

State of Idaho
Department of Water Resources

Amended

Permit to Appropriate Water

Amended

NO. 63-12319

Priority: June 21, 2004

Maximum Diversion Rate: 1.00 CFS

This is to certify, that MARION H VAN VLIET DAIRY
27298 PEARL ROAD
PARMA ID 83660

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
COMMERCIAL	01/01 to 12/31	0.55 CFS
STOCKWATER	01/01 to 12/31	0.45 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼ SE¼ Sec. 21, Twp 06N, Rge 05W, B.M. PAYETTE County
GROUND WATER SW¼ SE¼ Sec. 21, Twp 06N, Rge 05W, B.M. PAYETTE County
GROUND WATER SW¼ SE¼ Sec. 21, Twp 06N, Rge 05W, B.M. PAYETTE County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 05W 21															X		

PLACE OF USE: STOCKWATER, same as COMMERCIAL use**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2009**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-12319

8. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
9. Commercial use is for a dairy.
10. Stockwater use is for 600 milking cows, 100 dry cows, 100 heifers and 200 calves.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 15th day of September, 2004.


FOR KARL J DREHER, Director

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 63-12319

Priority: April 17, 1926

Maximum Diversion Rate: 1.00 CFS

This is to certify, that MARION H VAN VLIET DAIRY
27298 PEARL ROAD
PARMA ID 83660

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
COMMERCIAL	01/01 to 12/31	0.55 CFS
STOCKWATER	01/01 to 12/31	0.45 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼ SE¼ Sec. 21, Twp 06N, Rge 05W, B.M. PAYETTE County
GROUND WATER SW¼ SE¼ Sec. 21, Twp 06N, Rge 05W, B.M. PAYETTE County
GROUND WATER SW¼ SE¼ Sec. 21, Twp 06N, Rge 05W, B.M. PAYETTE County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 05W 21																X	

PLACE OF USE: STOCKWATER, same as COMMERCIAL use

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2009**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

State of Idaho
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Permit to Appropriate Water
NO. 63-12319

8. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
9. Commercial use is for a dairy.
10. Stockwater use is for 600 milking cows, 100 dry cows, 100 heifers and 200 calves.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 7th day of September, 2004.



KARL J DREHER, Director

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 21 2004

WATER RESOURCES
WESTERN REGION**AMENDED APPLICATION FOR PERMIT**

JUN 16 2004

To appropriate the public waters of the State of Idaho

Department of Water Resources
208-722-5229

1. Name of Applicant Marion H. Van Vliet Dairy Phone 208-722-5229
Mailing address 27298 Pearl Road, Parma, ID 83660
2. Source of water supply ground water which is a tributary of NA
3. Location of point of diversion is Township 6N, Range 5W, Sec. 21, in the SW $\frac{1}{4}$,
SE $\frac{1}{4}$, Govt. Lot _____, B.M., Payette County;
additional points of diversion if any: Two current wells and one proposed well are in this same QQ
4. Water will be used for the following purposes:
- | |
|--|
| Amount <u>0.45 cfs</u> for <u>stockwater</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>0.55 cfs</u> for <u>commercial</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
5. Total quantity to be appropriated is (a) 1.00 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source Two existing wells ("house well" and "barn well"), located in the same QQ, are equipped with electric pumps (barn well is equipped with 10 hp pump). One existing well has a 6-inch diameter and is 189 feet deep. Construction of the second well is unknown. A third well with a 10-inch diameter (located in the same QQ approximately 30 east of the barn well) may be required as a backup well. The target depth for the new well would be between 150 and 300 feet below ground surface.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Existing well diameter is 6 inches; depth of Existing well is 189 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? 9-3-96; Drilling firm Riverside Drilling;
Well was drilled for (well owner) Donna Van Vliet; Drilling Permit No. 63-96-W-0550-000
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW.
 - Stockwatering; list number and kind of livestock. 600 milking cows, 100 dry cows, 100 heifers, 200 calves
 - Municipal; show name of municipality.
 - Domestic; show number of households.
- Other, describe fully: Commercial for dairy; see attached worksheet

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	5W	21															S/C		

Total number of acres to be irrigated

10. Describe any other water rights used for the same purposes as described above. 63-30328 (limited to 13,000 gallons per day)

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

12. Remarks:

This permit application is an amendment to water right application 63-12319. The water represented in this permit application will augment water right 63-30328. The water-bearing zone to be appropriated is between 150 and 300 feet.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Maion H. Van Vleet
Signature of Applicant (and title, if applicable)

Received by AK Date 5/11/04 Time 10:52 Preliminary check by g
Fee \$ * Receipted by JW # 0034793 Date 8/2/13/96
Publication prepared by sk Date 7-7-14-04 Published in FE
Publication approved sk Date 8-2-04

* Fee original e Appl. fee paid 2-13-1996. Does not require increased fee or amendment fee since 2004 amendment prior to processing. -SL

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

RECEIVED

MAY 11 2004

Name of Applicant

Donna Van Vliet / Marion Van Vliet

Mailing Address

27298 Pearl Rd., Parma, ID

WATER RESOURCES
WESTERN REGION

Application No.
(if known)

