

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: A36-04001

Date Received: 7/06/1988

Receipt No: S000714, 5012542

Received By: lw

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

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

AND/OR

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

2. Date of Priority: MAR 05, 1954

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   | 33      | SW     | SE     | NE     |     | GOODING |

5. Description of diverting works:  
WELL, PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 1.500  |      |        |

7. Total Quantity Appropriated is:  
1.500 C.F.S. (and/or) 608.00 A.F.A.

8. Total consumptive use is 462.0 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   | 33      | NE     | NE     |     | IRR | 37.0  |

A36-04001

Page 1

Date: 08/03/90

MICROFILMED  
FEB 01 1993

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 08S      | 14E   | 33      | SE     | NE  |     | IRR           | 37.0  |
|          |       |         |        |     |     | Section Acres | 74.0  |
|          |       | 34      | NW     | NW  |     | IRR           | 40.0  |
|          |       |         | SW     | NW  |     | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 80.0  |
|          |       |         |        |     |     | Total Acres   | 154.0 |

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:  
A36-07650A, -02610, CANAL WATER

14. Remarks:

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A36-04001A: PILKINTON, 1.42 CFS, 76 AC.

A36-04001B: PILKINTON, .08 CFS, 4 AC.

8/3/90--ORIGINAL SPLIT IN ERROR. CHANGED ADJUDICATION RIGHT BACK TO ORIGINAL WATER RIGHT FILING. DISREGARD THE ADJUDICATION SPLIT ON THIS RIGHT. A36-07650A & B REFLECTS THE 4 ACRE SPLIT NOW.

P/U IN ERROR ALSO ON ORIGINAL STATUTORY CLAIM. RATHER THAN 80 ACRES IN NENW & SENW, SECTION 34, CLAIM SHOULD HAVE READ 154 ACRES AS ORIGINALLY DEVELOPED AND AS AMENDED ON THIS CLAIM.

15. Basis of Claim: STATUTORY CLAIM

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): C. R. Eickertop Date: Aug 6, 1990  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of TF ) SS.

Subscribed and sworn (or affirmed) before me this 6<sup>th</sup> day  
of Aug 19 90

Don White  
Notary Public

Seal

Residing at TF  
My Commission Expires 5/94

S000714

↓  
5012542  
(#34)

07/06/88  
10:31:38

PILKINTON, C.R.

ADJUDICATION FEE

0410162 9337 6490

\$415.00

\$415.00

CHECK 488

acres  
orig. paid } → 225  
for } → (190)

WR/NO: A36-07650 A36-02610 A36-04001A A36-10151 A36-10152  
A36-10153 A36-04001B

Idaho Department of Water Resources

Region: SOUTHERN

Signature: lw

|            | <u>Fee</u> | <u>ACRES</u>         |
|------------|------------|----------------------|
| A36-07650A | 50         | + 220                |
| - 07650B   | -          | + 4                  |
| - 02610    | 50         |                      |
| - 04001    | 50         |                      |
| - 10151    | 25         |                      |
| - 10152    | 25         |                      |
| - 10153    | 25         |                      |
|            | 225        | + (224) = <u>449</u> |

MICROFILMED  
FEB 01 1993

paid for only  
190 acres  
need #34 to  
complete  
MICROFILMED  
224 acres  
FEB 01 1993

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: A36-04001A  
Date Received: 7/06/1988  
Receipt No: S000714  
Received By: WJ

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

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

2. Date of Priority: MAR 05, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 08S      | 14E   | 33      | SE     | NE     |     |     | GOODING |

5. Description of diverting works:  
WELL, PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/05 | 11/25 | 1.420  |      |        |

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

8. Total consumptive use is 228.0 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     | NW  |               | IRR | 36.0  |
|          |       |         | SE     | NW  |               | IRR | 40.0  |
|          |       |         |        |     | Section Acres |     | 76.0  |
|          |       |         |        |     | Total Acres   |     | 76.0  |

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

4 ACRES SOLD AND TRANSFERRED TO SON 9/1/1989...A3604001B.  
CLAIM ORIGINALLY COVERED 80 ACRES, NOW 76 ACRES.

15. Basis of Claim: STATUTORY CLAIM

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): E. R. Pillington Date: 9/1/89  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of TF ) SS.

Subscribed and sworn (or affirmed) before me this 1st day  
of Sept 19 89 Lois White  
Notary Public

Seal

Residing at TF  
My Commission Expires 5/94

07/06/88  
10:31:38

PILKINTON, C.R.

ADJUDICATION FEE

0410162 9337 6490

\$415.00

\$415.00

CHECK 488

WR/NO: A36-07650    A36-02610    A36-04001A    A36-10151    A36-10152  
         A36-10153    A36-04001B

Idaho Department of Water Resources

Region: SOUTHERN

Signature: \_\_\_\_\_

*File with A36-04001 A & B**AD—*MICROFILMED  
FEB 01 1993

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: A36-04001  
Date Received: 7/06/1988  
Receipt No: S000714  
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

AND/OR

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

2. Date of Priority: MAR 05, 1954

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   | 33      | SE     | NE     |        |     | GOODING |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/05 | 11/25 | 1.500  |      |        |

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 08S      | 14E   | 34      | NE     | NW  |     | IRR           | 40.0  |
|          |       |         | SE     | NW  |     | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 80.0  |
|          |       |         |        |     |     | Total Acres   | 80.0  |

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM  
Water Right Number:

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): C. R. Pilkinton Date: 7/6/88  
\_\_\_\_\_  
Date: \_\_\_\_\_

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

Subscribed and sworn (or affirmed) before me this 6<sup>th</sup> day  
of July 19 88 Len White  
Notary Public

Seal

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

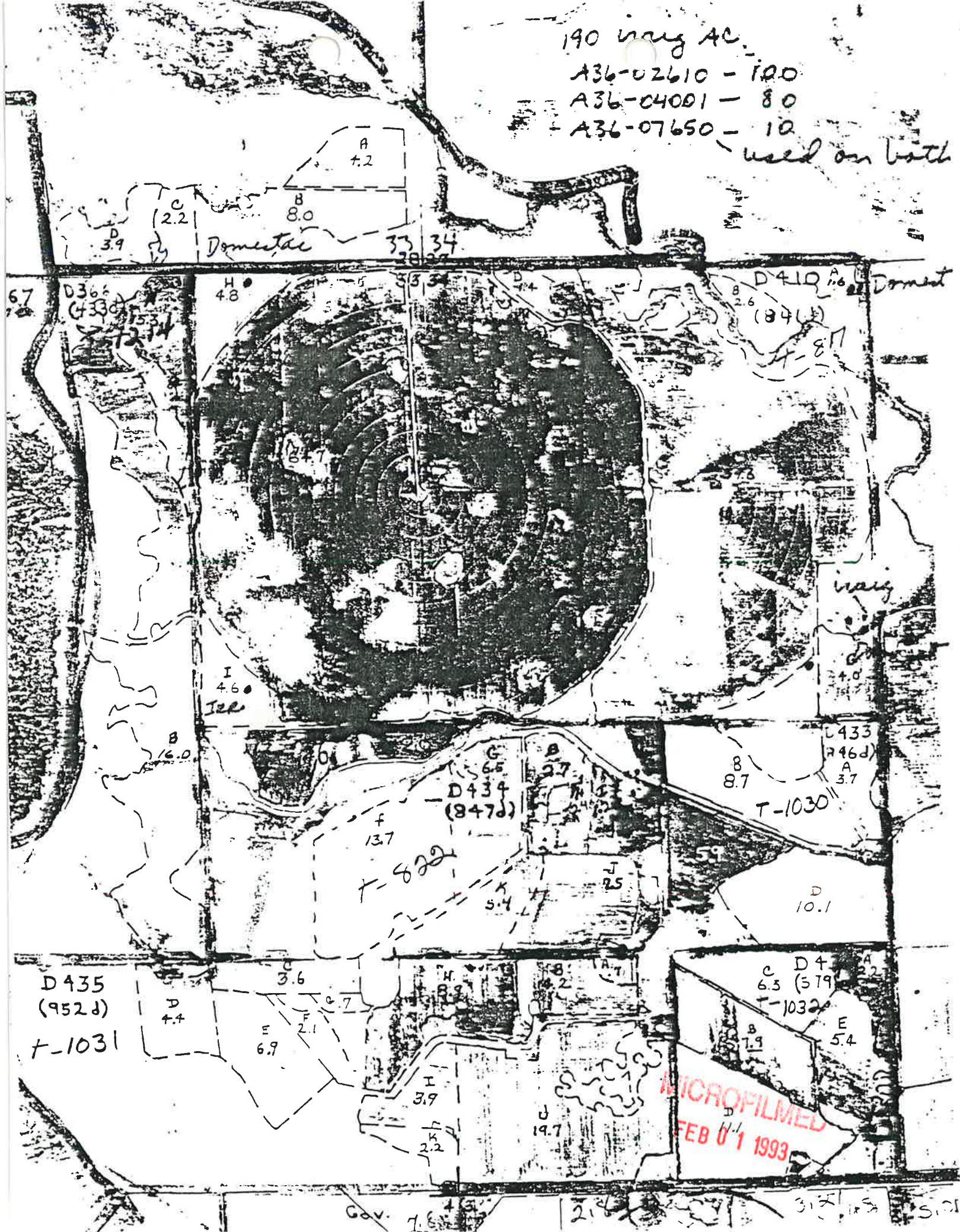
190 wing AC

A36-02610 - 100

A36-04001 - 80

A36-07650 - 10

used on both



Proof of Priority  
File.

