

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED**FEB 22 2021**

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) VALLEY VIEW DAIRY LLC

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

FEB 22 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) VALLEY VIEW DAIRY LLC Phone 2082801687
Mailing address 369 N 1250 W PAUL, ID 83347 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543
Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Irene VanderVegt Irene VanderVegt 2-1-21
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
 This transfer proposes to change 7.7 acres of irrigation water into stock and commercial water. The water will be transferred to a new stock and commercial place of use with an existing well.

* per 3/2/21 email from Greg Page 2 Sullivan

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAR 04 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	36-2257	0.13/18.9	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.13/18.9	Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☒ ☐	36-17013	0.08/14.3	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.08/14.3	Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-17012	0.06/12.8	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.06/12.8	Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	

Total authorized under rights 0.27 cfs and/or 46 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.27 cubic feet per second and/or 46 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	NW	5	09S	22E	Minidoka	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	5					S/C	S/C	S/C	S/C									
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	36-2257	0.13/18.9	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.13/18.9	Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☒ ☐	36-17012	0.08/14.3	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.08/14.3	Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-17013	0.06/12.8	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.06/12.8	Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	

Total authorized under rights 4.88 cfs and/or 111.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.13 cubic feet per second and/or 18.9 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	NW	5	09S	22E	Minidoka	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	5					S/C	S/C	S/C	S/C									
Total Acres (for irrigation use)																			

APPLICATION FOR TRANSFER OF WATER RIGHT

MAR 04 2021

PART 1 Continued

DEPT OF WATER RESOURCES
SOUTHERN REGION

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing well and delivery system.

- b. Who owns the property at the point(s) of diversion? Valley View Dairy LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank? If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: The land currently cover by irrigation water will no longer be irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: 36-7517

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing well and delivery system.

- b. Who owns the property at the point(s) of diversion? Valley View Dairy LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

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- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The land currently cover by irrigation water will no longer be irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

None

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-17012

Current Owner: VALLEY VIEW DAIRY LLC
 Priority Date: 12/17/1974
 Origin: Water Right
 Status: Active
 Basis: Decreed

Source

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>
COMMERCIAL	1 /1 to 12/31
STOCKWATER	1 /1 to 12/31
	<u>Total Diversion</u>

Tributary

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.06 CFS	12.8 AF
0.06 CFS	12.8 AF
0.06 CFS	12.8 AF

Location of Point(s) of Diversion

GROUND WATER
 MINIDOKA County

SW1/4NW1/4 Sec. 5, Twp 09S, Rge 22E B.M.

Place of Use

STOCKWATER Within MINIDOKA County

T09S R22E S5 Lot 4 NWNW

COMMERCIAL Within MINIDOKA County

T09S R22E S5 Lot 4 NWNW

Conditions of Approval:

1. 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.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. 212 Prior to diversion and use of water under Transfer approval 79142, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
4. Commercial use is for a heifer facility.
5. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. X35 Rights 36-17012 and 36-17013 when combined shall not exceed a total diversion rate of 0.14 cfs, and a total annual maximum diversion volume of 27.1 af.
7. T19 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.
8. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
9. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Decreed Date: 8/27/2001

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-17013

Current Owner: VALLEY VIEW DAIRY LLC
 Priority Date: 4/27/1954
 Origin: Water Right
 Status: Active
 Basis: Decreed

Source

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>
STOCKWATER	1 /1 to 12/31
COMMERCIAL	1 /1 to 12/31
	<u>Total Diversion</u>

Tributary

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.08 CFS	14.3 AF
0.08 CFS	14.3 AF
0.08 CFS	14.3 AF

Location of Point(s) of Diversion

GROUND WATER
 MINIDOKA County

SW1/4NW1/4 Sec. 5, Twp 09S, Rge 22E B.M.

Place of Use

STOCKWATER Within MINIDOKA County

T09S R22E S5 Lot 4 NWNW

COMMERCIAL Within MINIDOKA County

T09S R22E S5 Lot 4 NWNW

Conditions of Approval:

1. X35 Rights 36-17012 and 36-17013 when combined shall not exceed a total diversion rate of 0.14 cfs, and a total annual maximum diversion volume of 27.1 af.
2. 212 Prior to diversion and use of water under Transfer approval 79142, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
3. T19 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.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
5. 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.
6. Commercial use is for a heifer facility.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Decreed Date: 8/27/2001

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-2257

Current Owner: VALLEY VIEW DAIRY LLC
Priority Date: 4/27/1954
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	4.74 CFS	1084.4 AF
	<u>Total Diversion</u>	4.74 CFS	1084.4 AF

