



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 24, 2003

CHARLES PINTLER
13541 SURREY LN
NAMPA ID 83686

Re: Application for Transfer No. 70199 in the Name of Charles D. Pintler

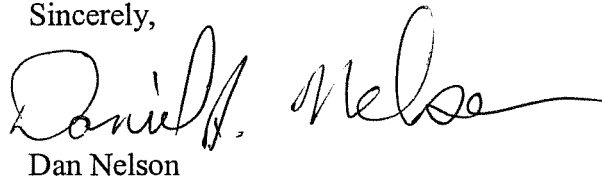
Dear Applicant:

This office acknowledges the withdrawal of the above-referenced application for transfer.

The application will now be removed from the department's records.

If you have any questions concerning this matter, please contact this office.

Sincerely,



Dan Nelson

DN:st

CC: Robert &/or Marilyn Rogero

MICROFILMED
MAR 22 2004

Should questions arise during the processing of this application please contact:
Sheri L. Chapman - ERO Resources Corp. (208) 373-7983

RECEIVED

JUL 25 2003

Department of Water Resources

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 23 2002 APPLICATION FOR TRANSFER OF WATER RIGHT - AMENDED
PART 1

WATER RESOURCES
WESTERN REGION

Name of applicant Charles D. Pintler

Phone 208-466-6951

Post Office address 13541 Surrey Lane, Nampa, Idaho 83686

A. Purpose of Transfer

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant wishes to construct a dairy on irrigated land in Canyon County.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-2795</u>	<u>1-14-1950</u>	<u>0.76 / 122</u>	<u>Commercial</u>	<u>1-1 to 12-31</u>
<u>63-2795</u>	<u>1-14-1950</u>	<u>0.76 / 209</u>	<u>Stockwater</u>	<u>1-1 to 12-31</u>
<u>63-2919</u>	<u>12-27-1952</u>	<u>0.78 / 122</u>	<u>Commercial</u>	<u>1-1 to 12-31</u>
<u>63-2919</u>	<u>12-27-1952</u>	<u>0.78 / 209</u>	<u>Stockwater</u>	<u>1-1 to 12-31</u>
<u>63-31487</u>	<u>08-01-1979</u>	<u>0.04 / 14.6</u>	<u>Stockwater</u>	<u>1-1 to 12-31</u>

WITHDRAWN
7-22-2003

2. Total amount of water being transferred 1.58 cubic feet per second and/or 345.6 acre-feet per annum.
3. Source of water Groundwater tributary to N/A
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	SW	35	2N	3W	Canyon	
	NE	NE	SW	35	2N	3W	Canyon	
	NE	NW	SW	35	2N	3W	Canyon	
		NW	SE	35	2N	3W	Canyon	New well

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MAR 22 2004

5. Lands irrigated or place of use:

Twp.	Rge	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	3W	34	S/C	C	C	C	C	C	C	C					C	C	C	C	
2N	3W	35					S/C	S/C		S/C	S/C	S/C	S/C	C	S/C	S/C	C		

Total acres 0

PART 1

6. General Information:

- a. Description of diversion system Drilled wells, distribution piping; pumps, pipes and storage tanks for the commercial and stockwater uses.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: The land beneath the dairy footprint will no longer be irrigated.
- d. Remarks: See attached

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20 _____.

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MAR 22 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-2795 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to N/A4. Date of priority 1-14-1950

5. Water is used for the following purpose:

Amount 1.37 for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.37 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	35	2N	3W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
		35									40	40	40	40					160

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Total acres 2409. Describe any other water rights used for the same purpose as described above 63-2919, 02-2208

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. Amount 0.76 / 122 af for Commercial purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount 0.76 / 209 af for Stockwater purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	35	2N	3W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	35									40	26	27	40					133

Total acres 133**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change)1. Amount 0.61 cfs for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	35	2N	3W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
2N	3W	35										14	13						27

Total acres 107

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-2919 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A4. Date of priority 12-27-1952

5. Water is used for the following purpose:

Amount 1.40 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

6. Total amount of water under right 1.40 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	35	2N	3W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
		35									40	40	40	40					160

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Total acres 2409. Describe any other water rights used for the same purpose as described above 63-2795, 02-2208

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*1. Amount 0.78 / 122 af for Commercial purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount 0.78 / 209 af for Stockwater purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	35	2N	3W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	35									40	26	27	40					133

Total acres 133**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*1. Amount 0.62 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	35	2N	3W	Canyon	

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3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
2N	3W	35										14	13						27

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Total acres 107

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 02-2208 issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Snake River tributary to Columbia River

4. Date of priority 2-20-1963

5. Water is used for the following purpose:

Amount 5.0 for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)

Amount ____ for _____ purposes from ____ to ____
(cfs/ac-ft)

Amount ____ for _____ purposes from ____ to ____
(cfs/ac-ft)

6. Total amount of water under right 5.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	36	1N	3W	Canyon	River pump

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
		35									38	40	40	40	40	40	40	40	318

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Total acres 398

9. Describe any other water rights used for the same purpose as described above 63-2795, 63-2919

Transfer No. _____

Total acres 267

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 63-31487 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A

4. Date of priority 8-01-1979

5. Water is used for the following purpose:

Amount 0.04/14.6 for Stockwater purposes from 1-01 to 12-31

(cfs/ac-ft)

Amount ____ for _____ purposes from ____ to ____

(cfs/ac-ft)

Amount ____ for _____ purposes from ____ to ____

(cfs/ac-ft)

6. Total amount of water under right 0.04 cubic feet per second and/or 14.6 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	SW	35	2N	3W	Canyon	
	NE	NW	SW	35	2N	3W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34	S																
2N	3W	35						S	S										

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Total acres n/a

9. Describe any other water rights used for the same purpose as described above _____

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JAN 16 2003

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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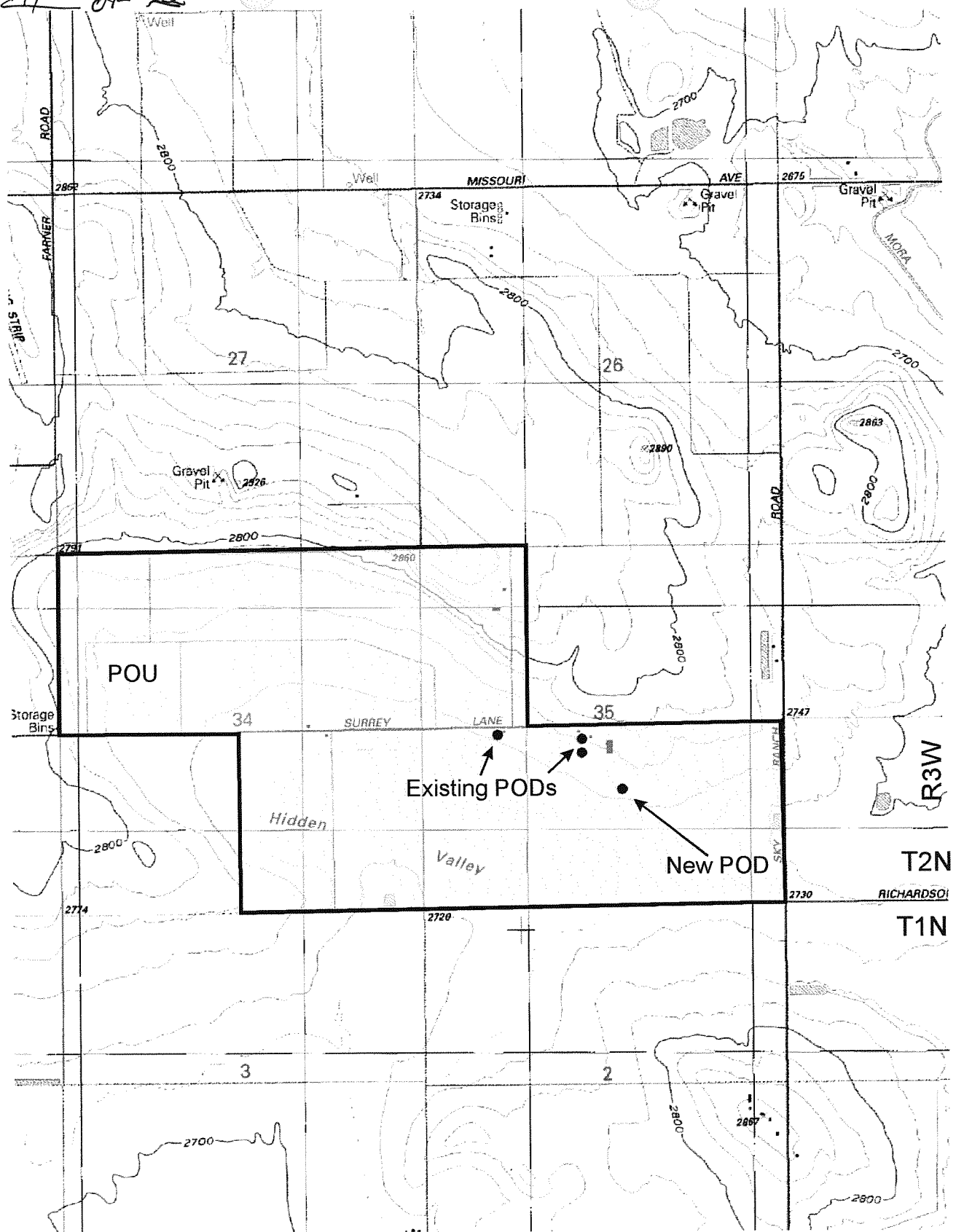
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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Total acres _____



POU and POD Map for the
Charles D. Pintler
Amended Transfer Application

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JAN 16 2003

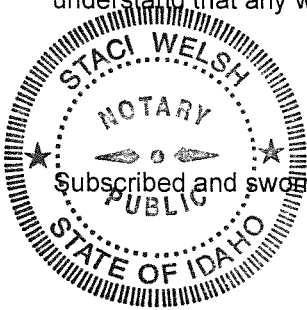
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PART 3**B. CHANGES IN NATURE OF USE**

- | 1. | New Nature of Use | Amount
(cfs/ac-ft) | Hours/days/year | Period of Use |
|----|-------------------|-----------------------|-----------------|---------------------|
| | <u>Commercial</u> | <u>1.54 / 122</u> | <u>365 days</u> | <u>1-1 to 12-31</u> |
| | <u>Stockwater</u> | <u>1.54 / 209</u> | <u>365 days</u> | <u>1-1 to 12-31</u> |
2. Quantity and quality of return flows and location of discharge: No wastewater will leave the property or join with a surface stream or the groundwater supply.
3. Describe effects on other water uses resulting from the proposed change: The land presently being irrigated beneath and adjacent to the dairy will be dried up.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



Charles P. Pinter

(Signature of Applicant)

Subscribed and sworn before me this 13th day of December, 20 02.

Staci Welsh

(Notary Public)

My commission expires 1/27/2005

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 14 attachments
Received by St Date 12-16-02 Protest filed by _____
Prelim. check by _____ Fee *\$50.00
Receipted by DAN FOR KG Date 1-13-03
Published in PRESS TRIBUNE Copies of protest forwarded by _____
Pub. Dates 2-6 + 13-03 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
_____ rec'd. _____ by _____
Copy of transfer sent to lien holder _____

Please Note: The \$50.00 Fee was for
Re-advertising.

SCANNED**JAN 16 2003****MICROFILMED****MAR 22 2004**

Charles D. Pintler Application for Transfer
Part 1, 6.d. - Remarks

The irrigated land proposed to be retired to allow development of a dairy has been irrigated since 1950. Wells were constructed in 1950 and 1952 (63-2795 and 63-2919) and provided irrigation for crops on 240 acres. These wells provide a full supply of water for irrigation of the crops on this portion of the farm. These wells, under the above-described water rights, are the primary water rights for the farm ground described as their place of use. In 1963 water was brought for this and adjacent farms by the Hat Butte Mutual Canal Company. The water described under water right 02-2208 is supplemental to the 240 acres described under 63-2795 and 63-2919 and is the primary supply for an additional 158 acres on the farm.

The applicant proposes to dry up all the water rights on 133 acres of ground to provide water for the dairy and feedlot. All of the 133 acres have been intensively cultivated since 1950 and in many cases certain fields were double cropped when conditions allowed. Since the groundwater is the primary right for the 133 acres, there is adequate water available for conversion to the new use.

Water right 02-2208 will have the number of irrigated acres reduced by 129 from 393 to 269 acres (2 of the 133 acres being dried up for the dairy were not included in the POU for 02-2208). The diversion rate remains at 5.0 cfs because the remaining acres (269) are allowed up to a miner's inch of water (a full miner's inch would require a diversion rate of 5.38 cfs).

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Attach A

Gene T Kuehn
Canyon County Assessor
 1115 Albany St. - Room 343
 Caldwell, ID 83605

2001

ASSESSMENT NOTICE
& ESTIMATE OF TAX

THIS IS NOT A BILL.
 DO NOT PAY.

Attachment F
Assessment Notices

REGULAR ROLL 05/18/2001

For any questions, please notify the Assessor's Office immediately

PARCEL DESCRIPTION:

ACCOUNT NO. 1R30255000 0
 35-2N-3W SW
 SW1/4

Assessor's Telephone Number:

(208) 454-7431

PARCEL ADDRESS:

13541 SURREY LN, NA

*****5-DIGIT 83651



PINTLER, CHARLES D
 & PINTLER, CAROL L-H/W
 13541 SURREY LN
 NAMPA ID 83686

Appeals of your property value must be filed in
 writing, on a form provided by the County, by:
JUNE 25, 2001

Tax Code Area: 016-00

Parcel Number: 02N03W354800

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
01 IRRIGATED AGRICUL	157.00	79,300	79,300
10 HOMESITE RUR LANDS	1.00	21,000	21,000
19 WASTE	2.00		
31 IMPR RUR HOMESITE		166,000	166,000
32 IMPROVEMENT ON LAND		40,400	40,400
SUBTOTAL:	160.00	306,700	306,700
LESS HOMEOWNERS EXEMPTION:		50,000	50,000
NET TAXABLE PROPERTY VALUE:		256,700	256,700

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
0112 PEST	13.12	13.12	(208) 454-7507	9/04/2001
0653 AMBULANCE	52.06	52.06	(208) 466-8800	9/04/2001
0690 NA HWY 1	284.20	284.20	(208) 467-6576	8/30/2001
0716 FIRE UDF	162.52	162.52	(208) 463-1773	9/05/2001
0762 SCH 131 NA	1,875.98	1,875.98	(208) 465-2700	6/05/2001
0998 COUNTY	1,207.82	1,207.82	(208) 454-7507	9/04/2001
SUBTOTAL:	3,595.70	3,595.70		
FEES:				
TOTAL PROPERTY TAXES & FEES:	3,595.70	3,595.70		

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JAN 16 2003

MAR 22 2004

THIS IS NOT A BILL. DO NOT PAY.
 See the back of this Notice for details

Attach B1

00391114

Gene T Kuehn
Canyon County Assessor
1115 Albany St. - Room 343
Caldwell, ID 83605

2001

**ASSESSMENT NOTICE
& ESTIMATE OF TAX**

THIS IS NOT A BILL.
DO NOT PAY.

REGULAR ROLL 05/18/2001

PARCEL DESCRIPTION:

ACCOUNT NO. 1R30254000 0
35-2N-3W SE
SE1/4

For any questions, please notify the Assessor's Office immediately

Assessor's Telephone Number: (208) 454-7431

PARCEL ADDRESS: SURREY LN, NA

*****5-DIGIT 83651



PINTLER, CHARLES D
& PINTLER, CAROL L-H/W
13541 SURREY LN
NAMPA ID 83686

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 25, 2001

Tax Code Area: 016-00

Parcel Number: 02N03W357200

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
01 IRRIGATED AGRICUL	157.00	82,000	82,000
19 WASTE	3.00		
32 IMPROVEMENT ON LAND		64,900	64,900
SUBTOTAL:	160.00	146,900	146,900
LESS HOMEOWNERS EXEMPTION:			
NET TAXABLE PROPERTY VALUE:		146,900	146,900

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
0112 PEST	7.52	7.52	(208) 454-7507	9/04/2001
0653 AMBULANCE	29.80	29.80	(208) 466-8800	9/04/2001
0690 NA HWY 1	162.64	162.64	(208) 467-6576	8/30/2001
0716 FIRE UDF	93.00	93.00	(208) 463-1773	9/05/2001
0762 SCH 131 NA	1,073.56	1,073.56	(208) 465-2700	6/05/2001
0998 COUNTY	691.18	691.18	(208) 454-7507	9/04/2001
SUBTOTAL:	2,057.70	2,057.70		
FEES:				
TOTAL PROPERTY TAXES & FEES:	2,057.70	2,057.70		

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JAN 16 2003

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details

MICROFILMED
MAR 22 2004

ATTACH B-2

0039113

Gene T Kuehn
Canyon County Assessor
 1115 Albany St. - Room 343
 Caldwell, ID 83605

2001

**ASSESSMENT NOTICE
 & ESTIMATE OF TAX**

**THIS IS NOT A BILL.
 DO NOT PAY.**

REGULAR ROLL 05/18/2001

PARCEL DESCRIPTION:

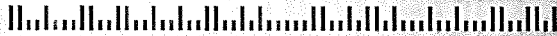
ACCOUNT NO. 1R30249000 0
 34-2N-3W SE
 E1/2 SE

For any questions, please notify the Assessor's Office immediately

Assessor's Telephone Number: (208) 454-7431

PARCEL ADDRESS: SURREY LN, NA

*****5-DIGIT 83651



PINTLER, CHARLES D
 & PINTLER, CAROL L-H/W
 13541 SURREY LN
 NAMPA ID 83686-9129

Appeals of your property value must be filed in
 writing, on a form provided by the County, by:

JUNE 25, 2001

Tax Code Area: 180-00

Parcel Number: 02N03W349000

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
01 IRRIGATED AGRICUL	79.00	41,600	41,600
19 WASTE	1.00		
SUBTOTAL:	80.00	41,600	41,600
LESS HOMEOWNERS EXEMPTION:			
NET TAXABLE PROPERTY VALUE:		41,600	41,600

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
0112 PEST	2.12	2.12	(208) 454-7507	9/04/2001
0653 AMBULANCE	8.44	8.44	(208) 466-8800	9/04/2001
0690 NA HWY 1	46.06	46.06	(208) 467-6576	8/30/2001
0716 FIRE UDF	26.34	26.34	(208) 463-1773	9/05/2001
0770 SCH 139 VV	327.46	327.46	(208) 454-0445	6/12/2001
0998 COUNTY	195.74	195.74	(208) 454-7507	9/04/2001
SUBTOTAL:	606.16	606.16		
FEES:				
TOTAL PROPERTY TAXES & FEES:	606.16	606.16		

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See the back of this Notice for details

MAR 22 2004

Attach B3

DAILY FRESH WATER REQUIREMENT FOR DAIRY FACILITY

FOR: Charles Pintler
 BY: Steven Hannula
 DATE: 1/8/2002

SCANNED
 JAN 16 2003

STOCKWATER VOLUME REQUIREMENT

TYPE OF ANIMAL	NUMBER	USE/DAY	TOTAL GAL/DAY	TOTAL GAL/YEAR
MILKING COWS	4,500	35	157,500	57,487,500
DRY COWS	2,000	12	24,000	8,760,000
HEIFERS	1,500	12	18,000	6,570,000
TOTAL GALLONS			199,500	72,817,500

STOCKWATER ANNUAL VOLUME NEEDED

223.47

COMMERCIAL VOLUME REQUIREMENT

WASH PEN ESTIMATE

GPM PER NOZZLE	NUMBER OF NOZZLES	TIME PER USE (IN MINUTES)	96 NUMBER OF USES	TOTAL GAL/DAY	TOTAL GAL/YEAR
4.00	250	96	1	96,000	35,040,000

MILKING PARLOR ESTIMATES

ITEM	GALS/OP	X'S/DAY	GALS/DAY	GALS/YEAR
BULK TANK	200	12	2,400	876,000
COW PREP	0.25	9,000	2,250	821,250
PIPELINES	250	12	3,000	1,095,000
PARLOR CLEANUP	2,000	2	4,000	1,460,000
WASHPEN CLEANUP	recycled		0	0
TOTAL MILK PARLOR USE			11,650	4,252,250

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ATTACH C-1

HOSPITAL BARN USE

ITEM	GALS/OP	X'S/DAY	GALS/DAY	GALS/YEAR
BLK TANK	100	1	100	36,500
COW PREP	0.25	20	5	1,825
PARLOR & HOLDING				
PEN CLEANUP	1,000	1	1,000	365,000
TOTAL HOSPITAL BARN USE			1,105	403,325

MISCELLANEOUS USES

ITEM	GALS/OP	X'S/DAY	GALS/DAY	GALS/YEAR
TOWEL WASHING	20	4	80	29,200
EMPLOYEE SHOWERS				
& RESTROOMS	20	10	200	73,000
MAINTENANCE SHOP	N/A		0	0
TOTAL MISCELLANEOUS USES			280	102,200

COMMERCIAL ANNUAL VOLUME NEEDED

122.14

STOCK WATER VOLUME REQUIREMENT = 223.47

COMMERCIAL REQUIREMENT = 122.14

TOTAL VOLUME REQUIRED = 345.60

HISTORIC CONSUMPTIVE VOLUME PER ACRE = 2.48 ACRE FEET PER ACRE

NUMBER OF ACRES THAT NEED TO BE RETIRED = 139 ACRES

Water right 63-31487 offers 13,000 gpd (14.6 afa) for stockwater, which supplies 1,083 head at 12 gpd.

At a consumptive rate of 2.48 ac-ft per acre, 14.6 afa equals 5.9 acres that do not need to be retired.

The total number of acres to be retired is therefore 139 - 5.9 = **133** acres.

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MAR 22 2004

ATTACH
1-2

CONSUMPTIVE USE ESTIMATION USING AGRIMET

FROM AGRICULTURE CROP WATER USE SUMMARY 1988-1994
US BUREAU OF RECLAMATION PACIFIC NORTHWEST REGION FEBRUARY 1995

EVALUATION FOR TRANSFER : CHARLES PINTLER

BY: Daniel A. Nelson

DATE: 8/5/02

AGRIMET REPORTING SITE Nampa, Idaho

1997 IRRIGATION YEAR

Crop	Acres	Method	Application EFF. %	IR for Crop in/season	Crop Div. Vol AF/Ann	Crop CU AF/Ann
ALF	36.30	SPRINKLER	75	42.40	171.01	128.26
ONION	13.00	SPRINKLER	75	28.10	40.59	30.44
SWCRN	61.20	SPRINKLER	75	20.90	142.12	106.59
SPRMT	20.00	SPRINKLER	75	35.40	78.67	59.00
	0.00	SPRINKLER	75	0.00	-	0.00
TOTALS	130.50				432.39	324.29

SUMMARY OF CONSUMPTIVE USE PER AGRIMET STATION

NUMBER OF ACRES IRRIGATED: 130.50
ACRE FEET VOLUME DIVERTED PER ANNUM 432.39
ACRE FEET VOLUME CONSUMED PER ANNUM 324.29

AVERAGE ACRE FEET VOL DIVERTED PER ACRE: 3.31
AVERAGE ACRE FEET VOL CONSUMED PER ACRE: 2.48

NOTE: Applicant concurs with this CU analysis and wishes to use it as the basis for the acreage to be retired.

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ATTACH D

NMPI -- Nampa, Idaho

	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	Average
Alfalfa (Mean	-	-	-	-	-	-	-	-	39	42.4	39.9	40.9	42.5	43.6	41.4
Alfalfa (Mean	-	-	-	-	-	-	-	-	40.8	41.4	40.2	43.4	45.2	46.7	43
Pasture	-	-	-	-	-	-	-	-	30.7	33.1	31.3	32.5	33.8	34.2	32.6
Lawn	-	-	-	-	-	-	-	-	37.3	-	-	-	-	42.2	39.8
Winter Grain	-	-	-	-	-	-	-	-	21.4	24.1	20.6	23.3	25.3	24.8	23.3
Spring Grain	-	-	-	-	-	-	-	-	22.4	25.4	23.5	26.7	27.8	27.6	25.6
Sugar Beets	-	-	-	-	-	-	-	-	32.1	33.8	34	32.4	35.7	35.8	34
Onion	-	-	-	-	-	-	-	-	27	28.1	27.4	27.7	29.7	29.3	28.2
Shepody Pot	-	-	-	-	-	-	-	-	23.5	24.5	19.6	22.1	22.6	26.9	23.2
Potatoes	-	-	-	-	-	-	-	-	26	26.6	26.9	27.9	29.5	23.1	26.7
Dry Beans	-	-	-	-	-	-	-	-	18.9	19.9	20.3	20.5	21.7	21.1	20.4
Field Corn	-	-	-	-	-	-	-	-	25.1	25.3	26	26.2	28.9	29.1	26.8
Spring Corn	-	-	-	-	-	-	-	-	20.9	20.9	21.6	21.5	23.5	23.5	22
Asparagus	-	-	-	-	-	-	-	-	31	32.2	31.9	30.9	31.7	35.1	32.1
Peas	-	-	-	-	-	-	-	-	13.1	14	12.6	15.5	16.5	16.9	14.8
New Mint	-	-	-	-	-	-	-	-	24.8	34	33.7	26.1	28.2	25.9	28.8
Peppermint	-	-	-	-	-	-	-	-	22.2	35.4	32.8	23.2	24	24.6	27
Wine Grape	-	-	-	-	-	-	-	-	24.7	25.6	24.9	25.9	26.6	26.1	25.6
Apples	-	-	-	-	-	-	-	-	34.9	35.7	35.1	35.1	39.9	40.5	36.9

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JAN 16 2003

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ATTACH E
MAR 22 2004

5th Crop Report
1997 - 2001

Attachment E - Crop Reports

PAGE 1

3/19/02 15.13.17

ID Number	Status Code	Farm Number	Tract Number	Field Num - Alpha	Crop Code	Crop Abbr	Intend Use Code	Pgm Yr	Crop Type Code	Reported Acreage	Determined Acreage	Crop Share Pct
20214565	U	6059	3523	9	27	ALFAL	SD	97		38.70	38.70	1.0000
20214565	U	6059	3523	15	27		SD	97		47.70	47.70	1.0000
20214565	U	6059	3523	17	27		SD	97		34.00	34.00	1.0000
20214565	U	6059	3523	19	27		SD	97		40.70	40.70	1.0000
20214565	U	6059	3523	24	27		HY	97		145.50	145.50	1.0000
20214565	U	6059	3523	7A	27		SD	97		7.00	7.00	1.0000
20214565	U	6059	3523	12A	27		SD	97		10.40	10.40	1.0000
20214565	U	6059	3523	28B	27		SD	97		36.30	36.30	1.0000
20214565	U	6059	3723	2	27		SD	97		53.60	53.60	1.0000
20214565	U	6059	3723	4	27		SD	97		49.40	49.40	1.0000
20214565	U	6059	3723	5A	27		SD	97		9.00	9.00	1.0000
20214565	U	6059	3723	5C	27		SD	97		24.10	24.10	1.0000
TOTAL										496.40		
320214565	U	6059	3523	4	54	APPLE	FH	97	FRH	25.30	25.30	1.0000
320214565	U	6059	3523	5	54		FH	97	FRH	9.20	9.20	1.0000
TOTAL										34.50		
320214565	U	6059	3523	16	47	BEANS	SD	97	PNT	53.50	53.50	1.0000
320214565	U	6059	3523	16	47		SD	97	PNT	53.50	53.50	1.0000
320214565	U	6059	3523	20	47		SD	97	BVG	49.00	49.00	1.0000
320214565	U	6059	3523	8A	47		SD	97	BVG	17.00	17.00	1.0000
320214565	U	6059	3523	8D	47		SD	97	PNT	15.00	15.00	1.0000
320214565	U	6059	3523	8D	47		SD	97	PNT	15.00	15.00	1.0000
320214565	U	6059	3523	22B	47		SD	97	BVG	20.00	20.00	1.0000
320214565	U	6059	3723	6	47		SD	97	BVG	11.00	11.00	1.0000
TOTAL										234.00		
320214565	U	6059	3523	30A	120	CARRT	SD	97	HYB	15.00	15.00	1.0000
TOTAL										15.00		
320214565	U	6059	3523	1	128	CHERY	FH	97	SWT	8.70	8.70	1.0000
TOTAL										8.70		
320214565	U	6059	3523	16	67	DPEAS	DE	97	OTH	53.50	53.50	1.0000
320214565	U	6059	3523	16	67		DE	97	OTH	53.50	53.50	1.0000
320214565	U	6059	3523	8D	67		DE	97	OTH	15.00	15.00	1.0000
320214565	U	6059	3523	8D	67		DE	97	OTH	15.00	15.00	1.0000
320214565	U	6059	3523	29B	67		DE	97	OTH	9.00	9.00	1.0000
320214565	U	6059	3523	30B	67		DE	97	OTH	9.00	9.00	1.0000
TOTAL										155.00		
820214565	U	6059	3523	6	101	FALOW		97		2.50	2.50	1.0000

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MAR 22 2004

Attach F-1

ID	Status	Farm	Tract	Field	Crop	Crop	Intend	Crop		Reported	Determined	Crop
Number	Code	Number	Number	Num - Alpha	Code	Abbr	Use Code	Pgm Yr	Type Code	Acreage	Acreage	Share Pct
20214565	U	6059	3523	11	101	FALLOW		97		6.20	6.20	1.0000
20214565	U	6059	3523	2D	101			97		1.70	1.70	1.0000
20214565	U	6059	3523	8C	101			97		53.50	53.50	1.0000
TOTAL										63.90		
20214565	U	6059	3523	3	53	GRAPE	PR	97	GB2	4.00	4.00	1.0000
20214565	U	6059	3523	2E	53		PR	97	GB2	1.10	1.10	1.0000
20214565	U	6059	3523	3A	53		PR	97	GB2	6.70	6.70	1.0000
20214565	U	6059	3523	6A	53		PR	97	GB2	1.50	1.50	1.0000
TOTAL										13.30		
20214565	U	6059	3523	2A	142	ONION	SD	97	HYB	4.50	4.50	1.0000
20214565	U	6059	3523	21C	142		SD	97	HYB	13.00	12.00	1.0000
TOTAL										17.50		
20214565	U	6059	3523	11A	34	PEACH	FH	97	OTH	9.00	9.00	1.0000
TOTAL										9.00		
20214565	U	6059	3523	13	304	PEPMT	OL	97		28.60	28.60	1.0000
20214565	U	6059	3523	18	304		OL	97		46.20	46.20	1.0000
20214565	U	6059	3523	23	304		OL	97		165.70	165.70	1.0000
20214565	U	6059	3523	25	304		OL	97		105.00	105.00	1.0000
20214565	U	6059	3723	3	304		OL	97		77.40	77.40	1.0000
20214565	U	6059	3723	8	304		OL	97		38.00	38.00	1.0000
20214565	U	6059	3723	5B	304		OL	97		10.00	10.00	1.0000
20214565	U	6059	3723	9A	304		OL	97		2.00	2.00	1.0000
TOTAL										472.90		
20214565	U	6059	3523	2C	254	PLUMS	FH	97	OTH	1.00	1.00	1.0000
TOTAL										1.00		
20214565	U	6059	3523	31A	84	PTATO	FH	97	GRB	18.00	18.00	1.0000
20214565	U	6059	3723	7	84		FH	97	GRB	33.10	33.10	1.0000
TOTAL										51.10		
20214565	U	6059	3523	21A	305	SPRMT		97	SCT	20.00	20.00	1.0000
TOTAL										20.00		
20214565	U	6059	3523	14	42	SWCRN	SD	97	SHY	40.90	40.90	1.0000
20214565	U	6059	3523	2B	42		SD	97	SHY	10.00	10.00	1.0000
20214565	U	6059	3523	27	42		SD	97	SHY	20.40	20.40	1.0000

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MAR 22 2004
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AN 16 2003

Attach F-2

ID	Status	Farm	Tract	Field			Intend		Crop		Reported	Determined	Crop
Number	Code	Number	Number	Num -	Crop	Crop	Use	Pgm	Type		Acreage	Acreage	Share
				Alpha	Code	Abbr	Code	Yr	Code				Pct
20214565	U	6059	3523	7B	42	SWCRN	SD	97	SHY		7.80	7.80	1.0000
20214565	U	6059	3523	8B	42		SD	97	SHY		31.50	31.50	1.0000
20214565	U	6059	3523	12B	42		SD	97	SHY		10.40	10.40	1.0000
20214565	U	6059	3523	21B	42		SD	97	SHY		24.00	24.00	1.0000
20214565	U	6059	3523	22A	42		SD	97	SHY		27.40	27.40	1.0000
20214565	U	6059	3523	28A	42		SD	97	SHY		7.00	7.00	1.0000
20214565	U	6059	3523	29A	42		SD	97	SHY		30.20	30.20	1.0000
20214565	U	6059	3523	31B	42		SD	97	SHY		18.00	18.00	1.0000
20214565	U	6059	3723	1	42		SD	97	SHY		30.50	30.50	1.0000
20214565	U	6059	3723	9	42		SD	97	SHY		33.90	33.90	1.0000
TOTAL											292.00		
20214565	U	6059	3523	10	11	WHEAT	GR	97	SWW		24.00	24.00	1.0000
20214565	U	6059	3523	26	11		GR	97	SWW		28.50	28.50	1.0000
TOTAL											52.50		
FINAL TOTALS													
TOTAL											1,936.80		

