

COPY

1998 MAY 22 PM 3:46
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-07318, 36-07318A,
36-07318B, **36-07318C**, 36-07318D,
36-07318E

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):

☐ Change in Ownership
☒ Point of Diversion
☒ Period of Use

☒ Split of Water Right
☒ Place of Use
☒ Nature of Use

FROM: Claimant/Seller(s):
Name and Address of Claimant/Seller(s):

TO: Claimant/Purchaser(s):
Name and Address of Claimant/Purchaser(s):

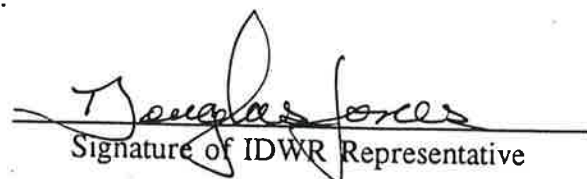
Phone:

Phone:

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: 5/8/98


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5-22, 1998, 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 or attorney of record:
Jack Verbree Jr
Margaret Verbree
1574 E 2900 S
Wendell ID 83355
3. One Copy to:
Each party in the subcase or attorney of record:
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. 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

AJ5859NP

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

DATE: MAY-7-1998
PAGE: A-1

RIGHT NUMBER: 36-07318

SPLIT RIGHT: SEE RIGHT NOS. 36-07318A, 36-07318B, 36-07318C,
36-07318D AND 36-07319E.

AJ5856NP

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

DATE: MAY-7-1998
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07318A

NAME & ADDRESS: MARGARET VERBREE
JACK VERBREE JR
1574 E 2900 S
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.24 CFS
80.8 AFY

PRIORITY DATE: 03/21/1973

POINT OF DIVERSION: T07S R14E S26 SWSE

Within GOODING County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
COMMERCIAL

PERIOD OF USE
01-01 12-31

QUANTITY
0.24 CFS
80.8 AFY

COMMERCIAL USE IS FOR A DAIRY.

PLACE OF USE: COMMERCIAL Within GOODING County
T07S R14E S26 SWSE

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ5856NP

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

DATE: MAY-7-1998
PAGE: A-2

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07318B

NAME & ADDRESS: JACK VERBREE JR
MARGARET VERBREE
1574 E 2900 S
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.1 CFS
8.8 AFY

PRIORITY DATE: 03/21/1973

POINT OF DIVERSION: T07S R14E S26 SESE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.1 CFS
	DOMESTIC	01-01 12-31	6.4 AFY
			0.03 CFS
			2.4 AFY

PLACE OF USE: STOCKWATER Within GOODING County
T07S R14E S26 SESE

Place of use for DOMESTIC is same as STOCKWATER

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ5856NP

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

DATE: MAY-7-1998
PAGE: A-3

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07318C

NAME & ADDRESS: MARGARET VERBREE
JACK VERBREE JR
1574 E 2900 S
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS
43.2 AFY

PRIORITY DATE: 03/21/1973

POINT OF DIVERSION: T07S R14E S26 NESE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.09 CFS
			43.2 AFY

PLACE OF USE: STOCKWATER Within GOODING County
T07S R14E S26 NESE

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ5856NP

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

DATE: MAY-7-1998
PAGE: A-4

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07318D

NAME & ADDRESS: MARGARET VERBREE
JACK VERBREE JR
1574 E 2900 S
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.26 CFS
125.6 AFY

PRIORITY DATE: 03/21/1973

POINT OF DIVERSION: T07S R14E S35 SENE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.26 CFS
	COMMERCIAL	01-01 12-31	54.7 AFY
			0.26 CFS
			70.9 AFY

COMMERCIAL USE IS FOR A DAIRY.

