

DEC 03 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80573

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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 www.idwr.idaho.gov.

Name of Applicant(s) VANDERVEGT 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 www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☐ #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

RECEIVED

DEC 03 2015

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

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) VANDERVEGT DAIRY LLC Phone (208) 732-5728

Mailing address 4098 HIDDEN LAKES DR KIMBERLY, ID 83341 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 North Washington Street, Suite 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 Vander Vegt-Gibson
Signature of Applicant or Authorized Representative

Irene Vander Vegt-Gibson
Print Name and Title if applicable

11-24-15
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- 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.2**.
 Change the POU and POD of a 14.5 acres portion. No ESPA Modeling is required because current PODs are in adjacent model cells to proposed PODs.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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DEPT OF WATER RESOURCES
SOUTHERN REGION

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	0.14/30.8	Irrigation	4/01 to 10/31	Ground Water
☐ ☒	36-7517	0.11/27.2	Irrigation	4/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 8.66 cfs and/or 2080 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.25 cubic feet per second and/or 58.0 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 #
			SE	NE	6	9S	22E	Minidoka	Ground Water	
			Se	NE	6	9S	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	
9S	22E	6	5.8	2.7		6.0													14.5
Total Acres (for irrigation use)																			14.5

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	0.14/30.8	Irrigation	4/01 to 10/31	Ground Water
☐ ☒	36-7517	0.11/27.2	Irrigation	4/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 8.66 cfs and/or 2080 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.24 cubic feet per second and/or 58.0 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 #
		SE	NE		6	9S	22E	Minidoka	Ground Water	
		Se	NE		6	9S	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	
9S	22E	6	5.8	2.7		6.0													14.5
Total Acres (for irrigation use)																			14.5

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. New mainline and pivot will be installed after transfer is approved.

- b. Who owns the property at the point(s) of diversion? VANDERVEGT 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: Northwest Farm Credit

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:

Land 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:

N/A

- 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.: 36-2257

Current Owner: VANDERVEGT 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	4.88 CFS	1115.2 AF
	<u>Total Diversion</u>	4.88 CFS	1115.2 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4SW1/4	Sec. 5, Twp 09S, Rge 22E B.M.
MINIDOKA County		
GROUND WATER	L3(SE1/4NE1/4NW1/4)	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	40.00	T09S R22E S5		SENE	40.00
T09S R22E S5	Lot 3	NENW	40.00	T09S R22E S5		SWNW	40.00
T09S R22E S5		SENW	40.00	T09S R22E S5		NESW	40.00
T09S R22E S5		NWSW	40.00	T09S R22E S5		SWSW	40.00
T09S R22E S5		SESW	40.00	T09S R22E S5		NESE	40.00
T09S R22E S5		NWSE	40.00				

Total Acres: 520

Conditions of Approval:

1. M01 A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
2. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 15 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.
3. X35 Rights 36-2257 and 36-7517 when combined shall not exceed a total diversion rate of 8.66 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 520 acres.
4. X27 This right is limited to the irrigation of 278.8 acres within the authorized place of use in a single irrigation season.
5. Right No. 36-07517 is also diverted through point of diversion described above.
6. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
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.

Decreed Date: 8/27/2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 36-7517

1. amount 0.11/27.2 (cfs/ac-ft) for Irrigation purposes from 4/01 to 10/31
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

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

Current Water Right No.: 36-7517

Current Owner: VANDERVEGT DAIRY LLC
 Priority Date: 12/17/1974
 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	4/01 to 10/15	3.78 CFS	986.8 AF
	<u>Total Diversion</u>	3.78 CFS	986.8 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	NE1/4SE1/4SW1/4	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	40.00	T09S R22E S5		SENE	40.00
T09S R22E S5	Lot 3	NENW	40.00	T09S R22E S5		SWNW	40.00
T09S R22E S5		SENW	40.00	T09S R22E S5		NESW	40.00
T09S R22E S5		NWSW	40.00	T09S R22E S5		SWSW	40.00
T09S R22E S5		SESW	40.00	T09S R22E S5		NESE	40.00
T09S R22E S5		NWSE	40.00				

Total Acres: 520

Conditions of Approval:

1. X27 This right is limited to the irrigation of 246.7 acres within the authorized place of use in a single irrigation season.
2. Right No. 36-02257 is also diverted through point of diversion described above.
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. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 15 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.
5. M01 A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
6. X35 Rights 36-2257 and 36-7517 when combined shall not exceed a total diversion rate of 8.66 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 520 acres.
7. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Decreed Date: 8/27/2001

2015 Vandervegt Irrigation Township 9 South Range 22 East Section 5 SWSW corner.

Pictures were taken October 30, 2015 at approximately Latitude of 42; 39; 51 and Longitude of 113; 54; 34 by Greg Sullivan of Brockway Engineering.