Location of Point(s) of Diversion

GROUND WATER	L3(SE1/4NE1/4NW1/4)	Sec. 5, Twp 09S, Rge 22E B.M.
MINIDOKA County		
GROUND WATER	SE1/4NE1/4SW1/4	Sec. 5, Twp 09S, Rge 22E B.M.
MINIDOKA County		

Place of Use

IRRIGATION Within MINIDOKA County

T09S R22E S5	Lot 1	NENE	40.00	T09S R22E S5	Lot 2	NWNE	40.00
T09S R22E S5		SWNE	38.30	T09S R22E S5		SENE	40.00
T09S R22E S5	Lot 3	NENW	40.00	T09S R22E S5		SWNW	40.00
T09S R22E S5		SENW	37.90	T09S R22E S5		NESW	38.40
T09S R22E S5		NWSW	40.00	T09S R22E S5		SWSW	32.80
T09S R22E S5		SESW	40.00	T09S R22E S5		NESE	40.00
T09S R22E S5		NWSE	38.10				

Total Acres: 505.5

Conditions of Approval:

1. X27 This right is limited to the irrigation of 271.1 acres within the authorized place of use in a single irrigation season.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. X35 Rights 36-2257 and 36-7517 when combined shall not exceed a total diversion rate of 8.41 cfs, a total annual maximum diversion volume of 2022 af at the field headgate, and the irrigation of 505.5 acres.
5. T19 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 8/27/2001

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Stockwater Component

Drinking Water Calculation for Replacement Herd (Calves, Heifers, Beef Cows)

Age	consumption	lbs/animal	GPD	Ac-Ft/year		
1 month	1.7 gal/day	90	409	0.46		
2 month	2.4 gal/day	152	607	0.68		
3 month	3.2 gal/day	214	805	0.90		
4 month	4.0 gal/day	276	1003	1.12		
5 month	4.8 gal/day	338	1201	1.35		
6 month	5.6 gal/day	400	1399	1.57		
7 month	6.4 gal/day	456	1597	1.79		
8 month	7.2 gal/day	511	1795	2.01		
9 month	8.0 gal/day	567	1993	2.23		
10 month	8.8 gal/day	622	2191	2.45		
11 month	9.6 gal/day	678	2389	2.68		
12 month	10.4 gal/day	733	2587	2.90		
13 month	11.2 gal/day	789	2785	3.12		
14 month	12.0 gal/day	844	2983	3.34		
15 month	12.8 gal/day	900	3181	3.56		
16 month	13.6 gal/day	956	3379	3.79		
17 month	14.4 gal/day	1,011	3577	4.01		
18 month	15.2 gal/day	1,067	3775	4.23		
19 month	16.0 gal/day	1,122	3973	4.45		
20 month	16.8 gal/day	1,178	4171	4.67		
21 month	17.6 gal/day	1,233	4369	4.89		
22 month	18.4 gal/day	1,289	4567	5.12		
23 month	19.2 gal/day	1,344	4765	5.34		
24 month	20.0 gal/day	1,400	6900	7.73		
Drinking water requirement			37663	gpd	42.19	ac-ft/year
Waste Milk			0	gpd	0.00	ac-ft/year
Milk Concentrate			0	gpd	0.00	ac-ft/year
TOTAL STOCKWATER COMPONENT					42.19	AC-FT/YEAR

Commercial Component

Milk Cart Washings			0 gal/day	0.0 ac-ft/year
Dust Control			20 gpm	
			2 hour per day	
			2400 gal/day	
			5 months	
			1.1 ac-ft/year	
General Washing and Cleaning			20 gpm	
			2 hour per day	
			2400 gal/day	
			2.7 ac-ft/year	
TOTAL COMMERCIAL COMPONENT			3.81	ac-ft/year

Summary

Drinking Water

Replacement herd (calves and heifers)	42.2 ac-ft/year
Total drinking water volume	42.2 ac-ft/year

Commercial

Waste Milk-Drinking water offset	0.00 ac-ft/year
Milk Concentrate-Drinking water offset	0.00 ac-ft/year
Milk Cart Washing	0.00 ac-ft/year
Dust Control	1.12 ac-ft/year
General Washing and Cleaning	2.69 ac-ft/year
Total commercial volume	3.8 ac-ft/year

Total Volume Needed to Transfer

18.9 AC-FT/YR

Total Stock and Commercial Water After Transfer Approval

46.0 AC-FT/YR

TRANSFER 84764

Livestock Confinement Operations

Water Requirements

Brockway Engineering, PLLC

The information, data, or computational procedures herein may not be duplicated without the express written consent of Brockway Engineering.