***** END OF REPORT *****

MICROFILMED
MAR 22 2004

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JAN 16 2003

ATTACH F-3

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 1998

DATE: 03-19-2002

Producer Name and Address ID
 DESERT SUN FARMS INC 4565
 13541 SURREY LN
 NAMPA, ID 83686-9129

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
6059	3523	1	Ir	CHERY	SWT	Fresh	8.70	8.70		1.0000	DESERT SUN FARMS INC
		2A	Ir	ALFAL		Seed	4.00	4.00		1.0000	DESERT SUN FARMS INC
		2B	Ir	DPEAS	GRE	Seed	7.70	7.70		1.0000	DESERT SUN FARMS INC
		2C	Ir	GRAPE	GB2	Proces	1.00	1.00		1.0000	DESERT SUN FARMS INC
		2D	Ir	GRAPE	GB2	Proces	1.00	1.00		1.0000	DESERT SUN FARMS INC
		2E	Ir	OTHER			.80	.80		1.0000	DESERT SUN FARMS INC
		2F	Ir	PLUMS	FRI	Fresh	1.00	1.00		1.0000	DESERT SUN FARMS INC
		2G	Ir	GRAPE	GB2	Proces	1.10	1.10		1.0000	DESERT SUN FARMS INC
		3	Ir	GRAPE	GB2	Proces	4.00	4.00		1.0000	DESERT SUN FARMS INC
		3A	Ir	GRAPE	GB2	Proces	6.70	6.70		1.0000	DESERT SUN FARMS INC
		4A	Ir	APPLE	FRH	Fresh	6.30	6.30		1.0000	DESERT SUN FARMS INC
		4B	Ir	BARLY	SPR	Grain	19.00	19.00		1.0000	DESERT SUN FARMS INC
		5	Ir	APPLE	FRH	Fresh	9.20	9.20		1.0000	DESERT SUN FARMS INC
		6	Ir	GRAPE	GB2	Proces	2.50	2.50		1.0000	DESERT SUN FARMS INC
		6A	Ir	GRAPE	GB2	Proces	1.50	1.50		1.0000	DESERT SUN FARMS INC
		7	Ir	DPEAS	GRE	Seed	14.80	14.80		1.0000	DESERT SUN FARMS INC
		8A	Ir	SWCRN	SHY	Seed	5.50	5.50		1.0000	DESERT SUN FARMS INC
		8B	Ir	ONION	HYB	Seed	10.00	10.00		.5000 .5000	DESERT SUN FARMS INC TIEGS FARMS INC
		8C	Ir	ONION	HYB	Seed	17.50	17.50		.5000 .5000	DESERT SUN FARMS INC TIEGS FARMS INC
		8D	Ir	ONION	HYB	Seed	20.50	20.50		.5000 .5000	DESERT SUN FARMS INC TIEGS FARMS INC
		8E	Ir	ONION	HYB	Seed	14.00	14.00		.5000 .5000	DESERT SUN FARMS INC TIEGS FARMS INC
		8F	Ir	BEANS	BVG	Seed	32.50	32.50		1.0000	DESERT SUN FARMS INC

PAGE 1

SCANNED

MICROFILMED

JAN 16 2003

MAR 22 2004

ATTACH, 6.1

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 1998

DATE: 03-19-2002

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
6059	3523	8G	Ir	DPEAS	OTH	DryEd	11.00	11.00		1.0000	DESERT SUN FARMS INC
		8H	Ir	SWCRN	SHY	Seed	6.00	6.00		1.0000	DESERT SUN FARMS INC
		9A	Ir	SWCRN	SHY	Seed	23.70	23.70		1.0000	DESERT SUN FARMS INC
		9B	Ir	BEANS	BVG	Seed	15.00	15.00		1.0000	DESERT SUN FARMS INC
		10	Ir	BEANS	BVG	Seed	21.30	21.30		1.0000	DESERT SUN FARMS INC
		11A	Ir	PEACH	OTH	Fresh	6.80	6.80		1.0000	DESERT SUN FARMS INC
		11B	Ir	PEACH	OTH	Fresh	3.00	3.00		1.0000	DESERT SUN FARMS INC
		11C	Ir	DPEAS	GRE	Seed	8.10	8.10		1.0000	DESERT SUN FARMS INC
		12A	Ir	SWCRN	SHY	Seed	10.80	10.80		1.0000	DESERT SUN FARMS INC
		12B	Ir	BEANS	BVG	Seed	10.00	10.00		1.0000	DESERT SUN FARMS INC
		13	Ir	WHEAT	SWW	Grain	28.60	28.60		1.0000	DESERT SUN FARMS INC
		14	Ir	SWCRN	SHY	Seed	40.90	40.90		1.0000	DESERT SUN FARMS INC
		15	Ir	ALFAL		Seed	47.70	47.70		1.0000	DESERT SUN FARMS INC
		16A	Ir	SWCRN	SHY	Seed	35.00	35.00		1.0000	DESERT SUN FARMS INC
		16B	Ir	OTHER			.50	.50		1.0000	DESERT SUN FARMS INC
		16C	Ir	ONION	HYB	Seed	18.00	18.00		.5000 .5000	DESERT SUN FARMS INC TIEGS FARMS INC
		17	Ir	ALFAL		Seed	34.00	34.00		1.0000	DESERT SUN FARMS INC
		18	Ir	PEPMT		Oil	46.20	46.20		1.0000	DESERT SUN FARMS INC
		19	Ir	ALFAL		Seed	40.70	40.70		1.0000	DESERT SUN FARMS INC
		20	Ir	SWCRN	SHY	Seed	49.00	49.00		1.0000	DESERT SUN FARMS INC
		21	Ir	SPRMT	SCT		21.00	21.00		1.0000	DESERT SUN FARMS INC
		21A	Ir	ALFAL		Seed	49.00	49.00		1.0000	DESERT SUN FARMS INC
		22A	Ir	PTATO	GRB	Proces	26.00	26.00		1.0000	DESERT SUN FARMS INC
		22B	Ir	SWCRN	SHY	Seed	19.40	19.40		1.0000	DESERT SUN FARMS INC
		22C	Ir	ALFAL		Seed	2.00	2.00		1.0000	DESERT SUN FARMS INC
		23	Ir	PEPMT		Oil	165.70	165.70		1.0000	DESERT SUN FARMS INC
		24	Ir	ALFAL		Hay	145.50	145.50		1.0000	DESERT SUN FARMS INC
		25A	Ir	DPEAS	GRE	Seed	55.00	55.00		1.0000	DESERT SUN FARMS INC
		25B	Ir	PTATO	GRB	Proces	50.00	50.00		1.0000	DESERT SUN FARMS INC
		26	Ir	PEPMT		Oil	28.50	28.50		1.0000	DESERT SUN FARMS INC
		27	Ir	DPEAS	GRE	Seed	20.40	20.40		1.0000	DESERT SUN FARMS INC
		28	Ir	SWCRN	SHY	Seed	43.30	43.30		1.0000	DESERT SUN FARMS INC

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JAN 16 2003

Attach. #1-2

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 1998

DATE: 03-19-2002

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
6059	3523	29	Ir	DPEAS	OTH	DryEd	39.20	39.20		1.0000	DESERT SUN FARMS INC
		29	Ir	BEANS	BVG	Seed	39.20	39.20		1.0000	DESERT SUN FARMS INC
		30	Ir	SWCRN	SHY	Seed	24.10	24.10		1.0000	DESERT SUN FARMS INC
		31	Ir	BEANS	BVG	Seed	21.10	21.10		1.0000	DESERT SUN FARMS INC
		31A	Ir	PTATO	GRB	Proces	15.00	15.00		1.0000	DESERT SUN FARMS INC
		2H	Ir	OTHER			.70	.70		1.0000	DESERT SUN FARMS INC
	3723	1	Ir	DPEAS	OTH	DryEd	30.50	30.50		1.0000	DESERT SUN FARMS INC
		1	Ir	BEANS	BVG	Seed	30.50	30.50		1.0000	DESERT SUN FARMS INC
		2	Ir	ALFAL		Seed	53.60	53.60		1.0000	DESERT SUN FARMS INC
		3	Ir	PEPMT		Oil	77.40	77.40		1.0000	DESERT SUN FARMS INC
		4	Ir	ALFAL		Seed	49.40	49.40		1.0000	DESERT SUN FARMS INC
		5	Ir	ALFAL		Seed	43.10	43.10		1.0000	DESERT SUN FARMS INC
		6	Ir	SWCRN	SHY	Seed	11.00	11.00		1.0000	DESERT SUN FARMS INC
		7	Ir	SWCRN	SHY	Seed	33.10	33.10		1.0000	DESERT SUN FARMS INC
		8	Ir	PEPMT		Oil	38.00	38.00		1.0000	DESERT SUN FARMS INC
		9	Ir	BEANS	BVG	Seed	35.90	35.90		1.0000	DESERT SUN FARMS INC

PRODUCER'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Producer's Signature

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

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ATTACH, 7-3

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 1999

DATE: 03-19-2002

Producer Name and Address ID
 DESERT SUN FARMS INC 4565
 13541 SURREY LN
 NAMPA, ID 83686-9129

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
2703	3404	1	Ir	CLOVR	RED	Seed	11.50			1.0000	DESERT SUN FARMS INC
		2	Ir	PEPMT		Oil	36.20			1.0000	DESERT SUN FARMS INC
		3A	Ir	CLOVR	RED	Seed	20.00			1.0000	DESERT SUN FARMS INC
		3B	Ir	PTATO	WHT	Fresh	20.00			1.0000	DESERT SUN FARMS INC
		5	Ir	SBEET		Proces	33.60			1.0000	DESERT SUN FARMS INC
		6	Ir	DPEAS	GRN	Seed	15.90			1.0000	DESERT SUN FARMS INC
		7A	Ir	DPEAS	GRN	Seed	6.20			1.0000	DESERT SUN FARMS INC
		7B	Ir	ONION	HYB	Seed	5.00			1.0000	DESERT SUN FARMS INC
		8	Ir	SWCRN	SHY	Seed	32.00			1.0000	DESERT SUN FARMS INC
		9	Ir	SWCRN	SHY	Seed	19.10			1.0000	DESERT SUN FARMS INC
		10	Ir	ALFAL		Seed	20.90			1.0000	DESERT SUN FARMS INC
		11	Ir	SWCRN	SHY	Seed	14.70			1.0000	DESERT SUN FARMS INC
		12A	Ir	FLOWR	MAR		5.00			1.0000	DESERT SUN FARMS INC
		12B	Ir	ALFAL		Seed	64.50			1.0000	DESERT SUN FARMS INC
		13A	Ir	DPEAS	GRN	Seed	26.10			1.0000	DESERT SUN FARMS INC
		13B	Ir	ALFAL		Seed	26.20			1.0000	DESERT SUN FARMS INC
		13C	Ir	DPEAS	SNS	Seed	3.00			1.0000	DESERT SUN FARMS INC
		14	Ir	ALFAL		Seed	21.90			1.0000	DESERT SUN FARMS INC
		15A	Ir	SWCRN	SHY	Seed	13.00			1.0000	DESERT SUN FARMS INC
		15B	Ir	PEPMT		Oil	5.30			1.0000	DESERT SUN FARMS INC
		16	Ir	ALFAL		Seed	16.70			1.0000	DESERT SUN FARMS INC
		17A	Ir	PEPMT		Oil	15.00			1.0000	DESERT SUN FARMS INC
		17B	Ir	SWCRN	SHY	Seed	15.00			1.0000	DESERT SUN FARMS INC
		18	Ir	ALFAL		Seed	26.00			1.0000	DESERT SUN FARMS INC

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FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 1999

DATE: 03-19-2002

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
2703	3404	15C	Ir	BEANS	BVG	Seed	2.00			1.0000	DESERT SUN FARMS INC
7104	5996	8B	Ir	ONION	HYB	Seed	24.00	24.00		1.0000	DESERT SUN FARMS INC
7140	3723	1	Ir	SWCRN	SHY	Seed	30.50			1.0000	DESERT SUN FARMS INC
		2	Ir	ALFAL		Seed	53.60			1.0000	DESERT SUN FARMS INC
		3	Ir	PEPMT		Oil	77.40			1.0000	DESERT SUN FARMS INC
		4	Ir	PTATO	WHT	Fresh	49.40			1.0000	DESERT SUN FARMS INC
		5	Ir	ALFAL		Seed	43.10			1.0000	DESERT SUN FARMS INC
		6	Ir	ALFAL		Seed	11.00			1.0000	DESERT SUN FARMS INC
		7	Ir	BEANS	BVG	Seed	33.10			1.0000	DESERT SUN FARMS INC
		8	Ir	ALFAL		Seed	38.00			1.0000	DESERT SUN FARMS INC
		9	Ir	DPEAS	SNS	Fresh	35.90			1.0000	DESERT SUN FARMS INC
		9	Ir	ONION	HYB	Seed	35.90			1.0000	DESERT SUN FARMS INC
	5940	1A	Ir	ALFAL		Seed	26.00			1.0000	DESERT SUN FARMS INC
		1B	Ir	LEEKs		Seed	8.00			1.0000	DESERT SUN FARMS INC
		1C	Ir	DPEAS	GRN	Seed	20.80			1.0000	DESERT SUN FARMS INC
		2A	Ir	SWCRN	SHY	Seed	30.00			1.0000	DESERT SUN FARMS INC
		3A	Ir	ALFAL		Seed	32.80			1.0000	DESERT SUN FARMS INC
		3C	Ir	SWCRN	SHY	Seed	16.00			1.0000	DESERT SUN FARMS INC
		4A	Ir	DPEAS	GRN	Seed	62.50			1.0000	DESERT SUN FARMS INC
		6	Ir	BEANS	BVG	Seed	11.00			1.0000	DESERT SUN FARMS INC
		7	Ir	OPEAS	SNS	Fresh	4.90			1.0000	DESERT SUN FARMS INC
		8	Ir	SWCRN	SHY	Seed	37.60			1.0000	DESERT SUN FARMS INC
		9A	Ir	BEANS	BVG	Seed	5.00			1.0000	DESERT SUN FARMS INC
		9B	Ir	ALFAL		Seed	31.10			1.0000	DESERT SUN FARMS INC
		10A	Ir	ALFAL		Seed	10.50			1.0000	DESERT SUN FARMS INC
		10B	Ir	SWCRN	SHY	Seed	14.00			1.0000	DESERT SUN FARMS INC
		10C	Ir	ALFAL		Seed	22.50			1.0000	DESERT SUN FARMS INC
		10D	Ir	DPEAS	GRN	Seed	2.00			1.0000	DESERT SUN FARMS INC
		10E	Ir	ALFAL		Seed	22.50			1.0000	DESERT SUN FARMS INC
		11A	Ir	PEPMT		Oil	16.70			1.0000	DESERT SUN FARMS INC
		11B	Ir	FALOW			5.00			1.0000	DESERT SUN FARMS INC
		11C	Ir	ONION	HYB	Seed	10.00			1.0000	DESERT SUN FARMS INC

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 1999

DATE: 03-19-2002

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
7140	5940	11D	Ir	LEEKs		Seed	5.00			1.0000	DESERT SUN FARMS INC
		11E	Ir	SWCRN	SHY	Seed	40.00			1.0000	DESERT SUN FARMS INC
		12	Ir	SWCRN	SHY	Seed	4.40			1.0000	DESERT SUN FARMS INC
		13B	Ir	ONION	HYB	Seed	17.00			1.0000	DESERT SUN FARMS INC
		13C	Ir	ALFAL		Seed	10.20			1.0000	DESERT SUN FARMS INC
		14A	Ir	PEPMT		Oil	17.70			1.0000	DESERT SUN FARMS INC
		14B	Ir	SWCRN	SHY	Seed	7.70			1.0000	DESERT SUN FARMS INC
		17	Ir	ALFAL		Seed	12.10			1.0000	DESERT SUN FARMS INC
		18C	Ir	SWCRN	SHY	Seed	11.30			1.0000	DESERT SUN FARMS INC
		19A	Ir	SWCRN	SHY	Seed	6.00			1.0000	DESERT SUN FARMS INC
		20A	Ir	ALFAL		Seed	7.50			1.0000	DESERT SUN FARMS INC
		20B	Ir	FLOWR	MAR		5.80			1.0000	DESERT SUN FARMS INC
		20C	Ir	CHIVE		Seed	5.00			1.0000	DESERT SUN FARMS INC
		21	Ir	BEANS	BVG	Seed	5.00			1.0000	DESERT SUN FARMS INC
		24	Ir	ALFAL		Seed	4.30			1.0000	DESERT SUN FARMS INC
		23B	Ir	BEANS	BVG	Seed	30.70			1.0000	DESERT SUN FARMS INC
		23C	Ir	SBEET		Proces	28.00			1.0000	DESERT SUN FARMS INC
		15	Ir	OCROP			3.30			1.0000	DESERT SUN FARMS INC
		6014 7	Ir	BEANS	BVG	Seed	14.80			1.0000	DESERT SUN FARMS INC
		8A	Ir	BEANS	BVG	Seed	17.00			1.0000	DESERT SUN FARMS INC
		8B	Ir	ALFAL		Seed	19.00			1.0000	DESERT SUN FARMS INC
		8C	Ir	PEPMT		Oil	9.00			1.0000	DESERT SUN FARMS INC
		8D	Ir	SPRMT	SCT		9.00			1.0000	DESERT SUN FARMS INC
		8E	Ir	SWCRN	SHY	Seed	48.00			1.0000	DESERT SUN FARMS INC
		8F	Ir	LEEKs		Seed	5.00			1.0000	DESERT SUN FARMS INC
		8G	Ir	ONION	HYB	Seed	10.00			1.0000	DESERT SUN FARMS INC
		9A	Ir	SPRMT	SCT		1.00			1.0000	DESERT SUN FARMS INC
		9B	Ir	SWCRN	SHY	Seed	17.70			1.0000	DESERT SUN FARMS INC
		9C	Ir	ONION	HYB	Seed	20.00			1.0000	DESERT SUN FARMS INC
		14	Ir	ALFAL		Seed	40.90			1.0000	DESERT SUN FARMS INC
		15	Ir	ALFAL		Seed	47.70			1.0000	DESERT SUN FARMS INC
		16A	Ir	BEANS	BVG	Seed	36.00			1.0000	DESERT SUN FARMS INC

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FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 1999

DATE: 03-19-2002

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
7140	6014	16B	Ir	ONION	HYB	Seed	17.00			1.0000	DESERT SUN FARMS INC
		16C	Ir	OCROP			.50			1.0000	DESERT SUN FARMS INC
		17	Ir	SWCRN	SHY	Seed	34.00			1.0000	DESERT SUN FARMS INC
		18A	Ir	DPEAS	GRN	Seed	20.00			1.0000	DESERT SUN FARMS INC
		18B	Ir	SWCRN	SHY	Seed	26.20			1.0000	DESERT SUN FARMS INC
		19	Ir	ALFAL		Seed	40.70			1.0000	DESERT SUN FARMS INC
		20	Ir	DPEAS	SNS	Fresh	49.00			1.0000	DESERT SUN FARMS INC
		20	Ir	BEANS	PNT	Seed	49.00			1.0000	DESERT SUN FARMS INC
		21A	Ir	ALFAL		Seed	50.00			1.0000	DESERT SUN FARMS INC
		21B	Ir	ONION	HYB	Seed	20.00			1.0000	DESERT SUN FARMS INC
		22A	Ir	SWCRN	SHY	Seed	26.00			1.0000	DESERT SUN FARMS INC
		22B	Ir	ALFAL		Seed	21.40			1.0000	DESERT SUN FARMS INC
		26	Ir	PEPMT		Oil	28.50			1.0000	DESERT SUN FARMS INC
		27	Ir	ALFAL		Seed	20.40			1.0000	DESERT SUN FARMS INC
		28A	Ir	BEANS	BVG	Seed	41.30			1.0000	DESERT SUN FARMS INC
		28B	Ir	SWCRN	SHY	Seed	2.00			1.0000	DESERT SUN FARMS INC
		29A	Ir	CARRT	HYB	Seed	14.00			1.0000	DESERT SUN FARMS INC
		29B	Ir	ONION	HYB	Seed	13.00			1.0000	DESERT SUN FARMS INC
		29C	Ir	SWCRN	SHY	Seed	12.20			1.0000	DESERT SUN FARMS INC
		30	Ir	BEANS	BVG	Seed	24.10			1.0000	DESERT SUN FARMS INC
		31	Ir	SWCRN	SHY	Seed	36.10			1.0000	DESERT SUN FARMS INC
	6015	1	Ir	BEANS	BVG	Seed	6.40			1.0000	DESERT SUN FARMS INC

PRODUCER'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Producer's Signature _____

Date _____

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

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JAN 16 2003

ATTACH H
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FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2000

DATE: 03-19-2002

Producer Name and Address ID

DESERT SUN FARMS INC 4565
 13541 SURREY LN
 NAMPA, ID 83686-9129

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
2703	3404	1	Ir	WHEAT	SWW	Grain	10.90			1.0000	DESERT SUN FARMS INC
		5	Ir	WHEAT	SWW	Grain	33.60			1.0000	DESERT SUN FARMS INC
		6	Ir	OATS	SPR	Grain	15.90			1.0000	DESERT SUN FARMS INC
		7	Ir	TRICL		Grain	11.20			1.0000	DESERT SUN FARMS INC
		8	Ir	DPEAS	GRN	Seed	32.00			1.0000	DESERT SUN FARMS INC
		9	Ir	DPEAS	GRN	Seed	19.10			1.0000	DESERT SUN FARMS INC
		10A	Ir	SWCRN	SHY	Seed	2.00			1.0000	DESERT SUN FARMS INC
		10B	Ir	ALFAL		Seed	18.90			1.0000	DESERT SUN FARMS INC
		13A	Ir	SWCRN	SHY	Seed	30.30			1.0000	DESERT SUN FARMS INC
		13B	Ir	ALFAL		Seed	25.00			1.0000	DESERT SUN FARMS INC
		11	Ir	BEANS	BVG	Seed	14.70			1.0000	DESERT SUN FARMS INC
		12A	Ir	SWCRN	SHY	Seed	35.00			1.0000	DESERT SUN FARMS INC
		12B	Ir	ALFAL		Seed	34.50			1.0000	DESERT SUN FARMS INC
		14A	Ir	SWCRN	SHY	Seed	2.00			1.0000	DESERT SUN FARMS INC
		14B	Ir	ALFAL		Seed	19.90			1.0000	DESERT SUN FARMS INC
		15A	Ir	SWCRN	SHY	Seed	7.30			1.0000	DESERT SUN FARMS INC
		16	Ir	ALFAL		Seed	16.70			1.0000	DESERT SUN FARMS INC
		17A	Ir	BEANS	BVG	Seed	15.00			1.0000	DESERT SUN FARMS INC
		17B	Ir	SWCRN	SHY	Seed	15.00			1.0000	DESERT SUN FARMS INC
		18	Ir	ALFAL		Seed	26.00			1.0000	DESERT SUN FARMS INC
		5	Ir	OATS	SPR	Silage	33.60			1.0000	DESERT SUN FARMS INC
7140	3723	1	Ir	BEANS	BVG	Seed	30.50			1.0000	DESERT SUN FARMS INC
		2	Ir	DPEAS	SNS	Fresh	53.60			1.0000	DESERT SUN FARMS INC
		2	Ir	BEANS	LRK	Seed	53.60			1.0000	DESERT SUN FARMS INC

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FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2000

DATE: 03-19-2002

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
7140	3723	3A	Ir	ALFAL		Seed	34.40			1.0000	DESERT SUN FARMS INC
		3B	Ir	SWCRN	SHY	Seed	43.00			1.0000	DESERT SUN FARMS INC
		4	Ir	PEPMT		Oil	49.40			1.0000	DESERT SUN FARMS INC
		5A	Ir	SWCRN	SHY	Seed	7.10			1.0000	DESERT SUN FARMS INC
		5B	Ir	BEANS	BVG	Seed	26.00			1.0000	DESERT SUN FARMS INC
		5C	Ir	SWCRN	SHY	Seed	10.00			1.0000	DESERT SUN FARMS INC
		6	Ir	ALFAL		Seed	11.00			1.0000	DESERT SUN FARMS INC
		7	Ir	ALFAL		Seed	33.10			1.0000	DESERT SUN FARMS INC
		8	Ir	ALFAL		Seed	38.00			1.0000	DESERT SUN FARMS INC
	5940	1A	Ir	SWCRN	SHY	Seed	22.00			1.0000	DESERT SUN FARMS INC
		1B	Ir	BARLY	SPR	Grain	8.00			1.0000	DESERT SUN FARMS INC
		1C	Ir	ALFAL		Seed	24.80			1.0000	DESERT SUN FARMS INC
		2	Ir	BEANS	BVG	Seed	30.00			1.0000	DESERT SUN FARMS INC
		3A	Ir	SWCRN	SHY	Seed	48.80			1.0000	DESERT SUN FARMS INC
		3B	Ir	BEANS	BVG	Seed	16.00			1.0000	DESERT SUN FARMS INC
		4A	Ir	ALFAL		Seed	35.00			1.0000	DESERT SUN FARMS INC
		4B	Ir	SWCRN	SHY	Seed	27.00			1.0000	DESERT SUN FARMS INC
		4C	Ir	BEANS	BVG	Seed	30.50			1.0000	DESERT SUN FARMS INC
		5	Ir	BEANS	BVG	Seed	17.10			1.0000	DESERT SUN FARMS INC
		6A	Ir	BEANS	BVG	Seed	4.00			1.0000	DESERT SUN FARMS INC
		6B	Ir	SWCRN	SHY	Seed	7.00			1.0000	DESERT SUN FARMS INC
		7	Ir	BEANS	BVG	Seed	4.90			1.0000	DESERT SUN FARMS INC
		8	Ir	DPEAS	SNS	Fresh	37.60			1.0000	DESERT SUN FARMS INC
		9A	Ir	BARLY	SPR	Grain	5.00			1.0000	DESERT SUN FARMS INC
		9B	Ir	ALFAL		Seed	31.10			1.0000	DESERT SUN FARMS INC
		10A	Ir	ALFAL		Seed	10.50			1.0000	DESERT SUN FARMS INC
		10B	Ir	BEANS	BVG	Seed	14.00			1.0000	DESERT SUN FARMS INC
		10C	Ir	ALFAL		Seed	11.50			1.0000	DESERT SUN FARMS INC
		10D	Ir	BARLY	SPR	Grain	13.00			1.0000	DESERT SUN FARMS INC
		10E	Ir	ALFAL		Seed	22.50			1.0000	DESERT SUN FARMS INC
		11A	Ir	SWCRN	SHY	Seed	23.70			1.0000	DESERT SUN FARMS INC
		11B	Ir	BARLY	SPR	Grain	12.00			1.0000	DESERT SUN FARMS INC

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FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2000

DATE: 03-19-2002

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
7140	5940	11C	Ir	DPEAS	SNS	Fresh	41.00			1.0000	DESERT SUN FARMS INC
		12	Ir	WHEAT	SWW	Grain	4.40			1.0000	DESERT SUN FARMS INC
		13A	Ir	SWCRN	SHY	Seed	6.00			1.0000	DESERT SUN FARMS INC
		13B	Ir	ALFAL		Seed	27.20			1.0000	DESERT SUN FARMS INC
		14	Ir	BEANS	BVG	Seed	25.40			1.0000	DESERT SUN FARMS INC
		16	Ir	SWCRN	SHY	Seed	6.50			1.0000	DESERT SUN FARMS INC
		17	Ir	ALFAL		Seed	12.10			1.0000	DESERT SUN FARMS INC
		18A	Ir	BEANS	BVG	Seed	13.50			1.0000	DESERT SUN FARMS INC
		18B	Ir	SWCRN	SHY	Seed	14.80			1.0000	DESERT SUN FARMS INC
		18C	Ir	BEANS	BVG	Seed	6.00			1.0000	DESERT SUN FARMS INC
		19A	Ir	ALFAL		Seed	9.50			1.0000	DESERT SUN FARMS INC
		19B	Ir	BEANS	BVG	Seed	21.00			1.0000	DESERT SUN FARMS INC
		20A	Ir	ALFAL		Seed	7.50			1.0000	DESERT SUN FARMS INC
		20B	Ir	WHEAT	SWW	Grain	11.80			1.0000	DESERT SUN FARMS INC
		21	Ir	WHEAT	SWW	Grain	5.00			1.0000	DESERT SUN FARMS INC
		22	Ir	WHEAT	SWW	Grain	5.40			1.0000	DESERT SUN FARMS INC
		23	Ir	WHEAT	SWW	Grain	77.70			1.0000	DESERT SUN FARMS INC
		24	Ir	ALFAL		Seed	4.30			1.0000	DESERT SUN FARMS INC
	6014	7	Ir	WHEAT	SWW	Grain	14.80			1.0000	DESERT SUN FARMS INC
		9B	Ir	PEPMT		Oil	18.70			1.0000	DESERT SUN FARMS INC
		8A	Ir	DPEAS	GRE	Seed	65.00			1.0000	DESERT SUN FARMS INC
		8B	Ir	PEPMT		Oil	10.00			1.0000	DESERT SUN FARMS INC
		8C	Ir	SPRMT	SCT		5.00			1.0000	DESERT SUN FARMS INC
		8D	Ir	ALFAL		Seed	20.00			1.0000	DESERT SUN FARMS INC
		8E	Ir	ALFAL		Seed	17.00			1.0000	DESERT SUN FARMS INC
		14	Ir	ALFAL		Seed	40.90			1.0000	DESERT SUN FARMS INC
		15	Ir	SWCRN	SHY	Seed	47.70			1.0000	DESERT SUN FARMS INC
		16A	Ir	DPEAS	GRE	Seed	36.50			1.0000	DESERT SUN FARMS INC
		16B	Ir	SWCRN	SHY	Seed	17.00			1.0000	DESERT SUN FARMS INC
		17	Ir	BEANS	BVG	Seed	34.00			1.0000	DESERT SUN FARMS INC
		18A	Ir	WHEAT	SWW	Grchop	17.00			1.0000	DESERT SUN FARMS INC
		18B	Ir	WHEAT	SWW	Grain	10.00			1.0000	DESERT SUN FARMS INC

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FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2000

DATE: 03-19-2002

Farm Number	Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Reported Acreage	Determined Acreage	Planting Date	Prod Share	Prod Name
7140	6014	18C	Ir	BARLY	SPR	Grain	19.20			1.0000	DESERT SUN FARMS INC
		19	Ir	SWCRN	SHY	Seed	40.70			1.0000	DESERT SUN FARMS INC
		20	Ir	ALFAL		Seed	49.00			1.0000	DESERT SUN FARMS INC
		21B	Ir	SWCRN	SHY	Seed	49.00			1.0000	DESERT SUN FARMS INC
		22B	Ir	ALFAL		Seed	21.40			1.0000	DESERT SUN FARMS INC
		26	Ir	PEPMT		Oil	28.50			1.0000	DESERT SUN FARMS INC
		27	Ir	ALFAL		Seed	20.40			1.0000	DESERT SUN FARMS INC
		28	Ir	DPEAS	GRE	Seed	43.30			1.0000	DESERT SUN FARMS INC
		29A	Ir	SWCRN	SHY	Seed	11.10			1.0000	DESERT SUN FARMS INC
		30A	Ir	DPEAS	GRE	Seed	14.10			1.0000	DESERT SUN FARMS INC
		30B	Ir	SWCRN	SHY	Seed	10.00			1.0000	DESERT SUN FARMS INC
		31A	Ir	BEANS	BVG	Seed	26.10			1.0000	DESERT SUN FARMS INC
		31B	Ir	ALFAL		Seed	10.00			1.0000	DESERT SUN FARMS INC
		18B	Ir	OATS	SPR	Silage	10.00			1.0000	DESERT SUN FARMS INC
		18C	Ir	OATS	SPR	Silage	19.20			1.0000	DESERT SUN FARMS INC
	6015	1A	Ir	CLOVR	RED	Seed	1.00			1.0000	DESERT SUN FARMS INC
		1B	Ir	SWCRN	SHY	Seed	4.00			1.0000	DESERT SUN FARMS INC
		1C	Ir	WHEAT	SWW	Grchop	2.00			1.0000	DESERT SUN FARMS INC

PRODUCER'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Producer's Signature

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

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ATTACH 4

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2001

DATE: 03-19-2002

Producer Name and Address ID
 DESERT SUN FARMS INC 4565
 13541 SURREY LN
 NAMPA, ID 83686-9129

NOTE: The following statements are made in accordance with the Privacy Act of 1974(5 USC 552a). The Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, authorized the collection of the following data. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Acts.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Agriculture, Clearance Officer, Ag Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0560-0004), Washington, D.C. 20503. RETURN THIS COMPLETED FORM TO YOUR FSA COUNTY OFFICE.