REPORT OF WELL DRILLER  
State of Idaho

State law requires that this report shall be filed with the State Department  
Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:  
Name JA. H. FISH  
Address 111 E. 1st St. Boise, Idaho

Drilling Permit No. \_\_\_\_\_  
NATURE OF WORK: ☒ New well ☐ Abandoned well ☐ Repair  
Water to be used for: Domestic

METHOD OF CONSTRUCTION: ☒ Rotary ☐ Cable ☐ Aug ☐ Other \_\_\_\_\_

CAULING METHOD: ☒ Thermal ☐ Welded  
1st "Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
2nd "Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
3rd "Diam. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
Thickness of casing: \_\_\_\_\_  
Material: ☒ Steel ☐ Concrete ☐ Wood ☐ Other \_\_\_\_\_

PERFORATED? Yes ☒ No ☐ Type of  
perforator used: \_\_\_\_\_

Size of perforations: \_\_\_\_\_  
perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
perforations from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
MANUFACTURER'S NAME \_\_\_\_\_  
Type \_\_\_\_\_  
Diam. \_\_\_\_\_  
Diam. \_\_\_\_\_

CONSTRUCTION: Well cement packed? Yes ☐ No ☒  
No. \_\_\_\_\_  
placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
provided? Yes ☐ No ☒ To what depth?  
\_\_\_\_\_ ft. Material used in well: \_\_\_\_\_

Did any strata contain undesirable water? Yes ☐ No ☒  
No. (g) Type of water: \_\_\_\_\_  
Depth of strata \_\_\_\_\_  
strata off: \_\_\_\_\_

Surface water used? Yes ☐ No ☒  
Cemented in place? Yes ☐ No ☒



LOCATION OF WELL: \_\_\_\_\_  
County \_\_\_\_\_  
Township \_\_\_\_\_  
Range \_\_\_\_\_

Top of drilled casing \_\_\_\_\_ Total  
depth of well \_\_\_\_\_ Standing water  
level below ground \_\_\_\_\_ Temp. \_\_\_\_\_  
Inlet \_\_\_\_\_  
or \_\_\_\_\_  
Type of pump and motor used to make test: \_\_\_\_\_

Length of test \_\_\_\_\_ Area in Min.  
Drawdown \_\_\_\_\_ ft. Artesian pressure \_\_\_\_\_ ft.  
above land surface \_\_\_\_\_  
or \_\_\_\_\_  
controlled by: Valve ☐ Cap ☐ Plug ☐  
No control ☐ Does well leak around casing? \_\_\_\_\_

| DEPTH |      | MATERIAL   | WATER     |
|-------|------|------------|-----------|
| FROM  | TO   |            |           |
| FEET  | FEET |            | YES OR NO |
| 0     | 10   | Drill pipe |           |
| 10    | 20   | Drill pipe |           |
| 20    | 30   | Drill pipe |           |
| 30    | 40   | Drill pipe |           |
| 40    | 50   | Drill pipe |           |
| 50    | 60   | Drill pipe |           |
| 60    | 70   | Drill pipe |           |
| 70    | 80   | Drill pipe |           |
| 80    | 90   | Drill pipe |           |
| 90    | 100  | Drill pipe |           |
| 100   | 110  | Drill pipe |           |
| 110   | 120  | Drill pipe |           |
| 120   | 130  | Drill pipe |           |
| 130   | 140  | Drill pipe |           |
| 140   | 150  | Drill pipe |           |
| 150   | 160  | Drill pipe |           |
| 160   | 170  | Drill pipe |           |
| 170   | 180  | Drill pipe |           |
| 180   | 190  | Drill pipe |           |
| 190   | 200  | Drill pipe |           |
| 200   | 210  | Drill pipe |           |
| 210   | 220  | Drill pipe |           |
| 220   | 230  | Drill pipe |           |
| 230   | 240  | Drill pipe |           |
| 240   | 250  | Drill pipe |           |
| 250   | 260  | Drill pipe |           |
| 260   | 270  | Drill pipe |           |
| 270   | 280  | Drill pipe |           |
| 280   | 290  | Drill pipe |           |
| 290   | 300  | Drill pipe |           |
| 300   | 310  | Drill pipe |           |
| 310   | 320  | Drill pipe |           |
| 320   | 330  | Drill pipe |           |
| 330   | 340  | Drill pipe |           |
| 340   | 350  | Drill pipe |           |
| 350   | 360  | Drill pipe |           |
| 360   | 370  | Drill pipe |           |
| 370   | 380  | Drill pipe |           |
| 380   | 390  | Drill pipe |           |
| 390   | 400  | Drill pipe |           |
| 400   | 410  | Drill pipe |           |
| 410   | 420  | Drill pipe |           |
| 420   | 430  | Drill pipe |           |
| 430   | 440  | Drill pipe |           |
| 440   | 450  | Drill pipe |           |
| 450   | 460  | Drill pipe |           |
| 460   | 470  | Drill pipe |           |
| 470   | 480  | Drill pipe |           |
| 480   | 490  | Drill pipe |           |
| 490   | 500  | Drill pipe |           |
| 500   | 510  | Drill pipe |           |
| 510   | 520  | Drill pipe |           |
| 520   | 530  | Drill pipe |           |
| 530   | 540  | Drill pipe |           |
| 540   | 550  | Drill pipe |           |
| 550   | 560  | Drill pipe |           |
| 560   | 570  | Drill pipe |           |
| 570   | 580  | Drill pipe |           |
| 580   | 590  | Drill pipe |           |
| 590   | 600  | Drill pipe |           |
| 600   | 610  | Drill pipe |           |
| 610   | 620  | Drill pipe |           |
| 620   | 630  | Drill pipe |           |
| 630   | 640  | Drill pipe |           |
| 640   | 650  | Drill pipe |           |
| 650   | 660  | Drill pipe |           |
| 660   | 670  | Drill pipe |           |
| 670   | 680  | Drill pipe |           |
| 680   | 690  | Drill pipe |           |
| 690   | 700  | Drill pipe |           |
| 700   | 710  | Drill pipe |           |
| 710   | 720  | Drill pipe |           |
| 720   | 730  | Drill pipe |           |
| 730   | 740  | Drill pipe |           |
| 740   | 750  | Drill pipe |           |
| 750   | 760  | Drill pipe |           |
| 760   | 770  | Drill pipe |           |
| 770   | 780  | Drill pipe |           |
| 780   | 790  | Drill pipe |           |
| 790   | 800  | Drill pipe |           |
| 800   | 810  | Drill pipe |           |
| 810   | 820  | Drill pipe |           |
| 820   | 830  | Drill pipe |           |
| 830   | 840  | Drill pipe |           |
| 840   | 850  | Drill pipe |           |
| 850   | 860  | Drill pipe |           |
| 860   | 870  | Drill pipe |           |
| 870   | 880  | Drill pipe |           |
| 880   | 890  | Drill pipe |           |
| 890   | 900  | Drill pipe |           |
| 900   | 910  | Drill pipe |           |
| 910   | 920  | Drill pipe |           |
| 920   | 930  | Drill pipe |           |
| 930   | 940  | Drill pipe |           |
| 940   | 950  | Drill pipe |           |
| 950   | 960  | Drill pipe |           |
| 960   | 970  | Drill pipe |           |
| 970   | 980  | Drill pipe |           |
| 980   | 990  | Drill pipe |           |
| 990   | 1000 | Drill pipe |           |

Well started \_\_\_\_\_  
Date finished \_\_\_\_\_  
Well finished \_\_\_\_\_  
Drilled under my supervision and this report  
is true to the best of my knowledge.  
Name: C. B. EATON  
Address: \_\_\_\_\_