COMPLETE BLUE HIGHLIGHTED SECTIONS ONLY

Prepared for:

Valley View Dairy LLC

Remarks:

Herd Information - User Input

Stock and Commercial Water Rights

Number of milking cows

Current	Additional
27.1 AFA	
0	0

Number of Animal Units

4645	0
------	---

Number of Animals

4467	0
------	---

Calves at age:

1 month

248	
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2 month

248	
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3 month

248	
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4 month

248	
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5 month

248	
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6 month

248	
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7 month

248	
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8 month

248	
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9 month

248	
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10 month

248	
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11 month

248	
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12 month

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13 month

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14 month

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15 month

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16 month

248	
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17 month

248	
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18 month

248	
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19 month

248	
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20 month

248	
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21 month

248	
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22 month

248	
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23 month

248	
-----	--

24 month

345	
-----	--

Total 6053

1 Animal Unit = 1000 lbs

Total 11500000 lbs

lbs/animal	lbs	lbs
90	22335	0
152	37721	0
214	53107	0
276	68494	0
338	83880	0
400	99266	0
456	113053	0
511	126840	0
567	140627	0
622	154414	0
678	168201	0
733	181988	0
789	195775	0
844	209562	0
900	223349	0
956	237135	0
1011	250922	0
1067	264709	0
1122	278496	0
1178	292283	0
1233	306070	0
1289	319857	0
1344	333644	0
1400	483000	0
Total	4644727	0 lbs
Total		4644727 lbs

