

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

A hand-drawn diagram on a grid background. A central square is divided into four quadrants by a cross. The top-left quadrant contains a small circle with a cross inside. The top-right quadrant contains the text "R. 15E". The bottom-left quadrant contains the text "T. 85". The bottom-right quadrant contains the text "12". To the right of the central square, there is a red stamp that reads "MAY 18 1995".

Scale: 2 inches equal 1 mile

Signed this 27 day of June, 19 97 /s/ John R. Adams
Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by MT Publication prepared by mb/sc Date 8/11/94
Published in Gooding Co. Leader; LC I Publication dates 8/24 & 8/31/94

I, L. GLEN SAXTON, of the Department of Water Resources hereby
approve the above referenced application for amendment. See the attached sheet for
the conditions of approval.

Witness my hand this 4th day of

May 19 95
J. H. S. S. S.

[illegible]

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	36 7508B	JOHN REITSMA,	GROUND WATER	08S15E17	39	33	27	33													132
Right	36 10606	LINDA L RUBY, HAROLD J RUBY,	GROUND WATER	08S15E17	X																0
Right	36 8736	JOHN REITSMA,	GROUND WATER	08S15E17	X	X	X	X			X	X	X	X							0
TRight	36 16008	JOHN REITSMA, SUSAN REITSMA,	GROUND WATER	08S15E17	X	X	X	X				X	X	X							0
Permit	36 8736	JOHN REITSMA,	GROUND WATER	08S15E17					X												0
Right	1 16	NORTH SIDE CANAL CO LTD,	SNAKE RIVER	08S15E17																	0
Right	1 212	TWIN FALLS NORTH SIDE LAND & WATER, NORTH SIDE CANAL CO LTD,	SNAKE RIVER	08S15E17																	0
Right	1 213	NORTH SIDE CANAL CO LTD, TWIN FALLS NORTH SIDE LAND & WATER CO,	SNAKE RIVER	08S15E17																	0
Right	1 215	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO LTD,	SNAKE RIVER	08S15E17																	0
Right	1 220	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO LTD,	SNAKE RIVER	08S15E17																	0
Right	1 5	NORTH SIDE CANAL CO LTD,	SNAKE RIVER	08S15E17																	0
Right	36 10582	FRANK L ORTH, ROBERT C ORTH,	GROUND WATER	08S15E17																X	0
Right	36 10582	FRANK L ORTH, ROBERT C ORTH,	GROUND WATER	08S15E17																X	0
Right	36 8736	JOHN REITSMA,	GROUND WATER	08S15E17					X	X			X								0
TRight	36 16008	JOHN REITSMA, SUSAN REITSMA,	GROUND WATER	08S15E17					X	X			X								0

Flowmeter Data

(ALL DISTRICTS)

REITSMA, JOHN

REITSMA DAIRY

GPS Site ID Tag

A0004665

Legal Description

08S 15E 17 NWNW

fsubFlowAF

Year	Totalizer Start	Totalizer End	Volume Units	Acre-Feet	Adjusted Acre-Feet	Max Flowrate (CFS)	Adjusted Max Flowrate	Qualifier
1996				50.7	49.18	0.33	0.33	FE
Calib. Factor 0.97 Calib. Date 1/13/1998 Vol Mult:								
Preferred: ☐ Validated: ☐ Changed 3/8/2002 cyenter Comments:								
1997	4.6527	99.1425	AF	94.49	91.66	0.29	0.28	MR
Calib. Factor 0.97 Calib. Date 1/13/1998 Vol Mult: READINGS LOOK ACCEPTABLE DAN 3-30-98								
Preferred: ☐ Validated: ☐ Changed 3/8/2002 cyenter Comments:								
1998	99.1425	289.0554	AF	189.91	184.21	0.29	0	MR
Calib. Factor 0.97 Calib. Date 1/13/1998 Vol Mult: Readings look acceptable Arnie 1-26-99								
Preferred: ☐ Validated: ☐ Changed 3/8/2002 cyenter Comments: changed volume based on jan 1 99 reading and interpretation of odometer readings. Cjh								
1999	898946	2675970	AF	177.7	172.37			MR
Calib. Factor 0.97 Calib. Date 1/13/1998 Vol Mult: 0.0001 IDWR Audit 1-6-00 read (2)675970x.0001 (GPM 2-3-00)								
Preferred: ☐ Validated: ☐ Changed 3/8/2002 cyenter Comments: meter is rolling twice yearly - prefix value is								
2000	675970	2629645	AF	195.37	189.51			NM
Calib. Factor 0.97 Calib. Date 1/13/1998 Vol Mult: 0.0001 This is an estimate due to no meter readings at all. I used IDWR audit number from this								
Preferred: ☐ Validated: ☐ Changed 3/8/2002 cyenter Comments: year and what was in the computer for last								
2001	629645	2534723	AF	190.51	179.08			NM
Calib. Factor 0.94 Calib. Date 10/31/2001 Vol Mult: 0.0001 Owner estimate of 142 af. No data sent.								
Preferred: ☐ Validated: ☐ Changed 3/8/2002 cyenter Comments: IDWR audit on 1/4/02 showed 534723 X .0001 by CH. Assumed rollover factor of 2.								

New Data

Re-Adjust

Site Visit

POD

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SEP 11 2002

Flowmeter Data

(ALL DISTRICTS)

REITSMA, JOHN

REITSMA DAIRY

GPS Site ID Tag

A0004666

Legal Description

08S 15E 17 NWNW

fsubFlowAF

Year	Totalizer Start	Totalizer End	Volume Units	Acre-Feet	Adjusted Acre-Feet	Max Flowrate (CFS)	Adjusted Max Flowrate	Qualifier
1996				15.9	15.9	0.35	0.35	FE
Calib. Factor				0.95	Calib. Date	1/13/1998	Vol Mult:	
Preferred: ☐				Validated: ☐	Changed	dbo	Comments:	
1997	7.298	203.8025	AF	196.5	186.67	0.33	0.31	MR
Calib. Factor				0.95	Calib. Date	1/13/1998	Vol Mult:	
Preferred: ☐				Validated: ☐	Changed	3/8/2002	cyenter	Comments: MEASUREMENT LOOK ACCEPTABLE TO ME DAN 3-30-98 used jan 1, 98 for end odometer
1998	38025	960027	AF	92.2	87.59	0.3	0.28	EM
Calib. Factor				0.95	Calib. Date	1/13/1998	Vol Mult:	0.0001
Preferred: ☐				Validated: ☐	Changed	3/8/2002	cyenter	Comments: Meter broke 8/98. Readings are low for first 8 months; did not attempt to estimate yearly. Cjh
1999	92119	3260299	GAL	194.46	202.24			FE
Calib. Factor				1.04	Calib. Date	10/31/2001	Vol Mult:	10
Preferred: ☐				Validated: ☐	Changed	3/8/2002	cyenter	Comments: meter replaced in july - start odometer as shown (used?). End of year odometer from IDWR audit read 260299x10. (GPM 2-3-00.)
2000	260299	6470082	GAL	190.57	198.19			NM
Calib. Factor				1.04	Calib. Date	10/31/2001	Vol Mult:	10
Preferred: ☐				Validated: ☐	Changed	3/8/2002	cyenter	Comments: No montly readings, estimate done by the user is 210 af. End odometer from IDWR audit on 12-29-00. CRK 1-12-01 (470082x10)
2001	470082	6446765	GAL	183.42	190.76			NM
Calib. Factor				1.04	Calib. Date	10/31/2001	Vol Mult:	10
Preferred: ☐				Validated: ☐	Changed	3/8/2002	cyenter	Comments: Owner estimate 220 af. End odometer from IDWR audit on 1/4/02 showed 446765 X 10 by Ch. Assume meter rollover of 6.

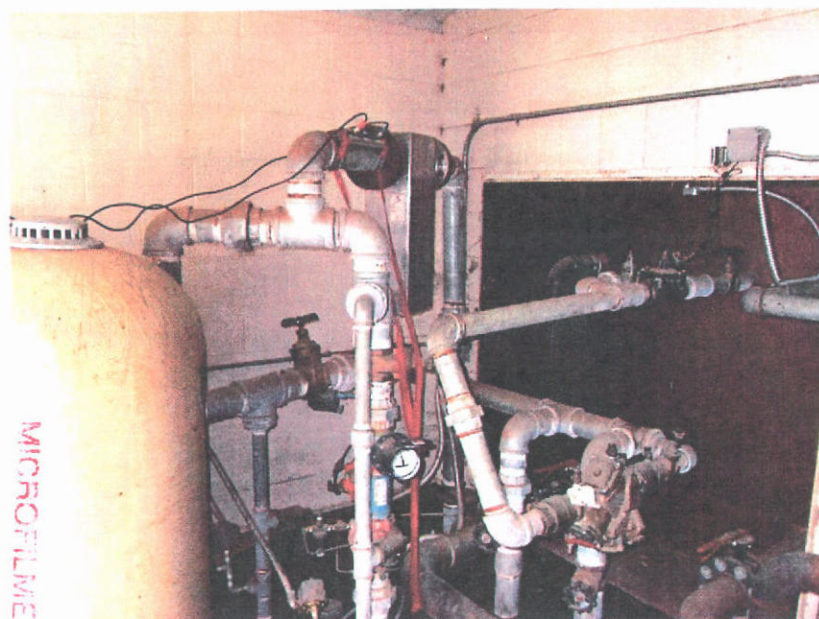
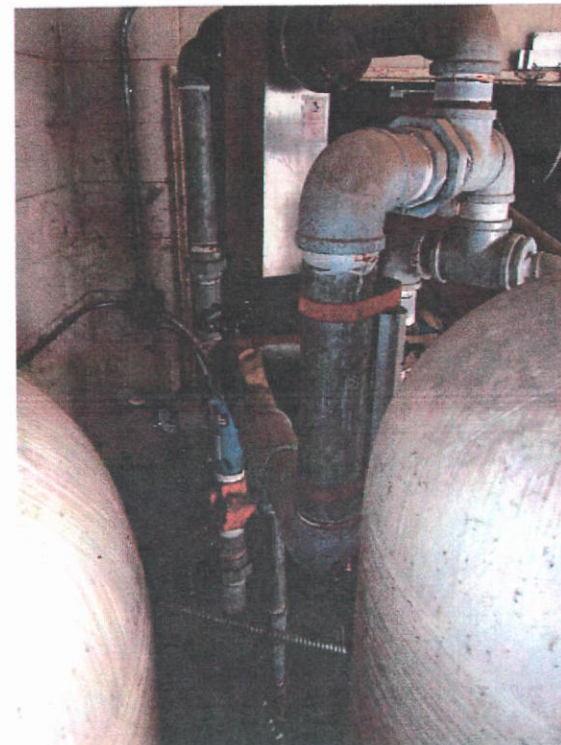
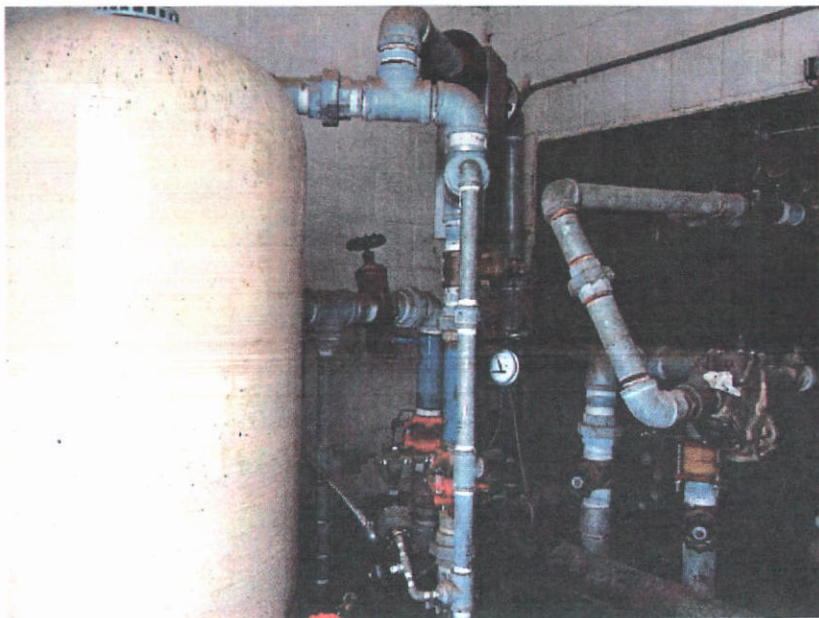
New Data

Re-Adjust

Site Visit

POD

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SEP 11 2002

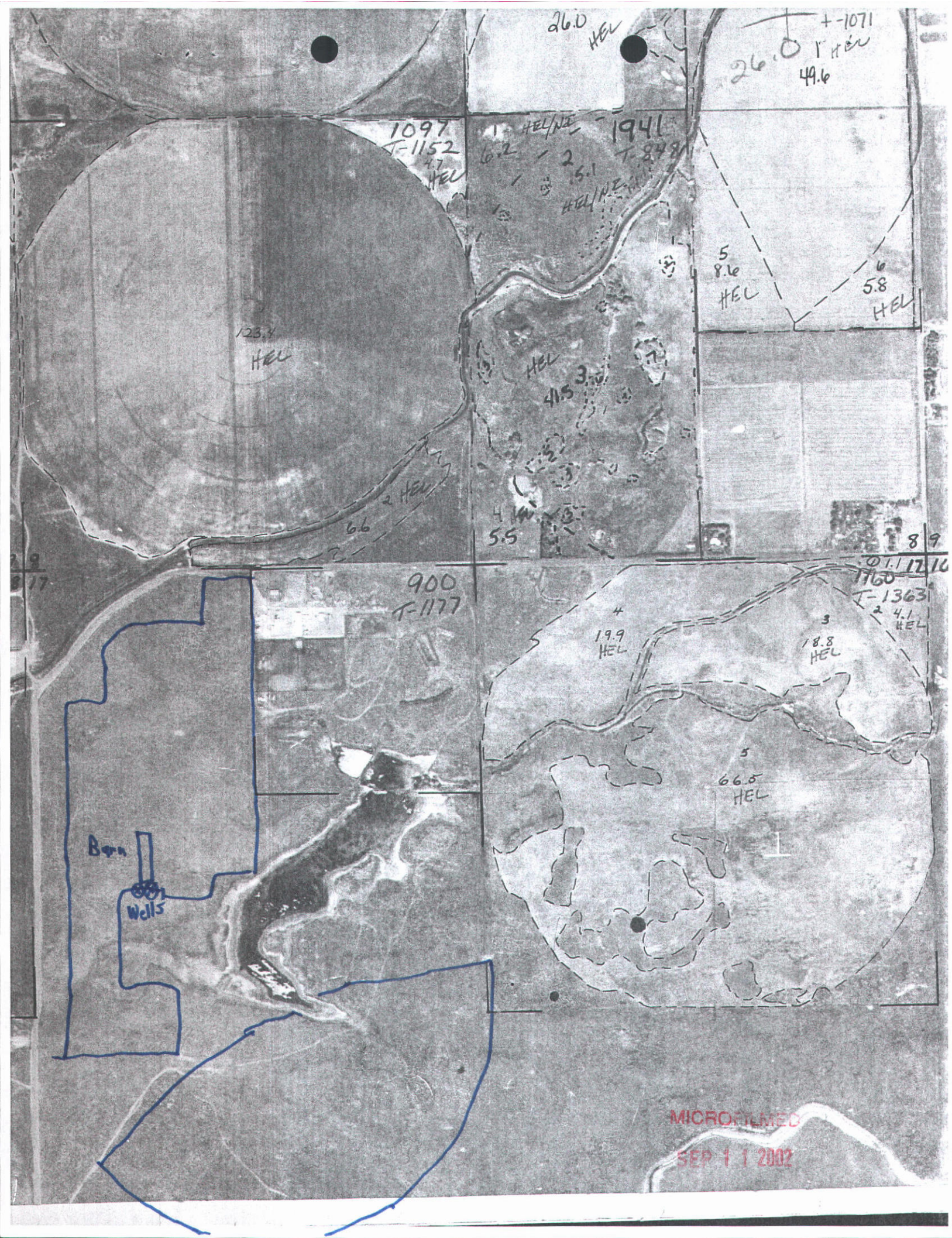


Reitsma Dairy Wendell, East and West Meters

Top left - system showing west meter in back and east meter in front

Top right - sonic measurement location for west meter.

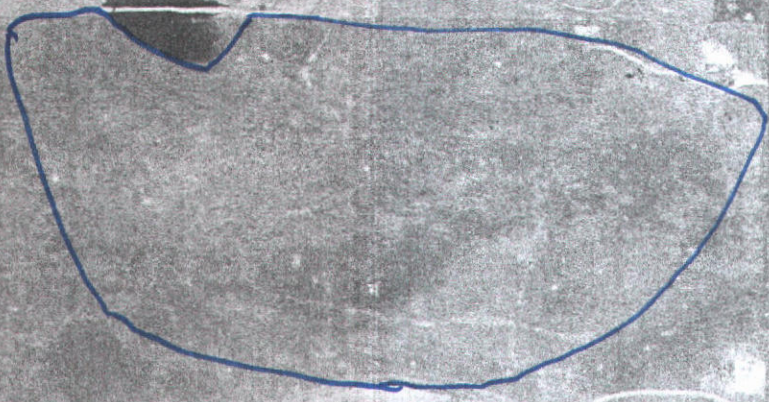
Bottom - sonic measurement location for east meter. Calibration involved measurement of entire flow and subtraction of west meter volume. See file notes.



8 | 9
17 | 16

1950E

NAPP 10
R-15E



17 | 16
20 | 21

GARY NELSON
DAVE BOYLES
IS BUYING

16
882-21
T-1148

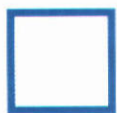
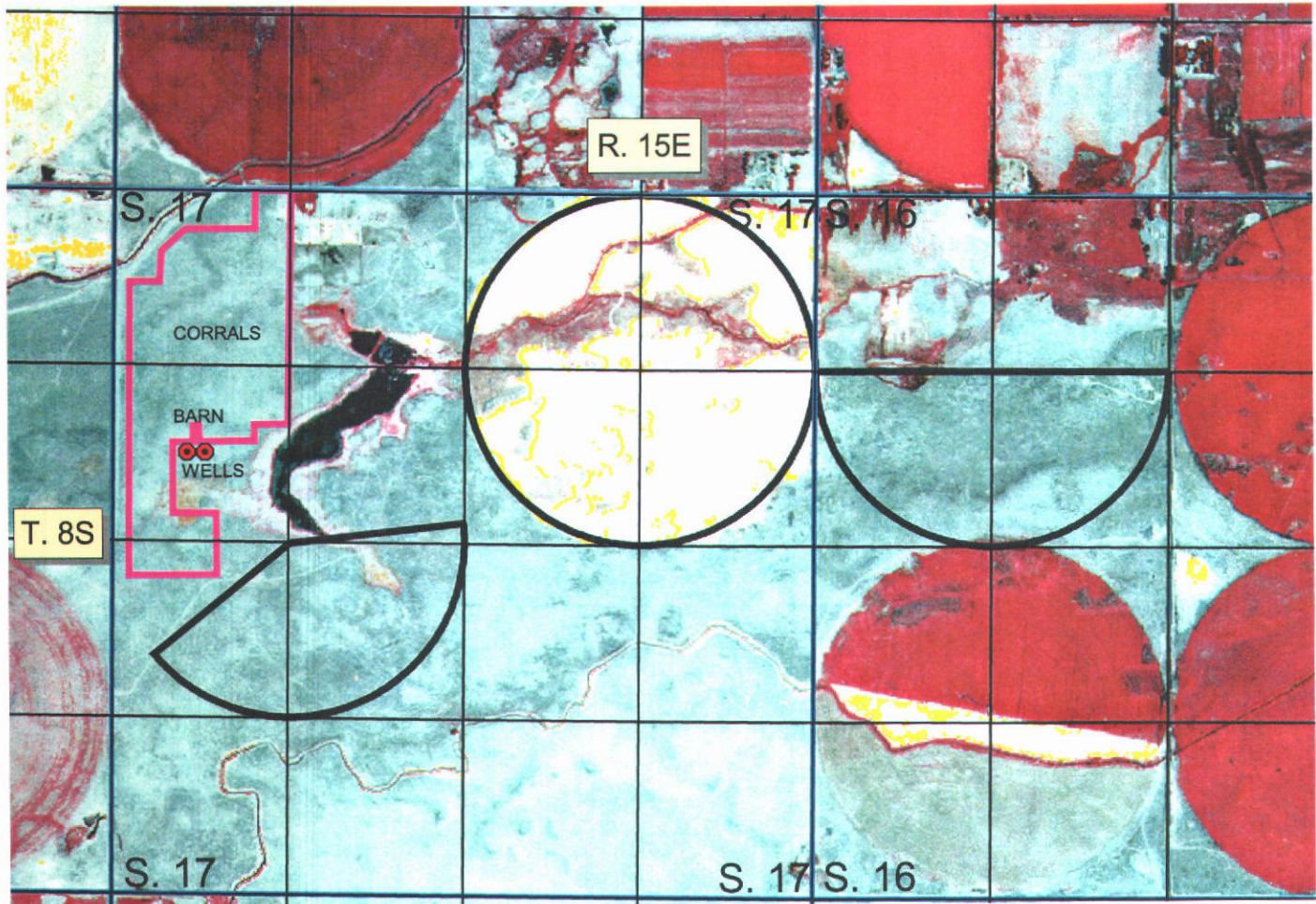
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SEP 11 2002

