

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: A36-07294
Date Received: 8/23/1988
Receipt No: S001669
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

AND

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

2. Date of Priority: JAN 30, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	25E	27	NW	NW	NW		MINIDOKA

5. Description of diverting works:
WELL, PUMP, 125 HP MOTOR, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.120		

7. Total Quantity Appropriated is:
2.120 C.F.S. (and/or) 640.00 A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	25E	27	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
							Section Acres	160.0
							Total Acres	160.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:

OWNERSHIP CHANGE 1/25/90 ADM

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

Steve Porche
4 - 0606

RECEIVED

JAN 23 1990

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

Department of Water Resources
Southern Region Office

[] Water Right Number(s): A 36-07294

[] Name and Address of
Former Claimant: Ray H. Lindauer and Ethel E. Lindauer,
husband and wife

P.O. Box 72 - Minidoka, Idaho 833343

[] New Claimant(s): Gregory W. Heins and Cristi K. Heins,
husband and wife

[] New Mailing Address: Route 3 - Box 225
Rupert, Idaho 83350

New Telephone Number: (208) 531 - 5952

[] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: Unrecorded Contract Sale

[] Signature of New Claimant(s): Gregory W. Heins
Cristi K. Heins

Date: January 17, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1/25/90 By: AD

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 1/25/90 By: AD

Claim Numbers of Split, if any:

MICROFILMED
FEB 03 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07294
Date Received: 8/23/1988
Receipt No: 506/667
Received By:

COPY

FOR YOUR FILES
DO NOT RETURN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY H. LINDAUER 208-531-4634
Address: P. O. BOX 72
MINIDOKA, ID 83343

AND/OR

Name: ETHEL E. LINDAUER 208-531-4634
Address: P. O. BOX 72
MINIDOKA, ID 83343

2. Date of Priority: JAN 30, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	25E	27	NW	NW			MINIDOKA

5. Description of diverting works:
WELL, PUMP, 125 HP MOTOR, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.120		

7. Total Quantity Appropriated is:
2.120 C.F.S. (and/or) 640.00 A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A36-07294

Page 1

Date: 08/23/88

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OCT 19 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	25E	27	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
							Section Acres	160.0
							Total Acres	160.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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 x 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): Ray H Lindauer Date: 8-23-88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

25-Jan-1990 16:02

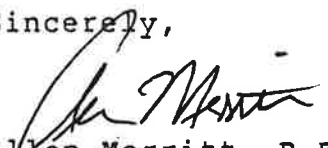
Gregory W. and Cristi K. Heins
Rt. 3 Box 225
Rupert, ID 83350

RE: SRBA Claim A36-07294

Dear Claimant:

Pursuant to the notification that you presently own the property in which the above referenced adjudication claim is appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of the claim noting the change in claimant. Please review the record and if you have any corrections please contact this office.

Sincerely,


Allen Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED
FEB 03 1993

Land Title and Escrow, Inc.

January 23, 1990

Idaho Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301
Attn: Allen D. Merritt

RE: Water Rights Heins/Lindauer

Dear Mr. Merritt:

Enclosed please find a copy of the Contract of Sale between
Heins/Lindauer.

If you should need further information please contact me at
436-0606.

Very truly yours,
LAND TITLE & ESCROW, INC.

Cherie Wing
Closing Secretary

Box 177
Burley, Idaho 83318
Phone 678-3524
Box 36
Jerome, Idaho 83338
Phone 324-4842

Refer to: 20059MC
Office: Rupert

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JAN 25 1990
FEB 03 1993

Department of Water Resources
Southern Region Office

RECEIVED

JAN 25 1990

CONTRACT OF SALE

Department of Water Resources
Southern Region Office

This Agreement made and entered into this 13th day of December, 1988, by and between RAY H. LINDAUER and ETHEL E. LINDAUER, husband and wife, hereinafter known as the Sellers, and GREGORY W. HEINS and CRISTI K. HEINS, husband and wife, hereinafter known as the Purchasers, WITNESSETH:

That, whereas, the Sellers are the owners of certain real estate hereinafter described and located in Minidoka County, and

WHEREAS, the Purchasers are willing and desirous of purchasing the Sellers real estate and the Sellers have agreed to sell and transfer the same to the Purchasers on the terms and conditions contained herein.

NOW, THEREFORE, in consideration of the stipulations herein contained and the payments to be made as hereinafter specified and the conveyance and agreements to be kept, performed and observed by the Purchasers the Sellers do hereby covenant and agree to sell, transfer and convey unto the said Purchasers, and the Purchasers do hereby covenant and agree to purchase of and from the Sellers the following described real property, situated in the County of Minidoka, State of Idaho, to-wit:

NW1/4, SECTION 27 TOWNSHIP 7 SOUTH, RANGE 25 EAST
OF THE BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

Together with the deep well pump, mainline,
sprinkler system and deep well license of
water right #36-7294.

1. PAYMENT OF PURCHASE PRICE. The total purchase price for the above-described real estate is the sum of ONE HUNDRED SIXTY THOUSAND and NO/100 DOLLARS (\$160,000.00), lawful money of the United States of America and shall be paid as follows:

a. Down payment to be made hereon shall be in the sum of TWENTY THOUSAND and NO/100 DOLLARS (\$20,000.00) cash, receipt of which is hereby acknowledged.

b. The balance of the purchase price after the down payment as aforesaid is the sum of ONE HUNDRED FORTY THOUSAND and NO/100 DOLLARS (\$140,000.00) which is payable in yearly installments commencing

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FEB 03 1993

on the 5th day of January, 1990, in the sum of FIFTEEN THOUSAND FOUR HUNDRED TWENTY THREE and 80/100 DOLLARS (\$15,423.80), and a like installment of \$15,423.80 on the 5th day of January each and every year thereafter until the balance of principal and interest shall have been paid. In any event the balance shall be paid in full on or before December 13, 2013. Interest shall commence on the 5th day of January, 1989, and shall be at the rate of Ten Percent (10%) per annum on the unpaid balance. It is agreed that all payments shall be applied first to interest and the balance to principal.