PLACE OF USE: STOCKWATER Within GOODING County
T07S R14E S35 SENE

Place of use for COMMERCIAL is same as STOCKWATER

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ5856NP

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

DATE: MAY-7-1998
PAGE: A-5

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07318E

NAME & ADDRESS: JACK VERBREE JR
MARGARET VERBREE
1574 E 2900 S
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS
10.4 AFY

PRIORITY DATE: 03/21/1973

POINT OF DIVERSION: T07S R14E S25 NWSWN Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.05 CFS
			10.4 AFY

PLACE OF USE: IRRIGATION Within GOODING County
T07S R14E S25 SWNW 2.6
2.6 ACRES TOTAL

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE



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

May 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JACK VERBREE JR
MARGARET VERBREE
1574 E 2900 S
WENDELL ID 83355

RE: SRBA Claim(s) 36-07318

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

/tf

Southern AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5049
WATER RIGHT NO. 36-07318C

RECEIVED

JAN 27 1998

Department of Water Resources
Southern Region

This is to certify that: **MARGARET VERBREE**
JACK VERBREE JR
1574 E 2900 S
WENDELL ID 83355

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>
STOCKWATER	01/01 to 12/31	0.09 CFS	43.2 AF

SOURCE

GROUNDWATER

Priority: 03/21/1973

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 26, Township 07S, Range 14E
GOODING County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07S 14E 26 NESE

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5049
WATER RIGHT NO. 36-07318C

CONDITIONS OF APPROVAL AND REMARKS

5. 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.
6. A measuring device of a type approved by this Department shall be maintained as part of the diverting works, or upon notification the right holder shall measure and annually report diversions of water and/or other hydrologic and system information as required by Section 42-701, Idaho Code.
7. 0.13 cfs, a portion of the previously authorized diversion rate under 36-07318C, shall be considered abandoned through approval of Transfer 5049.
8. The remainder of Right 36-07318 after approval of Transfers 5047, 5048, 5049 and 5050 changing portions of the right to stockwater and commercial uses is identified as 36-07318E, and is limited to a diversion rate of 0.05 cfs, an annual diversion volume of 10.4 af, and irrigation of 2.6 acres each year.
9. The acres which are no longer authorized for irrigation under Right 36-07318E after approval of Transfers 5047, 5048, 5049 and 5050 are specifically described as follows: 30 acres within the NWNW and 37.4 acres within SWNW, S25, T07S, R14E.

Dated this 21st day of January, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 36-07318(c)
FROM: PAM SKAGGS/^{PS}STATE OFFICE
SUBJECT: TRANSFER 5049
DATE: January 16, 1998

=====

This is the third of four transfers changing a portion of Right 36-07318 to other uses, splitting the right into Parts A thru E. Transfer 5049 changes the point of diversion, place, nature and season of use to provide additional water for stockwater use at an existing dairy. Associated commercial and stockwater use is described under Parts A and B of the right.

The transfer proposes to use a reduced diversion rate and the full diversion volume associated with 10.8 acres of irrigation for the new uses. Recommended conditions include drilling permit requirements, water quality, measuring device/subject to annual reporting, abandoned portion/rate, remaining irrigation portion following approval of all 4 transfers (5047/48/49/50) and standard transfer conditions.

Change in Nature of Use Evaluation

Transferred Portion before changes.

			Div.Vol./C.U.Vol.
0.22 cfs	Irrigation	10.8 acres	43.2 afa/32.4 afa

Transferred Portion after changes.

0.09 cfs	Stockwater	(10.8 acres)	43.2 afa/ 5.8 afa
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Transfer reduces diversion rate and annual consumptive use volume under this portion of the right.

2010000-00000
Not Recoded
Transfer No. 5049
468 08 1303

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

536-2732 home
Phone 536-5608 office
St ID Zip 83355

Name of Applicant Jack Verbree Jr, w/ or Margaret VerbreePostal address 1574 E 2900 SCity WendellSt ID Zip 83355**A. PURPOSE OF THE TRANSFER**

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

2. Describe reason for the proposed changes: Convert right from irrigation to stockwater/commercial/ domestic use in 2 existing dairies. This transfer covers stockwater use of Dairy #1 from the well northeast of the dairy barn.