IDAHO DEPARTMENT OF WATER RESOURCES

LICENSING EXAMINATION DATA

RECOMMENDED P/D & P/U, PERMIT 36-8736



Section Lines



Quarter/Quarter Lines

General Location: 2 7/8 mi south & 1 3/8 mi west of Wendell city center



Point(s) of Diversion



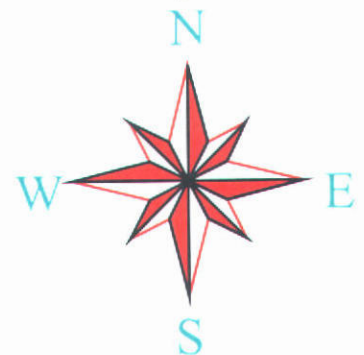
Dairy Site



Land Application Area For Waste Water

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SEP 11 2002



Prepared By J E Stanton 7-10-2002 1986/87 NAPP Data



Milk parlor in dairy barn
By J E Stanton 5-30-02 Permit 36-8736

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Inside of dairy barn
By J E Stanton Permit 36-8736



Corrals north of dairy barn (looking south)
By J E Stanton 5-30-02 Permit 36-8736

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SEP 11 200



Corrals west of barn (looking north)
By J E Stanton 5-30-02 Permit 36-8736



Dairy barn looking NE
Wells are in grass strip between the small trees
By J E Stanton 5-30-02 Permit 36-8736

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Corrals on east side of dairy barn (looking NE)
By J E Stanton 5-30-02 Permit 36-8736



Corrals at south end of dairy (looking east)
By J E Stanton 5-30-02 Permit 36-8736

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SEP 11 2002

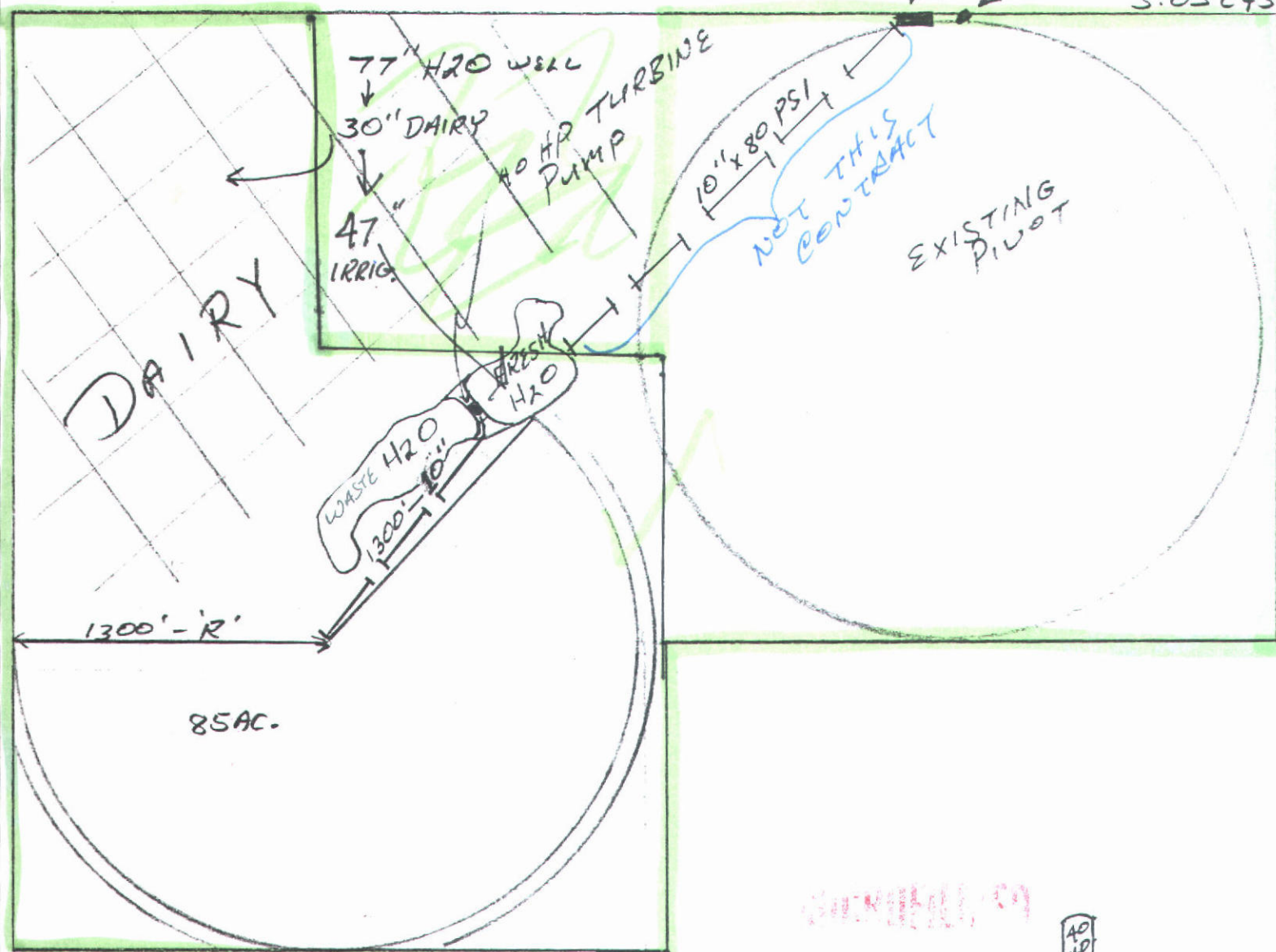


135111

DEC 06 1994

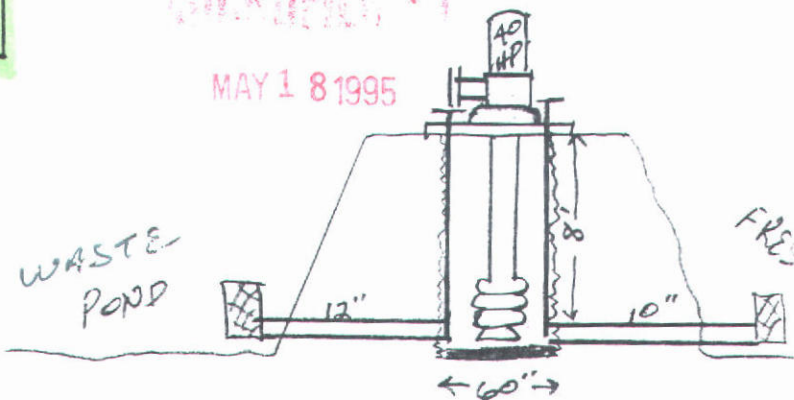
Department of Water Resources
Southern Region Office

150 HP
WELL
3.03 cfs.



CHURCH, CA

MAY 18 1995



1" = 660'
REITSMA - WENDEGID

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

Handwritten notes on graph paper:

- $R, 15\%$
- $T, 85$
- 10

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 27 day of June, 1994 Gabe R. Brown
Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by MT Publication prepared by mb/sc Date 8/11/94
Published in Gooding Co. Leader; LC I Publication dates 8/24 + 8/31/94

I, _____, of the Department of Water Resources hereby

MICROCHEM

MAY 18 1995

Witness my hand this _____ day of _____, 19____

SIGNATURE

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

SEP 1 1994

Department of Water Resources
Southern Region Office

Norma DeVoe, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader a newspaper published every week in Gooding County, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 27 day of August, 1994, and the date of the last publication was on the 31 day of August, 1994.

Subscribed and sworn to before me this 31st day of August, 1994.

(SEAL)

NOTARY PUBLIC

#1287/51090
GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line 2x's
Number of Lines in Notice
Number of Insertions

MAY 18 1995

Lines tabular at 473.44 6¢/Pica
Lines straight at \$23.68 5¢/Pica
Subsequent lines at 18.94 4¢/Pica
TOTAL COST \$42.62

COPY OF NOTICE

(Paste Here)

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

NOTICE OF PROPOSED AMENDMENT OF WATER RIGHT

NO. 37-08767

Notice is hereby given that John Reitsma of Jerome, ID has applied to The Department of water Resources to change the nature of use, point of diversion and place of use for a portion of the following described water right.

WATER RIGHT AS Recorded:

Permit No. 37-08767
Source: Groundwater
Priority: 1/10/1992
Amount: 1.98 cfs

Use: Irrigation (4/1 - 10/31)
Point of Div: SNSE, S32, T5S, R18E, Lincoln County

Place of Use: 99 acres in NWSE, S1/2SE, S32, T5S, R18E

A PORTION OF Water RIGHT TO BE CHANGED AS FOLLOWS:

Amount: 1.53 cfs
Use: Stockwater and Commercial

Point of Div: (2 pts) NWNW, S17, T8S, R15E, Gooding County
Place of Use: NWNW, S17; T8S, R15E

Any protest against approval of the proposed amendment of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 12, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Pub: 8/24-31

G1287

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Lincoln } ss.

SEP 1 1994

Department of Water Resources

Southern Region Office

Norma De Voe, being first duly sworn, deposes and says that she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 24 day of August, 1994, and the date of the last publication was on the 31 day of August, 1994.

Subscribed and sworn to before me this 31st day of August, 1994.
(SEAL.)

Charlene Fish
NOTARY PUBLIC

5627

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions _____

484 Lines tabular at 4 6¢/Pica
23.68 Lines straight at 23.68 5¢/Pica
18.94 Subsequent lines at 18.94 4¢/Pica
TOTAL COST \$42.62

COPY OF NOTICE

(Paste Here)

Notice of Proposed
TITLE OF NOTICE
Amendment to
Water Right
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Department of
BILL TO
Water Resources

NOTICE OF PROPOSED AMENDMENT OF WATER RIGHT

NO. 37-08767

Notice is hereby given that John Reitsma of Jerome, ID. has applied to the Department of Water Resources to change the nature of use, point of diversion and place of use for a portion of the following described water right.

WATER RIGHT AS RECORDED:

Permit No. 37-08767
Source: C Groundwater
Priority: 1/10/1992
Amount: 1.98 cfs
Use: Irrigation (4/1 - 10/31)

Point of Div: SWSE, S32, T5S, R18E, Lincoln County

Place of Use: 99 acres in NWSE, S1/2SE, S32, T5S, R18E

A PORTION OF WATER RIGHT TO BE CHANGED AS FOLLOWS:

Amount: 1.53 cfs
Use: Stockwater and Commercial

Point of Div: (2 pts) NWNW, S17, T8S, R15E, Gooding County

Place of Use: NWNW, S17, T8S, R15E

Any protest against approval of the proposed amendment of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 12, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director
PUB: 8/24-31

L1285

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08736

Priority: May 19, 1992

Maximum Diversion Rate: 0.52 CFS
Maximum Diversion Volume: 268.0 AF

It is hereby certified that JOHN REITSMA
75 N 400 W
JEROME ID 83338 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated December 31, 1991; and has
submitted Proof of Beneficial Use on October 08, 1996. An examination indicates that the works have a
diversion capacity of 0.52 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.52 CFS	268.0 AF
STOCKWATER	01/01 to 12/31	0.52 CFS	268.0 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17, Twp 08S, Rge 15E, B.M., GOODING County
GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17, Twp 08S, Rge 15E, B.M., GOODING 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	
08S 15E 16							X	X									
08S 15E 17	X	X	X	X			X	X	X	X							

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 15E 17						X	X				X						

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy located within the SWNW, S17, T08S, R15E.
2. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 130.

MICROFILMED

APR 14 1997

State of Idaho
Department of Water Resources
Water Right License

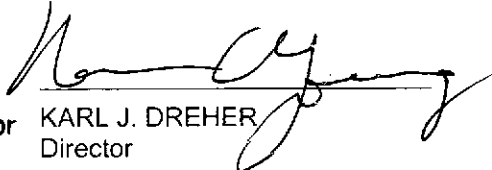
WATER RIGHT NO. 36-08736

4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the license to determine availability of water and to re-evaluate the public interest.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 30TH day of AUGUST, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

RECEIVED

AUG 29 2002

RECEIVED

AUG 29 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 36-08736

Department of Water Resources

Date of Priority: May 19, 1992

Maximum Diversion Rate: 0.52 CFS
Maximum Diversion Volume: 268.0 AF

Comes now JOHN REITSMA
75 N 400 W

JEROME ID 83338 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08736, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.52 CFS	268.0 AF
STOCKWATER	01/01 to 12/31	0.52 CFS	268.0 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17, Twp 08S, Rge 15E, B.M., GOODING County
GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17, Twp 08S, Rge 15E, B.M., GOODING County

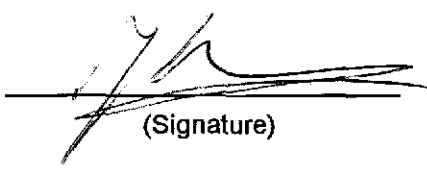
PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 15E 16							X	X									
08S 15E 17	X	X	X	X			X	X	X	X							

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 15E 17						X	X			X							

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this _____ day of _____, 200__.


(Signature)

MICROFILMED

AUG 1 1992

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08736

FOR DEPARTMENT USE ONLY
Preliminary check by JH Fee = \$50.00 Received by JM # C064188 Date AUG 26 2002

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 36-08736 with the following:

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy located within the SWNW, S17, T08S, R15E.
2. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 130.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the license to determine availability of water and to re-evaluate the public interest.

Witness my hand this 30TH day of August, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

SEP 11 2002

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
NO. 36-08736 IN THE NAME	)	ORDER ADVANCING
OF JOHN REITSMA	)	DATE OF PRIORITY

This matter having come before the Department of Water Resources (Department) as a result of the submittal of an Amended Proof of Beneficial Use, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On April 17, 1992, the Department approved Application for Permit No. 36-08736 to appropriate the public waters of the State of Idaho with a proposed priority of January 10, 1992. Proof of beneficial use of water was due on or before June 1, 1996.

2. On April 2, 1996, the permit holder submitted an acceptable proof of beneficial use along with a license examination fee of \$100.00 to cover a diversion of 77 acre feet.

3. On October 2, 1996, the permit holder submitted an amended proof stating that he had converted 1.53 cfs to 77 miner's inches and mistakenly entered that calculation into the acre feet blank.

4. On October 4, 1996, the department informed the permit holder that the amended proof was not acceptable until an additional \$25.00 license examination fee was submitted. Additionally, the department informed the permit holder that the priority date would be advanced as provided in IDAPA Rule 37.03.02050.01.c (Beneficial Use Exam Rule 50.01.c.).

MICROFILMED
NOV 05 1996

CONCLUSIONS OF LAW

1. IDAPA Rule 37.03.02050.01.c provides as follows:

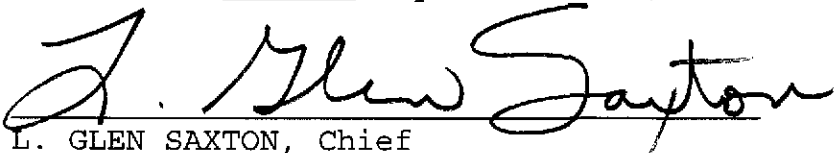
A license shall not be issued for an amount of water in excess of the amount covered by the examination fee. Subsequent to the examination and prior to a license being issued, the director will notify the permit holder that the licensed amount will be limited because an insufficient examination fee was paid. The permit holder will be allowed 30 days after the notice is mailed to pay the additional examination fee, along with a late payment penalty of \$25.00 or 20% of the amount of the additional required fee whichever is more. If payment is received within the 30 day period, the rate or volume licensed shall not be reduced by reason of the examination fee. If payment is not received within the 30 day period, the rate or volume licensed shall be limited by the original examination fee paid. For the purpose of determining advancement of priority for late fee as provided in Section 42-217, Idaho Code, fees shall not be considered as having been paid until paid in full, including any subsequent fee.

2. The department should advance the date of priority of Permit No. 36-08736 by 129 days.

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 36-08736 is advanced to May 19, 1992.

Dated this 18th day of October, 1996.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

NOV 05 1996

RECEIVED

OCT 02 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region

AMENDED

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08736 Telephone No. (208) 324-4536
2. Name(s) of Permit Holder(s): JOHN REITSMA
3. Mailing Address: 75 NORTH 400 WEST, JEROME, IDAHO 83338
4. Source of Water: GROUND If GROUNDWATER (well), Date Drilled: mo. NOV. / yr. 1994
 - a. Well Driller: EATON DRILLING Drilling Permit Number: 37 - 94 - S - 0157-000
 - b. **OPTIONAL:**
Pump Horsepower: 20 HP Pressure (psi): 105 Dynamic pumping level (ft): 155
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: COMMERCIAL
6. Total rate of diversion and/or volume for which proof is submitted: 1.53 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes ☒ or No _____

Has the measuring device been installed?

Yes ☒ or No _____

Flow Measurement Port: Is a flow measurement port required?

Yes ☒ or No _____

Has the measurement port been installed?

Yes ☒ or No _____

8. Fee Enclosed: \$ submitted on 4/2/96 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: JOHN REITSMA Telephone Number: (208) 324-4536

Address: 75 NORTH 400 WEST, JEROME, IDAHO 83338

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder:

(include your title, if on behalf of company or other entity)

Date:

MICROFILMED

NOV 05 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 2 - 1996

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08736 Telephone No. 324-4536
2. Name(s) of Permit Holder(s): John Reitsma
3. Mailing Address: 75N 400W Jerome ID 83538
4. Source of Water: Ground If **GROUNDWATER** (well), Date Drilled: mo. Nov yr. 94
- a. Well Driller: Eaton Drilling Drilling Permit Number: 37-94-S-0157000
- b. **OPTIONAL:**
Pump Horsepower: 20 HP Pressure (psi): 105 Dynamic pumping level (ft): 155

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Commercial

6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR 77 acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes <u>X</u>	or No _____
	Has the measuring device been installed?	Yes <u>X</u>	or No _____
Flow Measurement Port:	Is a flow measurement port required?	Yes <u>X</u>	or No _____
	Has the measurement port been installed?	Yes <u>X</u>	or No _____

8. Fee Enclosed: \$ 100 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: John Telephone Number: 324 4536

Address: Same

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 4-1-96
(include your title, if on behalf of company or organization)

APR 29 1996

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF PERMIT NO.)
36-08736 IN THE NAME OF JOHN)
REITSMA)
_____)

**AMENDED
PRELIMINARY ORDER**

This matter having come before the Idaho Department of Water Resources (department), the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On May 4, 1995, the department approved an amendment for Permit No. 36-08736 (also identified as 37-08767B) in the name of John Reitsma (permit holder) with certain conditions of approval.

2. Condition of Approval No. 4. of the amendment provided as follows:

The right holder shall not use water under this approval for a dairy operation larger than 2,400 milking cows and 400 dry cows, replacement calves and heifers.

3. Condition of Approval No. 5. of the amendment provided as follows:

This amendment approval authorizes the use of 1.53 cfs and 105 AFA under right no. 37-08767B for commercial and stockwater uses in connection with a dairy.

4. The permit holder contacted the department advising that his planned dairy is larger than that approved in the amendment and that the larger use will not cause an enlargement in the use of water when compared with the original permitted irrigation use authorized by Permit No. 37-08767.

5. On July 3, 1996, the department issued a Preliminary Order in connection with the planned larger dairy. On July 22, 1996, the permit holder submitted a Petition for Reconsideration of the July 3, 1996 Preliminary Order.

CONCLUSIONS OF LAW

1. The permit holder has shown sufficient information to authorize the department to set aside the July 3, 1996 Preliminary Order and to change Conditions of Approval Nos. 4 and 5 of the approved amendment.

2. The department should set aside the Preliminary Order and should amend Conditions of Approval Nos. 4 and 5 of the approved amendment.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the Preliminary Order of the department dated July 3, 1995 is **SET ASIDE** and is superceded by this Amended Preliminary Order.

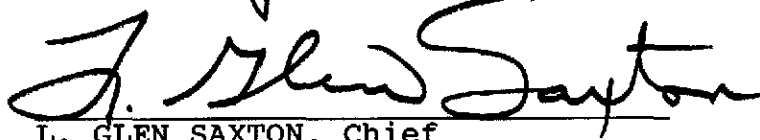
IT IS FURTHER HEREBY ORDERED as follows:

1. Condition No. 4. shown on the amendment dated May 4, 1995 is **RESCINDED**.

2. Condition of Approval No. 5. of the amendment is **AMENDED** to read as follows:

This amendment approval authorizes the use of 1.53 cfs and 268 AFA of water under right no. 36-08736 for commercial and stockwater uses in connection with a dairy.

Dated this 26th day of August, 1996.

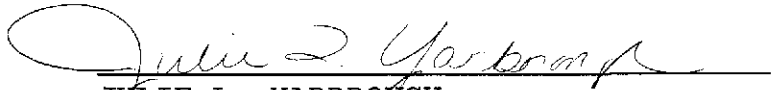

L. GLEN SAXTON, Chief
Water Allocation Bureau

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 26th day of August, 1996, I mailed a true and correct copy, postage prepaid, of the foregoing **AMENDED PRELIMINARY ORDER** to the following:

Josephine P. Beeman
DILLION BOSCH DAW & BOCK
CHARTERED
242 N. 8th St. STE 200
Boise, ID 83702

Allen Merritt
IDWR - Southern Region
222 Shoshone St. E
Twin Falls, ID 83301-6105


JULIE L. YARBROUGH
Senior Secretary

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO**

IN THE MATTER OF PERMIT NO.)
36-08736 IN THE NAME OF JOHN)
REITSMA)
_____)

PRELIMINARY ORDER

This matter having come before the Idaho Department of Water Resources (department), the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On May 4, 1995, the department approved an amendment for Permit No. 36-08736 (also identified as 37-08767B) in the name of John Reitsma (permit holder) with certain conditions of approval.

