

[illegible]

Edmund Wiers
(Applicant)

(Applicant)

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 of Gooding, 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 1st day of May, 1991, and the date of the last publication was on the 8th day of May, 1991.

Patty Nance
Subscribed and sworn to before me this 8th day of May, 1991.
(SEAL)

Vincent Gandaga
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2 X

Lines tabular at _____ 6¢/Pica
351.5 Lines straight at 17.58 5¢/Pica
Subsequent lines at 14.06 4¢/Pica
TOTAL COST 31.64

COPY OF NOTICE

(Paste Here)

Not Appl. Wate Rt
TITLE OF NOTICE
Wooden Shoe Dairy
36-08578
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J D W R T.F.
BILL TO

NOTICE OF APPLICATION FOR WATER RIGHT
The Following application(s) have been filed to appropriate the public waters of the State of Idaho:
36-08578
WOODEN SHOE DAIRY
3550 S. 1950 E.
WENDELL, ID 83355
Source: GROUNDWATER
Diversion Pt: SWSNE Sec 33 T 08S R 15E
Use: COMMERCIAL (.250 CFS)
STOCKWATER (.250 CFS)
Total Diversion: (.250 CFS)
Date Filed: 2/7/1991
In: T08S R15E S33 - SWNE
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls, Idaho 83301 on or before MAY 20, 1991.
R. Keith Higginson
Director
G5616
Pub: 5-1, 8

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

RECEIVED

MAY 09 1991

Department of Water Resources
Southern Region Office

DEC 23 1991

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PERMIT 36-08578 INIT det
T. R. S. Q/Q
P/D 85 15E 33 SW/NE
SCALE _____
PHOTO ID. _____

1624

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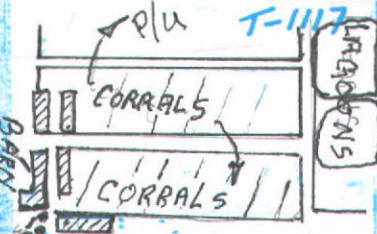
T-886

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BARN

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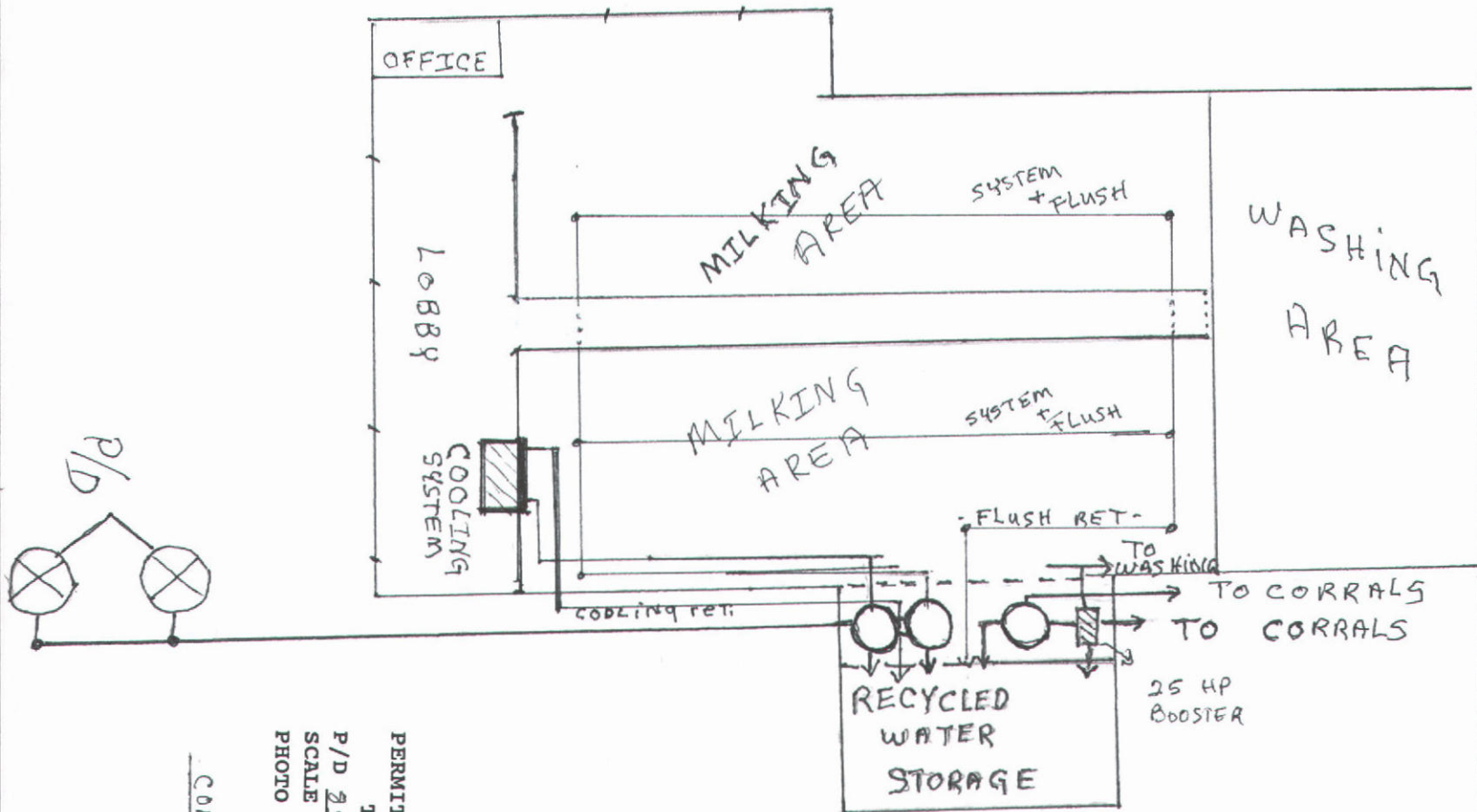
SECT
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APR 03 2002



PERMIT 36-08578 INIT det
T. R. S. Q/Q
P/D 25 15E 33 P/D SW/SE/NE
SCALE
PHOTO ID. _____

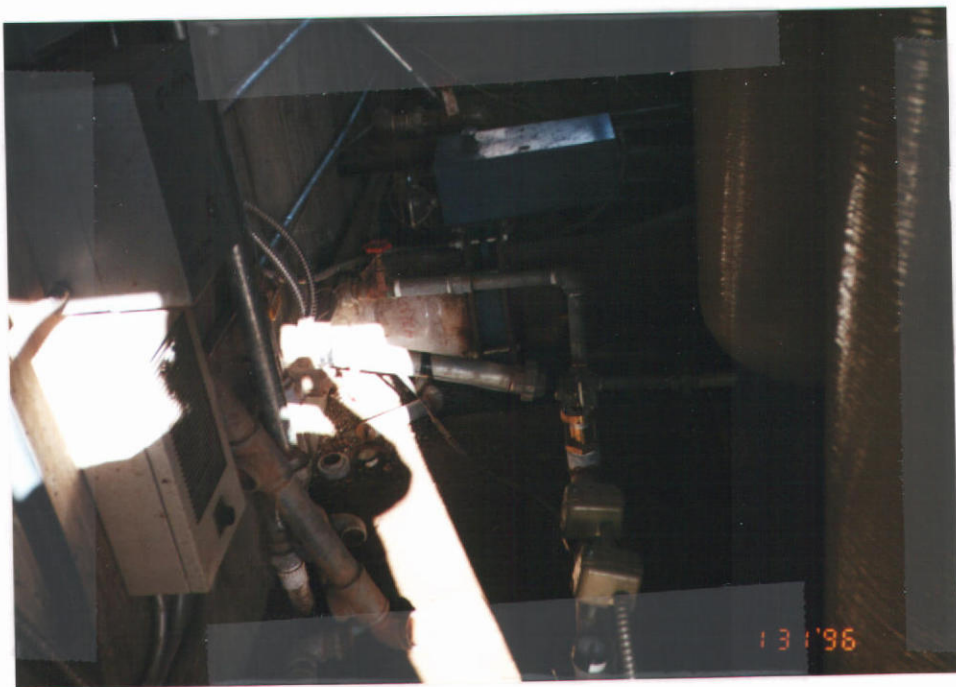
COMMERCIAL USE

MICROFILMED
APR 03 2002





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MISSING
APR 03 2002



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APR 03 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JUL 29 2002

