

RECEIVED

JUL 22 2013

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 65-23551

1. Name of applicant(s) Rick Van Vliet and Family Dairy LLC Phone 208-452-5982
 Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: 5745 Elmore Road City New Plymouth

State ID Zip 83655 Email: _____

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
7N	5W	11			NE	SE	Payette	Groundwater	Original Dairy Well
7N	5W	11		NE	NE	SE	Payette	Groundwater	1998 Well

4. Water will be used for the following purposes:

Amount 1 cfs / 100 afa for stockwater purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 1 cfs / 31 for commercial purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 1 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Currently used system of pumps and pressure controls associated with the dairy.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? 1990, 1998; drilling firm see attached Well Driller's Reports;

Well was drilled for (well owner) Rick Van Vliet; Drilling Permit No. 65-90-W-006

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. See Attachment A - Total of 4200 dairy animals

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. The purpose of the application is to retroactively recognize a water use that has been going on since 7/9/1990.

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	5W	11			S,C	S,C									S,C				

Total number of acres to be irrigated: 0

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Domestic right 65-6683 is used for the same puposes.
10. a. Who owns the property at the point of diversion? Rick Van Vliet and Family Dairy LLC
- b. Who owns the land to be irrigated or place of use? Same
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The dairy has been operating and steadily expanding since it was built in 1990, and applicant wishes to continue to expand as permitted by Payette County. The dairy has been larger then a typical dairy operating with a domestic right from the beginning, and it has been an oversight that no application has been made for a stockwater and commercial right to this time. Applicant proposes to establish a 7/09/1990 priority date but wishes to postpone time required for completion for another 5 years as expansion continues.
12. Time required for completion of works and application of water to proposed beneficial use is 10 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

Rick Van Vliet
Signature of Applicant

Print Name (and title, if applicable)

Lori Van Vliet
Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by MG Date 7/22/13 Time 4:50pm Preliminary check by KW
 Fee \$ 250 Received by MG Receipt No. W041370 Date 7/22/13

Attachment A

Daily Fresh Water Requirement For Dairy Facility Worksheet

For: **Rick Van Vliet and Family Dairy LLC**

Drinking Water Estimates (see Table 1 & 2):

Holstein weight 1400

Jersey 1000

			Size					
		Number	Use/day	Adjustment	Use/day	Total	Total	Acre-feet/Yr
				100%		Gal/Day	Gals/Yr.	(AF/a)
Milking Cows Max. estimate		1800	36	36.0	64800	64800		
Dry Cows		300	14	14.0	4200	4200		
Total Cows		2100			0	69000	25,185,000	77.29
	Age	% of Herd	Number	Use/day	100%	Total		
Heifers	16-24 mo.	0.4	840	12	12.0	10080.0		
	13-15 mo.	0.16	336	10	10.0	3360.0		
	9-12 mo.	0.16	336	8	8.0	2688.0		
	5-8 mo	0.12	252	6	6.0	1512.0		
	3-4 mo	0.08	168	6	6.0	1008.0		
	0-2 mo	0.08	168	6	6.0	1008.0		
Total Heifers			2100			19656.0	7,174,440	22.02

Total Herd Drinking Water (Stockwater use) 99.31

Milk House and Parlor Estimate (Commercial use)

Item	Gals/Op	x's/day	Gals/day		
Bulk Tank (2)	500	1	500		
Pipeline	350	2	700		
			0		
Cleanup	4000	2	8000		
Cow Prep	0.5	2	1800		
Plate Cooler 1:1 with milk	16200		16200		
Total Milk House and Parlor Water Used:			27200	9,928,000	30.47
Total Gals/Day				42287440	
Total Fresh Water Diverted Annually (af/a consumptive use)					129.8
Stock water needed				99.31	afa
Commercial water needed				30.47	afa

