

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 74857

RECEIVED

MAY 30 2008

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

DEPT. OF WATER RESOURCES
37-4500 SOUTHERN REGION

Name of Applicant FRANK AND MARY JANE VEENSTRA Phone (208) 837-4590

Mailing address 2675 S 1300 E, HAGERMAN ID 83332 Email

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 THE ORIGINAL WELL DESCRIPTION WAS DECREED INCORRECTLY
AND A SECOND WELL HAS BEEN ADDED TO THE SYSTEM. ALSO, REQUESTING THAT VOLUMES BE ASSIGNED
TO THE WATER RIGHTS.

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

- | 1. <u>Right Number</u> | <u>Priority</u> | <u>Amount (cfs/ac-ft)</u> | <u>Nature of Use</u> | <u>Period of Use</u> |
|------------------------|-------------------|-------------------------------|----------------------|------------------------|
| <u>36-10267</u> | <u>01/01/1940</u> | <u>.02CFS/.04CFS(14.6AFA)</u> | <u>DOM/STOCK</u> | <u>JAN 1 to DEC 31</u> |
| <u>36-10268</u> | <u>01/01/1992</u> | <u>.04CFS/.13CFS(14.6AFA)</u> | <u>DOM/STOCK</u> | <u>JAN 1 to DEC 31</u> |
| | <u>1972</u> | | | <u>to</u> |
| | | | | <u>to</u> |

2. Total amount of water being transferred .17 cubic feet per second and/or 29.2 acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total Acres

PART 1

6. General Information:

a. Description of diversion system TWO INTERCONNECTED EXISTING WELLS WITH PIPELINES TO DAIRY AND HOMESITE.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
X 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NO CHANGE

d. Remarks:

DOMESTIC USE INCLUDES WATER USE ASSOCIATED WITH THE HOME AND YARD, PLUS NON STOCKWATER USES ASSOCIATED WITH THE DAIRY (WASHING EQUIPMENT, BARN USE, COW CLEANING, ETC.)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

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

 For the Director

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 as evidenced by:

- a. Decree No. 36-10267 Decreed to CHERIE BETTAZZA
in case of _____ vs. _____
dated 12/13/1996 in _____ county of GOODING
- b. License No. _____ 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 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 or priority 01/01/1940

5. Water is used for the following purposes:

amount .04CFS for STOCKWATER purposes from JAN 1 to DEC 31
(cfs/ac-ft)

amount .02CFS for DOMESTIC purposes from JAN 1 to DEC 31
(cfs/ac-ft)

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

6. Total amount of water under right .04 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	NW	NE	25	7S	14E	GOODING	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	14E	25		D															
7S	14E	25		S															

Total Acres _____

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

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 _____

(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)

- [illegible]

- [illegible]

Total Acres _____

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)

- [illegible]

- [illegible]

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 as evidenced by:

- a. Decree No. 36-10268 Decreed to CHERIE BETTAZZA
in case of _____ vs. _____
dated 12/13/1996 in _____ county of GOODING
- b. License No. _____ 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 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 or priority 01/01/1972

5. Water is used for the following purposes:

amount .13CFS for STOCKWATER purposes from JAN 1 to DEC 31
(cfs/ac-ft)

amount .04CFS for DOMESTIC purposes from JAN 1 to DEC 31
(cfs/ac-ft)

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

6. Total amount of water under right .13 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	NW	NE	25	7S	14E	GOODING	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	14E	25		S															
7S	14E	25		D															

Total Acres _____

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

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 _____

(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)

- [illegible]

- [illegible]

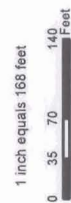
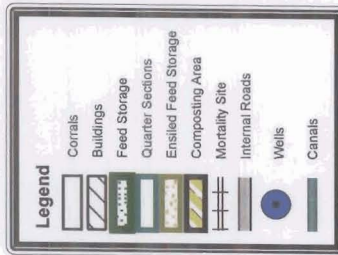
Total Acres _____

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)

- [illegible]

- [illegible]

