

tion, place of use, section number

**RECORDED**

SEP 05 1990

Marie Lou Rife  
(Applicant)

(Applicant)

# AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }  
County of Jerome } SS.

JUN 28 1990

Department of Water Resources

Patty Nance, Southern Regional Office, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 20<sup>th</sup> day of June, 1990, and the date of the last publication was on the 27<sup>th</sup> day of June, 1990.

Patty Nance

Subscribed and sworn to before me this 27<sup>th</sup> day of June, 1990.  
(SEAL)

Vincent Gandragia  
NOTARY PUBLIC

NORTH SIDE NEWS  
Jerome, Idaho

## COST OF PUBLICATION

Numer of Picas per Line \_\_\_\_\_  
Number of Lines in Notice \_\_\_\_\_  
Number of Insertions 2X

Lines tabular at \_\_\_\_\_ 6¢/Pica  
Lines straight at 18.28 5¢/Pica  
Subsequent lines at 14.63 4¢/Pica  
TOTAL COST 32.91

## COPY OF NOTICE

(Paste Here)

Appl. for Wat. Rt.  
TITLE OF NOTICE  
Richard Van Dyk  
36-08547  
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J.D.W.R. P.E.  
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:

36-08547

VAN DYK, RICHARD  
VAN DYK, MARIE  
216 NORTH 500 WEST  
JEROME, ID 83338  
Source: GROUNDWATER  
Diversion Pt: LOT 4 (NWSWSW) Sec 5, T08S, R16E

Use: STOCKWATER (.780 CFS)  
COMMERCIAL (1.000 CFS)  
DOMESTIC (.040 CFS)  
Total Diversion: (1.000 CFS)

Date Filed: 3/26/1990  
In: T08S R16E S05 Lot 4 (SWSW)

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 JULY 9, 1990.

R. KEITH HIGGINSON,  
Director  
N00031

Pub: 6-20, 27

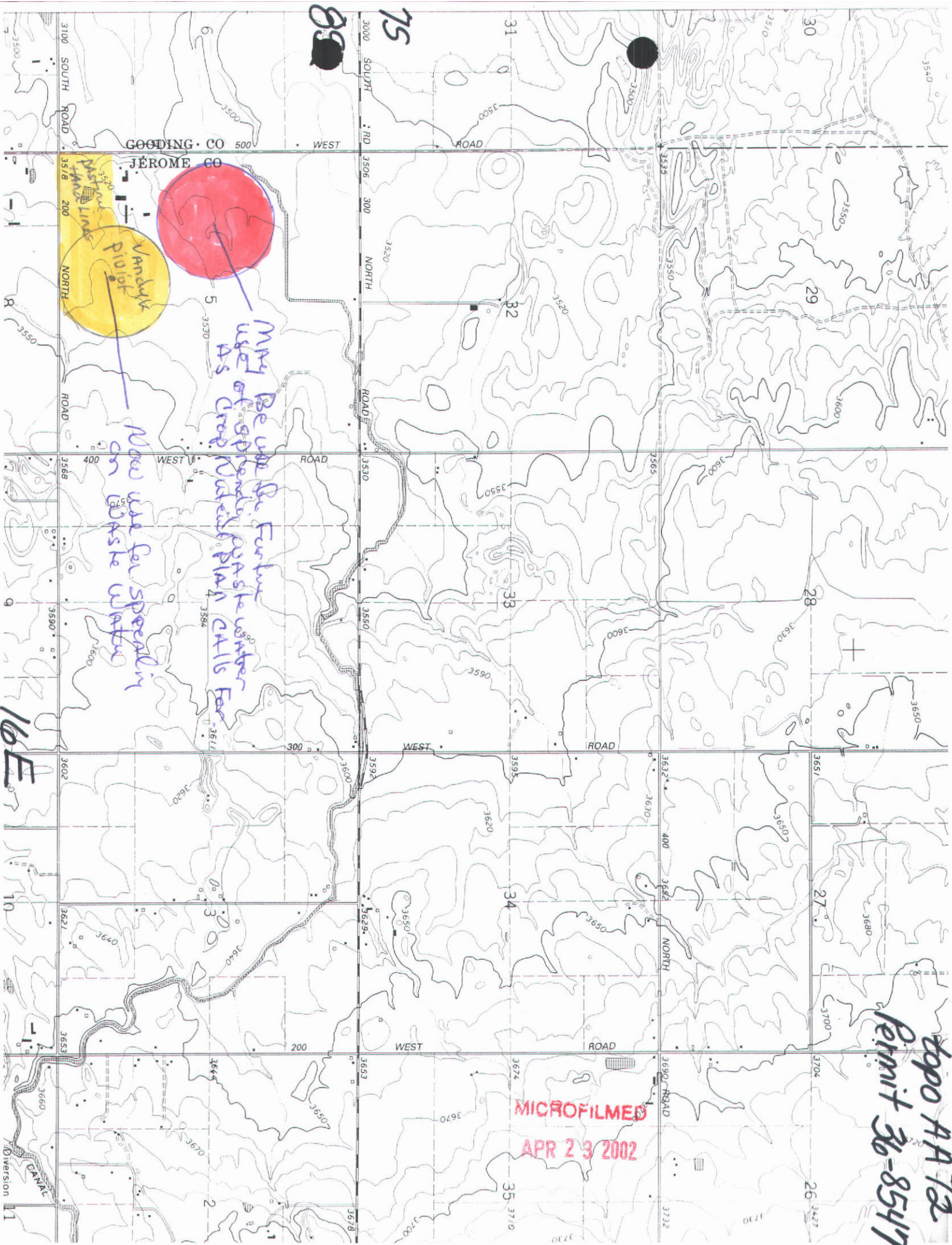
7-8 pt. per line straight.....5¢/Pica  
7-8 pt. per line tabular.....6¢/Pica  
7-8 pt. per line successive  
insertions.....4¢/Pica