The first three pictures provide an aerial view of the pivot corner area.





This picture is taken close to the corner of 300 North Road and N 1250 W Road. The picture is looking East parallel to 300 North Road.



This picture is taken close to the corner of 300 North Road and n 1250 W Road. The picture is looking North parallel to N 1250 W Road.



This picture is taken close to N 1250 W Road. The picture is looking South parallel to N 1250 W Road. This picture shows how the temporary mainline is connected to the existing mainlines and authorized PODs.



This picture is taken close to N 1250 W Road. The picture is looking North parallel to N 1250 W Road. This picture shows how the temporary mainline is connected to the existing mainlines and authorized PODs. It also shows other permanent mainline risers that are used for solid set hand lines.



SGS Hazelton213 N Brooks St
Hazelton ID 83335

208-324-4357 Fax: 208-327-7666

Pest Lic#: Harshbarg 31348-817

**Invoice****712002148****Bill To:** VANDERVEGT DAIRY LLC
369 N 1250 W
PAUL, ID 83347**Invoice Date** 10/09/2015
Due Date 11/20/2015**Customer ID** 42475**Salesperson** danosd2
Shipping Loc. 1009-1
Field ID DaryPVT**Ship To:** VANDERVEGT DAIRY LLC
369 N 1250 W
PAUL, ID 83347**Acres** 141 Triticale
Ticket(s) 371200733, 1712001553

Quantity	Description	Unit Price	Total \$
Analysis: 21 - 0 - 0 - 24			
14.215 Tons	21-00-00 AMM SUL-REG [T]	371.00 /Tons	5,273.77
141.000 Acre	* IN-HOUSE APPLICATION DRY-NUTRITION [1A]	8.50 /Acre	1,198.50
162.200 Cwt	TRITICALE TRIMARK 270099 [1C]	33.00 /Cwt	5,352.60

Interest of 1.5% per month or maximum allowable by state law will be charged on the amount of this invoice remaining unpaid one Day from the date on which the same becomes due.

It is understood and agreed that in the event this account is not paid in full within one month from the date on which the same becomes due the seller may assign the same for collection and the customer agrees to pay all costs including reasonable attorney's fees necessary to collect the same. Invoices with credit balances are redeemable for goods or cash.

Products listed herein are sold AS IS WITH ALL EXISTING FAULTS. THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE OF THE PRODUCT LABEL and seller makes no warranty, expressed or implied as to the MERCHANTABILITY of the product. The customer assumes all risk of loss or liability resulting from the use of the above listed products

NOTICE OF AGRICULTURAL SUPPLIER'S LIEN: Notice is hereby given that a Supplier's lien may be filed on all products sold and services performed

Sub Total 11,824.87**Amount Due** 11,824.87**TRANSFER 80573**

Recommendation Was Made By or Provided to the Seller.

VANDERVEGT DAIRY LLC **County Permit # #6729 RU CH, 07/31/2016** **Invoice****Pesticide # Smith, Jeremy S #6720** **RU, CH Exp. Date 07/31/2016****712002148**

No. W 71337	Due no later than Feb 29, 2016 Annual Report Form		2. Registered Agent and Office (NOT A P.O. BOX)																																			
Return to: SECRETARY OF STATE 450 N 4th STREET PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. VANDERVEGT DAIRY, LLC IRENE VANDERVEGT-GIBSON 4098 HIDDEN LAKES RD KIMBERLY ID 83341		IRENE VANDERVEGT-GIBSON 4098 HIDDEN LAKES RD KIMBERLY ID 83341																																			
			3. New Registered Agent Signature.																																			
4. Limited Liability Companies: Enter Names and Addresses of Managers OR Members. See Instructions. <table border="1"> <thead> <tr> <th>Manager or Member</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>Manager ☐ Member ☒</td> <td>Irene VanderVeget-Gibson</td> <td>4098 Hidden Lakes Dr.</td> <td>Kimberly</td> <td>ID</td> <td></td> <td>83341</td> </tr> <tr> <td>Manager ☐ Member ☐</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Manager ☐ Member ☒</td> <td>Steve VanderVeget</td> <td>369 N. 1250 W.</td> <td>Paul</td> <td>Idaho</td> <td></td> <td>83343</td> </tr> <tr> <td>Manager ☐ Member ☐</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Manager or Member	Name	Street or PO Address	City	State	Country	Postal Code	Manager ☐ Member ☒	Irene VanderVeget-Gibson	4098 Hidden Lakes Dr.	Kimberly	ID		83341	Manager ☐ Member ☐							Manager ☐ Member ☒	Steve VanderVeget	369 N. 1250 W.	Paul	Idaho		83343	Manager ☐ Member ☐						
Manager or Member	Name	Street or PO Address	City	State	Country	Postal Code																																
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Manager ☐ Member ☐																																						
Manager ☐ Member ☒	Steve VanderVeget	369 N. 1250 W.	Paul	Idaho		83343																																
Manager ☐ Member ☐																																						
5. Organized Under the Laws of: IDAHO W 71337		6. Signature: <u>Irene VanderVeget-Gibson</u> Date: <u>12-28-15</u> Name (type or print): <u>Irene VanderVeget-Gibson</u> Title: <u>member</u>																																				

