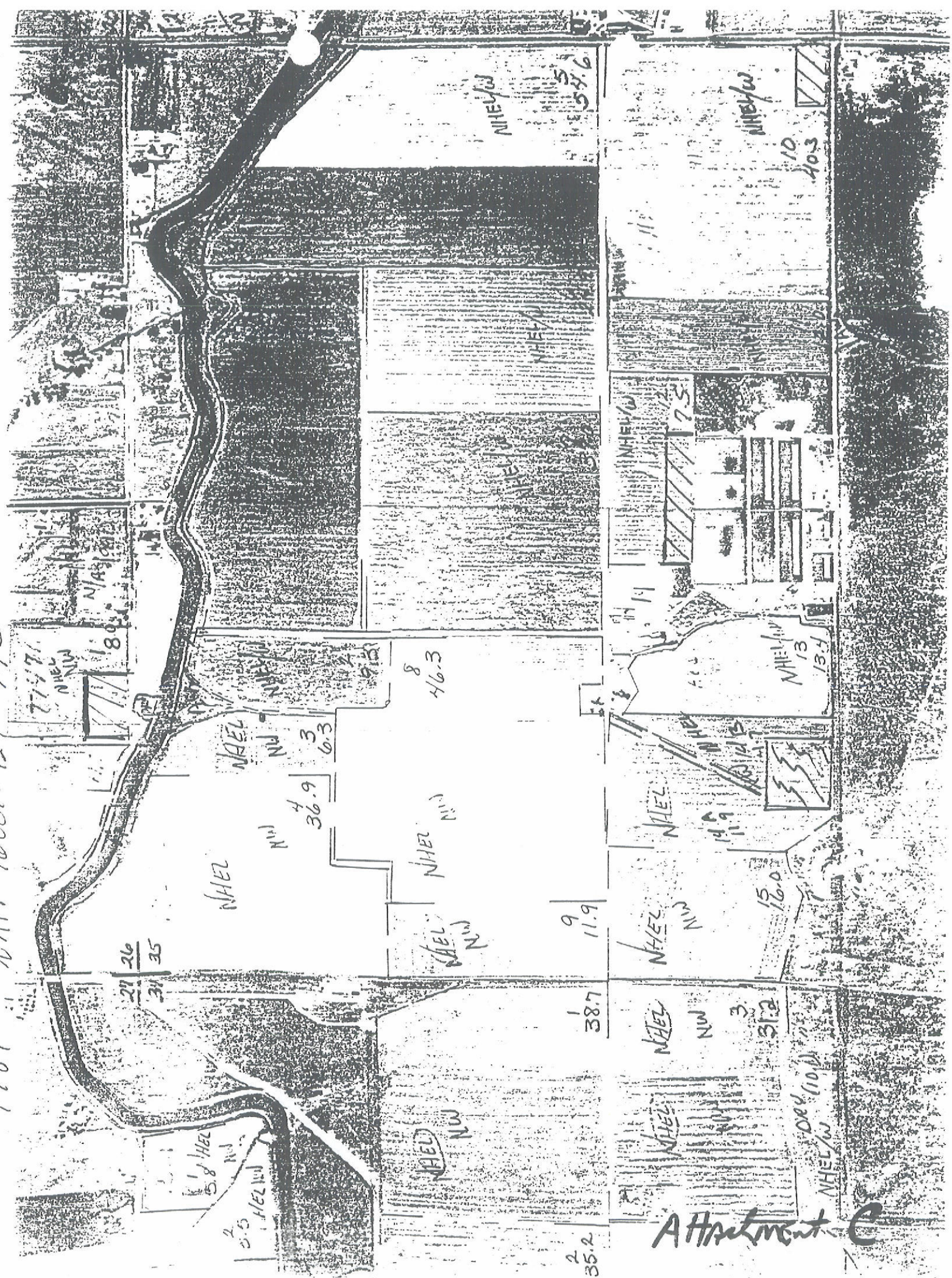
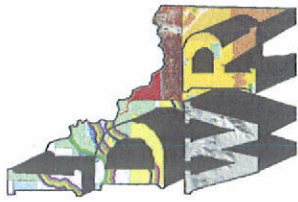


1001 10001-72 172



Attachment C



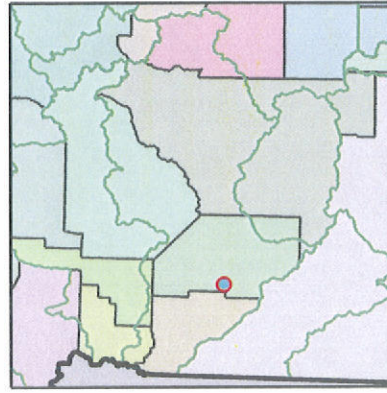
Idaho Department of Water Resources

SRBA Recommendation:

63-3093
(Irrigation)

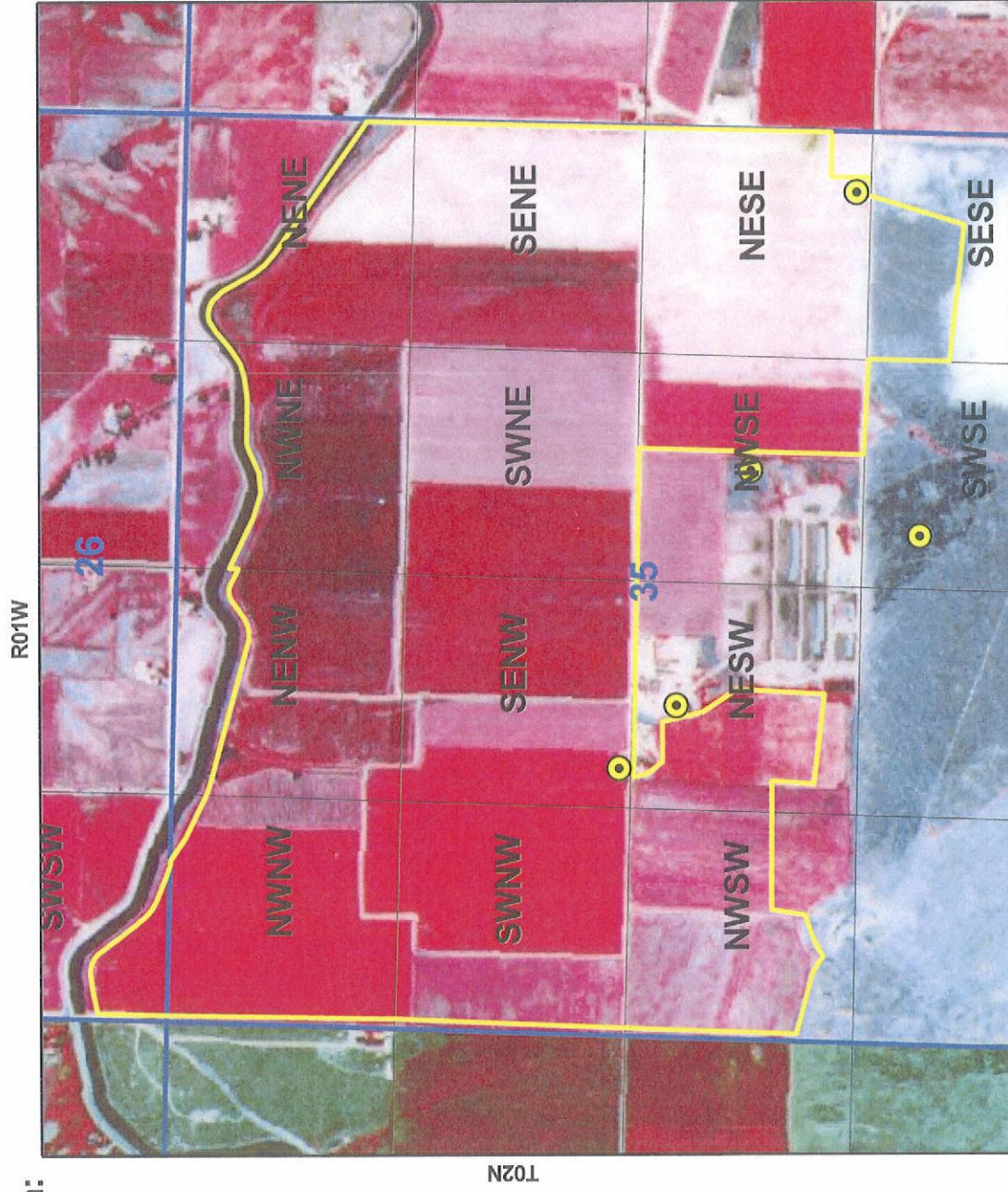
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Ada County
IDWR Basin 63

Prepared by S. Egbert
On Thursday, January 25, 2007
1987/88 Aerial Photography



Idaho Department of Water Resources

63-3093

T02N R01W S26, 35



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



IDWR
Prepared by: Sandy Egbert
Date: 3-31-05
1987 NAPP Photography

500 0 500 1000 1500 2000 Feet

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: A63-03093
Date Received: 9/07/1989
Receipt No: W005591
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VANDER STELT DAIRY 208-922-1179
Address: 2777 SWAN FALLS RD.
KUNA, ID 83634

2. Date of Priority: AUG 21, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01W	35		SE	NW		ADA
				NE	SW		ADA
				NE	SE		ADA

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.730		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	35	SW	NE		IRR	40.0

A63-03093

Page 1

Date: 09/07/89

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	35	SE	NE		IRR	20.0
			NE	NW		IRR	23.0
			SE	NW		IRR	30.0
Section Acres							113.0
Total Acres							113.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
CLAIM NO.'S A63-03170 AND A63-08087.

