

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 63-29025
Date Received: 3/13/1990
Receipt No: W010941
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BERANNA DAIRY Phone: (208)454-7705
9166 PERCH AVE
CALDWELL ID USA 83607

2. Date of Priority: 08/15/1960

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County	Type
02N	03W	16	NE		NW		CANYON	
02N	03W	16	NE		NW		CANYON	
02N	03W	17	NE		NE		CANYON	
02N	03W	16	NE		SE		CANYON	
02N	03W	16	NW		SW		CANYON	
02N	03W	16	NW		SW		CANYON	
02N	03W	9	NW	SW	SW		CANYON	
02N	03W	17	NE		NE		CANYON	

5. Description of diverting works:

IR3

IR2

D2

IR4

D1

IR5

IR1

IR6

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.64	144

7. Total Quantity Appropriated is:
0.64 C.F.S. and/or 144 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	8	SW	SE	IRRIGATION	40
					Section Acres	40
02N	03W	9	SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	39
			SW	SE	IRRIGATION	32
					Section Acres	111
02N	03W	16	NE	NE	IRRIGATION	38
			NW	NE	IRRIGATION	37
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	39
			NE	NW	IRRIGATION	39
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	28
			SW	SW	IRRIGATION	32
			SE	SW	IRRIGATION	37
			NE	SE	IRRIGATION	39
			NW	SE	IRRIGATION	20
			SW	SE	IRRIGATION	30
			SE	SE	IRRIGATION	40

					Section Acres	579
02N	03W	17	NE	NE	IRRIGATION	18
			NW	NE	IRRIGATION	36
			SW	NE	IRRIGATION	26
			SE	NE	IRRIGATION	15
					Section Acres	95
					Total Acres	825

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

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

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

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.

This right is limited to the irrigation of 32 acres within the place of use described above in a single irrigation season.

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

Right 63-29025 is an enlargement of Right 63-2839 pursuant to Section 42-1426, Idaho Code.

Rights 63-2839 and 63-29025 when combined shall not exceed a total diversion rate of 1.35 cfs.

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 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-08253 and 63-10268 are also diverted through the points of diversion described above.

15. Basis of Claim: Beneficial Use

WATER RIGHT NO. 63-29025
As Modified by Transfer No. 71280

In accordance with the approval of Transfer No. 71280, Water Right No. 63-29025 is now described as follows.

Right Holder: BERANNA DAIRY
 9166 PERCH AVE
 CALDWELL ID 83607

Priority Date: August 15, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01 to 11/15	0.64 CFS	144.0 AF
		0.64 CFS	144.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWSW	Sec. 9 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
02N 03W 8	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	40.0
02N 03W 9											40.0	39.0			32.0		111.0
02N 03W 16	38.0	37.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	28.0	32.0	37.0	39.0	20.0	30.0	40.0	579.0
02N 03W 17	18.0	36.0	28.0	15.0													95.0

Total Acres: 825

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-29025
As Modified by Transfer No. 71280

CONDITIONS OF APPROVAL

3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. 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.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.
6. This right is limited to the irrigation of 32 acres within the place of use described above in a single irrigation season.
7. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
8. Right 63-29025 is an enlargement of Right 63-2839 pursuant to Section 42-1426, Idaho Code.
9. Rights 63-2839 and 63-29025 when combined shall not exceed a total diversion rate of 1.35 cfs.
10. 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.
11. 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.
12. Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-08253 and 63-10268 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 31st day of January, 2005



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71280

This is to certify that: BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607
(208)454-7705

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-2839	AJC/License	09/14/1955	1.35 cfs	N/A	N/A	80.0	GROUND WATER
63-29025	AJC/Beneficial Use	08/15/1960	0.64 cfs	N/A	N/A	32.0	GROUND WATER
63-3329	AJC/License	02/16/1963	2.06 cfs	865.0 af	N/A	205.0	GROUND WATER
63-8253	AJC/License	01/16/1976	1.16 cfs	563.7 af	N/A	139.0	GROUND WATER
X 63-3366	AJC/License	08/26/1963	2.09 cfs	720.0 af	144.3	428.0	GROUND WATER
X 63-3396	AJC/License	12/13/1963	1.20 cfs	270.0 af	54.1	428.0	GROUND WATER
X 63-8232	AJC/License	10/28/1975	2.73 cfs	1228.3 af	250.1	428.0	GROUND WATER
63-10268	WR/License	10/03/1984	1.54 cfs	347.0 af	N/A	77.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-2839	NO	NO	YES	YES	NO	NO
63-29025	NO	NO	YES	YES	NO	NO
63-3329	NO	NO	YES	YES	NO	NO
63-8253	NO	NO	YES	YES	NO	NO
63-3366	NO	NO	YES	YES	NO	NO
63-3396	NO	NO	YES	YES	NO	NO
63-8232	NO	NO	YES	YES	NO	NO
63-10268	NO	NO	YES	YES	NO	NO

SUPPORT DATA

IN FILE # 63-2839

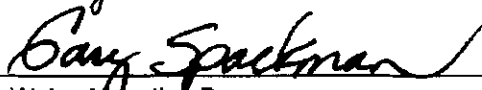
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71280

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-2839	63-2839	1.35 cfs	355.5 af	79.0	825.0		N/A	N/A	N/A	N/A
63-29025	63-29025	0.64 cfs	144.0 af	32.0	825.0		N/A	N/A	N/A	N/A
63-3329	63-3329	2.06 cfs	738.0 af	164.0	825.0		N/A	N/A	N/A	N/A
63-8253	63-8253	1.16 cfs	563.7 af	139.0	825.0		N/A	N/A	N/A	N/A
63-3366	63-3366	2.09 cfs	720.0 af	144.3	825.0		N/A	N/A	N/A	N/A
63-3396	63-3396	1.20 cfs	270.0 af	54.1	825.0		N/A	N/A	N/A	N/A
63-8232	63-8232	2.73 cfs	1228.3 af	250.1	825.0		N/A	N/A	N/A	N/A
63-10268	63-10268	1.54 cfs	347.0 af	77.0	825.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		8.98 cfs	3622.7 af	780.0	825.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of January, 20 05



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 71280

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVEDName of applicant: Beranna DairyPhone: (208) 455-7705**JUN 11 2003**Post Office address: 9166 Perch Ave Caldwell IDWATER RESOURCES
WESTERN REGION**A. PURPOSE OF TRANSFER**

1. ☒ X Change point of diversion ☐ Add diversion point(s) ☒ X Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other

2. Describe the reason for the proposed changes: Applicant has joined three farms wishes to create a single irrigation system for the entire farm. This is necessary to allow efficient field application of effluent. This application adds all existing POD and all existing PU to each existing water right with no new use.

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		
<u>63-10268</u>	<u>10/03/1984</u>	<u>1.6 cfs</u>	<u>irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
<u>63-8253</u>	<u>01/16/1976</u>	<u>1.16 / 563.7</u>	<u>irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
<u>63-3329</u>	<u>02/16/1963</u>	<u>2.06 / 865</u>	<u>irrigation</u>	<u>04/01</u>	<u>to</u>	<u>10/31</u>
<u>63-2839</u>	<u>12/21/1950</u>	<u>1.35 cfs</u>	<u>irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
<u>63-29025</u>	<u>08/15/1960</u>	<u>.64/</u>	<u>irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
<u>63-8232</u>	<u>10/28/1975</u>	<u>2.73 / 1125.5</u>	<u>irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
		<u>.32 / 82.2</u>	<u>Stockwater</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
		<u>.32 / 20.6</u>	<u>Commercial</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
<u>63-3396</u>	<u>12/13/1963</u>	<u>1.2 / 243.4</u>	<u>irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
		<u>.08 / 21.3</u>	<u>Stockwater</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
		<u>.08 / 5.3</u>	<u>Commercial</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
<u>63-3366</u>	<u>08/26/1963</u>	<u>2.09 / 649.4</u>	<u>irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
		<u>.22 / 56.5</u>	<u>Stockwater</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
		<u>.22 / 14.1</u>	<u>Commercial</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
<u>63-20932</u>	<u>10/01/1971</u>	<u>.07</u>	<u>Stockwater</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
		<u>.04</u>	<u>Domestic</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>

2. Total amount of water being transferred 14.18 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water groundwater tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp	Rge.	County	Local Name for diversion
	NW	SW	SW	9	T02N	R03W	Canyon	Irrigation Well 1 (IR1)
		NE	NW	16	T02N	R03W	Canyon	Irrigation Well 2 (IR2)
		NE	NW	16	T02N	R03W	Canyon	Irrigation Well 3 (IR3)
		NE	SE	16	T02N	R03W	Canyon	Irrigation Well 4 (IR4)
		NW	SW	16	T02N	R03W	Canyon	Emerg. Dairy Well & Irrig Well 5 (IR5)
		NW	SW	16	T02N	R03W	Canyon	Dairy Well 1 (D1)
		SW	SW	16	T02N	R03W	Canyon	Domestic Well (D)
		NE	NE	17	T02N	R03W	Canyon	Dairy Well 2 (D2)
		NE	NE	17	T02N	R03W	Canyon	Irrigation Well 6 (IR6)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

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	
63-10268																			
02N	03W	8												40					40
		9											40	40			32		112
		16	38	37	40	39	39	40	40	40	40	28	32	37	39	20	30	40	579
		17	18	36	26	15													95
																		PPU =	826
															Acres Irrigated =				80
63-8253																			
02N	03W	8															40		40
		9											40	40			32		112
		16	38	37	40	39	39	40	40	40	40	28	32	37	39	20	30	40	579
		17	18	36	26	15													95
																		PPU =	826
															Acres Irrigated =				139
63-3329																			
02N	03W	8															40		40
		9											40	40			32		112
		16	38	37	40	39	39	40	40	40	40	28	32	37	39	20	30	40	579
		17	18	36	26	15													95
																		PPU =	826
															Acres Irrigated =				204
63-2839																			
02N	03W	8															40		40
		9											40	40			32		112
		16	38	37	40	39	39	40	40	40	40	28	32	37	39	20	30	40	579
		17	18	36	26	15													95
																		PPU =	826
															Acres Irrigated =				80
63-29025																			
02N	03W	8															40		40
		9											40	40			32		112
		16	38	37	40	39	39	40	40	40	40	28	32	37	39	20	30	40	579
		17	18	36	26	15													95
																		PPU =	826
															Acres Irrigated =				32
63-8232																			
02N	03W	8															40		40
		9											40	40			32		112
		16	38	37	40	39	39	40	40	40	40	28	32	37	39	20	30	40	579
		17	18	36	26	15													95
		17	S,C	S,C	S,C	S,C												PPU =	826
															Acres Irrigated =				250.1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

63-3396																			
02N	03W	8															40		40
		9											40	40			32		112
		16	38	37	40	39	39	40	40	40	40	28	32	37	39	20	30	40	579
		17	18	36	26	15													95
		17	S,C	S,C	S,C	S,C												PPU	826
																		=	
																		Acres Irrigated =	54.1
63-3366																			
02N	03W	8															40		40
		9											40	40			32		112
		16	38	37	40	39	39	40	40	40	40	28	32	37	39	20	30	40	579
		17	18	36	26	15													95
		17	S,C	S,C	S,C	S,C												PPU	826
																		=	
																		Acres Irrigated =	144.3
63-20932																			
-02N	03W	-17	-S,C	-S,C	-S,C	-S,C													
		-16				D													

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

PART 1

6. General Information:

- a. Description of diversion system: No changes or additions to the diversion system.
- b.
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X 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:
No changes in the total number of acres irrigated.
- d. Remarks: The dairy consists of 3 farms joined under common ownership. Liquid waste is diluted with irrigation water and land applled through the irrigation system, and this has required the connection of all three irrigation systems into a common system. By placing all points of diversion and all places of use on each water right, while respecting the permissible flows and volumes from each point of diversion, the applicant will be better able to comply with the conditions of each license, while operating the farm efficiently.

See attachments:A. Proof of ownership and lienholder permission.

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 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right) PROOF REPORTS ATTACHED

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____
dated _____ in _____ county of _____
- b. License No. _____
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other

3. Source of water

4. Date or priority

5. Water is used for the following purpose:

Amount (cfs/ac-ft)						
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum

7. Point(s) of Diversion:

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

8. 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	

9. Describe any other water right used for the same purpose as described above:

MEMORANDUM

TO: Transfer File No. 71280

FROM: Lori Graves

DATE: 1/21/04

RE: Evaluation of Sufficiency of Information Submitted

Brief: Applicant wishes his water rights to reflect a combined water distribution system. The dairy operation consists of three farms joined under common ownership. Liquid waste from the dairy is diluted with irrigation water and land applied. For more efficient operation of the farm, the three irrigation systems were connected into a common system.

The site is located approximately a mile north of Pickles Butte, south of Lake Lowell.

Contact person for the applicant is Darwin VanderStelt.

Authority to File: Current records show the rights listed in the name of Beranna Dairy (63-3366, 63-3396, 63-8232, 63-10268) or Teunissen Family Trust (63-3329, 63-8253) or Bernard and Jane Teunissen Family Trust, Beranna Dairy, Jane Teunissen, and Bernhard Teunissen (63-2839, 63-29025). Attorneys of record are Scott Cambell and AngelaSchaer Kaufmann, Moffatt Thomas Barrett Rock & Fields Chtd for claims 63-2839, 63-3329, 63-8253 and 63-29025. The IDSOS search for business entities showed Bernie, Anna, Bernard and Jane Teunissen doing business under Beranna Dairy. Because the current records are linked somewhat by name and because water is not being transferred away, ownership documentation was not requested.

Farm Credit Services has a mortgage on some of the land listed in the proposal. Their consent is attachment B. A copy of the complete transfer application has been sent to them per their request in the consent letter.

Water Right Validity:

Rights 63-3366, 63-3396 and 63-8232 are assumed valid because they were part of transfer 68964 recently approved in May, 2003.

Right 63-10268 is presumed to be valid. SRBA is not applicable to this right because it was developed after 1987. Recent beneficial use was confirmed via 1997 field exam and 2000 aerial photo. The right was still in permit stage when the transfer was filed. Applicant's consultant used the permit flow rate. Kay Walker licensed the permit so that processing could proceed. Rather than 1.6 cfs, the right was licensed for 77 acres at 1.54 cfs per the field exam findings.

Preliminary SRBA reviews involving Craig Saxton were done on rights 63-2839, 63-3329, 63-8253 and 63-29025. The results are as follows:

Claim 63-2839 was licensed for with a 1955 priority date for 80 acres in S9. Because of the Mora canal, one acre in the SESW will be omitted from the proposed PPU (39 acres rather than 40).

