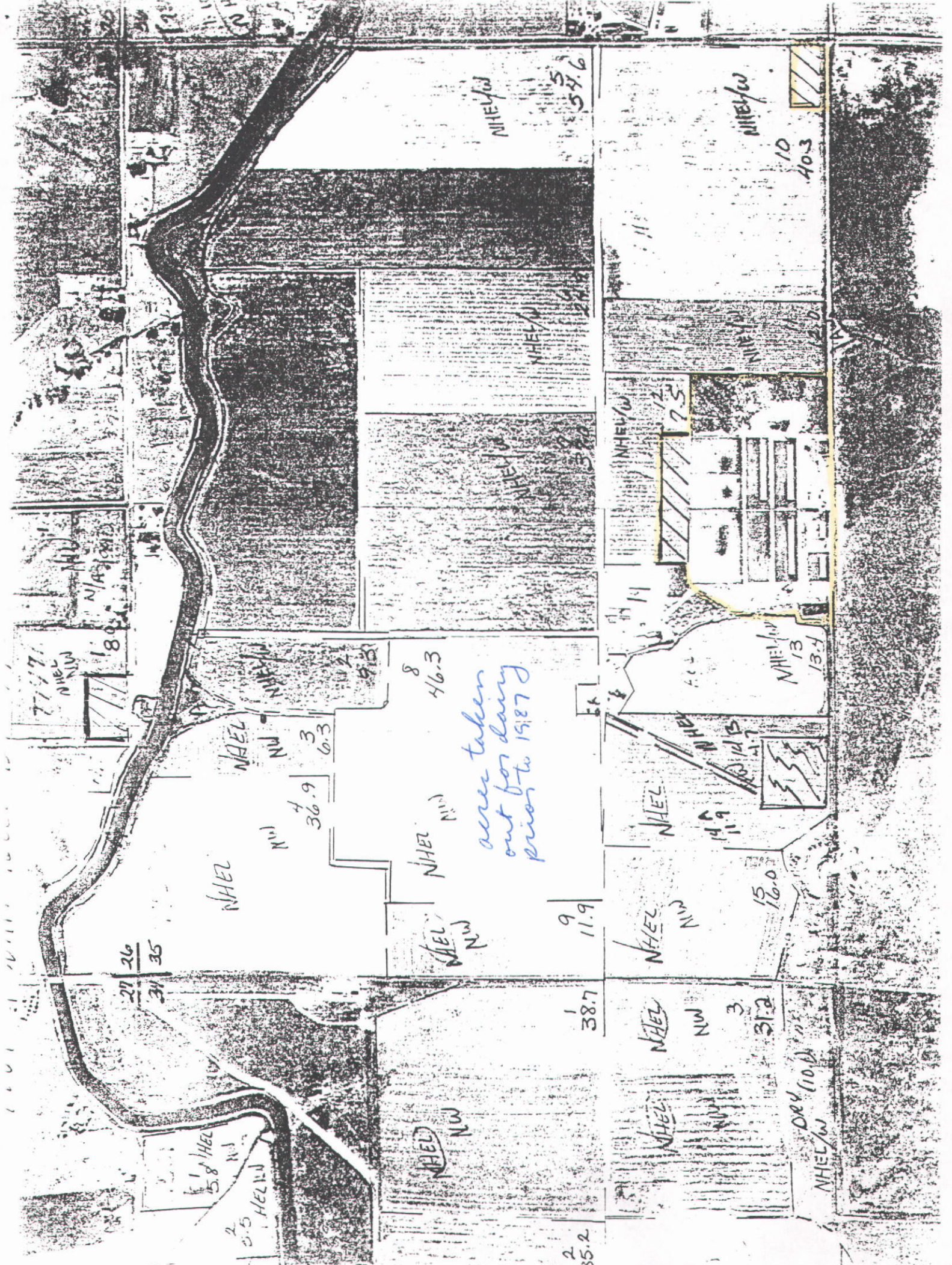




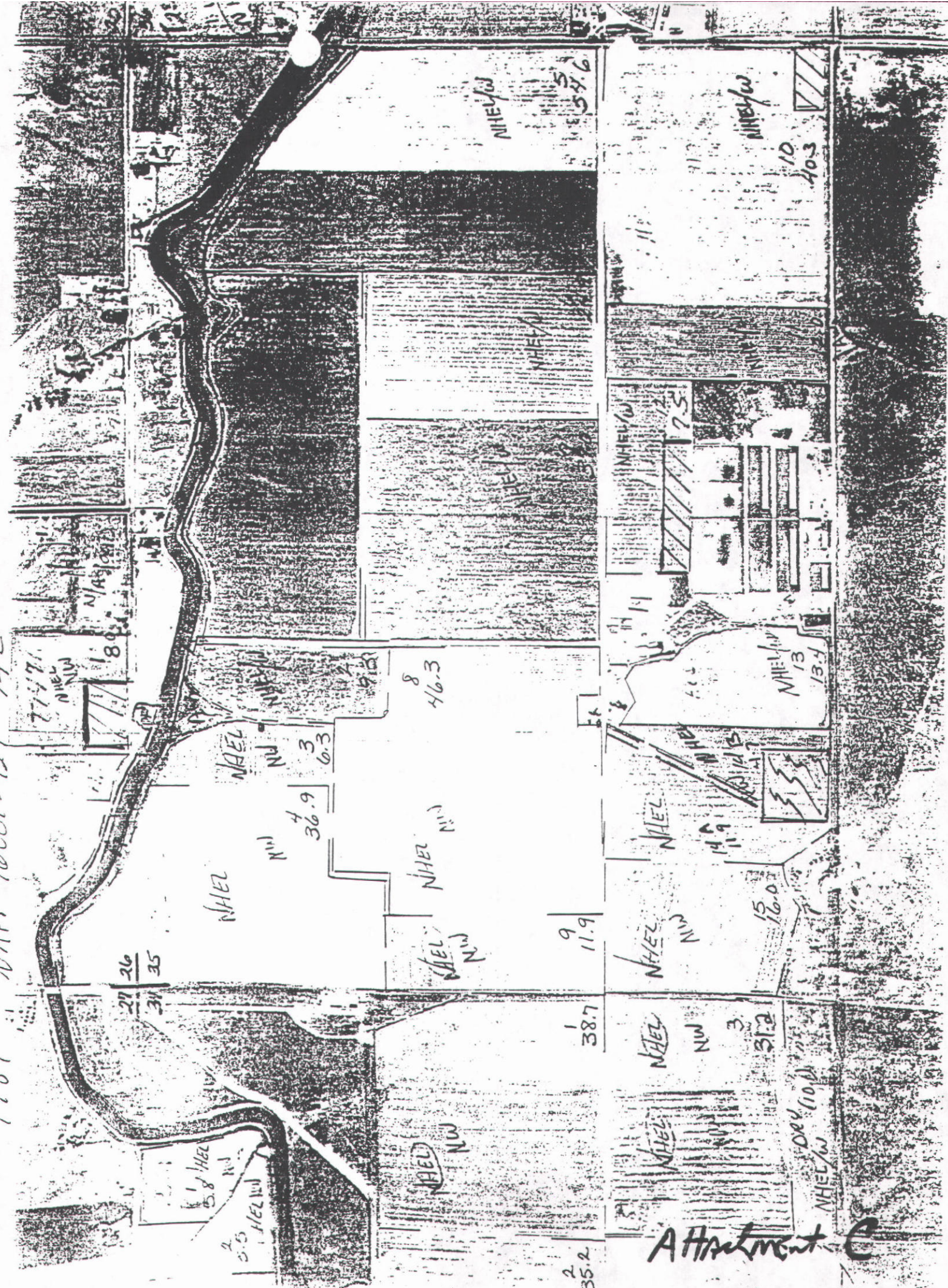
area taken
out for dairy
prior to 1987

DEY (10.0)



MICROFILMED
AUG 24 1992

1001 NATS 10001-42 172



Attachment C

Idaho Department of Water Resources

63-8087

T02N R01W S26, 35



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



IDWR
Prepared by: Sandy Egbert
Date: 4-4-05
1987 NAPP Photography

500 0 500 1000 1500 2000 Feet

21 16
34 55

D307

D275
2153

D308

D31

D32

D33

D34

D35

D36

D37

D38

D39

D40

D41

D42

D43

D44

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D90

D91

D92

D93

D94

D95

D96

D97

D98

D99

D100

well

out

15 acres for new dairy

NOT TO SCALE

21	16
34	55

D307

D275
(215a)

2358

32.