14. Remarks:
DESC. OF DIVERTING WORKS - THREE WELLS, 1-447' DEEP W/100 HP
PUMP, 1-325' DEEP W/75 HP PUMP, AND 1-480' DEEP W/125 HP PUMP-ALL
USED FOR FLOOD IRRIGATION.

15. Basis of Claim: LICENSE
Water Right Number: 26493

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

Number of attachments: 0 *See map in A63-08087*

I do solemnly swear or affirm that I am PARTNER of
Title
VANDER STELT DAIRY, that I have signed the foregoing
Organization
document in the space below as PARTNER of
Title
VANDER STELT DAIRY and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

9-7-89

Date _____

State of Idaho)
County of *ADA*) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of September 19 89
[Signature]
Notary Public

Notary Public

Seal

Residing at Memphis TN
My Commission Expires 9-14-94

MICROFILMED
AUG 18 1992

DISTRICT COURT - SRBA
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
FILED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-03093

2007 MAR 27 AM 11 43

NAME AND ADDRESS: VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 1.73 CFS
508.50 APY

The total instantaneous diversion of water from all points of diversion under water right nos. 63-3093, 63-3170, 63-8087, 63-18592 and 63-18594 shall not exceed 9.25 cfs, nor a total combined annual volume of 3620.6 af for irrigation of 382.0 total acres.

PRIORITY DATE: 08/21/1956

POINT OF DIVERSION: T02N R01W S35
SENW Within Ada County
NESE
NESW
NWSW
SWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.73 CFS 508.50 APY

PLACE OF USE:	Irrigation	Within Ada County
	T02N R01W S26	
	S35	
	SWSW 4.0	NWNE 26.0
	NENE 19.0	SENE 40.0
	SWNE 40.0	NNW 39.0
	NENW 30.0	SENW 40.0
	SNNW 40.0	NWSW 30.0
	NESW 13.0	NWSE 12.0
	NESE 38.0	
	SESE 11.0	
	382.0 Acres Total	

This right is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.

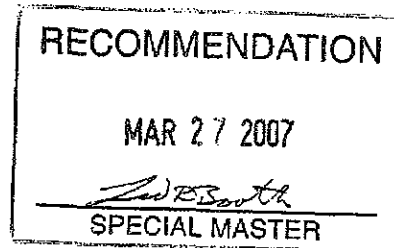
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



RECEIVED

MAR 29 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAR 27 AM 11 43

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

In Re SRBA) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 63-03170,
) 63-03093, and 63-08087

I. FINDINGS OF FACT

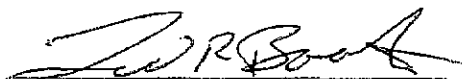
A notice of claim was filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of these water rights.

On April 20, 2006, the United States of America, Department of Interior, Bureau of Land Management, filed an objection to the *Director's Report* for water right claim 63-03170, asserting that the place of use should not include BLM land. Water right claims 63-03093 and 63-08087 were identified by IDWR as uncontested overlaps. On March 20, 2007, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* in each of the subcases, which resolved the objection. The Idaho Department of Water Resources concurred with the stipulations.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 63-03170, 63-03093, and 63-08087 be decreed with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated March 26, 2007



Theodore R. Booth
Special Master
Snake River Basin Adjudication

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

In Re SRBA

Case No. 39576

Subcase No. 63-3093

uncontested overlap

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

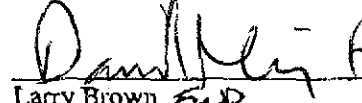
CLAIMANT(s):

Vander Stelt Dairy

OBJECTOR(s):

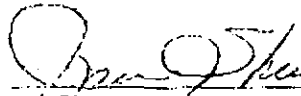
USDI-BLM

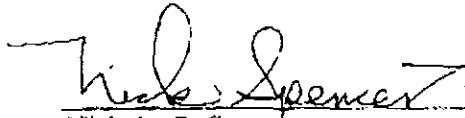
 3-19-07
Dennis Vander Stelt Date

 3/20/07
Larry Brown Date
Trial Attorney, General Litigation Section
U.S. Dept. of Justice

STANDARD FORM 5 - 63-3093 - uncontested overlap

IDWR Concurrence:

 3-14-07
Jeff Shurtle Date
Adjudication Supervisor

 3-14-07
Nicholas B. Spencer Date
Deputy Attorney General

Mar 19 07 02:55p Vander Stelt Dairy

208 922 3592

p.17

SFS Right No. 63-3093

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

RIGHT NUMBER: 63-3093

NAME AND ADDRESS:

VANDER STELT DAIRY
2777 SADDY FALLS RD
KIRIA ID 83634

SOURCE:

SOURCE:
GROUNDWATER

Tributary:

QUANTITY:

1.230 CFS
508.500 AFY

The total instantaneous diversion of water from all points of diversion under water right nos. 63-3093, 63-3170, 63-8007, 63-18592 and 63-18594 shall not exceed 9.25 cfs, nor a total combined annual volume of 3620.6 ac ft for irrigation of 382.0 total acres.

PRIORITY DATE:

08/21/1956

POINT OF DIVERSION:

T02N R01W S35 SE1W
Within ADA County

T02N R01W S35 NE1W
Within ADA County

T02N R01W S35 NE2E
Within ADA County

T02N R01W S35 NW2E
Within ADA County

T02N R01W S35 SW2E
Within ADA County

PURPOSE AND PERIOD OF USE:

Purpose of use

Period of use

Quantity:

IRRIGATION

03/01 11/15

1.710 CFS 508.50 AFY

PLACE OF USE:

IRRIGATION

within ADA County

T02N R01W S26 E1W 4.0

T02N R01W S35 E1NE 19.0

T02N R01W S35 NW1E 26.0

T02N R01W S35 SW1E 40.0

T02N R01W S35 SE1NE 40.0

T02N R01W S35 E1NE 20.0

T02N R01W S35 NE1W 10.0

T02N R01W S35 NE1W 23.0

T02N R01W S35 NW1W 39.0

T02N R01W S35 SW1W 40.0

T02N R01W S35 SE1W 40.0

T02N R01W S35 SE1W 30.0

T02N R01W S35 NE2E 13.0

T02N R01W S35 NW2E 30.0

T02N R01W S35 NW2E 12.0

T02N R01W S35 SE2E 11.0

SFS Right No. 63-3093

SFS Right No. 63-3093

184 ACRES TOTAL

113 ACRES TOTAL

J
NBS fwp

This right is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the right or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

~~The total percentage diversion of water from all place of diversion under Transfer 5462 shall not exceed 5.26% nor a total combined annual volume of 3650.6 ac-ft for irrigation of 303.0 total acres.~~

EXHIBITORY MATERIAL: BASIS OF CLAIM - License

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The right holder shall accomplish the change authorized by Transfer No. 5462 within one (1) year of the date of the approval.

~~This right when combined with all other rights shall provide no more than 40 cfs per acre nor more than 1.5 ac-ft per acre for irrigation of the lands above.~~

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

SFS Right No. 63-3093

CERTIFICATE OF MAILING

I certify that on 3-20, 2007, 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:

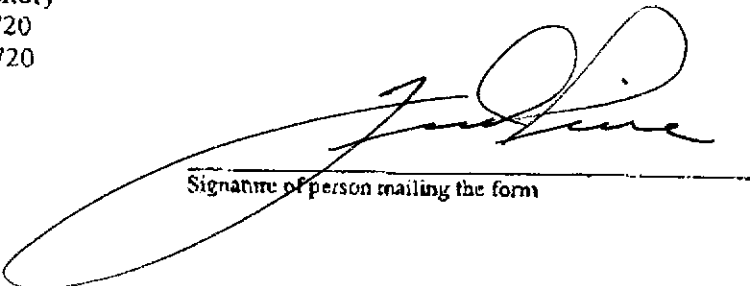
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

USDI Bureau of Reclamation
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Vander Stelt Dairy
2777 Swan Falls Rd.
Kuna, ID 83634

IDWR Repository
P.O. Box 83720
Boise, ID 83720


Signature of person mailing the form

Due 3/20/07

Shurte, Jan

From: Shurte, Jan
Sent: Friday, March 02, 2007 3:15 PM
To: 'Fredric_Price@blm.gov'; 'Larry.Brown@usdoj.gov'
Cc: Harvey, Becky; Favreau, Danielle
Subject: RE: 63-03170; Claimant: Vander Stelt Dairy

Fred & Becky,

Sandy has completed correcting all 3 rights to match the transfer previously approved. The stock water pou in the SWSW, S. 35, T2N, Rge. 1W has been left out of 63-3170 & 63-8087. 63-3093 was for irrigation only and did not include stock water. The other two water rights 63-18592 & 63-18594 were decreed in 2000 and I do not believe anything can be done about them at this time. The decrees were issued in 2/2000 and the transfer approved in 5/2000 which did include the SWSW, S35, T2n R. 1W. It did not appear to be protested and was approved, however, if you wish to speak further with the allocations staff you could contact Shelly Keen.

On another subject, I (with help from Danielle Favreau) am putting together the large places of use for 63-183, Pioneer Ditch Co., (aka Little Pioneer Ditch Co.) to delete Lot 7 (now known as Lot 9 (NWSE), S17, T1N, R1W) to handle BLM's settlement portion of this right although there are other objections. On the Pleasant Valley Irrigation Co. it looks like we need to delete the SESE, S. 19, T2N, R2E. Removing it from the claim data is not necessary since it will not be decreed and the recommendation is the only one to be decreed. It does not matter if the claim has that 1/41/4 on it - it will not give the claimant any further ground. As far as the stock water place of use goes, it was claimed in the 5 1/41/4's you spoke of. Mel put it on only 63-329B and it was also claimed on all the others. It appears to me that he meant to put it on all of the others, however, the large place of use data entry wiped it out. If you would like we can put those 5 1/41/4's on as a part of the settlement - which you may have already done. Otherwise we do assume it covers the entire place of use for irrigation as it is listed with no pou.