2703	3404	1	Ir OATS	SPR	Forage I	10.90	1.0000	DESERT SUN FARMS INC
		2	Ir OATS	SPR	Forage I	23.90	1.0000	DESERT SUN FARMS INC
		3	Ir WHEAT	SWW	Grain I	39.40	1.0000	DESERT SUN FARMS INC
		4	Ir WHEAT	SWW	Grain I	13.50	1.0000	DESERT SUN FARMS INC
		5	Ir OATS	SPR	Forage I	33.60	1.0000	DESERT SUN FARMS INC
		6	Ir HERBS	PEP	Proces I	15.90	1.0000	DESERT SUN FARMS INC
		7	Ir OATS	SPR	Forage I	11.20	1.0000	DESERT SUN FARMS INC
		8	Ir CORN	SWT	Seed I	32.00	1.0000	DESERT SUN FARMS INC
		9	Ir ALFAL		Seed I	19.10	1.0000	DESERT SUN FARMS INC
		10	Ir CORN	SWT	Seed I	20.90	1.0000	DESERT SUN FARMS INC
		11	Ir ALFAL		Seed I	14.70	1.0000	DESERT SUN FARMS INC
		12A	Ir CORN	SWT	Seed I	23.00	1.0000	DESERT SUN FARMS INC
		12B	Ir BEANS	GRN	Seed I	13.00	1.0000	DESERT SUN FARMS INC
		12C	Ir ALFAL		Seed I	33.50	1.0000	DESERT SUN FARMS INC
		13A	Ir ALFAL		Seed I	23.30	1.0000	DESERT SUN FARMS INC
		13B	Ir BEANS	GRN	Seed I	32.00	1.0000	DESERT SUN FARMS INC
		14	Ir CORN	SWT	Seed I	21.90	1.0000	DESERT SUN FARMS INC
		15	Ir PEAS	GRN	Forage I	20.30	1.0000	DESERT SUN FARMS INC
		16	Ir CORN	SWT	Seed I	16.70	1.0000	DESERT SUN FARMS INC
		17A	Ir CORN	SWT	Seed I	20.00	1.0000	DESERT SUN FARMS INC
		17B	Ir BEANS	GRN	Seed I	10.00	1.0000	DESERT SUN FARMS INC
		18	Ir CORN	SWT	Seed I	26.00	1.0000	DESERT SUN FARMS INC
		Cropland:		474.8	Farmland:	505.0		

7132	6012	12A	Ir ONION	HYB	Seed I	10.00	1.0000	DESERT SUN FARMS INC
		12B	Ir CORN	SWT	Seed I	2.00	1.0000	DESERT SUN FARMS INC

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FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2001

DATE: 03-19-2002

7140	3723	1	Ir ALFAL	Seed	I	30.50	1.0000	DESERT SUN FARMS INC
		2	Ir CORN	SWT	Seed	I	53.60	1.0000 DESERT SUN FARMS INC
		3	Ir BEANS	GRN	Seed	I	43.00	1.0000 DESERT SUN FARMS INC
		3A	Ir ALFAL		Seed	I	34.40	1.0000 DESERT SUN FARMS INC
		4	Ir HERBS	PEP	Proces	I	49.40	1.0000 DESERT SUN FARMS INC
		5	Ir PEAS	SUG	Fresh	I	43.10	1.0000 DESERT SUN FARMS INC
		6	Ir BEANS	GRN	Seed	I	11.00	1.0000 DESERT SUN FARMS INC
		7	Ir ALFAL		Seed	I	33.10	1.0000 DESERT SUN FARMS INC
		8	Ir CORN	SWT	Seed	I	38.00	1.0000 DESERT SUN FARMS INC
		9	Ir ALFAL		Seed	I	35.90	1.0000 DESERT SUN FARMS INC
5940		1	Ir BEANS	GRN	Seed	I	22.00	1.0000 DESERT SUN FARMS INC
		1A	Ir CORN	SWT	Seed	I	8.00	1.0000 DESERT SUN FARMS INC
		1B	Ir ALFAL		Seed	I	24.80	1.0000 DESERT SUN FARMS INC
		2	Ir PEAS	GRN	Forage	I	30.00	1.0000 DESERT SUN FARMS INC
		3	Ir BEANS	GRN	Seed	I	36.00	1.0000 DESERT SUN FARMS INC
		3A	Ir CORN	SWT	Seed	I	28.80	1.0000 DESERT SUN FARMS INC
		4	Ir BEANS	GRN	Seed	I	28.00	1.0000 DESERT SUN FARMS INC
		4A	Ir CORN	SWT	Seed	I	31.00	1.0000 DESERT SUN FARMS INC
		5	Ir CORN	SWT	Seed	I	17.10	1.0000 DESERT SUN FARMS INC
		6	Ir PEAS	SUG	Fresh	I	11.00	1.0000 DESERT SUN FARMS INC
		7	Ir PEAS	SUG	Fresh	I	4.90	1.0000 DESERT SUN FARMS INC
		8	Ir ALFAL		Seed	I	37.60	1.0000 DESERT SUN FARMS INC
		9	Ir BEANS	SMW	DryEd	I	36.10	1.0000 DESERT SUN FARMS INC
		10	Ir PEAS	GRN	Forage	I	25.00	1.0000 DESERT SUN FARMS INC
		10A	Ir BEANS	GRN	Seed	I	25.00	1.0000 DESERT SUN FARMS INC
		10B	Ir ALFAL		Seed	I	21.50	1.0000 DESERT SUN FARMS INC
		11	Ir PEAS	GRN	Forage	I	23.70	1.0000 DESERT SUN FARMS INC
		11A	Ir ALFAL		Seed	I	53.00	1.0000 DESERT SUN FARMS INC
		12	Ir PEAS	SUG	Fresh	I	4.40	1.0000 DESERT SUN FARMS INC
		13	Ir PEAS	SUG	Fresh	I	6.00	1.0000 DESERT SUN FARMS INC
		13A	Ir ALFAL		Seed	I	27.20	1.0000 DESERT SUN FARMS INC
		14	Ir BEANS	SMW	DryEd	I	5.00	1.0000 DESERT SUN FARMS INC
		14A	Ir CORN	SWT	Seed	I	20.40	1.0000 DESERT SUN FARMS INC
		15	Ir ALFAL		Seed	I	3.30	1.0000 DESERT SUN FARMS INC

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ATTACH. J-2

FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2001

DATE: 03-19-2002

7140	5940	16	Ir BEANS	GRN	Seed	I	6.50	1.0000	DESERT SUN FARMS INC
		17	Ir BEANS	GRN	Seed	I	12.00	1.0000	DESERT SUN FARMS INC
		18	Ir PEAS	GRN	Forage	I	6.00	1.0000	DESERT SUN FARMS INC
		18A	Ir BEANS	GRN	Seed	I	14.00	1.0000	DESERT SUN FARMS INC
		18B	Ir CORN	SWT	Seed	I	13.30	1.0000	DESERT SUN FARMS INC
		19	Ir PEAS	GRN	Forage	I	30.50	1.0000	DESERT SUN FARMS INC
		20	Ir CORN	SWT	Seed	I	19.30	1.0000	DESERT SUN FARMS INC
		21	Ir ALFAL		Seed	I	5.00	1.0000	DESERT SUN FARMS INC
		22	Ir OATS	SPR	Forage	I	5.40	1.0000	DESERT SUN FARMS INC
		23	Ir OATS	SPR	Forage	I	77.70	1.0000	DESERT SUN FARMS INC
		24	Ir OATS	SPR	Forage	I	4.30	1.0000	DESERT SUN FARMS INC
		4B	Ir ALFAL		Seed	I	33.50	1.0000	DESERT SUN FARMS INC
6014		7	Ir ALFAL		Seed	I	14.80	1.0000	DESERT SUN FARMS INC
		8A	Ir ALFAL		Seed	I	17.00	1.0000	DESERT SUN FARMS INC
		8B	Ir ALFAL		Seed	I	85.00	1.0000	DESERT SUN FARMS INC
		8C	Ir HERBS	SCO	Proces	I	5.00	1.0000	DESERT SUN FARMS INC
		8D	Ir HERBS	PEP	Proces	I	10.00	1.0000	DESERT SUN FARMS INC
		9	Ir CARRT	HYB	Seed	I	20.00	1.0000	DESERT SUN FARMS INC
		9A	Ir HERBS	PEP	Proces	I	18.70	1.0000	DESERT SUN FARMS INC
		14	Ir CORN	SWT	Seed	I	40.90	1.0000	DESERT SUN FARMS INC
		15	Ir PEAS	GRN	Forage	I	47.70	1.0000	DESERT SUN FARMS INC
		16	Ir BEANS	GRN	Seed	I	25.00	1.0000	DESERT SUN FARMS INC
		16A	Ir CORN	SWT	Seed	I	10.00	1.0000	DESERT SUN FARMS INC
		16B	Ir BEANS	GRN	Seed	I	18.50	1.0000	DESERT SUN FARMS INC
		17	Ir ALFAL		Seed	I	34.00	1.0000	DESERT SUN FARMS INC
		18	Ir PEAS	GRN	Forage	I	46.20	1.0000	DESERT SUN FARMS INC
		19	Ir BEANS	GRN	Seed	I	38.70	1.0000	DESERT SUN FARMS INC
		19A	Ir HERBS	PEP	Proces	I	2.00	1.0000	DESERT SUN FARMS INC
		20	Ir ALFAL		Seed	I	49.00	1.0000	DESERT SUN FARMS INC
		21	Ir PEAS	SUG	Fresh	I	70.00	1.0000	DESERT SUN FARMS INC
		21	Ir BEANS	GRN	Seed	D	70.00	1.0000	DESERT SUN FARMS INC
		22	Ir PEAS	GRN	Forage	I	26.00	1.0000	DESERT SUN FARMS INC
		22A	Ir ALFAL		Seed	I	3.50	1.0000	DESERT SUN FARMS INC
		26	Ir HERBS	PEP	Proces	I	28.50	1.0000	DESERT SUN FARMS INC

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A Track

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FSA-578 (Producer Print)

REPORT OF ACREAGE

PROGRAM YEAR 2001

DATE: 03-19-2002

7140	6014	27	Ir BEANS	GRN	Seed	I	20.40	1.0000	DESERT SUN FARMS INC
		28	Ir CORN	SWT	Seed	I	43.30	1.0000	DESERT SUN FARMS INC
		29	Ir PEAS	GRN	Forage	I	28.20	1.0000	DESERT SUN FARMS INC
		29A	Ir ONION	BEL	Seed	I	11.00	1.0000	DESERT SUN FARMS INC
		30	Ir CORN	SWT	Seed	I	12.00	1.0000	DESERT SUN FARMS INC
		30A	Ir BEANS	GRN	Seed	I	12.10	1.0000	DESERT SUN FARMS INC
		31	Ir PEAS	GRN	Forage	I	36.10	1.0000	DESERT SUN FARMS INC
		22B	Ir CORN	SWT	Seed	I	17.90	1.0000	DESERT SUN FARMS INC
	6015	1	Ir FALLOW			I	4.40	1.0000	DESERT SUN FARMS INC
		1B	Ir CORN	SWT	Seed	I	2.00	1.0000	DESERT SUN FARMS INC
		Cropland:		1932.3	Farmland:		2137.0		

Crop Type	Prac	IU	Reported	Determined	Crop Type	Prac	IU	Reported	Determined	Crop Type	Prac	IU	Reported	Determined
ALFAL	I	SD	633.7		BEANS GRN	I	SD	437.2		CORN	SWT	I	SD	518.1
HERBS PEP	I	PR	124.5		OATS SPR	I	FG	167.0		PEAS	GRN	I	FG	319.7
WHEAT SWW	I	GR	52.9		BEANS SMW	I	DE	41.1		CARRT HYB	I	SD		20.0
FALLOW	I		4.4		HERBS SCO	I	PR	5.0		ONION BEL	I	SD		11.0
PEAS	SUG	I	139.4		ONION HYB	I	SD	10.0						

PRODUCER'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Producer's Signature

Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

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JAN 16 2003

ATTACH J-4

RECEIVED
JUL 31 2002
WATER RESOURCES
WESTERN REGION

Application for Transfer
Charles D. Pintler

Water Right No. 63-2919; 63-2795; 02-2208

Water Supply Worksheet

Field headgate requirement
4.5 ac ft/acre

Total farm size
400 acres

Total acres covered by surface water only (02-2208)
160 acres (SE/4 Sec 35 T 2N R3W)

Total acres covered by surface and ground water (all rights)
240 acres (N/2 SE/4 Sec 34; SW/4 Sec 35 T 2N R3W)

Surface water deliveries (Hat Butte Mutual Canal Co.) for 1997 – 2002
High – 2001 = 626 ac ft
Low – 1998 = 503 ac ft
Average = 548 ac ft

Surface water delivery requirement (SE/4 Sec 35)
160 acres x 4.5 ac ft = 720 ac ft

Average surface water delivery by Hat Butte Mutual Canal Company
548 ac ft - 720 ac ft requirement = <172 ac ft>

Farm acreage irrigated solely by ground water
240 acres

Field headgate requirement – ground water
4.5 ac ft x 240 acres = 1,080 ac ft (2.72 cfs/200 days)

Existing ground water right available for transfer
2.77 cfs (.012 cfs/acre) or 1080 ac ft.

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JAN 16 2003

ATTach K - 1

DESERT SUN FARMS, INC.

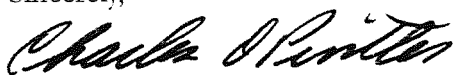
June 26, 2002

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Dear Department of Water Resources:

This letter is written in confirmation that ground water is the primary water source used in the area described in the application. Surface water from the river is a secondary water source. This has been our practice of water use since 1963 on this area.

Sincerely,



Charlie Pintler

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ATTACH K-4

FROM :

FAX NO. : 2084666222

Jul. 18 2002 04:05PM P2

HAT BUTTE MUTUAL CANAL CO.
COST ANALYSIS FOR 2001
INCLUDING LAST 5 YEARS

	2001 ACRE FT WATER	2000 ACRE FT WATER	1999 ACRE FT WATER	1998 ACRE FT WATER	1997 ACRE FT WATER
MONTIERTH	1025.976	1439.734	1621.663	1258.37	1426.48
CHRISTENSEN	364.106	380.368	337.998	217.87	318.21
ETF, INC.	792.59	686.475	597.053	497.93	600.26
ALSIP	1515.59	1658.15	1541.05	1203.05	1394
C. DEGROOT	350.833	428.699	380.711	440.745	454.53
E. DEGROOT	579.873	308.181	415.4	369.332	360.81
SUB TOTAL MAIN	4628.968	4901.607	4893.875	3987.297	4554.29
BRANDT	661.727	644.29	617.507	540.05	546.97
BMK, INC.	67.28	461.54	349.3	330.01	1733.34
SIEBELINK	1236.22	1684.55	1789.23	1284.86	
ROSTI	1140.409	1374.58	1293.612	880.33	1129.53
STAM	800.853	883.463	1158.874	786.62	864.22
DESERT SUN	626.486	545.627	521.188	502.52	545.26
GOULET		810.126	1627.664	1154.97	1158.43
MONTIERTH-SKY RANCH	1694.359	467.511			
HARVEST FARM	1161.431	1270.709	1367.44	1210.5	1287.68
SUB TOTAL RELIFT	7388.765	8142.396	8724.815	6689.86	7265.43
TOTALS	12017.733	13044.00	13618.69	10677.157	11819.72

= 548.21
A, Feet U

AVG COST/ACRE FT - MAIN	33.77	27.65	25.30	27.85	25.88
AVG COST/ACRE FT - RELIFT	41.29	34.12	31.25	34.48	31.95
SHARES - MAIN	1765	1765	1765	1765	1765
SHARES - RELIFT	2780	2780	2780	2780	2780
POWER COSTS/SHARE - MAIN	88.57	76.79	70.15	62.92	66.78
POWER COSTS/SHARE - RELIFT	109.74	99.93	98.08	82.97	87.64
TOTAL POWER COSTS	461342.14	413412.66	396576.4	341393.18	350067.11
AVG POWER COST/SHARE	101.50542	90.96	87.26	75.11	77.02
TOTAL O&M COSTS	100170.7	114784.03	81464.42	128284.79	145592.00
AVG O&M COST/SHARE	22.04	25.26	17.92	28.25	32.03

SCANNED

JAN 16 2003

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MAR 22 2004

ATTACH

HAT BUTTE MUTUAL CANAL CO., INC.
ANALYSIS OF WATER USED, POWER COSTS AND OTHER COSTS
FOR THE 1967, 1966 and 1965 SEASONS

	<u>1967</u>		<u>1966</u>		<u>1965</u>	
	<u>Acre Feet</u> <u>of Water</u>	<u>Net Power</u> <u>Cost*</u>	<u>Acre Feet</u> <u>of Water</u>	<u>Net Power</u> <u>Cost*</u>	<u>Acre Feet</u> <u>of Water</u>	<u>Net Power</u> <u>Cost*</u>
<u>BELOW RELIFT</u>						
✓ Dry Lake Farms, Inc.	1,840.372	\$11,420.03	2,050.177	\$11,106.31	1,631.779	\$10,086.08
✓ Elmer Tiegs	640.078	3,774.54	759.642	4,296.78	621.304	4,144.73
✓ John Alsip III	1,133.221	6,775.05	1,280.111	7,167.37	1,122.447	7,424.51
✓ K. Tiegs & Sons, Inc.	183.821	1,088.82	120.548	615.24	147.684	910.03
✓ D. Tiegs & Sons	321.697	1,988.65	212.271	1,190.65	334.150	2,208.28
Totals	<u>4,119.189</u>	<u>\$24,747.09</u>	<u>4,422.749</u>	<u>\$24,376.35</u>	<u>3,857.364</u>	<u>\$24,773.63</u>

Average cost per acre foot

below relift	<u>\$6.01</u>	<u>\$5.51</u>	<u>\$6.42</u>
Total Shares Below Relift	1,865	1,905	1,965
Power Cost Per Share	<u>\$13.27</u>	<u>\$12.80</u>	<u>\$12.61</u>

ABOVE RELIFT

✓ John Brandt	665.360	\$ 5,096.32	715.708	\$ 4,979.06	414.758	\$ 3,293.45
✓ Elmer Tiegs	1,533.712	11,593.67	1,725.149	12,007.56	925.084	7,496.21
✓ Dry Lake Farms, Inc.	1,605.676	12,628.02	2,562.355	17,866.02	---	---
✓ C. Elwood White	362.239	2,773.21	516.971	3,702.08	267.716	2,152.28
✓ Sky Ranch--Skogsberg	1,287.601	10,114.60	1,614.700	11,413.25	1,126.037	8,948.67
✓ Geo. Pintler & Son	528.833	4,087.87	663.118	4,569.47	446.607	3,582.09
✓ Glenn & David Allen	951.992	7,255.13	1,587.268	11,272.90	509.863	4,089.20
Totals	<u>6,935.413</u>	<u>\$53,548.82</u>	<u>9,385.269</u>	<u>\$65,810.43</u>	<u>3,690.065</u>	<u>\$29,561.90</u>

Average cost per acre foot

above relift	<u>\$7.72</u>	<u>\$7.01</u>	<u>\$8.01</u>
Total Shares Above Relift	2,610	2,650	2,130
Power Cost Per Share	<u>\$20.52</u>	<u>\$24.83</u>	<u>\$13.88</u>

COMPARISON OF POWER COSTS PER SHARE

Total shares	4,475	4,555	4,095
Total power assessments*	\$78,295.91	\$90,186.78	\$54,335.53
Average power cost per share	\$17.50	\$19.80	\$13.27

COMPARISONS OF OTHER COSTS PER SHARE

Total shares	4,475	4,555	4,095
Total other costs	\$33,699.54	\$17,630.93	\$9,277.03
Average other costs per share	\$7.53	\$3.87	\$2.27

*Total power assessments less power refund

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MAR 22 2004

546.186 Total
 A. Feet Used.

(Prepared without audit)

SCANNED ATTACH.

Should questions arise during the processing of this application please contact:
Sheri L. Chapman - ERO Resources Corp. (208) 373-7983

*Superceded
By 2nd
Amendment.*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT - AMENDED
PART 1

Name of applicant Charles D. Pintler

Phone 208-466-6951

Post Office address 13541 Surrey Lane, Nampa, Idaho 83686

A. Purpose of Transfer

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant wishes to construct a dairy on irrigated land in Canyon County.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|-------------------|-----------------------|-------------------|---------------------|
| <u>63-2795</u> | <u>1-14-1950</u> | <u>0.75 / 122</u> | <u>Commercial</u> | <u>1-1 to 12-31</u> |
| <u>63-2795</u> | <u>1-14-1950</u> | <u>0.75 / 203</u> | <u>Stockwater</u> | <u>1-1 to 12-31</u> |
| <u>63-2919</u> | <u>12-27-1952</u> | <u>0.76 / 122</u> | <u>Commercial</u> | <u>1-1 to 12-31</u> |
| <u>63-2919</u> | <u>12-27-1952</u> | <u>0.76 / 203</u> | <u>Stockwater</u> | <u>1-1 to 12-31</u> |
2. Total amount of water being transferred 1.51 cubic feet per second and/or 325 acre-feet per annum.
3. Source of water Groundwater tributary to N/A
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	35	2N	3W	Canyon	
		NW	SW	35	2N	3W	Canyon	
		NW	SE	35	2N	3W	Canyon	New well

5. Lands irrigated or place of use:

Twp.	Rge	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	35									S / C	S / C	S / C	S / C		S / C	S / C		

Total acres 0

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MAR 22 2004

PART 1

6. General Information:

- a. Description of diversion system Drilled wells, distribution piping; pumps, pipes and storage tanks for the commercial and stockwater uses.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: The land beneath the dairy footprint will no longer be irrigated.
- d. Remarks: See Attachment A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
 And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20 _____.

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MAR 22 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-2795 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A4. Date of priority 1-14-1950

5. Water is used for the following purpose:

Amount 1.37 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

6. Total amount of water under right 1.37 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	35	2N	3W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
		35									40	40	40	40					160

Total acres 2409. Describe any other water rights used for the same purpose as described above 63-2019, 02-2208

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MAR 22 2004

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount
- 0.75 / 122 af
- for
- Commercial
- purposes from
- 1-1 to 12-31

(cfs/ac-ft)

Amount 0.75 / 203 af for Stockwater purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	35	2N	3W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	35									40	26	25	40					131

Total acres 131**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. Amount
- 0.62 cfs
- for
- Irrigation
- purposes from
- 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	35	2N	3W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
2N	3W	35																	29

Total acres 109MICROFILMED
MAR 22 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-2919 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to N/A4. Date of priority 12-27-1952

5. Water is used for the following purpose:

Amount 1.40 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

6. Total amount of water under right 1.40 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	35	2N	3W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
		35									40	40	40	40					160

Total acres 2409. Describe any other water rights used for the same purpose as described above 63-2795, 02-2208

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MAR 22 2001

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*1. Amount 0.76 / 122 af for Commercial purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount 0.76 / 203 af for Stockwater purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	35	2N	3W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	35									40	26	25	40					131

Total acres 131**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*1. Amount 0.64 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	35	2N	3W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
2N	3W	35										14	15						29

MICROFILMED

MAR 22 2004

Total acres 109

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-2208 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Snake River tributary to Columbia River4. Date of priority 2-20-1963

5. Water is used for the following purpose:

Amount 5.0 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

6. Total amount of water under right 5.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	36	1N	3W	Canyon	River pump

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
		35									38	40	40	40	40	40	40	40	318

Total acres 3989. Describe any other water rights used for the same purpose as described above 63-2795, 63-2919

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MAR 22 2004

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	36	1N	3W	Canyon	River pump

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	35									38	26	25	40					129

Total acres 129**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. Amount 5.0 for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	36	1N	3W	Canyon	River pump

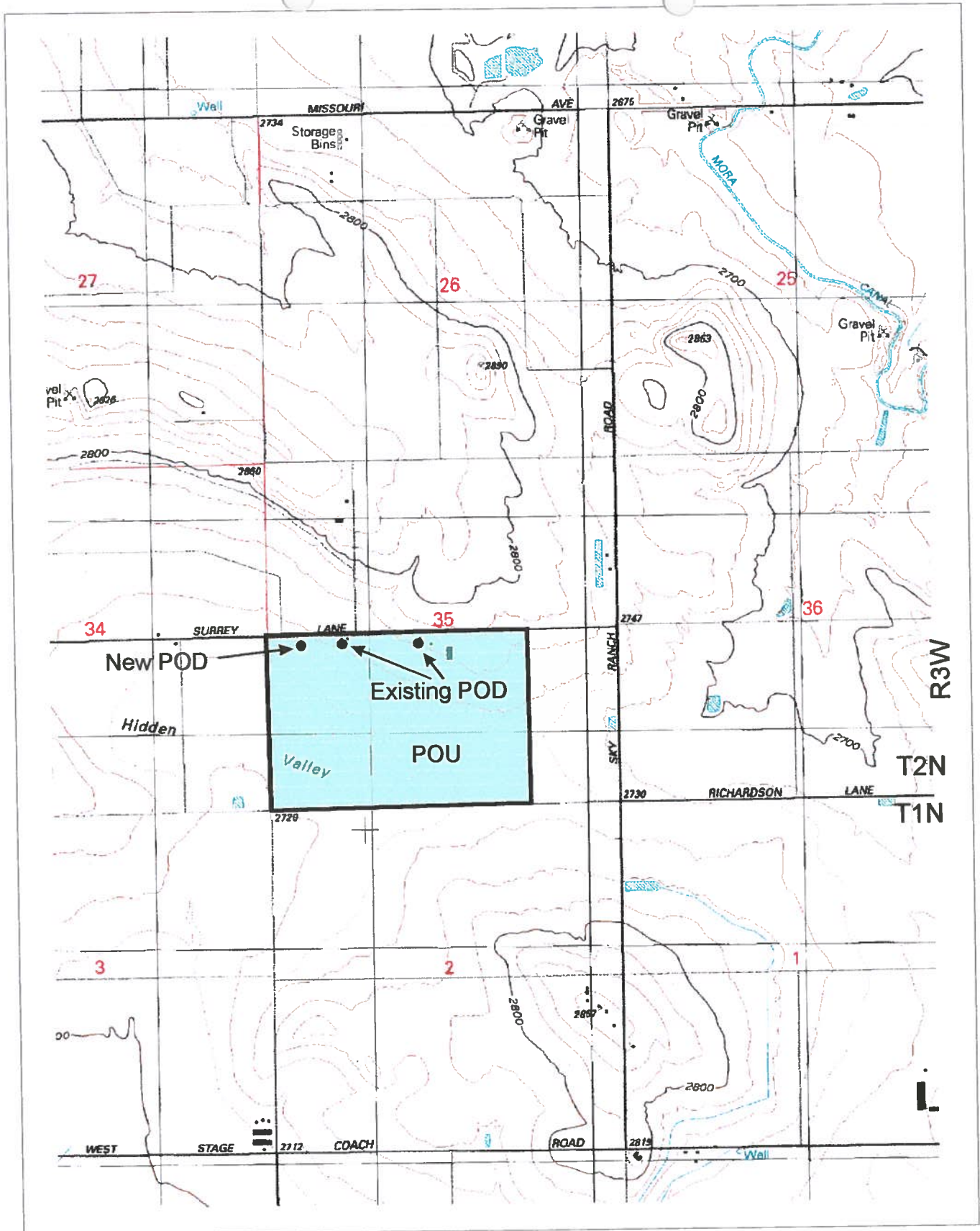
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
2N	3W	35										14	15		40	40	40	40	189

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MAR 22 2004

Total acres 269



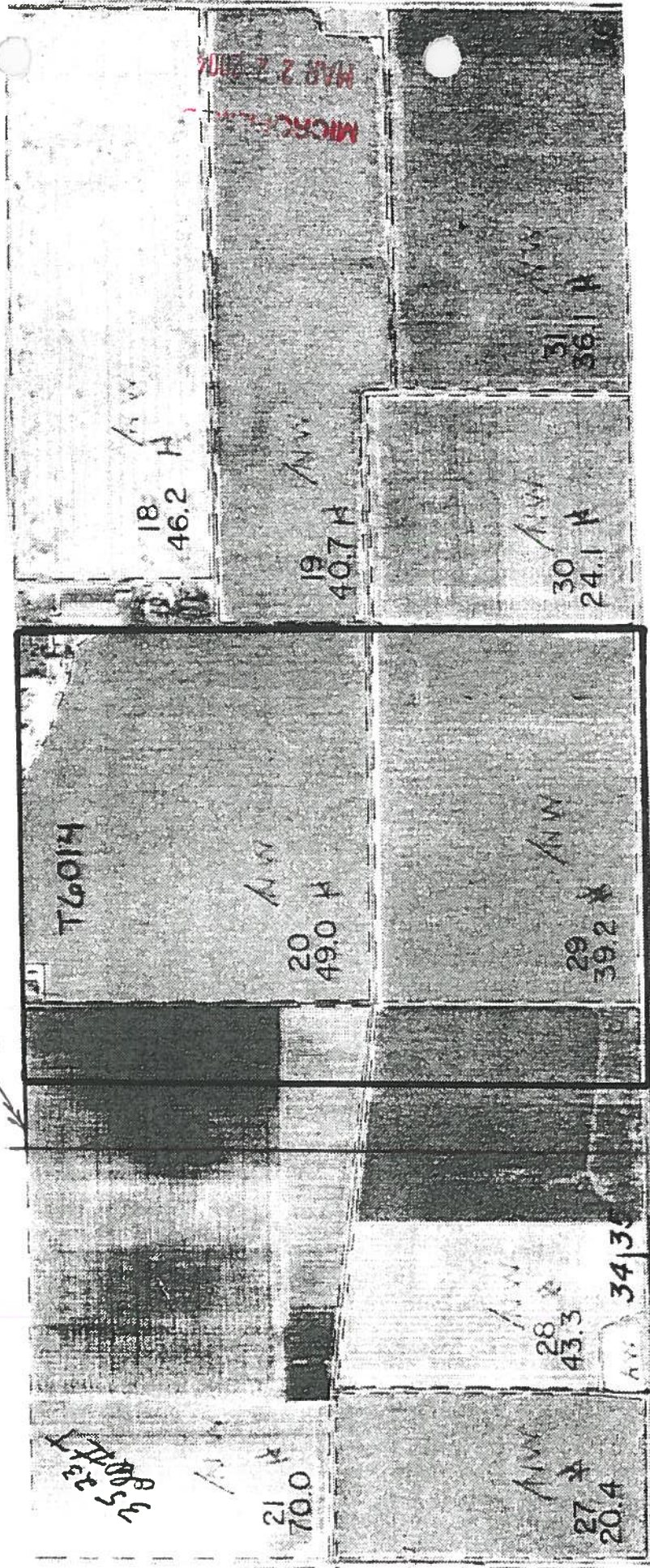
Attachment B
POU and POD Map for the
Charles D. Pittler Transfer Application

MAR 22 2004

RECEIVED
APR 29 2002
WATER RESOURCES
WESTERN REGION

Attachment C

additional
25 acres



PART 3

B. CHANGES IN NATURE OF USE

- | 1. | New Nature of Use | Amount
(cfs/ac-ft) | Hours/days/year | Period of Use |
|----|-------------------|-----------------------|-----------------|---------------------|
| | <u>Commercial</u> | <u>1.51 / 122</u> | <u>365 days</u> | <u>1-1 to 12-31</u> |
| | <u>Stockwater</u> | <u>1.51 / 203</u> | <u>365 days</u> | <u>1-1 to 12-31</u> |
2. Quantity and quality of return flows and location of discharge: No wastewater will leave the property or join with a surface stream or the groundwater supply.
3. Describe effects on other water uses resulting from the proposed change: The land presently being irrigated beneath and adjacent to the dairy will be dried up.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Charles J. Smith

(Signature of Applicant)

Subscribed and sworn before me this 30th day of September, 20 02.

Sherry Caldwell

(Notary Public)

My commission expires 11-13-02

FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and 14 attachments

Received by DAN Date 10-7-02 Protest filed by _____

Prelim. check by DAN Fee \$290.00 W029090

Receipted by JANIS FONTAINE Date 4-29-02

Published in PRESS TRIBUNE Copies of protest forwarded by _____

Pub. Dates 10-16 + 23-02 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED

MAR 22 2004

Charles D. Pintler
Attachment A
Part 1, 6.d. - Remarks

The irrigated land proposed to be retired to allow development of a dairy has been irrigated since 1950. Wells were constructed in 1950 and 1952 (63-2795 and 63-2919) and provided irrigation for crops on 240 acres. These wells provide a full supply of water for irrigation of the crops on this portion of the farm. These wells, under the above-described water rights, are the primary water rights for the farm ground described as their place of use. In 1963 water was brought for this and adjacent farms by the Hat Butte Mutual Canal Company. The water described under water right 02-2208 is supplemental to the 240 acres described under 63-2795 and 63-2919 and is the primary supply for an additional 158 acres on the farm.

The applicant proposes to dry up all the water rights on 131 acres of ground to provide water for the dairy. All of the 131 acres have been intensively cultivated since 1950 and in many cases certain fields were double cropped when conditions allowed. Since the groundwater is the primary right for the 131 acres, there is adequate water available for conversion to the new use.

Water right 02-2208 will have the number of irrigated acres reduced by 129 from 393 to 269 acres (2 of the 131 acres being dried up for the dairy were not included in the POU for 02-2208). The diversion rate remains at 5.0 cfs because the remaining acres (269) are allowed up to a miner's inch of water (a full miner's inch would require a diversion rate of 5.38 cfs).