Claim 63-29025 is an expansion claim to right 63-2839. The claim lists a 1960 priority date, which is not in violation to the mandatory permit statute. The 32 acres listed on the claim appear irrigated in 1987. George Walker provided an affidavit stating that the 32 acres were irrigated in 1960. The applicant's consultant verified that the original system had not changed since the licensing exam, which measured system capacity at 1.35 cfs. When combined, rights 63-2839 and 63-29025 are limited to 1.35 cfs.

Claim 63-3329 was licensed for 204 acres and 2.06 cfs. Of those, 37 acres in the SESW and 29 acres in the SWSE S16 do not appear irrigated in 1987. However, 15 acres in the SESW and 6 acres in the SWSE S16 were brought back into production based on the 2000 arc view photo. The 2000 photo shows 164 acres of the 204 original licensed acres currently being irrigated. 865 total afa was licensed based on system capacity and a 210 day irrigation season. SRBA will recommend 2.06 cfs and 738 afa based on the 164 acres found irrigated in 1987.

Claim 63-8253 was licensed for an additional 1.16 cfs on 139 acres that directly overlap the 164 acres found irrigated under claim 63-3329. Both claims use separate wells that were licensed at their capacity. $2.06 \text{ cfs} + 1.16 \text{ cfs} = 3.22 \text{ cfs}$. $3.22 \text{ cfs} / .02 \text{ cfs} = 161 \text{ acres}$. As mentioned above, based on resumption of use, the 164 acres found irrigated in 2000 can be recommended. Although less acres are being irrigated, total licensed flow rate does not have to be reduced. Since the transfer is proposing a combined PPU, the acre reduction is not an issue.

Injury to Other Water Rights: None anticipated. No additional wells have been proposed.

Enlargement of Use: No changes in nature of use have been proposed.

Local Public Interest: No negative impacts are anticipated.

Beneficial Use/Conservation of Water Resources: Applicant proposed beneficial use consistent with irrigation standards for the area.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of this application.

Additional Information: Decree 63-20932 was also included as part of the transfer package. The decree is for domestic and stockwater use. Applicant's consultant included the right because of the stockwater, however after discussing the dynamics of the domestic system, he concluded that it was separate and should not be listed on the

transfer as part of the combined system. As a result .11 cfs and the well listed in the SWSW S16 T2N R3W were not included in the transfer recommendations.

As mentioned above, claims 63-2839 and 63-29025 are limited to 1.35 cfs. The .64 cfs listed on claim 63-29025 should not be added to the system total. The cfs amount listed for right 63-10268 should be the licensed 1.54 cfs rather than 1.6 cfs. Also, flow rates for stockwater and commercial uses are not additive to the irrigation flow rates listed on the rights approved per transfer no. 68964.

Conditions on transfer 68964 limits rights 63-3366, 63-3396 and 63-8232 when combined. A condition on license 63-10268 limits rights 63-3326, 63-8253 and 63-10268 when combined. The other rights did not list special conditions. Based on the following chart, condition WB4 should limit this transfer's combined rate to 8.98 cfs and combined volume to 3623.2 afa and condition X35 should limit irrigation use to a combined rate of 8.98 cfs and combined volume of 3423.2 afa.

63-2839	79 ac	1.35 cfs	356.0 afa	(SRBA evaluation)
<u>63-29025</u>	<u>32 ac</u>	<u>.64 cfs</u>	<u>144.0 afa</u>	(expansion claim on 63-2839 p/d)
Total	111 ac	1.35 cfs	500.0 afa	
63-3329	164 ac	2.06 cfs	738.0 afa	(SRBA evaluation)
63-8253	139 ac	1.16 cfs	563.7 afa	(same p/u as 63-3329, diff p/d)
<u>63-10268</u>	<u>77 ac</u>	<u>1.54 cfs</u>	<u>347.0 afa</u>	(same p/ds as 63-3329, 63-8253, diff p/u)
Total	241 ac	3.22 cfs	1085.0 afa	
63-3366	428 ac	2.09 cfs	649.4 afa	(x-fer 68964 approved 5/28/2003)
	Stock	.22	56.5	
	Comm	.22	14.1	
63-3396	428 ac	1.20 cfs	243.4	
	Stock	.08	21.3	
	Comm	.08	5.3	
63-8232	428 ac	2.73	1125.5	
	Stock	.32	82.2	
	<u>Comm</u>	<u>.32</u>	<u>20.6</u>	
Total	428 ac	4.41 cfs	2038.2 (1838.2 for irrig alone)	

Also, as a result of this transfer, condition X35 listed on license 63-10268 needs to be changed. This condition limited volume to 1660 afa when rights 63-3329, 63-8253 and 63-10268 were combined, which was based on flow rate (3.22 cfs x 1.9835 x 260 days). Since less acres are being recommended for right 63-3329, this condition should now limit combined volume to 1085 afa (241 acres x 4.5 afa).

Applicants listed 826 acres for their ppu. Because of the SRBA's recommended 1 acre reduction in the SESW S9 on claim 63-2839 due to the Mora Canal, applicant's consultant agreed that total PPU should list 825 acres (1 acre less in the SESW S9).

In the overlap review, surface water right 63-2388 showed up, however applicant's consultant stated surface water is not used on the property because the site is located south of Mora Canal and on high ground that cannot receive surface water.

Notice is being sent to Dennis Lyons because we have received written complaints from him in the past regarding water use at the proposed site. Notice is being sent to Claudia Haynes and Rajero because they voiced their concerns regarding the applicant's dairy during the Chase hearing conducted by IDWR. Notice is also being sent to the protestants of transfer no. 68964 that was previously approved for the applicant at the proposed site involving rights 63-3366, 63-3396 and 63-8232.

Conditions: Assuming protests are not filed and/or other information does not contradict the above analysis, and assuming it is determined the application should be approved, the conditions listed on the draft approval should be applied.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2839

WATER RIGHT NUMBER: 63-2839

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GEORGE M WALKER 12203 WALKER LAKE RD CALDWELL, ID 83605 (208)459-9107
Current Owner	BERANNA DAIRY BERNARD TEUNISSEN JR 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	BERNARD TEUNISSEN FAMILY TRUST 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	BERNARD TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000
Original Owner	SAM GROVE , ID
Original Owner	WANDA M WALKER 12203 WALKER LAKE RD CALDWELL, ID 83605 (208)459-9107
Current Owner	BERANNA DAIRY ANNA TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	JANE TEUNISSEN FAMILY TRUST 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	JANE TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Attorney	ANGELA D SCHAER KAUFMANN MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2839

Priority Date: 09/14/1955

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

3/15 to 10/15

1.350 CFS

Total Diversion:

1.350 CFS

Location of Point(s) of Diversion

GROUND WATER

NW1/4SW1/4SW1/4

Sec. 9, Twp 02N, Rge 03W, B.M.

CANYON 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	03W	9											40.0	40.0					80.0

Total Acres: 80

Conditions of Approval:Remarks:

- General Ownership change by DB 2/12/2002

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2839

Dates and Other Information:

Claim Received Date: 3/13/1990
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:Status

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3329

WATER RIGHT NUMBER: 63-3329

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TEUNISSEN FAMILY TRUST C/O BERNARD TEUNISSEN TRUSTEE 9166 PERCH AVE CALDWELL, ID 83607
Current Owner	TEUNISSEN FAMILY TRUST C/O JANE TEUNISSEN TRUSTEE 9166 PERCH AVE CALDWELL, ID 83607
Original Owner	BERANNA DAIRY BERNARD J TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Original Owner	BERANNA DAIRY BERNARD TEUNISSEN JR 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Attorney	ANGELA D SCHAER KAUFMANN MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000
Original Owner	GEORGE R JOHNSON 16494 MARSING RD CALDWELL, ID 83605 (208)459-2701
Original Owner	BERANNA DAIRY ANNA TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Original Owner	BERANNA DAIRY JANE TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Original Owner	CHARLOTTE L JOHNSON 16494 MARSING RD CALDWELL, ID 83605 (208)459-2701
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3329

Priority Date: 02/16/1963

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.060 CFS	865.00 AF
	<u>Total Diversion:</u>	2.060 CFS	865.00 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4NE1/4NW1/4

Sec. 16, Twp 02N, Rge 03W, B.M.

CANYON 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 03W 16					39.0				39.0	40.0			37.0		20.0	30.0	205.0

Total Acres: 205

Conditions of Approval:Remarks:

1. SEE RIGHT NO. 63-8253
Ownership changed by DB 9/5/2001
2. General SEE RIGHT NO. 63-8253
3. General Name correction by DH 10/22/2003

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3329

Dates and Other Information:

Claim Received Date: 11/27/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
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:Status

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3366

WATER RIGHT NUMBER: 63-3366

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BERANNA DAIRY 9166 PERCH AVE CALDWELL, ID 83607 (208)454-7705

Priority Date: 08/26/1963

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	0.220 CFS	14.10 AF
STOCKWATER	01/01 to 12/31	0.220 CFS	56.50 AF
IRRIGATION	03/15 to 11/15	2.090 CFS	649.40 AF
	<u>Total Diversion:</u>	2.090 CFS	720.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 17, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4SE1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 17, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

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	
02N	03W	8															X		
02N	03W	16	X	X	X	X						X	X		X			X	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3366

02N 03W 17	X	X	X	X		X			
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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	03W	8															X		
02N	03W	16	X	X	X	X					X	X		X				X	
02N	03W	17	X	X	X	X				X									

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	03W	8															40.0	40.0	
02N	03W	16	38.0	37.0	40.0	39.0					32.0	28.0		39.0			40.0	293.0	
02N	03W	17	18.0	36.0	26.0	15.0												95.0	

Total Acres: 428

Conditions of Approval:

1. The measuring devices must accumulate volume diverted, and must be constructed to prevent change of the meter reading. The meters shall also read instantaneous flow. The meters shall be calibrated when they are installed with an independent measuring device. The measuring devices must be calibrated in-line once every three years following the year of installation.
2. The water right holder shall read the measuring devices at least monthly and record the volume readings from the meter on forms provided by the Department. The recorded diversions and year end totals shall be reported annually to the Department on forms provided by the Department prior to January 31 of the following year.
3. Water diverted and used for the dairy operation authorized under approved Transfer 4961, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality.
4. The proposed well shall be drilled in the NENE S17 T2N R3W hydrologically upgradient from the milking facility and any associated structure, lagoon, waste storage area, holding pens or any other waste producing or holding facility related to the dairy as approved by the Department of Water Resources.
5. Commercial use is for a dairy barn located in the NE S17 T2N R3W.
6. Rights 63-3366 and 63-3396 when combined shall not exceed a total diversion rate of 2.09 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3366

7. Irrigation use under Rights 63-3366 and 63-8232 when combined shall not exceed a total annual maximum diversion volume of 1594.8 af at the field headgate and the irrigation of 354.4 acres.
8. Prior to diversion of water for stockwater and commercial uses under this approval, the right holder shall provide a means of measurement and lockable controlling works acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion for these uses.
9. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
13. 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.
14. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. 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.
16. T17 Prior to diversion of water for irrigation use under this approval, the right holder shall provide a means of measurement and lockable controlling works acceptable to the Department from all authorized points of diversion or enter into an agreement with the Department to determine the amount of water diverted from power records which will allow determination of the total rate of diversion for irrigation use.
17. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-3366, 63-3396 and 63-8232 shall not exceed 4.41 cfs, nor total combined annual volume of 2038.2 af for all authorized uses.
18. WD8 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 approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
19. X27 This right is limited to the irrigation of 144.3 acres within the place of use described above in a single irrigation season.
20. X35 Irrigation use under Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs, a total annual maximum diversion volume of 1838.2 af.

Remarks:

1. General Claim amended per Transfer 68964 approved 5/28/03.

Comments:

1. pskaggs 5/28/2003 3:36:11 PM Transferred Right
Comment: This is now an approved transfer, transfer number = 68964

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3366

Dates and Other Information:

Claim Received Date: 3/1/1990
 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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
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2.09

Combined Water Rights:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
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4.41

2038.2

408.5

Combined Water Rights:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
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1768.2

354.4

Combined Water Rights:

Element Reviewed/Verified Dates:Status

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3396

WATER RIGHT NUMBER: 63-3396

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BERANNA DAIRY 9166 PERCH AVE CALDWELL, ID 83607 (208)454-7705

Priority Date: 12/13/1963

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.080 CFS	21.30 AF
COMMERCIAL	1/01 to 12/31	0.080 CFS	5.30 AF
IRRIGATION	3/15 to 11/15	1.200 CFS	243.40 AF
	<u>Total Diversion:</u>	1.200 CFS	270.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 17, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4SE1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 17, Twp 02N, Rge 03W, B.M.
CANYON 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	
02N	03W	8															X		
02N	03W	16	X	X	X	X						X	X		X			X	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3396

02N 03W 17	X	X	X	X		X			
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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	
02N 03W 8															X		
02N 03W 16	X	X	X	X						X	X		X				X
02N 03W 17	X	X	X	X				X									

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 03W 8															40.0		40.0
02N 03W 16	38.0	37.0	40.0	39.0						32.0	28.0		39.0			40.0	293.0
02N 03W 17	18.0	36.0	26.0	15.0													95.0

Total Acres: 428

Conditions of Approval:

1. The water right holder shall read the measuring devices at least monthly and record the volume readings from the meter on forms provided by the Department. The recorded diversions and year end totals shall be reported annually to the Department on forms provided by the Department prior to January 31 of the following year.
2. Water diverted and used for the dairy operation authorized under approved Transfer 4961, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality.
3. The proposed well shall be drilled in the NENE S17 T2N R3W hydrologically upgradient from the milking facility and any associated structure, lagoon, waste storage area, holding pens or any other waste producing or holding facility related to the dairy as approved by the Department of Water Resources.
4. Commercial use is for a dairy barn located in the NE S17 T2N R3W.
5. Rights 63-3366 and 63-3396 when combined shall not exceed a total diversion rate of 2.09 cfs.
6. Prior to diversion of water for stockwater and commercial uses under this approval, the right holder shall provide a means of measurement and lockable controlling works acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion for these uses.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3396

7. The measuring devices must accumulate volume diverted, and must be constructed to prevent change of the meter reading. The meters shall also read instantaneous flow. The meters shall be calibrated when they are installed with an independent measuring device. The measuring devices must be calibrated in-line once every three years following the year of installation.
8. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
9. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
11. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
12. 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.
13. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
14. 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.
15. T17 Prior to diversion of water for irrigation use under this approval, the right holder shall provide a means of measurement and lockable controlling works acceptable to the Department from all authorized points of diversion or enter into an agreement with the Department to determine the amount of water diverted from power records which will allow determination of the total rate of diversion for irrigation use.
16. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-3366, 63-3396 and 63-8232 shall not exceed 4.41 cfs, nor total combined annual volume of 2038.2 af for all authorized uses.
17. WD8 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 approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
18. X27 This right is limited to the irrigation of 54.1 acres within the place of use described above in a single irrigation season.
19. X35 Irrigation use under Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs, a total annual maximum diversion volume of 1838.2 af.

