

10/17/2006

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

RIGHT NUMBER: 63-7083

NAME AND ADDRESS: CLARENCE VANDER STELT & SONS DAIRY
A CALIFORNIA PARTNERSHIP
6701 HARRISON AVE
CORONA CA 91720

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.400 CFS
172.50 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

The total instantaneous diversion of water from all points of diversion under Transfer 67018 shall not exceed 2.76 cfs, nor total combined annual volume of 419.5 af for irrigation and dairy uses.

PRIORITY DATE: 04/11/1968

POINT OF DIVERSION:

T01N R03W S13 NENE Within CANYON County
T01N R03W S13 NENE Within CANYON County
T01N R03W S13 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.400 CFS 172.50 AFY

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

PLACE OF USE: IRRIGATION Within CANYON County

T01N R03W S13	SWNE	31.00	T01N R03W S13	SENE	31.00
T01N R03W S13	NESW	1.00	T01N R03W S13	SESW	40.00
T01N R03W S13	NESE	40.00	T01N R03W S13	NWSE	40.00
T01N R03W S13	SWSE	40.00	T01N R03W S13	SESE	39.00

262 ACRES TOTAL

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

Rights 63-3142 and 63-7083 when combined shall not exceed a total diversion rate of 2.76 cfs and a total annual maximum diversion volume of 172.5 af at the field headgate for the supplemental irrigation of 183.2 acres.

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

Right 63-7083 is limited to the supplemental irrigation of 120.0 acres within the place of use described above in a single irrigation season.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

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

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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

Use of water under this right may be affected by an agreement between the protestant and the right holder.

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

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



Idaho Department of Water Resources

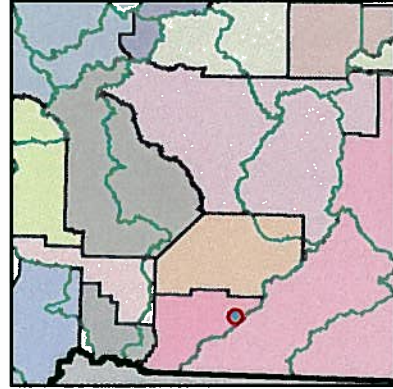
SRBA Recommendation:

63-7083

(Irrigation)

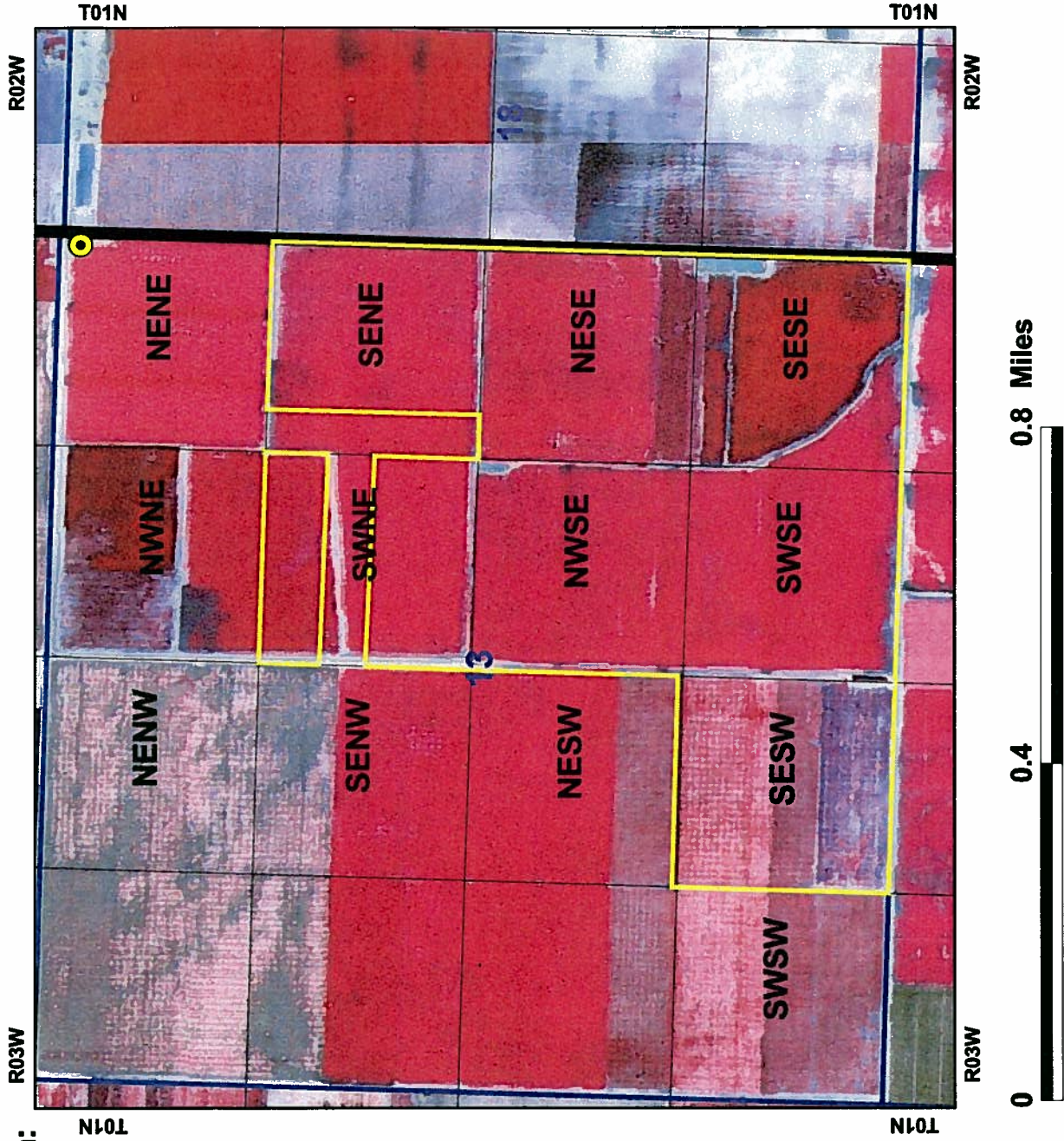
Legend

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



Canyon County
IDWR Basin 63

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography



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 63-7083
Date Received: 2/27/1990
Receipt No: C015057
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CLARENCE VANDER STELT & SONS DAIRY Phone: (909) 735-9585
A CALIFORNIA PARTNERSHIP
6701 HARRISON AVE
CORONA CA USA 91720

2. Date of Priority: 04/11/1968

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
01N	03W	13	NE	NE		CANYON	
01N	03W	13	NE	NE		CANYON	
01N	03W	13	NE	NE		CANYON	

5. Description of diverting works:

Back-up Well & pressure system for dairy.

Main Well & pressure system for dairy.

Well, pump & irrigation system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2.4	172.5

7. Total Quantity Appropriated is:
2.4 C.F.S. and/or 172.5 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
01N	03W	13	SE	SE	IRRIGATION	39
			SW	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			NE	SE	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SW	IRRIGATION	1
			SE	NE	IRRIGATION	31
			SW	NE	IRRIGATION	31
					Section Acres	262
					Total Acres	262

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:

Claim amended per Transfer 67018 approved 4/13/01.

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

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

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.

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

The total instantaneous diversion of water from all points of diversion under Transfer 67018 shall not exceed 2.76 cfs, nor total combined annual volume of 419.5 af for irrigation and dairy uses.

Right 63-7083 is limited to the supplemental irrigation of 120.0 acres within the place of use described above in a single irrigation season.

Rights 63-3142 and 63-7083 when combined shall not exceed a total diversion rate of 2.76 cfs and a total annual maximum diversion volume of 172.5 af at the field headgate for the supplemental irrigation of 183.2 acres.

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

15. Basis of Claim: License

WATER RIGHT NO. 63-7083
As Modified by Transfer No. 67018

In accordance with the approval of Transfer No. 67018, Water Right No. 63-7083 is now described as follows.

Right Holder: CLARENCE VANDER STELT & SONS DAIRY
A CALIFORNIA PARTNERSHIP
6701 HARRISON AVE
CORONA CA 91720

Priority Date: 04/11/1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.40 CFS	172.5 AF
			2.40 CFS	172.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 13 Twp 01N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 13 Twp 01N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 13 Twp 01N	Rge 03W 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		
01N 03W 13			31.0	31.0					1.0				40.0	40.0	40.0	40.0	39.0	262.0

Total Acres: 262

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Transfer 67018 shall not exceed 2.76 cfs, nor total combined annual volume of 419.5 af for irrigation and dairy uses.
2. 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.
3. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Right 63-7083 is limited to the supplemental irrigation of 120.0 acres within the place of use described above in a single irrigation season.

WATER RIGHT NO. 63-7083
As Modified by Transfer No. 67018

CONDITIONS OF APPROVAL

6. Rights 63-3142 and 63-7083 when combined shall not exceed a total diversion rate of 2.76 cfs and a total annual maximum diversion volume of 172.5 af at the field headgate for the supplemental irrigation of 183.2 acres.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
9. 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.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. Use of water under this right may be affected by an agreement between the protestant and the right holder.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 13th day of April, 2001


Chief, Water Allocation Bureau

Western

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 67018

RECEIVED

APR 16 2001

WATER RESOURCES
WESTERN REGION

This is to certify that: MICHAEL CHRISTENSEN
8725 BIGFOOT
MELBA ID 83641

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. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document. The right holder shall accomplish the authorized change within one (1) year of the date of this approval. Failure of the right holder to comply with the conditions of approval for each water right affected by this transfer is cause for the Director to rescind approval of all or part of the transfer.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-3142	AJC/License	01/07/1959	2.63 cfs		360.0	360.0	GROUND WATER
63-7083	AJC/License	04/11/1968	2.4 cfs	540 af	360.0	360.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

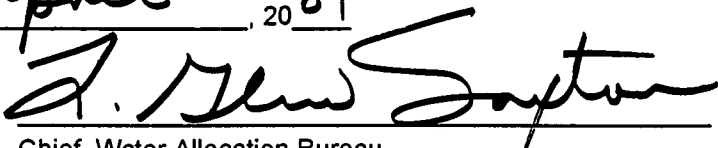
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-3142	NO	NO	YES	YES	YES	YES
63-7083	NO	NO	YES	YES	NO	NO

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
63-3142	63-3142	2.63 cfs	390.8 af	63.2	262.0		N/A	N/A	N/A	N/A
63-7083	63-7083	2.40 cfs	172.5 af	120.0	262.0		N/A	N/A	N/A	N/A
TOTALS		2.76 cfs	419.5 af	183.2	262.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of April, 2001


Chief, Water Allocation Bureau

Page 1 of 8

AMENDEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 559867018**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**Name of applicant: Michael ChristensenPhone: (208) 495-2857Post Office address: 8725 Bigfoot Rd. Melba, ID 83641**A. PURPOSE OF TRANSFER.**

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

2. Describe the reason for the proposed changes: Applicant wishes to adjust water rights to reflect changes in his operation which have occurred since 1995, when the property was converted from a feedlot to a dairy.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use		
63- 003142	01/07/1959	.69/ 336.7	Irrigation	03/15	to	11/15
		1.37/ 173.4	Stock water	01/01	to	12/31
		.57/ 73.2	Commercial	01/01	to	12/31
63- 07083	04/11/1968	2.4 /400	Irrigation	03/15	to	11/15

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

3. Source of water Ground water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local Name for diversion
		NE	NE	13	01 N	03 W	Canyon	Irrigation Well
		NE	NE	13	01N	03W	Canyon	Dairy Well

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	
63-03142 :																			
01N	03W	13			31	31									40	7		33	142
			S	S	S	S									C	C	C	C	
			C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
		12									C	C	C	C	C	C	C	C	
63- 07083																			
01N	03W	13									1			40		33	40	6	120

Total Acres

262

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WR0749NP
No. 63-03142

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/04/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DRY LAKES FARMS INC. NAMPA ID 83651	01/07/1959	IRRIGATION	00/00 00/00	2.630 CFS	
TOTAL DIVERSION:					2.630 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R03W S13 NENE CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:		
01N	03W	13	:	40		40		40		40		:							:	40		07		33	:	240.0
TOTAL ACRES																								240.0		

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-07083

Other Water Rights Listing Overlapping Place(s) of use:
02-02172 63-07083 A02-02172

Dates:	App. Received:	Priority Date:	01/07/1959
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	08/28/1979	

Misc: Water District Number: Field Exam Fee:

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

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WR0749NP
No. 63-07083

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/04/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DRY LAKE FARMS INC. RT. 4 NAMPA ID 83651	04/11/1968	IRRIGATION	03/15 11/15	2.400 CFS	540.00 AFA
TOTAL DIVERSION:					2.400 CFS	540.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R03W S13 NENE CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac					
01N	03W	13	:	:	:	:	:	:	:	:	:	:	:	:	:	:				
															01	40	33	40	06	120.0
															TOTAL ACRES		120.0			

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-03142

Other Water Rights Listing Overlapping Place(s) of use:
02-02172 02-02177 02-07010 63-03142 A02-02172

Conditions of Approval:

- 016 - See remarks for additional conditions of approval.
- R32 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 4.5 afa per acre for
 - irrigation of the lands above.

