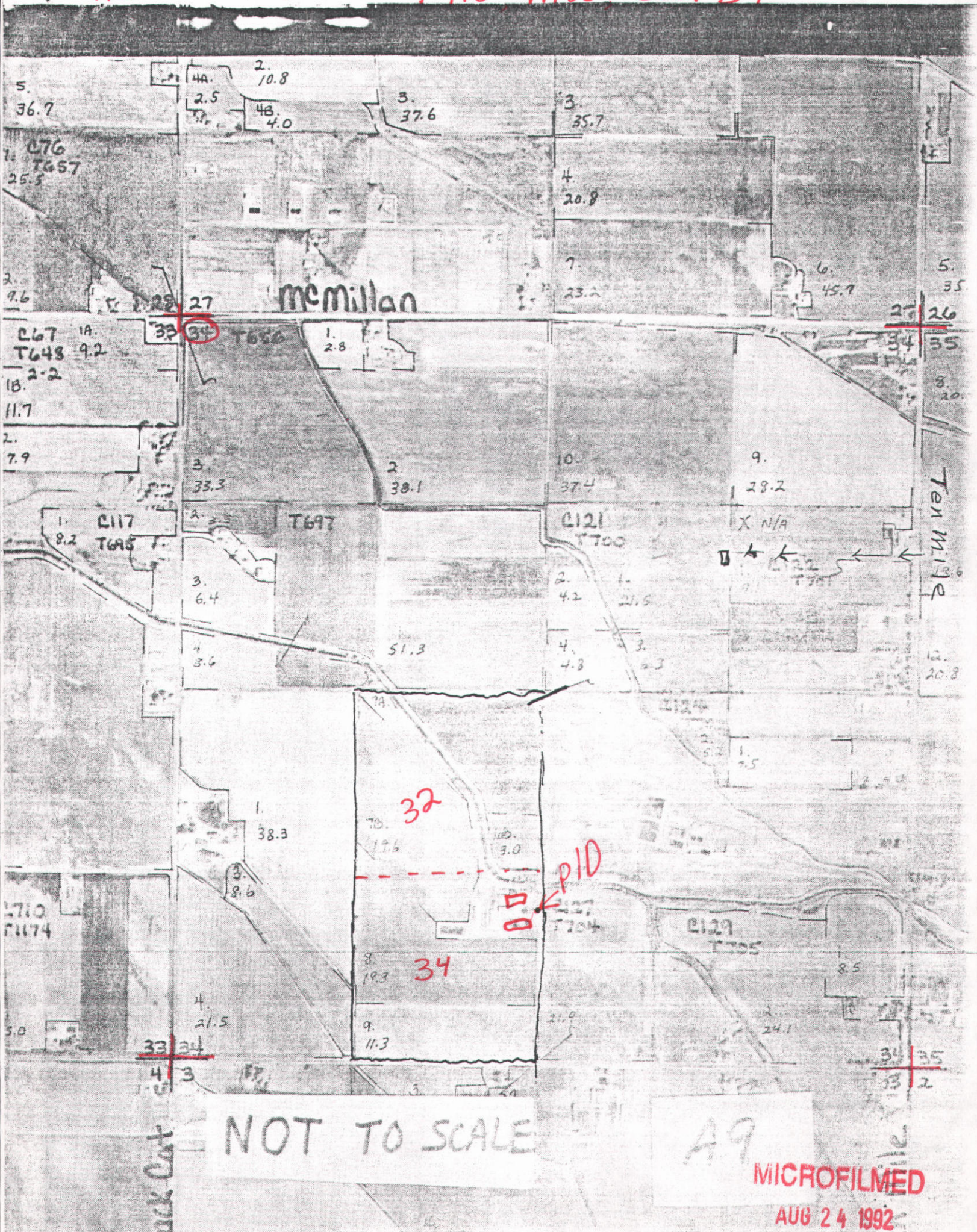


AG3.08442

T4N RIW Sec. 34



Idaho Department of Water Resources

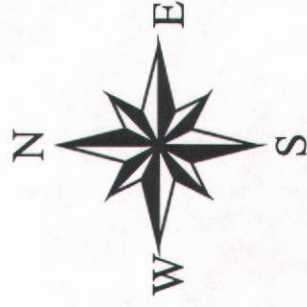
T04N, R01W,
S34

Claim No: 63-08442
Prepared By: Kimberly Brown
Date: October 20, 2003



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 64.8



1987 NAPP

0.8 Miles

0.6

0.4

0.2

0

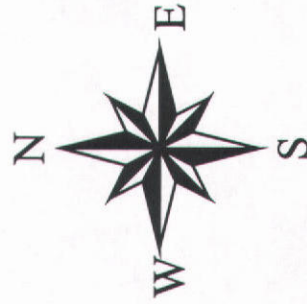
Idaho Department of Water Resources

**T04N, R01W,
S34**

Claim No: 63-08442
Prepared By: Kimberly Brown
Date: October 20, 2003



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



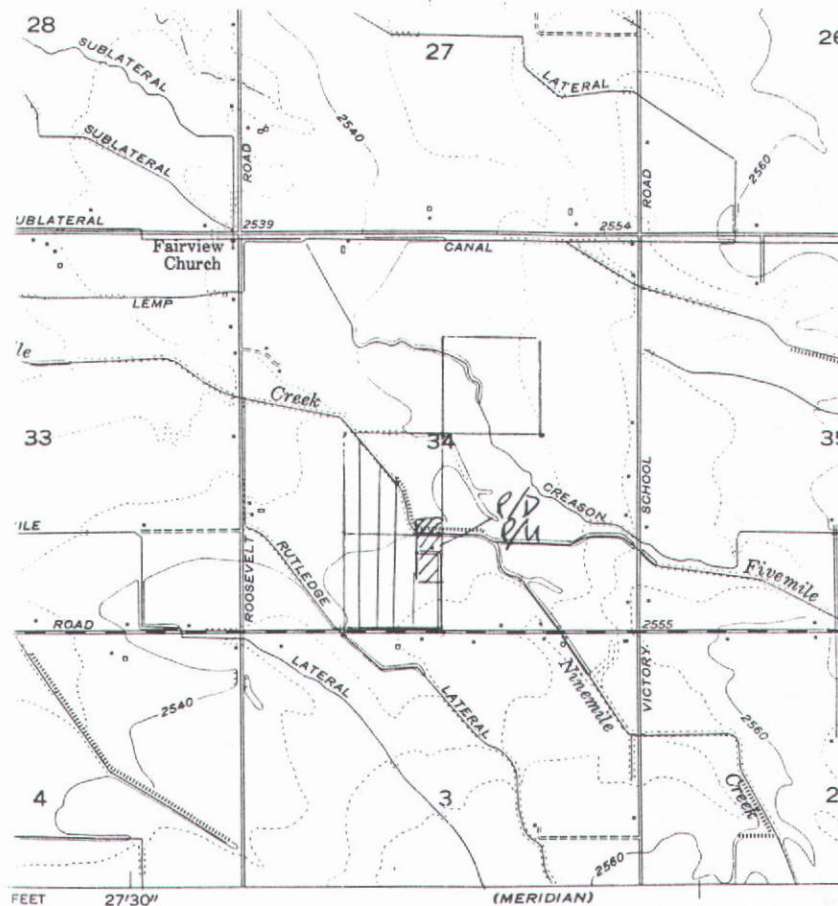
1987 NAPP



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.

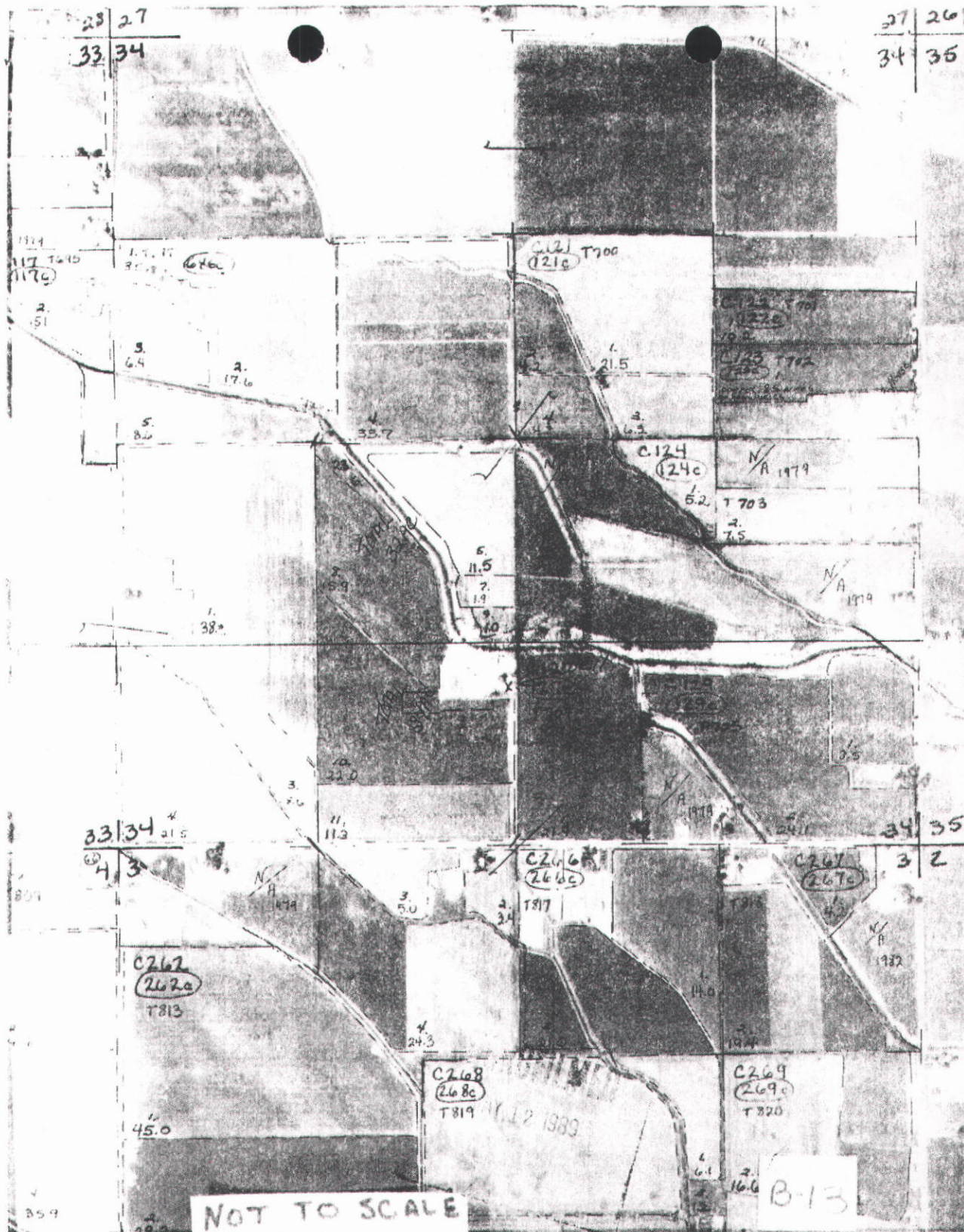


SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

/// land application
OCT 23 2000

/// dairy operation



SEC. 34

1987 NAPP aerial
photo
MICROFILMED

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 63-8442
Date Received: 6/19/89
Receipt No: W003281
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WALKING J DAIRY Phone: (208)888-5580

4010 W USTICK
MERIDIAN ID USA 83642

2. Date of Priority: 02/11/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
04N	01W	34	SE SW	ADA

5. Description of diverting works:

ARTESIAN, 8" CS, DITCH, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.51	247.8
STOCKWATER	01/01	12/31	0.02	4.2
COMMERCIAL	01/01	12/31	0.02	4.2
DOMESTIC	01/01	12/31	0.06	1.2

7. Total Quantity Appropriated is:

0.53 C.F.S. and/or 253.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Number of homes: 2

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	34	SE	SW	COMMERCIAL	
			NE	SW	COMMERCIAL	
			NE	SW	IRRIGATION	32
			SE	SW	IRRIGATION	32.8
			NE	SW	STOCKWATER	
			SE	SW	STOCKWATER	
			SE	SW	DOMESTIC	
Section Acres						64.8
Total Acres						64.8

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:

14. Remarks:

Claim amended per Transfer 5525 approved 6/5/00.

Domestic use is for 2 homes.