Well

out

15 acres for new dairy

34	35
3	2

$$\begin{array}{r|l} 35 & 36 \text{ E} \\ \hline 2 & \end{array}$$

576

NOT TO SCALE

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: A63-08087
Date Received: 9/ 7/1989
Receipt No: W005591
Received By: 5

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

2. Date of Priority: FEB 19, 1975

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 81		ADA
				NE	SW 80		ADA
				NE	SE 82		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	04/01	10/31	2.720		75.00
COMMERCIAL	01/01	12/31	0.280		8.40

7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) 1267.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DAIRY

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	26	SW	SW		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
		35	NE	NE	IRR	18.0
			NW	NE	IRR	26.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	30.0
			NW	NW	IRR	38.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	14.0
			NE	SW	COMMER	
			NW	SW	IRR	33.0
			NE	SE	IRR	38.0
			NE	SE	COMMER	
			NW	SE	IRR	16.0
			NW	SE	COMMER	
					Section Acres	373.0
					Total Acres	377.0

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 A63-03093 & A63-03170.

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.
40 ACRES WERE RETIRED FOR A 2000 COW DAIRY PRIOR TO 1987. SEE SEE ATTACHED DAIRY REQUIREMENT SHEET, CFS/VOL CALCULATION SHEET, AND 1987 CFSA PHOTO. APPLICANT FILED TRANSFER 2/4/99 TO ADD A P/D AND SHOW PPU FOR A63-03093, -03170, AND THIS RIGHT.

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 Organizations:

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]
Signature of Authorized Agent

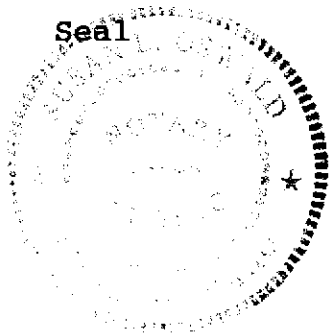
Partner, Vander Stelt Dairy
Title and Organization

MARCH 25, 1999
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of March 19 99

[Signature]
Notary Public



Residing at Meridian Id
My Commission Expires 4/26/2000

CFS/VOL CALC

VANDER STELT FARM + DAIRY

* NOTE: - A63-03093 proposed for PPU ^{per 2/4/99 X-FER} but not licensed to retired acres used for Dairy
 - Volume assumed for A63-03093 + A63-03170

@ 4.5 af/ae

	CFS	%	AC' ^(not overlapped)	VOL	%	
* A63-03093	1.73	—	113	508.5	—	
- 03170	4.06	58	290	1305	94	} used for Dairy
- 08087	3.0	42	19	85.5	6	
	7.06		309	1390.5		

Dairy Vol:

$$140 \text{ afa} \times 94\% = 131.6 \text{ afa A63-03170}$$

$$6\% = 8.4 \text{ afa - 08087}$$

Dairy CFS: $140 / 3.5 = 40 \text{ acres}$

$$7.06 \text{ CFS} / 422 \times 40 = .67 \text{ CFS}$$

$$.67 \text{ CFS} \times 58\% = .39 \text{ CFS A63-03170}$$

$$42\% = .28 \text{ CFS - 08087}$$

Irrig Vol: $422 \text{ ac} \times 4.5 = 1899 \text{ afa}$

$$- 508.5 \text{ afa A63-03093}$$

$$1390.5$$

$$- 140 \text{ afa Dairy}$$

$$1250.5$$

$$1250.5 \text{ afa} \times 94\% = 1175.5 \text{ afa A63-03170}$$

$$6\% = 75.0 \text{ afa A63-08087}$$

Irrig CFS: $4.06 - .39 = 3.67 \text{ CFS A63-03170}$

$$3.0 - .28 = 2.72 \text{ CFS A63-08087}$$

$$422 \text{ ac} \times 4.5 = 1899 \text{ afa}$$

SRBA
1987

4			
39	30	26	19
40	40	40	40
36	14	16	38

X-FER
1999

4			
39	30	26	19
40	40	40	40
30	13	12	38
			11

40 acres per worksheet
needed to meet
dairy needs

422 Total licensed

377.4 CFSA acres 1987

compared to 382 licensed on same
area not dried up for dairy

within 5% - OK per Jan

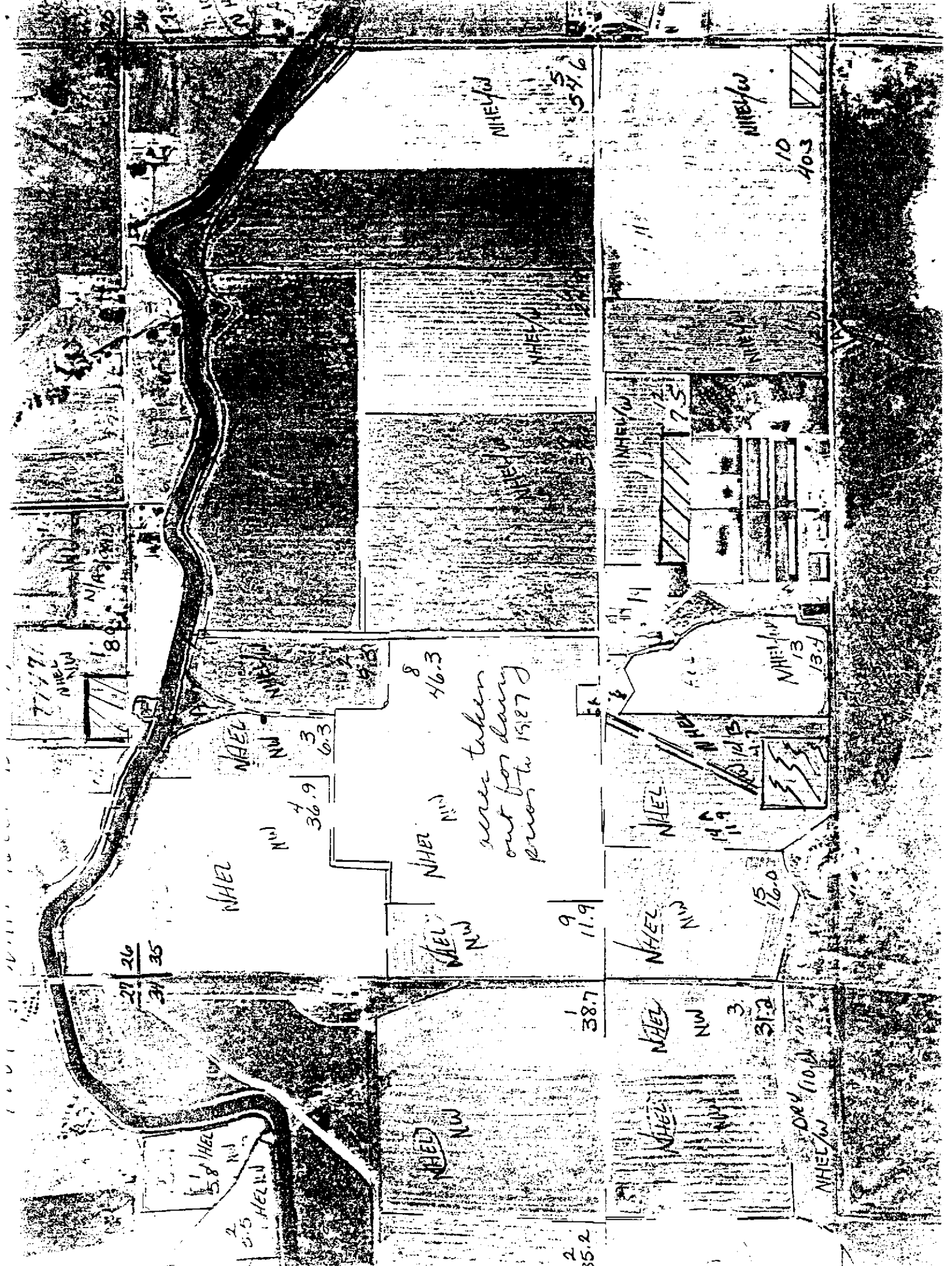
11 additional acres dried
up in 1994 for lagoon: NWSW
and corrals: NESW, NWSE
transferred to SESE

as licensed

TOTAL
ACRES

IRRIE 63-03043 63-03170 63-08087

4			4
19		19	
26		25	1
40	40		
40	20	20	
30	23	5	2
39		39	
40		39	1
40	30	10	
28		28	
36		36	
40		40	
40		29	11
422	113	290	19



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: A63-08087
Date Received: 9/07/1989
Receipt No: W025591
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: FEB 19, 1975

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	04/01	10/31	3.000		1267.50

7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) 1267.50 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	26	SW	SW		IRR	4.0
Section Acres							4.0

A63-08087

Page 1

Date: 09/07/89

MICROFILMED
AUG 24 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	01W	35	NE		NE		IRR	18.0
			NW		NE		IRR	26.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	30.0
			NW		NW		IRR	38.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	23.0
			NW		SW		IRR	33.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
							Section Acres	408.0
							Total Acres	412.0

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 A63-03093 & A63-03170.

