

# CERTIFICATE OF ASSUMED BUSINESS NAME

To the SECRETARY OF STATE, STATE OF IDAHO

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

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

Box Canyon Dairy

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

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

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

Agriculture

See categories on the reverse

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

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

Signed Box Canyon Dairy

By

Tom Heida  
Tom Heida

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

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

Customer #

Secretary of State use only  
IDAHO SECRETARY OF STATE

08/26/1997 09:00  
CX: 3328 CT: 47868 IN: 31325

1 @ 20.00 = 20.00 ASSUM NAME

07380

g:\corp\forms\assumednm.gm Revision 10/96

RECEIVED

AUG 25 1999

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources  
Southern Region

## 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): 04001 ARB 36-40001, 36-02720, 36-02610, 36-02535, 36-02312B, AB 36-07650A.  
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, Idaho 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 Certificate of Assumed Business Name attached. portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

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

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

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

7. Signature of New Owner or Claimant(s) Frans Aardema Cornelia Aardema  
TOM HEIDA MARY JANE HEIDA

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

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

11/23/99 Changed DBA name only. CF

AJ0749NP  
No. 36-07650A

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

DATE: 11/23/99  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS                                                                  | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|---------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | CORNELIA AARDEMA                                                                | 07/30/1976       | IRRIGATION | 04-01 10-31           | 1.220 CFS         |                     |
| C             | FRANS AARDEMA                                                                   |                  |            |                       |                   |                     |
| C             | THOMAS HEIDA                                                                    |                  |            |                       |                   |                     |
| C             | MARY JANE HEIDA                                                                 |                  |            | TOTAL DIVERSION:      | 1.220 CFS         |                     |
| C             | DBA BOX CANYON DAIRY<br>PO BOX 140<br>WENDELL ID 83355<br>(208) 536-2189        |                  |            |                       |                   |                     |
| D             | C R PILKINTON                                                                   |                  |            |                       |                   |                     |
| D             | E A PILKINTON<br>1449-B BOB BARTON RD<br>WENDELL ID 83355<br>(208) 536-2159     |                  |            |                       |                   |                     |
| D             | DBA AARDEMA HEIDA DAIRY<br>PO BOX 140<br>WENDELL ID 833550140<br>(208) 536-2189 |                  |            |                       |                   |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08S R14E S33  
S34

SWSENE  
SESENW

GOODING County  
GOODING County

Place of use Legal Description for: IRRIGATION

|            | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |                   |
|------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------------|
| T R S      | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | SUM               |
| 08S 14E 33 | :  | 37 | :  |    | :  | 37 | :  |    | :  |    | :  |    | :  |    | :  |    | 74.0              |
| 08S 14E 34 | :  |    | :  |    | :  | 33 | :  | 40 | :  | 40 | :  | 33 | :  |    | :  |    | 146.0             |
|            |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES 220.0 |

POU County: GOODING

Other Rights: 36-02610 & 36-04001

Conditions of Approval:

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

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.40 CFS AND A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 880 AF. COMBINED RIGHT NOS.: 36-02610 &  
36-04001.

POU1 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE

AJ0749NP  
No. 36-07650A

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

DATE: 11/23/99  
PAGE: 2

Remarks: IRRIGATION OF A COMBINED TOTAL OF 220 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02610 & 36-04001.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE: 36-02610 & 36-04001.

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

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

Comments: Date: 09/26/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS  
THIS RT. WHEN COMBINED WITH RT A36-02610 SHALL NOT  
EXCEED 880 AF/ANNUM.  
SPLIT 4 ACRES IN NENW, SEC 34 AND TRANSFERRED .08 CFS TO SON.  
THE 4 ACRES IS NOT FURNISHED WITH WATER FROM THE WELLS  
COVERED ON THIS RIGHT--FURNISHED .08 CFS FROM SEPERATE WELL.

Date: 07/31/1992 User-ID: SMITH Subject: CORRECTION  
DELETED LINES FROM REMARKS, PER LKH "THIS RIGHT LIMITED TO 220  
ACRES...SINGLE IRIGATION SEASON". VERIFIED STATUS UNCHANGED.

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

Date: 10/01/1992 User-ID: MERRITT Subject: RESPONDED TO NOE BY PHONE CONV. WITH THOMAS PILKINGTON

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

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

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

Date: 02/20/1997 User-ID: TFAWCETT Subject: NAME CHANGE  
NAMES MODIFIED TO MAKE ALL AARDEMA HEIDA CLAIMS CONSISTENT.

Date: 12/16/1997 User-ID: KCHRISTE Subject: REFORMAT  
FOR PARTIAL DECREE

Date: 11/23/1999 User-ID: CTIMM Subject: NAME CHANGE

AJ0749NP  
No. 36-07650A

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

DATE: 11/23/99  
PAGE: 3

=====

Comments: Date: 11/23/1999 User-ID: CTIMM Subject: NAME CHANGE  
11/23/99, CHANGED THE NAME ONLY FROM AAREDEMA HEIDA DAIRY TO BOX  
CANYON DAIRY AS PER CERTIFICATE OF ASSUMED BUSINESS NAME AND FORM  
1409 REC'D 8/25/99. C.T.

Audit: 11/23/99 CTIMM

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: A36-07650A  
Date Received: 7/06/1988  
Receipt No: S000714, 5012542  
Received By: lu

AMENDED

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

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

AND/OR

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

2. Date of Priority: JUL 30, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 08S      | 14E   | 33      | SW     | SE     | NE     |     | GOODING |
|          |       | 34      | SE     | SE     | NW     |     | GOODING |

5. Description of diverting works:  
WELLS, PUMPS & SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 1.220  |      |        |

7. Total Quantity Appropriated is:  
1.220 C.F.S. (and/or) 880.00 A.F.A.

8. Total consumptive use is 660.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A36-07650A

Page 1

Date: 08/03/90

MICROFILMED  
FEB 04 1993

10. Place of Use:

| Township | Range | Section       | 1/4 of        | 1/4 | Lot | Use | Acres |       |      |
|----------|-------|---------------|---------------|-----|-----|-----|-------|-------|------|
| 08S      | 14E   | 33            | NE            | NE  |     | IRR | 37.0  |       |      |
|          |       |               | SE            | NE  |     | IRR | 37.0  |       |      |
|          |       |               | Section Acres |     |     |     |       |       | 74.0 |
|          |       |               |               |     |     |     |       |       |      |
|          |       | 34            | NE            | NW  |     | IRR | 33.0  |       |      |
|          |       |               | NW            | NW  |     | IRR | 40.0  |       |      |
|          |       |               | SW            | NW  |     | IRR | 40.0  |       |      |
|          |       |               | SE            | NW  |     | IRR | 33.0  |       |      |
|          |       | Section Acres |               |     |     |     |       | 146.0 |      |
|          |       | Total Acres   |               |     |     |     |       | 220.0 |      |

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:  
A36-02610, -04001, CANAL WATER

14. Remarks:  
THIS RT. WHEN COMBINED WITH RT A36-02610 SHALL NOT EXCEED 880 AF/ANNUM.  
SPLIT 4 ACRES IN NENW, SEC 34 AND TRANSFERRED .08 CFS TO SON.  
THE 4 ACRES IS NOT FURNISHED WITH WATER FROM THE WELLS COVERED ON THIS RIGHT--FURNISHED .08 CFS FROM SEPERATE WELL.

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): G. R. Pedemonte Date: Aug 6, 1990  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of TF ) SS.