Commercial Component

Waste Milk
Milk Concentrate

per day

per day

Dust Control

Application Rate

20 gpm

Duration

2 hours per day

How Many Months/Year

5 months

Milk Carts

Estimated gal per washing

Washings per day

General Washing and Cleaning

Application Rate 5 gpm

Duration 12 hours per day



0 500 1,000 Feet

**VANDERVEGT DAIRY
WELL & WATER RIGHT LOCATIONS
NAIP 2019 AERIAL PHOTO.**

Legend

- Point of Diversion
- ▨ Heifer POU





0 500 1,000 Feet

**VANDERVEGT DAIRY
WELL & WATER RIGHT LOCATIONS
NAIP 2019 AERIAL PHOTO.**

Legend

- Point of Diversion
- ▨ Transfer Acres





0 500 1,000 Feet

**VANDERVEGT DAIRY
WELL & WATER RIGHT LOCATIONS
NAIP 2017 AERIAL PHOTO.**

Legend

- Point of Diversion
- ▨ Transfer Acres





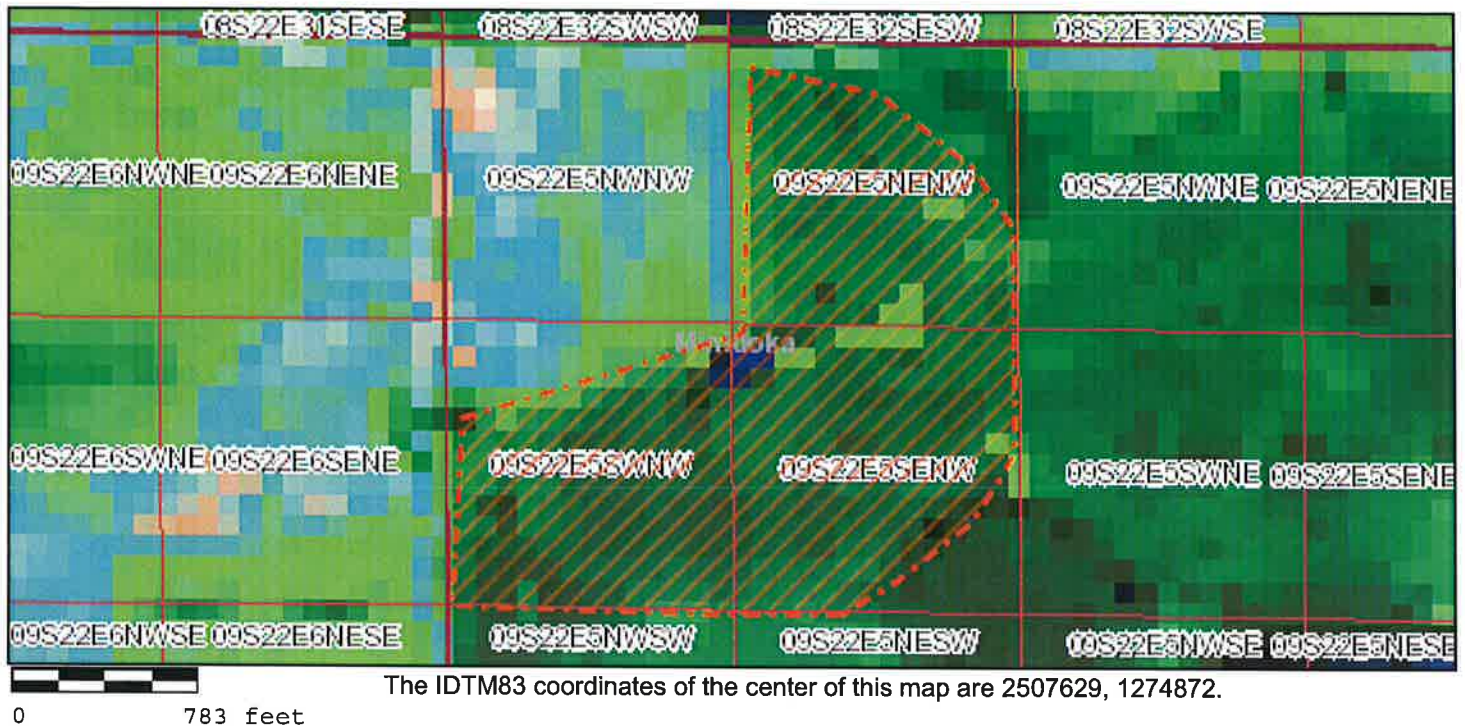
0 500 1,000 Feet

**VANDERVEGT DAIRY
WELL & WATER RIGHT LOCATIONS
NAIP 2015 AERIAL PHOTO.**

Legend

- Point of Diversion
- ▨ Transfer Acres

Evapotranspiration Statistics from the METRIC ET Model



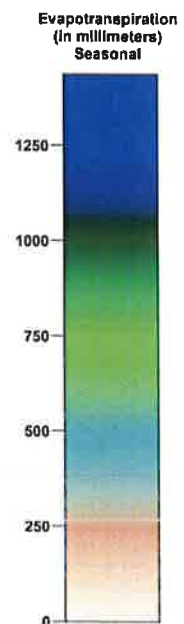
Evapotranspiration Statistics

Name: User Drawn Polygon

ET Dataset: p3940_20160401to20161031_et.img

Area: 93.0 acres

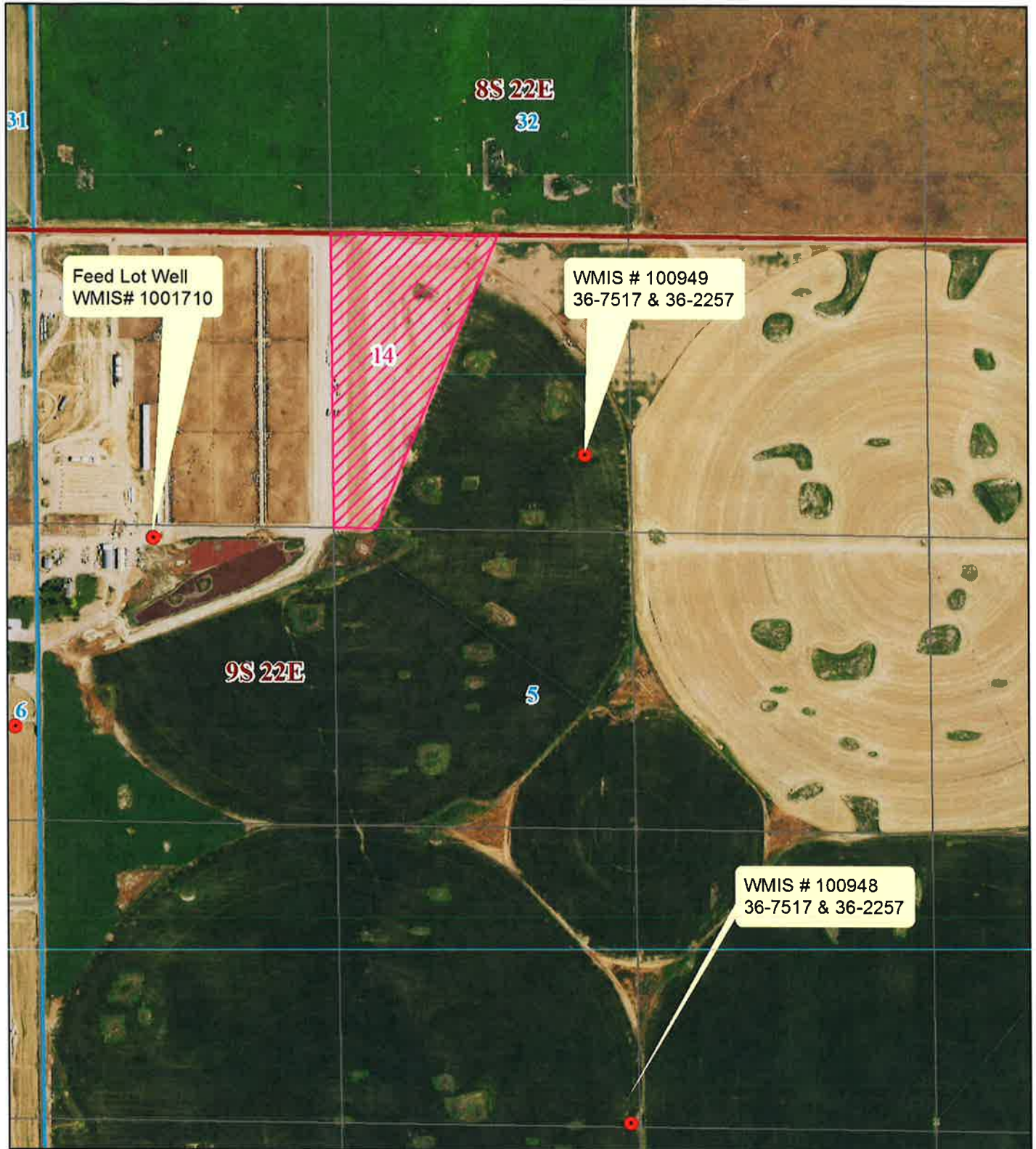
Statistics	ET	CIR
MEAN (mm)	943.3	751.3
AC-FT	287.82	229.24
AC-FT/Acre	3.09	2.46