Remarks: GEN THIS RT. WHEN COMBINED WITH RT. 63-3142 SHALL NOT EXCEED 2.76 CFS

Dates: App. Received: Priority Date: 04/11/1968
 Proof Due Date: Proof Made Date:
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date: 04/08/1985

Misc: Water District Number: Field Exam Fee:

Audit: 09/11/85 05/01/88 CONVERT

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- 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 _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

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

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

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

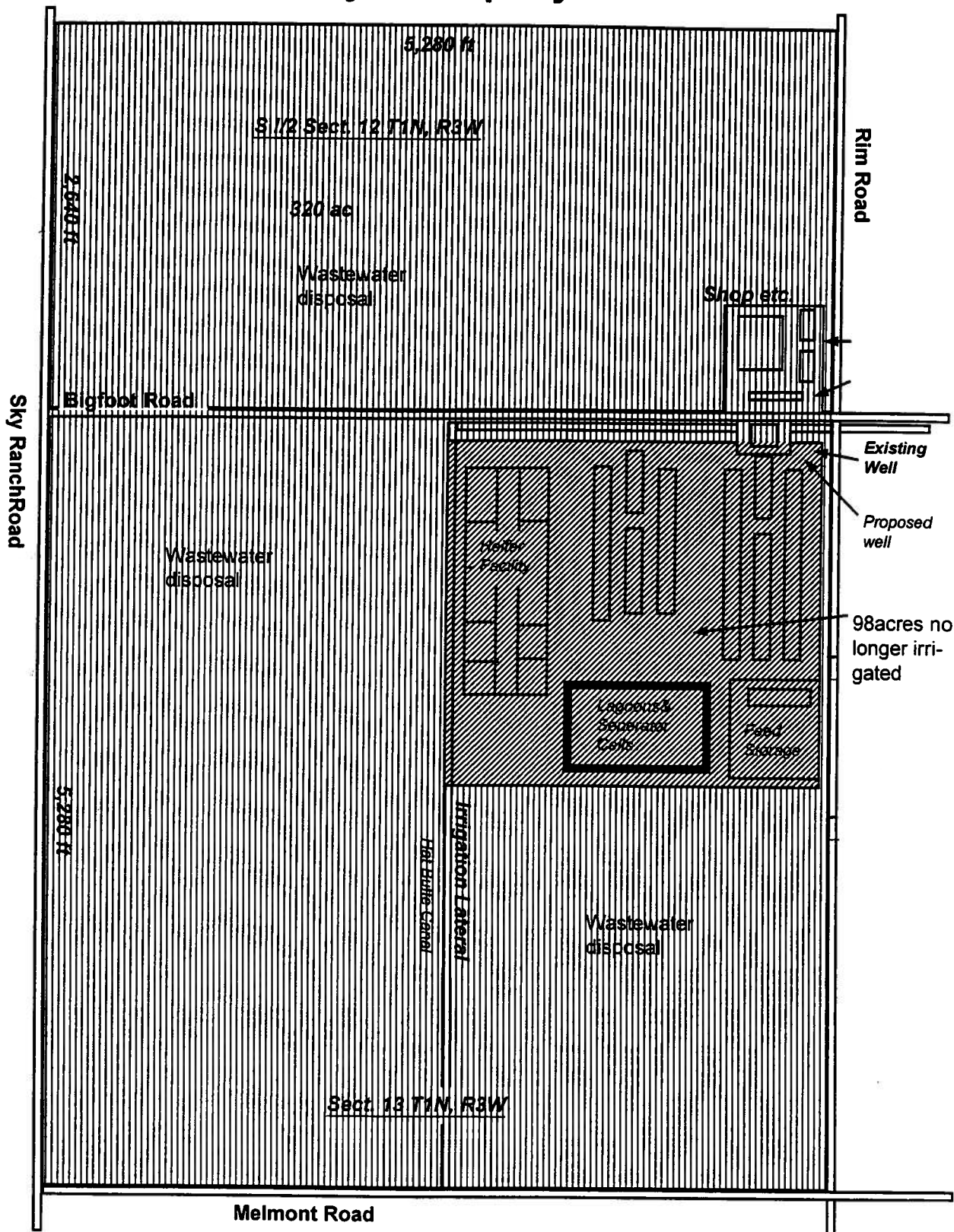
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for _____

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Subject Property



PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>Commercial</u>	<u>1.96/247</u>	<u>365</u>	<u>01/01 to 12/31</u>
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:
Return flows will be treated and stored in lagoons and land applied during the growing season. See attached drawing for area.

3. Describe effects on other water uses resulting from the proposed change:
No effect. There will be a net reduction in licensed consumptive use from 483 afa to 427.

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.

Michael Christensen
(Signature of Applicant)

Subscribed and sworn to before me this 13 day of Oct, 19 99.

James W. U. [Signature]
(Notary Public)

My commission expires 4-17-02

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 5 attachments (A-E)

Received by DAN Date 10-13-99 Protest filed by _____

Prelim. check by LG Fee #100⁰⁰ W025817

Receipted by _____ Date _____

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 _____

Daily Fresh Water Requirement For Dairy Facility Worksheet

For: **Vander Stelt Dairy**

Drinking Water Estimates (see Table 1 & 2):

			Number	Use/day	Total Gal/Day	Total Gals/Yr.	Acre-feet/Yr (AF/a)
Milking Cows			3400	35	119000		
Dry Cows			600	12	7200		
Total Cows			4000		126200	46,063,000	141.36
Heifers:	Age	% of Herd	Number	Use/day	Total		
	16-24 mo.	0.38	1520	10	15200		
	13-15 mo.	0.12	480	8	3840		
	9-12 mo.	0.17	680	6	4080		
	5-8 mo	0.17	680	5	3400		
	3-4 mo	0.08	320	4	1280		
	0-2 mo	0.08	320	2.5	800		
Total Heifers			4000		28600	10,439,000	32.04
Total Herd Drinking Water							173.40

Wash Pen Estimate:

GPM discharge/nozzle				5.39			
Number of Nozzles				120			
Minutes run/day:				120			
groups	12						
mins/group	5						
x/day	2						
days per year		270	(off in winter)				
Total Wash Pen Water Used:					77616	20,956,320	64.31

Milk House and Parlor Estimate (see Table 4)

Item	Gals/Op	x's/day	Gals/day			
Bulk Tank	126	2	252			
Pipeline	140	4	560			
Backflush	0.5	2	3400			
Cleanup	1000	2	2000			
Cow Prep	0.25	2	1700			
Plate Cooler(ignore if recycled)						
Total Milk House and Parlor Water Used:			7912	2,887,880	8.86	
Total Gals/Day				240328		
Total Fresh Water Diverted Annually (af/a consumptive use)					246.6	
Acres to be taken out of production @	2.52	afa/acre			97.8	

Crop history, 1997,1998,1999. Tract # 5306

Mike Christensen E 1/2 Sect. 13, T1N, R3W.

Source: FSA 578 "Report of Acreage" Crop years 97,98,99

Field	Acres	1997 Crop	%	1998 Crop	%	1999 Crop	%
1	21.79	Sugar Beets	7.3%	Alfalfa Seed	7.3%	Alfalfa Seed	7.3%
2	35.6	Potatoes	12.0%	Sugar Beets	12.0%	Corn silage	12.0%
3	26.7	Sugar Beets	9.0%	Alfalfa Seed	9.0%	Alfalfa Seed	9.0%
4	22.2	Sweetcorn Seed	7.5%	Corn Silage	7.5%	Alfalfa Seed	7.5%
5	38.2	Peppermint	12.9%	Peppermint	12.9%	Alfalfa Seed	12.9%
6	33.4	Peppermint	11.2%	Potatoes	11.2%	Sugar Beets	11.2%
7	12.5	Sweetcorn Seed	4.2%	Corn Silage	4.2%	Corn Silage	4.2%
8	24.6	Sweetcorn Seed	8.3%	Corn Silage	8.3%	Corn Silage	8.3%
9	82	Alfalfa Hay	27.6%	Alfalfa Hay	27.6%	Alfalfa Hay	27.6%
297			100.0%		100%		100.0%

Crops Grown	97	98	99	Average % Grown	Average Acres/yr
Sugar Beets	16.3%	12.0%	11.2%	13.2%	39.16
Potatoes	12.0%	11.2%		7.7%	23.00
Peppermint	24.1%	12.9%		12.3%	36.60
Sweetcorn Seed	20.0%			6.7%	19.77
Alfalfa Hay	27.6%	27.6%	27.6%	27.6%	82.00
Alfalfa Seed		16.3%	36.7%	17.7%	52.43
Corn Silage		20.0%	24.5%	14.8%	44.00
	100.0%	100.0%	100.0%	100.0%	297

Crop History Evaluation for estimation of Diversion Volume and Consumptive Use

Allen and Brockway Data

Transfer No. Mike Christensen Transfer

By: Darwin Vander Stelt

Date: 10/12/99

Allen and Brockway report site: Caldwell

Year	Crop	Acres	Method	App. Eff. %**	IR for Crop mm/season	Crop Div Vol AF/Ann	Crop CU AF/Ann
5 Yr.	Sugar Beets	39.16	sprinkler	70%	826	151.62	106.13
Avg	Potatoes	23.00	sprinkler	70%	708	76.32	53.43
	Peppermint*	36.60	sprinkler	70%	678	116.30	81.41
	Sweetcorn Seed	19.77	gravity	50%	565	73.28	36.64
	Alfalfa Hay	82.00	sprinkler	70%	936	359.73	251.81
	Alfalfa Seed	52.43	gravity	50%	707	243.24	121.62
	Corn Silage	44.00	gravity	50%	678	195.75	97.87
Totals		297				1216	748.92

Summary for 5 year period:

Average Acres Irrigated	297	Acres	Average Diversion Vol/acre	4.10
Total Diversion	1216	AF/ann	Average Consumptive Use/acre	2.52
Total Consumptive Use	749	AF/ann		

* Peppermint CU estimated from Agrimet data

**Application efficiency is quite high because the farm recovers and recycles all the waste water generated.

Crop History Evaluation for estimation of Diversion Volume and Consumptive Use

Agrimet Data

Transfer No. Mike Christensen Transfer

By: Darwin Vander Stelt

Date: 10/12/99

Agrimet report site:

Parma

Year	Crop	Acres	Method	App. Eff. %	IR for Crop inch/season	Crop Div Vol AF/Ann	Crop CU AF/Ann
5 Yr.	Sugar Beets	39.16	sprinkler	70%	31.8	148.26	103.78
Avg	Potatoes	23.00	sprinkler	70%	25.6	70.10	49.07
	Peppermint	36.60	sprinkler	70%	24.7	107.62	75.34
	Sweetcorn Seed	19.77	gravity	50%	21.2	69.84	34.92
	Alfalfa Hay	82.00	sprinkler	70%	38.8	378.76	265.13
	Alfalfa Seed	52.43	gravity	50%	38.8	339.07	169.53
	Corn Silage	44.00	gravity	50%	25.7	188.47	94.23
Totals		297				1302	792.01

Summary for 5 year period:

Average Acres Irrigated	297	Acres	Average Diversion Vol/acre	4.38
Total Diversion	1302	AF/ann	Average Consumptive Use/acre	2.67
Total Consumptive Use	792	AF/ann		

AW

205

1710W

2

NV

2
35.6

3
26.7

HA

4
22.2

5
38.2

NAPP 16027-426

P3 W

H/NW

T 5306

N/

N/

6
33.4

7
12.5

9
82.0

8
24.6

N/NW

T 3424

24 19

SEE

N-16

H/NW

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 1999

DATE: 09-30-1999

Farm Number	Tract Number	Field Num ID	Inn Pct	Crop	Var/ Type	Int Use	Reported Acreage	Determined acreage	Planting Date	Prod Chgs	Prod Name
6041	2681	2	1-	BEANS	OTN	Seed	3.90	3.90		1.0000	MICHAEL CHRISTENSEN
		1	1-	ALFAL		Hay	75.60	75.60		.5000 .5000	MICHAEL CHRISTENSEN JOHN F ALSIP III
		2	1-	PEPHT		Oil	75.40	75.40		1.0000	MICHAEL CHRISTENSEN
		3	1-	SBEET		Proces	59.10	59.10		.7500 .2500	MICHAEL CHRISTENSEN JOHN F ALSIP III
		4	1-	CORN		Silage	70.50	70.50		.7000 .3000	MICHAEL CHRISTENSEN JOHN F ALSIP III
		5	1-	PTATO	WHT	Fresh	93.50	93.50		.7500 .2500	MICHAEL CHRISTENSEN JOHN F ALSIP III
		9	1-	PTATO	WHT	Fresh	93.50	93.50		.7500 .2500	MICHAEL CHRISTENSEN JOHN F ALSIP III
		8	1-	PEPHT		Oil	75.10	75.10		1.0000	MICHAEL CHRISTENSEN
		7	1-	PTATO	RUS	Fresh	92.50	92.50		.7500 .2500	MICHAEL CHRISTENSEN JOHN F ALSIP III
		6	1-	CORN		Silage	76.70	76.70		.7000 .3000	MICHAEL CHRISTENSEN JOHN F ALSIP III
	5006	1	1-	ALFAL		Seed	21.70	21.70		1.0000	MICHAEL CHRISTENSEN
		10	1-	CORN		Corn	35.40	35.40		1.0000	MICHAEL CHRISTENSEN
		9	1-	ALFAL		Seed	26.70	26.70		1.0000	MICHAEL CHRISTENSEN
		4	1-	ALFAL		Seed	22.20	22.20		1.0000	MICHAEL CHRISTENSEN
		5	1-	ALFAL		Seed	35.10	35.10		1.0000	MICHAEL CHRISTENSEN
		6	1-	SBEET		Proces	53.40	53.40		1.0000	MICHAEL CHRISTENSEN
		7	1-	CORN		Silage	12.50	12.50		1.0000	MICHAEL CHRISTENSEN
		8	1-	CORN		Silage	24.60	24.60		1.0000	MICHAEL CHRISTENSEN
		9	1-	ALFAL		Hay	52.00	52.00		1.0000	MICHAEL CHRISTENSEN
7102	2727	1A	1-	PEPHT		Oil	50.00			1.0000	MICHAEL CHRISTENSEN
7104	2729	1C	1-	PTATO	RUS	Proces	74.50	74.00		.7500 .2500	MICHAEL CHRISTENSEN OLEO MILLER

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, marital status, or disability.