63-12319

 IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

 PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

 X WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

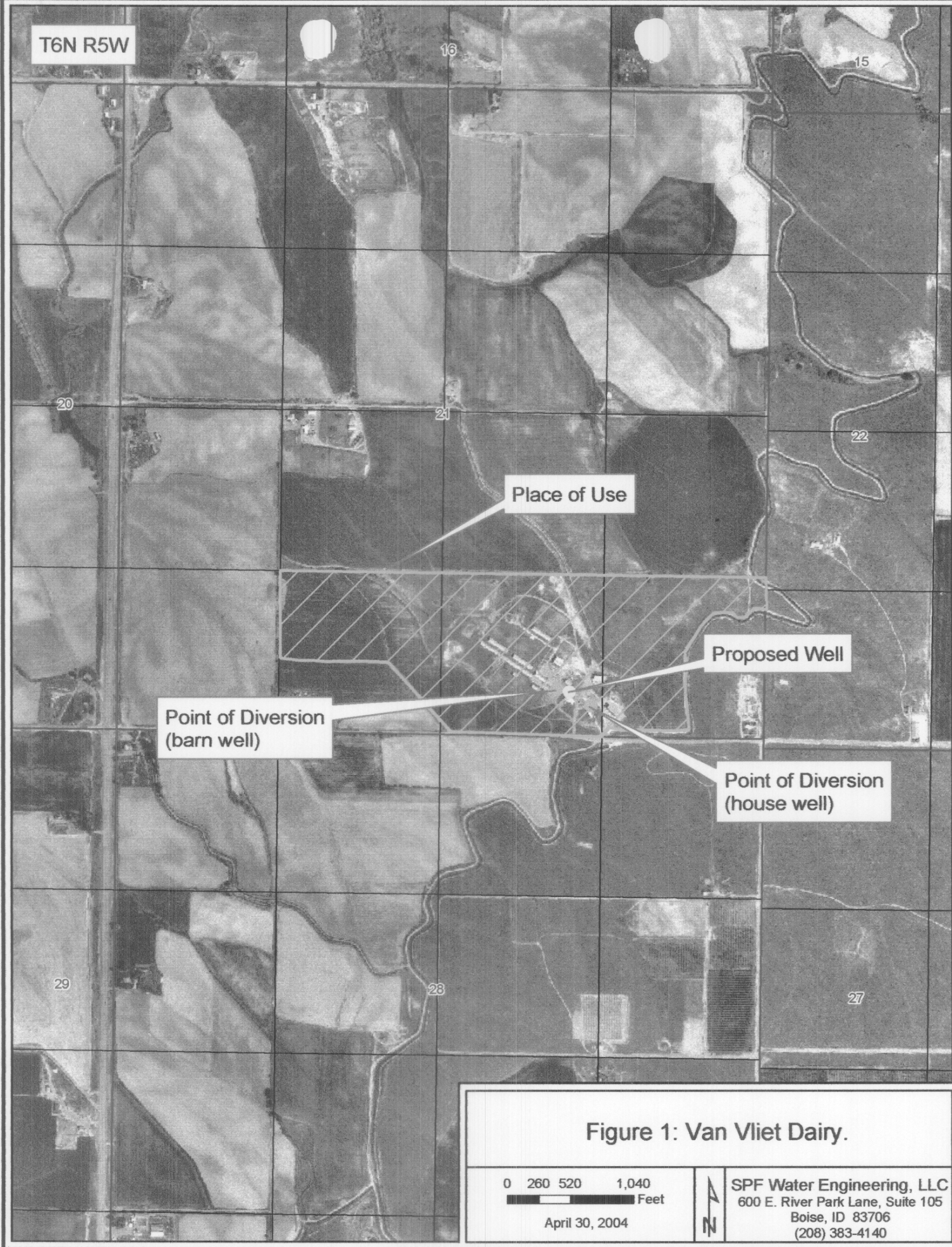
Marion H. Van Vliet

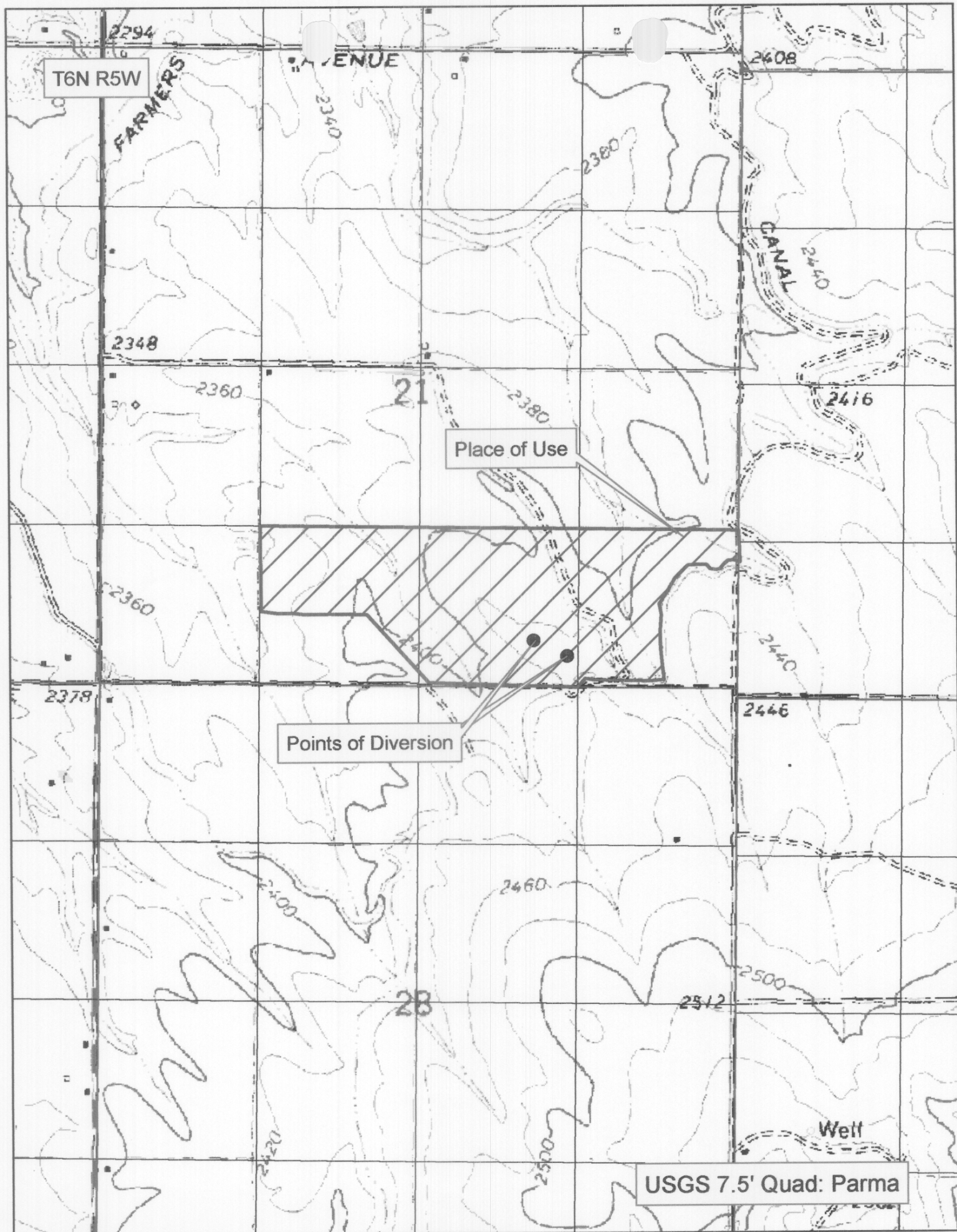
Date

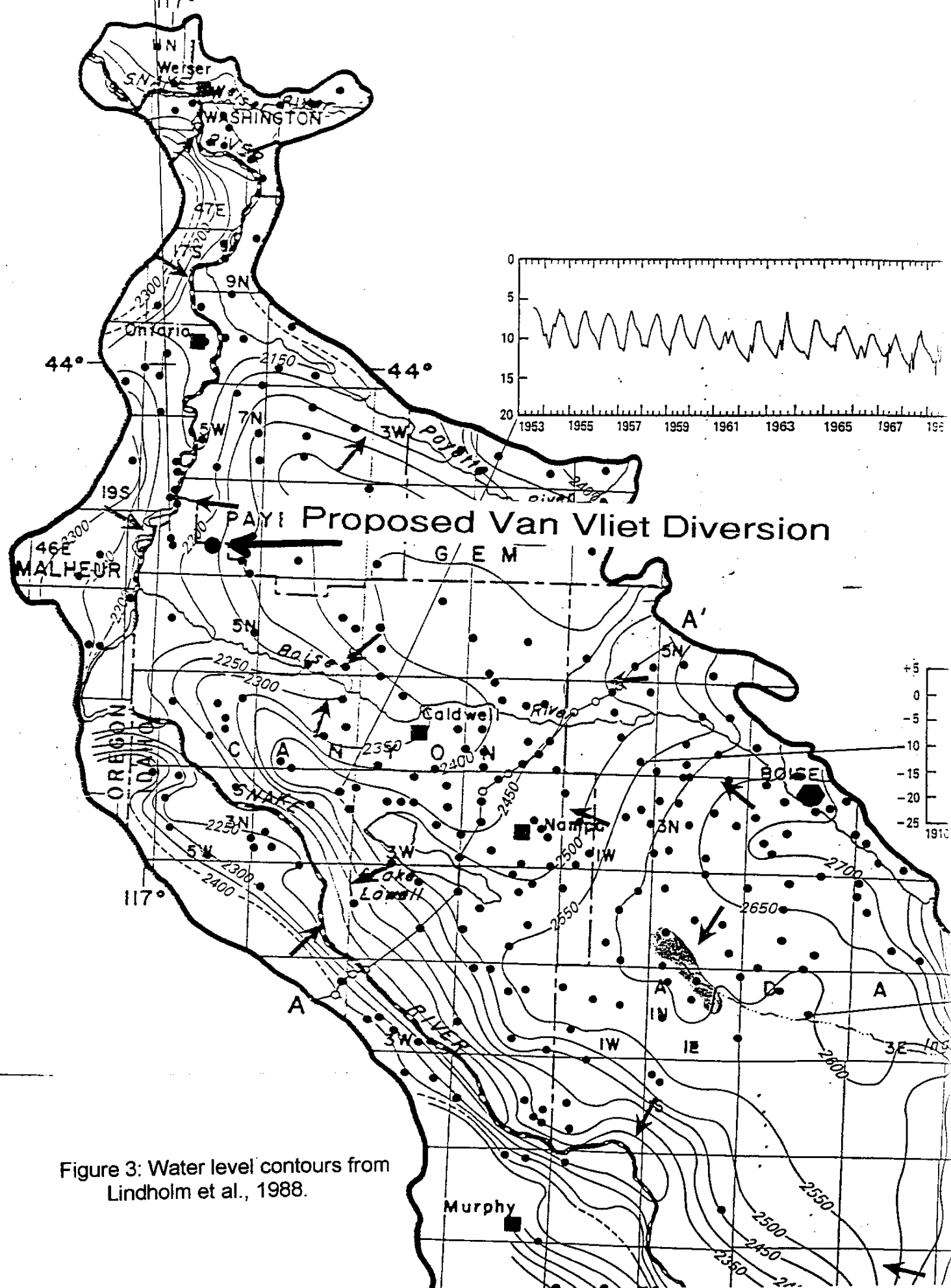
5-5-04

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082







EXPLANATION

● Point of diversion

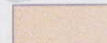
 Approximate property boundary

 Treasure Valley Hydrologic Project boundary

USGS HUC boundaries

 Lower Boise

 Middle Snake-Payette

 Payette

Potentiometric surface: 40 ft intervals

 2140

 2180

 2220

 2260

 2300

 2340

 2380

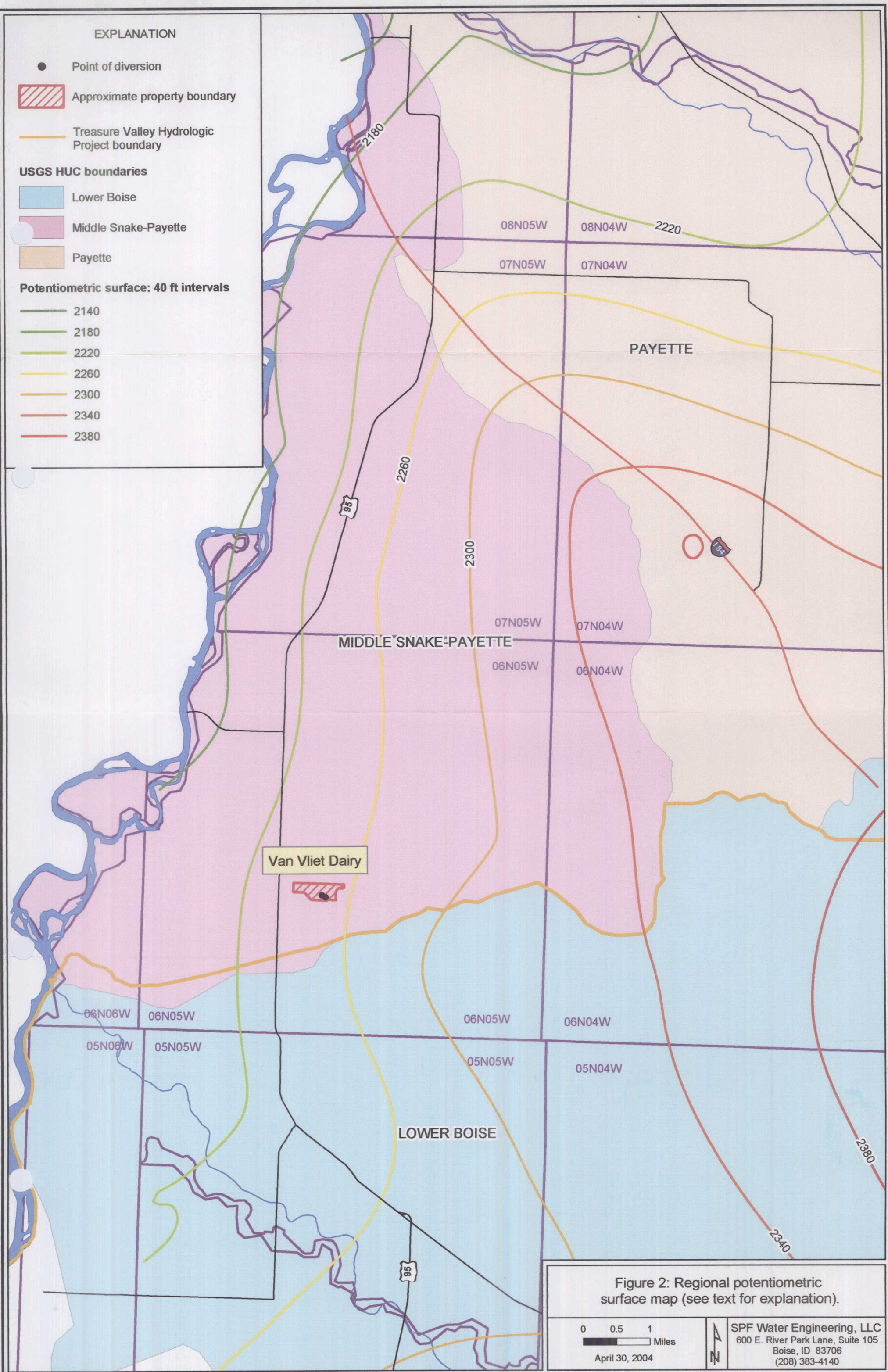


Figure 2: Regional potentiometric surface map (see text for explanation).

0 0.5 1
Miles
April 30, 2004

SPF Water Engineering, LLC
600 E. River Park Lane, Suite 105
Boise, ID 83706
(208) 383-4140

DAILY FRESH WATER REQUIREMENT FOR DAIRY FACILITY

FOR: Van Vliet Dairy
BY: Christian Petrich, SPF Water Engineering, LLC
DATE: 6/18/2004

STOCKWATER VOLUME REQUIREMENT

TYPE OF ANIMAL	NUMBER	USE/DAY	TOTAL GAL/DAY	TOTAL GAL/YEAR
MILKING COWS	600.00	35.00	21,000.00	7,665,000.00
DRY COWS	100.00	14.00	1,400.00	511,000.00
HEIFERS	250.00	8.00	2,000.00	730,000.00
TOTAL GALLONS			24,400.00	8,906,000.00

STOCKWATER ANNUAL VOLUME NEEDED

27.33 af

COMMERCIAL VOLUME REQUIREMENT

WASH PEN ESTIMATE

GPM PER NOZZLE	NUMBER OF NOZZLES	TIME PER USE (IN MINUTES)	NUMBER OF USES	TOTAL GAL/DAY	TOTAL GAL/YEAR
5.00	50.00	1.00	20.00	5,000.00	1,825,000.00

MILKING PARLOR ESTIMATES

ITEM	GALS/OP	X'S/DAY	GALS/DAY	GALS/YEAR
BULK TANK	116.00	2.00	232.00	84,680.00
COW PREP	0.25	1,200.00	300.00	109,500.00
PIPELINES	60.00	2.00	120.00	43,800.00
PARLOR CLEANUP	400.00	2.00	800.00	292,000.00
WASHPEN CLEANUP	400.00	2.00	800.00	292,000.00
TOTAL MILK PARLOR USE		2.00	2,252.00	821,980.00

MISCELLANEOUS USES

ITEM	GALS/OP	X'S/DAY	GALS/DAY	GALS/YEAR
TOWEL WASHING	50.00	4.00	200.00	73,000.00
EMPLOYEE SHOWERS & RESTROOMS	50.00	10.00	500.00	182,500.00
MAINTENANCE SHOP	1,000.00	1.00	1,000.00	365,000.00
TOTAL MISCELLANEOUS USES			1,700.00	620,500.00

MISTERS

SPRINKLERS PER 5 COWS	NUMBER OF COWS	RATE PER SPRINKLER, IN GPM	HOURS USED PER DAY	DAYS USED PER YEAR	GALS PER DAY	GALS/YR