On Farmer's Union Ditch Co. it appears we need to delete the NWSW, S26; SESW, SESE, S27, NESE, NWSE, S31, T5N, R1W as a part of the large place of use. Please let us know on all of these if it is the entire 1/41/4, a portion or if it is a snapping issued.

If you agree with this memo we should be able to settle these prior to the hearings. We will complete the changes and send you a CD of the large places of use to go with the SF5's for signature as soon as we hear from you.

Thank you for your patience in this time of transition for the Department.

Jan Shurte
Water Rights Supervisor
Adjudication Section
Western Region
(208) 334-2190

-----Original Message-----

From: Fredric_Price@blm.gov [mailto:Fredric_Price@blm.gov]
Sent: Friday, March 02, 2007 12:16 PM
To: Harvey, Becky; Spencer, Nick; Shurte, Jan
Cc: larry.brown@usdoj.gov
Subject: Fw: 63-03170; Claimant: Vander Stelt Dairy

*No change
in total area
on any of
these.*

Copy on
of 3-14-07

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

In Re SRBA

Case No. 39576

) **Subcase No. 63-3093**

) **uncontested overlap**

) **STANDARD FORM 5**

) **STIPULATED ELEMENTS OF A**
) **WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):

Vander Stelt Dairy

OBJECTOR(s):

USDI-BLM

Dennis Vander Stelt

Date

Larry Brown

Date

Trial Attorney, General Litigation Section
U.S. Dept. of Justice

IDWR Concurrence:

Jan Shurte
Adjudication Supervisor

Nicholas B. Spencer
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on _____, 2007, 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. Copies to:

USDI Bureau of Reclamation
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Vander Stelt Dairy
2777 Swan Falls Rd.
Kuna, ID 83634

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Signature of person mailing the form

SF5 Right No. 63-3093

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

RIGHT NUMBER: 63-3093

NAME AND ADDRESS:

VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA ID 83634

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

1.730 CFS

508.500 AFY

The total instantaneous diversion of water from all points of diversion under water right nos. 63-3093, 63-3170, 63-8087, 63-18592 and 63-18594 shall not exceed 9.25 cfs, nor a total combined annual volume of 3620.6 af for irrigation of 382.0 total acres.

PRIORITY DATE:

08/21/1956

POINT OF DIVERSION:

T02N R01W S35 SENW
Within ADA CountyT02N R01W S35 NESW
Within ADA CountyT02N R01W S35 NESE
Within ADA CountyT02N R01W S35 NWSE
Within ADA CountyT02N R01W S35 SWSE
Within ADA CountyPURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use

Quantity:

IRRIGATION

03/01 11/15

1.730 CFS 508.50 AFY

PLACE OF USE:

IRRIGATION

within ADA County

T02N R01W S26 SWSW 4.0

T02N R01W S35 NENE 19.0

T02N R01W S35 NENE 26.0

T02N R01W S35 SWNE 40.0

T02N R01W S35 SENE 40.0

~~T02N R01W S35 SENE 20.0~~

T02N R01W S35 NENW 30.0

~~T02N R01W S35 NENW 23.0~~

T02N R01W S35 NWNW 39.0

T02N R01W S35 SWNW 40.0

T02N R01W S35 SENW 40.0

~~T02N R01W S35 SENW 20.0~~

T02N R01W S35 NESW 13.0

T02N R01W S35 NWSW 30.0

T02N R01W S35 NESE 38.0

T02N R01W S35 NWSE 12.0

T02N R01W S35 SESE 11.0

382 ACRES TOTAL

113 ACRES TOTAL



This right is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

~~The total instantaneous diversion of water from all points of diversion under Transfer 5460 shall not exceed 9.26 cfs, nor a total combined annual volume of 3620.6 af for irrigation of 382.0 total acres.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The right holder shall accomplish the change authorized by Transfer No. 5460 within one (1) year of the date of the approval.

~~This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.~~

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Shurte, Jan

From: Ted Booth [tbooth@srba.state.id.us]
Sent: Wednesday, January 03, 2007 4:13 PM
To: Shurte, Jan
Subject: 63-3093

Jan,

Water right 63-3093 has a POU of 113 acres, with a limitation remark that only 113 of the 113 can be irrigated in a single season. The remark seems superfluous.

Please advise.

Ted Booth

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

1/4/2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5460
WATER RIGHT NO(S). 63-03093/63-03170/63-08087
63-18592/63-18594

RECEIVED

MAY 17 2000

WATER RESOURCES
WESTERN REGION

This is to certify that: VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA ID 83642

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-03093 :			
Priority: 08/21/1956			
IRRIGATION	03/01 to 11/15	1.73 CFS	508.5 AF
Right No. 63-03170 :			
Priority: 09/17/1959			
IRRIGATION	03/01 to 11/15	3.57 CFS	1503.0 AF
STOCKWATER	01/01 to 12/31	0.49 CFS	51.6 AF
COMMERCIAL	01/01 to 12/31	0.49 CFS	50.6 AF
		<u>4.06 CFS</u>	<u>1605.2 AF</u>
Right No. 63-08087 :			
Priority: 02/19/1975			
IRRIGATION	03/01 to 11/15	2.82 CFS	1451.7 AF
STOCKWATER	01/01 to 12/31	0.18 CFS	19.1 AF
COMMERCIAL	01/01 to 12/31	0.18 CFS	18.7 AF
		<u>3.00 CFS</u>	<u>1489.5 AF</u>
Right No. 63-18592 :			
Priority: 08/30/1978			
STOCKWATER	01/01 to 12/31	0.23 CFS	14.6 AF
Right No. 63-18594 :			
Priority: 04/01/1985			
STOCKWATER	01/01 to 12/31	0.23 CFS	2.8 AF
TOTAL:		<u>9.25 CFS *</u>	<u>3620.6 AF *</u>

SOURCE

GROUNDWATER

TRANSFER NO. 5460
 WATER RIGHT NO(S). 63-03093/63-03170/63-08087
 63-18592/63-18594

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 35, Township 02N, Range 01W
 NESW , Sec. 35, Township 02N, Range 01W
 NESE , Sec. 35, Township 02N, Range 01W
 NWSE , Sec. 35, Township 02N, Range 01W
 SWSE , Sec. 35, Township 02N, Range 01W
 ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	01W	26	SWSW 4			4
		35	NENE 19	NWNE 26	SWNE 40	
			SENE 40	NENW 30	NWNW 39	
			SWNW 40	SENE 40	NESW 13	
			NWSW 30	NESE 38	NWSE 12	
			SESE 11			378
Total number of acres irrigated:						382 **

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
02N	01W	26	SWSW		
		35	NENE	NWNE	SWNE
			SENE	NENW	NWNW
			SWNW	SENE	NESW
			NWSW	SWSW	SESW
			NESE	NWSE	SWSE
			SESE		

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

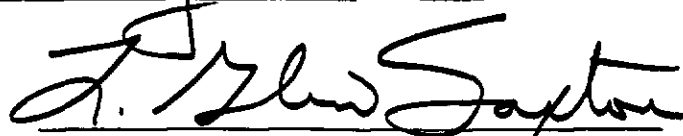
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- ✓ 2. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- ✓ 3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- ✓ 4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5460
WATER RIGHT NO(S). 63-03093/63-03170/63-08087
63-18592/63-18594

CONDITIONS OF APPROVAL AND REMARKS

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- *8. The total instantaneous diversion of water from all points of diversion under Transfer 5460 shall not exceed 9.25 cfs, nor total combined annual volume of 3620.6 af for irrigation of 382.0 total acres.
- **9. Right 63-03093 is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.
- **10. Right 63-03170 is limited to the irrigation of 334 acres within the place of use described above in a single irrigation season.
11. Commercial use for the dairy is located in the NESW, NWSW, and NWSE, S35, T2N, R1W.
12. The quantity of water decreed for stockwater use under Right 63-18592 is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
13. The quantity of water decreed for stockwater use under Right 63-18594 is not a determination of historical beneficial use and shall not exceed 2,500 gallons per day.

Dated this 15th day of May, 2000.