2. Condition of Approval No. 4. of the amendment provided as follows:

The right holder shall not use water under this approval for a dairy operation larger than 2,400 milking cows and 400 dry cows, replacement cows and heifers.

3. Condition of Approval No. 5. of the amendment provided as follows:

This amendment approval authorizes the use of 1.53 cfs and 105.0 AFA under right no. 37-08767B for commercial and stockwater uses in connection with a dairy.

4. The permit holder has contacted the department advising that his planned dairy is larger than that approved in the amendment and that the larger use will not cause an enlargement in use of water when compared with the original permitted irrigation use authorized by Permit No. 37-08767.

CONCLUSIONS OF LAW

1. The permit holder has shown sufficient information to authorize the department to change Conditions of Approval Nos. 4 and 5 of the amendment.

2. The department should amend Conditions of Approval Nos. 4 and 5 of the approved amendment.

MICROFILMED
NOV 05 1996

ORDER

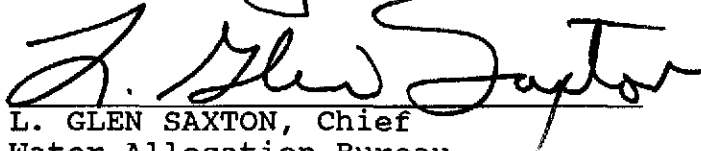
IT IS THEREFORE, HEREBY ORDERED as follows:

1. Condition of Approval No. 4. shown on the amendment dated May 4, 1995 is **RESCINDED**.

2. Condition of Approval No. 5. of the amendment is **AMENDED** to read as follows:

This amendment approval authorizes the use of 1.53 cfs and 118.0 AFA of water under right no. 36-08736 for commercial and stockwater uses in connection with a dairy.

Dated this 3 day of July, 1996.

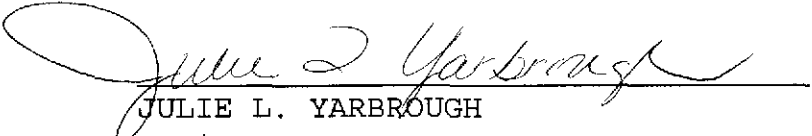

L. GLEN SAXTON, Chief
Water Allocation Bureau

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 8th day of July, 1996, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the following:

Josephine P. Beeman
DILLION BOSCH DAW
& BOCK
242 N. 8th St.
STE 200
Boise, ID 83702

Allen Merritt
IDWR - Southern Region
222 Shoshone St. E
Twin Falls, ID 83301-6105


JULIE L. YARBROUGH
Senior Secretary

APPROVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPLICATION FOR AMENDMENT OF A PERMIT**Applicant John Reitsma Phone 324-3366Address 75 N. 400 W., Jerome, ID 83338 36-08236I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 39-08787, and request that the permit and permit map be amended and/or changed as follows:Purpose of Amendment: ☒ Change point of diversion ☐ Add point of diversion
☒ Change place of use ☒ Change nature of use ☒ Change period of use ☐ Other1. Point of diversion: 2 points $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, Township 8S, Range 15E, B.M.,County of Gooding. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.53 cfs for Commercial purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount 1.53 cfs for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	15E	17						C,S											

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Applicantb. Who owns the land to be irrigated at the place of use? "

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

MAY 18 1995

Complete the following map by showing land and point of diversion as proposed by this amendment.
 Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 27 day of June, 19 94

Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by MT Publication prepared by MB/SC Date 8/11/94
 Published In Leading Co. Leader, LC I Publication dates 8/24 + 8/31/94

I, L. GLEN SAXTON, of the Department of Water Resources hereby
 approve the above referenced application for amendment. See the attached sheet for
 the conditions of approval.

Witness my hand this

day of

19

95

May
L. Glen Saxton

CONDITIONS OF APPROVAL

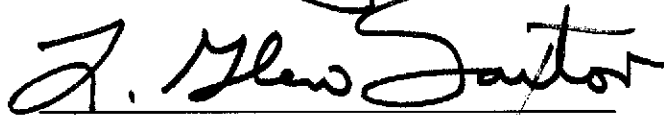
Amendment of Permit No. ~~37-08767B~~

36-08736

36-08736

1. The previous conditions as set forth in Permit No. ~~37-08767B~~ must be met.
2. The proposed dairy operation under this amendment shall comply with applicable zoning and use ordinances of Gooding County.
3. Use of water under this amendment shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
4. The right holder shall not use water under this approval for a dairy operation larger than 2400 milking cows, and 400 dry cows and replacement calves and heifers.
5. This amendment approval authorizes the use of 1.53 cfs and 105.0 AFA under right no. ~~37-08767B~~ for commercial and stockwater uses in connection with a dairy.
6. Prior to the diversion and use of water under this approval, the right holder shall install and maintain a measuring device on each point of diversion associated with the dairy and shall annually report the amount of water diverted to the department. The right holder shall obtain prior approval of the department relative to the type of measuring device.
7. Two points of diversion are located within NWNW, S17, T08S, R17E.
8. Failure to comply with the conditions of this amendment is cause for the director to rescind approval of the amendment.

Dated this 4th day of May, 1995.



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED
MAY 18 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

JUN 28 1994

Department of Water Resources
Southern Region Office

I, Samuel R. Harris, hereby assign to John Reitsma
(Permit Holder)
 of 75 N. 400 W., Jerome, ID 83338 324-8366
(Full Address)

All my right, title, and interest in and to Permit No. _____
 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
 Permit No. 37-08767 to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

1.53 cfs on 76.5 ac. in SE/SE (26.5 ac) & SW/SE (33 ac)
& NW/SE (17 ac) Sec. 32, P/D & P/U to be amended.
Portion to be designated as 37-08767 B.

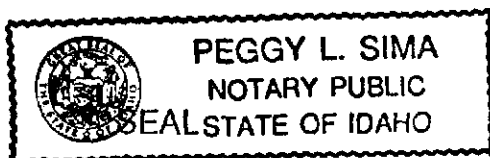
Made this 28 day of June, 19 94.

Samuel R. Harris
 Permit Holder(s)

State of Idaho)

County of Jerome ss

On this 28th day of June, 199 94, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Jerome County, Idaho
 Commission Expires 1/97

My commission expires: 1/97

Peggy L. Sima
 Notary Public

MICROFILMED
 Signature
 MICROFILMED MAR 24 1998

MAR 26 1998

database updated 11/23/94 cjt.



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 3, 2002

JOHN REITSMA
75 N 400 W
JEROME ID 83338

RE: License No. 36-8736 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

Enclosed is a copy of the approved Application for Amendment.

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,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

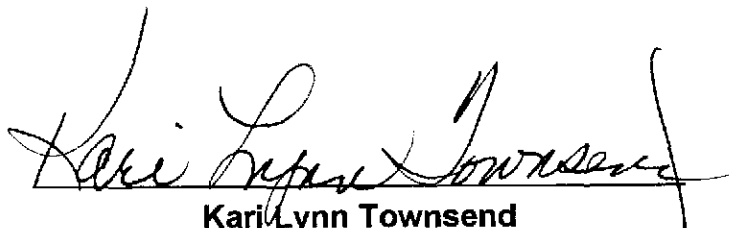
MICROFILMED
SEP 11 2002

CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 36-8736

**JOHN REITSMA
75 N 400 W
JEROME ID 83338**



Kari Lynn Townsend
Secretary

MICROFILMED
SEP 11 2002

**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.

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

August 26, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN REITSMA
75 N 400 W
JEROME ID 83338

RE: Permit No. 36-08736

Dear Mr. Reitsma:

We received the Application for Amendment (for licensing purposes) and your \$50.00 filing fee in the mail this morning. Enclosed is Departmental Receipt No. C064188 in the amount of \$50.00 for the amendment fee.

We must, however, return the amendment application to you so you can **sign the form** on the first page. Please sign the form and return it to me, within 10 days of the date of this letter, so we can proceed with licensing this permit.

If you have any questions in regard to this matter, please do not hesitate to contact me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

MICROFILMED
SEP 11 2002



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

August 14, 2002

JOHN REITSMA
75 N 400 W
JEROME ID 83338

RE: Water Right Permit 36-08736

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed. I have not yet received the amendment. If I do not receive it within **10 days**, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Please note that there is a **\$50.00** filing fee for this amendment. A copy of the Application for Amendment is enclosed for your convenience.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED
SEP 11 2002



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

July 25, 2002

JOHN REITSMA
75 N 400 W
JEROME ID 83338

RE: Water Right Permit No. 36-08736

Dear Permit Holder:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

- ☒ Point(s) of Diversion
- ☒ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

Enclosure

RECEIVED
MICROFILMED
SENT 11 1 2002

LICENSE REVIEW CHECKLIST

Permit No. 36-8375 Date: 8-14-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: change

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use change & add

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 1.53 cfs

Fee Limit 1.0 cfs

Measured 0.52 cfs

Theoretical cfs

Recommended Total Diversion Rate 0.52

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation cfs af

Stockwater 0.52 cfs 268 af

Domestic cfs af

Comm 0.52 cfs 268 af

cfs af

Total 0.52 cfs 268 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

cfs x 1.9835 x days = af (vs) acres x (FHR) = af

Remarks:

Additional Conditions

Watermaster Control

GW Measurement/Measuring Device

Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist?

Water Msmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim?

NO - not req'd

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

P49

S06

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 36-16008

Priority Date: 06/21/1973

Origin: Water Right

Basis: Decreed

Status: Pending
Transfer*as of 7/24/2002 → publication deadline 8/26/02**no OK until transfer is processed. FW*

Source: GROUND WATER

Trib

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	01/01 12/31		108.0 AFA	
STOCKWATER	01/01 12/31		108.0 AFA	
Total Diversion			108.0 AFA	

Source and Point(s) of Diversion:

Source	Tw	R	Sec	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	08S	15E	17	SWNW		GOODING
GROUND WATER	08S	15E	17	SWNW		GOODING

PLACE OF USE: COMMERCIAL

Tw	R	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	15E	16							X	X									
08S	15E	17	X	X	X	X				X		X	X						

PLACE OF USE: STOCKWATER

Tw	R	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	15E	17						X	X			X							

Conditions/Remarks:

[illegible]

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	36 7508B	JOHN REITSMA,	GROUND WATER	08S15E17	39	33	27	33													132
Right	36 10606	LINDA L RUBY, HAROLD J RUBY,	GROUND WATER	08S15E17	X																0
Right	36 8736	JOHN REITSMA,	GROUND WATER	08S15E17	X	X	X	X			X	X	X	X							0
TRight	36 16008	JOHN REITSMA, SUSAN REITSMA,	GROUND WATER	08S15E17	X	X	X	X				X	X	X							0
Permit	36 8736	JOHN REITSMA,	GROUND WATER	08S15E17						X											0
Right	1 16	NORTH SIDE CANAL CO LTD,	SNAKE RIVER	08S15E17																	0
Right	1 212	TWIN FALLS NORTH SIDE LAND & WATER, NORTH SIDE CANAL CO LTD,	SNAKE RIVER	08S15E17																	0
Right	1 213	NORTH SIDE CANAL CO LTD, TWIN FALLS NORTH SIDE LAND & WATER CO,	SNAKE RIVER	08S15E17																	0
Right	1 215	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO LTD,	SNAKE RIVER	08S15E17																	0
Right	1 220	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO LTD,	SNAKE RIVER	08S15E17																	0
Right	1 5	NORTH SIDE CANAL CO LTD,	SNAKE RIVER	08S15E17																	0
Right	36 10582	FRANK L ORTH, ROBERT C ORTH,	GROUND WATER	08S15E17																X	0
Right	36 10582	FRANK L ORTH, ROBERT C ORTH,	GROUND WATER	08S15E17																X	0
Right	36 8736	JOHN REITSMA,	GROUND WATER	08S15E17						X	X			X							0
TRight	36 16008	JOHN REITSMA, SUSAN REITSMA,	GROUND WATER	08S15E17						X	X			X							0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 16 2002
K
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 36-8736

1. Owner: John Reitsma Phone No. 324-4536

Current Address: 75 N 400 W, Jerome, ID 83338

2. Accompanied by: Jesus Hurtado EXAM DATE: 5-30-02

Address: 3249 S 1950 E, Wendell, ID 83355 Phone No. 536-6313 home

Relationship to Permit Holder: partner with permittee in dairy 280-2521 cell #

3. Source: Ground Water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			~~NE~~ NW		17	85	15E	Gooding	2001 FSA slide K/G. 2 wells
			SW						

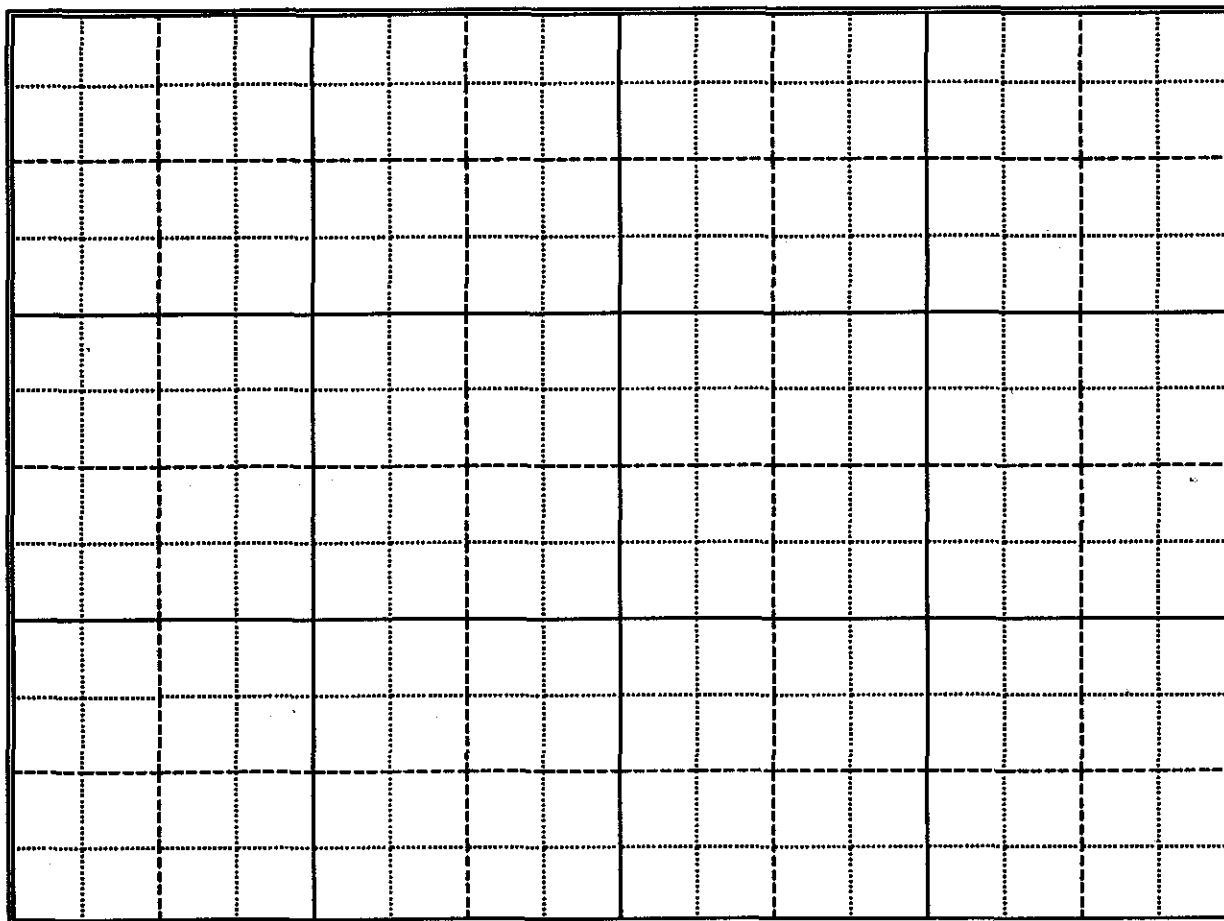
2. Place(s) of Use: * Land Application Area Indicate Method of Determination 2001 FSA slides

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
85	15E	16							*	*									
		17	*	*	*	*		S, E	C	*	*	S	*						

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____ G/S map

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
?	Franklin	10	?	Grundfos	Model GF1355 100-6
?	Hitachi	10	?	"	"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
McCrometer (east well)	propeller			99-7900-2	3"	10-31-01
" (west well)	"			75-33553	3"	"

2. Measurements: Measured at 234.5 gpm system capacity by Cindy Yenter 10-31-01
= 0.52 cfs

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E. NARRATIVE/REMARKS/COMMENTS

Two wells, motors, pumps, connecting mainlines with flow meters, lines to stock troughs & dairy barn. Storage tank w/pressure pumps for cattle washing. Facility does business as J+J Dairy.

Wells are just south of dairy barn & maybe 20' apart. Pipelines come up inside the barn near the storage tank, and the flow meters are located in this area.

Mr. Hurtado said that they milk 2800 cows & also water 420 dry stock. Permit allows 2400 milkers & 400 dry stock. Applicant has filed a transfer to bring additional volume to this facility to cover the excess measured usage. Usage increased greatly in 1999 (after proof was filed), so this does not appear to cause problems with issuing this license.

Motors & pump data not available on site, but supplied by Eaton Drilling & Pump Co. of Wendell. Pumps are designed for about 135 gpm each depending on operating conditions.

Dairy wastewater is land applied thru pivot sprinklers when needed to avoid flooding of property. One branch of the NSCC system ends near the dairy, and can cause flooding when too much waste water enters the area at times during the irrigation season. Waste water can be applied thru one full pivot & 2 partial pivots as needed.

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

Measured 0.52 cfs. Allow this amount.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Stock & Commercial Uses - Permit allows 268 AFA. System has used more than that every year since 1997 (first full reporting year). Allow permitted amount.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater	1-1	12-31	0.52	268.0
Commercial	"	"	0.52	268.0
Totals:			0.52	268.0

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name J. E. Stanton Date 7-12-02

Reviewer _____ Date _____

SEAL

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Comment Report

36-8736

1. jstanton 5/31/2002 Field Report Narrative

Comment: FE conducted 5-30-02. System consists of 2 wells located just south of the dairy barn, 10 hp motors, pumps, mainlines to storage tank and flow meters in barn, lines to stock tanks and dairy barn. Wells are about 20 feet apart. System was measured 10-31-01 by Cindy Yenter at 234.5 gpm (0.52 cfs); recommend license be issued for this rate. Measurement data for 1997-2001 shows annual volume has always exceeded permitted amount of 268 afa; recommend license be issued for permitted volume. A pending water transfer will cover additional volume usage. Co-owner reported that 2800 dairy cows and 420 dry stock are served by system; permit allows 2400 dairy and 400 dry stock; again, transfer will cover additional usage. Usage increased greatly in 1999 (after proof had been filed).

Motor & pump data not available on site, but were supplied by Eaton Drilling & Pump Co. of Wendell. Pumps are designed for about 135 gpm each depending on operating conditions.

Dairy waste water is land applied thru 1 full pivot & 2 half pivots as needed to avoid flooding of property due to excess waste water from NSCC system entering the area at times during irrigation season.

Permit requirements appear to have been met. Recommend timely issuance of license.

2. SCURTIS 8/11/1994 BASIN NUMBER CHANGE

Comment: If the amendment identified herein is approved, this right will need to be renumbered in Basin 36.

3. CZIMMERM 5/4/1995 AMENDMENT OF PERMIT

Comment: This portion of 37-08767 (part B) was amended from a groundwater source diverted within SWSE, S32, T05S, R18E for irrigation of 99.0 acres from 4/1-10/31 within NWSE (33 A), SWSE (33 A), & SESE (33 A), S32, T05S, T18E; to a groundwater source diverted from NWNW, S17, T08S, R15E for year round use of 1.53 cfs for stockwater of 2400 milkers and 400 non-milkers and 1.53 cfs for commercial use on a dairy (total of 1.53 cfs) located within NWNW S17, T08S, R15E. Upon approval, this right needs to be renumbered to basin 36.

4. SCURTIS 4/2/1996 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

5. JYARBROU 10/18/1996 Proof of B/U

Comment: Permit holder filed proof on April 2, 1996, and stated a rate of diversion of 77 acre feet. Permit holder later realized that he had mistaken acre feet for miners inches and had submitted proof for less diversion than he was using. On October 8, 1996, the permit holder submitted an amended proof with an additional \$25 license exam fee to cover 1.53 cfs. The priority date was advanced 129 days since the full exam fee was not received until October.