2. NO PREPAYMENT. It is understood and agreed by and between sellers and buyers that no prepayment of principal shall be allowed under this contract without the buyers having first secured the written consent of the sellers to such prepayment. The acceptance of prepayment by the sellers on any individual installment shall not constitute nor shall it be considered as consent to any future prepayment.

3. DEFERRED PAYMENTS. It is understood and agreed that if the payments herein specified and required to be paid by the Purchasers are not made in the time designated therefore, or the Purchasers otherwise default under the terms and provisions of these presents and such default of payment or otherwise continues for a period of thirty (30) days after the Sellers have mailed written notice thereof by certified mail to the Purchasers at their last known address, postage prepaid, the Sellers may have the option and without any further notice declare this Contract and all the rights of the Purchasers herein and hereunder forfeited and terminated. Whereupon all the rights of the Purchasers to remain in possession of said premises shall immediately terminate and the Sellers shall be released of all obligations both in law and in equity to convey the property herein described, and the Purchasers, upon demand by the Sellers, shall surrender possession of said property and improvements thereon forthwith to the Sellers, and all the rights of the Purchasers under the contract and the property shall forthwith cease and terminate and all payments made hereunder by the Purchasers and the benefit of all expenditures or liabilities incurred by the Purchasers and all of the improvements made upon the said premises shall be retained by the Sellers at their option as recompense for the use of said property and liquidated damages. Provided, however, that the above and foregoing

remedies shall be considered as optional, additional, and cumulative remedies, and not as a waiver of any other right or remedy the Sellers would otherwise have at law or in equity to enforce the performance of this Contract or to recover damages for the breach thereof. Provided further that if any such default is corrected within the thirty (30) days as aforesaid, this Agreement shall remain in full force and effect as if never breached.

4. LIMITATION OF LIABILITY. If and in the event the purchasers shall allow a default to go uncorrected such that the sellers exercise their right to declare a forfeiture and repossess the property as set forth in paragraph three, then and in that event the purchasers shall have no further personal liability to the sellers on a occasion of their default in making the deferred payments provided in the contract.

5. MERCHANTABLE TITLE. The Sellers agree at their expense to furnish to the Purchasers upon the payment of the balance of said purchase price a title insurance policy in an amount equal to the purchase price as set out herein, and shall deliver to the Purchasers a good and sufficient Warranty Deed conveying all of the Sellers interest in and to the real property to the Purchasers their heirs and assigns, free and clear of all encumbrances except for the accruing taxes, if any.

6. TAXES. The Sellers will pay all taxes for the year, 1988, and prior thereto. Taxes for the year, 1989, and thereafter shall be paid by the Purchasers.

7. EXAMINATION OF PREMISES. The Purchasers hereby stipulate and agree with the Sellers that they have personally inspected the real property and personal property, the subject of this contract, and are completely familiar with the conditions thereof, and based upon their personal examination have accepted the same, and the Purchasers enter into this Agreement upon the basis of their own inspection, and not upon any representation of any kind by the Sellers or their agents which are not specifically set out herein.

8. INSURANCE AND MAINTENANCE. It is further stipulated and agreed that the Purchasers shall insure the pump and sprinklers on said premises for their full value with Contract of Sale clause attached to the policy showing the Sellers interest as it may appear therein. Purchasers are to keep, maintain and repair the pump and sprinkling system during the term of this contract.

9. ATTORNEYS' FEES. In the event of the institution of any action or proceeding under or on account of this Contract, the party or parties hereto adjudged to be in default by the Court before which said action is tried, shall pay in addition to damages and costs allowed by law or by the Court such sum as the Court shall adjudge to be reasonable attorneys' fee for the institution and prosecution or for the defense of such action. It is further understood that any notices of forfeiture made necessary by the default of the Purchasers and any expenses incurred by the Sellers in enforcing payment as the same shall fall due under the provisions of this Contract, shall be a charge against the Purchasers and shall be paid by the Purchasers.

10. HEIRS BOUND. It is expressly understood and agreed by the parties hereto that this Contract shall apply to and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

11. ENTIRE AGREEMENT. This Agreement supersedes all prior negotiations of the parties hereto and it is expressly understood and agreed that this purchase and sale is based upon no other or different representations, save and except those expressly set forth herein.

12. ESCROW AGREEMENT. Simultaneously with the execution of this Agreement the said parties of the first part shall execute a deed to the above described premises, which said deed, together with a copy of this Agreement, shall be placed in escrow with the Land Title & Escrow Co., Inc., to be finally delivered under the terms of said escrow agreement to the said parties of the second part upon compliance with the terms of this Agreement as herein set forth.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

Ray H. Lindauer
Ray H. Lindauer

Ethel E. Lindauer
Ethel E. Lindauer

Gregory W. Heins
Gregory W. Heins

Cristi K. Heins
Cristi K. Heins

STATE OF IDAHO)
) SS.
County of Minidoka)

On this 13th day of December, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared Ray H. Lindauer and Ethel E. Lindauer, husband and wife, and Gregory W. Heins and Cristi K. Heins, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.