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

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 Organizations:

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.

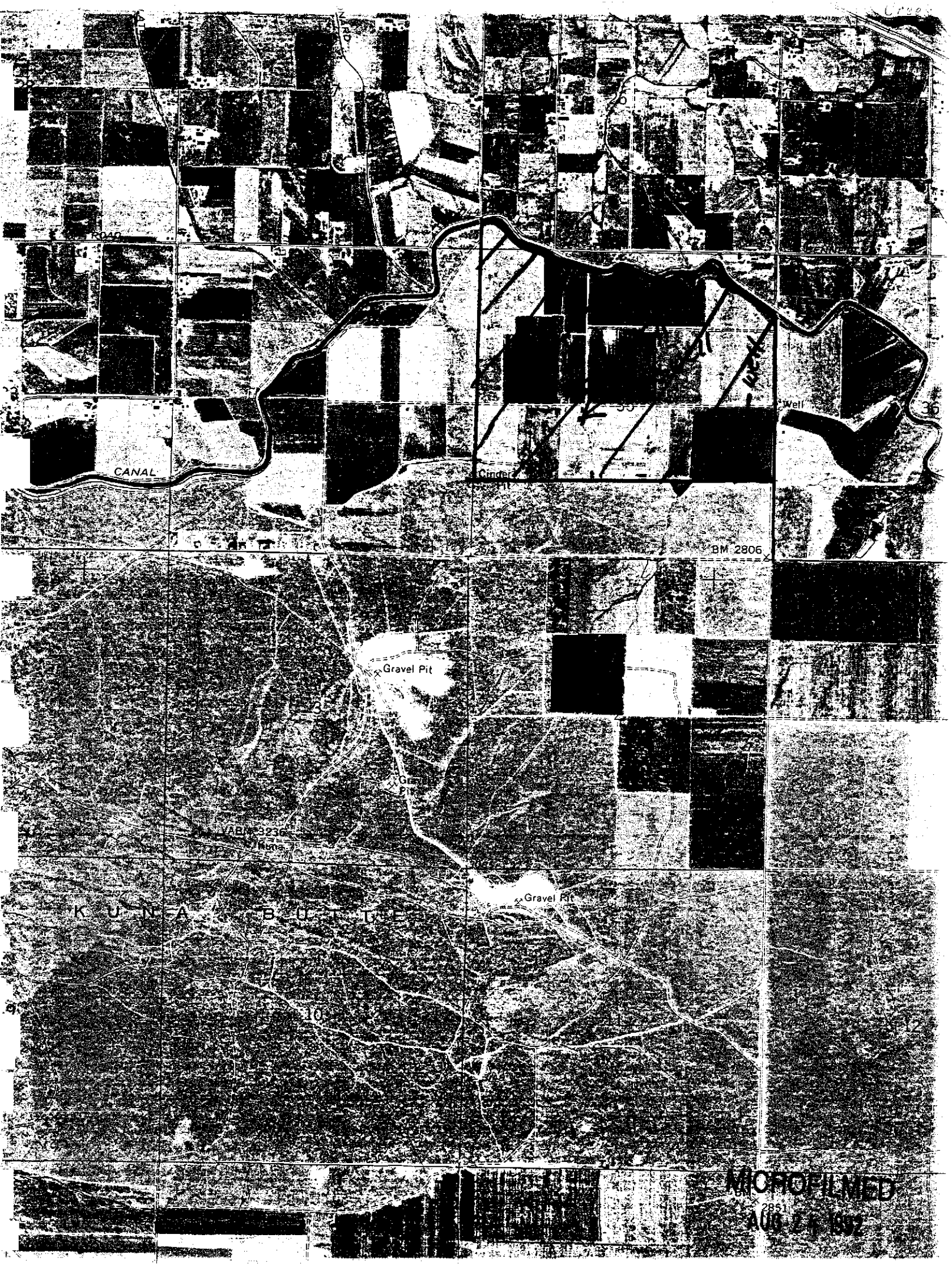
[Signature]
Signature of Authorized Agent
PARTNER VANDER STELT DAIRY
Title and Organization

9-7-89
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of September 19 89
Seal
[Signature]
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94



CANAL

Well

BM 2806

Gravel Pit

Gravel Pit

BM 3236

Gravel Pit

K U N A B O P T U

MICROFILMED
AUG 24 1992

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2007 MAR 27 AM 11 43

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-08087

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

SOURCE: GROUND WATER

QUANTITY: 3.00 CFS
1489.50 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: 02/19/1975

POINT OF DIVERSION: T02N R01W S35
SENE Within Ada County
NESE
NESW
NWSE
SWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	Irrigation	04-01 TO 10-31	2.82 CFS 1451.70 AFY
		01-01 TO 12-31	0.18 CFS 19.10 AFY
		01-01 TO 12-31	0.18 CFS 18.70 AFY
Stockwater	Stockwater	01-01 TO 12-31	0.18 CFS 19.10 AFY
Commercial	Commercial	01-01 TO 12-31	0.18 CFS 18.70 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Ada County

Section	Acres	Section	Acres
T02N R01W S26	4.0	NWNE	26.0
S35	19.0	SENE	40.0
	40.0	NWNW	39.0
	30.0	SENE	40.0
	40.0	NWSW	30.0
	13.0	NWSE	12.0
	38.0		
	11.0		
382.0 Acres Total			

Stockwater Within Ada County

Section	Acres	Section	Acres
T02N R01W S26	4.0	NWNE	26.0
S35	19.0	SENE	40.0
	40.0	NWNW	39.0
	30.0	SENE	40.0
	40.0	NWSW	30.0
	13.0	NWSE	12.0
	38.0		
	11.0		

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SESW	NESE
	NWSE	SWSE
	SESE	
Commercial		Within Ada County
T02N R01W S35	NESW	NWSW
	NWSE	

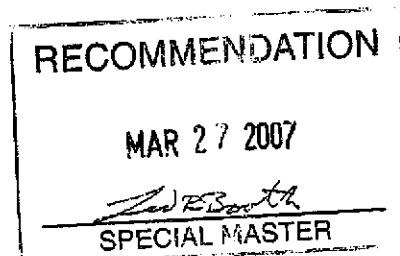
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

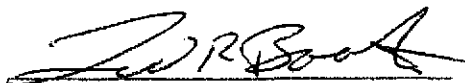
A notice of claim was filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of these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

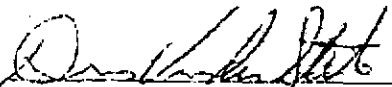
In Re SRBA	)	Subcase No. 63-8087
	)	uncontested overlap
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

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

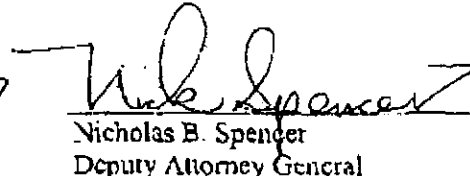

Dennis Vander Stelt 3-19-07
Date

OBJECTOR(s):
USDI-BLM


Larry Brown 3/19/07
Date
Trial Attorney, General Litigation Section
U.S. Dept. of Justice

STANDARD FORM 5 - 63-8087 - uncontested overlap

IDWR Concurrence:

	
<u>Jan Shurte</u>	<u>Nicholas B. Spencer</u>
Adjudication Supervisor	Deputy Attorney General
<u>3-14-07</u>	<u>3-14-07</u>
Date	Date

SFS Right No. 63-8087

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

ALIAS NUMBER: 63-8087

NAME AND ADDRESS:

VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA ID 83634

SOURCE:

SOURCE:
GROUND WATER

Tributary:

QUANTITY:

3.000 CFS
1,469 500 AFY

The total instantaneous diversion of water from all points of diversion under water right nos. 63-8093, 63-3170, 63-8087, 63-18592 and 63-18594 shall not exceed 9.25 cfs, nor a total combined annual volume of 3626.6 af for irrigation of 382.8 total acres.