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Flowmeter

ALL DISTRICTS

RUTHERFORD
RUTHERFORD

A0004665

Legal Description

08S 15E 17 NWNW

	Start	Totalizer End	Volume Units	Acre-Feet	Adjusted Acre-Feet	Max Flowrate (CFS)	Adjusted Max Flowrate	Qualifier
1996				50.7	49.16	0.33		FE
Calib. Date			7/13/1996	Vol Mult:				
Validated:		Changed	3/8/2002	cyenter	Comments:			
1997	4.6527	99.1425	AF	94.49	91.66	0.29		MR
Calib. Date			7/13/1997	Vol Mult:		READINGS LOOK ACCEPTABLE DAN 3-30-98		
Validated:		Changed	3/8/2002	cyenter	Comments:			
1998	99.1425	289.0554	AF	189.91	184.27	0.29		MR
Calib. Date			7/13/1998	Vol Mult:		Readings look acceptable Arnie 1-26-99 changed volume based on jan 1 99 reading and interpretation of odometer readings. Cjh		
Validated:		Changed	3/8/2002	cyenter	Comments:			
1999	898946	2675970	AF	177.7	172.57			MR
Calib. Date			7/13/1999	Vol Mult:	0.0001	IDWR Audit 1-6-00 read (2)675970x.0001 (GPM 2-3-00)		
Validated:		Changed	3/8/2002	cyenter	Comments:	meter is rolling twice yearly - prefix value is		
2000	675970	2629645	AF	195.37	190.51			NM
Calib. Date			7/13/2000	Vol Mult:	0.0001	This is an estimate due to no meter readings at all. I used IDWR audit number from this year and what was in the computer for last		
Validated:		Changed	3/8/2002	cyenter	Comments:			
2001	629645	2534723	AF	190.51	177.03			NM
Calib. Date			7/13/2001	Vol Mult:	0.0001	Owner estimate of 142 af. No data sent. IDWR audit on 1/4/02 showed 534723 X .0001 by CH. Assumed rollover factor of 2.		
Validated:		Changed	3/8/2002	cyenter	Comments:			

Re-Adjust

Site Visit

POD

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SEP 11 2002

ALL DISTRICTS

PETSVA JONY

PETSVA DARY

A0004666

Legal Description

08S 15E 17 NWNW

	Totalizer Start	Totalizer End	Volume Units	Acre-Feet	Adjusted Acre-Feet	Max Flowrate (CFS)	Adjusted Max Flowrate	Qualifier
1996				15.9	15.9	0.35		FE
		Calib. Date		Vol Mult:				
	☐ Validated:	☐ Changed		dbo	Comments:			
1997	7.298	203.8025	AF	196.5	196.5	0.33		MR
		Calib. Date		Vol Mult:		MEASUREMENT LOOK ACCEPTABLE TO ME		
	☐ Validated:	☐ Changed	3/8/2002	cyenter	Comments:	DAN 3-30-98 used Jan 1, 98 for end odometer		
1998	38025	960027	AF	92.2	92.2	0.3		EM
		Calib. Date		Vol Mult:		Meter broke 8/98. Readings are low for first 8		
	☐ Validated:	☐ Changed	3/8/2002	cyenter	Comments:	months; did not attempt to estimate yearly. Cjh		
1999	92119	3260299	GAL	194.46	194.46			FE
		Calib. Date		Vol Mult:		meter replaced in july - start odometer as		
	☐ Validated:	☐ Changed	3/8/2002	cyenter	Comments:	shown (used?). End of year odometer from IDWR audit read 260299x10. (GPM 2-3-00.)		
2000	260299	6470082	GAL	190.57	190.57			NM
		Calib. Date		Vol Mult:		No montly readings, estimate done by the		
	☐ Validated:	☐ Changed	3/8/2002	cyenter	Comments:	user is 210 af. End odometer from IDWR audit on 12-29-00. CRK 1-12-01 (470082x10)		
2001	470082	6446765	GAL	183.42	183.42			NM
		Calib. Date		Vol Mult:		Owner estimate 220 af. End odometer from		
	☐ Validated:	☐ Changed	3/8/2002	cyenter	Comments:	IDWR audit on 1/4/02 showed 446765 X 10 by Ch. Assume meter rollover of 6.		

New Data

Re-Adjust

Site Visit

POD

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SEP 11 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water Measurement Program

1998 WATER MEASURING DEVICE CERTIFICATION

District WUD Inventory Date 10-3-01 Inventory Examiner Chody S PCC ok? Yes/noDate of test Person performing test Exam complete? Yes/no

Name:	<u>John Reutsma</u>
Water Right No:	<u> </u>
Legal Description:	T <u> </u> R <u> </u> Sec. <u> </u> $\frac{1}{4}$ <u> </u> $\frac{1}{4}$ <u> </u> $\frac{1}{4}$
Site Tag No:	<u>A0004665</u>
Diversion Name:	<u>Wendell Dairy West Well</u>

Current Owner

Name Phone
Last, First, MIAddress City State Zip

Operator (if leased or operated by someone else)

Name Phone
Last, First, MI

SECTION I WELL SITE IDENTIFICATION

Global Positioning System Data:

Data Collection Filename Offset IDWR Site Tag Identification No. Site Tag location description: PLS/USGS Locator Diversion Name:

For Department/District Use Only

Received by Date Reviewed by Date Data Entry by gjn Date 11-01-01

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SEP 11 2002

SECTION II INSTALLATION METER INFORMATION

METER AND MOUNTING PIPE INFORMATION			
Motor HP	7	Volume Units	Acre-Feet Gallons Other(specify)
Meter Install Date	95	Volume Multiplier	.0001
Manufacturer	Mcrometer	Installation location	Excl Good Fair Poor
Meter Type	propeller	Pipe material	galvanized
Meter Model		Outside Diameter	3.53
Serial Number	95 30553	Wall Thickness	.211
Size (nominal)	3	Inside Diameter	
Measure Flow Rate?	(circle one) Yes No	Dist. of straight pipe upstream from meter	DWR 6" Downer 9"
Measurement Units	(circle one) CFS GPM Other(specify)	Dist. of Straight pipe downstream from meter	8" Q
Flow rate Multiplier	1	Std Meter Type	Sonic Pvg Collins Hall Anub Dye/chem Other
Measure Cumulative Volume?	(circle one) Yes No	Std. Meter Confidence	Excl Good Fair Poor 2% 5% 10% >10% X

Are multiple flowmeters used to measure diversions from this well? Yes No

If so, how many? _____ (Attach separate form for each meter checked and/or calibrated)

If this meter measures diversions from multiple wells, names and locations of other wells: _____

SECTION III CERTIFICATION FOR CALIBRATION OF A WATER MEASUREMENT METER

See back page for instructions.

Measurement No. 1 (M_1) is the measured rate of flow from the permanently installed flow meter.

Measurement No. 2 (M_2) is the measured rate of flow from the measuring device being used to check the flow for the calibration. This method or device must be accurate to within $\pm 5\%$ error. Describe below the method and equipment used to perform this measurement.

$$\text{Percent Difference} = (M_1 - M_2) \div M_2 \times 100 = \pm \% \quad (\text{Acceptable is within } \pm 10\%) \quad (\text{equation 1})$$

$$\text{Calibration Multiplier} = M_2 \div M_1 \quad (\text{equation 2})$$

Is flowmeter installed according to manufacturer's specifications? Yes / No / Unsure

Describe any apparent problems with installation or operation _____

Flowmeter accuracy prior to any adjustments: _____ Totalizer reading _____

Flowmeter accuracy after final adjustment: _____ Totalizer reading _____

Flowmeter calibration multiplier: 0.94

2.399 FLD12

Water Level Data

Does the well have access to measure water levels? Yes ☒ No ☐

Is this well part of USGS, IDWR, or another network of water level monitoring wells? Yes ☐ No ☒

Static Water Level _____ ft Pumping Water Level _____ ft (at condition _____)

Date _____

Date _____

FLOWMETER ACCURACY CALIBRATION TABLE

Owners meter (totalizer reading) (af)	Time	Total Gallons	Ave. Flow Rate - GPM (M ₁)	Standard total gallons	Average flow rate (M ₂)	Percent diff. (±)	Comments and adjustments
27.4769	8						
27.4808	10:15	1270.8	124.0	1171	117.1	+5.9%	0.94
	(10.25)				116.7	+6.2%	0.94

(total
(logged)

Notes, Comments or Calculations: Sound Speed 4803 Signal 3 bars

Flow rate ~ 116 gpm Steady during test. Both pumps on.

Odometer capacity is only 100 af - meter rolling - is this dairy in excess of 45 rights?

Sketch and or photograph of installation: See East well calibration for photos

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature J. Hodges
(person performing measurements) MICROFILMED

Date 10-31-01

SEP 11 2002

Reitsma Wendell Dairy, West Well

LOG NAME:A0004665

START :10-31 14:45

END :10-31 14:55

INTERVAL:00:01:00

10/31/2001 14:45

+5.080E+0 ft/s

+1.201E+2 gal/m

+TOTAL 0000000 gal

NORMAL

10/31/2001 14:51

+4.914E+0 ft/s

+1.162E+2 gal/m

+TOTAL 0000700 gal

NORMAL

10/31/2001 14:46

+4.885E+0 ft/s

+1.155E+2 gal/m

+TOTAL 0000114 gal

NORMAL

10/31/2001 14:52

+4.881E+0 ft/s

+1.154E+2 gal/m

+TOTAL 0000815 gal

NORMAL

10/31/2001 14:47

+4.942E+0 ft/s

+1.168E+2 gal/m

+TOTAL 0000230 gal

NORMAL

10/31/2001 14:53

+4.932E+0 ft/s

+1.166E+2 gal/m

+TOTAL 0000932 gal

NORMAL

10/31/2001 14:48

+4.968E+0 ft/s

+1.174E+2 gal/m

+TOTAL 0000347 gal

NORMAL

10/31/2001 14:54

+4.738E+0 ft/s

+1.120E+2 gal/m

+TOTAL 0001052 gal

NORMAL

10/31/2001 14:49

+5.296E+0 ft/s

+1.252E+2 gal/m

+TOTAL 0000468 gal

NORMAL

10/31/2001 14:55

+4.879E+0 ft/s

+1.153E+2 gal/m

+TOTAL 0001167 gal

NORMAL

10/31/2001 14:50

+4.805E+0 ft/s

+1.136E+2 gal/m

+TOTAL 0000584 gal

NORMAL

AVG FLOW

116.7 gpm

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SEP 11 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water Measurement Program

1998 WATER MEASURING DEVICE CERTIFICATION

District WIND Inventory Date 6-3-01 Inventory Examiner Chadges PCC ok? Yes/noDate of test 6-3-01 Person performing test Chadges Exam complete? Yes/no?

Name:	<u>John Reutsma</u>
Water Right No:	_____
Legal Description:	T _____ R _____ Sec. _____ 1/4 _____ 1/4 _____ 1/4 _____
Site Tag No:	<u>A0004666</u>
Diversion Name:	<u>Wendell Dairy East well</u>

Current Owner

Name _____ Phone _____
Last, First, MI
Address _____ City _____ State _____ Zip _____

Operator (if leased or operated by someone else)

Name _____ Phone _____
Last, First, MI

SECTION I WELL SITE IDENTIFICATION

Global Positioning System Data:

Data Collection Filename _____ Offset _____

IDWR Site Tag Identification No. _____

Site Tag location description: _____

PLS/USGS Locator _____

Diversion Name: _____

For Department/District Use Only

Received by _____ Date _____

Reviewed by _____ Date _____

Data Entry by _____ Date _____

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SEP 11 2002

SECTION II INSTALLATION METER INFORMATION

METER AND MOUNTING PIPE INFORMATION			
Motor HP	7	Volume Units	Acre-Feet ☒ Gallons ☒ Other(specify)
Meter Install Date	99	Volume Multiplier	10
Manufacturer	McCrometer	Installation location	Excl Good Fair Poor
Meter Type	propeller	Pipe material	galvanized
Meter Model		Outside Diameter	3.5
Serial Number	99-7900-2(?)	Wall Thickness	.211
Size (nominal)	3	Inside Diameter	
Measure Flow Rate?	(circle one) Yes ☒ No ☐	Dist. of straight pipe upstream from meter	DWR 5" owner 9"
Measurement Units	(circle one) CFS ☐ GPM ☒ Other(specify)	Dist. of Straight pipe downstream from meter	9" 9"
Flow rate Multiplier	1	Std Meter Type	Sonic Pyg Collins Hall Anub Dye/chem Other
Measure Cumulative Volume?	(circle one) Yes ☒ No ☐	Std. Meter Confidence	Excl ☒ Good ☐ Fair ☐ Poor ☐ 2% 5% 10% >10% X

2.374 FLD12

Are multiple flowmeters used to measure diversions from this well? Yes ☒ No ☐

If so, how many? _____ (Attach separate form for each meter checked and/or calibrated)

If this meter measures diversions from multiple wells, names and locations of other wells: _____

SECTION III CERTIFICATION FOR CALIBRATION OF A WATER MEASUREMENT METER

See back page for instructions.

Measurement No. 1 (M_1) is the measured rate of flow from the permanently installed flow meter.

Measurement No. 2 (M_2) is the measured rate of flow from the measuring device being used to check the flow for the calibration. This method or device must be accurate to within $\pm 5\%$ error. Describe below the method and equipment used to perform this measurement.

$$\text{Percent Difference} = (M_1 - M_2) \div M_2 \times 100 = \pm \% \quad (\text{Acceptable is within } \pm 10\%) \quad (\text{equation 1})$$

$$\text{Calibration Multiplier} = M_2 \div M_1 \quad (\text{equation 2})$$

Is flowmeter installed according to manufacturer's specifications? Yes / No / Unsure

Describe any apparent problems with installation or operation _____

Flowmeter accuracy prior to any adjustments: _____ Totalizer reading _____

Flowmeter accuracy after final adjustment: _____ Totalizer reading _____

Flowmeter calibration multiplier: 1.04
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Water Level Data

Does the well have access to measure water levels? Yes / No

Is this well part of USGS, IDWR, or another network of water level monitoring wells? Yes / No

Static Water Level _____ ft Pumping Water Level _____ ft (at condition _____)

Date _____

Date _____

FLOWMETER ACCURACY CALIBRATION TABLE

Owners meter (totalizer reading)	Time	Total Gallons	Ave. Flow Rate - GPM (M ₁)	Standard total gallons	Average flow rate (M ₂)	Percent diff. (±)	Comments and adjustments
ast 5408390	Q						
~~5409500~~		1110	(111.0)	2353			
5409500	10.0		-	1194.6 (west)			
ast 27.4885	Q			1158.4	(115.8)	-3.8%	
27.4924	10.0	1270.8					
		x.94					

Notes, Comments or Calculations: ^{1194.6} SoundSpeed 4806 Signal 3 bars

Could not isolate East meter. Std gallons were collected for both meters & adjusted west volume subtracted from Std total to compare to East total. East/West volumes collected simultaneously.

This is a new meter since last calibration - marked

Sketch and or photograph of installation:

"Start 092119"

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SEP 11 2002

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature C. Hodges
(person performing measurements)

Date 10-31-01

Reitsma Wendell Dairy, East Well

LOG NAME:A0004666

START :10-31 15:15

END :10-31 15:25

INTERVAL:00:01:00

10/31/2001 15:15

+1.033E+1 ft/s
+2.396E+2 gal/m
+TOTAL 0000000 gal
NORMAL

10/31/2001 15:21

+1.016E+1 ft/s
+2.358E+2 gal/m
+TOTAL 0001403 gal
NORMAL

10/31/2001 15:16

+1.031E+1 ft/s
+2.392E+2 gal/m
+TOTAL 0000234 gal
NORMAL

10/31/2001 15:22

+1.023E+1 ft/s
+2.373E+2 gal/m
+TOTAL 0001637 gal
NORMAL

10/31/2001 15:17

+9.479E+0 ft/s
+2.198E+2 gal/m
+TOTAL 0000471 gal
NORMAL

10/31/2001 15:23

+1.029E+1 ft/s
+2.386E+2 gal/m
+TOTAL 0001872 gal
NORMAL

10/31/2001 15:18

+9.913E+0 ft/s
+2.299E+2 gal/m
+TOTAL 0000699 gal
NORMAL

10/31/2001 15:24

+1.021E+1 ft/s
+2.368E+2 gal/m
+TOTAL 0002107 gal
NORMAL

10/31/2001 15:19

+9.929E+0 ft/s
+2.302E+2 gal/m
+TOTAL 0000927 gal
NORMAL

10/31/2001 15:25

+1.014E+1 ft/s
+2.353E+2 gal/m
+TOTAL 0002345 gal
NORMAL

10/31/2001 15:20

+1.049E+1 ft/s
+2.433E+2 gal/m
+TOTAL 0001159 gal
NORMAL

AVG FLOW

234.5 gpm

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Reitsma Dairy Wendell, East and West Meters

Top left - system showing west meter in back and east meter in front

Top right - sonic measurement location for west meter.

Bottom - sonic measurement location for east meter. Calibration involved measurement of entire flow and subtraction of west meter volume. See file notes.

26.0
HEV

+1071
26.0
HEV
49.6

109.1
TE-1152
20

5.8
HEV

5.8
HEV

160
TE-1303
17.16

13.5
HEV

8.8
HEV

1

8

17.01

MAP 1

R-1

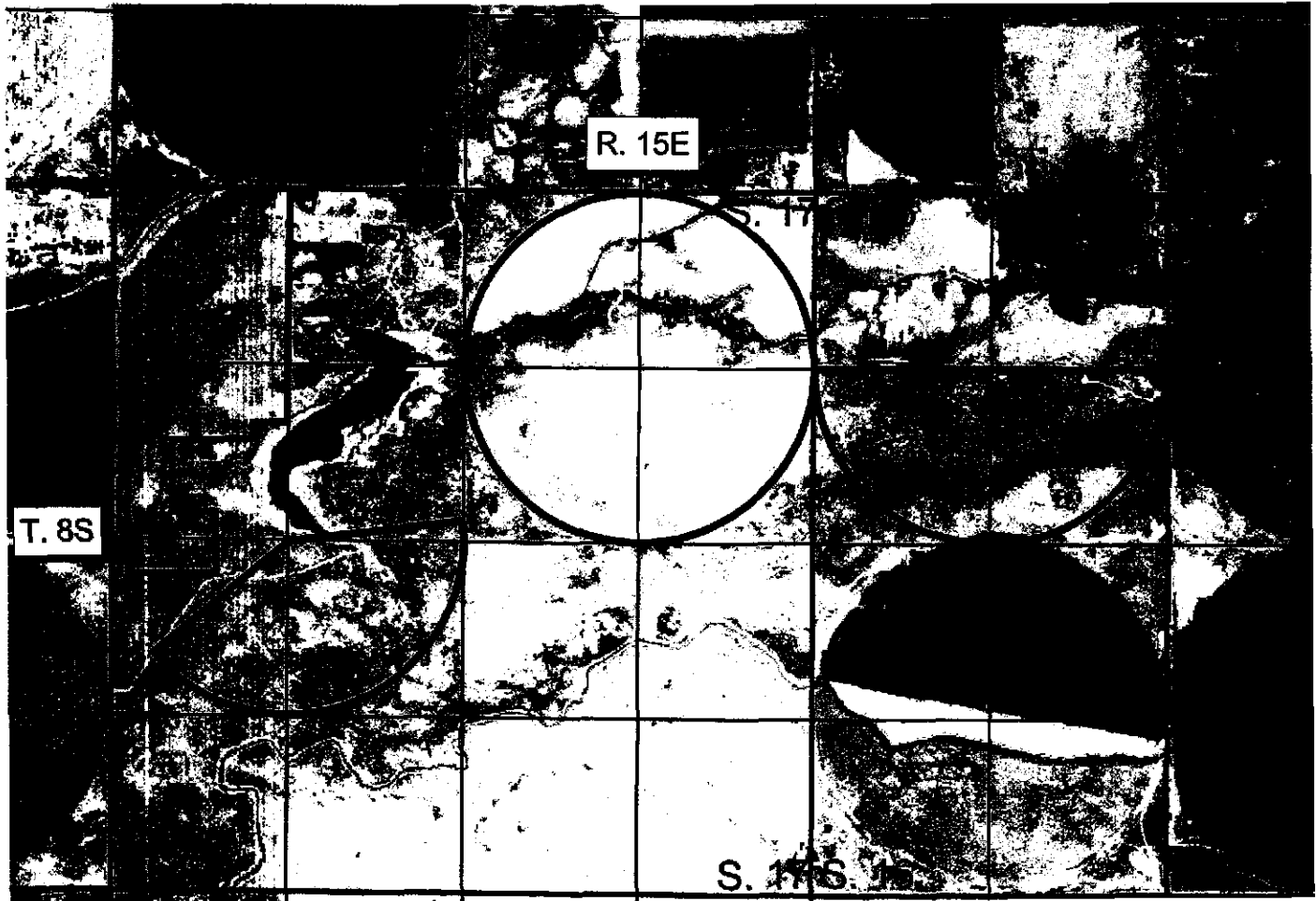


11-88221
DRIVE 601
DRIVE 602

IDAHO DEPARTMENT OF WATER RESOURCES

LICENSING EXAMINATION DATA

RECOMMENDED P/D & P/U, PERMIT 36-8736



Section Lines



Quarter/Quarter Lines

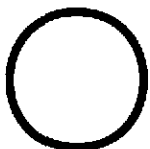
General Location: 2 7/8 mi south & 1 3/8 mi west of Wendell city center



