDA DAIRY
2 - PO BOX 140
3 -
City- WENDELL State- ID Zip- 833550140
Phone - 208-536-2189

*** D - DIR RPT OWNER ***

CLARK DIANNA W 1 - RT 1 BOX 273
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-2451

CLARK DARWIN L 1 - RT 1 BOX 273
2 -
3 -
City- WENDELL State- ID Zip- 83355
Phone - 208-536-2451

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

02/23/1953 17 SOUTHERN L - LICENSE

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

GROUNDWATER

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

TwN Rng Sec Tract Lot RFlg County

08S 14E 34 SE NE NE (47) GOODING

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

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 1.300 260.00

Water right number - 36-02720

Prefix Translation: WATER RIGHT

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.300 260.00 195.0

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
08S	14E	34	NE NE		35.0	01	IRRIGATION	(47) GOODING
08S	14E	34	NW NE		30.0	01	IRRIGATION	(47) GOODING

Total Acres: 65.0

+ - - Diversion Means - WELL & PUMP, 80' X 8", 20 HP

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

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

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

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

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

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

Date: 12/30/1991 User Id: WORSTELL Subject: COPIED FROM REMARKS
ORIGINALLY CLAIMED AS A37-10347 (IN WRONG BASIN). RE-NUMBERED AS A36-15087. REVIEW DISCLOSED LICENSE 36-02720 WAS FOR THIS
LAND, SO CLAIM IS RECOMMENDED UNDER THIS LICENSE NUMBER. RVW 12/30/91
Date: 06/13/1995 User Id: TFAWCETT Subject: NAME CHANGE
6-13-95 TF: CHANGE OF OWNERSHIP MADE. REC'D 4-21-95.

+ - - Audit Fields - - +
06/13/95 TFAWCETT

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/30/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000628	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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DEC 04 1996

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED

FFR 0 1 1993

Water Right Number - R36-02720

Prefix Translation: RESEARCH

Old (D) Number - 23823

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***

CLARK

DARWIN L.

1 - RT 1 BOX 273

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2451

CLARK

DIANNA W.

1 - RT 1 BOX 273

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2451

+ - - Priority Date - - +
02/23/1953+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

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

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

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

Twn Rng Sec Tract Lot RFlg County

08S 14E 34 SE NE NE (47) GOODING

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

01 - IRRIGATION

03/15

11/15

1.300

260.00

+ - Total Div. Rate - + + - Total Div. Volume - +
1.300 260.00+ - Total Consumptive Use - + + - KW Usage - +
195.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S 14E 34 NE NE 35.0 01 IRRIGATION

(47) GOODING

08S 14E 34 NW NE 30.0 01 IRRIGATION

(47) GOODING

Total Acres: 65.0

+ - - Diversion Means - WELL & PUMP, 80' X 8", 20 HP

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.MICROFILMED
FFR 0 1 1993

Water right number - R36-02720

Prefix Translation: RESEARCH

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

+ - - - - 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 - - - - - +

Date: 12/30/1991 User Id: WORSTELL Subject: COPIED FROM REMARKS
ORIGINALLY CLAIMED AS A37-10347 (IN WRONG BASIN). RE-NUMBERED AS A36-15087. REVIEW DISCLOSED LICENSE 36-02720 WAS FOR THIS
LAND, SO CLAIM IS RECOMMENDED UNDER THIS LICENSE NUMBER. RVW 12/30/91+ - - Audit Fields - - +
12/30/91 WORSTELL

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 12/30/1991	Old Judicial District	-
Claim Received Date	- 12/30/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000628	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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FFA 0 1 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:17:12
07/17/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-15087 - Δ2720

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

1w 7/20/90

"VERIFIED BY" CODES

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

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

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FEB 1 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:17:12
07/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-15087 ⁰²⁷²⁰

LAST: CLARK
ADDRESS: RT 1 BOX 273
CITY: WENDELL
PHONE NUMBER: 208-536-2451

FIRST: DARWIN L.
STATE: ID ZIP: 83355

OWNER CODE: C

LAST: CLARK
ADDRESS: RT 1 BOX 273
CITY: WENDELL
PHONE NUMBER: 208-536-2451

FIRST: DIANNA W.
STATE: ID ZIP: 83355

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS CLAIM REPLACES CLAIM A37-10347 ORIGINALLY FILED IN WRONG
BASIN.

*This claim (A36-15087) finally ~~changed~~ recommended as 36-02720 based on License
R.U.W. 12/30/91*

MICROFILMED
FEB 01 1993

CONTACT PERSON: MRS. CLARK

PHONE NUMBER: () -

DATE OF FIELD EXAM: 7/25/90 APPOINTMENT MADE: Y() N(☒)

TIME: 4: A() P(☒)

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

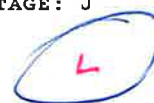
MICROFILMED
FEB 01 1993

A. AJ CLAIM: # A36-15087 PRIORITY DATE: 01-01-1951 STAGE: J

B. WR RECORD: ~~NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM~~

36-02720

02-23-1953



C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

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

REMARKS:

Priority date claimed is supported by a letter from Zelma Bartlett.

12/23/91

Priority date of License (discovered 12/30/91) is 2/23/53

R.V.W.