CANYON, IDAHO

Form Approved - OMB No. 0560-0004

ESA-579(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1997

FARM NUMBER: 6041

FARM AND TRACT DETAIL LISTING

DATE: 09-30-99

Operator Name and Address: ID
 MICHAEL CHRISTENSEN 6505
 9725 BIG FOOT RD
 MELBA, ID 83641-5003

Original: _____

Revision: _____

Cropland: 972.6

Farmland: 1,040.6

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Land Use	Reported Acreage	Determined Acreage	C/ M	Crop Stat	PltPr FCIC	Prod Share	Prod ID
3661	1	Ir	GRASS	OTH	Graze		4.50			I		1.0000	6505
	2	Ir	SWORN	SHY	Seed	F FAV	5.90			I		1.0000	6505
	3	Ir	SWORN	SHY	Seed	F FAV	8.50			I		1.0000	6505
	4	Ir	PERMT		Oil		20.00			I		1.0000	6505
5A		Ir	FALLOW				3.00			I		1.0000	6505
5B		Ir	SWORN	SHY	Seed	F FAV	22.00			I		1.0000	6505
5C		Ir	ONION	MYB	Seed	F FAV	4.60			I		1.0000	6707
		Crop		Nilr	Irr	Crop		Nilr	Irr	Crop		Nilr	Irr
		FALLOW		3.0		GRASS		4.5		CPAV		43.0	
		PERMT		20.0									

Photo Number/Legal Description: *P15 15 1 2

Cropland: 70.5 Reported: 70.5 Difference: .0 Reported D.B.S.R.A: .0

3790	1	Ir	ALFAL		Hay		79.60			I		.5000	6505
												.5000	1445
	2	Ir	SBEET		Proces		75.40			I		.7500	6505
												.2500	1445
	3	Ir	WHEAT	SW	Grain		59.10			I		.6667	6505
												.3333	1445
	4	Ir	CORN	SLB	Oilage		70.50			I		.7000	6505
												.3000	1445
	5	Ir	PERMT		Oil		38.80			I		1.0000	6505
	6	Ir	PERMT		Oil		38.50			I		1.0000	6505
	8	Ir	PERMT		Oil		75.10			I		1.0000	6505
	7	Ir	PERMT		Oil		92.50			I		1.0000	6505
	6	Ir	POTATO	GRB	Proces	F FAV	76.70			I		.7500	6505
												.2500	1445
		Crop		Nilr	Irr	Crop		Nilr	Irr	Crop		Nilr	Irr
		ALFAL		79.6		CORN		75.4		CPAV		75.0	
		PERMT		234.0		SBEET				WHEAT			59.1

Photo Number/Legal Description: *N15/16 19 1 1

Cropland: 605.2 Reported: 605.2 Difference: .0 Reported D.B.S.R.A: .0

5306	1	Ir	SBEET		Proces		21.70			I		1.0000	6505
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PSA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1997

FARM NUMBER: 6041

FARM AND TRACT DETAIL LISTING

DATE: 09-30-99

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Land Use	Reported Acreage	Determined Acreage	O/ M	Crop Stat	PltPr FCIC	Prod Share	Prod ID
5306	2	Ir	PTATO	SWA	Proces	F FAV	35.60			I		1.0000	6505
	3	Ir	SBEET		Proces		26.70			I		1.0000	6505
	4	Ir	SWORN	SHY	Seed	F FAV	22.20			I		1.0000	6505
	5A	Ir	PEPMT		Oil		20.20			I		1.0000	6505
	5B	Ir	PEPMT		Oil		18.00			I		1.0000	6505
	6	Ir	PEPMT		Oil		33.40			I		1.0000	6505
	7	Ir	SWORN	SHY	Seed	F FAV	12.50			I		1.0000	6505
	8	Ir	SWORN	SHY	Seed	F FAV	24.60			I		1.0000	6505
	9	Ir	ALFAL		Hay		92.00			I		1.0000	6505
Crop		Watr		Irr		Crop		Watr		Irr		Crop	
ALFAL		22.0				OFAY		94.2				PEPMT	
SBEET		48.4										21.6	
Photo Number/Legal Description: 4M15-M11 12-18 1 0													
Dropland:		296.9		Reported:		296.9		Difference:		.0		Reported P.B.S.R.A.	

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 1998

DATE: 09-30-1999

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
8041	3661	3	Ir	PTATO	GRA	Fresh	8.50			1.0000	MICHAEL CHRISTENSEN
		4	Ir	SWORN	SHY	Seed	20.00			1.0000	MICHAEL CHRISTENSEN
		5A	Ir	WHEAT	SNW	Grain	20.00			1.0000	MICHAEL CHRISTENSEN
		5C	Ir	GRASS	OTH	Graze	5.60			1.0000	MICHAEL CHRISTENSEN
		3793	1	Ir	ALFAL	Hay	78.60			.6667 .3333	MICHAEL CHRISTENSEN JOHN F ALSIP III
		2	Ir	SOYBE		Proces	75.40			.6667 .3333	MICHAEL CHRISTENSEN JOHN F ALSIP III
		3	Ir	PTATO	GRA	Fresh	59.10			.6667 .3333	MICHAEL CHRISTENSEN JOHN F ALSIP III
		4	Ir	WHEAT	SNW	Grain	70.50			.6667 .3333	MICHAEL CHRISTENSEN JOHN F ALSIP III
		5	Ir	CORN	GRN	Grain	38.30			.6667 .3333	MICHAEL CHRISTENSEN JOHN F ALSIP III
		6	Ir	SOYBE		Proces	76.70			.6667 .3333	MICHAEL CHRISTENSEN JOHN F ALSIP III
	3A	Ir	PTATO	GRA	Fresh		15.90			.6667 .3333	MICHAEL CHRISTENSEN JOHN F ALSIP III
		7B	Ir	WHEAT		Oil	74.60			.6667 .3333	MICHAEL CHRISTENSEN JOHN F ALSIP III
		8	Ir	WHEAT		Oil	75.10			.6667 .3333	MICHAEL CHRISTENSEN JOHN F ALSIP III
		9	Ir	CORN	SLG	Silage	39.30			.6667 .3333	MICHAEL CHRISTENSEN JOHN F ALSIP III
		8006	1	Ir	ALFAL	Seed	11.70			1.0000	MICHAEL CHRISTENSEN
		2	Ir	ALFAL		Seed	26.70			1.0000	MICHAEL CHRISTENSEN
		3	Ir	SOYBE		Proces	35.10			1.0000	MICHAEL CHRISTENSEN
		4	Ir	CORN	SLG	Silage	22.20			1.0000	MICHAEL CHRISTENSEN
		5B	Ir	PEPNI		Oil	15.00			1.0000	MICHAEL CHRISTENSEN
		6C	Ir	SWORN	SHY	Seed	23.20			1.0000	MICHAEL CHRISTENSEN
	3B	6	Ir	PTATO	GRB	Fresh	33.40	33.40		1.0000	MICHAEL CHRISTENSEN
		7	Ir	CORN	SLG	Silage	12.50			1.0000	MICHAEL CHRISTENSEN
		8	Ir	CORN	SLG	Silage	24.60	24.60		1.0000	MICHAEL CHRISTENSEN
		9	Ir	ALFAL		Hay	32.00	32.00		1.0000	MICHAEL CHRISTENSEN

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:

Groundwater Measurement

Theoretical Rate of Flow: $Q = ((8.8) * (HP) * (EFF))/TDH$

Where,

Q = flow in CFS

HP= Total Brake HP of pump including booster

EFF= pump efficiency (assume 70%)

TDH= Total dynamic Head = (Lift)+(PSI * 2.31)

Lift= Depth to water in feet

PSI = discharge pressure near the pump.

Theoretical Q =

3.26	CFS
1464	GPM
2.76	CFS
1239	GPM

Maximum diversion Rate =
(from water Right)

(remark on profile report for 63-07083)

Data Sources:

Lift From:

measurement
owner
area estimate
well logs

X

PSI from:

measurement
owner
estimate
owner gage

X

Notes on Pump

Motor make etc.

Pump make etc.

Variables

Plate	Peak KWH	Calculated	
150	121	162.14	108%
70%			
260		306.200	
20			

Number to use on this application:

Q = 2.76 CFS
1239 GPM

Determination of Power Consumption Coefficient

Power Consumption Coefficient (PCC) = (KW*5431)/GPM

PCC Cond. #1 121 (KW) X 5431 / 1239 (gpm)=

PCC
530.49 (kWh/ac.ft)

Actual KWH used: 1997 1998
305280 234360 (see attached power consumption records)

Acre- Feet pumped: 575 442

divide higher by 4.5 = 128 total acres

The well has irrigated more acres than dairy will remove from crop production.

Records Organize Go To Exit

1:37:30 pm

IPNAME -CHRISTENSEN MICHAEL
ACTNO 11320170632
SHORTACTNO 1132017063
AREA 120
HOUSENO *
FRC
ST_PFX
STREET 0396 HP 150
ST_SFX
POLE_NO
CITY MELBA
ST ID
ZIP 83641
ZIP_F
MTRNO 64724588
MTR_MFG G
W_SOR W
MTR_HP 15000
NO_MTR 1
MTR_HP2 0
Edit !wa:[rloveall.db4]IPCO_98 !Rec 9481/18049 !File !

Records	Organize	Go To	Exit
KW_DEC96	0		
KW_JAN97	0		
KW_FEB97	0		
KW_MAR	0		
KW_APR	~~120~~		
KW_MAY	116		
KW_JUN	118		
KW_JUL	115		
KE_AUG	117		
KW_SEP	117		
KW_OCT97	118		
TOT_KWH	~~305280~~		
TOT_KW	935		

1:44:40 pm

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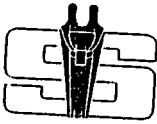
Records	Organize	Go To	Exit
KW_DEC97	0		
KW_JAN98	0		
KW_FEB98	0		
KW_MAR98	0		
KW_APR98	0		
KW_MAY98	110		
KW_JUN98	108		
KW_JUL98	111		
KW_AUG98	115		
KW_SEP98	113		
KW_OCT98	121		
TOT_KWH	234360		
TOT_KW	790		

1:37:30 pm

Edit !wa:[rloveall.db4]IPCO_98 !Rec 9481/18049 !File ! !

HAT BUTTE MUTUAL CANAL CO. COST ANALYSIS FOR 1998 INCLUDING LAST 5 YEARS

	1998 ACRE FT OF WATER	1997 ACRE FT OF WATER	1996 ACRE FT OF WATER	1995 ACRE FT OF WATER	1994 ACRE FT OF WATER
MONTIERTH	1258.37	1426.48	1455.83	1482.88	1587.72
CHRISTENSEN	217.07	310.21	268.50	238.15	371.52



Order No. 99000218

This form furnished by Stewart Title of Nauapa, LLC

WARRANTY DEED

For Value Received

HERBERT R. MONTIERTH, A MARRIED MAN; HERBERT R. MONTIERTH, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF DARLENE R. MONTIERTH, ALSO KNOWN AS GOLDA D. MONTIERTH, DECEASED; EDWARD RAY MONTIERTH AND SUSAN L. MONTIERTH, HUSBAND AND WIFE, EACH AS THEIR INTERESTS MAY APPEAR.

the Grantor hereby grants, bargains, sells, conveys and warrants unto CLARENCE VANDER STELT AND SONS DAIRY, A CALIFORNIA GENERAL PARTNERSHIP

the Grantee whose current address is: 6701 HARRISON AVENUE CORONA, CA 91720

the following described premises, to-wit:

AS PER LEGAL DESCRIPTION ATTACHED HERETO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all incumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 02, 2000

Edward Ray Montierth
EDWARD RAY MONTIERTH

Susan L. Montierth
SUSAN L. MONTIERTH

Herbert R. Montierth
HERBERT R. MONTIERTH

Herbert R. Montierth, P.R.
HERBERT R. MONTIERTH, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF DARLENE R. MONTIERTH, ALSO KNOWN AS GOLDA D. MONTIERTH, DECEASED

State of IDAHO

County of CANYON

SS.