Remarks:

1. General Claim amended per Transfer 68964 approved 5/28/03.

Comments:

1. psdaggs 5/28/2003 3:36:11 PM Transferred Right
Comment: This is now an approved transfer, transfer number = 68964

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3396

Dates and Other Information:

Claim Received Date: 3/1/1990
 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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.09		

Combined Water Rights:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.41	2038.2	408.5

Combined Water Rights:

Element Reviewed/Verified Dates:Status

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8232

WATER RIGHT NUMBER: 63-8232

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BERANNA DAIRY 9166 PERCH AVE CALDWELL, ID 83607 (208)454-7705

Priority Date: 10/28/1975

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.320 CFS	20.60 AF
IRRIGATION	3/15 to 11/15	2.730 CFS	1,125.50 AF
STOCKWATER	1/01 to 12/31	0.320 CFS	82.20 AF
	<u>Total Diversion:</u>	2.730 CFS	1,228.30 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 17, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4SE1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 17, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

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	
02N	03W	8															X		
02N	03W	16	X	X	X	X						X	X		X				X

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8232

02N 03W 17	X	X	X	X		X			
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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	03W	8															40.0	40.0	
02N	03W	16	38.0	37.0	40.0	39.0					32.0	28.0		39.0			40.0	293.0	
02N	03W	17	18.0	36.0	26.0	15.0												95.0	

Total Acres: 428

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	03W	8															X		
02N	03W	16	X	X	X	X					X	X		X				X	
02N	03W	17	X	X	X	X			X										

Conditions of Approval:

1. The water right holder shall read the measuring devices at least monthly and record the volume readings from the meter on forms provided by the Department. The recorded diversions and year end totals shall be reported annually to the Department on forms provided by the Department prior to January 31 of the following year.
2. Water diverted and used for the dairy operation authorized under approved Transfer 4961, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality.
3. The proposed well shall be drilled in the NENE S17 T2N R3W hydrologically upgradient from the milking facility and any associated structure, lagoon, waste storage area, holding pens or any other waste producing or holding facility related to the dairy as approved by the Department of Water Resources.
4. Commercial use is for a dairy barn located in the NE S17 T2N R3W.
5. Irrigation use under Rights 63-3366 and 63-8232 when combined shall not exceed a total annual maximum diversion volume of 1594.8 af at the field headgate and the irrigation of 354.4 acres.
6. Prior to diversion of water for stockwater and commercial uses under this approval, the right holder shall provide a means of measurement and lockable controlling works acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion for these uses.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8232

7. The measuring devices must accumulate volume diverted, and must be constructed to prevent change of the meter reading. The meters shall also read instantaneous flow. The meters shall be calibrated when they are installed with an independent measuring device. The measuring devices must be calibrated in-line once every three years following the year of installation.
8. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
9. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
11. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
12. 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.
13. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
14. 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.
15. T17 Prior to diversion of water for irrigation use under this approval, the right holder shall provide a means of measurement and lockable controlling works acceptable to the Department from all authorized points of diversion or enter into an agreement with the Department to determine the amount of water diverted from power records which will allow determination of the total rate of diversion for irrigation use.
16. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-3366, 63-3396 and 63-8232 shall not exceed 4.41 cfs, nor total combined annual volume of 2038.2 af for all authorized uses.
17. WD8 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 approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
18. X27 This right is limited to the irrigation of 250.1 acres within the place of use described above in a single irrigation season.
19. X35 Irrigation use under Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs, a total annual maximum diversion volume of 1838.2 af.

Remarks:

1. General Claim amended per Transfer 68964 approved 5/28/03.

Comments:

1. pskaggs 5/28/2003 3:36:12 PM Transferred Right
Comment: This is now an approved transfer, transfer number = 68964

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-8232

Dates and Other Information:

Claim Received Date: 3/1/1990
 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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.41	2038.2	408.5

Combined Water Rights:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	1768.2	354.4

Combined Water Rights:

Element Reviewed/Verified Dates:Status

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8253

WATER RIGHT NUMBER: 63-8253

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BERANNA DAIRY BERNARD J TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Original Owner	BERANNA DAIRY ANNA TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000
Original Owner	BERANNA DAIRY JANE TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Attorney	ANGELA D SCHAER KAUFMANN MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000
Original Owner	GEORGE R JOHNSON 16494 MARSING RD CALDWELL, ID 83605 (208)459-2701
Original Owner	CHARLOTTE L JOHNSON 16494 MARSING RD CALDWELL, ID 83605 (208)459-2701
Current Owner	TEUNISSEN FAMILY TRUST C/O JANE TEUNISSEN TRUSTEE 9166 PERCH AVE CALDWELL, ID 83607
Original Owner	BERANNA DAIRY BERNARD TEUNISSEN JR 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	TEUNISSEN FAMILY TRUST C/O BERNARD TEUNISSEN TRUSTEE 9166 PERCH AVE CALDWELL, ID 83607

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8253

Priority Date: 01/16/1976

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.160 CFS	563.70 AF
	<u>Total Diversion:</u>	1.160 CFS	563.70 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4NW1/4

Sec. 16, Twp 02N, Rge 03W, B.M.

CANYON 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 03W 16					39.0			40.0	40.0						20.0		139.0

Total Acres: 139

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. This right when combined with all other rights shall provide no more than 4.5 afa per acre for irrigation of the lands above.
Ownership changed by DB 9/5/2001
2. This right when combined with all other rights shall provide no more than 4.5 afa per acre for irrigation of the lands above.
3. General Name correction by DH 10/22/2003

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10268

WATER RIGHT NUMBER: 63-10268

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	BERANNA DAIRY ANNA TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Previous Owner	BERANNA DAIRY BERNARD J TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Previous Owner	BERANNA DAIRY JANE TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Original Owner	CHARLOTTE L JOHNSON 16494 MARSING RD CALDWELL, ID 83605 (208)459-2701
Original Owner	GEORGE R JOHNSON 16494 MARSING RD CALDWELL, ID 83605 (208)459-2701
Current Owner	TEUNISSEN FAMILY TRUST C/O JANE TEUNISSEN TRUSTEE 9166 PERCH AVE CALDWELL, ID 83607
Current Owner	TEUNISSEN FAMILY TRUST DTD 1-8-1990 BERNARD TEUNISSEN TTE 12350 WHITECHAPEL WY NAMPA, ID 83686-8030 (208) 442-7445
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000

Priority Date: 10/03/1984

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.540 CFS	347.00 AF
	<u>Total Diversion:</u>	1.540 CFS	347.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4NW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10268

GROUND WATER

SE1/4NE1/4NW1/4

Sec. 16, Twp 02N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	03W	16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	77.0
								38.0	39.0										

Total Acres: 77

Conditions of Approval:

1. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afu per acre at the field headgate for irrigation of the lands above.
2. X35 Rights 63-03329, 63-08253 and 63-10268 when combined shall not exceed a total diversion rate of 3.22 cfs, and a total annual maximum diversion volume of 1660.0 af at the field headgate.
3. X36 Rights 63-03329 and 63-08253 are also diverted through the points of diversion described above.

Remarks:Comments:

1. kwalker 1/23/2004 License Request

Comment: Western Region has received an application for transfer which includes this permit. They have requested an expedited license for this reason.

2. kwalker 1/26/2004 Capacity of Wells

Comment: Rt. 63-3329 was licensed from well in NWNENW with a capacity of 2.06 cfs. Rt. 63-8253 was licensed from well in SENENW with a capacity of 1.16 cfs. Examiner recommended only 1.0 cfs for well in SENENW but I am recommending we use capacity as licensed under 63-8253. System capacity from both wells will be shown as 3.22 cfs on this license.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10268

Dates and Other Information:

Licensed Date: 2/18/2004
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: And/Or
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4.5
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.22	1660	

Combined Water Rights: 63-3329 , 63-8253 , 63-10268

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-29025

WATER RIGHT NUMBER: 63-29025

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GEORGE M WALKER 12203 WALKER LAKE RD CALDWELL, ID 83605 (208)459-9107
Original Owner	WANDA M WALKER 12203 WALKER LAKE RD CALDWELL, ID 83605 (208)459-9107
Current Owner	JANE TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	BERNARD TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	BERNARD TEUNISSEN FAMILY TRUST 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	JANE TEUNISSEN FAMILY TRUST 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	BERANNA DAIRY ANNA TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	BERANNA DAIRY BERNARD TEUNISSEN JR 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000
Attorney	ANGELA D SCHAEER KAUFMANN MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000

Priority Date: 08/15/1960

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

From To

Diversion RateAnnual Volume

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-29025

Total Diversion: 0.640 CFSLocation of Point(s) of Diversion

GROUND WATER

NW 1/4 SW 1/4 SW 1/4

Sec. 9, Twp 02N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	03W	9	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	32.0
																			32.0

Total Acres: 32

Conditions of Approval:Remarks:

- General EXPANSION OF RIGHT 63-2839, BUT IS NOT IN VIOLATION OF THE MANDATORY PERMIT STATUTE.

Comments:Dates and Other Information:

Claim Received Date: 3/13/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND/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

Combined Use Limits:Element Reviewed/Verified Dates:Status

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-29025

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20932 V1

WATER RIGHT NUMBER: 63-20932 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN R JOHNSON 9168 PERCH LN CALDWELL, ID 83605 (208)459-7893
Current Owner	CATHERINE JOHNSON 9168 PERCH LN CALDWELL, ID 83605 (208)459-7893

Priority Date: 10/01/1971

Basis: Beneficial Use

Status: Closed

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
STOCKWATER	1/01 to 12/31	0.070 CFS	
<u>Total Diversion:</u>		0.110 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

DOMESTIC

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	03W	16											X						

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	03W	17																X	

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20932 V1

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, 300 RANGE CATTLE PARCEL NO. 1R30130-010-0

Comments:Dates and Other Information:

Decreed Date: 3/24/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Notice of Error Flag: NONE RECEIVED
 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

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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non use? X No 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 (cfs/ac-ft)					
	for		purposes from	to	
	for		purposes from	to	
	for		purposes from	to	
	for		purposes from	to	

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	

C. Description of unchanged portion of right

1.

Amount (cfs/ac-ft)					
	for		purposes from	to	
	for		purposes from	to	
	for		purposes from	to	
	for		purposes from	to	

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	

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

PART 3 SEE ATTACHED MAP

- 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use		
				to	
				to	

2. Quantity and quality of return flows and location of discharge:
No changes

3. Describe effects on other water uses resulting from the proposed change:
None.

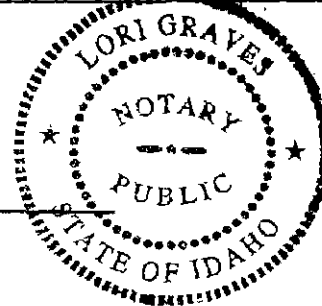
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
I understand that any willful misrepresentations made in this application may result in voiding its approval.

James J. [Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 17th day of June, 192003

Lori Graves
(Notary Public)

My commission expires 6/18/04



FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments

Received by lg Date 6/17/03 Protest filed by _____

Prelim. check by lg Fee \$810

Receipted by lg Date 6/17/03 # W030601

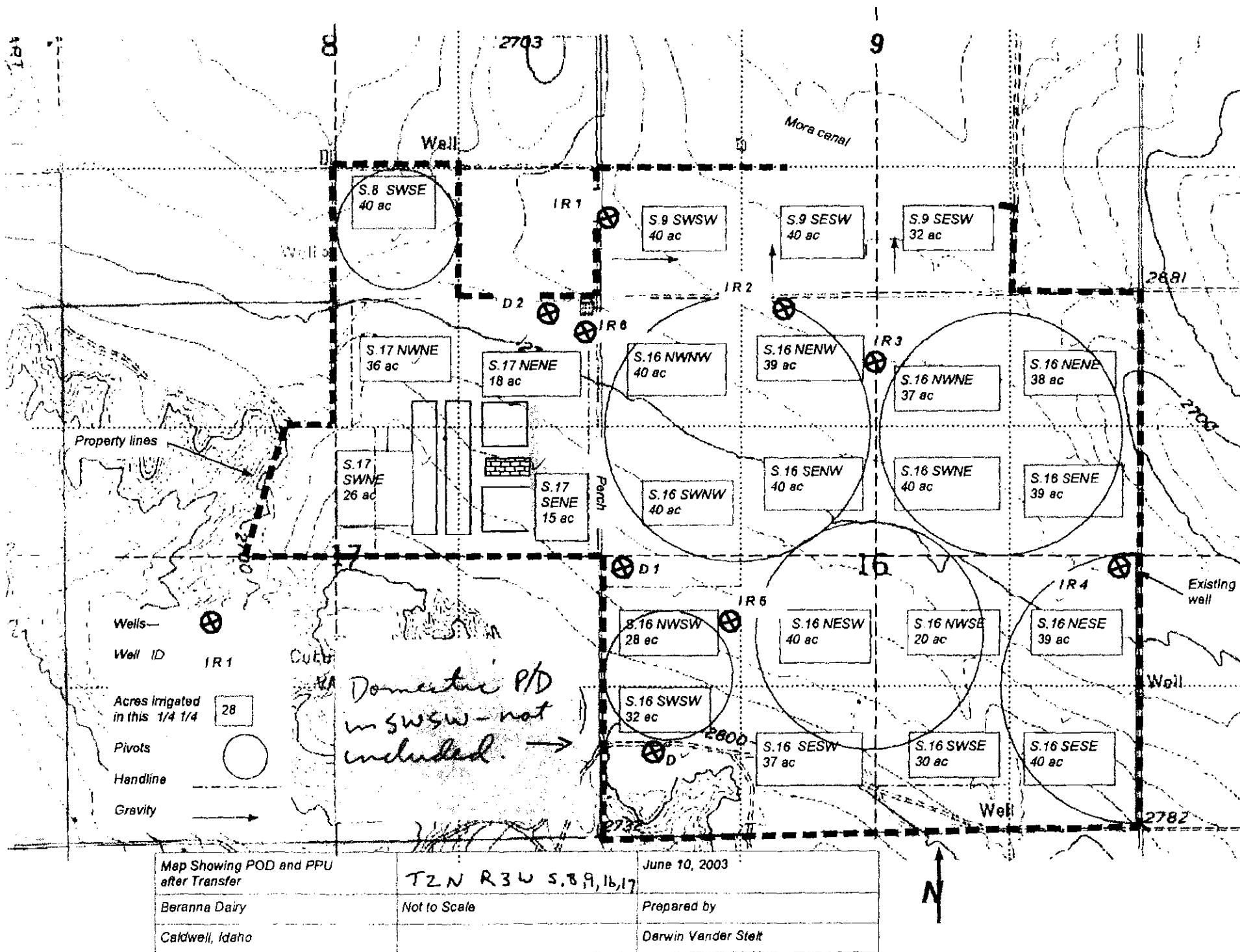
Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____





NORTHWEST

FARM CREDIT SERVICES

1363 Fillmore Street
P.O. Box 5059
Twin Falls, Idaho 83303-5059
(208) 732-1000

August 15, 2003

Lori Graves
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED

AUG 18 2003

WATER RESOURCES
WESTERN REGION

Re: Beranna Dairy

Dear Lori,

I have reviewed a copy of Beranna Dairy's Application For Transfer of Water Right to modify the points of diversion and places of use for the water rights appurtenant to the land on which Northwest Farm Credit Services has a mortgage. Please be advised that NWFCS consents to the changes requested in this application.