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MAR 22 2004

ATTACH A

Should questions arise during the processing of this application please contact:
Sheri L. Chapman - ERO Resources Corp. (208) 373-7983

RECEIVED

AUG 28 2002

WATER RESOURCES
WESTERN REGION

Name of applicant Charles D. Pintler

Post Office address 13541 Surrey Lane, Nampa, Idaho 83686

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

ORIGINAL

Replaced

By
Amendment
DAN

Phone 208-466-6951

10-7-02

A. Purpose of Transfer

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant wishes to construct a dairy on irrigated land in Canyon County.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-2795</u>	<u>1-14-1950</u>	<u>0.75 / 122</u>	<u>Commercial</u>	<u>1-1 to 12-31</u>
<u>63-2795</u>	<u>1-14-1950</u>	<u>0.75 / 203</u>	<u>Stockwater</u>	<u>1-1 to 12-31</u>
<u>63-2919</u>	<u>12-27-1952</u>	<u>0.76 / 122</u>	<u>Commercial</u>	<u>1-1 to 12-31</u>
<u>63-2919</u>	<u>12-27-1952</u>	<u>0.76 / 203</u>	<u>Stockwater</u>	<u>1-1 to 12-31</u>

2. Total amount of water being transferred 3.1 cubic feet per second and/or 325 acre-feet per annum.
3. Source of water Groundwater tributary to N/A
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	35	2N	3W	Canyon	
		NW	SW	35	2N	3W	Canyon	
		NW	SE	35	2N	3W	Canyon	New well

5. Lands irrigated or place of use:

Twp.	Rge	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	35									S / C	S / C	S / C	S / C		S / C	S / C		

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MAR 22 2004

Total acres 0

PART 1 - Continued

Name of applicant Charles D. Pintler

Phone 208-466-6951

Post Office address 13541 Surrey Lane, Nampa, Idaho 83686

A. Purpose of Transfer

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes
- _____
- _____
- _____

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>02-2208</u>	<u>2-20-1963</u>	<u>1.59 / 122</u>	<u>Commercial</u>	<u>1-1 to 12-31</u>
<u>02-2208</u>	<u>2-20-1963</u>	<u>1.59 / 203</u>	<u>Stockwater</u>	<u>1-1 to 12-31</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

2. Total amount of water being transferred 3.1 cubic feet per second and/or 325 acre-feet per annum.
3. Source of water Snake River tributary to Columbia River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	N W ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
Total acres _____																			

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MAR 22 2004

PART 1**6. General Information:**

- a. Description of diversion system Drilled wells, distribution piping; pumps, pipes and storage tanks for the commercial and stockwater uses.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ____ Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: The land beneath the dairy footprint will no longer be irrigated.
- d. Remarks: See Attachment A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20 _____.

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MAR 22 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-2795 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A4. Date of priority 1-14-1950

5. Water is used for the following purpose:

Amount 1.37 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

6. Total amount of water under right 1.37 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	35	2N	3W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
		35									40	40	40	40					160

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MAR 22 2004

Total acres 2409. Describe any other water rights used for the same purpose as described above 63-2919, 02-2208

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. Amount
- 0.75 / 122 af
- for
- Commercial
- purposes from
- 1-1 to 12-31

(cfs/ac-ft)

Amount 0.75 / 203 af for Stockwater purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	35	2N	3W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	35									40	26	25	40					131

Total acres 131**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. Amount
- 0.62 cfs
- for
- Irrigation
- purposes from
- 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	35	2N	3W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
2N	3W	35											14	15					29

Total acres 109

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-2919 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to N/A4. Date of priority 12-27-1952

5. Water is used for the following purpose:

Amount 1.40 for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.40 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	35	2N	3W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
		35									40	40	40	40					160

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MAR 22 2004

Total acres 2409. Describe any other water rights used for the same purpose as described above 63-2795, 02-2208

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*1. Amount 0.76 / 122 af for Commercial purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount 0.76 / 203 af for Stockwater purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	35	2N	3W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	35									40	26	25	40					131

Total acres 131**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*1. Amount 0.64 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	35	2N	3W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
2N	3W	35										14	15						29

Total acres 109

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-2208 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Snake River tributary to Columbia River4. Date of priority 2-20-1963

5. Water is used for the following purpose:

Amount 5.0 for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	36	1N	3W	Canyon	River pump

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
		35									38	40	40	40	40	40	40	40	318

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MAR 22 2004

Total acres 398

9. Describe any other water rights used for the same purpose as described above 63-2795, 63-2919

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*1. Amount 1.59 / 122 af for Commercial purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount 1.59 / 203 af for Stockwater purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	36	1N	3W	Canyon	River pump

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	35									38	26	25	40					129

Total acres 129**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*1. Amount 3.41 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	36	1N	3W	Canyon	River pump

3. Lands irrigated or place of use:

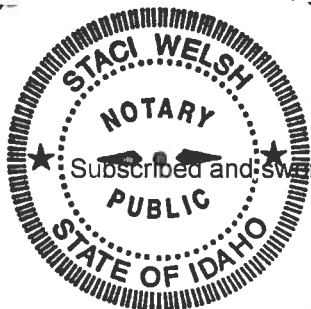
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34													40			40	80
2N	3W	35											14	15	40	40	40	40	189

Total acres 269

PART 3**B. CHANGES IN NATURE OF USE**

- | 1. | New Nature of Use | Amount
(cfs/ac-ft) | Hours/days/year | Period of Use |
|----|-------------------|--------------------------|-----------------|---------------------|
| | <u>Commercial</u> | 3.1 ~~128~~ / 122 | <u>365 days</u> | <u>1-1 to 12-31</u> |
| | <u>Stockwater</u> | 3.1 ~~128~~ / 203 | <u>365 days</u> | <u>1-1 to 12-31</u> |
2. Quantity and quality of return flows and location of discharge: No wastewater will leave the property or join with a surface stream or the groundwater supply.
3. Describe effects on other water uses resulting from the proposed change: The land presently being irrigated beneath and adjacent to the dairy will be dried up.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



Charles J. Smith
(Signature of Applicant)

Subscribed and sworn before me this 24th day of April, 20 02.

Staci Welsh
(Notary Public)

My commission expires 1/27/2005

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by Janis Fontaine Date 4/29/02 Protest filed by _____

Prelim. check by _____ Fee \$290.00 W029098

Receipted by Janis Fontaine Date 4/29/02

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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MAR 22 2004

Charles D. Pintler
Attachment A
Part 1, 6.d. - Remarks

The irrigated land proposed to be retired to allow development of a dairy has been irrigated since 1950. Wells were constructed in 1950 and 1952 (63-2795 and 63-2919) and provided irrigation for crops on 240 acres. These wells provide a full supply of water for irrigation of the crops on this portion of the farm. These wells, under the above-described water rights, are the primary water rights for the farm ground described as their place of use. In 1963 water was brought for this and adjacent farms by the Hat Butte Mutual Canal Company. The water described under water right 02-2208 is supplemental to the 240 acres described under 63-2795 and 63-2919 and is the primary supply for an additional 158 acres on the farm.

The applicant proposes to dry up all the water rights on 131 acres of ground to provide water for the dairy. All of the 131 acres have been intensively cultivated since 1950 and in many cases certain fields were double cropped when conditions allowed. Since the groundwater is the primary right for the 131 acres, there is adequate water available for conversion to the new use.

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MAR 22 2004

RECEIVED
JUL 22 2003
WATER RESOURCES
WESTERN REGION

July 18, 2003

Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RE: Pintler Transfer

Dear Mr. Nelson:

Please withdraw the Application for Transfer, which is in my name, from further processing. I understand that by withdrawing the application that any further action will have to be started anew.

If you have any questions please call Steven Hannula at ERO Resources.

Thank you,



Charles Pintler

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MAR 22 2004

APPLICATIONS CHECKLIST FOR **PROTESTED** FILES

x-fer 78199

APPLICATION NO: 63-2795 APPLICANT: Pantler

- ☒ Green sticker on file ☒ Protest information sheet
- ☒ Put protest names & date in data base ☐ Change bar code ☒ Put protest in apps.lis
- ☒ Reserve Room ☒ Protest letters ☒ Conference notices
- ☒ Copy to vault (thru Norm) ☐ Copies of interventions to vault thru Norm (if any)
- ☒ Copy of conference notice to Glen ☐ Make sure rooms are handicap approved
- ☐ Double check mailing list. ☒ Attendance sheet ☐ Room confirmation letter
- ☒ Put conf. dates on Gary's calendar, and
 - ☒ Sue's calendar
 - ☒ Western's calendar (if applicable).

AFTER PREHEARING CONFERENCE

- ☐ Protestants/intervenors updated ☐ Hearing notices sent ☐ Copy to Glen
- ☐ Dates on my, Gary's, and Western's calendars (if applicable).

PROTEST OR APPLICATION WITHDRAWN

- ☐ Protest withdrawn ☐ Application withdrawn
- ☐ Change bar code ☐ Change apps.lis ☐ Change database
- ☐ Sent to S.O. (Kari Lynn) Date _____

APPLICATIONS CHECKLIST FOR PROTESTED FILES

70199

APPLICATION NO: 63-2795

APPLICANT: Pintler

- ☐ Log in apps.lis ☐ Make files & labels ☐ Add bar code
- ☐ Advertise ☐ Put dates & newspaper in file ☐ Comment letters
- ☐ Proof affidavit

AFTER PROTESTED

- ☒ Put protest names & date in data base ☐ Change bar code ☒ Put protest in apps.lis
- ☒ Green sticker on file ☒ Protest information sheet ☐ Reserve Room
- ☐ Protest letters ☐ Conference notices ☐ Room confirmation letter
- ☐ Copy to vault (thru Norm) ☐ Copies of interventions to vault thru Norm (if any)
- ☐ Copy of conference notice to Glen ☐ Make sure rooms are handicap approved
- ☐ Make sure all parties are on the mailing list. ☐ Attendance sheet
- ☐ Put conf. dates on Gary's calendar, my calendar and Western's calendar (if applicable).

AFTER PREHEARING CONFERENCE

- ☐ Protestants/intervenors updated ☐ Hearing notices sent ☐ Copy to Glen
- ☐ Dates on my, Gary's, and Western's calendars (if applicable).

PROTEST OR APPLICATION WITHDRAWN

- ☐ Protest withdrawn ☐ Application withdrawn
- ☐ Change bar code ☐ Change apps.lis ☐ Change database
- ☐ Sent to S.O. (Kari Lynn) Date _____

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON
DATE: 1/10/2003

**RE: AMENDED CHARLES D. PINTLER TRANSFER # 70199, RIGHTS
63-31487, 63-2795, 63-2919 & 02-2208**

Transfer 70199 was amended after advertising and after the transfer had been protested to ensure that the water rights for the proposed dairy were conducive with the dairy proposal submitted to Canyon County. The transfer originally proposed to retire 131 acres in the SW S35 from water rights 63-2795, 63-2919 & 02-2208 and move the appurtenant groundwater from water rights 63-2795 and 63-2919 to a new dairy located in SW and the W ½ of the SE S35. The new dairy is planned for 4,500 milking cows and 2,000 dry cows. The dairy will be located in Hidden Valley, south of Surrey Lane and west of Sky Ranch Road in T2N R3W, Canyon County.

The new amendment has 12 pages and 14 attachments the same as discussed on 10/9/2002 memo.

The amended transfer proposes to retire an additional 2 acres from all of the rights for a total of 133 acres retired from all of the water rights. The applicant also added water right 63-31487 to the transfer as part of the same system. With the addition of the water appurtenant to the 2 acres of irrigation and the 13,000 gallons per day from water right 63-31487, the dairy will be able to supply sufficient water for 4,500 milking cows, 2,000 dry cows, and 1,500 replacement heifers and calves. The total rate of diversion will increase from 1.51 cfs to 1.58 cfs, and the annual volume will increase from 325 afa to 345.6 afa.

Please see the original review memo dated 10/9/2002 for all of the information regarding historic consumptive use and previous use of all of the water rights.

I have been working with Steve Hannula, the applicant's consultant, and Jan Shurte of our adjudication staff concerning water rights 63-31487 and 63-9258. In a closer look at these adjudication claims, 63-9258 allows for 500 head of livestock in an explanatory remark on a domestic right, but does not allow any diversion rate or volume amount for those animals, since stockwater was not included on the original permit. Therefore, Mr. Pintler has agreed to file an amended adjudication claim for 63-9258 to remove the explanatory remark referring to the 500 head of cattle, so they can be covered under adjudication claim 63-31487 with a diversion rate and 13,000 gallon per day limited volume described in Idaho Code § 42-111. Mr. Pintler has requested that the amendment of adjudication claim 63-9258 be held until the transfer is approved. If the transfer is not approved, then Mr. Pintler would like to leave the adjudication claims stand on their own merits. The priority date for 63-31487 comes after the priority date of 63-9258 so the

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MAR 22 2004

SRBA questions on priority date should be answered. Since 63-9258 allowed stockwater with an earlier priority date, it would be appropriate in this case to allow a priority date for 63-31487 equal to the priority date listed on 63-9258.

page 2

Pintler amendment memo

The applicant's new dairy worksheet shows that 223.47 afa of water will need to be retired for the stockwater and 122.14 afa for commercial. No volume amounts have been listed for the two ground water rights. Water right 63-2795 has a diversion rate of 1.37 cfs and 63-2919 has a diversion rate of 1.40 cfs for a total ground water diversion rate of 2.77 cfs. Therefore, 49.5 % of the volume retired should be taken from 63-2795 ($1.37/2.77 = .495$) and 50.5 % of the volume retired should be taken for 63-2919 ($1.40/2.77 = .505$). The stockwater will take all of water right 63-31487 and 67.5 % of the water used for the dairy [$223.47/(345.6-14.6) = 0.625$] and the commercial will use 32.5% of the water from the other two rights. The following are the calculations for the stockwater and the commercial rights for rights 63-2795 and 63-2919:

DIVERSION RATE:

Rate/Acre per Right → $1.37 \text{ cfs} / 240 \text{ acres} = 0.0057083 \text{ cfs/acre}$ for 63-2795
 $1.40 \text{ cfs} / 240 \text{ acres} = 0.00583 \text{ cfs/acre}$ for 63-2919

Rate per Right → $133 \text{ acres} \times 0.0057083 = 0.76 \text{ cfs}$ for 63-2795
 $133 \text{ acres} \times 0.00583 = 0.78 \text{ cfs}$ for 63-2919

Rate per Use → **STOCKWATER:**
 $0.76 \text{ cfs} \times 0.675 = 0.51 \text{ cfs}$ for stockwater from 63-2795
 $0.78 \text{ cfs} \times 0.675 = 0.53 \text{ cfs}$ for stockwater from 63-2919
0.04 contributed from right 63-31487

TOTAL = 1.08 CFS FROM ALL RIGHTS FOR STOCKWATER

COMMERCIAL:

$0.76 \text{ cfs} \times 0.325 = 0.25 \text{ cfs}$ for commercial from 63-2795
 $0.78 \text{ cfs} \times 0.325 = 0.25 \text{ cfs}$ for commercial from 63-2919

TOTAL = 0.50 CFS FROM ALL RIGHTS FOR COMMERCIAL

TOTAL BOTH USES = 1.58 CFS

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DIVERSION VOLUME:

Stockwater → 209 X 0.495 = 103.5 afa stockwater for 63-2795
209 X 0.505 = 105.5 afa stockwater for 63-2919
14.6 afa contributed from water right 63-31487
TOTAL = 223.6 AFA FROM ALL RIGHTS FOR STOCKWATER

Commercial → 122 X 0.495 = 60.4 afa commercial for 63-2795
122 X 0.505 = 61.6 afa commercial for 63-2919
TOTAL = 122 AFA FROM BOTH RIGHTS FOR COMMERCIAL

TOTAL FOR BOTH USES = 345.6 AFA

RECOMENDATIONS

This transfer should be approved as listed below:

DAIRY PORTION

WATER RIGHT	USE	RATE IN CFS	VOLUME IN AFA	TOTAL RATE PER RIGHT	TOTAL VOLUME PER RIGHT	ACRES RETIRED
63-2795	STOCKWATER	0.51	103.5	0.76	163.9	133
63-2795	COMMERCIAL	0.25	60.4			
63-2919	STOCKWATER	0.53	105.5	0.78	167.1	133
63-2919	COMMERCIAL	0.25	61.6			
63-31487	STOCKWATER	0.04	14.6	0.04	14.6	N/A
TOTAL		1.58	345.6	1.58	345.6	133

TOTAL STOCKWATER → 1.08 CFS AND 223.6 AFA
TOTAL COMMERCIAL → 0.50 CFS AND 122 AFA

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REEMAINING IRRIGATION PORTION WITHIN PERMISSIBLE PLACE OF USE

WATER RIGHT	DIVERSION RATE	VOLUME	ACRES
63-2795	0.61	238.3	107
63-2919	0.62	243.2	107
63-2208	5.00	1201.5	267
TOTAL	5.34	1201.5	267

PLEASE NOTE: When 63-2795 and 63-2919 are combined they will be limited to 107 acres of irrigation at a total diversion rate of 1.23 cfs and a total annual volume of 481.5 afa. When water rights 63-2795, 63-2919, and 63-2208 are combined they will be limited to a 267 acres of irrigation, 5.34 cfs diversion rate, and 1201.5 afa of annual volume. The applicant may not exceed 0.02 cfs per acre or 4.5 afa per acre when all rights are combined.

ACRES RETIRED FROM 63-2795, 63-2919, AND 02-2208

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	35									40 AC	26 AC	27 AC	40 AC					133 ACRES

LANDS LISTED IN THE DAIRY FOR 63-2795, 63-2919, AND 63-31487

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	35									S/C	S/C	S/C	S/C		S/C	S/C		

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LANDS LISTED AS A PPU FOR 63-2795 AND 63-2919

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	34													40 AC			40 AC	80 ACRES
2N	3W	35										14 AC	13 AC						27 ACRES
																			TOTAL 107 ACRES

LANDS LISTED AS A PPU FOR 02-2208

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	34													40 AC			40 AC	80 ACRES
2N	3W	35										14 AC	13 AC		40 AC	40 AC	40 AC	40 AC	187 ACRES
																			TOTAL 267 ACRES

JUL 25 2003

FINAL TRANSFER REVIEW CHECKLIST

FOR Amendment

Department of Water Resources

Trans # 70199 Date Reviewed 1-10-03 Reviewer DAVRight No(s).* 63-2795 63-2919 63-31487 02-2208
Split? XY N XY N Y XN Y XN Y NAREA OF CONCERN: No X Yes, identify Administrative Hold Basin 63
OK TO PROCESSRightID's of From & To records correct? Y N (resolve with State Office personnel)

NOTE: Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U Lien Holder Release

GROUNDWATER:

DRILLING PERMIT

All wells - 046
DP upgrade req'd Y N (contact GW personnel)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

SURFACE WATER:

WD - R05 (WD#) WM comments rec'd
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01QSTANDARD SEASON to (use X61 if extended season)STANDARD VOLUME af/acCONSUMPTIVE USE VOLUME af/ac (only N/U change)

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029(70'S only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN - 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - measure all p/d's (used with WB4)
T18 - Special T17 & R43 combined -
multiple pds in WDProtested - 020-X19
Water Quality - 106-R07X27 - Number of acres/season in ppv
X35 - Combined totals of multiple rtsX49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12
WB4 - + p/ds, cfs & afa (used with T17)
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd and unchg'd rts:

T09 - on-going SRBA (no Dir Rpt
or Recomm yet)
T19 - replaces C18
(if at Recommendation
or Partial Decree stage)
T20 - use instead of T09 where
not ongoing in SRBAOTHER CONDITIONS TRANSFERWITHDRAWN7-22-2003COMMENTS Database files updated Approval form saved Shape files created (optional printing)
Special Mailing Instructions (cc's, etc) S.O. ONLY: Final database update after approval *Comment to WR No(s).

INITIAL TRANSFER REVIEW CHECKLIST

Applicant Charles D. PINTLER Transfer No. 70199
 Reviewed by DAN Date _____
 Data entered by DAN

1. Type of right _____ Decree ~~X~~ License ~~AND~~ OR X AJ Record

Caution before processing: N/A Partial Decree to WR N/A Ownership Change filed & split completed

YES Informal AJ split completed prior to transfer processing only if needed

2. Purpose of transfer _____ Change P/D X Add P/D X Change P/U
X Change N/U X Change Period X Other (identify)

3. Check Existing Right

X Source X Priority
X Purpose X Period
X Description of original point(s) of diversion
X Description of original place of use
X Overlapping rights for original P/D &/or P/U

X Amount X SRBA Claim

*SPLIT PORTIONS OF
63-2795.563 2919*

4. Check **Proposed** Right for amount of land &/or water transferred:

- X Analysis memo – always include unless justify why not needed
- _____ All of right
- X Part of right – Note: Part B should normally be completed only if part of right is owned by applicant
- X Description of point(s) of diversion
- X Description of place of use
- X Map showing proposed P/D &/or P/U
- X Correct notarized signature and fee – see Transfer Memo #23 about fees if necessary
- X Proof of ownership of right &/or land from which water is transferred
- NO Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
- NO Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

k. ☒ Overlapping rights for current & proposed scenarios

Current see memo

Proposed see memo

l. ☒ SRBA Claim(s) Claims have been Filed

m. ☒ Comment letters ☒ Yes as follows ☐ No

☐ Water District #

☐ IDFG

☐ Other, list below
or see attached

SEND NOTE TO PROTESTANTS THAT
THEY ARE STILL PARTICIPANTS

PUBLICATION REVIEW

1. Comment Letters

Watermaster comments received _____ (date)

Other comment letters received ☐ Yes ☐ No

2. Affidavit of publication received: ☐ Yes

3. Published correctly: ☐ Yes ☐ No

If No, re-publication required: ☐ Yes ☐ No

4. Protests received: ☐ Yes ☐ No ☐ If yes, acknowledgement sent

RECOMMENDATIONS

See electronic transfer folder.

Folder name = applicant last name + transfer application #.

Recommendations = see file name "draft approval" &/or "review memo"

FORWARDING FILE TO S.O. – see Supplemental Checklist for Scanning

1. Scanning completed & Supplemental Review Sheet filed in Western WR file(s) _____ Yes

2. File forwarded to S.O. _____ Date

SUPPLEMENTAL TRANSFER REVIEW CHECKLIST

- E'folder name PINTHER 70199
(applicant last name + transfer application #)
- Right Numbers * 63-2795, 63-2919, 63-31487, 5022208
- Legal Notice: Use Workflow ad NO
- OR Word file name ~~PINTHER~~ CHARLES PINTHER
- Emails Reviewer, check one: Amendment Legal Notice
Awo2 common / TAYLOR.
- X WR record transferred X AJ record transferred
- Email sent, include e'folder name & brief sentence about purpose of transfer:
- X WR record = Pam X AJ record = Don, copy to Pam & Jan

SCANNING/SAVING TO E'FOLDER

ITEM SCANNED/SAVED

INITIALS & DATE

- Application (... original ... amended) with its attachments LM 1-16-03
- Draft review memo 2 MEMO'S DIFFERENT DATES. DAN 1-15-03
- Legal notice w/ cover letter/email (Correspondence legal notice) dt 2-4-03
- Draft transfer approval _____
- Final Review memo _____
- Initial Review checklist (... initial) _____
- Final Review checklist (... final) _____
- Additional items, identify with acceptable e'folder file names _____

* FILE COMPLETED FORM IN ALL WESTERN WR FILES INVOLVED

COMMENT LETTERS

Applicant CHARLES O. PINTNER Transfer No. 70199
Reviewed by DAN Date 10-9-02
Data entered by DAN 61-31487 ADDED
1. Right number(s) 63-2795, 63-2919, & 02-2208

Caution
before processing: *N/A* Partial Decree to WR *N/A* Ownership Change filed & split completed

3. Purpose of transfer Change P/D X Add P/D 4 Change P/U
 X Change N/U 4 Change Period 4 Split Right

Other: _____

4. Check Existing Right

☒ Source	☒ Priority	☒ Amount
☒ Purpose	☒ Period	☒ SRBA Claim
☒ Description of original point(s) of diversion		
☒ Description of original place of use		
☒ Overlapping rights for original P/D &/or P/U		

- a. ☒ Analysis memo – always include unless justify why not needed
- b. ☐ All of right
- c. ☒ Part of right – Note: Part B should normally be completed only if part of right is owned by applicant
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing proposed P/D &/or P/U
- g. ☒ Correct notarized signature and fee – see Transfer Memo #23 about fees if necessary
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
- j. ☒ Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

70199

k. ☒ Overlapping rights for current & proposed scenarios

Current See memo

Proposed See memo

l. ☒ SRBA Claim(s) Claims Have Been Filed

m. ☒ Comment letters ☐ No ☒ Yes as follows: See attached LIST
☐ Water District # ☐ IDFG ☐ Other per attached

PUBLICATION REVIEW

1. Comment Letters

Watermaster comments requested on _____, received on _____ PARTICIPANTS

Other comment letters received ☐ Yes ☐ No

2. Affidavit of publication received: ☒ Yes

3. Published correctly: ☒ Yes ☐ No

If No, re-publication required: ☐ Yes ☐ No

4. Protests received: ☐ Yes ☒ No ☐ If yes, acknowledgement sent

SEND NOTE TO
PROTESTANTS THAT
THEY ARE STILL

RECOMMENDATIONS

1. ☐ Approve ☐ See attached memo

2. ☐ Deny due to _____

3. Conditions of Approval _____

4. Recommended by _____ Date _____

FORWARDING FILE TO S.O.

1. Copies made for Region file (see attached supplemental page): Yes _____

2. File forwarded to S.O. by _____ Date _____

SUPPLEMENTAL ANALYSIS SHEET FOR TRANSFER

► Transfer No. 70199

► Legal Notice: Use Workflow ad YES

OR Word Filename NO

► Email to SO & Western by: DAW OR N/A _____

COPIES MADE

- ASAP Yes STATE OFFICE files for all transfers ... copy APPLICATION
- ASAP _____ REGION ADJUDICATION files if adj. claim involved ... copy APPLICATION
- JUST BEFORE FILE TO S.O. – REGION WATER RIGHT files ... copy as follows:

Yes Legal Notice

Yes Transfer Analysis Sheet (Form 222a)

Yes Transfer Application – assume entire application with attachments to be copied except as noted below (always copy ownership information): identify by letter/number attachments that are not to be copied:

Yes Reviewer's analysis memo: list date of memo 10-9-02 (Include attachments)

____ List other items to be copied:

AVOID COPYING FOR REGION WATER RIGHT FILES – excess computer reports, excess attachments unless show ownership or other clarifying information, easements & other agreements, oversized documents and so forth.

DISCARD THIS FORM BEFORE FORWARDING FILE.

**PLEASE SEND COMMENT LETTERS TO THE
FOLLOWING INDIVIDUALS**

DONALD AND/OR CLAUDIA HAYNES
8830 DEERSKY RANCH TRAIL
NAMPA ID 83686

ROBERT AND/OR MARILYN ROGERO
12678 DEER RIDGE TRAIL
NAMPA ID 83686

DELLA JOHNSON
PO BOX 187
NAMPA ID 83653

PROTEST INFORMATION SHEET

APPLICANT: CHARLES D PINTLER
13541 SURREY LN
NAMPA ID 83686

PH: 208-466-6951

APPLICATION NO: 65-2795 & 65-2919
TRANSFER NO: 70199

DATE FILED: 10-7-02 **PROTEST DATE:** 11-4-02

PROTESTANT(S) NAME & ADDRESS:

ROBERT C &/OR MARILYN R ROGERO **PH:** 467-6624
12678 DEER RIDGE TRAIL
NAMPA ID 83686

JAMES &/OR CLAUDIA HAYNES
(All sent to Rogeros above)

461-2062

Attorney Name & Address: Issues:

Applicant - Attorney - Name & Address:

Dates:

Acknowledgement Letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

MEMORANDUM

TO: JAN SHURTE

FROM: DANIEL A. NELSON

DATE: 7/22/03

SUBJECT: AMENDMENT OF ADJUDICATION CLAIM 63-9258

Mr. Pintler has withdrawn transfer 70199. Therefore, we need to resind the amendment for adjudication claim 63-9258. Please do not process this amendment to the adjudication claim and remove the amendment from the file. Please see memo dated 1/15/2003 and withdrawal letter dated 7/22/2003.

Thank you.

MICROFILMED

MAR 22 2004

MEMORANDUM

TO: ADJUDICATION FILES 63-31487 AND 63-9258

FROM: DANIEL A. NELSON

DATE: 1/15/03

SUBJECT: AMENDMENT OF ADJUDICATION CLAIM 63-9258

We are working through a transfer for water rights 63-2795, 63-2919, 63-31487, and 02-2208. The transfer number is 70199. The purpose of the transfer was change the nature of use of the water appurtenant to a portion of the land associated with these rights for a proposed 8,000-cow dairy. In the review of the transfer we discovered discrepancies in the existing stockwater rights 63-9258 and 63-31487. After discussions with Mr. Pintler and his consultant, Steve Hannula of ERO Resources, it was decided to make the following corrections to allow the transfer to continue:

- 1.) The stockwater remark would be removed from water right 63-9258, since the original license did not add any diversion rate or volume for stockwater. The reason the original license did not add stockwater is because stockwater was not included in the original application or permit. Therefore, the license could not give any rate or volume consideration to the license. They did mention in the right that 500 head of cattle were using water from the well in a feedlot.
- 2.) 63-31487 will be recommended through the transfer to cover the stockwater not applied for in water right 63-9258. This will allow the stockwater developed with license 63-9258 to be shown on water right 63-31487 with a diversion rate and volume allowed under an Idaho Code § 42-111 or 0.04 cfs and 13,000 gallons per day.

In order to use 63-31487 to reflect the water developed for stockwater in accordance with 63-9258, it is necessary to remove the remark allowing 500 head of stockwater from the license. The amendment will remove the stockwater remark from 63-9258, which will render 63-9258 for domestic use for 6 homes only. This will clean up all the overlap problems and settle some of the protests in the transfer.

We have been asked by Mr. Pintler and his consultant to hold the amendment until the transfer has been approved. If the transfer is not approved, Mr. Pintler would like the adjudication claims to stand on their own merits. The recommendation of the transfer settles some issues, but the denial of the transfer would not allow the clarifications of these rights to be involved in the adjudication process.

THEREFORE, PLEASE DO NOT PROCESS THESE ADJUDICATION CLAIMS UNTIL TRANSFER 70199 HAS BEEN DECIDED.

Original Amendment with ~~TRANSFER~~ File 4adjudication File 63-9258
DAN
1-15-03. MICROFILMED
MAR 22 2004

**PLEASE DO NOT
PROCESS THIS
AMENDMENT UNTIL
APPLICATION FOR
TRANSFER 70199 FOR
CHARLES D. PINTLER
HAS BEEN APPROVED
OR DENIED.**

**THIS AMENDMENT IS
CONTINGENT ON THE
APPROVAL of
TRANSFER 70199!!**

MICROFILMED

MAR 22 2004

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



COPY

Denver • Boise

www.eroresources.com
eroboise@eroresources.com

RECEIVED

January 8, 2003

JAN 13 2003

WATER RESOURCES
WESTERN REGION

Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RE: PINTLER AMENDMENT OF ADJUDICATION CLAIM

Dear Mr. Nelson

Enclosed, please find an amended claim for water right #63-9258. This amended claim removes the remark regarding 500 head of replacement dairy stock. Water right license #63-9258 does not offer a rate or volume for the 500 replacement dairy stock. The stock were added as an exempt use. By not having a defined rate and volume for stockwater, we were unable to list this water right in the Pintler Transfer. The water supply for these 500 head of replacement stock has been shifted to claim 63-31487, which has a priority date of 08/01/1979. Claim 63-31487 is included in the "Pintler Transfer" and is necessary for satisfying the water demands for the proposed dairy.

Please process the amended claim form for #63-9258 contingent on the approval of Pintler Transfer.

If there are any questions, please call Steven Hannula at ERO Resources Corporation.

Regards,

A handwritten signature in cursive script that reads "Steven R. Hannula".

Steven R. Hannula

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MAR 22 2004

Should questions arise during the processing of this application please contact:
Sherl Chapman - ERO Resources Corp. (208) 373-7983

RECEIVED

JAN 13 2003

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

Ident. Number 63-9258

Date Received

1113103

Receipt Number

~~63-9258~~

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

**AMENDED NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

COPY

Please type or print clearly

1. Name of Claimant(s) Charles D. Pinter Phone (208) 466-6951
Mailing Address 13541 Surry Lane, Nampa, Idaho Zip 83686
2. Date of Priority (Only one (1) per claim) 6-27-1979
3. Source of water supply (a) Ground water
Which is tributary to (b) N/A
4. a. Location of point of diversion is: Township 2N Range 3W Section 35, NE ¼ of NE ¼ of SW ¼, Govt. Lot _____, B.M., County of Canyon
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
township _____ Range _____ Section _____, _____ ¼ of _____ ¼ of _____ ¼, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Drilled well, submersible pump, and buried pipeline

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MAR 22 2004

COPY

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)
 For Domestic purposes from 1-1 to 12-31 amount 0.18 or 7.2

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.18 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) 6 homes

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	34														D			
		35						D			D	D				D			

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Canyon12. Do you own the property listed above as place of use? Yes XX No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (XX)

14. Remarks:

Domestic use is for 6 homes

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MAR 22 2004

15. Basis of Claim (Check One) Beneficial Use _____ Posted Notice _____ License XX Permit _____

Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will received notice in the Snake River Basin Adjudication." I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Charles D. Pintler Date 1-08-03

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

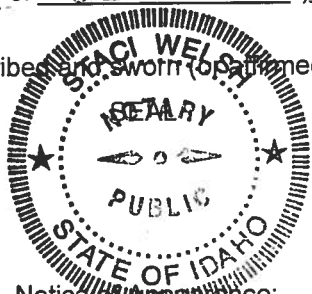
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day of January 20 03



Notary Public Staci Weelsh

Residing at Meridian, Idaho

My Commission Expires 1/27/2005

17. Notice of Appearance:

Please Print Name

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

MAR 22 2004

Last Name Charles D. Pintler Ident. Number 63-9258

ERO Resources Corp.
1100 W. Coeur d'Alene, Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985

ERO

DENVER • BOISE

www.eroresources.com
info@eroresources.com

July 18, 2003

Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

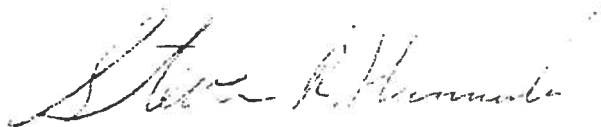
RE: Pintler Transfer

Dear Dan

On behalf of Mr. Charlie Pintler and Desert Sun Farms, please withdraw their Application for Transfer from further processing. Mr. Pintler understands that by withdrawing the application that any future action will have to be started anew.

