

COPY

2002 APR 11 AM 11:22
DISTRICT COURT-SRBA
TWINFALLS 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	)	Subcase No: 36-2404D, 36-15590,
	)	36-15591
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

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

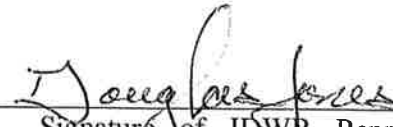
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership	☒ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☐ Period of Use	☐ 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: 4/3/02


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4/11, 2002, 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:
V & L Dairy
c/o Frank Veenstra/Jeff Lund
1446 E 2950 S
Wendell ID 83355
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
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 W Fort St MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

4/2/02

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

RIGHT NUMBER: 36-2404D

SPLIT RIGHT: SEE RIGHT NOS. 36-15590 and 36-15591.

04/02/2002

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

RIGHT NUMBER: 36-15590

NAME AND ADDRESS: V & L DAIRY
C/O FRANK VEENSTRA & JEFF LUND
1446 E 2950 S
WENDELL ID 83355

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.460 CFS
154.60 AFY

USE OF THIS RIGHT WITH RIGHT 36-10058 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.50 CFS AND TO A TOTAL COMBINED DIVERSION VOLUME
OF 155.8 AF.

PRIORITY DATE: 04/03/1961

POINT OF
DIVERSION:

T07S R14E S34 NENW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.250 CFS 83.00 AFY
COMMERCIAL	01/01 12/31	0.210 CFS 71.60 AFY

PLACE OF USE: STOCKWATER Within GOODING County

T07S R14E S34 NENW T07S R14E S34 NWNW

COMMERCIAL Within GOODING County

T07S R14E S34 NENW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

TWO POINTS OF DIVERSION ARE LOCATED WITHIN T07S, R14E, S34, NENW.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-2404D PURSUANT TO APPROVED
TRANSFER 69008.

04/02/2002

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

RIGHT NUMBER: 36-15591

NAME AND ADDRESS: V & L DAIRY
C/O FRANK VEENSTRA & JEFF LUND
1446 E 2950 S
WENDELL ID 83355

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.360 CFS
120.00 AFY

USE OF RIGHTS 36-2404C, 36-15591, 36-2188 AND 36-15211 ARE LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION RATE OF 1.44 CFS AND A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 446.4 AF.

PRIORITY DATE: 04/03/1961

POINT OF
DIVERSION:

T07S R14E S34 NENENW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.360 CFS 120.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY
AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED
OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER
BEFORE APRIL 1 AND AFTER NOVEMBER 1 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 GOODING County

T07S R14E S34	NENW	5.0	T07S R14E S34	NWNW	8.9
T07S R14E S34	SWNW	5.7	T07S R14E S34	SENE	17.0

36.6 ACRES TOTAL

RIGHT 36-15591 IS LIMITED TO THE IRRIGATION OF 30.0 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 - License

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-2404D.



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 11, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

V & L DAIRY
C/O FRANK VEENSTRA & JEFF LUND
1446 E 2950 S
WENDELL ID 83355

RE: SRBA Claim(s) 36-2404C, 36-2404D

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

RECEIVED

JAN 10 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69008

Department of Water Resources
Southern Region

This is to certify that: V & L DAIRY

C/O FRANK VEENSTRA & JEFF LUND
1446 E 2950 S
WENDELL ID 83355
(208)536-5590

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.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
36-2404C	AJC/License	04/03/1961	0.08 cfs	26.4 af	N/A	N/A	GROUND WATER
36-2404D	AJC/License	04/03/1961	0.82 cfs	274.6 af	30.0	30.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-2404C	NO	YES	YES	NO	YES	YES
36-2404D	YES	YES	YES	NO	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
36-2404C	36-2404C	0.08 cfs	26.4 af	6.6	36.6		N/A	N/A	N/A	N/A
36-2404D	36-15591	0.36 cfs	120.0 af	30.0	36.6	36-15590	0.46 cfs	154.6 af	N/A	N/A
TOTALS		0.44 cfs	146.4 af	N/A	36.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 8th day of January, 2002

[Signature]
Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2404C
As Modified by Transfer No. 69008

In accordance with the approval of Transfer No. 69008, Water Right No. 36-2404C is now described as follows.