Issued 12/21/2015 by KAH

118298

TRANSFER 80573



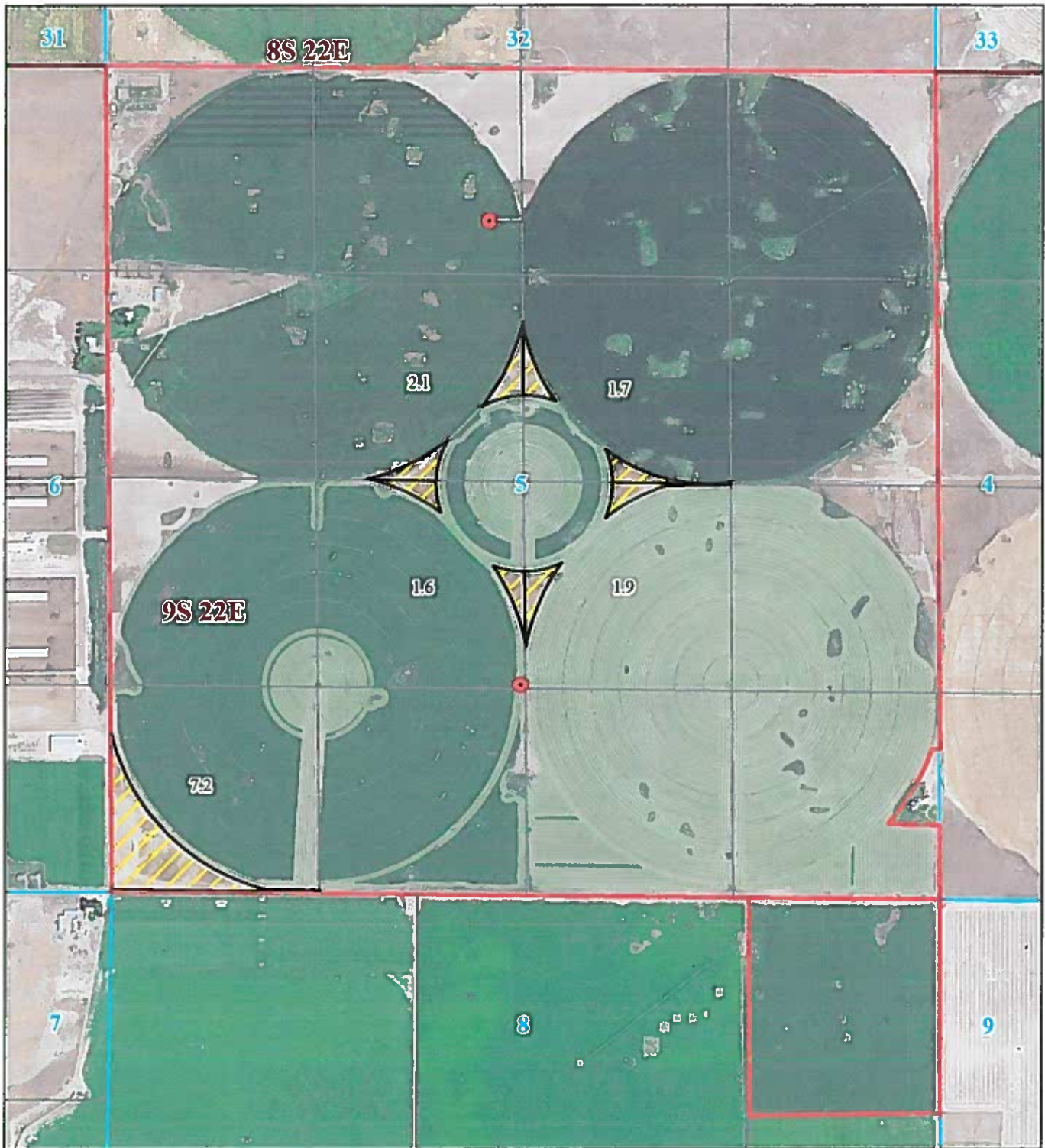
0 175 350 700 Feet

**VANDERVEGT DAIRY
TRANSFER TO LOCATION 2015
NAIP 2013 AERIAL PHOTO.**

Legend

-  Points of Diversion
-  Place_of_Use_Tran15
-  twnshp
-  Sections
-  QQ Lines





0 300 600 1,200 Feet

**VANDERVEGT DAIRY
WATER SUPPLY BANK LEASE 2014
NAIP 20013 AERIAL PHOTO.**

BROCKWAY ENGINEERING, PLLC.
ALR - Date: 12/30/2014

- Legend**
- Points of Diversion
 - Warranty Deed
 - WSB Acres 2014
 - Sections
 - twnshp
 - lades



TRANSFER 80573



815 N College Rd
Twin Falls, ID 83301-3484
Voice: 208.732.1000 Fax: 208.732.1005

RECEIVED

DEC 03 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

November 24, 2015

Idaho Department of Water Resources
650 Addison Avenue West
Suite 500
Twin Falls, ID 83301-5858

To whom it may concern:

Northwest Farm Credit does hold a mortgage on property irrigated with water right numbers 36-2257 and 36-7517. As lienholder, we hereby give consent to the proposed transfer to change point of diversion and change place of use. The water right will remain appurtenant to our collateral and therefore not impact our lien position.

If I can answer any questions, feel free to give me a call (208)732-1033.

Sincerely,

A handwritten signature in blue ink that reads "Bill Lickley".

Bill Lickley
Relationship Manager/VP

TRANSFER 80573

Here to Help You Grow



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 10, 2016

VANDERVEGT DAIRY LLC
4098 HIDDEN LAKES DR
KIMBERLY, ID 83341

RE: Transfer No. 80573
Water Right No(s). 36-2257, 36-7517

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 **3/17/2016** and **3/24/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**April 4, 2016**).

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,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 10, 2016 11:45 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on March 17th & 24th, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 10, 2016

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 36-17064

RE: Transfer No. 80573
Water Right No(s): 36-2257, 36-7517

RE: Transfer No. 80707
Water Right No(s): 36-2357, 36-2574, 36-7629, 36-7828, 36-7839

RE: Transfer No. 80727
Water Right No(s): 47-17654, 47-17655

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 4, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17064

HAGERMAN WINGS FARM LLC