Signed by: \_\_\_\_\_  
License No. \_\_\_\_\_

MICROFILMED  
FEB 01 1993

Log for claim 36-04001

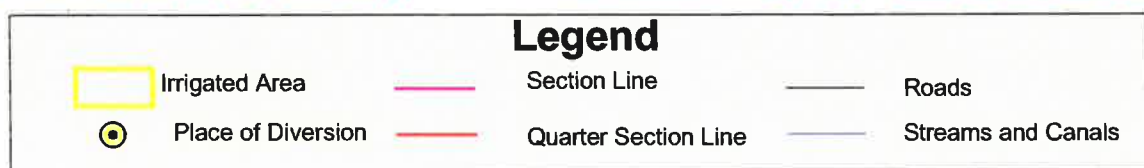
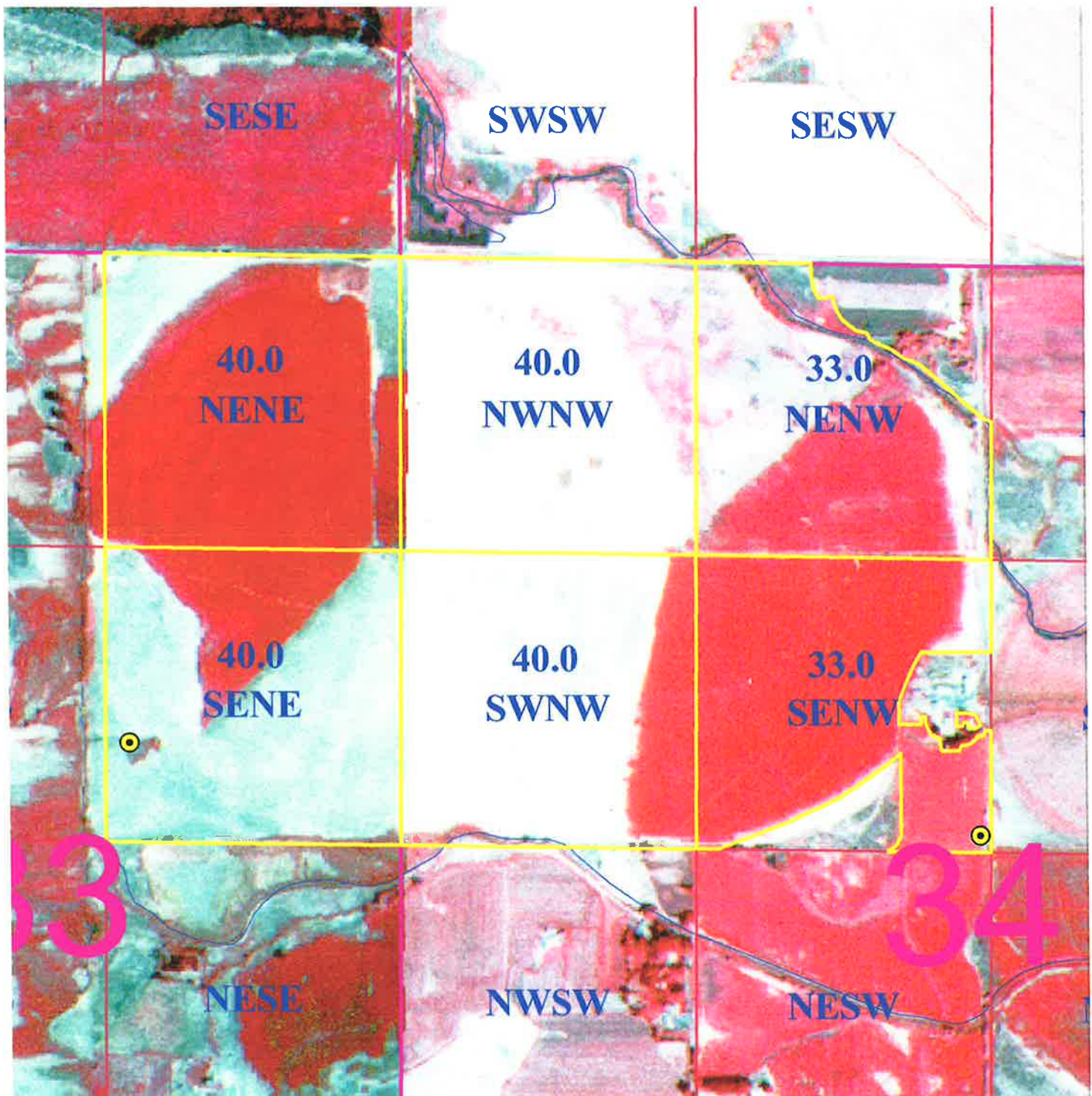
Spatial Dynamics LTD

11/13/01

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

Water Right Number 36-04001  
Township , 8S14E

11/13/2001



500 0 500 1000 Feet



STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

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

FEB 23 1998

1. Water Right No(s).: 36-02610; 36-02720; 36-04001; 36-04050; 36-07650A; 36-10734  
 Adjudication Claim No(s).: \_\_\_\_\_
  
2. The following REQUIRED information must be submitted with this form:
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
  
3. Name and Address of Former Owner/Claimant Frans and Cornelia Aardema and Thomas and Mary Jane Heida dba Aardema-Heida Dairy
  
4. New Owner/Claimant(s) Frans and Cornelia Aardema and Thomas and Mary Jane Heida dba Box Canyon Dairy  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
 New Mailing Address P.O. Box 140  
 City, State and ZIP Code Wendell, ID 83355  
 New Telephone Number (208) 536-2189
  
5. Date you acquired the property N/A See cover L
  
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate \_\_\_\_\_ Number and type of stock \_\_\_\_\_

Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_

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

7. Signature of New Owner or Claimant(s) Frans Aardema 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 entered  
12/23/90



Attorneys at Law

Professional Center  
1020 Main

Michael Hoyt Felton  
Michael Harland Felton (Jr.)

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

August 23, 1999

RECEIVED

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

AUG 25 1999

Department of Water Resources  
Southern Region

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

Dear Ms. Hancock:

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

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

36-02232

36-15181

36-07387B

36-04117

36-04050

36-40001 04001

36-02720

36-02610

36-02535

36-02312B

36-07650A

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

Page # 2  
Vickie Hancock  
August 23, 1999

---

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

Very truly yours,



MICHAEL H. FELTON, (JR.)

MHF/jms



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

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  
CX: 3328 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)

02/03/00 09:15:50  
Page 1

Water Right Number - 36-04001

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - 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

THOMAS

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

BOX CANYON DAIRY

DBA

1 - PO BOX 140  
2 -  
3 -  
City- WENDELL  
Phone - 208-536-2189

State- ID Zip- 83355

\*\*\* D - DIR RPT OWNER \*\*\*  
PILKINTON

C R

1 - 1449-B BOB BARTON  
2 -  
3 -  
City- WENDELL  
Phone - 208-536-2159

State- ID Zip- 83355

PILKINTON

E A

1 - 1449-B BOB BARTON  
2 -  
3 -  
City- WENDELL  
Phone - 208-536-2159

State- ID Zip- 83355

AARDEMA HEIDA DAIRY

DBA

1 - PO BOX 140  
2 -  
3 -  
City- WENDELL  
Phone - 208-536-2189

State- ID Zip- 833550140

AJ0743NP  
(00-124)

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

02/03/00 09:15:51  
Page 2

Water right number - 36-04001

Prefix Translation: WATER RIGHT

+ - - Priority Date - - +      + - - Region - - - +      + - - Stage - - - +      + - - Status - - - +  
08/01/1954      17 SOUTHERN      D - DECREED

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

+ - - Point of Diversion - - - +

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

| Code            | Description | Period From | Water Use<br>Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|------------------------|----------------|------------------|
| 01 - IRRIGATION |             | 04/01       | 10/31                  | 1.500          |                  |

+ - Total Div. Rate - +      + - Total Div. Volume - +      + - Total Consumptive Use - +      + - KW Usage - +  
1.500           0.0

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

Total Acres: 220.0

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

+ - - Non-Irrigation Use -

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

+ - - Remarks - - - +

QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.40 CFS, AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 880 AF. COMBINED RIGHT NOS.: 36-02610 & 36-07650A.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 154 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02610 & 36-07650A.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION

AJ0743NP  
(OD-124)

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

02/03/00 09:15:52  
Page 3

Water right number - 36-04001

Prefix Translation: WATER RIGHT

+ - - - - Remarks - - - - -  
DESCRIBED ABOVE: 36-02610 & 36-07650A.

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

+ - - - - Conditions of Approval - - - - -  
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM  
- NORTH SIDE CANAL CO. LTD.  
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO  
- SECTION 42-1425, IDAHO CODE.

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

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

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

+ - - - - Comments - - - - -

Date: 09/26/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS  
THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A36-04001B: PILKINTON, .08 CFS, 4 AC.

BACK TO ORIGINAL WATER RIGHT FILING. DISREGARD THE ADJUDICATION  
NOW.

ACRES IN NENW & SENW, SECTION 34, CLAIM SHOULD HAVE READ 154  
Date: 07/27/1992 User Id: SCHULTZ Subject: ADDED CONDITION C05  
CLAIM VERIFIED 9/26/91, DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/17/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)  
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 10/01/1992 User Id: MERRITT Subject: RESPONDED TO NOE BY PHONE TO THOMAS PILKINGTON WITH COPY OF  
RESPONSE TO FILE & COPY TO PILKINGTON

Date: 06/14/1995 User Id: TFAWCETT Subject: NAME CHANGE  
6/14/95 TF: CHANGE OF OWNERSHIP MADE. SF3 REC'D 6/7/95.

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  
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT  
\*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  
FOR PARTIAL DECREE

Date: 02/03/2000 User Id: CTIMM Subject: NAME CHANGE

2/3/99, CHANGED THE NAME ONLY FROM AARDEMA HEIDA DAIRY TO BOX  
1409 REC'D 8/25/99. C.T.

A36-04001A: PILKINTON, 1.42 CFS, 76 AC.

