

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

July 29, 2003

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

Subject: Dewit Dairy #2 - Water Right # 36-08491

Dear Corbin:

Following our discussion at your office on July 24, 2003, I contacted Rob Williams, attorney for Dewit Dairy #2 regarding verification of the number and type of animals on the dairy at the time of the submittal of proof of beneficial use on March 29, 1991. My understanding was that, if there was CAFO in place in 1991 and there was adequate documentation that the number of animals being serviced in 1991 was equal to the number and type allowed under the current CAFO plan, then your recommendation on the licensing exam would be for the discharge and annual volume which we had discussed.

As you may be aware, Gooding County has had several LCO ordinances under which they issued CAFO permits beginning in the early 1990's. At least four of their ordinances were invalidated by the courts, which resulted in invalidation of all previously issued CAFO permits.

The current CAFO from Jerome County was registered in 1997 for 1600 milking and dry cows (1300 milking cows, 300 dry cows) and 500 heifers on the dairy site. A copy of the CAFO certificate is enclosed. The attached affidavit from Tony DeWit indicates that the animal numbers were essentially reached by the time of the submittal of the proof of beneficial use.

In our review of water requirements and pumping facilities at the dairy, I believe we agreed on a discharge of 0.33 cfs and an annual volume of 78 acre feet. These are reasonable values based on your estimate of pumping capacity and reasonable volume requirements as determined with the Brockway Engineering Water Requirements Spreadsheet.

Thanks for your help on this matter.

Sincerely,

Heather Maxson
for Charles E. Brockway, P.E., Ph.D.

cc: Rob Williams

Enclosures: Affidavit of Tony DeWit
DeWit Dairy #2 CAFO Certificate

CHARLES E.
BROCKWAY,
PH.D., P.E.

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RECEIVED

JUL 31 2003

Department of Water Resources
Southern Region

GOODING COUNTY PLANNING AND ZONING COMMISSION

JUDY DAUBNER
ADMINISTRATOR

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P.O. Box 417
Gooding, ID 83330
(208) 934-5958

Neil Dewit
2011 Bob Barton Hwy.
Wendell, ID 83355

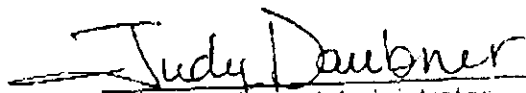
RE: Registration Number: G97-037

Pursuant to the Gooding County Confined Animal Feeding Operation (CAFO) Ordinance, effective February 26, 1997, this letter will serve as written notification that your application has been accepted and recorded by the Administrator.

"Registration notices which have been accepted and recorded by the Administrator shall allow the continued operation of an existing CAFO and shall be deemed transferable in the same manner as a siting permit as long as the CAFO remains in operation."

Thank you for your time and effort in completing this registration.

Registration accepted and recorded this 8th day of April, 1997.


Judy Daubner, Administrator

By: 

ANIMAL UNITS SURVEY

Instructions: In column 2, enter the number of each animal type present on the operation. Multiply that number by the animal equivalency factor found in column 1. This will give you the single animal unit number to be entered in column 3 (col. 1 x col. 2 = col. 3). The total of all numbers in column 3 is to total number of animal units present on the CAFO.

Animal Type	Animal Equivalency Factor (1)	Number on the Operation (2)	Equivalent Animal Units (3)
DAIRY CATTLE			
Milking and Dry Cows	1.000	1600. -	1600. -
Heifers (2 years and older)	0.750	500. -	375. -
Heifers (1 to 2 years old)	0.700	0	
Calves (3 months to 1 year)	0.400	0	
Calves (under three months)	0.250	0	
BEEF CATTLE			
Bulls (each)	1.000		
Steers/Cows (over 1000 lbs.)	0.750		
Steers/Cows (600 lbs. - 1000 lbs.)	0.600		
Calves (under 600 lbs.)	0.400		
SWINE			
Pigs (55 lbs. - market)	0.400		
Pigs (up to 55 lbs.)	0.100		
Sows (each)	0.400		
Boars (each)	0.500		
SHEEP			
Each Sheep	0.150		
HORSES			
Each Horse	1.000		
FISH			
(500 lbs.)	1.000		
CHICKENS			
Layers (each)	0.010		
Broilers (each)	0.005		
FOR SPECIES NOT SPECIFICALLY IDENTIFIED			
(350 lbs.)	1.000		

TOTAL COMBINED ANIMAL UNITS

1975

TOTAL # OF ACRES ON THE CAFO

200

Signed this 19 day of March, 1997

Thad DeWald
Applicant