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

of Aug 19 90

Seal

Don White  
Notary Public

Residing at TF

My Commission Expires 5/94

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: A36-07650  
Date Received: 7/06/1988  
Receipt No: S000714  
Received By:     LW    

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUL 30, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 08S      | 14E   | 33      | SE     | NE     |        |     | GOODING |
|          |       | 34      | SE     | NW     |        |     | GOODING |

5. Description of diverting works:  
WELLS, PUMPS & SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 1.300  |      | 549.00 |

7. Total Quantity Appropriated is:  
1.300 C.F.S. (and/or) 549.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 08S      | 14E   | 33      | NE     | NE  |               | IRR | 37.0  |
|          |       |         | SE     | NE  |               | IRR | 37.0  |
|          |       |         |        |     | Section Acres |     | 74.0  |
|          |       | 34      | NE     | NW  |               | IRR | 37.0  |
|          |       |         | NW     | NW  |               | IRR | 40.0  |
|          |       |         | SW     | NW  |               | IRR | 40.0  |
|          |       |         | SE     | NW  |               | IRR | 33.0  |
|          |       |         |        |     | Section Acres |     | 150.0 |
|          |       |         |        |     | Total Acres   |     | 224.0 |

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:  
NORTH SIDE CANAL CO. & LIC. 36-2610.

14. Remarks:  
THIS RT. WHEN COMBINED WITH RT. 36-2610 SHALL NOT  
EXCEED 896' AF/ANNUM.

15. Basis of Claim: LICENSE  
Water Right Number:

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): C. P. Pilkinton Date: 7/6/88  
\_\_\_\_\_  
Date: \_\_\_\_\_