8/3/90--ORIGINAL SPLIT IN ERROR. CHANGED ADJUDICATION RIGHT  
SPLIT ON THIS RIGHT. A36-07650A & B REFLECTS THE 4 ACRE SPLIT  
P/U IN ERROR ALSO ON ORIGINAL STATUTORY CLAIM. RATHER THAN 80  
ACRES AS ORIGINALLY DEVELOPED AND AS AMENDED ON THIS CLAIM.

PER LKH.

ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A  
OWNER CHANGE.

+ - - Audit Fields - - +

02/03/00 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 | -       |



AJ0743NP  
(OD-124)

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

02/03/00 09:19:48  
Page 1

Water Right Number - R36-04001

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - 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

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1 - PO BOX 140  
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3 -  
City- WENDELL  
Phone - 208-536-2189

State- ID Zip- 833550140

AARDEMA

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3 -  
City- WENDELL  
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State- ID Zip- 833550140

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3 -  
City- WENDELL  
Phone - 208-536-2189

State- ID Zip- 833550140

HEIDA

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3 -  
City- WENDELL  
Phone - 208-536-2189

State- ID Zip- 833550140

BOX CANYON DAIRY

DBA

1 - PO BOX 140  
2 -  
3 -  
City- WENDELL  
Phone - 208-536-2189

State- ID Zip- 83355

\*\*\* D - DIR RPT OWNER \*\*\*  
PILKINTON

C R

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3 -  
City- WENDELL  
Phone - 208-536-2159

State- ID Zip- 83355

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AJ0743NP  
(OD-124)

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

02/03/00 09:19:48  
Page 2

Water right number - R36-04001

Prefix Translation: RESEARCH

+ - - Priority Date - - +      + - - Region - - - +      + - - Stage - - - +      + - - Status - - - +  
08/01/1954      17 SOUTHERN      D - DECREED

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

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

+ - - Water Use - - - +  
Code      Description      Period From    Period To      Diversion Rate    Diversion Volume  
01 - IRRIGATION      03/15      11/15      1.500

+ - Total Div. Rate - +    + - Total Div. Volume - +      + - Total Consumptive Use - +    + - KW Usage - +  
1.500      0.0

+ - - Place of Use - - - +  
TwN    Rng    Sec    Tract    Lot    Acres    Code    Description      County  
08S    14E    33    NE NE      37.0    01    IRRIGATION      (47) GOODING  
08S    14E    33    SE NE      37.0    01    IRRIGATION      (47) GOODING  
08S    14E    34    NE NW      33.0    01    IRRIGATION      (47) GOODING  
08S    14E    34    NW NW      40.0    01    IRRIGATION      (47) GOODING  
08S    14E    34    SW NW      40.0    01    IRRIGATION      (47) GOODING  
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Total Acres: 220.0

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EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION

Water right number - R36-04001

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +  
DESCRIBED ABOVE: 36-02610 & 36-07650A.

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

+ - - - - - Conditions of Approval - - - - - +  
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM  
- NORTH SIDE CANAL CO. LTD.  
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO  
- SECTION 42-1425, IDAHO CODE.  
C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
- ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

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

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

+ - Decree Date - +  
12/29/1997

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

Date: 09/26/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS  
THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A36-04001B: PILKINTON, .08 CFS, 4 AC.

BACK TO ORIGINAL WATER RIGHT FILING. DISREGARD THE ADJUDICATION  
NOW.

ACRES IN NEW & SENW, SECTION 34, CLAIM SHOULD HAVE READ 154  
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RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A.

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\*CONFORMED NAME TO AVOID DUPLICATE MAILING LABELS

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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  
FOR PARTIAL DECREE

Date: 12/21/1999 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE  
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART

Date: 02/03/2000 User Id: CTIMM Subject: NAME CHANGE  
2/3/00, CHANGED THE NAME ONLY FROM AARDEMA HEIDA DAIRY TO BOX

1409 REC'D 8/25/99. C.T.

A36-04001A: PILKINTON, 1.42 CFS, 76 AC.

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P/U IN ERROR ALSO ON ORIGINAL STATUTORY CLAIM. RATHER THAN 80  
ACRES AS ORIGINALLY DEVELOPED AND AS AMENDED ON THIS CLAIM.

PER LKH.

ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A  
OWNER CHANGE.

OF RECORD THRU AJU10.

CANYON DAIRY AS PER CERTIFICATE OF ASSUMED BUSINESS NAME AND FORM

AJ0743NP  
(OD-124)

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

02/03/00 09:19:49

Page 4

Water right number - R36-04001

**Prefix Translation: RESEARCH**

+ - - Audit Fields - - +

02/03/00 CTIMM

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

Court Report Filing - 00/00/0000  
Objection Filed Date - 00/00/0000  
Response Filed Date - 00/00/0000  
Claim Received Date - 07/06/1988

Field Inspection Made - 00/00/0000  
Field Inspection Flag -  
Verified Date - 00/00/0000  
Last Amended Date - 00/00/0000  
Receipt Number - S000714  
POU Ownership Flag - Y  
Name Connector - AND

|                         |   |       |
|-------------------------|---|-------|
| Civil Case Number       | - | 39576 |
| Old Case Number         | - |       |
| Old Judicial District   | - |       |
| Temporary Right         | - | P     |
| Water District          | - |       |
| Federal/State Indicator | - | S     |
| Presumption Flag        | - |       |
| Notice of Error Flag    | - | B     |



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

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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

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Box Canyon Dairy

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| Name                              | Address                              |
|-----------------------------------|--------------------------------------|
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| <u>Tom and Mary Jane Heida</u>    | <u>P O Box 140 Wendell, ID 83355</u> |

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Agriculture

See categories on the reverse

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

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

Signed Box Canyon Dairy

By Tom Heida  
Tom Heida

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

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

Customer #

Secretary of State use only  
IDAHO SECRETARY OF STATE

08/20/1997 09:00  
CK: 3328 CT: 47068 IN: 31325

1 @ 20.00 = 20.00 ASSUM NAME

07380

g:\corp\forms\assumnmn.pm Revision 10/95

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 25 1999

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources  
Southern Region

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).: 36-02232, 36-15181, 36-07387B, 36-04117, 36-04050

Adjudication Claim No(s).: \_\_\_\_\_

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

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

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant

Frans and Cornelia Aardema, Tom and Mary Jane Heida, d/b/a Aardema Heida Dairy

4. New Owner/Claimant(s)

P O Box 140, Wendell, ID 83355

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

New Mailing Address

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

P O Box 140

City, State and ZIP Code

Wendell, Idaho 83355

New Telephone Number

(208) 536-2189

5. Date you acquired the property There has been no change in ownership, only a change in the name the partnership is doing business under. See Certificate of Assumed Business Name attached.

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate \_\_\_\_\_ Number and type of stock \_\_\_\_\_

Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_

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

7. Signature of New Owner or Claimant(s)

FRANS AARDEMA

CORNELIA AARDEMA

TOM HEIDA

MARY JANE HEIDA

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

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

11/23/99 Changed DBA

# 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

08/28/1997 09:00  
CK: 3328 CT: 47068 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



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)

September 3, 1998

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

RECEIVED

SEP 04 1998

Department of Water Resources

Dear Madam Clerk:

RE: Box Canyon Dairy  
Application for Transfer of Water Right  
SRBA Civil Case No. 39576  
Our File No.: 3843

Enclosed herein please find original and one copy of Application for Transfer of Water Right and Notice of Appearance for the following water rights numbers:

|                    |           |
|--------------------|-----------|
| Water Right Number | 36- 02535 |
| Water Right Number | 36- 04117 |

It would be appreciated if you would date stamp the copies and return them to this office in the enclosed self-addressed, stamped envelope.

Your assistance in this matter is greatly appreciated. If you have any questions or comments after reviewing the enclosed documentation, do not hesitate to contact me. I look forward to working with you on this matter.

Very truly yours,

MICHAEL H. FELTON (JR.)

MHF/js  
Enclosure (9)  
pc: Box Canyon Dairy

SEP 04 1998

Department of Water Resources

\* \* \* \* \*

\* \* \* \* \*

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

11  
12 DATED: August 24, 1998.

13  
14 FELTON & FELTON

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

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

NOTICE OF APPEARANCE

to:

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

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

  
\_\_\_\_\_  
MICHAEL H. FELTON, JR.

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 By 

10 MICHAEL H. FELTON

11 Attorneys for Respondent  
12  
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1 CERTIFICATE OF SERVICE

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

8 **Notice of Appearance**

9 to:

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

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

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

DATE: 01/16/97  
PAGE: 1

Remarks: GEN THIS RIGHT IS LIMITED TO THE IRRIGATION OF 154 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02610 & 36-07650A. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL

# DO NOT FEAR

Remarks: OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT  
NOS.: 36-02610 & 36-07650A.

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

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

Comments: Date: 09/26/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS  
THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A36-04001A: PILKINTON, 1.42 CFS, 76 AC.

A36-04001B: PILKINTON, .08 CFS, 4 AC.

8/3/90--ORIGINAL SPLIT IN ERROR. CHANGED ADJUDICATION RIGHT  
BACK TO ORIGINAL WATER RIGHT FILING. DISREGARD THE ADJUDICATION  
SPLIT ON THIS RIGHT. A36-07650A & B REFLECTS THE 4 ACRE SPLIT  
NOW.