These statistics were generated by the tools provided at <http://maps.idwr.idaho.gov/ET> using the METRIC (Mapping EvapoTranspiration at high Resolution with Internalized Calibration) model, developed by the University of Idaho.

Evapotranspiration (ET) from irrigated agriculture is synonymous with consumptive use. The consumptive irrigation requirement (CIR) is a measure of the irrigation water, exclusive of within-season effective rainfall, necessary to meet the consumptive use requirement of a crop. A detailed explanation of these data can be found here:

<http://idwr.idaho.gov/GIS/mapping-evapotranspiration/>



0 500 1,000 Feet

**VANDERVEGT DAIRY
WELL & WATER RIGHT LOCATIONS
NAIP 2019 AERIAL PHOTO.**

Legend

- Point of Diversion
- ▨ 2020 Set Aside Acres





Idaho Limited Liability Company Annual Report Form

File online at: sos.idaho.gov

Due no later than: 07/31/2019

Return completed form within 30 days to

Idaho Secretary of State

Attn: Annual Reports

450 North 4th Street

Boise, ID 83720

Phone: (208) 334-2300

Annual Report: No filing fee if received by the due date.

SOS Control Number: 34793

Filing Status: Active-Existing

Limited Liability Company (D)

Date Formed: 07/08/1998

Formation Locale: ID

Name and Mailing Address:

VALLEY VIEW DAIRY, L.L.C.

4098 HIDDEN LAKE DR

KIMBERLY, ID 83341

(1) Add or Change Mailing Address:

Registered Agent (RA) and Registered Office (RO) Address:

IRENE VANDERVEGT

4098 HIDDEN LAKE DR

KIMBERLY, ID 83341

(2) Change RA and/or RO Address:

Note: The Registered Office address must be a physical Idaho address (no postal box).

(3) New Registered Agent (RA) Signature:

If a new agent is appointed in item (2) above, the new agent must sign here to accept the appointment

(4) Limited Liability Companies: Enter names and addresses of Managers OR Members. Do NOT put 'same as last year' or 'same as above'. These will not be accepted. Changes here will not affect the entity mailing address. If more space is needed, please add an attachment.

Manager/Member	Name	Business Address	City, State, Zip
☐ Mgr ☒ Mem	Irene Vandervegt	369 N. 1250 W.	Paul, Idaho 83347
☐ Mgr ☐ Mem			
☐ Mgr ☐ Mem			
☐ Mgr ☒ Mem	Steve Vandervegt	369 N. 1250 W.	Paul, Idaho 83347
☐ Mgr ☐ Mem			
☐ Mgr ☐ Mem			
☐ Mgr ☐ Mem			
☐ Mgr ☐ Mem			
☐ Mgr ☐ Mem			
☐ Mgr ☐ Mem			
☐ Mgr ☐ Mem			
☐ Mgr ☐ Mem			

(5) Signature: Irene Vandervegt

(6) Date: 6-21-19

(7) Type/Print Name: Irene Vandervegt

(8) Title: Member

Instructions: Legibly complete the form above. Sign and date this form and return to the address provided above.