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

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

Seal

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

MICROFILMED  
FEB 04 1993

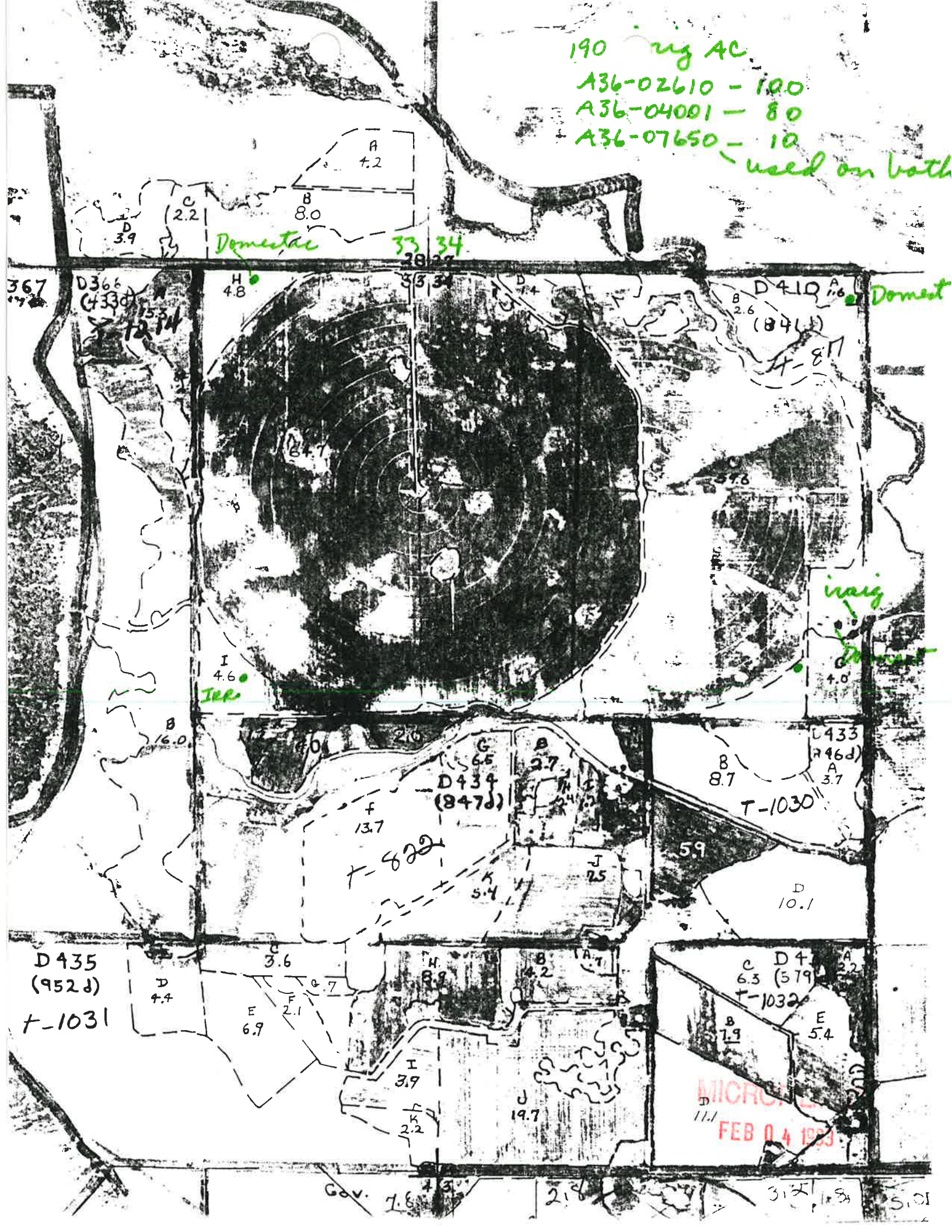
190 ing AC

A36-02610 - 100

A36-04001 - 80

A36-07650 - 10

used on bath



Log for claim 36-07650A

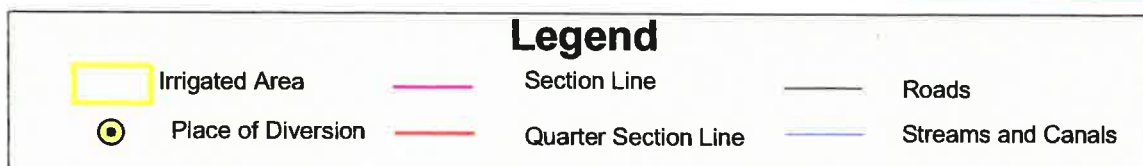
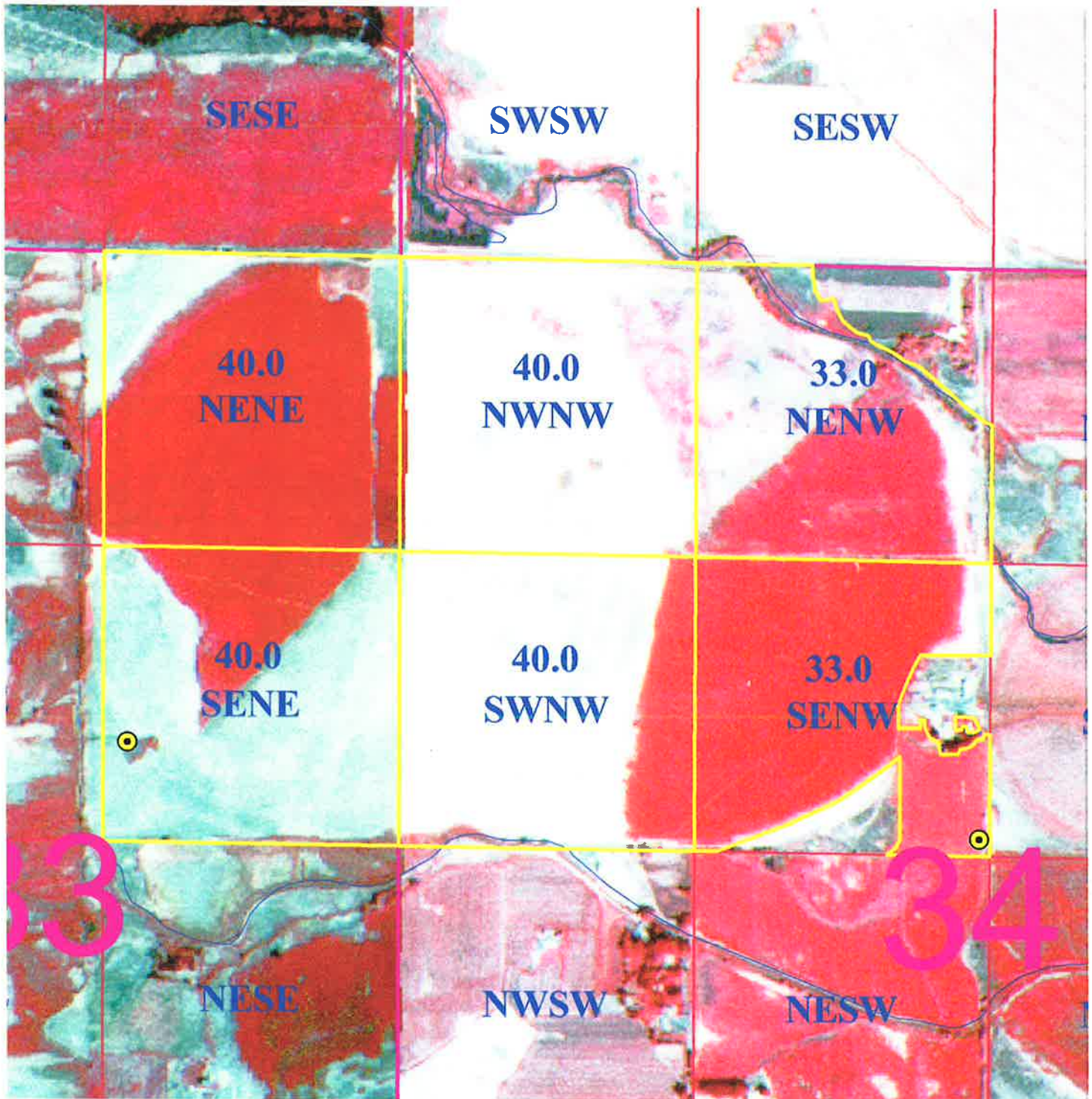
Spatial Dynamics LTD

11/13/01

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

Water Right Number 36-07650A  
Township , 8S14E

11/13/2001



500 0 500 1000 Feet

 SPATIAL  
DYNAMICS

RECEIVED

AUG 25 1999

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources  
Southern Region

## 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).: 36-40001, 36-02720, 36-02610, 36-02535, 36-02312B,  
36-07650A.  
 Adjudication Claim No(s).: \_\_\_\_\_

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

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
 AND  
 B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant Frans and Cornelia Aardema, Tom and Mary Jane Heida, d/b/a Aardema Heida Dairy

4. New Owner/Claimant(s) P O Box 140, Wendell, Idaho 83355  
Frans and Cornelia Aardema, Tom and Mary Jane Heida d/b/a Box Canyon Dairy

Name Connector (Check one): ☐ and, ☐ or, ☐ and/orNew Mailing Address P O Box 140City, State and ZIP Code Wendell, Idaho 83355New Telephone Number (208) 536-2189

5. Date you acquired the property There has been no change in ownership, only a change in the name the partnership is doing business under. See Certificate of Assumed Business Name attached.
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

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

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

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

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

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

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 name only. Cf



Michael Hoyt Felton  
Michael Harland Felton (Jr.)

Professional Center  
1020 Main

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

August 23, 1999

RECEIVED

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

AUG 25 1999

Department of Water Resources  
Southern Region

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

Dear Ms. Hancock:

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

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

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

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

Page # 2  
Vickie Hancock  
August 23, 1999

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

Very truly yours,



MICHAEL H. FELTON, (JR.)

MHF/jms



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

Professional Center  
1020 Main

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

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

August 17, 1998

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

**RECEIVED**

**AUG 18 1998**

Department of Water Resources  
Southern Region

Dear Vikie:

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

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

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

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

Very truly yours,

MICHAEL H. FELTON (JR.)

MHF/js  
pc: Tom Heida  
Enclosures

# CERTIFICATE OF ASSUMED BUSINESS NAME

To the SECRETARY OF STATE, STATE OF IDAHO

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

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

Box Canyon Dairy

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

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

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

Agriculture

See categories on the reverse

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

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

Signed Box Canyon Dairy

By

Tom Heida

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

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

Customer #

Secretary of State- use only  
IDAHO SECRETARY OF STATE

08/28/1997 09:00  
CK: 3328 CT: 47068 BH: 31325

1 @ 20.00 = 20.00 ASSUM NAME

07380

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

\*\*\*\*\*

13 In Re The General Adjudication, ) CASE NO. 39576  
14 of Rights to the Use of Water )  
15 From the Snake River Basin Water )  
16 System. )

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

22 Petitioner, )

23 vs: )

24 NOTICE OF APPEARANCE

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

Respondents. )

\*\*\*\*\*

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 CERTIFICATE OF SERVICE

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

7 NOTICE OF APPEARANCE

8 to:

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

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

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MICHAEL H. FELTON, JR.



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

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

1 @ 20.00 = 20.00 ASSUM NAME

07380

g:\copy\form\assumnm gm Revision 10/95



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

RECEIVED

DEC 20 1996

Department of Water Resources

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

DEC 27 1996

Department of Water Resources

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

\* \* \* \* \*

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

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

Petitioner, )

vs: )

NOTICE OF APPEARANCE

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

Respondents. )

\* \* \* \* \*

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

NOTICE OF APPEARANCE

-1

Felton &  
Felton  
Attorneys  
At Law  
Buhl, Idaho

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

6 DATED: December 18, 1996.

7  
8 FELTON & FELTON

9  
10 By   
11 MICHAEL H. FELTON  
12 Attorneys for Respondent  
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14  
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1 CERTIFICATE OF SERVICE

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

8 **Notice of Appearance**

9 to:

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

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

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

AJ0749NP  
No. 36-07650A

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

DATE: 01/16/97  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS          | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|-------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | CORNELIA AARDEMA        | 07/30/1976       | IRRIGATION | 04-01 10-31           | 1.22 CFS          |                     |
| C             | FRANS AARDEMA           |                  |            |                       |                   |                     |
| C             | THOMAS HEIDA            |                  |            |                       |                   |                     |
| C             | MARY JANE HEIDA         |                  |            | TOTAL DIVERSION:      | 1.22 CFS          |                     |
|               | DBA AARDEMA HEIDA DAIRY |                  |            |                       |                   |                     |
|               | PO BOX 140              |                  |            |                       |                   |                     |
|               | WENDELL ID 833550140    |                  |            |                       |                   |                     |
|               | (208) 536-2189          |                  |            |                       |                   |                     |

D C R PILKINTON  
D E A PILKINTON  
1449-B BOB BARTON RD  
WENDELL ID 83355  
(208) 536-2159

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R14E S33  
S34

SWSENE  
SESENW

GOODING County  
GOODING 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   |       |
| 08S         | 14E | 33 | 37   |      |      | 37   |      |      |      |      |      |      |      |      |      |      |      |      | 74.0  |
| 08S         | 14E | 34 |      |      |      |      | 33   | 40   | 40   | 33   |      |      |      |      |      |      |      |      | 146.0 |
| TOTAL ACRES |     |    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 220.0 |

POU County: GOODING

Other Rights: 36-02610 & 36-04001

Conditions of Approval:

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

Remarks: GEN THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE: 36-02610 & 36-04001.  
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE  
USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL  
OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT  
NOS.: 36-02610 & 36-04001.