MICROFILMED

SEP 05 1990

No 3843

00031



MICROFILMED  
APR 23 2002

4472  
Permit 36-8547

# Idaho Department of Water Resource Recommendation for 36-08547

## Van Dyk Dairy

T08S

R16E



Points of Diversion



Quarter-quarter Lines



Section Lines

MICROFILMED  
APR 23 2002



Point of Diversion

T08S R16E S05

Data entry on August 1, 2000

Point of Diversion Presentation

1987/1988 NAPP Photography

Data Entry By: Amanda Folsom

Corral

Shop

Milking  
Barn

Corral

North well

GPS Tag # A0001276

East well

GPS Tag # A0001277

House

West well

GPS Tag # A0001276

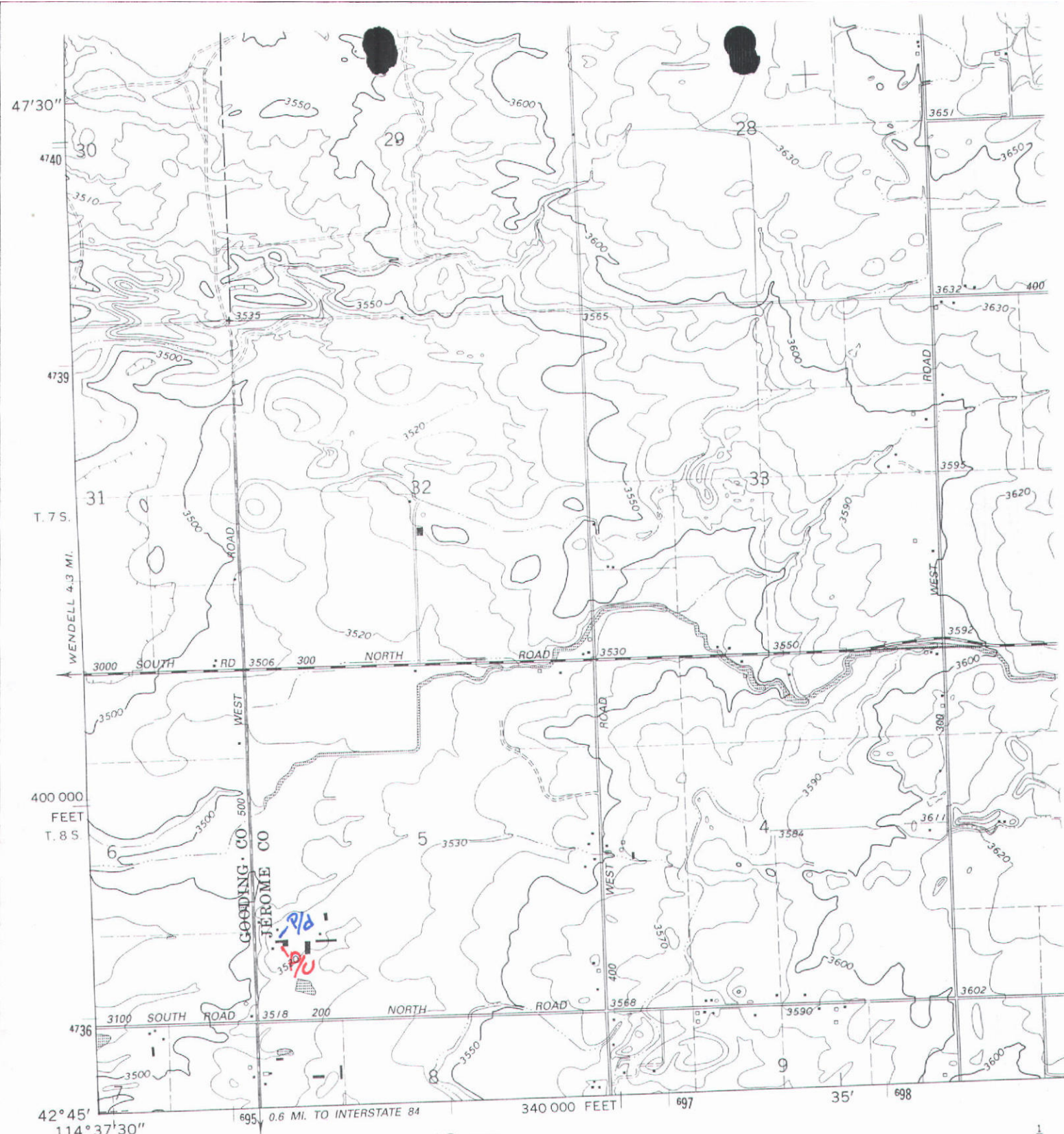
scales

Corral

MICROFILMED  
APR 23 2002

← N →

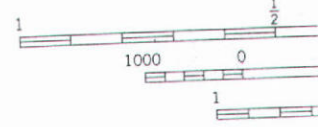
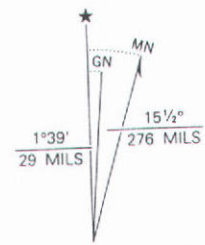
36-08547



Produced by the United States Geological Survey  
Control by USGS and NOS/NOAA

Compiled from aerial photographs taken 1969. Information shown in purple has been updated from aerial photographs taken 1987 and field checked. Map edited 1992. Conflicts may exist between some updated features and previously mapped contours

North American Datum of 1927 (NAD 27). Projection and 10 000-foot grid ticks: Idaho Coordinate System, central zone (Transverse Mercator). 1000-meter Universal Transverse Mercator grid ticks, zone 11, shown in blue  
The difference between NAD 27 and North American Datum of 1983 (NAD 83) for 7.5 minute intersections is given in USGS Bulletin 1875. The NAD 83 is shown by dashed corner ticks



UTM GRID AND 1992 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

COMPLIES WITH U.S. F  
DENVER,  
A FOLDER DESCRIBING

APR 23 2002



MICROFILMED

APR 23 2002

Richard Van Dyk  
FE: Amanda Folsom  
Date: July 3, 2000

36-08547



Richard Van Dyk  
 FE: Amanda Folsom  
 Date: July 3, 2000

MICROFILMED  
 APR 23 2002  
 36-08547



MICROFILMED

APR 23 2002

Richard Van Dyk  
FE: Amanda Folsom  
Date: July 3, 2000

36-08547

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 36-08547

Priority: April 25, 1990

Maximum Diversion Rate: 0.33 CFS  
Maximum Diversion Volume: 67.2 AF

It is hereby certified that RICHARD VAN DYK And MARIE VAN DYK  
270 N 500 W  
JEROME ID 83338