**Veenstra Dairy
V-3 Site
Water Transfer
Place of Use Map
Domestic &
Stockwater Usage**



**Nutrient
Management
Solutions, LLC**

Robert Ohlenschlaen & Reagon Hatch
1205 Hwy 169, Suite 200
Fergus Falls, MN 56545
Phone: (218) 726-6881
Fax: (218) 726-6882
Email: info@nutrientsolutions.net

07S14E24SWSE

07S14E24SESW

Mortality Pickup Site

Wells for Water Rights
36-10267 & 36-10268

07S14E25NENW

3360

**Domestic &
Stockwater Use Area**



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

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed change:

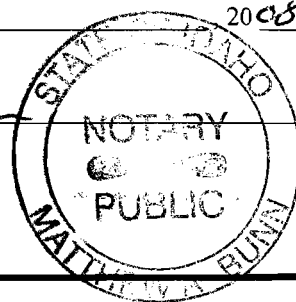
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Frank Veenstra (Signature of Applicant) V-3 FRANK VEENSTRA

 Printed Name (and title, if applicable)
 Subscribed and sworn to before me this 20 day of May 2008

Mark A. Bunn
 (Notary Public)
 My commission expires 1-2-2010

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments
 Received by P. SKINNER Date 5/30/2008 Protest filed by _____
 Prelim. Check by P. SKINNER Fee \$100.00 S030230
 Receipted by P. SKINNER Date 6/3/08
 Published in _____ Copies of protest forwarded by _____
 Pub. Dates _____ Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
 _____ received _____ by _____
 Copy of transfer sent to lien holder _____

Order No. G020181

WARRANTY DEED

For Value Received

RANDY M. JACOBSON and STEPHANIE JACOBSON, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

FRANK VEENSTRA AND MARY JANE VEENSTRA, Husband and Wife

the grantee(s), whose current address is

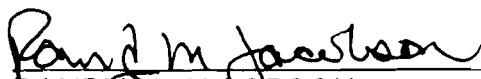
2675 S. 1300 E, Hagerman, ID 83332

the following described premises, to-wit:

Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho**Section 25: NW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM that portion deeded to the State of Idaho for Highway purposes by Warranty Deed dated March 27, 1970, recorded May 7, 1970 as Instrument No. 31903.****Together with 30 shares of North Side Canal Company water.****Together with State of Idaho, Department of Water Resources Water Right #36-10267 and #36-10268.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: May 28, 2002


RANDY M. JACOBSON
STEPHANIE JACOBSON

STATE OF IDAHO

: ss

COUNTY OF GOODING

On This 28th day of May, in the year 2002, before me, a Notary Public in and for said State, personally appeared **RANDY M. JACOBSON and STEPHANIE JACOBSON**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

the grantee(s), whose current address is

2675 S. 1300 E, Hag .an, ID 83332

the following described premises, to-wit:

Township 7 South, Range 14 East, Boise Meridian, Gooding County, Idaho

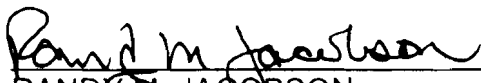
Section 25: NW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM that portion deeded to the State of Idaho for Highway purposes by Warranty Deed dated March 27, 1970, recorded May 7, 1970 as Instrument No. 31903.

Together with 30 shares of North Side Canal Company water.

Together with State of Idaho, Department of Water Resources Water Right #36-10267 and #36-10268.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: May 28, 2002