RECEIVED
SEP 10 2013
WATER RESOURCES
WESTERN REGION

SWNE

SENE

NESE

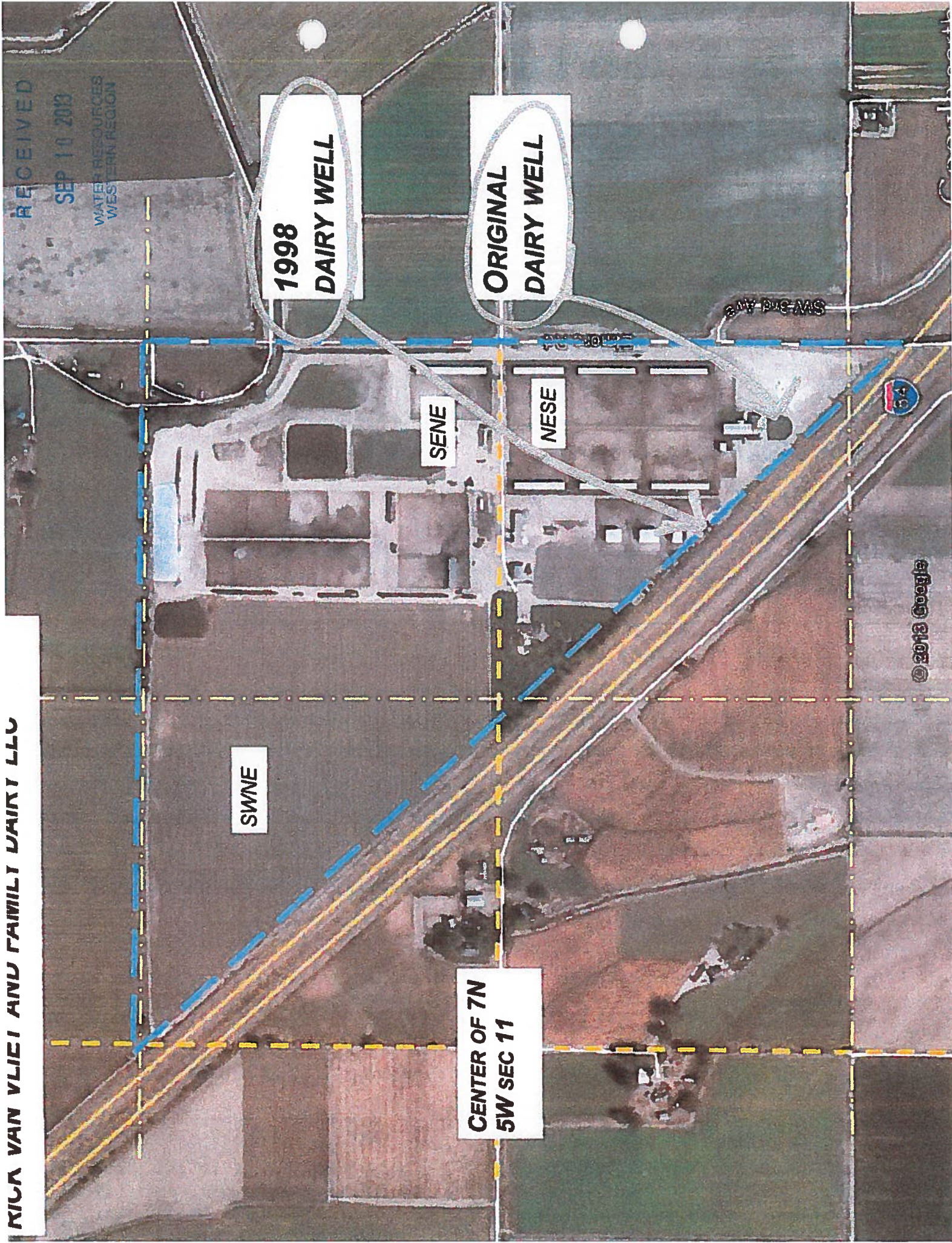
CENTER OF 7N
5W SEC 11

1998
DAIRY WELL

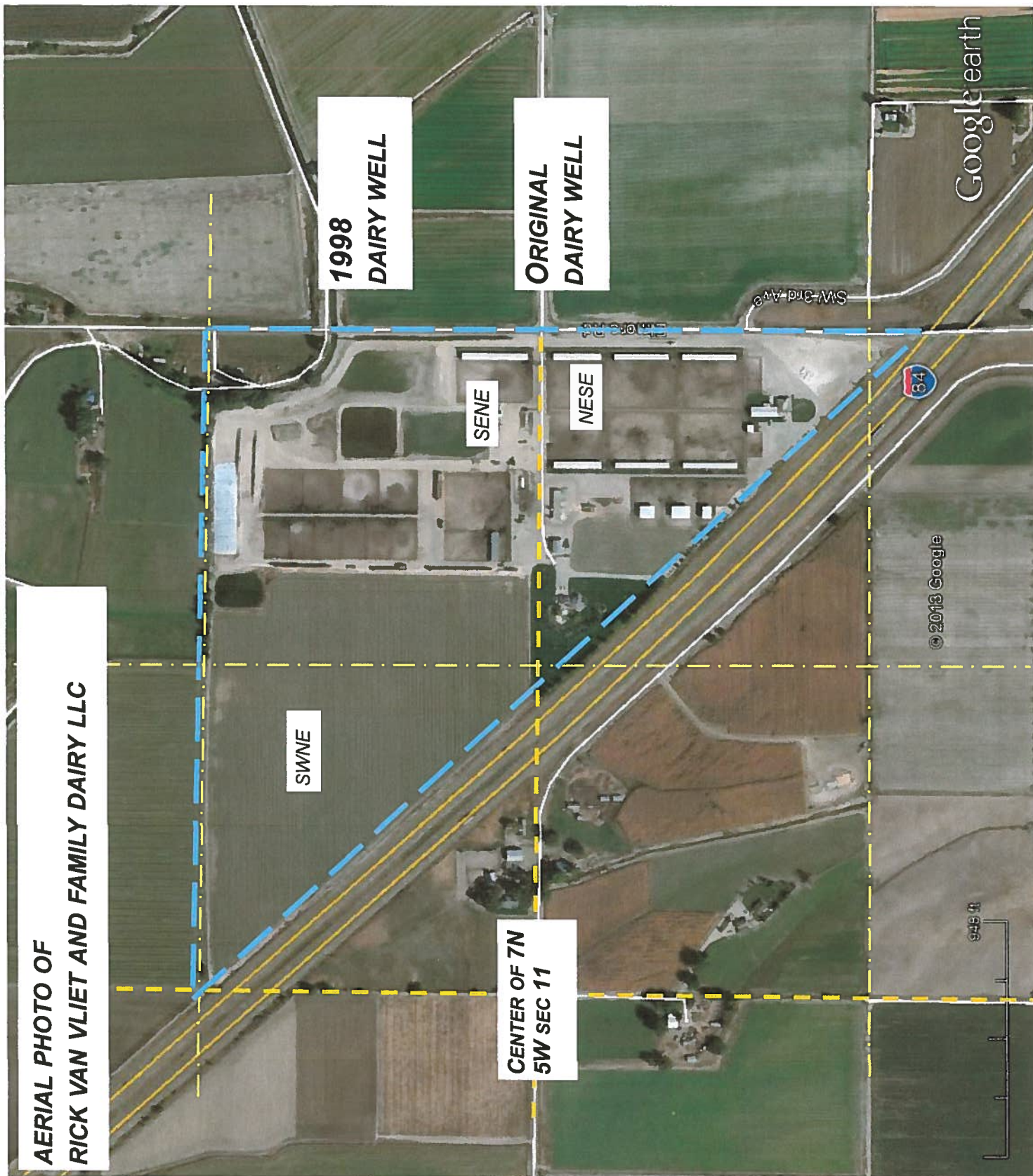
ORIGINAL
DAIRY WELL

SW 3rd Ave

© 2013 Google



**AERIAL PHOTO OF
RICK VAN VLIET AND FAMILY DAIRY LLC**



IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

065672

1. WELL TAG NO. D 0007474
DRILLING PERMIT NO. 65-98-W-0250-200
Other IDWR No. _____

2. OWNER:

Name Rick Van Vliet
Address 5745 Elmore Rd
City New Plymouth State ID Zip 83655

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N		Twp. <u>7</u>		☒ North or ☐ South	
W		Rge: <u>5</u>		☐ East or ☒ West	
E		Sec. <u>11</u>		☐ NE ☐ NW ☐ SE ☐ SW	
S		Gov't Lot _____		County <u>Payette</u>	
		Lat: _____		Long: _____	
		Address of Well Site <u>Same</u>		City _____	