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
36-8578					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Wooden Shoe Dairy

4. New Owner/Claimant(s)

Big Sky Dairy

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

2395 S 1500E

City, State and ZIP Code

Gooding ID 83330

New Telephone Number

(208) 934-9072

5. Date you acquired the property

Aug. 16th 2001

MICROFILMED

AUG 15 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

X. Signature of New Owner(s) or Claimant(s) [Signature]
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u>J. Mann</u>	Date <u>JUL 29 2002</u>	Fee <u>\$25.00</u>	
Received by <u>J. Mann</u>	Date <u>JUL 29 2002</u>	Receipt No. <u>CD63611</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

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AUG 15 2002

WARRANTY DEED

#CL-801

For Value Received

**Grace Visser, a widow and Grace Visser, as Personal Representative
Of the Estate of Neil Visser, deceased**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**BIG SKY DAIRY, an Idaho Partnership
Address: 2395 South 1500 East Gooding, Idaho 83330**

Hereinafter called the Grantee, the following described premises situated in GOODING County, Idaho, to-wit:

SEE EXHIBIT "A"

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 14, 2001

Grace Visser
Grace Visser

Grace Visser
Grace Visser, as Personal Representative of the
Estate of Neil Visser, deceased

Instrument # 191768

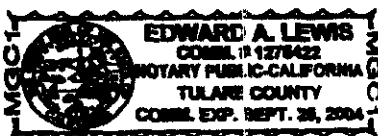
GOODING, GOODING, IDAHO
2001-08-23 04:30:59 No. of Pages: 2
Recorded for : LAND TITLE
HELEN EDWARDS Fee: 6.00
Ex-Officio Recorder Deputy Helen Edwards
Index to: DEED, WARRANTY

STATE OF CALIFORNIA)
ss.

STATE OF CALIFORNIA)
COUNTY OF) ss.

On this 14 day of August, 2001, before me, the undersigned, a Notary Public in and for said State of California, personally appeared Grace Visser individually and as Personal Representative of the Estate of Neil Visser, known or identified to me to be the personS whose nameS ARE subscribed to the within instrument, and acknowledged to me that she executed the same individually and as Personal Representative of the Estate.

[Signature]
Notary Public
Residing at: Visalia, California
My Commission expires: September 25, 2004



MICROFILMED
AUG 15 2002

PARCEL NO. 1:

TOWNSHIP 8 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO

Section 33: SW $\frac{1}{4}$ NE $\frac{1}{4}$;

SE $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:

Beginning at the East quarter corner of Section 33, THE TRUE POINT OF
BEGINNING;
Thence North 0°00'22" East, 525.00 feet along the Easterly boundary of Section
33;
Thence North 89°53'11" West, 420.00 feet;
Thence South 0°00'22" West, 525.00 feet to the Southerly boundary of the
SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 89°53'11" East, 420.00 feet along the Southerly boundary to THE
TRUE POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 8 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO

Section 33: Part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Beginning at the East quarter corner of Section 33, THE TRUE POINT OF
BEGINNING;
Thence North 0°00'22" East, 525.00 feet along the Easterly boundary of Section
33;
Thence North 89°53'11" West, 420.00 feet;
Thence South 0°00'22" West, 525.00 feet to the Southerly boundary of the
SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 89°53'11" East, 420.00 feet along the Southerly boundary to THE
TRUE POINT OF BEGINNING.

SUBJECT TO the right of a 25 feet in width county road right of way along the
Easterly boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$.

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AUG 15 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08578

Priority: February 08, 1993

Maximum Diversion Rate: 0.25 CFS
Maximum Diversion Volume: 52.6 AF

It is hereby certified that **WOODEN SHOE DAIRY**
C/O TONY VISSER
3550 S 1950 E
WENDELL ID 83355 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 07, 1991; and has
submitted Proof of Beneficial Use on February 08, 1993. An examination indicates that the works have
a diversion capacity of 0.38 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>
STOCKWATER	01/01 to 12/31	0.25 CFS	52.6 AF
COMMERCIAL	01/01 to 12/31	0.25 CFS	52.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW 1/4 NE 1/4	Sec. 33, Twp 08S, Rge 15E, B.M.	GOODING County
GROUND WATER	SW 1/4 NE 1/4	Sec. 33, Twp 08S, Rge 15E, B.M.	GOODING County

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	33			X														

PLACE OF USE: COMMERCIAL, same as Stockwater

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.

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 14TH day of MARCH, 2002.

MICROFILMED
SEP 23 2002

Acting for 
KARL J. DREHER
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-08578	)	
	)	ORDER OF
IN THE NAME OF WOODEN SHOE DAIRY	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On December 13, 1991, the Director of the Department of Water Resources issued Permit No. 36-08578 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before December 1, 1992.

2. On September 30, 1992, the Department sent a proof due notice to the permit holder.

3. On December 7, 1992, the Department sent a lapse notice to the permit holder.

4. On February 8, 1993, the permit holder submitted Proof of Beneficial Use to the Department.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes an affidavit attesting to the fact that the well has been in use since July 1, 1987. Also submitted is a well drillers report dated April 7, 1987.

7. The permit holder states, in correspondence to the Department, that a previous employee who was in charge of his office was not competent and failed to complete the proper paperwork. When the permit holder realized that the paperwork had not been filed, he immediately began the process to reinstate the permit.

MICROFILMED

MAY 20 1993

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 36-08578 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to February 8, 1993.

Dated this 23rd day of April, 1993.



L. GLEN SAXTON
Chief, Water Allocation Bureau

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MAY 20 1993

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FEB 08 1993

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 2-8-93
Receipt No. 5015362
Receipt by g.f. fenton

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08578 Telephone No. 536-2212
2. Name(s) of Permit Holder(s): Wooden Shoe Dairy
3. Mailing Address: 3550 S. 1950 E., Wendell, ID 83355
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Eaton Drilling Date Drilled: 4/1987

OPTIONAL: 2
Pump horsepower: 5 hp pump Pressure (psi): 40 Dynamic pumping level (ft.): 80?

5. Extent of Use (as authorized by the permit):
- Domestic _____ (No. of households) Stockwater 250 calves
700 dairy, 250 range (No. and type of stock)
- Irrigation _____ (No. of acres) Other Commercial - dairy barn

6. Total rate and/or volume for which proof is submitted 0.25 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes No Installed? Yes ✓ No

OR
*Flow Measurement Port: Required? YES ✓ No Installed? Yes ✓ No

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

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

John Wiersma
Name

Same
Telephone No.