Commercial use is for a dairy.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222 Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall maintain control of the shares of water in the Nampa Meridian Irrigation District associated with 1.2 acres no longer irrigated from groundwater under this right, and when combined with this right shall not exceed the irrigation of 64.8 acres.

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 at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval (6/5/2001).

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is

subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval. For additional transfer conditions of approval and remarks, see copy of transfer in adjudication file.

15. Basis of Claim: License

Western

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5525
WATER RIGHT NO. 63-08442

RECEIVED

JUN 05 2000

WATER RESOURCES
WESTERN REGION

This is to certify that: **WALKING J DAIRY**
4010 W USTICK
MERIDIAN 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>
IRRIGATION	03/15 to 11/15	0.51 CFS	247.8 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	4.2 AF
COMMERCIAL	01/01 to 12/31	0.02 CFS	4.2 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF
Totals		0.53 CFS	253.2 AF

SOURCE
GROUNDWATER

Priority: 02/11/1977

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 34, Township 04N, 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>
04N	01W	34	NESE 32.0	SESE 32.8		64.8
Total number of acres irrigated:						64.8

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
04N	01W	34
SESE		

CONDITIONS OF APPROVAL AND REMARKS

1. Commercial use is for a dairy.
2. Domestic use is for 2 homes.
3. After specific notification by the department, the right holder shall install a suitable measuring device 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.

TRANSFER NO. 5525
WATER RIGHT NO. 63-08442

- * 4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
- * 6. The right holder shall maintain control of the shares of water in the Nampa Meridian Irrigation District associated with the 1.2 acres no longer irrigated from groundwater under this right, and when combined with this right shall not exceed the irrigation of 64.8 acres.
7. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
- * 8. 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.
- * 9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.
12. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this first used in the dairy as authorized by this water right.
- * 13. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Dated this 5th day of June, 2000.


Chief, Water Allocation Bureau

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 5525

APPLICATION FOR TRANSFER OF WATER RIGHT

* Changes made by Frank Johnson

PART 1

Name of applicant WALKING J DAIRY Phone 208-888-5580
Post Office address 4010 W USTICK MERIDIAN 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 Account for expanded dairy and decreased irrigation. Land apply waste & water per water quality standards. Continue to irrigate balance of acre with existing system.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
63-68442	2/11/1977	.51/252.7 *	Trailing	3/15 to 11/15
		.02/3.3 *	Stock	1/1 to 12/31
		.02/4.0 *	Common	to
		.06/1.2	Dam	to

2. Total amount of water being transferred 0.53 * cubic feet per second and/or 258.2 * acre-feet per annum.

3. Source of water Ground water tributary to _____

4. Point(s) of Diversion: *N/C*

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1**6. General Information:**a. Description of diversion system well pump, pipelineb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes / No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

retired acres provide space for dairy operation

d. Remarks:

Stockwater flow limited to max rate from retired acres plus previously licensed stockwater rate. Waste-water will only be applied to acres south of drain in E1/2SW, sec 34.**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

3. of 6

WR0749NP
No. 63-08442

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/03/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY		USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
		DATE	WATER USE			
C	C. FRANK JOHNSON	02/11/1977	IRRIGATION	03/15 11/15	0.530 CFS	257.00 AFA
C	JEAN E. JOHNSON		STOCKWATER	01/01 12/31	0.050 CFS	3.20 AFA
	4010 W. USTICK RD.		DOMESTIC	01/01 12/31	0.060 CFS	1.20 AFA
	MERIDIAN ID 83642					
TOTAL DIVERSION:					0.530 CFS	261.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.530 CFS

Point(s) of Diversion: T04N R01W S34 SESW ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
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	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: SUM
04N	01W	34	:	:	:	:	:	:	:	:	:	:	:	:	:	:
															TOTAL ACRES	66.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: ADA

Conditions of Approval:

- 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.

Remarks: GEN Domestic use is for 2 homes.

Dates: App. Received: 02/11/1977 Priority Date: 02/11/1977
Proof Due Date: 04/01/1982 Proof Made Date: 03/03/1982
Exam Made Date: 06/19/1985 Exam Sent to S.O.:
Licensed Date: 04/03/1989

Misc: Water District Number: Field Exam Fee:

Audit: 11/17/88 CURTIS 01/12/89 CURTIS 03/14/89 CURTIS

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

N

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

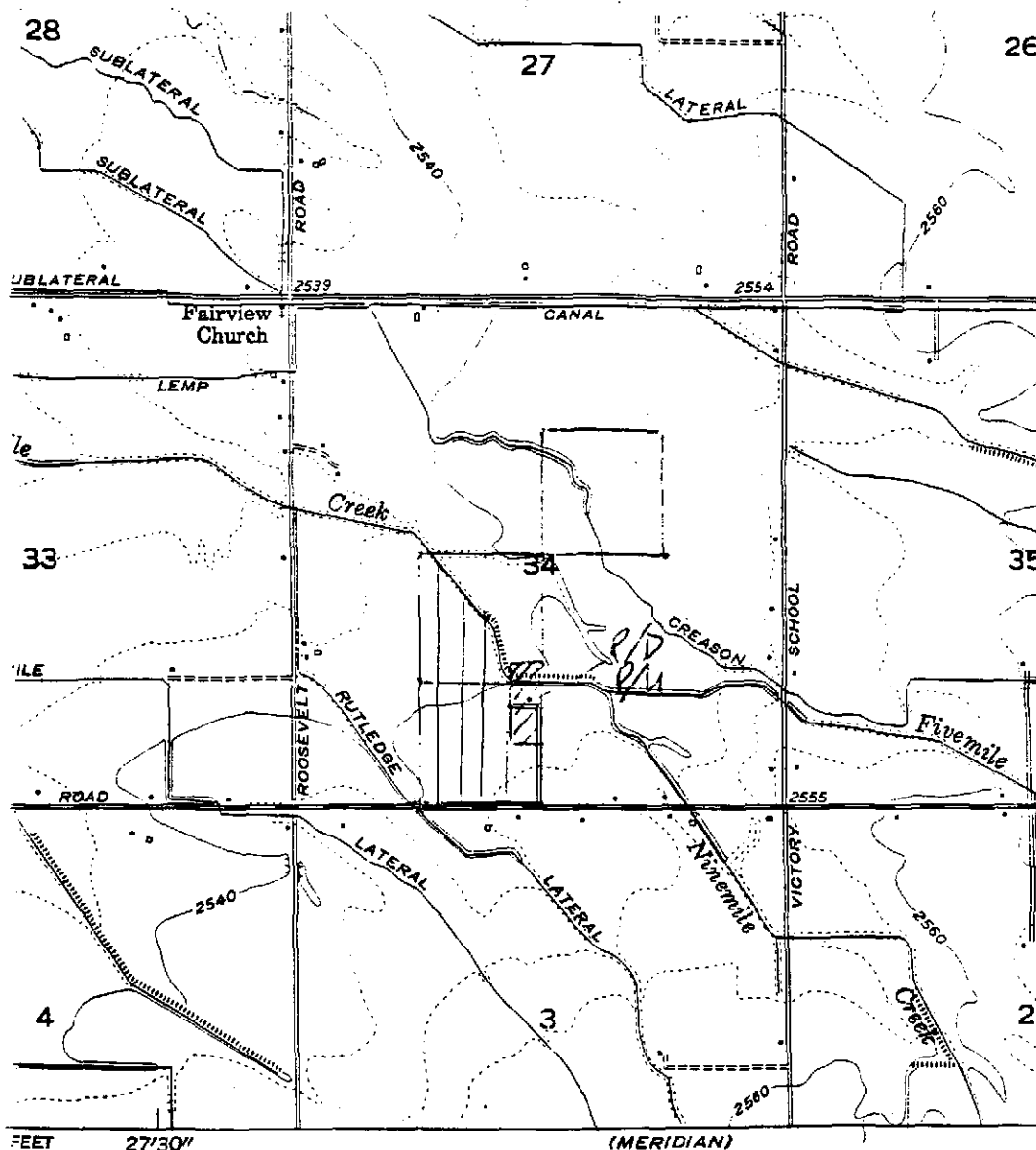
3. Lands irrigated or place of use:

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	

Total acres _____

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.



/// land application

/// carry operation

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

* Changes made by CF

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Common</u>	<u>0.02 cfs / 1.0 ac-ft</u>		<u>1/1</u> to <u>12/31</u>
	<u>Stockwater</u>	<u>0.02 cfs / 3.3 ac-ft</u>		to _____

2. Quantity and quality of return flows and location of discharge:

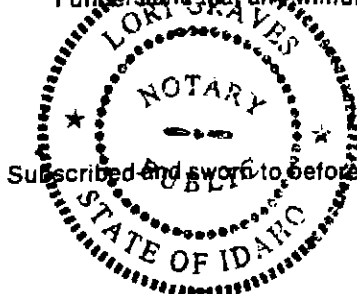
To be land applied per water quality standards

3. Describe effects on other water uses resulting from the proposed change:

former
never have been returned and irrigation water has been
distributed over entire year without any noticeable
change in local area ground water divisions

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Dan & Phyllis - Co-owners
(Frank) Graves Co-owners
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of April, 19 99.

Jim Granger
(Notary Public)

My commission expires 6/18/2004

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by g Date 4/29/99 Protest filed by _____

Prelim. check by DAN Fee \$100 W025132

Received by g Date 4/29/99

Published in Idaho Statesman Copies of protest forwarded by _____

Pub. dates 8-5-12-99 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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: A63-08442
Date Received: 6/19/1989
Receipt No: W003281
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEAN E. JOHNSON
Address: 4010 W. USTICK RD.
MERIDIAN, ID 83642
OR
Name: C. FRANK JOHNSON 208-888-5580
Address: 4010 W. USTICK RD.
MERIDIAN, ID 83642
OR
Name: GARY S. JOHNSON 208-888-2006
Address: 4018 W. USTICK RD.
MERIDIAN, ID 83642
OR
Name: THERESA M. JOHNSON 208-888-2006
Address: 4018 W. USTICK RD.
MERIDIAN, ID 83642

2. Date of Priority: FEB 11, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	34	SE	SW			ADA

5. Description of diverting works:
ARTESIAN, 8" CS, DITCH, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.530		257.00
STOCKWATER	01/01	12/31	0.050		3.20
DOMESTIC	01/01	12/31	0.060		1.20

7. Total Quantity Appropriated is:

0.530 C.F.S. (and/or) 261.40 A.F.A.
A63-08442 Page 1 Date: 06/19/89

MICROFILMED
AUG 24 1992

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

9. Non-irrigation uses:

D/2 HOMES W/LAWN; S/250 HD DAIRY

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	34	NE	SW	IRR	32.0
			SE	SW	IRR	34.0
					Section Acres	66.0
					Total Acres	66.0

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:

A63-15742

14. Remarks:

Domestic use is for 2 homes.

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: 1

For Individuals:

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

Signature of Claimant(s): C. Frank Johnson Date: 6-19-89
Date:

State of Idaho)
County of Ada) SS.

