

COPY

2002 APR 11 AM 11:22
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	)	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):

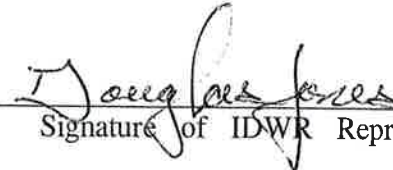
☐ Change in Ownership	☒ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☐ Period of Use	☐ Nature of Use

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	SEnw	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.

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

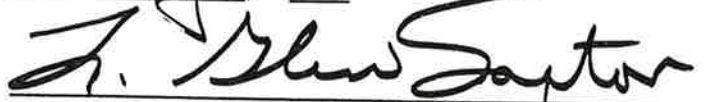
Purpose of Transfer (Changes Proposed)

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 ofJanuary, 2002


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

Tw	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
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.

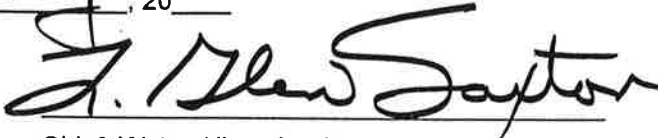
WATER RIGHT NO. 36-2404C
As Modified by Transfer No. 69008

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

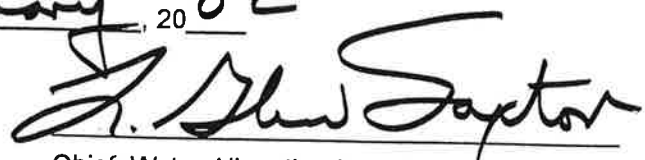
Twp	Rge	Sec	NE	NW	SW	SE	Totals
07S	14E	34	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
				X	X		

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
	<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 36-15591 is limited to the irrigation of 30.0 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 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.
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 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.

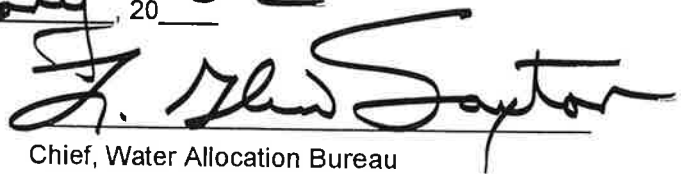
WATER RIGHT NO. 36-15591
As Modified by Transfer No. 69008

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



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