When complete, please forward a copy of the final, signed application to my attention at:

NWFCS
P.O. Box 5059
1363 Fillmore Street
Twin Falls ID 83305-5059

If you require anything further from NWFCS, please let me know. Thank you.

Sincerely,

Brian L. Parks
Vice President - Corporate Accounts

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 63-29025
Date Received: 3/13/1990
Receipt No: W010941
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JANE TEUNISSEN Phone: (208)455-7705
9166 PERCH AVE
CALDWELL ID USA 83607

BERNARD TEUNISSEN Phone: (208) 455-7705
9166 PERCH AVE
CALDWELL ID USA 83607

BERNARD TEUNISSEN FAMILY TRUST Phone: (208) 455-7705
9166 PERCH AVE
CALDWELL ID USA 83607

JANE TEUNISSEN FAMILY TRUST Phone: (208)455-7705
9166 PERCH AVE
CALDWELL ID USA 83607

BERANNA DAIRY Phone: (208)455-7705
ANNA TEUNISSEN
9166 PERCH AVE
CALDWELL ID USA 83607

BERANNA DAIRY Phone: (208)455-7705
BERNARD TEUNISSEN JR
9166 PERCH AVE
CALDWELL ID USA 83607

2. Date of Priority: 08/15/1960

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03W	9	NW SW SW	CANYON	

5. Description of diverting works:

280' WELL, 14" CASING, 50 HP PUMP, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.64	

7. Total Quantity Appropriated is:

0.64 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	9	SW	SE	IRRIGATION	32
					Section Acres	32
					Total Acres	32

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

EXPANSION OF RIGHT 63-2839, BUT IS NOT IN VIOLATION OF THE MANDATORY PERMIT STATUTE.

15. Basis of Claim: Beneficial Use

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

RECEIVED

APR 14 2000

APR 7 - 2000

WATER RESOURCES
WESTERN REGIONPlease print or type. Attach pages with additional information. Instructions are on the back of this page. Department of Water Resources
Incomplete forms will be returned.

1. Water Right No(s): License 632839 and all other rights/permits/applications
To said lands covered,
 Adjudication Claim No(s): _____
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant George and Wanda Walker, husband & wife
17815 Marsing Rd - Caldwell, ID 83605
4. New Owner/Claimant(s) Beranna Dairy - Bernard Jr. and Anna Teunissen -
Bernard and Jane Teunissen - Bernard and Jane Teunissen Family Trust
 Name Connector (Check one): ☐ and, ☐ or ☒ and/or
 New Mailing Address 9166 Perch Ave. -
 City, State and ZIP Code Caldwell, ID 83607
 New Telephone Number (208) 455-7705
5. Date you acquired the property 02-25-00
6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.**

Number of acres you irrigate with this water right _____ Number and type of stock _____ Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____
--
7. Signature of New Owner(s) or Claimant(s) PT Walker, agent for Beranna Dairy - see attached transfer
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

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

B7.
22

Dated this 1st day of March, 2000, by:

Wanda Marie Walker
Wanda Walker

On this 1st day of March, 2000, before me a Notary Public for the State of Idaho, personally appeared George and Wanda Walker, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they understand and freely executed this instrument for the purposes therein stated.

Eddie R. Dill

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 2388	UNITED STATES OF AMERICA ACTING THROUGH,	BOISE RIVER	02N03W9																	0
Claim	63 25980	ROLAND BOWERS, DEBRA ANN BOWERS,	GROUND WATER	02N03W9					X												0
Claim	63 25980	ROLAND BOWERS, DEBRA ANN BOWERS,	GROUND WATER	02N03W9					X												0
Claim	63 27187	T E CODR,	GROUND WATER	02N03W9				X													0
Claim	63 2839	GEORGE M WALKER, WANDA M WALKER,	GROUND WATER	02N03W9												40	40				80
Claim	63 29025	GEORGE M WALKER, WANDA M WALKER,	GROUND WATER	02N03W9															32		32
Claim	63 2921	CHAD B NEELEY,	GROUND WATER	02N03W9						10	14				35						59

only
OVER LAPS

DEWISE 1

OK
FOR
ownership
CHANGE
FOR 63-2839

WARRANTY DEED

J.2.
BT.

FOR VALUE RECEIVED GEORGE M. WALKER and WANDA MARIE WALKER,
also known as WANDA M. WALKER, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto BERNARD TEUNISSEN AND JANE TEUNISSEN, AS TRUSTEES OF THE BERNARD TEUNISSEN FAMILY TRUST, DATED JANUARY 8, 1990

the Grantees, whose address is 9166 Perch Road, Caldwell, ID 83605

the following described premises, to-wit:

PARCEL I:

All that part of the Southwest Quarter of the Southeast Quarter of Section 9, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, lying South of the Mora Canal.

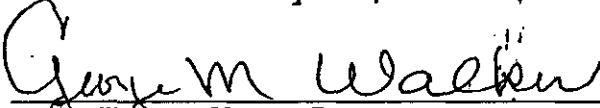
PARCEL II:

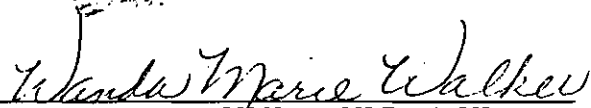
East One-Half of the Southwest Quarter lying South of Mora Canal; and all of the Southwest Quarter of the Southwest Quarter in Section 9, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

ALL OF THE DESCRIBED REAL PROPERTY IS TRANSFERRED AND CONVEYED TOGETHER WITH ALL WATER, AND WATER RIGHTS AND INTERESTS, APPURTENANT TO OR INURING TO THE BENEFIT OF SAID REAL PROPERTY OR ANY PART THEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2000 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

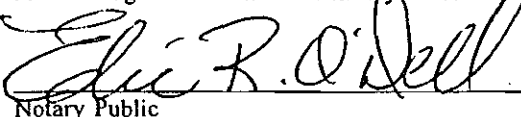
DATED: February 25, 2000


GEORGE M. WALKER


WANDA MARIE WALKER

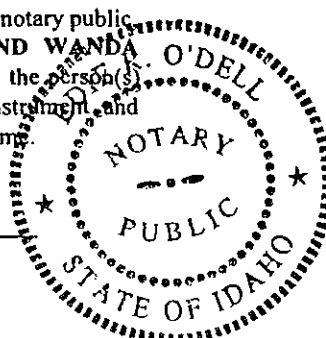
STATE OF IDAHO
COUNTY OF CANYON March

On this 1st day of FEBRUARY, 2000, before me, a notary public, personally appeared GEORGE M. WALKER AND WANDA MARIE WALKER, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.


Notary Public

Residing at Nampa

My commission expires: 4/17/2003





648

C R 10

CRP

7 H/NW
25.4

T3037

H/NW

1 H/NW
24.7

2
13.3

H/NW

3
19.4

H/NE

4
19.7

16

16

15

10

T5031

3
24.8

5
32.5

4
12.5

2
6.7

37.5

NW

4
4.0

3
15.7

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 1999

DATE: 03-01-2000

Producer Name and Address ID
 GEORGE M WALKER 2450
 17815 MARSING RD
 CALOWELL, ID 83607-9757

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

Farm Number	Tract Number	Field Num	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
5787	3034	1	Ir	ALFAL		Seed	29.80	29.80		.2500 .7500	GEORGE M WALKER BILL WALKER
		2	Ir	ALFAL		Seed	5.70	5.70		.2500 .7500	GEORGE M WALKER BILL WALKER
		3	Ir	ALFAL		Seed	5.80	5.80		.2500 .7500	GEORGE M WALKER BILL WALKER
		4	Ir	SWCRN	SWE	Seed	15.30	15.30		.2500 .7500	GEORGE M WALKER BILL WALKER
		5	Ir	WHEAT	SWW	Grain	20.20	20.20		.2500 .7500	GEORGE M WALKER BILL WALKER
		6	Ir	ALFAL		Seed	20.80	20.80		.2500 .7500	GEORGE M WALKER BILL WALKER
	3035	1	Ir	ALFAL		Seed	18.50	18.50		.2500 .7500	GEORGE M WALKER BILL WALKER
		2	Ir	ALFAL		Seed	17.30	17.30		.2500 .7500	GEORGE M WALKER BILL WALKER
		3	Ir	BEANS	BVG	Seed	18.00	18.00		.2500 .7500	GEORGE M WALKER BILL WALKER
		4	Ir	BEANS	BVG	Seed	17.10	17.10		.2500 .7500	GEORGE M WALKER BILL WALKER
	3036	1	Ir	FLOWR	SWW		10.50	10.50		.2500 .7500	GEORGE M WALKER BILL WALKER
		2	Ir	BEANS	BVG	Seed	16.80	16.80		.2500 .7500	GEORGE M WALKER BILL WALKER
		3	Ir	SWCRN	SWE	Seed	9.50	9.50		.2500 .7500	GEORGE M WALKER BILL WALKER
		4	Ir	SWCRN	SWE	Seed	17.80	17.80		.2500 .7500	GEORGE M WALKER BILL WALKER
		5	Ir	ALFAL		Seed	15.00	15.00		.2500 .7500	GEORGE M WALKER BILL WALKER
	3037	1	Ir	WHEAT	SWS	Grain	19.40	19.40		.2500	GEORGE M WALKER

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 1999

DATE: 03-01-2000

Farm Number	Tract Number	Field Num IO	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
5787	3037	1	Ir	WHEAT	(continued)					.7500	BILL WALKER
		2	Ir	DPEAS	GRE	Seed	13.30	13.30		.2500 .7500	GEORGE M WALKER BILL WALKER
		3	Ir	ALFAL		Seed	19.40	19.40		.2500 .7500	GEORGE M WALKER BILL WALKER
		4	Ir	ALFAL		Seed	19.70	19.70		.2500 .7500	GEORGE M WALKER BILL WALKER
		5	Ir	ALFAL		Seed	26.40	26.40		.2500 .7500	GEORGE M WALKER BILL WALKER
		1A	Ir	DPEAS	GRN	Seed	5.30	5.30		.2500 .7500	GEORGE M WALKER BILL WALKER
	3477	1	Ir	FLOWR	RUD		2.20	2.20		.2500 .7500	GEORGE M WALKER BILL WALKER
		1A	Ir	BEANS	BVG	Seed	2.00	2.00		.2500 .7500	GEORGE M WALKER BILL WALKER
		2	Ir	ALFAL		Seed	23.90	23.90		.2500 .7500	GEORGE M WALKER BILL WALKER
		3	Ir	DPEAS	GRE	Seed	18.00	18.00		.2500 .7500	GEORGE M WALKER BILL WALKER
		4	Ir	SWCRN	SWE	Seed	17.20	17.20		.2500 .7500	GEORGE M WALKER BILL WALKER
	3757	1	Ir	ALFAL		Seed	9.10	9.10		.2500 .7500	GEORGE M WALKER BILL WALKER

PRODUCER'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

 Producer's Signature

 Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

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: **A63-29025**
Date Received: 3/13/1990
Receipt No: W010941
Received By: _____

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

1. Name: GEORGE M WALKER 208-459-9107
Address: 12203 WALKER LAKE RD
CALDWELL ID 83605
AND/OR
Name: WANDA M WALKER 208-459-9107
Address: 12203 WALKER LAKE RD
CALDWELL ID 83605

2. Date of Priority: AUG 15, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	9	NW	SW	SW		CANYON

5. Description of diverting works:
280' WELL, 14" CASING, 50 HP PUMP, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.640		

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

8. Total consumptive use is 112.0 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

10. Place of Use:

AUG 03 1994

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	9	SW	SE		IRR	32.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	32.0
					Total Acres	32.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:
EXPANSION OF RIGHT 63-2839, BUT IS NOT IN VIOLATION OF THE
MANDATORY PERMIT STATUTE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED

AUG 03 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AUG 03 1994

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

A63-29025

Date Received

3/13/90

Receipt Number

W010941

RECEIVED

MAR 13 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) George M. and/or Wanda M. Walker Phone (208) 459-9107Mailing Address 12203 Walker Lake Rd. Zip 836052. Date of Priority (Only one (1) per claim) 8-15-19603. Source of water supply (a) ground water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 2N Range 3W Section 9,
NW 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of CanyonAdditional points of diversion if any: None.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well, 14" casing for 280'gravity Irrigation 50 HP Turbine pump.

MICROFILMED

AUG 03 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount .64 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .64 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 112 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) none

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>2N</u>	<u>3W</u>	<u>9</u>															<u>32</u>		<u>32</u>

Total number of acres irrigated 32

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (☒)

14. Remarks:

Expansion law 425 1416 expansion of
43-2839

MICROFILMED

AUG 03 1994

Last Name Walker Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

AUG 03 1994

Last Name W. G. K. E. S. Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) George M Walker Date 3/10/90
Shanda M Walker Date 3-10-90

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho) SS.

County of Canyon)

Subscribed and sworn (or affirmed) before me this 10 day of March 19 90

SEAL

Notary Public John B. May

Residing at 15470 Homedale Rd
 Caldwell, Idaho 83403

My Commission Expires Sept 21, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

AUG 03 1994

Last Name Walker Ident. Number _____

Copies White-State, Yellow-Claimant

ADJUDICATION CLAIM REVIEW CHECKLIST

8-1-92

CLAIMANT'S NAME

Walker

CLAIM IDENT. NO.

