

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

Water Right Number - 36-04117

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +	+ - First Name - - +	+ - - - - Address - - - - - +	
*** A - ATTORNEY *** FELTON	MICHAEL HARLAND	1 - FELTON & FELTON ATTORNEYS 2 - PO BOX 589 3 - City- BUHL Phone - 208-543-4368	State- ID Zip- 833160589
*** C - CURRENT OWNER *** HEIDA	MARY JANE	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355
AARDEMA	CORNELIA	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355
HEIDA	THOMAS	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355
BOX CANYON DAIRY	DBA	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355
AARDEMA	FRANS	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355
*** D - DIR RPT OWNER *** PRINS	FREDERICK	1 - 3462 S 1600 E 2 - 3 - City- WENDELL Phone - 208-536-2381	State- ID Zip- 83355
AARDEMA HEIDA DAIRY	DBA	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355
PRINS	ANN W	1 - 3462 S 1600 E 2 - 3 - City- WENDELL Phone - 208-536-2381	State- ID Zip- 83355

Water right number - 36-04117

Prefix Translation: WATER RIGHT

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/15/1955 17 SOUTHERN D - DECREED

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

+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
08S 14E 25 NW NW SW (47) GOODING

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.500 100.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.500 100.00 0.0

+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
08S 14E 25 SW NW 7.0 01 IRRIGATION (47) GOODING
08S 14E 25 NW SW 18.0 01 IRRIGATION (47) GOODING

Total Acres: 25.0

+ - - Diversion Means - WELL & 15 HP PUMP + 40 HP BOOSTER

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE CONDITIONS

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

+ - - - - - 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.

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

+ - - - - - Comments - - - - - +
Date: 05/23/1991 User Id: WORSTELL Subject: REDUCTION OF AREA IRRIGATED
FIELD EXAM & NAPP PHOTO 436-29 (BB20 NE) SHOWED LAND IN SW NW OF SEC 25 IS NOT BEING IRRIGATED.
Date: 02/19/1997 User Id: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED PRINS TO AARDEMA-HEIDA PER WARRANTY DEED.



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

Professional Center
1020 Main

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

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

August 17, 1998

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

RECEIVED

AUG 18 1998

Department of Water Resources
Southern Region

Dear Vikie:

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

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

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

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

Very truly yours,

MICHAEL H. FELTON (JR.)

MHF/js
pc: Tom Heida
Enclosures

CERTIFICATE OF ASSUMED BUSINESS NAME

To the SECRETARY OF STATE, STATE OF IDAHO

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

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

Box Canyon Dairy

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

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

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

Agriculture

See categories on the reverse

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

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

Signed Box Canyon Dairy

By

Tom Heida
Tom Heida

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

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

Customer #

Secretary of State use only
IDAHO SECRETARY OF STATE

08/28/1997 09:00
CK: 3328 CT: 47868 BH: 31323

1 @ 20.00 = 20.00 ASSUM NAME

07380

g:\scorp\forms\assumnm.prt Revision 10/95

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

AUG 25 1999

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

P O Box 140, Wendell, ID 83355

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

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

New Mailing Address
P O Box 140

City, State and ZIP Code
Wendell, Idaho 83355

New Telephone Number
(208) 536-2189

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

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.
Certificate of Assumed Business Name attached.

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

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

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

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

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

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

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:

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

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

Agriculture

See categories on the reverse

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

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

Signed Box Canyon Dairy

By

Tom Heida
Tom Heida

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

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

Customer #

Secretary of State use only
IDAHO SECRETARY OF STATE

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

1 @ 20.00 = 20.00 ASSUM NAME

07380



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)

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

RECEIVED
SEP 04 1998
Department of Water Resources

1 Michael H. Felton, Jr.
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 Plaintiff/Defendant
10 (C:\MyFiles\abc-doc\ 2476Not.App814)Js
11

12
13 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
14 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
15

16 *****

17 In Re The General Adjudication,) CASE NO. 39576
18 of Rights to the Use of Water)
19 From the Snake River Basin Water)
20 System.)

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

27 Petitioner,)

28 vs:)

29 NOTICE OF APPEARANCE

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

34 Respondents,)

35 *****

36 NOTICE OF APPEARANCE

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
20
21
22
23
24
25
26

1
2
3 CERTIFICATE OF SERVICE

4 The undersigned, a resident attorney of the State of Idaho, with offices at
5 1020 Main Street, Post Office Box 589, Buhl, Idaho 83316-0589, and attorney for the
6 Defendant in this action, certifies that he caused to be via facsimile and mailed on August
7 24, 1998, a copy of the above and foregoing

8 NOTICE OF APPEARANCE

9 to:

10 Director of Idaho Department of Water Resources
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
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

MICHAEL H. FELTON, JR.

NOTICE OF APPEARANCE

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.

1. Water Right No(s).: 36-10735; R36-07650A; R36-08021; 36-02232; 36-04117; 36-04151

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 Aardema
Heida Aardema Cornelia Aardema

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

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-04117
Date Received: 8/09/1988
Receipt No: MO00951
Received By: JPC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FREDERICK PRINS 208-536-2381
Address: 3462 S. 1600 E.
WENDELL, ID 83355

Name: ANN W. PRINS 208-536-2381
Address: 3462 S. 1600 E.
WENDELL, ID 83355

2. Date of Priority: MAR 15, 1955

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	25	NW	NW	SW		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	03/15	11/15	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:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	25	SW	NW		IRR	30.0
			NW	SW		IRR	20.0
						Section Acres	50.0
						Total Acres	50.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: 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): *[Signature]* Date: 8-9-88

Date: _____

State of Idaho)
County of Booming) SS.

Subscribed and sworn (or affirmed) before me this 9 day

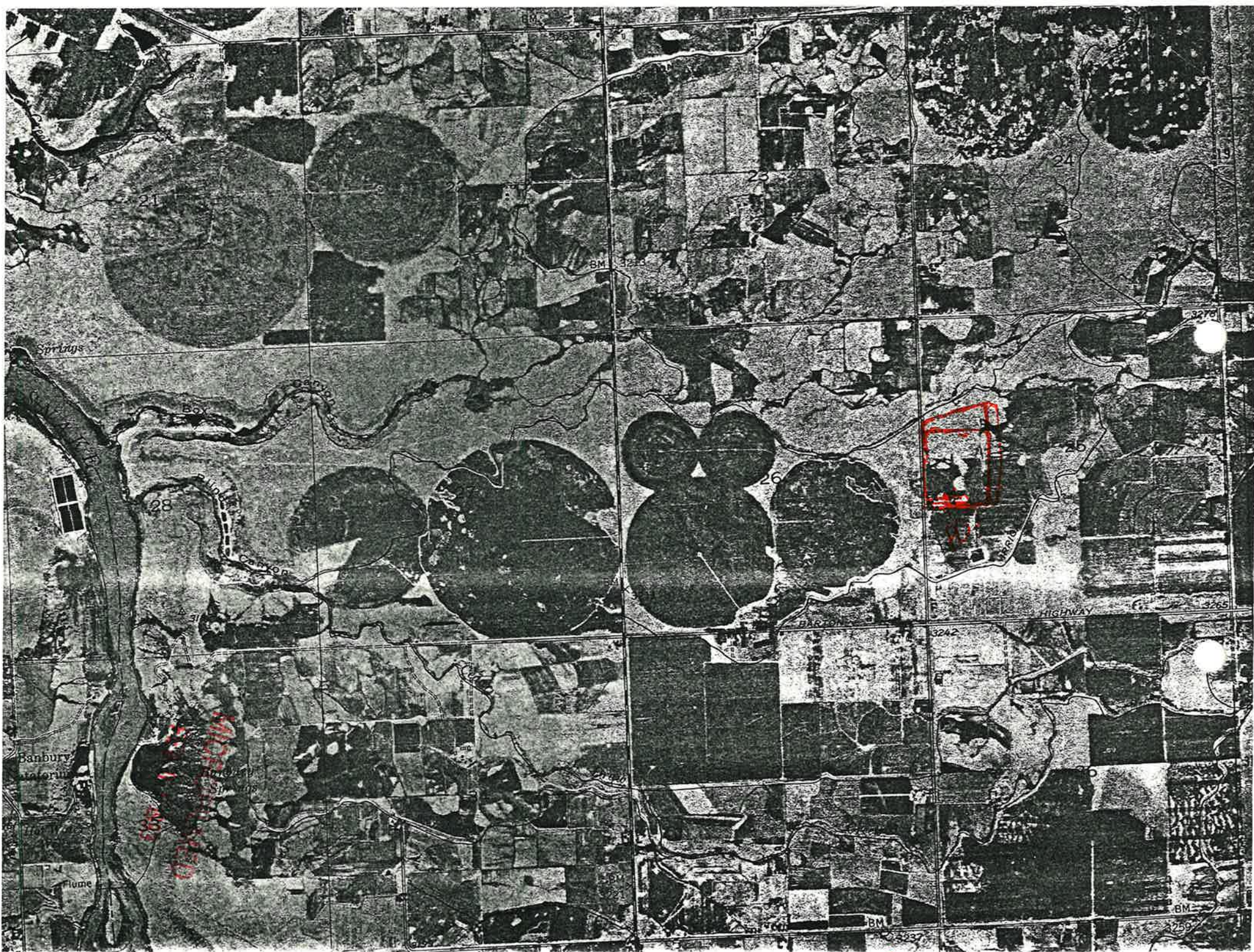
of Aug 19 88

John Dab Clarke
Notary Public

Seal

Residing at Bain Id

My Commission Expires 8/2/98



Ps 146 Sec 25



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 3, 1990

A36-04117
FREDERICK PRINS
3462 S. 1600 E.