RECEIVED

JAN 30 1997

Department of Water Resources  
Southern Region

DO NOT FILM

=====

|        |                            |                |                       |
|--------|----------------------------|----------------|-----------------------|
| Dates: | Exam Made Date: 07/24/1990 | Verified Date: | Objection Filed Date: |
|--------|----------------------------|----------------|-----------------------|

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

Comments: Date: 09/26/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS  
THIS RT. WHEN COMBINED WITH RT A36-02610 SHALL NOT  
EXCEED 880 AF/ANNUM.  
SPLIT 4 ACRES IN NENW, SEC 34 AND TRANSFERRED .08 CFS TO SON.  
THE 4 ACRES IS NOT FURNISHED WITH WATER FROM THE WELLS  
COVERED ON THIS RIGHT--FURNISHED .08 CFS FROM SEPERATE WELL.

Date: 07/31/1992 User-ID: SMITH Subject: CORRECTION  
DELETED LINES FROM REMARKS, PER LKH "THIS RIGHT LIMITED TO 220  
ACRES....SINGLE IRIGATION SEASON". VERIFIED STATUS UNCHANGED.

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

Date: 10/01/1992 User-ID: MERRITT Subject: RESPONDED TO NOE BY PHONE CONV. WITH THOMAS PILKINGTON

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

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

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

Audit: 01/16/97 SSHERMAN

DO NOT FILE WITH

RECEIVED

JAN 13 1997

Department of Water Resources

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

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

14 \* \* \* \* \*

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

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

24 Petitioner, )

25 vs: )

26 NOTICE OF APPEARANCE

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

31 Respondents. )

32 \* \* \* \* \*

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

35 NOTICE OF APPEARANCE

Felton &  
Felton  
Attorneys  
At Law  
Buhl, Idaho

1 Jane Heida d/b/a Aardema-Heida Dairy, the Respondent in the above-  
2 entitled action, as counsel of record for said Respondents with  
3 respect to Water Rights Numbers A36-7650.

4 DATED: January 10, 1997.

5 FELTON & FELTON

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

**CERTIFICATE OF SERVICE**

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

16 **Notice of Appearance**

17 to:

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

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

23  
24   
25 MICHAEL HARLAND FELTON  
26

NOTICE OF APPEARANCE

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07650A  
Date Received: 8/ 6/1990  
Receipt No: S012542  
Received By:                     

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

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

2. Date of Priority: JUL 30, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 08S      | 14E   | 33      | SW     | SE     | NE     |     | GOODING |
|          |       | 34      | SE     | SE     | NW     |     | GOODING |

5. Description of diverting works:  
WELLS, PUMPS & SPRINKLERS.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|---------|------|----|-------|------|--------|
|---------|------|----|-------|------|--------|

6. Water is used for the following purposes: Continued

| Purpose    | From  | To    | C.F.S (and/or) | A.F.A. |
|------------|-------|-------|----------------|--------|
| IRRIGATION | 04/01 | 10/31 | 1.220          |        |

7. Total Quantity Appropriated is:  
1.220 C.F.S. (and/or) 880.00 A.F.A.

8. Total consumptive use is 660.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 08S      | 14E   | 33      | NE     | NE  |     | IRR           | 37.0  |
|          |       |         | SE     | NE  |     | IRR           | 37.0  |
|          |       |         |        |     |     | Section Acres | 74.0  |
|          |       | 34      | NE     | NW  |     | IRR           | 33.0  |
|          |       |         | NW     | NW  |     | IRR           | 40.0  |
|          |       |         | SW     | NW  |     | IRR           | 40.0  |
|          |       |         | SE     | NW  |     | IRR           | 33.0  |
|          |       |         |        |     |     | Section Acres | 146.0 |
|          |       |         |        |     |     | Total Acres   | 220.0 |

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:  
A36-02610, -04001, CANAL WATER

14. Remarks:

THIS RT. WHEN COMBINED WITH RT A36-02610 SHALL NOT  
EXCEED 880 AF/ANNUM.  
SPLIT 4 ACRES IN NENW, SEC 34 AND TRANSFERRED .08 CFS TO SON.  
THE 4 ACRES IS NOT FURNISHED WITH WATER FROM THE WELLS  
COVERED ON THIS RIGHT--FURNISHED .08 CFS FROM SEPERATE WELL.  
42-1409(7) OWNERSHIP CHANGE, PILKINTON TO ARDEMA AND HEIDA, SF3  
SENT TO HEIDA, SS 05/25/95.  
\*\*\*\*\*  
6/14/95 TF: CHANGE OF OWNERSHIP MADE. SF3 REC'D 6/7/95.

15. Basis of Claim: LICENSE

Michael Hoyt Felton  
Michael Harland Felton (Jr.)

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

May 26, 1995

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

RECEIVED

JUN 07 1995

Department of Water Resources  
Southern Region

RECEIVED

MAY 30 1995

Department of Water Resources

Dear Mr. Shaff:

Our File No. 2476

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

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

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

Very truly yours,



MICHAEL HARLAND FELTON

MHF:bf  
pc: Tom Heida  
Enclosures (8)

MICROFILMED

DEC 5 1996

Michael Hoyt Felton  
Michael Harland Felton (Jr.)

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

April 19, 1995

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

RECEIVED

JUN 07 1995

Department of Water Resources  
Southern Region

Dear Madam Clerk:

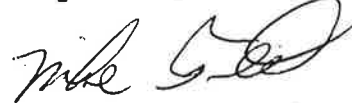
RE: Clark, Roland, Pilkinton to Aardema-Heida  
New Property Owner Notice of Change of Water  
Right Ownership/Consent to Substitution to Party  
Our File No: 2476

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

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

Please enter the documents with the Court.

Very truly yours,



MICHAEL HARLAND FELTON

MHF:js  
Enclosures (6)  
PC: Thomas Heida

MICROFILMED  
DEC 5 1996

*FELTON & FELTON*  
Attorneys at Law

Professional Center  
1020 Main

Michael Hoyt Felton  
Michael Harland Felton (Jr.)

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

April 19, 1995

RECEIVED

JUN 07 1995

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

Dear Ladies and Gentlemen:

Department of Water Resources  
Southern Region

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

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

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

Please enter the documents into your files.

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

Very truly yours,



MICHAEL HARLAND FELTON

MHF:js  
Enclosures (6)  
PC: Thomas Heida

MICROFILMED  
DEC 5 1996

RECEIVED

JUN 07 1995

APR 13 95

Department of Water Resources  
Southern Region

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

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

Case No. 39576

STANDARD FORM 3

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

STANDARD FORM FOR NOTICE  
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF  
PARTY

vs.

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

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

Respondents.