If you have any questions, please call.

Regards,



Steven R. Hannula

cc: Charles Pintler, William Morrow

I called and told Steve Hannula
That we needed a signed statement
From Charles Pintler on 7-18-03.
DAN.

MICROFILMED
MAR 22 2004

ERO Resources Corp.
1100 W. Coeur d'Alene, Suite C
Boise, ID 83704-8661

MEMORANDUM

TO: GARY SPACKMAN
FROM: DANIEL A. NELSON
DATE: 7/2/03
SUBJECT: PINTLER TRANSFER

Charles Pintler request that the hearing for his transfer, number 70199, be postponed on 4/3/2003. The reason for the request was that Canyon County denied his original application for a conditional use permit, and Mr. Pintler was filing for reconsideration due to new evidence. They ask the transfer be held until they could complete this process sometime after May 12, 2003.

I was asked to contact the Pintler by the end of June, if we were not informed of the situation. I contacted Steve Hannula, of ERO Resources, and Mr. Hannula informed me that the request for reconsideration was denied. Mr. Pintler now has a couple of options including taking the matter to District Court. Mr. Hannula contacted Mr. Pintler, and they would like to hold the application until July 20, 2003 to determine which direction the plan to take.

Mr. Hannula sent a faxed letter requesting the additional time located in the transfer folder. I told Mr. Hannula he would need to copy the letter to each of the protestants to inform them of what is taking place.

Please let me know what you would like me to do from this point forward.

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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 4, 2003

ROBERT C &/OR MARILYN R ROGERO
JAMES &/OR CLAUDIA HAYNES
12678 DEER RIDGE TRAIL
NAMPA ID 83686

Re: Application for Amendment of Transfer No. 70199 in the Name of Charles D. Pintler

Dear Sir:

Enclosed is a copy of the above-referenced application for amendment of transfer. You protested the original application and remain a protestant to this amended transfer.

Please review this amendment and let us know by February 24, 2003 if you still wish to continue with your protest.

If you have any questions regarding the application, please contact this office.

Sincerely,

Dan Nelson

DN:st

Encl.: Copy of Amended Application for Transfer

CC: Charles D. Pintler

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The logo for ERO Resources Corp, featuring the letters "ERO" in a bold, stylized font.

July 2, 2003

Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

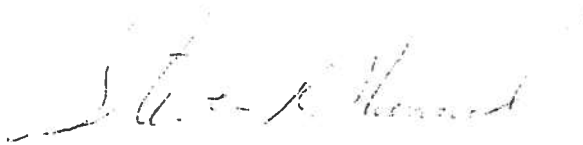
RE: Pintler Transfer

Dear Dan

Please suspend processing of the transfer in the name of Charles Pintler until July 20, 2003. Mr. Pintler recently received the final notice of decision from the Canyon County Commissioners. He has until mid-July to decide what to do with his pursuit of the County's Conditional Use Permit. Once he decides on how to proceed, I will inform the Department of the decision and we can then figure out how best to proceed with the transfer.

If you have any questions, please call.

Regards,

A handwritten signature in cursive script, appearing to read "Steve Hannula".

Steven R. Hannula

cc: Charles Pintler, William Morrow

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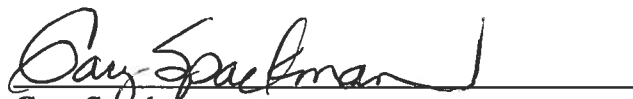
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 70199 IN THE)
NAME OF CHARLES D. PINTLER)
_____)

NOTICE OF CANCELLATION OF
PREHEARING CONFERENCE

On March 5, 2003 the Idaho Department of Water Resources (IDWR) scheduled a prehearing conference to be held in the above-captioned application for transfer of water right. The conference was scheduled for Wednesday, April 9, 2003 at the Western Region of IDWR. On Thursday, April 3, 2003 the applicants requested that the prehearing conference be postponed. It is hereby ordered that the prehearing conference scheduled for April 9, 2003 is cancelled and will be rescheduled at a later date.

Dated this 4th day of April 2003.



Gary Spackman

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of April, 2003 I mailed a true and correct copy, postage prepaid, of this Notice of Cancellation of Prehearing Conference.



Sue Taylor
Senior Secretary

CHARLES D PINTLER
13541 SURREY LN
NAMPA ID 83686

ROBERT &/OR MARILYN ROGERO
12678 DEER RIDGE TRAIL
NAMPA ID 83686

Charles D. Pintler
13541 Surrey Lane
Nampa, ID 83686

RECEIVED
APR 04 2003

WATER RESOURCES
WESTERN REGION

April 3, 2003

VIA REGULAR MAIL AND FACSIMILE TRANSMISSION (208) 334-2348

Gary Spackman
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

RE: Application for Transfer No. 70199

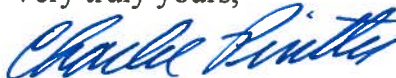
Dear Mr. Spackman:

As you know, my application for a transfer of water rights is scheduled for a prehearing conference on April 9, 2003 at 10:00 a.m. For the reasons stated below, I hereby request that this conference be postponed.

In conjunction with my application for a transfer of water rights, I have applied for a conditional use permit with Canyon County to operate a dairy south of Nampa. Although the Canyon County Board of Commissioners has denied this application, they have agreed to reopen the record to consider additional evidence. The hearing date set for receiving this additional evidence is May 12, 2003 at 9:00 a.m. Because it is not clear what the outcome of this hearing will be, I would request that next week's conference regarding the transfer of water rights be postponed until some time after the May 12, 2003 hearing. As the water right transfer is connected with the use proposed in the conditional use permit application, I see no need to tie up time and resources transferring the water right, should the Commissioners decide to deny the application for a conditional use permit.

Thank you for your consideration in this matter.

Very truly yours,



Charlie Pintler

cc: Robert and Marilyn Rogero
James and Claudia Haynes

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MAR 22 2004

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER OF WATER RIGHT) NOTICE OF PREHEARING
NOS. 63-2795, 63-2919 and 63-31487) CONFERENCE
(TRANSFER NO. 70199) IN THE NAME)
CHARLES D. PINTLER)
_____)

On December 16, 2001, Charles D. Pintler filed with the Department of Water Resources (IDWR) an application for transfer of water rights. The application was protested by Robert C. &/or Marilyn R. Rogero.

The Department has set the contested case for a prehearing conference to be held on **Wednesday, April 9, 2003 at 10:00 a.m. at the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705.** The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules of Water Appropriation of the Department of Water Resources.

The prehearing conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise IDWR at least ten (10) days prior to the conference.

Dated this 5th day of March 2003.



Gary Spackman

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of March 2003 I mailed a true and correct copy, postage prepaid, of this Notice of Prehearing Conference to those listed:

A handwritten signature in cursive script that reads "Sue Taylor". The signature is written in dark ink and is positioned above a horizontal line.

Sue Taylor
Senior Secretary

CHARLES D PINTLER
13541 SURREY LN
NAMPA ID 83686

ROBERT C &/OR MARILYN R ROGERO
12678 DEER RIDGE TRAIL
NAMPA ID 83686

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR TRANSFER

Section 42-222, Idaho Code, requires the department to consider the following issues in connection with an application for transfer:

- 1) Will the proposed transfer injure other water rights?
- 2) Will the proposed transfer constitute an enlargement in use of the original right?
- 3) Is the proposed transfer in the local public interest, where local public interest is defined as the affairs of the people in the area directly affected by the proposed use?
- 4) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof of issues 1, 2 and 4 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 3 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

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HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a preliminary order for the Director's consideration. Parties can file exceptions to a preliminary order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a preliminary order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 4, 2003

ROBERT &/OR MARILYN ROGERO
12678 DEER RIDGE TRAIL
NAMPA ID 83686

Re: Application for Transfer No. 70199 in the Name of Charles D. Pintler

Dear Protestant:

This office acknowledges receipt of your protest opposing the above-referenced application for transfer. The following are the criteria we consider when either approving or denying an application for transfer and amendment:

1. Will other water rights be injured by the transfer.
2. Will the change constitute an enlargement in the use of the original right?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Enclosed is a Notice of Prehearing Conference scheduled for April 9, 2002, at 10:00 a.m. at the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705

The department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

If we may be of assistance, please contact us.

Sincerely,


Gary Spackman

GS:st

Encl. Notice of Prehearing Conference
Copy of Application

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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

March 4, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CHARLES D PINTLER
13541 SURREY LN
NAMPA ID 83686

Re: Application for Transfer No. 70199

Dear Applicant:

Enclosed please find a copy of the protest(s) filed against the above-referenced application for transfer. You should be aware that the following are the criteria we consider when either approving or denying an application for transfer:

1. Will other water rights be injured by the transfer?
2. Will the change constitute an enlargement in the use of the original right?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Enclosed is a Notice of Prehearing Conference scheduled for April 9, 2003, at 10:00 a.m. at the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705

The department suggests you contact the protestant(s) directly in an effort to determine what is in dispute in the application and to attempt to resolve the protest prior to the prehearing conference. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

If we may be assistance, please contact us.

Sincerely,

Gary Spackman

GS:st
Encl. Copy of Protest
Prehearing Conference Notice

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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 2-28-03

TO: Shane Weston
453-2960

FROM DAN Nelson

DOCUMENT DESCRIPTION:

Letter concerning
the transfer for Charles D. Penner

TOTAL PAGES SENT: 4 + COVER SHEET

CONTACT: _____

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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

February 28, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RE: PINTLER WATER RIGHT TRANSFER

Dear Mr. Weston:

This letter is in response to our telephone conversation and your request for information regarding Mr. Pintler's Dairy proposal. The following is the information that I supplied to the CAFO Siting team regarding Mr. Pintler's dairy.

Our office received a transfer for Charles D. Pintler on August 8, 2002. The transfer was amended on October 7, 2002, and subsequently advertised for 4,500 dairy cattle and 2,000 dry stock. During our initial CAFO siting team review, we discovered an additional 1,500 cattle were included in the information supplied to Canyon County. Mr. Pintler and his consultant Steve Hannula, of ERO Resources, has been working with our office to resolve the discrepancies, and it was discovered that Mr. Pintler believed the 1,500 head of cattle were covered under 2 existing water rights. These rights should have been included in the transfer.

Mr. Pintler has filed a second amended transfer for 4,500 milking cows, 2,000 dry cows, and 1,500 heifers, which matches the cattle numbers supplied to Canyon County. Mr. Pintler and Mr. Hannula are also working with our office to clarify the two existing water rights and incorporating one or both rights into the transfer. The second amendment will require the transfer to be re-advertised. The original protests against this water right will be maintained, and additional protests could be received during the re-advertising of the amended transfer. The standard procedures in resolving a protest will begin after the re-advertisement of the transfer has been completed.

If the second amendment completes processing and the protests against the transfer are resolved, the dairy's water rights could be capable of supplying sufficient water for a 4,500 milking cow dairy with 2,000 head of dry cows and 1,500 head of replacement stock or heifers.

The only change from this information is that the transfer has been advertised and it remains protested. The transfer has not completed the protest process at this time. If you have any questions or concerns please contact Dan Nelson at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

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MAR 22 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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FEB 24 2003

WATER RESOURCES
WESTERN REGION

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222, and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application for Transfer No. 70199 in the name of
CHARLES D. PINTER, 13541 SURREY LN, NAMPA, ID 83686
2. Name of protestant Robert C. and Marilyn R. Rogero
and James D. and Claudia L. Haynes
3. Protestant's Representative for service (If different than protestant) _____
4. Service mailing address 12678 Deer Ridge Trail – Nampa, ID 83636
5. Service telephone no. (208) 467-6624
6. Basis of protest (including statement of facts and law upon which the protest is based)
On February 21, 2003, the Canyon County Board of Commissioners overturned a Dairy Conditional
Use Permit (CUP) granted by Planning & Zoning (P&Z) on May 2, 2002.
Without a CUP, we believe this transfer should not go forward.
(additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? We continue our objection to this water right transfer because we
object to the Dairy CUP in All forms!

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of the protest upon the applicant.

Signed this 24th day of February, 2003.

Protestants:

Robert C. Rogero
Robert C. Rogero

Marilyn R. Rogero
Marilyn R. Rogero

James D. Haynes
James D. Haynes

Claudia L. Haynes
Claudia L. Haynes

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NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
-

FOR DEPARTMENT USE ONLY

Received by KL Date 2/24/03 Time 2:58
\$25.00 fee Received by _____ # _____ Date _____

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FEB 14 2003

WATER RESOURCES
WESTERN REGION

**NOTICE OF AMENDMENT FOR
WATER RIGHT
TRANSFER NO. 70199**

CHARLES D PINTLER
13541 SURREY LN
NAMPA ID 83686, has filed an
amendment to Application No.
70199 for changes to the following
water rights within CANYON County:

Right No. 63-31487

Priority 8/1/1979

Source GROUND WATER

Use STOCKWATER (0 acres)
0.04 CFS

Total Amount 0.04 CFS

Point(s) of Diversion

NENESW

S35 T02N R03W

NENWSW

S35 T02N R03W

Place of Use

S34 T02N R03W

S35 T02N R03W

Right No. 63-2919

Priority 12/27/1952

Source GROUND WATER

Use IRRIGATION (240 acres)
1.40 CFS

Total Amount 1.40 CFS

Point(s) of Diversion

NENWSW

S35 T02N R03W

Place of Use

S34 T02N R03W

S35 T02N R03W

Right No. 63-2795

Priority 1/14/1950

Source GROUND WATER

Use IRRIGATION (240 acres)
1.37 CFS

Total Amount 1.37 CFS

Point(s) of Diversion

NENESW

S35 T02N R03W

Place of Use

S34 T02N R03W

S35 T02N R03W

Right No. 2-2208

Priority 2/20/1963

Source SNAKE RIVER

Use IRRIGATION (398 acres)
5.00 CFS

Total Amount 5.00 CFS

Point(s) of Diversion

L7 (SWSWNE)

S36 T01N R03W

Place of Use

S34 T02N R03W

S35 T02N R03W

The purpose of the transfer is to
change a portion of the above rights
as follows:

This transfer was published in the
Press Tribune on October 17 and 24
October 2002. The transfer was
amended on 12/23/2002 to retire an
additional 2 acres of ground from
water rights for a total of 133 acres
in the SW S35 from water rights 63-
2795, 63-2919 & 02-2208 and move
the appurtenant groundwater from
water rights 63-2795 and 63-2919 to
a new dairy located in SW and the
W 1/2 of the SE S35. None of the
surface water from 02-2208 will be
used in the dairy, but land will need
to be retired for the dairy use. Adju-
dication Claim 63-31487 was added
to the transfer to include an existing
cattle feeding operation. The new
dairy is planned for 4,500 milking
cows and 2,000 dry cows and 1,500
head of heifers. The dairy will be lo-
cated in Hidden Valley, south of Sur-
rey Lane and west of Sky Ranch
Road in T2N R3W, Canyon County.

The original water rights are re-
corded as follows:

Protests may be submitted based
on the criteria of Sec 42-222, Idaho
Code.

Any protest against the proposed
change must be filed with the De-
partment of Water Resources, West-
ern Region, 2735 Airport Way, Boise
ID 83705 together with a protest fee
of \$25.00 for each application on or
before February 24, 2003. The prot-
estant must also send a copy of the
protest to the applicant.

KARL J DREHER, Director

February 6, 13, 2003 04510679



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MAR 22 2004

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Rae L. Barbosa
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

e0100285 04510679
1 Idaho Dept. of Water Resourc
2735 Airport Way
BOISE ID 83705

RECEIVED

FEB 14 2003

WATER RESOURCES
WESTERN REGION

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.
4. That said notice was published the following:
02/06/2003,02/13/2003

Rae L. Barbosa

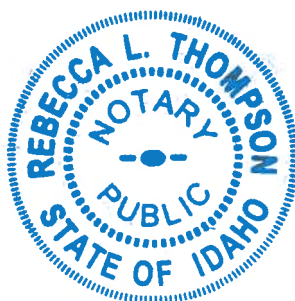
STATE OF IDAHO)
County of Canyon)

MICROFILMED
MAR 22 2004

On the 13th day of February in the year of 2003
before me, a Notary Public, personally appeared.
Rae L. Barbosa,
known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.

Rebecca L. Thompson

Notary Public for Idaho
Residing at Nampa
My commission expires April 19, 2008



MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON *DAN*
DATE: 10/9/2002

RE: CHARLES D. PINTLER TRANSFER, RIGHT 63-2795, 63-2919 & 02-2208

The transfer proposes to retire 131 acres in the SW S35 from water rights 63-2795, 63-2919 & 02-2208 and move the appurtenant groundwater from water rights 63-2795 and 63-2919 to a new dairy located in SW and the W ½ of the SE S35. The new dairy is planned for 4,500 milking cows and 2,000 dry cows. The dairy will be located in Hidden Valley, south of Surrey Lane and west of Sky Ranch Road in T2N R3W, Canyon County.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 11 pages and 14 attachments. Note the location of the following application items

Attach. A – Remarks page for transfer.

Attach. B – Tax Assessment Notice for Proof of Ownership (B1-B3).

Attach. C – Dairy Requirement Worksheet (C1-C2).

Attach. D – Consumptive Use Estimation Sheet.

Attach. E – Agriment data sheet.

Attach. F – FSA 1997 Crop Report (F1 – F3).

Attach. G – FSA 1998 Crop Report (G1 – G3).

Attach. H – FSA 1999 Crop Report (H1 – H4).

Attach. I – FSA 2000 Crop Report (I1 – I3).

Attach. J – FSA 2001 Crop Report (J1 – J4).

Attach. K – Water Supply Worksheet.

Attach. L – Hat Butte Canal deliveries 1997 - 2001.

Attach. M – Hatte Butte Canal deliveries 1965 - 1967.

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Attach. N – Letter from applicant stating primary status of ground water.

Sherl Chapman and Steve Hannula of ERO Resources prepared the application.

Other information used in this review includes Water Right proof reports for 63-2795, 63-2919 and 02-2208, Point of Diversion comparison sheets for NESW, NWSW, NWSE, Water right comparison map, Place of Use Sheets for S35 and S34, Proof Reports for 63-9258 and 63-31487, and 1987 Aerial photo. All of the above information is attached to this memo.

NARRATIVE

The applicant has supplied adequate information prove ownership and to prove water use in the last 5 years. The 1987 aerial photo also shows that the land was irrigated in 1987.

The applicant supplied information that shows that Hat Butte Canal Company (HBCC) delivered the highest volume of water during the 2001 season of 626.5 afa and 545.26 afa during the highest consumptive year for the crops under Snake River right 02-2208 to the 400 acre farm associated with water rights 63-2795, 63-2919, and 02-2208. The HBCC delivery is the entire amount of water delivered under water right 02-2208 for this property and the remaining amount of water was delivered by the wells. Below are my assumptions of how the amount of land that was irrigated at the full 4.5 afa/acre of irrigation:

- 1.) HBCC delivered 626.5 afa to 398 acre farm
- 2.) Ground water covered the remaining acres plus 2 to bring total acreage irrigated to 400 acres at a combined diversion rate of 2.77 cfs from ground water rights 63-2795 and 63-2919.
- 3.) $(400 \text{ acres} \times 4.5 \text{ afa/acre}) - 626.5 \text{ afa HBCC water} = 1173.5 \text{ afa}$ that could have been irrigated by ground water.
- 4.) $1173.5 \text{ afa} / 4.5 \text{ afa/acre} = 261 \text{ acres}$ could have been irrigated from ground water, but water rights limit ground water use to 240 acres.
- 5.) $240 \text{ acres} \times 4.5 \text{ afa/acre} = 1080 \text{ afa}$.
- 6.) $2.77 \text{ cfs} \times 260 \text{ days} \times 1.9835 = 1,428.5 \text{ afa}$. Therefore, the wells could have delivered the full volume of water of 1080 afa to the 240 acres.

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MAR 22 2004

7.) 160 remaining acres $\times 4.5 = 720$ afa maximum volume, this computation confirms that the 626.5 afa of water was most likely solely used on the 160 acres not associated with the ground water rights.

These calculations show the 240 acres associated with 63-2795 and 63-2919 were probably totally irrigated by ground water, and the surface water was used on the remaining 160 acres of ground. Therefore, the diversion rate for the surface water should not be reduced and should be considered to be the primary water right for the 160 acres and a possible supplemental source for the 240 acres if needed. From the information supplied, it looks as though the main if not only source of water for the 240 acres was the groundwater.

The diversion rate for the surface water right should not be reduced since the surface water has been used to fully irrigate the 160 acres not covered by the ground water rights and to supply a backup water supply for the ground water rights if needed. The applicant proposes to retire 131 acres of the 240 acres leaving a 109 acres still covered by the groundwater right. When this is combined with the 160 acres irrigated from the surface water there is a total of 269 acres of irrigation remaining. The surface water can cover this 269 acres without exceeding an inch per acre. Therefore, only the number of acres should actually be reduced on the surface water right and not the diversion rate. The surface water needs to be included on the transfer to reduce the volume of water supplied by the surface water not exceed 4.5 afa per acre or 1210.5 afa and reduce the acres irrigated to 269.

The applicant's dairy worksheet shows that 203.31 afa of water will need to be retired for the stockwater and 122.14 afa for commercial. No volume amounts have been listed for the two ground water rights. Water right 63-2795 has a diversion rate of 1.37 cfs and 63-2919 has a diversion rate of 1.40 cfs for a total ground water diversion rate of 2.77 cfs. Therefore, 49.5 % of the volume retired should be taken from 63-2795 ($1.37/2.77 = .495$) and 50.5 % of the volume retired should be taken for 63-2919 ($1.40 \text{ cfs}/2.77 = .505$). The stockwater will take 62.5 % of the water used for the dairy ($203.31/325.44 = 0.625$) and the commercial will use 37.5% of the water. The following are the calculations for the stockwater and the commercial rights:

DIVERSION RATE:

Rate/Acre per Right → $1.37 \text{ cfs} / 240 \text{ acres} = 0.0057083 \text{ cfs/acre}$ for 63-2795
 $1.40 \text{ cfs} / 240 \text{ acres} = 0.00583 \text{ cfs/acre}$ for 63-2919

Rate per Right → $131 \text{ acres} \times 0.0057083 = 0.75 \text{ cfs}$ for 63-2795
 $131 \text{ acres} \times 0.00583 = 0.76 \text{ cfs}$ for 63-2919

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Rate per Use → STOCKWATER:
0.75 cfs X 0.625 = 0.47 cfs for stockwater from 63-2795
0.76 cfs X 0.625 = 0.48 cfs for stockwater from 63-2919
TOTAL = 0.95 CFS FROM BOTH RIGHTS FOR STOCKWATER

COMMERCIAL:
0.75 cfs X 0.375 = 0.28 cfs for commercial from 63-2795
0.76 cfs X 0.375 = 0.28 cfs for commercial from 63-2919
TOTAL = 0.57 CFS FROM BOTH RIGHTS FOR COMMERCIAL

TOTAL BOTH USES = 1.51 CFS

DIVERSION VOLUME:

Stockwater → 203 X 0.495 = 100.5 afa stockwater for 63-2795
203 X 0.505 = 102.5 afa stockwater for 63-2919
TOTAL = 203 AFA FROM BOTH RIGHTS FOR STOCKWATER

Commercial → 122 X 0.495 = 60.4 afa commercial for 63-2795
122 X 0.505 = 61.6 afa commercial for 63-2919
TOTAL = 122 AFA FROM BOTH RIGHTS FOR COMMERCIAL

TOTAL FOR BOTH USES = 325 AFA

OVERLAP ANALYSIS:

There are a few overlapping water rights that may cause some problem with the above calculations. Water right 63-9258 is a licensed right with a priority date of 6/27/1979 for 6 homes and 500 range cattle for 0.18 cfs and 7.2 afa. The permit did not include cattle numbers, but cattle were added on after the field exam found 400 head of livestock with the capacity of 500 head of range cattle at a feedlot.

Water right 63-31487 is a domestic beneficial use adjudication claim that was filed for 1000 head of livestock for 0.04 cfs and no volume limitation with a comment that the 1000 head are in addition to the 500 range cattle for 63-9285 with a 8/1/1979 priority date.

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However, the field exam for 63-9258 was performed on 7/14/1986 and it states that there are only 500 head of cattle at the place of use. Mr. Pintler filed proof of beneficial use on 5/20/1986 for 500 head of cattle. This right was licensed on April of 1987 and no claim was made that there were not enough cattle listed on the license. I have spoken to Jan Shurte of the Western Region Adjudication staff, and she has informed me that **adjudication claim 63-31487 will probably be disallowed**, since the field exam shows that there were only 500 head of cattle at the feedlot until after 1987 when a permit and license would have been needed. Mr. Pintler would need to provide evidence to counter the information supplied in the field exam for 63-9258. Even if the claim could be allowed, it would be limited to 13,000 gallons per day when combined with water right 63-9258, since the stockwater was added to this license as an exempted use.

I spoke with the applicant's consultant, Steve Hannula, about this situation. Mr. Hannula informed me that these rights will be for a separate replacement heifer facility and would not actually be connected to the dairy facility. Therefore, they should not be included in the dairy transfer.

RECOMENDATIONS

This transfer should be approved as listed below:

DAIRY PORTION

WATER RIGHT	USE	RATE IN CFS	VOLUME IN AFA	TOTAL RATE PER RIGHT	TOTAL VOLUME PER RIGHT	ACRES RETIRED
63-2795	STOCKWATER	0.47	100.5	0.75	160.9	131
63-2795	COMMERCIAL	0.28	60.4			
63-2919	STOCKWATER	0.48	102.5	0.76	164.1	131
63-2919	COMMERCIAL	0.28	61.6			
TOTAL		1.52	325	1.51	325	131

TOTAL STOCKWATER → 0.95 CFS AND 203 AFA
TOTAL COMMERCIAL → 0.57 CFS AND 122 AFA

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REEMAINING IRRIGATION PORTION WITHIN PERMISSIBLE PLACE OF USE

WATER RIGHT	DIVERSION RATE	VOLUME	ACRES
63-2795	0.62	242.8	109
63-2919	0.64	247.7	109
63-2208	5.00	1201.5	269
TOTAL	5.34	1201.5	269

PLEASE NOTE: When 63-2795 and 63-2919 are combined they will be limited to 109 acres of irrigation at a total diversion rate of 1.26 cfs and a total annual volume of 490.5 afa. When water rights 63-2795, 63-2919, and 63-2208 are combined they will be limited to a 269 acres of irrigation, 5.34 cfs diversion rate, and 1201.5 afa of annual volume. The applicant may not exceed 0.02 cfs per acre or 4.5 afa per acre when all rights are combined.

ACRES RETIRED FROM 63-2795, 63-2919, AND 02-2208

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	35									40	26	25	40					131
											AC	AC	AC	AC					ACRES

LANDS LISTED IN THE DAIRY FOR 63-2795 AND 63-2919

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	35									S/C	S/C	S/C	S/C		S/C	S/C		

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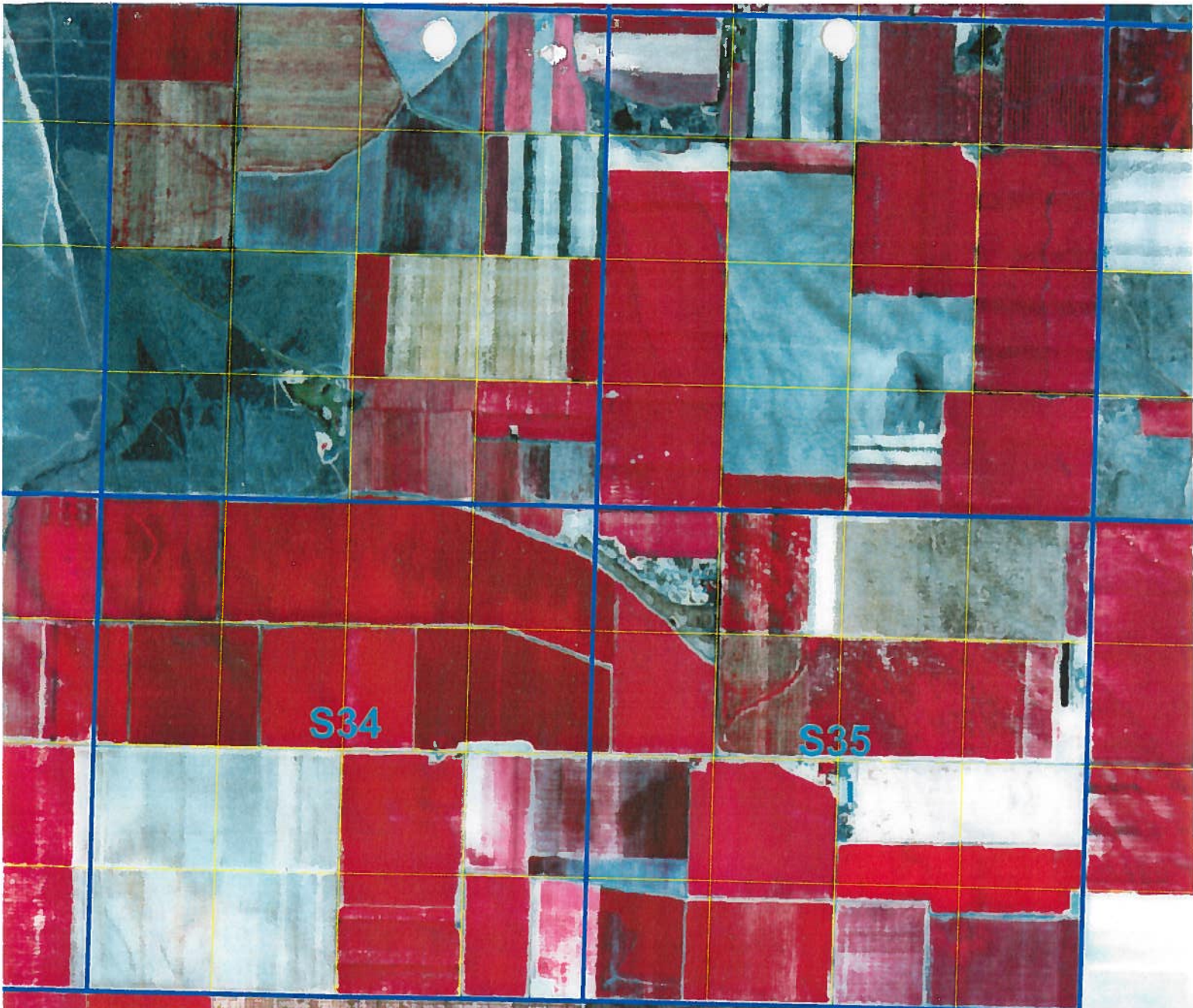
LANDS LISTED AS A PPU FOR 63-2795 AND 63-2919

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	34													40 AC			40 AC	80 ACRES
2N	3W	35										14 AC	15 AC						29 ACRES
																			TOTAL 109 ACRES

LANDS LISTED AS A PPU FOR 02-2208

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	34													40 AC			40 AC	80 ACRES
2N	3W	35										14 AC	15 AC		40 AC	40 AC	40 AC	40 AC	189 ACRES
																			TOTAL 269 ACRES

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1987 AERIAL PHOTO
T2N R3W

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2795

WATER RIGHT NUMBER: 63-2795

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BRUCE L HOOFNAGLE
Current Owner	COVE, OR CHARLES D PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951

Priority Date: 01/14/1950

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.370 CFS	
	<u>Total Diversion:</u>	1.370 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4SW1/4	Sec. 35, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	34													40.0			40.0	80.0
02N	03W	35									40.0	40.0	40.0	40.0					160.0

Total Acres: 240

Conditions of Approval:Remarks:

- General SEE BENEFICIAL USE CLAIM A02-10046 FOR A COMPLETE SYSTEM DESCRIPTION AND MAP.

Comments:

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2795

Dates and Other Information:

Claim Received Date: 2/8/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

MICROFILMED

MAR 22 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2795

WATER RIGHT NUMBER: 63-2795

Owner Type Name and Address
 Current Owner BRUCE L HOOFNAGLE
 COVE, OR

Priority Date: 01/14/1950

Basis: License

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	1.370 CFS	
	<u>Total Diversion:</u>	1.370 CFS	

Location of Point(s) of Diversion

GROUND WATER NE1/4SW1/4 Sec. 35, Twp 02N, Rge 03W, B.M.
 CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	34									40.0				40.0				80.0
02N	03W	35								40.0	40.0	40.0	40.0						160.0

Total Acres: 240

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:Dates and Other Information:

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2795

Dates and Other Information:

Licensed Date: 8/28/1979

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2919

WATER RIGHT NUMBER: 63-2919

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES D PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951
Original Owner	BRUCE L HOOFNAGLE ALICEL, OR

Priority Date: 12/27/1952

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.400 CFS	
	<u>Total Diversion:</u>	1.400 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4SW1/4	Sec. 35, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	34													40.0				80.0
02N	03W	35									40.0	40.0	40.0	40.0					160.0

Total Acres: 240

Conditions of Approval:Remarks:

- General SEE BENEFICIAL USE CLAIM A02-10046 FOR A COMPLETE SYSTEM DESCRIPTION AND MAP.