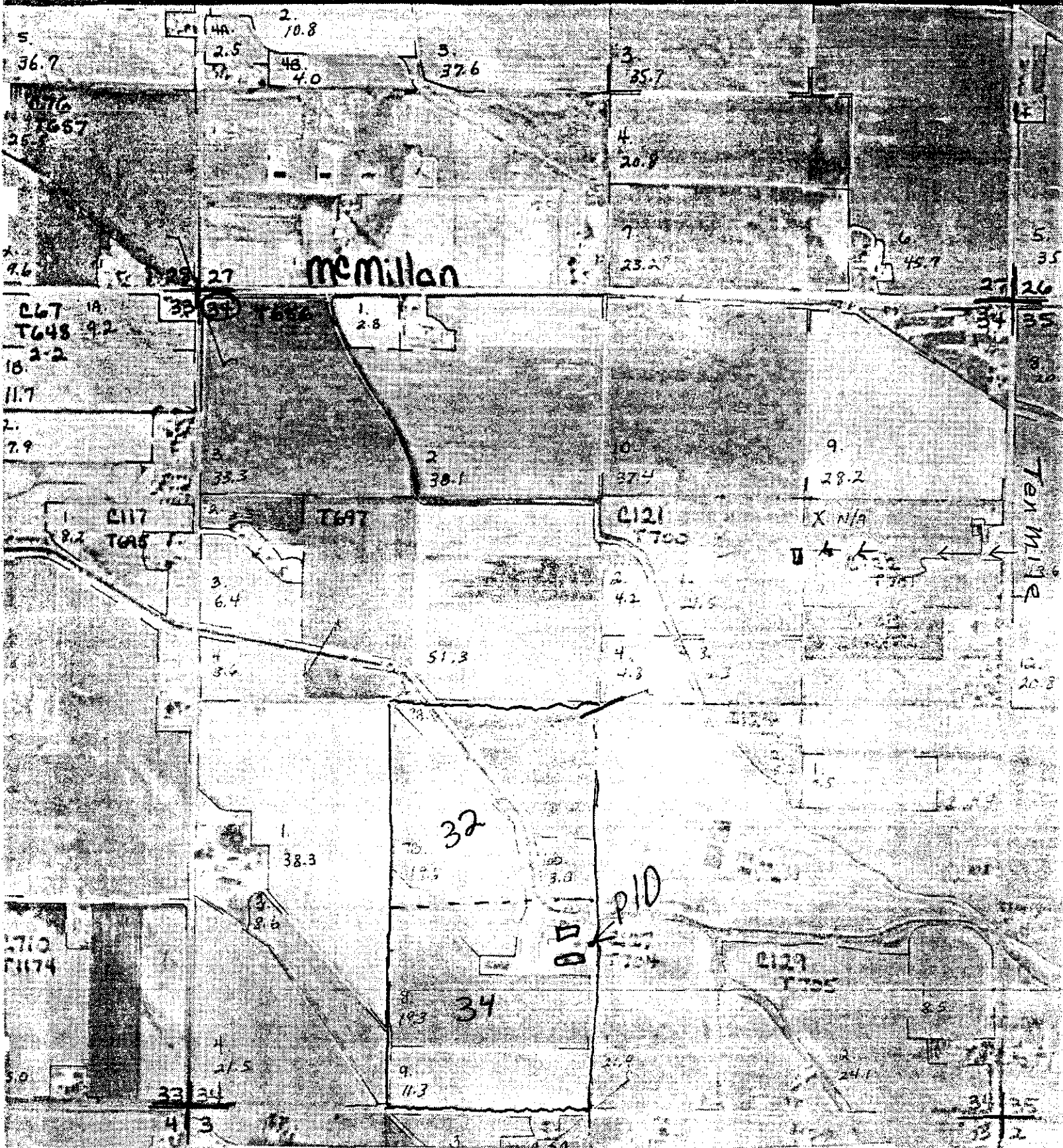
Subscribed and sworn (or affirmed) before me this 19 day
of June 19 89 Linda A. Werner
Notary Public

Seal

Linda A. Werner
Residing at Residing at Boise, Idaho
My Commission Expires December 8, 1991
My Commission Expires

A63.08442

T4A RIW Sec. 34



NOT TO SCALE

MICROFILMED

AUG 24 1992

11/12/2005

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

RIGHT NUMBER: 63-8442

NAME AND ADDRESS: WALKING J DAIRY
4010 W USTICK
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.530 CFS
253.200 AFY

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.

Rights 63-8442 and 63-15742 when combined shall not exceed a total diversion rate of 0.53 cfs.

PRIORITY DATE: 02/11/1977

POINT OF DIVERSION:

T04N R01W S34 SESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.060 CFS 1.20 AFY
STOCKWATER	01/01 12/31	0.020 CFS 4.20 AFY
IRRIGATION	03/15 11/15	0.510 CFS 247.80 AFY
COMMERCIAL	01/01 12/31	0.020 CFS 4.20 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Domestic use is for 2 homes.

PLACE OF USE:

IRRIGATION Within ADA County

T04N R01W S34 NESW 32.0

T04N R01W S34 SESW 32.8

STOCKWATER Within ADA County

T04N R01W S34 NESW

T04N R01W S34 SESW

COMMERCIAL Within ADA County

T04N R01W S34 NESW

T04N R01W S34 SESW

DOMESTIC Within ADA County

T04N R01W S34 SESW

64.8 ACRES TOTAL

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

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

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.

Stockwater use is for 301 dairy cattle.

The right holder shall accomplish the change authorized by Transfer 5525 within one year of the date of the approval.

The right holder shall maintain control of the share of water in the Nampa Meridian Irrigation District associated with the 1.2 acres no longer irrigated from groundwater under this right, and when combined with this right shall not exceed the irrigation of 64.8 acres.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Use of this right is combined with water from Nampa Meridian Irrigation District.

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

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

The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this first used in the dairy as authorized by this water right.

Commercial use is for a dairy.

After specific notification by the department, the right holder shall install a suitable measuring device 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.

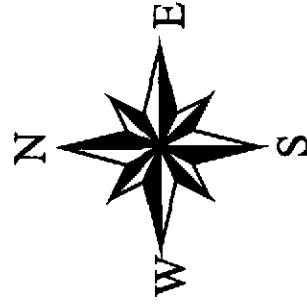
Idaho Department of Water Resources

**T04N, R01W,
S34**

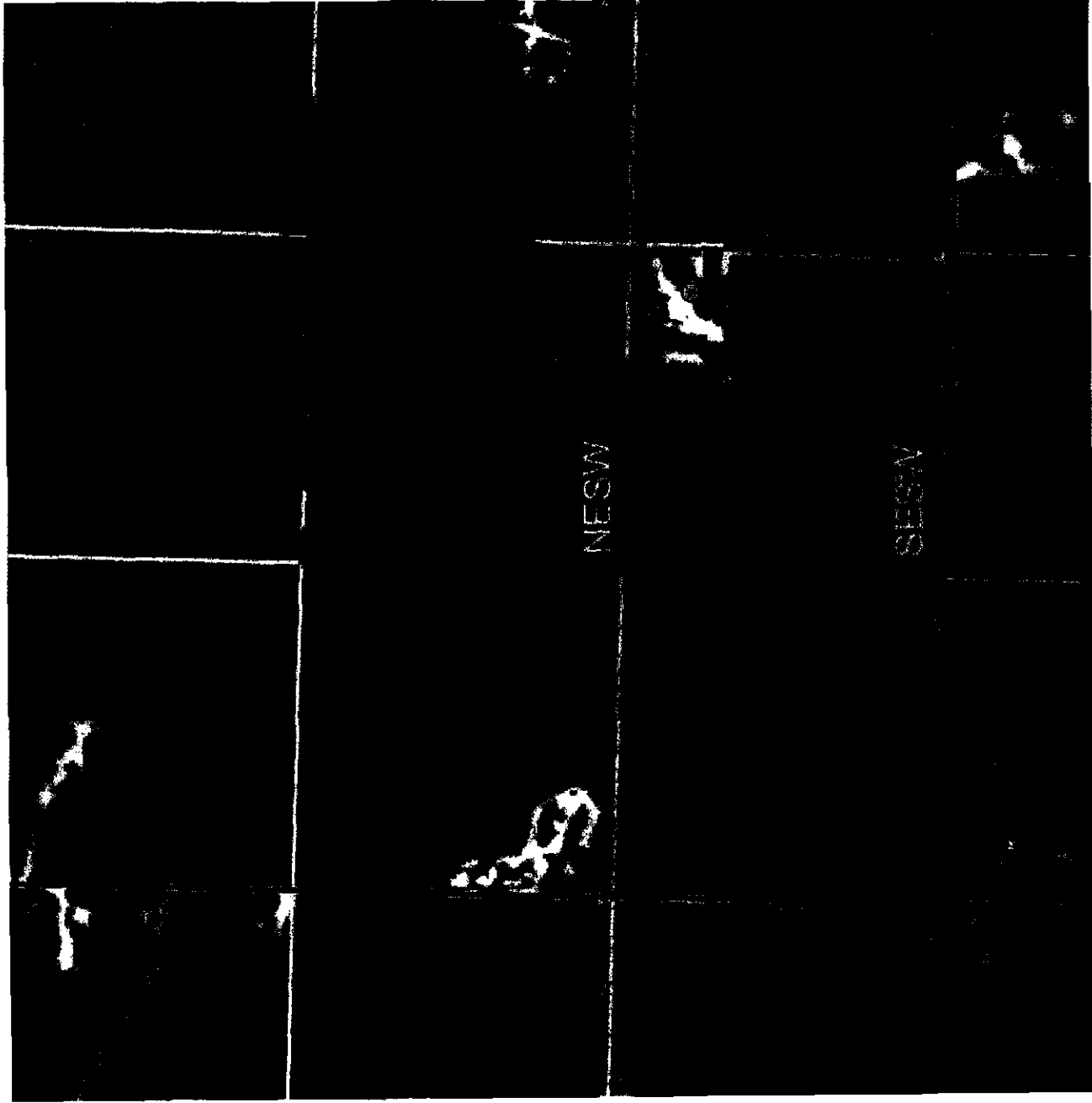
Claim No: 63-08442
Prepared By: Kimberly Brown
Date: October 20, 2003

④ Point of Diversion
Place of Use
Section Lines
1/4 1/4

Acres Irrigated = 64.8



1987 NAPP



0 0.2 0.4 0.6 0.8 Miles



Idaho Department of Water Resources

**T04N, R01W,
S34**

Claim No: 63-08442

Prepared By: Kimberly Brown

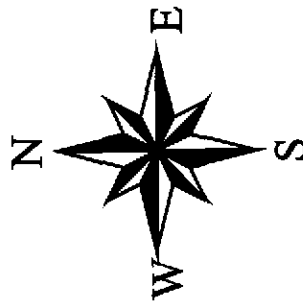
Date: October 20, 2003

© Point of Diversion

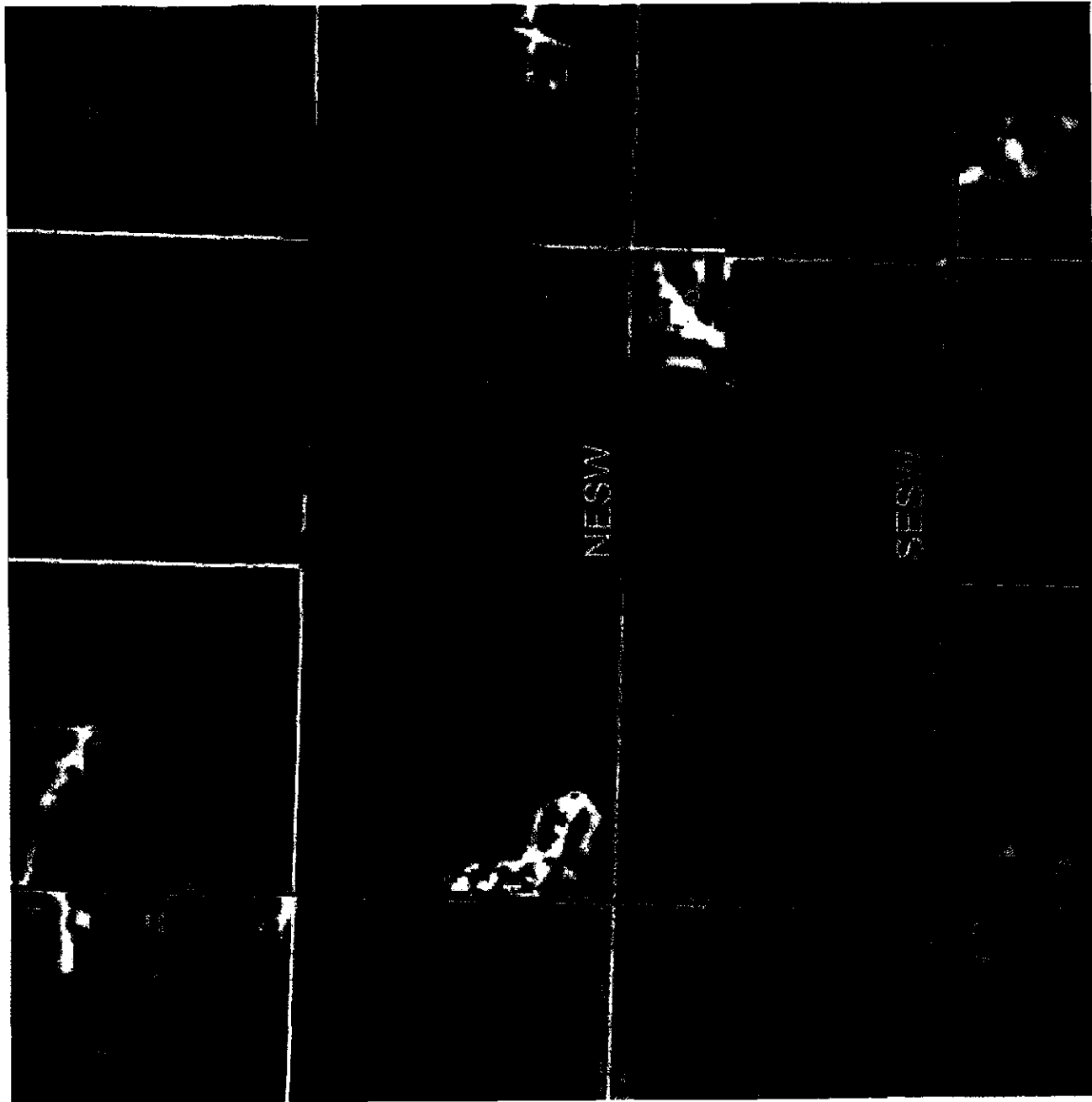
Place of Use

Section Lines

1/4 1/4



1987 NAPP



0.8 Miles



Adjudication Claim Report 63-8442

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	34												X 7					

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8442

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 01W 34	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
									X			X					
									✓			✓					

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 01W 34	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
									32.0			32.8					64.8
									✓			✓					✓

Total Acres: 66

COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 01W 34	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
									X			X					
									✓			✓					

Conditions of Approval:ADD X01 - Domestic use is for 2 homes.Remarks:ADD W - Use of right combined with Nampa-MeridiaADD - Commercial use is for a dairy.ADD X02 - Stockwater use is for 301 dairy cows.ADD S04 - Season of use is 3/1 to 11/15.

when combined w/ 63-15742 (when combined w/)
 . 53 cfs. (to prevent any expansion) maximum diversion capacity of
 OVER →

the volume amount (9.8 AFY) determined for 63-15742 has been subtracted
 from the stockwater portion of 63-8442.