PRIORITY DATE: 02/19/1975

POINT OF DIVERSION:

TOIN ROW S35 SEW
Within ADA County

TOIN ROW S35 N2W
Within ADA County

TOIN ROW S35 NESE
Within ADA County

TOIN ROW S35 NWSE
Within ADA County

TOIN ROW S15 SESE
Within ADA County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use

Quantity:

IRRIGATION

04/01 10/31

7.820 CFS 1,461.70 AFY

STOCKWATER

01/01 12/31

0.180 CFS 19.10 AFY

COMMERCIAL

01/01 12/31

0.180 CFS 18.70 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS RIGHT IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

[Handwritten signature]
NBS
FWP
AKD
DN

SFS Right No. 63-8087

SF5 Right No. 63-8087

PLACE OF USE

IRRIGATION

TO2N R01W S26 SWSW 4.0
TO2N R01W S35 NENE 19.0
TO2N R01W S35 NENE 26.0
TO2N R01W S35 SWNE 40.0
TO2N R01W S35 SEWS 40.0
TO2N R01W S35 NENW 30.0
TO2N R01W S35 NENW 39.0
TO2N R01W S35 SWNW 40.0
TO2N R01W S35 SEFW 40.0
TO2N R01W S35 NENW 13.0
TO2N R01W S35 NENW 30.0
TO2N R01W S35 NENE 32.0
TO2N R01W S35 NENE 12.0
TO2N R01W S35 SESE 11.0

STOCKWATER

TO2N R01W S26 SWSW
TO2N R01W S35 NENE
TO2N R01W S35 NENE
TO2N R01W S35 SWNE
TO2N R01W S35 SESE
TO2N R01W S35 NENW
TO2N R01W S35 NENW
TO2N R01W S35 SWNW
TO2N R01W S35 SEFW
TO2N R01W S35 NENW
TO2N R01W S35 NENW
TO2N R01W S35 SESE
TO2N R01W S35 NENE
TO2N R01W S35 SESE

COMMERCIAL

TO2N R01W S35 NENW
TO2N R01W S35 NENW

TO2N R01W S35 NENE

STOCKWATER - Same as IRRIGATION

182 ACRES TOTAL

within ADA County

TO2N-R01W-S35-NENE-19.0

TO2N-R01W-S35-NENW-30.0

TO2N-R01W-S35-NENW-39.0

TO2N-R01W-S35-NENW-30.0

TO2N-R01W-S35-NENE-12.0

within ADA County

within ADA County

TO2N-R01W-S35-NENE

377-ACRES-TOTAL

SF5 Right No. 63-8087

SFS Right No. 63-8087

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(5), Idaho Code.

~~The total instantaneous diversion of water from all points of diversion under transfer 5460 shall not exceed 9.25 cfs. The total combined annual volume of 2600 cfs for irrigation of 38.6 total acres. The right holder shall accomplish the change authorized by Transfer 5460 within one (1) year of the date of approval.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM: Necessity

The right holder shall accomplish the change authorized by Transfer 5460 within one (1) year of the date of 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.

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.

~~Comments are for the carry-in located in the ESEW, NWSW and NNEW, 635, 72N, 84W~~

~~WFO right when combined with all other rights shall provide no more than 32 cfs per acre nor more than 4.5 cfs per acre for irrigation of the lands above.~~

SFS Right No. 63-8087

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:

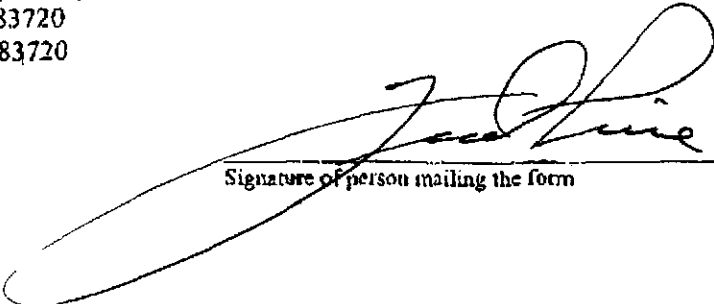
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

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

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

-----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

Copy 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. 63-8087

) 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

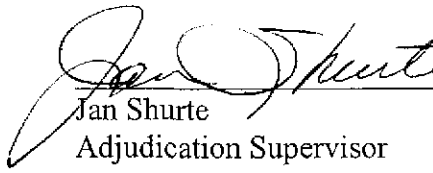
Date

Larry Brown

Date

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

IDWR Concurrence:

 3-14-07
Jan Shurte Date
Adjudication Supervisor

Nicholas B. Spencer Date
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

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

RIGHT NUMBER: 63-8087

NAME AND ADDRESS:

VANDER STELT DAIRY
2777 SWAN FALLS RD
KUNA ID 83634

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

3.000 CFS

1,489.500 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:

02/19/1975

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

04/01 10/31

2.820 CFS

1,451.70 AFY

STOCKWATER

01/01 12/31

0.180 CFS

19.10 AFY

COMMERCIAL

01/01 12/31

0.180 CFS

18.70 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION

within ADA County

T02N R01W S26 SWSW 4.0
T02N R01W S35 NENE 19.0
 T02N R01W S35 NWNE 26.0
 T02N R01W S35 SWNE 40.0
 T02N R01W S35 SENE 40.0
 T02N R01W S35 NENW 30.0
T02N R01W S35 NWNW 39.0
 T02N R01W S35 SWNW 40.0
 T02N R01W S35 SENW 40.0
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

~~T02N R01W S35 NENE 19.0~~

~~T02N R01W S35 NWNW 39.0~~

~~T02N R01W S35 NESW 13.0~~

~~T02N R01W S35 NWSW 30.0~~

~~T02N R01W S35 NWSE 12.0~~

STOCKWATER

within ADA County

T02N R01W S26 SWSW
T02N R01W S35 NENE
T02N R01W S35 NWNE
T02N R01W S35 SWNE
T02N R01W S35 SENE
T02N R01W S35 NENW
T02N R01W S35 NWNW
T02N R01W S35 SWNW
T02N R01W S35 SENW
T02N R01W S35 NESW
T02N R01W S35 NWSW
T02N R01W S35 SESW
T02N R01W S35 NESE
T02N R01W S35 NWSE
T02N R01W S35 SWSE
T02N R01W S35 SESE

COMMERCIAL

within ADA County

T02N R01W S35 NESW
T02N R01W S35 NWSW

~~T02N R01W S35 NWSE~~

T02N R01W S35 NWSE

~~STOCKWATER Same as IRRIGATION~~

382 ACRES TOTAL

~~377 ACRES TOTAL~~



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 9.25 cfs, nor total combined annual volume of 3620.6 af for irrigation of 382.0 total acres. The right holder shall accomplish the change authorized by Transfer 5460 within one (1) year of the date of approval.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by Transfer 5460 within one (1) year of the date of 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.

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.

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

~~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.~~

02/23/2007

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

RIGHT NUMBER: 63-8087

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.000 CFS
1,489.500 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: 02/19/1975

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	04/01 10/31	2.820 CFS 1,451.70 AFY
COMMERCIAL	01/01 12/31	0.180 CFS 18.70 AFY
STOCKWATER	01/01 12/31	0.180 CFS 19.10 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

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

STOCKWATER in ADA County

T02N R01W S26	SWSW	T02N R01W S35	NENE
T02N R01W S35	NWNE	T02N R01W S35	SWNE
T02N R01W S35	SENE	T02N R01W S35	NENW
T02N R01W S35	NWNW	T02N R01W S35	SWNW
T02N R01W S35	SENW	T02N R01W S35	NESW
T02N R01W S35	NWSW	T02N R01W S35	SESW
T02N R01W S35	NESE	T02N R01W S35	NWSE
T02N R01W S35	SWSE	T02N R01W S35	SESE

COMMERCIAL in ADA County

T02N R01W S35	NESW	T02N R01W S35	NWSW
T02N R01W S35	NWSE		

382 ACRES TOTAL

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

The right holder shall accomplish the change authorized by Transfer 5460 within one (1) year of the date of approval.