Point(s) of Diversion



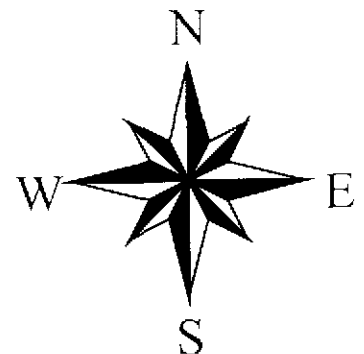
Dairy Site



Land Application Area For Waste Water

MICRONIZED

SEP 11 2002



Prepared By J E Stanton 7-10-2002 1986/87 NAPP Data



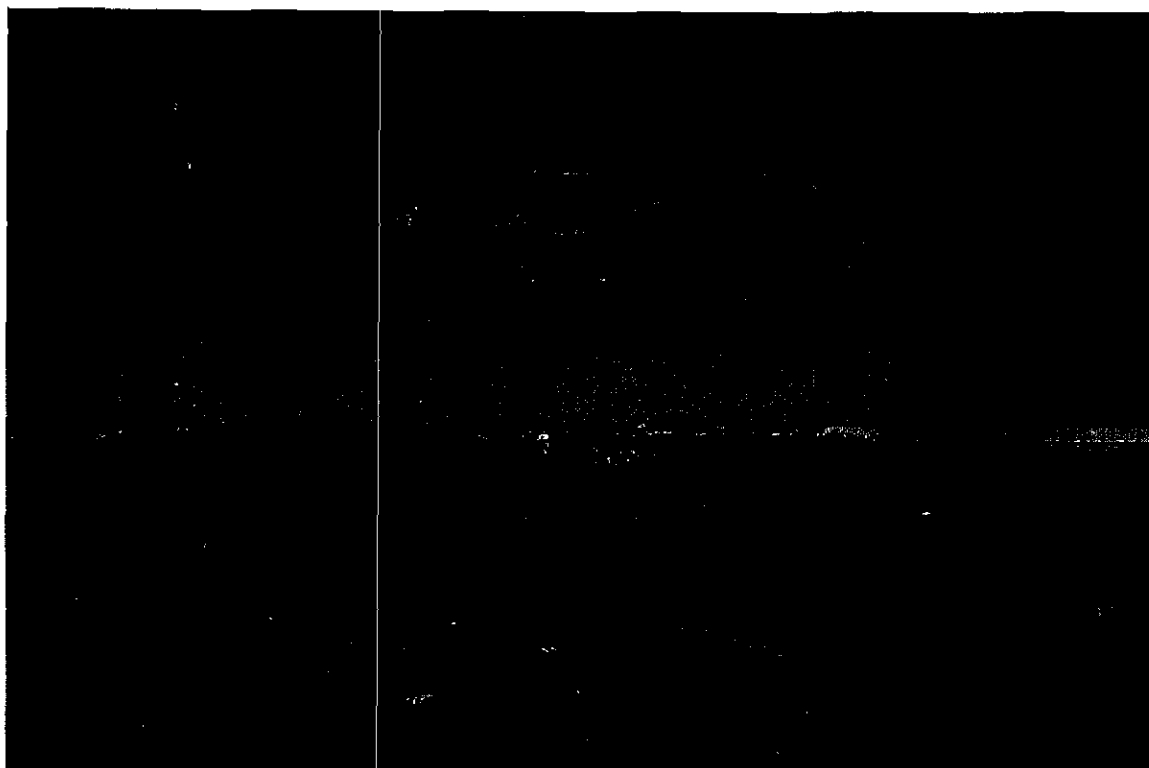
Milk parlor in dairy barn
By J E Stanton 5-30-02 Permit 36-8736

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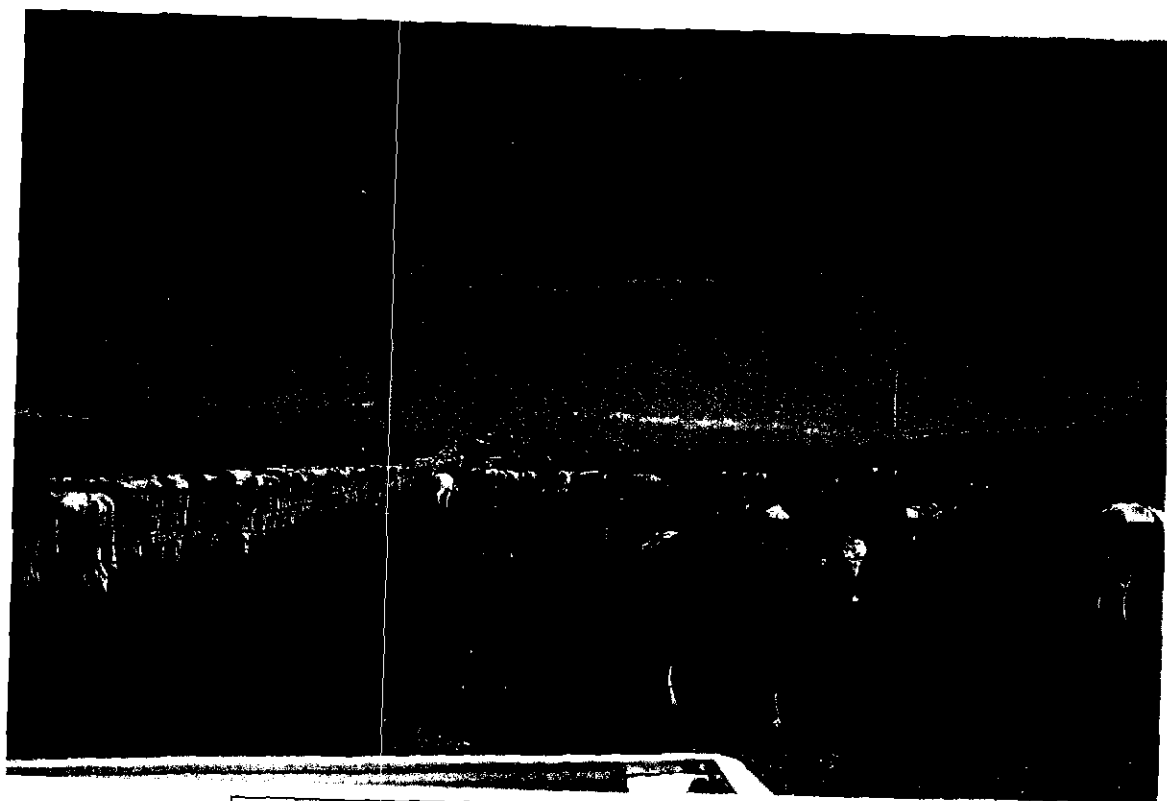
Inside of dairy barn
By J E Stanton Permit 36-8736



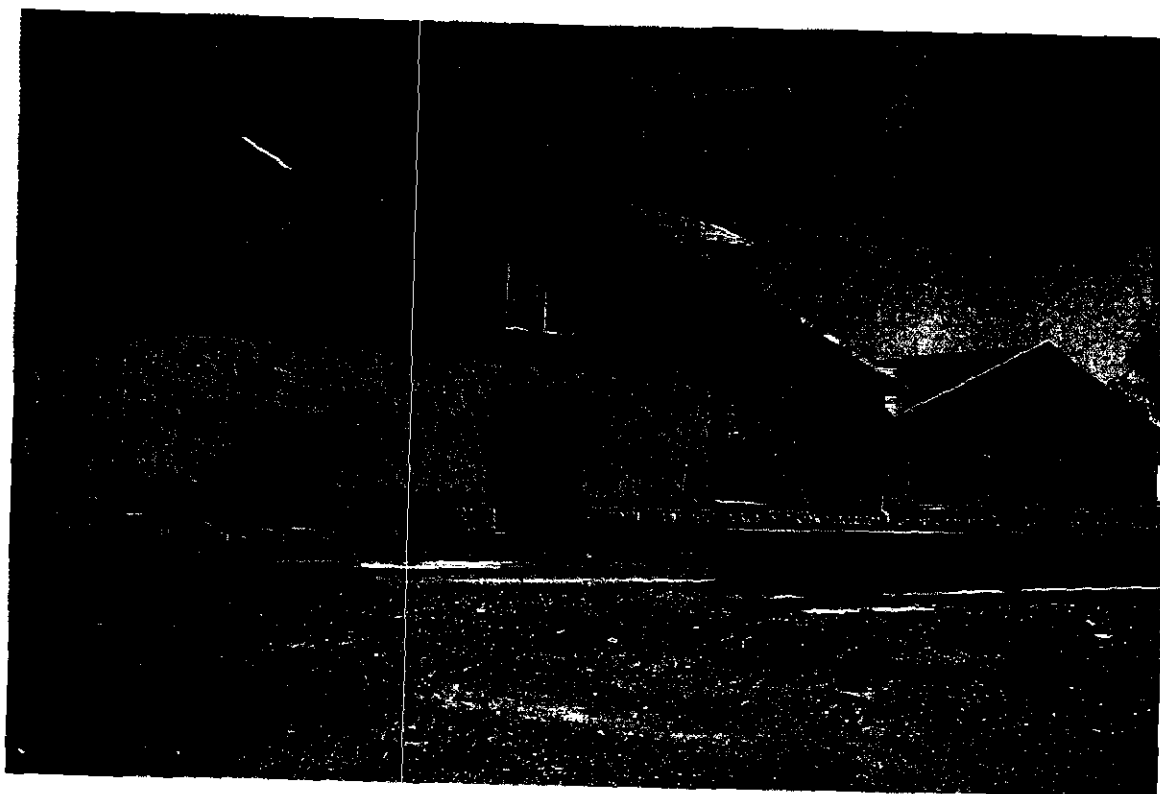
Corrals north of dairy barn (looking south)
By J E Stanton 5-30-02 Permit 36-8736

MICROFILM

SEP 1 1966



Corrals west of barn (looking north)
By J E Stanton 5-30-02 Permit 36-8736

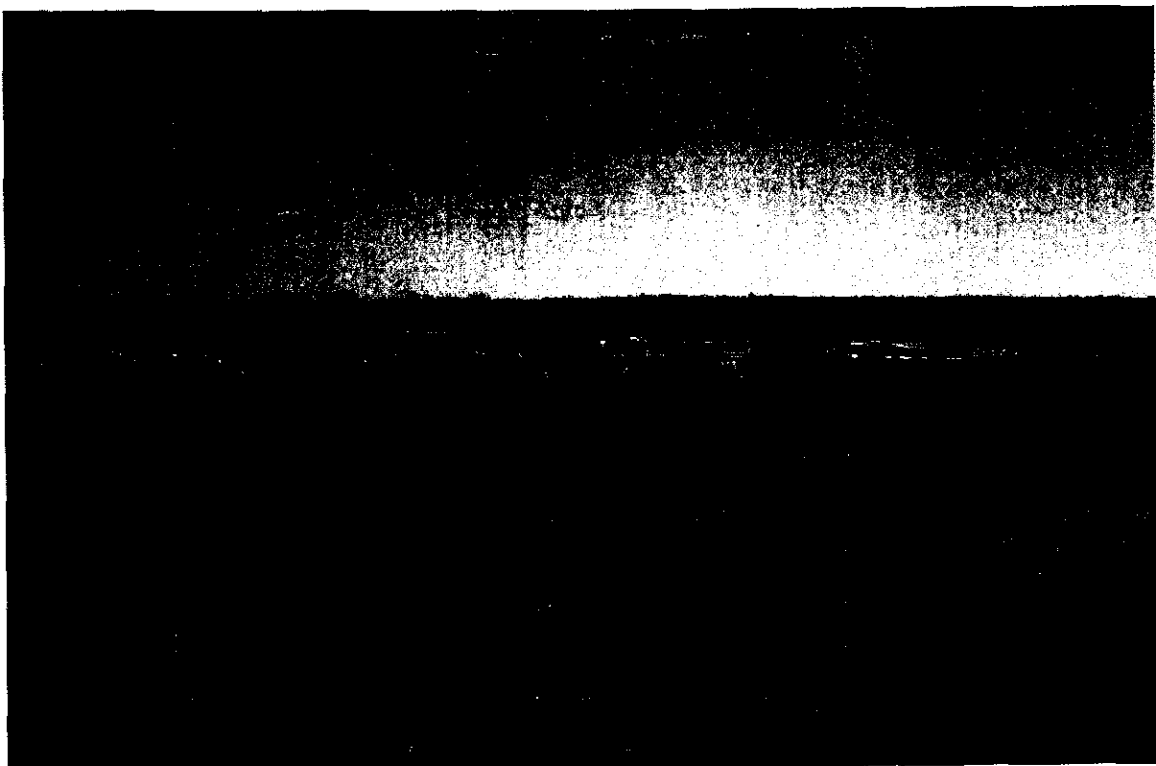


Dairy barn looking NE
Wells are in grass strip between the small trees
By J E Stanton 5-30-02 Permit 36-8736

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Corrals on east side of dairy barn (looking NE)
By J E Stanton 5-30-02 Permit 36-8736



Corrals at south end of dairy (looking east)
By J E Stanton 5-30-02 Permit 36-8736

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SEP 11 2002

S1
4/92

John Reitsma

IDAHO DEPARTMENT OF WATER RESOURCES

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO

36-08736
RECEIVED

A. Items To Be Placed In Exam File (Items A & B to be Completed by JUL 16 2002)

- (☒) Blank Field Report & Notice of Completed Exam Department of Water Resources
- (☒) Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments,
Proof of Beneficial Use, SRBA Claim (Claim Filed? No Required? No)
- (☒) Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
- (☒) Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
- (☒) Copy of Orthophotoquad Map
- (☒) 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
- (☐) Government Lot Plats (If Applicable)

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

- If Yes, Type of Overlap: (☐) Add Acres or Uses to Existing System
(☐) Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

- If Yes, Type of Overlap: (☐) Increase Rate of Flow or Volume
(☐) Add Supplemental Water Source
(☐) Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date 5-30-02

Time 9 am

Place dairy

Contact Person & Phone _____

D. Post-Exam Review & Processing

Exam Completed 5-30-02

Notice of Completion Turned In ✓

Field Report Completed 7-15-02

J. Reitsma
Signature of Examiner & Date

Field Report Reviewed by Sr. Agent _____ (Initial & Date)

Field Report Reviewed by Region Mgr. _____ (Initial & Date)

Field Report Sent to S.O. _____ Region Card File Updated _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR
October 24, 1996

DANA HOFSTETTER
DILLION BOSCH DAW
& BOCK
242 N 8TH ST STE 200
BOISE ID 83702

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 36-08736

Dear Ms. Hofstetter:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order advancing the priority of the water right since the exam fee was not paid in full in a timely manner. Please note that the priority date has been advanced to May 19, 1992.

Please be advised that Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Region, John Reitsma

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NOV 05 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 36-08736 Reviewed by Jy Date 10-4-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? comm.
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
yes Drilling permit required?
yes Copy in the file? Drilling Permit No. 3794-S-0157-000
200. Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
100- Amount Submitted
no Correct?
yes Required?
yes Installed?
 Waiver requested?

PRIORITY CALCULATION

Date ^{Rec} proof received 10-8-96 281
Date ^{Rec} proof due 6-1-96 - 152
No. of days late = 129 5-19-92
Priority Date 1-10-92 + 10
New Priority Date 5-19-92 139

DEFICIENCIES OR ACTION ITEMS

*Proof acceptable
Advance priority to may 19, 1992.*

DATA ENTRY

New Address X Proof Made 10-8-96

MEMORANDUM

To: File 36-08736 - John Reitsma
From: L. Glen Saxton *WJS*
RE: REVIEW OF OCTOBER 8, 1996 LETTER FROM DANA HOFSTETTER
Date: October 17, 1996

I have contacted both Dana Hofstetter and Jo Beeman concerning the above referenced letter. I advised that the department intended to advance the priority due to late submittal of the amended proof of beneficial use of water. The authority to advance the priority is in IDAPA Rule 37.03.02050.01.c (Beneficial Use Exam Rule 50.01.c).

I advised that I would issue a Preliminary Order advancing the priority in order to allow them to challenge the action if they intended to contest the advancement in priority. Jo Beeman advised me today that Reitsma did not intend to challenge the advancement in priority. Hence the usual order advancing the priority is sufficient as compared with a Preliminary Order.

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NOV 05 1996

DILLION
B O S C H
D A W
B O C K &
c h a r t e r e d

RECEIVED

OCT 08 1996

Department of Water Resources

October 8, 1996

Via Hand Delivery

Attorneys

Josephine P. Beaman
Les Bock
Allan R. Bosch
C. A. Daw
Lee B. Dillion
Dana L. Hofstetter
Robert Wreggelsworth

Ms. Julie L. Yarbrough
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83720

RE: Additional Exam Fee for Amended Proof of Beneficial Use
for Permit No. 36-08736
DBDB File No. 1791-WA01

Dear Ms. Yarbrough:

Per your letter of October 4, 1996, I enclose check #8779 in the amount of \$25.00 to cover the additional license exam fee for the Amended Proof of Beneficial Use form for Permit No. 36-08736 (John Reitsma). As detailed in our June 27, 1996 letter to Allen Merritt, Mr. Reitsma's initial proof of beneficial use included an error in water quantity. The failure to submit the appropriate fee apparently relates to that error.

We do not believe that adjustment to the priority date is appropriate in this instance. Idaho Code § 42-217 provides that advancement of the priority date occurs if the fee is not submitted within 60 days of notification from IDWR that a license examination fee is required:

Holders of permits who have submitted proof of beneficial use but have not had their project examined for beneficial use shall submit the fee required in section 42-221, Idaho Code, within sixty (60) days of notification by the director of the department of water resources that a license examination fee is required. Failure to submit the fee in the time allowed shall be cause for the director to advance the date of the priority of the permit one (1) day for each day that the fee is late...

I.C. § 42-217 (emphases added). Your October 4, 1996 letter was the first notification we received of the need to submit additional fees. Since we are submitting the additional fee within 60 days of that notification, the priority date should not be adjusted.

Fidelity Building
242 N. 8th St.
Suite 200
Boise, ID 83702

tel (208) 344-8990
fax (208) 344-9140

Internet E-mail to:
dbdb@micron.net

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OCT 05 1996

Ms. Julie L. Yarbrough

Page 2

October 8, 1996

If you have any questions or need additional information, please do not hesitate to call.

Sincerely,

Dillion, Bosch, Daw & Bock

Chartered

By:



Dana L. Hofstetter

DLH/jv

Encl.

cc: Allen Merritt (via U.S. Mail)
John Reitsma (via U.S. Mail)

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NOV 05 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 4, 1996

Josephine P. Beeman
DILLION BOSCH DAW
& BOCK CHARTERED
242 N 8th St. STE 200
Boise, ID 83702

RE: Proof of B/U for Permit No. 36-08736 (John Reitsma)

Dear Jo:

I am in receipt of the Amended Proof of Beneficial Use form submitted for John Reistma. The original proof was submitted for a rate of diversion of 77 acre feet with a license examination fee of \$100.00. The amended proof states a rate of diversion of 1.53 cfs, which requires a license exam fee of \$125.00. Before the department can accept the amended proof, the additional \$25.00 exam fee will need to be submitted.

Additionally, the priority date of the water right will be advanced one day for each day the additional exam fee is submitted after the proof due date of June 1, 1996, as provided in Section 42-217, Idaho Code, and Beneficial Use Rule 50.01.c.

Please contact me at 327-7953 if you have any questions concerning this matter.

Sincerely,

A handwritten signature in cursive script, reading 'Julie L. Yarbrough'.

JULIE L. YARBROUGH
Senior Secretary

C: Allen Merritt

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NOV 05 1996

DILLION
B O S C H
D A W
B O C K &
c h a r t e r e d

Attorneys

Laura B. Arment
Josephine P. Beeman
Les Bock
Allan R. Bosch
C. A. Daw
Lee B. Dillion
Dana L. Hofstetter
Robert Wreggelsworth

September 30, 1996

RECEIVED

OCT 02 1996

Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

RECEIVED

OCT 03 1996

Department of Water Resources

RE: Water Permit No. 36-08736
DBDB File No. 1791-WA01

Dear Mr. Merritt:

We enclose an amended proof of beneficial use for permit 36-08736.

As noted in our June 27, 1996 letter, John Reitsma's initial proof of beneficial use for Water Permit No. 36-08736 incorrectly indicated 77 acre feet in Item No. 6 of the form as the total volume for which proof was submitted. Mr. Reitsma explained that he confused the acre feet units with miner's inches units. He converted the 1.53 cfs figure to 77 miner's inches. The 77 figure was then incorrectly put in the blank for acre feet.

To correct this matter, we are submitting an amended proof of beneficial use designating 1.53 cfs in Item No. 6.

Thank you for your attention to this matter.

Sincerely,

Dillion, Bosch, Daw & Bock
Chartered

By:

Josephine P. Beeman
Josephine P. Beeman

Encl.

cc: L. Glen Saxton
Philip Rassier
John Reitsma

Fidelity Building
242 N. 8th St.
Suite 200
Boise, ID 83702

tel (208) 344-8990
fax (208) 344-9140

Internet E-mail to:
dbdb@micron.net

E:\1791\MERRITT2.LTR

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NOV 05 1996

63-11579



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 26, 1996

RE: In the Matter of use of Application for Permit No. 36-08736 in
the name of John Reitsma

Dear Interested Party:

The accompanying order is a "amended 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 unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer 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 twenty-one (21) 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 to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The

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NOV 05 1996

Director retains the right to review the preliminary order on his own motion.

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 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.

Sincerely,



L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure

cc: IDWR - Region

RECEIVED

JUL 22 1996

Department of Water Resources

Josephine P. Beeman
DILLION, BOSCH, DAW & BOCK
CHARTERED
242 N. 8th Street, Suite 200
Boise, Idaho 83702
Telephone: (208) 344-8990
Facsimile: (208) 344-9140

Attorneys For John Reitsma

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.
36-08736 IN THE NAME OF JOHN
REITSMA

Case No. 36-08736

APPLICANT'S PETITION FOR
RECONSIDERATION

John Reitsma respectfully submits the following Petition for Reconsideration with hearing officer L. Glen Saxton regarding the preliminary Order which was served July 8, 1996. Specifically, Mr. Reitsma seeks clarification and revision of Condition of Approval No. 5 in the preliminary order:

This amendment approval authorizes the use of 1.53 cfs and 118.0 AFA of water under right no. 36-08736 for commercial and stockwater uses in connection with a dairy.