Claim amended per Transfer 5525 approved 6/5/00.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8442

1.

Claim amended per Transfer 5525 approved 6/5/00.

Domestic use is for 2 homes.

Commercial use is for a dairy.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222 Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall maintain control of the shares of water in the Nampa Meridian Irrigation District associated with 1.2 acres no longer irrigated from groundwater under this right, and when combined with this right shall not exceed the irrigation of 64.8 acres.

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 at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval (6/5/2001).

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval. For additional transfer conditions of approval and remarks, see copy of transfer in adjudication file.

Comments:Dates and Other Information:

Claim Received Date: 6/19/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: OR

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

X35 - 63-8442 when combined with
63-15742 shall not exceed a
total diversion rate of .53 cfs.

* electronic back file available

Field Exam Date 11.14.05

(in office)

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 \$116.⁰⁰ (\$50.⁰⁰ flat fee + 66 acres)
- ☐ Well logs (if needed) N/A
- ☒ 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 N/A

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-8442

Owner: Walking J Dairy Phone No. _____

Current Address: 4010 W. Utide, Meridian 83642

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Naomi Farms LP
- ☐ No change Address
- ☒ NEW ADDRESS 4018 W. Utide Rd., Meridian
- ☐ How long owned property? _____ 83642

Accompanied by: N/A

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: Ground Water 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

See attached IDWR Beneficial Use Field Report.

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

Season of use is 3/1 to 11/15 per new IDWR standard.
See shoulder remark.

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 _____ AFA _____
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)
- * The volume amount (9.8 AFY) determined for 63-15742 has been subtracted from the stockwater portion of 63-8442.

NON-IRRIGATION USES:☐ No change☒ Changes Exam found: Domestic # of homes _____ Stock # 301 dairy cattle

Types _____ Additional comments:

Based on Dan Nelson's (WR) calculations, 63-15742 is for 250 dairy cattle; specifically milkers. Referring to his DAIRY WORKSHEET, 300 milkers - 250[↑] = 50 + 50 dry + 201 heifers = 301.

PLACE OF USE: ATTACH A - MEMORANDUM

☒ No Change☐ Changes shown below:

* Transfer changes 1.2 acres of IRR to STOCK # COMM uses for dairy.

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: 63-15742 + Nampa-Meridian Irr.

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

This right when combined with 63-15742 shall not exceed a total diversion rate of 0.53 cfs.

Delivery System Narrative: See attached IDWR Field Report.

63-15742 was
for ^{same} 250 dairy cattle
operation, but
was from a different
well (abandoned)
& now use well 63-15742

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

FLOW MEASUREMENTS: N/A - licensed

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(OVER)

Domestic use is for 2 homes.

Use of right is combined with water from Nanga-Meridian Irr. D.

Commercial use is for a dairy.

Stockwater use is for 301 dairy cows.

Season of use is 3/1 to 11/15.

This right when combined with 63-15742 shall not exceed a total diversion rate of 0.53 cfs.

Claim amended per Transfer 5525 approved 6/5/00.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 11.14.05 (in office)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8442

11/12/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~8442~~	~~Claim~~	~~04N~~	~~01W~~	~~34~~	~~NE~~	~~SW~~		~~IRRIGATION~~	~~32/66~~	~~WALKING J DAIRY~~
~~8442~~	~~Water Right~~	~~04N~~	~~01W~~	~~34~~	~~NE~~	~~SW~~		~~IRRIGATION~~	~~32/64.8~~	~~WALKING J DAIRY~~
~~8442~~	~~Claim~~	~~04N~~	~~01W~~	~~34~~	~~NE~~	~~SW~~		~~STOCKWATER~~		~~WALKING J DAIRY~~
~~8442~~	~~Claim~~	~~04N~~	~~01W~~	~~34~~	~~NE~~	~~SW~~		~~COMMERCIAL~~		~~WALKING J DAIRY~~
~~8442~~	~~Claim~~	~~04N~~	~~01W~~	~~34~~	~~SE~~	~~SW~~		~~IRRIGATION~~	~~32.8/66~~	~~WALKING J DAIRY~~
~~8442~~	~~Water Right~~	~~04N~~	~~01W~~	~~34~~	~~SE~~	~~SW~~		~~IRRIGATION~~	~~32.8/64.8~~	~~WALKING J DAIRY~~
~~8442~~	~~Claim~~	~~04N~~	~~01W~~	~~34~~	~~SE~~	~~SW~~		~~STOCKWATER~~		~~WALKING J DAIRY~~
15742	Water Right	04N	01W	34	SE	SW		STOCKWATER		C FRANK JOHNSON
~~8442~~	~~Claim~~	~~04N~~	~~01W~~	~~34~~	~~SE~~	~~SW~~		~~COMMERCIAL~~		~~WALKING J DAIRY~~
~~8442~~	~~Claim~~	~~04N~~	~~01W~~	~~34~~	~~SE~~	~~SW~~		~~DOMESTIC~~		~~WALKING J DAIRY~~
~~8442~~	~~Water Right~~	~~04N~~	~~01W~~	~~34~~	~~SE~~	~~SW~~		~~DOMESTIC~~		~~WALKING J DAIRY~~

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-15742

WATER RIGHT NUMBER: 63-15742

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	C FRANK JOHNSON 4010 W USTICK RD MERIDIAN, ID 83642 (208)888-5580
Current Owner	GARY S JOHNSON 4010 W USTICK RD MERIDIAN, ID 83642 (208)888-2006
Current Owner	JEAN E JOHNSON 4010 W USTICK RD MERIDIAN, ID 83642 (208)888-5580
Current Owner	THERESA M JOHNSON 4018 W USTICK RD MERIDIAN, ID 83642 (208)888-2006

⊖ Accomplished Transfer -
moves POO to the artesian
well

Priority Date: 08/20/1941

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.200 CFS	9.8 AFA
<u>Total Diversion:</u>		0.200 CFS	

Location of Point(s) of Diversion

GROUND WATER

SE1/4SW1/4

Sec. 34, Twp 04N, Rge 01W, B.M.

ADA County

Place of Use

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	
04N	01W	34																	X

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-15742

1. 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory STOCKWATER, 250 DAIRY CATTLE PARCEL NO. S0434346900

Comments:

1. AJU5-JSH 4/8/1998 AJU5 STOCK ONLY UPDATE

Comment: USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Dates and Other Information:

Licensed Date:
Decreed Date: 12/30/1999
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

April 7, 1975

OPERATIONS DIVISION
ADMINISTRATOR'S MEMORANDUM

TO: District Office
FROM: A. Kenneth Dunn
SUBJECT: Annual Use of Water for Stockwater Purposes

No. of Stock (head)	RANGE CATTLE		DAIRY CATTLE	
	Rate* c.f.s. (1)	Volume AF/yr. (1)	Rate* c.f.s. (2)	Volume AF/yr. (2)
0 - 10	0.02	0.2	0.02	0.4
11 - 25	0.02	0.4	0.02	1.0
26 - 50	0.02	0.7	0.04	2.0
51 - 100	0.03	1.4	0.07	4.0
101 - 200	0.05	2.7	0.13	7.9
201 - 300	0.07	4.1	0.20	12.0
301 - 400	0.09	5.4	0.26	16.0
401 - 500	0.12	6.7	0.33	20.0
501 - 600	0.14	8.1	0.39	24.0
601 - 700	0.16	9.4	0.46	28.0
701 - 800	0.19	11.0	0.52	32.0
801 - 900	0.20	12.0	0.58	36.0
901 - 1000	0.23	14.0	0.65	40.0
1001 - up (3)				

12,535 gpd

12,000 gpd

(1) The amounts shown are based on 12 gpd/head with a 12 month period of use. (i.e. for range cattle, horses and mules). The amount does not include a loss (i.e. thru conveyance, etc.)

2. The amounts shown are based on 35 gpd/head with a 12 month period of use. (i.e. for dairy cattle). The amount does not include a loss. (i.e. thru conveyance, etc.).

3. For annual use calculations which involve more than 1000 head, round the number of head up to the next even one hundred, and

Volume

- a) for livestock use @ 12 gpd/hd, N (0.0134).
- b) for dairy use @ 35 gpd/hd, N (0.0391).

12 gal/day/head -

Rate

- a) for livestock use @ 12 gpd/hd, N (0.00022).
- b) for dairy use @ 35 gpd/hd, N (0.00065).

The answer should be rounded up to the nearest whole acre-foot.

*The rate is based upon approx. 2 hr/day diversion to obtain daily requirement.

A. Kenneth Dunn

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 10/20/03
Time: 08:02:14

Rec/No - W003281 AR/No -
From: - JOHNSON, C. FRANK

Receipt Type - CK Doc/No - 5435
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 06/19/1989

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	9337		410162	6490		141.00

Total Due - 141.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6308442	116.00	A6315742	25.00		

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 15, 2003

E.L. & SHIRLEY BEWS
5204 N. SORRENTO CIRCLE
BOISE, ID 83704

RE: Snake River Basin Adjudication Water Right No. 63-08825

Dear Mr. and Mrs. Bews,

According to 2002 Ada County Tax Lot information, you are the current owners of the property located at 4785 N. Ten Mile Rd., Meridian. If this is correct, you will need to fill-out the enclosed Change in Water Right Ownership form and return it to me, Kimberly L. Brown, with the necessary documents.

If you have any questions, please call me at the Western Region office.

Sincerely,

Kimberly L. Brown
Water Resource Agent
Western Region Office

Enc: Change In Ownership form
Claim # 63-08825

11.5.03

Mtg. w/ Jan-

Wait until Transfer
Conditions are done
based on 19th meeting,
training, & Dave's memo.
(for remarks)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

June 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WALKING J DAIRY
4010 W USTICK
MERIDIAN ID 83642

RE: Water Right 63-08442 (Transfer 5525)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5525). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

OCT 23 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5525
WATER RIGHT NO. 63-08442

This is to certify that: WALKING J DAIRY
4010 W USTICK
MERIDIAN 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>
IRRIGATION	03/15 to 11/15	0.51 CFS	247.8 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	4.2 AF
COMMERCIAL	01/01 to 12/31	0.02 CFS	4.2 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF
	Totals	0.53 CFS	253.2 AF

SOURCE
GROUNDWATER

Priority: 02/11/1977

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 34, Township 04N, 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>
04N	01W	34	NESW 32.0	SESW 32.8		64.8
Total number of acres irrigated:						64.8

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

PLACE OF USE: DOMESTIC

TWN RGE SEC
04N 01W 34 SESW

CONDITIONS OF APPROVAL AND REMARKS

- 1) Commercial use is for a dairy.
- 2) Domestic use is for 2 homes.
- 3) After specific notification by the department, the right holder shall install a suitable measuring device 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.

