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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 73740  
**RECEIVED****APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1**

APR 24 2002

Department of Water Resources

Name of applicant V&L Dairy c/o Frank Veenstra Phone (208) 558-8712Post Office address 2729A South 1600 East, Wendell, ID 83355**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point ☒ Change place of use  
☒ Change nature of use ☒ Change period of use ☒ Other Split right
2. Describe the reason for the proposed changes To codify an accomplished transfer made prior to 1987, converting a portion of an irrigation right to stockwater and commercial use.

**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
- 36-2352 pt.                      4/29/1958                      0.37/54.9                      Stockwater                      1/1 to 12/31
- 36-2352 pt.                      4/29/1958                      0.37/54.9                      Commercial                      1/1 to 12/31
- \_\_\_\_\_ to \_\_\_\_\_
- \_\_\_\_\_ to \_\_\_\_\_
2. Total amount of water being transferred 0.37 cubic feet per second and/or 54.9 acre-feet per annum.
3. Source of water Groundwater tributary to \_\_\_\_\_
4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County  | Local name for diversion |
|-----|-----|-----|-----|------|------|-----|---------|--------------------------|
|     |     | SE  | SE  | 32   | 7S   | 14E | Gooding | 2 wells                  |
|     |     |     |     |      |      |     |         |                          |
|     |     |     |     |      |      |     |         |                          |
|     |     |     |     |      |      |     |         |                          |

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 |        |
| 7S   | 14E  | 32   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | S, C   |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

**PART 1**

## 6. General Information:

a. Description of diversion system Two wells to stockwatering troughs and dairy barn.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

☐ Yes ☒ 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:

18.3 acres will no longer be irrigated under 36-02352.

d. Remarks:

No land application of liquid waste takes place outside the dairy boundary.Within the dairy boundary, all water is typically evaporated in the lagoon system.

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**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:

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Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

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Transfer No. \_\_\_\_\_

**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. 36-2352 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. 5740 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 \_\_\_\_\_4. Date of priority 4/29/1958

## 5. Water is used for the following purpose:

Amount 0.37/73.2 for Irrigation purposes from 4/1 to 10/31  
 (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 0.37 cubic feet per second and/or 73.2 acre-feet per annum.

## 7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County  | Local name for diversion |
|-----|-----|-----|-----|------|------|-----|---------|--------------------------|
|     |     | SE  | NE  | 23   | 7S   | 14E | Gooding | Irrigation well          |
|     |     |     |     |      |      |     |         |                          |
|     |     |     |     |      |      |     |         |                          |

## 8. 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 |        |
| 7S   | 14E  | 23   | 8.3    | 10.0   |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 18.3   |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 18.39. Describe any other water rights used for the same purpose as described above None

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. Point(s) 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. Point(s) 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 \_\_\_\_\_

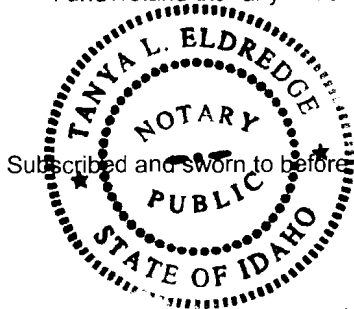
**PART 3****B. CHANGES IN NATURE OF USE**

1. 

| <u>New Nature of Use</u> | <u>Amount</u><br>(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u>       |
|--------------------------|------------------------------|------------------------|----------------------------|
| <u>Stock/comm.</u>       | <u>0.37/54.9</u>             | <u>As needed</u>       | <u>1/1</u> to <u>12/31</u> |
| _____                    | _____                        | _____                  | _____ to _____             |
  
2. Quantity and quality of return flows and location of discharge:  
None
  
3. Describe the effects on other water uses resulting from the proposed change:  
None

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.



Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002

23<sup>rd</sup>

day of

April

, 2002

(Signature of Applicant)

Tanya L. Eldredge  
(Notary Public)

My commission expires 12-18-06

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by J. Elderton Date 4-24-02

Protest filed by \_\_\_\_\_

Prelim. check by \_\_\_\_\_ Fee \$250. 5024839

Received by js Date 4-24-02

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 \_\_\_\_\_

Original P/U and P/D

New P/U and P/D

**Frank Veenstra**  
Water Right Transfer  
36-02352

Brockway Engineering, PLLC  
March 6, 2002

# Livestock Confinement Operations

## Water Requirements and Consumptive Use Worksheet

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The information, data, or computational procedures herein may not be duplicated without the express written consent of Brockway Engineering.