Steven E. Paul
Notary Public for Idaho
Residing at Rupert, Idaho
My Commission Expires: 5/1/93

MICROFILMED
FEB 03 1993

1997 AUG -8 PM 1:36

DISTRICT COURT
TWIN FALLS, IDAHO
FILEDIN 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 PROCEEDINGSSUBCASE NOS. 36-02066A, 36-02098,
36-02469D, 36-02469E, 36-02678,
36-07294, 36-13531, 36-15458IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No**FROM: Claimant/Seller(s):**

Name and Address of Claimant/Seller(s):

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

Phone: 531-5348

TO: Claimant/Purchaser(s):

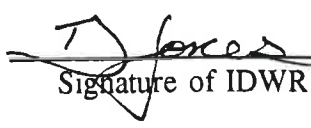
Name and Address of Claimant/Purchaser(s):

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

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

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

DATED: 7/10/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

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

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



Signature of person or attorney mailing the form

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

DATE: AUG-6-1997

PAGE: A-6

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07294

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

SOURCE: GROUNDWATER

QUANTITY: 2.12 CFS
640.0 AFY

PRIORITY DATE: 01/30/1973

POINT OF DIVERSION: T07S R25E S27 SWNNW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	2.12 CFS
			640.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T07S R25E S27	NENW 40	NWNW 40	SWNW 40	SENW 40
	160 ACRES TOTAL				

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 8, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

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

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

cc: Roger D. Ling Esq.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

December 17, 1996

KARL J. DREHER
DIRECTOR

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

RECEIVED

FEB 12 1997

Department of Water Resources
Snake River Basin

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

Dear Claimants:

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

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

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

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

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region:tf

Sev

DATE: 08/04/97
PAGE: 1

Date: 10/07/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION

AJ0749NP
No. R36-07294

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

DATE: 08/04/97
PAGE: 2

=====
Comments: Date: 10/07/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B - NO CHANGE.
NOE WANTED TO ADD ADDITIONAL ACRES TO LICENSED ACRES AND
QUESTIONED NEW STANDARD SEASON OF USE.

Date: 03/03/1994 User-ID: FRAZEE Subject: NOTICE OF APPEARANCE (NOA)
PER NOA REC'D 2/7/94, ADDED ATTORNEY ROGER D LING

Date: 01/30/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.
*ATTY NAME/ADDRESS STANDARDIZED TO AVOID DUPLICATE MAILING LABELS

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

Audit: 08/04/97 SCLELLAN

AJ5856NP

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

DATE: JUL-10-1997
PAGE: A-6

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07294

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

SOURCE: GROUNDWATER

QUANTITY: 2.12 CFS
640.0 AFY

PRIORITY DATE: 01/30/1973

POINT OF DIVERSION: T07S R25E S27 SWNWNW Within MINIDOKA County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.12 CFS
			640.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T07S R25E S27	NENW 40	NWNW 40	SWNW 40	SENW 40
	160 ACRES TOTAL				

CONSUMPTIVE USE: 480.0 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

In Re SRBA)

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

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

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

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

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

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

Phone: 531-5348

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

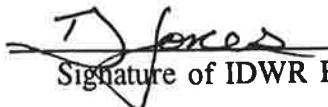
The Duncan Limited Partnership
Paul H Duncan
Kathy F Duncan
750 E 100 S
Rupert ID 83350

Phone: 436-1214

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

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

DATED: 7/10/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

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

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

Signature of person or attorney mailing the form

AJ0749NP
No. 36-07294

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

DATE: 07/02/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THE DUNCAN LIMITED PARTNERSHIP	01/30/1973	IRRIGATION	04-01 10-31	2.12 CFS	640.00 AFA
C	PAUL H DUNCAN					
C	KATHY F DUNCAN					
	750 E 100 S					
	RUPERT ID 83350					
	(208) 436-1214					
D	CRISTI K HEINS					
D	GREGORY W HEINS					
	RT 3 BOX 225					
	RUPERT ID 83350					
	(208) 531-5952					

TOTAL DIVERSION: 2.12 CFS
~~CONSUMPTIVE USE: 480.00 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R25E S27

SWNNWN

MINIDOKA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
07S	25E	27	:																	160.0
TOTAL ACRES																			160.0	

POU County: MINIDOKA

Other Rights: NONE

Dates: Exam Made Date: 06/06/1991 Verified Date: Objection Filed Date: 04/29/1993

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

Comments: Date: 06/20/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS

OWNERSHIP CHANGE 1/25/90 ADM

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

Date: 10/07/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION

sw
8/4/97

AJ0749NP
No. 36-07294

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

DATE: 07/02/97
PAGE: 2

=====
Comments: Date: 10/07/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B - NO CHANGE.
NOE WANTED TO ADD ADDITIONAL ACRES TO LICENSED ACRES AND
QUESTIONED NEW STANDARD SEASON OF USE.

Date: 03/03/1994 User-ID: FRAZEE Subject: NOTICE OF APPEARANCE (NOA)
PER NOA REC'D 2/7/94, ADDED ATTORNEY ROGER D LING

Date: 01/30/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.
*ATTY NAME/ADDRESS STANDARDIZED TO AVOID DUPLICATE MAILING LABELS

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

Audit: 07/02/97 SCLELLAN



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 10-18-96

DEC 06 1996

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

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

SEE ATTACHED WARRANTY DEED
FOR LEGAL DISCRPTION

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

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

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

[] New Owner/Claimant (Purchaser): THE DUNCAN LIMITED PARTNERSHIP, AN IDAHO LIMITED PARTNERSHI

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

[] New Telephone Number: (208) 436 - 1214

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

[] Attach proof of ownership, describe proof attached: QUITCLIAM DEED

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

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

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 7/2/97 By: sa

Claim Numbers of Split, if any:

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

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

QUITCLAIM DEED

#10684

COPY

For Value Received

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

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

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

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

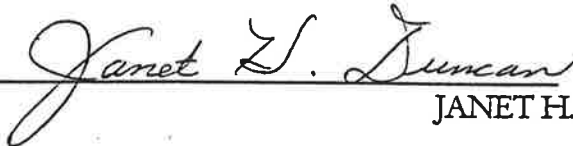
SEE ATTACHED EXHIBIT "A"

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

Dated: October 18, 1996



JACK F. DUNCAN



JANET H. DUNCAN

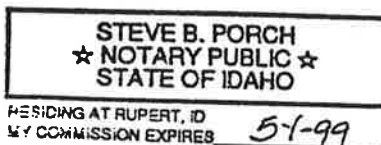
STATE OF IDAHO)

COUNTY OF MINIDOKA)

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



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



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

427017

Order No.: 10684

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

EXHIBIT "A"

PARCEL NO. 1:

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

SECTION 34: NE¼.