P/U IN ERROR ALSO ON ORIGINAL STATUTORY CLAIM. RATHER THAN 80  
ACRES IN NENW & SENW, SECTION 34, CLAIM SHOULD HAVE READ 154  
ACRES AS ORIGINALLY DEVELOPED AND AS AMENDED ON THIS CLAIM.

Date: 07/27/1992 User-ID: SCHULTZ Subject: ADDED CONDITION C05  
CLAIM VERIFIED 9/26/91, DID NOT REVERIFY ANY PART OF CLAIM.  
PER LKH.

Date: 09/17/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)  
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 10/01/1992 User-ID: MERRITT Subject: RESPONDED TO NOE BY PHONE TO THOMAS PILKINGTON WITH COPY OF  
RESPONSE TO FILE & COPY TO PILKINGTON

Date: 06/14/1995 User-ID: TFAWCETT Subject: NAME CHANGE  
6/14/95 TF: CHANGE OF OWNERSHIP MADE. SF3 REC'D 6/7/95.

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 FILE WITH

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

11  
12 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
13 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

14 \* \* \* \* \*

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

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

24 Petitioner, )

25 vs: )

26 NOTICE OF APPEARANCE

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

31 Respondents. )

32 \* \* \* \* \*

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

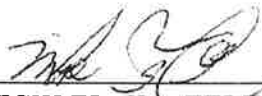
35 NOTICE OF APPEARANCE

36  
Felton &  
Felton  
Attorneys  
At Law  
Buhl, Idaho

1 Jane Heida d/b/a Aardema-Heida Dairy, the Respondent in the above-  
2 entitled action, as counsel of record for said Respondents with  
3 respect to Water Rights Numbers A36-04001.

4 DATED: January 10, 1997.

5 FELTON & FELTON

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

**CERTIFICATE OF SERVICE**

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

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: **A36-04001**  
Date Received: 7/ 6/1988  
Receipt No: S000714  
Received By: th

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

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

2. Date of Priority: MAR 5, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 08S      | 14E   | 33      | SW     | SE     | NE  |     | GOODING |

5. Description of diverting works:  
WELL, PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 1.500 |      |        |

**MICROFILMED**

7. Total Quantity Appropriated is:

1.500 C.F.S. (and/or) 608.00 A.F.A.

8. Total consumptive use is 462.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 08S      | 14E   | 33      | NE     | NE  |     | IRR           | 37.0  |
|          |       |         | SE     | NE  |     | IRR           | 37.0  |
|          |       |         |        |     |     | Section Acres | 74.0  |
|          |       | 34      | NW     | NW  |     | IRR           | 40.0  |
|          |       |         | SW     | NW  |     | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 80.0  |
|          |       |         |        |     |     | Total Acres   | 154.0 |

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:

A36-07650A, -02610, CANAL WATER

14. Remarks:

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A36-04001A: PILKINTON, 1.42 CFS, 76 AC.

A36-04001B: PILKINTON, .08 CFS, 4 AC.

8/3/90--ORIGINAL SPLIT IN ERROR. CHANGED ADJUDICATION RIGHT BACK TO ORIGINAL WATER RIGHT FILING. DISREGARD THE ADJUDICATION SPLIT ON THIS RIGHT. A36-07650A & B REFLECTS THE 4 ACRE SPLIT NOW.

P/U IN ERROR ALSO ON ORIGINAL STATUTORY CLAIM. RATHER THAN 80 ACRES IN NENW & SENW, SECTION 34, CLAIM SHOULD HAVE READ 154 ACRES AS ORIGINALLY DEVELOPED AND AS AMENDED ON THIS CLAIM.

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

\*\*\*\*\*

6/14/95 TF OWNERSHIP CHANGE MADE. SF3 REC'D 6/7/95.

15. Basis of Claim: STATUTORY CLAIM

Michael Hoyt Felton  
Michael Harland Felton (Jr.)

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

May 26, 1995

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

RECEIVED

JUN 07 1995

Department of Water Resources  
Southern Region

RECEIVED

MAY 30 1995

Department of Water Resources

Dear Mr. Shaff:

Our File No. 2476

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

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

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

Very truly yours,



MICHAEL HARLAND FELTON

MHF:bf  
pc: Tom Heida  
Enclosures (8)

MICROFILMED  
DEC 04 1996

Michael Hoyt Felton  
Michael Harland Felton (Jr.)

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

April 19, 1995

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

RECEIVED

JUN 07 1995

Department of Water Resources  
Southern Region

Dear Madam Clerk:

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

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

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

Please enter the documents with the Court.

Very truly yours,



MICHAEL HARLAND FELTON

MHF:js  
Enclosures (6)  
PC: Thomas Heida

MICROFILMED

DEC 04 1996

*FELTON & FELTON*  
Attorneys at Law

Professional Center  
1020 Main

Michael Hoyt Felton  
Michael Harland Felton (Jr.)

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

April 19, 1995

RECEIVED

JUN 07 1995

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

Dear Ladies and Gentlemen:

Department of Water Resources  
Southern Region

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

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

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

Please enter the documents into your files.

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

Very truly yours,



MICHAEL HARLAND FELTON

MHF:js  
Enclosures (6)  
PC: Thomas Heida

MICROFILMED

DEC 04 1996

RECEIVED

JUN 07 1995

APR 13 95

Department of Water Resources  
Southern Region

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

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

Case No. 39576

STANDARD FORM 3

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

STANDARD FORM FOR NOTICE  
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF  
PARTY

vs.

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

36-02610 }  
36-04001 } + CM  
36-07650 A }  
6-1-95

Respondents.

INSTRUCTIONS FOR USE

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

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

☒ **CONSENT TO SUBSTITUTION OF PARTY**

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

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

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

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

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

C. R. & E. A. Pilkinton

1449B Bob Barton Road

Wendell, Idaho 83355

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

(Insert each water right number)

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

Warranty Deed

C R Pilkinton - deceased  
x E A Pilkinton  
(Signature of prior claimant/seller)

Thomas Heida  
(Signature of new claimant/purchaser)

☒ **ATTORNEY OF RECORD COMPLETING FORM**

My name is Michael Harland Felton

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

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

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

Buhl, Idaho 83316

(208) 543 4368

## INSTRUCTIONS FOR MAILING

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

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

### CERTIFICATE OF MAILING

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

1. Original to:

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

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

---

---

---

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

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

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

---

---

---

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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: A36-04001  
Date Received: 7/ 6/1988  
Receipt No: S000714  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

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

2. Date of Priority: MAR 5, 1954

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   | 33      | SW     | SE     | NE     |     | GOODING |

5. Description of diverting works:  
WELL, PUMP

6. Water is used for the following purposes:

|            |       |       |       |      |        |
|------------|-------|-------|-------|------|--------|
| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
| IRRIGATION | 04/01 | 10/31 | 1.500 |      |        |

7. Total Quantity Appropriated is:  
1.500 C.F.S. (and/or) 608.00 A.F.A.

8. Total consumptive use is 462.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 08S      | 14E   | 33      | NE  |    | NE  |     | IRR           | 37.0  |
|          |       |         | SE  |    | NE  |     | IRR           | 37.0  |
|          |       |         |     |    |     |     | Section Acres | 74.0  |
|          |       | 34      | NW  |    | NW  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NW  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 80.0  |
|          |       |         |     |    |     |     | Total Acres   | 154.0 |

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:  
A36-07650A, -02610, CANAL WATER

14. Remarks:

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A36-04001A: PILKINTON, 1.42 CFS, 76 AC.

A36-04001B: PILKINTON, .08 CFS, 4 AC.

8/3/90--ORIGINAL SPLIT IN ERROR. CHANGED ADJUDICATION RIGHT BACK TO ORIGINAL WATER RIGHT FILING. DISREGARD THE ADJUDICATION SPLIT ON THIS RIGHT. A36-07650A & B REFLECTS THE 4 ACRE SPLIT NOW.

P/U IN ERROR ALSO ON ORIGINAL STATUTORY CLAIM. RATHER THAN 80 ACRES IN NENW & SENW, SECTION 34, CLAIM SHOULD HAVE READ 154 ACRES AS ORIGINALLY DEVELOPED AND AS AMENDED ON THIS CLAIM.