TRANSFER 84764

B0026-4585 06/24/2019 2:16 PM Received by ID Secretary of State Lawrence Denney

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 112407

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	241.80
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	241.80
Fax			
Section	Legals	Start/End Dates	03/18/2021 - 03/25/2021
SubSection		Insertions	2
Category	50 Legal	Size	160
Ad Key	112407-1	Salesperson(s)	Jenny Green - Legals
Keywords	CHANGE OF WATER RIGHT	Taken By	Jenny Green
Notes			

Ad Proof

✓ dm 3/12/2021

Proof of legal notice received
from Times News 3/12/2021

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 112407

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84662

✓ HIGLEY LAND INVESTMENTS LLC, PO BOX 25, MALTA, ID 83342-0025 has filed Application No. 84662 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893, 43-13894. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to move ground water irrigation right 43-13773 from its present place of use (POU), located approximately 0.3 mile east and 3.1 miles south of Malta, to a nearby farm owned by the applicants, located approximately 2.8 to 3.3 miles east and 4.3 to 6.5 miles south of Malta, and modify the POU of the destination farm. The transfer will also drop one authorized point of diversion (POD) from each of the six existing rights at that farm and add the four remaining PODs to the right moving in. After the transfer, seven ground water irrigation rights will irrigate 628.6 acres with a combined flow rate of 11.52 cfs.

TRANSFER NO. 84729

✓ BRIAN TUBBS and MICHELLE TUBBS, 2086 E 3400 N, FILER, ID 83328-5646 has filed Application No. 84729 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 13.3 acre portion (0.24 cfs) of three ground water rights from a farm located approximately 7.25 to 8.0 miles south and 0.75 to 1.5 miles west of the center of Kimberly for stockwater and commercial use for expansion of an existing CAFO located approximately 4.5 to 5.0 miles south and 3.0 to 3.5 miles west of the US Hwy 93 & Hwy 30 interchange east of Filer. The transferred water will be diverted from a new well to be drilled and the existing well at the CAFO site.

TRANSFER NO. 84735

✓ PATTCO LLLP, 1800 Z ST, HEYBURN, ID 83336 has filed Application No. 84735 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to combine two groups of ground water irrigation rights (a group of three rights for 2.87 cfs & 305 acres and a group of two rights for 1.2cfs & 133 acres) into a single 447 acre permissible place of use (PPU). Transfer will also add the point of diversion (POD) from each group to the other group so all five water rights will have the same two PODs, allowing for the total diversion of 4.07 cfs and the irrigation of 438 acres within the proposed PPU. The two PODs and PPU are on a farm located approximately 5.7 miles west and 1.9 miles south of the Highway 30 & Overland Avenue intersection in Burley.

TRANSFER NO. 84764

✓ VALLEY VIEW DAIRY LLC, 369 N 1250 W, PAUL, ID 83347 has filed Application No. 84764 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-17012, 36-17013, 36-2257. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 7.7 acre (0.13 cfs) portion of an irrigation groundwater right to stock water and commercial use for the expansion of an existing heifer and calf facility located approximately 6.4 miles west and 4.9 miles north of the center of Paul. The irrigation right to be converted is currently authorized to be diverted from two irrigation wells both located within 0.75 miles of the facility. The application also proposes changing the place of use of two stock water and commercial groundwater rights (totaling 0.14 cfs) used at the facility to reflect the expansion. The converted right and the two commercial and stock water rights will divert up to 0.27 cfs and 46 acre-feet per year from an existing well on the facility.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/Query-NewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before April 5, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on March 18th & 25th, 2021

✓ DM 3/12/2021



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 12, 2021

VALLEY VIEW DAIRY LLC
369 N 1250 W
PAUL, ID 83347

RE: Transfer No. 84764
Water Right No(s). 36-17012, 36-17013, 36-2257

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 3/18/2021 and 3/25/2021**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **April 5, 2021**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,
Denise Maline

Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC



Brad Little
Governor

State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Gary Spackman
Director

March 12, 2021

WATER DISTRICT 130
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS, ID 83301-5858

RE: Application for Transfer No. 84764 (Valley View Dairy)