A03 -

DATE RECEIVED 3/13/90 RECEIPT # W010941 FEE PAID \$212 FEE REQ'D \$82

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) N/A ☒	☐	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? N/A ☐	☒	☐	
Is the consumptive use correct? N/A ☐	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? If multiple domestic, is single ownership indicated?	☐	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☐	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A ☒ If yes, compare claim w/existing right and attach proof report noting any differences in comments. If no, was water right no. found?	☐	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A ☐ (If yes, attach a proof report & complete number change) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☐	☒	
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A ☒	☐	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date) If no, was an extension of time filed & approved?	☒	☐	*
22. Is the fee enclosed correct? Exempt ☐	☒	☐	*

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AUG 03 1994

	YES	NO
23. Is this claim being rejected and returned to claimant?	—	✓
24. Can this claim be data entered?	✓	—
25. Was claim modified?	—	✓
If yes, do modifications require notification to claimant?	—	✓

Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: HHH Date 2/5/93
 Claim data entered by: JLV Date 7-12-93

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: Remarks state this is an expansion but it
is not in violation of the mandatory permit
statute.

Shurte, Jan

From: Shurte, Jan
Sent: Thursday, January 22, 2009 2:53 PM
To: 'Ted Booth'
Cc: Diana Delaney ; Keen, Shelley
Subject: RE: 63-2839

Ted,

Good catch. 63-2839 should not have the standard "enlargement subordination" remark on it. 63-29025 has the remark correctly as it is the enlargement for 63-2839. I will remove the remark from 63-2839. It was carried over from a transfer on 63-2839, so I am cc'ing Shelley Keen to change the water right database also.

Thanks,
Jan

From: Ted Booth [mailto:tbooth@srba.state.id.us]
Sent: Tuesday, January 06, 2009 4:42 PM
To: Shurte, Jan
Subject: 63-2839

Jan,

Water right 63-2839 has a remark that says that 63-29025 is an enlargement of 63-2839. However, 63-2839 also has the standard "enlargement subordination" remark, making it appear that 63-2839 is also an enlargement. Is this correct?
Ted

Eliminate annoying spam!

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

*Correction made on recommendation
for 63-2839 (upon which this
is an enlargement claim)*

1/22/2009

Jan Shute
Plz respond.

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

NOV 01 2006

DEPARTMENT OF
WATER RESOURCES

Boise
Idaho Falls
Pocatello
Twin Falls

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns

Michael E. Thomas
Patricia M. Olsson
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
Michael W. McGreaham
David P. Gardner
Julian E. Gabiola
Angela Schaefer Kaufmann
Kimberly D. Evans Ross
Paul D. McFarlane
Jon A. Stenquist
Tyler J. Henderson

Jason G. Murray
Mark C. Peterson
Andrew J. Waldera
Tyler J. Anderson
Dylan B. Lawrence
Russell G. Mercalf
Benjamin C. Ritchie
Rebecca A. Rainey

Robert E. Bakes, *of counsel*
Morgan W. Richards, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

October 30, 2006

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

David R. Tuthill Jr. 
Administrator
Resource Protection Bureau
Idaho Department of Water Resources
322 E. Front Street
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED

NOV 06 2006

WATER RESOURCES
WESTERN REGION

Re: Water Right Nos. 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, and 63-29025, in the name of Beranna Dairy

Dear Dave:

I am in receipt of correspondence from Karl Dreher, Director of the Idaho Department of Water Resources, concerning water right nos. 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, and 63-29025, together with preliminary recommendations pertaining to these water rights. Please note that I no longer represent Bernie Teunissen or Beranna Dairy. Therefore, please remove my name and the firm of Moffatt, Thomas, Barrett, Rock & Fields, Chartered, as counsel of record for Bernie Teunissen and/or Beranna Dairy.

Thank you for your anticipated cooperation in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,


Scott L. Campbell

SLC/tmh

09/29/2006

REC-707

NOV 02 2006

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-29025

BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607
Telephone Number: (208)454-7705

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

Place of use should increased by 11 ac.

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

Recommendation says 28 ac irrigated in NW 1/4 of SW 1/4 of Section 16. Correct No. is 39 ac

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

See attached affidavit and map

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

DATE: 10-31-06

SIGNATURE:

Bernie Teunissen

Please print your name:

BERNIE TEUNISSEN

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

BERANNA DAIRY

9166 PERCH RD. CALDWELL ID 83607 TEL. 208 484 5489

RECEIVED

October 31, 2006

NOV 02 2006

Idaho department of water Resources

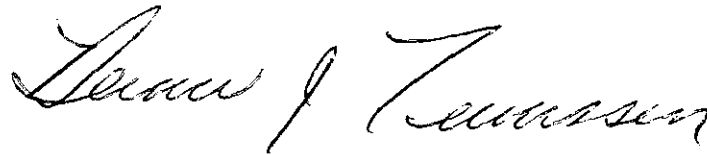
WATER RESOURCES
WESTERN REGION

Faxed October 31, 2006 are this cover sheet in addition to "notice of error reply", and an Affidavit from the previous owner of our farm. We feel an error was made on SRBA mapping

I will follow this thru mail with maps of fore mentioned errors, in addition to all reply documents

Any questions may be directed to myself 208 484 5489

Bernie Teunissen



Faxed 10-31-06

in NW SW 334 2348
only 28 acres¹ was
included in the
transfer for all these
water rights

RECEIVED

NOV 02 2006

WATER RESOURCES
WESTERN REGION

Affidavit

To: Idaho Department of Water Resources

From: John R. Johnson -

RE: IDWR recommendation with respect to the place of use for WR #'s

No. Water Right

- 1 63-3329
- 2 63-3366
- 3 63-3396
- 4 63-8232
- 5 63-8253
- 6 63-10268
- 7 63-2839
- 8 63-29025

I irrigated the 39 acres in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 16, T2N R3W, from

1964 to 1999

I owned the property from 1945 until 1999

The attached aerial photo shows the $\frac{1}{4}$ $\frac{1}{4}$ to which this affidavit refers.

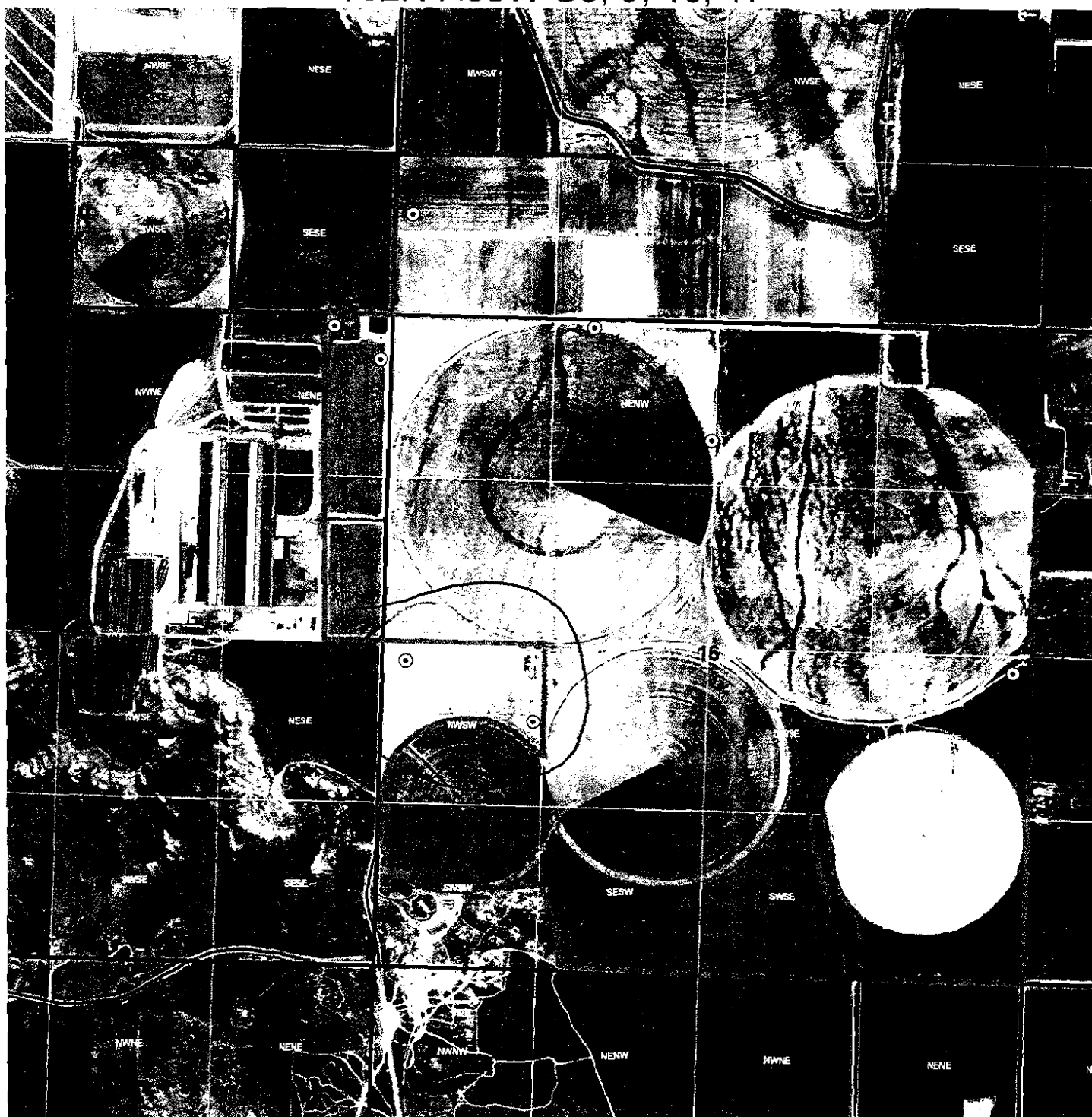
John R. Johnson
name

10-31-06
date

Idaho Department of Water Resources

63-2839

T02N R03W S8, 9, 16, 17



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



400 0 400 800 1200 1600 Feet



IDWR
Prepared by: Sandy Egbert
2004 Photography

02/27/2006

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

RIGHT NUMBER: 63-29025

NAME AND ADDRESS: BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.640 CFS
144.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.

Rights 63-2839 and 63-29025 when combined shall not exceed a total diversion rate of 1.35 cfs.

PRIORITY DATE: 08/15/1960

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T02N R03W S9 NWSWS Within CANYON County
T02N R03W S16 NENW Within CANYON County
T02N R03W S16 NENW Within CANYON County
T02N R03W S16 NWSW Within CANYON County
T02N R03W S16 NWSW Within CANYON County
T02N R03W S16 NESE Within CANYON County
T02N R03W S17 NENE Within CANYON County
T02N R03W S17 NENE Within CANYON County

Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-08253 and 63-10268 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.640 CFS 144.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T02N R03W S08	SWSE	40.00	T02N R03W S09	SWSW	40.00
T02N R03W S09	SESW	39.00	T02N R03W S09	SWSE	32.00
T02N R03W S16	NENE	38.00	T02N R03W S16	NWNE	37.00

T02N R03W S16	SWNE	40.00	T02N R03W S16	SENE	39.00
T02N R03W S16	NENW	39.00	T02N R03W S16	NWNW	40.00
T02N R03W S16	SWNW	40.00	T02N R03W S16	SENW	40.00
T02N R03W S16	NESW	40.00	T02N R03W S16	NWSW	28.00
T02N R03W S16	SWSW	32.00	T02N R03W S16	SESW	37.00
T02N R03W S16	NESE	39.00	T02N R03W S16	NWSE	20.00
T02N R03W S16	SWSE	30.00	T02N R03W S16	SESE	40.00
T02N R03W S17	NENE	18.00	T02N R03W S17	NWNE	36.00
T02N R03W S17	SWNE	26.00	T02N R03W S17	SENE	15.00

825 ACRES TOTAL

This right is limited to the irrigation of 32 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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 right holder shall accomplish the change authorized by Transfer 71280 within one year of the date of the approval.

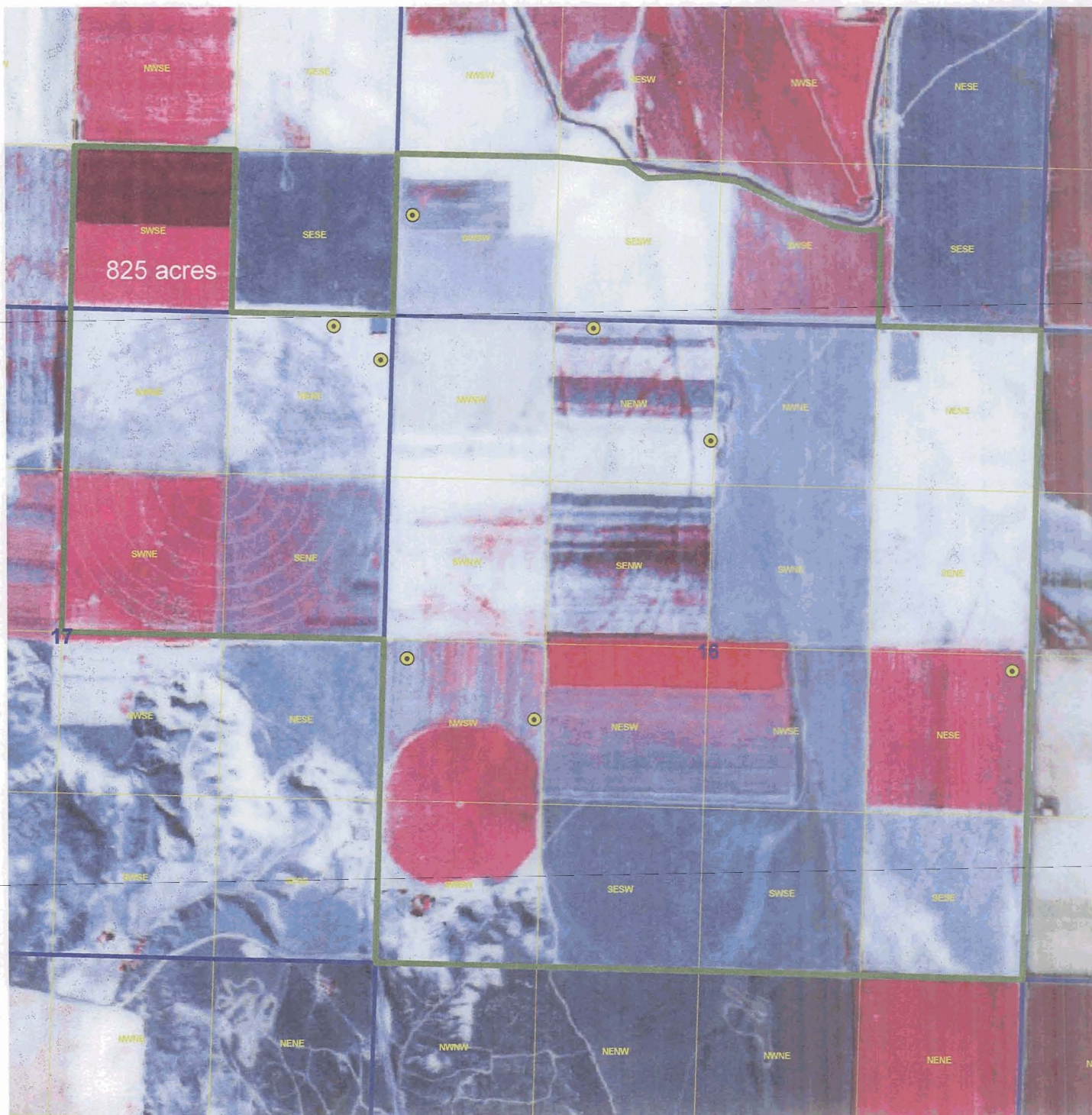
Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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.