And

NORTHWEST FARM CREDIT SERVICES ACA  
PO BOX 5059

TWIN FALLS ID 83303-5059 have complied with the terms and  
conditions of the permit, issued pursuant to Application for Permit dated March 26, 1990; and have  
submitted Proof of Beneficial Use on October 01, 1993. An examination indicates that the works have a  
diversion capacity of 0.33 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<br/>DIVERSION VOLUME</u> |
|-----------------------|----------------------|-----------------------|------------------------------------|
| STOCKWATER            | 01/01 to 12/31       | 0.33 CFS              | 66.6 AF                            |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS              | 0.6 AF                             |
| COMMERCIAL            | 01/01 to 12/31       | 0.33 CFS              | 66.6 AF                            |

**LOCATION OF POINTS OF DIVERSION:**

GROUND WATER L4 NW¼SW¼SW¼ Sec. 5, Twp 08S, Rge 16E, B.M., JEROME County  
GROUND WATER L4 NW¼SW¼SW¼ Sec. 5, Twp 08S, Rge 16E, B.M., JEROME County  
GROUND WATER L4 NW¼SW¼SW¼ Sec. 5, Twp 08S, Rge 16E, B.M., JEROME County

**PLACE OF USE:** STOCKWATER

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 08S 16E 5   |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
|             |    |    |    |    |    |    |    |    |    |    | L4 |    |    |    |    |    |        |

**PLACE OF USE:** DOMESTIC

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 08S 16E 5   |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
|             |    |    |    |    |    |    |    |    |    |    | L4 |    |    |    |    |    |        |

**PLACE OF USE:** COMMERCIAL

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 08S 16E 5   |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
|             |    |    |    |    |    |    |    |    |    |    | L4 |    |    |    |    |    |        |

MICROFILMED  
APR 23 2002

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 36-08547

**CONDITIONS OF APPROVAL**

1. Commercial use is for a dairy.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 130.
3. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

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 4<sup>th</sup> day of April, 2002.

Acting for

  
KARL J. DREHER  
Director

MICROFILMED  
APR 23 2002

# WATER RIGHT SUMMARY

| ACTION               | RIGHT NO. | NAME                                                                  | AMOUNT CFS |
|----------------------|-----------|-----------------------------------------------------------------------|------------|
| Original Application | 36-08547  | Richard Van Dyk<br>Marie Van Dyk                                      | 1.00       |
| Full Assignment      | 36-08547  | Richard Van Dyk<br>Marie Van Dyk<br>Northwest Farm<br>Credit Services | 1.00       |

WATER RIGHTS  
JUL 24 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

|                                         |   |               |
|-----------------------------------------|---|---------------|
| IN THE MATTER OF PERMIT NO. 36-08547    | ) |               |
|                                         | ) | ORDER OF      |
| IN THE NAME OF RICHARD AND MARIE VANDYK | ) | REINSTATEMENT |
|                                         | ) |               |

---

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before September 1, 1993; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

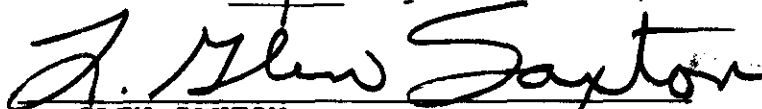
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on October 1, 1993;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-08547 be REINSTATED with an advance in priority to April 25, 1990.

Dated this 4<sup>th</sup> day of October, 1993.

  
L. GLEN SAXTON  
Chief, Water Allocation Bureau

  
OCT 19 1993

RECEIVED  
SEP 21 1993  
Department of Water Resources

OFFICE USE ONLY  
Amt. of Fee \$ 100.00  
Date 9-21-93  
Receipt No. 0028622  
Receipt by G. Vansant

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED  
OCT 01 1993  
Department of Water Resources

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. 36-08547 Telephone No. 208-324-5910
2. Name(s) of Permit Holder(s): Richard Van Dyk
3. Mailing Address: 270 N. 500 W. Jerome, ID 83338
4. Source of Water: ground water
- If GROUNDWATER, Well Driller's Name: Smith Date Drilled: 85

OPTIONAL:

Pump horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft.): \_\_\_\_\_

5. Extent of Use (as authorized by the permit):

Domestic 1 (No. of households) Stockwater 1600 (No. and type of stock)

Irrigation \_\_\_\_\_ (No. of acres) Other household & dairy commercial

6. Total rate and/or volume for which proof is submitted 1.0 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.

Name Richard Van Dyk Telephone No. 324-5910

Address 270 N. 500 W. Jerome, Id. 83338

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.

Date 9/10/93 Signature (and title, if on behalf of a company or organization) Marie Van Dyk

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

JUL 02 1992

Department of Water Resources  
Southern Region Office

ASSIGNMENT OF PERMIT

We ~~I~~, RICHARD VAN DYK and MARIE C. VAN DYK, 270 N 500 W, Jerome ID 83338,  
hereby assign to (name and address) RICHARD VAN DYK and MARIE C. VAN DYK,  
270 N 500 W, Jerome ID 83338, and NORTHWEST FARM  
CREDIT SERVICES, ACA, 129 Eastland Drive, P. O. Box 288, Twin Falls ID  
83303-0288

All my right, title and interest in and to Permit No. 36-08547 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. \_\_\_\_\_ to appropriate the public waters of the State of Idaho.

Describe portion of the application 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.

Made this 30 day of June, 1992.

STATE OF IDAHO )

SS

County of Twin Falls )

Richard Van Dyk  
Richard Van Dyk  
Marie C. Van Dyk  
Marie C. Van Dyk

On this 30 day of June, 1992, personally appeared  
before me the signer of the above instrument, duly acknowledged to me that  
it executed the same.

Cedric Hoover  
Notary Public for Idaho  
Residing at Twin Falls  
My Commission Expires 6-12-98

NOT RECORDED

JUL 24 1992

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**

NO. 36-08547

Proposed Priority: March 26, 1990      Maximum Diversion Rate: 1.00 CFS

This is to certify, that **RICHARD VAN DYK**  
**MARIE VAN DYK**  
216 N. 500 W.  
JEROME, ID 83338

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       | 0.78 CFS                 |
| COMMERCIAL            | 01/01 to 12/31       | 1.00 CFS                 |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 |
| Totals                |                      | 1.00 CFS                 |

LOCATION OF POINT(S) OF DIVERSION: LOT 4(NWSWSW), Sec. 5, Township 08S, Range 16E  
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 16E 5 LOT 4(SWSW)

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

PLACE OF USE: DOMESTIC, 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 **September 1, 1993**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. Stockwater use is for 800 dairy cattle and 800 range cattle; 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

13<sup>th</sup> day of August, 1990.