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

15. Basis of Claim: STATUTORY CLAIM



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

APR 27 1995

DATE OF CLOSING: 4/15/93

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

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)  
Assigned by IDWR: #36-02610 - # 36-04001 - # 36-07650A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): C. R. AND E.A. PILKINTON  
1449-B Bob Barton Road  
Wendell, ID 83355
- ☐ New Owner/Claimant (Purchaser): Frans and Cornelia Aardema and Thomas H. and Mary Jane Heida
- ☐ New Mailing Address: d/b/a Aardema - Heida Dairy  
P. O. Box 140  
Wendell, ID 83355 -0140
- ☐ New Telephone Number: ( 208 ) 536 - 2189
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes 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): Mary Jane Heida Cornelia Aardema Date \_\_\_\_\_
- ☐ Signature of Former Owner/Claimant(s): Cornelia Aardema Date \_\_\_\_\_

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

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5-24-95 By: RME

Further Action Needed:

Further Action Taken

Date: 05-25-95

Final Review and Data-Entry

Date:

Claim Numbers of Split, if any:

of 3 mailed to Heida 5-23-95. 20  
"A" records only -

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

MICROFILMED

DEC 04 1996

RECEIVED

APR 27 1995

Department of Water Resources

EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-04001

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

TOTAL ACRES:

220.0

MICROFILMED

DEC 04 1996

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



## WARRANTY DEED

For Value Received

EVELYN AGNES PILKINTON, TRUSTEE OF THE PILKINTON TRUST DATED FEBRUARY 27, 1990

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

FRANK ARDEMA AND CORNELIA ARDEMA, HUSBAND AND WIFE AND

THOMAS H. HEIDA AND MARY JANE HEIDA, HUSBAND AND WIFE,

hereinafter referred to as Grantees, whose current address is

P.O. Box 140, Wendell, ID 83355

the following described premises, to-wit:

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

152176

STATE OF IDAHO COUNTY OF GOODING  
 Filed for record at the recorder of FIRST AMERICAN TITLE  
 50 min. past 3 o'clock p.m. this 2  
 of April 1993  
 JOHN A. MYERS Recorder  
 By *[Signature]* Deputy

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

Dated: March 29, 1993.  
 April 29, 1993.

*Evelyn Agnes Pilkinton*  
 Evelyn Agnes Pilkinton

STATE OF IDAHO

COUNTY OF GOODING

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



*Florence K. Lemire*  
 Notary Public of Idaho  
 Residing at Gooding, Idaho  
 Commission Expires: 12/31/98  
 4/26/98

First American Title Company of Idaho

A36-0 4001

MICROFILMED  
 DEC 04 1996

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APR 27 1995

## EXHIBIT A

Department of Water Resources

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

## EXCEPTING THEREFROM:

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

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

## SUBJECT TO THE FOLLOWING:

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

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

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

152185

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

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

of April, 1993 6:00

JOHN A. MYERS Recorder

by Caroline Selig Deputy

A36-04001

MICROFILMED  
DEC 04 1996

Water Right Number - 36-04001

Prefix Translation: WATER RIGHT

Old (D) Number -

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

+ - First Name - - +

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

\*\*\* C - CURRENT OWNER \*\*\*

PILKINTON

E A

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

C R

+ - - Priority Date - - +  
08/01/1954+ - - Region - - - +  
17 SOUTHERN+ - - Stage - - - +  
J - BENEFICIAL USE

+ - - Status - - - +

+ - - Source - - - - - +  
GROUNDWATER

+ - - Tributary - - - - - +

| TwN | Rng | Sec | Tract | Lot | RFlg | County | Point of Diversion | Diversion Name |
|-----|-----|-----|-------|-----|------|--------|--------------------|----------------|
|-----|-----|-----|-------|-----|------|--------|--------------------|----------------|

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

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

|                 |  |       |       |  |       |  |
|-----------------|--|-------|-------|--|-------|--|
| 01 - IRRIGATION |  | 04/01 | 10/31 |  | 1.500 |  |
|-----------------|--|-------|-------|--|-------|--|

|                         |                           |                             |                               |                  |
|-------------------------|---------------------------|-----------------------------|-------------------------------|------------------|
| + - Total Div. Rate - + | + - Total Div. Volume - + | + - Total Div. Capacity - + | + - Total Consumptive Use - + | + - KW Usage - + |
| 1.500                   |                           |                             | 0.0                           |                  |

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

Total Acres: 220.0

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

+ - - Non-Irrigation Use -

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

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APR 27 1995

Department of Water Resources

MICROFILMED

DEC 0 1 1995



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

May 23, 1995

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

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

Dear Claimants:

36-02535 and 36-02720

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

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

Sincerely,

Idaho Department of Water Resources  
Adjudication Bureau

SO:ss:region

Enclosure:

(3) Standard Form 3

MICROFILMED

DEC 04 1996



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: 4/15/93

APR 21 1995

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

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)  
Assigned by IDWR: #36-02610 -- # 36-04001 -- # 36-07650A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): C. R. AND E.A. PILKINTON  
1449-B Bob Barton Road  
Wendell, ID 83355
- ☐ New Owner/Claimant (Purchaser): Frans and Cornelia Aardema and Thomas H. and Mary Jane Heida
- ☐ New Mailing Address: d/b/a Aardema - Heida Dairy  
P. O. Box 140  
Wendell, ID 83355 -0140
- ☐ New Telephone Number: ( 208 ) 536 - 2189
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed Attached  
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): Thomas H. Heida Frans Aardema Date \_\_\_\_\_  
Mary Jane Heida Cornelia Aardema
- ☐ Signature of Former Owner/Claimant(s): Cornelia Aardema Date \_\_\_\_\_  
Date \_\_\_\_\_

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

## FOR IDWR USE ONLY:

Initial Review and Data-Entry  
Date: \_\_\_\_\_ By: \_\_\_\_\_  
Further Action Needed:

Further Action Taken  
Date: \_\_\_\_\_ By: \_\_\_\_\_  
Final Review and Data-Entry  
Date: \_\_\_\_\_ By: \_\_\_\_\_  
Claim Numbers of Split, if any:

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

MICROFILMED

DEC 04 1996

EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-02610

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

MICROFILMED

DEC 04 1996

EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-07650A

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

MICROFILMED

DEC 04 1996

EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-04001

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

MICROFILMED

DEC 0 4 1996



## WARRANTY DEED

For Value Received

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

the following described premises, to-wit:

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

152176

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

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

Dated: March  
 April 29, 1993.

Evelyn Agnes Pilkinton  
 Evelyn Agnes Pilkinton

STATE OF IDAHO  
 COUNTY OF GOODING

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



Florence K. Leslie  
 Notary Public of Idaho  
 Residing at Gooding, Idaho  
 Commission Expires: 12/31/98  
 4/26/98

First American Title Company of Idaho

MICROFILMED

DEC 04 1996

EXHIBIT A

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

EXCEPTING THEREFROM:

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

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

SUBJECT TO THE FOLLOWING:

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

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

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

152185 *re-sent*

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

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

*C. A. Phillips* 1993 6.00

JOHN A. MYERS Recorder

*C. A. Phillips* Deputy

FILMED  
DEC 04 1996

Water Right Number - 36-04001

Prefix Translation: WATER RIGHT

Old (D) Number -

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

+ - First Name - - +

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

\*\*\* C - CURRENT OWNER \*\*\*  
AARDEMA

FRANS

1 - DBA AARDEMA - HEIDA DAIRY  
2 - PO BOX 140  
3 -

City- WENDELL State- ID Zip- 833550140

Phone - 208-536-2189

AARDEMA

CORNELIA

1 - DBA AARDEMA - HEIDA DAIRY  
2 - PO BOX 140  
3 -

City- WENDELL State- ID Zip- 833550140

Phone - 208-536-2189

HEIDA

THOMAS

1 - DBA AARDEMA HEIDA DAIRY  
2 - PO BOX 140  
3 -

City- WENDELL State- ID Zip- 833550140

Phone - 208-536-2189

HEIDA

MARY JANE

1 - DBA AARDEMA HEIDA DAIRY  
2 - PO BOX 140  
3 -

City- WENDELL State- ID Zip- 833550140

Phone - 208-536-2189

\*\*\* D - DIR RPT OWNER \*\*\*  
PILKINTON

C R

1 - 1449-B BOB BARTON  
2 -  
3 -

City- WENDELL State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

E A

1 - 1449-B BOB BARTON  
2 -  
3 -

City- WENDELL State- ID Zip- 83355

Phone - 208-536-2159

+ - - Priority Date - - +  
08/01/1954+ - - Region - - - +  
17 SOUTHERN+ - - Stage - - - +  
J - BENEFICIAL USE

+ - - Status - - - - +

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

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

+ - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County08S 14E 33 SW SE NE (47) GOODING  
34 SE SE NW (47) GOODING+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 04/01 10/31 1.500MICROFILMED  
DEC 04 1995

Water right number - 36-04001

Prefix Translation: WATER RIGHT

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
1.500 0.0

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

Total Acres: 220.0

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

+ - - Non-Irrigation Use -

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

+ - - - - - Remarks - - - - - +  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 154 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.  
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE: 36-02610 & 36-07650A.  
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE  
USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL  
OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT  
NOS.: 36-02610 & 36-07650A.

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

+ - - - - - Conditions of Approval - - - - - +  
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM  
- NORTH SIDE CANAL CO. LTD.  
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: 09/26/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A36-04001B: PILKINTON, .08 CFS, 4 AC.

BACK TO ORIGINAL WATER RIGHT FILING. DISREGARD THE ADJUDICATION  
NOW.

ACRES IN NENW &amp; SENW, SECTION 34, CLAIM SHOULD HAVE READ 154

A36-04001A: PILKINTON, 1.42 CFS, 76 AC.