On this 2ND day of JUNE, 2000, before me, the undersigned, a Notary Public, in and for said State, personally appeared EDWARD RAY MONTIERTH, SUSAN L. MONTIERTH, HERBERT R. MONTIERTH, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that THEY executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Larry G. Kallage
Notary Public

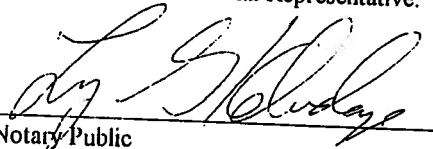
Residing at: MANAAT 10

Commission Expires: 12/09/2000



STATE OF IDAHO)
COUNTY OF CANYON)

On this 2nd day of June in the year 2000, before me, a Notary Public, personally appeared HERBERT R. MONTIERTH known or identified to me to be the person who name is subscribed to the within instrument as the Personal Representative of the Estate of DAELEN MONTIERTH, ALSO KNOWN AS GOLDA D. MONTIERTH, DECEASED and acknowledged to me he executed the same as such Personal Representative.



Notary Public
Residing at Nampa, Idaho
My Commission Expires 12/09/2000



LEGAL DESCRIPTION

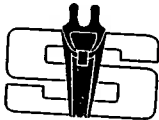
Order Number: 99000218

PARCEL I

THE SOUTH HALF OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 3 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO; EXCEPTING THEREFROM THE WESTERLY 28 FEET FOR ROAD RIGHT OF WAY.

PARCEL II

THE WEST HALF OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 3 WEST, OF THE BOISE MERIDIAN, CANYON COUNTY, IDAHO.



Order No. 99000219

This form furnished by Stewart Title of Nanpa, LLC

WARRANTY DEED

For Value Received MICHAEL CHRISTENSEN AND JILL CHRISTENSEN, HUSBAND AND WIFE

the Grantor hereby grants, bargains, sells, conveys and warrants unto CLARENCE VANDER STELT AND SONS DAIRY, A CALIFORNIA GENERAL PARTNERSHIP

the Grantee whose current address is: 6701 HARRISON AVENUE CORONA, CA 91720

the following described premises, to-wit:

AS PER LEGAL DESCRIPTION ATTACHED HERETO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all incumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 02, 2000

Michael Christensen
MICHAEL CHRISTENSEN

Jill Christensen
JILL CHRISTENSEN

State of IDAHO

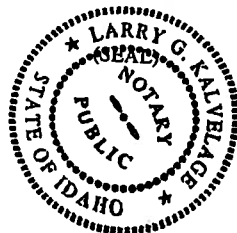
County of Ada ss.

On this 2nd day of JUNE, 2000, before me, the undersigned, a Notary Public, in and for said State, personally appeared MICHAEL CHRISTENSEN AND JILL CHRISTENSEN

satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Larry G. Kalvelach
Notary Public
Residing at: NANPA, ID
Commission Expires: 12/10/2000



LEGAL DESCRIPTION

Order Number: 99000219

**THE EAST ONE-HALF OF SECTION 13, ALL IN TOWNSHIP 1 NORTH, RANGE 3
WEST, OF THE BOISE MERIDIAN, CANYON COUNTY, IDAHO.**

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET**

APPLICANT Michael Christensen TRANSFER NO. 5598

INITIAL ALLOCATION REVIEW BY 6 DATE 11/8/99

1. Right number(s) 63-03142 63-07083

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

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

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

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

- a. ☒ Analysis memo (always - unless justify why not needed)
- b. ☒ All of right
- c. ☐ Part of right (**NOTE!** Part B should be filled in only if part of right is owned by the applicant)
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing P/D & P/U after transfer
- g. ☒ Correct notarized signature and \$100 fee
- h. ☐ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive use volume. Discuss in memo.
- j. ☒ Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

- k. ☒ Overlapping rights: check current & proposed scenarios:
 Current A02-10030
 Proposed "
- l. ☒ SRBA claim(s) " see memo dated
7/24/2000
- m. ☒ Comment letters _____ Yes ☒ No
 If yes _____ Water District # _____
 _____ Other, see #2 below for name
 and address

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ☒ Yes

2. COMMENT LETTERS

Watermaster recommendation requested on _____, Received on _____

Other comments letters: _____ See attached information

3. Transfer published correctly? ☒ Yes _____ No
4. Affidavit of publication received? ☒ Yes _____ No
5. Protests received? _____ Yes ☒ No; Acknowledgement sent? _____ Yes
6. Data entry of application completed? ☒ Yes

RECOMMENDED ACTION

1. ☒ Approve _____ See attached memo
2. _____ Deny due to _____
3. Conditions (special conditions in Water Districts) (046) - See also
memo by Lori Graves, dated 7/24/00, and accompanying analysis.
4. By Barys Date 7/26/00

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? _____ Yes ☒ *pam*
2. File forwarded to S.O.: by At date 7-27-00

MEMORANDUM

TO: FILE

FROM: lg ☺ *g*

DATE: 7/24/2000

RE: CHRISTENSEN TRANSFER, RIGHTS 63-03142 & 63-07083

The transfer proposes to retire 98 acres from irrigation and add a well for Clarence Vander Stelt's new 4000 cow dairy ~7 miles South of Lake Lowell just West of Rim Road.

DOCUMENTS AND APPLICATION PREPARATION

- A. Dairy Water Requirement Worksheet
- B1-6. Crop History 1997-1999
- C1-4. Ground Water Use Records 1997-1998
- D. Surface Water Use Records 1994-1998
- E. Ownership Documentation

CURRENT RECORDS & PROPOSED CHANGE

Volume was not specified on license 63-03142 but can be assumed at 4.5 afa because licensed flow rate of $2.63 \text{ cfs} \times 246 \text{ dys} \times 1.9835 = 1283.2 \text{ afa}$ is greater than $240 \text{ licensed acres} \times 4.5 = 1080 \text{ afa}$.

The SRBA claims reflected the licenses with the addition of a ppu and the ownership changed to applicant's name. Previous owner filed SRBA claim A02-10030 and should have filed on license 02-02172 instead. A02-10030 has since been withdrawn and replaced with A02-02172.

According to claim A63-03142, the ground water has been used to supplement surface water since 3/15/1963. The surface water use was claimed in the SRBA, (A02-02172), for Snake River water delivered via Hat Butt Mutual Canal Co. Delivery records from 1994-1998 have been submitted per Attachment D.

The Allen/Brockway and Agrimet reports were used to determine that on the average, 2.52 afa/acre of water had been historically consumed by the crops grown on the proposed dairy site. Based on the dairy worksheet (Attachment A), the dairy operation will require 247 afa. At a consumption rate of 2.52 afa/acre, 98 acres will need to be retired from irrigation.

Since ground water supplements surface water at the proposed dairy site, 1997 and 1998 power records were used to determine the extent of ground water production from the well (Attachment C1-4). These records indicated that at least 128 acres could have been irrigated with only ground water at 1"/acre or 4.5 afa during the 1997 and 1998 irrigation seasons, which exceeds the 98 acres required for the dairy operation.

The dairy facilities will be located in the NE S13 and the dairy waste water will be land applied in S13 and the S1/2 S12, all now owned by Vanderstelt Dairy (see attachment E).

RECOMMENDATIONS

Based on attached Department analysis, I feel sufficient information has been provided by the applicant to warrant approval of this transfer.

**IDWR Analysis
Transfer No. 5598
63-03142 & 63-07083**

Current rights:

<u>SOURCE</u>	<u>RIGHT #</u>	<u>RATE</u>	<u>VOLUME</u>	<u>ACRES</u>
Surface water	02-02172	2.50 cfs	1225 afa	317 acres
Groundwater	63-03142	2.63 cfs	1080 afa*	240 acres
Groundwater	63-07083	2.40 cfs	540 afa	120 acres

* Volume calculations for 63-03142 (unspecified on water right)

$$240 \text{ ac} \times 4.5 \text{ afa} = 1080$$

$$2.63 \text{ cfs} \times 246 \times 1.9835 = 1283$$

allowable volume 1080 afa

Combined uses

SURFACE WATER (Determined by water right)

2.50 cfs 1225 afa 317 acres

COMBINED GROUNDWATER (both water rights)

2.76 cfs 1347 afa 360 acres

** Diversion rate was limited by well capacity on water right 63-07083. Volume calculations for combined groundwater volume based on limitation of well capacity on water right and total number of acres irrigated

$$360 \text{ ac} \times 4.5 \text{ afa} = 1620$$

$$2.76 \text{ cfs} \times 246 \times 1.9835 = 1347$$

allowable volume 1347 afa

TOTAL COMBINED USE OF BOTH SOURCES:

Surface water	2.50 cfs	1225 afa	240 acres
Groundwater	2.76 cfs	1347 afa	360 acres
TOTAL	5.26 cfs	1620 afa	360 acres

PLEASE NOTE: Total combined volume is limited to 4.5 afa per acre, thus limiting the combination of both sources to 1620 afa (4.5 afa/acre X 360 acres = 1620 afa). The total acres are also limited to 360 acres total.

Proposal:

Change portion of farm operation to commercial/stockwater use for a dairy and reflect a combined irrigation system for remaining acres.

The system involves two licensed ground water rights and 1 well that irrigate 360 acres. The proposed dairy needs 246.6 afa. Based on historical crop consumption of 2.52 afa, **98 acres at full appropriation must be retired from ground water irrigation.**

Separating Process:

1. Determine total historic acres irrigated with groundwater.

$$575 \text{ afa (power records)} / 4.1 \text{ afa (historic diversion volume)} = 140 \text{ acres from well}$$

2. Determine acres historically developed/license based on system capacity and acres irrigated:

$$63-03142: \frac{2.76 \text{ cfs}}{140 \text{ ac}} = \frac{2.63 \text{ cfs}}{x}$$

$$\frac{140 (2.63)}{2.76} = 133 \text{ acres}$$

$$63-07083: 140 \text{ ac} - 133 \text{ ac} = 7 \text{ acres}$$

Based on the above calculations, license 63-03142 can be used individually to account for the 98 acres that need to be retired for the dairy.

3. Redistribute 63-03142 amounts to reflect the dairy's needs based on historical cfs rate/ac ($2.63/133 \text{ ac} = .019774436$ historical cfs rate/ac)

CFS:

$$\text{Irrigation: } 133 \text{ ac} - 98 \text{ ac} = 35 \text{ ac } (.019774436) = .69 \text{ cfs}$$

$$\text{Stockwater: } 69 \text{ ac } (.019774436) = 1.37 \text{ cfs}$$

$$\text{Commercial: } 29 \text{ ac } (.019774436) = .57 \text{ cfs}$$

Commercial and stockwater volumes are based on the dairy's consumptive needs as submitted by the applicant.

4. Determine acres irrigated after transfer:

$$63-03142: 240 \text{ acres} - 98 \text{ acres for dairy} = 142 \text{ acres of irrigation}$$

5. Determine irrigation systems capacity:

$$2.76 \text{ cfs original capacity} - 1.94 \text{ cfs dairy need} = .82 \text{ cfs capacity}$$

6. Determine irrigation volume 63-03142:

$$63-03142: 142 \text{ ac} \times 4.5 \text{ afa} = 639$$

$$.69 \text{ cfs} \times 246 \times 1.9835 = 336.7$$

Use lesser 336.7 afa

$$63-07083: 120 \text{ ac} \times 4.5 \text{ afa} = 540$$

$$.82 \text{ cfs} \times 246 \times 1.9835 = 400$$

Use lesser 400 afa

6. Recommendations:

63-03142

Irrigation: .69 cfs/336.7 afa

Stockwater: 1.37 cfs/173.4 afa

Commercial: .57 cfs/73.2 afa

Limited to 142 acres within a 262 acre ppu.

63-07083

Irrigation: .82 cfs/400 afa

Limited to 120 acres within 262 ppu.

When Combined:

$$2.76 \text{ cfs system capacity} - 1.94 \text{ cfs for dairy} = .82 \text{ cfs remaining capacity}$$

$$336.7 \text{ afa} + 400 \text{ afa} = 736.7 \text{ afa}$$

$$262 \text{ ac} \times 4.5 \text{ afa} = 1179 \text{ afa}$$

$$.82 \text{ cfs} \times 246 \times 1.9835 = 400 \text{ afa}$$

Use lesser 400 afa

When combined, irrigation limited to .82 cfs, 400 afa and 262 acres. The stockwater and commercial use for the dairy has a combined total of 246.6 afa. When irrigation and dairy uses are combined, the total volume of water diverted from groundwater will be 646.6 afa (246.6 afa dairy + 400 afa irrig. = 646.6 afa). Historically the applicant has only diverted 575 afa from groundwater, but the water rights gave the applicant the flexibility to divert up to 1347 afa if surface water was not available. This transfer will reduce the volume flexibility of the groundwater from 1347 afa to 646.6 afa, a net reduction of 700.4 afa.

The applicant has removed the acres being dried up for the dairy from surface water right (A02-02172) in the SRBA.

PROTEST INFORMATION SHEET

APPLICANT: MICHAEL CHRISTENSEN

WATER RIGHT NO: 63-03142 AND 63-07083 **TRANSFER NO:** 5598

DATE FILED: 10-13-99

PROTEST DATE: 12-6-99

PROTESTANT(S) NAME & ADDRESS:

LEE HALPER

331 S 230 W

JEROME ID 83338

Attorney Name & Address:

Issues:

Applicant - Attorney - Name & Address:

Dates:

Acknowledgement Letters: 12-10-99

Hearing Notice:

Hearing Date:

Room Confirmation Letter

Other:

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Carolyn Roberson
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States, and at all times
hereinafter mentioned was over the age of eighteen years, and
not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a
daily newspaper published in the City of Nampa and Caldwell,
in the County of Canyon, State of Idaho; that the said
newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa and Caldwell. and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of
the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper two times in the regular and entire
issue of said paper, and was printed in the newspaper proper,
and not in a supplement.