PARCEL NO. 2:

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

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

Beginning at the Northeast corner of said Section 19; thence South for 41¼ rods
to the TRUE POINT OF BEGINNING;
Thence West for 15 rods;
Thence South for 15 rods;
Thence East for 15 rods;
Thence North for 15 rods to the POINT OF BEGINNING.

SECTION 20: W½.

PARCEL NO. 3:

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

SECTION 16: All.

PARCEL NO. 4:

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

SECTION 17: NE¼ and S½;

SECTION 35: NE¼;

SECTION 36: SAVE AND EXCEPT the following described tract:

Beginning at the Northeast corner of Section 36, said corner marked by a U.S.
GLO iron pipe with brass cap which shall be the POINT OF BEGINNING;
Thence South 00°05'00" East along the East line of Section 36 for 2639.97 feet
to a 5/8 inch rebar alongside a bent U.S. GLO iron pipe;
Thence South 00°14'25" East along the East line of Section 36 for 2628.09 feet
to a 5/8 inch rebar at the Southeast corner of Section 36;
Thence North 88°56'38" West along the South line of Section 36 for 1982.66
feet to a point;
Thence North 01°02'58" East for 37.49 feet to a ½ inch rebar;
Thence North 01°02'58" East for 1239.35 feet to a ½ inch rebar;
Thence North 89°03'28" East for 78.68 feet to a ½ inch rebar;
Thence North 00°10'53" West for 47.21 feet to a ½ inch rebar;
Thence North 78°47'40" West for 272.35 feet to a ½ inch rebar;
Thence North 00°15'49" West for 1122.27 feet to a ½ inch rebar;
Thence North 43°54'39" West for 52.13 feet to a ½ inch rebar;
Thence North 89°43'54" West for 561.95 feet to a ½ inch rebar;
Thence North 64°50'51" West for 69.79 feet to a ½ inch rebar;
Thence North 50°17'16" West for 200.49 feet to a ½ inch rebar;
Thence North 89°43'41" West for 874.35 feet to a ½ inch rebar;
Thence North 00°55'56" East for 1270.63 feet to a ½ inch rebar;
Thence South 88°50'12" East for 973.71 feet to a ½ inch rebar;
Thence North 01°11'23" East for 1333.41 feet to a ½ inch rebar on the North
line of Section 36;
Thence South 88°52'57" East along the North line of Section 36 for 166.05 feet
to a 5/8 inch rebar at the North quarter section corner of Section 36;
Thence South 88°52'57" East along the North line of Section 36 for 2640.32 feet
to the POINT OF BEGINNING.

EXHIBIT "A"
(CONTINUED)

PARCEL NO. 5:

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

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

PARCEL NO. 6:

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

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

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

PARCEL NO. 7:

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

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

PARCEL NO. 8:

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

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

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPPlease print or type
(see instructions on back of page)

DATE OF CLOSING: 9-12-96

DEC 06 1996

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____ 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM. _____
Lot _____ Block _____ Subdivision/Townsite _____
Department of Water Resources
Southern RegionIf you have additional legal descriptions, please attach separate sheet. SEE ATTACHED WARRANTY DEED
See Attached FOR LEGAL DISCRIPTION

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

- [] Attach proof of ownership, describe proof attached: WARRANTY DEED

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

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

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

FOR IDWR USE ONLY:

Initial Review and Data Entry

Date:

By:

Further Action Needed:

Further Action Taken:

Date:

By:

Final Review and Data Entry

Date:

By:

Claim Numbers of Split, if any:

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

WARRANTY DEED

#10684

426065

For Value Received

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

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

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

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

See attached Exhibit "A"**Together with all water and water rights, ditches or ditch rights used thereon or appurtenant thereto.****SUBJECT TO:****All reservations in patents or deeds in the chain of title.****Taxes for 1996 and subsequent years.****A Power Line easement dated February 25, 1972 and recorded October 26, 1972 as Document No. 228438 Minidoka County records.****A Power Line Easement dated February 25, 1972 and recorded October 26, 1972 as Document No. 228439 Minidoka County records.****Exceptions and reservations in Special Warranty Deed and Bill of Sale dated December 8, 1988 and recorded December 22, 1988 as Document No. 382905 Minidoka County records, and transferred by Quitclaim Deed dated March 13, 1989 and recorded March 19, 1989 as Document No. 384320, Minidoka County records.****An Easement Agreement For Ingress And Egress dated March 27, 1989 and recorded March 27, 1989 as Document No. 384419, Minidoka County records.****Terms and conditions of an unrecorded Contract of Sale dated December 13, 1988 held at the Rupert office of Land Title & Escrow, Inc.****TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.****Dated: September 9, 1996**

Order No.: 10684

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

SECTION 34: NE¼.

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

SECTION 26: N½

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

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

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

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

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

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

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

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

Gregory W. Heins
Gregory W. Heins

Cristi K. Heins
Cristi K. Heins

CLAUDE INC.

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

STATE OF Canada)

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

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

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

STATE OF Canada)

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

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

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

RECORDED AT REQUEST OF
Land Title-Rupert
FILM NO. _____

SEP 17 16 : 45

MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE 12 DEPUTY DL

426065

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



LASCHOWSKI, MARVIN ERNIE

of **GRAND CENTRE**

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

Effective Date

February 26, 1995

Expiry Date

February 26, 1998

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

A handwritten signature in dark ink, appearing to read "Whit", is written over the Department of Justice text.