Chief, Water Allocation Bureau

Page 1 of 14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5460

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

REVISIONS

APPROVED BY: Dan Vander Stelt

Name of applicant VANDER STELT DAIRY Phone 922-4649
Post Office address 2777 SWAN FALLS RD KUNA ID 83642

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant wishes to add a new well to the vander stelt system and update water rights to reflect recent dairy expansion (corrals + ponds, not cows) and combined system

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
~~ALB-03092~~	~~8/21/1956~~	~~1.73/508.5~~	~~Irrig.~~	~~3/15 to 11/15~~
~~ALB-03170~~	~~9/17/1959~~	~~3.07/1175.5~~	~~Irrig.~~	~~3/15 to 11/15~~
<del></del>	<del></del>	~~.34/131.6~~	~~Comm.~~	~~1/1 to 12/31~~
~~ALB-08087~~	~~2/19/1975~~	~~2.72/75~~	~~Irrig.~~	~~3/15 to 11/15~~
			Comm.	1/1 to 12/31

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

3. Source of water ground water tributary to _____

4. Point(s) of Diversion: NW SE 5.35 T2N R1W existing

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	35	2N	1W	ADA	existing
		NW	SE					"
		NW	SW					"
	NW	SW	SE					proposed

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	1W	26										4						4	
		35	19	26	40	40	30	39	40	40	13	30		38	12		11	378	
											C	C			C			Dairy	
			C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Land appl	
		NOTE																	
		COMMERCIAL & STOCK WATER USES OCCUR IN																	
		ALL OF S. 35 plus SW SW S. 26																	

NOTE

COMMERCIAL & STOCK WATER USES OCCUR IN
ALL OF 5.35 plus SW SW 5.26

WR5809NP
No. 63-03093

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/10/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	POTTER LAND CO.	08/21/1956	IRRIGATION	00/00 00/00	1.730 CFS	
TOTAL DIVERSION:					1.730 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R01W S35

SENW

ADA 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	:	SUM
02N	01W	35	:		40	20	:	23		30	:							:	113.0
TOTAL ACRES																		113.0	

Pou County: ADA

Dates:	App. Received:	Priority Date:	08/21/1956
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	08/28/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 05/06/85 05/01/88 CONVERT

13 of 14

WR5809NP
No. 63-03170

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/10/99
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN RUSSELL COWE	09/17/1959	IRRIGATION	00/00 00/00	4.060 CFS	
TOTAL DIVERSION:					4.060 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R01W S35 SENW NESE ADA 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		
02N	01W	35	:	19	25		40	:	28	39	39	40	:	28	36			:	40	29			:	363.0
TOTAL ACRES																							363.0	

Pou County: ADA

Remarks: GEN LICENSE INCORRECTLY LISTS TOTAL AC. IRR. = 290. - ?

Dates: App. Received: Priority Date: 09/17/1959
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 08/28/1979

Misc: Water District Number: Field Exam Fee:

Audit: 05/06/85 05/01/88 CONVERT

By 5 of 14

WR5809NP
No. 63-08087

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/10/99
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VANDER STELT DAIRY	02/19/1975	IRRIGATION	04/01 10/31	3.000 CFS	1267.50 AFA
TOTAL DIVERSION:					3.000 CFS	1267.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R01W S35

NESW

ADA 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			
02N	01W	26	:					:					:			04		:						:	4.0
02N	01W	35	:	18	26	40	40	:	30	38	40	40	:	23	33			:	40	40			:	408.0	
TOTAL ACRES																							412.0		

Pou County: ADA

Conditions of Approval:

- R27 - This right when combined with all other rights shall provide no
- more than 4.5 afa per acre for irrigation of the lands above.

Dates: App. Received: Priority Date: 02/19/1975
Proof Due Date: 03/01/1980 Proof Made Date: 01/01/1900
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 06/20/1983

Misc: Water District Number: Field Exam Fee:

Audit: 06/03/85 05/01/88 CONVERT 02/08/98 CLEARFLD

P.S. 7 of 14

SRBA

DIRECTORS REPORT 63-18592

Return to SRBA Home Page

IWT072

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

Right Number: 63-18592

Name and Address: VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA, ID 83634

Source: GROUNDWATER

Quantity: .23 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

Priority Date: 08-30-1978

Diversion Point: T02N R01W S35 NWSE Within Ada County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	01-01 TO 12-31	.23 CFS

Place of Use:	Stockwater	Within Ada County
	T02N R01W S35	NWSE NESW

Other Provisions Necessary for Definition / Administration of this Water Right:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - Beneficial Use

STOCKWATER, 1000 DAIRY CATTLE
PARCEL NO. S1335314800

Return to SRBA Home Page

13,000 g/d per SRBA recommendation

Pg 9 of 14

SRBA

DIRECTORS REPORT 63-18594

Return to SRBA Home Page

IWT072

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

Right Number: 63-18594

Name and Address: VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA, ID 83634

Source: GROUNDWATER

Quantity: .23 CFS

Priority Date: 04-01-1985

Diversion Point: T02N R01W S35 NWSE Within Ada County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	01-01 TO 12-31	.23 CFS

Place of Use:	Stockwater	Within Ada County
	T02N R01W S35 NWSE	NESW

Other Provisions Necessary for Definition / Administration of this Water Right:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - Beneficial Use

STOCKWATER, 500 DAIRY CATTLE
PARCEL NO. S1335314800

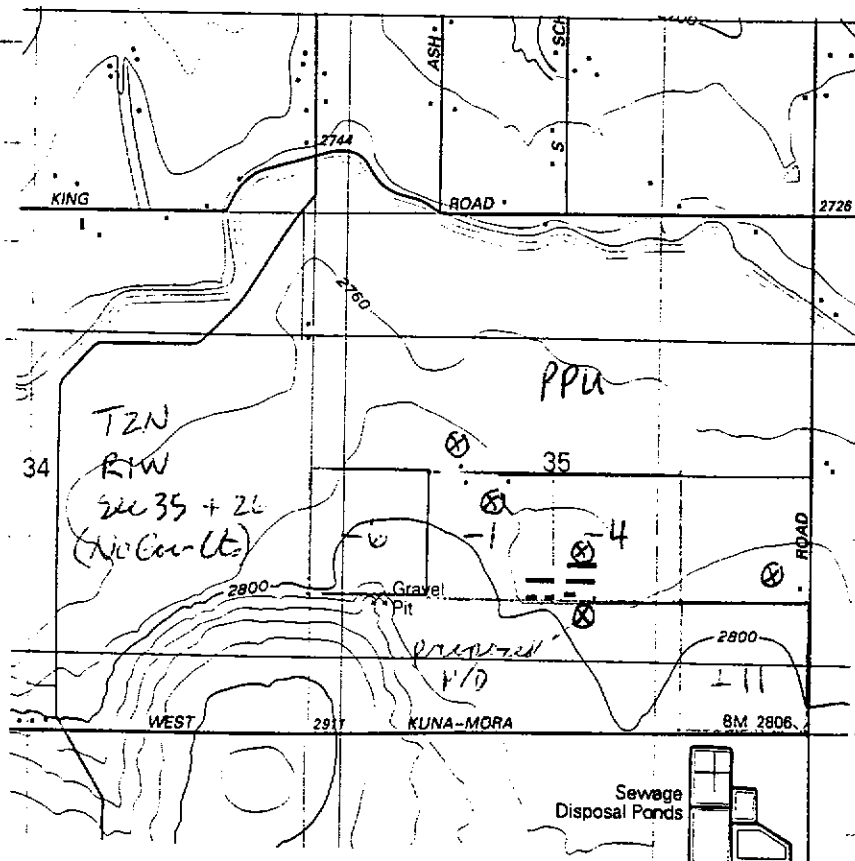
Return to SRBA Home Page

2,500 g/d per SRBA recommendation.

Pg 11 of 14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



⊗ all existing wells except as noted

ITEM B1 FOR PAGE 1

DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs)	Nature of Use	Period of Use
63-03093	08-21-1956	1.73	Irrigation	03-15 to 11-15
63-03170	09-17-1959	3.74	Irrigation	03-15 to 11-15
		.32	Commercial	01-01 to 12-31
		.32	Stockwater	01-01 to 12-31
63-08087	02-19-1975	2.75	Irrigation	03-15 to 11-15
		.25	Commercial	01-01 to 12-31
		.25	Stockwater	01-01 to 12-31
63-18592	08-30-1978	.23	Stockwater	01-01 to 12-31
63-18594	04-01-1985	.23	Stockwater	01-01 to 12-31

ATTACHMENT A

Daily Fresh Water Requirement For Dairy Facility Worksheet

For: **Vander Stelt Dairy**

Drinking Water Estimates (see Table 1 & 2):

			Number	Use/day	Total Gal/Day	Total Gals/Yr.	af/a
Milking Cows			1700	35	59500		
Dry Cows			300	12	3600		
Total Cows			2000		63100	23,031,500	70.68
Heifers:	Age	% of Herd	Number	Use/day	Total		
	16-24 mo.	0.38	760	10	7600		
	13-15 mo.	0.12	240	8	1920		
	9-12 mo.	0.17	340	6	2040		
	5-8 mo	0.17	340	5	1700		
	3-4 mo	0.08	160	4	640		
	0-2 mo	0.08	160	2.5	400		
Total Heifers			2000		14300	5,219,500	16.02
Less amount covered by existing Stock water rights							
	Right No.		63-18594	2500			
	Right No.		63-18592	13000			
				15500		5,657,500	-17.36
Total Herd Drinking Water not covered by stock water rights:(afa)							69.34

Wash Pen Estimate (see table 3):