1	600	0.50	10.00	45.00	36000	1,620,000.00

	TOTAL RATE PER DAY (GALS/DAY)	TOTAL RATE OVER 2 HOURS (CFS)
STOCKWATER	24,400.00	0.453060012
COMMERCIAL	44,952.00	0.834670232
TOTAL	69,352.00	1.29

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0034793

Date:

Time:

2/13/1996

12:05:57

Received

From:

VAN VLIET, MARION/DONNA
Type of Payment

Program Acct

Amount

APPLICATION FOR PERMIT

56103

229 21 1155

100.00

Total

\$

100.00

CHECK

7444

Region: STATE

Signature: J. Wyatt

Form 202
1996
RECEIVED

FEB 14 1996

WA
ACES
IN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 63-12319

RECEIVED

FEB 12 1996

Department of Water Resources

1. Name of applicant MARION OR DONNA VAN VLIET Phone 208/722-5229

Post office address 27298 Pearl Rd., Parma ID 83660

2. Source of water supply GROUNDWATER which is a tributary of —

3. Location of point of diversion is — 1/4 of SE 1/4 of SW 1/4, Govt. Lot —

Sec. 21 Township 6N Range 5W B.M. PAYETTE County; additional

points of diversion if any: 2 pd's in same 1/4

4. Water will be used for the following purposes:

Amount 0.04 for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.25 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.06 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.35 and/or (b) —
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 wells, interconnected, piped to
storage then to uses.

b. Height of storage dam — feet; active reservoir capacity — acre-feet; total
reservoir capacity — acre-feet; period of year when water will be diverted to storage:
— to — inclusive.

c. ~~Proposed~~ ^{EXISTING} well diameters are 8 inches; ~~proposed~~ ^{existing} depth of wells are ±120 feet.

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? 1979; Drilling firm Doty;
Well was drilled for (well owner) HUGO VAN VLIET

7. Time required for the completion of the works and application of the water to be proposed beneficial use is
EXISTING years (minimum 1 year).

ORIGINAL

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 250 dairy cattle; 200 replacements
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 2 homes; in-house use
- e. Other; describe fully. Commercial use is for a dairy.