INSTRUCTIONS FOR USE

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

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

☒ **CONSENT TO SUBSTITUTION OF PARTY**

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

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

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

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

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

C. R. & E. A. Pilkinton

1449B Bob Barton Road

Wendell, Idaho 83355

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

(Insert each water right number)

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

Warranty Deed

C R Pilkinton - deceased

x E A Pilkinton

(Signature of prior claimant/seller)

Thomas Heida

(Signature of new claimant/purchaser)

☒ **ATTORNEY OF RECORD COMPLETING FORM**

My name is Michael Harland Felton

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

(Identify party/claimant)

d/b/a Aardema - Heida Dairy

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

Buhl, Idaho 83316

(208) 543 4368

## INSTRUCTIONS FOR MAILING

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

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

### CERTIFICATE OF MAILING

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

1. Original to:

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED

MAY 30 1995

Department of Water Resources  
Southern Region

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A36-07650A**  
Date Received: 8/ 6/1990  
Receipt No: S012542  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

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

2. Date of Priority: JUL 30, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

|          |       |         |        |        |        |     |         |
|----------|-------|---------|--------|--------|--------|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
| 08S      | 14E   | 33      | SW     | SE     | NE     |     | GOODING |
|          |       | 34      | SE     | SE     | NW     |     | GOODING |

5. Description of diverting works:  
WELLS, PUMPS & SPRINKLERS.

6. Water is used for the following purposes:

|         |      |    |       |      |        |
|---------|------|----|-------|------|--------|
| Purpose | From | To | C.F.S | (or) | A.F.A. |
|---------|------|----|-------|------|--------|

6. Water is used for the following purposes: Continued

| Purpose    | From  | To    | C.F.S (and/or) | A.F.A. |
|------------|-------|-------|----------------|--------|
| IRRIGATION | 04/01 | 10/31 | 1.220          |        |

7. Total Quantity Appropriated is:  
1.220 C.F.S. (and/or) 880.00 A.F.A.

8. Total consumptive use is 660.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 08S      | 14E   | 33      | NE     | NE  |               | IRR | 37.0  |
|          |       |         | SE     | NE  |               | IRR | 37.0  |
|          |       |         |        |     | Section Acres |     | 74.0  |
|          |       | 34      | NE     | NW  |               | IRR | 33.0  |
|          |       |         | NW     | NW  |               | IRR | 40.0  |
|          |       |         | SW     | NW  |               | IRR | 40.0  |
|          |       |         | SE     | NW  |               | IRR | 33.0  |
|          |       |         |        |     | Section Acres |     | 146.0 |
|          |       |         |        |     | Total Acres   |     | 220.0 |

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:  
A36-02610, -04001, CANAL WATER

14. Remarks:  
THIS RT. WHEN COMBINED WITH RT A36-02610 SHALL NOT EXCEED 880 AF/ANNUM.  
SPLIT 4 ACRES IN NENW, SEC 34 AND TRANSFERRED .08 CFS TO SON.  
THE 4 ACRES IS NOT FURNISHED WITH WATER FROM THE WELLS COVERED ON THIS RIGHT--FURNISHED .08 CFS FROM SEPERATE WELL.  
42-1409(7) OWNERSHIP CHANGE, PILKINTON TO ARDEMA AND HEIDA, SF3 SENT TO HEIDA, SS 05/25/95.

15. Basis of Claim: LICENSE



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

APR 27 1995

DATE OF CLOSING: 4/15/93

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

- ☐ Signature of New Owner/Claimant(s) Thomas H. Heida Frans Aardema Date \_\_\_\_\_  
Mary Jane Heida Cornelia Aardema
- ☐ Signature of Former Owner/Claimant(s): Cornelia Aardema Date \_\_\_\_\_

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

## FOR IDWR USE ONLY:

Initial Review and Data Entry

Date: 5-24-95By: RMFFurther Action Needed: 0 de. eastern

Further Action Taken

Date: 05-25-95

By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_

By: \_\_\_\_\_

Claim Numbers of Split, if any: \_\_\_\_\_

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

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

MICROFILMED

NFC 5 1005

RECEIVED

APR 27 1985

Department of Water Resources

EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-07650A

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

Total Acres: 220.0

MICROFILMED

DEC 5 1996

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



## WARRANTY DEED

For Value Received

EVELYN AGNES PILKINTON, TRUSTEE OF THE PILKINTON TRUST DATED FEBRUARY 27, 1990  
 hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto  
 FRANK AAROMA AND CHERIEA AAROMA, HUSBAND AND WIFE AND  
 THOMAS H. HEIDA AND MARY JANE HEIDA, HUSBAND AND WIFE,  
 hereinafter referred to as Grantees, whose current address is

P.O. Box 140, Wendell, ID 83355

the following described premises, to-wit:

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

152176

STATE OF IDAHO COUNTY OF GOODING  
 Filed for record at the request of FIRST AMERICAN TITLE  
 50 min. past 3 o'clock P.M. this 29  
 of April 1993  
 JOHN A. MYERS Recorder  
 By Deputy Deputy

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

Dated: March  
April 29, 1993.

Evelyn Agnes Pilkinton  
 Evelyn Agnes Pilkinton

STATE OF IDAHO

COUNTY OF GOODING

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



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

First American Title Company of Idaho

RECEIVED

APR 27 1995

Department of Water Resources

FILMED

A36-07650 A

DEC 5 1996

RECEIVED

APR 27 1995

Department of Water Resources

## EXHIBIT A

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

## EXCEPTING THEREFROM:

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

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

## SUBJECT TO THE FOLLOWING:

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

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

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

152185

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

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

of April, 1993 6.00

JOHN A. MYERS Recorder

by Caroline Selig Deputy

FILED

DEC 5 1996

A36-07650A

AJ5808NP  
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT

03/08/95 14:07:49  
Page 1

Water Right Number - 36-07650A

Prefix Translation: WATER RIGHT

Old (D) Number -

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

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

C R

1 - 1449-B BOB BARTON RD

2 -  
3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

E A

1 - 1449-B BOB BARTON RD

2 -  
3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
07/30/1976 17 SOUTHERN L - LICENSE

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

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

| + - - - - Water Use - - - - - + |             |             |           |                |                  |
|---------------------------------|-------------|-------------|-----------|----------------|------------------|
| Code                            | Description | Period From | Period To | Diversion Rate | Diversion Volume |
| 01 - IRRIGATION                 |             | 04/01       | 10/31     | 1.220          |                  |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
1.220 0.0

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

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS, PUMPS & PIVOT SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02610 & 36-04001

DEC 5 1996  
MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

May 23, 1995

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

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

Dear Claimants:

*36-02535 and 36-02720*

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

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

Sincerely,

Idaho Department of Water Resources  
Adjudication Bureau

SO:ss:region

Enclosure:

(3) Standard Form 3

MICROFILMED

DEC 5 1996



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

# RECEIVED

DATE OF CLOSING: 4/15/93

APR 21 1993

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

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

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

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

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

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

MICROFILMED

DEC 5 1996

EXHIBIT A  
LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-02610

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

MICROFILMED

DEC 5 1996

EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-07650A

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

---

Total Acres: 220.0

MICROFILMED

DEC 5 1996

EXHIBIT A

LEGAL DESCRIPTIONS OF PROPERTY

Water Right # 36-04001

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

MICROFILMED  
DEC 5 1996



WARRANTY DEED

For Value Received

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

P.O. Box 140, Wendell, ID 83355

the following described premises, to-wit:

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

152176

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

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

Dated: March  
April 29, 1993.

*[Signature]*  
Evelyn Agnes Pilkinton

STATE OF IDAHO  
COUNTY OF GOODING

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



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

First American Title Company of Idaho

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DEC 5 1996

EXHIBIT A

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

EXCEPTING THEREFROM:

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

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

SUBJECT TO THE FOLLOWING:

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

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

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

152185 *Re-mend*

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of FIRST AMERICAN TITLE

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

of *Apple* 1993 6.00

JOHN A. MYERS Recorder

*Caruth* Deputy

MICROFILMED

DEC 5 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033  
Fax (208) 736-3037

June 14, 1995

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

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

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

Ladies and Gentlemen:

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

Sincerely,

Trish Fawcett  
Technical Records Specialist

enc.