Dear Nathan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Friday, March 12, 2021 4:40 PM
To: Maline, Denise
Subject: FW: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on March 18th & 25th, 2021. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 12, 2021

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 84662

Water Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893,
43-13894

RE: Transfer No. 84729

Water Right No(s). 47-17555, 47-17560, 47-17565

RE: Transfer No. 84735

Water Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261

RE: Transfer No. 84764

Water Right No(s). 36-17012, 36-17013, 36-2257

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **April 5, 2021**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84662**

HIGLEY LAND INVESTMENTS LLC, PO BOX 25, MALTA, ID 83342-0025 has filed Application No. 84662 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893, 43-13894. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to move ground water irrigation right 43-13773 from its present place of use (POU), located approximately 0.3 mile east and 3.1 miles south of Malta, to a nearby farm owned by the applicants, located approximately 2.8 to 3.3 miles east and 4.3 to 6.5 miles south of Malta, and modify the POU of the destination farm. The transfer will also drop one authorized point of diversion (POD) from each of the six existing rights at that farm and add the four remaining PODs to the right moving in. After the transfer, seven ground water irrigation rights will irrigate 628.6 acres with a combined flow rate of 11.52 cfs.

TRANSFER NO. 84729

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TRANSFER NO. 84735

PATTCO LLLP, 1800 Z ST, HEYBURN, ID 83336 has filed Application No. 84735 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to combine two groups of ground water irrigation rights (a group of three rights for 2.87 cfs & 305 acres and a group of two rights for 1.2cfs & 133 acres) into a single 447 acre permissible place of use (PPU). Transfer will also add the point of diversion (POD) from each group to the other group so all five water rights will have the same two PODs, allowing for the total diversion of 4.07 cfs and the irrigation of 438 acres within the proposed PPU. The two PODs and PPU are on a farm located approximately 5.7 miles west and 1.9 miles south of the Highway 30 & Overland Avenue intersection in Burley.

TRANSFER NO. 84764

VALLEY VIEW DAIRY LLC, 369 N 1250 W, PAUL, ID 83347 has filed Application No. 84764 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-17012, 36-17013, 36-2257. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 7.7 acre (0.13 cfs) portion of an irrigation groundwater right to stock water and commercial use for the expansion of an existing heifer and calf facility located approximately 6.4 miles west and 4.9 miles north of the center of Paul. The irrigation right to be converted is currently authorized to be diverted from two irrigation wells both located within 0.75 miles of the facility. The application also proposes changing the place of use of two stock water and commercial groundwater rights (totaling 0.14 cfs) used at the facility to reflect the expansion. The converted right and the two commercial and stock water rights will divert up to 0.27 cfs and 46 acre-feet per year from an existing well on the facility.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **April 5, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 18th & 25th, 2021

MEMORANDUM

Date: March 11, 2021

To: Transfer 84764

From: Michelle Richman

Re: Transfer Synopsis

Transfer application 84764 proposes to convert a 7.7 acre (0.13 cfs) portion of an irrigation groundwater right to stock water and commercial use for the expansion of an existing heifer and calf facility located approximately 6.4 miles west and 4.9 miles north of the center of Paul. The irrigation right to be converted is currently authorized to be diverted from two irrigation wells both located within $\frac{3}{4}$ of a mile of the facility. The application also proposes to change the place of use of two stock water and commercial groundwater rights (totaling 0.14 cfs) used at the facility to reflect the expansion. The converted right and the two commercial and stock water rights will divert up to 0.27 cfs and 46 acre-feet per year from an existing well on the facility. ESPA model analysis is unnecessary because the irrigation and the stock water and commercial PODs are within a single model grid cell. The proposed transfer POU is in Water District 130, and Water Master comment will be solicited.

MEMORANDUM

Date: March 10, 2021
To: Transfer 84764
From: Michelle Richman
Re: Filing Fee

This transfer was filed on February 22, 2021 and proposes to change 7.7 acres of irrigation to a stock water and commercial use at an existing heifer and calf facility. The expanded facility's water rights will have a combined limit of .27 cfs and 46 acre feet. The corresponding fee of \$500.00 for the flow rate and \$250 for the change in nature of use (in accordance with the transfer fee schedule), for a total of \$750, was paid with two checks from Brockway Engineering, PLLC, IDWR receipts #S038412 and #S038445.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 04 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

March 2, 2021

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Valley View Dairy 36-2257, 36-1712 and 36-1713

Dear Mr. Skinner:

Valley View Dairy recently submitted a transfer updating the stock and commercial place of use of water rights 36-2257, 36-1712 and 36-1713. Based on correspondence with IDWR, this transfer requires amendments to page 3 and page 4 of the application plus an additional \$300.00 to process the transfer application.