B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE (or ☐ see Attachment

1. Right No.	Priority	Amount (cfs, ac-ft)	Nature of use	Period of Use
<u>X36-07318C</u>	<u>3-21-1973</u>	<u>0.09/43.2</u>	<u>Stockwater</u>	<u>1-1 to 12-31</u>
				to
				to
				to

2. Total diversion rate/volume being transferred: 0.09 cfs and/or 43.2 ac-ft per annum

3. Source of water: Groundwater, tributary to: _____ (or ☐ see Attachment

4. Points of diversion (or ☐ see Attachment _____):

Twp.	Rge.	Sec.	1/4	1/4	1/4	Lot	County	Local diversion name / Local landmark
<u>7S</u>	<u>14E</u>	<u>26</u>	<u>SE</u>	<u>NE</u>	<u>SE</u>		<u>Gooding</u>	<u>Well #3 at Dairy #1</u>

5. Lands irrigated or place of use (or ☐ see Attachment _____):

Twp	Rge	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>7S</u>	<u>14E</u>	<u>26</u>													<u>S</u>				

Total acres _____

Permissible place of use, actual acreage irrigated not to exceed _____ acres per year.

PART 1, CONTINUED

6. General information:

a. Description of new diversion system (or ☐ see Attachment 1): Existing well & pump (3 hp), lines to stock troughs.

b. Remarks (or ☐ see Attachment 1): Right 36-10668 covers this system for 1 home & 300 dairy cattle. Transfer is for 1000 additional dairy cattle & 300 range cattle. P/U is wrong on Decreed right.

PLEASE READ THIS SECTION CAREFULLY

Is there a current lien, mortgage or deed of trust on the property? ☒ Yes ☐ No
If yes, please complete Part 2, item 6.

Has any portion of this right(s) undergone a period of 5 or more consecutive years of non-use? ☐ Yes ☒ No
If yes, please attach an explanation of circumstances and label it as noted in Part 2, item 9(g).

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 right(s), and that the information contained in this application is true to the best of my knowledge. I understand that I am responsible for the accuracy and completeness of the application even though I may have been assisted in the preparation of the application.

I understand that any willful misrepresentation made in this application may result in voiding the transfer approval.

Margaret Verbee
(Signature and Title of Applicant)

Subscribed and sworn before me on this 27th day of March, 19 97.

(Seal)
(Signature of Notary Public) J. E. Stanton

My commission expires: 10-25-2000

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 1 attachments

Received by J. E. Stanton Date 3-27-97 Fee \$100.

Received by Jo Date 3-27-97 # 5019970

RECEIVED

APR 08 1997

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5049

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. X36-07318 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 Groundwater tributary to _____4. Date or priority 3-21-1973

5. Water is used for the following purpose:

amount 1.40 cfs for Irrig. purposes from 4-1 to 10-31
(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 1.40 cubic feet per second and/or 280.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	25	7S	14E	Gooding	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	14E	25						30	40										70

Total acres 70

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.22 cfs for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount 43.2 AFA for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same as 2, A.7.

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>7S</u>	<u>14E</u>	<u>25</u>							<u>10.8</u>										<u>10.8</u>

Total acres 10.8**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change) If all 4 transfers are

1. amount 0.05 cfs for Irrig. purposes from 4-1 to 10-31 approved
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same as 2, A.7.

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>7S</u>	<u>14E</u>	<u>25</u>							<u>2.6</u>										<u>2.6</u>

Total acres 2.6

**APPLICATION FOR TRANSFER OF WATER RIGHT
ADDITIONAL DOCUMENTATION
PART 2**

ATTACHED (Required)

1. Copy of each right as presently recorded with IDWR (printout of water right or other acceptable record must include Conditions/Remarks).

Complete the following items: prior consultation with IDWR staff is encouraged to simplify preparation (see "IDWR Information Sheet - Filing An Application For Transfer") as necessary for your transfer application. Label each supporting document as an attachment (A, B, etc.). Place a check mark by each item completed.