**MICROFILMED**

SEP 05 1990

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

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Richard &/or Marie Van Dyk Phone 324-5910  
Post office address 216 N. 500 W., Jerome, ID 83338

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , Govt. Lot 4  
Sec. 5 Township 8S Range 16E B.M. Jerome County; additional  
points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount 0.78 for Stockwater purposes from Jan 1 to Dec 31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount 1.0 for Commercial purposes from Jan 1 to Dec 31 (both dates inclusive)  
(cfs or acre-feet per annum)

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

5. Total quantity to be appropriated is (a) 1.0 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 3 existing wells & pumps

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  
Five years (minimum 1 year).

RECORDED  
SEP 15 1990

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

- Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- Stockwatering; list number and kind of livestock. 800 dairy, 800 range
- Municipal; show name of municipality. \_\_\_\_\_
- Domestic; show number of households. one
- Other; describe fully. Commercial use in dairy barn

9. Description of place of use:

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |          |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----------|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼      | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 8S  | 16E   | 5    |     |     |     |     |     |     |     |     |     |     | Lt4<br>X |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |          |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |          |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |          |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |          |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |          |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |          |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |          |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |          |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |          |     |     |     |     |     |        |

X is P/U for domestic, stockwater, commercial

Total number of acres to be irrigated \_\_\_\_\_

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

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

b. Who owns the land to be irrigated or 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. \_\_\_\_\_

12. Remarks: Development of system began in 1971. Herd is still being expanded.

**MICROFILMED**

SEP 14 1980

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

R. 16E

T. 8S

5

PD, PU

MICROFILMED

Scale: 2 inches equal 1 mile.

SEP 05 1990

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

*Marion Van Dyke*  
(Applicant)

Received by J. F. Stanton Date 3-26-90 Time 3:32 pm Preliminary check by D/EJ  
Fee \$ 45<sup>00</sup> Receipted by R. V. H. # 5011681 Date 3-26-90  
Publication prepared by M. Baldwin Date 5/31/90 Published in North Side News  
Publication approved M. Baldwin Date 6/28/90

### 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:

RECEIVED  
SEP 05 1990

# AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }  
County of Jerome } SS.

JUN 28 1990

Department of Water Resources

Patty Vance Southern Region Officer,  
deposes and says that he is the printer (publisher) of the Jerome  
North Side News, a newspaper published every week in Jerome, County  
of Jerome, State of Idaho; that said newspaper has been continuously  
and uninterruptedly published for a period of seventy-eight consecu-  
tive 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 20th day of June,  
1990, and the date of the last publication was on the 27th  
day of June, 1990.

Patty Vance

Subscribed and sworn to before me this 27th

day of June, 1990.  
(SEAL)

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

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Subsequent lines at 4c/Pica

TOTAL COST 32.91

## COPY OF NOTICE

(Paste Here)

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

The following have  
been filed in the  
waters of the State of Idaho:  
JULY 1, 1990  
VAN DYKE, ROBERT  
VAN DYKE, ROBERT  
218 SOUTH 1ST WEST  
JEROME, ID 83402  
Reason: STOCKWATER  
Division: FILL LOT 4 DIVISIONING Sec 4,  
T10S, R10E  
Use: STOCKWATER (700 CFS)  
COMMERCIAL (1,000 CFS)  
DOMESTIC (100 CFS)  
Total Diversion: (1,000 CFS)  
Date: JULY 1, 1990  
The following are the water rights:  
The following are the water rights:  
Idaho Code under the water rights in-  
terest criteria in Sec. 12-2-200, Idaho  
Code. Pretest must be filed with the  
Director, Dept. of Water Resources, 222  
Shoshone St. East, Twin Falls, Idaho  
83301 on or before JULY 1, 1990.

Pub: 8-20, 27

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

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SEP 65 1990

No 3843

00031



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 15, 2002

RICHARD VAN DYK  
MARIE VAN DYK  
270 N 500 W  
JEROME ID 83338

RE: Water Right 36-08547

Dear Water Right Holders:

We received the information regarding your dairy water use and the map for your land application of waste water area, after the license for this water right had been issued. Therefore, we did not include the area for the land application of waste water under this right. Please be advised that you can file an application for transfer to add this place of use to your license if you wish to have it recorded.

If you have any concerns regarding this, please feel free to contact this office.