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other Stock

5. TYPE OF WORK check all that apply (Replacement etc.)

New Well ☐ Modify ☐ Abandonment ☒ Other _____

6. DRILL METHOD

☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Backs or Pounds		
Bentonite	0	19	22		over bore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 84

Was drive shoe seal tested? ☒ Y ☐ N How? Dry hole 1 in

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
12	+1	84	250	Steel	☒	☐	☒	☐
8	+1.5	143	250	Steel	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations

Method Touch

Screens

Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
123	141	3/16" x 4	189	8	Steel	☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

5 ft. below ground Artesian pressure _____ lb.
Depth flow encountered 133 1/2 ft. Describe access port or control devices: well cap

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
_____ 1/4	_____ 1/4	_____ 1/4	
Lat: _____	Long: _____	_____	

11. WELL TESTS:

☒ Pump ☐ Bailor

☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
60	14	19	4+
AK 240 +/-	50	55	8

Water Temp. 59° Bottom hole temp. 59°

Water Quality test or comments: OK

Depth first Water Encounter 32

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
16	0	3	Fill Sand & gravel		X
	3	4	Sand		X
	4	19	Silt Stone brown		X
12	19	32			X
	32	33	Sand brown & white, Fine		
	33	34	Sand & gravel		
	34	39	Silty Sand, Rich brown		
	39	49	Silty clay, Rich brown		
	49	58	Silty clay Stone, brown		
	58	64	Sand brown & white Fine		
	64	80	clay brown		X
	80	123	clay blue		X
8	123	143	Sand, blue & white, Fine	X	

RECEIVED

SEP 30 1998

RECEIVED

SEP 28 1998

Department of Water Resources

MICROFILMED

WATER RESOURCES
WESTERN REGION

NOV 14 1998

Completed Depth 141 (Measurable)
Date: Started 8-18-98 Completed 9-16-98

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name 4127 GOOD LANE
NEW PLYMOUTH, ID 83655 Firm No. 491

Firm Official Marvin Hume Date 9-25-98
and

Driller or Operator _____ Date _____

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Name Karl Van Uliel
Address 7565 Beckmeier Court
Drilling Permit No. CS-90-W-006
Water Right Permit No. N/A Chino, CA

Static water level 19 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 56 °F. Quality good
Describe artesian or temperature zones below.

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

- ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☒ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

- ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness 1200 inches Diameter 10 inches + 1 feet 60 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☒ Yes ☐ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Size of perforation _____ inches by _____ inches

Number Telescoping From screen To _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet

Well screen installed? ☒ Yes ☐ No

Manufacturer's name Johnson heavy duty

Type Continuous Model No. _____

Diameter 9 Slot size 30 Set from 58 feet to 68 feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 18 Material used in seal: ☐ Cement grout

☒ Bentonite ☐ Pudding clay ☐ _____

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing

☒ Overbore to seal depth

Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

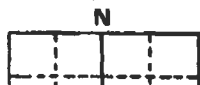
Weld

☐ Cemented between strata

Describe access port Sani Seal

6. LOCATION OF WELL

Sketch map location must agree with written location.



NESE S. 11 7N5W

Subdivision Name _____

8. WELL TEST DATA

- ☐ Pump ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M. 200

Pumping Level 45

Hours Pumped 5

9. LITHOLOGIC LOG

072324

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
14	0	18	Green Clay		
10	18	22	Green Clay		
10	22	18	Grise Sand		
10	68	150	Blue Clay		

RECEIVED
MAR 24 1992

Department of Water Resources

RECEIVED
JAN 31 1992

Department of Water Resources
Water Control Office

FILED

APR 02 1992

10.

Work started Mar 25 90 finished Apr 6 90

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Frank Shelly Firm No. 326

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, September 11, 2013 3:02 PM
To: 'LISAALLISON@QWESTOFFICE.NET'
Subject: Payette Legal Ad
Attachments: Payette Cover Letter.docx; Payette Legal Ad.docx

Good Afternoon Lisa Allison,

Please see the attached ad for publication on 9/18/2013 & 9/25/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

September 11, 2013

LEGAL NOTICE DEPARTMENT
INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE, ID 83661

RE: Application for Permit No. 65-23551

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 10/7/2013.** Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

The following application has been filed to appropriate the public waters of the State of Idaho:

65-23551

RICK VAN VLIET & FAMILY DAIRY LLC

5745 ELMORE RD

NEW PLYMOUTH, ID 83655

(2)Points of Diversion NESE S11 T07N R05W PAYETTE County Source GROUND WATER

Uses: COMMERCIAL, STOCKWATER 01/01 to 12/31 1 CFS

Total Diversion: 1 CFS

Date Filed: 7/22/2013

Place of Use: COMMERCIAL, STOCKWATER

T07N R05W S11 SWNE SENE NESE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 10/07/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/18/2013 and 9/25/2013

Walker, Kay

From: Rick Van Vliet [vanvliet00@msn.com]
Sent: Tuesday, September 10, 2013 9:11 AM
To: Walker, Kay
Subject: RE: Application for Permit 65-23551
Attachments: IMG_0001.jpg

Dear Kay:

I have attached the map with the two locations of the wells.

Thanks, Rick Van Vliet

Subject: FW: Application for Permit 65-23551
Date: Tue, 10 Sep 2013 08:33:00 -0600
From: Kay.Walker@idwr.idaho.gov
To: vanvliet00@msn.com
CC: Kay.Walker@idwr.idaho.gov

From: Walker, Kay
Sent: Friday, September 06, 2013 10:19 AM
To: 'vanvliet00@msn.com'
Cc: Walker, Kay
Subject: Application for Permit 65-23551

Dear Applicants:

We are in the process of getting this application ready for advertising and find we need to know the location of the wells before we can continue. The map attached to your application did not have the well locations marked. I have scanned your map and attached it to this e-mail. Please mark the location of each of the wells on the map and return it to me as soon as possible. Once we have the well locations we will have enough information to advertise your application.

We also note that your dairy operation has existed since the 1990's. Has your operation grown within the last 5 years, and if so, when did the expansion occur? Your application describes use for 2100 cows. We normally would request information concerning the effect of your proposal on the local aquifer and on neighboring wells. However, if your proposal is existing, as stated on your application, we can forego requiring this information. If there has been an expansion within the last 5 years, we may require additional information before final action on this application.

We also need to know if you have other state and governmental approvals relating to your project. Please describe your correspondence &/or discussions to date with the Idaho Department of Environmental Quality and the Idaho Department of Agriculture. If you have documents showing your dairy has complied with their related permit requirements you can submit a copy of those documents, in response to this requirement.

We will not hold up advertising this proposal while awaiting your response to the last 2 paragraphs above; however, we do need a response before any final action can be taken on this application. If you have any questions and/or concerns regarding this e-mail, please feel free to contact me at 334-2190 or by e-mail at: kay.walker@idwr.idaho.com.

Sincerely,
KAY WALKER
Sr. Water Resource Agent

To: Steve Lester @ Idaho Dept. of Water Resources

9/2/13

From: Rick Van Vliet and Family Dairy, LLC.

5745 Elmore

New Plymouth, Idaho 83655

Phone: 208-452-5982

Fax: 208-452-5985

Rick's Cell: 208-870-4626

Lori's Cell: 208-870-9768

* RECEIVED

SEP 05 2013

WATER RESOURCES
WESTERN REGION

Email: vanvliet00@msn.com

Application# 65-23551 (This number given by Steve Lester Over the Phone)

~~Water Right No. 65-6683~~

~~Water Right No. 65-6423~~

> N/A

Steve:

I appreciate you taking your time out to explain the process of obtaining a water right and in speaking with you last Friday we realized this could take some time. We've been working with Rachel Sommer at IDWR and Darwin Vander Stelt is our Consultant.

We appreciate the work Rachel did on the Change of Ownership. She was very efficient, and completed this in a very timely manner.

We are asking you to please consider expediting the process of the Water Application. As I understand the next step will be to assign this to an agent and move forward with advertising. We feel it is very important to make this a priority as funding from our Bank is waiting for approval of this to proceed with financing for our facility to build a corral before winter so as not to overcrowd our animals. We feel that we need to work quickly on this, as weather will be a factor in the construction process as we move into colder climate.

We have also asked our Bank for an extension on refinancing our dairy operation.

Thank you for your consideration of this matter,

Rick & Lori Van Vliet

Rick and Lori Van Vliet

* Received in office visit
by Applicants
-JZ