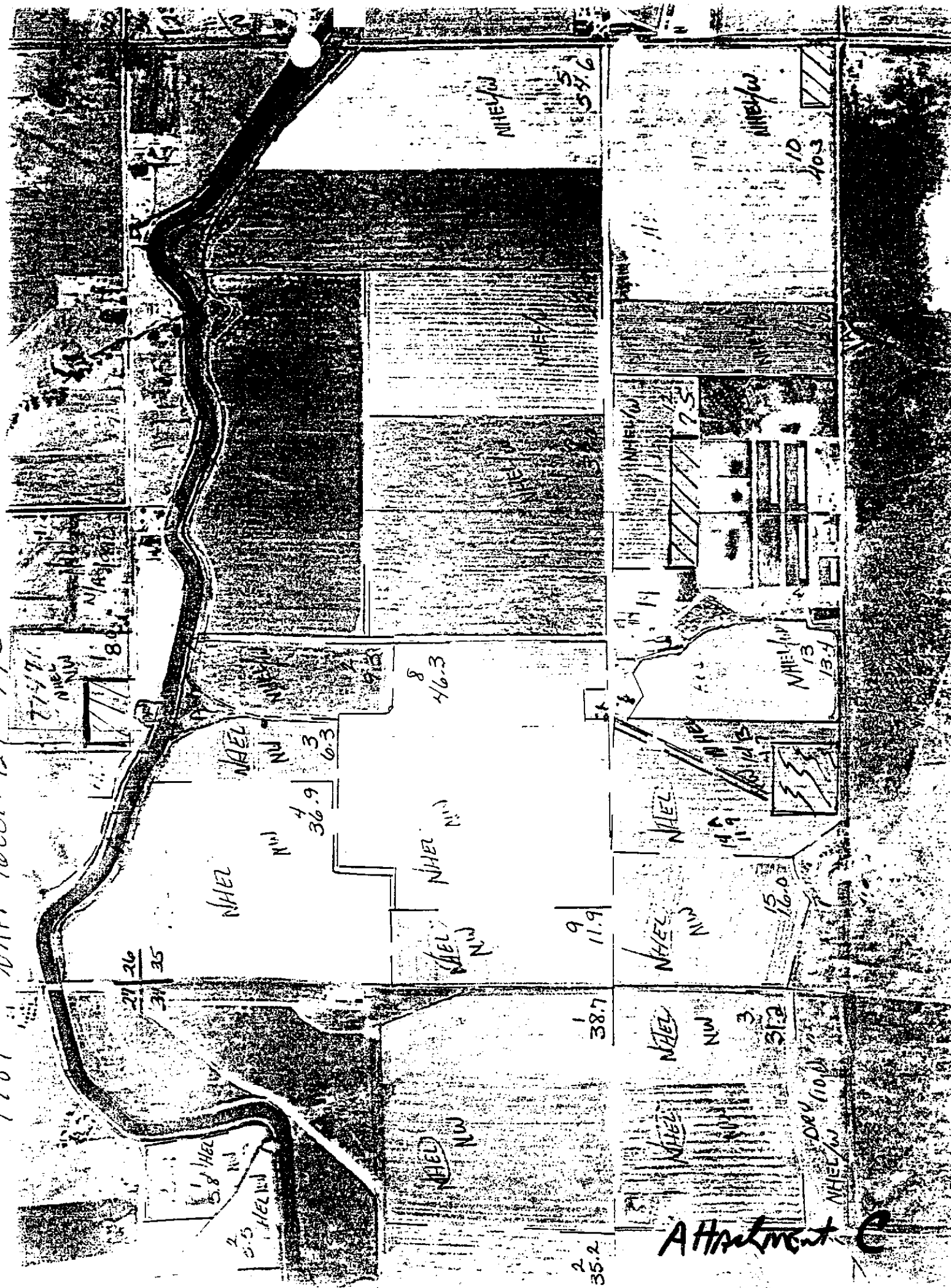
GPM discharge/nozzle				5.39			
Number of Nozzles				83			
Minutes run/day:				130			
groups	13						
mins/group	5						
x/day	2						
Total Wash Pen Water Used:					58158	21,227,707	65.15

Milk House and Parlor Estimate (see Table 4)

Item	Gals/Op	x's/day	Gals/day			
Bulk Tank	126	1	126			
Pipeline	140	2	280			
Backflush	0.5	2	1700			
Cleanup	1000	2	2000			
Cow Prep	0.25	2	850			
Plate Cooler(ignore if recycled)						
Total Milk House and Parlor Water Used:			4956	1,808,940	5.55	
Total Gals/Day			140514			
Total Fresh Water Diverted Annually					140.0	
Acres to be taken out of production @ 3.5 allowable afa/acre					40.0	

Attachment B

1001 1444 10001-1444 1444



Attachment C

BARBARA BAUER
ADA COUNTY TREASURER
P.O. BOX 2868
BOISE, ID 83701

MORTGAGE CODE

SECOND HALF TAX BILL

PARCEL NUMBER S1335314800

TAX YEAR 1997

FULL 2ND HALF AMOUNT	LESS PAYMENTS	AMOUNT DUE BY
\$261.53	\$0.00	\$261.53

6/22/98

KEEP THIS HALF FOR YOUR RECORDS.

VANDER STELT DAIRY
RR 1
KUNA ID 83634-9801

PAR #4800 OF S2
SEC 35 2N 1W
#220000 8
#95015106
02N01W354800

2N 1W 35

PAYMENTS RECEIVED AFTER 5/14/98 ARE NOT
REFLECTED ON THIS BILL.

PROPERTY ADDRESS 00000 S SWAN FALLS

BILL NUMBER 1-0102838

BARBARA BAUER
ADA COUNTY TREASURER
P.O. BOX 2868
BOISE, ID 83701

MORTGAGE CODE

SECOND HALF TAX BILL

PARCEL NUMBER R5070500400

TAX YEAR 1997

FULL 2ND HALF AMOUNT	LESS PAYMENTS	AMOUNT DUE BY
\$39.60	\$0.00	\$39.60

6/22/98

KEEP THIS HALF FOR YOUR RECORDS.

VANDERSTELT DAIRY
1/2 GABIOLA EUSEBIO
RR 1

LOT 4
KUNA ORCHARD TRACT
010570000040

2N 1W 26

PAYMENTS RECEIVED AFTER 5/14/98 ARE NOT
REFLECTED ON THIS BILL.

PROPERTY ADDRESS 00000 S TEN MILE

BILL NUMBER 1-0046447

MAKE CHECKS PAYABLE TO BARBARA BAUER, ADA
COUNTY TREASURER. PAYMENTS BY CHECK
SUBJECT TO BANK CLEARANCE.

FOR MORE INFORMATION CALL 364-2233.

IF ANY PORTION OF THE SECOND HALF TAX
BECOMES DELINQUENT, YOU WILL BE CHARGED
2 PERCENT LATE CHARGE & 1 PERCENT PER MONTH
INTEREST DATING BACK TO JANUARY 1ST.

WE WILL ACCEPT MAILED PAYMENTS AS CURRENT
IF POSTMARKED ON OR BEFORE THE DUE DATE.

PAYMENTS POSTMARKED AFTER THE DUE DATE
WILL BE APPLIED & A DELINQUENT NOTICE WILL BE
SENT FOR THE REMAINING AMOUNT DUE, INCLUDING
LATE CHARGE & INTEREST.

Attachment D
(3 pgs)

ADA COUNTY TREASURER
P.O. BOX 2868
BOISE, ID 83701

MORTGAGE CODE

SECOND HALF TAX BILL

PARCEL NUMBER S1335214200

TAX YEAR 1997

FULL 2ND HALF AMOUNT	LESS PAYMENTS	AMOUNT DUE BY
\$4198.83	\$0.00	\$4198.83

6/22/98

KEEP THIS HALF FOR YOUR RECORDS.

MAKE CHECKS PAYABLE TO BARBARA BAUER, ADA COUNTY TREASURER. PAYMENTS BY CHECK SUBJECT TO BANK CLEARANCE.

FOR MORE INFORMATION CALL 364-2233.

IF ANY PORTION OF THE SECOND HALF TAX BECOMES DELINQUENT, YOU WILL BE CHARGED 2 PERCENT LATE CHARGE & 1 PERCENT PER MONTH INTEREST DATING BACK TO JANUARY 1ST.

WE WILL ACCEPT MAILED PAYMENTS AS CURRENT IF POSTMARKED ON OR BEFORE THE DUE DATE.

PAYMENTS POSTMARKED AFTER THE DUE DATE WILL BE APPLIED & A DELINQUENT NOTICE WILL BE SENT FOR THE REMAINING AMOUNT DUE, INCLUDING LATE CHARGE & INTEREST.

VANDER STELT DAIRY
RR 1
KUNA ID 83634-9801

S2NE4 E2NW4 EXC 5A N
OF MORA HILINE CANAL
SEC 35 2N 1W
#314200R
#95015106
02N01W350000

2N 1W 35

PAYMENTS RECEIVED AFTER 5/14/98 ARE NOT REFLECTED ON THIS BILL.

PROPERTY ADDRESS 02399 S SWAN FALLS

BILL NUMBER 1-0102835

BARBARA BAUER
ADA COUNTY TREASURER
P.O. BOX 2868
BOISE, ID 83701

MORTGAGE CODE

SECOND HALF TAX BILL

PARCEL NUMBER S1335233600

TAX YEAR 1997

FULL 2ND HALF AMOUNT	LESS PAYMENTS	AMOUNT DUE BY
\$171.77	\$0.00	\$171.77

6/22/98

KEEP THIS HALF FOR YOUR RECORDS.

MAKE CHECKS PAYABLE TO BARBARA BAUER, ADA COUNTY TREASURER. PAYMENTS BY CHECK SUBJECT TO BANK CLEARANCE.

FOR MORE INFORMATION CALL 364-2233.

IF ANY PORTION OF THE SECOND HALF TAX BECOMES DELINQUENT, YOU WILL BE CHARGED 2 PERCENT LATE CHARGE & 1 PERCENT PER MONTH INTEREST DATING BACK TO JANUARY 1ST.

WE WILL ACCEPT MAILED PAYMENTS AS CURRENT IF POSTMARKED ON OR BEFORE THE DUE DATE.

PAYMENTS POSTMARKED AFTER THE DUE DATE WILL BE APPLIED & A DELINQUENT NOTICE WILL BE SENT FOR THE REMAINING AMOUNT DUE, INCLUDING LATE CHARGE & INTEREST.

VANDER STELT DAIRY
RR 1
KUNA ID 83634-9801

SW4NW4 & NW4SW4
SEC 35 2N 1W
#231000R
#95015106
02N01W351000

2N 1W 35

PAYMENTS RECEIVED AFTER 5/14/98 ARE NOT REFLECTED ON THIS BILL.