MICROFILMED

OCT 23 1983

TRANSFER NO. 5525
WATER RIGHT NO. 63-08442

- ④. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
- ⑤. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
- ⑥. The right holder shall maintain control of the shares of water in the Nampa Meridian Irrigation District associated with the 1.2 acres no longer irrigated from groundwater under this right, and when combined with this right shall not exceed the irrigation of 64.8 acres.
- ⑦. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
8. 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.
- ⑨. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- ⑩. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.
12. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this first used in the dairy as authorized by this water right.
13. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Dated this 5th day of

June

2000

J. Glen Saxton
Chief, Water Allocation Bureau

MICROFILMED

OCT 23 2000

PART 1

6. General Information:

a. Description of diversion system well, pump, pipeline

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes / No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
retired acres provide space for dairy operation

d. Remarks:
Stockwater flow limited to max rate from retired acres
plus previously licensed stockwater rate. Waste-
water will only be applied to acres south of drain
in E1/2SW, sec 34.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

MICROFILMED

OCT 23 2000

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	C. FRANK JOHNSON	02/11/1977	IRRIGATION	03/15 11/15	0.530 CFS	257.00 AFA
C	JEAN E. JOHNSON		STOCKWATER	01/01 12/31	0.050 CFS	3.20 AFA
	4010 W. USTICK RD.		DOMESTIC	01/01 12/31	0.060 CFS	1.20 AFA
	MERIDIAN ID 83642					
TOTAL DIVERSION:					0.530 CFS	261.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.530 CFS

Point(s) of Diversion: T04N R01W S34 SESW

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NESE	NWSE	SWSE	SESE	NESE	NWSE	SWSE	SESE	NESE	NWSE	SWSE	SESE	NESE	NWSE	SWSE	SESE	SUM
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	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	
04N	01W	34	:	:	:	:	:	32	:	34	:	:	:	:	:	66.0
TOTAL ACRES																66.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: ADA

Conditions of Approval:

- 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.

Remarks: GEN Domestic use is for 2 homes.

Dates: App. Received: 02/11/1977 Priority Date: 02/11/1977
 Proof Due Date: 04/01/1982 Proof Made Date: 03/03/1982
 Exam Made Date: 06/19/1985 Exam Sent to S.O.:
 Licensed Date: 04/03/1989

Misc: Water District Number: Field Exam Fee:

Audit: 11/17/88 CURTIS 01/12/89 CURTIS 03/14/89 CURTIS

MICROFILMED
 OCT 23 2000

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

N If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

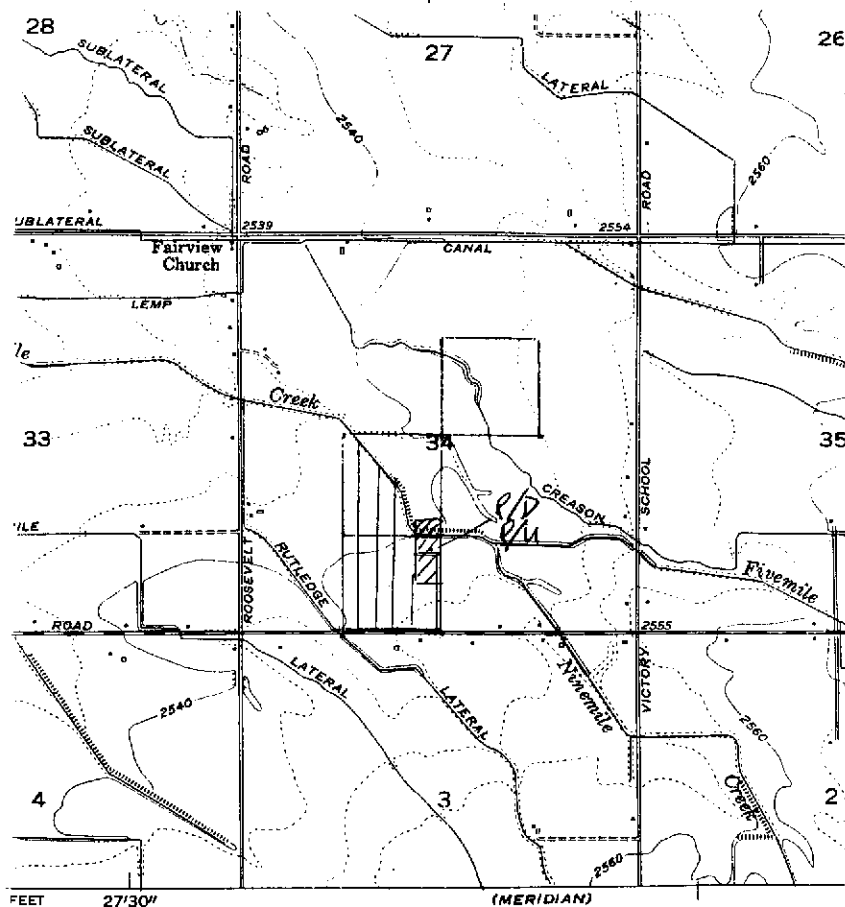
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

MICROFILMED
JUL 23 1999

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.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED
/// land application
OCT 23 2006
/// dairy operation

PART 3

* Changes made by CPJ

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Common</u>	<u>0.02 cfs / 1.0 ac-ft</u>		<u>1/1</u> to <u>12/31</u>
	<u>Stockwater</u>	<u>0.02 cfs / 3.2 ac-ft</u>		<u>1</u> to <u>1</u>

2. Quantity and quality of return flows and location of discharge:

To be land applied per water quality standards

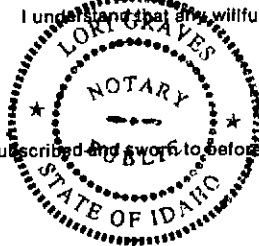
3. Describe effects on other water uses resulting from the proposed change:

farmers
never have been retired and irrigation water has been
distributed over entire year without any noticeable
change in local area ground water diversions.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 29th day of April, 19 99.



Dan & John - Co-owners
(Signature of Applicant)

Lori Graves
(Notary Public)

My commission expires 6/18/2004

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by lg Date 4/29/99 Protest filed by _____

Prelim. check by DAN Fee \$100 W025132

Receipted by lg Date 4/29/99

Published in Idaho Statesman Copies of protest forwarded by _____

Pub. dates 8-5-12-99 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED
OCT 23 2005

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08442

Priority: February 11, 1977 Amount: 0.53 CFS 261.4 AFA

This is to certify, that C. FRANK JOHNSON
JEAN E. JOHNSON

4010 W. USTICK RD.
MERIDIAN, ID 83642

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 11, 1977, and has submitted proof to the Department of Water Resources on March 3, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .530 cfs of water from a **GROUNDWATER** source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.53 CFS	257.0 AFA
STOCKWATER	01/01 to 12/31	0.05 CFS	3.2 AFA
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AFA
	Totals	0.53 CFS	261.4 AFA

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 34, Township 04N, 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>
04N	01W	34	NESW 32	SESW 34		66

Total number of acres irrigated: 66

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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 the lands above.
5. Domestic use is for 2 homes.

MICROFILMED

MAY 12 1989

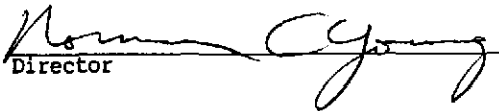
WATER RIGHT LICENSE

WATER RIGHT NO. 63-08442

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 3rd
day of April, 1989.

Acting for the

Director



MAY 12 1989

State of Idaho
Department of Water Resources

RECEIVED
FEB 17 1989

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-08442

Date of Priority: February 11, 1977

Comes now C. FRANK JOHNSON
JEAN E. JOHNSON
4010 W. USTICK RD.
MERIDIAN, ID 83642

APPROVED
Department of Water Resources

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. 63-08442, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.53 CFS	257.0 AFA
STOCKWATER	01/01 to 12/31	0.05 CFS	3.2 AFA
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AFA
	Totals	0.53 CFS	261.4 AFA

LOCATION OF POINT OF DIVERSION(S):

SESW , Sec. 34, Township 04N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 01W 34	NESW 32	SESW 34		66

Total number of acres irrigated: 66

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change
will be made at permit holder's own risk.

Signed at Meridian, this 17 day of February, 1989.

C. Frank Johnson
(Signature)

MAY 12 1989

2256

State of Idaho
Department of Water ResourcesAPPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-08442

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ✓ Received by CP Date 2/23/89

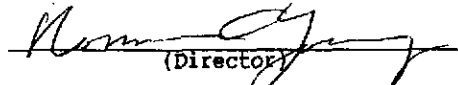
ACTION OF THE DEPARTMENT OF WATER RESOURCES

1100 2256

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 63-08442 with the following;

CONDITIONS/REMARKS:

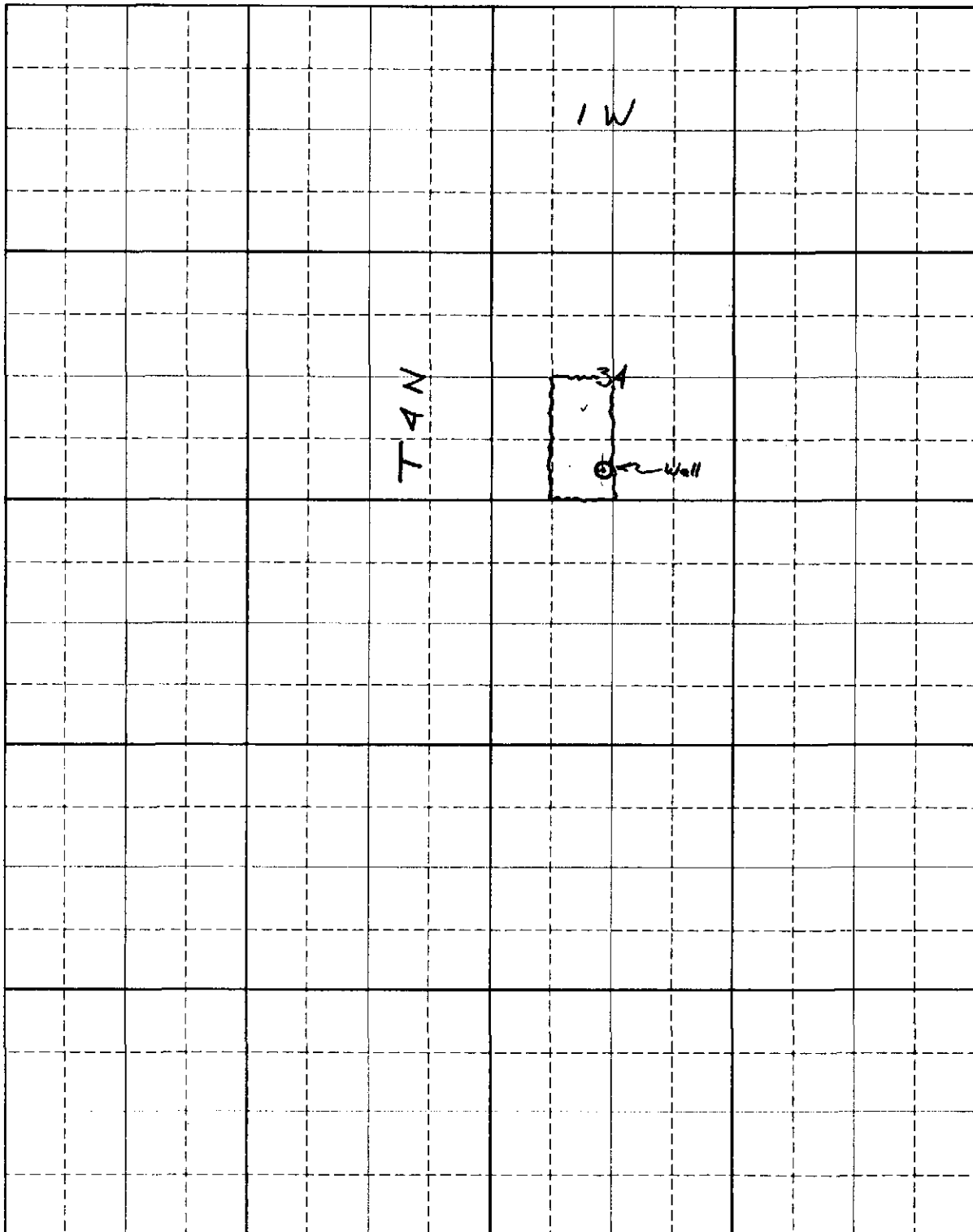
1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 2 homes.