RECOMMENDED PRIORITY DATE:

~~01-01-1951~~ 7/23/53

REVIEWED BY

R.V.W.

DATE

12/30/91

MICROFILMED

FEB 01 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-15087	08S	14E	34	SE	NE	NE		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A37-10347 NONE

WR RECORDS IN SAME 40 ACRE TRACT
36-02720

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
Y

FIELD
EXAMINER
N
N

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
Same as claim							

SOURCE:

TRIB:

REVIEWED BY: lw

DATE: 7/25/90

RECEIVED
FEB 01 1993

A. ROOT WATER RIGHT NUMBERS: A36-15087

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	14E	34	NW	NE		CLARK , DARWIN L. DURFEE , MARVIN F.	A36-15087 /30.0	- / 36-02720 /25.0	40.0		30
08S	14E	34	NE	NE		CLARK , DARWIN L.	A36-15087 /35.0	36-02720 /40			35
						MOYLE , ALLEN	A36-10452 /	- /			
						MOYLE , ALLEN	A36-10454 /	- /			
						MOYLE , ALLEN	A36-10455 /	- /			
						RUFFING , FRANKLIN W.	A36-10502 /	- /			
						CLARK , DARWIN L.	A36-15088 /	- /			
						NORTH SIDE CANAL CO.		01-00005 /			
						NORTH SIDE CANAL CO.		01-00016 /			
						NORTH SIDE CANAL CO.		01-00212 /			
						NORTH SIDE CANAL CO.		01-00213 /			
						NORTH SIDE CANAL CO.		01-00215 /			
						NORTH SIDE CANAL CO.		01-00220 /			
TOTAL ACRES							A36-15087	65.00	65.0	40.00	65

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

? CW

This area covered by License #36-02720
(attached) but not cited as basis of claim.
Possibly because of error in filing adj. claim in wrong basin.
R.V.W 12/30/91

RECOMMENDATIONS:

TOTAL ACRES: 65

REVIEWED BY: lw

DATE: 1/25/90

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-15087 IRRIGATION	FROM ~~04-01~~ TO ~~11-01~~ 3/15 11/15	1.300 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.300 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-07855 FISH PROPAGATION	FROM 01-01 TO 12-31	20.000 CFS
36-07855 WILDLIFE	FROM 01-01 TO 12-31	20.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		20.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(/)

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.300 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 20.000 CFS

N/A

*** 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/A

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

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-10452	DOMESTIC	MOYLE , ALLEN	FROM 01-01 TO 12-31	.060 CFS	
A36-10452	STOCKWATER	MOYLE , ALLEN	FROM 01-01 TO 12-31	.060 CFS	
A36-10454	DOMESTIC	MOYLE , ALLEN	FROM 01-01 TO 12-31	.060 CFS	
A36-10454	STOCKWATER	MOYLE , ALLEN	FROM 01-01 TO 12-31	.150 CFS	
A36-10455	DOMESTIC	MOYLE , ALLEN	FROM 01-01 TO 12-31	.060 CFS	
A36-10502	DOMESTIC	RUFFING , FRANKLIN W.	FROM 01-01 TO 12-31	.040 CFS	
A36-10502	STOCKWATER	RUFFING , FRANKLIN W.	FROM 01-01 TO 12-31	.040 CFS	
A36-15088	DOMESTIC	CLARK , DARWIN L.	FROM 01-01 TO 12-31	.040 CFS	
A36-15088	STOCKWATER	CLARK , DARWIN L.	FROM 01-01 TO 12-31	.040 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 65 x 0.02 CFS/ACRE = 1.30 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 195.0 AF/A

ACRES 65 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 195 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 65 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 260 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(/)

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

1b. CALCULATIONS

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>IRRRB</u>	<u>3-15 11-15</u>	<u>1.30</u>	<u>260</u>	<u>195</u>
		<u>1.30</u>	<u>260</u>	<u>195</u>
TOTAL FOR THIS RIGHT				
REVIEWED BY: <u>lw</u>		DATE: <u>8/1/90</u>		

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-15087

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

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-15087	1.300	-		-	
TOTAL CFS		1.300				

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	DATABASE	FIELD EXAMINER
IF NO, is the written review sheet attached? (Y/N)	N	<u>N/A</u>

REMARKS:

AUTHENTICATION:

SIGNATURE: lu

DATE: 7/25/90

NAME OF FIELD EXAMINER: lu TITLE: _____

R. V. K. 12/30/91



GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: A36-15087
DATE: 7/25/90
BY: lw

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (...20+40...) \times (0.70)}{[(...80...) + (...20... \times 2.31)]} = 1.53$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement (✓)	Motor Make, Serial or ID
owner ()	owner ()	<u>HOLLOSHAFT #3142079</u>
area estimate (✓)	estimate ()	Pump Make, Serial or ID, rating
well logs ()	owner gage (✓)	<u>20HP, 1800 RPM</u>
Booster (Y) (N)		
REMARKS <u>" 40 HP #286TCZ</u>		

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	POTENTIAL = (...215...) X (1.98) X (...1.53...)
4/15 - 10/15	184	
3/1 - 12/1	276	(...65...)

POTENTIAL = 10.02

REQUIRED Acre Feet/Acre/Annum = 4
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY (✓)

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

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