4. That said notice was published the following dates:
November 18 and 25, 1999

*Carolyn Roberson*_____

STATE OF IDAHO)
)
County of Canyon)

On this 25th day of November in the
year of 1999 before me a Notary Public, personally appeared.
Carolyn Roberson, known or identified to me to be the person
whose name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements therein
are true, and acknowledge to me that she executed the same.

Jeanne Lusk

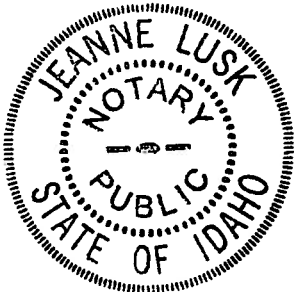
Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JUNE 21ST, 2003

RECEIVED

NOV 29 1999

WATER RESOURCES
WESTERN REGION



RECEIVED

NOV 29 1999

WATER RESOURCES
WESTERN REGION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 5598

Notice is hereby given that **MICHAEL CHRISTENSEN** of 8725 Bigfoot Rd, Melba, ID 83641 had applied to the Department of Water Resources to change the Nature, Period, and Place of Use and add a Point of Diversion pursuant to I.C. § 42-222 for the following ground water irrigation licenses in T1N R3W S13, Canyon County:

63-03142, priority 1/7/1959, 2.63 cfs, 240 acres.

63-07083, priority 4/11/1968, 2.4 cfs, 120 acres.

Both rights are served by the same well in the NENE and irrigate 360 total acres in S13.

PROPOSED CHANGE

Retire 98 acres from irrigation and use the water from those acres for Vander Stelt's new dairy in the NENE S13, located 7 miles South of Lake Lowell, just West of Rim Road. A proposed well will supply 3400 milking cows and 600 dry stock. Waste water from the dairy will be land applied to the remaining acres. New uses will be described as a total of 1.96 cfs/247 ac commercial and stock-water to be used year around.

Any protest against the approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way Boise, ID 83705-5082, together with a protest fee of \$25 on or before December 6, 1999. The applicant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

November 18, 25, 1999

9947

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 63-7083
Date Received: 2/27/90
Receipt No: C015057
Received By:

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

1. Name of Claimant(s): CLARENCE VANDER STELT AND SONS Phone: (909)735-9585
A CALIFORNIA PARTNERSHIP
6701 HARRISON
CORONA CA USA 91720

2. Date of Priority: 04/11/1968

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
01N	03W	13	NE NE NE	CANYON

5. Description of diverting works:

WELL,610'DEPTH,20"CAS.PUMP,POND,DITCHES,CANALS,GRAV.IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.4	540

7. Total Quantity Appropriated is:
2.4 C.F.S. and/or 540 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
01N	03W	13	NE NE		IRRIGATION	40
			NW NE		IRRIGATION	40
			NW SE		IRRIGATION	40
			SW SE		IRRIGATION	40
			SE SE		IRRIGATION	39
			SW NE		IRRIGATION	40
			SE NE		IRRIGATION	40
			NE SE		IRRIGATION	40
			NE SW		IRRIGATION	1
			SE SW		IRRIGATION	40

Section Acres 360

Total Acres 360

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:

14. Remarks:

See remarks for additional conditions of approval.

15. Basis of Claim: License

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

RECEIVED

JUL 19 2000

WATER RESOURCES
WESTERN REGION

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

- I. 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, 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
63-03142	A63-03142	N			
63-07083	A63-07083	N			

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) are 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) MICHAEL CHRISTENSEN
8725 BIGFOOT MELBA ID 83641
4. New Owner/Claimant(s) CLARENCE VANDER STELT & SONS
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or ☒ A CA PARTNERSHIP
- New Mailing Address 6701 HARRISON
- City, State and ZIP Code CORONA CA 91720
- New Telephone Number (909) 735-9585
5. Date you acquired the property 6/2/00

Authorization to Sign for Applicant

Date: 07/12/00

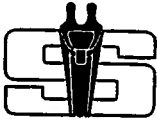
Clarence Vander Stelt is hereby appointed agent and is authorized to sign documents at the Idaho Dept. of Water Resources on behalf of Clarence Vander Stelt and Sons, a California Partnership.


Clarence Vander Stelt, partner

7-12-00
Date

RECEIVED**JUL 19 2000**WATER RESOURCES
WESTERN REGION

This is the
"signature" for
the ownership change.



Order No. 99000219

This form furnished by Stewart Title of Nampa, LLC

WARRANTY DEED

For Value Received **MICHAEL CHRISTENSEN AND JILL CHRISTENSEN, HUSBAND AND WIFE**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **CLARENCE VANDER STELT AND SONS DAIRY, A CALIFORNIA GENERAL PARTNERSHIP**

the Grantee whose current address is: **6701 HARRISON AVENUE CORONA, CA 91720**

the following described premises, to-wit:

AS PER LEGAL DESCRIPTION ATTACHED HERETO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all incumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 02, 2000

Michael Christensen
MICHAEL CHRISTENSEN

Jill Christensen
JILL CHRISTENSEN

State of IDAHO

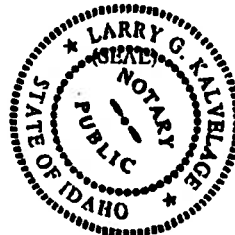
County of ADA ss.

On this 2nd day of JUNE, 2000, before me, the undersigned, a Notary Public, in and for said State, personally appeared MICHAEL CHRISTENSEN AND JILL CHRISTENSEN

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Larry G. Kalvelage
Notary Public
Residing at: Nampa, ID
Commission Expires: 12/09/2000



LEGAL DESCRIPTION

Order Number: 99000219

**THE EAST ONE-HALF OF SECTION 13, ALL IN TOWNSHIP 1 NORTH, RANGE 3
WEST, OF THE BOISE MERIDIAN, CANYON COUNTY, IDAHO.**

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: A63-07083
Date Received: 2/27/1990
Receipt No: C015057
Received By: g

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CLARENCE VANDER STELT AND SONS
Address: A CALIFORNIA PARTNERSHIP
CORONA CA 91720

909-735-9585

2. Date of Priority: APR 11, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	03W	13	NE	NE	NE		CANYON

5. Description of diverting works:
WELL, 610' DEPTH, 20" CAS. PUMP, POND, DITCHES, CANALS, GRAV. IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.400		540.00

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) 540.00 A.F.A.

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	03W	13	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	03W	13	SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	39.0
Section Acres								360.0
Total Acres								360.0

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:
N/A

14. Remarks:

THIS RT. WHEN COMBINED WITH RT. 63-3142 SHALL NOT EXCEED 2.76 CFS
THIS RT. IS NOT USED AS ORIGINALLY LICENSED. IT IS USED AS SUPPLEMENTAL WATER TO A BENEFICIAL USE RIGHT FROM THE SNAKE RIVER FOR THE ENTIRE EAST HALF OF SEC. 13, T01N,R03W, AND HAS BEEN USED IN THAT MANNER IN CONJUNCTION WITH A63-03142, AS CLAIMED, NOT TO EXCEED THE 2.76 CFS WHEN USED WITH THAT RIGHT.
*CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 12/16/93.
AMENDED TO INCLUDE 41 ACRES IN W1/2 S 13 AS ORIGINALLY LICENSED.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

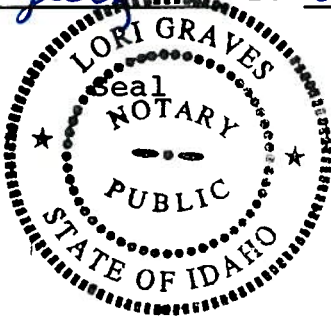
For Individuals:

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

Signature of Claimant(s): Clarence Vander Stelt Son Date: 7/18/00
By Darwin Vander Stelt Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of July 20 00 Lori Graves
Notary Public



Residing at Boise
My Commission Expires 6/18/04

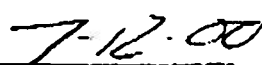
Authorization to Sign for Applicant

Date: 07/12/00

David Vander Stelt is hereby appointed agent and is authorized to sign documents at the Idaho Dept of Water Resources on behalf of Clarence Vander Stelt and Sons , a California Partnership.



David Vander Stelt, partner



Date

JUN 27 2000

WATER RESOURCES
WESTERN REGION

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-07083
Date Received: 2/27/1990
Receipt No: C015057
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CLARENCE VANDER STELT AND SONS 909-735-9585
Address: A CALIFORNIA PARTNERSHIP
CORONA CA *92880 91720*

2. Date of Priority: APR 11, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	03W	13	NE	NE	NE		CANYON

5. Description of diverting works:
WELL, 610' DEPTH, 20" CAS. PUMP, POND, DITCHES, CANALS, GRAV. IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.400		540.00

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) 540.00 A.F.A.

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	03W	13	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	13	SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	39.0
Section Acres							360.0
Total Acres							360.0

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:
N/A

14. Remarks:

THIS RT. WHEN COMBINED WITH RT. 63-3142 SHALL NOT EXCEED 2.76 CFS
THIS RT. IS NOT USED AS ORIGINALLY LICENSED. IT IS USED AS SUPPLEMENTAL WATER TO A BENEFICIAL USE RIGHT FROM THE SNAKE RIVER FOR THE ENTIRE EAST HALF OF SEC. 13, T01N,R03W, AND HAS BEEN USED IN THAT MANNER IN CONJUNCTION WITH A63-03142, AS CLAIMED, NOT TO EXCEED THE 2.76 CFS WHEN USED WITH THAT RIGHT.
*CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 12/16/93.
AMENDED TO INCLUDE 41 ACRES IN W1/2 S 13 AS ORIGINALLY LICENSED.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

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: **A63-07083**
Date Received: 2/27/1990
Receipt No: C015057
Received By: _____

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

1. Name: MICHAEL CHRISTENSEN 208-495-2857
Address: 8725 BIGFOOT
MELBA ID 83641

2. Date of Priority: APR 11, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	03W	13	NE	NE	NE		CANYON

5. Description of diverting works:
WELL, 610' DEPTH, 20" CAS. PUMP, POND, DITCHES, CANALS, GRAV. IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.400		540.00

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) 540.00 A.F.A.

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	13	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	13	NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	39.0
Section Acres							319.0
Total Acres							319.0

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:
N/A

14. Remarks:

THIS RT. WHEN COMBINED WITH RT. 63-3142 SHALL NOT EXCEED 2.76 CFS
THIS RT. IS NOT USED AS ORIGINALLY LICENSED. IT IS USED AS SUPP-
LEMENTAL WATER TO A BENEFICIAL USE RIGHT FROM THE SNAKE RIVER FOR
THE ENTIRE EAST HALF OF SEC. 13, T01N,R03W, AND HAS BEEN USED IN
THAT MANNER IN CONJUNCTION WITH A63-03142, AS CLAIMED, NOT TO
EXCEED THE 2.76 CFS WHEN USED WITH THAT RIGHT.
*CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 12/16/93.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR: A63-07083, A63-03142, A02-10030

[] Name and Address of Former Owner/Claimant(s)(Seller): Dry Lake Farms Inc., DBA Clements Farms L.
4121 Nim Road

[] New Owner/Claimant (Purchaser): Nampa, ID. 83686
Michael Christensen

[] New Mailing Address: 8725 BIGFOOT
MELBA, ID 83641

[] New Telephone Number: (208) 495-2857

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: _____

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

[] Signature of New Owner/Claimant(s): Michael Christensen Date 2-3-93

[] Signature of Former Owner/Claimant(s): M. J. Clements Date _____
Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

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

MICROFILMED

JUL 25 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: A63-07083
Date Received: 2/16/1990
Receipt No: C015057
Received By: ER

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DRY LAKE FARMS INC. 208-495-2201
Address: 4121 RIM ROAD
NAMPA, ID 83686

2. Date of Priority: APR 11, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	03W	13	NE	NE	NE		CANYON

5. Description of diverting works:
WELL, 610' DEPTH, 20" CAS. PUMP, POND, DITCHES, CANALS, GRAV. IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.400		540.00

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) 540.00 A.F.A.

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	03W	13	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0

A63-07083

Page 1

Date: 02/27/90

MICROFILMED

AUG 21 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	13	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	39.0
						Section Acres	319.0
						Total Acres	319.0

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:
N/A

14. Remarks:

THIS RT. WHEN COMBINED WITH RT. 63-3142 SHALL NOT EXCEED 2.76 CFS
THIS RT. IS NOT USED AS ORIGINALLY LICENSED. IT IS USED AS SUPP-
LEMENTAL WATER TO A BENEFICIAL USE RIGHT FROM THE SNAKE RIVER FOR
THE ENTIRE EAST HALF OF SEC. 13, T01N,R03W, AND HAS BEEN USED IN
THAT MANNER IN CONJUNCTION WITH A63-03142, AS CLAIMED, NOT TO
EXCEED THE 2.76 CFS WHEN USED WITH THAT RIGHT.