Same
Address

10. The above information 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.

2-8-93
Date

John M. Wiersma owner/manager
Signature (and title, if on behalf of a company or organization)

MICROFILMED
MAY 20 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08578

Proposed Priority: February 7, 1991 Maximum Diversion Rate: 0.25 CFS

This is to certify, that **WOODEN SHOE DAIRY**
3550 S 1950 E
WENDELL ID 83355

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.25 CFS
COMMERCIAL	01/01 to 12/31	0.25 CFS
	Totals	0.25 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSWNE, Sec. 33, Township 08S, Range 15E
GOODING County

PLACE OF USE: STOCKWATER
TWN RGE SEC

08S 15E 33 SWNE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1992.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Two points of diversion are located within SWSWNE, S33, T08S, R15E.
6. Stockwater use is for 1650 dairy cattle.
7. Commercial use is for a dairy barn.

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

13th day of December, 1991.

for *[Signature]*
R. Keith Higginson, Director

DEC 23 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 34-08578

1661 7 - FEB To appropriate the public waters of the State of Idaho

RECEIVED

1. Name of applicant Wooden Shoe Dairy Partnership Phone 208-536-2212

Post office address 35505. 1950E Wendell, Id. 83355

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

3. Location of point of diversion is ^{2 points} SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____

Sec. 33 Township 8S Range 15E B.M. (existing) County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

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

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

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

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

5. Total quantity to be appropriated is (a) 0.25 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two existing connected wells + pumps,
4 pressure tanks.

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

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

5 years (minimum 1 year).

already in use

DEC 23 1991

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. Up to 1100 milking cows + 550 non-milking
- c. Municipal; show name of municipality. _____ COWS
- d. Domestic; show number of households. _____
- e. Other; describe fully. Commercial use in dairy barn

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
BS	15E	33			S C														—

Total number of acres to be irrigated —

10. Describe any other water rights used for the same purposes as described above. NONE

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

12. Remarks: System is in use now, but herd is still expanding.
Partners are John Wiersma & Winnie Wiersma.
Wells were drilled in December of 1987.

RECORDED

DEC 23 1991

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



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

Edum Wiers
(Applicant)

DEC 8 1991

Received by JA Date 2/7/91 Time 3:00 PM Preliminary check by TRJ
Fee \$ 45.00 Receipted by LW # 5012996 Date 2/7/91
Publication prepared by A. Baldwin Date 1-17-91 Published in Gooding Co. Leader
Publication approved M. Baldwin Date 5-16-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other:

RECORDED
DEC 23 1991

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 of Gooding, 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

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Patty Nance
Subscribed and sworn to before me this 8th day of May, 1991.
(SEAL) Vivian Gandaga
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

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Number of Lines in Notice _____

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_____ Subsequent lines at 14.06 4¢/Pica

TOTAL COST 31.64

COPY OF NOTICE

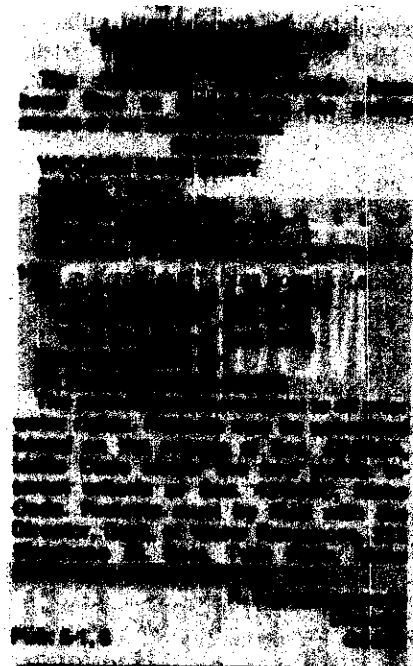
(Paste Here)

Not. Appl. Wat. Rt
TYPE OF NOTICE
Wooden Shoe Dairy
36-08578
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

I D W R T.F.
BILL TO



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

RECEIVED

MAY 09 1991

Department of Water Resources
Southern Region Office

DEC 23 1991 5616



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 30, 2002

BIG SKY DAIRY
2395 S 1500 E
GOODING ID 83330

RE: Change of Ownership for Water Right 36-8578

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

AUG 15 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

March 15, 2002

WOODEN SHOE DAIRY
C/O TONY VISSER
3550 S 1950 E
WENDELL ID 83355

RE: License No. 36-8578 - 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.

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)

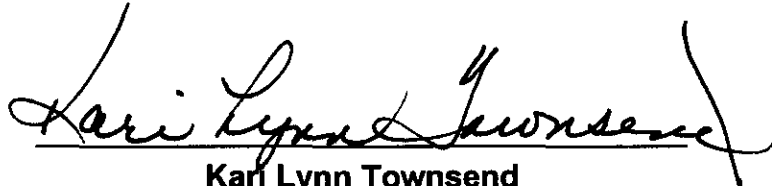
MICROFILMED
APR 03 2002

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 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. 36-8578

**WOODEN SHOE DAIRY
C/O TONY VISSER
3550 S 1950 E
WENDELL ID 83355**


Karl Lynn Townsend
Secretary

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APR 03 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.

MICROFILMED
SEP 03 2002

MEMORANDUM

To: File 36-8578

From: Sharla

Date: 3/1/2002

Re: Stockwater Use, Misc Info

Stockwater use is for 1100 dairy cattle and 550 dry cows.

The wells were drilled in April, 1987, per well logs. Drilling permit fees were not instituted until July 1, 1987. No drilling permit fees are applicable.

On this date, I spoke with Tony Visser who is the current owner of the dairy (which is now called VB Dairy). Sprinklers are not used for washing the cattle; they clean the udders using the "dip" method which more closely relates to manual washing and this reduces the volume calculations from the examiners calculations/recommendations. This figure is also closer to the volume recorded by the water measurement district for 2000.

MICROFILMED

APR 03 2002

FILE NUMBER 36-8578
REVIEWER SRC
DATE March 6, 2002

DAIRIES: WATER USE WORKSHEET

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE 1100
NUMBER OF DRY CATTLE 550
NUMBER OF REPLACEMENT CATTLE: 0-2 MONTHS
3-4 MONTHS
5-8 MONTHS
9-12 MONTHS
13-15 MONTHS
16-24 MONTHS
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC COW WASHING,
OR 3 IF SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS 1
IF SPRINKLERS ARE USED: NUMBER OF SPRINKLERS IN HOLDING PEN
NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN)
TOTAL OPERATION TIME OF SPRINKLERS (MIN/DAY)
NUMBER OF MILKINGS PER DAY 2
AVG. LBS. OF MILK PRODUCED PER DAY PER ANIMAL (IDAHO AVG IS 70 LBS.) 75
ARE THERE SEPARATE PUMPS FOR COMMERCIAL AND STOCKWATER USES? N
IF SO: HOW MANY HOURS PER DAY DOES THE STOCKWATER PUMP RUN?
HOW MANY HOURS PER DAY DOES THE COMMERCIAL PUMP RUN?
IF ONLY ONE PUMP, HOW MANY TOTAL HOURS PER DAY DOES IT RUN? 12.0
IS A PLATE COOLER USED? Y
IS PLATE COOLER WATER LATER RECYCLED FOR OTHER USES? (IF NO PLATE
COOLER, LEAVE BLANK) Y
ARE CORRAL MISTERS USED IN HOLDING PEN? Y
IF USING CORRAL MISTERS: NUMBER OF MISTERS (IF UNKNOWN,
ASSUME 1 MISTER FOR EVERY 5 COWS) 300
NOZZLE DISCHARGE (USE 5 GPM IF UNKNOWN) 5.00
SPRAY INTERVAL (EX - 2 MIN ON EVERY 5 MIN = 2/5) 4/5
OPERATION TIME OF MISTERS (HRS/DAY) 6
DAYS PER YEAR MISTERS ARE USED 80
ENTER A TOTAL VOLUME IN GPD FOR MISCELLANEOUS WATER USES NOT
INDIVIDUALLY CALCULATED BELOW (EX. - RESTROOMS, WASHING MACHINES) 0