Sincerely,

KAY WALKER  
Sr. Water Resource Agent

KW:k

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APP 23 2002

# Permit 56-8547

RECEIVED

APR - 5 2002

## DAIRY WATER USE QUESTIONNAIRE

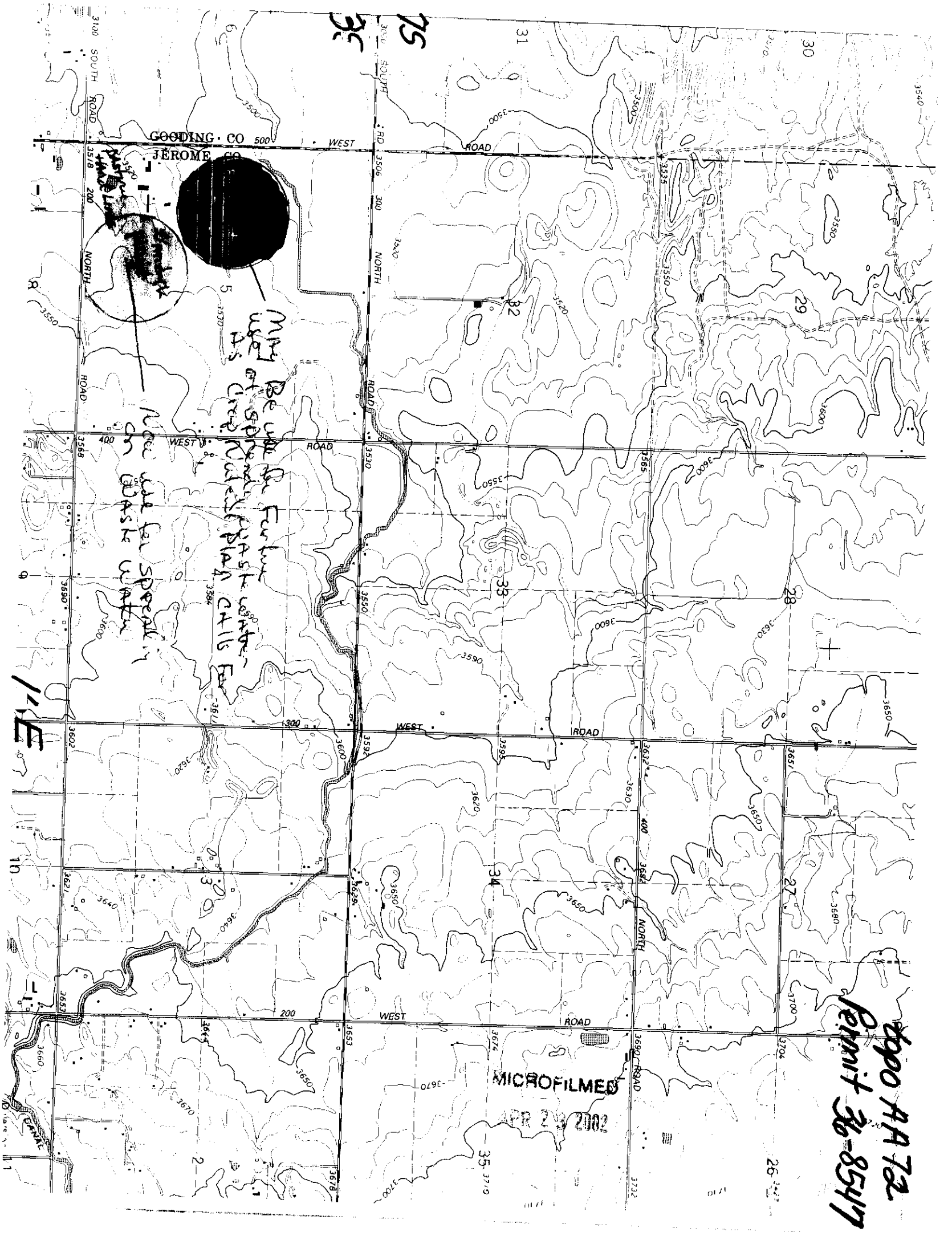
|                                                                                                                 |                   |
|-----------------------------------------------------------------------------------------------------------------|-------------------|
| NUMBER OF MILKING CATTLE                                                                                        | 767               |
| NUMBER OF DRY CATTLE                                                                                            | 186               |
| NUMBER OF REPLACEMENT CATTLE: 0-2 MONTHS                                                                        | 0                 |
| 3-4 MONTHS                                                                                                      | 0                 |
| 5-8 MONTHS                                                                                                      | 0                 |
| 9-12 MONTHS                                                                                                     | 80                |
| 13-15 MONTHS                                                                                                    | 94                |
| 16-24 MONTHS                                                                                                    | 144               |
| ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS | 3                 |
| IF SPRINKLERS ARE USED: NUMBER OF SPRINKLERS IN HOLDING PEN                                                     | 90                |
| NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN)                                                                       | 4.3               |
| OPERATION TIME OF SPRINKLERS (MIN/DAY)                                                                          | 40 min per day    |
| NUMBER OF MILKINGS PER DAY                                                                                      | 2                 |
| AVG. LBS. OF MILK PRODUCED PER DAY PER ANIMAL (IDAHO AVG IS 70 LBS.)                                            | 76                |
| HOURS PER DAY PUMP OPERATES FOR STOCKWATER USE                                                                  |                   |
| HOURS PER DAY PUMP OPERATES FOR COMMERCIAL USE                                                                  | 18                |
| IS RECYCLED WATER USED TO FLUSH MILKHOUSE AND PARLOR FLOORS?                                                    | yes               |
| IS RECYCLED WATER USED TO WASH COWS?                                                                            | yes               |
| IS A PLATE COOLER USED?                                                                                         | yes               |
| IS RECYCLED WATER USED FOR PLATE COOLER? (IF NO PLATE COOLER, LEAVE BLANK)                                      | <del>yes</del> No |
| IF CORRAL MISTERS ARE USED: NUMBER OF MISTERS IN HOLDING PEN                                                    |                   |
| NOZZLE DISCHARGE (GPM)                                                                                          |                   |
| OPERATION TIME OF MISTERS (MIN/DAY)                                                                             |                   |
| DAYS PER YEAR MISTERS ARE USED                                                                                  |                   |

Key,

Sorry But I have tried to figure out how many hrs a day for Stockwater only but that is a hard one to figure when there is more than one well! I sure there is A Avg. 6 Gals per day figure of some what per A.U. But I don't know this. If you have any questions give me A call AT 731-8165

Thank you  
Dory Suter  
VanderK Dairing

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APR 23 2002



Topo AA 72  
Permit 36-85417

MICROFILMED  
APR 23 2002

GOODING CO  
JEROME CO

3100 SOUTH ROAD

3518 200

3518 200

3518 200

3518 200

3518 200

3518 200

3518 200

3518 200

3518 200



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 4, 2002

RICHARD VAN DYK  
MARIE VAN DYK  
270 N 500 W  
JEROME ID 83338

NORTHWEST FARM CREDIT SERVICES ACA  
PO BOX 5059  
TWIN FALLS ID 83303-5059

RE: License No. 36-8547 - 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)

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APR 23 2002

## **CERTIFICATE OF SERVICE**

I hereby certify that on April 4, 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. 36-8547**

**RICHARD VAN DYK  
MARIE VAN DYK  
270 N 500 W  
JEROME ID 83338**

**NORTHWEST FARM CREDIT SERVICES ACA  
PO BOX 5059  
TWIN FALLS ID 83303-5059**

  
Kari Lynn Townsend  
Secretary

**MICROFILMED**

**APR 23 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).

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APR 23 2002

### **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.

## Comment Report

36-8547

 1. kwalker 3/25/2002 Amount of Water

Comment: The amounts recommended for licensing are not the same as examiner determined. I have used the capacity of the wells for rate for stockwater and commercial uses. The volumes recommended are based on the excel worksheet in file.