RANDY M. JACOBSON


STEPHANIE JACOBSON

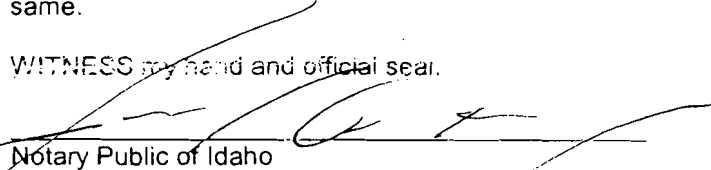
STATE OF IDAHO

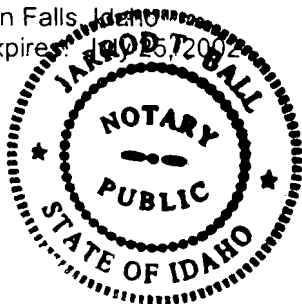
: ss

COUNTY OF GOODING

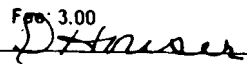
On This 28th day of May, in the year 2002, before me, a Notary Public in and for said State, personally appeared **RANDY M. JACOBSON and STEPHANIE JACOBSON**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public of Idaho
Residing at Twin Falls, Idaho
Commission Expires 10/05/2002



Instrument # 195494

GOODING, GOODING, IDAHO
2002-05-31 11:27:12 No. of Pages: 1
Recorded for : GOODING TITLE
HELEN EDWARDS Fee: 3.00
Ex-Officio Recorder Deputy 


TITLE & ESCROW
COMPANIES

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

1996 DEC 13 AM 8:47

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-10268

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: CHERIE BETTAZZA
1665 E 2800 S
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.13 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1972

POINT OF DIVERSION: T07S R14E S25 NWNE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.13 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T07S R14E S25 NWNE

DOMESTIC Within GOODING County
T07S R14E S25 NWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

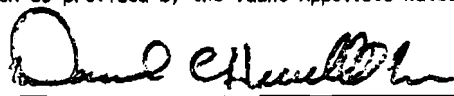
DATED: DEC 13 1996


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

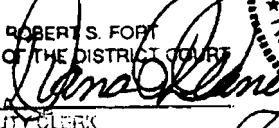
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

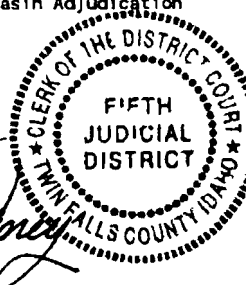
DATED: DEC 13 1996


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-10268

State of Idaho ss.
County of Twin Falls
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



PAGE 1
NOV-26-1996

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

1996 DEC 13 AM 8:47

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT
I.R.C.P. 54(b) FOR
Water Right 36-10267

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: CHERIE BETTAZZA
1665 E 2800 S
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1940

POINT OF DIVERSION: T07S R14E S25 NEMNWE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC 1 LAWN	01-01 12-31	0.02 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T07S R14E S25 NEMNWE

DOMESTIC Within GOODING County
T07S R14E S25 NEMNWE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: DEC 13 1996


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: DEC 13 1996

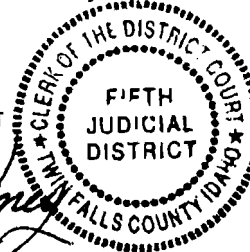

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-10267

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By _____
DEPUTY CLERK



PAGE 1
NOV-26-1996



815 North College Road
PO Box 5059, Twin Falls, ID 83303-5059
Voice: 208.732.1000 Fax: 208.732.1005

RECEIVED

MAY 30 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

May 6, 2008

Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

To Whom It May Concern:

This letter is to advise that Northwest Farm Credit Services has no objection to the proposed change of use for water rights #36102-67 and #36102-68 being proposed by Frank and Mary Jane Veenstra.

If you have any questions, please contact me at your convenience.

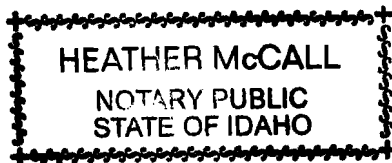
Sincerely,

A handwritten signature in cursive script that reads "Dave Stout".

Dave Stout
VP/Commercial Lending

STATE OF Idaho)
County of Twin Falls)ss.

On this 6th day of May, 2008, before me personally appeared Dave Stout, to me known to be the person(s) described in and who executed the within instrument, and acknowledged that he/she executed the same as his/her free act and deed.



Heather McCall
Printed Name Heather McCall
Notary Public for the State of Idaho
Residing at Filer
My commission expires 10/1/2013