

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 36-8543

Priority: June 15, 1990

Maximum Diversion Rate: 0.08 CFS

Maximum Diversion Volume: 57.9 AF

It is hereby certified that:

DOUBLE V LLC
C/O RAY VANDER VEGT
1587 E 3100 S
WENDELL ID 83355

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 20, 1990, and has submitted Proof of Beneficial Use on October 27, 1993. An examination confirms water is diverted from:

Source : GROUND WATER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.08 CFS	57.9 AF
COMMERCIAL	1/01 to 12/31	0.08 CFS	57.9 AF

Location of Point(s) of Diversion

GROUND WATER SW¼ SE¼ SE¼, Sec. 6, Twp 09S, Rge 17E, B.M. JEROME County
GROUND WATER SW¼ SE¼ SE¼, Sec. 6, Twp 09S, Rge 17E, B.M. JEROME County
GROUND WATER SE¼ SE¼, Sec. 6, Twp 09S, Rge 17E, B.M. JEROME County

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
09S	17E	6															X	X		

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
09S	17E	6															X	X		

Conditions of Approval

1. Use of water under this right may 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.
2. 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.
3. Rights 36-8543, 36-10509 and 36-10511 when combined shall not exceed a total diversion rate of 0.32 cfs and a total annual maximum diversion volume of 72.5 af.

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 36-8543

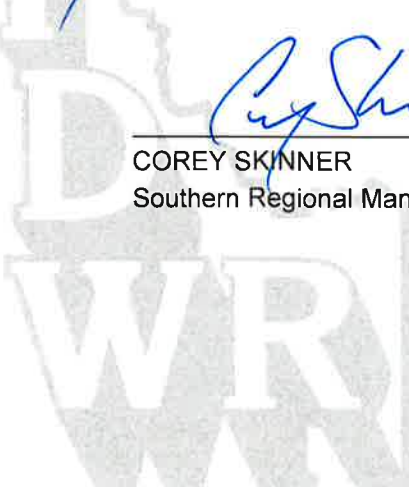
4. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
5. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 29th day of July, 2019.



COREY SKINNER
Southern Regional Manager



State of Idaho
Department of Water Resources

Attachment to Water Right License

36-8543

This map depicts the STOCKWATER & COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

17E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.05 0.1 0.2 Miles





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

July 31, 2019

DOUBLE V LLC
C/O RAY VANDER VEGT
1587 E 3100 S
WENDELL ID 83355

RE: License No. 36-8543

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a water master in a water district. Also enclosed is a copy of the approved application for amendment.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2019, I served a true and correct copy of Water Right License No. 36-8543 by U.S. Mail, postage prepaid, to the following:

DOUBLE V LLC (Current Owner)
C/O RAY VANDER VEGT
1587 E 3100 S
WENDELL ID 83355

WATER DISTRICT #130
NATHAN ERICKSON (Watermaster)
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301



Denise Maline
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 36-8543

RECEIVED
JUL 22 2019
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Priority: June 15, 1990

Maximum Diversion Rate: 0.08 CFS

Maximum Diversion Volume: 48.4 AF

The owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 36-8543

DOUBLE V LLC C/O RAY VANDER VEGT
1587 E 3100 S WENDELL ID 83355

requests the permit be changed as follows:

Source : GROUND WATER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.08 CFS	48.4 AF
COMMERCIAL	1/01 to 12/31	0.08 CFS	48.4 AF

Location of Point(s) of Diversion

GROUND WATER SW¼ SE¼ SE¼, Sec. 6, Twp 09S, Rge 17E, B.M. JEROME County

GROUND WATER SW¼ SE¼ SE¼, Sec. 6, Twp 09S, Rge 17E, B.M. JEROME County

GROUND WATER SE¼ SE¼, Sec. 6, Twp 09S, Rge 17E, B.M. JEROME County

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
09S	17E	6															X	X		

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
09S	17E	6															X	X		

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed this 19th day of July, 2019.


(Signature)

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 36-8543

RECEIVED

JUL 22 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

FOR DEPARTMENT USE ONLY

Preliminary check by HK Fee = \$100 Receipted by SG # 5037457 Date 7-22-2019

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 36-8543 with the following:

Conditions of Approval

1. Use of water under this right may 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.
2. 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.
3. Rights 36-8543, 36-10509 and 36-10511 when combined shall not exceed a total diversion rate of 0.32 cfs and a total annual maximum diversion volume of 63.0 af.
4. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
5. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right.

This amendment is issued pursuant to the provisions of Idaho Code § 42-211.

Signed this 29th day of July, 2019.



COREY SKINNER
Southern Regional Manager

Water Right 36-8543 POU & PODs





0003400011

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003400011

Date Filed: 1/17/2019 3:16:18 PM

Entity Name and Mailing Address:

DOUBLE V, L.L.C.

The file number of this entity on the records of the Idaho Secretary
of State is: 0000056252

Address 1587 E 3100 S
WENDELL, ID 83355-3254

Entity Details:

Entity Status Active-Existing

This entity is organized under the laws of: IDAHO

If applicable, the old file number of this entity on the records of the
Idaho Secretary of State was: W14015

The registered agent on record is:

Registered Agent RAY VANDERVEGT
Registered Agent
Physical Address
1587 E 3100 S
WENDELL, ID 83355
Mailing Address

Limited Liability Company Managers and Members

Names of managers or members	Title	Address
RAY VANDERVEGT	Manager	1587 E 3100 S WENDELL, ID 83355

The annual report must be signed by an authorized signer of the entity.

Ray Vandervegt

Sign Here

Signer's Title: Owner/Manager

01/17/2019

Date

B0148-5980 01/17/2019 3:16 PM Received by ID Secretary of State Lawrence Denney



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

July 17, 2019

DOUBLE V LLC
C/O RAY VANDER VEGT
1587 E 3100 S
WENDELL ID 83355

RE: Water Right Permit No. 36-8543 & Water Rights 36-10509 & 36-10511

Dear Permit & Water Right Holder:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit.

The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Idaho Code § 42-211. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

 X Points of Diversion

 X Places of Use

The enclosed Application for Amendment forms depict the elements of the water right as they will appear on the license when issued. Please review the amendment forms carefully. If you concur with the information presented, please sign and return the forms with the filing fee of \$100.00 within fourteen (14) days.

I have also enclosed the application for transfer that we previously discussed. The transfer will add a point of diversion (the north well) to water rights 36-10509 and 36-10511 and change the place of use to match the existing layout of the dairy corrals. The filing fee for the transfer application is based on the combined flow rates of the two water rights (0.24 cfs) and is \$500.00. Please sign the transfer application on page 2 and return the forms along with the filing fee within fourteen (14) days. Both filing fees can be paid with a single payment of \$600.00.

If you have any questions, please call me at (208) 736-3033.

Sincerely,

Bill Mills
Water Resource Agent, Senior

Enclosure(s): Application for Amendment; Transfer Application #83443