Comments:

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2919

Dates and Other Information:

Claim Received Date: 2/8/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

MICROFILMED

MAR 22 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2919

WATER RIGHT NUMBER: 63-2919

Owner Type Name and Address
 Current Owner BRUCE L HOOFNAGLE
 ALICEL, OR

Priority Date: 12/27/1952

Basis: License

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.400 CFS	
DOMESTIC	/ to /		
<u>Total Diversion:</u>		1.400 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4SW1/4 Sec. 35, Twp 02N, Rge 03W, B.M.
 CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	34									40.0							40.0	80.0
02N	03W	35									40.0	40.0	40.0	40.0					160.0

Total Acres: 240

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:Dates and Other Information:

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2919

Dates and Other Information:

Licensed Date: 9/12/1979

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-2208

WATER RIGHT NUMBER: 2-2208

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES D PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951

Priority Date: 02/20/1963

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	5.000 CFS	
	<u>Total Diversion:</u>	5.000 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L7 SW1/4SW1/4NE1/4	Sec. 36, Twp 01N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	34													40.0			40.0	80.0
02N	03W	35									38.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	318.0

Total Acres: 398

Conditions of Approval:

- 016 See remarks for additional conditions of approval.

Remarks:

- General FROM ORIGINAL FIELD EXAM, TEN 600 HP AND ONE 350 HP PUMPS DIVERT WATER FROM THE SNAKE RIVER TO THE ACRES IRRIGATED. THE ADJUDICATION CLAIM SHOULD HAVE REFLECTED THE LICENSE. THERE WAS NEVER A REDUCTION IN ACRES IRRIGATED. SEE BENEFICIAL USE CLAIM A02-10046 FOR A COMPLETE SYSTEM DESCRIPTION AND MAP.

Comments:

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-2208

Dates and Other Information:

Claim Received Date: 2/8/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 2-2208

WATER RIGHT NUMBER: 2-2208

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES D PINTLER
	, ZZ
Current Owner	GEORGE W PINTLER JR
	NAMPA, ID 83651

Priority Date: 02/20/1963

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	5.000 CFS	
	<u>Total Diversion:</u>	5.000 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	NW1/4SE1/4	Sec. 36, Twp 01N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	34													40.0			40.0	80.0
02N	03W	35									38.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	318.0

Total Acres: 398

Conditions of Approval:

1. 016 See remarks for additional conditions of approval.

Remarks:Comments:Dates and Other Information:

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 2-2208

Dates and Other Information:

Licensed Date: 2/13/1979
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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P/D SEARCH FOR T2N R3W S35 NESW

Basin	Sequence	Basis	Priority Date	Rate(cfs)	Volume(ac)	Source	Water Use(s)	Owner	Source Table
63	2795	License	1/14/1950	1.37		GROUND WATER	IRRIGATION	PINTLER, CHARLES D (Current)	wrAdjudicationClaim
63	9258	License	6/27/1979	0.18	7.2	GROUND WATER	DOMESTIC	PINTLER, CHARLES D (Current)	wrAdjudicationClaim
63	31487	Beneficial Use	8/1/1979	0.04		GROUND WATER	STOCKWATER	PINTLER, CHARLES D (Current)	wrAdjudicationClaim
63	9258	Beneficial Use	6/27/1979	0.18	7.2	GROUND WATER	DOMESTIC	PINTLER, CHARLES D (Current)	wrAdjudicationRecommendation
63	2795	License	1/14/1950	1.37		GROUND WATER	DOMESTIC, IRRIGATION	HOOFNAGLE, BRUCE L (Current)	wrWaterRight
63	9258	License	6/27/1979	0.18	7.2	GROUND WATER	DOMESTIC	PINTLER & SON (Current)	wrWaterRight
63	11216	License	2/8/1990	0.2	1.6	GROUND WATER	COMMERCIAL, DOMESTIC	PINTLER, BRAD (Current); PINTLER, CHARLES D (Current)	wrWaterRight

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P/D SEARCH FOR T2N R3W S35 NWSW

Basin	Sequence	Basis	Priority Date	Rate(cfs)	Volume(af)	Source	Water Use(s)	owner	Source Table
63	2919	License	12/27/1952	1.4		GROUND WATER	IRRIGATION	PINTLER, CHARLES D (Current)	wrAdjudicationClaim
63	9258	License	6/27/1979	0.18	7.2	GROUND WATER	DOMESTIC	PINTLER, CHARLES D (Current)	wrAdjudicationClaim
63	31487	Beneficial Use	8/1/1979	0.04		GROUND WATER	STOCKWATER	PINTLER, CHARLES D (Current)	wrAdjudicationClaim
63	2919	License	12/27/1952	1.4		GROUND WATER	DOMESTIC, IRRIGATION	HOOFNAGLE, BRUCE L (Current)	wrWaterRight

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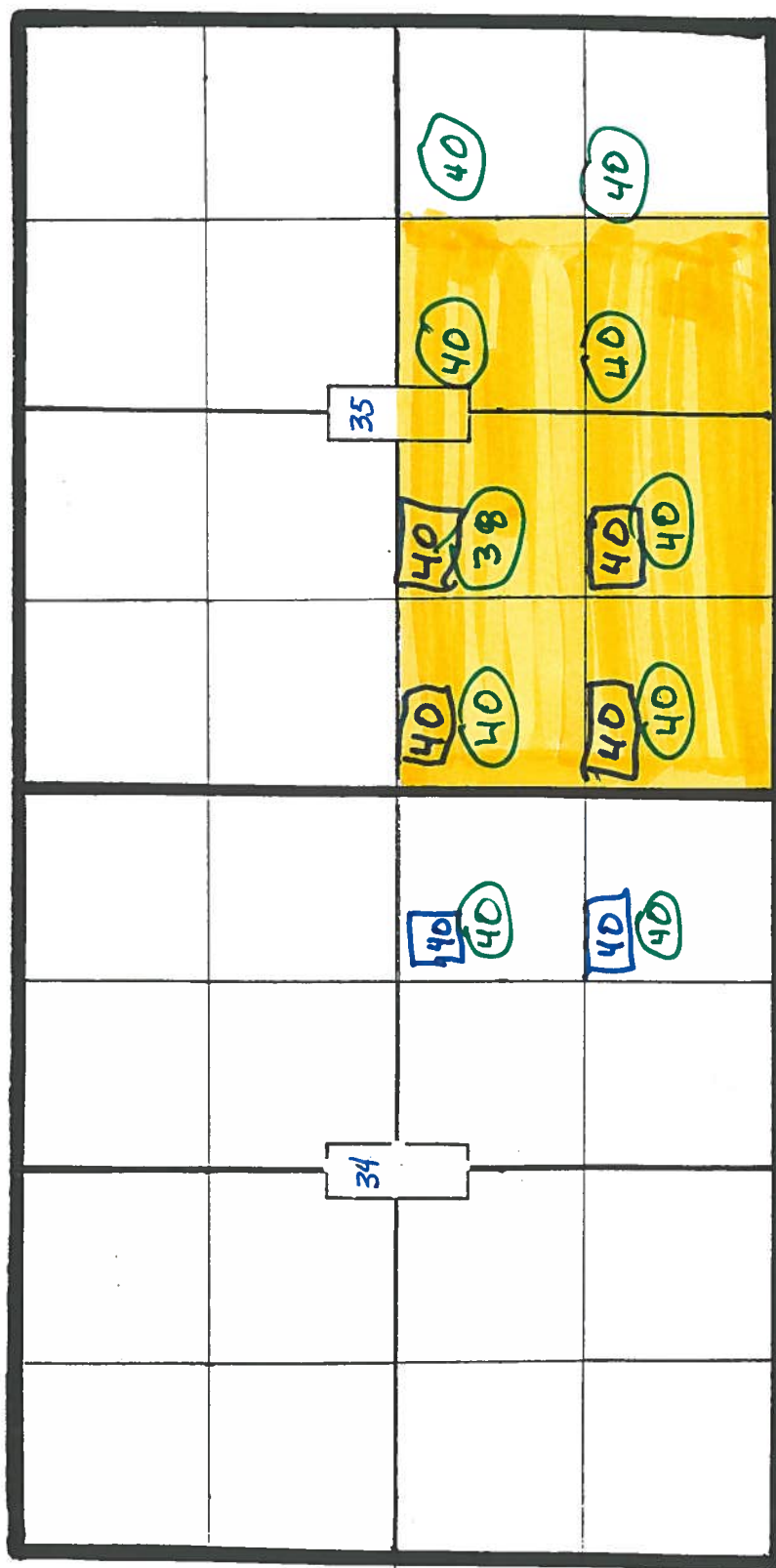
P/D SEARCH FOR NWSE S35 T2N R3W

Basin	Sequence	Suffix	Basis	Status	Right ID	Priority	Rate(cfs)	Volume(af)	Source	Water Use(s)
NO RESULTS FOUND										

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Water Right Comparison Map



DAIRY LOCATION



PERMISSIBLE P/U FOR 2795, ~~2795~~, 2919

AC

P/U 2208

AC

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Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TBS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 2795	CHARLES D PINTLER,	GROUND WATER	02N03W35									40	40	40	40					160
Claim	63 2919	CHARLES D PINTLER,	GROUND WATER	02N03W35									40	40	40	40					160
Right	63 2795	BRUCE L. HOOFNAGLE,	GROUND WATER	02N03W35									40	40	40	40					160
Right	63 2919	BRUCE L. HOOFNAGLE,	GROUND WATER	02N03W35									40	40	40	40					160
Claim	2 10046	DESERT SUN FARMS INC, CHARLES D PINTLER,	SNAKE RIVER	02N03W35						15											15
Claim	2 2208	CHARLES D PINTLER,	SNAKE RIVER	02N03W35									38	40	40	40		40	40	40	318
Claim	2 2313	DESERT SUN FARMS INC,	SNAKE RIVER	02N03W35						5											37
Claim	2 7011	JAN SIEBELINK, INEKE SIEBELINK,	SNAKE RIVER	02N03W35	40	40	40	37	40			40									237
Right	2 2208	CHARLES D PINTLER, GEORGE W PINTLER JR,	SNAKE RIVER	02N03W35									38	40	40	40		40	40	40	318
Right	2 2313	DESERT SUN FARM INC,	SNAKE RIVER	02N03W35						5			32								37
Right	2 7011	JAN SIEBELINK,	SNAKE RIVER	02N03W35	40	40	40	37	40			40									237

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Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESW	NWSE	SWSE	SESE	Total
Claim	63 2796	CHARLES D PINTLER,	GROUND WATER	02N03W34													40			40	80
Claim	63 2906	DESERT SUN FARMS INC.	GROUND WATER	02N03W34			40	40										40	20	140	
Claim	63 2919	CHARLES D PINTLER,	GROUND WATER	02N03W34														40		40	80
Right	63 2906	WINEMAKERS LLC,	GROUND WATER	02N03W34			36	37										39	20	133	
Right	63 2796	BRUCE L. HOFNAGLE,	GROUND WATER	02N03W34														40		40	80
Right	63 2906	DESERT SUN FARMS INC.	GROUND WATER	02N03W34			40	40										40	20	140	
Right	63 2919	BRUCE L. HOFNAGLE,	GROUND WATER	02N03W34														40		40	80
Claim	2 10046	DESERT SUN FARMS INC, CHARLES D PINTLER,	GROUND WATER	02N03W34															18	18	
Claim	2 2208	CHARLES D PINTLER,	SNAKE RIVER	02N03W34																40	80
Claim	2 2219D	WINEMAKERS LLC,	SNAKE RIVER	02N03W34																157	
Claim	2 2313	DESERT SUN FARMS INC.	SNAKE RIVER	02N03W34	35	40	40	40	40	40	40	40								315	
Right	2 2208	CHARLES D PINTLER, GEORGE W PINTLER JR,	SNAKE RIVER	02N03W34																40	80
Right	2 2219B	FARM DEVELOPMENT CORP.	SNAKE RIVER	02N03W34										38	39	40				156	
Right	2 2313	DESERT SUN FARM INC,	SNAKE RIVER	02N03W34	35	40	40	40	40	40	40	40								315	

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MAR 22 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9258

WATER RIGHT NUMBER: 63-9258

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PINTLER & SON RT 4 BOX 4243 NAMPA, ID 83651

Priority Date: 06/27/1979

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.180 CFS	7.20 AF
	<u>Total Diversion:</u>	0.180 CFS	7.20 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 35, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	34			X											X			
02N	03W	35						X			X	X							

Conditions of Approval:Remarks:

- General Domestic use is for 6 homes & 500 range cattle.

Comments:Dates and Other Information:

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MAR 22 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9258

Dates and Other Information:

Licensed Date: 4/22/1987
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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MAR 22 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31487

WATER RIGHT NUMBER: 63-31487

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES D PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951

Priority Date: 08/01/1979

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4SW1/4	Sec. 35, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NW1/4SW1/4	Sec. 35, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
02N	03W	34	X				
02N	03W	35		X	X		

Conditions of Approval:Remarks:

- Explanatory THIS CLAIM IS TO RECOGNIZE THAT 1000 HEAD OF DAIRY REPLACEMENT STOCK HAVE BEEN WATERED IN ADDITION TO THOSE INCLUDED UNDER 63-9258 SINCE AUGUST OF 1979.

Comments:

MICROFILMED
MAR 22 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31487

Dates and Other Information:

Claim Received Date: 5/8/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

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MAR 22 2004

MEMORANDUM

TO: ADJUDICATION FILE 63-31487

FROM: DANIEL A. NELSON *DAN*

DATE: 9/3/02

SUBJECT: TRANSFER OVERLAP REVIEW OF 63-31487

During a recent overlap review for a transfer for water right 63-2795, 63-2919 and 02-2208, I discovered some discrepancies in adjudication claim 63-31487. Below is summation of my review of water rights 63-31487 and 63-9258.

Water right 63-9258 is a licensed right with a priority date of 6/27/1979 for 6 homes and 500 range cattle for 0.18 cfs and 7.2 afa. The permit did not include cattle numbers, but cattle were added to the water right after the field exam the well supplies water to 400 head of livestock in a feedlot with the capacity of 500 head of range cattle.

Water right 63-31487 is a domestic beneficial use adjudication claim that was filed for 1000 head of livestock for 0.04 cfs and no volume limitation with a comment that the 1000 head are in addition to the 500 range cattle for 63-9285. 63-31487 claimed a priority date of 8/1/1979.

However, the field exam for 63-9258 was performed on 7/14/1986, and it states that the capacity of the facility was only 500 head of cattle. Mr. Pintler filed proof of beneficial use on 5/20/1986 for 500 head of cattle, and 63-9258 was licensed in April of 1987 and no claim was made during that process that there were not enough cattle listed on the license. I have spoken to Jan Shurte of the Western Region Adjudication staff, and she has informed me that **adjudication claim 63-31487 will probably be disallowed**, since the field exam shows that there were only 500 head of cattle at the feedlot until after 1987 when a permit and license would have been needed. Mr. Pintler would need to provide evidence to counter the information supplied in the field exam for 63-9258. Even if the claim could be allowed, it would be limited to 13,000 gallons per day when combined with water right 63-9258, since the stockwater was added to this license as an exempted use. This would provide enough water for approximately 1,000 head of range cattle and would probably change the priority date of 63-31487 to after April of 1987 to more accurately describe when the water use happened.

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4/86

RECEIVED
MAY 18 1986

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Western Regional Office

EXAMINATION FEE INFORMATION

KEYPUNCHED

For Office Use Only

Fee Received \$100

Date 5/20/86

Receipt #40312

Receipt by SP

Sent to S.O. 5/27/86

RECEIVED
MAY 18 1986

PROOF FILED
5-20-1986

1. Permit No. 63-9258

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: PINTLER & SON

3. Post Office Address: RT4 Box 4243 Nampa IDA 83651

Telephone No. 466 6951

4. Source of Water: UNDERGROUND

5. Extent of Use:

Domestic 6 (No. of households) Stockwater 500 (No. and type of stock)

Irrigation (acres) Other/Remark

FOR 500
RANGE CATTLE

6. Total rate &/or volume for which proof is submitted 124 cfs acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

7-79

8. Person to contact to accompany the department representative during the field examination:

CHARLIE PINTLER

(Name)

RT4 Box 4243

(Address)

Nampa

IDAHO

466 6951

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

MAR 22 2004

5-6-86

Date

Signature of Permit Holder (and title, if appropriate)

PROOF Reciepted
5-20-1986

STATE OF IDAHO
Department of Water Resources

Boise, Idaho, 5/20, 1986

acct No. 1238-1
Nº 403

RECEIVED FROM Desert Sun Farms, Inc. Nampa \$ 100
One hundred dollars & 00/100 DOLLARS

FOR		
<u>Exam Fee</u>	\$ 100	00
<u>63-9258</u>	\$	
	\$	
<u>92-1</u>	\$	00
	100	

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MAR 22 2004
Judy Tamm

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

63-9258
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat
- Check of P/D index PLP 7/14/86 (Initial and date)
- Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?
- Type of Overlap? ☐ Add acres or uses to existing system
- ☐ Increase rate of flow or volume
- ☒ Other: Trigger well
- Check of P/U index T 10/6 (Initial and date)
- Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?
- Type of Overlap? ☐ Increase rate of flow or volume
- ☐ Add P/D's
- ☐ Increase number of acres within tracts
- ☒ Other: Trigger well
- Aerial Photo
- Required? ☐ yes ☒ no If yes: ☐ copy attached?
- Scheduling Letter sent? 6/27/86 JP (Initial and date)
- ☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

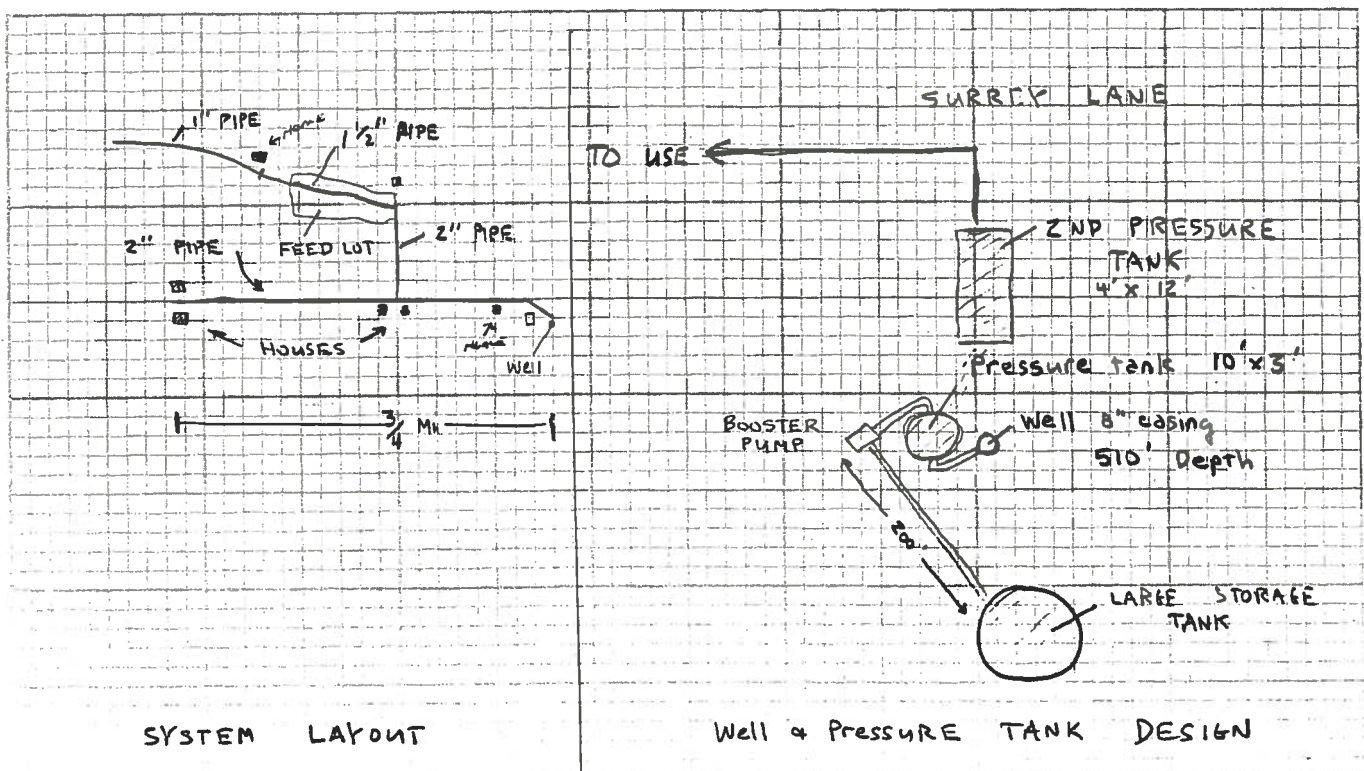
- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

- Exam Completed Richard Joseph 7/14/86 (Signature of examiner and date)
- Exam Reviewed by Senior Water Resource Agent JP 8/7/86 (Initial and date)
- Exam Reviewed by Manager of Regional Office Bar 12/9/86 (Initial and date)
- Exam Date Entered in Computer W 1-6-87 (Initial and date)
- Exam sent to State Office EH 1-2-87 (Initial and date)
- Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
- Refiled in White File W 12-12-86 (Initial and date)

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MAR 22 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT**A. GENERAL INFORMATION**Permit No. 63-92581. Owner: Pirtler & Son Phone No. 466-6951Current Address: Rt 4 Box 4243 Nampa ID2. Accompanied by: Charlie Pirtler EXAM. DATE: 7/14/86Address: - Phone No. -Relationship to Permit Holder: Owner3. Source: Ground water tributary to -Field Exam
PERFORMED 7/14/86**B. OVERLAP REVIEW**1. Other water rights with same place of use: None ☐ Copies Attached2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached**C. SYSTEM DESCRIPTION**1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached **TOP VIEW**

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and place(s) of use (required).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

A well 8" by 510' deep supplies water for 6 domestic units and

500 head of cattle. The pump is a 15 HP Berkeley submersible.

Two pressure tanks are used to supply 98 PSI to the system.

A 2" mainline travels $\frac{3}{4}$ mile along slurry lane to supply water to 4 domestic units. A 2" line travels north $\frac{1}{2}$ mile to the feedlot and to other houses.

FOR 500 head OF CATTLE

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Domestic well	-	15	-	Berkeley	8" casing

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	SW	35	2N	3W	Canyon	Topographic map

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	3W	34			X											X			
		35						X		X	X								

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Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
		N/A				

2. Measurements:

~~Housepower~~ ~~the combined~~ ~~of~~ ~~the~~ ~~house~~
 400 head of cattle. CATTLE NOT ON ORIGINAL PERMIT
 Usage 400 Head cattle = .09 cfs Note - cattle not on original permit
 Domestic 6 homes = ~~11~~ 11 cfs max flow rate
 (FROM MAX INSTANTANEOUS FLOW REQ FOR Com)
 IN - HOUSE ONLY - ALLOW .18 SINCE IRR. USE ALSO OCCURS.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: None Horsepower EQ
$$\frac{(15 \text{ HP}) \times 3.8 \times .8}{900 \text{ ft} + (2.3 \times 75)} = .18 \text{ cfs}$$
 ALLOW

2. Alternate Method for Checking Purposes: None

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
 Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)
 N/A
 Water HP: (3) x (4) ÷ 8.8 = _____ (5)
 Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
 Meter Input HP: (6) x 1.34 = _____ (7)
 Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
 Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ ~~24~~ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ ~~24~~ _____

2. Volume Calculations for Other Uses:

6 Homes x 1.2 AF/ANNUAL = 7.2 AF/ANNUAL
 HOME

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

Other P/D's in same '4 1/4 63-2795

Used only for irrigation purposes

All Place of use overlaps are for ~~the~~ irrigation purposes

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	.18 cfs	7.2
Totals:			.18 cfs	7.2

2. Recommended Amendments

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

J. AUTHENTICATION

Field Examiner's Name Richard J Gempert
Signature Richard J Gempert
Certification Date _____
Field Report Preparation Date 7-14-86

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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MAR 22 2004

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-9258

Department of Water Resources
Western Region Office

Priority: June 27, 1979

Amount: .18 CFS

7.2 AFA

This is to certify, that PINTLER & SON
RT. 4 BOX 4243
NAMPA, ID 83651

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated June 27, 1979, and
has submitted proof to the Department of Water Resources on June 28, 1984, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .18 cfs of water from a GROUNDWATER
source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.18 cfs	7.2 afa
<u>LOCATION OF POINT OF DIVERSION(S):</u>		NESW , Sec. 35, Township 2N, Range 3W Canyon County	
<u>PLACE OF USE:</u> Domestic			
<u>TWN RGE SEC</u>			
2N 3W 34	SWNE	NWSE	
35	SWNW	NESW	NWSW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 6 homes & 500 range cattle.

FOR 500 Range
CATTLE.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22nd day
of April, 1987.

Acting for the Director

Norm Young

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MAR 22 2004

CANYON COUNTY COMMISSIONERS



Pat Galvin
DISTRICT 1

Matt Beebe
DISTRICT 2

Todd Lakey
DISTRICT 3

1115 Albany Street • Caldwell, Idaho 83605 • Telephone: (208) 454-7507 • Fax: (208) 454-7336

November 22, 2002

RECEIVED

DEC - 2 2002

Department of Water Resources

RECEIVED

DEC 02 2002

TECHNICAL SERVICES

Jennifer Bettos
Idaho State Department of Agriculture
Engineering Services
Attn: County CAFO Siting Team
2270 Old Penitentiary Road
Boise ID 83712

Re: Request for a CAFO Siting Advisory Team Review

RECEIVED

DEC 03 2002

WATER RESOURCES
WESTERN REGION

Dear Ms. Bettos:

Through this letter we are respectfully requesting that the CAFO siting advisory team view the property located at 13541 Surrey Lane in Nampa, Idaho. The property is further described as being in portions of Sections 27, 34 and 35 of Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho. We are making our request for a siting team review based upon Mr. Charles Pintler's request for a conditional use permit to operate an 8,000 cow dairy consisting of 4,500 milking head and 3,500 dry cows and replacement heifers on approximately 861 acres in an Agricultural Zone. This includes an existing 1,500 head heifer operation.

Please let us know when we can anticipate receiving your report as we have continued the hearing regarding Mr. Pintler's request to December 17, 2002, and would like to review the report prior to that date. If the report will not be available by that time, please let us know.

We appreciate your consideration of our request and look forward to your response. If you have any questions, please contact our office at (208) 454-7507.

Sincerely,

CANYON COUNTY BOARD OF COMMISSIONERS

Todd M. Lakey, Chairman
Canyon County Board of Commissioners

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MAR 22 2004

CAFO SITING ADVISORY TEAM REQUEST

Canyon County

November 25, 2002

RECEIVED

DEC 02 2002

TECHNICAL SERVICES

New Dairy

Applicant Information:

Desert Sun Farms—Charles D. Pintler
13541 Surrey Lane
Nampa, Idaho 83686

Phone: 466-6951

Representative Information:

C. H. Weston
16316 Orchard Avenue
Caldwell, Idaho 83607

Phone: 459-2631

Fax: 453-2960

Facility Information:

13541 Surrey Lane
Nampa, Idaho 83686

Legal Description: T 3 N R 2 W Section (portions of) 27, 34, 35

Parcel No.: R30254, R30248, R30256, R30255, R30249, R30251, R30222

Total Acreage: Approximately 861 acres

Herd Information:

Current: 1,500 replacement heifers

Proposed: 8,000 cow dairy consisting of 4,500 milking head and 3,500 dry cows. The 3,500 dry cows include the 1,500 replacement heifers already on the site.

Water Right Information:

Available from the applicant or applicant's representative

Vicinity Map with Site Location: (Attachment A)

Site Characterization:

Available from the applicant or applicant's representative

Nutrient Management Plan:

Available from Darwin Vander Stelt, author of NMP

Phone: 465-9496

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Land Application Plan:

Available in Nutrient Management Plan

Description of Waste System:

Available in the Nutrient Management Plan

Description of Pest Management:

Available from the applicant or applicant's representative

Description of Odor Management Plan:

Available in the Nutrient Management Plan

Description of Dead Animal Disposal Plan:

Available from the applicant or applicant's representative

Soil Information:

Available in the Nutrient Management Plan

Application Documents with Canyon County:

Application Form (Attachment B)

Letter of Intent (Attachment C)

Site Plan (Attachment D)

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Attachment A

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MAR 22 2004

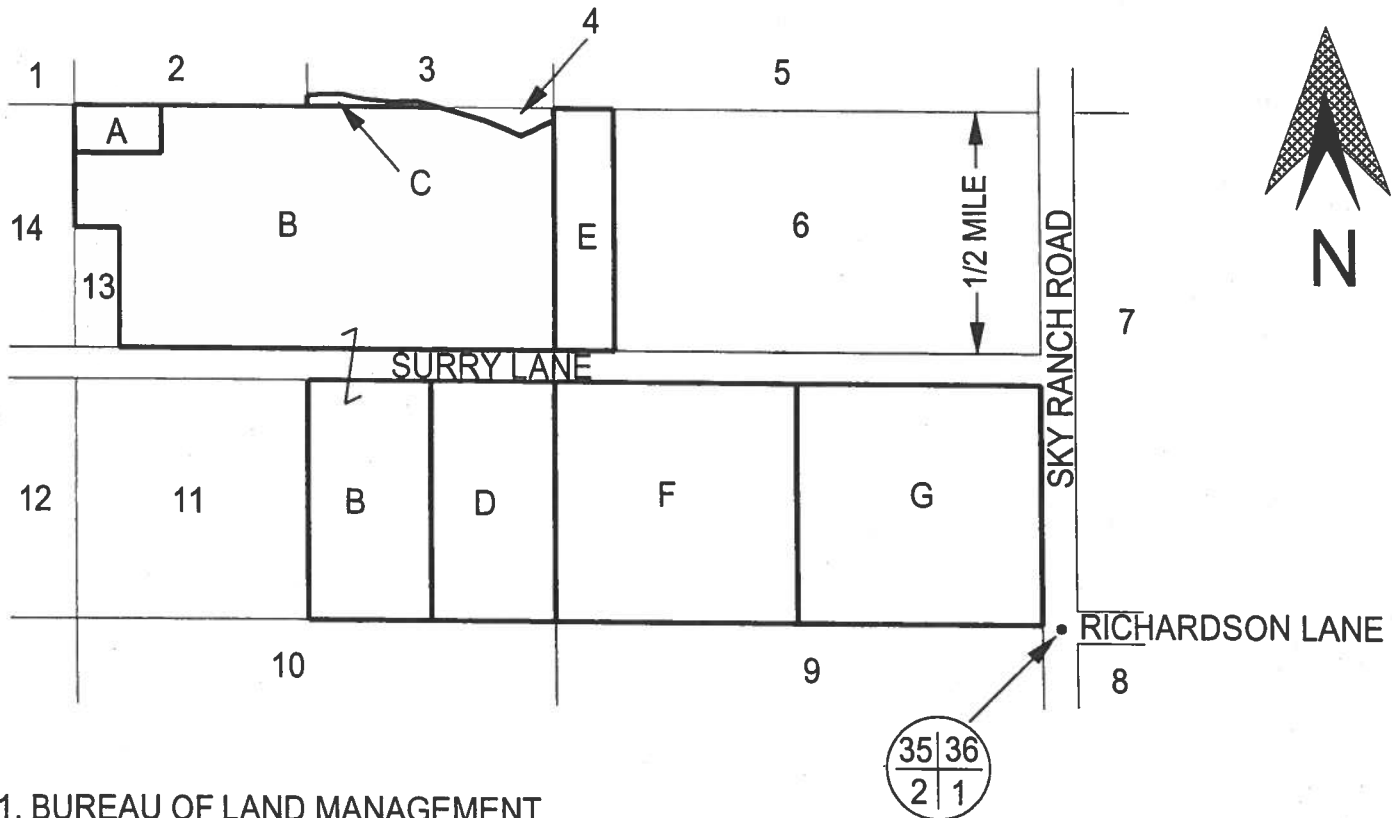
Case No.

R#: 30251, 30248, 30222,
30249, 30256, 30255, 30254

2 MILE NOTIFICATION DISTANCE
300' PROPERTY OWNERSHIP SHOWN

022422L35-2N-3W

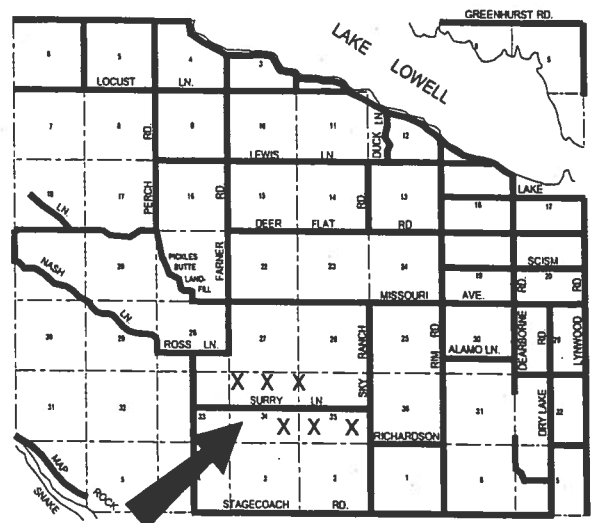
A request by Desert Sun Farms (Charlie Pintler) for a CONDITIONAL USE PERMIT to operate a 8000 cow dairy consisting of 4,500 milking head and 3,500 dry cows and heifers on approximately 861 acres in an "A" (Agricultural) Zone.