2. VAULT 9/8/1993 Lapse Notice Sent

Comment: Lapse Notice Sent

3. VAULT 9/22/1993 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

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APR 23 2002

LICENSE REVIEW CHECKLIST

Permit No. 36-8547 Date: 3-25-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

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 OK

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 1.0 cfs  
Fee Limit 1.0 cfs  
Measured 0.33 cfs  
Theoretical 0.33 cfs

Recommended Total Diversion Rate 0.33

Water Uses 0.33

OK Change (P46)

Season of Use per new Standards

Irrigation 0.33 cfs 66.6 af  
Stockwater 0.04 cfs 0.6 af  
Domestic 0.04 cfs 0.6 af  
Comm 0.33 cfs 66.6 af  
Total 0.33 cfs 67.2 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

0.33 cfs x 1.9835 x 1 days = 0.65 af (vs) 0.65 acres x 1 (FHR) = 0.65 af

Remarks: WB5, R04(130)

Additional Conditions 130 Watermaster Control Yes  
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 If yes, explain why below.  
no

SRBA Claim? no - not req'd

Adjust memo ✓

Amend Letters          P87, S06 Second Amendment Notice          S06

*no p/d or p/u OL  
per VAX.*

*no OL commercial rts.  
stock rts.*

*no p/d or*

$$\begin{array}{r}
 800 \text{ day} = 0.176 \text{ cya} - 10.7 \text{ AFA} \\
 800 \text{ day} = 0.52 \text{ cya} - 31.3 \text{ AFA} \\
 \hline
 0.696 \text{ cya} - 42.0 \text{ AFA}
 \end{array}$$

FILE NUMBER 38-08547  
REVIEWER kw  
DATE March 25, 2002

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE 800  
NUMBER OF DRY CATTLE 800  
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 3  
IF SPRINKLERS ARE USED: NUMBER OF SPRINKLERS IN HOLDING PEN 90  
NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN) 3.00  
TOTAL OPERATION TIME OF SPRINKLERS (MIN/DAY) 60  
NUMBER OF MILKINGS PER DAY 2  
AVG. LBS. OF MILK PRODUCED PER DAY PER ANIMAL (IDAHO AVG IS 70 LBS.) 70  
ARE THERE SEPARATE PUMPS FOR COMMERCIAL AND STOCKWATER USES? N  
IF SO: HOW MANY HOURS PER DAY DOES THE STOCKWATER PUMP RUN?  
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) N  
ARE CORRAL MISTERS USED IN HOLDING PEN? N  
IF USING CORRAL MISTERS: NUMBER OF MISTERS (IF UNKNOWN,  
ASSUME 1 MISTER FOR EVERY 5 COWS) 400  
NOZZLE DISCHARGE (USE 5 GPM IF UNKNOWN) 5.00  
SPRAY INTERVAL (EX - 2 MIN ON EVERY 5 MIN = 2/5) 2/5  
OPERATION TIME OF MISTERS (HRS/DAY) 10  
DAYS PER YEAR MISTERS ARE USED 45  
ENTER A TOTAL VOLUME IN GPD FOR MISCELLANEOUS WATER USES NOT  
INDIVIDUALLY CALCULATED BELOW (EX. - RESTROOMS, WASHING MACHINES) 0

CALCULATIONS

DIVERSION RATE (CFS):

STOCKWATER  
MILKING CATTLE (BASED ON MILK PRODUCTION) \*\*\*  
DRY CATTLE @17.0 GPD/HD \*\*\*  
REPLACEMENT CATTLE \*\*\*  
TOTAL 0.20

COMMERCIAL  
TOTAL 0.20

TOTAL DIVERSION RATE 0.20

DIVERSION VOLUME (AFA):

STOCKWATER  
MILKING CATTLE 25.8  
DRY CATTLE 12.1  
REPLACEMENT CATTLE 0.0  
TOTAL 37.9

COMMERCIAL  
WASHING OF BULK TANK AND RELATED EQUIPMENT 0.4  
BACKFLUSH 0.9  
PARLORMILKHOUSEHOLDING PEN CLEANUP 2.0  
CATTLE WASHING BASED UPON METHOD OF WASHING 18.1  
PLATE COOLER 7.2  
CORRAL MISTERS 0.0  
MISCELLANEOUS USES 0.0  
TOTAL 28.7

TOTAL DIVERSION VOLUME 66.6

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

STOCKWATER 37.9  
COMMERCIAL 28.7  
TOTAL CONSUMPTIVE USE 66.6

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

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

CALCULATIONS

|                               | PUMP 1 | PUMP 2 | PUMP 3 | PUMP 4 | PUMP 5 |
|-------------------------------|--------|--------|--------|--------|--------|
| THEORETICAL FLOW RATE (CFS) * | 0.47   | 0.00   | 0.00   | 0.00   | 0.00   |
| DIVERSION VOLUME (AFA) **     | 171.3  | 0.0    | 0.0    | 0.0    | 0.0    |

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

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

not used - kw

EVALUATION OF EQUIVALENT IRRIGATED ACREAGE

IRRIGATION RIGHT (BEFORE CHANGE)

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

CALCULATIONS

|                                                   |              |
|---------------------------------------------------|--------------|
| IRRIGATION DIVERSION RATE PER ACRE                | 0.020 CFS/AC |
| REDUCTION OF IRRIGATION BASED ON DIVERSION RATE   | 10.0 ACRES   |
| REDUCTION OF IRRIGATION BASED ON DIVERSION VOLUME | 16.7 ACRES   |
| REDUCTION OF IRRIGATION BASED ON CONSUMPTIVE USE  | 22.2 ACRES   |

WMD

POD Data

08S 16E 05 NWSWSW

| Legal Description                                                                                                                            | GPS Site ID             | Diversion Name | Meas Option   | POD      |
|----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------|---------------|----------|
| 08S 16E 05 NWSWSW                                                                                                                            | A0001276                |                |               | WMD20000 |
| Latitude 000:00:00.000                                                                                                                       | Longitude 000:00:00.000 | GPS File       | Flowmeter (8) |          |
| Comments THIS WELL WAS CONNECTED TO A SERIES OF THREE WELLS WITH ONE METER. NOW THIS AND THE OTHER WELLS HAVE SEPARATE METERS. (GPM 6-21-00) |                         |                |               |          |

## Flowmeter Data

| Year                                                                                     | Date      | Calibration Factor | Max CFS | Adj Max CFS | Acre-Ft | Adj Acre-Ft | Acre-Ft Qualif | Valid                    | Prefrd                   |
|------------------------------------------------------------------------------------------|-----------|--------------------|---------|-------------|---------|-------------|----------------|--------------------------|--------------------------|
| 2001                                                                                     | 5/12/2000 | 0.9                |         |             | 26.77   |             | MR             | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments End of year odometer reading by DWR. Reported reading not taken at end of year. |           |                    |         |             |         |             |                |                          |                          |
| 2000                                                                                     | 5/12/2000 | 0.9                |         |             | 23.1    |             | FE             | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments based on reported data July-Dec                                                 |           |                    |         |             |         |             |                |                          |                          |