CALCULATIONS

DIVERSION RATE (CFS):

STOCKWATER
MILKING CATTLE (BASED ON MILK PRODUCTION) ****
DRY CATTLE @17.0 GPD/ND ****
REPLACEMENT CATTLE ****
TOTAL 0.17
COMMERCIAL
TOTAL 0.17
TOTAL DIVERSION RATE 0.17

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE 38.0
DRY CATTLE 8.3
REPLACEMENT CATTLE 0.0
TOTAL 46.4
COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT 0.4
BACKFLUSH 1.2
PARLOR/MILKHOUSE/HOLDING PEN CLEANUP 2.0
CATTLE WASHING BASED UPON METHOD OF WASHING 1.2
PLATE COOLER 0.0
CORRAL MISTERS 1.3
MISCELLANEOUS USES 0.0
TOTAL 6.2
TOTAL DIVERSION VOLUME 52.6

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

STOCKWATER 46.4
COMMERCIAL 6.2
TOTAL CONSUMPTIVE USE 52.6

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3	PUMP 4	PUMP 5
PUMP HORSEPOWER (HP)	5.00	5.00	0.00	0.00	0.00
PUMP EFFICIENCY (%)	70	70	70	70	70
LIFT (FT)	90	90	0	0	0
DISCHARGE PRESSURE (PSI)	30	30	0	0	0
FRICTION LOSSES (FT)			0.0	0.0	0.0
HOURS PER DAY PUMP OPERATES	12.0	12.0	0.0	0.0	0.0

CALCULATIONS

	PUMP 1	PUMP 2	PUMP 3	PUMP 4	PUMP 5
THEORETICAL FLOW RATE (CFS) *	0.19	0.19	0.00	0.00	0.00
DIVERSION VOLUME (AFA) **	70.0	70.0	0.0	0.0	0.0

* IF PUMP EFFICIENCY IS UNKNOWN, 70% MAY BE ASSUMED.
** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
THEORETICAL FLOW RATE ASSUMING PUMP RUNS EVERY DAY OF THE YEAR.

total depth of
wells is 105'.

per telecon 3/1

25 as permitted
use 14 from theo. calc

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APR 03 2002

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on

Permit No. 36-8578

BU Fee Pd \$ 100⁰⁰

Name/Address: ☒ OK ☐ CHANGE

Govt Lots ☐ n/a ☐ plat copy attached

AREA OF CONCERN: No/Yes ESPA Moratorium ☐ GWMA ☐ TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M (if on permit)

LOCATION:

Trust - R55 (consumptive uses)
Non-Trust - 048

SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9
WD - R04 (WD#)
≤ 0.20 cfs/others - R02-01P or No MD
> 0.20 cfs - R43

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A
(02,03) - WB9 if above Weiser
Payette R (65) - 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

STORAGE - 18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 106
FISH PROP - 029 (70's only)-042-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077

USES:

POWER - R22-R23 (+uses)-025-106-W42-W43-027
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5
Lawn/garden included - W01

ADVANCE PRIORITY? ☐ Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - C/tire chop
Non-consumptive - 027
Water Quality - 106-R07
Mitigation - 121 (if on permit)
PPU acre limit - W27

CHECK NEW IRR SEASON MAP ☐

OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right #
PU overlap rights - WB7-W31 (<1 ac)
GW replaced SW - 050

Permit Rate 25 cfs Fee Limit 1.00 cfs
Measured cfs Theoretical 36 cfs

Use	Rate	Volume
Stock	<u>10.25</u> cfs	<u>46.4</u> af
Comm	<u>1.9</u> cfs	<u>6.2</u> af
	<u> </u> cfs	<u> </u> af
TOTALS	<u>12.15</u> cfs	<u>52.6</u> af

OTHER CONDITIONS/REMARKS/COMMENTS

SRBA Claim Filed ☐ Yes ☒ No

If no, is a claim required: ☐ Yes ☒ No

AMENDMENTS REQUIRED ☐ Yes ☒ No

Wells were drilled 4/87 - fees weren't instituted until 7/87

WMD

POD Data

08S 15E 33 SWSWNE

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
08S 15E 33 SWSWNE	A0001274	#1		400552
Latitude 000:00:00.000 Longitude 000:00:00.000 GPS File Y111321A Flowmeter (8)				
Comments FLOWMETER MEASURES BOTH WELLS UNDER THIS PERMIT (SNK 3/13/96) William is the manager of this dairy and the contact name for the dairy.				

Flowmeter Data

Year	Date	Calibration Factor	Max CFS	Adj Max CFS	Acre-Ft	Adj Acre-Ft	Acre-Ft Qualif	Valid	Prefrd
2000	11/13/1996	0.95			61.04	58.25	FE	☐	☐
Comments Meter was broke for six months out of the year. I took previous years useage and applied it to t									
1999	11/13/1996	0.95	0.1849252501	0.18	84.1	79.89	MR	☐	☐
Comments IDWR audit 1-5-00 read 341290x.001 (GPM 2-3-00)									
1998	11/13/1996	0.95	0.18	0.17	91.81	87.22	MR	☐	☐
Comments									
1997	11/13/1996	0.95	0.23	0.22	80.7	76.7	MR	☐	☐
Comments									
1996	11/13/1996	0.95	0.19	0.18	75	71.3		☐	☐
Comments FLOWMETER RECORDS TWO WELLS (SKING)									

Flowmeter Calibration

Calibration Date: 11/13/1996

Calibration Factor: 0.95

400552

Installed Meter	Standard Meter	Other well(s):
Meter Type: IMPELLER	Pipe Material:	A0001275
Manufacturer: AQUAMASTER	Outside Diameter:	Other meter(s): ☐
Model: 400B	Wall Thickness:	Comments:
Serial Number: 17115	Upstream Straight:	
Rate Units: GPM	Downstream Straight:	
Rate Multiplier: 1	Meter Type:	
Volume Units: AF	Measured Flow Units:	
Volume Multiplier: 0.001	Measured Flow:	
Location: GOOD	Confidence:	
Indicated Flow:		
		Changed: 4/11/2000

Site Visits

Site Visit Date	Site Examiner	Reason	Change Date:
11/13/1996	BCONTOR	Inventory	
Notes:			

Thursday, February 14, 2002

Page 1 of 2

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
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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

February 22, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WOODEN SHOE DAIRY
C/O TONY VISSER
3550 S 1950 E
WENDELL ID 83355

RE: Permit No. 36-8578

Dear Mr. Visser:

Permit 36-08578 is currently being reviewed for licensing. Since the permit was issued, the Department has taken a position that it is necessary to clarify the place of use for land application of waste from dairies as part of the water right. We would like to give you the opportunity to include the description of the place of use for this waste water on the water right license. Please submit information, by 40-acre tract descriptions, that describes where the waste water is used and the ownership of the lands that this water is applied. Note that the permit is still in the name of Wooden Shoe Dairy, however, the field examiner has indicated that you are the current land owner doing business as VB Dairy. I am enclosing an assignment of permit form for your use to change the permit ownership so that the license can be issued in your name.

Enclosed, for your convenience, is a copy of a topographical map that you can use to identify these lands. Please mark on the map where your waste water is being applied. If land application is found to be in tracts not included on the permit, we will request that an amendment of the permit before licensing to include this information on the license. If the waste water is not land applied, please advise us by telephone, e-mail (scurtis@idwr.state.id.us) or a letter.