Idaho Department of Water Resources

63-29025

T02N R03W S8, 9, 16, 17



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



400 0 400 800 1200 1600 Feet

IDWR
Prepared by: Sandy Egbert
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-29025 V1

WATER RIGHT NUMBER: 63-29025 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	ANGELA D SCHAER KAUFMANN MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000
Current Owner	BERANNA DAIRY 9166 PERCH AVE CALDWELL, ID 83607 (208)454-7705
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000

Priority Date: 08/15/1960

Basis: Beneficial Use

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>
IRRIGATION	03/01 to 11/15	0.640 CFS	144.00 AF
	<u>Total Diversion:</u>	0.640 CFS	144.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 17, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4SE1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4SW1/4	Sec. 9, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 17, Twp 02N, Rge 03W, B.M.
CANYON County		

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-29025 V1

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	03W	8															40.0		40.0
02N	03W	9									40.0	39.0					32.0		111.0
02N	03W	16	38.0	37.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	28.0	32.0	37.0	39.0	20.0	30.0	40.0	579.0
02N	03W	17	18.0	36.0	26.0	15.0													95.0

Total Acres: 825

Conditions of Approval:

1. X27 This right is limited to the irrigation of 32 acres within the place of use described above in a single irrigation season.
2. X36 Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-08253 and 63-10268 are also diverted through the points of diversion described above.
3. 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.
4. Right 63-29025 is an enlargement of Right 63-2839 pursuant to Section 42-1426, Idaho Code.
5. 083 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
6. T07 The right holder shall accomplish the change authorized by Transfer 71280 within one year of the date of the approval.
7. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.
8. 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.
9. 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.
10. 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.
11. X35 Rights 63-2839 and 63-29025 when combined shall not exceed a total diversion rate of 1.35 cfs.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-29025 V1

Comments:

1. pskaggs 1/3/2005 12:20:07 PM Transferred Right
Comment: This is now a approved transfer, transfer number = 71280

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: 0.02
Generic Max Volume Per Acre: 4.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	2/27/2006 9:35:46 AM	segbert			Active
POD	2/27/2006 9:37:00 AM	segbert			Active
Source	2/27/2006 9:41:06 AM	segbert			Active
POU	2/27/2006 9:41:25 AM	segbert			Active
Use	2/27/2006 9:42:08 AM	segbert			Active
Season	2/27/2006 9:42:40 AM	segbert			Active
Quantity	2/27/2006 9:43:46 AM	segbert			Active
Summary			02/27/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	2/27/2006 9:38:48 AM	segbert	Updated shape
POD	2/27/2006 9:39:58 AM	segbert	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-29025 V1

POU	2/27/2006 9:41:25 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
Use	2/27/2006 9:42:08 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	2/27/2006 9:42:40 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	2/27/2006 9:43:47 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - per transfer Description for Question 10 - per transfer

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-29025 V1

Summary	2/27/2006 9:47:40 AM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 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? (No) 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	2/27/2006 9:39:31 AM	segbert	Updated shape
POD	2/27/2006 9:37:00 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	2/27/2006 9:38:30 AM	segbert	Updated shape
POD	2/27/2006 9:39:13 AM	segbert	Updated shape
POD	2/27/2006 9:40:22 AM	segbert	Updated shape
Source	2/27/2006 9:41:06 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	2/27/2006 9:41:47 AM	segbert	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-29025 V1

General	2/27/2006 9:35:47 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - affidavit in file
POD	2/27/2006 9:37:54 AM	segbert	Updated shape
POD	2/27/2006 9:40:38 AM	segbert	Updated shape

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-29025

WATER RIGHT NUMBER: 63-29025

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	ANGELA D SCHAER KAUFMANN MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000
Current Owner	BERANNA DAIRY 9166 PERCH AVE CALDWELL, ID 83607 (208)454-7705
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000

Priority Date: 08/15/1960

Basis: Beneficial Use

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>
IRRIGATION	03/01 to 11/15	0.640 CFS	144.00 AF
	<u>Total Diversion:</u>	0.640 CFS	144.00 AF

Location of Point(s) of Diversion

GROUND WATER CANYON County	NE1/4NW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
GROUND WATER CANYON County	NE1/4NW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
GROUND WATER CANYON County	NE1/4NE1/4	Sec. 17, Twp 02N, Rge 03W, B.M.
GROUND WATER CANYON County	NE1/4SE1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
GROUND WATER CANYON County	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
GROUND WATER CANYON County	NW1/4SW1/4	Sec. 16, Twp 02N, Rge 03W, B.M.
GROUND WATER CANYON County	NW1/4SW1/4SW1/4	Sec. 9, Twp 02N, Rge 03W, B.M.
GROUND WATER CANYON County	NE1/4NE1/4	Sec. 17, Twp 02N, Rge 03W, B.M.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-29025

Place of Use

IRRIGATION

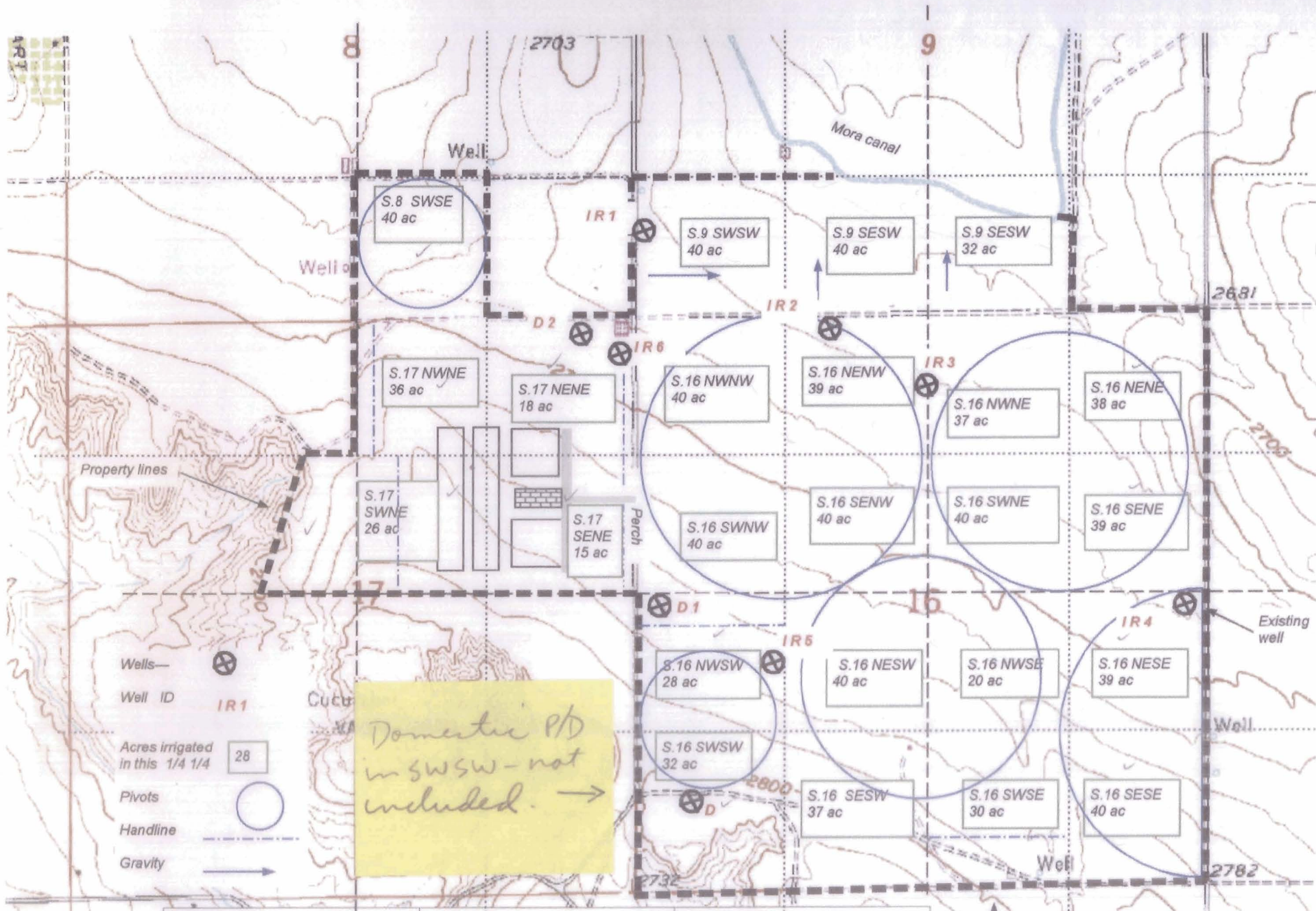
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	8															40.0		40.0
02N	03W	9									40.0	39.0					32.0		111.0
02N	03W	16	38.0	37.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	28.0	32.0	37.0	39.0	20.0	30.0	40.0	579.0
02N	03W	17	18.0	36.0	26.0	15.0													95.0

Total Acres: 825

Conditions of Approval:

1. X36 Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-08253 and 63-10268 are also diverted through the points of diversion described above.
2. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.
3. X27 This right is limited to the irrigation of 32 acres within the place of use described above in a single irrigation season.
4. 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.
5. 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.
6. ~~T06~~ Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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.
9. Right 63-29025 is an enlargement of Right 63-2839 pursuant to Section 42-1426, Idaho Code.
10. 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.
11. 083 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
12. X35 Rights 63-2839 and 63-29025 when combined shall not exceed a total diversion rate of 1.35 cfs.

Remarks:



Map Showing POD and PPU after Transfer	TZN R3W S.8,9,16,17	June 10, 2003
Beranna Dairy	Not to Scale	Prepared by
Caldwell, Idaho		Darwin Vander Stelt

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-29025

02/21/2006

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Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2839	Claim	02N	03W	8	SW	SE		IRRIGATION	40/825	BERANNA DAIRY
3329	Claim	02N	03W	8	SW	SE		IRRIGATION	40/825	BERANNA DAIRY
3366	Claim	02N	03W	8	SW	SE		IRRIGATION	40/825	BERANNA DAIRY
3396	Claim	02N	03W	8	SW	SE		IRRIGATION	40/825	BERANNA DAIRY
8232	Claim	02N	03W	8	SW	SE		IRRIGATION	40/825	BERANNA DAIRY
8253	Claim	02N	03W	8	SW	SE		IRRIGATION	40/825	BERANNA DAIRY
29025	Claim	02N	03W	8	SW	SE		IRRIGATION	40/825	BERANNA DAIRY
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3396	Claim	02N	03W	9	SW	SW		IRRIGATION	40/825	BERANNA DAIRY
8232	Claim	02N	03W	9	SW	SW		IRRIGATION	40/825	BERANNA DAIRY
8253	Claim	02N	03W	9	SW	SW		IRRIGATION	40/825	BERANNA DAIRY
29025	Claim	02N	03W	9	SW	SW		IRRIGATION	40/825	BERANNA DAIRY
2839	Claim	02N	03W	9	SE	SW		IRRIGATION	39/825	BERANNA DAIRY
3329	Claim	02N	03W	9	SE	SW		IRRIGATION	39/825	BERANNA DAIRY
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3396	Claim	02N	03W	9	SE	SW		IRRIGATION	39/825	BERANNA DAIRY
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8253	Claim	02N	03W	9	SW	SE		IRRIGATION	32/825	BERANNA DAIRY
29025	Claim	02N	03W	9	SW	SE		IRRIGATION	32/825	BERANNA DAIRY

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-29025

02/21/2006

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2839	Claim	02N	03W	16	NE	NE		IRRIGATION	38/825	BERANNA DAIRY
3329	Claim	02N	03W	16	NE	NE		IRRIGATION	38/825	BERANNA DAIRY
3366	Claim	02N	03W	16	NE	NE		IRRIGATION	38/825	BERANNA DAIRY
3396	Claim	02N	03W	16	NE	NE		IRRIGATION	38/825	BERANNA DAIRY
8232	Claim	02N	03W	16	NE	NE		IRRIGATION	38/825	BERANNA DAIRY
8253	Claim	02N	03W	16	NE	NE		IRRIGATION	38/825	BERANNA DAIRY
29025	Claim	02N	03W	16	NE	NE		IRRIGATION	38/825	BERANNA DAIRY
2839	Claim	02N	03W	16	NW	NE		IRRIGATION	37/825	BERANNA DAIRY
3329	Claim	02N	03W	16	NW	NE		IRRIGATION	37/825	BERANNA DAIRY
3366	Claim	02N	03W	16	NW	NE		IRRIGATION	37/825	BERANNA DAIRY
3396	Claim	02N	03W	16	NW	NE		IRRIGATION	37/825	BERANNA DAIRY
8232	Claim	02N	03W	16	NW	NE		IRRIGATION	37/825	BERANNA DAIRY
8253	Claim	02N	03W	16	NW	NE		IRRIGATION	37/825	BERANNA DAIRY
29025	Claim	02N	03W	16	NW	NE		IRRIGATION	37/825	BERANNA DAIRY
2839	Claim	02N	03W	16	SW	NE		IRRIGATION	40/825	BERANNA DAIRY
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29025	Claim	02N	03W	16	SW	NE		IRRIGATION	40/825	BERANNA DAIRY
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**IDAHO DEPARTMENT OF WATER RESOURCES
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3396	Claim	02N	03W	16	NW	NW		IRRIGATION	40/825	BERANNA DAIRY
8232	Claim	02N	03W	16	NW	NW		IRRIGATION	40/825	BERANNA DAIRY
8253	Claim	02N	03W	16	NW	NW		IRRIGATION	40/825	BERANNA DAIRY
29025	Claim	02N	03W	16	NW	NW		IRRIGATION	40/825	BERANNA DAIRY
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8232	Claim	02N	03W	16	SW	NW		IRRIGATION	40/825	BERANNA DAIRY
8253	Claim	02N	03W	16	SW	NW		IRRIGATION	40/825	BERANNA DAIRY
29025	Claim	02N	03W	16	SW	NW		IRRIGATION	40/825	BERANNA DAIRY
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8232	Claim	02N	03W	16	SE	NW		IRRIGATION	40/825	BERANNA DAIRY
8253	Claim	02N	03W	16	SE	NW		IRRIGATION	40/825	BERANNA DAIRY
29025	Claim	02N	03W	16	SE	NW		IRRIGATION	40/825	BERANNA DAIRY