Department of Justice

028637

Appointee # **0647753**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

December 17, 1996

KARL J. DREHER
DIRECTOR

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

DEC 20 1996

Department of Water Resources
Southern Region

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

Dear Claimants:

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

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

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

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

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region:tf

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

September 9, 1996 11:14am

CUSTOMER

STEVE PORCH/LAND TITLE-BURLEY

SUBJECT: PROFILE REPORTS

phone call (X) walk-in (.)

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

Rancho Verde, Inc 36-02062
36-02099
36-02100
36-02221
36-13527

Split Butte Ranch, Inc 36-02109
36-02141
36-02142B
36-02143
36-02446
36-02447
36-07356
36-13529
36-13530

Gregory & Cristi Heins 36-02678
36-07294
36-15458

Warren & Elise Heins 36-02066A
36-02098
36-02469D
36-02469E
36-13531

MICROFILMED

DEC 04 1996

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED
OCT 19 1994

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

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

Petitioner,

vs.

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

Respondents.

- PAGE

OCT 19 1994

2. Person who filed objection:

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

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

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

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

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

	No. of Pages
Notice of Claim No. A36-07294	3

(Over)

MICROFILMED
OCT 19 1994

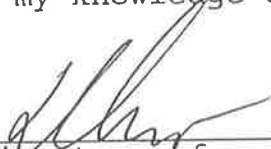
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

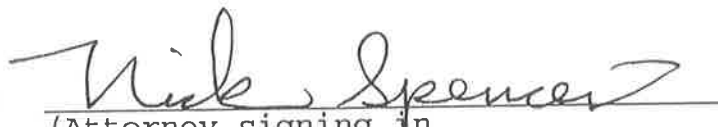
David B. Shaw, being first duly sworn, upon oath, deposes and says:

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



Signature of person filing response

By:



(Attorney signing in
representative capacity)

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



Notary Public for Idaho

Residing at: _____

My Commission expires: _____

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

CERTIFICATE OF MAILING

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

1. Original to:

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

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

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

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

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

4. One copy to:

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



Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07294

Date Received: 8/23/1988

Receipt No: 506/669

Received By: 91

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY H. LINDAUER 208-531-4634
Address: P. O. BOX 72
MINIDOKA, ID 83343

AND/OR

Name: ETHEL E. LINDAUER 208-531-4634
Address: P. O. BOX 72
MINIDOKA, ID 83343

2. Date of Priority: JAN 30, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	25E	27	NW	NW			MINIDOKA

5. Description of diverting works:
WELL, PUMP, 125 HP MOTOR, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.120		

7. Total Quantity Appropriated is:
2.120 C.F.S. (and/or) 640.00 A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A36-07294

Page 1

Date: 08/23/88

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FEB 03 1988
OCT 19 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	25E	27	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0

Section Acres 160.0

Total Acres 160.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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 x 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): Ray H Lindauer Date: 8-23-88

Date: _____

State of Idaho

County of Twin Falls)
SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of August 19 88

Seal

Roxanne Storey
Notary Public

Residing at Buhl, Id

My Commission Expires 6-30-94

RECEIVED

APR 30 1993

Department of Water Resources
Adjudication Bureau

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

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

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

Petitioner,

vs.

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

Respondents.

AS5809NP
Case No. 36-07294
(You must insert the
water right number you
are objecting to)

OBJECTION

36-07294 -0001/
93-04-0311

INSTRUCTIONS

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

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

(Over)

OBJECTION - 1

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OCT 19 1994

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: _____

Greg HEINS
ROUTE 3, BOX 225
RUPERT, ID 83350

Address: _____

Briefly describe your interest in this water right:

Owner

2. Owner of the water right:

Name: _____

Greg & Cristi HEINS
ROUTE 3, BOX 225
RUPERT, ID 83350

Address: _____

3. If this objection is filed by an attorney:

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

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

II. STATEMENT OF THE OBJECTION

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

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

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

REASONS SUPPORTING EACH BOX CHECKED

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

#8. WE Typically Irrigate in MARCH.

CHANGES TO THE DIRECTOR'S REPORT

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

Change Period of use to Read - Period of use 3-01-2011-01

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

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

I DO HAVE Support material Please Call.

VERIFICATION (Must be Completed)

State of IDaho

County of minidoka

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

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

[Signature]
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

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

[Signature]
Notary Public for IDaho
Residing at: Rupert
My Commission expires: 12-3-98

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

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

1. Original to:

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

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

Owner name:

Greg & Cristi HEINS

Owner's address:

ROUTE 3, BOX 225
RUPERT, ID 83350

3. One copy to:

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

4. One copy to:

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

Greg Heins
Signature of Objector or attorney
mailing on Objector's behalf

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

WARREN HEINS
GREG & CRISTI HEINS

2. SUBJECT OF INQUIRY:

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

3. RESPONSE TO INQUIRY:

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

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

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

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

4. IDWR STAFF AND DATE:

Steve Clelland

4-9-93

Print name and initial

STEVE CLELLAND

SC

(22) WATER RIGHT CLAIM (Nos.):

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

A36-2026, A36-2066A, A36-02098, A36-2099
A36-2100, A36-2109, A36-2141, A36-2142B
A36-2143, A36-2221, A36-2446, A36-2447,
A36-2469D, A36-2469E, A36-2678

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OCT 19 1994

RECEIVED

RECEIVED

MAR 7 1994

FEB 07 1994

Department of Water Resources
Southern Region Office

Department of Water Resources
Adjudication Bureau

Movant's Name: Greg and Cristi Heins

Attorney Name & Address: ROGER D. LING
LING, NIELSEN & ROBINSON
615 H. Street, P.O. Box 396
Rupert, Idaho 83350

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

In Re SRBA

Subcase No. 36-07294

Case No. 39576

NOTICE OF APPEARANCE

CM + blank updated.
3-3-94 sf

DESCRIPTIVE SUMMARY

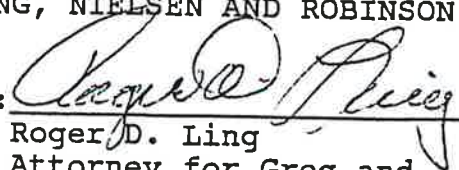
This document is a Notice of Appearance by Roger D. Ling of the firm of Ling, Nielsen and Robinson on behalf of Greg and Cristi Heins.