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

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.

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.

ETP

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
		4.06 CFS	1605.2 AF
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
		3.00 CFS	1489.5 AF
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:		9.25 CFS *	3620.6 AF *

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.

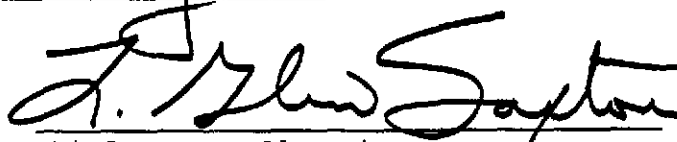
TRANSFER NO. 5460
WATER RIGHT NO(S). 63-03093/63-03170/63-08087
63-18592/63-18594

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 14STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5460

REVISIONS

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED BY: Daniel Vander Stelt PART 1Name of applicant VANDER STELT DAIRY Phone 922-4649Post 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 existing 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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
AL3-03043	8/21/1956	1.73/508.5	Irrig	3/15 to 11/15
AL3-03170	9/17/1954	3.67/1175.5	Irrig	3/15 to 11/15
_____	_____	.34/131.6	Comm	1/1 to 12/31
AL3-08087	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 S.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
		NE	SE					"
		NE	SW					"
	NW	SW	SE					proposed

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
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	C	land appl
(NOTE)																			
COMMERCIAL & STOCK WATER USES OCCUR IN																			
ALL OF S.35 plus SW SW S.26																			

WR5809WP
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

SENE

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 Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac 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

Page 3 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	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

Pg. 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

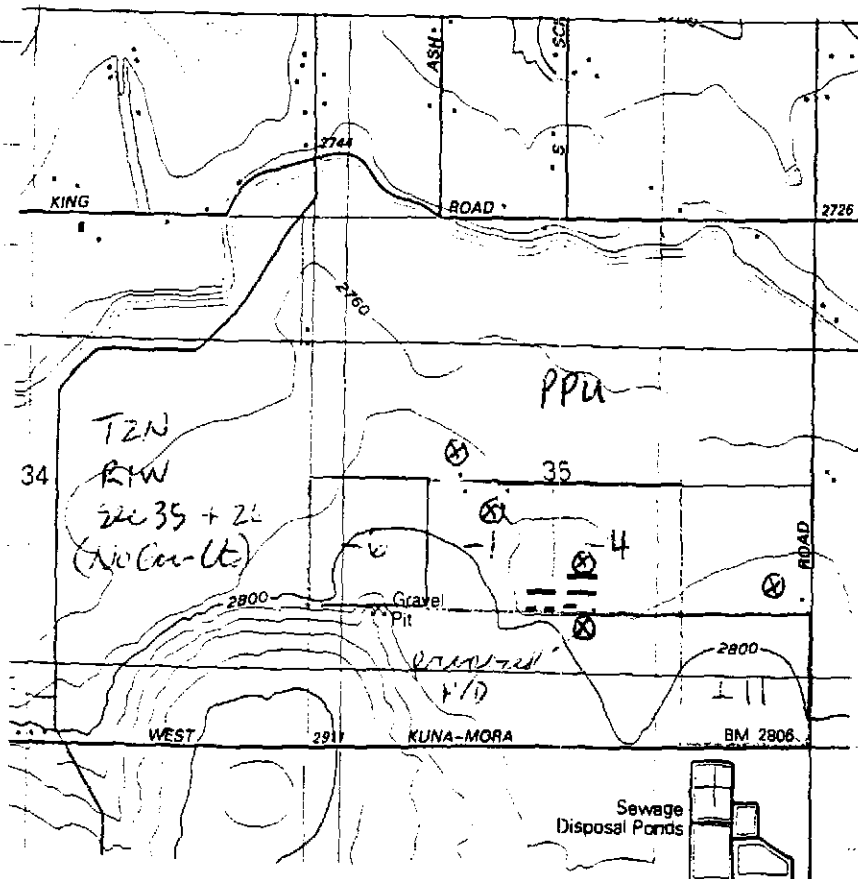
Return to SRBA Home Page

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
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):

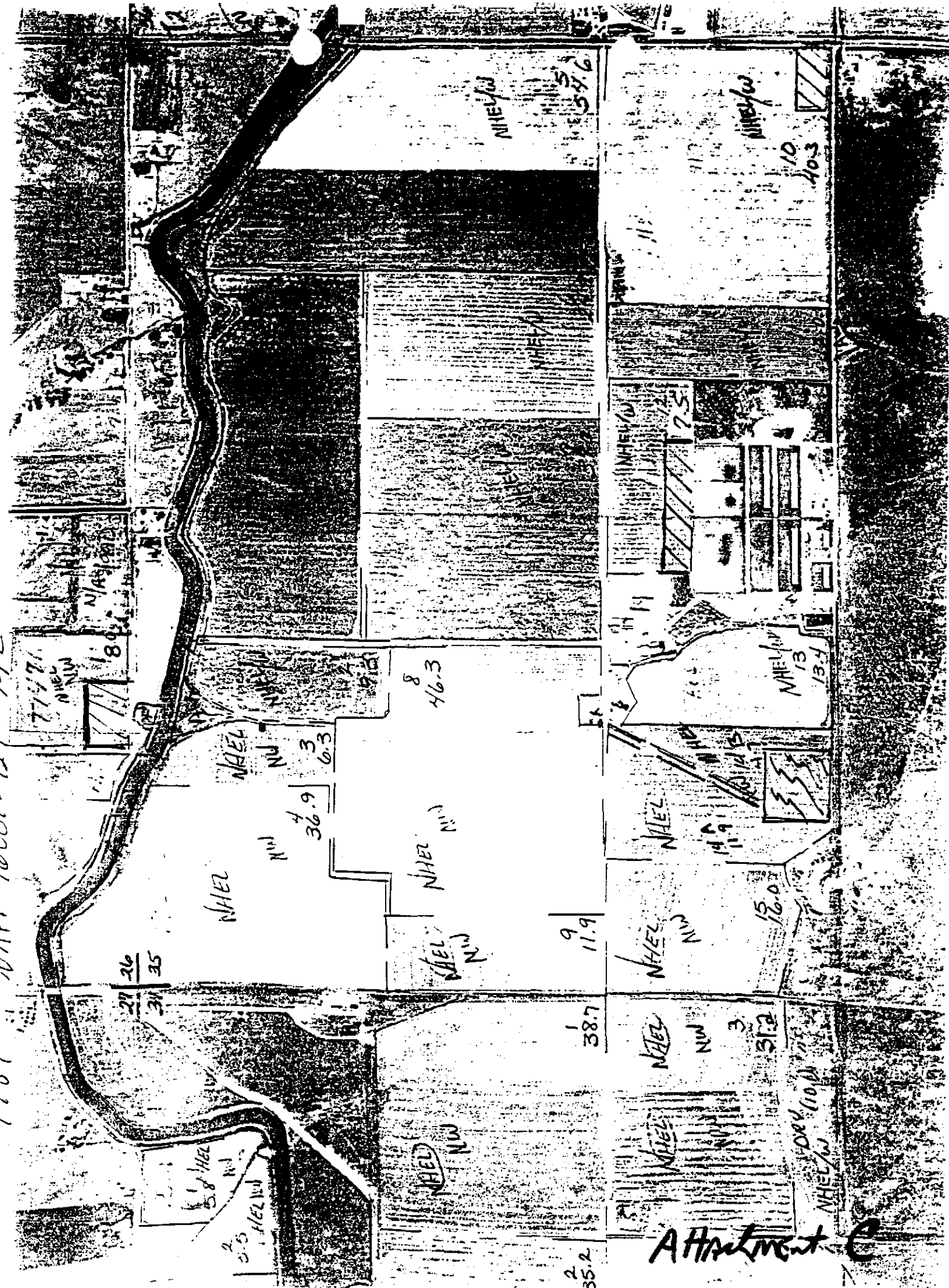
GPM discharge/nozzle	5.39		
Number of Nozzles	83		
Minutes run/day:	130		
groups	13		
mins/group	5		
x/day	2		
Total Wash Pen Water Used:	58158	21,227,707	65.15

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 1001 1001 1001 1001 1001 1001 1001 1001 1001



Attachment C

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

MORTGAGE CODE

COND HALF TAX BIL

PARCEL
NUMBER S1335314800

TAX YEAR 1997

FULL 2ND HALF AMOUNT	LESS PAYMENTS	AMOUNT DUE BY
\$261.53	\$.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 B
#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	\$.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

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 1-0046447

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.