## Flowmeter Calibration

Calibration Date: **5/12/2000** Calibration Factor: **0.9**

WMD200000007

| Installed Meter               | Standard Meter                  | Other well(s):                           |
|-------------------------------|---------------------------------|------------------------------------------|
| Meter Type: <b>PROPELLER</b>  | Pipe Material: <b>STEEL</b>     |                                          |
| Manufacturer: <b>MASTER</b>   | Outside Diameter: <b>1.7</b>    | Other meter(s): <input type="checkbox"/> |
| Model: <b></b>                | Wall Thickness: <b>0.146</b>    | Comments:                                |
| Serial Number: <b>2404967</b> | Upstream Straight: <b>0.05</b>  |                                          |
| Rate Units: <b>GPM</b>        | Downstream Straight: <b>1</b>   |                                          |
| Rate Multiplier: <b>1</b>     | Meter Type: <b>SONIC</b>        |                                          |
| Volume Units: <b>GAL</b>      | Measured Flow Units: <b>GPM</b> |                                          |
| Volume Multiplier: <b>100</b> | Measured Flow: <b>18</b>        |                                          |
| Location: <b>FAIR</b>         | Confidence: <b>FAIR</b>         |                                          |
| Indicated Flow: <b>20</b>     |                                 |                                          |
| Changed: 6/21/2000            |                                 |                                          |

## Site Visits

| Site Visit Date                                                                | Site Examiner | Reason                       | Change Date:      |
|--------------------------------------------------------------------------------|---------------|------------------------------|-------------------|
| <b>5/12/2000</b>                                                               | <b>GMOODY</b> | <b>Flowmeter Calibration</b> | <b>10/17/2000</b> |
| Notes: <div style="border: 1px solid black; height: 40px; width: 100%;"></div> |               |                              |                   |

2001 all 3 wells = 90.19 Adj. AF  
 2000 " " = 85.29 " "  
 allow 66.6 AF for comm/stock  
 use - per excel spreadsheet

**WMD****POD Data****08S 16E 05 NWSWSW**

| Legal Description                                                                                                  | GPS Site ID             | Diversion Name               | Meas Option   | POD      |
|--------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|---------------|----------|
| 08S 16E 05 NWSWSW                                                                                                  | A0001277                | <del>08S 16E 05 NWSWSW</del> |               | WMD20000 |
| Latitude 000:00:00.000                                                                                             | Longitude 000:00:00.000 | GPS File                     | Flowmeter (8) |          |
| Comments THIS WELL WAS ONE OF THREE WELLS TIED TOGETHER WITH ONE METER. NOW ALL HAVE SEPARATE METERS (GPM 6/21/00) |                         |                              |               |          |

**Flowmeter Data**

| Year                                                 | Date      | Calibration Factor | Max CFS | Adj Max CFS | Acre-Ft | Adj Acre-Ft      | Acre-Ft Qualif | Valid                    | Prefrd                   |
|------------------------------------------------------|-----------|--------------------|---------|-------------|---------|------------------|----------------|--------------------------|--------------------------|
| 2001                                                 | 5/12/2000 | 1.06               |         |             | 34.79   | <del>34.79</del> | MR             | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments End of year reading by DWR.                 |           |                    |         |             |         |                  |                |                          |                          |
| 2000                                                 | 5/12/2000 | 1.06               |         |             | 42.18   | <del>42.18</del> | PM             | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments estimate by owner, monthly readings Jul-Dec |           |                    |         |             |         |                  |                |                          |                          |

**Flowmeter Calibration**Calibration Date: **5/12/2000**Calibration Factor: **1.06****WMD200000008**

| Installed Meter               | Standard Meter                  | Other well(s):                           |
|-------------------------------|---------------------------------|------------------------------------------|
| Meter Type: <b>PROPELLER</b>  | Pipe Material: <b>STEEL</b>     | <input type="text"/>                     |
| Manufacturer: <b>MASTER</b>   | Outside Diameter: <b>0.191</b>  | Other meter(s): <input type="checkbox"/> |
| Model: <input type="text"/>   | Wall Thickness: <b>0.128</b>    | Comments: <input type="text"/>           |
| Serial Number: <b>2404965</b> | Upstream Straight: <b>0.05</b>  |                                          |
| Rate Units: <b>GPM</b>        | Downstream Straight: <b>2</b>   |                                          |
| Rate Multiplier: <b>1</b>     | Meter Type: <b>SONIC</b>        |                                          |
| Volume Units: <b>GAL</b>      | Measured Flow Units: <b>GPM</b> |                                          |
| Volume Multiplier: <b>100</b> | Measured Flow: <b>24.4</b>      |                                          |
| Location: <b>FAIR</b>         | Confidence: <b>FAIR</b>         |                                          |
| Indicated Flow: <b>23.1</b>   |                                 |                                          |

Changed: 6/21/2000

**Site Visits**

| Site Visit Date             | Site Examiner | Reason                       | Change Date:      |
|-----------------------------|---------------|------------------------------|-------------------|
| <b>5/12/2000</b>            | <b>GMOODY</b> | <b>Flowmeter Calibration</b> | <b>10/17/2000</b> |
| Notes: <input type="text"/> |               |                              |                   |

WMD

POD Data

08S 16E 05 NWSWSW 4

| Legal Description                                                                                                                  | GPS Site ID             | Diversion Name                    | Meas Option   | POD    |
|------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------|---------------|--------|
| 08S 16E 05 NWSWSW 4                                                                                                                | A0001278                | <del>DAIRY # 1 DAIRY WELL 1</del> |               | 400568 |
| Latitude 000:00:00.000                                                                                                             | Longitude 000:00:00.000 | GPS File Y111322A                 | Flowmeter (8) |        |
| Comments This was one of three wells connected together and reported on this POD. Now all three have their own meter (gpm 7/20/00) |                         |                                   |               |        |