WENDELL

ID 83355

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

MICROFILMED
FEB 01 1993

A36-04117

1. WELL OWNER
Name Fred Prins
Address Wendell
Owner's Permit No.

2. NATURE OF WORK
New well
Abandoned

3. PROPOSED USE
Domestic

4. METHOD DRILLED
Rotary

5. WELL CONSTRUCTION
Casing schedule:
Was casing drive shoe used?
Was a packer or seal used?
Perforated?
How perforated?
Size of perforation
Well screen installed?
Manufacturer's name
Type
Diameter
Slot size
Set from
Gravel packed?
Placed from
Surface seal depth
Material used in seal:
Sealing procedure used:
Method of joining casing:
Describe access port

6. LOCATION OF WELL
Sketch map location
Subdivision Name
Lot No.
Block No.
County
NW 1/4 SW 1/4 Sec. 25 T. 8 S. R. 14 E.

7. WATER LEVEL
Static water level
Flowing?
Artesian closed-in pressure
Controlled by:
Temperature
Quality

8. WELL TEST DATA
Pump
Bailer
Air
Other
Discharge G.P.M.
Pumping Level
Hours Pumped

9. LITHOLOGIC LOG
Bore Diam.
Depth
Material

10.
Work started
finished

11. DRILLERS CERTIFICATION
We certify that all minimum well construction standards were complied with at the time the rig was removed.
Firm Name
Firm No.
Address
Signed by (Firm Official)
and (Operator)

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

AFFIDAVIT
A36-04117

State of Idaho)
) ss
COUNTY OF GOODING)

I, Joseph G. Hansen, declare under oath as follows:

(1) In 1955, I owned farming property in the County of Gooding, State of Idaho.

(2) In that year, I had an irrigation well dug on the property.

(3) To my personal knowledge, the well was used continuously for farmland irrigation until 1971, when I sold the property on which the well still stands to the late Frederick Prins.

(4) I am informed and believe that, since 1971, the well in question has been and still is being used for farmland irrigation.

(5) That portion of the property on which the well stands is now owned by Dr. Frederick Prins, the son of the man to whom I sold the farm in 1971.

(6) The property on which the well is located is sometimes known as 3462-A S, 1600 East, Wendell, ID., and described as approximately 12 acres in Gooding County, state of Idaho, Northwest 1/4 of the Southwest 1/4 of Section 25, Township 8 South, Range 14 East.

DATED This 16th day of October, 1990.

MICROFILMED
FEB 01 1993

Joseph G. Hansen
Joseph G. Hansen

STATE OF IDAHO)
) ss
County of Gooding)

On this 16 day of October, 1990, before me, the undersigned, a Notary Public in and for said state, personally appeared Joseph G. Hansen, known to me to be person whose name is subscribed to the foregoing document, and and acknowledged to me that he executed the same.

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



Linda McCaughey
NOTARY PUBLIC FOR IDAHO
Residing at: Haagerman
Commission Expires: May 1, 1995

MICROFILMED
FEB 01 1993

Submitted as
Priority evidence
of Place of Use was
reduced + changed.

2/8/91
COPY

G-12563

AGREEMENT OF SALE

THIS AGREEMENT, made and entered into this 20th day of March, 1985, by and between BOX CANYON LIVESTOCK, INC., an Idaho Corporation, the Party of the First Part, hereinafter referred to as the Vendor, and ARREDEMA - HEIDA DAIRY, a Partnership composed of FRANS AARDEMA and CORNELIA AARDEMA, husband and wife, and THOMAS H. HEIDA and MARY JANE HEIDA, husband and wife, the Party of the Second Part, hereinafter referred to as the Vendee;

WITNESSETH:

That the Vendor, for and in consideration of the sum of FOUR HUNDRED SEVENTY TWO THOUSAND AND NO/100 DOLLARS, (\$472,000.00), lawful money of the United States of America, to be paid at the time and in the manner hereinafter specified, and of the covenants and agreements hereinafter contained, to be paid, kept and performed by the Vendee, promises, covenants, and agrees to sell and convey unto the Vendee all of that certain real property more particularly described on Exhibit "A" attached hereto, and all of that certain personal property more particularly described on Exhibit "B" attached hereto, all situated in the County of Gooding, State of Idaho.

1. TERMS OF PURCHASE: The Vendee promises, covenants and agrees to purchase the above described real property of and from the Vendor, and agrees to pay the Vendor therefor the said sum of \$472,000.00, in lawful money of the United States of America, at the time and in the manner following, to wit:

- \$472,000.00, together with interest thereon, which interest rate shall vary in accordance with the lending rate of the Federal Land Bank of Spokane, as ascertained at the Federal Land Bank Association, Gooding, Idaho. The parties recognize that the present interest rate at said Federal Land Bank Association is 12½% per annum. The interest rate on this contract shall vary in direct proportion to said Federal Land Bank Association rate as of the date of official change of said interest rate at the Federal Land Bank Association.

Vendee shall pay monthly sums of \$5,279.66, to be applied first to interest, and then to principal, commencing with the 1st day of May, 1985, and monthly thereafter until all principal and interest due hereunder are paid in full. Should the interest rate increase as herein described, Vendee shall increase the monthly payments in a sum equal to the amount necessary to pay said additional increment current at the end of each month, or decrease the payment, as the case may be.

It is specifically understood and agreed that Vendee may pay all the unpaid balance to Vendor hereunder without penalty. However, should any penalty be imposed by the Federal Land Bank Association, such penalty shall be paid by the parties in equal shares. In the event of payment of part, but not all of said balance, such prepayment shall be applied toward the last maturing installments, and Vendee shall not be relieved from making the current monthly payments above required.

MICROFILMED
FEB 01 1993

All payments shall be made to the escrow holder hereinafter provided for, who is hereby constituted the agent of the Vendor, to accept all payments called for herein, and to receipt therefor to the Vendee. The cost of the original escrow charged by the said escrow holder shall be equally divided between the parties.

2. TAXES AND ASSESSMENTS: The Vendor shall pay all taxes and assessments levied and assessed against the said property for the year 1984 and all years prior thereto; taxes and assessments for the year 1985 shall be prorated between the parties as of Apr. 1, 1985. Vendee shall pay all taxes and assessments levied and assessed against said premises for the year 1986 and thereafter during the life of this contract, and Vendee shall not allow said taxes and assessments, or any part thereof, to become delinquent. The parties further agree that Vendor shall retain all water rights appurtenant to the real property described above.

3. POSSESSION DATE: Vendee shall be let into and have possession of said premises as of the 1st day of April 1, 1985, and shall thereafter be entitled to remain in possession thereof, and have the use, issues, and profits thereof during the entire life of this agreement, or until the same shall have been terminated, as herein provided. In the event Vendee fails to perform this agreement, as herein provided, and Vendor serves notice of forfeiture upon it, as hereinafter provided, then and in that event, unless it performs this agreement within the time hereinafter provided, and as specified in the notice served upon it by Vendor, it will forthwith, and without delay, surrender and deliver up possession of said property to Vendor in a quiet and peaceable manner, and without suit or action.

4. TITLE INSURANCE: Vendor shall, at the earliest possible date, furnish a policy of title insurance in a responsible title insurance company, insuring the title of said property in the sum of \$472,000.00, to be vested in the Vendor, with a purchaser's clause in favor of the Vendee, showing a marketable title to said premises to be vested in the Vendor, subject to taxes for 1985, and to any easements that may exist over, across, and upon said premises. In the event Vendor is unable to furnish a marketable title, it shall have a reasonable time to make such title marketable, and in the event of its failure or refusal to do so, Vendee may, at its option, either terminate this contract, and demand and receive back from Vendor all payments made under the terms hereof, less the reasonable rental value of said premises for the time Vendee has been in possession thereof, or, it may elect to continue under the terms hereof and to take whatever steps may be required in order to effect a marketable title and charge the costs thereof to Vendor and deduct said costs from the next ensuing payment or payments falling due under the terms of this contract.

It is further understood and agreed that title to said premises shall be and remain in Vendor until the full purchase price, together with the interest thereon, shall have been fully paid.

MICROFILMED
FEB 01 1993

It is further understood by the parties that said title insurance policy may show as an exception a mortgage in favor of the Federal Land Bank of Spokane.

5. EXISTING ENCUMBRANCE: The parties recognize that the above described real property is presently subject to a mortgage in favor of the Federal Land Bank of Spokane. In connection therewith, the parties agree to provide, through appropriate escrow instructions, that the monthly and annual payments above set forth shall be paid by the escrow holder hereinafter nominated, to the Federal Land Bank of Spokane, and that Vendor shall be entitled to receive from escrow only those sums that are not required to meet the current requirements of the note underlying said Federal Land Bank mortgage. At the time full payment of all sums due and owing hereunder are made by Vendee, Vendor agrees to obtain a full release and satisfaction of said Federal Land Bank of Spokane mortgage. It is specifically understood that the Vendor herein is retaining other properties that are also secured by the aforementioned Federal Land Bank mortgage.

6. DEED, BILL OF SALE & ESCROW: It is specifically understood and agreed that Vendor, on even date herewith, and as a part of this transaction, has executed a good and sufficient Deed and Bill of Sale to the Vendee for the real and personal property above described, and Vendee hereby approves said Deed and Bill of Sale as to form and content; said Deed and Bill of Sale, together with an executed copy of this Agreement, shall be placed in escrow with Land Title and Escrow, Inc., and said escrow holder is hereby authorized and directed to deliver said Deed and Bill of Sale to the Vendee at the time of the payment of said deferred payments in full, together with all interest thereon. In case this agreement is forfeited or terminated, as herein provided, then said escrow holder is authorized and directed to return and deliver said Deed and Bill of Sale to Vendor.