Please submit the requested information within the next 14 days so we can proceed with licensing the permit. If you have any questions, please feel free to contact me at (208) 327-5452.

Sincerely,

Sharla Curtis
Sr. Water Resource Agent

Enclosures

MICROFILMED
APR 03 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR 1 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08578

1. Owner: Tony Visser (VB Dairy) Phone No. (208) 536-2212

Current Address: 3550 S 1950 E Wendell ID, 83355

2. Accompanied by: Michael Bosma EXAM DATE: 01-30-1996

Address: Same Phone No.: Same

Relationship to Permit Holder: Partner

3. Source: Groundwater tributary to None

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A36-13835 None

2. Other water rights with the same point of diversion: None None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
# 1		sw	sw	ne	33	08s	15e	Gooding	Aerial Photo, W/USAS slides
# 2		sw	sw	ne	33	08s	15e	Gooding	Aerial Photo, W/USAS Slides

2. Place(s) of Use:

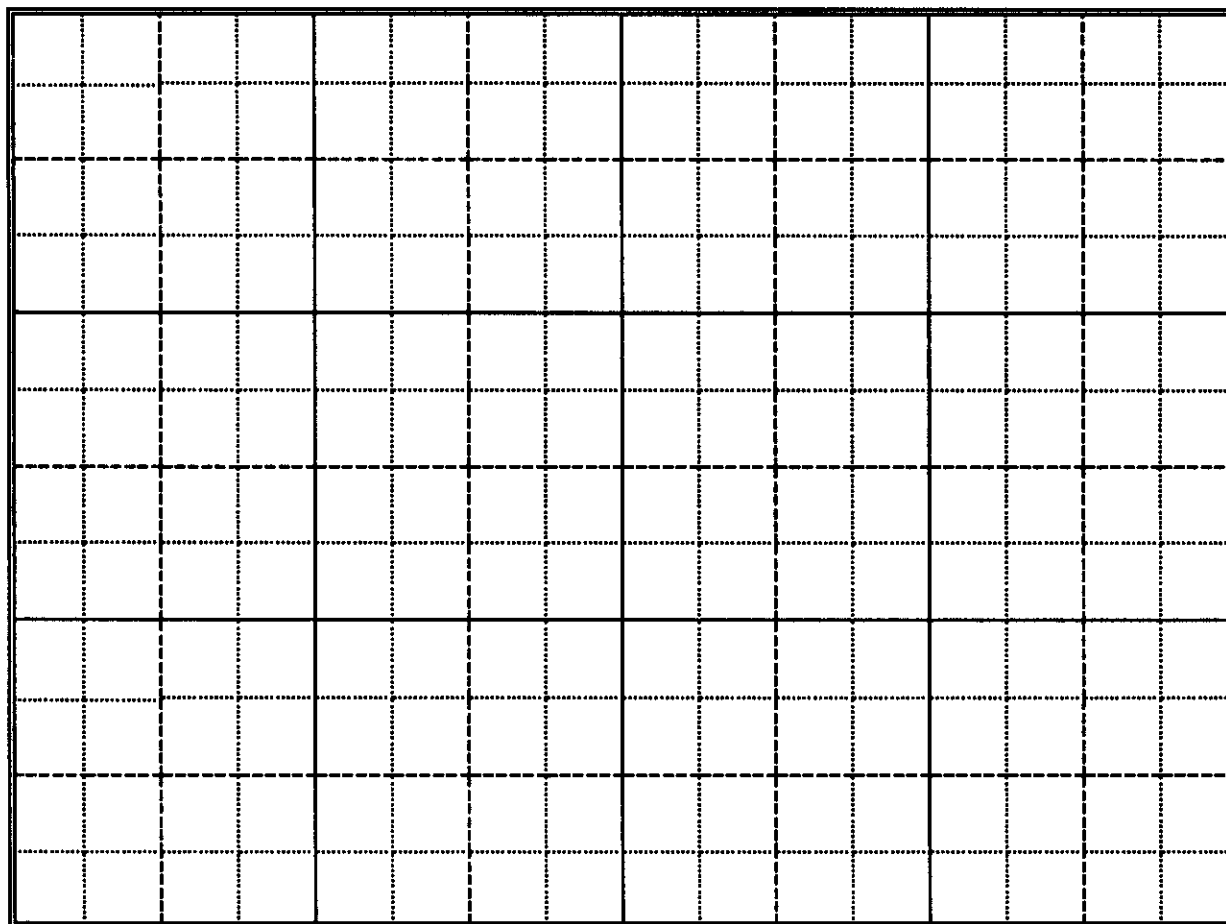
Indicate Method of Determination _____

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	33			S														
08s	15e	33			C														

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APR 03 2002

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



Scale: 1" = Not to Scale

☒ 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
Well # 1	General Electric	5	submersible-unknown	Sta-Rite	Submersible - Unknown
Well # 2	General Electric	5		Sta-Rite	Submersible - Unknown

*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
Gpm meter installed	Instant Totalize	Aqua-Dura	unknown	unknown	unk	unknown

2. Measurements: 3 minute observation on digital flow meter - 45 gpm average @ 30 psi.

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APR 13 2002

E. NARRATIVE/REMARKS/COMMENTS

This system consists of two interconnected wells drilled 105 ft deep with a lift of 75 ft each.

The stock water component is addressed as water is supplied through 3 150 gal pressurized tanks to the watering troughs which are filled by level sensing switches.

Water is diverted to the milk cooling system, the flushing system then returned to a large concrete storage vault where it is comingled with raw water and used via a 25 hp to wash cows, clean and flush-out barn.

Note: Both wells were drilled and paid for as domestic. Recommend License be held until additional drilling fee be paid for commercial use.

SRBA 36-13835 appears to be associated with house to the South and not part of this system.

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APR 03 2002

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

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

See Dairies Worksheet

Theoretical = 0.42 cfs

Allow 0.25cfs permitted

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

Stockwater: 1100 milkers

$$1100 \times 35 \text{ gpd} \times 365 = \frac{14052500}{325900} = 43.1 \text{ afa}$$

Stockwater, 550 Non-Milking

$$550 \times 12 \text{ gpd} \times 365 = \frac{2409000}{325900} = 7.4 \text{ afa}$$

Total 50.5 afa

Worksheet calculate 52.1afa (allow worksheet value)

Commercial: See Attached Dairy Worksheet; (Allow worksheet value)

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater	01-01	12-31	~~0.21cfs~~ $0.25 \text{ cfs}_{\text{Stock}}$	52.1afa
Commercial	01-01	12-31	~~0.21cfs~~ $0.25 \text{ cfs}_{\text{Stock}}$	40.4afa
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:		0.25cfs		92.5afa

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. AUTHENTICATION**Field Examiner's Name Dallas Olyson Date 03-11-96Reviewer AD Date 3/11/96

SEAL

MICROFILMED

APR 03 2002

FILE NUMBER 36-08578
REVIEWER dt

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE 1100
NUMBER OF NONMILKING CATTLE 550
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES:
IF ANAEROBIC, ENTER ZERO 0
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) 0
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS
NUMBER OF MILKINGS PER DAY 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD 0.71
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.71
NONMILKING CATTLE @12 GPD/HD 0.12
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.12
TOTAL (BASED UPON ROUNDED NUMBERS) 0.85

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE @35 GPD/HD 40.1
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 40.1
NONMILKING CATTLE @12 GPD/HD 7.4
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 7.4
TOTAL (BASED UPON ROUNDED NUMBERS) 52.1

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT 0.4
PARLOR FLOOR AND MILKHOUSE FLOOR 0.1
CATTLE WASHING BASED UPON METHOD OF WASHING 39.9
TOTAL 40.4

TOTAL DIVERSION VOLUME 82.5

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
MILKING 6.4
NONMILKING 0.0
TOTAL 6.4
COMMERCIAL 0.0
TOTAL CONSUMPTIVE USE 6.4

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP)	5.00	5.00	0.00
LIFT (FT)	75	75	0
DISCHARGE PRESSURE (PSI)	30	30	0
FRICTION LOSSES (FT)	0.0	0.0	0.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) * 0.21 0.21 0.00

DIVERSION VOLUME (AFA) ** 154.5 154.5 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.