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	5W	21												S					

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

*

Irrigation from Black Canyon, A63-30328

11. a. Who owns the property at the point of diversion? applicant
- b. Who owns the land to be irrigated or place of use? applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

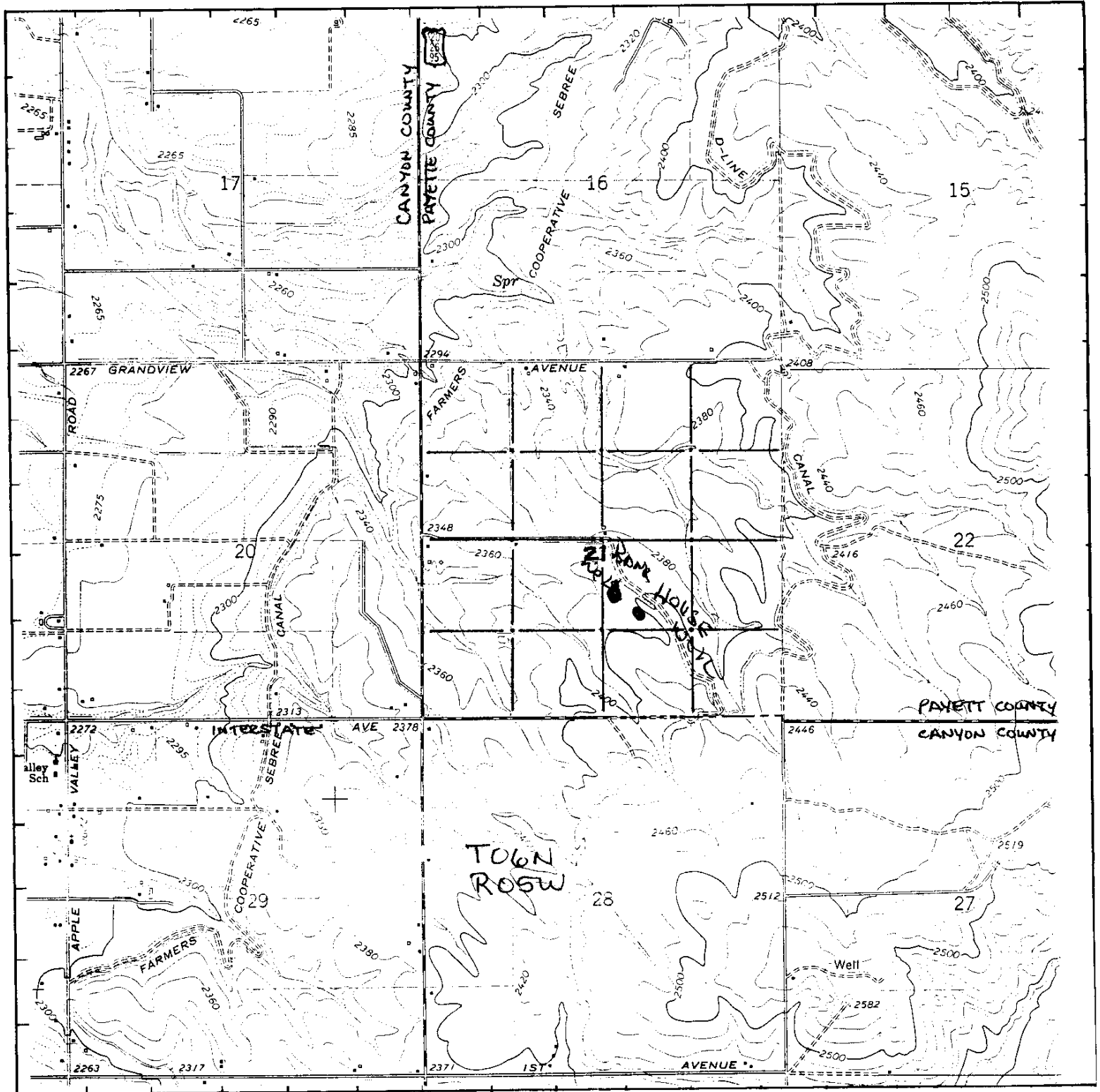
12. Remarks: 1) 2 points of diversion located within SESW, S21, T6N, R05W.

2) Stockwater use is for 250 dairy cattle & 200 replacements. Stockwater use is approximately 11,000 gallons/day

3) Commercial use is for a dairy. Commercial use is approximately 1500 gpd.

* Per follow-up with applicant 2/21/96. lg

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Raymond Van Vleet
(Applicant)
Marion B. Van Vleet

Received by ju Date 2-13-96 Time _____ Preliminary check by ly
Fee \$ 100.⁰⁰ Received by ju # C034793 Date 2-13-96
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

Now
Starting
Right Side
of file.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 15, 2004

MARION H VAN VLIET DAIRY
27298 PEARL ROAD
PARMA ID 83660

RE: Permit 63-12319

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued an amended permit document for Permit 63-12319 to correct a typographical error made in the priority date entry. The correct priority date, as stated on the amended permit, is June 21, 2004.

The amended permit is an amended preliminary order issued pursuant to Rule 760 of IDWR's Rules of Procedure (IDAPA 37.01.01.760), which authorizes IDWR to modify a preliminary order with fourteen days of the issuance of the order. The amended permit supersedes the permit issued on September 7, 2004. **The amended preliminary order can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described in the enclosed information sheet.**

If you have questions, please contact me at (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosures

cc: SPF WATER ENGINEERING LLC

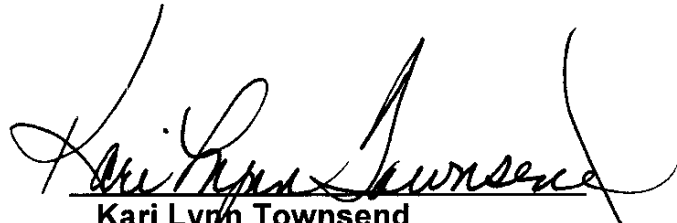
CERTIFICATE OF SERVICE

I hereby certify that on **September 15, 2004** I mailed a true and correct copy, certified, postage prepaid, of the foregoing **Amended PRELIMINARY ORDER** to the person(s) listed below:

RE: Permit 63-12319

**MARION H VAN VLIET DAIRY
27298 PEARL RD
PARMA ID 83660**

**SPF WATER ENGINEERING LLC
600 E RIVER PARK LN STE 105
BOISE ID 83706**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 8, 2004

MARION H VAN VLIET DAIRY
27298 PEARL ROAD
PARMA ID 83660

RE: Permit No. 63-12319

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

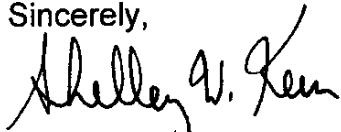
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name being the most prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

cc: SPF WATER ENGINEERING LLC

CERTIFICATE OF SERVICE

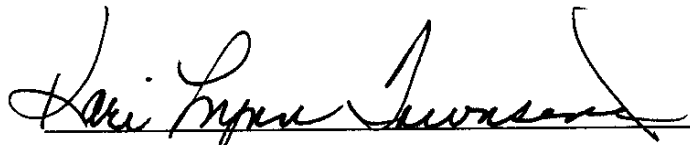
I hereby certify that on September 8, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

63-12319

**MARION H VAN VLIET DAIRY
27298 PEARL ROAD
PARMA ID 83660**

**SPF WATER ENGINEERING LLC
C/O CHRISTIAN PETRICH
600 E RIVER PARK LN STE 105
BOISE ID 83706**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

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- (a) the petition for reconsideration is disposed of; or
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APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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Comment Report

63-12319

1. Igraves 6/9/2004 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed. Water bearing zone to be appropriated is from 150 to 300 feet.

Source appears tributary to the Snake River instead of the Boise River drainage.

2. Igraves 6/9/2004 Comment/Analysis

Comment: This application has been on hold since 1997 and is now being processed because Christian Petrich, with SPF, provided documentation indicating that the ground water flow direction in the vicinity of the Van Vliet Dairy is toward the Snake River and not the Boise River. Christian stated that two existing wells, aka the house well and the barn well will be used for the dairy. Currently the barn well, drilled in 1979, is the primary well and the house well, drilled in 1996, is a back-up well. A third well may be drilled within the development period if necessary. All are within the same forty acre tract. Christian has been made aware that an upgrade fee is required for the house well drilled in 1996. The original application listed .35 cfs and referenced 450 total dairy cows (milkers and replacements). The priority date was advanced to the date that the final revised application was received because cows and flow rate were increased. Additional application fees were not required because the original filing fee paid in 1996 covered a diversion rate up to 1.0 cfs. Christian stated that the lands where the dairy wastewater would be land applied are covered with irrigation water from Black Canyon Irrigation District, which is why those qrts were not identified as part of the commercial p/u. Water right decree 63-30328 currently serves the dairy operation for stockwater and domestic uses, up to 13,000 gpd. This application is for additional water and cows. No other rights are use.

3. E Retelle 8/31/2004 application for permit review

Comment: Recommend approval as suggested by IDWR Western.

4. E Retelle 8/31/2004 QQ vs Arc Shape

Comment: I spoke to Lori Graves regarding only the SWSE QQ being listed on the application, but the map and shape showing the PoU in 3 QQs. She indicated that since it was a dairy and the wastewater application area was already covered by irrigation water, it is not really in the PoU, only on the map. See her 6/9/2004 notes.



July 24, 2004

Ms. Lori Graves
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

JUL 27 2004

WATER RESOURCES
WESTERN REGION

RE: Van Vliet Dairy Application for Permit

Dear Lori,

Please find enclosed copies of letters from the Idaho State Department of Agriculture, Idaho Department of Environmental Quality, and Payette County acknowledging awareness of the Marion Van Vliet Dairy. Again, thank you for your efforts on behalf of this application.

Sincerely,

Christian R. Petrich, Ph.D., P.E.
Principal Engineer/Hydrologist

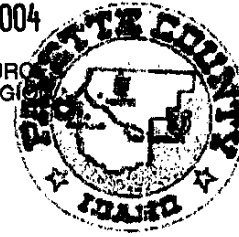
Enclosure

PAYETTE COUNTY
PLANNING AND ZONING
PAYETTE COUNTY COURTHOUSE
1130 3rd Ave N. Room #107
PAYETTE, IDAHO 83661
PHONE (208) 642-6018

RECEIVED

JUL 27 2004

WATER RESOURCES
WESTERN REGION



July 20, 2004

Marion & Donna Van Vliet
27298 Pearl Road
Parma ID 83660

Dear Van Vliets,

Thank you for your request for a CAFO Siting Permit without a
Conditional Use Permit for property located at the above address.

Your application will be reviewed and we will be in touch with you. If
you have any questions please contact our office at (208) 642-6018.

Sincerely,

Mary Mejia
Administrative Assistant
Payette County Planning & Zoning

cc: File



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED

JUL 27 2004

WATER RESOURCES
WESTERN REGION

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502

July 13, 2004

Dirk Kempthorne, Governor
C. Stephen Allred, Director

Mr. Christian Petrich
SPF Water Engineering, LLC
600 E. River Park Lane, Suite 105
Boise, ID 83706

Re: Application For Permit 63-12319

Dear Christian:

This letter is in response to your letter dated June 22, 2004 requesting any environmental information that the Department of Environmental Quality (DEQ) might have for the Marion H. Van Vliet dairy, located at T6N, R5W, S. 21, SWSE. The dairy is an existing facility of approximately 500 animal units. As provided for in the Dairy MOU between ISDA, EPA and DEQ, day to day oversight for dairy operations in Idaho was transferred to ISDA. DEQ still responds to odor and nuisance complaints from the community for this type of facility, and the department also has authority for the protection of ground water and surface water resources throughout the state.

Boise Regional Office personnel indicate that there have been no odor or nuisance complaints about this facility, and the available ground water and surface water monitoring information do not indicate that there are water resource impacts from the facility. Based on this information, the Van Vliet facility is in compliance with applicable DEQ rules.

On June 7, 2004 DEQ participated in a CAFO Site Evaluation of a proposed dairy to be located approximately two miles east of the Van Vliet facility. The proposed facility would have approximately 17,000 animal units and the evaluation indicated that with the addition of the proposed facility to the existing animal population, the local area would be approaching the maximum threshold capacity to handle the waste produced from all animals in the area.

Please feel free to contact me at 373-0248 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Baldwin".

Joe A. Baldwin, P.G.
Environmental Hydrogeologist

JAB:ab

c: Mike Ingham, DEQ, Boise Regional Office
Lori Graves, IDWR, Western Region



STATE OF IDAHO

DEPARTMENT OF AGRICULTURE

DIRK KEMPTHORNE
Governor
PATRICK A. TAKASUGI
Director

July 13, 2004

Lori Groves, Sr. Water Resource Agent
IDWR – Western Region
2735 Airport Way
Boise, Id 83705

RECEIVED

JUL 15 2004

WATER RESOURCES
WESTERN REGION

RE: Application for Permit 63-12319

Dear Ms. Groves:

The Marion Van Vliet Dairy, 27298 Pearl Rd, Parma, Idaho is in compliance with the Idaho State Department of Agriculture requirements under the provisions of the Pasteurized Milk Ordinance, Rules Governing Dairy Waste and Nutrient Management.

If/when this facility increases animal units, ISDA will review and approve the process for compliance with state and federal laws.

Please contact this office if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Marv Patten".

Marv Patten, Chief
Bureau of Dairying

cc: Marion Van Vliet
Christian Petrich, SPF Water Engineering -- 383-4156
Leo Peloquin, State Dairy Inspector

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Application Filed
TITLE OF PUBLICATION

Dept. of Water Resources
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

I, Lisa Riddick, being
duly sworn, deposes and says:
That 5 he is the clerk of

THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two (2) consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with July 7, 2004, and ending with the issue of July 14, 2004.

STATE OF IDAHO
COUNTY OF

On this 15th day of July, 2004, before me,
a Notary Public, personally appeared Lisa Riddick
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Notary Public

Residing at Payette

My commission expires: 7-1-10

Copy of Notice
(First Copy)

APPLICATION FILED

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-12319

MARION H VAN VLIET DAIRY

27298 PEARL ROAD

PARMA, ID 83660

Point(s) of Diversion SWSE S21 T06N
R05W PAYETTE County SourceGROUND
WATER

Point(s) of Diversion SWSE S21 T06N
R05W PAYETTE County SourceGROUND
WATER

Point(s) of Diversion SWSE S21 T06N
R05W PAYETTE County Source GROUND
WATER

Use:	STOCKWATER
01/01 To 12/31	0.45 CFS
Use:	COMMERCIAL
01/01 To 12/31	0.55 CFS
Total Diversion:	1 CFS
Date Filed:	06/21/2004
Place Of Use:	COMMERCIAL
T06N R05W S21	SWSE

Place Of Use:	STOCKWATER
T06N R05W S21	SWSE

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

Water bearing zone to be appropriated is from 150 to 300 feet.

Source appears tributary to the Snake River instead of the Boise River drainage.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/26/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
No. 1392

July 7, 14

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 50

Number of Insertions two (2)

50 Lines @ 1.16 ... \$ 58.00

50 Lines @ .99 ... \$ 49.50

TOTAL COST
WILL BE \$ 107.50

RECEIVED

JUL 16 2004

WATER RESOURCES
WESTERN REGION

No 1392



RECEIVED

JUL 13 2004

WATER RESOURCES
WESTERN REGION

July 12, 2004

Lori Graves
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

Subject: Van Vliet Dairy Application for Permit (63-12319)

Dear Lori,

The purpose of this letter is to respond to your request for additional information for the Marion Van Vliet Dairy Application for Permit. In particular, your letter of 6/22/04 requested

1. Information evaluating potential effects of increased diversions on neighboring wells.
2. Written acknowledgement from the County, Idaho Department of Agriculture (IDA), and the Idaho Department of Environmental Quality (IDEQ) that we have contacted them and that the Dairy is working toward any requirements these agencies may have regarding this proposal.

Potential Effects of Increased Diversions

According to the Applicant, there are 3 or 4 wells located between $\frac{1}{4}$ and $\frac{1}{2}$ miles from the proposed increased diversions. The potential effects of increased diversions on these nearby wells were evaluated (1) by reviewing existing water level data from wells in the general area of the Van Vliet Dairy and (2) analysis of increased diversions at the Van Vliet Dairy using the Theis (1935) analytical solution for ground water flow to a well.

1. Existing Water Level Data

Water level data from wells in township T6N R5W were obtained from the IDWR Well_Log database (courtesy of Shane Bendixsen). A plot for each well that had two or more water level data spanning a period of more than 2 years (excluding data indicated as reflecting pumping levels) are shown in Figure 1. Slight water level decreases can be observed in 30CDC1, 36CDB1, 35BAC1, and 26DCD1. The latter of these showed an increase between the most recent measuring points (between 7/8/81 and 6/4/92). All of the remaining wells had relatively constant or increasing water levels. Existing regional long-term water level declines are not apparent from these data. Shane Bendixsen indicated that he is not aware of any complaints from this area regarding decreasing water levels.

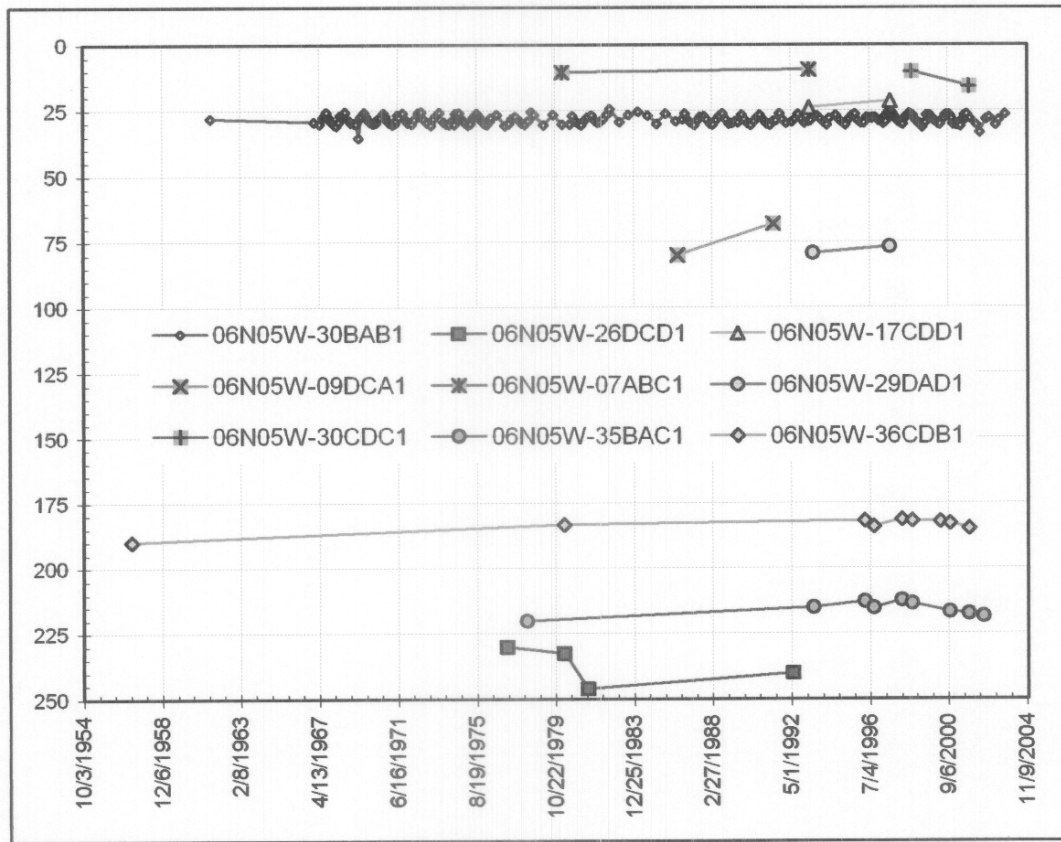


Figure 1: Water levels from wells in Township 6N R5W (IDWR data).

2. Theis Analysis

A Theis analysis was conducted to predict the possible drawdown in neighboring wells from the proposed increase in withdrawals. The solution to an equation for radial flow to a well (Theis, 1935) can be given by

$$s = \frac{Q}{4\pi T} W(u)$$

where s is drawdown, Q is discharge rate, T is transmissivity, and $W(u)$ is the well function defined as

$$W(u) = \int_u^\infty \left(\frac{e^{-u}}{u} \right) du \quad u = \frac{r^2 S}{4Tt}$$

and where r is the radial distance from the pumping well to an observation well, S is aquifer storativity, and t is time. Values of $W(u)$ are tabulated in Dawson and Istok (1991). This analysis is appropriate for aquifers bounded from above and below by aquicludes, layers are horizontal and of infinite areal extent, the pre-pumping piezometric surface is horizontal and extends infinitely in a radial direction, and the

aquifer is homogeneous and isotropic. It was assumed for this approximation that the aquifer in the vicinity of the Marion Van Vliet Dairy meets these assumptions.

The maximum requested diversion rate is 1.0 cfs. However, the average rate would be substantially less. An average daily pumping rate of approximately 7,200 ft³/day could be consistent with a dairy having a maximum diversion rate of 1.0 cfs. This diversion rate represents a combination of the current and increased withdrawals.

Aquifer values for T and S at the Van Vliet Dairy are unknown. However, hydraulic conductivity (K) values were recently estimated during calibration of a Treasure Valley ground water flow model (Petrich, 2004). The model boundary extended to within about 1 mile of the Van Vliet Dairy. Model-derived K values ranged from 10 to 100 feet/day for the uppermost 200 saturated feet in the area nearest to the Dairy. The driller's report for the 1996 Van Vliet Dairy well (attached) indicates a depth to water of approximately 100 feet. The target zone listed in the Application for Permit is between 150 and 300 feet. Assuming a K value of 50 feet/day and an aquifer thickness of 200 feet, the aquifer transmissivity ($K \times$ aquifer thickness) was estimated to be 10,000 ft²/day. Aquifer storativity (S) values in confined aquifers range from 0.005 to 0.00005 (Freeze and Cherry, 1979); a storativity value of 0.0005 was assumed for the aquifer in this area. Thus, given these assumptions, the drawdown attributed to total withdrawals of 7,200 ft³/day at the Van Vliet Dairy was estimated to be approximately 0.5 feet at a distance of ¼ mile from the pumping well (see attached worksheet). The effects of natural aquifer recharge, which would reduce the potential impact associated with these withdrawals, were not considered in this analysis.

Acknowledgements from Payette County, IDA, and IDEQ

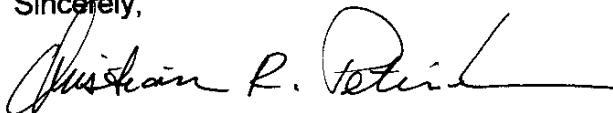
We have requested acknowledgements regarding potential IDA and IDEQ concerns about the proposed diversion from Marv Patton (IDA) and Joe Baldwin (IDEQ). We have also contacted the Planning and Zoning Department in Payette County (Don Dresser). Mr. Dresser indicated that the Van Vliet Dairy will need to complete a CAFO permit, which the Van Vliet Dairy has initiated.

Summary

In summary, it appears that water levels in this portion of the lower Boise River Valley are relatively stable. The proposed additional withdrawals at the Marion Van Vliet Dairy are expected to have a minimal impact on water levels in nearby wells.

Thank you for your efforts on behalf of the Marion Van Vliet Dairy. Please call me if you have any questions about this additional information.

Sincerely,



Christian R. Petrich, Ph.D., P.E.
Principal Engineer/Hydrologist

Attachments

Figure 1: Map showing hydrograph well locations
Calculation worksheet

References

- Dawson, K.J. and Istok, J.D., 1991. Aquifer Testing: Design and Analysis of Pumping and Slug Tests. Lewis Publishers, Inc., Chelsea, Michigan.
- Freeze, R.A. and Cherry, J.A., 1979. Groundwater. Prentice-Hall, Englewood Cliffs, NJ, 604 pp.
- Petrich, C.R., 2004. Simulation of Ground Water Flow in the Lower Boise River Basin, Idaho Water Resources Research Institute, Research Report IWRRI-2004-02.
- Theis, C.V., 1935. The relation between the lowering of the piezometric surface and the rate and duration of a well using ground-water storage. Transactions, American Geophysical Union, 16: 519-524.

Project: Van Vliet Dairy

Date: 7/9/2004

Purpose: Estimate drawdown at 1/4 mile from proposed diversion increase

Theis Solution for radial flow to a well in a confined system

$$s = \frac{Q}{4\pi T} W(u) \quad W(u) = \int_u^\infty \left(\frac{e^{-u}}{u} \right) du \quad u = \frac{r^2 S}{4Tt}$$

Use lookup table for W(u) (Dawson and Istok, 1991, pp. 93)

Equation	
K =	50 (ft/day)
b =	200 ft
Q =	7200 cu ft/day
r =	1320 feet
S =	0.0005
t =	365 days
T =	10000
u =	5.96712E-05
W(u) =	9.144
s =	0.52 feet

Explanation:

☐ Input value
☐ Calculated value

Kreger (Taylor), Sue

To: srae@deq.state.id.us
Cc: Kreger (Taylor), Sue
Subject: comment letter

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

June 30, 2004

ID DEPT ENV QUALITY
STEVE RAE
1445 N ORCHARD
BOISE ID 83706-2239

Dear Mr. Rae:

Attached are copies of one or more applications that may be of interest to you and/or to a local District Health office should you choose to delegate review of the application(s) to that organization. Please contact the applicant if your agency and/or District Health have concerns about the application(s). It is not necessary to provide agency comments to the Idaho Department of Water Resources (IDWR), although your comments are welcome if you think IDWR would benefit from them.

If your agency and/or a local District Health office desires to file a formal protest against approval of any of these applications, a written protest along with the \$25.00 protest fee for each application protested must be received in this office by July 26, 2004.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Sue Kreger
(208) 334-2190
Id Dept Water Resources
skreger@idwr.state.id.us



63-12319.pdf



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

June 22, 2004

Christian Petrich
SPF Water Engineering, LLC
600 E River Park Ln, Ste 105
Boise ID 83706

Re: Application For Permit 63-12319

Dear Christian:

The Marion H. Van Vliet Dairy application for permit is being processed by the Idaho Department of Water Resources (IDWR). Additional information is needed for complete evaluation of the proposal.

When reviewing an application for permit, *Idaho Code* § 42-203A(5) requires IDWR to consider the following information:

(a) That it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the director that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho.

Most of the above information is satisfied by the permit application. However, the following items are needed regarding the availability of water and local public interest concerns relating to large livestock feedlot or dairy operations:

1. Information evaluating the effect your proposed stockwater diversion will have on the local aquifer and on neighboring wells.
2. Written acknowledgment from the County, Idaho Department of Agriculture and Idaho Department of Environmental Quality that you have contacted them and are working towards compliance with their requirements concerning your proposal.

Van Vliet Dairy

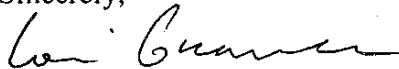
June 22, 2004

Page 2

Please submit the requested information to allow final evaluation of your application to be completed. You may seek additional time to provide the information by making a written request to delay or interrupt processing. Your written response including the requested information, or a request for more time to seek the information, must be received within thirty (30) days of the date of this letter. The application will be removed from the records of this agency without a timely reply.

Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori Graves".

Lori Graves

Sr. Water Resource Agent



June 18, 2004

Ms. Lori Graves
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

JUN 21 2004

WATER RESOURCES
WESTERN REGION

Dear Lori,

The purpose of this letter is to request an exemption from the administrative hold on processing new applications for water rights permits in Basin 63 on behalf of the Marion H. Van Vliet Dairy. An amended application for a new water right is enclosed.

The Van Vliet Dairy is located at 27298 Pearl Road near Parma, ID (Figure 1). Marion and Donna Van Vliet currently have a decreed water right (63-30328) for stockwater and domestic uses. The right is limited to 13,000 gallons per day. They wish to expand their dairy, and have applied for an additional water right (63-12319). It is my understanding that this additional water right application has been placed on an administrative hold with other applications in Basin 63.

The purpose of the administrative hold on processing new permit applications in Basin 63 has been to allow completion of the Treasure Valley Hydrologic Project (TVHP), and to incorporate results of the project into water management in the Lower Boise River Basin. However, the dairy is in the USGS Middle Snake-Payette hydrologic unit (Figure 2). This area was not included in the TVHP, because surface water from this hydrologic unit is directly tributary to the Snake River.

Ground water levels in the Middle Snake-Payette hydrologic unit were not measured as part of the TVHP. The last mass measurement that included the Middle Snake-Payette hydrologic unit (which includes the Van Vliet Dairy area) was conducted in 1980. Potentiometric surface contours based on this mass measurement (courtesy of S. Bendixsen, IDWR) are shown in Figure 2. These contours indicate that the ground water flow direction in the vicinity of the Van Vliet Dairy is toward the Snake River (not the Boise River).

Marion and Donna Van Vliet seek a sufficient amount of water to support a dairy of 600 milking cows, 100 dry cows, 100 heifers, and 200 calves. This amount of water is estimated to be (using the attached worksheet) approximately 1.29 cfs. The amount being requested is 1.00 cfs. This water will be drawn through two existing wells. A third 10-inch diameter well may be drilled to a target depth 150 and 300 feet below ground surface.

According to the applicant, wastewater from the Dairy is held in two lagoons located in T6N, R5W, Section 21, in the SW quarter of the SE quarter. This is the same QQ as the points of diversion. The applicant states that water from the Black Canyon Irrigation District is used to irrigate other portions of the property.

An amended application for this amount of water is enclosed with this letter. A filing fee has not been included because the filing fee was already submitted for the currently-pending application, and the proposed permit has not yet been advertised.

On behalf of the Van Vliet Dairy I would like to respectfully request consideration of this application. Ground and surface water in the vicinity of the Van Vliet Dairy is not tributary to the lower Boise River and therefore should not be restricted by the administrative hold on new applications in the lower Boise River basin. Please call me if you have any questions regarding this application, or would like additional information. In advance, thank you for your efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "Christian Petrich", with a long horizontal flourish extending to the right.

Christian R. Petrich, Ph.D., P.E.
Principal Engineer/Hydrologist

Enclosure

WELL DP'LLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

RECEIVED

FORM 202

Ident. No. 63-12319 12/99

JUN 07 2004

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**AMENDED APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of Applicant Marion H. Van Vliet Dairy Phone 208-722-5229
Mailing address 27298 Pearl Road, Parma, ID 83660
2. Source of water supply ground wat which is a tributary of NA
3. Location of point of diversion is Township Christian's Sec. 21 in the SW $\frac{1}{4}$,
SE $\frac{1}{4}$, Govt. Lot initial Payette County;
additional points of diversion if any: Two c used well are in this same QQ
4. Water will be used for the following purp cfs rate inadequate
Amount 0.13 cfs for stockwat for cows 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.13 cfs for commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.13 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source two existing wells ("house well"
and "barn well") are equipped with electric pumps (barn well is equipped with 10 hp pump); a third well
(located in the same QQ approximately 30 east of the barn well) may be required as a backup well.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
 - c. Existing well diameter is 6 inches; depth of Existing well is 189 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? 9-3-96; Drilling firm Riverside Drilling;
Well was drilled for (well owner) Donna Van Vliet; Drilling Permit No. 63-96-W-0550-000
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW.
 - b. Stockwatering; list number and kind of livestock. 600 milking cows, 100 dry cows, 100 heifers, 200 calves
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households.

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	5W	21															S/C		

Total number of acres to be irrigated

10. Describe any other water rights used for the same purposes as described above. 63-30328 (limited to 13,000 gallons per day)

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

12. Remarks:

This permit application is an amendment to water right application 63-12319. The water represented in this permit application will augment water right 63-30328. The water-bearing zone to be appropriated is between 150 and 300 feet.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Maion H. Van Vleet
Signature of Applicant (and title, if applicable)

Received by KG Date 5/11/04 Time 10:52 Preliminary check by _____
Fee \$ * Receipted by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

* Fee original & Appl. fee paid 2-13-1996. Does not require increased fee or amendment fee since 2004 amendment prior to processing. -SL

RECEIVED

Ident. No. 63-12319 12/99

JUN 07 2004

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**AMENDED APPLICATION FOR PERMIT**

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2. Source of water supply ground water which is a tributary of NA
3. Location of point of diversion is Township 6N, Range 5W, Sec. 21, in the SW $\frac{1}{4}$,
SE $\frac{1}{4}$, Govt. Lot _____, B.M., Payette County;
additional points of diversion if any: Two current wells and one proposed well are in this same QQ
4. Water will be used for the following purposes:

Amount <u>0.13 cfs</u> for <u>stockwater</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive)
(cfs or acre-feet per annum)
Amount <u>0.13 cfs</u> for <u>commercial</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.13 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source two existing wells ("house well" and "barn well") are equipped with electric pumps (barn well is equipped with 10 hp pump); a third well (located in the same QQ approximately 30 east of the barn well) may be required as a backup well.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Existing well diameter is 6 inches; depth of Existing well is 189 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? 9-3-96; Drilling firm Riverside Drilling;
Well was drilled for (well owner) Donna Van Vliet; Drilling Permit No. 63-96-W-0550-000
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW.
 - b. Stockwatering; list number and kind of livestock. 600 milking cows, 100 dry cows, 100 heifers, 200 calves
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households.

RECEIVED

Ident. No. 63-12319 12/99

MAY 11 2004

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**AMENDED APPLICATION FOR PERMIT**

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- | | | |
|--|-----------------------|---|
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(cfs or acre-feet per annum) | for <u>commercial</u> | purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| Amount _____
(cfs or acre-feet per annum) | for _____ | purposes from _____ to _____ (both dates inclusive) |
| Amount _____
(cfs or acre-feet per annum) | for _____ | purposes from _____ to _____ (both dates inclusive) |
| Amount _____
(cfs or acre-feet per annum) | for _____ | purposes from _____ to _____ (both dates inclusive) |
| Amount _____
(cfs or acre-feet per annum) | for _____ | purposes from _____ to _____ (both dates inclusive) |
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cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source two existing wells ("house well" and "barn well") equipped with electric pumps; barn well is equipped with 10 hp; a third well (located in the same QQ) may be required for the proposed use
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
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8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW.
 - Stockwatering; list number and kind of livestock. 600 milking cows, 100 dry cows, 100 heifers, 200 calves
 - Municipal; show name of municipality.
 - Domestic; show number of households.

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	5W	21															S/C		

Total number of acres to be irrigated

10. Describe any other water rights used for the same purposes as described above. 63-30328 (limited to 13,000 gallons per day)

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

12. Remarks:

This permit application is an amendment to water right application 63-12319. The water represented in this permit application will augment water right 63-30328. The water-bearing zone to be appropriated is between 150 and 300 feet.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Maureen H. Van Vleet
Signature of Applicant (and title, if applicable)

Received by AG Date 5/11/04 Time 10:52 Preliminary check by _____
Fee \$ * Receipted by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

* See original e appl. fee paid 2-13-1996. Does not require increased fee or amendment fee since 2004 amendment prior to processing. -SL

FILE NUMBER 63-30328
REVIEWER MSP
DATE May 21, 2004

DAIRIES: WATER USE WORKSHEET

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE 600
NUMBER OF DRY CATTLE 100
NUMBER OF REPLACEMENT CATTLE: 0-2 MONTHS 50
3-4 MONTHS 50
5-8 MONTHS 50
9-12 MONTHS 50
13-15 MONTHS 50
16-24 MONTHS 50
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC COW WASHING,
OR 3 IF SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS 1
IF SPRINKLERS ARE USED: NUMBER OF SPRINKLERS IN HOLDING PEN 50
NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN) 5.00
TOTAL OPERATION TIME OF SPRINKLERS (MIN/DAY) 20
NUMBER OF MILKINGS PER DAY 2
AVG. LBS. OF MILK PRODUCED PER DAY PER ANIMAL (IDAHO AVG IS 70 LBS.) 70
ARE THERE SEPARATE PUMPS FOR COMMERCIAL AND STOCKWATER USES? N
IF SO: HOW MANY HOURS PER DAY DOES THE STOCKWATER PUMP RUN? 12.0
HOW MANY HOURS PER DAY DOES THE COMMERCIAL PUMP RUN? 12.0
IF ONLY ONE PUMP: HOW MANY TOTAL HOURS PER DAY DOES IT RUN? 12.0
IS A PLATE COOLER USED? N
IS PLATE COOLER WATER LATER RECYCLED FOR OTHER USES? (IF NO PLATE
COOLER, LEAVE BLANK)
ARE CORRAL MISTERS USED IN HOLDING PEN? Y
IF USING CORRAL MISTERS: NUMBER OF MISTERS (IF UNKNOWN,
ASSUME 1 MISTER FOR EVERY 5 COWS) 400
NOZZLE DISCHARGE (USE 5 GPM IF UNKNOWN) 5.00
SPRAY INTERVAL (EX - 2 MIN ON EVERY 5 MIN = 2/5) 2/5
OPERATION TIME OF MISTERS (HRS/DAY) 10
DAYS PER YEAR MISTERS ARE USED 45
ENTER A TOTAL VOLUME IN GPD FOR MISCELLANEOUS WATER USES NOT
INDIVIDUALLY CALCULATED BELOW (EX - RESTROOMS, WASHING MACHINES) 13000

CALCULATIONS

DIVERSION RATE (CFS):

STOCKWATER
MILKING CATTLE (BASED ON MILK PRODUCTION) ***
DRY CATTLE @17.0 GPD/HD ***
REPLACEMENT CATTLE ***
TOTAL 0.13
COMMERCIAL
TOTAL 0.13
TOTAL DIVERSION RATE 0.13

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE 19.4
DRY CATTLE 1.5
REPLACEMENT CATTLE 2.0
TOTAL 22.9
COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT 0.4
BACKFLUSH 0.7
PARLOR/MILKHOUSE/HOLDING PEN CLEANUP 2.0
CATTLE WASHING BASED UPON METHOD OF WASHING 0.7
PLATE COOLER 0.0
CORRAL MISTERS 1.1
MISCELLANEOUS USES 14.6
TOTAL 19.5
TOTAL DIVERSION VOLUME 42.4

CONSUMPTIVE USE VOLUME (AFA)(assuming 100% consumptive):

STOCKWATER 22.9
COMMERCIAL 19.5
TOTAL CONSUMPTIVE USE 42.4

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3	PUMP 4	PUMP 5
PUMP HORSEPOWER (HP)	25.00		0.00	0.00	0.00
PUMP EFFICIENCY (%)	70		70	70	70
LIFT (FT)	230		0	0	0
DISCHARGE PRESSURE (PSI)	40		0	0	0
FRICTION LOSSES (FT)	3.0		0.0	0.0	0.0
HOURS PER DAY PUMP OPERATES	12.0		0.0	0.0	0.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) *	0.47	0.00	0.00	0.00	0.00
DIVERSION VOLUME (AFA) **	171.3	0.0	0.0	0.0	0.0

* IF PUMP EFFICIENCY IS UNKNOWN, 70% MAY BE ASSUMED.

** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
THEORETICAL FLOW RATE ASSUMING PUMP RUNS EVERY DAY OF THE YEAR.

EVALUATION OF EQUIVALENT IRRIGATED ACREAGE

IRRIGATION RIGHT (BEFORE CHANGE)

DIVERSION RATE	4.80 CFS
ACRES OF IRRIGATION	240.0 ACRES
DIVERSION VOLUME	4.0 AC-FT/AC
CONSUMPTIVE USE VOLUME	3.0 AC-FT/AC
IRRIGATION IS BEING CONVERTED FOR WHICH PORTION OF THE DAIRY OPERATION - STOCKWATER (S), COMMERCIAL (C), OR BOTH (B)?	B

CALCULATIONS

IRRIGATION DIVERSION RATE PER ACRE	0.020 CFS/AC
REDUCTION OF IRRIGATION BASED ON DIVERSION RATE	6.5 ACRES
REDUCTION OF IRRIGATION BASED ON DIVERSION VOLUME	10.6 ACRES
REDUCTION OF IRRIGATION BASED ON CONSUMPTIVE USE	14.1 ACRES

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

WELL OWNER

Name HUGO VAN VLIETAddress ROUTE #2 PARMA, IDAHO

Owner's Permit No. _____

NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

METHOD DRILLED

☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	10 inches	+ 198'3" feet	201'3" feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 20 Material used in seal: ☐ Cement grout☒ Puddling clay ☒ Well cuttingsSealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

Weld

☐ Cemented between strata

Describe access port _____

7. WATER LEVEL

Static water level 100 feet below land surface.Flowing? ☐ Yes ☒ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ °F. Quality _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
200		2

LOCATION OF WELL

Sketch map location must agree with written location. 63

N

Subdivision Name _____

W

E

Lot No. _____ Block No. _____

S

County _____ Payette

1/2 Sec. 21, T. 6 N., R. 5 W.

10.

Work started 6-12-79 finished 6-28-79

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name BILL DOTY WELL DRILLING Firm No. 42Address ROUTE # 7 CALDWELL, IDAHO IDAHOSigned by (Firm Official) Bill Doty

and

(Operator) Bob Doty



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 20, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Marion and Donna Van Vliet
27298 Pearl Rd
Parma ID 83660

RE: Application for Permit 63-12319

Dear Marion and Donna:

Your application for permit to appropriate ground water for your proposed dairy was received 02/13/1996. Processing of this application must be delayed.

Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on 5/15/1992 concerning water right applications proposing new consumptive uses of public water. The moratorium has now been lifted, but a backlog of applications filed during the moratorium must first be processed before new applications may be considered.

Our office will hold this application and will begin processing it as soon as the backlog has been eliminated. All applications received will be processed in priority order. Delays related to department actions do not affect the date of priority or seniority of this application, once established.

To facilitate handling of this filing once it can be processed, please provide the depth(s) of the water bearing zone(s) developed within the aquifer. For example, a well with total depth of 250 feet might be developed to secure water from a water bearing zone in the 140-190 feet depth interval. Enclosed is a copy of a log for one of the two wells to assist you.

Also enclosed is a map copy with the 40 acre tract highlighted that you are located in, according to the well log and your tax notice's legal description. Please specify where the wells are located within the highlighted 40 acres and return to me.

If you have any questions, please feel free to contact me at 334-2190.

Sincerely,

Lori Graves
Sr. Water Resource Agent

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

June 30, 2004

Legal Notice Department
INDEPENDENT ENTERPRISE
ATTN: Marilyn
124 S MAIN
PAYETTE ID 83661

RE: Application for Permit No. 63-12319

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice 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 notice 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 07/26/2004. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-12319

MARION H VAN VLIET DAIRY
27298 PEARL ROAD
PARMA ID 83660

Point(s) of Diversion SWSE S21 T06N R05W PAYETTE County Source GROUND WATER

Point(s) of Diversion SWSE S21 T06N R05W PAYETTE County Source GROUND WATER

Point(s) of Diversion SWSE S21 T06N R05W PAYETTE County Source GROUND WATER

Use: STOCKWATER 01/01 To 12/31 0.45 CFS

Use: COMMERCIAL 01/01 To 12/31 0.55 CFS

Total Diversion: 1 CFS

Date Filed: 06/21/2004

Place Of Use: COMMERCIAL

T06N R05W S21 SWSE

Place Of Use: STOCKWATER

T06N R05W S21 SWSE

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

Water bearing zone to be appropriated is from 150 to 300 feet.

Source appears tributary to the Snake River instead of the Boise River drainage.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/26/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

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