COMPLETE BLUE HIGHLIGHTED SECTIONS ONLY

Prepared for: VEENSTRA, FRANK  
2675 S. 1300 E.  
Hagerman, ID

Revision: 9801  
Run Date: 4/23/2002

Remarks: Facility location: SESE Sec. 32, T. 7 S., R. 14 E.  
V&L DAIRY

### Herd Information - User Input

Number of milking cows 575  
Number of dry cows 110  
Number of other adult dry animals 0

Breed: Large

Calves at age:

1 month 66  
2 months 66  
3 months 66  
4 months 0

Heifers at age:

5 months 0  
15 - 18 months 0  
18 - 24 months 0

### ANIMAL INFORMATION

Use defaults or enter values if known

Average body weight 1300 lbs  
Milk fat percentage 3.5 %  
Average days dry 60  
Annual milk yield per animal 20000 lbs/year  
Percent dry matter in ration 90 %

Nearest weather station Jerome  
Number of milkings/day 3

Check: Total herd size based on days dry 669  
HERD SIZE OK

### Lagoon Information - User Input

| Lagoon Number | Top width | Top length | SS (h:v) | Max depth | Average depth factor | % days with water | Top Area | Bottom Area | Average Area |
|---------------|-----------|------------|----------|-----------|----------------------|-------------------|----------|-------------|--------------|
| 1             | 370       | 633        | 2        | 8         | 0.5                  | 100               | 234210   | 218418      | 226314       |
| 2             | 0         | 0          | 0        | 0         | 0                    | 0                 | 0        | 0           | 0            |
| 3             | 0         | 0          | 0        | 0         | 0                    | 0                 | 0        | 0           | 0            |
| 4             | 0         | 0          | 0        | 0         | 0                    | 0                 | 0        | 0           | 0            |
| 5             | 0         | 0          | 0        | 0         | 0                    | 0                 | 0        | 0           | 0            |
| 6             | 0         | 0          | 0        | 0         | 0                    | 0                 | 0        | 0           | 0            |
| 7             | 0         | 0          | 0        | 0         | 0                    | 0                 | 0        | 0           | 0            |
| 8             | 0         | 0          | 0        | 0         | 0                    | 0                 | 0        | 0           | 0            |
| 9             | 0         | 0          | 0        | 0         | 0                    | 0                 | 0        | 0           | 0            |
| 10            | 0         | 0          | 0        | 0         | 0                    | 0                 | 0        | 0           | 0            |
| TOTAL ACRES   |           |            |          |           |                      |                   | 5.38     | 5.01        | 5.20         |

## Facility Information - User Input

|                                          |                  |                  |                                        |
|------------------------------------------|------------------|------------------|----------------------------------------|
|                                          | Holding<br>Pen 1 | Holding<br>Pen 2 |                                        |
| Holding pen active                       | 1                | 0                | (0 = not used or nonexistent)          |
| Number of sprinklers in pen              | 60               | 0                |                                        |
| Average line pressure                    | 60               | 60               | psi                                    |
| Sprinkler nozzle size - primary          | 5/32             | 9/64             | inches                                 |
| Sprinkler nozzle size - secondary        | 0                | 0                | (enter 0 for single-nozzle sprinklers) |
| Daily operation time of sprinklers       | 75               | 0                | minutes                                |
| Percent of days per year cows are washed | 90               | 0                | %                                      |

|                           |           |
|---------------------------|-----------|
| Number of free stalls     | 0         |
| Length of each free stall | 1000 feet |
| Width of each free stall  | 50 feet   |

|                                         |    |
|-----------------------------------------|----|
| Is the feeding area flushed to lagoon?  | No |
| Is this housing area flushed to lagoon? | No |

|                       |      |         |         |
|-----------------------|------|---------|---------|
|                       | Barn | Feeding | Housing |
| Flushing recycle rate | 0    | 0       | 0       |

### CLEANING / FLUSHING VOLUMES

Use defaults or enter manufacturer volumes

|                                        |         |                    |         |
|----------------------------------------|---------|--------------------|---------|
| Cleaning parlor floor                  | 500 gal | Cleaning pipeline  | 200 gal |
| Cleaning milkroom                      | 200 gal | Cleaning equipment | 100 gal |
| Cleaning bulk tank                     | 100 gal |                    |         |
| Additional flush of holding pen (opt.) | 0 gal   |                    |         |