Witness my hand this 3rd day of April, 1989.
(Director)

MICROFILM

MAY 1

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



Scale: 2 inches equal 1 mile

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.

C. Frank Johnson
(Applicant)
Jean E. Johnson

Proposed Priority 2/11/77

Received by DOE Date 2/11/77 Time 1:30 PM

Preliminary check by DOE Fee \$ 35.00

Received by RW Date 2-11-77 # 6359

Publication prepared by if Date 2-17-77

Published in Idaho State Journal

Publication dates Feb 24 + Mar 3

Publication approved CS Date 3-7-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by 144 P

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8442, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 82.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 15 day of April, 19 77.



Director

Identification No. _____

Application No. 63-8442

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant C. Frank Johnson &/or Jean E. Johnson Phone: 888-5580
post office address 4010 W. Ustick Rd., Meridian, Idaho 83642
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 4N
Range 1W B.M. Ada County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.60 for Irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.60 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, gravity ditch system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo., Day) (Mo., Day)
c. Proposed well diameter is 8 inches; proposed depth of well is 400 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 6,500.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water: _____
(5) If water is to be used for other purposes describe: _____

[illegible]

c. Describe any other water rights used for the same purposes as described above.
Nampa Meridian Irrigation Dist. 5/8 inch per acre thru 8 mile canal

10. Remarks _____

RECEIVED
MAR 25 1986

State of Idaho

DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

Department of Water Resources

4010 W Ustick Rd

63-8442

Permit No.

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

REMARKS

☐ Appointment letter mailed:☒ Telephone call made

(List Telephone No. used)

☒ Appointment scheduled for:

(Date, time, location)

6/8/85
888-5580
6/19/85
1:00Jg
Jg

EXAMINATION

Date 6/19/85 Accompanied by MR. JOHNSON Total Q measured 0.53 cfs
Source G.W. Tributary to _____ Supp. annubar measurement sheet used? _____

If source is surface water, estimate total flow of source _____

Methods of measurement GALLON BUCKET & STOPWATCH Meets permit requirements? _____

Measurement calculations:

$1\frac{1}{4}$ SEC. FOR 5 GALLONS = $240 \text{ GPM} \div 450 = 0.53 \text{ cfs}$
 $1.98 \times .53 \times 245 \text{ AYS} = 257 \text{ AF/ANN.} < 66 \text{ AC} \times 4.5 = 297 \text{ AF/ANN.}$
DOMESTIC - 2 HOMS $\times 1.2 = 2.4 \text{ AFA}$
STOCK - 240 $\times .0134 = 3.2 \text{ AFA}$

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
BOOSTER PUMP	1 1/2	SALE		FW	MODEL NO. 9115			

System Description Well w/ PUMP & MOTOR IN PUMPHOUSE - 3" RINK TO DITCH SYSTEM + IRRIGATION WITH SIPHON TUBES. WELL IS ARTESIAN & PUMP & MOTOR USED AS A BOOSTER FOR HOMES & BARN. 2" MAINLINE TO BARN.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

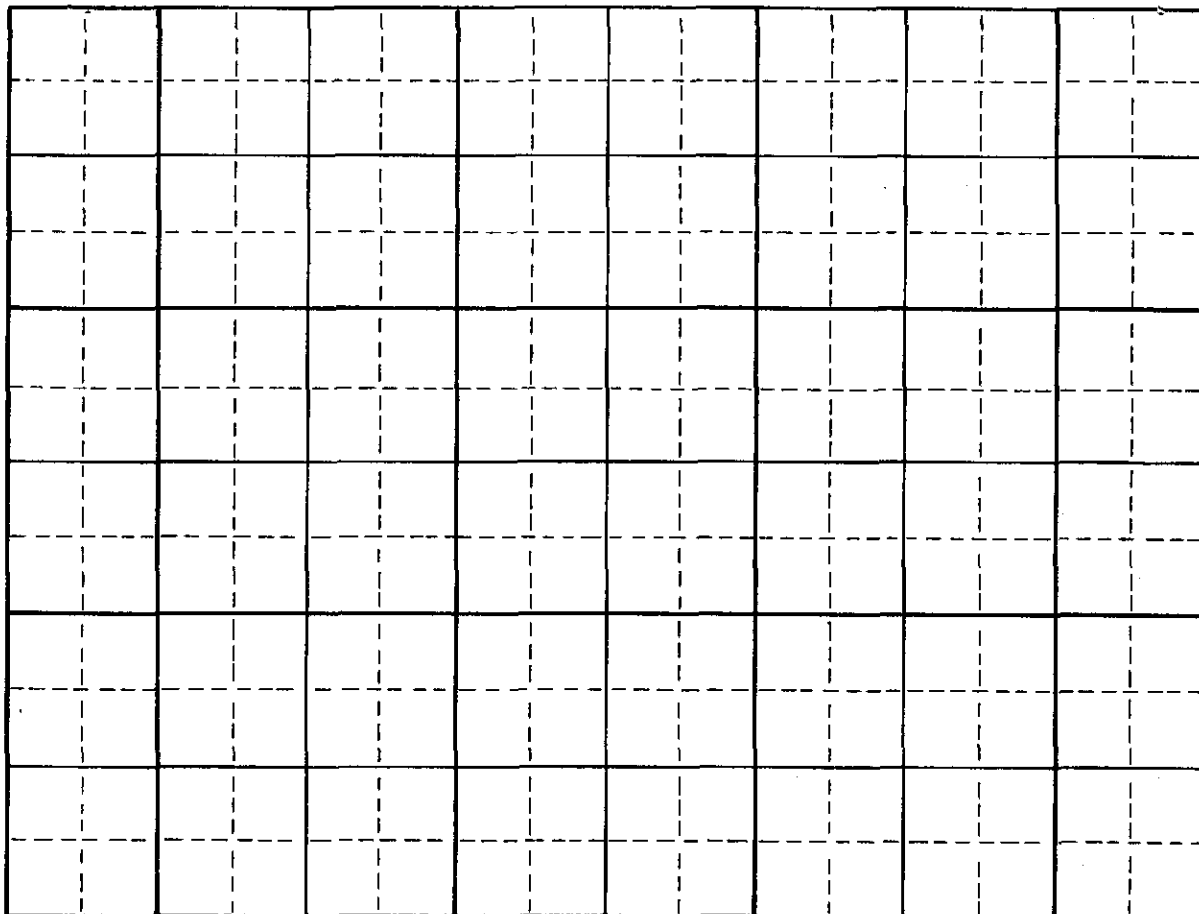
Irrigation requirement = _____ AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
IRRIGATION - 66 ACRES	0.53 cfs	257 AFA	3-15	11-15
DOMESTIC - 2 HOMES	0.06 cfs	1.2 AFA	1-1	12-31
STOCKWATER - 240 HD	0.05 cfs	3.2 AFA	1-1	12-31

Total 0.53 cfs 261.4 AFARemarks ALSO USED FOR 2 HOMES + 240 HD. STOCK.

AFTER ADDING DOM. & STOCKWATER THE VOLUME AMOUNT WILL NOT BE GREATER THAN IF THE 80 ACRES HAD ALL BEEN IRRIGATED. $80 \times 4.5 = 360 \text{ AF/ANN.} > 261.4 \text{ AFA.}$

HAS NAMPA-MERIDIAN & THIS USED AS SUPPLEMENTAL R



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: SE 1/4 SW 1/4, S 34, T. 4N, R. 1W.

Place(s) of Use

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
4N	1W	34									32			34					66
																			66

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 ADD D.M. & STK WATER

Examiner's Signature

Jan Skute

Date 11/21/85

Checked by

6/15/86

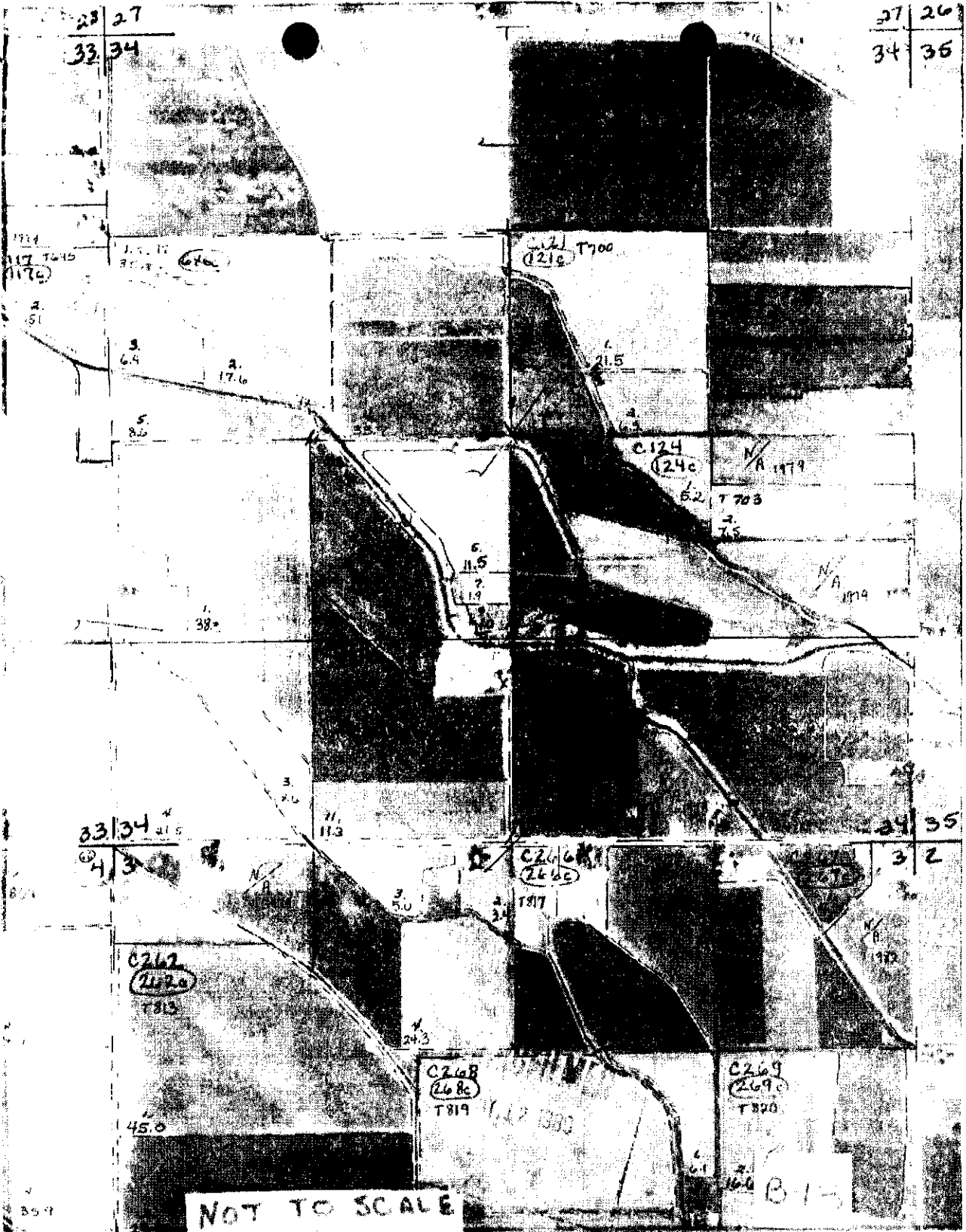
Date 3/20/86

Approved by

JAN

Date 12/16/86

MAY 12 1989



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

APPLICANT Walking J Dairy

TRANSFER NO. 5525

INITIAL ALLOCATION REVIEW BY DAN

DATE 6-4-99

1. Right number(s) 63-08442

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☐ Change P/U
☒ Change N/U ☐ Change Period ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

- a. ☒ Analysis memo (always - unless justify why not needed)
- b. ☒ All of right
- c. N/A Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing P/D & P/U after transfer
- g. ☒ Correct notarized signature and \$100 fee
- h. N/A Proof of ownership of right &/or land from which water is transferred
- i. NO Expansion in use of right - check rate of flow, diversion volume and consumptive use volume. Comments:

RECEIVED

NOV 22 1999

Department of Water Resources

63-08442 IRR 245 days .53 cts 257.0 aka Limited to Vol. (245 days)
 Before → STOCK .05 = 3.2 " - Superseded by B/U Claim 63-15742
 DOM .06 " 1.2 " 1991 rpt. recommended for same 250 stock.
 .53 cts 258.2 aka C.U. Vol. = 231.0 aka

after → IRR .51 cts 247.8 aka Limited to Vol.
 STOCK/COMM .02 " 4.2 "
 DOM .06 " 1.2 "
 = .53 ↓ 253.2 C.U. Vol. = 231.0 aka

Limited to Licensed maximum for these uses. (Less stockwater)

TRANSFER REVIEW SHEET

(10-99)

Transfer # 4525

Date Reviewed 06-02-2000 38

Right(s) 63-08442 _____

☒ WRQ/Split Summary ☒ ^{No Activity} SRBA Status ☒ Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
 F:Change Period of Use G:Other H:Change P/D & Add P/D
 I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Licensee & claim holders signed app. as Working Dairy
Frank & Garry Johnson - No change to P/U except use.