Right Holder: V & L DAIRY
 C/O FRANK VEENSTRA & JEFF LUND
 1446 E 2950 S
 WENDELL ID 83355

Priority Date: 04/03/1961

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	0.08 CFS	26.4 AF
			0.08 CFS	26.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENW Sec. 34 Twp 07S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
07S 14E 34					5.0	8.9	5.7	17.0									36.6

Total Acres: 36.6

CONDITIONS OF APPROVAL

1. Right 36-2404C is limited to the irrigation of 6.6 acres within the place of use described above in a single irrigation season.
2. Rights 36-2404C, 36-15591, 36-2188 and 36-15211 are diverted from the same point of diversion, and when combined shall not exceed a total diversion rate of 1.44 cfs and a total annual maximum diversion volume of 446.4 af.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 36-2404C
As Modified by Transfer No. 69008

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 8th day of January, 2002



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15590
As Modified by Transfer No. 69008

In accordance with the approval of Transfer No. 69008, Water Right No. 36-15590 is now described as follows.

Right Holder: V & L DAIRY
 C/O FRANK VEENSTRA & JEFF LUND
 1446 E 2950 S
 WENDELL ID 83355

Priority Date: 04/03/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to	12/31	0.21 CFS	71.6 AF
STOCKWATER	01/01 to	12/31	0.25 CFS	83.0 AF
			0.46 CFS	154.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENW Sec. 34 Twp 07S Rge 14E GOODING County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE	Totals
07S	14E	34	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
			X				

PLACE OF USE: STOCKWATER

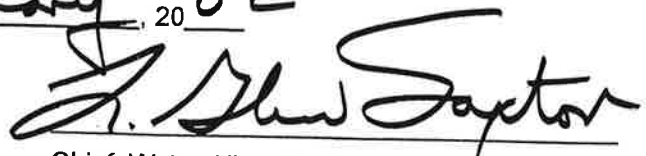
Twp	Rge	Sec	NE	NW	SW	SE	Totals
07S	14E	34	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
			X	X			

CONDITIONS OF APPROVAL

1. Use of this right with Right 36-10058 is limited to a total combined diversion rate of 0.50 cfs and to a total combined annual diversion volume of 155.8 af.
2. Two points of diversion are located within T07S, R14E, S34, NENW.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 8th day of January, 2002


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15591
As Modified by Transfer No. 69008

In accordance with the approval of Transfer No. 69008, Water Right No. 36-15591 is now described as follows.

Right Holder: V & L DAIRY
 C/O FRANK VEENSTRA & JEFF LUND
 1446 E 2950 S
 WENDELL ID 83355

Priority Date: 04/03/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.36 CFS	120.0 AF
			0.36 CFS	120.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENW Sec. 34 Twp 07S Rge 14E GOODING 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	
07S 14E 34					5.0	8.9	5.7	17.0									36.6

Total Acres: 36.6

CONDITIONS OF APPROVAL

- Right 36-15591 is limited to the irrigation of 30.0 acres within the place of use described above in a single irrigation season.
- Rights 36-2404C, 36-15591, 36-2188 and 36-15211 are diverted through the same point of diversion, and when combined shall not exceed a total diversion rate of 1.44 cfs and a total annual maximum diversion volume of 446.4 af.
- The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 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.

WATER RIGHT NO. 36-15591
As Modified by Transfer No. 69008

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 8th day of January, 2002


Chief, Water Allocation Bureau

Log for claim 36-02404D

Spatial Dynamics LTD

10/18/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
07s14e	34	NENW	4	4	Shaped by Doug Jones
07s14e	34	NWNW	26	26	Shaped by Doug Jones
Totals:			30	30	

Water Right Number 36-02404D
Township , 7S14E

10/18/2001



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend



COPY

2001 MAY 18 AM 7:54

ACI 17-883A
TWIN FALLS, 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

Water Rights: 36-2404C, 36-2404D

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

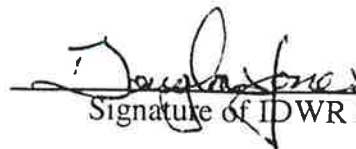
☒ I.C. § 42-222 transfer 69008

☒ point of diversion ☒ place of use

☒ period of use ☒ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than: April 19, 2002.