## Land Application Information - User Input

|                      |                |
|----------------------|----------------|
| Type of system       | <IDWR DEFAULT> |
| Predominant cropping | Alfalfa        |

|                                                                       |      |
|-----------------------------------------------------------------------|------|
| Percent of waste water which goes to meet crop irrigation requirement | 90 % |
|-----------------------------------------------------------------------|------|

## Stockwater Component

### Drinking Water Calculation for Lactating Cows

|                             |                |
|-----------------------------|----------------|
| 4% fat-corrected milk yield | 18500 lbs/year |
| Daily average FCM yield     | 60.66 lbs/day  |
| Daily average milk yield    | 65.57 lbs/day  |
| Estimated DMI               | 42.53 lbs/day  |

#### METHOD 1: Kertz

|                                                  |                                  |
|--------------------------------------------------|----------------------------------|
| Estimated total water intake (TWI)               | 256.4 lbs/day or<br>30.7 gal/day |
| As-fed feed daily intake                         | 47.3 as-fed lb/day               |
| Water content of feed                            | 4.73 lb/day in feed              |
| Drinking water intake                            | 251.7 lb/day or<br>30.2 gal/day  |
| Drinking water requirement<br>for lactating cows | 17351 gal/day<br>19.4 ac-ft/year |

#### METHOD 2: Holter and Urban

Regression equation with DMI, milk production, and dry matter %

|                       |                                  |
|-----------------------|----------------------------------|
| Drinking water intake | 93.7 liters/day<br>24.8 gal/day  |
|                       | 14232 gal/day<br>15.9 ac-ft/year |

Maximum drinking water requirement 19.4 ac-ft/year

### Drinking Water Calculation for Dry Cows

|                               |              |
|-------------------------------|--------------|
| Estimated DMI                 | 24.7 lbs/day |
| Average drinking water intake | 13 gal/day   |

Average drinking water requirement 1430 gal/day  
1.6 ac-ft/year

### Drinking Water Calculation for Replacement Herd (Calves and Heifers)

| Age      | GPD | Ac-Ft/year |
|----------|-----|------------|
| 1 mo     | 109 | 0.12       |
| 2 mo     | 129 | 0.14       |
| 3 mo     | 162 | 0.18       |
| 4 mo     | 0   | 0.00       |
| 5 mo     | 0   | 0.00       |
| 15-18 mo | 0   | 0.00       |
| 18-24 mo | 0   | 0.00       |

Drinking water requirement  
for replacement herd 399 gpd 0.45 ac-ft/year

TOTAL STOCKWATER COMPONENT 21.5 AC-FT/YEAR

## Commercial Component

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### Milking Parlor Water Usage Calculation

Volume needed *per milking* in each parlor for:

|                       |         |                    |           |
|-----------------------|---------|--------------------|-----------|
| Cleaning parlor floor | 500 gal | Cleaning pipeline  | 200 gal   |
| Cleaning milkroom     | 200 gal | Cleaning equipment | 100 gal   |
| Cleaning bulk tank    | 100 gal | Cleaning cows      | 287.5 gal |

|                              |                 |
|------------------------------|-----------------|
| Total milking parlor volume  | 4162.5 gal/day  |
| Second milking parlor volume | 0 gal/day       |
| Recycled water               | 0 gal/day       |
|                              | 4.66 ac-ft/year |

### Holding Pen Water Usage Calculation

|                             | Pen 1 | Pen 2     |
|-----------------------------|-------|-----------|
| Output of primary nozzle    | 5.5   | 4.45 gpm  |
| Output of secondary nozzle  | 0     | 0 gpm     |
| Holding pen flushing volume | 3000  | 0 gal     |
| Additional flush volume     | 0     | 0 gal     |
| Sprinkler volume            | 22275 | 0 gal/day |
| Total holding pen volume    | 25275 | 0 gal/day |
| Recycled water              | 0     | 0 gal/day |

28.31 ac-ft/year

### Other Flushing Water Calculation

Daily volume needed for:

|                             |                 |
|-----------------------------|-----------------|
| Feeding area flushing       | 0 gal/day       |
| Housing area flushing       | 0 gal/day       |
| Total other flushing volume | 0 gal/day       |
| Recycled water              | 0               |
|                             | 0.00 ac-ft/year |