Water Right Number - 36-07650A

Prefix Translation: WATER RIGHT

Old (D) Number -

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

+ - First Name - - +

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

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

FRANS

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

AARDEMA

CORNELIA

1 - DBA AARDEMA - HEIDA DAIRY  
2 - PO BOX 140  
3 -City- WENDELL State- ID Zip- 833500140  
Phone - 208-536-2189

HEIDA

THOMAS

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

HEIDA

MARY JANE

1 - DBA AARDEMA - HEIDA DAIRY  
2 - PO BOX 140  
3 -City- WENDELL State- ID Zip- 833550140  
Phone - 208-536-2189\*\*\* D - DIR RPT OWNER \*\*\*  
PILKINTON

C R

1 - 1449-B BOB BARTON RD  
2 -  
3 -City- WENDELL State- ID Zip- 83355  
Phone - 208-536-2159

PILKINTON

E A

1 - 1449-B BOB BARTON RD  
2 -  
3 -City- WENDELL State- ID Zip- 83355  
Phone - 208-536-2159+ - - Priority Date - - +  
07/30/1976+ - - - Region - - - +  
17 SOUTHERN+ - - - Stage - - - +  
L - LICENSE

+ - - - Status - - - +

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

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

+ - - - - Point of Diversion - - - - - +  
TwN Rng Sec Tract Lot RFlg County08S 14E 33 SW SE NE (47) GOODING  
34 SE SE NW (47) GOODING+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 04/01 10/31 1.220MICROFILMED  
DEC 5 1996

Water right number - 36-07650A

Prefix Translation: WATER RIGHT

+ - Total Div. Rate - +    + - Total Div. Volume - +    + - Total Consumptive Use - +    + - KW Usage - +  
1.220    0.0

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

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS, PUMPS &amp; PIVOT SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02610 &amp; 36-04001

----- Remarks -----  
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE: 36-02610 & 36-04001.  
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE  
USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL  
OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT  
NOS.: 36-02610 & 36-04001.

----- Old Water Right Numbers -----  
3607650

----- 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: 09/26/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS  
THIS RT. WHEN COMBINED WITH RT A36-02610 SHALL NOT EXCEED 880 AF/ANNUM.  
SPLIT 4 ACRES IN NENW, SEC 34 AND TRANSFERRED .08 CFS TO SON. THE 4 ACRES IS NOT FURNISHED WITH WATER FROM THE WELLS  
COVERED ON THIS RIGHT--FURNISHED .08 CFS FROM SEPERATE WELL.  
Date: 07/31/1992 User Id: SMITH Subject: CORRECTION  
DELETED LINES FROM REMARKS, PER LKH "THIS RIGHT LIMITED TO 220 ACRES....SINGLE IRIGATION SEASON". VERIFIED STATUS UNCHANGED.  
Date: 09/17/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)  
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A.  
Date: 10/01/1992 User Id: MERRITT Subject: RESPONDED TO NOE BY PHONE CONV. WITH THOMAS PILKINGTON

MICROFILMED

DEC 5 1996



**NOTICE OF ERROR**

X

**RESPONSE**

X

**CORRECTED R PROOF**

X

**MICROFILMED**

**FEB 04 1993**

Water Right Number - R36-07650A

Prefix Translation:

RESEARCH

Old (D) Number -

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

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

PILKINTON

C R

1 - 1449-B BOB BARTON RD

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

E A

1 - 1449-B BOB BARTON RD

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +  
07/30/1976 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
GROUNDWATER

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

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

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

01 - IRRIGATION 04/01 10/31 1.220

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
1.220 0.0+ - - - - Place of Use - - - - - +  
Tw Rng Sec Tract Lot Acres Code Description County

|     |     |    |       |  |      |    |            |              |
|-----|-----|----|-------|--|------|----|------------|--------------|
| 08S | 14E | 33 | NE NE |  | 37.0 | 01 | IRRIGATION | (47) GOODING |
| 08S | 14E | 33 | SE NE |  | 37.0 | 01 | IRRIGATION | (47) GOODING |
| 08S | 14E | 34 | NE NW |  | 33.0 | 01 | IRRIGATION | (47) GOODING |
| 08S | 14E | 34 | NW NW |  | 40.0 | 01 | IRRIGATION | (47) GOODING |
| 08S | 14E | 34 | SW NW |  | 40.0 | 01 | IRRIGATION | (47) GOODING |
| 08S | 14E | 34 | SE NW |  | 33.0 | 01 | IRRIGATION | (47) GOODING |

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS, PUMPS &amp; PIVOT SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02610 &amp; 36-04001

MICROFILMED  
FEB 04 1993

Water right number - R36-07650A

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +  
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE: 36-02610 & 36-04001.  
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE  
USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL  
OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT  
NOS.: 36-02610 & 36-04001.

+ - - - - - Old Water Right Numbers - - - - - +  
3607650

+ - - - - - 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: 09/26/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS  
THIS RT. WHEN COMBINED WITH RT A36-02610 SHALL NOT EXCEED 880 AF/ANNUM.  
SPLIT 4 ACRES IN NENW, SEC 34 AND TRANSFERRED .08 CFS TO SON. THE 4 ACRES IS NOT FURNISHED WITH WATER FROM THE WELLS  
COVERED ON THIS RIGHT--FURNISHED .08 CFS FROM SEPERATE WELL.  
Date: 07/31/1992 User Id: SMITH Subject: CORRECTION  
DELETED LINES FROM REMARKS, PER LKH "THIS RIGHT LIMITED TO 220 ACRES....SINGLE IRIGATION SEASON". VERIFIED STATUS UNCHANGED.  
Date: 09/17/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)  
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A.  
Date: 10/01/1992 User Id: MERRITT Subject: RESPONDED TO NOE BY PHONE CONV. WITH THOMAS PILKINGTON

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

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

|                      |              |                       |              |                         |         |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing  | - 00/00/0000 | Field Inspection Made | - 07/24/1990 | Civil Case Number       | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | -            | Old Case Number         | -       |
| Response Filed Date  | - 00/00/0000 | Verified Date         | - 10/01/1992 | Old Judicial District   | -       |
| Claim Received Date  | - 08/06/1990 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
|                      |              | Receipt Number        | - S012542    | Water District          | -       |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |
|                      |              | Name Connector        | - AND/OR     | Presumption Flag        | -       |
|                      |              |                       |              | Notice of Error Flag    | - B     |

MICROFILMED  
FEB 04 1993

RESPONSE TO NOTICE OF ERROR  
IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

Claimant Contact Person Thomas Pilkington

Others Present None

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

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

Phone Call (no.) 536-2159

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

IDWR USE ONLY

Date \_\_\_\_\_ Initials \_\_\_\_\_

Date Entered 10/1/92 ADM

Verified 10/1/92 ADM

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

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

III. Additional information provided by claimant: None

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

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

FEB 04 1993

AUG-24-1992

# NOTICE OF ERROR FOR

RECEIVED

SEP 14 1992

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

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Idaho Department of Water Resources

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

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

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

2. Name: E. A. Pilkinton

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

Weekday Telephone Number: (208)536-2159

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

When 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:  
Remarks section of recommendation on the three rights.  
It states that "right with rights listed below is limited to a total combined diversion rate of 4.40 CFS...."