The amended pages and the additional fee are attached to this letter.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Valley View Dairy LLC

Enc: Transfer Application page 3 and 4 Brockway Engineering Check # 16323 for \$300.00

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

copy

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing well and delivery system.

- b. Who owns the property at the point(s) of diversion? Valley View Dairy LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The land currently cover by irrigation water will no longer be irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

36-7517

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

Copy

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	36-2257	0.13/18.9	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.13/18.9	Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☒ ☐	36-17013	0.08/14.3	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.08/14.3	Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-17012	0.06/12.8	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.06/12.8	Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	

Total authorized under rights 0.27 cfs and/or 46 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.27 cubic feet per second and/or 46 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it **Attachment #5.**

New ?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	NW	5	09S	22E	Minidoka	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	5					S/C	S/C	S/C	S/C									
Total Acres (for irrigation use)																			

Richman, Michelle

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Tuesday, March 2, 2021 9:41 AM
To: Richman, Michelle
Subject: RE: Vandervegt - A Few More Items to Address...
Attachments: Valley View Dairy Documents.pdf

Michelle,

See the attached letter and documents. The letter and the check will go out in the mail today. The "Change period of use" box should have been checked on page 2, Part A, Number 1.

Thank you for your help on this one.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Richman, Michelle [mailto:Michelle.Richman@idwr.idaho.gov]
Sent: Tuesday, March 02, 2021 8:32 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: RE: Vandervegt - A Few More Items to Address...

Thanks Greg – There are a few more items to address for the application to be considered complete.

- 1) Please revise one more time and email page 3 (per attached) with the revised flow and volume quantities. The new values include flow/volume for all three water rights in the transfer.
- 2) With the new flow rate on the application of .27 cfs, the total fee is \$750. We'll need an additional \$300 (\$450 paid).
- 3) Please acknowledge by reply to this email that the checkbox for page 2, Part A, Number 1, "Change period of use" should be checked.
- 4) Please acknowledge by reply to this email that page 4, part f should list water right 36-7517 in place of 'none'.

With those changes, I can proceed. I'd like to submit this transfer next week to our staff for advertising (if you're able to supply the funds and corrections prior to then).

Thank you,
Michelle



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

FEB 22 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

February 18, 2021

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Mitigation Acres 36-7517 and 36-2257

Dear Mr. Skinner:

This letter is being submitted to the Idaho Department of Water Resources as notification of the location of mitigation acres under water right 36-7517 and 36-2257. There are 14.0 acres of irrigation water that is being set aside by Valley View Dairy LLC. These 14.0 acres were irrigated in 2015 and 2017 based on aerial imagery.

Under Docket No. CM-MP-2016-001 **FINAL ORDER APPROVING STIPULATED MITIGATION PLAN** the Director of The Department of Water Resources approved a stipulated mitigation plan between the SWC and IGWA. That mitigation plan allows ground water right owners to set aside or reduce pumping from ground water rights in order to achieve the reductions required by individual ground water districts. The reductions are accounted for by the ground water districts as total water volume reductions for Valley View Dairy LLC.

This letter is intended to inform IDWR that these 14.0 acres will be set aside and no longer irrigated and to insure that at some future time that IDWR does not deem these 14.0 acres as forfeited. These acres will remain set aside until Stipulate Mitigation Plan is withdrawn or the 14.0 acre transferred to a new POU or beneficial use.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Valley View Dairy LLC
Enc: Aerial Map of Mitigation Acres

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

FEB 22 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

February 18, 2021

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Mitigation Acres 36-7517 and 36-2257

Dear Mr. Skinner:

Valley View Dairy desires to transfer 7.7 acres of water right 36-2257 from irrigation water to stock and commercial water. There is an existing heifer and calf facility currently being operated by Valley View Dairy that needs additional water. This transfer will provide 18.9 acre feet of stock and commercial water for the facility.

No ESPA Model analysis was performed for this transfer because the location of the irrigation POD for 36-2257 is in the same or adjacent ESPA Model cell as the heifer and calf facilities authorized POD.

The ownership of the water right will not be changing with this transfer.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Valley View Dairy LLC

Enc: Transfer Application, Aerial Maps, Evapotranspiration Statistics, Annual Report,
Livestock Confinement Operation Water Requirement Spreadsheet, Brockway Engineering
Check # 16295 for \$450.00

CHARLES E.
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