8/3/90--ORIGINAL SPLIT IN ERROR. CHANGED ADJUDICATION RIGHT  
SPLIT ON THIS RIGHT. A36-07650A & B REFLECTS THE 4 ACRE SPLIT  
P/U IN ERROR ALSO ON ORIGINAL STATUTORY CLAIM. RATHER THAN 80  
ACRES AS ORIGINALLY DEVELOPED AND AS AMENDED ON THIS CLAIM.MICROFILMED  
MICROFILMED  
DEC 04 1996

Water right number - 36-04001

Prefix Translation: WATER RIGHT

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

Date: 07/27/1992 User Id: SCHULTZ Subject: ADDED CONDITION C05  
CLAIM VERIFIED 9/26/91, DID NOT REVERIFY ANY PART OF CLAIM. PER LKH.  
Date: 09/17/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)  
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A.  
Date: 10/01/1992 User Id: MERRITT Subject: RESPONDED TO NOE BY PHONE TO THOMAS PILKINGTON WITH COPY OF  
RESPONSE TO FILE & COPY TO PILKINGTON  
Date: 06/14/1995 User Id: TFAWCETT Subject: NAME CHANGE  
6/14/95 TF: CHANGE OF OWNERSHIP MADE. SF3 REC'D 6/7/95.

+ - - Audit Fields - - +

06/14/95 TFAWCETT

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

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

MICROFILMED

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

June 14, 1995

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

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

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

Ladies and Gentlemen:

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

Sincerely,

Trish Fawcett  
Technical Records Specialist

enc.

MICROFILMED

**NOTICE OF ERROR**

**RESPONSE**

**CORRECTED R PROOF**

**MICROFILMED**  
**FEB 01 1993**

Water Right Number - R36-04001

Prefix Translation: RESEARCH

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
PILKINTON

E A

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

C R

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +  
08/01/1954 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
GROUNDWATER

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

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

| Code            | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|----------------|------------------|
| 01 - IRRIGATION |             | 04/01       | 10/31     | 1.500          |                  |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
1.500 0.0

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

Total Acres: 220.0

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

+ - - Non-Irrigation Use -

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

MICROFILMED  
FEB 01 1993

Water right number - R36-04001

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 154 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.  
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE: 36-02610 & 36-07650A.  
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE  
USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL  
OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT  
NOS.: 36-02610 & 36-07650A.

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

+ - - - - - Conditions of Approval - - - - - +  
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM  
- NORTH SIDE CANAL CO. LTD.  
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: 09/26/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS  
THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:  
A36-04001B: PILKINTON, .08 CFS, 4 AC.  
BACK TO ORIGINAL WATER RIGHT FILING. DISREGARD THE ADJUDICATION  
NOW.  
ACRES IN NENW & SENW, SECTION 34, CLAIM SHOULD HAVE READ 154  
Date: 07/27/1992 User Id: SCHULTZ Subject: ADDED CONDITION C05  
CLAIM VERIFIED 9/26/91, DID NOT REVERIFY ANY PART OF CLAIM.  
Date: 09/17/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)  
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A.  
Date: 10/01/1992 User Id: MERRITT Subject: RESPONDED TO NOE BY PHONE TO THOMAS PILKINGTON WITH COPY OF  
RESPONSE TO FILE & COPY TO PILKINGTON  
A36-04001A: PILKINTON, 1.42 CFS, 76 AC.  
8/3/90--ORIGINAL SPLIT IN ERROR. CHANGED ADJUDICATION RIGHT  
SPLIT ON THIS RIGHT. A36-07650A & B REFLECTS THE 4 ACRE SPLIT  
P/U IN ERROR ALSO ON ORIGINAL STATUTORY CLAIM. RATHER THAN 80  
ACRES AS ORIGINALLY DEVELOPED AND AS AMENDED ON THIS CLAIM.  
PER LKH.

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

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

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

MICROFILMED  
FEB 0 1 1993

RESPONSE TO NOTICE OF ERROR  
IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

Claimant Contact Person Thomas Pilkington

Others Present None

Contact By (give date) \_\_\_\_\_

Meeting (location): \_\_\_\_\_

Phone Call (no.) 536-2159

Letter (attach letter): \_\_\_\_\_

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

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

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

III. Additional information provided by claimant: None

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

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

RECEIVED

FEB 01 1993

AUG-24-1992

# NOTICE OF ERROR FOR

RECEIVED

SEP 14 1992

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

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Idaho Department of Water Resources

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

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

1. Water right number: 36-4001; 36-2610; and 36-07650A

2. Name: E. A. Pilkinton

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

Weekday Telephone Number: (208) 536-2159

**TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE**

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

3. Describe the portion of proposed recommendation with which you disagree:  
Remarks section of recommendation on the three rights.  
It states that "right with rights listed below is limited to a total combined diversion rate of 4.40 CFS...."

4. Describe the changes you wish to have made in the proposed recommendation:  
The combined total of the recommendation is 4.72 CFS (1.50 CFS + 2.00 CFS + 1.22 CFS, respectively) yet the remarks would limit the total to 4.40 CFS. We would like the remarks section altered to reflect the arithmetic total of the the separate recommendations.

5. Describe why you disagree with the proposed recommendation:  
Northside Canal Co. Water has been sold, effective: 1 Jan 93. The language of the remarks reflects language reserved only for two of the three rights as amended. We have proven and used the diversion as originally applied for.

6. Date: 5 September 1992

SIGNATURE

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

MICROFILMED  
FEB 01 1993

**R PROOF**

**X**

**CVR**

**X**

**MAPS**

**PHOTOS**

**MISC**

**MICROFILMED**

**FEB 01 1993**

VERIFIED BY

Sc

Water Right Number - R36-04001

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

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

\*\*\* C - CURRENT OWNER \*\*\*

PILKINTON

E A

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

C R

1 - 1449-B BOB BARTON

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

+ - - Priority Date - - +  
08/01/1954+ - - Region - - - +  
17 SOUTHERN+ - - Stage - - - +  
J - BENEFICIAL USE

+ - - Status - - - - +

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

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

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

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

| Code            | Description | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|
| 01 - IRRIGATION |             | 03/15       | 11/15     |           | 1.500          |                  |

| + - Total Div. Rate - + | + - Total Div. Volume - + | + - Total Consumptive Use - + | + - KW Usage - + |
|-------------------------|---------------------------|-------------------------------|------------------|
| 1.500                   |                           | 0.0                           |                  |

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

Total Acres: 220.0

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

+ - - Non-Irrigation Use -

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

MICROFILMED

FEB 0 1 1993

Water right number - R36-04001

Prefix Translation: RESEARCH

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

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 154 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02610 & 36-07650A. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02610 & 36-07650A.

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

No Old Water Right Numbers Found

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

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

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

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

Date: 09/26/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A36-04001B: PILKINTON, .08 CFS, 4 AC.

BACK TO ORIGINAL WATER RIGHT FILING. DISREGARD THE ADJUDICATION NOW.

ACRES IN NENW &amp; SENW, SECTION 34, CLAIM SHOULD HAVE READ 154

A36-04001A: PILKINTON, 1.42 CFS, 76 AC.

8/3/90--ORIGINAL SPLIT IN ERROR. CHANGED ADJUDICATION RIGHT SPLIT ON THIS RIGHT. A36-07650A & B REFLECTS THE 4 ACRE SPLIT P/U IN ERROR ALSO ON ORIGINAL STATUTORY CLAIM. RATHER THAN 80 ACRES AS ORIGINALLY DEVELOPED AND AS AMENDED ON THIS CLAIM.

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

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

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

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# CONVERSATION MEMORANDUM

NAME OF PARTY \_\_\_\_\_  
EMPLOYEE: \_\_\_\_\_

DATE 7/24/90  
FILE A36-04001A

RE: confirmed POD = SESENE <sup>POD</sup> (incorrect) <sub>509-24-21</sub>

confirmed POW in error - see below

transferred 4 acres (.08 cfs) worth  
of water to son for property

2 separate wells involved  
split in error - should have been  
split off of A36-07650

POW should have originally been listed

33 NENE 37

SENE 37

34 NWNW 40

SWNW 40

154

A claim back to  
A36-04001

well designed same as A36-02610

24' lift

100 HP

2.4 cfs

House moved on 5 yrs ago  
well drilled 12 yrs ago

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# RECOMMENDED PERMISSIBLE PLACE OF USE:

CLAIMS: A36-02610  
A36-07650A

A36-04001

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

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

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

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

220 Acres

$$\times 0.02 = 4.40 \text{ CG}$$

$$\times 3 = 660 \text{ AF CH.}$$

$$\times 4 = 880 \text{ AF D.V.}$$

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

12:45:13  
08/09/90

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A36-04001

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

FIRST: E.A.  
STATE: ID ZIP: 83355

OWNER CODE: C

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

FIRST: C.R.  
STATE: ID ZIP: 83355

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE  
Y

FIELD  
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:  
A36-04001A: PILKINTON, 1.42 CFS, 76 AC.  
A36-04001B: PILKINTON, .08 CFS, 4 AC.  
8/3/90--ORIGINAL SPLIT IN ERROR. CHANGED ADJUDICATION RIGHT  
BACK TO ORIGINAL WATER RIGHT FILING. DISREGARD THE ADJUDICATION  
SPLIT ON THIS RIGHT. A36-07650A & B REFLECTS THE 4 ACRE SPLIT  
NOW.  
P/U IN ERROR ALSO ON ORIGINAL STATUTORY CLAIM. RATHER THAN 80  
ACRES IN NENW & SENW, SECTION 34, CLAIM SHOULD HAVE READ 154  
ACRES AS ORIGINALLY DEVELOPED AND AS AMENDED ON THIS CLAIM.