7. PURCHASE OF CATTLE: Vendee agrees to purchase 500 head of milking cows as it shall select, on or before the 1st day of May, 1985, out of the total herd belonging to the Vendor. Upon payment in full for said cows, Vendor shall deliver to Vendee a duly executed Bill of Sale, transferring title to said personal property. Should the amount specified not be paid by the time reserved, Vendor shall have the immediate right to come on the above described real property and retake possession of all said cattle. Vendor agrees to bear all expense associated with brand inspection and the issuance of brand inspection certificates with respect to said cattle.

8. PROHIBITION OF ASSIGNMENT OR CONVEYANCE: Vendee shall not, without the express written consent of the Vendor, sell, assign, convey or otherwise encumber the real or personal property sold hereunder without the express written consent of the Vendor.

9. FIRE AND CASUALTY INSURANCE: Vendee further agrees that it will insure and keep insured during the life of this agreement, the buildings and improvements on said premises against loss by fire and other casualty in the amount of \$200,000.00. Such policy of insurance shall have a loss payable

clause payable to Vendor and Vendee, as their respective interests may from time to time appear, and such policy or policies shall be placed with the escrow holder hereinabove provided for. In the event of loss by fire or other casualty, both parties shall cooperate in making proof of loss promptly, and any insurance recovery shall be applied toward the restoration and repair of said damaged or destroyed buildings and improvements. Vendee shall be required to place into escrow a certificate of insurance in force in compliance with this paragraph, and shall further instruct its insurance carrier to notify the Vendor should at any time the insurance required by this paragraph lapse.

10. WASTE OR STRIP: Vendee shall commit no waste or strip and will permit no waste or strip to be committed on said premises during the life of this contract, and further agrees that it will farm said premises in a good husband-like manner, properly rotating crops and keeping said premises properly fertilized.

11. CLOSING COSTS: It is agreed that all costs of closing of this agreement, including, but not limited to, ~~initial~~ initial escrow fees, recording fees and closing agent's fees, shall be borne equally between the parties, as shall any future escrow fees.

12. TIME IS OF THE ESSENCE: It is understood and agreed that failure on the part of the Vendor to require prompt performance on the part of the Vendee shall not extend the time of performance by Vendee, or be a waiver by Vendor of time being of the essence of this agreement, it being specifically understood and agreed that time is hereby made the essence of this agreement.

13. ENCUMBRANCES: Nothing herein contained shall be construed to constitute the Vendee the agent of the Vendor, and Vendee shall have no power or authority to bind Vendor, or the property being acquired hereunder, for any material or labor used in making additions to said property, or improvements thereon, and Vendee specifically promise and agree that it will not suffer any lien or liens to be attached to said property or any part thereof by reason of the erection of any buildings and/or improvements thereon, or suffer any liens by operation of law, or otherwise, to attach to said property.

14. INSPECTION: Vendee agrees and warrants as part of the consideration for the sale to it of said premises, that it has personally inspected the same, and that it is not relying upon any representations made by the Vendor, or by any servant or agent of the Vendor, and that it is relying upon its own knowledge of the premises and that it knows the situation, character, quality and condition of the premises, and of the quantity of land being acquired hereunder, and of the existence of noxious weeds and/or rock thereon.

15. DEFAULT: Should Vendee fail to perform this agreement in any aspect, or fail to make any payment required by this agreement, then Vendor shall serve notice of default, in writing, specifying the nature of such default, to Vendee at the following address:

AARDEMA - HEIDA DAIRY
Route 1
Wendell, Idaho 83355

MICROFILMED
FEB 01 1993

In the event the specified events of default remain uncured within 30 days of the date of written notice, Vendor may, at its option, pursue one or all of the following remedies:

(a) Accelerate the full balance then due and owing the Vendor pursuant to this agreement, demand the full payment of said purchase price, treat this agreement of sale as a note and mortgage, and foreclose the same pursuant to the mortgage foreclosure laws of the State of Idaho.

(b) Serve Vendee a notice of forfeiture of all rights under this agreement, in which event all monies paid previously by Vendee under this agreement shall be retained by the Vendor, and constitute liquidated damages for the breach of this agreement and the use of the above described property through the time of default. In such event, Vendee agrees to promptly surrender up possession of the above described property to the Vendor. Vendee shall then henceforth be regarded as a tenant holding over after the expiration of a lease and shall be subject to the laws of the State of Idaho concerning forcible entry and unlawful detainer.

(c) Treat this agreement of sale as rescinded, and proceed against the Vendee for damages equal to the unpaid balance of this agreement, incidental and consequential damages for the breach, other sums due and owing under this agreement, and all other damages to which the Vendor may be entitled.

(d) Sue for specific performance of this agreement.

(e) Pursue any other remedy to which the Vendor may be entitled under the laws of the State of Idaho or the United States of America.

It is understood that the election of any option as to an appropriate remedy shall be exclusively the election of the Vendor.

16. NOTICE OF SERVICE: It is further understood and agreed that any notices hereinafter provided for may be given as follows:

By Vendor to Vendee, by certified mail, properly enclosed in a sealed envelope, addressed to Vendee at Route 1, Wendell, Idaho, 83355.

By Vendee to Vendor by sending the same by certified mail, addressed to Vendor at Southwest of City, Wendell, Idaho, 83355.

Service of any such notices shall be complete upon the arrival thereof in the Post Office to which addressed as above required.

17. ATTORNEY'S FEES: If default be made by either party hereto in keeping or performing any of the covenants, conditions or agreements herein agreed to be kept by it, and the other party is required to employ an attorney to enforce any of the covenants, conditions, or agreements herein contained, then and in such event, the party in

default agrees to pay, in addition to all other sums herein agreed to be paid by it, a reasonable attorney's fee, together with any costs and disbursements that may be incurred in enforcing this agreement.

18. PREPARATION OF AGREEMENT: It is understood by the parties that this agreement has been prepared by Eugene D. Fredericksen, of the firm of Rettig, Fredericksen & Williams, as attorney for Vendee.

19. BINDING ON SUCCESSORS: This agreement shall inure to and be binding upon the parties hereto, and their respective heirs, executors, administrators and assigns.

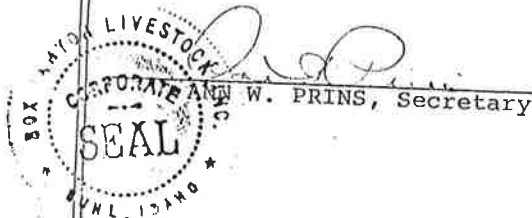
IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names, the day and year in this agreement first above written.

BOX CANYON LIVESTOCK, INC., an
Idaho Corporation

By *Fredrick Prins*
FREDERICK PRINS, President

By *Margaret F. Prins*
MARGARET F. PRINS, Vice-Pres.

ATTEST:



W. Prins
W. PRINS, Secretary

AARDEMA - HEIDA DAIRY, a Partner-
ship

By *Frans Aardeema*
FRANS AARDEMA, Partner

By *Cornelia Aardeema*
CORNELIA AARDEMA, Partner

By *Thomas H. Heida*
THOMAS H. HEIDA, Partner

By *Mary Jane Heida*
MARY JANE HEIDA, Partner

STATE OF IDAHO)
County of Jerome) ss.

On this 20 day of March, 1985, before me, the undersigned,
a Notary Public in and for said County and State, personally

AGREEMENT OF SALE - 6

MICROFILMED
FEB 01 1993

appeared FREDERICK PRINS and ANN W. PRINS, President and Secretary, respectively, of BOX CANYON LIVESTOCK, INC., an Idaho Corporation, known to me to be such officers of the Corporation whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same on behalf of said Corporation.



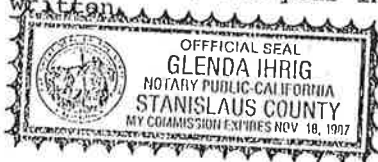
IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

Margaret F. Prins
NOTARY PUBLIC for Idaho

STATE OF CALIFORNIA)
County of Stanislaus) ss.

On this 22nd day of March, 1985, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MARGARET F. PRINS, the Vice-President of BOX CANYON LIVESTOCK, INC., known to me to be such officer of the Corporation whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same on behalf of said Corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Glenda Ihrig
NOTARY PUBLIC for California

STATE OF CALIFORNIA)
County of SAN BERNARDINO) ss.

On this 26th day of MARCH, 1985, before me, the undersigned, a Notary Public in and for said County and State, personally appeared FRANS AARDEMA and CORNELIA AARDEMA, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Cynthia I. Miles
NOTARY PUBLIC for California

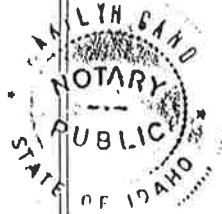
STATE OF IDAHO)
County of Jerome) ss.

On this 20 day of March, 1985, before me, the undersigned, a Notary Public in and for said County and State, personally

MICROFILMED
FEB 01 1993

appeared THOMAS H. HEIDA and MARY JANE HEIDA, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Carolyn Sand

NOTARY PUBLIC for Idaho

MICROFILMED
FEB 01 1993

EXHIBIT "A"

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN
GOODING COUNTY, IDAHO

Section 25: $S\frac{1}{2}SW\frac{1}{4}$; $S\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}$

EXCEPTING THEREFROM the $E\frac{1}{2}E\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, Section 25, Township
8 South, Range 14 East, B.M.

