

2011-06-21 2:52

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

In Re SRBA

Case No. 39576

SUBCASE NO. 36-02474, 36-02474A,
36-02472B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

[X] Change in Ownership

[X] Point of Diversion

[X] Period of Use

[X] Split of Water Right

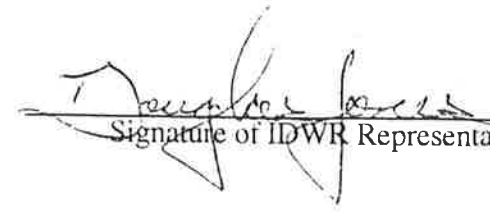
[X] Place of Use

[X] Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 4/5/01


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4/6, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Calvin DeKruyf
Alice Ruth DeKruyf
303 W 300 S
Jerome ID 83338
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Calvin DeKruyf
Mark DeKruyf
303 W 300 S
Jerome ID 83338
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

3/22/01

RIGHT NUMBER: 36-02474

SPLIT RIGHT: SEE RIGHT NOS. 36-02474A AND 36-02474B.

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

03/21/2001

RIGHT NUMBER: 36-2474A

NAME AND ADDRESS: ALICE RUTH DE KRUYF
CALVIN DE KRUYF
303 W 300 S
JEROME, ID 83338

SOURCE: GROUND WATER

QUANTITY: 2.11 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-10082A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.11 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 650.8 AF.

PRIORITY DATE: 02/10/1961

POINT OF DIVERSION: T08S R16E S28 SENWSE Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.11 CFS

PLACE OF USE:

<u>IRRIGATION Within JEROME County</u>					
T08S R16E S28	NESW	33	T08S R16E S28	SESW	39
T08S R16E S28	NESE	11.7	T08S R16E S28	NWSE	40
T08S R16E S28	SWSE	39			

162.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-10082A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 162.7 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 146.3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT NO. 36-10082A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
RIGHT NO. 36-10082A IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

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

03/21/2001

RIGHT NUMBER: 36-2474B
NAME AND ADDRESS: CALVIN DE KRUYF
MARK DE KRUYF
303 W 300 S
JEROME, ID 83338

SOURCE: GROUND WATER

QUANTITY: 0.59 CFS
122.1 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-10082B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.59 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 135.9 AF.

PRIORITY DATE: 02/10/1961

POINT OF DIVERSION: T08S R16E S33 NESE Within JEROME County

2 POINTS OF DIVERSION LOCATED IN T08S, R16E, S33, NESE.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	1-01 12-31	0.59 CFS
		122.10 AFY
COMMERCIAL	1-01 12-31	0.59 CFS
		122.10 AFY

PLACE OF USE:

<u>STOCKWATER Within JEROME County</u>			
T08S R16E S33	NESE	T08S R16E S33	NWSE
<u>COMMERCIAL Within JEROME County</u>			
T08S R16E S27	SENE	T08S R16E S27	NESW
T08S R16E S27	NWSW	T08S R16E S27	SWSW
T08S R16E S28	NESW	T08S R16E S28	SESW
T08S R16E S28	NESE	T08S R16E S28	NWSE
T08S R16E S28	SWSE	T08S R16E S28	SESE
T08S R16E S33	NESE	T08S R16E S33	NWSE

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

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

THE PLACE OF COMMERCIAL USE AUTHORIZED BY THIS TRANSFER INCLUDES LAND UPON WHICH WASTEWATER MAY BE APPLIED FOR IRRIGATION PURPOSES TO SATISFY WATER QUALITY REQUIREMENTS. WATER DIVERTED UNDER THIS APPROVAL SHALL NOT BE USED FOR IRRIGATION OR FOR FLUSHING ALLEYS AND WASTEWAYS UNLESS THE WATER IS FIRST BENEFICIALLY USED FOR OTHER PURPOSES IN THE DAIRY AS AUTHORIZED BY TRANSFER 5597.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

COMMERCIAL USE IS FOR A DAIRY LOCATED IN T08S, R16E, S33, SE.
RIGHT NO. 36-10082B IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

April 6, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CALVIN DEKRUYF
MARK DEKRUYF
303 W 300 S
JEROME ID 83338

RE: SRBA Claim(s) 36-2474, 36-10082

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5597
WATER RIGHT NO(S). 36-02474B/36-10082B

RECEIVED

NOV 21 2000

Department of Water Resources
Southern Region

This is to certify that: CALVIN DE KRUYF
MARK DE KRUYF
303 W 300 S
JEROME ID 83338

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02474B :			
STOCKWATER	01/01 to 12/31	0.59 CFS	122.1 AF
COMMERCIAL	01/01 to 12/31	0.59 CFS	122.1 AF
Priority: 02/10/1961			
Right No. 36-10082B :			
STOCKWATER	01/01 to 12/31	0.06 CFS	13.8 AF
COMMERCIAL	01/01 to 12/31	0.06 CFS	13.8 AF
Priority: 03/15/1976			
TOTAL:		0.59 CFS	135.9 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 33, Township 08S, Range 16E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 16E 33 NESE NWSE

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08S 16E 33			
08S 16E 27	SENW	NESW	NWSW
	SWSW		
28	NESW	SESW	NESE
	NWSE	SWSE	SESE
33	NESE	NWSE	

36-02474B 5597

TRANSFER NO. 5597
WATER RIGHT NO(S). 36-02474B/36-10082B

CONDITIONS OF APPROVAL AND REMARKS

Rights 36-02474B and 36-10082B are subject to the conditions of the Amended Preliminary Order dated 10-27-2000 which has become final in the matter of Application for Transfer 5597.

Dated this 17th day of November, 2000.


Chief, Water Allocation Bureau

RECEIVED

SEP 03 1999

Name of applicant Calvin Dekruyf &/or Mark Dekruyf Phone 324-7360
Post Office address 203 W 300 S, Jerome, ID 83228

2. Describe the reason for the proposed changes Convert a portion of rights from irrigation to stockwater & commercial uses for a new dairy to be built on another property.

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
74 36-02438B	2-10-1961	0.59/122.1	Stockwater	1-1 to 12-31
		"	Commercial	" to "
36-10082B	2-15-1976	0.06/13.8	Stockwater	" to "
		"	Commercial	" to "

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use: * Land application area

[illegible]

PART 1

6. General Information:

- a. Description of diversion system Two new wells to be drilled, motors, pumps, pipelines to dairy barn & stock troughs (main well & backup well).
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will be irrigated with dairy wastewater and canal shares. We have about 130 shares of NSCC water that can be moved to this property from other land that is no longer irrigated. The proposed dairy site is presently irrigated with canal water (53 acres), & this land will all be dried up.
- d. Remarks:
We want to serve 3000 dairy cows & 1000 dry adults in this facility. It will just north of our existing dairy & heifer operation, but will have a separate water system.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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