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CONTACT PERSON: C.R. PILKINGTON

PHONE NUMBER: ( ) -

DATE OF FIELD EXAM: 7/24/90

APPOINTMENT MADE: Y( ) N( ☒ )

TIME: 2: A( ) P( ☒ )

ACCOMPANIED BY: C.R.

PHONE NUMBER: ( ) -

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / REMARKS:

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RECORDED  
FEB 01 1993

A. AJ CLAIM: # A36-04001 PRIORITY DATE: 03-05-1954 STAGE: S

B. WR RECORD: # 36-04001 PRIORITY DATE: 03-05-1954 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD  
EXAMINER

N

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

REMARKS:

*recommend date well was finished on  
Eaton's well drillers log.*

RECOMMENDED PRIORITY DATE:

~~03-05-1954~~

*8/1/1954*

REVIEWED BY

*rw*

DATE

*8/10/90*

MICROFILMED  
FEB 01 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY    |
|-----------|------|------|------|-----|-----|-----|-----|---------|
| A36-04001 | 08S  | 14E  | 33   | SW  | SE  | NE  |     | GOODING |

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

WR RECORDS IN SAME 40 ACRE TRACT  
36-07650

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY    |
|----------|------|------|------|-----|-----|-----|-----|---------|
| 36-04001 | 08S  | 14E  | 33   |     | SE  | NE  |     | GOODING |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX  
A36-07650A NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE  
Y  
N

FIELD  
EXAMINER

N

REMARKS:

MICROFILMED  
FEB 01 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

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

*same as claimed*

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

*lw*

DATE:

*8/10/90*

MICROFILMED  
FEB 01 1993

A. ROOT WATER RIGHT NUMBERS: A36-04001

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                | AJ<br>#/ACRES    | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|---------------------|------------------|---------------|-----------------|----------------|------------------|
| 08S         | 14E | 33  | NE  | NE  |     | PILKINGTON , E.A.   | A36-04001 /37.0  | -             | /               | 41.0           | 37               |
|             |     |     |     |     |     | PILKINTON , C. R.   | A36-10151 /      | -             | /               |                |                  |
|             |     |     |     |     |     | PILKINTON , C.R.    | A36-02610 /11.0  | 36-02610      | /11.0           |                |                  |
|             |     |     |     |     |     | PILKINTON , E.A.    | A36-07650A /37.0 | -             | /               |                |                  |
|             |     |     |     |     |     | LARGE CLAIM         | A01-00212Z1/30.0 | -             | /               |                |                  |
|             |     |     |     |     |     | PILKINTON , C. R.   |                  | 36-07650      | /37.0           |                |                  |
| 08S         | 14E | 33  | SE  | NE  |     | PILKINGTON , E.A.   | A36-04001 /37.0  | -             | /               | 39.0           | 37               |
|             |     |     |     |     |     | PILKINTON , C.R.    | A36-02610 /10.0  | 36-02610      | /10.0           |                |                  |
|             |     |     |     |     |     | LARGE CLAIM         | A01-00212Z1/35.0 | -             | /               |                |                  |
|             |     |     |     |     |     | PILKINTON , E.A.    | A36-07650A /37.0 | -             | /               |                |                  |
|             |     |     |     |     |     | PILKINTON , C. R.   |                  | 36-07650      | /37.0           |                |                  |
| 08S         | 14E | 34  | NW  | NW  |     | PILKINGTON , E.A.   | A36-04001 /40.0  | -             | /               | 36.0           | 40               |
|             |     |     |     |     |     | PILKINTON , C.R.    | A36-02610 /11.0  | 36-02610      | /11.0           |                |                  |
|             |     |     |     |     |     | LARGE CLAIM         | A01-00212Z1/25.0 | -             | /               |                |                  |
|             |     |     |     |     |     | PILKINTON , E.A.    | A36-07650A /40.0 | -             | /               |                |                  |
|             |     |     |     |     |     | PILKINTON , C. R.   |                  | 36-07650      | /40.0           |                |                  |
| 08S         | 14E | 34  | SW  | NW  |     | PILKINGTON , E.A.   | A36-04001 /40.0  | -             | /               | 42.0           | 40               |
|             |     |     |     |     |     | BUTLER , LEONARD A. | A36-10643 /      | -             | /               |                |                  |
|             |     |     |     |     |     | PILKINTON , C.R.    | A36-02610 /28.0  | 36-02610      | /28.0           |                |                  |
|             |     |     |     |     |     | LARGE CLAIM         | A01-00212Z1/40.0 | -             | /               |                |                  |
|             |     |     |     |     |     | PILKINTON , E.A.    | A36-07650A /40.0 | -             | /               |                |                  |
|             |     |     |     |     |     | PILKINTON , C. R.   |                  | 36-07650      | /40.0           |                |                  |
| TOTAL ACRES |     |     |     |     |     |                     | A36-04001        | 154.00        |                 | 158.00         | 154              |

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

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PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 154

REVIEWED BY: LW

DATE: 8/10/90

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A. AJ CLAIMED USES:

PURPOSES  
A36-04001 IRRIGATION

MONTH/DAY  
FROM 04-01 TO 10-31

DIVERSION QUANTITY  
1.500 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.500 CFS 608.00 AF/A

B. WR RECORDED USES:

PURPOSES  
36-04001 IRRIGATION

MONTH/DAY  
FROM 03-05 TO 11-25

DIVERSION QUANTITY  
1.500 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.500 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE  
N  
N  
Y

FIELD  
EXAMINER  
N  
N  
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y( ☒ ) N( ☐ )

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

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FEB 01 1993

A. AJ CLAIMED USES:

| PURPOSES                            | MONTH/DAY           | DIVERSION QUANTITY    |
|-------------------------------------|---------------------|-----------------------|
| A36-04001 IRRIGATION                | FROM 04-01 TO 10-31 | 1.500 CFS             |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |                     | 1.500 CFS 608.00 AF/A |

B. WR RECORDED USES:

| PURPOSES                            | MONTH/DAY           | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| 36-04001 IRRIGATION                 | FROM 03-05 TO 11-25 | 1.500 CFS          |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |                     | 1.500 CFS          |

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

|                                          | DATABASE | FIELD EXAMINER |
|------------------------------------------|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N)      | N        | <u>N</u>       |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | N        | <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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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 154 x 0.02 CFS/ACRE = 3.08 CFS  
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 462.0 AF/A

ACRES 154 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 462 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 616 AF/A  
~~608.00~~

ACRES 154 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 616 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N(☒)

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

*limited to 1" per acre when canal water also used.*

NOTES

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

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FEB 01 1993

RECOMMENDATIONS:

| REC.<br>PURPOSES     | REC. PERIOD<br>FROM TO | REC. DIV<br>RATE CFS                | REC. DIV<br>VOL. AF/A           | REC. CONS.<br>USE                   |
|----------------------|------------------------|-------------------------------------|---------------------------------|-------------------------------------|
| IRRIGATION           | 04-01 10-31            | DATABASE EXAMINER<br>1.500 <u>/</u> | DATABASE EXAMINER<br><u>616</u> | DATABASE EXAMINER<br>462.0 <u>/</u> |
| TOTAL FOR THIS RIGHT |                        | 1.500                               | <del>608.00</del>               | 462.0                               |

REVIEWED BY: CW DATE: 8/10/90

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FEB 01 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____              | ( / )                  | ( )             |
| FORFEIT/ABANDON _____        | ( N/A )                | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( )                    | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-04001

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
1.500

EXAMINER  
N/A

CFS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A36-04001                | 1.500             | -                         |                  | 36-04001            | 1.500             |
|                      | TOTAL CFS                | 1.500             |                           |                  |                     | 1.500             |

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

N/A

REMARKS:

AUTHENTICATION:

SIGNATURE: lw

DATE: 8/10/90

NAME OF FIELD EXAMINER: lw

TITLE: \_\_\_\_\_

MICROFILMED  
FEB 01 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

12:45:13  
08/09/90

PAGE: 13  
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-04001

| WR ELEMENT                | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                   |                                                 |                            | Y                      | 6                   | 50                               | OB<br>10-11-90                       |                               |
| POINT OF DIV              | Y                 |                                                 |                            | N (Y)                  | 1, 2, 4, 6          | 9-26-91                          |                                      |                               |
| SOURCE                    |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PLACE OF USE              | Y                 |                                                 |                            | N (Y)                  | 1, 2, 4, 6          |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME |                   |                                                 |                            | Y (Y)                  |                     |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                 |                                                 |                            | N (Y)                  |                     |                                  |                                      |                               |
| PURPOSES                  |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PERIOD OF USE             | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| BASIS OF CLAIM            |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| REMARKS                   | Y                 |                                                 |                            | N (Y)                  | 6-                  |                                  |                                      |                               |

"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.

NOTICE  
FEB 01 1993