ALSO EXCEPTING all water rights appurtenant thereto.

INCLUDING all improvements thereon.

MICROFILMED
FEB 01 1993

EXHIBIT "B"

- 1 Plate cooler
- Compressors
- 18 Ton feed tank Vandenberg feeding system
- Ice Bank
- 5 Horsepower Vacuum pump
- 10 Horsepower Vacuum pump
- Milk pump
- Milk receiver
- Milk line
- vacuum line and pulsators
- Germann back flush
- 2 Washup tubs
- 1 pressure pump for wash pen
- 20 Milking machines complete
- Water heaters
- Heater furnace
- Water pressure tanks
- Sump pump and motor
- Irrigation line and Nelson gun
- Refrigerator
- 3000 Gallon milk tank
- 2000 Gallon milk tank
- 2 Gas tanks
- 2 Fans
- 1 Onan Generator
- Various Miscellaneous items

MICROFILMED
FEB 01 1993

SUSAN HAMLIN NYGARD
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
Telephone: (208) 327-7900
Fax: (208) 327-5400
Idaho State Bar #4615

Attorneys for IDWR

COPY

RECEIVED

NOV - 3 2001

2001 NOV -8 AM 11:38

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

RECEIVED

DEC 03 2001

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 SRBA

Case No. 39576

) SUBCASE NOS.: See attached
) Exhibit A
)

) IDWR'S WITHDRAWAL OF
) NOTICES OF
) ADMINISTRATIVE
) PROCEEDINGS
)

TO ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE that the Idaho Department of Water Resources (IDWR) hereby withdraws its Notices of Administrative Proceedings (NAP) for the subcase numbers identified on "Exhibit A" attached herein¹.

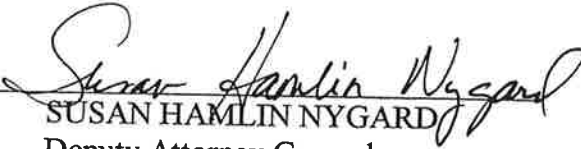
The NAP's in these subcases are being withdrawn at this time for the following reasons: a) partial decrees had been issued for these water right recommendations prior to the filing of the Supplemental Director's Reports by IDWR for Reporting Areas 1 (Basin 34) and 3 (Basin 36) Regarding Revision of the Period of Use for Irrigation Water Uses and Conjunctive Management Provisions; b) there were no objections filed to the Supplemental Director's Report; and, c) the administrative proceedings resulting in the

¹ Note to claimants: The withdrawal of this notice with the SRBA District Court does affect the administrative process which is presently pending before IDWR.

filing of the NAP's do not include changes to the season of use element for these water rights.

Therefore, IDWR is withdrawing the NAP's in the subcases identified herein.

Dated this 6th day of November, 2001.

By: 
SUSAN HAMLIN NYGARD
Deputy Attorney General

CERTIFICATE OF SERVICE

I certify that on November 6, 2001, I caused to be served true and correct copies of IDWR'S WITHDRAWAL OF NOTICES OF ADMINISTRATIVE PROCEEDING, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

United States Dept. of Justice
Environment & Nat'l Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Beeman & Associates
409 W. Jefferson St.
Boise, ID 83702

☐ Overnight mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Tony & Carol Visser
1660 E. 2400 S.
Gooding, ID 83330

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Kent W. Foster
P.O. Box 50130
Idaho Falls, ID 83405

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Grant Daniels
Rita J. Daniels
Antelope Route
Darlington, ID. 83231

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Craig A. Clark
Ellen B. Clark
P.O. Box 65
New Castle, UT 84756

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Dale & Colleen Huffaker
Rt. 1 Box 56
Darlington, ID 83231

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Jimmy D. & Lavone L. Tuckness
Rt. 2 Box 2420
Paul, ID 83347

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Michael H. Felton Jr.
P.O. Box 589
1020 Main Street
Buhl, ID 83316-0589

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

Frans & Cornelia Heida
Thomas & Mary Jane Aardema
P.O. Box 140
Wendall, ID 83355

☐ Overnight Mail
☒ Regular Mail
☐ Hand Delivered
☐ Facsimile

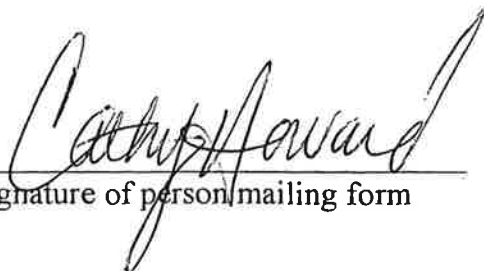

Signature of person mailing form

EXHIBIT A

34-00028H
34-00080
34-00217D
34-00259C
34-00300
34-00372B
34-00377C
34-00378A
34-00379
34-00442
34-00509A
34-00510A
34-00577B
34-02473
34-02474A
34-10428
34-10552
34-13415
34-13572A
34-13572B

36-02110
36-02425A
36-04117
36-07690B

Log for claim 36-04117

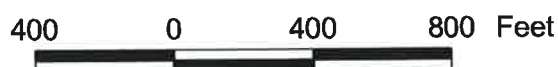
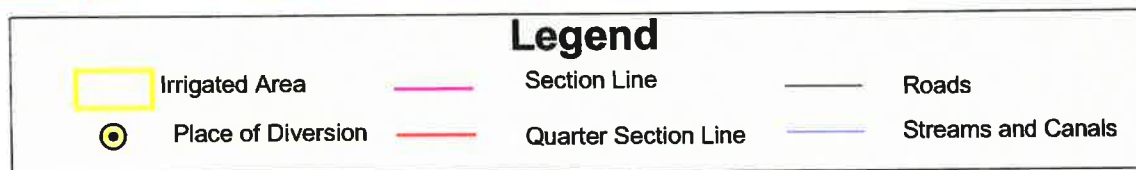
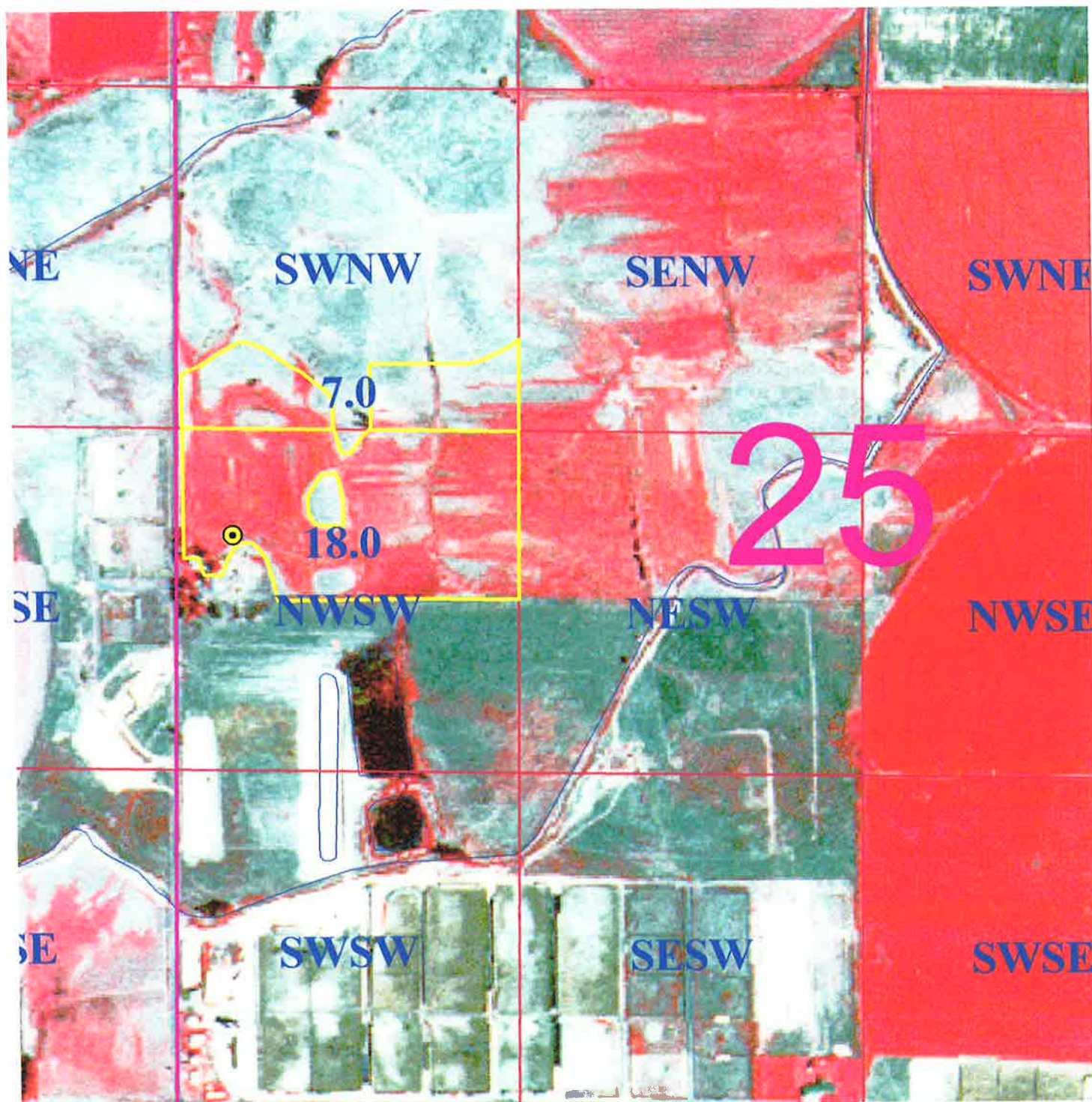
Spatial Dynamics LTD

11/14/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
08s14e	25	SWNW	7	7	
08s14e	25	NWSW	18	18	
Totals:			25	25	

Water Right Number 36-04117
Township , 8S14E

11/14/2001





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

Idaho Department of Water Resources
1341 Fillmore St. Suite 200
Twin Falls, ID 83301

RECEIVED

SEP 04 1998

Department of Water Resources
Southern Region

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

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

RECEIVED
SEP 04 1998
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

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.