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

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 1-0102835

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.

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

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.

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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 1-0102837

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.

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

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 1-0102836

02

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

MORTGAGE CODE

2ND HALF TAX BILL

PARCEL NUMBER S1335346610

TAX YEAR 1997

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

6/22/98

KEEP THIS HALF FOR YOUR RECORDS.

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

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

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

MORTGAGE CODE

SECOND HALF TAX BILL

PARCEL NUMBER P2VANDAIRO1

TAX YEAR 1997

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

6/22/98

KEEP THIS HALF FOR YOUR RECORDS.

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

KUNA ORCHARD TRACT

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

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

6/22/98

KEEP THIS HALF FOR YOUR RECORDS.

VANDER STELT DAIRY
RR 1
KUNA ID 83634-9801

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

2N 1W 35

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

PROPERTY ADDRESS 00000 S SWAN FALLS

12

04/04/2005

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

RIGHT NUMBER: 63-8087

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.000 CFS
1,489.500 AFY

PRIORITY DATE: 02/19/1975

POINT OF DIVERSION:

T02N R01W S35 SENW Within ADA County

T02N R01W S35 NESW Within ADA County

T02N R01W S35 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	2.820 CFS 1,451.70 AFY
COMMERCIAL	01/01 12/31	0.180 CFS 18.70 AFY
STOCKWATER	01/01 12/31	0.180 CFS 19.10 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County

T02N R01W S26	SWSW	4.0 ✓	T02N R01W S35	NENE	18.0 ✓
T02N R01W S35	NWNE	26.0 ✓	T02N R01W S35	SWNE	40.0 ✓
T02N R01W S35	SENE	40.0 ✓	T02N R01W S35	NENW	30.0 ✓
T02N R01W S35	NWNW	38.0 ✓	T02N R01W S35	SWNW	40.0 ✓
T02N R01W S35	SENE	40.0 ✓	T02N R01W S35	NESW	13.0 ✓
T02N R01W S35	NWSW	38.0 ✓	T02N R01W S35	NESE	38.0 ✓
T02N R01W S35	NWSE	18.0 ✓			

COMMERCIAL Within ADA County

T02N R01W S35	NESW	T02N R01W S35	NESE
T02N R01W S35	NWSE		

STOCKWATER same as IRRIGATION

377 ACRES TOTAL

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

*110 K06
C0000710*

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

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 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 right holder shall accomplish the change authorized by Transfer 5460 within one (1) year of the date of approval.

EXPLANATORY MATERIAL: License

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

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.

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

63-8087

T02N R01W S26, 35



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



IDWR
Prepared by: Sandy Egbert
Date: 4-4-05
1987 NAPP Photography

500 0 500 1000 1500 2000 Feet

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8087 V1

WATER RIGHT NUMBER: 63-8087 V1

Owner Type Name and Address
 Current Owner VANDER STELT DAIRY
 2777 SWAN FALLS RD
 KUNA, ID 83634
 (208)922-1179
 Original Owner NIELSEN FARMS INC

, ID

Priority Date: 02/19/1975

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	04/01 to 10/31	2.820 CFS	1,451.70 AF
COMMERCIAL	01/01 to 12/31	0.180 CFS	18.70 AF
STOCKWATER	01/01 to 12/31	0.180 CFS	19.10 AF
	<u>Total Diversion:</u>	3.000 CFS	1,489.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	NE1/4SE1/4	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				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	18.0	26.0	40.0	40.0	30.0	38.0	40.0	40.0	14.0	33.0			38.0	16.0			373.0

Total Acres: 377

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8087 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 01W 35									X				X	X			

STOCKWATER same as IRRIGATIONConditions of Approval:

1. Commercial use for the dairy is located in the NESW, NWSW and NWSE, S35, T2N, R1W
2. 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.
3. 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.
4. 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.
5. T07 The right holder shall accomplish the change authorized by Transfer 5460 within one (1) year of the date of approval.
6. 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.
2. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. segbert 4/4/2005 POD
Comment: Updated shape
2. segbert 4/4/2005 POD
Comment: Updated shape
3. segbert 4/4/2005 POD
Comment: Updated shape
4. segbert 4/4/2005 POU
Comment: Updated Shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8087 V1

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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
9.25	3620.6	382

Combined Water Rights: 63-3093 , 63-3170 , 63-8087

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			03/28/2005	lharris	Active
Priority Date	4/4/2005 1:34:05 PM	segbert			Active
POD	4/4/2005 1:34:28 PM	segbert			Active
Source	4/4/2005 1:35:48 PM	segbert			Active
POU	4/4/2005 1:36:39 PM	segbert			Active
Use	4/4/2005 1:37:56 PM	segbert			Active
Season	4/4/2005 1:38:28 PM	segbert			Active
Season	4/4/2005 1:44:52 PM	segbert			Active
Quantity	4/4/2005 1:45:19 PM	segbert			Active
Summary			04/04/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	4/4/2005 1:35:48 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8087 V1

POU	4/4/2005 1:36:39 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?
Priority Date	4/4/2005 1:34:06 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?
Season	4/4/2005 1:38:28 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Season	4/4/2005 1:44:52 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
POU	4/4/2005 1:16:14 PM	segbert	Created polygon from PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8087 V1

Summary	4/4/2005 2:04:00 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?
POD	4/4/2005 1:34:28 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?
Quantity	4/4/2005 1:45:19 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? (Yes) 8. Does the parent right have an annual 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 - see transfer 5460
Use	4/4/2005 1:37:57 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?
POU	4/4/2005 1:37:18 PM	segbert	Created polygon from PLS
Summary	3/28/2005 2:07:36 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8087

WATER RIGHT NUMBER: 63-8087

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VANDER STELT DAIRY ✓ 2777 SWAN FALLS RD KUNA, ID 83634 (208)922-1179
Original Owner	NIELSEN FARMS INC

, ID

Priority Date: 02/19/1975 ✓
 Basis: License ✓
 Status: Active ✓

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

SOU 31 to 11-15

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	4/01 to	10/31	2.720 CFS	75.00 AF
COMMERCIAL	1/01 to	12/31	0.280 CFS	8.40 AF
	<u>Total Diversion:</u>		3.000 CFS ✓	1,267.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 35, Twp 02N, Rge 01W, B.M.
ADA County		
GROUND WATER	NE1/4SE1/4	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				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	18.0	26.0	40.0	40.0	30.0	38.0	40.0	40.0	14.0	33.0			38.0	16.0			373.0

Total Acres: 377

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8087

02N 01W 35			X		X	X
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Conditions of Approval:

1. 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.

Remarks:

1. 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.
40 ACRES WERE RETIRED FOR A 2000 COW DAIRY PRIOR TO 1987. SEE SEE ATTACHED DAIRY REQUIREMENT SHEET, CFS/VOL CALCULATION SHEET, AND 1987 CFS PHOTO. APPLICANT FILED TRANSFER 2/4/99 TO ADD A P/D AND SHOW PPU FOR A63-03093, -03170, AND THIS RIGHT.