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

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

6. Date: 5 September 1992

SIGNATURE

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

MICROFILMED  
FEB 04 1993

**R PROOF**

**X**

**CVR**

**X**

**MAPS**

**PHOTOS**

**MISC**

**MICROFILMED**

**FEB 04 1993**

Water Right Number - R36-07650A

Prefix Translation: RESEARCH

VERIFIED BY

Old (D) Number -

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

+ - First Name - - +

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

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

PILKINTON

C R

1 - 1449-B BOB BARTON RD

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

PILKINTON

E A

1 - 1449-B BOB BARTON RD

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2159

+ - - Priority Date - - +  
07/30/1976+ - - Region - - - +  
17 SOUTHERN+ - - Stage - - - +  
L - LICENSE

+ - - Status - - - - +

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

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

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

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

| Code            | Description | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|
| 01 - IRRIGATION |             | 03/15       | 11/15     |           | 1.220          |                  |

|                         |                           |                               |                  |
|-------------------------|---------------------------|-------------------------------|------------------|
| + - Total Div. Rate - + | + - Total Div. Volume - + | + - Total Consumptive Use - + | + - KW Usage - + |
| 1.220                   |                           | 0.0                           |                  |

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

Total Acres: 220.0

+ - - Diversion Means - TWO WELLS, PUMPS &amp; PIVOT SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02610 &amp; 36-04001

MICROFILMED  
FEB 04 1993

Water right number - R36-07650A

Prefix Translation: RESEARCH

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

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 220 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.  
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE: 36-02610 & 36-04001.  
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 4.40 CFS, A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 880 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE  
USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL  
OF 220 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT  
NOS.: 36-02610 & 36-04001.

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

3607650

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

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

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

00/00/0000

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

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

THIS RT. WHEN COMBINED WITH RT A36-02610 SHALL NOT  
SPLIT 4 ACRES IN NENW, SEC 34 AND TRANSFERRED .08 CFS TO SON.  
COVERED ON THIS RIGHT--FURNISHED .08 CFS FROM SEPERATE WELL.

EXCEED 880 AF/ANNUM.

THE 4 ACRES IS NOT FURNISHED WITH WATER FROM THE WELLS

+ - - Audit Fields - - +

09/26/91 CLELLAND

VERIFIED BY

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

|                      |              |                       |              |                         |         |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing  | - 00/00/0000 | Field Inspection Made | - 07/24/1990 | 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  | - 08/06/1990 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
|                      |              | Receipt Number        | - S012542    | Water District          | -       |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |
|                      |              | Name Connector        | - AND/OR     | Presumption Flag        | -       |
|                      |              |                       |              | Notice of Error Flag    | -       |

MICROFILMED  
FEB 04 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

12:45:13  
08/09/90

PAGE: 13  
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07650A

| WR ELEMENT                | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                   |                                                 |                            | N                      |                     | 9-26-91                          | 10-12-90                             |                               |
| POINT OF DIV              | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| SOURCE                    |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PLACE OF USE              | Y                 |                                                 |                            | N (Y)                  | 6, 5, 4             |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | Y                 |                                                 |                            | N (Y)                  |                     |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                 |                                                 |                            | N (Y)                  |                     |                                  |                                      |                               |
| PURPOSES                  |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PERIOD OF USE             |                   |                                                 |                            | N (Y)                  | 6.                  |                                  |                                      |                               |
| BASIS OF CLAIM            | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| REMARKS                   | Y                 |                                                 |                            | N (Y)                  | 6.                  |                                  |                                      |                               |

"VERIFIED BY" CODES

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

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

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FEB 04 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

12:45:13  
08/09/90

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A36-07650A

LAST: PILKINTON  
ADDRESS: 1449-B BOB BARTON RD.  
CITY: WENDELL  
PHONE NUMBER: 208-536-2159

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

OWNER CODE: C

LAST: PILKINTON  
ADDRESS: 1449-B BOB BARTON RD.  
CITY: WENDELL  
PHONE NUMBER: 208-536-2159

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

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE  
Y

FIELD  
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS RT. WHEN COMBINED WITH RT A36-02610 SHALL NOT  
EXCEED 880 AF/ANNUM.  
SPLIT 4 ACRES IN NENW, SEC 34 AND TRANSFERRED .08 CFS TO SON.  
THE 4 ACRES IS NOT FURNISHED WITH WATER FROM THE WELLS  
COVERED ON THIS RIGHT--FURNISHED .08 CFS FROM SEPERATE WELL.

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CONTACT PERSON: C.R. Pilkington

PHONE NUMBER: ( ) -

DATE OF FIELD EXAM: 7/24/90

APPOINTMENT MADE: Y( ) N( ☒ )

TIME: 2 : A( ) P( ☒ )

ACCOMPANIED BY: C.R.

PHONE NUMBER: ( ) -

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

DIRECTIONS TO PROPERTY / REMARKS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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FEB 04 1993

A. AJ CLAIM: # A36-07650A PRIORITY DATE: 07-30-1976 STAGE: L

B. WR RECORD: # 36-07650 PRIORITY DATE: 07-30-1976 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(☒)  
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:  
07-30-1976

REVIEWED BY

lw

DATE

8/10/90

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FEB 04 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT      | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY    |
|------------|------|------|------|-----|-----|-----|-----|---------|
| A36-07650A | 08S  | 14E  | 33   | SW  | SE  | NE  |     | GOODING |
| A36-07650A | 08S  | 14E  | 34   | SE  | SE  | NW  |     | GOODING |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A36-04001 NONE  
A36-10153

WR RECORDS IN SAME 40 ACRE TRACT  
36-04001  
36-02610

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY    |
|----------|------|------|------|-----|-----|-----|-----|---------|
| 36-07650 | 08S  | 14E  | 34   |     | SE  | NW  |     | GOODING |
| 36-07650 | 08S  | 14E  | 33   |     | SE  | NE  |     | GOODING |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX  
A36-10153 NONE  
A36-04001

36-02610  
36-04001

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE  
Y  
N

FIELD  
EXAMINER  
        
      

REMARKS:

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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:

*W*

DATE:

*8/10/90*

MICROFILMED  
FEB 04 1993

A. ROOT WATER RIGHT NUMBERS: A36-07650A  
A36-07650B

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                                                                                                                        | AJ<br>#/ACRES                                                                             | WR<br>#/ACRES                                                           | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------|----------------|------------------|
| 08S         | 14E | 33  | NE  | NE  |     | PILKINTON , E.A.<br>PILKINTON , C. R.<br>PILKINTON , C.R.<br>LARGE CLAIM<br>PILKINGTON , E.A.<br>PILKINTON , C. R.          | A36-07650A /37.0<br>A36-10151 /<br>A36-02610 /11.0<br>A01-00212Z1/30.0<br>A36-04001 /37.0 | - /<br>- /<br>36-02610 /11.0<br>- /<br>- /<br>36-07650 /37.0            | 41.0            |                |                  |
| 08S         | 14E | 33  | SE  | NE  |     | PILKINTON , E.A.<br>PILKINTON , C.R.<br>LARGE CLAIM<br>PILKINGTON , E.A.<br>PILKINTON , C. R.                               | A36-07650A /37.0<br>A36-02610 /10.0<br>A01-00212Z1/35.0<br>A36-04001 /37.0                | - /<br>36-02610 /10.0<br>- /<br>- /<br>36-07650 /37.0                   | 39.0            |                | 37               |
| 08S         | 14E | 34  | NE  | NW  |     | PILKINTON , E.A.<br>PILKINTON , C.R.<br>PILKINTON , THOMAS R.<br>PILKINTON , C.R.<br>PILKINTON , C. R.<br>PILKINTON , C. R. | A36-07650A /33.0<br>A36-02610 /20.0<br>A36-10152 /<br>A36-07650B / 4.0<br>- /<br>- /      | - /<br>36-02610 /20.0<br>- /<br>- /<br>36-04001 /40.0<br>36-07650 /37.0 | 37.0            |                | 33               |
| 08S         | 14E | 34  | NW  | NW  |     | PILKINTON , E.A.<br>PILKINTON , C.R.<br>LARGE CLAIM<br>PILKINGTON , E.A.<br>PILKINTON , C. R.                               | A36-07650A /40.0<br>A36-02610 /11.0<br>A01-00212Z1/25.0<br>A36-04001 /40.0                | - /<br>36-02610 /11.0<br>- /<br>- /<br>36-07650 /40.0                   | 36.0            |                | 40               |
| 08S         | 14E | 34  | SW  | NW  |     | PILKINTON , E.A.<br>BUTLER , LEONARD A.<br>PILKINTON , C.R.<br>LARGE CLAIM<br>PILKINGTON , E.A.<br>PILKINTON , C. R.        | A36-07650A /40.0<br>A36-10643 /<br>A36-02610 /28.0<br>A01-00212Z1/40.0<br>A36-04001 /40.0 | - /<br>- /<br>36-02610 /28.0<br>- /<br>- /<br>36-07650 /40.0            | 42.0            |                | 40               |
| 08S         | 14E | 34  | SE  | NW  |     | PILKINTON , E.A.<br>PILKINTON , C. R.<br>PILKINTON , C.R.<br>LARGE CLAIM<br>PILKINTON , C. R.<br>PILKINTON , C. R.          | A36-07650A /33.0<br>A36-10153 /<br>A36-02610 /20.0<br>A01-00212Z1/40.0                    | - /<br>- /<br>36-02610 /20.0<br>- /<br>36-04001 /40.0<br>36-07650 /33.0 | 41.0            |                | 33               |
| TOTAL ACRES |     |     |     |     |     | A36-07650A                                                                                                                  | 220.00                                                                                    |                                                                         | 236.00          |                |                  |