NOTICE OF APPEARANCE

ct

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
20
21
22
23
24
25
26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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.

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

AUG 19 1998

Applicant Box Canyon DairyDepartment of Water Resources
Southern Region Phone (208) 536-2928Address P O Box 140, Wendell, ID 83355-0140

PURPOSE OF TRANSFER

- ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split rights, created PPII

2. Describe the reason for the proposed changes System irrigates more land than it is licensed for, so additional water needs to be moved to the property so well can be used fully when needed.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
<u>36-02535</u>	<u>12/23/61</u>	<u>.71/196</u>	<u>Irrigation</u>	<u>4/1</u>	to <u>10/31</u>
<u>36-04117</u>	<u>3/15/55</u>	<u>0.50/100.0</u>	<u>Irrigation</u>	<u>4/1</u>	to <u>10/31</u>
_____	_____	_____	_____	_____	to _____
_____	_____	_____	_____	_____	to _____

2. Total amount of water being transferred 1.21 cubic feet per second and/or 296.0 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	SW	25	8S	14E	Gooding	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	14E	25							15	37	13	9							74

Total acres 74



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

COPY

1999 NOV 19 PM 12: 42

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

In Re SRBA

Case No. 39576

Water Rights: 36-02535, 36-04117

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer 5500

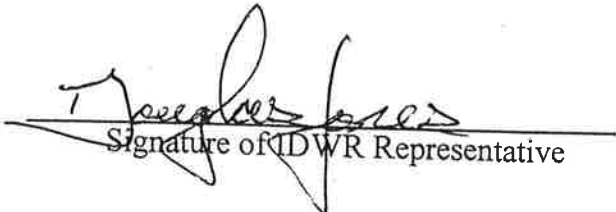
☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than:

October 20, 2000.

Dated 11/5/99


Signature of IDWR Representative

INSTRUCTIONS FOR MAILING

Mail this form 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.**

CERTIFICATE OF MAILING

I certify that on 11/19, 1999, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Michael Harland Felton
Felton & Felton Attorneys
PO Box 589
Buhl ID 83316
3. One copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form



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

November 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL HARLAND FELTON
FELTON & FELTON ATTORNEYS
PO BOX 589
BUHL ID 83316

RE: SRBA Claim(s) 36-02535, 36-04117 / Box Canyon Dairy

Dear Counselor:

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

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

Transfer No. 6500

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

AUG 19 1998

NAP

36-02535
04117

Name of applicant Box Canyon Dairy Department of Water Resources Southern Region Phone (208) 536-2928
 Post Office address P O Box 140, Wendell, ID 83355-0140

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split rights, created PPU
2. Describe the reason for the proposed changes System irrigates more land than it is licensed for, so additional water needs to be moved to the property so well can be used fully when needed.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-02535B</u>	<u>12/23/61</u>	<u>0.71/196</u>	<u>Irrigation</u>	<u>4/1</u> to <u>10/31</u>
<u>36-04117</u>	<u>3/15/55</u>	<u>0.50/100.0</u>	<u>Irrigation</u>	<u>4/1</u> to <u>10/31</u>
				to
				to

2. Total amount of water being transferred 1.21 cubic feet per second and/or 296.0 acre-feet per annum.
3. Source of water Groundwater tributary to
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	SW	25	8S	14E	Gooding	

5. Lands irrigated or place of use: * go 7-21-99 changed per GIS

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	14E	25							25	37	13	9							74
									14	38									
									*										

Total acres 74

Water Right Number -	36-04117	Prefix Translation:	WATER RIGHT	Old (D) Number -
+ - - - - Last Name - - - - +	+ - First Name - - +	+ - - - - Address - - - - - +		
*** A - ATTORNEY *** FELTON	MICHAEL HARLAND	1 - FELTON & FELTON ATTORNEYS 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- 83355	
AARDEMA	CORNELIA	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355	
HEIDA	THOMAS	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355	
HEIDA	MARY JANE	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355	
AARDEMA HEIDA DAIRY	DBA	1 - PO BOX 140 2 - 3 - City- WENDELL Phone - 208-536-2189	State- ID Zip- 83355	
*** D - DIR RPT OWNER *** PRINS	FREDERICK	1 - 3462 S 1600 E 2 - 3 - City- WENDELL Phone - 208-536-2381	State- ID Zip- 83355	
PRINS	ANN W	1 - 3462 S 1600 E 2 - 3 - City- WENDELL Phone - 208-536-2381	State- ID Zip- 83355	
+ - - Priority Date - - + 03/15/1955	+ - - - Region - - - + 17 SOUTHERN	+ - - - Stage - - - + J - BENEFICIAL USE	+ - - - Status - - - +	
+ - - - - Source - - - - + GROUNDWATER		+ - - - - Tributary - - - - +		

"DO NOT FILM"

Water right number - 36-04117

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	RFlg	Point of Diversion	County
08S	14E	25	NW NW SW			(47) GOODING	

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	0.500	100.00
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +	
0.500		100.00		75.0	

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
08S	14E	25	SW NW		7.0	01 IRRIGATION		(47) GOODING
08S	14E	25	NW SW		18.0	01 IRRIGATION		(47) GOODING

Total Acres: 25.0

+ - - Diversion Means - WELL & 15 HP PUMP + 40 HP BOOSTER

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE CONDITIONS

Remarks
No Remarks found.

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.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments
Date: 05/23/1991 User Id: WORSTELL Subject: REDUCTION OF AREA IRRIGATED
FIELD EXAM & NAPP PHOTO 436-29 (BB20 NE) SHOWED LAND IN SW NW OF SEC 25 IS NOT BEING IRRIGATED.
Date: 02/19/1997 User Id: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED PRINS TO AARDEMA-HEIDA PER WARRANTY DEED.
Date: 05/06/1997 User Id: TFAWCETT Subject: ATTORNEY ADDED
MICHAEL FELTON ADDED AS ATTORNEY.

Audit Fields
05/06/97 TFAWCETT

"DO NOT FILM"

AJ0743NP
(00-124)

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

05/06/97 12:09:41
Page 3

Water right number - 36-04117

Prefix Translation: WATER RIGHT

+ - - - - 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	- 08/09/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M000951	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

"DO NOT FILM"

RECEIVED

MAY 01 1997

Department of Water Resources
Southern Region

1:27 PM 21 AM 10: 21
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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
13
14
15
16
17
18
19
20
21
22
23
24
25
26
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

CASE NO. 39576

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

Petitioner,)

vs:)

NOTICE OF APPEARANCE

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

Respondents.)

NOTICE OF APPEARANCE

1 PLEASE BE NOTIFIED that Michael H. Felton hereby appears on
2 behalf of Frans and Cornelia Aardema and Tom and Mary Jane Heida d/b/a Aardema-
3 Heida Dairy, the Respondent in the above-entitled action, as counsel of record for said
4 Respondents with respect to Water Right Number 36-04117.
5

6 DATED: March 20, 1997.

7 FELTON & FELTON

8
9 By 
10 MICHAEL H. FELTON
11 Attorneys for Respondent

12 **CERTIFICATE OF SERVICE**

13 The undersigned, a resident attorney of the State of Idaho, with offices at
14 1020 Main Street, Post Office Box 589, Buhl, Idaho 83316-0589, and attorney for the
15 **Respondent** in this action, certifies that he caused to be **mailed** on **March 20, 1997**, a
16 copy of the above and foregoing

17 **Notice of Appearance**

18 to:

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

22 CLERK OF THE DISTRICT COURT
23 SNAKE RIVER BASIN ADJUDICATION
24 253 THIRD AVENUE NORTH
25 P O BOX 2707
26 TWIN FALLS, ID 83303-2707


MICHAEL HARLAND FELTON

NOTICE OF APPEARANCE

AJ0743NP
(OD-124)

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

02/19/97 11:41:58
Page 1

Water Right Number - 36-04117

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

AARDEMA

FRANS

1 - PO BOX 140

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2189

AARDEMA

CORNELIA

1 - PO BOX 140

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2189

HEIDA

THOMAS

1 - PO BOX 140

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2189

HEIDA

MARY JANE

1 - PO BOX 140

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2189

AARDEMA HEIDA DAIRY

DBA

1 - PO BOX 140

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2189

*** D - DIR RPT OWNER ***

PRINS

FREDERICK

1 - 3462 S 1600 E

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2381

PRINS

ANN W

1 - 3462 S 1600 E

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2381

+ - - Priority Date - - +
03/15/1955

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

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

+ - - - - Tributary - - - - +

+ - - - - Point of Diversion - - - - +
TwN Rng Sec Tract Lot RFlg County

08S 14E 25 NW NW SW (47) GOODING

"DO NOT FILM"

02/19/97 11:41:59
Page 2

Prefix Translation: WATER RIGHT

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	- 08/09/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P	
		Receipt Number	- M000951	Water District	-	
		POU Ownership Flag	- Y	Federal/State Indicator	- S	
		Name Connector	- AND	Presumption Flag	-	

“DO NOT FILM”

"DO NOT FILM"

COPY

1997 MAR 14 PM 3:45

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

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-04117

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

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

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Frederick Prins
Ann W Prins
3462 S 1600 E
Wendell ID 83355

Phone: 536-2381

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Thomas and Mary Jane Heida
Frans and Cornelia Aardema
dba Aardema Heida Dairy
PO Box 140
Wendell ID 83355

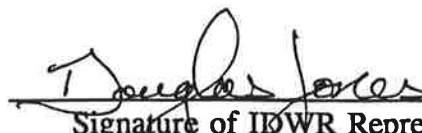
Phone: 536-2189

The Claimant has filed Objections or Responses to the following water rights: None

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

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

DATED: 3/12/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3-14, 1997, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

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

2. One Copy to:

Claimant/Seller for Substitution of Party or attorney of record:

Frederick Prins
Ann W Prins
3462 S 1600 E
Wendell ID 83355

3. One Copy to:

Claimant/Purchaser for Substitution of Party or attorney of record:

Michael Harland Felton
Felton and Felton
PO Box 589
Buhl ID 83316-0589

4. One Copy to:

Each party in the subcase or attorney of record:

5. One Copy to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

DATE: FEB-21-1997

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-04117

NAME & ADDRESS: FRANS AARDEMA
CORNELIA AARDEMA
THOMAS HEIDA
MARY JANE HEIDA
DBA AARDEMA HEIDA DAIRY
PO BOX 140
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.5 CFS
100.0 AFY

PRIORITY DATE: 03/15/1955

POINT OF DIVERSION: T08S R14E S25 NWNWSW Within GOODING County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
IRRIGATIONPERIOD OF USE
Irrigation SeasonQUANTITY
0.5 CFS
100.0 AFYPLACE OF USE: IRRIGATION Within GOODING County
T08S R14E S25 SWNW 7.0 NWSW 18.0
25.0 ACRES TOTAL

CONSUMPTIVE USE: 75.0 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
USE OF THIS RIGHT IS COMBINED WITH WATER FROM
NORTH SIDE CANAL CO. LTD.



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

March 17, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FREDERICK PRINS
ANN W PRINS
3462 S 1600 E
WENDELL ID 83355

RE: SRBA Claim(s) 36-04117

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



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

March 14, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN MICHAEL HARLAND FELTON
FELTON & FELTON
PO BOX 589
BUHL ID 83316-0589

RE: Snake River Basin Adjudication (SRBA)
Various Aardema-Heida Dairy Claims

Dear Mr. Felton:

Enclosed please find copies of the Notices of Completed Administrative Proceedings IDWR filed with the SRBA Court March 14, 1997. Please verify by return letter that I have data entered the claimants names correctly.

I have enclosed a listing (exhibit A) of all claims and decrees under the name of Aardema. From this list I have created a second list (exhibit B) which contains 17 Aardema-Heida Dairy claims and decrees (profile reports enclosed) along with the status of each.

As you can see from exhibit B, 36-02232 needs to have chain of ownership from Bruce Berry to John Sandy before the Aardema-Heida Dairy can be shown as the current owners. You will also need to file a Notice of Appearance on claims 36-02312, 36-04117, 36-04151 36-10395 and 36-15181.

Claim 36-15181 was originally filed as Aardema and Heida Dairy with none of the partners names on the claim. In order to change this claim, it will be necessary for you to file an ownership change form listing Aardema Heida Dairy as the new owner and having all the partners sign the form.

36-04151 is very similar. When the ownership change was submitted in 1991, only Aardema Heida Dairy was listed as the owner with no partners; nor did any of the partners sign the ownership change form. In order to get this claim consistent with all the others, it also needs an ownership change. Both 36-15181 and 36-04151 can be listed on the same ownership change form with all four partners signatures.

Aardema Heida Dairy
March 14, 1997
Page 2

I hope this isn't too confusing. If you have any questions or I can help in any way, please feel free to give me a call. I am also enclosing several copies of our most current ownership change form for your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

/tf
Enclosures

OD-XXX
AJ5801NP
SELECTION FILE: TF-AARDEMA

ADJUDICATION
NUMERIC INDEX

DATE: 03/17/97
TIME: 14:33:27
PAGE: 1

WATER RIGHT NUMBER	STG STS	PRIORITY DATE	O C	CLAIMANT NAMES	SOURCES OF WATER	TRIBUTARIES TO
36-02232	L/	11/21/1953	C	BRUCE A BERRY P FRANS AARDEMA P CORNELIA AARDEMA P THOMAS HEIDA P MARY JANE HEIDA P DBA AARDEMA HEIDA DAIRY	GROUNDWATER	
36-02312	L/	11/26/1956	C	FRANS AARDEMA C CORNELIA AARDEMA C THOMAS HEIDA C MARY JANE HEIDA C DBA AARDEMA HEIDA DAIRY	GROUNDWATER	
36-02535	L/	12/23/1961	C	CORNELIA AARDEMA C MARY JANE HEIDA C THOMAS HEIDA C FRANS AARDEMA C DBA AARDEMA HEIDA DAIRY	GROUNDWATER	
36-02610	L/	03/22/1965	C	MARY JANE HEIDA C FRANS AARDEMA C CORNELIA AARDEMA C THOMAS HEIDA C DBA AARDEMA HEIDA DAIRY	GROUNDWATER	
36-02720	L/	02/23/1953	C	FRANS AARDEMA C CORNELIA AARDEMA C THOMAS HEIDA C MARY JANE HEIDA C DBA AARDEMA HEIDA DAIRY	GROUNDWATER	
36-04001	J/	08/01/1954	C	FRANS AARDEMA C CORNELIA AARDEMA C THOMAS HEIDA C MARY JANE HEIDA C DBA AARDEMA HEIDA DAIRY	GROUNDWATER	
36-04050	J/	07/01/1954	C	THOMAS HEIDA C MARY JANE HEIDA C DBA AARDEMA HEIDA DAIRY C FRANS AARDEMA C CORNELIA AARDEMA	GROUNDWATER	
36-04117	J/	03/15/1955	C	FRANS AARDEMA C CORNELIA AARDEMA C THOMAS HEIDA C MARY JANE HEIDA C DBA AARDEMA HEIDA DAIRY	GROUNDWATER	
36-04151	J/	08/15/1954	C	AARDEMA HEIDA DAIRY	GROUNDWATER	

OD-XXX
AJ5801NP
SELECTION FILE: TF-AARDEMA

ADJUDICATION
NUMERIC INDEX

DATE: 03/17/97
TIME: 14:33:40
PAGE: 2

WATER RIGHT NUMBER	STG STS	PRIORITY DATE	O C	CLAIMANT NAMES	SOURCES OF WATER	TRIBUTARIES TO
36-07250	L/	07/21/1972	C	DON AARDEMA EVELYN AARDEMA	GROUNDWATER	
36-07650A	L/	07/30/1976	C	CORNELIA AARDEMA FRANS AARDEMA THOMAS HEIDA MARY JANE HEIDA DBA AARDEMA HEIDA DAIRY	GROUNDWATER	
36-07734	L/	03/11/1977	C	DON AARDEMA EVELYN AARDEMA	GROUNDWATER	
36-08021	L/	01/02/1982	C	AARDEMA DAIRY #1	GROUNDWATER	
36-08169	L/	04/06/1983	C	AARDEMA DAIRY #2	GROUNDWATER	
36-10395	D/	07/01/1984	C	FRANS AARDEMA CORNELIA AARDEMA THOMAS HEIDA MARY JANE HEIDA DBA AARDEMA HEIDA DAIRY	GROUNDWATER	
36-10685	D/	01/01/1950	C	AARDEMA DAIRY #2	GROUNDWATER	
36-10686	D/	01/01/1980	C	DONALD J AARDEMA	GROUNDWATER	
36-10687	D/	01/01/1980	C	AARDEMA DAIRY #2	GROUNDWATER	
36-10734	D/	06/09/1925	C	CORNELIA AARDEMA FRANS AARDEMA THOMAS HEIDA MARY JANE HEIDA DBA AARDEMA HEIDA DAIRY	GROUNDWATER	
36-10735	D/	06/15/1925	C	DBA AARDEMA HEIDA DAIRY FRANS AARDEMA MARY JANE HEIDA THOMAS HEIDA CORNELIA AARDEMA	GROUNDWATER	
36-10736	D/	07/01/1925	C	THOMAS HEIDA MARY JANE HEIDA DBA AARDEMA HEIDA DAIRY FRANS AARDEMA CORNELIA AARDEMA	GROUNDWATER	
36-11070	D/	12/31/1928	C	FRANS AARDEMA CORNELIA AARDEMA THOMAS HEIDA MARY JANE HEIDA DBA AARDEMA HEIDA DAIRY	GROUNDWATER	