Comments:Dates and Other Information:

Claim Received Date: 9/7/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 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:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
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Verification Log:

Element	Date Time Stamp	Reviewer	Log text
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**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 462.00
- ☐ 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) 63-8087

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 *NC*☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**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

See 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: 4-4-05

FIELD EXAMINER: Sandy Ebert

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8087

WATER RIGHT NUMBER: 63-8087

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VANDER STELT DAIRY 2777 SWAN FALLS RD KUNA, ID 83634 (208)922-4649
Original Owner	NIELSEN FARMS INC , ID

Priority Date: 02/19/1975

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.180 CFS	18.70 AF
IRRIGATION	3/01 to 11/15	2.820 CFS	1,451.70 AF
STOCKWATER	1/01 to 12/31	0.180 CFS	19.10 AF
	<u>Total Diversion:</u>	3.000 CFS	1,489.50 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	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		
GROUND WATER	NE1/4SE1/4	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

STOCKWATER

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											X						
02N	01W	35	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

COMMERCIAL same as IRRIGATION

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

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.

2. SCURTIS 5/15/2000 STOCKWATER USE

Comment: Stockwater use is for 1700 dairy cattle, 300 dry cattle and 2000 heifers.

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Property Details for Parcel S1335314800**General Information**

Property Acres: 119.000
Zone Code: RR
Primary Code Area: 239 Tax Districts
Group Type: SECT
Subdivision: 2N 1W 35
Section: 2N1W35

Property Description

PAR #4800 OF S2
 SEC 35 2N 1W
 #220000 B
 #95015106

Property Address

S SWAN FALLS RD
 KUNA, ID 00000


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- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	10-IRRIGATED AG	73.500	\$57,000	INCOME
Primary	190-WASTE LAND	4.500	\$0	INCOME
Primary	100-HOMESITE ON AG	1.000	\$44,000	MARKET
Primary	183-FEED LOT	40.000	\$44,000	MARKET
Primary	320-IMPROVEMENT	0.000	\$325,000	COST

Total Assessed Value: \$470,000

Parcel Valuation History

Assessed value for year 2004 \$470,000
Assessed value for year 2003 \$464,900
Assessed value for year 2002 \$53,200
Assessed value for year 2001 \$54,100
Assessed value for year 2000 \$47,600

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 Agriculture
 Land

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Property Details for Parcel S1335346610

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General Information

Property Acres: 120.000
Zone Code: RR
Primary Code Area: 239 Tax Districts
Group Type: SECT
Subdivision: 2N 1W 35
Section: 2N1W35

**Property Description**

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

Property Address

2777 S SWAN FALLS RD
 KUNA, ID 83634

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- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	50-DRY GRAZING	120.000	\$4,900	INCOME

Total Assessed Value: \$4,900

Parcel Valuation History

Assessed value for year 2004 \$4,900
Assessed value for year 2003 \$4,200
Assessed value for year 2002 \$4,200
Assessed value for year 2001 \$3,900
Assessed value for year 2000 \$3,800

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Property Characteristics
Agriculture
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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
--------	-------	------	-----------------

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

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8087 Priority February 19, 1975 Amount 3.0 cfs

THIS IS TO CERTIFY, that Vander Stelt Dairy
of Kuna, Idaho, has complied with the terms and conditions of Permit
No. 63-8087 issued pursuant to Application for Permit dated February 19, 1975,
and has submitted proof to the Department of Water Resources on February 27, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.01 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>October 31</u>	at <u>3.0</u> cfs and	<u>1267.5</u> acre feet
	from _____	_____ cfs and	_____
	from _____	_____ cfs and	_____
	(from date inclusive)		

Subject, however, to the condition that no more than 3.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1267.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35 Twp.
2N, Rge. 1W _____ in the County of Ada

Description and location of place of use:

Twp.	Range	Section	NEW				NWW				SWW				Totals
			NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	
2N	1W	26													4
		35	18	26	40	40	30	38	40	40	23	23	40	40	408

Total number of acres irrigated 412

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 for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
January, 19 82.

Director

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RECEIVED

DEC 11 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
<LICENSING>
APPLICATION FOR AMENDMENT OF A PERMIT
Department of Water Resources

To change the point of diversion and/or the place of use.

Comes now Vander Stelt Dairy Phone _____
of (address) Kuna, ID, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 63-8087, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE $\frac{1}{4}$ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M.,
County of _____ Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
NO CHANGE
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

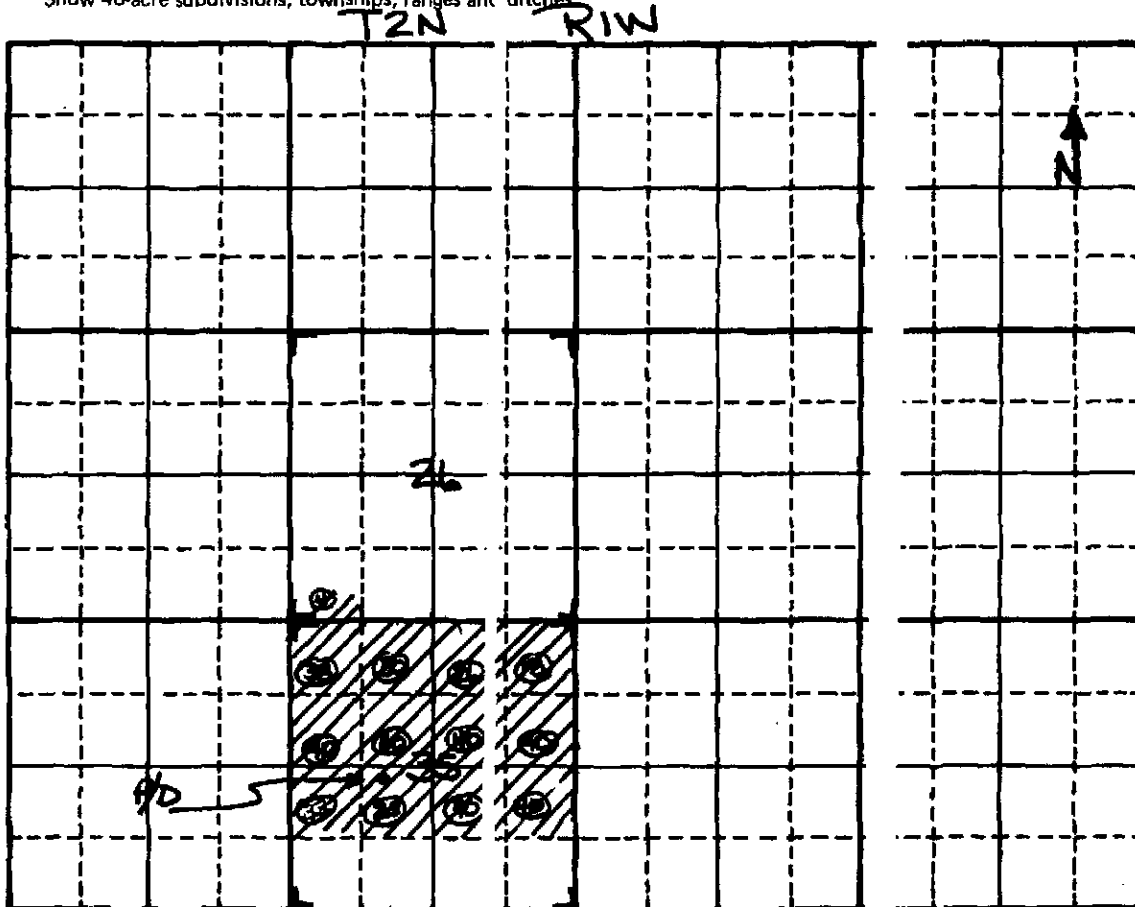
TWP	RGE	SEC	NEX				NWX				SWX				SEX				TOTALS
			NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	
2N	1W	26										4							4
		35	18	26	40	40	30	38	40	40	23	33			40	40			408

Total number of acres to be irrigated = 412

4. a. Who owns the property at the point of diversion? Vander Stelt Dairy
b. Who owns the land to be irrigated or the place of use? Vander Stelt Dairy
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

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Complete the following map by showing land and point of diversion as proposed / this amendment.
 Show 40-acre subdivisions, townships, ranges and ditches



Scale: 2 inches equal 1 mile.

That no one will be injured by such change and that such change will be made at the holder's own risk.

Signed at Kuna Idaho, this 14th day of Dec, 1981.
X [Signature] (Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 Received by [Signature] Date 1/1/82 # 21667
 Publication prepared by _____ Date _____ Published in _____
 Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby
 APPROVE the above Application for Amendment of Permit No. 63-8087.