15. Basis of Claim: LICENSE

MICROFILMED
AUG 21 1992

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Organizations:

I do solemnly swear or affirm that I am President of _____ Title

Dry Lake Farms Inc. that I have signed the foregoing Organization

document in the space below as President of Title

Dry Lake Farms Inc. and that the statements contained in the Organization foregoing document are true and correct.

M. L. [Signature]
Signature of Authorized Agent

Pres. - Dry Lake Farms Inc.
Title and Organization

2-16-90
Date

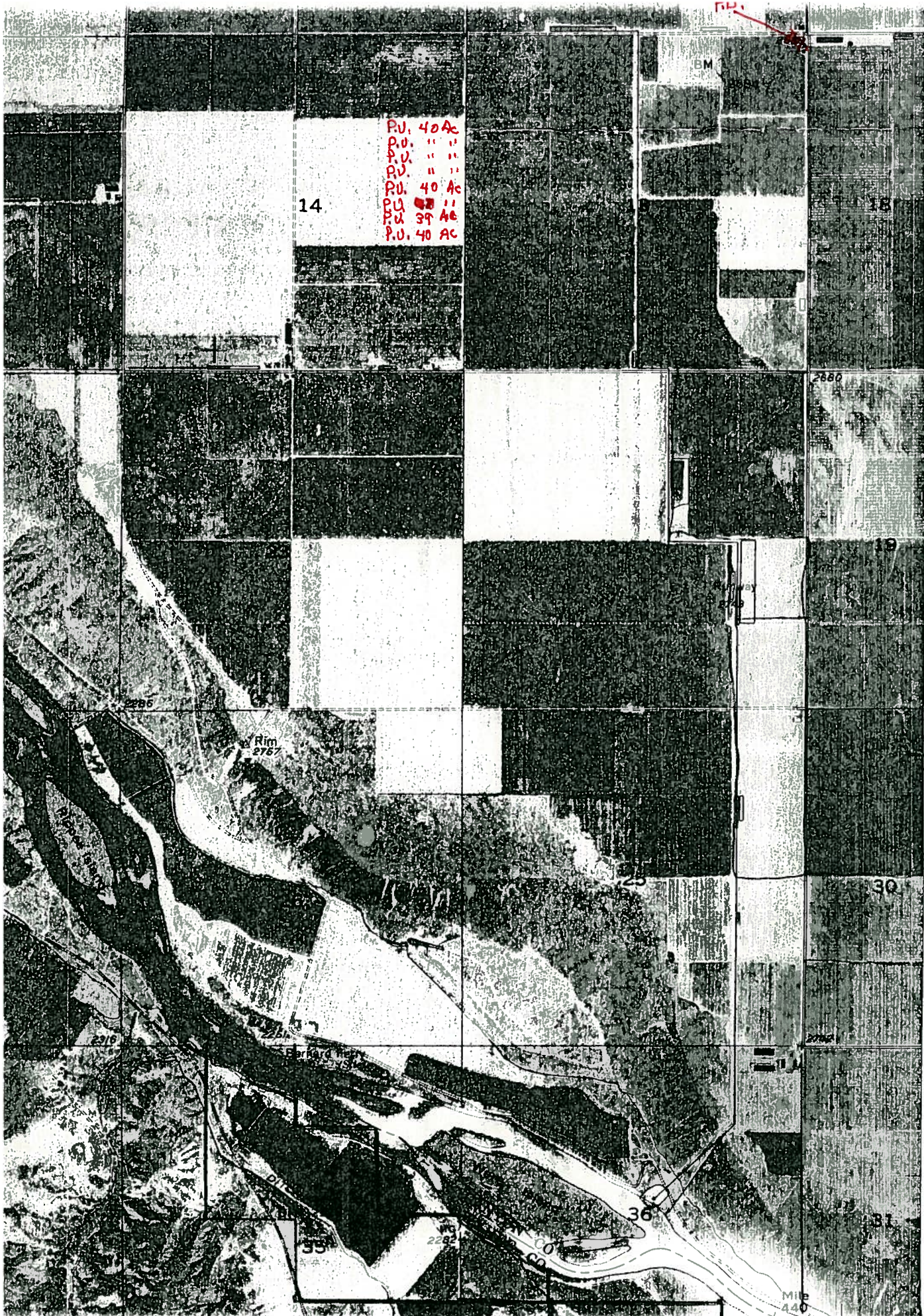
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of Feb 19 90

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994



T01 N
R03 W
SEC 13
A63-D708

MICROFILMED
AUG 21 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)
License of Water Right No. 63-7083 Priority April 11, 1968 Amount 2.40 cfs

THIS IS TO CERTIFY, that Dry Lake Farms, Inc.
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-7083 issued pursuant to Application for Permit dated March 28, 1968,
and has submitted proof to the Department of Water Resources on August 15, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.76 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>2.40</u> cfs and	<u>540.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.40 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
540.0 acre feet per year, said waters to be diverted within the NE 1/4 Section 13,
Twp 1N, Rge 3W in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				Totals		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
1N	3W	13								1			40	33	40	6	120

Total number of acres irrigated 120

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

This right when combined with Right No. 63-3142 shall not exceed 2.76 cfs.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15th day of
NOVEMBER, 19 84.

Acting for the

Director

MICROFILME
AUG 21 1992

WESTERN

MEMO TO FILES From FEL

A63-07083

DATE: 5/25/1990

APPLICANT: DRYLAKE Farms Inc.

CLAIM NO: A63-07083

SUBJECT: CHANGE IN Rcpt. #C015057

THIS CLAIM WAS INITIALLY ENTERED ON THE Rcpt, C015057,
AS A02-07083 IN ERROR. CORRECTION THROUGH AR-9
WAS MADE ON THE ABOVE DATE.

~~OFF~~

MICROFILMED
AUG 21 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 63-07083 Date: 5-15-00

Overlapping POU Claim #'s: _____

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	1N	3W	13	40	40	40	40									40	40	40	39	319
GIS				40	40	40	40									40	40	40	39	319
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 16, 17

POD_ID #(s): 14

Total Claimed Acres: 319

Total GIS Acres: 319

COMMENTS:

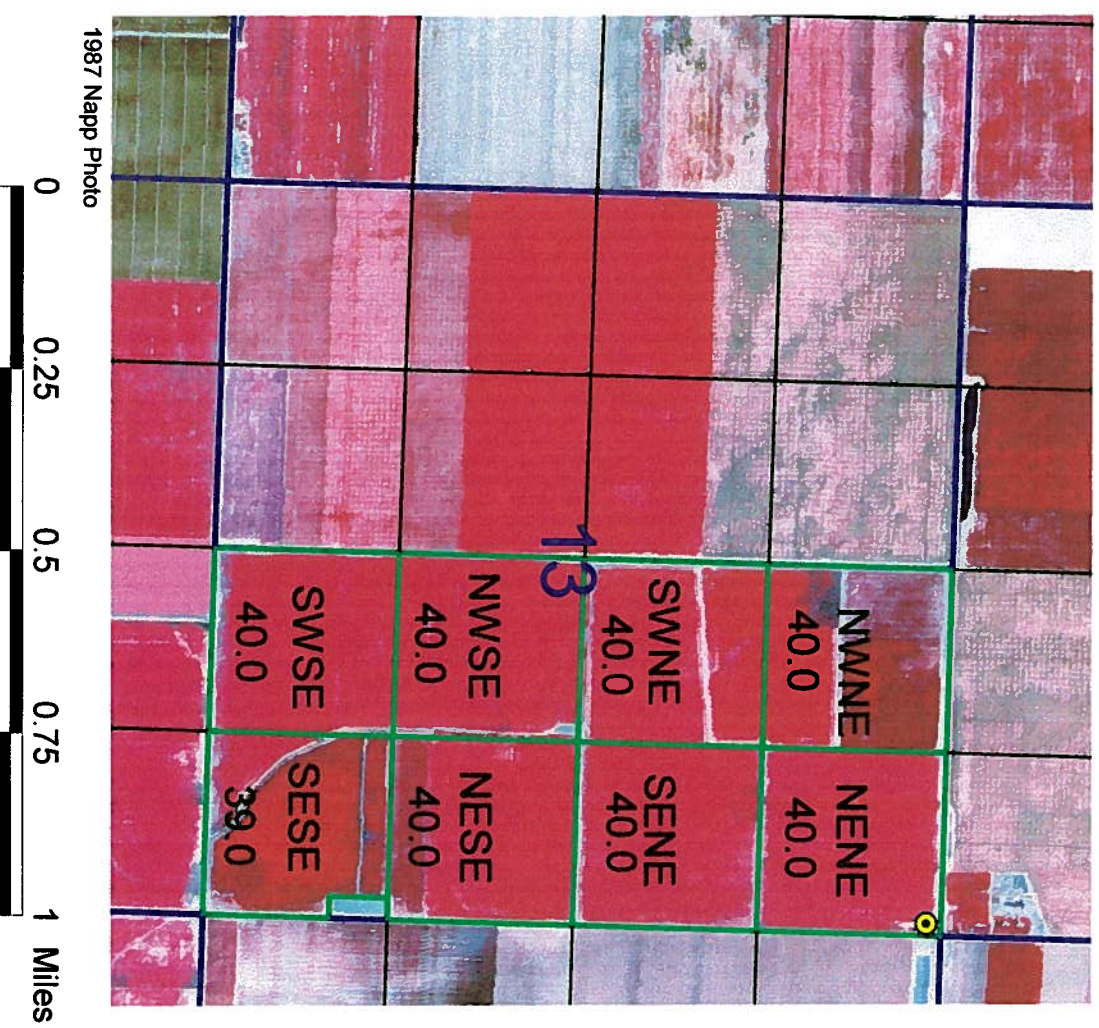
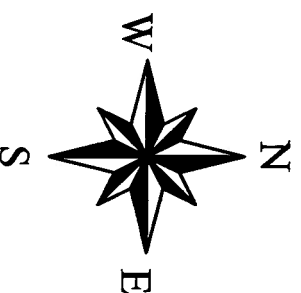
Idaho Department of Water Resources

Claim Number: 63-07083

Legal: T01N, R03W, S13

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines





State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 30, 2007

CLARENCE VANDER STELT & SONS
12492 BIG FOOT RD
NAMPA ID 83686

Re: Snake River Basin Adjudication (SRBA)
Water Right No(s). 63-3142, 63-7083
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your claim(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right(s) referenced above, please call this office to obtain a form to make this required change to the water right(s) records.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

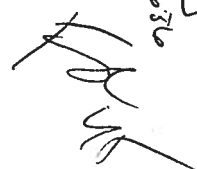
Telephone number

STATE OF IDAHO
DEPARTMENT OF
WESTERN REGIONAL OFFICE
2725 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED


**RETURNED
TO SENDER**
FORWARDING ORDER EXPIRED

~~CLARENCE VAN DER STELT & SONS
A CALIFORNIA PARTNERSHIP
6701 HARRISON AVE
COSTA MESA CA 91701~~

13492 Big Forest
Nampa 83636


FIRST CLASS



UNITED STATES POSTAGE
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FEB 12 2007

WATER RESOURCES
WESTERN REGION

63-3142

63-7083



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7083 V1

WATER RIGHT NUMBER: 63-7083 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CLARENCE VANDER STELT & SONS DAIRY A CALIFORNIA PARTNERSHIP 6701 HARRISON AVE CORONA, CA 91720 (909)735-9585

Priority Date: 04/11/1968

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	03/15 to 11/15	2.400 CFS	172.50 AF
	<u>Total Diversion:</u>	2.400 CFS	172.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 13, Twp 01N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 13, Twp 01N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 13, Twp 01N, Rge 03W, B.M.
CANYON County		

Place of UseIRRIGATION Within CANYON County

T01N R03W S13	SWNE	31.0	T01N R03W S13	SENE	31.0
T01N R03W S13	NESW	1.0	T01N R03W S13	SESW	40.0
T01N R03W S13	NESE	40.0	T01N R03W S13	NWSE	40.0
T01N R03W S13	SWSE	40.0	T01N R03W S13	SESE	39.0
Total Acres: 262					

Conditions of Approval:

1. 01Q After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

4. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. 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.
7. 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.
8. 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.
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. WB4 The total instantaneous diversion of water from all points of diversion under Transfer 67018 shall not exceed 2.76 cfs, nor total combined annual volume of 419.5 af for irrigation and dairy uses.
11. X27 Right 63-7083 is limited to the supplemental irrigation of 120.0 acres within the place of use described above in a single irrigation season.
12. X35 Rights 63-3142 and 63-7083 when combined shall not exceed a total diversion rate of 2.76 cfs and a total annual maximum diversion volume of 172.5 af at the field headgate for the supplemental irrigation of 183.2 acres.
13. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Remarks:

Comments:

1. TransferUser 4/13/2001 11:15:25 AM Approved Transfer
Comment: This right is a result of approved transfer.

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:
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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 13, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CLARENCE VANDER STELT & SONS
A CALIFORNIA PARTNERSHIP
6701 HARRISION
CORONA CA 91720

Re: Notice of Claim to a Water Right No. A63-03142 & A63-07083

Dear Claimant(s):

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure

8725 BIGFOOT		
MELBA ID 83641		
(208) 495-2857		
TOTAL DIVERSION:	2,400 CFS	540.00 AFA
CONSUMPTIVE USE:		420.00 AFA

Stage: LICENSE

CANYON County

TOTAL ACRES	319.0
-------------	-------

03/30/95 POST-STD

Water Right Number - 63-07083

Prefix Translation: WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
DRY LAKE FARMS INC.