\* Recommend  
PPU for 220 Acres  
9-26-91  
SW

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PPU

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER

N

PRESUMPTION FLAG:

REMARKS:

Confirmed unrecorded transfer with Mr. Pilkington  
7/24/90. - O.K. The 4 acres uses separate dam. well  
located in NENW corner of sec 34. The well was drilled  
~12 yrs ago, the house moved on ~5 yrs ago. LW

RECOMMENDATIONS:

TOTAL ACRES: 220

REVIEWED BY: LW

DATE: 8/10/90

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A. AJ CLAIMED USES:

PURPOSES  
A36-07650A IRRIGATION

MONTH/DAY  
FROM 04-01 TO 10-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY  
1.220 CFS  
1.220 CFS 880.00 AF/A

B. WR RECORDED USES:

PURPOSES  
36-07650 IRRIGATION

MONTH/DAY  
FROM 04-01 TO 10-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY  
1.300 CFS 549.00 AF/A  
1.300 CFS 549.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE  
N  
Y  
N

FIELD  
EXAMINER  
N  
N  
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y( ) N( )

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

3-15 to 11-15

NOTED  
FEB 04 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y( ) N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 1.220 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.300 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) Y FIELD DATABASE EXAMINER W

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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: A36-02610, -04001, CANAL WATER

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM      | SOURCE      | NAME              | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|-------------|-------------------|-----------|----------------|-----------|----------------|
| A36-07650A | GROUNDWATER | PILKINTON , E.A.  | 1.220     | 0.005          | 880.00    | 4.00           |
| A36-02610  | GROUNDWATER | PILKINTON , C.R.  | 2.000     | 0.020          | 400.00    | 4.00           |
| A36-04001  | GROUNDWATER | PILKINGTON , E.A. | 1.500     | 0.009          | 608.00    | 3.94           |
| A36-07650B | GROUNDWATER | PILKINTON , C.R.  | 0.080     | 0.020          | 16.00     | 4.00           |

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

| CLAIM NO. | PURPOSES   | NAME                  | MONTH/DAY           | RATE     | VOLUME |
|-----------|------------|-----------------------|---------------------|----------|--------|
| A36-10151 | DOMESTIC   | PILKINTON , C. R.     | FROM 01-01 TO 12-31 | .040 CFS |        |
| A36-10152 | DOMESTIC   | PILKINTON , THOMAS R. | FROM 01-01 TO 12-31 | .040 CFS |        |
| A36-10643 | DOMESTIC   | BUTLER , LEONARD A.   | FROM 01-01 TO 12-31 | .040 CFS |        |
| A36-10643 | STOCKWATER | BUTLER , LEONARD A.   | FROM 01-01 TO 12-31 | .040 CFS |        |
| A36-10153 | DOMESTIC   | PILKINTON , C. R.     | FROM 01-01 TO 12-31 | .040 CFS |        |

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 220 x 0.02 CFS/ACRE = 1.22 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 = 660.0 AF/A

ACRES 220 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =  
TOTAL CONSUMPTIVE USE 660 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 880.00 AF/A

ACRES 220 x DIVERSION VOL. AF/A FOR AREA 4 =  
TOTAL DIVERSION VOLUME 880 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N( )

*Limited to 1" per acre  
when canal water also used*

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

*This right when combined with A36-02610  
shall not exceed 880 AF/A*

NOTES

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

FROM: lu

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RECOMMENDATIONS:

| REC. PURPOSES                  | REC. PERIOD |       | REC. DIV             |                   | REC. DIV |                   | REC. CONS. |                   |
|--------------------------------|-------------|-------|----------------------|-------------------|----------|-------------------|------------|-------------------|
|                                | FROM        | TO    | RATE                 | CFS               | VOL.     | AF/A              | USE        |                   |
| IRRIGATION                     | 04-01       | 10-31 | DATABASE             | EXAMINER          | DATABASE | EXAMINER          | DATABASE   | EXAMINER          |
|                                |             |       | 1.220                | <u>          </u> |          | <u>          </u> | 660.0      | <u>          </u> |
| TOTAL FOR THIS RIGHT           |             |       | 1.220                |                   | 880.00   |                   | 660.0      |                   |
| REVIEWED BY: <u>          </u> |             |       | DATE: <u>8/10/90</u> |                   |          |                   |            |                   |

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K06

F06

E04

limit to:

4.40 cfs (combined)

880 AF D.V.

660 AF CU.

220 Acres

~~2000~~  
S17

CLAIM NUMBER: A36-07650A

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

ACCEPTED  
AS CLAIMED ( / )  
NEEDS  
REVIEW ( / )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07650

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
1.300

EXAMINER  
/

CFS

SPLITS:

OLD RIGHT  
NUMBERS

CURRENT  
CLAIM NUMBERS

DIVERSION  
RATE

CURRENT "R"  
CLAIM NUM.

"R" DIV.  
RATE

WR RIGHT  
NUMBERS

DIVERSION  
RATE

A36-04401

A36-07650A  
A36-07650B

1.220  
0.080

-  
-  
-

36-07650

1.300

TOTAL CFS

1.300

OK

1.300

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  
N

FIELD  
EXAMINER  
/

REMARKS:

AUTHENTICATION:

SIGNATURE:

DATE:

TITLE:

NAME OF FIELD EXAMINER:

Stu C. [Signature] 9-26-91

8/10/90

RECORDED  
FEB 04 1993

Aug 7-15 Gone to Mexico

NOTES

A36-07650  
02610

TO: C.R. PILKINGTON

DATE: 7/24/90

$$Q = \frac{100 \times 8.8 \times 1.7}{100 \text{ psi} \times 2.31 + 2.6}$$

$$= 2.4 \text{ cfs}$$

Motor

pump plate

HP = 100

GPM = 1800

# EKS515127 Head = 70'

MICROFILMED # D 12017 Verts Line

FEB 04 1993

FROM: