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Department of Water Resources
Southern Region

November 15, 2005

Shelly Keen
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Permit 47-8278

Dear Shelly:

Enclosed is an amended beneficial use examination completed by Charles E. Brockway on March 28, 2005 for permit 47-8278, owned by Greg and Darla Vierstra of the Classic Dairy. This examination is for two wells providing commercial use and stockwater for the dairy.

You mentioned in an email to Travis Thompson that you would not base the volume on the number of cattle that was represented in the beneficial use exam submitted on 04/22/2005. The number of cattle that was represented in the original beneficial use exam was for the current build out of the dairy and not for the amount that was present at the time of the proof (11/15/1993). After more investigation into the matter, Vierstra's dairy records show that approximately 655 milking cows, 250 heifers, and 50 calves were on the property in 1993 (see attached). The 250 heifers and 50 calves are estimates based on the number of milking cows that were currently in production at the time of the proof, and there are no actual records for these animals.

According to a farmers national bank statement there were 530 dairy cattle on the property that were put up as collateral for a loan that was used to acquire 125 additional head of Holstein Dairy cattle for a total of 655 dairy cattle. These statements do not categorize between milking or dry cows, but it seems reasonable that the Vierstra's assumed that these cattle were all milking cows and that there should have also been additional calves and heifers. This assumption is probably accurate since a dairy needs to have some proportion of heifers with their milking cows and often do not report these animals as dairy cattle.

In 1993 the dairy was in the process of building back up their dairy after they were bought out in ~1988-1990. Dairy records show that prior to this build out the dairy supplied water to approximately 900 head of dairy cattle from two small stockwater rights. To our understanding this additional permit application was filed in order to provide for additional cattle that could not be

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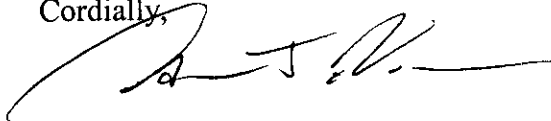
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supplied by the existing stockwater rights. The proof of beneficial use states that there were 450 dairy cattle to be served by this permit; however, we are also assuming that approximately 250 heifers would also need to be serviced as well. The additional animals on the property are assumed to be serviced by the former stockwater rights and were still in the process of being built up to their maximum allowed limits. Therefore a revaluation of the LCO water requirement was completed with 450 milking cows and an estimate of approximately 250 heifers for a total volume requirement of 30.1 acre-feet annually for permit 47-8278.

Thank you for your prompt processing of the permit application. Please call if you have any questions on the field exam.

Thank you.

Cordially,

A handwritten signature in black ink, appearing to read 'D. T. Nelson', with a long horizontal flourish extending to the right.

Daren T. Nelson for

Charles E. Brockway, P.E.
Certified Water Rights Examiner

Enc.

cc: Greg and Darla Vierstra
Travis Thompson