1 - RT. 4
2 -
3 -
City- NAMPA
Phone -
State- ID Zip- 83651

Priority Date - 04/11/1968
Region - 14 WESTERN
Stage - L - LICENSE
Status -

Source - GROUNDWATER
Tributary -

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
01N	03W	13	NE NE			(27) CANYON				

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		2.400	540.00

- Total Div. Rate - 2.400
- Total Div. Volume - 540.00
- Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
01N	03W	13	NE SW		1.0		01	IRRIGATION	(27) CANYON
01N	03W	13	SE SW		40.0		01	IRRIGATION	(27) CANYON
01N	03W	13	NW SE		33.0		01	IRRIGATION	(27) CANYON
01N	03W	13	SW SE		40.0		01	IRRIGATION	(27) CANYON
01N	03W	13	SE SE		6.0		01	IRRIGATION	(27) CANYON

Total Acres: 120.0

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks
THIS RT. WHEN COMBINED WITH RT. 63-3142 SHALL NOT EXCEED 2.76 CFS
No Old Water Right Numbers found.

Water right number - 63-07083

Prefix Translation: WATER RIGHT

016 - See remarks for additional conditions of approval.
R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for the
- lands above.

Decree Plaintiff - - - + - - - - Decree Defendant - - - + - - - Decree Date - - +
00/00/0000

- - - - - Comments - - - - -
No Comments Found

- - - Audit Fields - 09/11/85 05/01/88

- - - - - Water Rights Dates and Flags Area - - - - -
Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Swan Falls -
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
Exam to S.O. Date - 00/00/0000 Verified Date - 09/11/1985 DLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - Water District -
Licensed Date - 04/08/1985 Appl Received - 00/00/0000 Transfer/Amended -
Decree Date - 00/00/0000 Name Connector - POU Ownership Flag -
Presumption Flag -

CLAIMANT'S NAME: Dry Lake Farms, Inc.DATE: 12-22-1992COUNTY: CanyonEMPLOYEE: S.W. Keen

Mr. Mike Christensen (495-2857) called today to report that he has purchased T1N, R3W, S13, E $\frac{1}{2}$, from M.O. Clements (Dry Lake Farms) and to inquire about appurtenant water rights.

I queried the database and found Licenses 02-02172 and 63-03142 and SRBA claim A63-03142. I told Mr. Christensen I would look into the matter and get back to him.

On second review, I found:

Licenses - 02-02172

SRBA Claims - A02-10030

63-03142

A63-03142

63-07083

A63-07083

I also found old claim A02-02172 on the WR database.

I called Linda Werner at Western Region to ask her to look in the claim files to determine why A02-10030 was filed instead of A02-02172. She found nothing but a claim and map in the file.

I attempted to return Mr. Christensen's call on 12-22-92 at 2:45, but no one was at home.

Mr. Christensen should at least review the SRBA claims and file an ownership change. He may also wish to file A02-02172. If A02-02172 is filed, claimant should get \$1000 credit for having filed in the old Basin 02 Adj.

12-22-92

sent Mr. Christensen
an O-change form, a

MICROFILMED

JUL 20 1994

8725
Big Foot Rd.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7083 Priority April 11, 1968 Amount 2.40 cfs
(Late Proof)

THIS IS TO CERTIFY, that Dry Lake Farms, Inc.
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-7083 issued pursuant to Application for Permit dated March 28, 1968,
and has submitted proof to the Department of Water Resources on August 15, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.76 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>2.40</u> cfs and	<u>540.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.40 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
540.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13,
Twp 1N, Rge 3W in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1N	3W	13									1			40		33	40	6	120

Total number of acres irrigated 120

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

This right when combined with Right No. 63-3142 shall not exceed 2.76 cfs.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15th day of
NOVEMBER, 19 84.

Acting for the

Director

Norman C. Young

MICROFILMED

STATE OF IDAHO
Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

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

APPROVED

Comes now Dry Lake Farms, Inc. Phone _____
of (address) Rt. 4 Nampa, ID 83651, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 63-7083, and requests that the permit and permit map be changed as follows:

1. Point of diversion: No change
1/4 1/4, Section _____, Township _____, Range _____, B.M.,
County of _____ . Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

No change
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	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	
1N	3W	13									1			40		33	40	6	120

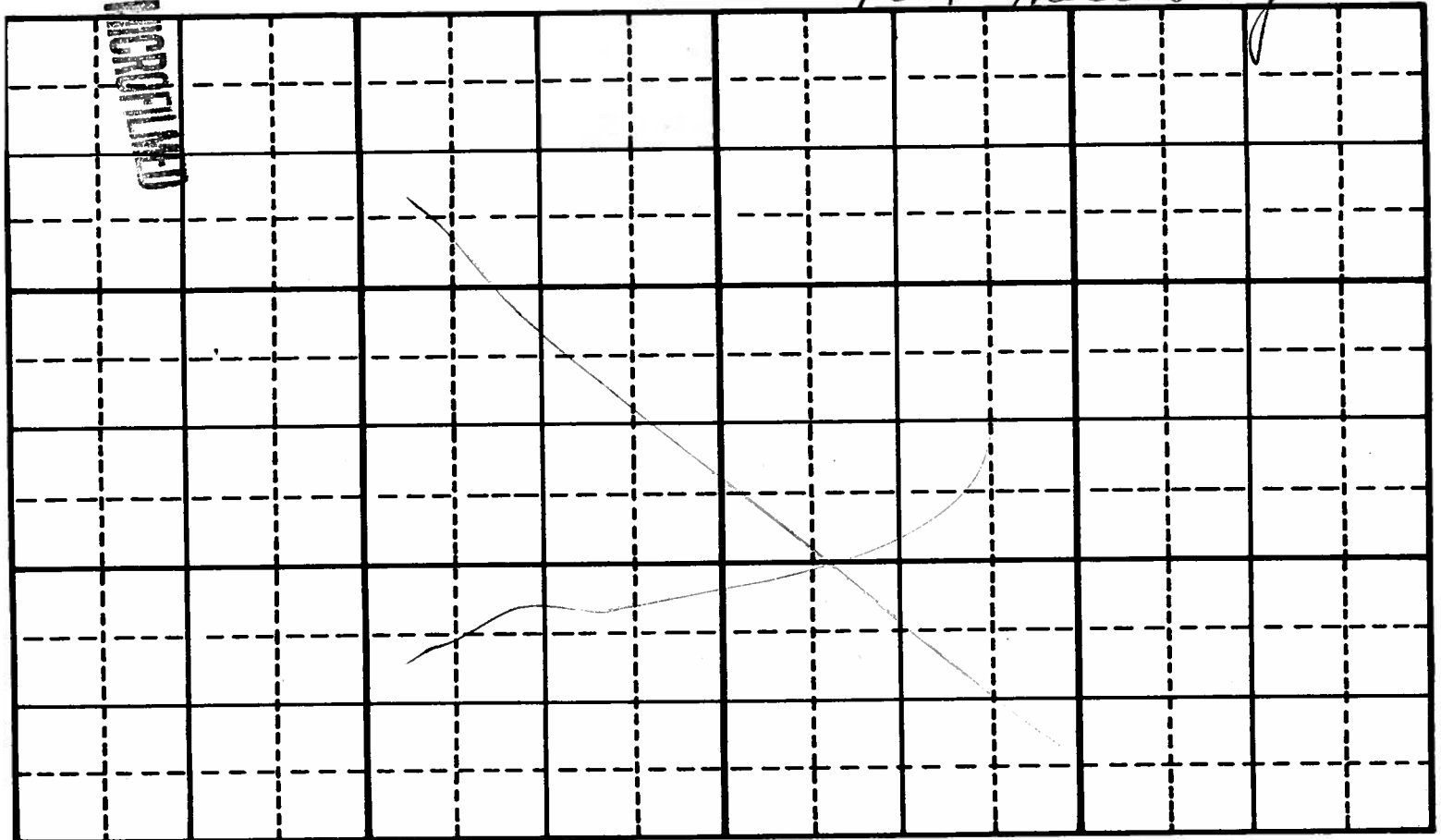
Total number of acres to be irrigated = 120

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

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

Not necessary



Scale: 2 inches equal 1 mile.

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

Signed at Boise, Idaho, this 25 day of September, 19 84.

M. S. Gorman
(Signature)
President of Dry Lake Res

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00

Received by KW Date 9-25-84 #35096

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby
Approve the above Application for Amendment for Permit No. 63-7083.

Witness my hand this 1st day of NOVEMBER, 19 84.

Norman C. Young
Acting for the Director

Identification No. 63-7082
Application No. 42401

LAPSED
Reinstated
8-21-69

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Dry Lake Farms, Inc.
post office address Route 4, Nampa, Idaho
2. Source of water supply well which is a tributary of - -
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13 Township 1N
Range 3W B.M. Canyon County; additional points of diversion if any: - -
- -
- -
b. If water is not consumed, it will be discharged into a pond at a point in NE $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 13 Township 1N Range 3W B.M.
4. Quantity to be appropriated:
a. -2.63 (allow 2.4 c.f.s.) cubic feet per second and/or
b. - acre feet per annum will be stored.
5. Water will be used for the following purposes:
Irrigation purpose from April 1 to October 30 (both dates inclusive)
purpose from - to - (both dates inclusive)
purpose from - to - (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pond and ditches and canals.
-
-
b. Height of storage dam - feet; active reservoir capacity - acre feet; total reservoir
capacity - acre feet; materials used in storage dam: -
-
c. Proposed well diameter is 20" inches; proposed depth of well is 610 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 0 years.
b. Estimated construction cost is \$ 33,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: - $\frac{1}{4}$ of - $\frac{1}{4}$ of Section - Township -
Range - B.M.
(2) Amount of power to be generated: - hp under - feet of head.
(3) List number of each kind of livestock to be watered -
-
-
(4) Name of municipality to be served -, or number of families to be
supplied with domestic water -.
(5) If water is to be used for other purposes describe: -
-
-

63 7082

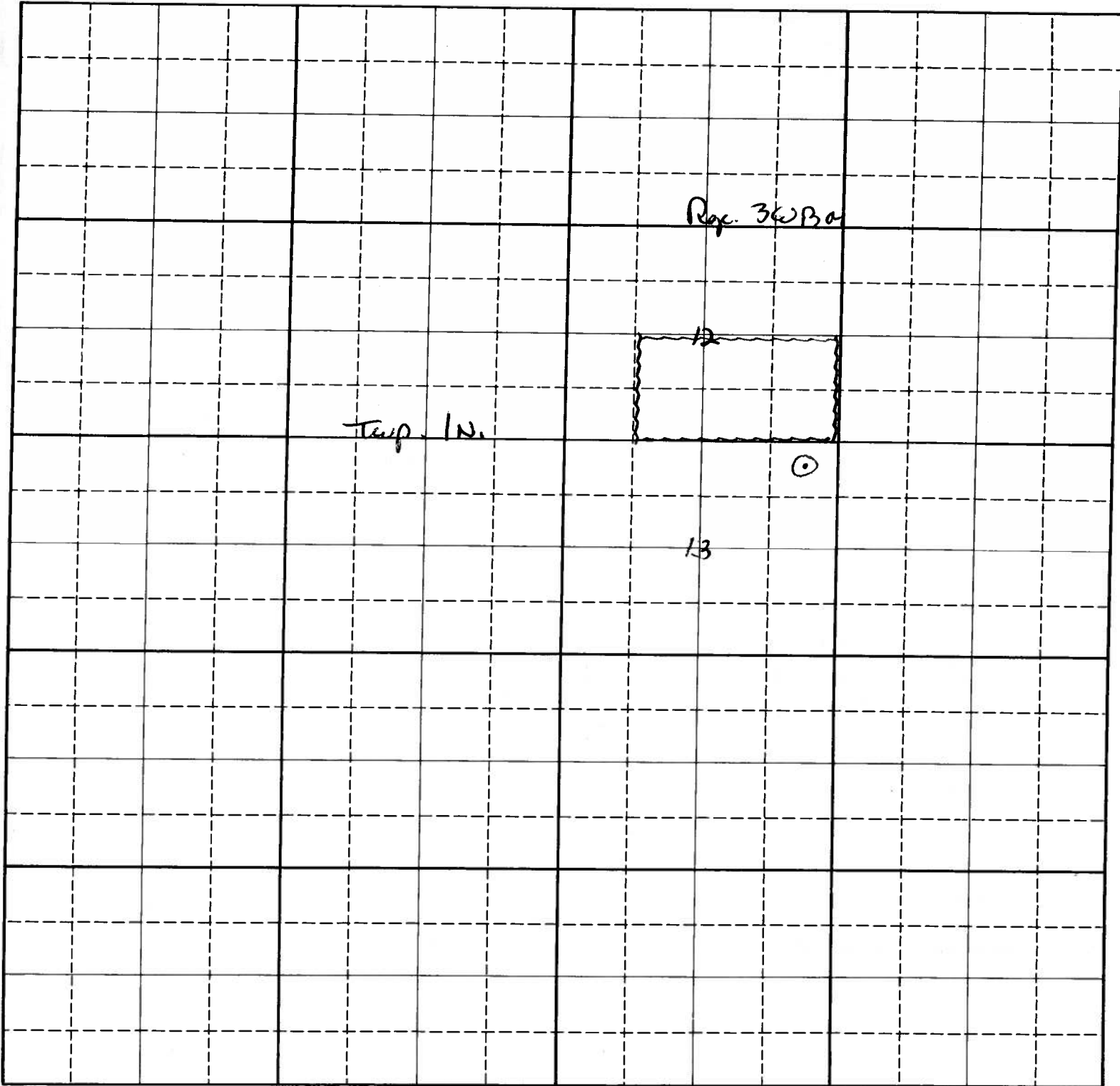
[illegible]

c. Describe any other water rights used for the same purposes. Diverted water from Snake River, Permit No. 30881

9. a. Who owns the property at the point of diversion Dry Lake Farms, Inc.
b. Who owns the land to be irrigated or place of use Dry Lake Farms, Inc.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

Ray Lake Farms Inc.
John Clements (Pres)
 (Applicant)

63 7082

Received by ef Date 3-28-68 Time 8:00 am
Preliminary check by DeW Fee \$ 30.00
Receipted by ef Date 3-28-68
Publication prepared by JS Date 3-29-68
Published in Idaho Free Press
Publication dates 4-4 & 11-68
Publication approved JS Date 4-2-68
Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by CSA DeW

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7083, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 69.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.
Maximum rate of diversion shall not exceed 2.4 c.f.s.