PROPERTY ADDRESS 00000 S SWAN FALLS

BILL NUMBER 1-0102837

BARBARA BAUER
ADA COUNTY TREASURER
P.O. BOX 2868
BOISE, ID 83701

MORTGAGE CODE

SECOND HALF TAX BILL

PARCEL NUMBER S1335223000

TAX YEAR 1997

FULL 2ND HALF AMOUNT	LESS PAYMENTS	AMOUNT DUE BY
\$133.67	\$0.00	\$133.67

6/22/98

KEEP THIS HALF FOR YOUR RECORDS.

MAKE CHECKS PAYABLE TO BARBARA BAUER, ADA COUNTY TREASURER. PAYMENTS BY CHECK SUBJECT TO BANK CLEARANCE.

FOR MORE INFORMATION CALL 364-2233.

IF ANY PORTION OF THE SECOND HALF TAX BECOMES DELINQUENT, YOU WILL BE CHARGED 2 PERCENT LATE CHARGE & 1 PERCENT PER MONTH INTEREST DATING BACK TO JANUARY 1ST.

WE WILL ACCEPT MAILED PAYMENTS AS CURRENT IF POSTMARKED ON OR BEFORE THE DUE DATE.

PAYMENTS POSTMARKED AFTER THE DUE DATE WILL BE APPLIED & A DELINQUENT NOTICE WILL BE SENT FOR THE REMAINING AMOUNT DUE, INCLUDING LATE CHARGE & INTEREST.

VANDER STELT DAIRY
RR 1
KUNA ID 83634-9801

NW4NW4
SEC 35 2N 1W
#220000 B
#95015106
02N01W353000

2N 1W 35

PAYMENTS RECEIVED AFTER 5/14/98 ARE NOT REFLECTED ON THIS BILL.

PROPERTY ADDRESS 00000 S SWAN FALLS

BILL NUMBER 1-0102836

D2

BARBARA BAUER
ADA COUNTY TREASURER
P.O. BOX 2868
BOISE, ID 83701

MORTGAGE CODE

COND HALF TAX BILL

PARCEL NUMBER S1335346610
TAX YEAR 1997

FULL 2ND HALF AMOUNT	LESS PAYMENTS	AMOUNT DUE BY
\$28.35	\$.00	\$28.35

VANDER STELT DENNIS C AND
VANDER STELT HENRY D
% VANDER STELT DAIRY

SE4SW4 SE2SE4
SEC 35 2N 1W
#346600-S
#96069487
02N01W356610

2N 1W 35

PAYMENTS RECEIVED AFTER 5/14/98 ARE NOT
REFLECTED ON THIS BILL.

PROPERTY ADDRESS 00000 S SWAN FALLS

BARBARA BAUER
ADA COUNTY TREASURER
P.O. BOX 2868
BOISE, ID 83701

MORTGAGE CODE

SECOND HALF TAX BILL

PARCEL NUMBER P2VANDAI001
TAX YEAR 1997

FULL 2ND HALF AMOUNT	LESS PAYMENTS	AMOUNT DUE BY
\$1471.20	\$.00	\$1471.20

VANDER STELT DAIRY
2777 S SWAN FALLS
KUNA ID 83634-9801

KUNA ORCHARD TRACT

PAYMENTS RECEIVED AFTER 5/14/98 ARE NOT
REFLECTED ON THIS BILL.

PROPERTY ADDRESS 00000 S TEN MILE

BARBARA BAUER
ADA COUNTY TREASURER
P.O. BOX 2868
BOISE, ID 83701

MORTGAGE CODE

SECOND HALF TAX BILL

PARCEL NUMBER S1335110500
TAX YEAR 1997

FULL 2ND HALF AMOUNT	LESS PAYMENTS	AMOUNT DUE BY
\$197.10	\$.00	\$197.10

VANDER STELT DAIRY
RR 1
KUNA ID 83634-9801

N2NE4 S OF MORA CANAL
SEC 35 2N 1W
#110800R
#95015106
02N01W352400

2N 1W 35

PAYMENTS RECEIVED AFTER 5/14/98 ARE NOT
REFLECTED ON THIS BILL.

PROPERTY ADDRESS 00000 S SWAN FALLS

KEEP THIS HALF FOR YOUR RECORDS.

MAKE CHECKS PAYABLE TO BARBARA BAUER, ADA
COUNTY TREASURER. PAYMENTS BY CHECK
SUBJECT TO BANK CLEARANCE.

FOR MORE INFORMATION CALL 364-2233.

IF ANY PORTION OF THE SECOND HALF TAX
BECOMES DELINQUENT, YOU WILL BE CHARGED
2 PERCENT LATE CHARGE & 1 PERCENT PER MONTH
INTEREST DATING BACK TO JANUARY 1ST.

WE WILL ACCEPT MAILED PAYMENTS AS CURRENT
IF POSTMARKED ON OR BEFORE THE DUE DATE.

PAYMENTS POSTMARKED AFTER THE DUE DATE
WILL BE APPLIED & A DELINQUENT NOTICE WILL BE
SENT FOR THE REMAINING AMOUNT DUE, INCLUDING
LATE CHARGE & INTEREST.

BILL NUMBER 1-0102840

KEEP THIS HALF FOR YOUR RECORDS.

MAKE CHECKS PAYABLE TO BARBARA BAUER, ADA
COUNTY TREASURER. PAYMENTS BY CHECK
SUBJECT TO BANK CLEARANCE.

FOR MORE INFORMATION CALL 364-2233.

IF ANY PORTION OF THE SECOND HALF TAX
BECOMES DELINQUENT, YOU WILL BE CHARGED
2 PERCENT LATE CHARGE & 1 PERCENT PER MONTH
INTEREST DATING BACK TO JANUARY 1ST.

WE WILL ACCEPT MAILED PAYMENTS AS CURRENT
IF POSTMARKED ON OR BEFORE THE DUE DATE.

PAYMENTS POSTMARKED AFTER THE DUE DATE
WILL BE APPLIED & A DELINQUENT NOTICE WILL BE
SENT FOR THE REMAINING AMOUNT DUE, INCLUDING
LATE CHARGE & INTEREST.

BILL NUMBER 1-0010441

KEEP THIS HALF FOR YOUR RECORDS.

MAKE CHECKS PAYABLE TO BARBARA BAUER, ADA
COUNTY TREASURER. PAYMENTS BY CHECK
SUBJECT TO BANK CLEARANCE.

FOR MORE INFORMATION CALL 364-2233.

IF ANY PORTION OF THE SECOND HALF TAX
BECOMES DELINQUENT, YOU WILL BE CHARGED
2 PERCENT LATE CHARGE & 1 PERCENT PER MONTH
INTEREST DATING BACK TO JANUARY 1ST.

WE WILL ACCEPT MAILED PAYMENTS AS CURRENT
IF POSTMARKED ON OR BEFORE THE DUE DATE.

PAYMENTS POSTMARKED AFTER THE DUE DATE
WILL BE APPLIED & A DELINQUENT NOTICE WILL BE
SENT FOR THE REMAINING AMOUNT DUE, INCLUDING
LATE CHARGE & INTEREST.

BILL NUMBER 1-0102833

h2

01/25/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3093

NAME AND ADDRESS: VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.730 CFS
508.500 AFY

PRIORITY DATE: 08/21/1956

POINT OF DIVERSION:

T02N R01W S35 SENW Within ADA County
T02N R01W S35 NESW Within ADA County
T02N R01W S35 NESE Within ADA County
T02N R01W S35 NWSE Within ADA County
T02N R01W S35 SWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.730 CFS 508.50 AFY

PLACE OF USE: IRRIGATION in ADA County

T02N R01W S26	SWSW	4.00	T02N R01W S35	NENE	19.00
T02N R01W S35	NWNE	26.00	T02N R01W S35	SWNE	40.00
T02N R01W S35	SENE	40.00	T02N R01W S35	NENW	30.00
T02N R01W S35	NWNW	39.00	T02N R01W S35	SWNW	40.00
T02N R01W S35	SENW	40.00	T02N R01W S35	NESW	13.00
T02N R01W S35	NWSW	30.00	T02N R01W S35	NESE	38.00
T02N R01W S35	NWSE	12.00	T02N R01W S35	SESE	11.00

382 ACRES TOTAL

This right is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

OTY The total instantaneous diversion of water from all points of diversion under Transfer 5460 shall not exceed 9.26 cfs, nor a total combined annual volume of 3620.6 af for irrigation of 382.0 total acres.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

ADA
382 acres
113 acres
9.26 cfs
3620.6 af
WTR RT
H'S
in 1904

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer

Commercial use for the dairy is located in the NESW, NWSW and NWSE, S35, T2N, R1W.

provide

Prior to diversion of water under this approval, the right holder shall a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The right holder shall accomplish the change authorized by Transfer No. 5460 within one (1) year of the date of the approval.

OFF
DATE This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

02/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3093

NAME AND ADDRESS: VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.730 CFS
508.500 AFY

The total instantaneous diversion of water from all points of diversion under water right nos. 63-3093, 63-3170, 63-8087, 63-18592 and 63-18594 shall not exceed 9.25 cfs, nor a total combined annual volume of 3620.6 af for irrigation of 382.0 total acres.