Condition of Approval No. 5 authorizes 118.0 AFA of water for commercial and stockwater uses. The 118.0 AFA is appropriate for a stockwater right to support 2800 milking cows and 600 dry cows (total herd size of 3400 cows). However, the commercial use in connection with the dairy would require an additional 108.16 AFA. Mr. Reitsma's Wendell dairy uses the same type of washing operation as his Jerome dairy which is already licensed for

APPLICANT'S PETITION FOR RECONSIDERATION, Page 1

MICROFILMED
NOV 05 1996

47.9 AFA for commercial (washing) purposes in license no. 36-08411. Since the Wendell dairy herd has 2800 milking cows and the Jerome dairy herd has a licensed commercial use of 47.9 AFA for 1240 milking cows, the corresponding commercial volume for the Wendell dairy would be 108.16 AFA ($2800/1240 \times 47.9 \text{ AFA} = 108.16 \text{ AFA}$). If the 118 AFA for stockwater is added to the 108.16 AFA for commercial use, the total diverted volume is 226.16 AFA.

Mr. Reitsma would suggest that Condition of Approval No. 5 read as follows:

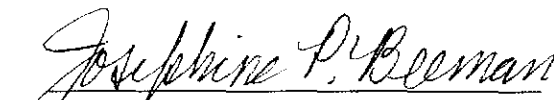
This amendment approval authorizes the use of 1.53 cfs and 226.16 AFA of water under right no. 36-08736 for commercial and stockwater uses in connection with a dairy.

This language clarifies that the total commercial and stockwater diverted volume of amended permit 36-08736 is 226.16 AFA which is still less than the annual diverted volume of 306 acre feet for 1.53 cfs of original permit 37-08767.

RESPECTFULLY SUBMITTED this 22nd day of July, 1996.

DILLION, BOSCH, DAW & BOCK, CHARTERED

By:


JOSEPHINE P. BEEMAN, for the firm
Attorneys for John Reitsma

CERTIFICATE OF SERVICE

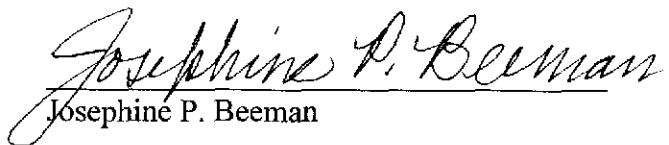
I certify that on the 22nd day of July, 1996, I caused a true and correct copy of the foregoing document to be served on the following person(s) in the manner designated:

L. Glen Saxton, Chief
Water Allocations Bureau
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

☐ U.S. Mail
☐ Fed-Ex
☒ Hand Delivery
☐ Facsimile

Allen Merritt
IDWR - Southern Region
222 Shoshone Street E
Twin Falls, Idaho 83301-6105

☒ U.S. Mail
☐ Fed-Ex
☐ Hand Delivery
☐ Facsimile


Josephine P. Beeman

EA1791\IDWRAPP.REC

MEMORANDUM

Date: July 26, 1996
From: Jim Johnson
To: File 36-08736
Subject: Conversation with John Reitsma

=====

Per telecon on this date, Mr. Reitsma explained, in detail, the water system used for washing his dairy cattle and water system used for in-barn use.

The cattle wash method is common with many dairies using a sprinkler method of prepping cows for milking. His sprinkler system washes the cattle while in a holding pen, on a concrete pad, located outside of the milking parlor. The runoff from the wash is collected in lagoons. Water from the lagoons is for irrigation.

Some water is diverted to the milking equipment to cool the milkers. This water is collected in a cistern and used for in-barn washing. Residual from in-barn washing is also collected in the lagoons.

Mr. Reitsma represented that he milked the livestock 3 times a day.

Attached is a dairy water use summary for the size of dairy Mr. Reitsma is operating.

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NOV 15 1996

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE ----- 2800
 NUMBER OF NONMILKING CATTLE ----- 600
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
 IF ANAEROBIC, ENTER ZERO ----- 7.4
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) ----- 3
 ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
 SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS ----- 3
 NUMBER OF MILKINGS PER DAY ----- 3
 FLOW OF WATER FOR IN-BARN USE (GPM) ----- 9
 DURATION OF IN-BARN USE (MINUTES) ----- 135
 HOURS PUMP IS ON ----- 12.0

CALCULATIONS

DAILY VOLUME FOR STOCKWATER (GALLONS):

MILKING CATTLE @35 GPD/HD ----- 98000
 NONMILKING CATTLE @12 GPD/HD ----- 7200
 TOTAL (GALLONS) ----- 105200

DAILY VOLUME IN BARN USE (GALLONS):

IN BARN RATE * DURATION (GALLONS) ----- 1215

FLOW RATE REQUIRED (GPM) ----- 146
 FLOW RATE REQUIRED (CFS) ----- 0.33

DIVERSION VOLUME (AFA):

STOCKWATER

MILKING CATTLE @35 GPD/HD ** ----- 109.8
 NONMILKING CATTLE @12 GPD/HD** ----- 8.1
 TOTAL VOLUME ----- 117.8

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT ----- 0.5
 PARLOR FLOOR AND MILKHOUSE FLOOR ----- 1.4
 CATTLE WASHING BASED UPON METHOD OF WASHING ----- 148.1
 TOTAL VOLUME ----- 150.0

TOTAL DIVERSION VOLUME ----- 267.8

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER

MILKING ----- 16.2
 NONMILKING ----- 0.0
 TOTAL ----- 16.2

COMMERCIAL ----- 22.2

TOTAL CONSUMPTIVE USE ----- 38.4

THEORETICAL FLOW ESTIMATION WORKSHEET

PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP) -----	2.0	5.0	NA
LIFT (FT) -----	120	150	NA
DISCHARGE PRESSURE (PSI) -----	30	40	NA
FRICTION LOSSES (FT) -----	0.0	0.0	NA
HOURS WATER IS PUMPED DAILY -----	12	4	NA

CALCULATIONS

THEORETICAL FLOW RATE (GPM) * -----	29	57	0
THEORETICAL FLOW RATE (CFS) * -----	0.07	0.13	0.00
DAILY VOLUME (GALLONS) -----	47	30	0
DIVERSION VOLUME (AFA) ** -----	23.6	15.3	0.0

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

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

EVALUATION OF REDUCTION REQUIRED IF AN IRRIGATION RIGHT IS USED

IRRIGATION RIGHT (BEFORE CHANGE)

INPUT:

RATE (CFS)	1.00
ACRES	50.00
ACRE FEET PER ACRE	4.50
CONSUMPTIVE USE PER ACRE	4.00

CALCULATIONS:

RATE PER ACRE	0.02	CFS/ACRE
RATE NEEDED FOR DAIRY OPERATION	0.33	CFS
REDUCTION OF IRR. BASED ON RATE/ACR	16.3	ACRES
REDUCTION BASED ON CONSUMPTIVE US	12.8	ACRES
REDUCTION BASED ON ANNUAL VOLUME	59.52	ACRES

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 NOV 25 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

July 8, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: In the Matter of Permit No. 36-08736 in the name of John Reitsma

Dear Interested Party:

The accompanying order 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 unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer 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 twenty-one (21) 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 to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The

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Director retains the right to review the preliminary order on his own motion.

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 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.

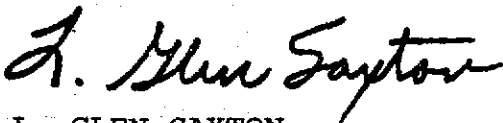
APPEAL OF FINAL ORDER TO DISTRICT COURT

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.

Sincerely,



L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure

cc: IDWR - Region

MEMORANDUM

To: File 36-08736
From: L. Glen Saxton *WJS*
RE: LICENSING OF PERMIT NO. 36-08736
Date: July 3, 1996

When the department approved the application for amendment (36-08736) for John Reitsma application on May 4, 1995, the conditions of approval limited the dairy facility to not more than 2,400 milking cows and 400 dry cows. The conditions also limited the annual volume of water to not more than 105 Acre Feet.

When the department issues a license for this permit, the license should include a large enough volume of water for an operation of up to 2,800 milking cows and 600 dry cows, assuming the examiner finds that the facility is of this capacity. Reasons for allowing the larger number of cows are described in Jo Beeman's letter dated June 26, 1996.

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NOV 05 1996

RECEIVED

JUN 28 1996

Department of Water Resources

DILLION
BOSCH
DAW
BOCK
chartered

June 27, 1996

VIA FACSIMILE

Mr. Allen Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

RE: Water Permit No. 36-08736
DBDB File No. 1791-WA01

Attorneys

Laura B. Arment
Josephine P. Beeman
Les Bock
Allan R. Bosch
C. A. Daw
Lee B. Dillion
Dana L. Hofstetter
Robert Wreggelsworth

Dear Mr. Merritt:

As we discussed, John Reitsma's proof of beneficial use for Water Permit No. 36-08736 incorrectly indicated 77 acre feet in Item No. 6 of the form as the total volume for which proof was submitted. Mr. Reitsma explained that he confused the acre feet units with miner's inches units. He converted the 1.53 cfs figure to 77 miner's inches. The 77 figure was then incorrectly put in the blank for acre feet.

To correct this matter, we plan to submit an amended proof of beneficial use designating 1.53 cfs in Item No. 6. We expect to submit this proof of beneficial use form to you sometime next week as we must first obtain Mr. Reitsma's signature. We are taking this opportunity to advise you of the error which we just recently discovered. We hope that this early notification will allow the situation to be corrected immediately and will prevent any inconvenience to the Department.

Thank you for your attention to this matter.

Sincerely,

Dillion, Bosch, Daw & Bock
Chartered

By:


Dana L. Hofstetter

cc: L. Glen Saxton
Philip Rassier
John Reitsma

Fidelity Building
242 N. 8th St.
Suite 200
Boise, ID 83702

tel (208) 344-8990
fax (208) 344-9140

Internet E-mail to:
dbdb@micron.net

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NOV 05 1996

DILLION
B O S C H
D A W
B O C K
c h a r t e r e d

RECEIVED

JUN 27 1996

June 26, 1996

Department of Water Resources

Attorneys

Laura B. Arment
Josephine P. Beeman
Les Bock
Allan R. Bosch
C. A. Daw
Lee B. Dillion
Dana L. Hofstetter
Robert Wreggelsworth

L. Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard St.
Boise, ID 83706

RE: Permit 36-08736
DBDB File No. 1791-WA01

Dear Mr. Saxton:

This letter addresses the diverted volume limitation to be designated when the Idaho Department of Water Resources ("IDWR") issues a water right license for permit 36-08736. The permit is associated with a dairy in Wendell, Idaho. Condition four on permit 36-08736 limits the dairy operation to 2400 milking cows and 400 dry cows. The dry cows include replacement cows and heifers. Condition five limits the permit to 105.0 AFA for commercial and stockwater uses in connection with the dairy. John Reitsma holds the permit and does not support the formulation of condition four or condition five because the overall herd size (2800 cows) corresponds only to his lactating cows at the Wendell dairy.

Since the dairy operation is actually comprised of 2800 lactating cows and 600 dry cows, Mr. Reitsma would request that the license be issued with a diverted volume for 2800 lactating cows and 600 dry cows. If IDWR focuses on the diverted volume, rather than the number and kind of animals, Mr. Reitsma requests that the diverted volume be sufficient to support 2800 milking cows (with a total herd size of 3400 cows).

Permit 36-08736 is a re-numbered split of original permit 37-08767 for irrigation of 99 acres. The file shows that under the split Mr. Reitsma was assigned 1.53 cfs on 76.5 acres. G & G Dairy was assigned .13 cfs on 6.5 acres. A third assignment of .32 cfs on 16 acres to William Fien ultimately resulted in denial of the necessary amendment by IDWR (see Order Denying Petition for Reconsideration and Motion for Opportunity to Present Further Evidence, dated August 29, 1995, In the Matter of Application for Amendment of Permit No. 37-08767C). Neither the assignments nor the subsequent amendments address diverted volume. However, the divided rate of diversion and divided irrigated acreage allow calculation of the diverted volume for Mr. Reitsma and demonstrate that his use is not an expansion of the original permit.

Fidelity Building
242 N. 8th St.
Suite 200
Boise, ID 83702

tel (208) 344-8990
fax (208) 344-9140

Internet E-mail to:
dbdb@micron.net

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NOV 05 1996

L. Glen Saxton

Page 2

June 26, 1996

The diverted volume for 1.53 cfs of original permit 37-08767 would be 306 acre feet annually $((1.53/1.98) \times (4 \text{ AFA} \times 99 \text{ acres}) = 306 \text{ acre feet})$. The diverted volume for stockwater to support 2800 milking cows (total herd size of 3400 cows) would be approximately 118 acre feet by comparison. The annual diverted volume limit for 2400 lactating cows and 400 dry cows is 100.5 acre feet, as calculated in the file for permit 36-08736. An increase of 17.5 acre feet to 118 acre feet would support a stockwater right for 2800 milking cows (total herd size of 3400 cows). We believe the companion commercial water right should be greater than 47.9 AFA (discussed below) which would result in a total diverted volume of at least 165.9 AFA.

The current permit limit of 105.0 AFA allows 4.6 AFA for the commercial (washing) use. Although the commercial volume is estimated in permit file 36-08736, there has been no field exam regarding the washing operation to verify the water use. Mr. Reitsma's Wendell dairy uses the same type of washing operation as his Jerome dairy which is already licensed for 47.9 AFA for commercial (washing) purposes in license 36-08411. Since the Wendell dairy herd (both as described in permit 36-08736 and in fact) is larger than the Jerome dairy herd described in license 36-08411 (1240 lactating, 300 dry), we would expect the Wendell dairy to be licensed for a commercial diverted volume greater than 47.9 AFA.

The rate of diversion in permit 36-08736 is 1.53 cfs. Mr. Reitsma does not question this element of his water right. For the associated diverted volume, Mr. Reitsma seeks a volume which would be somewhat greater than 165.9 AFA, but still well within the 306 AFA from his portion of permit 37-08767

Please let me know whether you have any questions or require any additional information.

Sincerely,

Dillion, Bosch, Daw & Bock
Chartered

By: 
Josephine P. Beeman

JPB:jv

cc: John Reitsma
Phil Rassier, IDWR

EA1791SAXTON.LTR

MICROFILMED
NOV 05 1996

April 4, 1996

JOHN REITSMA
75 N 400 W
JEROME ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08736

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208) 736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
APR 29 1996

March 31, 1996

JOHN REITSMA
75 N 400 W
JEROME ID 83338

PROOF DUE NOTICE

RE: PERMIT NO. 36-08736

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

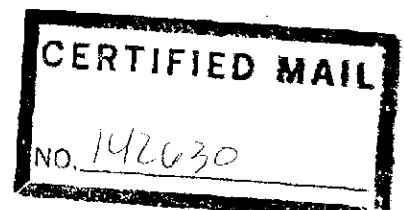
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

APR 2 1996





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

~~REGULATORY DIVISION~~
~~ADMINISTRATIVE~~
R. KEITH HIGGINSON
DIRECTOR

MAY 5, 1995

JOHN REITSMA
75 N 400 W
JEROME ID 83338

RE: Permit No. ~~37-08767B~~ NEW # 36-08736

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

SHELLEY W KEEN
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
MAY 18 1995

MEMORANDUM

DATE: May 4, 1995
TO: File No. 36-08736
FROM: Cindy Zimmerman
SUBJECT: Right Renumbered

This right was originally numbered 37-08767B. This right was amended to change the point of diversion and place of use to basin 36. Right no. 37-08767B has been renumbered to 36-08736.

RECEIVED
MAY 18 1995

AMENDMENT OF PERMIT REVIEW

Reviewed by Cindy Zimmerman

on 5/4/95

PERMIT NO. 37-8767B NAME Rautsma Ad OK? ☒

TYPE: A = AMENDED E = CHANGE N/U I = CHANGE P/D & P/U
B = CHANGE P/D F = CHANGE Per/U J = ADD P/D & CHANGE P/U
C = ADD P/D G = OTHER
D = CHANGE P/U H = CHANGE P/D & + P/D

AREA OF CONCERN: Mor GWMA Trust/Non-trust

(from within ESPP Aquifer moved to within ESPP Aquifer)

R/U PROOF DUE DATE: 6/1/96 Submitted? Yes/No Due -6 months? Yes/No
(2/1/95 per Stay Order) (per stay)

SURFACE WATER: <flow chart>

In Water District - 005; WD No. _____
+ 0.2 cfs - 01J
- 0.2 cfs - 01H
Not in WD; +0.2 cfs - 01M
-0.2 cfs - No MD

GROUNDWATER: <flow chart>

+ 0.2 cfs - 01M *modified in Remarks*
- 0.2 cfs - No MD *not on permit*

Drilling Permit

- Included? No. _____
- Not included? 046-46B
- NA 2 P/D's see Drilling Permits 37-94-S-0157 & 37-94-S-0170.

LOCATION:

Swan Falls Flag - 7 (1, Blank or Other)
Trust - 051-052-053 (Consumptive Uses); NA
Non Trust <1> - 048-049; NA *on permit*

RIVER BASINS (Surface Water)

Boise (63) - 05A & 11E, N/A
Payette (65) - 047 (Payette Lake), 064 (consump. use), NA
Snake (01, 02 & 03) - 11A (01), 061 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 06A/09E/010 (WQ/Choose One), 042-002,
- 07A (Spec.), 044 (Policy 5G)
Power - (Use Power Review)
Mining - 06A/010/09E (WQ) & 054 (req.)
Storage (3 comp?) - 18A (multi MD in WD), 18B (+10' dam)
Domestic - 021 (Boise R + L Peak), 064 (Payette R)

NON LAND OWNER - 004

PROTEST AGREEMENT - 020

Recommended conditions same as on the permit or subsequent amendment(s)
to the permit? Yes _____ Yes + cond ☒ No _____

Conditions of Approval: Standard, See memo
(do not include any conditions already on permit)

Comments _____

MEMORANDUM

TO: File No. 37-08767B
FROM: Cindy Zimmerman
DATE: May 4, 1995
RE: Amendment Conditions

=====

The Application for Amendment of the above referenced permit is to be approved with the following conditions:

(Standard)

1. The conditions as set forth in Permit No. 37-08767 are met.

(Standard for Dairy)

2. The proposed dairy operation under this amendment shall comply with applicable zoning and use ordinances of Gooding County.
3. Use of water under this amendment shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
4. The right holder shall not use water under this approval for a dairy operation larger than 2400 milking cows, and 400 dry cows and replacement calves and heifers.
5. This amendment approval authorizes the use of 1.53 cfs and 105.0 AFA under right no. 37-08767B for commercial and stockwater uses in connection with a dairy.
6. Prior to the diversion and use of water under this approval, the right holder shall install and maintain a measuring device on each point of diversion associated with the dairy and shall annually report the amount of water diverted to the department. The right holder shall obtain prior approval of the department relative to the type of measuring device.
7. Two points of diversion are located within SWNW, S03, T09S, R17E.
8. Failure to comply with the conditions of this amendment is cause for the director to rescind approval of the amendment.

MAY 18 1995

Re:tsmq

gitter
REVIEWER ----- jes -7259.00 FOR PRINTING INSTRUCTIONS
GO TO -- "G30"

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE -----	2400
NUMBER OF NONMILKING CATTLE -----	400
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;	
IF ANAEROBIC, ENTER ZERO -----	8.3
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) -----	4
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF	
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS -	1
NUMBER OF MILKINGS PER DAY -----	3

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD -----	1.56
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ---	1.56
NONMILKING CATTLE @12 GPD/HD -----	0.09
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ---	0.09
TOTAL (BASED UPON ROUNDED NUMBERS) -----	1.65

DIVERSION VOLUME (AFA):

STOCKWATER

MILKING CATTLE @35 GPD/HD -----	94.1
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ---	95.0
NONMILKING CATTLE @12 GPD/HD -----	5.4
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ---	5.4
TOTAL (BASED UPON ROUNDED NUMBERS) -----	100.4

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT -----	0.5
PARLOR FLOOR AND MILKHOUSE FLOOR -----	0.1
CATTLE WASHING BASED UPON METHOD OF WASHING -----	4.0
TOTAL -----	4.6

TOTAL DIVERSION VOLUME ----- 105.0 26.390

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER

MILKING -----	13.9
NONMILKING -----	0.0
TOTAL -----	13.9

COMMERCIAL

-----	4.7
-------	-----

TOTAL CONSUMPTIVE USE ----- 18.6

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP) -----	15.00	15.00	
LIFT (FT) -----	120	120	
DISCHARGE PRESSURE (PSI) -----	40	40	
FRICTION LOSSES (FT) -----	0.0		

CALCULATIONS

THEORETICAL FLOW RATE (CFS) ** -----	0.44	0.44	0.00
DIVERSION VOLUME (AFA) *** -----	314.9	314.9	0.0

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.
** PUMP EFFICIENCY WAS ASSUMED TO BE 70%.
*** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY DAY OF THE YEAR.

TO PRINT:
USE THE MACRO COMMAND - ALT P

The print macro formula location
within this spreadsheet is at J63

RECEIVED
MAY 18 1995

DECEMBER 06, 1994

Department of Water Resources
Southern Region Office
DEC 06 1994

JOHN REISTMA
75N. 400W
JEROME, IDAHO 83338

RE: WATER RIGHT PERMIT NO. 37-08767

GENTLEMEN:

Please find enclosed receipts for the expenditures of this permit.

The party in which I purchased part of this permit has spent \$4,775.00 to develop this permit on the original place of use. Enclosed is the copy of his expenditure, Item 1.

Enclosed is the receipts for the development of the project on the new place of use as indicated in my amendment from the previous owner, SAM HARRIS.

ITEMS

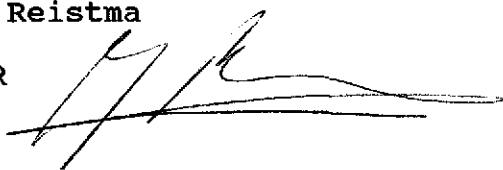
#2 CONSTRUCTION OF THE DAIRY AS OF NOVEMBER 10, 1994	\$279,243.30
#3 THE TOTAL COMMITMENT TO THIS PROJECT	\$1,285,427.21
#4 FOR EQUIPMENT IN DAIRY	DOWN PAYMENT \$50,000.00
TOTAL COMMITMENT	\$840,000.00
#5 THE PIVOT FOR THE IRRIGATION	DOWN PAYMENT \$10,700.00
TOTAL COMMITMENT	\$53,538.24

ENCLOSED IS A MAP DESCRIBING THE AREA OF THIS PROJECT.