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

Witness my hand this 23 day of July, 19 68.

L. Keith Higgins
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

(6-27684)
63-3142

Permit No. 63-7083

This proof is for..... In Water District No.....

1. Name of applicant..... Dry Lake Farms, Inc., Route #4, Nampa, Idaho

2. Source of water supply: Groundwater

3. Location of point of diversion: Is in the..... NE¹/₄NE¹/₄..... of Section..... 13

T. 1N..... R. 3W, B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: 20" well; depth of

610 ft. Pond, ditches and canals. A 12" discharge pipe with a plastic

tube insert. Works are operating as stated in the

proof - exception was 10" discharge pipe instead of

12". Discharge pipe was fitted with an 8" orifice

plate

5. Water is used for: Irrigation ✓

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

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

T. 1N, R. 3W, Sec. 12, NE¹/₄SW¹/₄, SE¹/₄SW¹/₄, SE¹/₄ 120 Acres (Permit)

T. 1N, R. 3W, Sec. 12, S¹/₂ 320 Acres (Proof Form)

Water is used for supplemental irrigation in section

13 instead of sec 12. Approx. 3 acres in sec 12 are

irrigated from this system (they are the house, lawn,

and area around the shop). The farm receives approx

1300 inches of water from the SNAKE river diversion

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

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

Remarks:.....

SILVER: 3-28-68 VALUE: 8-15-69

DATE: 8-1-69 PRIORITY: 4-11-68

Amount of water found: (By flow meter) 2.755 cfs

(By orifice meas.) 2.76 cfs ✓

This examination was made on the 4th day of May, 1970

(Signed) *John & Fred* *John & Fred*
Examiner.

Monday May 4 at 1:00

Permit No. 63-7083

Examination for Dry Lake Farms, Inc.

Clements - 495-2201
M/L/6a
1 May 70

County Canyon

Sec. 13 T. 1N R. 3W

Quantity: 2.4 c.f.s.

Source: groundwater

P.D.: NE&NE¼, Sec. 13, T. 1N, R. 3W, B.M., Canyon Co.

Use: E½SW¼, SE¼, Sec. 12, T. 1N, R. 3W, B.M.

Extension:

Protest:

Completion of Works:

Other Rights: Diverted water from Snake River, Permit No. 30881

Filed:

Due:

Priority reduced to April 11, 1968.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

63 7083

measured 2.76 cfs
 recommended 2.76 cfs
 Volume 1583 Ac ft / Svc.
 Acreage -
 Found 632 acres ✓
 recommended 632 acres
 Subdv. 16

Amendments

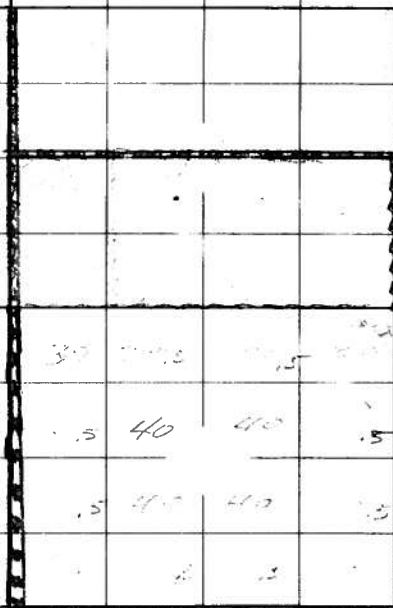
☐ None

☐ P.D.

☒ Place of use

☐

This water is off of
Sec. 13 (Name of Sec.)



Pump Data:

Hollow Shaft Pump Motor
 150 HP P.H. 3 60 cycles
 1800 RPM 440 volts 180amps

1570 gpm
 Lagna & Bowler Vertiline
 1770 RPM Ser. 26875
 325 ft

V = 2.755 CFS

Q = ~~2.755 (1583/325)~~

Q = ~~1583 A~~

~~Q =~~

Print Form

T-T is in...
 Bituminous Res - low type
 local roads with many...

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 63-7083

REPORT ON PROOF OF DRY LAKE FARMS, INC.

63 7083

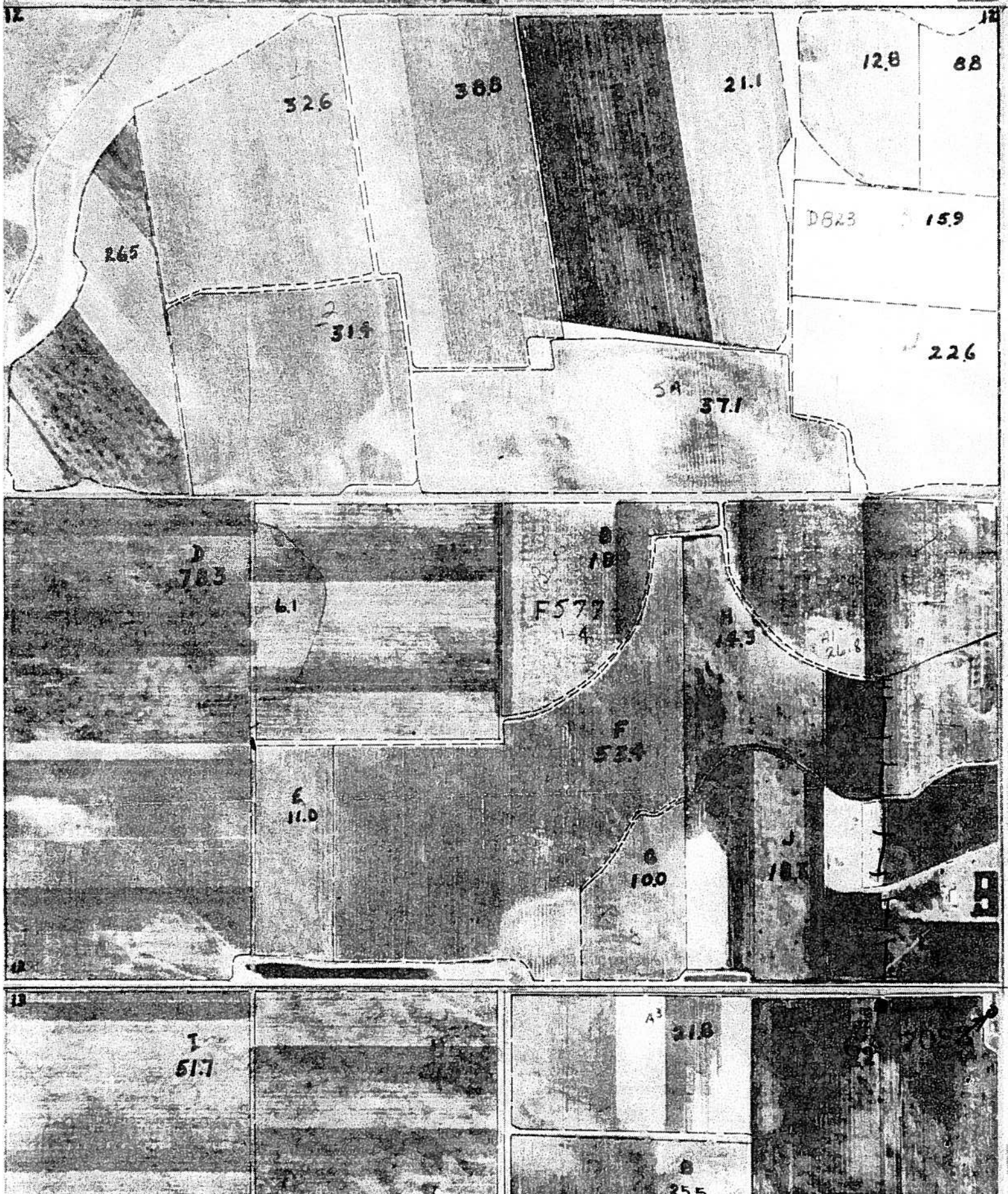
63-7083

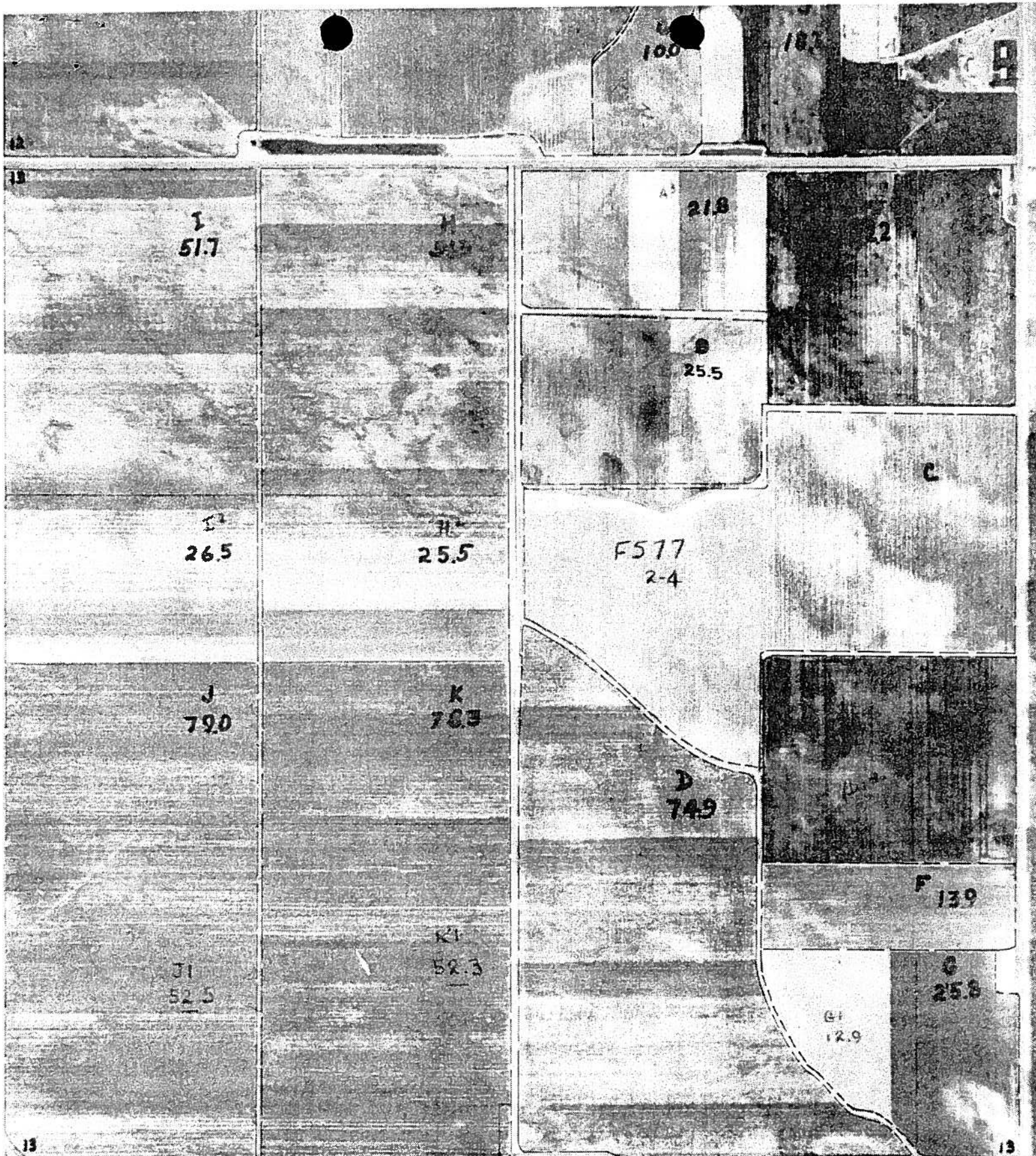
Section

Twp. 1 N

Rge. 3 W

1872 781 113





2001