MICROFILMED
APR 03 2002

2
50.7
HEL

152

8.1
HEL

9
4.2
HEL

3
3.6
N

PERMIT 36-08578 INIT det
T. R. S. Q/Q
P/D 85 15E 33 SW/NE
SCALE _____
PHOTO ID. _____

162.4
- 1206

161.2

4
131
N

E-7179

3
63.3

N

T-886

MILKING
BARN

85 NE

T-1117

823
T-1092

CORRALS
CORRALS

WAGONS

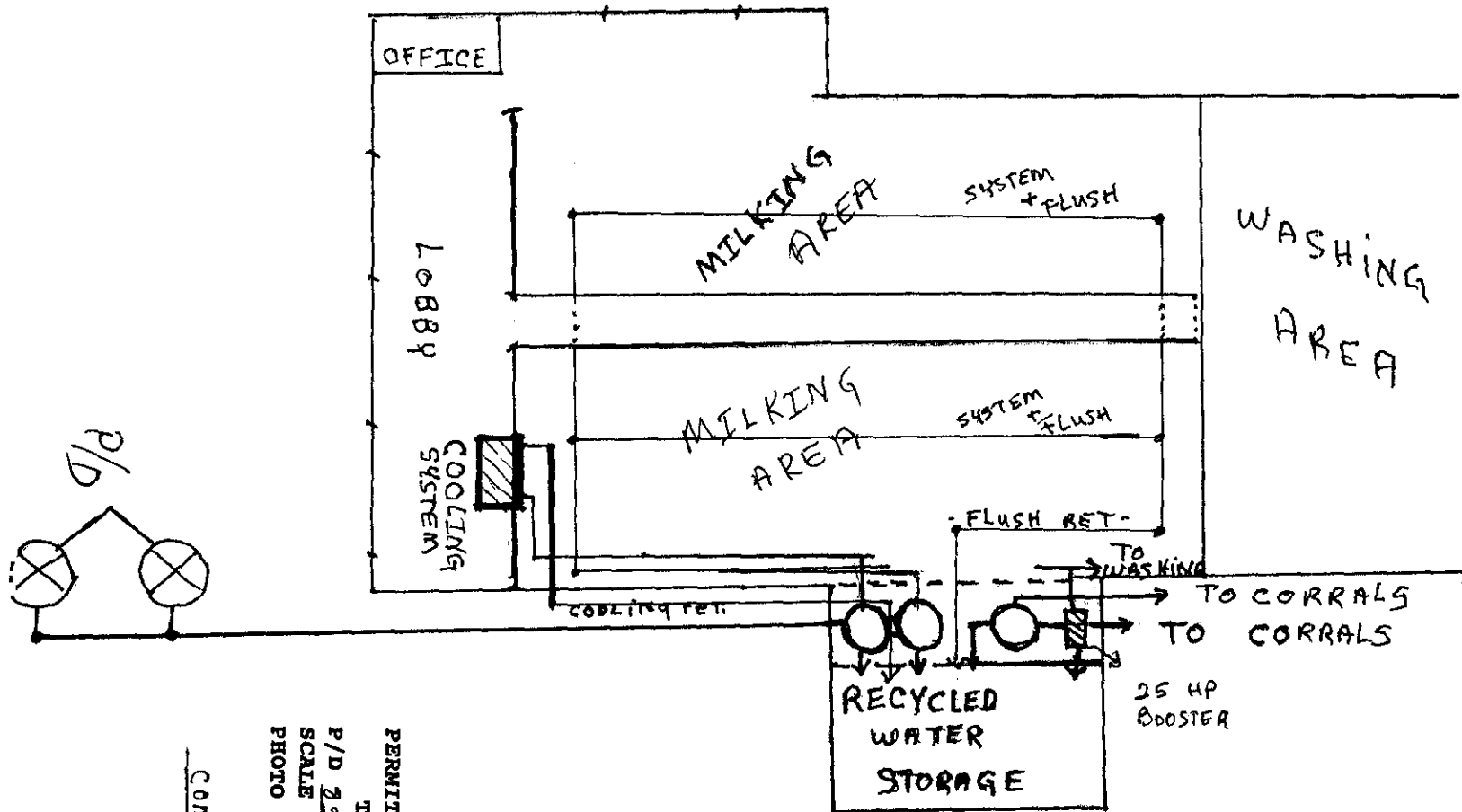
SECT
33

T-875

74
10.2

MICROFILMED
APR 03 2007

195 E ROAD



PERMIT 36-08578 INIT det
T. R. S. 9/9
P/D 25. 15E 33 P/D 500/500/NE
SCALE
PHOTO ID.

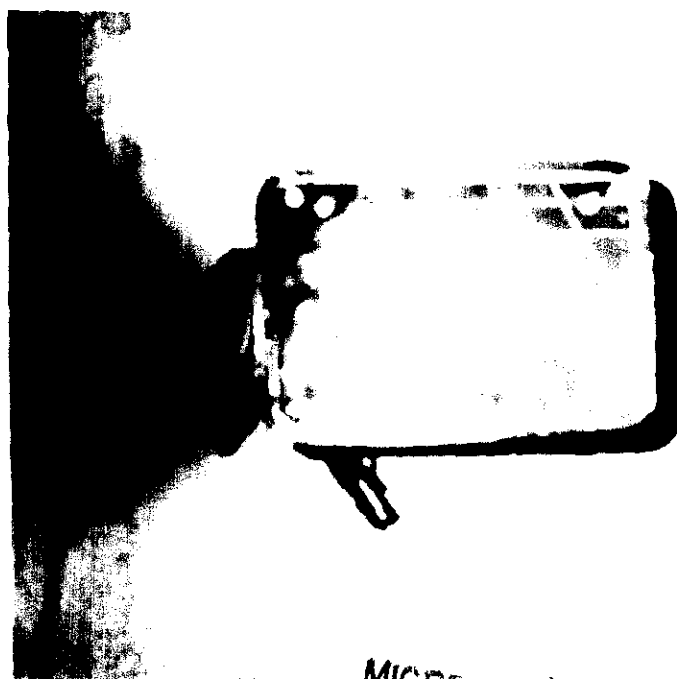
COMMERCIAL USE

MICROFILMED
APR 03 2002





MICROFILMED
SEP 03 2002



Micro
APR 03 2002



MICROFILM

APR 03 2002

INTER-DEPARTMENT MEMO

TO: File 36-08578

SUBJECT: _____

FROM: Allen MerrittDATE: 1/23/95

John Wiersma called & indicated he has sold place. New owners want to know what limit of use is. Permit conditions 1650⁺ Dairy Cattle / but BU list less. ? which is limit. I phoned S.O. & Jim Johnson indicates since exam not conducted then Permit rules so 1650 dairy cattle is limit which may be reduced once F.E. complete. I informed Mr. Wiersma of my conversation with J.J.