If there is a problem with this material submitted or if you need more information, please contact me as soon as possible.

John Reistma

OWNER



RECEIVED

DEC 07 1994

Department of Water Resources

RECEIVED

MAY 18 1995

STATEMENT

BERNARD J. GUENECHER

109 E 420 W

SHOSHONE ID 83352

No.

1

DATE:

10-1-93

TO:

SAM HARRIS

324 E Highway 26

SHOSHONE ID 83352

AMOUNT REMITTED

\$4,775.00

DETACH AND MAIL WITH YOUR REMITTANCE. YOUR CANCELLED CHECK IS YOUR RECEIPT.

DATE	DESCRIPTION	CHARGES	CREDITS	BALANCE
		PREVIOUS BALANCE ▶		
10-1-93	43 HRS RENTAL 125 B LOADER	85.00/Hr		3,655.00
10-1-93	32 HRS RENTAL 15 YARD TRUCK	35.00/Hr		1,120.00
				<u>4,775.00</u>
				2-7-94
	Paid In Full			Bernie Guenecher

Adams
NC 2583Thank You
Statement

field excavation, rock, 1/2 brush

RECEIVED

MAY 18 1995

#2

WESTEC, INC.
53 North 200 West
Jerome, ID 83338
(208) 324-3427

November 29, 1994

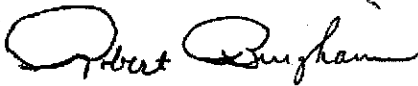
Water Resource Department

RE: John Reitsma Dairy

Westec has been contracted by John Reitsma to build a dairy which began on October 4, 1994. As of November 10, 1994 the estimated value of work done is as follows:

Stan Rush Excavating	\$ 70,000.00
wells drilled <i>Estom Drill</i>	10,000.00
Westec	199,243.30

For a total of \$279,243.30.


Robert Bingham
President

DEC 06 1994
Department of Water Resource
Southern Region Office

MICROFILMED

MAY 18 1995

10 # 3.

 # WESTEC CONSTRUCTION #
 ## 53 North 200 West ### October 94 ##
 ## Jerome, Idaho 83338 ## ID ## reitsa ##
 # #

 * TOTAL BID 1283427.21 *Total Bid*

i *
 n * 50 FT Dr BARN 19800.00
 n *
 n * COST PER 50 FT 23.35
 K *

Bid For: John Reitsa
 73 North 400 West
 Jerome ID 83338
 U
 U *

Phone: 324-3366 home 324-43 *

 DISCUSSION RUM
 PAYMENTS RECEIVED AND DATE

TOTAL 0.00 0.00

PAGE ID	DESCRIPTION	ESTIMATE	COMPLETE
reitsa20	corrals, water & drains	677128.46	
reitsa15	windbreaks 160 3437.43	54958.56	823170.79
reitsa21	commodity barn	73697.33	
(4)concrete base & 45' tower		17346.44	

reitsa22		213688.52	
reitsa23		64609.57	482256.42
reitsa24	Barn w/o electrical	164378.33	

TOTAL OF BID 1283427.2

sq ft barn 19800.00
 price per sq ft 23.35

EXTRAS DONE ON JOB

DEC 06 1994
 Department of Water Resources
 Southern Region Office

TOTAL OF EX 0.00

04 frag # 04 fra 1 03con # 03con 1 02subs job/days

RECEIVED

MAY 18 1995

Since 1980

D&D Dairy Service, Inc.

543-8327

24-Hour Service

1385 Burley Avenue, Buhl, Idaho 83316 * Fax (208) 543-4836

4

October 20, 1994
JOHN REITSMA
Equipment Purchase Agreement

DEC 06 1994
Department of Water Resources
Southern Region Office

NOTES: _____

TOTAL INSTALLED PRICE for (2) Double 20 Parlors- \$ 840,000.00

TERMS: Deposit \$ 50,000.00 Ck# 4142

Draws to be paid as equipment is ordered
and/or delivered.

Balance on completion of installation.

JOHN REITSMA

10-20-94
Date

DON BONNES
DON BONNES f/D&D DAIRY SERVICE IN

10-19-94
Date

MAY 18 1995

CONDITIONS: This contract is subject to the terms and conditions set forth above and on the reverse side of this document which the purchaser acknowledges having read.



DIVISION OF WESTERN FARM SERVICE, INC.

P.O. BOX 396
JEROME, ID 83338
Phone: 324-3341
Fax: 324-8513

Estimate and Sales Agreement

#5

Buyer

REITSMA DAIRY
75 NORTH 400 WEST
JEROME, ID. 83338

DATE 10-19-94
LOCATION WENDELL PROJ.
PHONE 324-3366
MOB. 420-1054

The Parties agree to buy and sell as follows:

QUANTITY	DESCRIPTION	EST PRICE	TOTAL
1	1290 FT. REINKE PIVOT MODEL 665	\$36,000.00	\$36,000.00
8	156 FT. 6 5/8" CORTEN SPANS		
1	42 FT END BOOM		
	14.9 X 24 TIRES		
	SR 100 NV NELSON END GUN		
	DROPS AND D-4 NELSON ROTATER		
	30 PSI REGULATOR		
	TOWER AUTO REVERSE		
	REVERSING BARRICADES		
	LIGHT, AUTO STOP, LO TEMP, LO PSI		
	480 VOLT INJECTOR OUTLET		
	FRT., ERECT., PAD, WIRING		
1	6" PIVOT ZEE		
1320	12-2 CONTROL WIRE	\$200.00	\$200.00
1320	TULSA # 4 ALUM. WIRE	\$0.13	\$167.09
1320	10" X 100 PSI PVC PIPE	\$0.59	\$785.32
2	10" EPOXY 45 DEGREE ELBOW	\$3.30	\$4,361.01
15	10 3/4" .219 WALL STEEL PIPE	\$83.04	\$166.08
2	10" PIP STARTER COUPLER	\$6.39	\$95.89
1	40 HP SHORT COUPLED TURBINE-700GPM-70PSI	\$23.20	\$46.41
1	SIZE 3 PUMP PANEL W/ LA-SC-LL	\$5,443.04	\$5,443.04
1	30 AMP DISCONNECT WITH FUSES	\$905.06	\$905.06
1	IDAHO POWER METER BASE	\$139.24	\$139.24
1	3 FT. X 8 FT. CMP SUMP W/SCREEN & PIPE	\$379.75	\$379.75
1	W/ 2 10" GATED VALVES	\$1,139.24	\$1,139.24
1	8" PUMP DISCHARGE W/ CK. & GEAR VALVE	\$577.22	\$577.22
1	10" INDIVE ZEE WITH STARTER COUPLER	\$187.34	\$187.34
6	WELDING***COST PER HOUR	\$37.97	\$227.85
8	MISC. LABOR HOURS	\$22.78	\$182.28
3	BACKHOE HOURS	\$69.62	\$348.10
1320	TRENCH AND BACKFILL	\$0.44	\$584.81
1320	INSTALL 10" PVC PIPE	\$0.38	\$501.27
3	CONCRETE THRUST BLOCKS	\$50.63	\$151.90
1	WIRING UNDERGROUND SERVICE	\$392.41	\$392.41
1	WIRING 40 H.P. 480 VOLT PANEL	\$556.96	\$556.96
TOTAL			\$53,538.24

DEC 06 1994
Department of Water Resources
Southern Region Office

All Rockwork encountered will be billed as extra.
Seller bound only after Western Farm Services,
Inc. grants credit approval

I certify the property purchased pursuant hereto will be used directly for mining, manufacturing, processing or farming purposes. I have read this document in its entirety, have receive a true, signed copy of it; and I confirm that this is a firm offer on my part to purchase the items set forth hereon. If this offer is accepted by Seller by affixing his signature hereon, by delivery of all or any part of the items, or otherwise, I agree that I am bound by and understand all of the above terms and the SPECIAL TERMS AND CONDITIONS contained on the reverse side hereof.

Contract Total:

Down Payment: 20%

Equipment Del. Payment:

Completion Payment:

X

PURCHASER'S SIGNATURE

MAY 18 1995

By

SALES REP.

Date

Accepted by

MANAGER

Date

NOTE: IMPORTANT
INFORMATION ON BACK



A DIVISION OF WESTERN FARM SERVICE, INC.

SPECIAL TERMS AND CONDITIONS

This sales agreement is between FARMORE, a Division of Western Farm Service, Inc., as "SELLER" and the purchaser, herein referred to as "PURCHASER." PURCHASER agrees to purchase and pay for the items stated in the preceding pages of this Sales Agreement. The total amount, less any down payments and/or progress payments, will be due and owing UPON COMPLETION.

This Sales Agreement may be withdrawn by SELLER if not accepted by PURCHASER within TEN days from the date stated herein.

PURCHASER by this Agreement hereby agrees to the following conditions:

1. That until the purchase price denoted herein is paid in full, or until a financing contract is executed between the parties, SELLER retains and PURCHASER hereby grants a purchase money security interest in the property.

2. That at the sole discretion of SELLER, it, SELLER, shall have the additional right to require PURCHASER to execute and promptly deliver satisfactory collateral security documents, including financing statements and associated continuation statements, to assure SELLER's continuing and perfected security interest in the labor and materials provided, until payment in full is received. Without limitation, PURCHASER agrees to provide information necessary to complete said security documents, including legal description of real property, if applicable, name and address of legal owner of real property, if applicable, copy of preliminary title report.

3. That SELLER shall have, in any event, the right, upon non-payment by PURCHASER of any amounts due hereunder, to record any statutory liens against the property on which the labor and materials were expended.

4. SELLER warrants that all materials shall conform to manufacturer's warrant. THIS WARRANTY IS EXPRESSLY IN LIEU OF ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING THE WARRANTIES OF MERCHANTABILITY FOR FITNESS OR USE, SELLER'S LIABILITY IS LIMITED TO REPLACEMENT OR REPAIR, AT IT'S OPTION. SELLER EXPRESSLY SHALL NOT BE LIABLE FOR ANY OTHER EXPENSE, LOSS OR DAMAGE, WHETHER DIRECT, CONSEQUENTIAL OR INCIDENTAL, ARISING OUT OF OR IN CONNECTION WITH THE SALE OR INSTALLATION OF PRODUCTS SOLD HEREIN.

5. That any alteration, amendment or deviation from the work specifications and equipment to be installed stated herein will be made by SELLER only pursuant upon a written statement from the PURCHASER, and all such requested changes will become an extra or lesser charge over and above the accepted estimate price, as the facts dictate. This Agreement is the sole agreement and that no verbal agreements will be accepted or honored by SELLER. Written statements for changes on work orders or materials from the PURCHASER will not be binding upon the SELLER until such time as changes to this Sales Agreement are approved by the general management of SELLER.

6. That SELLER's performance under this agreement shall be excused if prevented or hindered by strikes, fires, acts of God, governmental regulations or interference, war, delays in transportation or receipt of materials from suppliers, or similar events beyond the control of SELLER. Expressly, SELLER's performance under this agreement shall be excused if the PURCHASER shall delay, refuse or fail to execute any and all security documents necessary to perfect SELLER's interest in the materials to be installed as deemed necessary by SELLER. That further, SELLER is not held liable for crop loss or damage due to supplier and/or labor delays.

7. That the PURCHASER agrees to obtain and keep current liability and loss coverage insurance, insuring SELLER's materials to be installed, containing a clause making any loss coverage payments directly payable to SELLER. SELLER reserves the right to demand proof of such coverage, at any time.

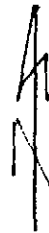
8. That in the event this agreement is the only agreement between the parties and the PURCHASER defaults in making the payments required herein, SELLER shall have all rights and remedies applicable and accruing to it either by statute or common law, within the jurisdiction in which this transaction was consummated.

9. If SELLER is to install the equipment and rock, bedding or other circumstances are encountered which increase costs, these additional costs will be added to the balance due and be paid by PURCHASER. All merchandise sold hereunder is subject to SELLER's continuing ability to procure same from SELLER's regular sources of supply and at SELLER's present costs. In event of increases in SELLER's costs of any item, the price of that item as herein quoted shall be correspondingly increased.

10. That PURCHASER agrees to pay to SELLER its reasonable attorney fees and related expenses incurred by reason of any default by PURCHASER, whether such fees are incurred prior to litigation, or at trial or on appeal.

11. If payment is not made upon completion, PURCHASER agrees to a FINANCE CHARGE assessed on the following month's statement. The FINANCE CHARGE for late payment is computed by applying a MONTHLY PERCENTAGE RATE of 1.5%, which is an ANNUAL PERCENTAGE RATE of 18%, or the highest amount allowed by local state law.

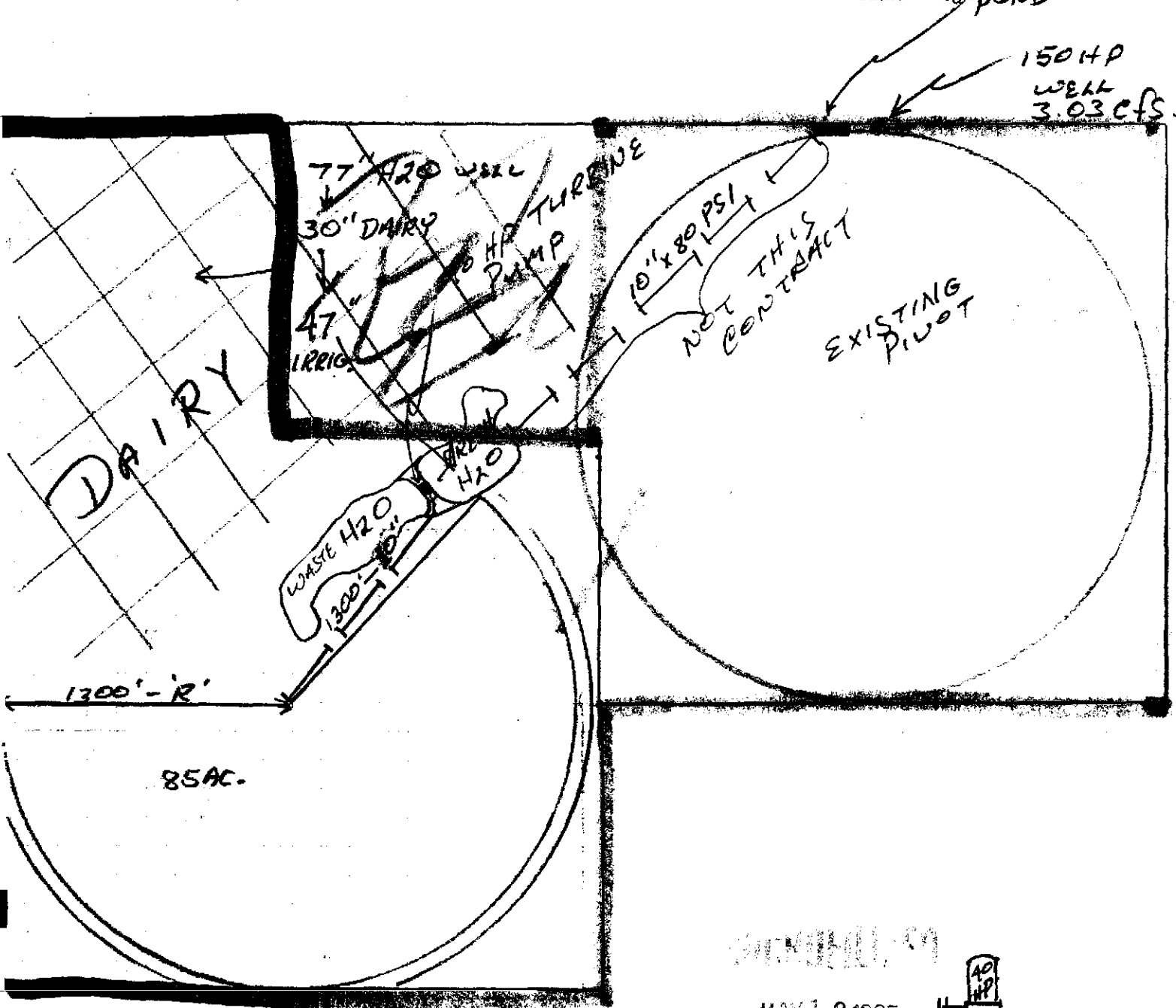
MAY 18 1995



13 15 17 19

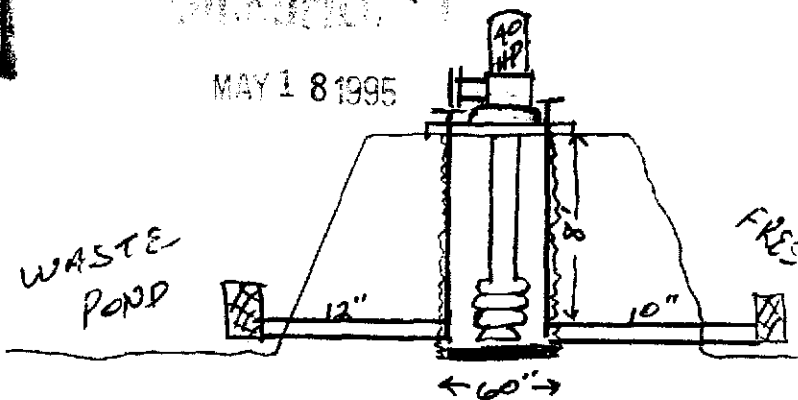
DEC 06 1994

Department of Water Resources
Southern Region Office



WATERMILL, CA

MAY 18 1995



1" = 660'
REITSMA - WENDELL

APR 10 1967

505 752 3503

340.000

~~260000~~

500

Cam 2.4500



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

November 29, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JOHN REITSMA
75 NORTH 400 WEST
JEROME ID 83338

Re: Permit No. 37-08767B

Dear Water Right Holder(s):

This letter is to confirm the receipt of the correspondence assigning this portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

Please be advised this water right was recently served with a "stay order", a copy of which is enclosed. We have also enclosed a copy of the letter which accompanied the order.

If you have any questions regarding these matters, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08767

Proposed Priority: December 31, 1991 Maximum Diversion Rate: 1.98 CFS

This is to certify, that SAMUEL R HARRIS

LOUISA M HARRIS

300 E HWY 26

SHOSHONE ID 83352

has applied for a permit to appropriate water from: GROUNDWATER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 10/31

LOCATION OF POINT(S) OF DIVERSION:

SWSE, Section 32, Township 05S, Range 18E

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

05S 18E 32

NWSE 33

SWSE 33

SESE 33

99

Total number of acres irrigated:

99

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 2, 1994.
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 permit holder had no control.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

orig
permit

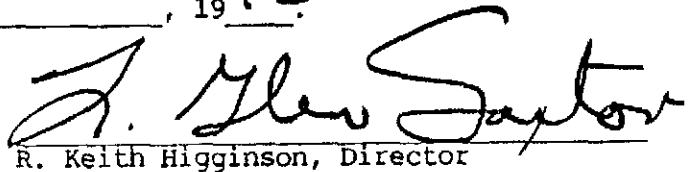
Permit To Appropriate Water

NO. 37-08767

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

17th day of April, 1992.

for



R. Keith Higginson, Director

RECORDED

MAY 18 1995

OCT 05 1994
12 06 11 16 16

ASSIGNMENT OF PERMIT

JUN 28 1994

To change the ownership of a permit

Department of Water Resource
Northern Region Office

I, Samuel R. Harris, hereby assign to John Reitsma
of 75 N. 400 W., Jerome, ID 83338 324-3366
(Full Address)

All my right, title, and interest in and to Permit No. _____
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. 37-08767 to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

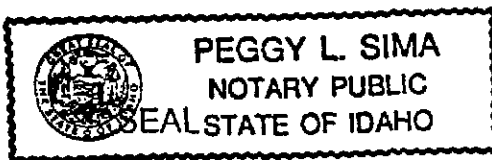
1.53 cfs on 76.5 ac. in SE/SE (26.5 ac) & SW/SE (33 ac)
& NW/SE (19 ac) Sec. 32, P/D & P/U to be amended.
Portion to be designated as 37-08767 B.

Made this 28 day of June, 19 94.

Samuel R. Harris
Permit Holder(s)

State of Idaho)
County of Jerome ss

On this 28th day of June, 199 94, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Jerome County, Idaho
Commission Expires 1/97

My commission expires: 1/97

Peggy L. Sima
Notary Public

Signature

MAY 18 1995

37-8767 B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

Applicant John Reitsma Phone 324-3366Address 75 N. 400 W., Jerome, ID 83338I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08767.8 and request that the permit and permit map be amended and/or changed as follows:Purpose of Amendment: ☒ Change point of diversion ☐ Add point of diversion
☒ Change place of use ☒ Change nature of use ☒ Change period of use ☐ Other1. Point of diversion: 2 points $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, Township 8S, Range 15E, B.M.,
County of Gooding. Other points of diversion _____

2. Period and nature of use: (Irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.53 cfs for Commercial purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount 1.53 cfs for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	15E	17						C,S											

Total number of acres to be irrigated = _____

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

MAY 18 1995

Complete the following map by showing land and point of diversion as proposed by this amendment.
 Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 27 day of June, 19 94 John R. Anderson
 Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by MT Publication prepared by MB/SC Date 8/11/94
 Published in Gooding Co. Leader; LC I Publication dates 8/24 + 8/31/94

I, _____, of the Department of Water Resources hereby

RECEIVED

MAY 18 1995

Witness my hand this _____ day of _____, 19 _____.