ATTACHED (enter "✓" or "N/A" for each item as advised by IDWR staff)

✓

2. Describe any other water rights used for the same purposes described in Part 2, item 1.

✓

3. Written description of present system and changes required to accommodate the proposed transfer.

4. Map(s) identifying township, range, section and 1/4-1/4 locations of pertinent items as follows:

✓

a) *proposed* water system showing the point of diversion, place of use, and any water conveyances such as ditches or pipelines; show irrigated acres per 1/4-1/4 if proposed; and

b) *unchanged portion* of water system showing point of diversion, place of use and any water conveyances such as ditches or pipelines.

c) include a system diagram of the items in 3a and 3b if this is not clear on the map(s).

✓

5. Evidence of water right ownership for entire right or portion of right being transferred. If transferring a portion of right, provide the name and address of the owner (if not the applicant) of the unchanged portion of the right.

✓

6. Notarized statement from holder of lien, mortgage, contract, deed of trust or any other encumbrance on the property agreeing to the transfer.

✓

7. Comments from county planning and zoning organization for county in which proposed water use will occur.

N/A

8. Comparison between water right as recorded, Snake River Basin Adjudication (SRBA) claim as recorded or current water use practices if any differences exist between any of these three categories. Explain any differences and submit supporting evidence and/or affidavits to substantiate your explanation.

- continued on reverse side -

PART 2, CONTINUED

9. Verification of diversion and beneficial use of water within the previous five year period. Some or all of the following items might apply:

- ☒ a) most recent agricultural program crop map or aerial photo showing irrigated land before the proposed change
- ☐ b) pump power records
- ☐ c) water master records and/or comments if use is within a water district
- ☐ d) irrigation crop reports
- ☐ e) reports from other government agencies and/or qualified consultants
- ☐ f) affidavits from knowledgeable third parties familiar with the history of water use for the water right being transferred
- ☐ g) describe any defenses to forfeiture - CRP, extension of time, etc
- ☐ h) other....list other verification documentation for the water right below:

☒ **10. For a change in nature of use of part or all of the water right, complete and attach Part 3 of the transfer application.**

☐ **11. Identify any other documentation that clarifies the transfer application:**

**APPLICATION FOR TRANSFER OF WATER RIGHT
CHANGE IN NATURE OF USE DESCRIPTION
PART 3**

A. CHANGE IN NATURE OF USE

1. New Nature of Use	Period of Use	Diversion Rate (cfs)	Annual Diversion Volume (acre-feet)	Annual Consumptive Use Volume (acre-feet)
<u>Stockwater</u>	<u>1-1</u> to <u>12-31</u>	<u>0.09</u>	<u>43.2</u>	
	to			
	to			

2. ☐ If present water use is other than irrigation, attach an estimate of the annual volume of water that has been consumptively used. Also, provide justification for the estimate.
3. ☒ Attach copy of design report or system design supporting required water flow rates and volumes for the new use. Describe attachment(s):
See IDWR dairy worksheet

If water or waste will be discharged from project, describe quantity, quality and location of the discharge:
Water will be ponded, land applied as needed.

Describe measures that will be taken to prevent impacts to other water uses and water users:

X36-073/8 Transfer

hrs/day pumping 1. Part A - Dairy #1 barn well. 0.24 cfs & 81.0 AFA for commercial from 20.3
SW/SE S. 26

hrs/day pumping 2. Part B - Dairy #1 well in SE/SE S. 26. 0.10 cfs & 6.4 AFA stockwater,
102' .10 cfs 12 hrs/day pumping 0.04 cfs & 2.4 AFA domestic from 5.0

hrs/day pumping 3. Part C - Dairy #1, well in NE/SE S. 26. 0.09 cfs & 43.2 AFA stockwater from 10.8
17' .09 cfs 21 hrs/day pumping

hrs/day pumping 4. Part D - Dairy #2, well in NW/SW S. 25. 0.26 cfs & 35.0 AFA stockwater, 2.6
0.26 cfs & 49.3 AFA commercial from 21.1

hrs/day pumping 5. Part E - Dairy #3, well in SE/NE S. 35. 0.26 cfs & 62.7 AFA from 12.9
combination of stock & comm. use