Transfer ☒ All of Right _____ Portion of Right
 Resulting Split(s) NONE

Check Transfer Against Recorded Right:

Standard Season 3-1 ²⁵⁹ to 11-15 Standard Volume 4.5 / 3.5

(1) ☒ Priority (2) ☒ Use (3) ☒ Season (W61) (4) ☒ Rate (5) ☒ Volume

(6) ☒ Source (7) ☒ P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NA Water District (12) Yes Pertinent Conditions (13) No Expansion
Err Overlap by limits

- (2) Change 1.2 acres IRR to STOCK & COMM uses for dairy. 1.2 x 3.5 = 4.2 ac for these uses.
- (3) Retain licensed season < standard
- (4) Low rate supplemental to NanyMeridian Inc. Dist. 20.8 cfs/acre
- (5) IRR limited to Vol. 51 x 245 (Licensed season) x 1.4835 = 247.8 cfs + 4.2 (stock/comm) + 1.2 (dairy) = 253.2 cfs
- (8) Reduce IRR by 1.2 acres, identify Commercial & DAM locations.

Existing IRR well
Stock Vol - licensed superceded by D/U Claim 63-15742 (1541 Priority) for same 250 stock.

Transfer Remarks Retain NMED shares on property (W61) (WDX) DAM/2 Homes

Conditions OIM, IDO, ID5, O81, R65, T07, T08, T09
Supplemental to NMED

Database/Processing Notes _____ Standard ☒ Non-Standard _____
T file.

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo _____
 Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

Change in nature of use evaluation on back this page.



06-05-2000

- j. X Overlapping rights - check current & proposed scenarios:
 Current Alamo - Meridian Irrigation Dist. 63-15747
 Proposed Alamo - Meridian Irrigation Dist. 63-15747
 k. X SRBA claim(s) A63-08442 ? 63-15747

- l. X Comment letters _____ Yes X No
 If yes _____ Water District #
 _____ Other, see #2 below for name
 and address

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ✓ Yes
 2. COMMENT LETTERS
 Watermaster recommendation requested on _____, Received on _____
 Other comments letters: _____ See attached information
 3. Transfer published correctly? ✓ Yes _____ No
 4. Affidavit of publication received? ✓ Yes _____ No
 5. Protests received? _____ Yes ✓ No; Acknowledgement sent? _____ Yes
 6. Data entry of application completed? ✓ Yes

RECOMMENDED ACTION

1. ✓ Approve _____ See attached memo
 2. _____ Deny due to _____
 3. Conditions (special conditions in Water Districts) standard & fer
conditions - comply with health & environmental laws & regulations.
 4. By BayS Date 11/18/99

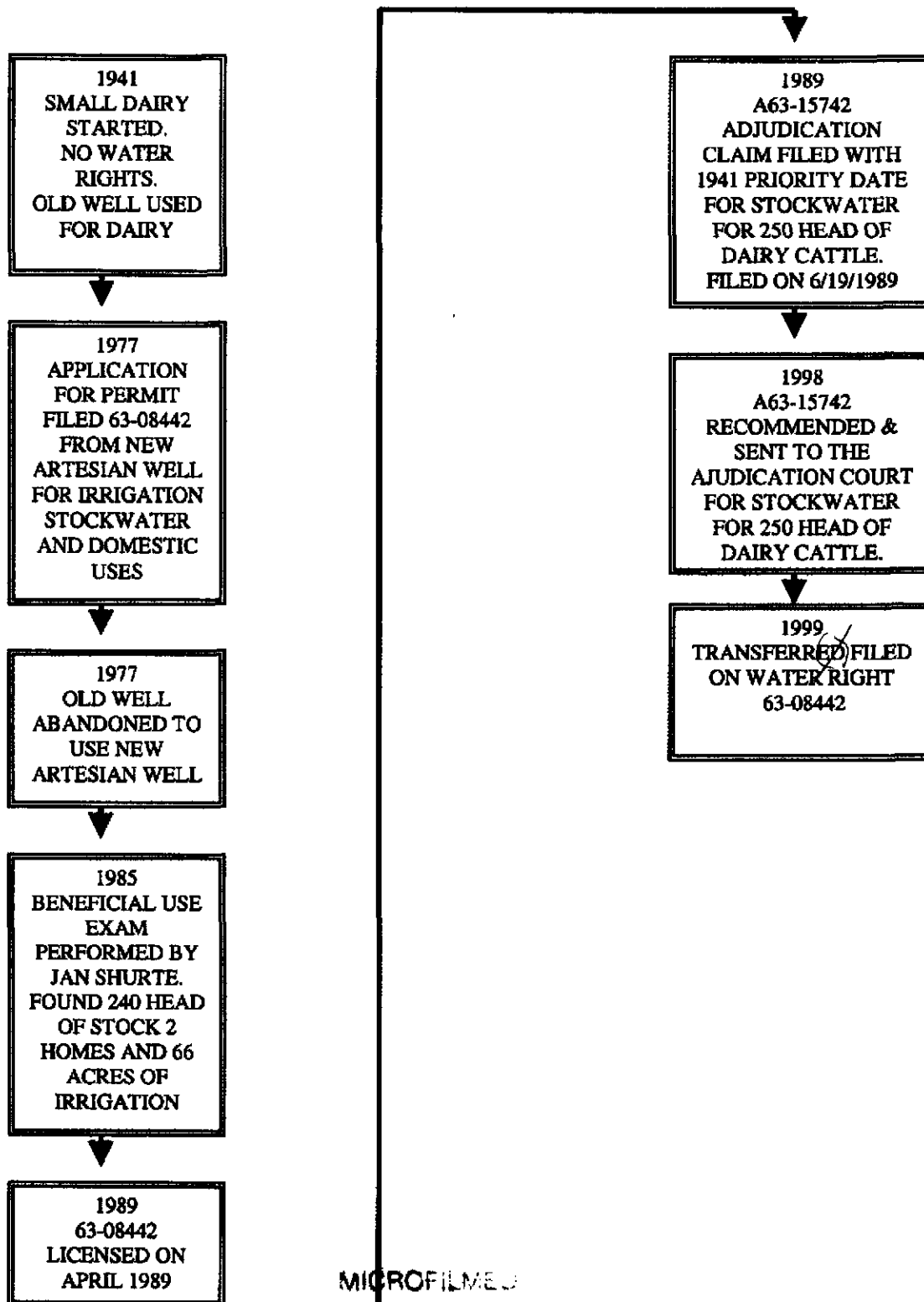
FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? ✓ Yes
 2. File forwarded to S.O.: by St date 11-18-99



1987 NAPP aerial
PHOTO
MICROFILMED

TIME LINE CHART FOR WATER RIGHTS 63-08442 & 63-15742



MICROFILMED

DEC 23 2008

COPY

Review of these two rights shows that once the artesian well associated with 63-08442 was drilled, the owners abandoned the old well and began to use the artesian well exclusively. Since both wells are located in the same 40 acre tract an accomplished transfer has been established to move the stockwater from the well described in 63-15742 to the artesian well described in 63-08442. The stockwater use should be removed from 63-08442 since it was already covered under 63-15742 by the accomplished transfer (see time line chart).

VERIFICATION & OTHER ANALYSIS

Ownership of this water right is not at issue since this transfer is a change of use and all of the water is being used within the same place of use described in water right 63-08442. The license was issued to the transfer applicant.

The 1987 aerial photo supplied by the owner (attachment D) and the 1987 NAPP photo show the place of use was irrigated in 1987. The Beneficial Use Field Exam was conducted on 6/19/1985 for this water right. The 1994 IDWR scanned aerial photo was suspect so I performed a drive by inspection of this place of use to verify irrigation use on 5/27/1999 and verified that the place of use has been clearly irrigated (see memo dated 5/27/1999).

Nampa Meridian Irrigation District (NMID) water is also used on the acres described in this water right. However, since this is an artesian well overlapping water rights for NMID are not an issue. There is not a pump in the well and the only water being used is the water that is flowing freely from the well. This transfer should not allow the applicants to install a pump into the well to extract more water than the natural flow of the well or .53 cfs maximum capacity.

No annual volume was listed for the SRBA water right 63-15742. This water right recommends stockwater for 250 head of dairy cattle. In order to attain a volume for this water right I multiplied the IDWR standard for Dairy Cattle of 35 gpd X 250 cattle X 365 days per year / 325850 to attain an annual volume of 9.8 afa. This amount was subtracted from the total stockwater calculated for the dairy to attain the amount of water that needed to covered under this transfer (see attachment A and B). The stockwater use on water right 63-08442 was not counted due the accomplished transfer mentioned above.

There was no mention of a commercial use for either water right 63-15742 or 63-08442. Due to the size of the dairy at the time these water rights were issued, any commercial use would be insignificant. Therefore, all commercial use for this dairy is included in this transfer.

Why
I don't
agree -

RECOMMENDATIONS

I recommend that this transfer be approved for water uses and rates listed on page 1, section B of this transfer with a maximum diversion capacity of .53 cfs when combined with 63-15742. I also recommend that water right 63-15742 show an accomplished transfer that moved the point of diversion for this right to the artesian well and that this right has an annual volume of 9.8 afa for stockwater and when combined with 63-08442 it shall have a maximum diversion capacity of .53 cfs. This will prevent any expansion of either water right and will represent the actual water use for this dairy.

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MEMORANDUM

TO: GARY SPACKMAN
FROM: DANIEL A. NELSON D.A.N.
DATE: 10/15/199
SUBJECT: Walking J Dairy Transfer

You requested that I show how much the artesian well for this property has contributed to the irrigation of the land being retired by Walking J Dairy. This is an artesian well and there are no available power records or direct well measurements available. Therefore, I did a theoretical analysis to determine the amount of water that could be used by the well using estimated delivery of Nampa/Meridian Irrigation District (NMID) water. I used the information I had available to configure the water use. This theoretical calculation consisted of calculating the monthly consumptive use and diversion volumes using the Allen Brockway sheet supplied by Allen Merritt (I did not have Agrimet data).

After doing this I calculated the diversion volume for NMID. In order to do this I used the formula (Diversion Rate X Days of Irrigation X 1.9835). I determined the diversion rate using $\frac{1}{2}$ of inch or .0125 cfs times the percent of water allocated to irrigation district. I determined the days by calculating the days it the canal ran at a specific percentage amount for each month. For a Reference I used the chart supplied on page 258 of 1993 Technical Conference Proceedings book that you showed me. This chart gave the average days of diversion percentage for 1986 and 1989. Since the Allen Brockway data I was using was for 1983, I felt this would give a fairly good representation of both sets of data.

I then compared the two charts using the diversion volumes for both the Allen Brockway worksheet and the Nampa/Meridian worksheet. I then added up the acre feet that was not covered by NMID water in each month and divided that number by 4.5 afa to determine the number of acres that could possibly be irrigated by the well. The total number of acres that I found that could possibly be irrigated out this well is approximately 21 acres of ground or 95.69 afa. The accuracy of this calculation is to say the least suspect. However, even if this calculation has an error factor of 90% it would still show that 2.1 acres or 7.35 afa could be irrigated from this well. The 90% error ratio is still approximately twice that of the 1.2 acres or 4.3 afa required to be dried up by the transfer.

The owner has already retired approximately 3 acres by constructing a commodity barn and additional corrals. I feel that this transfer should be approved and recommend that the owner be required to retain his NMID water.

Please See attached calculation sheets for reference.