SIGNATURE

37-0876

Div. Rate: 1.98

P/D: 5S, 18E, S32, SWSE.

P/U: 5S, 18E, S32, NWSE - 33

SWSE - 33

SESE - 33

* 37-08767C (Change to Basin 36)

Div. rate: .32 cfs - Stockwater

.32 " - Commercial

P/D: 9S, 16E, S6, SWSW - 2 points

P/U: 9S, 16E, S6, NWSW - Stockwater

SWSW - Stockwater

Commercial

* 37-08767B (Change to Basin 36)

** Div. rate: 1.53 cfs - Stockwater

1.53 cfs - Commercial

P/D: 8S, 15E, S17, NWNW

P/U: 8S, 15E, S17, NWNW - Stockwater

Commercial

* 37-08767A (Change to Basin 36)

Div. rate: .13 cfs - Stockwater

.13 cfs - Commercial

P/D: 9S, 17E, S3, SWNW

P/U: 9S, 17E, S3, SWNW - Stockwater

Commercial

MAY 18 1995

* Different Basin
** Excessive for current proposed use at dairy

Ident. No. 37-94-S-0157-000
Water Right No. 37-08767

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: JOHN REITSMA O 208-324-3366
Address: 75 NORTH 400 WEST
JEROME ID 83338

2. Proposed Well Location: Township 08S, Range 15E, Sec. 17, NWNW
GOODING County

Street Address of Well Site: SAME AS ABOVE
JEROME ID

3. Proposed Use of Well: Other
COMMERCIAL USE FOR DAIRY

4. Well Construction Information:

- A. New Well
 - B. Proposed Surface Diameter 8 In. Proposed Maximum Depth 150 Ft.
 - C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
- (NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 10/12/1994

6. Anticipated Well Driller: EATON DRILLING & PUMP SERVICE INC (No. 0026)
NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature [Signature] Date 10-5-94
Title Owner
(Owner, Firm Representative, Other)

Fee \$ 300.00 Receipted by [Signature] No. S017450 Date 10-05-94

(Continued)

RECEIVED
MAY 18 1995

ACTION OF THE DEPARTMENT OF WATER RESOURCES

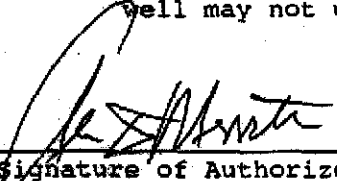
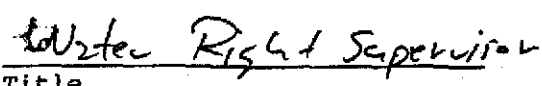
This permit is APPROVED

Date: 10/ 5/1994

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 Degrees F (29.44 oC) or great is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Applicant requests issuance of this Drilling Permit prior to approval of a pending amendment of permit. Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.


Signature of Authorized Dept. Representative
Title*****
EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

MICROFILMED

MAY 18 1995

WD5805NP
(OD-5805)

DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT/LOG INDEX

DATE: 05/04/95
PAGE: 1

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
37-94-S-0157-000	0	JOHN REITSMA 75 N 400 W JEROME, ID 83338 (208) 324-3366	08S	15E	17	NW NW		GOODING

Subdivision Location and Description:

Subdivision Name:

Well Site Address: 75 N 400 W

City, State: JEROME, ID

Lot(s):

Block(s):

Geographic Location:

Accuracy Code:

Lat: : : N

Long: : : W

Proposed Use of Well: Other

Proposed Casing Diameter: 8 In.

Proposed Depth: 150 Ft.

Anticipated Bottom Temp: 85F or less

Well Use Comments: COMMERCIAL USE FOR DAIRY

Driller License No: 0026

Firm Name: EATON DRILLING & PUMP SERVICE INC

Official: LARRY M NIELSON

Permit Status: Filed

Verbal Issued Date:

Verbal Issued Time:

Received Date: 1095 01994

Approved Date: 10/5 /1994

Proposed Start Date: 1091201994

Extension Date:

Extension Expiration:

Receipt No.

Receipt Date

Fee

S017450

1095 01994

\$

200.00

Specific Conditions: Applicant requests issuance of this Drilling Permit prior to approval of a pending amendment of permit. Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Permit Remarks: LOG STATES: LOCATION OF WELL 2 MILES SOUTH 1 1/2 MILES WEST OF
WENDELL, IDAHO.

Conditions of Approval: This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.

The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.

Approval of this drilling permit does not authorize trespass on the land of another party.

COPIES FILED
MAY 12 1995

=====

WELL DRILLING PERMIT/LOG INDEX: Permit No. 37-94-S-0157-000 (cont'd)

Conditions of Approval: This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

----- WELL DRILLER'S LOG REPORT -----

Drilling Permit No: 37-94-S-0157-000

Water Right No: 37-08767

Injection Permit No:

Nature of Work: NEW WELL

Construction Method: AIR ROTARY

Casing Diameter: 8 In.

Static Water Level: 105 Ft.

Actual Start Date: 10/17/1994

Depth of Casing: 59 Ft.

Temperature: F.

Well Finish Date: 10/18/1994

Total Depth: 155 Ft.

Production Rate: GPM

Log Received Date: 11/91801994

Screen Installed? No

Certification Date: 10/92601994

Field Inspection Date: 10/91701994

Inspector: GARY F

Well Log Remarks: OVERBORE AND SURFACE SEALED TO 19 FT W/BENTONITE.
COMPLETED WELL DEPTH 155 FT.

RECEIVED
MAY 18 1995

WD5805NP
(OD-5805)

DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT/LOG INDEX

DATE: 05/04/95
PAGE: 1

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
37-94-S-0170-000	0	JOHN REITSMA 75 N 400 W JEROME, ID 83338 (208) 324-3366	08S	15E	17	NW NW		GOODING

Subdivision Location and Description:

Subdivision Name:

Well Site Address: 2 MI SOUTH 1/ 1/2 MI WEST

City, State: WENDELL, ID

Lot(s):

Block(s):

Geographic Location:

Accuracy Code:

Lat: 0 : : N

Long: 0 : : W

Proposed Use of Well: Other

Proposed Casing Diameter: 8 In.

Proposed Depth: 150 Ft.

Anticipated Bottom Temp: 85F or less

Well Use Comments: THIS WELL WILL BE USED FOR DAIRY OPERATION

Driller License No: 0026

Firm Name: EATON DRILLING & PUMP SERVICE INC

Official: LARRY M NIELSON

Permit Status: Filed

Verbal Issued Date:

Verbal Issued Time:

Received Date: 1091801994

Approved Date: 10/18/1994

Proposed Start Date: 1091801994

Extension Date:

Extension Expiration:

Receipt No.

Receipt Date

Fee

S017479

1091801994

\$ 200.00

Specific Conditions: 8. Idaho code 55-2201 & 55-2200 requires the applicant and/or his contractors to contact "Digline" (Digline is the locator service for area 120, Southern Idaho) at 1-800-342-1585, not less than 3 working days prior to the start of any excavation for this project.

Permit Remarks: THERE Are two wells with this dairy. Therefore there are two permits, the other one is 37-94-S-0157-000.

PERMIT STATES: JEROME COUNTY

LOG STATES: GOODING COUNTY

Conditions of Approval: This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.

The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.

MAY 18 1995

=====

WELL DRILLING PERMIT/LOG INDEX: Permit No. 37-94-S-0170-000 (cont'd)

Conditions of Approval: Approval of this drilling permit does not authorize trespass on the land of another party.

This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

Applicant requests issuance of this Drilling Permit prior to approval of a Water Right or Transfer of a Water Right. Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the diversion of water from this well may not ultimately be approved for use.

----- WELL DRILLER'S LOG REPORT -----

Drilling Permit No: 37-94-S-0170-000

Water Right No: 37-08767

Injection Permit No:

Nature of Work: NEW WELL

Construction Method: AIR ROTARY

Casing Diameter: 8 In.

Static Water Level: 105 Ft.

Actual Start Date: 10/18/1994

Depth of Casing: 59 Ft.

Temperature: F.

Well Finish Date: 10/21/1994

Total Depth: 155 Ft.

Production Rate: GPM

Log Received Date: 11/91801994

Screen Installed? No

Certification Date: 10/93101994

Field Inspection Date: 10/91801994 Inspector: GARY F

Well Log Remarks: OVERBORE AND SURFACE SEALED TO 19 FT W/BENTONITE.
COMPLETED WELL DEPTH 150 FT.

MAY 18 1995

State of Idaho
Department of Water Resources
AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: MTS

Right Number 37-08767B Applicant John Reitsma

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☒ Other Change nature of use
Change period of use

CHECK:

- ☒ Description of amended point(s) of diversion.
☒ Amount, nature and period of use. If increased, delay date of priority. - excessive
☒ Description of amended places of use. If expanded, delay date of priority
☒ Ownership of point of diversion and place of use.
☒ Stream index information (reverse).
☒ Map.
☒ Signature (must be permit holder).
☒ Fee.
☒ Existing water rights from the same source, amended place of
☒ Right number(s) None
☒ Yes ☐ No Should amendment be advertised?
☒ Yes ☐ No Should date of priority be delayed? If yes, to what date? No.

Magie Valley
Dairy Supply
owner per
County

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
☒ Amendment published correctly.
☒ Protests processed.
☒ Approve.

☐ Deny.

Conditions

Limit ^{total} div. rate to $(0.44 + 0.44) = 0.88 \text{ cfs.}$
Limit use to stockwater for 2400 milking & 400 dry
cattle; Same conditions as original permit except OSA
(See Attached Memo)

By AD Date 10/4/98

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By cz Date 5/4/95
☐ Approved copy sent to applicant and to Region. By _____ Date _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

FROM: Allen Merritt

DATE: October 4, 1994

TO: FILES: AMENDMENT 37-08767

TRANSFER #4425 OF RIGHTS 36-07260B & 36-07368B
ALL IN THE NAME OF JOHN REITSMA

SUBJECT: PROCESSING

The amendment of 37-08767 has passed thru region processing without protest and appears on its own to be approvable. However, transfer #4425 has been protested by several parties and it is pending conference &/or hearing. Reviewing both files indicates that both propose to develop dairies from existing rights. The proposed site for the amendment of 37-08767 is in Sec 17 T08S, R15E in Gooding County. The proposed site for the transfer is in Sec 17 T08S, R16E in Jerome County.

Although similar in nature, these two proposals are separate and as such I recommend that they be separately processed.

MAY 18 1995

37-0876

Dwr Rate: 1.98

P/D: 5S, 18E, S32, SWSE.

P/U: 5S, 18E, S32, NWSE - 33

SWSE - 33

SESE - 33

* 37-08767C (Change to Basin 36)

Dwr rate: .32 cfs - Stockwater

.32 " - Commercial

P/D: 9S, 16E, S6, SWSW - 2 points

P/U: 9S, 16E, S6, NWSW - Stockwater

SWSW - Stockwater

Commercial

* 37-08767B (Change to Basin 36)

** Dwr rate: 1.53 cfs - Stockwater

1.53 cfs - Commercial

P/D: 8S, 15E, S17, NWNW

P/U: 8S, 15E, S17, NWNW - Stockwater

Commercial

* 37-08767A (Change to Basin 36)

Dwr rate: .13 cfs - Stockwater

.13 cfs - Commercial

P/D: 9S, 17E, S3, SWNW

P/U: 9S, 17E, S3, SWNW - Stockwater

Commercial

* Different Basin

** Excessive for current proposed use at dairy

U E E I V

SEP 23 1994

Department of Water Resources
Southern Region Office

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader a newspaper published every week in Gooding County, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

14 day of September, 1994.

and the date of the last publication was on the 21 day of

September, 1994.

Patty Nance

Subscribed and sworn to before me this 21st day of

September, 1994.

(SEAL)

Charles Smith
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x5

Lines tabular at _____ 6¢/Pica

Lines straight at _____ 5¢/Pica

Subsequent lines at _____ 4¢/Pica

TOTAL COST _____

COPY OF NOTICE

(Paste Here)

Notice of Correction
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Department of Water Resources
BILL TO

NOTICE OF CORRECTION

Notice is hereby given that the Notice of Proposed Amendment of Water Right No. 37-08767 in the name of John Reitsma of Jerome, ID was advertised incorrectly on 8/24 & 8/31/94. The point of diversion was advertised as being within the SNSE, S32, T5S, R18E; Lincoln County. WHEREAS, the actual point of diversion is within the SWSE, S32, T5S, R18E; Lincoln County.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 3, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director
Pub. 9/14 & 9/21 G 51116

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

5307

NOV 5 11 16

MAY 18 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

September 6 1994

R. KEITH HIGGINSON
Director

MAGIC VALLEY PUBLISHING CO
ATTN Gooding County Leader
PO BOX 468
JEROME ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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.

It is our understanding that this publication of the correction notice will be at no charge to the Department.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Mary Baldwin
Sr. Secretary

RECEIVED
MAY 18 1995

NOTICE OF CORRECTION

Notice is hereby given that the Notice of Proposed Amendment of Water Right No. 37-08767 in the name of JOHN REITSMA of Jerome, ID was advertised incorrectly on 8/24 & 8/31/94. The point of diversion was advertised as being within the SNSE, S32, T5S, R18E; Lincoln County.

WHEREAS, the actual point of diversion is within the SWSE, S32, T5S, R18E; Lincoln County.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 3, 1994. The protestant must also send a copy of the protest to the applicant.

R. KEITH HIGGINSON, DIRECTOR

Published in Gooding County Leader on 9/14 & 9/21/94

NOT RECORDED
MAY 18 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

September 5, 1994

R. KEITH HIGGINSON
Director

JOHN REITSMA
75 N 400 W
JEROME ID 83338

Re: Application for Amendment No. 37-08767B

Dear Mr. Reitsma:

We regret to inform you that due to a publishing error by the Gooding County Leader in the Point of Diversion, a Notice of Correction will appear in the newspaper on 9/14 & 9/21/94. Ten days will be allowed after the second publication date for the submittal of protests to the Correction Notice.

We apologize for any inconvenience this delay may have caused you. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Mary Baldwin
Sr. Secretary

RECEIVED
MAY 18 1995

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

SEP 1 1994

Department of Water Resources
Southern Region Office
being first duly

sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader a newspaper published every week in Gooding County, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

27 day of August 1994

and the date of the last publication was on the 31 day of

August 1994

Norma DeLoe

Subscribed and sworn to before me this 31st day of

August 1994

(SEAL)

Charles Irish
NOTARY PUBLIC

#1287/51090
GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line 2x's

Number of Lines in Notice

Number of Insertions

MAY 18 1995

Lines tabular at 6¢/Pica

473.44 Lines straight at \$23.68 5¢/Pica

Subsequent lines at 18.94 4¢/Pica

TOTAL COST \$42.62

COPY OF NOTICE

(Paste Here)

Notice of Proposed Amendment

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Department of Water Resources

NOTICE OF PROPOSED AMENDMENT OF WATER RIGHT

NO. 37-08767

Notice is hereby given that John Reitsma of Jerome, ID has applied to The Department of water Resources to change the nature of use, point of diversion and place of use for a portion of the following described water right.

WATER RIGHT AS Recorded:

Permit No. 37-08767

Source: Groundwater

Priority: 1/10/1992

Amount: 1.98 cfs

Use: Irrigation (4/1 - 10/31)

Point of Div: SNSE, S32, T5S, R18E, Lincoln County

Place of Use: 99 acres in NWSE, S1/2SE, S32, T5S, R18E

A PORTION OF WATER RIGHT TO BE CHANGED AS FOLLOWS:

Amount: 1.53 cfs

Use: Stockwater and Commercial

Point of Div: (2 pts) NWNW, S17, T8S, R15E, Gooding County

Place of Use: NWNW, S17, T8S, R15E

Any protest against approval of the proposed amendment of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 12, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Pub: 8/24/94

G1287

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Lincoln } ss.

JUL 15 10 15 11 15 15

SEP 1 1994

Norma De Voe Department of Water Resources
Southern Region Office

I, Norma De Voe, being first duly sworn, deposes and says that she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

24 day of August, 1994

and the date of the last publication was on the 31 day of

August, 1994

Norma De Voe

Subscribed and sworn to before me this 25 day of

August, 1994

(SEAL.)

Charles Fish

NOTARY PUBLIC

5627

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions _____

484 Lines tabular at 4 6¢/Pica
Lines straight at 23.68 5¢/Pica
Subsequent lines at 18.94 4¢/Pica

TOTAL COST \$42.62

COPY OF NOTICE

(Paste Here)

Notice of Proposed
TITLE OF NOTICE
Amendment to
Water Right
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Department of
BILL TO
Water Resources

NOTICE OF PROPOSED AMENDMENT OF WATER RIGHT

NO. 37-08767

Notice is hereby given that John Reitsma of Jerome, ID. has applied to the Department of Water Resources to change the nature of use, point of diversion and place of use for a portion of the following described water right.

WATER RIGHT AS RECORDED:

Permit No. 37-08767

Source: Groundwater

Priority: 1/10/1992

Amount: 1.98 cfs

Use: Irrigation (4/1

10/31)

Point of Div: SWSE, S32, T5S,

R18E, Lincoln County

Place of Use: 99 acres in

NWSE, S1/2SE, S32, T5S, R18E

A PORTION OF WATER RIGHT

TO BE CHANGED AS FOLLOWS:

Amount: 1.53 cfs

Use: Stockwater and

Commercial

Point of Div: (2 pts) NWNW, S17,

T8S, R15E, Gooding County

Place of Use: NWNW, S17, T8S,

R15E

Any protest against approval of the proposed amendment of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 12, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

PUB. 8/24-31

L1285



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 12, 1994

Gooding County Leader
200 N. Main
Gooding, ID 83330

Gentlemen:

Enclosed you will find legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosures

MAY 18 1995

NOTICE OF PROPOSED AMENDMENT OF WATER RIGHT
NO. 37-08767

Notice is hereby given that John Reitsma of Jerome, ID has applied to the Department of Water Resources to change the nature of use, point of diversion and place of use for a portion of the following described water right.

WATER RIGHT AS RECORDED:

Permit No. 37-08767
Source: Groundwater
Priority: 1/10/1992
Amount: 1.98 cfs
Use: Irrigation (4/1 - 10/31)
Point of Div: SWSE, S32, T5S, R18E, Lincoln County
Place of Use: 99 acres in NWSE, S1/2SE, S32, T5S, R18E

A PORTION OF WATER RIGHT TO BE CHANGED AS FOLLOWS:

Amount: 1.53 cfs
Use: Stockwater and Commercial
Point of Div: (2 pts) NWNW, S17, T8S, R15E, Gooding County
Place of Use: NWNW, S17; T8S, R15E

Any protest against approval of the proposed amendment of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 12, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in Gooding County Leader on 8/24 and 8/31/94.

MAY 18 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 12, 1994

Lincoln County Journal
PO Box 468
Jerome, ID 83338

Gentlemen:

Enclosed you will find legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosures

MAILED
MAY 18 1995

NOTICE OF PROPOSED AMENDMENT OF WATER RIGHT
NO. 37-08767

Notice is hereby given that John Reitsma of Jerome, ID has applied to the Department of Water Resources to change the nature of use, point of diversion and place of use for a portion of the following described water right.

WATER RIGHT AS RECORDED:

Permit No. 37-08767
Source: Groundwater
Priority: 1/10/1992
Amount: 1.98 cfs
Use: Irrigation (4/1 - 10/31)
Point of Div: SWSE, S32, T5S, R18E, Lincoln County
Place of Use: 99 acres in NWSE, S1/2SE, S32, T5S, R18E

A PORTION OF WATER RIGHT TO BE CHANGED AS FOLLOWS:

Amount: 1.53 cfs
Use: Stockwater and Commercial
Point of Div: (2 pts) NWNW, S17, T8S, R15E, Gooding County
Place of Use: NWNW, S17; T8S, R15E

Any protest against approval of the proposed amendment of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 12, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in Lincoln County Journal on 8/24 and 8/31/94.

RECORDED
MAY 18 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

12-Aug-1994

R. KEITH HIGGINSON
Director

JOHN REITSMA
75 N 400 W
JEROME ID 83338

Re: Application for Amendment, 37-08767B

Dear Mr. Reitsma:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office has scheduled advertising the application in the Gooding County Leader and Lincoln County Journal on 8/24 & 8/31/94. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mary Baldwin
Sr. Secretary

MA 8 1995

WR0749NP
No. 37-08767B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/04/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN REITSMA 75 N 400 W JEROME ID 83338 (208) 324-3366	01/10/1992	IRRIGATION	04-01 10-31	76.500 CFS	
TOTAL DIVERSION:					76.500 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T05S R18E S32

SWSE

LINCOLN County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
05S	18E	32	:															17	33	26	:	76.5
TOTAL ACRES																			:	76.5		

Pou County: LINCOLN

Other Water Rights with Same Point(s) of Diversion and Source:
37-08767A 37-08767C

Other Water Rights Listing Overlapping Place(s) of use:
37-04161 37-07877A 37-07877B 37-08767A 37-08767C

Conditions of Approval:

- 26A - 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 permit holder had no control.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 051 - Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
- 052 - Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
- 053 - The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

WR0749NP
No. 37-08767B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/04/95
PAGE: 2

=====
Dates: App. Received: 12/31/1991 Priority Date: 01/10/1992
Proof Due Date: 06/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 37M Field Exam Fee:

Comments: Date: 05/06/1994 User-ID: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

Audit: 11/23/94 CZIMMERM