5. Part E - Dairy #3, well in SE/NE S. 35. 0.26 cfs, 70.9 AFA comm, from 31.4 ac
54.7 AFA stockwater

6. Still need 55.1 AFA for Dairy #3 = 13.8 acres to be dried up from some
other primary groundwater right.

7. Well at commodity barn will ~~only have SRBA right for home~~ & not have any
water rights - none needed.

* 8. Need separate transfers for each water system

9. Fully supply Dairy #3, rest to #2

Verbrue

Trans. Dec. 1988

550 permitted = 1550 extra

36-8667 1. Dairy #1 - 75 14E S. 26 SW/SE, 700 existing + 1400 new. 1 well at barn for in-barn use only. milk 3x a day. rainbirds in floor. 5 hp at 9 psi,

36-10147 2. Dairy #1 - domestic well, 4 homes, 800 milking animals 31.4 AFA ^{3 w/lawn} 8.8 ac

A47-10668 3. Dairy #1 - 1 home, 1300 milkers, 300 dry stock 43.2 AFA ^{claim 300 by claim} 10.8 ac 14 ~~13.8~~ ac ~~55.5~~ AFA

~~36-8669~~ 4. Dairy #1 - commodity barn well, 700 dry stock, 1 home ^{need 254 more} 9.4 AFA ^{2.8 ac} ~~11.2~~ ac

5. Dairy #2 - 75 14E S. 25 NW/SW. 700 milkers now, 800 new. 1 existing well. 5 hp 9 psi, rainbirds, 3x a day, ⁶430 permitted = 937 new

A47-10148 6. Dairy #3 - 75 14E S. 35 SENE, ¹¹⁵⁰~~1300~~ milkers, ⁴⁵⁰~~500~~ dry, 1 well. 5 hp, 9 psi 3x a day, rainbirds.

7. Acres needed - 114 on dairies, 25.3 on stock wells

Barn Well A. Dairy #1 - 31.5 AFA commercial permitted, 112.5 AF total = 81 AF needed = 20 ac
Well #2 B. Dairy #1 - has claim for 100 dairy + 1 home, need 700 dairy + 3 homes more (2 w/lawn) = 27.4 AF ^{3.0 AF dom}
Well #3 C. Dairy #1 - need water for 1000 dairy + 300 dry = 43.2 AFA = 10.8 ac
E. Dairy #2 - needs 131.2 AFA. Allow 46.9 under permit, leaves 21 acres to be dried up
F. Dairy #3 - needs 70.9 AFA comm., 54.7 stockwater = 125.6 = 31.4 acres to be dried up
D. Dairy #1 - ~~need~~ allow 140 dry + 172 dairy under permit allow stockwater for 535 range cows under permit. need water for 165 range + dom use = 2.2 AFA + 1.2 AFA = 3.4 AFA. Also need 0.1 ^{5.5} ac + 9.4 AFA (no stockwater from permit)

Verhree

T. 5047 5048 5049 =

TO: File

DATE: March 27, 1997

FROM: Jim Stanton

SUBJECT: Apps. For Transfer, Jack Verbree Jr.

Mr. Verbree has filed 4 applications to cover existing dairies that he plans to enlarge. I prepared these applications based on data supplied by the applicant. Once prepared, they were sent to him for approval. Mrs. Verbree then brought in the applications for filing. They made no changes to what I prepared. The applications are based on the use of rainbird sprinklers in the dairy barn, although she said they were hoping to find a way to reduce in-barn water usage.

The base right for these transfer is an SRBA recommendation. Also, a previous transfer has been approved on this right (thus the X designation). So I do not plan to visit the licensed place of use. The Verbrees have stopped using canal shares on about 60 acres at the dairy sites, and plan to move these shares to the land covered by the groundwater license. So land is being taken out of production in connection with these transfers.

There is still a little bit of the license that will remain untransferred, but will probably be moved to another dairy eventually. They need to buy additional water rights to cover a planned expansion of Dairy #2, but will wait a while to do that project. I arbitrarily picked which spot to show as the untransferred place of use, as it doesn't really matter.

We should be able to approve these transfers. Along with existing claims and permits, they provide sufficient water to operate these systems on an annual basis.

T # 5049