Witness my hand this 29 day of January, 19 82.

[Signature]
 Director

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Show 40-acre subdivisions, townships, ranges and ditches



Signed at Riverside, California, this 14th day of Dec, 1988
 X [Signature] (Signature)

Preliminary check by _____ Fee = \$20.00
 Publication prepared by _____ Date _____
 Publication dates _____

Received by g Date 1/1/82
 Published in _____

I, A. KENNETH DUNN, of the Department of Water Resources hereby APPROVE the above Application for Amendment of Permit No. 63-8087.

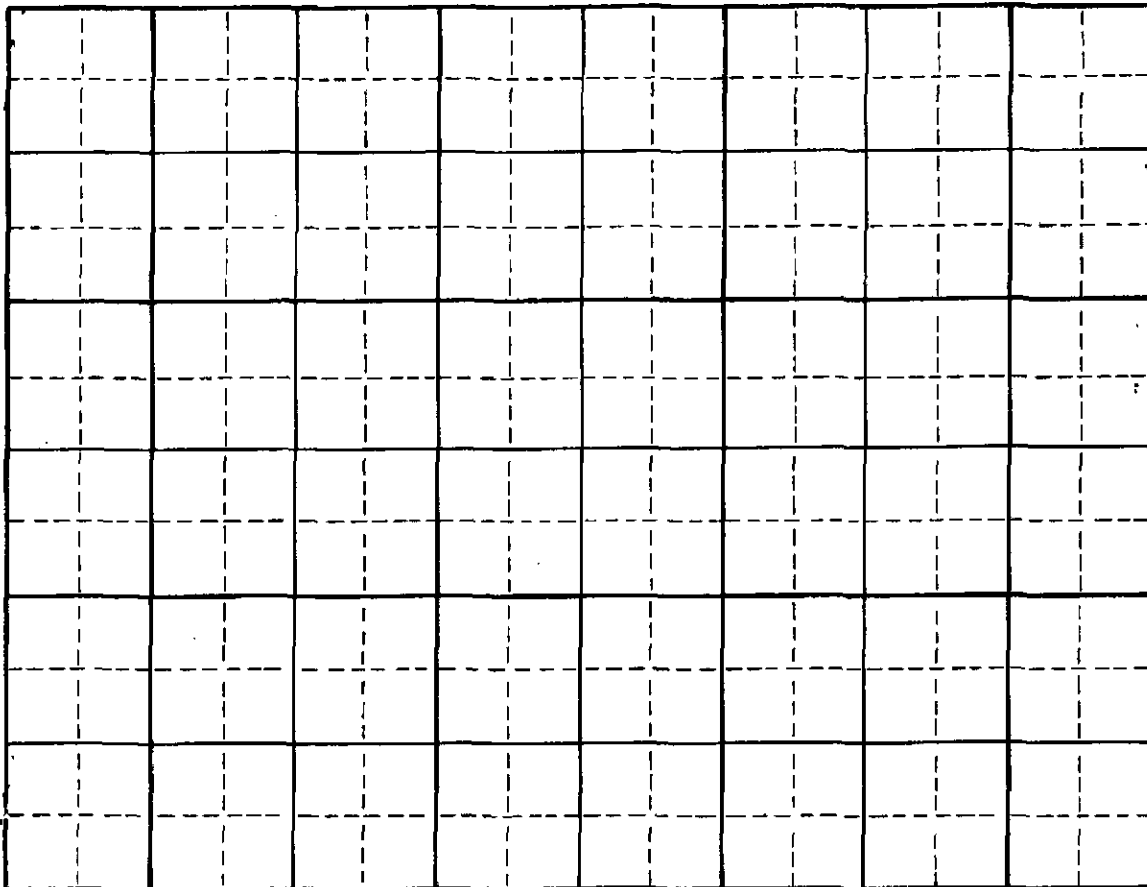
January 19 82
S. H. [Signature]
Director

Dirt

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Overlap review attached

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

MED

Point(s) of diversion: NE SW Sec. 35 T 2N R 1W

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
2N	1W	35	18	26	40	40	30	38	40	40	23	35			40	40		
2N	1W	26										4						

400
398
TOTALS
400
4

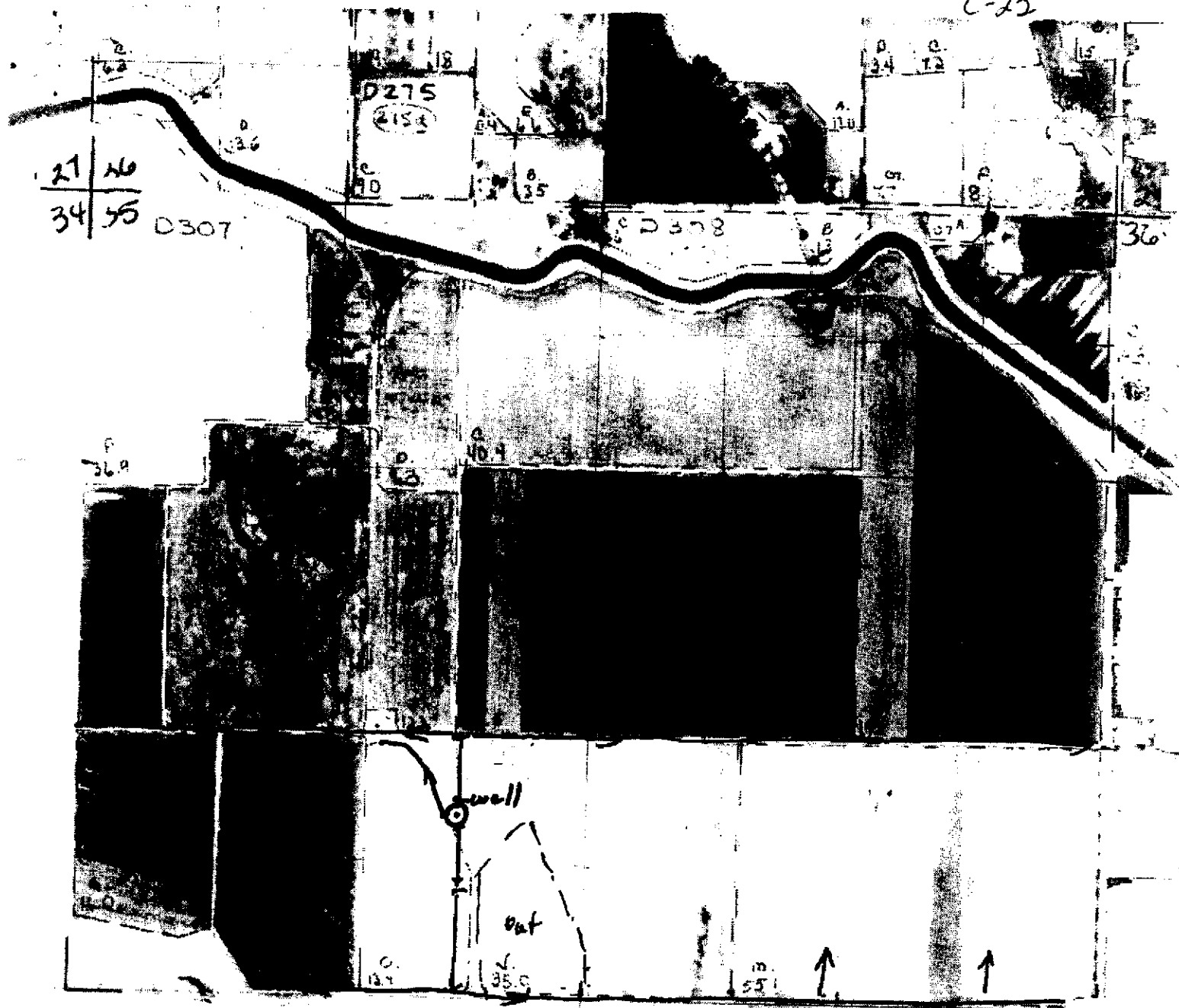
Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Total 404
402

Examiner's Signature G. L. Sisco Date 5/16/81
 Checked by DBS Date 5/11/81
 Approved by [Signature] Date 10/14/81

C-23



15 acres for new dairy

34	35
3	2

35	36	E
2		

MICRON

NOT TO SCALE