PRIORITY DATE: 08/21/1956

POINT OF DIVERSION:

T02N R01W S35 SENW Within ADA County
T02N R01W S35 NESW Within ADA County
T02N R01W S35 NESE Within ADA County
T02N R01W S35 NWSE Within ADA County
T02N R01W S35 SWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.730 CFS 508.50 AFY

PLACE OF USE: IRRIGATION in ADA County

T02N R01W S26	SWSW	4.00	T02N R01W S35	NENE	19.00
T02N R01W S35	NWNE	26.00	T02N R01W S35	SWNE	40.00
T02N R01W S35	SENE	40.00	T02N R01W S35	NENW	30.00
T02N R01W S35	NWNW	39.00	T02N R01W S35	SWNW	40.00
T02N R01W S35	SENE	40.00	T02N R01W S35	NESW	13.00
T02N R01W S35	NWSW	30.00	T02N R01W S35	NESE	38.00
T02N R01W S35	NWSE	12.00	T02N R01W S35	SESE	11.00

382 ACRES TOTAL

This right is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water

rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The right holder shall accomplish the change authorized by Transfer No. 5460 within one (1) year of the date of the approval.

05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED

JUL 21 2005

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-3093

VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA ID 83634
Telephone Number: (208)922-1179

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

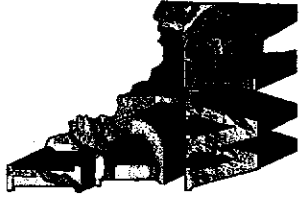
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: July 18 2005 SIGNATURE: [Signature]

Please print your name: HENRY VANDER STELT

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190



Idaho Department of Water Resources

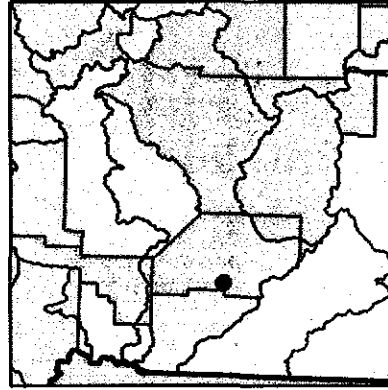
SRBA Recommendation:

63-3093

(Irrigation)

Legend

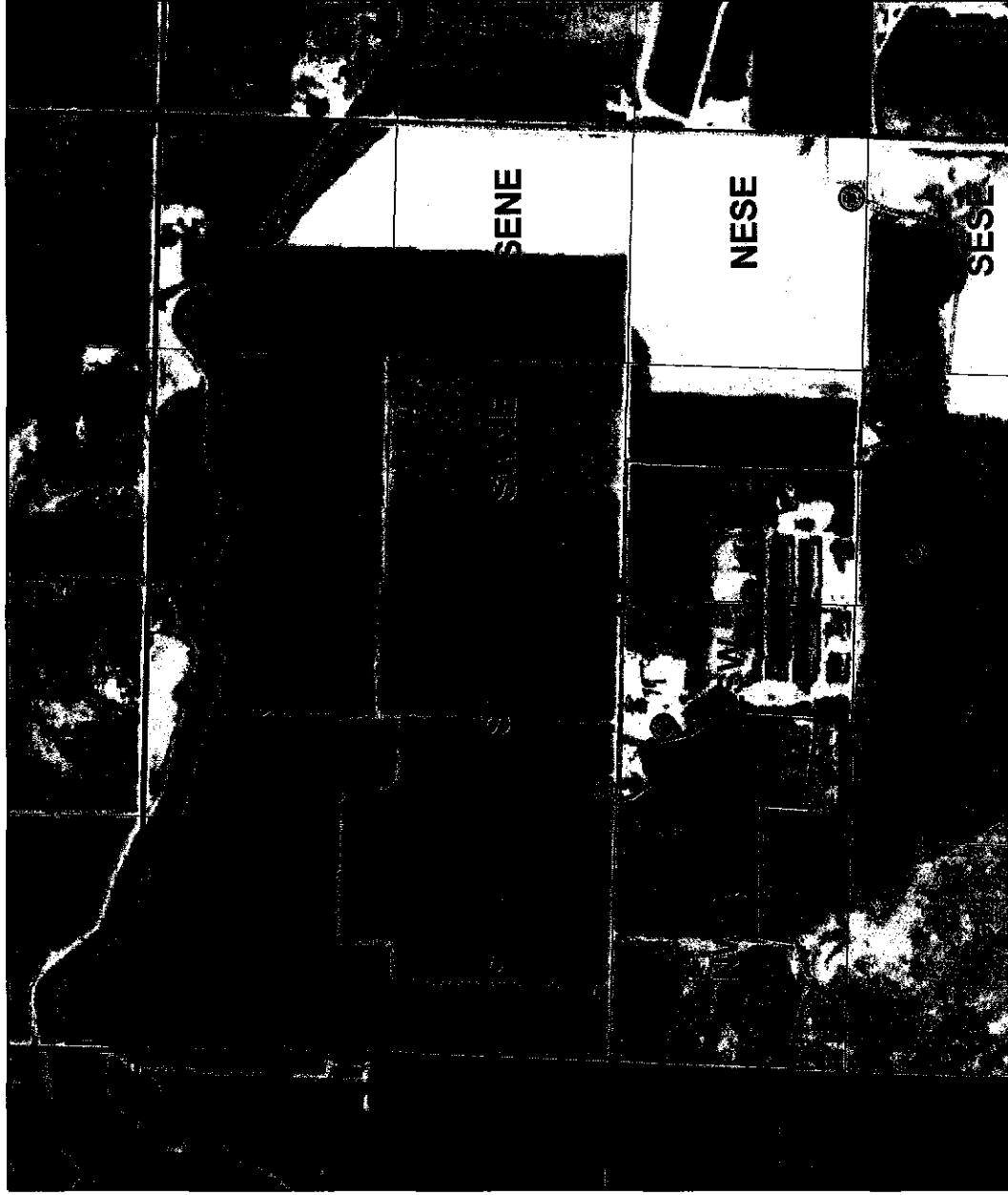
- ⊙ Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Ada County
IDWR Basin 63

Prepared by S. Egbert
On Thursday, January 25, 2007
1987/88 Aerial Photography

R01W



T02N

0 0.4 0.8 Miles

03/31/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3093

NAME AND ADDRESS: VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.730 CFS
508.500 AFY

PRIORITY DATE: 08/21/1956

POINT OF DIVERSION:

T02N R01W S35 SENW Within ADA County
T02N R01W S35 NESW Within ADA County
T02N R01W S35 NESE Within ADA County

NWSE S35
SWSE S35

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	1.730 CFS 508.500 AFY

PLACE OF USE: IRRIGATION Within ADA County

T02N R01W S35	SWNE	40.0	T02N R01W S35	SENE	20.0
T02N R01W S35	NENW	23.0	T02N R01W S35	SENW	30.0

113 ACRES TOTAL

This right is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The total instantaneous diversion of water from all points of diversion under Transfer 5460 shall not exceed 9.26 cfs, nor a total combined annual volume of 3620.6 af for irrigation of 382.0 total acres.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

The right holder shall accomplish the change authorized by Transfer No. 5460 within one (1) year of the date of the approval.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Idaho Department of Water Resources

63-3093

T02N R01W S26, 35



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



IDWR
Prepared by: Sandy Egbert
Date: 3-31-05
1987 NAPP Photography

500 0 500 1000 1500 2000 Feet

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3093 V1

WATER RIGHT NUMBER: 63-3093 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	POTTER LAND CO 1520 BLAINE AVE CALDWELL, ID 83605
Current Owner	VANDER STELT DAIRY 2777 SWAN FALLS RD KUNA, ID 83634 (208)922-1179

Priority Date: 08/21/1956

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.730 CFS	508.50 AF
	<u>Total Diversion:</u>	1.730 CFS	508.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	NE1/4SW1/4	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	SE1/4NW1/4	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01W	35			40.0	20.0	23.0			30.0									113.0

Total Acres: 113

Conditions of Approval:

1. 01Q After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3093 V1

3. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by Transfer No. 5460 within one (1) year of the date of the approval.
5. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. X27 This right is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.

Remarks:

1. General The total instantaneous diversion of water from all points of diversion under Transfer 5460 shall not exceed 9.26 cfs, nor a total combined annual volume of 3620.6 af for irrigation of 382.0 total acres.

Comments:

1. segbert 3/31/2005 POD
Comment: Updated shape

2. segbert 3/31/2005 POD
Comment: Updated shape

3. segbert 3/31/2005 POD
Comment: Updated shape

4. segbert 3/31/2005 POU
Comment: Updated Shape

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			03/15/2005	lharris	Active
Priority Date	3/31/2005 3:06:27 PM	segbert			Active
POD	3/31/2005 3:07:19 PM	segbert			Active
Source	3/31/2005 3:09:43 PM	segbert			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3093 V1

POU	3/31/2005 3:10:15 PM	segbert	Active
Use	3/31/2005 3:11:24 PM	segbert	Active
Season	3/31/2005 3:12:22 PM	segbert	Active
Quantity	3/31/2005 3:13:49 PM	segbert	Active
Summary		03/31/2005 segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	3/15/2005 1:18:36 PM	lharris	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
Source	3/31/2005 3:09:44 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
Season	3/31/2005 3:12:22 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	3/31/2005 3:13:49 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - from transfer

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3093 V1

Priority Date	3/31/2005 3:06:27 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	3/31/2005 3:07:19 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	3/31/2005 3:10:16 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	3/31/2005 3:11:25 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Summary	3/31/2005 3:47:21 PM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3093

WATER RIGHT NUMBER: 63-3093

Owner Type Name and Address
 Original Owner POTTER LAND CO ✓
 1520 BLAINE AVE
 CALDWELL, ID 83605
 Current Owner VANDER STELT DAIRY ✓
 2777 SWAN FALLS RD
 KUNA, ID 83634
 (208)922-1179

Priority Date: 08/21/1956 ✓

Basis: License ✓

Status: Active ✓

Source Tributary
 GROUND WATER ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	~~3/45~~ to 11/15	1.730 CFS ✓	508.5 AF
	<i>see 3-1</i> <u>Total Diversion:</u>	1.730 CFS	<i>per transfer</i>