NOTICE OF APPEARANCE

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

DATED this 4th day of February, 1994.

LING, NIELSEN AND ROBINSON

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

MICROFILMED
OCT 19 1994

CERTIFICATE OF MAILING

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

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

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

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


Roger B. Ling

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



MICROFILMED

FEB 03 1993

NOTICE OF ERROR FORM

AUG-24-1992

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

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

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

RECEIVED

SEP 22 1992

Department of Water Resources

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

1. Water right number: (s) 36-07294[✓] AND 36-02678[✓]

2. Name: Gregory W. Heins

Cristi K. Heins

Address:

Rt 3 Bx 225

Rupert ID 83350

Weekday Telephone Number: (208) 531-5952

RECEIVED

SEP 22 1992

Department of Water Resources
MICROFILMED
Southern Region Office

FEB 03 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

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

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

SIGNATURE _____

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

RE: NOTICE OF ERROR FORM

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

1. Water right number: 36-07294 ✓

2. Name: GREGORY W HEINS
CRISTI K HEINS

Address: Rt 3 Box 225
Rupert, ID 83350

Weekday Telephone Number: (208) 531-5952

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

a) PERIOD OF USE FROM

b) PERIOD OF USE TO

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

	Error	Correction
a) PERIOD OF USE FROM	04-01	03-15
b) PERIOD OF USE TO	10-31	11-15

5. Describe why you disagree with the proposed recommendation:

a) PERIOD OF USE FROM

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

b) PERIOD OF USE TO

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

6. Date: September 17, 1992

SIGNATURE:

Cristi Heins
Gregory W. Heins

MICROFILMED
FEB 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

07-Oct-1992

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

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

Dear Mr. and Mrs. Heins:

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

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

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

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

MICROFILMED
FEB 03 1993

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

Sincerely,

Helen Harrington-Thornton

Helen Harrington-Thornton
Water Resource Agent

HHT

MICROFILMED
FEB 03 1993

AJ0749NP
No. R36-07294

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

DATE: 10/07/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CRISTI K HEINS	01/30/1973	IRRIGATION	04-01 10-31	2.12 CFS	640.0 AFA
C	GREGORY W HEINS					
	RT 3 BOX 225					
	RUPERT ID 83350					
	(208) 531-5952					
				TOTAL DIVERSION:	2.12 CFS	640.0 AFA
				CONSUMPTIVE USE:		480.0 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T07S R25E S27 SWNWNW MINIDOKA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
07S	25E	27	:					:	40	40	40	40	:					:					:	160.0
			:					:					:					:					:	160.0

TOTAL ACRES

POU County: MINIDOKA

Other Rights: NONE

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

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

Comments: Date: 06/20/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS

OWNERSHIP CHANGE 1/25/90 ADM

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

Date: 10/07/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B - NO CHANGE.
NOE WANTED TO ADD ADDITIONAL ACRES TO LICENSED ACRES AND
QUESTIONED NEW STANDARD SEASON OF USE.

Audit: 10/07/92 THORNTON

MICROFILMED
FEB 03 1993

R PROOF



CVR



MAPS



PHOTOS



MISC

MICROFILMED

FEB 03 1993

Water Right Number - R36-07294

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
HEINS

CRISTI K.

1 - RT. 3 BOX 225

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5952

1 - RT. 3 BOX 225

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-531-5952

HEINS

GREGORY W.

*** O - ORIGINAL OWNER ***
LINDAUER

RAY H.

1 - P.O. BOX 72

2 -

3 -

City- MINIDOKA

State- ID Zip- 83343

Phone - 208-531-4634

1 - P.O. BOX 72

2 -

3 -

City- MINIDOKA

State- ID Zip- 83343

Phone - 208-531-4634

LINDAUER

ETHEL E.

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/30/1973 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 25E 27 SW NW NW (67) MINIDOKA+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 2.120 640.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.120 640.00 480.0+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 25E 27 NE NW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 27 NW NW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 27 SW NW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 27 SE NW 40.0 01 IRRIGATION (67) MINIDOKA

MICROFILMED

FEB 03 1993

Water right number - R36-07294

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres: 160.0

+ - - Diversion Means - WELL, PUMP, 125 HP MOTOR, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Remarks
No Remarks found.

Old Water Right Numbers
No Old Water Right Numbers Found

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments
No Comments Found

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

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/06/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/26/1991	Old Judicial District	-
Claim Received Date	- 08/23/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S001669	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:47:16
08/17/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07294

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			6-6-91 SCC	N				
POINT OF DIV	Y			(Y) 10A2		2nd review by KKC	SCC 6-20-91	
SOURCE				N				
PLACE OF USE				N	145.6	SCC		
DIV. AMOUNT CFS/VOLUME				N		no change made		
CONSUMPTIVE USE				N				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS	Y			N				

"VERIFIED BY" CODES

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

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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:47:16
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07294

LAST: LINDAUER
ADDRESS: P.O. BOX 72
CITY: MINIDOKA
PHONE NUMBER: 208-531-4634

FIRST: RAY H.
STATE: ID ZIP: 83343

OWNER CODE: O

LAST: LINDAUER
ADDRESS: P.O. BOX 72
CITY: MINIDOKA
PHONE NUMBER: 208-531-4634

FIRST: ETHEL E.
STATE: ID ZIP: 83343

OWNER CODE: O

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

FIRST: CRISTI K.
STATE: ID ZIP: 83350

OWNER CODE: C

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

FIRST: GREGORY W.
STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: *****
OWNERSHIP CHANGE 1/25/90 ADM

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CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A36-07294 PRIORITY DATE: 01-30-1973 STAGE: L
B. WR RECORD: # 36-07294 PRIORITY DATE: 01-30-1973 STAGE: L

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

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

REMARKS:

RECOMMENDED PRIORITY DATE:
01-30-1973

REVIEWED BY Scu

DATE 6-20-91

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07294	07S	25E	27	Sw	NW	NW		MINIDOKA
OTHER AJ CLAIMS WITH SAME AJ POD				WR RECORDS IN SAME 40 ACRE TRACT				
A PREFIX				R PREFIX				
NONE				NONE				

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07294	07S	25E	27		NW	NW		MINIDOKA
OTHER WR RECORDS WITH SAME WR POD				AJ CLAIMS IN SAME 40 ACRE TRACT				
A PREFIX				R PREFIX				
NONE				NONE				

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

REMARKS:

per field exam & old field exam notes

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=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

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

==	==	==					
==	==	==					

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

6-20-91

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A. ROOT WATER RIGHT NUMBERS: A36-07294

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	25E	27	NE	NW		HEINS , CRISTI K.	A36-07294 /40.0	36-07294 /40.0	39.0	40	40
07S	25E	27	NW	NW		HEINS , CRISTI K.	A36-07294 /40.0	36-07294 /40.0	43.0	40	40
07S	25E	27	SE	NW		HEINS , CRISTI K.	A36-07294 /40.0	36-07294 /40.0	36.0	40	40
07S	25E	27	SW	NW		HEINS , CRISTI K.	A36-07294 /40.0	36-07294 /40.0	40.0	40	40.0
TOTAL ACRES							A36-07294	160.00	160.00	158.00	160

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
N

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 160

REVIEWED BY: SC

DATE: 6-20-91

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160

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-07294 IRRIGATION	FROM 03-15 TO 11-15	2.120 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.120 CFS 640.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-07294 IRRIGATION	FROM 03-15 TO 11-15	2.120 CFS 640.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.120 CFS 640.00 AF/A

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(~~X~~) N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.120 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.120 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)

DATABASE EXAMINER

N

FIELD

EXAMINER

N

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B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 160 x 0.02 CFS/ACRE = 3.2 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 = 480.0 AF/A

ACRES 160 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 480 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 640.00 AF/A

ACRES 160 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 640 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

1b. CALCULATIONS

$$\frac{2.12 \text{ cfs}}{160 \text{ Ac.}} = 0.01325 \text{ cfs/Ac.}$$

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 2.120	DATABASE EXAMINER 640.00	DATABASE EXAMINER 480.0
TOTAL FOR THIS RIGHT		2.120	640.00	480.0

REVIEWED BY:

Sc

DATE:

6-20-91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED

()
(X)
()
()

NEEDS
REVIEW

()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07294

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.120

EXAMINER _____

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A36-07294

2.120

N/A

36-07294

2.120

TOTAL CFS

2.120

2.120

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER _____

REMARKS:

AUTHENTICATION:

SIGNATURE:



DATE:

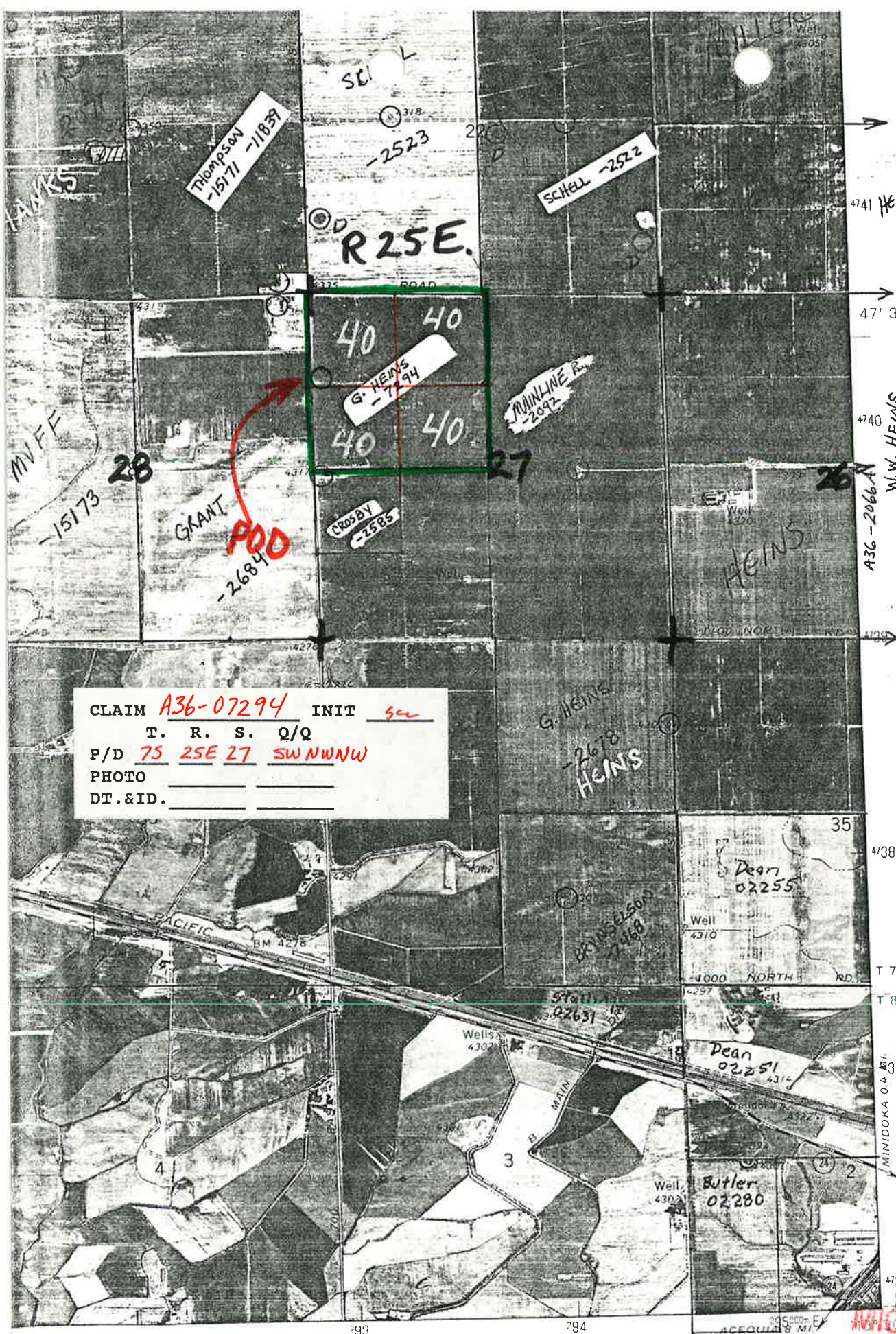
6-20-91

NAME OF FIELD EXAMINER:

TITLE:

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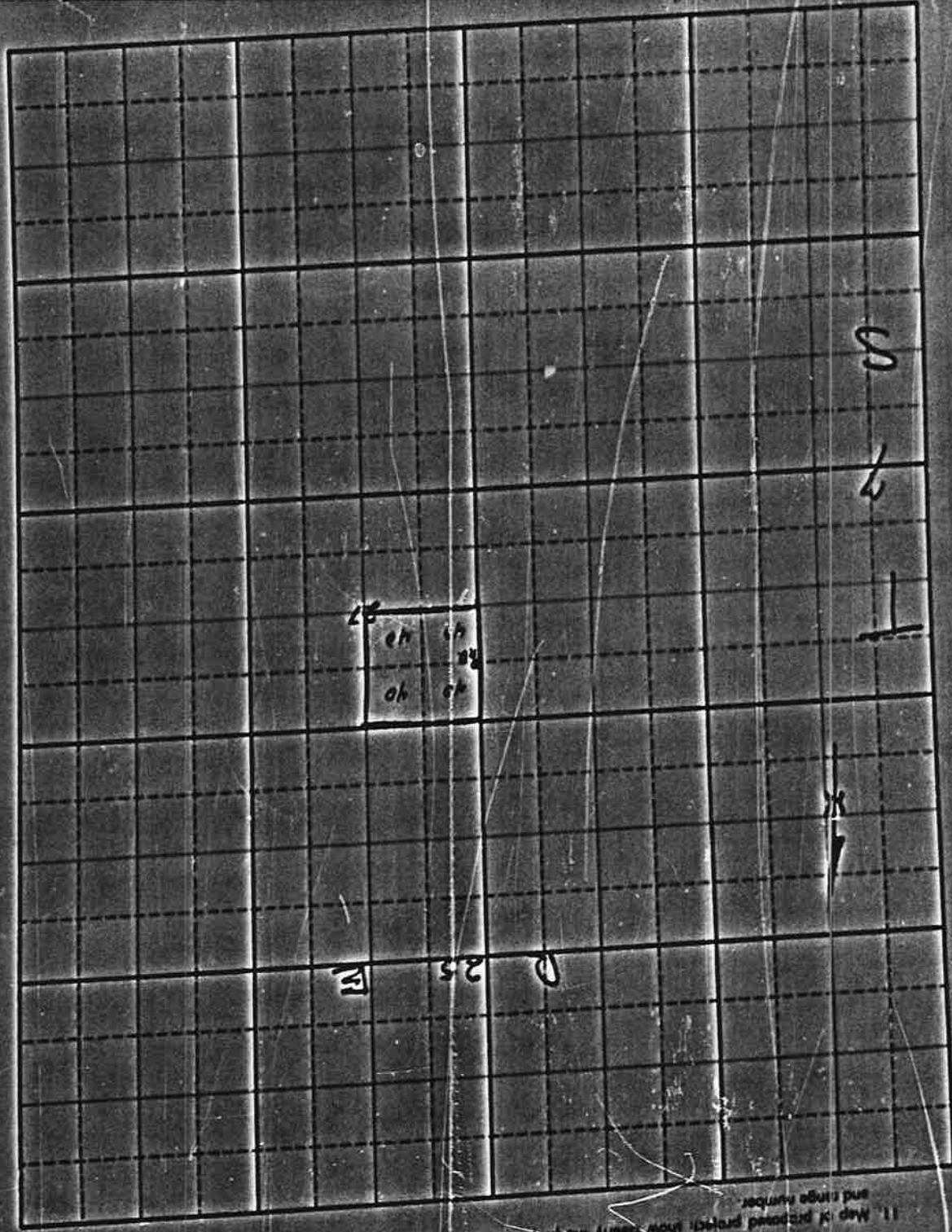
SEE AA81

CLAIM A36-07294 INIT see
T. R. S. Q/Q
P/D 75 25E 27 SWNWNW
PHOTO _____
DT.&ID. _____

T7S
T8S

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11. Map of proposed project. Show clearly the proposed point of diversion, place of use, section number, township and range number.



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