TOTAL COMMERCIAL COMPONENT      33.0 AC-FT/YEAR

## Consumptive Use Calculation

### A. Lagoon Evaporation

|                                                |                  |         |
|------------------------------------------------|------------------|---------|
| Annual reference ET (Allen & Brockway , 1983)  | 4.51 feet        |         |
| Annual open water coeff (Kohler Nordenson Fox) | 0.90             |         |
| Annual open water (lagoon) evaporation         | 4.06 feet        |         |
| Manual override: Input annual lagoon evap      | feet             |         |
| Total lagoon water surface area at full        | 234210 sq. ft.   |         |
| Total lagoon bottom area                       | 218418 sq. ft.   |         |
| Average surface area when water is present     | 226314 sq. ft. = | 5.20 ac |
| Total lagoon evaporation                       | 21.11 ac-ft/year |         |

### B. Animal usage: milk, metabolism, and excretion loss

|                                                  |                  |                                    |
|--------------------------------------------------|------------------|------------------------------------|
|                                                  | Milking          | Dry                                |
| Waste excretion volume per cow                   | 1.3              | 1.3 ft <sup>3</sup> /day/1000lb    |
| Water content                                    | 87.5             | 88.4 %                             |
| Total water volume in excrement                  | 6360             | 1229 gal/day                       |
| Percent of excrement flushed to lagoons          | 15 %             | (based on areas which are flushed) |
| Consumptive use (evap.) of water in excrement    | 85 %             |                                    |
| Consumptive use (evap.) volume                   | 6451 gal/day     |                                    |
| Excrement c.u. attributable to drinking water    | 6332 gal/day     |                                    |
| Total milk production - assume 100% leaves site  | 37705 lbs/day or | 4521 gal/day                       |
| Water content of milk                            | 3933 gal/day     |                                    |
| Water content attributable to drinking water     | 3861 gal/day     |                                    |
| Water use for animal metabolism                  | 7584 gal/day     |                                    |
| Metabolism water attributable to drinking water  | 7444 gal/day     |                                    |
| Consumptive use - replacement herd (100%)        | 399 gal/day      |                                    |
| Total animal consumptive use from drinking water | 18036 gal/day or | 20.2 ac-ft/year                    |
| Percent of drinking water intake                 | 96.0 %           |                                    |

### C. Parlor/holding pen cleanup

|                                            |                 |            |
|--------------------------------------------|-----------------|------------|
| Average sprinkler washing system evap loss | 2 %             |            |
| Free stall total area                      | 0 sq. ft. =     | 0.00 acres |
| Length of time free stall concrete is wet  | 1 hr/day        |            |
| Average evaporation from wet concrete      | 0.15 in./day    |            |
| Sprinkler system loss volume               | 0.50 ac-ft/year |            |
| Free stall evaporation volume              | 0.00 ac-ft/year |            |
| Total cleanup loss                         | 0.50 ac-ft/year |            |

### D. Land application site

|                                                   |                    |
|---------------------------------------------------|--------------------|
| Crop evapotranspiration                           | 3.29 ac-ft/ac/year |
| Irrigation diversion volume                       | 4.00 ac-ft/ac/year |
| System efficiency                                 | 82.18504 %         |
| Waste water volume to lagoons                     | 33.8 ac-ft/year    |
| Waste water volume available for land application | 12.6 ac-ft/year    |
| Total crop consumptive use of waste water         | 9.4 ac-ft/year     |

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## Summary

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### Drinking Water

|                                       |      |
|---------------------------------------|------|
| Milking herd                          | 19.4 |
| Non-milking herd (dry cows)           | 1.6  |
| Replacement herd (calves and heifers) | 0.4  |

|                             |                 |
|-----------------------------|-----------------|
| Total drinking water volume | 21.5 ac-ft/year |
|-----------------------------|-----------------|

### Commercial

|                         |      |
|-------------------------|------|
| Milking parlor          | 4.66 |
| Holding pen and cleanup | 28.3 |
| Other flushing water    | 0.00 |

|                         |                 |
|-------------------------|-----------------|
| Total commercial volume | 33.0 ac-ft/year |
|-------------------------|-----------------|

|                                    |               |
|------------------------------------|---------------|
| TOTAL DIVERSION VOLUME REQUIREMENT | 54.5 AC-FT/YR |
|------------------------------------|---------------|