Dated 5/18/01


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/15, 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
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
V & L Dairy
c/o Frank Veenstra & Jeff Lund
1446 E 2950 S
Wendell ID 83355
3. One copy to:
Claimant or attorney of record:
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



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 18, 2001

V & L DAIRY
C/O FRANK VEENSTRA & JEFF LUND
1446 E 1950 S
WENDELL ID 83355

RE: SRBA Claim(s) 36-2404C, 36-2404D

Dear Claimant:

Please find the enclosed copy of the Notice of 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.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED

DEPARTMENT OF WATER RESOURCE

APR 03 2001

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources
Southern Region

ame of applicant

V & L Dairy 90 Frank Venstra & Jeff Lund

Phone 208-536-5590

Post Office address

1446 E 2950 S Wendell, ID 83355

PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____

Describe the reason for the proposed changes To move irrigation water rights to a
irrigation well and change place of use to a sprinkler system. also
to change water right X-36-02404C from commercial to irrigation use

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

Right Number

Priority

Amount
(cfs/ac-ft)

Nature of Use

Period of Use

~~#~~36-02404C 04/03/1961 008 cfs/26.4 ac-ft IRRIGATION 04/01 to 10/31

~~X36-0240-F~~	04/03/1961	0.36 cfs	IRRIGATION	04/01	to 10/31
-----------------------	------------	----------	------------	-------	----------

36-1559# _____ to _____

2. Total amount of water being transferred 0.44 cubic feet per second and/or 146.4 acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

COPY

200 MAY 26 PM 12:04
FILED
TWIN FALLS, 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 SRBA

Case No. 39576

SUBCASE NO. 36-02404B, 36-02404C,
36-02404D

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):

☒ Change in Ownership

☒ Point of Diversion

☒ Period of Use

☒ Split of Water Right

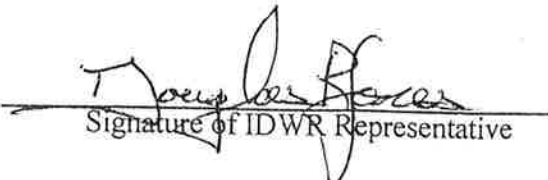
☒ Place of Use

☒ 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: 5/24/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/26, 2000, 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:
Frank Veenstra
2675 S 1300 E
Hagerman ID 83332
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
V & L Dairy
c/o Frank Veenstra & Jeff Lund
1446 E 2950 S
Wendell ID 83355
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

AJ5859NP

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

DATE: MAY-19-2000

PAGE: A-2

RIGHT NUMBER: 36-02404B

SPLIT RIGHT: SEE RIGHT NOS. 36-02404C AND 36-02404D.

AJ5856NP

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

DATE: MAY-19-2000
PAGE: A-10

RIGHT NUMBER: 36-02404C

NAME & ADDRESS: V & L DAIRY
C/O FRANK VEENSTRA & JEFF LUND
1446 E 2950 S
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS
26.4 AFY

PRIORITY DATE: 04/03/1961

POINT OF DIVERSION: T07S R14E S34

NENENW

Within GOODING County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
COMMERCIAL

PERIOD OF USE
01-01 12-31

QUANTITY
0.08 CFS
26.4 AFY

PLACE OF USE:

COMMERCIAL
T07S R14E S34

Within GOODING County
NENW

NWNW

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

APPROVED EXTENSION OF TIME TO AVOID FORFEITURE OF A WATER
RIGHT DATED 09/23/1998.

RESUMPTION OF WATER FOR A BENEFICIAL USE SHALL OCCUR ON OR
BEFORE SEPTEMBER 1, 2002.

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

AJ5856NP

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

DATE: MAY-19-2000
PAGE: A-11

RIGHT NUMBER: 36-02404D

NAME & ADDRESS: V & L DAIRY
C/O FRANK VEENSTRA & JEFF LUND
1446 E 2950 S
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.82 CFS
274.6 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-10058 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.86 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 275.8 AF.

PRIORITY DATE: 04/03/1961

POINT OF DIVERSION: T07S R14E S34 NENW Within GOODING County

TWO POINTS OF DIVERSION ARE LOCATED WITHIN T07S, R14E, S34,
NENW.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	0.36 CFS
		120.0 AFY
STOCKWATER	01-01 12-31	0.25 CFS
		83.0 AFY
COMMERCIAL	01-01 12-31	0.21 CFS
		71.6 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 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 GOODING County
/ T07S R14E S34 NENW 4 NWNW 26
30 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

COMMERCIAL Within GOODING County
T07S R14E S34 NENW

AJ5856NP

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

DATE: MAY-19-2000
PAGE: A-12

RIGHT NUMBER: 36-02404D (CONT)