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4 ✓	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	NE1/4SE1/4 ✓	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	NE1/4SW1/4 ✓	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	01W	35			40.0	20.0	23.0			30.0									113.0 ✓

Total Acres: 113

Conditions of Approval:Remarks:

- General DESC. OF DIVERTING WORKS - THREE WELLS, 1-447' DEEP W/100 HP PUMP, 1-325' DEEP W/75 HP PUMP, AND 1-480' DEEP W/125 HP PUMP-ALL USED FOR FLOOD IRRIGATION.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid 50.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-3093

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES☒ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☒ Incomplete on claim, the total is, Amount _____ CFS 508.5 AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)4.5 x 113 acres = 508.5 (as on transfer)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: _____

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Transfer # 5460

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE ^{Review} EXAM CONDUCTED: 4-1-05

FIELD EXAMINER: Sandy Egbert

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3093

WATER RIGHT NUMBER: 63-3093

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	POTTER LAND CO 1520 BLAINE AVE CALDWELL, ID 83605
Current Owner	VANDER STELT DAIRY 2777 SWAN FALLS RD KUNA, ID 83642

Priority Date: 08/21/1956

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/15	1.730 CFS	508.50 AF
	<u>Total Diversion:</u>	1.730 CFS	508.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	NE1/4SW1/4	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	NE1/4SE1/4	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	NW1/4SE1/4	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	SW1/4SE1/4	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01W	26												4.0					4.0
02N	01W	35	19.0	26.0	40.0	40.0	30.0	39.0	40.0	40.0	13.0	30.0			38.0	12.0		11.0	378.0

Total Acres: 382

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3093

Conditions of Approval:

1. 01Q After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- ~~2. 046~~ Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- ~~5. T08~~ Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ~~6. T09~~ Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

1. General The total instantaneous diversion of water from all points of diversion under Transfer 5460 shall not exceed 9.25 cfs, nor total combined annual volume of 3620.6 af for irrigation of 382.0 total acres.
This right is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.
Commercial use for the dairy is located in the NESW, NWSW, and NWSE, S35, T2N, R1W.
The quantity of water decreed for stockwater use under Right 63-18594 is not a determination of historical beneficial use and shall not exceed 2,500 gallons per day.

Comments:

1. STAYLOR 5/12/1999 TRANSFER NO. 5460

Comment: This transfer was filed to add diversion points, changes places of use, change nature of use, and change period of use.

Dates and Other Information:

Licensed Date: 8/28/1979
 Decreed Date:
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

Receipt Details for ID W005591

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/7/1989 11:42:02 AM	9/7/1989	Western	\$637.00	Check
Payer		VANDER STELT FARM		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2014			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEES

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$637.00	ADJUDICATION CLAIM FEES	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	18592		\$25.00	Claim
63	18594		\$25.00	Claim
63	18598		\$25.00	Claim
63	3093		\$50.00	Claim
63	3170		\$50.00	Claim
63	8087		\$462.00	Claim

[Print Report](#)

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3093**

03/15/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3093	Claim	02N	01W	35	SW	NE		IRRIGATION	40/113	VANDER STELT DAIRY
8087	Claim	02N	01W	35	SW	NE		IRRIGATION	40/377	VANDER STELT DAIRY
3093	Water Right	02N	01W	35	SW	NE		IRRIGATION	40/382	VANDER STELT DAIRY
3170	Water Right	02N	01W	35	SW	NE		IRRIGATION	40/382	VANDER STELT DAIRY
8087	Water Right	02N	01W	35	SW	NE		IRRIGATION	40/382	VANDER STELT DAIRY
3093	Claim	02N	01W	35	SE	NE		IRRIGATION	20/113	VANDER STELT DAIRY
3170	Claim	02N	01W	35	SE	NE		IRRIGATION	40/334	VANDER STELT DAIRY
8087	Claim	02N	01W	35	SE	NE		IRRIGATION	40/377	VANDER STELT DAIRY
3093	Water Right	02N	01W	35	SE	NE		IRRIGATION	40/382	VANDER STELT DAIRY
3170	Water Right	02N	01W	35	SE	NE		IRRIGATION	40/382	VANDER STELT DAIRY
8087	Water Right	02N	01W	35	SE	NE		IRRIGATION	40/382	VANDER STELT DAIRY
3093	Claim	02N	01W	35	NE	NW		IRRIGATION	23/113	VANDER STELT DAIRY
3170	Claim	02N	01W	35	NE	NW		IRRIGATION	28/334	VANDER STELT DAIRY
8087	Claim	02N	01W	35	NE	NW		IRRIGATION	30/377	VANDER STELT DAIRY
3093	Water Right	02N	01W	35	NE	NW		IRRIGATION	30/382	VANDER STELT DAIRY
3170	Water Right	02N	01W	35	NE	NW		IRRIGATION	30/382	VANDER STELT DAIRY
8087	Water Right	02N	01W	35	NE	NW		IRRIGATION	30/382	VANDER STELT DAIRY
3093	Claim	02N	01W	35	SE	NW		IRRIGATION	30/113	VANDER STELT DAIRY
3170	Claim	02N	01W	35	SE	NW		IRRIGATION	40/334	VANDER STELT DAIRY
8087	Claim	02N	01W	35	SE	NW		IRRIGATION	40/377	VANDER STELT DAIRY
3093	Water Right	02N	01W	35	SE	NW		IRRIGATION	40/382	VANDER STELT DAIRY
3170	Water Right	02N	01W	35	SE	NW		IRRIGATION	40/382	VANDER STELT DAIRY
8087	Water Right	02N	01W	35	SE	NW		IRRIGATION	40/382	VANDER STELT DAIRY

State of Idaho

License and Certificate of Water Right

Water License No. G-26493

Amount 1.73 c.f.s.

Water District No.

Priority August 21, 1956

THIS IS TO CERTIFY that POTTER LAND COMPANY of Caldwell, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 21, 1956; that Permit No. G-26493 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.73 second feet, was issued thereunder on September 13, 1961, showing that said works were completed on the 11th day of August, 1961; and that on the 11th day of August, 1961, POTTER LAND COMPANY

of Caldwell, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-26493 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 7161, on the 13 day of September, 1961; The right hereby confirmed dates from August 21, 1956; The Point of Diversion is located

in the SE 1/4 NW 1/4, Sec. 35, Tp. 2 N., R. 1 W., B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.73 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	1 W.	35	SE 1/4 NE 1/4	40	20
			SW 1/4 NE 1/4	40	40
			NE 1/4 SW 1/4	40	23
			SE 1/4 SW 1/4	40	<u>30</u>
			Total number of acres to be irrigated:		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 13th day of September, 1961.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

63 3093

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

POTTER LAND CO.

Applicant.

By J. S. POTTER, Pres.

Agent.

Date of first receipt at Department of Reclamation: 10:00 A.M. August 21, 1956

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G- 26493

Recorded in Book 93 Page 26493 Approved August 23, 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before October 23, 1956 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before February 23, 1959

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before August 23, 1961

Witness my hand this 23rd day of August, 1956

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLYE, Governor of the State of Idaho,
and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd
day of August, 1956

Countersigned:

STATE OF IDAHO

(SEAL)

By JAS. H. YOUNG
Secretary of State.

By ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE¼	SW¼	SE¼	NE¼	SW¼	SE¼	NE¼	SW¼	SE¼	NE¼	SW¼	SE¼	Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2 N	1 W	35		40	40	40		40							160
Approximately 150 acres out of the 160 will be irrigated. Permit No. G-26493 CERTIFICATE OF COMPLETION OF WORKS															
TO ALL WHOM IT MAY CONCERN: This is to certify that POTTER LAND COMPANY of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. G-26493, issued upon Application No. G-34405 bearing date of priority of August 21, 1956, authorizing the diversion of 3.0 second feet of waters of a well, County of Ada, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.73 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is SE¼, Sec. 35, T. 2 N., R. 1 W., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 113 acres in SE¼, E¼NW¼, Sec. 35, T. 2 N., R. 1 W., B. M. Witness my hand this 13th day of September, A. D. 1961. s/ RALPH W. THOMAS, Deputy State Reclamation Engineer Proof of Completion of Works Made: August 14, 1961 LICENSE ISSUED FOR 1.73 SEC. FL. Page 7/61															

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 0-26493

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Potter Land Co., Wayne E. Davis, Agent, Caldwell, Idaho

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SE 1/4 of Section 35

T. 2 N. R. 1 W. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: 75 HP Westinghouse Motor #431321; Peerless Pump #R-54952; 227 x 8" Column 12' Bore 53492 Well 240' x 14" - 240' x 14" cag perforated, h: 169, dd 21'

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE 1/4, E 1/4, Sec. 35, T. 2 N., R. 1 W., B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: Mr. A.W. McCintick along

Measured by spring meter

This examination was made on the 1st day of September, 1961

(Signed) Layne Johnson Examiner.

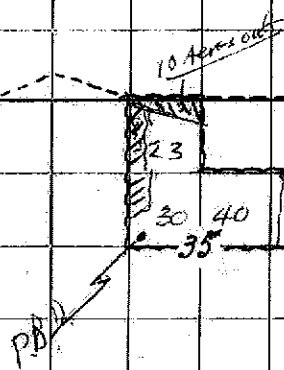
026493

SRv 4 minutes 50 Sec
 1.73 cfs. no correction factor 1.73 cfs @ 86 1/2"
 290/500

R-1W.

NONA

T.
2
N.



23
 90
 113

Subdivisions 4

Area 113

9

1.73 cfs @ 86 1/2 inches