OD-XXX
AJ5801NP
SELECTION FILE: TF-AARDEMA

ADJUDICATION
NUMERIC INDEX

DATE: 03/17/97
TIME: 14:33:55
PAGE: 3

WATER RIGHT NUMBER	STG STS	PRIORITY DATE	O C	CLAIMANT NAMES	SOURCES OF WATER	TRIBUTARIES TO
36-11071	D/	12/31/1961	C	FRANS AARDEMA C CORNELIA AARDEMA C THOMAS HEIDA C MARY JANE HEIDA C DBA AARDEMA HEIDA DAIRY	GROUNDWATER	
36-14657	D/	04/30/1941	C	AARDEMA DAIRIES	GROUNDWATER	
36-14665	D/	06/26/1975	C	AARDEMA DAIRIES	GROUNDWATER	
36-14666	D/	06/30/1935	C	AARDEMA DAIRIES	GROUNDWATER	
36-14668	D/	02/10/1948	C	AARDEMA DAIRIES	GROUNDWATER	
36-15144	D/	06/06/1940	C	DONALD J AARDEMA	GROUNDWATER	
36-15181	J/	03/15/1982	C	AARDEMA HEIDA DAIRY	GROUNDWATER	

AARDEMA-HEIDA CLAIMS 3/14/97

36-02232 needs documentation Berry to Sandy
36-02312 need Notice of Appearance
36-02535 ok
36-02610 ok
36-02720 ok
36-04001 ok
36-04050 ok
36-04117 need Notice of Appearance
36-04151 need Notice of Appearance & Ownership Change
36-07650A ok
36-10395 decreed, need Notice of Appearance
36-10734 ok-decreed
36-10735 ok-decreed
36-10736 ok-decreed
36-11070 ok-decreed
36-11071 ok-decreed
36-15181 need Notice of Appearance & Ownership Change

RECEIVED

Form 42-1409(7)



**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

JAN 17 1997

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

Department of Water Resources
Southern Region

DATE OF CLOSING: Jan. 15, 1997

LEGAL DESCRIPTION OF PROPERTY: Township 8 S Range 14 E BM.
Section 25, NW 1/4 of NW 1/4 of SW 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: 36-04117

☐ Name and Address of Former Owner/Claimant(s)(Seller): Frederick & Ann W. Prins, h&w
3462 S 1600 E
Wendell ID 83355

☐ New Owner/Claimant (Purchaser): Aardema-Heida Dairy, an Idaho partnership

☒ New Mailing Address: PO Box 140
Wendell 83355

☒ New Telephone Number: () _____ - _____

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

☒ Attach proof of ownership, describe proof attached: _____
(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 Ann Heida Date 1-15-97
Frederick & Ann W. Prins Date 1-15-97

☒ Signature of Former Owner/Claimant(s): Frederick & Ann W. Prins Date 1-15-97
Frederick & Ann W. Prins Date 1-15-97

(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

RECEIVED

JAN 17 1997

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 SRBA

Case No. 39576

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

INSTRUCTIONS FOR USE

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

CHANGE IN ADDRESS

You must use this form to advise the court and parties of any change in your address during the pendency of the SRBA.

You must provide a copy of the completed form to each party or if the party is represented by an attorney you must serve the attorney in every subcase in which you are a party.

No hearing will be held and no further order will issue from this court.

My name is _____

I am the claimant of _____

(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

This form may only be used if a water right number is included as a "recommendation" in a director's report. *This form cannot be used for water rights that are not in a director's report or when portions of a water right are involved (i.e. where a water right is split).* You must use this form to substitute a new party into the SRBA.

You are to provide a copy of the completed form to every party in each subcase in which the new party is to be substituted. If the party is represented by an attorney you must serve the attorney. Because this is a "consent" form, it is a stipulation that there is no disagreement between the prior claimant/seller and the new claimant/purchaser that the prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue.

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 42-1409(2), (3) and (6) (1986), filed a notice of claim asserting the right to the use of water or on whose behalf the

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The Substitution shall be filed by the new claimant/purchaser.

I am the new claimant/purchaser of 36-04117

My name is Aardema-Heida Dairy, an Idaho partnership
(insert each water right number)

My address is _____

My phone number is: Work _____ Home _____

The name and address of the prior claimant/seller who I wish to be substituted for are:

Frederick & Ann W. Prins, h & w

✓ Frederick Prins
Signature of prior claimant/seller
Ann W. Prins

Ernestine Mary Ann Heida
Signature of new claimant/purchaser
Ernestine Aardema Cornelie Aardema

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name _____

Attorney of record for _____

(Identify party/claimant)

Attorney address and phone number: _____

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

VERIFICATION

(To be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of _____

County of _____

_____, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with the court and that I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on _____
(Insert Date)

Notary Public for _____

Residing at: _____

My Commission expires: _____

INSTRUCTIONS FOR MAILING

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* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

5. One copy to:

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

6. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724

Signature of person or attorney mailing the form

Order No. G-004319

WARRANTY DEED

RECEIVED

JAN 17 1997

For Value Received

Department of Water Resources
Southern Region

Frederick Prins And Ann W. Prins,
Husband And Wife.

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

AARDEMA-HEIDA DAIRY, an Idaho General Partnership composed of Frans Aardema and
Cornelia Aardema, Husband and Wife, and Thomas H. Heida and Mary Jane Heida,
Husband and Wife

the grantee(s), whose current address is

P.O. Box 140, Wendell, ID 83355

the following described premises, to-wit:

SEE ATTACHED EXHIBIT A

TOGETHER WITH: IDWR Water Right Nos. 36-04117 and 36-10395 appurtenant thereto
and all other water rights appurtenant thereto.

169303

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

03 min. past 4 o'clock P m. this 15th
of January, 1997 6:00
By Penny Watson Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s),
his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and
with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all claims whatsoever.

Dated: January 14, 1997



Frederick Prins



Ann-W. Prins

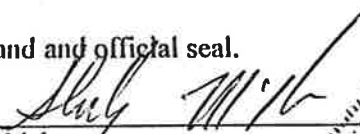
STATE OF IDAHO

: ss

COUNTY OF GOODING

On This Jan. 15th, in the year 1997, before me, a Notary Public in and for said State,
personally appeared Frederick Prins And Ann W. Prins,
known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument,
and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public of Idaho
Residing at Bliss, ID., Idaho
Commission Expires: 05/10/02



First American Title Company of Idaho



EXHIBIT A

G-004319

PARCEL 2:

Township 8 South, Range 14, East of the Boise Meridian, Gooding County, Idaho

Section 25: The South one-half of the Northwest Quarter; the North one-half of the North one-half of the Southwest Quarter and part of the South one-half of the North one-half of the Southwest Quarter, described as follows:

COMMENCING at the West quarter corner of said Section 25;
Thence South 0°01'46" West along the Westerly boundary of said Section 25 for 659.86 feet to the TRUE POINT OF BEGINNING;
Thence South 89°54'14" East 370.00 feet;
Thence South 0°01'46" West 58.00 feet;
Thence North 89°54'14" West 370.00 feet to a point on the Westerly boundary of said Section 25;
Thence North 0°01'46" East along the Westerly boundary of said Section 25 for 58.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide County road easement parallel and adjoining the West and North Section lines of the above parcel.

R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED
FEB 01 1993

Water Right Number - R36-04117

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***

PRINS

FREDERICK

1 - 3462 S 1600 E

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2381

PRINS

ANN W

1 - 3462 S 1600 E

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2381

+ - - Priority Date - - +
03/15/1955+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - - +

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

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

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

Twn Rng Sec Tract Lot RFlg County

08S 14E 25 NW NW SW (47) GOODING

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

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 0.500 100.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.500 100.00 75.0

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

Twn Rng Sec Tract Lot Acres Code Description County

08S 14E 25 SW NW 7.0 01 IRRIGATION (47) GOODING

08S 14E 25 NW SW 18.0 01 IRRIGATION (47) GOODING

Total Acres: 25.0

+ - - Diversion Means - WELL & 15 HP PUMP + 40 HP BOOSTER

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE CONDITIONS

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

No Remarks found.

MICROFILMED
FEB 11 1993

Water right number - R36-04117

Prefix Translation: RESEARCH

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

+ - - - - 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: 05/23/1991 User Id: WORSTELL Subject: REDUCTION OF AREA IRRIGATED
FIELD EXAM & NAPP PHOTO 436-29 (BB20 NE) SHOWED LAND IN SW NW OF SEC 25 IS NOT BEING IRRIGATED.

+ - - Audit Fields - - +

10/04/91 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	- 10/04/1991	Old Judicial District	-
Claim Received Date	- 08/09/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M000951	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
FEB 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:31:51
06/30/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-04117

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

MICROFILMED
FEB 01 1993

LW 7/21/90
RVW 5/23/91

"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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:31:51
06/30/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-04117

LAST: BOX CANYON LIVESTOCK INC.
ADDRESS: RT. 1
CITY: WENDELL
PHONE NUMBER: 208-000-0000

OWNER CODE: O

FIRST:

STATE: ID ZIP: 83355

LAST: PRINS
ADDRESS: 3462 S. 1600 E.
CITY: WENDELL
PHONE NUMBER: 208-536-2381

OWNER CODE: C

FIRST: FREDERICK

STATE: ID ZIP: 83355

LAST: PRINS
ADDRESS: 3462 S. 1600 E.
CITY: WENDELL
PHONE NUMBER: 208-536-2381

FIRST: ANN W.

STATE: ID ZIP: 83355

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

MICROFILMED
FEB 01 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 8/14/90 L. WHITE APPOINTMENT MADE: Y(____) N(✓)

TIME: 12:30 A(____) P(✓)

ACCOMPANIED BY: 5/22/91 R. WORSTELL

PHONE NUMBER: (____) ____-____
12:30 Noon

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
FEB 01 1993

A. AJ CLAIM: # A36-04117 PRIORITY DATE: 03-15-1955 STAGE: S

B. WR RECORD: # 36-04117 PRIORITY DATE: 03-15-1955 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

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

REMARKS:

See affidavit of priority

MICROFILMED
FEB 01 1993

=====

RECOMMENDED PRIORITY DATE:
03-15-1955

REVIEWED BY

R.V. V.