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE



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

May 26, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

V & L DAIRY
C/O FRANK VEENSTRA AND JEFF LUND
1446 E 2950 S
WENDELL ID 83355

RE: SRBA Claim(s) 36-02404B

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

cc: Frank Veenstra

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 02 1998

TRANSFER OF WATER RIGHT

Department of Water Resources
Southern Region

TRANSFER NO. 5166
WATER RIGHT NO(S). 36-02404D/36-10058

This is to certify that: V & L DAIRY
C/O FRANK VEENSTRA & JEFF LUND
1446 E 2950 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>
Right No. 36-02404D :			
IRRIGATION	04/01 to 10/31	0.36 CFS	120.0 AF
STOCKWATER	01/01 to 12/31	0.25 CFS	83.0 AF
COMMERCIAL	01/01 to 12/31	0.21 CFS	71.6 AF
Priority: 04/03/1961			
SUBTOTAL:		0.82 CFS	274.6 AF
Right No. 36-10058 :			
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Priority: 01/01/1950			
TOTAL:		* 0.86 CFS	* 275.8 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 34, Township 07S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 14E 34	NENW 4	NWNW 26		30
Total number of acres irrigated:				30

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: COMMERCIAL

<u>TWN RGE SEC</u>	
07S 14E 34	NENW

PLACE OF USE: DOMESTIC, same as COMMERCIAL use

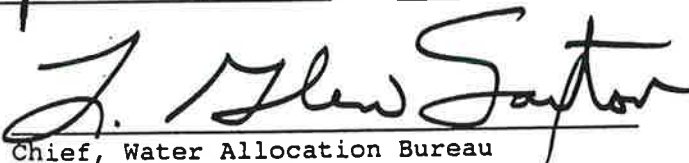
TRANSFER NO. 5166
WATER RIGHT NO(S). 36-02404D/36-10058

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 6. Rights 36-02404D and 36-10058 when combined shall not exceed a total diversion rate of 0.86 cfs, and a total annual maximum diversion volume of 275.8 af.
7. The quantity of water decreed for Right 36-10058 is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
8. Two points of diversion are located within NENW, S34, T07S, R14E.

Dated this 23rd day of

September, 1998.



Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 36-02404B & 36-10058
FROM: Pam Skaggs/State Office *PS*
SUBJECT: Transfer 5166
DATE: September 22, 1998

Transfer 5166 combines the domestic well under decreed Right 36-10058 with the dairy and irrigation system under a portion of Right 36-02404B, splitting the right into C and D.

The applicant originally proposed the dairy development under a portion of irrigation Right 36-02404 and approved Transfer 4018. The dairy was built on-site and less acres were actually removed than originally thought. Also, the dairy as developed is larger than originally proposed. Transfer 5166 will clarify the actual developed uses and account for the remaining irrigation. A small portion of the applicant's right is no longer used following the completion of the dairy as identified under Right 36-02404C.

The changes to Right 36-02404B from the original irrigation use in 1993 to the combined dairy and irrigation use identified under Transfer 5166 do not result in an expansion of the water right. No physical changes will occur through approval of this transfer.

Season of use and diversion volumes were adjusted to reflect the uses as described. Recommended conditions include decreed conditions for 36-10058, combined right limits, measuring & annual reporting, irrigation overlap and standard transfer conditions.

Change in Nature of Use Evaluation

<u>Original</u>	<u>Rate</u>	<u>Use</u>	<u>Acres</u>	<u>Div. Vol./C.U. Vol</u>	
36-02404B	0.90 cfs	Irr	76.0	304.0 afa/228.0 afa	
Transfer	0.70 cfs	Stock		41.9 afa/ 5.8 afa	(1000 Dairy
#4018	<u>0.90 cfs</u>	Commercial		<u>36.9 afa/ 29.6 afa</u>	& 200 Dry
	0.90 cfs			78.8 afa/ 35.4 afa	Cattle)
(Balance of Right not accounted for.....				225.2 afa/192.6 afa)	
Transfer	0.36 cfs	Irr	30.0	120.0 afa/ 90.0 afa	(2000 Dairy
#5166	0.25 cfs	Stock	(20.7)	83.0 afa/ 11.6 afa	& 300 Dry
	<u>0.21 cfs</u>	Commercial	<u>(18.7)</u>	<u>71.6 afa/ 56.0 afa</u>	Cattle)
	0.82 cfs		30.0	274.6 afa/157.6 afa	
Balance of Rt.	<u>0.08 cfs</u>	Commercial	<u>(6.6)</u>	<u>26.4 afa/ 19.8 afa</u>	
	0.90 cfs	Irr	30.0	301.0 afa/177.4 afa	
			<u>(46.0)</u>		
				76.0 Acres accounted for.	