1. BUREAU OF LAND MANAGEMENT
2. BUREAU OF LAND MANAGEMENT
3. WINEMAKERS, LLC
4. SKYLINE VINEYARDS
5. SIEBLINK
6. SIEBLINK
7. HARVEST FARM CO.
8. STAM
9. MONTIERTH
10. CHASE
11. CANYON COUNTY
12. WINEMAKERS, LLC
13. WINEMAKERS, LLC
14. WINEMAKERS, LLC

SUBJECT PROPERTIES:

- A. DESERT SUN FARMS, INC
- B. DESERT SUN FARMS, INC
- C. DESERT SUN FARMS, INC
- D. PINTLER
- E. DESERT SUN FARMS, INC
- F. PINTLER
- G. PINTLER



Date: 11 APR 2002

Location: SE 35-2N-3W

Zoning: A MICROFILMED

All proportions and dimensions shown on this drawing are approximate

MAR 22 2004

Attachment B

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MAR 22 2004



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
1115 Albany Street • Caldwell, Idaho • 83605 • Phone (208) 454-7458
Fax: (208) 454-6633 www.canyoncounty.org/dsd

APPLICATION FOR A PUBLIC HEARING

Applicant(s):

Desert Sun Farms, Inc. - Charles D. & Carol L. Pinter
Name Phone / Fax 466-6951
13541 Surrey Lane Nampa, Id 83686
Street Address City, State Zip

Representative:

C.H. Weston 459-2631 453-2960 FAX
Name Phone / Fax
16316 ORCHARD AVE CALDWELL, Id. 83607
Street Address City, State Zip

SITE INFORMATION

Location Section 34, 35 Township: 3N Range: 2W Quarter: 1/4 Total Acres: 86.1
Called C.H.W. on 2/23/02 to 3/21/02 for 2001

Tax Parcel Number(s): R 30254 R 30248 R 30256 R 30255 R 30249 R 30251
R 30222

Address of Subject Property: 13541 SURREY LANE NAMPA
Street Address City, State Zip

Subdivision: N/A Lot: _____ Block: _____

Area of City Impact: N/A Zoning: A Floodplain: N/A

REQUEST

- ☒ Conditional Use Permit
☐ Ordinance Amendment

- ☐ Rezone
☐ Conditional Rezone
☐ Comprehensive Plan Map Change

SUBMITTALS

- ☒ Deed or evidence of ownership interest
☒ Soils classification by Canyon Soil Conservation District, 2208 E. Chicago, Suite A, Caldwell, ID 83605
☒ A filing fee of \$ Waived must accompany this application. See initial Application
☐ Authorization by code number: Chapter, Article, and Section _____

The Director may require additional information or documentation. The Director reserves the right not to accept this application until all necessary information is received by the Development Services Department.

I consent to this application and allow Development Services Staff to enter the subject property to gather information and post notification as part of the public hearing process.

I certify this information is correct to the best of my knowledge.

Desert Sun Farms Inc.
By Charles D. Pinter one 3-21-02
Signature: (Land owner) Date

[Signature]
Signature: (Representative) Date

[Signature] 3-21-02
Signature: (Reviewing Staff) Date

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MAR 22 2004



Attachment C

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MAR 22 2004

LETTER OF INTENT

REQUEST:

A request by Desert Sun Farms, Inc, - Charles D. and Carol L. Pintler for a Conditional Use permit to operate an 8,000 cow dairy consisting of 4,500 milking head and 3,500 dry cows and heifers on approximately 861 acres in an "A" (Agricultural) Zone. This includes an existing 1,500 head heifer operation. The subject property is located at 13541 Surrey Lane, Nampa, Idaho and is further described as situated in in portions of Section 27, 34, and 35 Township 2 North, Range 3 West, B.M., Idaho.

SITE:

The property is located approximately 4+ miles outside the Nampa Area of City Impact in a bonafide and intensive agricultural area.

OPERATING PLAN:

The dairy will operate 24 hours 7 days per week. Facility lighting will be downward facing and screened so as not to be offensive to area residents. The dairy will use a dry scrape system for cleaning stalls. A dead animal pick-up area will be designated and screened from public view. All dead animals will be picked up in a timely manner within 24 hours of death.

Best management practices will be employed to reduce odors, dust, and flies. All water will be retained on site and held in Department of Agriculture and DEQ approved water retention ponds with adequate holding capacity. See PRELIMINARY NUTRIENT MANAGEMENT PLAN approval letter from the state Dairy Official. A final Nutrient Management Plan will be submitted to the Department of Agriculture within one year of commencing operation.

Egress/Ingress to the proposed dairy facility will be off Surrey Lane. Approximately two tanker trucks per day will access the facility to collect milk and/or deliver feed commodities. The road access will meet the approval of the Nampa Highway District. Mr. Pintler farms and manages over 5,500 acres in the immediate vicinity. There is sufficient acres to accommodate the amount of manure forecasted to be generated.

This request is permitted under the Conditional Use section of Canyon County Zoning Ordinance 97-001, Chapters 6; 12 and specifically Sub chapter 07-12 -07 (3) (M) Dairies when located at least one (1) mile or greater distance from any platted subdivision or any residential zone or incorporated city unless this distance is specifically reduced as part of the Conditional use Permit. Construction and maintenance of dairy facilities shall comply with all regulations and laws imposed by federal, state, and county agencies including control for elimination of waste materials and protection of water quality.

This is a bonafide agricultural area with several productive farms in the immediate vicinity. Surrounding farmland utilizes a combination of Snake River Water Rights and deep water wells with some of the oldest existing water rights in the area. A water conversion has been applied for from Idaho Department of Water Resources.

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PINTLER C.U.P. LETTER OF INTENT, (CONT'D) page 2

The request complies with the following planning documents adopted by Canyon County.

LOCAL PLANNING ACT:

Section 67-6502 written in 1975 and still enforced through the Idaho Legislative process lays out in its preface the purpose of the act which canyon County's Comprehensive Plan was founded upon. The preface states the act shall promote the health, safety and general welfare of the people of the state of Idaho as follows:

- (a) To protect property rights and enhance property values.

This request is considered agricultural in nature and as such is compatible with surrounding agricultural operations. The owner will add value by investing approximately 5-6 million dollars into the proposed dairy operation.

- (b) To ensure that adequate public facilities and services are provided to the people at reasonable cost.

This request puts very little burden on public services as the property owner is developing all facilities at his expense. Police, fire, and emergency services will be minimal and tax dollars generated by this dairy development will contribute significantly towards enhancing service facilities throughout the county.

- (c) To ensure the economy of the state and localities is protected and enhanced.

The Comprehensive Plan in Canyon County states that agriculture continues to remain the central industry in Canyon County and as such this request is in keeping with the industry.

- (d) To ensure that the important environmental features of the state and localities are protected and enhanced.

This request respects the environmental concerns of all federal, state and county agencies and will abide by their respective standards/requirements.

- (e) To encourage the protection of prime agricultural, forestry, and mining lands for the production of food, fiber, and minerals.

This request is in keeping with the intent of this statement in that the request is all about producing food products and fiber.

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PINTLER LETTER OF INTENT, (CONT'D) page 3

CANYON COUNTY COMPREHENSIVE PLAN:

OVERALL PLANNING GOAL (page 2) is to create the necessary tools and recommend actions that will enhance the quality of life of its residents. The increasing urban population in Idaho and throughout the intermountain strengthens the demand for milk and milk by- products. This proposed dairy will assist in fulfilling that demand. As long as the public health, safety, and general welfare are adequately provided for, this request is within the scope of the Planning Commission to approve with conditions.

PROPERTY RIGHTS

The property is zoned "A" (Agricultural). The property is also designated as AGRICULTURAL CATERGORY for Comprehensive Planning purposes. The APPLICANT shall apply a "good neighbor" policy towards all surrounding property owners and do their utmost to respect the property rights and wishes of their new neighbors. All federal, state, and county regulations towards environmental protection shall be adhered to.

POPULATION POLICIES:

POLICY 1 . The population in the cities and areas of impact are forecasted to increase dramatically in the next twenty (20) years. Demand for milk and milk byproducts should increase proportionately.

POLICY 2. The creation of a dairy and employment opportunities in farming will help prevent out migration from small communities in the area such as Melba.

POLICY 3. The establishment of dairies out in the substantially agricultural areas of the county encourages growth in the cities and areas of impact rather than create scattered development elsewhere.

POLICY 4. Creating further farming opportunities in best suited and moderately suited agricultural zones perpetuates the continuance of agriculture in Canyon County.

ECONOMIC DEVELOPMENT POLICIES:

POLICY 1 The development of a dairy encourages additional employment opportunities in Canyon County. This particular request will bring approximately 15 new jobs to the area.

POLICY 2. The development proposal could very well assist in lowering the unemployment rate in this area of the county by providing additional job opportunities

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MAR 22 2004

PINTLER, LETTER OF INTENT, (CONT'D) Page 4

especially to people who may have experience working in agriculture (and specifically dairy operations) who may currently be unemployed.

POLICY 3 The proposed dairy is very much consistent with economic growth that supports the agricultural industry of canyon County.

POLICY 4 The proposed dairy will allow the applicant an opportunity to increase his income stream while affording those that work for him similar opportunities. At the same time is hoped that these opportunities will enable all who work for the dairy a chance to remain ahead of the national inflation rate. This state of the art dairy facility requires dairymen to have increase technological skills. These skills pay better wages and help protect against lower paying agricultural jobs.

OVERALL LAND USE POLICIES:

POLICY 1 The proposal encourages orderly growth in Canyon County by locating the dairy in a non-populated area where substantial and productive agricultural operations are already actively operating.

POLICY 2 The request site is located in the appropriate agricultural zone and as such does not adversely affect unreasonable intrusion of incompatible land uses.

POLICY 4 The proposed dairy lies within 1 mile of State Highway 45 and as such promotes the safe efficient movement of people and goods to support land uses.

POLICY 5 The proposed state -of-the-art dairy facility will encourage liveability, creativity, and excellence in design and strives to preserve the natural beauty and ecology of the County. The State Dairy Inspection procedures are among the most stringent agricultural regulatory mechanisms we have in the State of Idaho. If you don't meet their requirements you can be severely fined or shut down. With this large of economic investment it is incumbent upon the applicant to conform to applicable rules and regulations.

AGRICULTURAL LANDS

POLICY 1 The proposed dairy supports present agricultural activities and as such represents development compatible within agricultural zones within Canyon County. Five nearby property owners are interested in manure byproducts from the proposed dairy operation.

NATURAL RESOURCE POLICIES

POLICY 1 The proposed dairy will recognize and abide by all federal, state, and county regulations and shall do its best to conserve and protect the natural resources of Canyon County.

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PINTLER, LETTER OF INTENT, (CONT'D) Page 5

POLICY 2 The proposed dairy in abiding by all DEQ, IDWR, and State Department of Agriculture regulations regarding water delivery systems, lagoon development, on-site water retention and manure spreading will do its utmost to protect and conserve the water and water resources in harmony with land uses.

POLICY 4 The proposed dairy recognizes that Canyon County has many unique resources that exemplify the vitality of the County's residents and recognize the importance of maintaining these resources into the future. This policy is further reinforced by the themes developed for the South Nampa and Bowmont Community Planning Districts that support agriculture and the rural lifestyle associated with it.

PRIMARY LAND USE CATEGORIES OF THE PLAN

BEST SUITED: MODERATELY SUITED; AND LEAST SUITED AGRICULTURAL LAND USE AREAS.

The County affirms and protects the right of agricultural operators to continue agricultural practices, even though urban (residential) uses in the general area may foster complaints against those agricultural practices.

The proposed request to establish a dairy and milking facilities will have a positive effect on the local economy. Dairying is permitted under Conditional Use section of the Zoning Ordinance is deemed a desirable agricultural pursuit. The current agricultural farm operation has adequate water resources to accommodate the proposed dairy operation, however a transfer of water right is needed.

A preliminary Nutrient Management Plan has been completed. A finalized version of the Plan will be made available within one year of the facility commencing operation. The pond/lagoon will meet federal, state, and local requirements. (See SITE PLAN).

Currently there are 4 agricultural wells on the property that feed wheel lines to raise row crops. A new well will be drilled and a proportionate number of acres retired as required by the Department of Water Resources. Approximately 120 acres will be used to accommodate the dairy Facility. The remainder of the property will be used for growing row crops and feed.

Area milk buyers including Dairy Gold, Jerome Creamery, and Sorrento have expressed interest in purchasing the product. Darwin Vandersteldt, Certified Dairy Planner has drafted a Nutrient Management Plan. Kurt Stanley, Huele Corporation, is assisting in designing a manure separator. Sherrill Chapman is assisting with water conversion permitting.

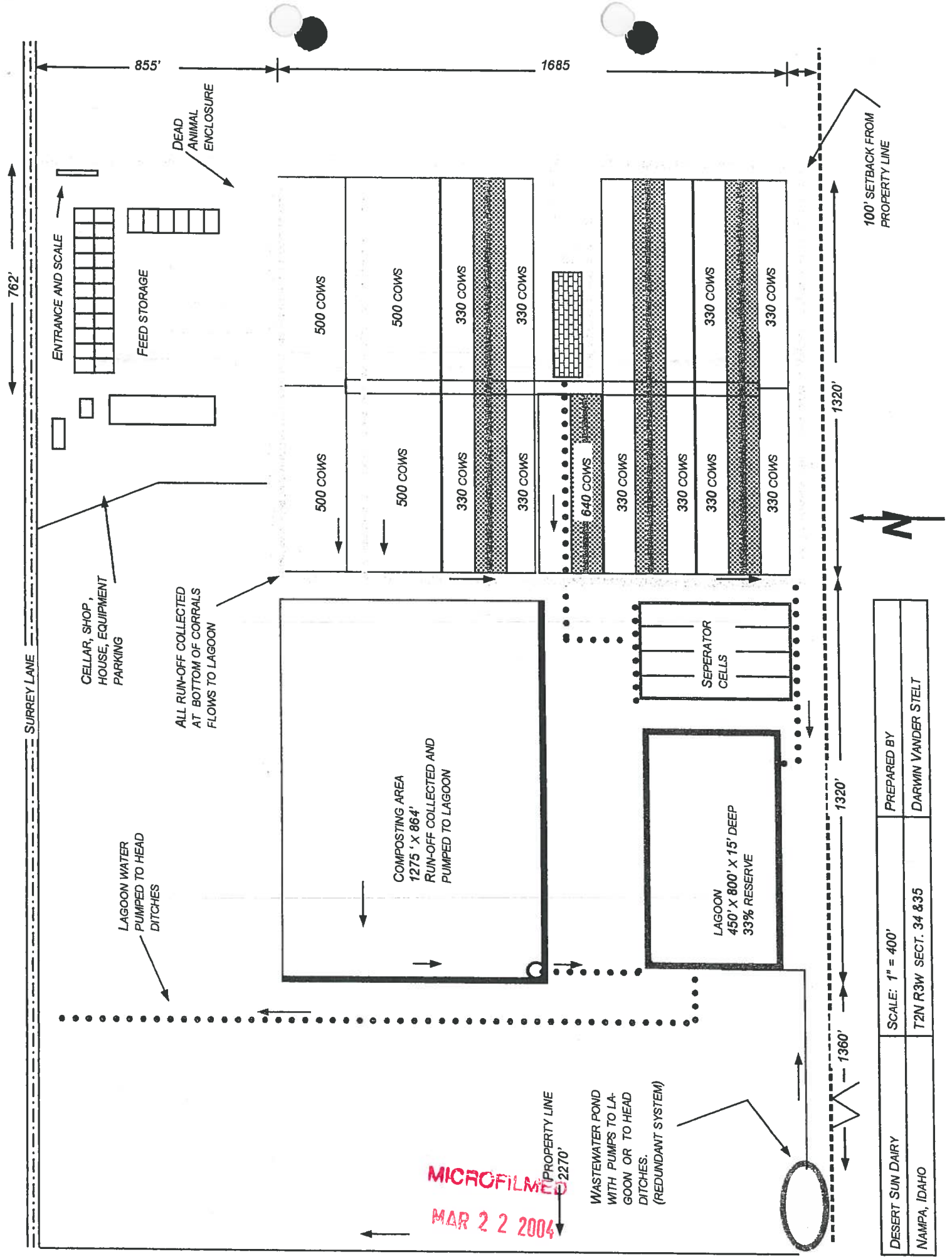
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MAR 22 2004

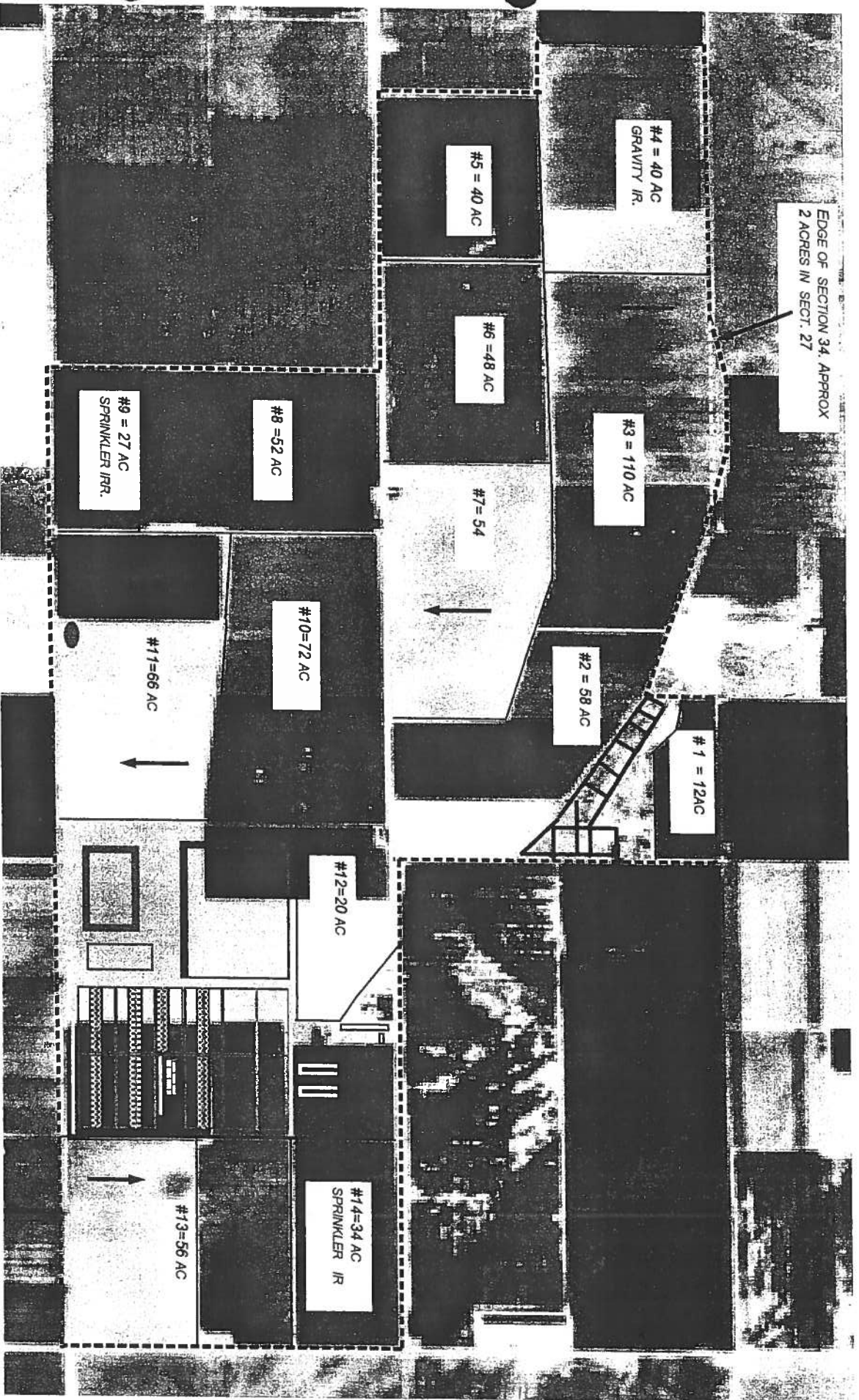
Attachment D

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MAR 22 2004



DESERT SUN DAIRY	SCALE: 1" = 400'	PREPARED BY
NAMPA, IDAHO	T2N R3W SECT. 34 & 35	DARWIN VANDER STELT



RECEIVED

DEC 02 2002

TECHNICAL SERVICES

Supplemental Information for
Desert Sun Farms CAFO Siting Team Request

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MAR 22 2004



Natural Resources Conservation Service
132 SW 5th Avenue, Meridian, ID 83642-2994
Telephone: 208-888-1890 FAX: 208-888-1536

April 1, 2002

Mr. Charlie Pintler
13541 Surrey Lane
Nampa, ID 83686

You inquired last week for an opinion on the suitability of the soils in the Dry Lake area to accommodate an animal waste pond for a new construction dairy. I have been involved in soils evaluations on 4 other new dairies in your area the past 3 years. In my 35 years with the Natural Resources Conservation Service (formerly the Soil Conservation Service), I have had considerable experience working with soils of similar origin and development.

Most of these soils have loam and silt loam textures throughout the upper part of the profile. Many have an indurated duripan between a depth of 30 and 60 inches. Below the duripan is a variety of material ranging from basalt bedrock to alluvial material including loam, silt loam, fine sandy loam or gravelly sandy loam. The bedrock is usually most commonly associated with ridges on the landscape with the deeper and less developed soils in depressional areas. The more strongly developed soils have a zone of clay accumulation (typically silt loam or silty clay loam) beneath the surface layer above the duripan, when present.

Most of these soils are relatively easy to dig and handle. If you avoid areas of bedrock, construction and shaping of the pond is straightforward. Soil suitable for an earthen liner is present in some, but not all profiles. The desirable liner material is usually in the upper 30 inches of the profile and can be stripped and stockpiled prior to building the pond. The material is then replaced and compacted to form the seal. Where adequate clay is not present, addition of bentonite will raise the clay content to the desired level.

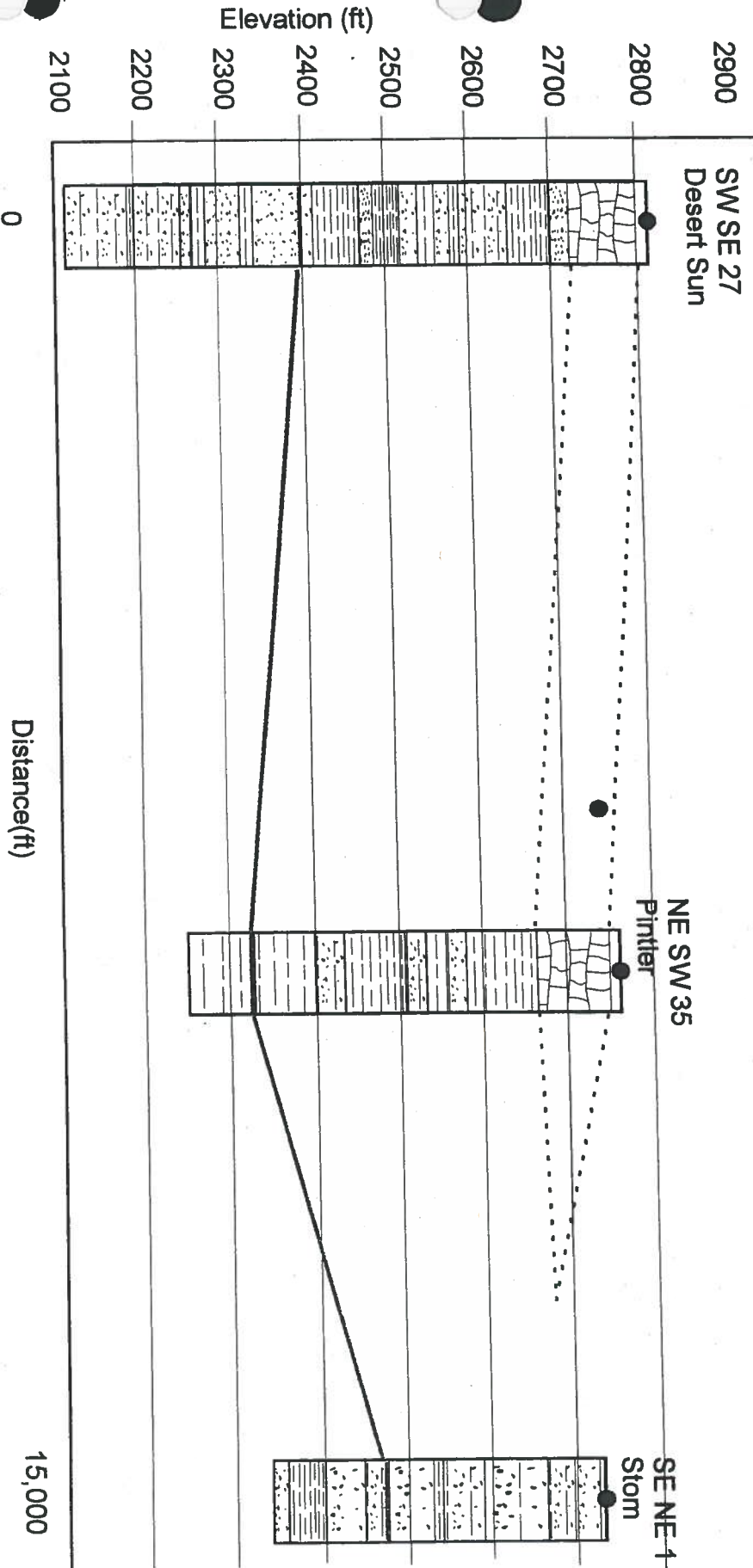
In general, the soils here are quite suitable. To evaluate the soils and determine available liner materials, an onsite investigation of test holes is absolutely necessary. I can make the evaluations of these backhoe pits once you have determined the site and the layout of the facility.

Please contact me if I can be of additional assistance.

HARLEY R. NOE
Resource Soil Scientist

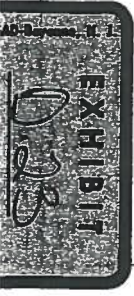


Generalized Geologic Cross-Section Beneath Desert Sun Farms



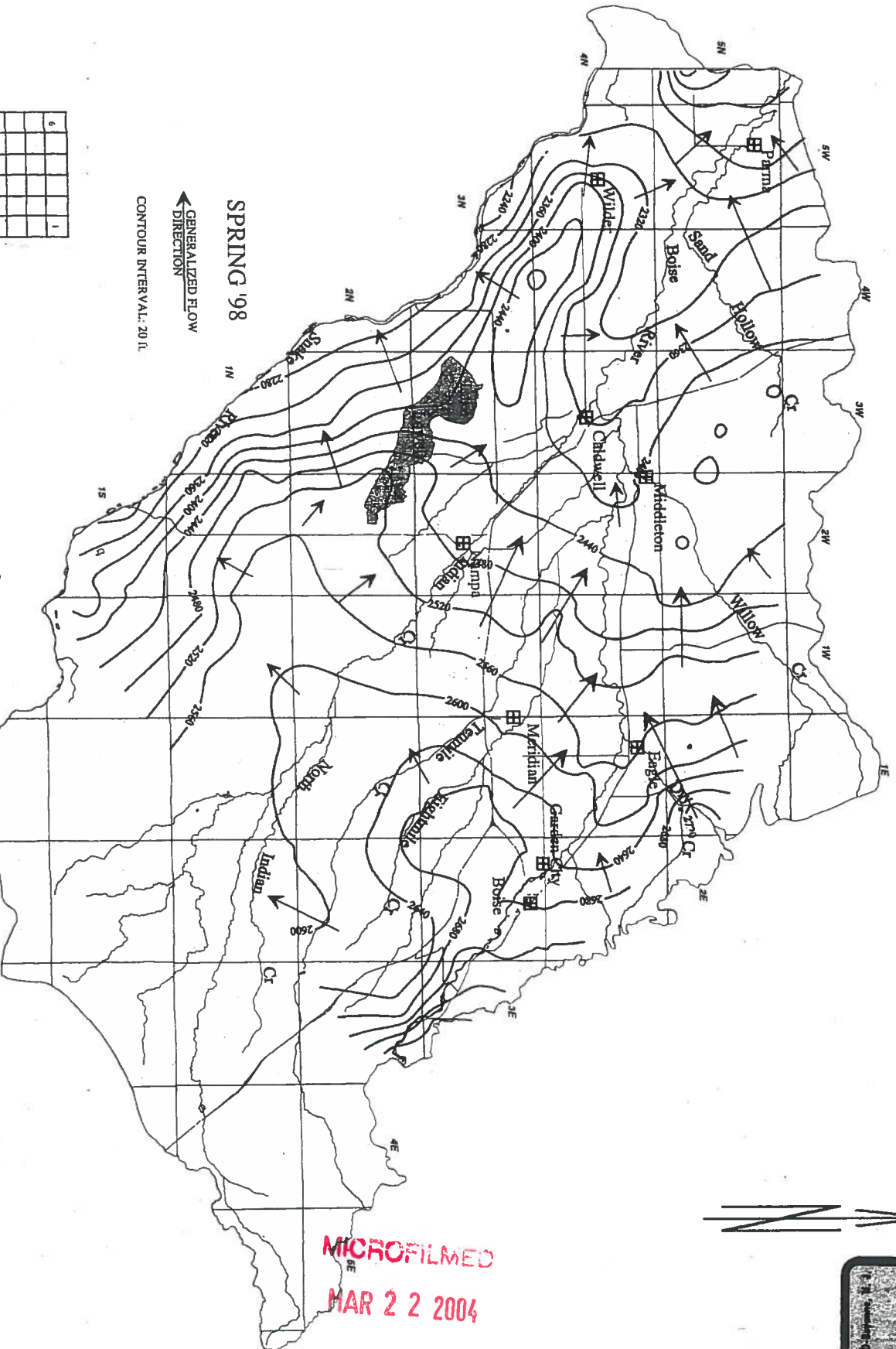
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Approximately 100x vertical exaggeration



TREASURE VALLEY

GROUND WATER ELEVATIONS



SPRING '98

GENERALIZED FLOW
DIRECTION

CONTOUR INTERVAL: 20 ft.

6	1
4	24
31	36

SCALE



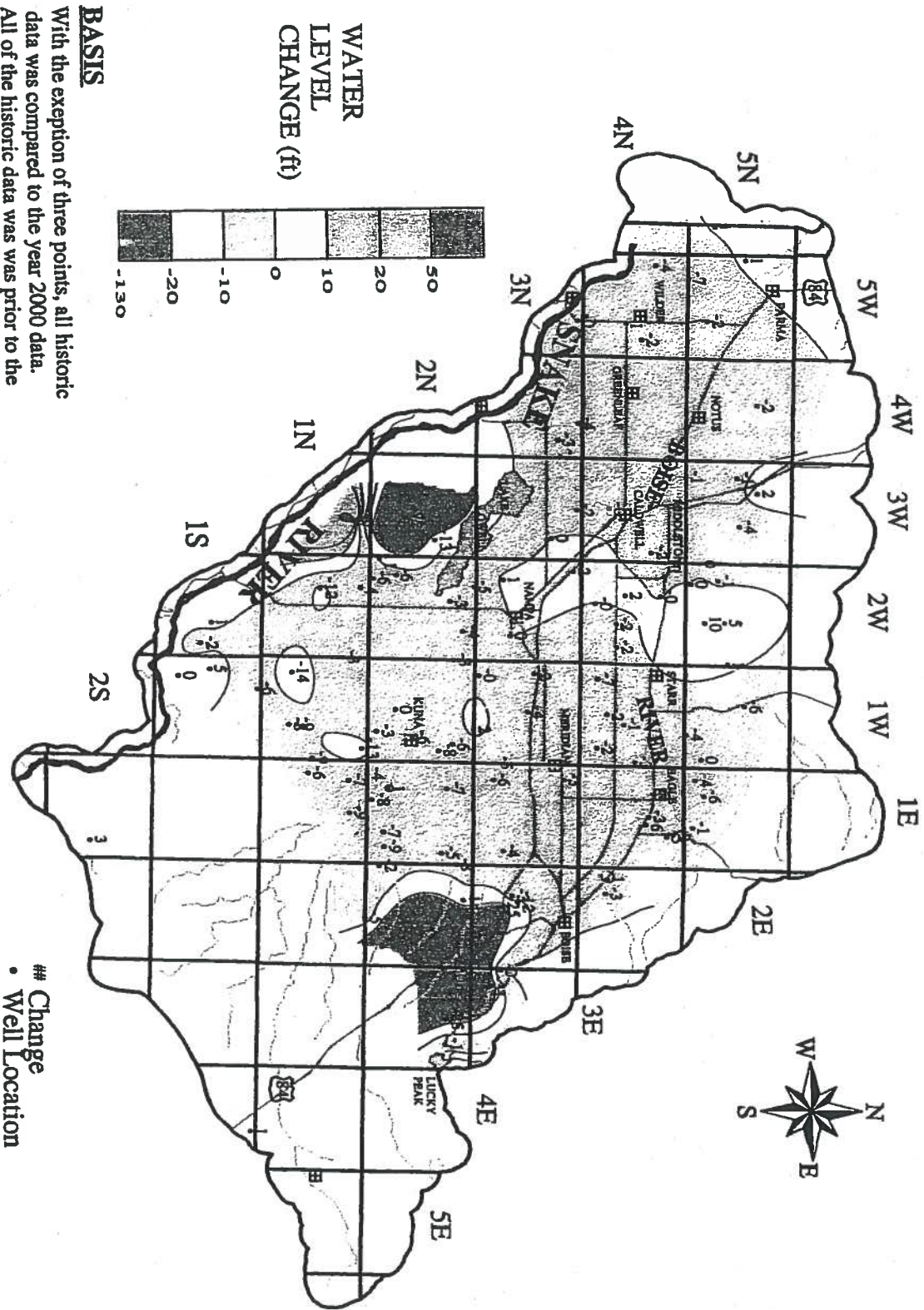
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EXHIBIT

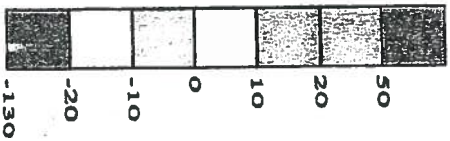
D-12

TREASURE VALLEY

GROUND WATER LEVEL CHANGE



WATER
LEVEL
CHANGE (ft)



BASIS

With the exception of three points, all historic data was compared to the year 2000 data. All of the historic data was prior to the year 1978. The majority of the historic data (79 points) is all Spring 1969 to Spring 1976. Another 21 historical points are all fall 1969 to fall 1976 and 15 are prior to 1969. A total of 115 points were used.