### Consumptive Use

|                                          |       |
|------------------------------------------|-------|
| Lagoon evaporation                       | 21.11 |
| Animal milk, excretion, & metabolism     | 20.2  |
| Parlor and holding pen cleanup           | 0.50  |
| Crop consumptive use on land application | 9.4   |

|                       |                 |
|-----------------------|-----------------|
| Total consumptive use | 51.2 ac-ft/year |
|-----------------------|-----------------|

|                                      |        |
|--------------------------------------|--------|
| Percent of diversion volume consumed | 94.0 % |
|--------------------------------------|--------|

|                                              |         |
|----------------------------------------------|---------|
| Annual crop consumptive use - IDWR allowable | 3.0 afa |
|----------------------------------------------|---------|

|                            |            |
|----------------------------|------------|
| Equivalent irrigated acres | 17.1 acres |
|----------------------------|------------|

|                                             |               |
|---------------------------------------------|---------------|
| Diversion volume to acres conversion factor | 3.19 ac-ft/ac |
|---------------------------------------------|---------------|

FILED  
APR 2 2002  
CLERK OF DISTRICT COURT  
IDAHO

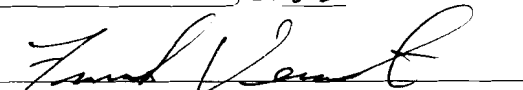
BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE WATER RIGHTS FOR ) COMMENTS AND  
STOCKWATER AND COMMERCIAL USE ON THE ) EVIDENCE OF  
SITE KNOWN AS V&L DAIRY. ) FRANK VEENSTRA. )

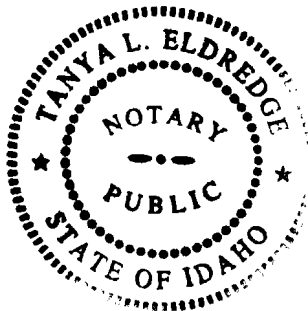
COMES NOW, Frank Veenstra, and provides the following comments and evidence in this matter:

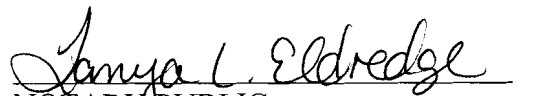
1. I have been the owner of ~~or partner~~ in the commercial dairy facility known as V&L Dairy, located in the SE1/4 SE1/4 Section 32, T. 7 S., R. 14 E., B.M., since 1986.
2. To the best of my knowledge, the dairy facility was first operated in 1980.
3. From 1986 through the present, the size of the facility, including herd numbers and water usage, have remained substantially unchanged.
4. Water has been used consistently at approximately the same rate every year since 1986.

DATED this 23 day of 4, 2002.

  
Frank Veenstra

SUBSCRIBED and SWORN to before me this 28<sup>th</sup> day of April,  
2002.



  
NOTARY PUBLIC  
Residing at : Twinn Falls  
My Commission Expires: 12-18-06

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Frank Veenstra, hereby nominate and appoint  
Charles G. Brockway as my attorney-in-fact with full authority to  
act for and on my behalf to undertake any and all acts or matters pertaining to water right  
transfers before the Idaho Department of Water Resources for the following water right  
transactions:

Transfer application of 18.3 acres of water right 36-02352 from irrigation to  
dairy usage.

in Gooding County, Idaho. Additionally, I hereby ratify and confirm any  
and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said  
instruments of writing that may be necessary or proper to carry into execution and effect the  
applications, and transfers above-mentioned. Further, I hereby declare that each and every  
application, transfer, agreement, receipt, or payment which shall be by my said agent given,  
made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had  
been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at  
all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or  
concerning the said premises by virtue of these present. This Limited Power of Attorney will  
become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 23 day of 4, 2002.

Frank Veenstra

Signature

Signature

State of Idaho )

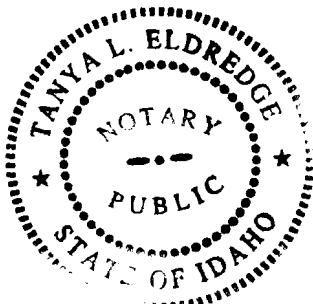
County of Twin Falls )

ss.

On this 23<sup>rd</sup> Day of April, 2002, before me, a Notary Public  
in and for said County and State, personally appeared Frank Veenstra,  
known or identified to me to be the individual whose name and subscription to the within  
instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official  
seal the day and year in this certificate first above written.

S  
E  
A  
L



Tanya L. Eldredge  
Notary Public

In and for said State and County

12-18-06  
My Commission Expires