823 E 2700 S

HAGERMAN, ID 83332

Point of Diversion L3(NESE) S16 T07S R13E GOODING County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 2/22/2016

Place Of Use: DOMESTIC

T07S R13E S16 L3(NESE)

Application proposes diverting up to 0.04 cfs for domestic uses associated with a home. An existing well will service the home that is located approximately 1.5 miles west of the City of Hagerman.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80573**

VANDERVEGT DAIRY LLC, 4098 HIDDEN LAKES DR, KIMBERLY, ID 83341; has filed Application No. 80573 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-2257, 36-7517. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving portions of two irrigation ground water rights for use in a new place of use using two existing wells on an existing farm located approximately 4.4 to 4.6 miles north and 6.3 to 6.9 miles west of Paul. The total allowed diversion for the moved portions will be 0.25 cfs for the irrigation of 14.5 acres. The current place of use and points of diversion are located approximately 3.8 to 4.8 miles north and 5.2 to 6.2 miles west of Paul.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80707**

FRANK J SUCHAN, 931 W 500 N, PAUL, ID 83347; has filed Application No. 80707 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-2357, 36-2574, 36-7629, 36-7828, 36-7839. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes the creation of a 716.0 acre Permissible Place of Use (PPU) consisting of five ground water rights totaling 8.02 cfs that allow for the irrigation of 396.0 acres. The rights are currently appurtenant to ground located approximately 5.3 to 6.0 miles north and 3.0 to 4.0 miles west of Paul. The proposed PPU will be located approximately 5.3 to 7.0 miles north and 3.0 to 4.0 miles west of Paul. The transfer will also identify two existing wells and a new well to be drilled as authorized points of diversion for the five rights with all three wells being located within the proposed PPU. The transfer proposes allowing for the irrigation of 396.0 acres within the proposed 716.0 acre PPU. Note that portions of some of the rights are currently enrolled in the Conservation Reserve Enhancement Program (CREP) and the Water Supply Bank resulting in 283.9 acres currently available to be irrigated within the proposed 716.0 acre PPU.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80727**