DATE

5/20/91

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-04117	08S	14E	25	NW	NW	SW		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-10395 NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-04117	08S	14E	25		NW	SW		GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A36-10395 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
2
2

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:

8/14/90

MICROFILMED
FEB 01 1993

A. ROOT WATER RIGHT NUMBERS: A36-04117

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	2nd Review FIELD EXAM.	RECOMM. ACRES
08S	14E	25	NW	SW		PRINS, FREDERICK	A36-04117 /20.0	36-04117 /35.0	38.0		
						PRINS, FREDERICK	A36-10395 /	- /		18 90	20 18
						LARGE CLAIM	A01-0021221/40.0	- /			
08S	14E	25	SW	NW		PRINS, FREDERICK	A36-04117 /30.0	36-04117 / 7.0	24.0		
						LARGE CLAIM	A01-0021221/30.0	- /		7 0	7
TOTAL ACRES							A36-04117	50.00	42.00	62.00	20 25

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

Phone call to Frederick Prins 5/21/91 by R.V. WORSTELL
Part of land and dairy operation was sold in 1984
Which caused the "accomplished change" of the adjudication
claim as compared to the licensed right.
See attached record of sale copy.
Field exam (5-22-91) showed Land in SWNW not irrigated. Confirmed with NAPP photo 436-29

RECOMMENDATIONS:

TOTAL ACRES: 20 25

REVIEWED BY: R.V. WORSTELL

DATE: 5/23/91

See 10-2-91

NOTE: affidavit indicates only 12 Acres irrigated

MICROFILMED
FEB 01 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-04117 IRRIGATION	FROM 03-15 TO 11-15	1.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.500 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-04117 IRRIGATION	FROM 03-15 TO 11-15	1.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.500 CFS

MICROFILMED
FEB 01 1993

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)	N	<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:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.500 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

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

FIELD
DATABASE EXAMINER
Y

See Ground Water measurement Analysis Sheet.

MICROFILMED
FEB 01 1993

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

theor. Calc = 1.38 cfs

SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

517

See page 9

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-04117	GROUNDWATER	PRINS , FREDERICK	1.500	0.030		
A01-0021221	LARGE CLAIM	LARGE CLAIM	9999999.000	415.354		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-10395	DOMESTIC	PRINS , FREDERICK	FROM 01-01 TO 12-31	.040 CFS	
A36-10395	STOCKWATER	PRINS , FREDERICK	FROM 01-01 TO 12-31	.020 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES ~~50.20~~ ²⁵ x 0.02 CFS/ACRE = ~~1.004~~ ^{0.50} CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 150.0 AF/A
ACRES ~~50.20~~ ²⁵ x CONSUMPTIVE VOL. AF/A FOR AREA ~~3~~ ⁷⁵ =
TOTAL CONSUMPTIVE USE ~~150.6~~ ^{187.5} AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = — AF/A
ACRES ~~50.20~~ ²⁵ x DIVERSION VOL. AF/A FOR AREA ~~4~~ ¹⁰⁰ =
TOTAL DIVERSION VOLUME ~~200.8~~ ^{250.0} AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

Overlap Review —
85 14E Se 25

NW SW

NOT IRRIGATED
~~SW NW~~
R.D. W

PRIN'S
A36-04117

20 AC

30 AC

North Side Canal
A01-00212 Z1

40 AC

30 AC

Overlap

20 AC

20 AC

40 AC
20 AC

MICROFILMED
FEB 0 1 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER ~~1.500~~ <u>0.4</u>	DATABASE EXAMINER ~~80~~ <u>0.50</u>	DATABASE EXAMINER ~~150.0~~ <u>40</u>
TOTAL FOR THIS RIGHT		~~1.500~~ <u>0.4</u>	~~80~~ <u>0.50</u>	~~150.0~~ <u>40</u>
REVIEWED BY: <u>R. V. Zk</u>		DATE: <u>5/21/91</u>		

Sw

E05 — 100 AF
75 AF
25 Ac.

C09

MICROFILMED
FEB 0 1 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

B. SPLIT WATER RIGHT REVIEW

No Splits

ROOT WATER RIGHT NUMBER: 36-04117

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.500

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-04117	1.500	-	0.50	36-04117	1.500
TOTAL CFS		1.500	1.00 <i>FA</i>			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
Y

REMARKS:

** Portion of the original right appears to have been abandoned or forfeited.*

AUTHENTICATION:

SIGNATURE:

Robert V. Worstell

DATE:

5/21/91

NAME OF FIELD EXAMINER:

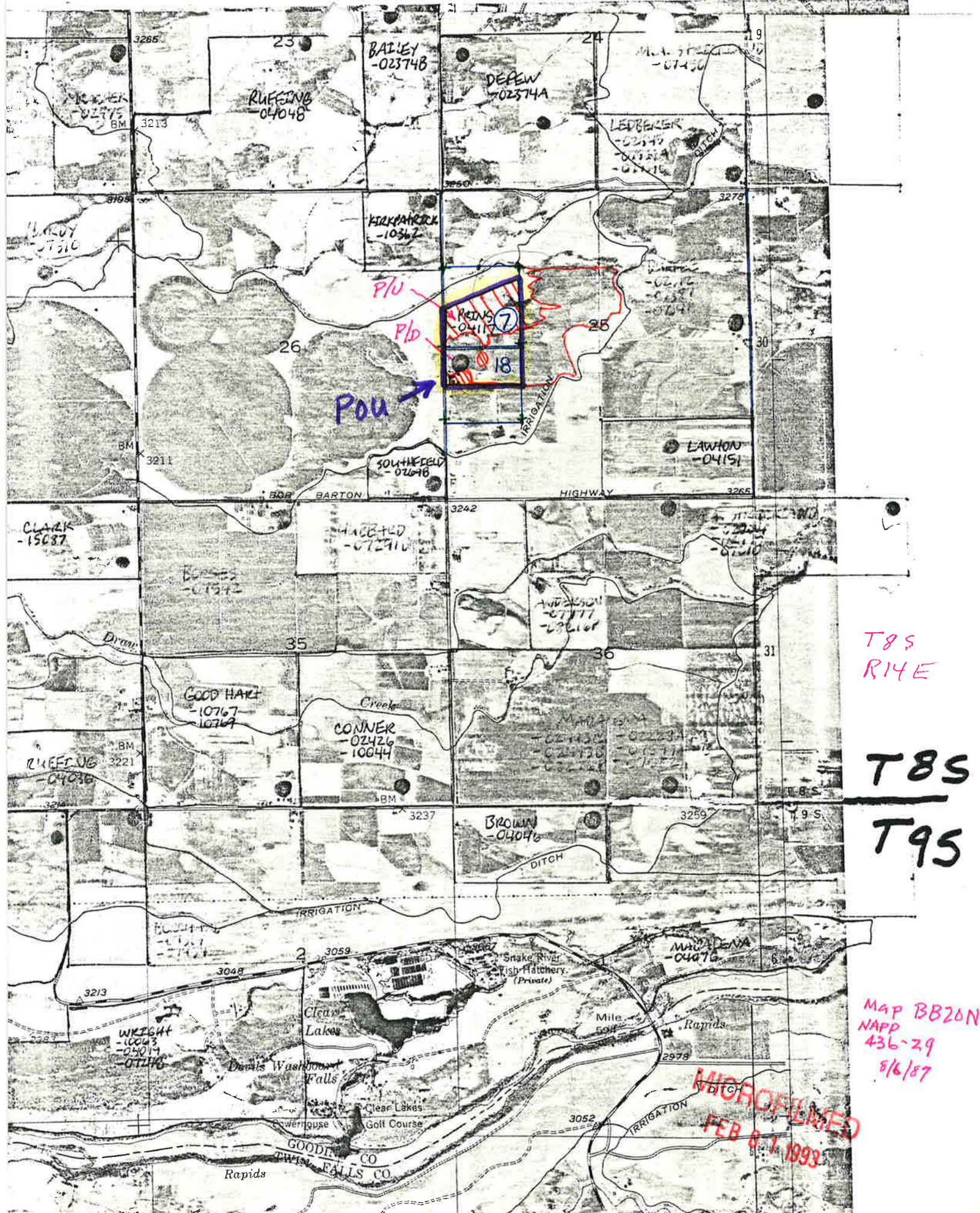
*ROBERT V. WORSTELL
+ LORI WHITE*

TITLE:

SR ADJ AGENTS

Steve Cell 10-2-91

MICROFILMED
FEB 01 1993





A36-04117

Fredrick Prins. Claim

MICROFILMED
FEB 01 1993

ID 83355

MICROFILMED
FEB 01 1993

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: A36-04117
DATE: 8/15/90
BY: LW + BW

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

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) \dots (0.70)}{[(\dots) + (\dots \times 2.31)]} = \frac{338.8}{245.53} = 1.38$$

LIFT FROM:
measurement ()
owner (✓)
area estimate ()
well logs ()

PSI FROM:
measurement ()
owner ()
estimate ()
owner gage (✓)
Booster (Y) (N)

NOTES ON PUMP:
Motor Make, Serial or ID
U.S. 234297B, 15HP, 63PSI
Pump Make, Serial or ID, rating
PACO PE9080789, 40HP

REMARKS

ANNUAL VOLUME ANALYSIS

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

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	POTENTIAL =
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL = 13.44

REQUIRED Acre Feet/Acre/Annum = 4
(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

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

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

MICROFILMED
FEB 01 1993