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**CROP HISTORY EVALUATION FOR ESTIMATION OF DIVERSION VOLUME AND CONSUMPTIVE USE
SEASON AVERAGE**

EVALUATION FOR TRANSFER NO: WALKING J DAIRY

BY: DANIEL A. NELSON

DATE: 10/15/1999

ALLEN & BROCKWAY REPORT SITE: BOISE

MONTH	Crop	Acres	Method	Application Eff. %	IR for Crop (mm/season)	Crop Div Vol (AF/Ann)	Crop CU (AF/Ann)
MARCH	Alf	80	Furrow	65	0.22	2.753887	1.790026
TOTAL MARCH		80				2.753887	1.790026
MONTH	Crop	Acres	Method	Application Eff. %	IR for Crop (mm/season)	Crop Div Vol (AF/Ann)	Crop CU (AF/Ann)
APRIL	Alf	80	Furrow	65	2.93	35.49364	23.07087
TOTAL APRIL		80				35.49364	23.07087
MONTH	Crop	Acres	Method	Application Eff. %	IR for Crop (mm/season)	Crop Div Vol (AF/Ann)	Crop CU (AF/Ann)
MAY	Alf	80	Furrow	65	4.63	57.95679	37.67192
TOTAL MAY		80				57.95679	37.67192
MONTH	Crop	Acres	Method	Application Eff. %	IR for Crop (mm/season)	Crop Div Vol (AF/Ann)	Crop CU (AF/Ann)
JUNE	Alf	80	Furrow	65	5.86	70.98728	48.14173
TOTAL JUNE		80				70.98728	48.14173
MONTH	Crop	Acres	Method	Application Eff. %	IR for Crop (mm/season)	Crop Div Vol (AF/Ann)	Crop CU (AF/Ann)
JULY	Alf	80	Furrow	65	6.55	82.11589	53.37533
TOTAL JULY		80				82.11589	53.37533
MONTH	Crop	Acres	Method	Application Eff. %	IR for Crop (mm/season)	Crop Div Vol (AF/Ann)	Crop CU (AF/Ann)
AUGUST	Alf	80	Furrow	65	4.64	60.5855	39.38058
TOTAL AUGUST		80				60.5855	39.38058
MONTH	Crop	Acres	Method	Application Eff. %	IR for Crop (mm/season)	Crop Div Vol (AF/Ann)	Crop CU (AF/Ann)
SEPT.	Alf	80	Furrow	65	3.33	40.33919	26.22047
TOTAL SEPTEMBER		80				40.33919	26.22047
MONTH	Crop	Acres	Method	Application Eff. %	IR for Crop (mm/season)	Crop Div Vol (AF/Ann)	Crop CU (AF/Ann)
OCT.	Alf	80	Furrow	65	1.04	12.58843	8.188976
TOTAL OCTOBER		80				12.58843	8.188976

SUMMARY FOR SEASON:

AVERAGE NUMBER OF ACRES IRRIGATED:	80
AVERAGE ACRE FEET VOL DIVERTED PER ANNUM:	235.8399
AVERAGE ACRE FEET VOL CONSUMED PER ANNUM:	362.8306
AVERAGE ACRE FEET VOL DIVERTED PER ACRE:	2.947999
AVERAGE ACRE FEET VOL CONSUMED PER ACRE:	4.535383

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DAIRY WORKSHEET

1. Calculate the total amount of water per year for stockwater use where diversion and consumptive volume are equal:

(a) 300 milkers x 32 g/d/milker x 365 d/yr = 3,504,000 g/yr

(b) dry x g/d/dry x 365 d/yr = 755,550 g/yr

(c) $\frac{3,504,000}{a} + \frac{755,550}{b} / 325850 \text{ g/af} = \underline{13.1} \text{ afa}$

500
WEEK
SAT
ATTACHMENT
B.

2. Calculate the total amount of water per year for commercial use (washing, processing etc.) where diversion and consumptive volume are equal:

(860 g/d x 365 d/yr) / 325850 g/af = 1 afa

3. Lagoons - this information is not needed to analyze the water use but must be documented for other issues that might occur (local ordinances etc.):

total surface area in acres for lagoons = acres

average depth of lagoons = ft

volume = acres x ft. = af

licensed 2.008 cfs/ac
3.9 afa/ac

DAIRY SUMMARY TABLE

	CFS RATE	ACRE - FEET - ANNUM DIV VOLUME	CON VOLUME
STOCKWATER	<u>.02</u>	<u>13.1</u>	<u>13.1</u>
COMMERCIAL	<u>.02</u>	<u>1.0</u>	<u>1.0</u>
TOTAL	<u>.02</u>	<u>14.1</u>	<u>14.1</u>
	<u>+ .05</u>	<u>- 3.5</u>	<u>- 3.5</u>
ACRES TO RETIRE:	<u>.07</u>	<u>10.6</u>	<u>10.6</u>
total div volume / standard div volume per acre = <u>2.7</u> acres required			
total con volume / standard con volume per acre = <u>3</u> acres required			
greater of the two values must be selected = <u>3</u> acres retired			

NOTE: CFS is usually based on # of retired acres.

* .05 cfs + 3.5 afa already licensed ~~for~~ ^{MICROFILMED}

14.1 - 3.5 = 10.6 afa ÷ 3.5 = 3 ac OCT. 23 2000

3 ac x 3.9 lie vol = 11.7 afa to subtract
from 257 total lie. afa
* ORIGINAL SHEET HAS BEEN MODIFIED
G.I.D. CORRECTION
ATTACHMENT A

WORKSHEET TO CONVERT FROM IRRIGATION TO DAIRY USE

GOAL

Based on daily water needs identified in the application, determine the total diversion volume and consumptive volume needed for the dairy. Then determine the total number of irrigated acres that must be retired to meet this need. The total number of acres to be retired will almost always be based on the consumptive use per acre factor. Document any variations from that presumed standard at the bottom of this page.

ASSUMPTIONS

- * All water used for commercial uses (washing/processing etc.) at dairy is fully consumptive due to land application of waste water.
- * All water used for stockwater (drinking water) is also fully consumptive for the same reasons.
- * Volume attributed to milk production and to lagoons is covered by the above assumptions and does not need to be addressed separately (the fully consumptive assumptions therefore supersede portions of SRBA Admin. Memo #36).
- * Dairy use is 365 days/year.
- * Rate of flow for stockwater and commercial uses is normally based on the rate of flow provided by the retired acres of irrigation. Limit the rate of flow for stockwater to IDWR standards for milking plus dry cows if the rate supplied from the retired acres exceeds IDWR stockwater standards.

METHOD

Complete the calculations shown on the next page. Use those calculations to complete the summary table that follows the worksheet.

UNUSUAL RATE &/OR VOLUME FACTORS

The numbers on this sheet show the present use minus the amount of water decreed under water right 65-15742. The amount of water listed under the decree does not specify the amount of acre feet used by the 250 head of dairy cattle. It has been determined that the beneficial use claim volume amount will was determined by the following equation: 250 dairy cattle at 35 gpd x 365 days / 325850 = 9.8 afa per year. The 9.8 afa will be subtracted from the stockwater portion of the total use sheet.

THIS SHEET REPLACES ORIGINAL WORKSHEET C-1

OCT 23 2000

ATTACHMENT A

DAIRY WORKSHEET

1. Calculate the total amount of water per year for stockwater use where diversion and consumptive volume are equal:

#63-15742 is for 250 milkers

(a) 300 milkers x 32 g/d/milker x 365 d/yr = 3,504,000 g/yr

(b) 50 dry x 12 g/d/dry x 365 d/yr = 219,000 g/yr

(c) 201 heifers x 7.31 g/d/heifer x 365 d/yr = 536,298 g/yr

(d) $\frac{3,504,000}{a} + \frac{219,000}{b} + \frac{536,298}{c} / 325850 \text{ g/af} = \underline{13.1} \text{ afa}$

2. Calculate the total amount of water per year for commercial use (washing, processing etc.) where diversion and consumptive volume are equal:

(860 g/d x 365 d/yr) / 325850 g/af = 1.0 afa

PLEASE NOTE: Heifer volume is figured on a average from applicants sheet.

3. Lagoons - this information is not needed to analyze the water use but must be documented for other issues that might occur (local ordinances etc.):

NO LAGOON INFORMATION SUBMITTED OR REQUIRED.

DAIRY SUMMARY TABLE

	CFS RATE	ACRE - FEET - ANNUM DIV VOLUME	CON VOLUME
STOCKWATER	<u>.22</u>	<u>13.1</u>	<u>13.1</u>
COMMERCIAL	<u>.02</u>	<u>1.0</u>	<u>1.0</u>
MINUS WATER RIGHT 63-15742			
STOCKWATER	<u>.20</u>	<u>9.8</u>	<u>9.8</u>
REMAINING VOLUMES			
STOCKWATER	<u>.02</u>	<u>3.3</u>	<u>3.3</u>
COMMERCIAL	<u>.02</u>	<u>1.0</u>	<u>1.0</u>

ACRES TO RETIRE:

total div volume / standard div volume per acre = 1.1 acres required

4.3 afa / 4.0 afa/acre = 1.1 acres

total con volume / standard con volume per acre = acres required

4.3 afa / 3.5 afa/acre = 1.2 acres

greater of the two values must be selected = 1.2 acres retired ✓

NOTE: CFS is usually based on # of retired acres.

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Worksheet 1. Calculating Daily Herd Requirements for Fresh Water

Drinking Water Estimates (see Table 1 & 2)

	Number	Estimated Use (gallons per day)	
		Individual	Total
		per day	
Milking Cows	<u>300</u>	<u>3.2</u>	<u>9600</u>
Dry Cows	<u>50</u>	<u>1.2</u>	<u>600</u>
Heifers			
16-24 mo	<u>75</u>	<u>10</u>	<u>750</u>
13-15 mo	<u>30</u>	<u>8.0</u>	<u>240</u>
9-12 mo	<u>32</u>	<u>7.5</u>	<u>240</u>
5-8 mo	<u>32</u>	<u>4.4</u>	<u>140</u>
3-4 mo	<u>16</u>	<u>4.0</u>	<u>65</u>
0-2 mo	<u>16</u>	<u>2.25</u>	<u>35</u>

Total herd drinking water used

A. 11,670

Wash Pen Estimate (see Table 3)

1 - Sprinkler discharge per nozzle

NA

2 - Number of nozzles

NA

3 - Minutes per day used

NA

Total wash pen water used

B. 0

(Line 1 x line 2 x line 3)

Milk house and Parlor Estimate (see Table 4)

	Water per operation	Gallons per day
Bulk tank	<u>78</u>	<u>80</u>
Pipeline	<u>60/wash x 2/day</u>	<u>120</u>
Backflush	<u>NA</u>	<u>0</u>
Cleanup	<u>300 x 2</u>	<u>600</u>
(Parlor, milk house and holding pen)		
Cow prep	<u>.2/cow</u>	<u>60</u>
Plate cooler	<u>Water is recycled</u>	<u>0</u>
(ignore if water recycled)		
Total milk house and parlor water used		C. <u>860</u>

TOTAL FRESH WATER ESTIMATE (A+B+C)

12,530

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OCT 23 2000

Attachment B

MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON

DATE: 7/16/1999

RE: WALKING J DAIRY TRANSFER, RIGHT 63-08442

This transfer proposes to retire 1.2 acres of ground and change the nature of use to commercial and stockwater for a dairy.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 6 pages and 5 attachments. Note the location of the following application items:

Attach. A - Dairy worksheet from irrigation to dairy use.

Attach. B - Worksheet calculating daily herd requirements.

Attach. C - Profile report for adjudication claim for A62-08442.

Attach. D - 1987 CSFA aerial photo.

Attach. E - Map from 63-08442's original beneficial use exam report.

The application was prepared by Walking J Dairy with the assistance of Lori Graves.

Other information used in this review includes a 1987 NAPP photo, 1994 IDWR scanned photo, Field visit memo and photos, Place of Use Comparison sheet, profile report for 63-15742, time line chart and original dairy worksheet form irrigation to dairy use. All of these are located in the file.

CURRENT RECORDS & PROPOSED CHANGE

Water right license 63-08442 allowed a total of .53 cfs to be diverted for irrigation of 66 acres, stockwater for 250 head of cattle, and domestic use for 2 homes. This water right is diverted through an artesian well. The adjudication claim for this water right is the same as the license. This license has a priority date of 02/11/1977.

Water right 63-15742 was filed and recommended in the Snake River Basin Adjudication (SRBA) for 250 dairy cattle with a priority date of 08/20/1941. This water right was for the same dairy cattle operation except it was from a different well.

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