MICHAEL ZOBOTT and HATTIE ZOBOTT, 19950 HWY 30, BUHL, ID 83316; has filed Application No. 80727 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17654, 47-17655. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the authorized point of diversion of two ground water rights to a new well to be drilled located approximately 5.6 miles north and 3.5 miles west of the city of Buhl. The two water rights allow for the diversion of 0.04 cfs and 9.2 af for domestic, heating and recreation uses.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before April 4, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 17th & 24th, 2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 10, 2016

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

Via hand delivery

RE: Application For Permit No. 36-17064

RE: Transfer No. 80573
Water Right No(s): 36-2257, 36-7517

RE: Transfer No. 80707
Water Right No(s): 36-2357, 36-2574, 36-7629, 36-7828, 36-7839

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, 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's regional offices 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
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: March 8, 2016
To: Transfer 80573
From: Clinton Barnes
Re: Review & Evaluation of Sufficiency of Information

Application for transfer proposes moving portions of two irrigation ground water rights for use in a new place of use using two existing wells on an existing farm located approximately 4.4 to 4.6 miles north and 6.3 to 6.9 miles west of Paul. The portions to be used are 7.7 acres (.14 cfs) from water right 36-2257 and 6.8 acres (.11 cfs) from right 36-7517. Total allowed diversion for the moved portions will be .25 cfs and 58 Af for the irrigation of 14.5 acres. The current place of use is located approximately 3.8 to 4.8 miles north and 5.2 to 6.2 miles west of Paul.

The PODs/POUs involved in the transfer are located in Water District 130. Watermaster comments are requested. No ESPA model analysis has been performed for this transfer because the existing POD and proposed POD are either in the same model cell or an adjacent model cell. Both places of use are located within the A & B Irrigation District service area.

- **Authority to File:**
The applicant, Vandervegt Dairy, LLC, is listed as the current owner of the rights involved in the transfer. According to the IDSOS Annual Report the signer is authorized to file.
- **Water Right Validity:**
Both rights involved with the transfer were decreed in August of 2001. Examination of aerial photography shows that the current place of use has been irrigated in recent years.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated. Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing

MEMORANDUM

Date: March 8, 2016

To: Transfer 80573

From: Clinton Barnes

Re: Filing Fee

Filing fees charged for transfer application #80573 were based on the on the current transfer fee schedule and included \$500.00 for the 0.25 cfs being transferred in the application (Receipt No.S035133).

Skinner, Corey

From: Greg Sullivan [greg.sullivan@brockwayeng.com]
Sent: Thursday, February 18, 2016 4:23 PM
To: Barnes, Clinton; Skinner, Corey
Subject: Amended Transfer document
Attachments: Amended Transfer Page.pdf

Corey and Clinton,

Please replace the existing page 3 of the Vandervegt Dairy LLC transfers with the attached page 3.

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



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

DEC 03 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

December 1, 2015

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

Re: Vandervegt Dairy LLC

Dear Mr. Merritt:

Vandervegt Dairy LLC desires to install a new pivot on property in which they own. The pivot will be irrigated with ground water. The ground water for the pivot will be comprised of several water rights that are currently under the proposed pivot, water rights that will be rented from the Idaho Water Supply Bank and this transfer that will move 14.5 acres of ground water from pivot corners to a new POU.

Irrigation under the 14.5 acres has occurred during the 2015 irrigation season. Attached to this letter are several photographs taken by Greg Sullivan on October 30, 2015 documenting that 7.2 acres in the SWSW of Section 5 were irrigated in the fall of 2015. The photographs show triticale growing in the corner area, irrigation hand lines that were used for irrigating the triticale and also documents that the irrigation water was piped with a temporary system from the authorized POD. A recipe from SGS Hazelton that is attached to this letter documents that Vandervegt Dairy purchased triticale seed in early October of 2015.

The 7.3 acres were applied for lease into the Idaho Water Supply Bank and a contract for the lease was sent to Vandervegt Dairy for signature but the contract was never signed. The reason the contract was never signed is because of the future plans to install the new pivot and for this transfer to be submitted.

No ESPA model analysis has been performed for this transfer because the existing POD and the proposed POD are either in the same model cell or an adjacent model cell.

A letter from Northwest Farm Credit Services is attached to this letter and gives consent for the transfer to be processed by IDWR.

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

A future transfer will be submitted to IDWR to fully cover the new pivot, but currently leased and contracted water rights need to be removed from the Water Supply Bank rental pool before the water can be used at this location.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Sullivan", written in a cursive style.

Greg Sullivan, M.S., Engineer

Cc: Irene Vandervegt

Enc: Aerial Maps, Northwest Farm Credit Letter, Photographs, Seed Invoice, Brockway Engineering Check # 13027 for \$500.00.