



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 24 2002

Department of Water Resources
Southern Region

*Hand
Delivered*

April 23, 2002

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Application for Transfer – V&L Dairy
Project No. 254-03-2002

Dear Allen:

Enclosed is an application to transfer water from an 18.3-acre irrigation right (36-02352 part) to a dairy facility. This dairy has been in operation since 1980, and Frank Veenstra purchased the facility in 1986. The operation has been at its current extent and water usage since 1986, but the water usage has not been fully covered by a water right. An existing domestic decree is in place, but Jim Stanton indicated that this decree could not be used to cover any portion of the dairy usage. I do not agree with Mr. Stanton's reasoning, but nevertheless Mr. Veenstra is applying to transfer an amount sufficient to cover the entire annual volume. This transfer would only codify historical usage. No increase in animal numbers, facility size, or water usage is contemplated.

The Brockway Engineering LCO water usage worksheet was used to determine that 54.5 acre-feet per year of water is required for the dairy. At 3.0 ac-ft/acre, right 36-02352 will provide sufficient water.

Please note that a transfer is still pending that will result in the split of 36-02353 with 18.3 acres remaining. Protests on this transfer were resolved in August 2001, yet the application has still not been approved 8 months later. I believe it is in Boise along with all the others that are stuck there. It would be nice to wait until it was approved, but Jim Stanton has issued an ultimatum requiring that an application be filed by April 24. I would respectfully request that you do everything you can to get the pending transfer expedited and approved.

Sincerely,

Charles G. Brockway

Charles G. Brockway, P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Enc: Transfer application
Limited POA – Veenstra to Brockway
Affidavit of Frank Veenstra
cc: Frank Veenstra, Jeff Lund