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-29025**

02/21/2006

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Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2839	Claim	02N	03W	16	NE	SW		IRRIGATION	40/825	BERANNA DAIRY
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29025	Claim	02N	03W	16	NE	SW		IRRIGATION	40/825	BERANNA DAIRY
2839	Claim	02N	03W	16	NW	SW		IRRIGATION	28/825	BERANNA DAIRY
3329	Claim	02N	03W	16	NW	SW		IRRIGATION	28/825	BERANNA DAIRY
3366	Claim	02N	03W	16	NW	SW		IRRIGATION	28/825	BERANNA DAIRY
3396	Claim	02N	03W	16	NW	SW		IRRIGATION	28/825	BERANNA DAIRY
8232	Claim	02N	03W	16	NW	SW		IRRIGATION	28/825	BERANNA DAIRY
8253	Claim	02N	03W	16	NW	SW		IRRIGATION	28/825	BERANNA DAIRY
29025	Claim	02N	03W	16	NW	SW		IRRIGATION	28/825	BERANNA DAIRY
2839	Claim	02N	03W	16	SW	SW		IRRIGATION	32/825	BERANNA DAIRY
3329	Claim	02N	03W	16	SW	SW		IRRIGATION	32/825	BERANNA DAIRY
3366	Claim	02N	03W	16	SW	SW		IRRIGATION	32/825	BERANNA DAIRY
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8232	Claim	02N	03W	16	SW	SW		IRRIGATION	32/825	BERANNA DAIRY
8253	Claim	02N	03W	16	SW	SW		IRRIGATION	32/825	BERANNA DAIRY
29025	Claim	02N	03W	16	SW	SW		IRRIGATION	32/825	BERANNA DAIRY
20932	Water Right	02N	03W	16	SW	SW		DOMESTIC		JOHN R JOHNSON
2839	Claim	02N	03W	16	SE	SW		IRRIGATION	37/825	BERANNA DAIRY
3329	Claim	02N	03W	16	SE	SW		IRRIGATION	37/825	BERANNA DAIRY
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8253	Claim	02N	03W	16	SE	SW		IRRIGATION	37/825	BERANNA DAIRY

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29025	Claim	02N	03W	17	NE	NE		IRRIGATION	18/825	BERANNA DAIRY
3366	Claim	02N	03W	17	NE	NE		STOCKWATER		BERANNA DAIRY
3396	Claim	02N	03W	17	NE	NE		STOCKWATER		BERANNA DAIRY
8232	Claim	02N	03W	17	NE	NE		STOCKWATER		BERANNA DAIRY
3366	Claim	02N	03W	17	NE	NE		COMMERCIAL		BERANNA DAIRY
3396	Claim	02N	03W	17	NE	NE		COMMERCIAL		BERANNA DAIRY
8232	Claim	02N	03W	17	NE	NE		COMMERCIAL		BERANNA DAIRY
2839	Claim	02N	03W	17	NW	NE		IRRIGATION	36/825	BERANNA DAIRY
3329	Claim	02N	03W	17	NW	NE		IRRIGATION	36/825	BERANNA DAIRY
3366	Claim	02N	03W	17	NW	NE		IRRIGATION	36/825	BERANNA DAIRY
3396	Claim	02N	03W	17	NW	NE		IRRIGATION	36/825	BERANNA DAIRY
8232	Claim	02N	03W	17	NW	NE		IRRIGATION	36/825	BERANNA DAIRY
8253	Claim	02N	03W	17	NW	NE		IRRIGATION	36/825	BERANNA DAIRY
29025	Claim	02N	03W	17	NW	NE		IRRIGATION	36/825	BERANNA DAIRY
3366	Claim	02N	03W	17	NW	NE		STOCKWATER		BERANNA DAIRY
3396	Claim	02N	03W	17	NW	NE		STOCKWATER		BERANNA DAIRY
8232	Claim	02N	03W	17	NW	NE		STOCKWATER		BERANNA DAIRY
3366	Claim	02N	03W	17	NW	NE		COMMERCIAL		BERANNA DAIRY
3396	Claim	02N	03W	17	NW	NE		COMMERCIAL		BERANNA DAIRY
8232	Claim	02N	03W	17	NW	NE		COMMERCIAL		BERANNA DAIRY
2839	Claim	02N	03W	17	SW	NE		IRRIGATION	26/825	BERANNA DAIRY

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-29025

02/21/2006

7

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3329	Claim	02N	03W	17	SW	NE		IRRIGATION	26/825	BERANNA DAIRY
3366	Claim	02N	03W	17	SW	NE		IRRIGATION	26/825	BERANNA DAIRY
3396	Claim	02N	03W	17	SW	NE		IRRIGATION	26/825	BERANNA DAIRY
8232	Claim	02N	03W	17	SW	NE		IRRIGATION	26/825	BERANNA DAIRY
8253	Claim	02N	03W	17	SW	NE		IRRIGATION	26/825	BERANNA DAIRY
29025	Claim	02N	03W	17	SW	NE		IRRIGATION	26/825	BERANNA DAIRY
3366	Claim	02N	03W	17	SW	NE		STOCKWATER		BERANNA DAIRY
3396	Claim	02N	03W	17	SW	NE		STOCKWATER		BERANNA DAIRY
8232	Claim	02N	03W	17	SW	NE		STOCKWATER		BERANNA DAIRY
3366	Claim	02N	03W	17	SW	NE		COMMERCIAL		BERANNA DAIRY
3396	Claim	02N	03W	17	SW	NE		COMMERCIAL		BERANNA DAIRY
8232	Claim	02N	03W	17	SW	NE		COMMERCIAL		BERANNA DAIRY
2839	Claim	02N	03W	17	SE	NE		IRRIGATION	15/825	BERANNA DAIRY
3329	Claim	02N	03W	17	SE	NE		IRRIGATION	15/825	BERANNA DAIRY
3366	Claim	02N	03W	17	SE	NE		IRRIGATION	15/825	BERANNA DAIRY
3396	Claim	02N	03W	17	SE	NE		IRRIGATION	15/825	BERANNA DAIRY
8232	Claim	02N	03W	17	SE	NE		IRRIGATION	15/825	BERANNA DAIRY
8253	Claim	02N	03W	17	SE	NE		IRRIGATION	15/825	BERANNA DAIRY
29025	Claim	02N	03W	17	SE	NE		IRRIGATION	15/825	BERANNA DAIRY
3366	Claim	02N	03W	17	SE	NE		STOCKWATER		BERANNA DAIRY
3396	Claim	02N	03W	17	SE	NE		STOCKWATER		BERANNA DAIRY
8232	Claim	02N	03W	17	SE	NE		STOCKWATER		BERANNA DAIRY
3366	Claim	02N	03W	17	SE	NE		COMMERCIAL		BERANNA DAIRY
3396	Claim	02N	03W	17	SE	NE		COMMERCIAL		BERANNA DAIRY
8232	Claim	02N	03W	17	SE	NE		COMMERCIAL		BERANNA DAIRY

06/20/2005

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

RIGHT NUMBER: 63-29025

NAME AND ADDRESS: BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.640 CFS
144.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.

Rights 63-2839 and 63-29025 when combined shall not exceed a total diversion rate of 1.35 cfs.

PRIORITY DATE: 08/15/1960

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T02N R03W S9 NWSWSW Within CANYON County
T02N R03W S16 NENW Within CANYON County
T02N R03W S16 NENW Within CANYON County
T02N R03W S16 NWSW Within CANYON County
T02N R03W S16 NWSW Within CANYON County
T02N R03W S16 NESE Within CANYON County
T02N R03W S17 NENE Within CANYON County
T02N R03W S17 NENE Within CANYON County

Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-08253 and 63-10268 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.640 CFS 144.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T02N R03W S08	SWSE	40.0	T02N R03W S09	SWSW	40.0
T02N R03W S09	SESW	39.0	T02N R03W S09	SWSE	32.0
T02N R03W S16	NENE	38.0	T02N R03W S16	NWNE	37.0
T02N R03W S16	SWNE	40.0	T02N R03W S16	SENE	39.0
T02N R03W S16	NENW	39.0	T02N R03W S16	NWNW	40.0
T02N R03W S16	SWNW	40.0	T02N R03W S16	SENW	40.0
T02N R03W S16	NESW	40.0	T02N R03W S16	NWSW	28.0
T02N R03W S16	SWSW	32.0	T02N R03W S16	SESW	37.0
T02N R03W S16	NESE	39.0	T02N R03W S16	NWSE	20.0
T02N R03W S16	SWSE	30.0	T02N R03W S16	SESE	40.0
T02N R03W S17	NENE	18.0	T02N R03W S17	NWNE	36.0
T02N R03W S17	SWNE	26.0	T02N R03W S17	SENE	15.0

825 ACRES TOTAL

This right is limited to the irrigation of 32 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: Beneficial Use

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 right holder shall accomplish the change authorized by Transfer 71280 within one year of the date of the approval.

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

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-29025

WATER RIGHT NUMBER: 63-29025

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GEORGE M WALKER 12203 WALKER LAKE RD CALDWELL, ID 83605 (208)459-9107
Original Owner	WANDA M WALKER 12203 WALKER LAKE RD CALDWELL, ID 83605 (208)459-9107
Current Owner	JANE TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	BERNARD TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	BERNARD TEUNISSEN FAMILY TRUST 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	JANE TEUNISSEN FAMILY TRUST 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	BERANNA DAIRY ANNA TEUNISSEN 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Current Owner	BERANNA DAIRY BERNARD TEUNISSEN JR 9166 PERCH AVE CALDWELL, ID 83607 (208)455-7705
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000
Attorney	ANGELA SCHAER KAUFMANN MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208)345-2000

Priority Date: 08/15/1960

Basis: Beneficial Use

Status: Active

Source

GROUND WATER

Tributary

*See attached
notes re:
ownership change
docs.*

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-29025

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.640 CFS	
	<u>Total Diversion:</u>	0.640 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4SW1/4SW1/4 Sec. 9, Twp 02N, Rge 03W, B.M.
CANYON 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	03W	9																32.0	32.0

Total Acres: 32

Conditions of Approval:Remarks:

- General EXPANSION OF RIGHT 63-2839, BUT IS NOT IN VIOLATION OF THE MANDATORY PERMIT STATUTE.

Comments:Dates and Other Information:

Claim Received Date: 3/13/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND/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

Ownership docs also
rec'd in 2000.

Processed & changes
made in 2002.

Therefore - no changes
necessary for this
paperwork rec'd in
← ~~10~~ 10/2003 at region. DH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**OCT 18 2001**

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-290 ² 95	A63-29025	—			—
63-02839	A63-02839	—			—
		—			—
		—			—
		—			—

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 JUN 30 2003 *from W.A.*
 Department of Water Resources

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) George M. and Wanda M. Walker
12203 Walker Lake Rd., Caldwell, ID 83605
4. New Owner/Claimant(s) Teunissen Family Trust
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 9166 Perch Road
 City, State and ZIP Code Caldwell, ID 83605
 New Telephone Number (208) 455-7705
5. Date you acquired the property February 25, 2000

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WESTERN REGION**ORIGINAL**

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) *Denard Tindan*
(include title if applicable) _____

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

For Office Use Only			
Received by <u><i>[Signature]</i></u>	Date <u>10-18-01</u>	Fee <u>\$25.00 (X2)</u>	
Receipted by <u><i>[Signature]</i></u>	Date <u>10-18-01</u>	Receipt No <u>0057140-021</u>	<u>057141</u>
Processed by _____	AJ Date _____	WR _____	Date _____

INSTRUMENT NO. 100007411

DN 57844

WARRANTY DEED

J. J.
BT.

FOR VALUE RECEIVED GEORGE M. WALKER and WANDA MARIE WALKER,
also known as WANDA M. WALKER, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto BERNARD TEUNISSEN AND JANE
TEUNISSEN, AS TRUSTEES OF THE BERNARD TEUNISSEN FAMILY TRUST, DATED
JANUARY 8, 1990

the Grantees, whose address is 9166 Perch Road, Caldwell, ID 83605

the following described premises, to-wit:

PARCEL I:

All that part of the Southwest Quarter of the Southeast Quarter of
Section 9, Township 2 North, Range 3 West of the Boise Meridian,
Canyon County, Idaho, lying South of the Mora Canal.

PARCEL II:

East One-Half of the Southwest Quarter lying South of Mora Canal;
and all of the Southwest Quarter of the Southwest Quarter in
Section 9, Township 2 North, Range 3 West, Boise Meridian, Canyon
County, Idaho.

ALL OF THE DESCRIBED REAL PROPERTY IS TRANSFERRED AND CONVEYED
TOGETHER WITH ALL WATER, AND WATER RIGHTS AND INTERESTS,
APPURTENANT TO OR INURING TO THE BENEFIT OF SAID REAL PROPERTY OR
ANY PART THEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2000 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: February 25, 2000

George M Walker
GEORGE M. WALKER

Wanda Marie Walker
WANDA MARIE WALKER

STATE OF IDAHO

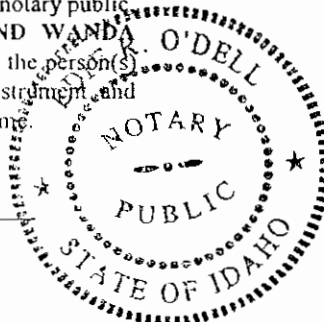
COUNTY OF CANYON March

On this 1st day of ~~XXXXXX~~, 2000, before me, a notary public,
personally appeared GEORGE M. WALKER AND WANDA
MARIE WALKER, known or identified to me to be the person(s)
who(se) name(s) is/are subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same.

Elic R. O'Dell
Notary Public

Residing at Nampa

My commission expires: 4/17/2003



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

PHONE: 208 466-6100
FAX: 208 465-3248

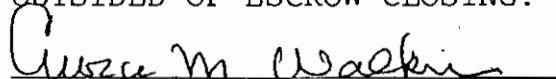
FEBRUARY 28, 2000

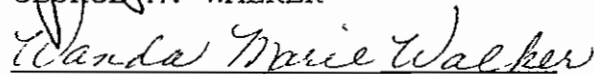
TO: PIONEER TITLE COMPANY OF CANYON COUNTY

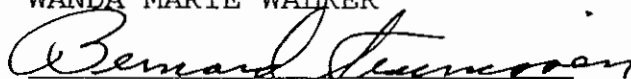
RE: PN57844
WALKER TO TEUNISSEN

The undersigned herein, hereby agree to handle the transfer of any water rights, irrigation equipment, crop contract agreements, dairy permits, etc. outside of this escrow closing.