Map Scale (in miles)



Change
• Well Location

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MAR 22 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 04 2002

WATER RESOURCES
WESTERN REGION

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222, and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application for Transfer No. 70199 in the name of
CHARLES D. PINTER, 13541 SURREY LN, NAMPA, ID 83686
2. Name of protestant Robert C. and Marilyn R. Rogero
and James D. and Claudia L. Haynes
3. Protestant's Representative for service (If different than protestant) _____
4. Service mailing address 12678 Deer Ridge Trail – Nampa, ID 83636
5. Service telephone no. (208) 467-6624
6. Basis of protest (including statement of facts and law upon which the protest is based)
Protestants believe that this Transfer to a Dairy/Commercial Use will impact our Water Rights
and Water Rights of Others in the area and, as such, is NOT in the Public Interest.

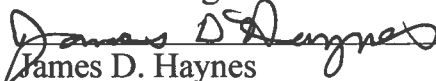
(additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? No Change in Historical Use!

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of the protest upon the applicant.

Protestants:

Signed this 4th day of November, 2002.

Robert C. Rogero



James D. Haynes



Marilyn R. Rogero



Claudia L. Haynes

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**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 70199**

CHARLES D PINTLER
13541 SURREY LN
NAMPA ID 83686, has filed Application No. 70199 for changes to the following water rights within CANYON County:

Right No. 63-2919

<u>Priority</u>	12/27/1952	
<u>Source</u>	GROUND WATER	
<u>Use</u>	IRRIGATION (240 acres)	1.40 CFS
<u>Total Amount</u>		1.40 CFS
<u>Point(s) of Diversion</u>	NENWSW S35 T02N R03W	
<u>Place of Use</u>	S34 T02N R03W S35 T02N R03W	

Right No. 63-2795

<u>Priority</u>	1/14/1950	
<u>Source</u>	GROUND WATER	
<u>Use</u>	IRRIGATION (240 acres)	1.37 CFS
<u>Total Amount</u>		1.37 CFS
<u>Point(s) of Diversion</u>	NENESW S35 T02N R03W	
<u>Place of Use</u>	S34 T02N R03W S35 T02N R03W	

Right No. 2-2208

<u>Priority</u>	2/20/1963	
<u>Source</u>	SNAKE RIVER	
<u>Use</u>	IRRIGATION (398 acres)	5.00 CFS
<u>Total Amount</u>		5.00 CFS
<u>Point(s) of Diversion</u>	L7 (SWSWNE) S36 T01N R03W	
<u>Place of Use</u>	S34 T02N R03W S35 T02N R03W	

Remark: The transfer proposes to retire 131 acres in the SW S35 from water rights 63-2795, 63-2919 & 02-2208 and move the appurtenant groundwater from water rights 63-2795 and 63-2919 to a new dairy located in SW and the W 1/2 of the SE S35. None of the surface water from 02-2208 will be used in the dairy, but land will need to be retired for the dairy use. The new dairy is planned for 4,500 milking cows and 2,000 dry cows. The dairy will be located in Hidden Valley, south of Surrey Lane and west of Sky Ranch Road in T2N R3W, Canyon County.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before November 04, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
October 17, 24, 2002

04509436



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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 15, 2002

ROBERT &/OR MARILYN ROGERO
12678 DEER RIDGE TRAIL
NAMPA ID 83686

Re: Application for Transfer of No. 70199 in the Name of Charles D. Pintler.

Dear Sir and/or Madam:

Enclosed is copy of the above-referenced application for permit which may be of interest to you. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application, your written protest along with the \$25.00 protest fee, must be received in this office by November 4, 2002.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in black ink that reads "Daniel A. Nelson".

Daniel A. Nelson

DN:lm

Encl: Copy of Application

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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 15, 2002

DELLA JOHNSON
PO BOX 187
NAMPA ID 83653

Re: Application for Transfer of No. 70199 in the Name of Charles D. Pintler.

Dear Sir and/or Madam:

Enclosed is copy of the above-referenced application for permit which may be of interest to you. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application, your written protest along with the \$25.00 protest fee, must be received in this office by November 4, 2002.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in black ink that reads "Daniel A. Nelson".

Daniel A. Nelson

DN:lm

Encl: Copy of Application

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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 15, 2002

DONALD &/OR CLAUDIA HAYNES
8830 DEERSKY RANCH TRAIL
NAMPA ID 83686

Re: Application for Transfer of No. 70199 in the Name of Charles D. Pintler.

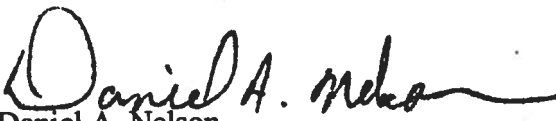
Dear Sir and/or Madam:

Enclosed is copy of the above-referenced application for permit which may be of interest to you. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application, your written protest along with the \$25.00 protest fee, must be received in this office by November 4, 2002.

If you have any questions regarding the application, please contact this office.

Sincerely,


Daniel A. Nelson

DN:lm

Encl: Copy of Application

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MAR 22 2004

MEMORANDUM

TO: ADJUDICATION FILES 63-31487 AND 63-9258

FROM: DANIEL A. NELSON

DATE: 1/15/03

SUBJECT: AMENDMENT OF ADJUDICATION CLAIM 63-9258

We are working through a transfer for water rights 63-2795, 63-2919, 63-31487, and 02-2208. The transfer number is 70199. The purpose of the transfer was change the nature of use of the water appurtenant to a portion of the land associated with these rights for a proposed 8,000-cow dairy. In the review of the transfer we discovered discrepancies in the existing stockwater rights 63-9258 and 63-31487. After discussions with Mr. Pintler and his consultant, Steve Hannula of ERO Resources, it was decided to make the following corrections to allow the transfer to continue:

- 1.) The stockwater remark would be removed from water right 63-9258, since the original license did not add any diversion rate or volume for stockwater. The reason the original license did not add stockwater is because stockwater was not included in the original application or permit. Therefore, the license could not give any rate or volume consideration to the license. They did mention in the right that 500 head of cattle were using water from the well in a feedlot.
- 2.) 63-31487 will be recommended through the transfer to cover the stockwater not applied for in water right 63-9258. This will allow the stockwater developed with license 63-9258 to be shown on water right 63-31487 with a diversion rate and volume allowed under an Idaho Code § 42-111 or 0.04 cfs and 13,000 gallons per day.

In order to use 63-31487 to reflect the water developed for stockwater in accordance with 63-9258, it is necessary to remove the remark allowing 500 head of stockwater from the license. The amendment will remove the stockwater remark from 63-9258, which will render 63-9258 for domestic use for 6 homes only. This will clean up all the overlap problems and settle some of the protests in the transfer.

We have been asked by Mr. Pintler and his consultant to hold the amendment until the transfer has been approved. If the transfer is not approved, Mr. Pintler would like the adjudication claims to stand on their own merits. The recommendation of the transfer settles some issues, but the denial of the transfer would not allow the clarifications of these rights to be involved in the adjudication process.

THEREFORE, PLEASE DO NOT PROCESS THESE ADJUDICATION CLAIMS UNTIL TRANSFER 70199 HAS BEEN DECIDED.

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MAR 22 2004

Nelson, Dan

From: Nelson, Dan
Sent: Thursday, September 05, 2002 7:40 AM
To: 'Steven Hannula'
Subject: RE: PINTLER TRANSFER

Hello Steve,

Since the 63-31487 and 63-9258 are a separate facility, I don't think that we should concern ourselves too much with them in the transfer. I will just need something in the transfer that shows that these rights or the wells for these rights are not going to be connected to the dairy. My transfer review requires that I check out all possible overlapping rights and the validity of those rights.

As far as clearing up the 1,500 head, I will need to get back to you on this issue. I will talk to Jan Shurte about this and see what direction she wants to go, since it is an adjudication issue. This claim will not come up for adjudication review for a few years, so I think that you will have time unless you are using it in connection with the dairy facility. From the research I needed to do for the transfer, it is pretty obvious that there were only 400-500 head of cattle at the facility in 1986 and more than likely in 1987. If this is the case then they would need to file a permit or transfer for the remaining 1000 head of cattle. The license only allowed the stockwater as an exempted use, so they will need valid water right to get anything over 13,000 gallons per day, enough for 1000 head of cattle. They cannot have two exempt rights stacked on top of each other. Therefore, if they have 1500 head at the present time, they will probably have to file a second transfer to bring the water rights for this feedlot up to its current capacity if they cannot prove that the 1500 head existed prior to 1987.

It seems like the adjudication claim was not the process that they needed in this case. The field exam for 63-9158 was very specific as to the number of animals and facility capacity at the time of the exam. It will be difficult to prove that the facility was downsized between 1979 and 1986 and then upsized again before 1987. I have placed a memo in the adjudication file with the information that I found, so that information will need to be disputed before the adjudication will recommend the claim for decree. It would be much cleaner to follow the proper procedures and file a transfer to clean up this situation.

I know that this all sounds a little confusing, and I would be happy to sit down with you and Sherl to go over this. I would like to bring in an adjudication agent if we do this, so please give me time to put a meeting together.

Thanks

Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources

-----Original Message-----

From: Steven Hannula [mailto:shannula@eroresources.com]
Sent: Wednesday, September 04, 2002 11:56 AM
To: Nelson, Dan
Cc: shannula@eroresources.com
Subject: RE: PINTLER TRANSFER

In regard to your overlap analysis, the two water rights you are working with (63-31487 and 63-9258) are for a 1,500 head feedlot. The new (proposed) dairy is a separate facility and will be operated separately from the feedlot. The dairy requirement worksheet included with the application for transfer is for the dairy portion only. The two water rights you are studying will not be used in the

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1
MAR 22 2004

I presume that the overlap analysis is concerned about the stacking of rights. The field examiner saw 500 head in 1986. I will investigate the history of the feedlot to determine if a total of 1500 were present prior to November 1987. If so, the water rights should be allowed under an accomplished transfer. Should I work on this through you? What can you recommend to me as the best way to proceed?

I appreciate you sending these e-mails. It helps me to keep informed and aware of your thoughts so hopefully everyone's effort can be less.

-----Original Message-----

From: Nelson, Dan [mailto:dnelson@idwr.state.id.us]
Sent: Wednesday, September 04, 2002 8:03 AM
To: 'Steven Hannula'
Subject: RE: PINTLER TRANSFER

Hi Steve,

I already found my mistake on the 267 vs. 269 acres. It should be 269 acres. I also went over my calculations for the cfs rate and I agree with you that it should be .76 cfs and the total should be 1.51 cfs. I have changed that as well. I spoke to Gary Spackman about the surface water and since it doesn't go over the inch per acre rule it shouldn't be reduced other than the acres that will be retired for the dairy. The reason for this is that you are claiming that the groundwater was basically the primary right for the acres that were retired. If the number of acres dropped below 250 acres then we would have needed to reduce the surface water diversion rate to match the remaining acres. We still need it on the transfer to reduce the number of acres, but not the rate of diversion, however the volume limitation will be reduced to a maximum of 4.5 afa/acre.

I told you that the memo was a preliminary draft and I hadn't checked it too closely for errors, and I am good at making errors and have to check my work over and over again. Thanks for catching those.

I have gotten the final word from the Adjudication Supervisor, Jan Shurte, on the overlap issue that I had on the memo. I checked into the overlapping water right 63-31487 and it looks as though that adjudication claim will be disallowed. The field exam for 63-9258 was performed in 1986 and licensed in 1987 and the field examiner found that their were only 500 head of livestock at Mr. Pintler's feedlot at that time. The stockwater for 63-9258 was not listed on the water right permit and was only added to the license because it was an exempt use. Therefore, Mr. Pintler would have 2 exempt stockwater rights for the feedlot if 63-31487 were allowed. So you may want to see if the 500 head of livestock mentioned under 63-9258 is to be included with the dairy. At 500 head that would reduce the stockwater volume by $500 \times 12 \text{ gallons/day} \times 365 \text{ days} / 325850 = 6.7 \text{ afa}$. It isn't much, but it may save you 2-3 acres of irrigation. I would consider it additive to the transfer and to make sure that you have plenty of water and maybe use this water for heifer and calf pens and save yourself some hassle.

Thanks

Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources

-----Original Message-----

From: Steven Hannula [mailto:shannula@idwrresources.com]

MICROFILMED
MAR 22 2004
2

Sent: Tuesday, September 03, 2002 3:06 PM
To: Nelson, Dan
Subject: RE: PINTLER TRANSFER

Thank you Dan. I looked it over today. I like how you preserved the diversion rate for the surface water right (02-2208).

Two minor comments :

1) For WR# 63-2919, the rounding of the diversion rate for stock water and commercial makes the total = 0.77 cfs (vs. 0.76 cfs used in the calcs). Should we carry the sig figs to the thousandths? or round one up and the other down?

2) in your note at the end, you summarize that 267 acres remain for irrigation. Earlier in the draft you explain that 269 acres remain. I believe the 269 is the correct remaining acres for irrigation (along with the volume and diversion rate associated with 269 acres).

As you know, Sherl is out of the office. I will be in touch after I get a chance to update Sherl.

Thank you again.

-----Original Message-----

From: Nelson, Dan [mailto:dnelson@idwr.state.id.us]
Sent: Friday, August 30, 2002 4:03 PM
To: 'shannula@eroresources.com'
Subject: PINTLER TRANSFER

Hi Steve,

I have attached a draft of my analysis memo to this email for the Pintler Transfer. Maybe you can see from my work where I am headed on this transfer. I am sending it to you so you can see what I am thinking and we can hopefully steer each other into some common ground. See what you think about what I have done.

Please excuse the mistakes and bad wording. This is my first rough draft, but I thought you should have the opportunity to see what I am looking at to see if we can get into the same train of thought.

Thanks

Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources

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MAR 22 2004

Nelson, Dan

From: Nelson, Dan
Sent: Wednesday, September 04, 2002 8:54 AM
To: 'Steven Hannula'
Subject: RE: PINTLER TRANSFER



pintler memo.doc

Hi Steve,

I meant to send you a copy of the adjusted memo with my previous memo. Here it is.

Dan Nelson

MICROFILMED

Nelson, Dan

From: Nelson, Dan
Sent: Wednesday, September 04, 2002 8:03 AM
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Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources

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MAR 22 2004

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Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources

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MAR 22 2004

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
eroboise@eroresources.com

RECEIVED

AUG 28 2002

WATER RESOURCES
WESTERN REGION

August 26, 2002

Daniel A. Nelson
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Dear Mr. Nelson:

Enclosed you will find a revised Application for Transfer for Charles D. Pintler. This application includes the revised consumptive use calculations that you and Sherl Chapman discussed.

Regards,

A handwritten signature in dark ink, reading "Steven R. Hannula". The signature is fluid and cursive.

Steven R. Hannula

SRH:sw

Encl.

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MAR 22 2004

Consultants in
Natural Resources
and the Environment

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



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eroboise@eroresources.com

RECEIVED
JUL 31 2002
WATER RESOURCES
WESTERN REGION

July 30, 2002

Daniel A. Nelson
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Dear Mr. Nelson:

Pursuant to your letter of June 5, 2002 I am responding with regard to Application for Transfer for Charles D. Pintler for water right 63-2795 and 63-2919. In your letter you asked me to respond to two specific issues. 1) The historic consumptive use of crops on land being retired and the mechanism by which the consumptive use was calculated. 2) The relationship between the surface water and ground water used on the property and how much ground water might be available for transfer. This letter is an attempt to respond to your request. With regard to item no. 1, consumptive use calculations, the basic consumptive use was taken from Agrimet data from 1996 to 1999 for the station near Nampa, Idaho. Mr. Pintler's crop reports were used for fields 20, 21, 28, and 29 to determine the type of crops grown and the cropping practices. As you may recall from the information attached to the Application for Transfer, some of the fields were double cropped during the last five year period. This had the result of increasing the consumptive use on certain fields. The application seeks to retire 104 acres from active irrigation encompassing all or parts of fields 20, 21, 28, and 29. I compared the cropping pattern to the Agrimet data for the acreages encompassed within those fields and then attempted to weight the consumptive use averages based on the acreage irrigated, the crops involved, and the percent of time over the last five years each crop was on a specific acre. As you can imagine, this was a rather cumbersome process but my effort was to try to obtain a reasonable consumptive use for the 104 acres to be retired. Many of the fields had been used for alfalfa production with a peak consumptive use of 3.38 acre feet per acre per year while some were much less. However, I believe the 3.13 acre feet per acre consumptive use is reasonably close to the actual consumptive use that has occurred on the 104 acres within those fields based on the cropping pattern and the crops grown over the last five years.

Item no. 2 was slightly more straightforward. Some months ago you provided me with a document relating to the unstacking and splitting of supplemental water rights (copy enclosed). The example indicates that where ground water and surface water are combined or commingled in an irrigation system, that a determination of the amount of land that could be fully irrigated by the ground water supply must be determined if a transfer affects either the surface water or ground water supply. As I have pointed out in the past with regard to this transfer, the ground water supply for the Pintler farm was developed in 1950 and 1952 while the surface water supply was not brought on to the property until 1963. Mr. Pintler has always considered the ground water as his primary

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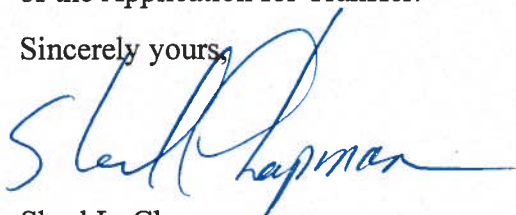
MAR 22 2004

Consultants in
Natural Resources
and the Environment

water supply with the surface water being supplemental to the property, particularly the land in the SE1/4, Section 35, Township 2 North, Range 3 West, the portion of his property which is not covered by any of the ground water rights. The total Pintler farm upon which the ground water and surface water supplies covered under water right 63-2919, 63-2795, and 02-2208 are appurtenant is 400 acres. Of the 400 acres, the 160 acres included in the SE1/4, Section 35, Township 2 North, Range 3 West is covered solely by 02-2208. The field headgate requirement for this 160 acres is 4.5 acre feet times 160 acres or 720 acre feet per year. As can be seen from the enclosed Hat Butte Mutual Canal Co. document, water deliveries to the Pintler farm since 1997 have ranged from 502.52 acre feet to 626.486 acre feet, an average of 548.2 acre feet per year. This means that on the average, there is a deficit of 172 acre feet of surface water available just for the 160 acres covered solely by water right 02-2208. By subtracting the 160 acres covered solely by surface water from the total farm size, the land left to be irrigated by ground water is 240 acres. The field headgate requirement for this property is 4.5 acre feet per acre, which equals 1,080 acre feet or 2.72 cfs for a 200 day irrigation season. The existing ground water rights covered under 63-2919 and 63-2795 total 2.77 cfs and/or 1,080 acre feet per year. Based on the Department's example and the existing field headgate requirement and the fact that 160 acres of the farm is solely covered by surface water, all of water rights 63-2919 and 63-2795 are available for transfer under this application.

During our previous conversations you suggested that one of the ways to determine the ground water/surface water relationship was to acquire pumping records and utility bills from Idaho Power Company for the late 1980's, particularly 1987. We have repeatedly contacted Idaho Power and each time have been told that those records do not exist either in their archives or database. After you and I discussed this issue again you suggested that I obtain delivery records from the canal company and use the above described process to determine the ground water contribution. I believe the above analysis meets that test and request that the Department move ahead with the processing of the Application for Transfer.

Sincerely yours,



Sherl L. Chapman

SLC:sw

Encl.

cc: Charlie Pintler (w/ encl.)

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MAR 22 2004

Nelson, Dan

From: Steven Hannula [shannula@eroresources.com]
Sent: Tuesday, July 02, 2002 4:09 PM
To: Nelson, Dan
Subject: RE: Desert Sun Farms

Thank you Dan. It is for Charlie Pintler (his farm is Desert Sun Farms).

-----Original Message-----

From: Nelson, Dan [mailto:dnelson@idwr.state.id.us]
Sent: Tuesday, July 02, 2002 3:55 PM
To: 'Steven Hannula'
Subject: RE: Desert Sun Farms

Dear Mr. Chapman,

I currently do not have a transfer for Desert Sun Farms so I am assuming that you are referring to the Charles Pintler transfer currently on file in our office. If I am mistaken, please contact me to make sure that I can extend the time for the application.

Your request for an additional 30-days to supply the needed information is granted. I can allow up to a full year extension of time to supply additional information. Therefore, I am going to grant you a 1-year extension. Once we receive the needed information, we will resume processing the Pintler application as soon as possible. This will allow you as much time as needed to compile the information needed up to one year.

Therefore, if I do not receive the needed information by 7/1/2003, I will send you a 30-day notice to supply the information. This should allow you ample time to supply the information required for this application.

Respectfully,

Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources

-----Original Message-----

From: Steven Hannula [mailto:shannula@eroresources.com]
Sent: Tuesday, July 02, 2002 2:24 PM
To: dnelson@idwr.state.id.us
Cc: Sherl Chapman
Subject: Desert Sun Farms

Mr. Nelson,

In regards to the application for transfer for Desert Sun Farms, ERO received a letter that required some action by us within a 30-day time period, which expires July 5, 2002. ERO would like to request an additional 30 days in order to gather all of the necessary information.

If you have any questions, please contact Sherl Chapman at 373-7983.

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MAR 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

June 5, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ERO RESOURCES
ATTN SHERL CHAPMAN
1106 N COLE RD SUITE C
BOISE ID 83704-8661

COPY

RE: APPLICATION FOR TRANSFER FOR CHARLES D. PINTLER FOR WATER RIGHTS 63-2795 AND 63-2919

Dear Mr. Chapman:

We received the application for transfer for Charles D. Pintler on 4/29/2002 and an initial review has been done on the application. Unfortunately, processing will need to be delayed until we receive the following information:

The application states that the historic consumptive use of the crops on the land being retired is 3.13 afa per acre. However, there isn't any information that shows how the historic volume per acre was calculated. There are various methods for determining the historic volume per acre, please provide the calculations used and any supporting information.

The remarks portion of this application says that surface water was added to the irrigation system in 1963. Therefore, the historic use of the wells since the surface water was added to the system will need to be addressed, which should include the amount of water used from the wells under the current operating conditions. The surface water/groundwater relationship will also need to be addressed for the transfer review of the Snake River Basin Adjudication (SRBA) claims filed on these rights.

Please submit the requested information within thirty (30) days of the date of this letter. If the information is not timely submitted, the application will be removed from the records of this agency. Thank you for your attention to these matters, and please contact me if you have any questions.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

Cc Norm Young
Jeff Peppersack
Gary Spackman
Steve Lester

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APPENDIX C LAGOON STORAGE VOLUME WORKSHEET

Manure into lagoon: %
 Milk Cows 15% Holding pen flushed
 Dry Cows 0%
 Heifers 0%

Separator efficiency 65%

6 Manure into lagoon in cu.ft./day 430 3.3%

Wash Pen:

7 Number of sprinklers in holding pen 250 No wash pen

8 Sprinkler output in gallons per minute (gpm) 4

(@ 50 psi 9/64 = 4.04; 5/32 = 4.98; 11/64 = 6.01; 3/16 = 7.18) Refrigeration water recycled to wash pen

9 Minutes per day sprinklers are used: 96

No. of Strings 12

Minutes/String 4

Number of milkings per day 2

10 Days run per year 365

11 Total wash pen water in Gals/day (Lines 7 X 8 X 9 X (line10/365) 96,000

Milkhouse and parlor:	gals/optn.	x's/day	Gals/day	
Bulk Tank	200	12	2400	4- 12000 gal silos each washed 3 cycles
Pipeline	250	12	3000	2 pits washed 2 x's per day
Deckflush	2	12000		Wash pen water recycled to deck flush
Cleanup	2000	2	4000	
Cow Prep	0.25	2	2250.0	
Holding pen flush	2000	32		Wash pen water recycled to flush

12 Total Milkhouse and parlor in Gals/day : 11650

13 Total Milking Center Water in Gals/day 107,650 39,292,250

14 Total Milking Center water in cu.ft./day 14,353

Days storage required 180

15 Total storage required for Manure and barnwater (Cu.ft) 2,660,996

Total volume of liquid waste produced per year 5,395,908

Runoff Calculations :

Area1 length in ft	1230	All roofs have rain gutters with piping to irrigation drains and ponds run-off area in corrals and alleys Composting area and separation area
Area1 width in ft	1320	
Area 2 length in ft	1320	
Area 2 width in ft	1000	
Runoff area in Sq. ft. and acres	2,943,600	67.58

Precipitation in 25 yr 24hr storm from map (inches) 1.8

Runoff /1000 sq.ft. from Table 6 (Cu.ft) 82.5

16 Cu. ft. of storage required by 25 yr/24hr. storm 242,847

Precipitation from 1 in 5 yr winter from Table 7 (in) 6.9 Caldwell

Runoff /1000 sq.ft. from Table 7 (Cu.ft) 125

17 Cu. ft. of storage required by 1 in 5 yr winter precipitation 367,950

18 Total Storage required (cu. ft.) 3,271,793

Lagoon 1

No. of Cells	1	
Slope	0.5	:1 Rise over run
Depth (ft) (add 1' freeboard)	15	
Width of lagoon at top (ft)	450	
Width of lagoon at bottom(ft)	390	
Avg Width	420	
Length at top	800	
Length at bottom	740	
Avg. Length	770	
Actual Capacity in Cu. Ft.	4,851,000	

Lagoon 2

Prepared by:
 Darwin Vander Stelt

Appendix C-1

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No. of Cells	0		
Slope	0.5	:1	Rise over run
Depth (ft) (add 1' freeboard)	15		
Width of lagoon at top (ft)	300	Base	
Width of lagoon at bottom(ft)	240		
Avg Width	270		
Length at top	675	Height	
Length at bottom	615		
Avg. Length	645		
Actual Capacity in Cu. Ft.	-		

Lagoon 3

No. of Cells			
Slope	1	:1	Rise over run
Depth (ft) (add 1' freeboard)			
Width of lagoon at top (ft)			
Width of lagoon at bottom(ft)	0		
Avg Width	0		
Length at top			
Length at bottom	0		
Avg. Length	0		
Actual Capacity in Cu. Ft.	-		

Lagoon 3

No. of Cells			
Slope	1	:1	Rise over run
Depth (ft) (add 1' freeboard)			
Width of lagoon at top (ft)			
Width of lagoon at bottom(ft)	0		
Avg Width	0		
Length at top			
Length at bottom	0		
Avg. Length	0		
Actual Capacity in Cu. Ft.	-		

Total storage	4,851,000	
Reserve	1,579,208	Cu. Ft
	33%	Reserve

Taylor, Sue

From: Legals [legals@idahopress.com]
Sent: Friday, October 11, 2002 8:23 AM
To: Taylor, Sue
Subject: Re: pintler & beranna.RTF

Thank you Sue! Yes, I received the legal notices that you sent to begin publication on Oct. 17.
Rae Barbosa

--

Rae Barbosa
Legals Clerk
Idaho Press Tribune
(208) 465-8128
legals@idahopress.com

Starting August 15th, there will be a \$5 charge for additional affidavits. Thank you!

From: "Taylor, Sue" <staylor@idwr.state.id.us>
Date: Fri, 11 Oct 2002 08:15:52 -0600
To: "'legals@idahopress.com'" <legals@idahopress.com>
Subject: pintler & beranna.RTF

Good morning. Will you please let me know that you received these ads?

Thanks,

Sue

MICROFILMED
MAR 22 2004

10/11/2002

January 29, 2003

Legal Notice Department
Press-Tribune
PO Box 9399
Nampa ID 83652

RE: Amendment for Transfer No. 70199
Application for Permit Nos. 63-31603 and 63-31605

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 ~~11/04/2002~~. Your cooperation is appreciated.

Sincerely

2-24-2003

Sue Taylor
Senior Secretary

SCANNED

FEB 04 2003

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MAR 22 2004

NOTICE OF AMENDMENT FOR WATER RIGHT
TRANSFER NO. 70199

CHARLES D PINTLER
13541 SURREY LN

NAMPA ID 83686, has filed an amendment to Application No. 70199 for changes to the following water rights within CANYON County:

Right No. 63-31487

Priority 8/1/1979

Source GROUND WATER

Use STOCKWATER (0 acres) 0.04 CFS

Total Amount 0.04 CFS

Point(s) of Diversion NENESW S35 T02N R03W
NENWSW S35 T02N R03W

Place of Use S34 T02N R03W
S35 T02N R03W

Right No. 63-2919

Priority 12/27/1952

Source GROUND WATER

Use IRRIGATION (240 acres) 1.40 CFS

Total Amount 1.40 CFS

Point(s) of Diversion NENWSW S35 T02N R03W

Place of Use S34 T02N R03W
S35 T02N R03W

Right No. 63-2795

Priority 1/14/1950

Source GROUND WATER

Use IRRIGATION (240 acres) 1.37 CFS

Total Amount 1.37 CFS

Point(s) of Diversion NENESW S35 T02N R03W

Place of Use S34 T02N R03W
S35 T02N R03W

Right No. 2-2208

Priority 2/20/1963

Source SNAKE RIVER

Use IRRIGATION (398 acres) 5.00 CFS

Total Amount 5.00 CFS

Point(s) of Diversion L7 (SWSWNE) S36 T01N R03W

Place of Use S34 T02N R03W
S35 T02N R03W

The purpose of the transfer is to change a portion of the above rights as follows:

This transfer was published in the Press Tribune on October 17 and 24 October 2002. The transfer was amended on 12/23/2002 to retire an additional 2 acres of ground from water rights for a total of 133 acres in the SW S35 from water rights 63-2795, 63-2919 & 02-2208 and move the appurtenant groundwater from water rights 63-2795 and 63-2919 to a new dairy located in SW and the W ½ of the SE S35. None of the surface water from 02-2208 will be used in the dairy, but land will need to be retired for the dairy use. Adjudication Claim 63-31487 was added to the transfer to include an existing cattle feeding operation. The new dairy is planned for 4,500 milking cows and 2,000 dry cows and 1,500 head of heifers. The dairy will be located in Hidden Valley, south of Surrey Lane and west of Sky Ranch Road in T2N R3W, Canyon County. The original water rights are recorded as follows:

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department 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 February 24, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Press Tribune on February 16 and 23, 2003. MICROFILMED

MAR 22 2004

SCANNED

FEB 04 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 10, 2002

Legal Notice Department

Press-Tribune

PO Box 9399

Nampa ID 83652

RE: Transfer Nos. 70199 and 68964

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 11/04/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

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MAR 22 2004

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 70199

CHARLES D PINTLER
13541 SURREY LN

NAMPA ID 83686, has filed Application No. 70199 for changes to the following water rights within CANYON County:

Right No. 63-2919

Priority 12/27/1952

Source GROUND WATER

Use IRRIGATION (240 acres) 1.40 CFS

Total Amount 1.40 CFS

Point(s) of Diversion NENWSW S35 T02N R03W

Place of Use S34 T02N R03W
S35 T02N R03W

Right No. 63-2795

Priority 1/14/1950

Source GROUND WATER

Use IRRIGATION (240 acres) 1.37 CFS

Total Amount 1.37 CFS

Point(s) of Diversion NENESW S35 T02N R03W

Place of Use S34 T02N R03W
S35 T02N R03W

Right No. 2-2208

Priority 2/20/1963

Source SNAKE RIVER

Use IRRIGATION (398 acres) 5.00 CFS

Total Amount 5.00 CFS

Point(s) of Diversion L7 (SWSWNE) S36 T01N R03W

Place of Use S34 T02N R03W
S35 T02N R03W

Remark: The transfer proposes to retire 131 acres in the SW S35 from water rights 63-2795, 63-2919 & 02-2208 and move the appurtenant groundwater from water rights 63-2795 and 63-2919 to a new dairy located in SW and the W ½ of the SE S35. None of the surface water from 02-2208 will be used in the dairy, but land will need to be retired for the dairy use. The new dairy is planned for 4,500 milking cows and 2,000 dry cows. The dairy will be located in Hidden Valley, south of Surrey Lane and west of Sky Ranch Road in T2N R3W, Canyon County.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before November 04, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Press Tribune on October 17 and 24, 2002.

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