() For your information

() Response required

MICROFILMED
APR 13 2002



signature

April 30, 1993

WOODEN SHOE DAIRY
3550 S 1950 E
WENDELL ID 83355

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08578

Dear Permit Holder:

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 permit since the proof was received after the proof due date. 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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED

MAY 20 1993

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 36-08578

Reviewed by Klg

Date 2/8/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

1200 cattle
commercial-dairy barn
Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

NA Drilling permit required?

4/87 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

100 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

no Installed?

no Waiver requested?

PRIORITY CALCULATION

Date proof received 2/8/93 39

Date proof due 12/1/92 - 335

No. of days late = 69

Priority Date advance + 60

New Priority Date 2/8/93

365 Lapsed 365
-335 12/1 341
30 24

Beyond 60 39
Day simple 63

Restatement - need
more info.

DEFICIENCIES OR ACTION ITEMS

need more info

needs an order
needs a flow

DATA ENTRY

New Address

Proof Made 2/8/93

2 4/30/93 Klg

RECEIVED

APR 21 1993

Department of Water Resources

Wooden Shoe Dairy
3550 S. 1950 E
Wendell, Idaho
83355

April 19, 1993

RE: Permit No. 36-08578

Attn Karen Gustafson:

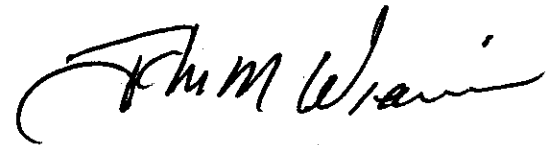
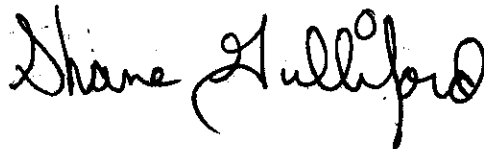
In regards to the permit indicated above I give you the following. As manager of Wooden Shoe Dairy the ultimate responsibility of all that concerns this facility is mine. I hereby state my failure in some respect in that capacity. At the proper time for taking care of all that was necessary to complete the proper paperwork the individual in my office was not at all competent. Unfortunately I discovered this some time later. This person has been removed and is no longer a problem to us. This is not the only issue that was brought to my attention where a problem existed. However as I previously stated I am at fault for not doing my job by assuming all was well. I offer you this as an explanation not an excuse. I request your understanding of this situation and hope that it is sufficient for your needs.

You also made a request that some one offer their signature verifying that this facility has been in continuous operation since July 1, 1987. The undersigned is witness to the fact that the above statement is true.

If there is anything else I can do to help you by way of information please contact me via the address you have on file or by FAX (208) 536-2214.

WITNESS

WOODEN SHOE DAIRY



MICROFILMED

MAY 20 1993

Form 228-1
4-82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

Wendell
5735 S.W.

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

107

1. WELL OWNER 111 Mr. Peter Jones Home, Honeale, Ida.		7. WATER LEVEL Static water level: 75 feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow: Artesian control in pressure: ☐ Valve ☐ Cap ☐ Plug Controlled by: 49 Quality: Temperature:																									
2. NATURE OF WORK New ☒ Existing ☐ Replacement ☐ Attachments include the standard procedures such as: Water and plug depths, etc. in lithologic log.		8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Air ☐ Other <table border="1"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Static Pumped</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		Discharge G.P.M.	Pumping Level	Static Pumped																					
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection (Specify type)		9. LITHOLOGIC LOG <table border="1"> <tr> <th>Depth</th> <th>Material</th> <th>Notes</th> </tr> <tr> <td>0 to 14</td> <td>Top Soil</td> <td rowspan="10"> RECEIVED JUN 12 1987 Department of Water Resources RECEIVED JUN 14 1987 Division of Water Resources RECORDS UNIT </td> </tr> <tr> <td>14 to 25</td> <td>Gravel</td> </tr> <tr> <td>25 to 35</td> <td>Gravel</td> </tr> <tr> <td>35 to 45</td> <td>Gravel</td> </tr> <tr> <td>45 to 55</td> <td>Gravel</td> </tr> <tr> <td>55 to 65</td> <td>Gravel</td> </tr> <tr> <td>65 to 75</td> <td>Gravel</td> </tr> <tr> <td>75 to 85</td> <td>Gravel</td> </tr> <tr> <td>85 to 95</td> <td>Gravel</td> </tr> <tr> <td>95 to 105</td> <td>Gravel</td> </tr> </table>		Depth	Material	Notes	0 to 14	Top Soil	RECEIVED JUN 12 1987 Department of Water Resources RECEIVED JUN 14 1987 Division of Water Resources RECORDS UNIT	14 to 25	Gravel	25 to 35	Gravel	35 to 45	Gravel	45 to 55	Gravel	55 to 65	Gravel	65 to 75	Gravel	75 to 85	Gravel	85 to 95	Gravel	95 to 105	Gravel
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4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other		10. WORK STARTED 4-6-87 FINISHED 4-6-87																									
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other Thickness: 1/2 inch Diameter: 6 3/4 inch From: 1 foot To: 19 feet Was casing driven down? ☐ Yes ☒ No Was a perforator used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation: inches by inches Number of perforations: From: 1 foot To: 19 feet Wall is reinforced? ☐ Yes ☒ No Manufacturer's name: Type: Model No.: Diameter: Slot size: Set from: feet to: feet Diameter: Slot size: Set from: feet to: feet Gravel packed? ☐ Yes ☒ No Size of gravel: feet to: feet Placed from: feet to: feet Surface seal depth: 19 Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Plugging clay ☐ Tarps, surface caving Sealing procedure used: ☐ Shurry pit ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent ☐ Cemented between strings Describe access port:		11. DRILLER'S CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name: Egan Firm No: 86 Address: Wendell Date: 4-7-87 Signed by (Firm Official): and (Operator): BOO N. HAYES																									
6. LOCATION OF WELL Sketch map location: agrees with written location. <table border="1"> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> Subdivision Name: Lot No: Block No: County: Gooding S.W. 1/4 Sec. 25 T. 2 N. R. 14 E.											USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT																

MICROFILMED

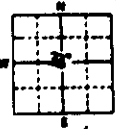
MAY 20 1993

Form 7-87
4-82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALL POINT PEN

Please see regulations that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Wendell</u> Address <u>Wendell</u> Owner's Permit No.		7. WATER LEVEL Static water level <u>75</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow Artesian closed in pressure P.S.I. Controlled by ☐ Valve ☐ Cap ☐ Plug Temperature <u>82</u> Quality Describe artesian or geysers above:																																																																																																																																																																																																																																																																																																																																																																																																																	
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4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cat ☐ Dug ☐ Other		10. DEPARTMENT OF WATER RESOURCES RECEIVED JUN 1 1987																																																																																																																																																																																																																																																																																																																																																																																																																	
5. WELL CONSTRUCTION Casing schedule ☒ Steel ☐ Concrete ☐ Other Thickness <u>0.05</u> inches <u>60</u> inches <u>1</u> feet <u>19</u> feet Diameter <u>60</u> inches <u>1</u> feet <u>19</u> feet Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ perforations _____ feet _____ feet perforations _____ feet _____ feet perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ feet to _____ feet Placed from _____ feet to _____ feet Surface seal depth <u>19</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ Sealing procedure used ☐ Slurry pit ☐ Temp. surface casing ☒ Overbars to seal depth Method of joining casing ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between struts Describe access port		11. DRILLER'S CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Baroni</u> Firm No. <u>06</u> Address <u>Wendell</u> Date <u>4-7-87</u> Signed by (Firm Official) <u>[Signature]</u> and (Operator) <u>BOON McHugh</u>																																																																																																																																																																																																																																																																																																																																																																																																																	
6. LOCATION OF WELL Sketch map location <u>see</u> agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Gooding</u> <u>Sec 2, T 2S, R 2E, S 22, N 24, E 24</u>		12. ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT <u>33, T 2S, R 2E</u>																																																																																																																																																																																																																																																																																																																																																																																																																	

MAY 20 1993



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 12, 1993

Wooden Shoe Dairy
3550 S 1950 E
Wendell, ID 83355

RE: Permit No. 36-08578

Dear Permit Holder:

On February 10, 1993, the Department corresponded with you and explained the need to submit further information in order to have your permit reinstated. The Department asked that you submit the information within 60 days of the date of mailing. As of this date, the Department has not received the information.