PIONEER TITLE COMPANY OF CANYON COUNTY IS HEREBY HELD HARMLESS FROM ANY LOSS OR LIABILITY WHICH MAY ARISE AS A RESULT OF TRANSFERS OUTSIDED OF ESCROW CLOSING.


GEORGE M. WALKER


WANDA MARIE WALKER


BERNARD TEUNISSEN


JANE TEUNISSEN

B1.
J2

Water Right Transfer to New Ownership

George and Wanda Walker, husband and wife, hereby acknowledge and agree that they hereby assign, sell, and relinquish all their water right licenses and permits, any other pending applications and water rights of any kind whatsoever pertaining thereto related to the property located in Section 9, T.2N., R.3W., B.M., Canyon County, Idaho - containing about 107 acres to Beranna Dairy and/or Bernard, Jr. and Anna Teunissen and/or Bernard and Jane Teunissen and/or Bernard and Jane Teunissen Family Trust residing at 9168 Perch Ave., Caldwell, Idaho 83607.

Dated this 1st day of March, 2000, by:

George M. Walker
George Walker

Wanda Marie Walker
Wanda Walker

State of Idaho)

) ss

County of Canyon)

On this 1st day of March, 2000, before me a Notary Public for the State of Idaho, personally appeared George and Wanda Walker, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they understand and freely executed this instrument for the purposes therein stated.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public in and for Idaho

My Commission expires _____

BS.
J2

Dated this 1st day of March, 2000, by:

Wanda Walker
Wanda Walker

Notary Public in and for Idaho
My Commission expires

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AUG - 7 2003

Department of Water Resources

Scott L. Campbell, ISB No. 2251
Angela Schaer Kaufmann, ISB No. 5436
MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED
101 S. Capitol Boulevard, 10th Floor
Post Office Box 829
Boise, Idaho 83701
Telephone: (208) 345-2000
Facsimile: (208) 385-5384
18953.0

Attorneys for Bernard and Jane Teunissen

**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. 63-29025

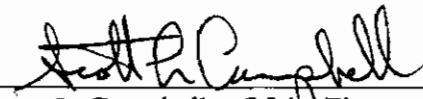
Case No. 39576

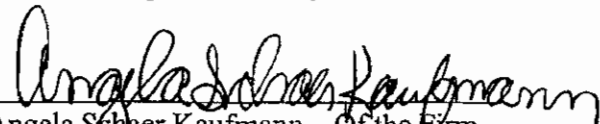
NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that Scott L. Campbell and Angela Schaer Kaufmann, of the firm of MOFFATT, THOMAS, BARRETT, ROCK & FIELDS, CHTD., 101 S. Capitol Blvd., 10th Floor, P.O. Box 829, Boise, Idaho, 83701-0829, hereby enters an appearance as Attorneys of Record for Bernard and Jane Teunissen.

DATED this 6th day of August 2003.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 
Scott L. Campbell – Of the Firm

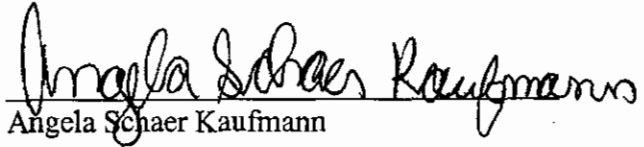
By 
Angela Schaer Kaufmann – Of the Firm
Attorneys for Bernard and Jane
Teunissen

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 14th day of August 2003, I caused a true and correct copy of the foregoing **NOTICE OF APPEARANCE** to be served by the method indicated below, and addressed to the following:

Director of IDWR
P.O. Box 83720
Boise, Idaho 83702-0098

- ☒ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Facsimile


Angela Schaer Kaufmann

The Next Step . . .

Please find enclosed Proof of Purchase copy of Deed.

Affidavit of man who has
lived within a mile & was farming
the adjoining property when we
installed pumps & built the pond.

Copies of entries in my ledger
for Tax purposes showing purchases
of pump, motor, switches, fueling,
metal pipe & cement ditches.

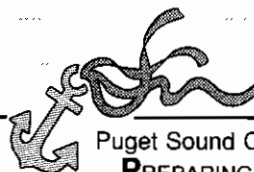
We have continued to farm this
property since 1962 -

✓
Gary M Walker

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AUG 18 1995

WATER RESOURCES
WESTERN REGION



Puget Sound Christian College, Edmonds, Washington
PREPARING SERVANTS FOR CHRIST'S CHURCH

INSTRUMENT NO. 490854

THIS INDENTURE, Made this 4th day of August
in the year of our Lord one thousand nine hundred and sixty, between
YALE B. HOLLAND and RUTH W. HOLLAND, husband and wife

of Nampa, County of Canyon, State of Idaho

the parties of the first part, and

GEORGE M. WALKER and WANDA MARIE WALKER, husband and wife

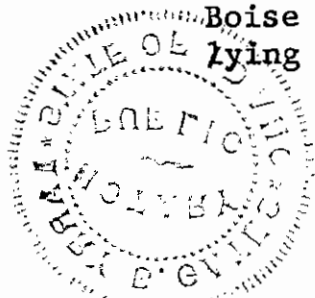
of Caldwell, County of Canyon, State of Idaho

the parties of the second part.

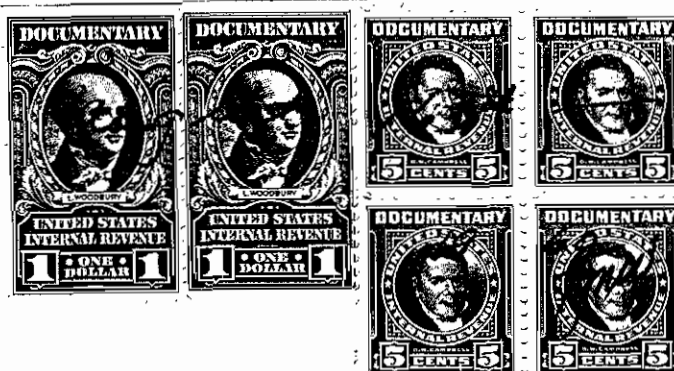
WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
TWO THOUSAND DOLLARS ----- DOLLARS,
lawful money of the United States of America,

to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in the County of Canyon, State of Idaho, to-wit:

All that part of the Southwest Quarter
of the Southeast Quarter Section 9,
Township 2 North, Range 3 West of the
Boise Meridian, Canyon County, Idaho
lying South of the Mora Canal.



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2.20



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WATER RESOURCES
WESTERN REGION

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever, and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

511301

INSTRUMENT NO. _____

THIS INDENTURE, Made this 4th day of January

in the year of our Lord one thousand nine hundred and Sixty-two, between

HUBERT E. HENNIS and HELEN M. HENNIS, husband and wife,

of Caldwell, County of Canyon, State of Idaho

the parties of the first part, and

GEORGE M. WALKER and WANDA M. WALKER, husband and wife,

of Caldwell, County of Canyon, State of Idaho

the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of

TEN AND NO/100 (\$10.00)-----DOLLARS,
 lawful money of the United States of America, and other good and valuable
 consideration to them in hand paid by the said
 parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
 and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
 of the second part, and to their heirs and assigns forever, all of the following described real estate,
 situated in, County of Canyon, State of Idaho, to-wit:

All of the Northeast Quarter of the South-
 west Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 9, Township
 2 North, Range 3 West of the Boise Meridian,
 lying South of the Mora Canal.

Together with all water, water rights, ditches
 and rights of way for ditches thereunto
 belonging or in anywise appertaining.



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WATER RESOURCES
WESTERN REGION

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto
 belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents,
 issues and profits thereof; and all estate, right, title and interest in and to the said property, as well
 in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together
 with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever,
 and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable
 possession of the said parties of the second part, their heirs and assigns, against the said parties
 of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully
 claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
AL3-29025)
)
)
)

AFFIDAVIT

State of Idaho)
County of Canyon)

Earl Lyons being first duly sworn,
deposes and says: An employee of mine, Howard Simpson,
dug a pond to hold water to supply water for
the SW 1/4 of SE 1/4 Sec 9 T2N R3W in the
spring of 1962 —

Earl Lyons
(Signature)

Subscribed and sworn to before me this
day 17 of Aug, 1995.

SEAL

Lettya Dainoff
(Notary Public)

Residing at Marsing, ID.

My Commission Expires 8-23-2000.

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WATER RESOURCES
WESTERN REGIONRecord of Purchase of
Machinery

Year Purchased	Type	Initial Value.	Remarks
5/28/53	Super M Farmall Tractor ^{xx} 2 Bottom	3140 ⁰⁰	10 year depreciation Sold -
5/28/53	#39 16" roll over Plow	612 ⁰⁰	" " Sold -
11/22/53	Remote Control Unit for (Super M)	73 ³⁴	" " Sold -
4/26/55	Corn & Potato Cultivator ^{2 Row}	185 ⁰⁰	" " Sold 4-22-61 ^{75.00}
7/6/56	Single Front End	150 ⁰⁰	" " Sold -
12/4/56	#1 22' Elevator	747 ⁰⁰	" " " "
4/22/57	AC Model "66" Combine	1900 ⁰⁰	5 year Depreciation Sold - sold 8-20-61 ^{75.00}
6-22-57	#15 Side Delivery Rake	534 ⁰⁰	10 year Depreciation
6-30-57	Clower Sweeper	600 ⁰⁰	10-30-57 Sold 500
2-5-58	Bean & Corn Planter Row ⁴	533 ⁰⁰	10 year Depreciation
8-8-58	Bean Cutter 4 Row	266 ⁰⁰	10 year Depreciation -
8-9-58	Steel Granger 1000 bu ^{10 ft.}	460 ⁰⁰	5 year Depreciation
	Int. Shift for combine	4040	10 year Depreciation sold - 8-20-71 ²⁸⁰⁰
2-10-60	Finger Weeder	30	5 year Depreciation
3-30-60	Pickup	237 ⁵⁰	10 year Dep. Sold 6-26-61 ^{75.00}
4-2-60	Cultivator ^{2 Row} Rear mounted	195 ⁰⁰	10 year Depreciation
11-16-60	Grain Auger 30 ft.	90 ⁰⁰	10 year Depreciation
4-20-61	2 #185 Planter Units	200 ⁵⁰	10 year Depreciation
	Pickup (1956)	1050 ⁰⁰	5 year Depreciation
7-19-61	2 Row Bean cutter addition	93 ³⁸	10 year Depreciation
8-26-61	Combine Cab	1085 ⁸⁵	10 year Depreciation (sold combine see combine)
5-24-62	Can Cheo 4 Dr. ³⁴⁸⁷	1744 ⁵⁰	5 year Depreciation
8-13-62	Pump, Pk. & Switches	857 ¹⁰	10 year Depreciation

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Year -	Type	Cost	Remarks
3-30-73	Corn Detester	844 ³⁹	NT
4-26-73	^{Truck} Spray Tank & Pump	298 ⁴¹	NT
8-30-73	Type writer	272 ⁹⁵	NT
9-10-73	6 Row. Bean Windrower	631 ⁶⁷	NT
9-19-73	1970 Chev. pickup	2697 ⁵⁴	NT
10-18-73	14' ft. Combine 503	9500 ⁰⁰	NT
12-27-73	Cement Ditch	*2849.80	NT
12-19-73	⁶²⁹⁵⁰ 1/3 Interest in Case Combine	983 ³³	NT
1-8-74	6-185 Glanville Units	1480 ⁰⁰	NT
1-17-74	"74" Chev. Vega GT	3375 ⁰⁰	NT Bns (1253.25) Trade 78
1-28-74	1974-544 Int. Tractor	6991 ⁰⁰	NT
1-23-74	Triple K Extension	375 ⁰⁰	NT
4-18-74	Cement Ditch ^{1286 LF} @ 1.85 ft.	2379 ¹⁰	NT
5-19-74	Hac Duals- ¹⁶⁹²⁰ 123	4292 ⁸⁰	NT
5-17-74	Harrow & Draw bar - 20 ft.	524 ⁰⁰	NT
6-18-74	Windrower Turner	285 ⁰⁰	NT
6-74	Motorcycle-Dugouters	2700 ⁰⁰	NT
9-18-74	Chev Sta Wagon	7230 ⁰⁰	NT 105200.
8-8-74	Eversman Scraper ^{6 1/2 yd.}	2800 ⁰⁰	NT
10-16-74	Concrete Ditch @ ^{1213'} 2.00	2426 ⁰⁰	NT Holland 40
11-13-74	Cement Ditch @ ^{1715'} 2.00	3506 ⁰⁰	NT
12-20-74	"72" Jeep	3000 ⁰⁰	NT 1/2 Bns.
1-23-75	Calculator	72 ⁰⁵	NT
1-4-75	Cultivator 6 row Bean	1900 ⁰⁰	NT
	Ship to Page "6"		

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Conservation Work.

amt.	year Completed	Type of work.	Reimbursed by Federal Govt. or ASC	Amount.	
	9-54 to 11-54	Land leveling approx 70 acres - 135 hrs @ 11 ⁰⁰	828 ⁰⁰	1485 ⁰⁰	D
52	4-19-55	Concrete tile 1291' (111'-8" ³ rises 17 risers) installed	810 ⁴⁷	1328 ⁰⁶	E
52	4-17-55	Metal Pipe (helcor) 23'-21"		59 ⁴³	F
31	5-30-55	Concrete Headgates 118 poured in ditch		113 ⁷⁵	G
4.42	7-24-55	Land leveling & Subsoiling		176 ⁰⁰	H
11.15	5-16-55	Culvert Tile 16'-12"		9 ⁶⁰	I
100	4-19-55	Flap Valve for pipe		36 ⁵⁰ / ₁₀₀	J
1000	6-21-55	Outlet headgates in middle ditch		18 ⁷⁵	K
1160	9-10-60	leveling 30 acres - East 30 acres Pump Ltd.		1062.00	L
	9-11-61	Concrete tile 352'-8" ¹⁷⁻¹⁰⁰ & trenching	132.21	318.66	M
	3-4-62	Pond, metal Pipe & tile	4500.00	2427.29	M
	4-23-64	Concrete Pipe 606'-8"	229.14	458.85	N
	2-28-64	Concrete Pipe & 90° 702'-8"	239.01	539.52	O
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State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

Re: Claim No(s). A63-29025

A63-29025
GEORGE M WALKER
WANDA M WALKER
12203 WALKER LAKE RD
CALDWELL ID 83605

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

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Enclosures