From our subsequent conversation on the telephone, I was under the impression that you would timely submit the information so that you could continue to use the water allocated from this permit. Therefore, the Department will allow an additional 15 days for you to submit the previously requested information. If we have not received the information at the end of that time, the Department will assume you no longer wish to pursue reinstatement of the permit. Therefore, the Department will also be forced to continue with the film and destroy process.

I also want to inform you, that since the permit has lapsed, and the additional information has not been submitted, your water right permit is of no further force nor effect. You should not be diverting water under this permit until it and if it is reinstated.

Once again, you have an additional 15 days to submit the required information. If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Karen L. Gustafson".

Karen L. Gustafson
Secretary/Records Manager

MICROFILMED

MAY 20 1993



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 10, 1993

Wooden Shoe Dairy
3550 S 1950 E
Wendell, ID 83355

RE: Permit No. 36-08578

Dear Permit Holder:

The Department received your proof of beneficial use statement for the above referenced permit on February 8, 1993. The permit lapsed on December 1, 1992, so the 60-day late period during which the permit can be readily reinstated has passed.

Because you failed to file the proof of beneficial use in a timely manner, and pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- a) Two pieces of evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

You should also be aware, that since the proof was filed late, your priority date has been penalized. Provided you supply the requested information, your priority date of February 7, 1991 will be advanced to February 8, 1993.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

RECEIVED
MAY 20 1993

Enclosure

December 7, 1992

WOODEN SHOE DAIRY
3550 S 1950 E
WENDELL ID 83355

LAPSE NOTICE

RE: PERMIT NO. 36-08578

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated September 30, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 12/7/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg

MICROFILMED

MAY 20 1993

September 30, 1992

WOODEN SHOE DAIRY
3550 S 1950 E
WENDELL ID 83355

PROOF DUE NOTICE

RE: PERMIT NO. 36-08578

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 December 1, 1992. (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.

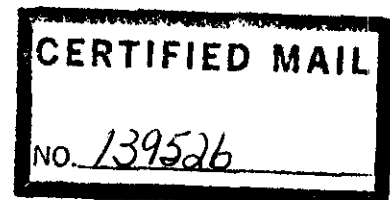
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECORDED

MAY 20 1993



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 19, 1991

WOODEN SHOE DAIRY
3550 S 1950 E
WENDELL ID 83355

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08578

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosure

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DEC 23 1991

APPLICATION FOR PERMIT REVIEW

Application #: 36-8578
Date: 12-12-91

Reviewer: Pam Skaggs

Existing:

No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - P16
Proof submitted - N/A

Groundwater:

GT. 0.2 cfs - 01G-P03, 01C-P03 (existing well)
LT. 0.2 cfs - N/A

Drilling Permit:

Approved w/permit - P99
Not included - 046-P23 (All GW, even existing wells)

Location:

Water Districts - WD No. _____
Surface water - 005, 005-01H-P01 (LT.2 w/pump)
005-01J-P08 (GT.2)
Groundwater - P05
Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 058 (Groundwater)
Swan Falls Flag - C (1, Blank or Other)
Trust *Exempt* - 051-052-053-P74 (Consumptive Uses)
Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....
Boise (63) - 05A & 11E
Payette (65) - 047-P04, 059-P71
Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)
Power - Use Power Review
Mining - 06A, 010, or 09E-P10 & 054(req.)
Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
Rec. & Aesthetic - 027(Non-Consumptive)
Domestic - 021(restricted areas)
Ownership:
Non land owner - 004
Protested:
Agreement - 020

Beneficial Use Due Date: 12-01-1992
Other Conditions Recommended _____

RECEIVED

DEC 23 1991

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET WOODEN SHOE
dairy PARTNERSHIP

INITIAL REVIEW BY DRJ DATE 2/12/91 APPLICATION NUMBER 36-08578

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt ***PROPOSED PRIORITY DATE 2/17/91

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion
☐ Yes ☒ No Field check required
☐ Yes ☒ No Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

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DEC 03 1991

Department of Water Resources

SWAN FALLS HOLD? No

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

PROCESSING ☒ Yes ☐ No In form for advertising
☒ Yes ☐ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 5/20/91
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

24A

Date of priority recommended 2/7/91 See below for additional information
By Loren O'Halloran Date 11/27/91

STATE OFFICE REVIEW

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

A 36-13835

LOCAL PUBLIC INTEREST

Comments received from:

☐ City	☐ Idaho Fish & Game	☐ Irrigation District
☐ County	☐ Idaho Health & Welfare	☐ Canal Company
☐ Reservations	☐ Division of Environment	☐ Other _____

Project impacts/implications report

COMMENTS



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

19-Apr-1991

WOODEN SHOE DAIRY
3550 S 1950 E
WENDELL ID 83355

Re: Application for Permit No. 36-08578

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Gooding County Leader on 5/1 & 5/8/91. 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. When a permit is issued, you will be sent a copy. 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,

Douglas Jones, E. I. T.
Water Resources Engineering Specialist

DJ:MB

DEC 23 1991

36-08578

WOODEN SHOE DAIRY
3550 S. 1950 E.
WENDELL, ID 83355

Source: GROUNDWATER

Diversion Pt: SWSWNE Sec 33 T 08S R 15E

Use: COMMERCIAL (.250 CFS)
STOCKWATER (.250 CFS)
Total Diversion: (.250 CFS)

Date Filed: 2/ 7/ 1991

In: T08S R15E S33 SWNE

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DEC 23 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls, Idaho 83301 on or before MAY 20, 1991.

R. Keith Higginson, Director

Published 5/ 1/1991 & 5/ 8/1991

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DEC 23 1991

SD-36	TOWNSHIP: 08S	RANGE: 15E	SECTION: 33	TRACT: SWNE	LOT:
S	L	W	O	S	MAX # RECORDS 97
E	O	W	T	T	PRIORITY USE
L	TRACT T	WATER RIGHT NO.	NAME LAST, FIRST	N AC G	DATE CODE DESC
		A36-10600	STOUDER, CHARLOTTE A.	O	06/01/1983 43 DOMEST
			STOUDER, STOUDER, WILL	O	10 COMMER
			REFERENCE RT.	C	
		A36-10601	STOUDER, WILLIAM C.	C	J 06/01/1983 10 COMMER
			STOUDER, CHARLOTTE A.	C	43 DOMEST
		A36-10625	AMBROSE, A. N.	C	J 04/01/1970 04 STOCK
					43 DOMEST
SWNE		A36-13835	WIERSMA, JOHN	C	J 03/01/1964 43 DOMEST
			WIERSMA, SANDI	C	04 STOCK

(ENTER=CONTINUE)

(GOLD 7=THIS QUERY)

(MENU _____)

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