## Flowmeter Data

| Year                                                                                    | Date      | Calibration Factor | Max CFS | Adj Max CFS | Acre-Ft | Adj Acre-Ft | Acre-Ft Qualif | Valid                    | Prefrd                   |
|-----------------------------------------------------------------------------------------|-----------|--------------------|---------|-------------|---------|-------------|----------------|--------------------------|--------------------------|
| 2001                                                                                    | 5/12/2000 | 0.97               |         |             | 30.12   |             | MR             | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments End of year reading by DWR. Reported reading not taken at end of year.         |           |                    |         |             |         |             |                |                          |                          |
| 2000                                                                                    | 5/12/2000 | 0.97               |         |             | 20.4    |             | FE             | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments New meter sometime this year? Estimate from monthly readings reported Jul-Dec. |           |                    |         |             |         |             |                |                          |                          |
| 1999                                                                                    | 5/12/2000 | 0.97               |         |             | 3.95    | 3.8315      | EM             | <input type="checkbox"/> | <input type="checkbox"/> |
| Comments IDWR audit 1-5-00 read 1289x10 (gpm 2-3-00) Meter broken.                      |           |                    |         |             |         |             |                |                          |                          |

## Flowmeter Calibration

Calibration Date: **5/12/2000** Calibration Factor: **0.97**

400568

| Installed Meter                | Standard Meter                  | Other well(s):                                                                                                                     |
|--------------------------------|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Meter Type: <b>PROPELLER</b>   | Pipe Material: <b>STEEL</b>     |                                                                                                                                    |
| Manufacturer: <b>MASTER</b>    | Outside Diameter: <b>1.9</b>    | Other meter(s): <input type="checkbox"/>                                                                                           |
| Model: <input type="text"/>    | Wall Thickness: <b>0.126</b>    | Comments:                                                                                                                          |
| Serial Number: <b>12592136</b> | Upstream Straight: <b>1.5</b>   | this well was one of three wells tied to one meter. New meter installed 4/00 on each individual well as of this date. (GPM 6/6/00) |
| Rate Units: <b>GPM</b>         | Downstream Straight: <b>2</b>   |                                                                                                                                    |
| Rate Multiplier: <b>1</b>      | Meter Type: <b>SONIC</b>        |                                                                                                                                    |
| Volume Units: <b>GAL</b>       | Measured Flow Units: <b>GPM</b> |                                                                                                                                    |
| Volume Multiplier: <b>100</b>  | Measured Flow: <b>33.6</b>      |                                                                                                                                    |
| Location: <b>FAIR</b>          | Confidence: <b>GOOD</b>         | Changed: 6/6/2000                                                                                                                  |
| Indicated Flow: <b>34.5</b>    |                                 |                                                                                                                                    |

## Site Visits

| Site Visit Date                                            | Site Examiner  | Reason                       | Change Date:    |
|------------------------------------------------------------|----------------|------------------------------|-----------------|
| <b>5/12/2000</b>                                           | <b>GMOODY</b>  | <b>Flowmeter Calibration</b> | <b>6/6/2000</b> |
| Notes: This well now has its own separate meter installed. |                |                              |                 |
| <b>11/13/1996</b>                                          | <b>BCONTOR</b> | <b>Inventory</b>             |                 |
| Notes:                                                     |                |                              |                 |

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-14599

WATER RIGHT NUMBER: 36-14599

| <u>Owner Type</u> | <u>Name and Address</u>                                             |
|-------------------|---------------------------------------------------------------------|
| Current Owner     | MARIE VAN DYK<br>216 N 500 W<br>JEROME, ID 83338<br>(208)324-5910   |
| Current Owner     | RICHARD VAN DYK<br>216 N 500 W<br>JEROME, ID 83338<br>(208)324-5910 |

Priority Date: 03/15/1976

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-----------------------|-----------------------|----------------------|
| DOMESTIC                | 1/01 to 12/31         | 0.040 CFS             |                      |
| <u>Total Diversion:</u> |                       | 0.040 CFS             |                      |

Location of Point(s) of Diversion

GROUND WATER

JEROME County

SE1/4SW1/4SW1/4

Sec. 5, Twp 08S, Rge 16E, B.M.

No OL-

Place of Use

DOMESTIC

| 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 | 16E | 5   |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. RL08S16E056001

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-14599

Comments:

1. DS1-PROD 10/28/1996 D&S 1 HOME UPDATE

Comment: USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME". CONDITION CODES N11 AND N13  
ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO AN EXP REMARK.

Dates and Other Information:

Licensed Date:

Decreed Date: 12/3/1996

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False



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](http://www.idwr.state.id.us)

February 26, 2002

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

RICHARD VAN DYK  
MARIE C VAN DYK  
270 N 500 W  
JEROME ID 83338

NORTHWEST FARM CREDIT SERVICES  
PO BOX 5059  
TWIN FALLS ID 83303-5059

RE: Permit No. 36-08547

Dear Permit Holders:

Permit 36-08547 is currently being reviewed for licensing. In review of the field examination submitted we find that we need more information in order to determine the rate and volume of water needed for your dairy operation. Please complete the enclosed "Dairy Water Use Questionnaire" and return it to this office at your earliest convenience.

Since you received your permit, 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 your 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. 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 your permit, we will request that you amend your 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 ([kwalker@idwr.state.id.us](mailto:kwalker@idwr.state.id.us)) or a letter.

Please submit the requested information within the next 14 days so we can proceed with licensing your permit. If you have any questions, please feel free to contact me at (208) 327-7944.

Sincerely,

KAY WALKER  
Sr. Water Resource Agent  
Enclosures

*no response  
3/25/02 -  
FW*

MICROFILMED  
APR 23 2002

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
NOV 09 2000  
Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 36-08547

1. Owner: Richard & Marie Van Dyk Phone No. 208-324-5910

Current Address: 270N 500W Jerome ID 83338

2. Accompanied by: Richard Van Dyk & Doug Suter EXAM DATE: July 3, 2000

Address: Same Phone No. Same

Relationship to Permit Holder: Owner & Employee

3. Source: Groundwater tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

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

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

**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 |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           | 4         | NW  | SW  | SW  | 05   | 08S  | 16E  | Jerome | GPS TAG#s                       |
|           |           |     |     |     |      |      |      |        | West Well → A0001276            |
|           |           |     |     |     |      |      |      |        | East Well → A0001277            |
|           |           |     |     |     |      |      |      |        | North Well → A0001278           |

2. Place(s) of Use:

Indicate Method of Determination GIS & Quad Map

| 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 | 16E | 05  |    |    |    |    |    |    |    |    |    |    | S/C/D |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |    |    |    |    |    |        |

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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" = \_\_\_\_\_

☒ 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. GIS

| Well or Diversion Identification No.* | Motor Make    | Hp  | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|---------------|-----|------------------|-----------|-----------------------------------|
| West Well                             | Franklin Elet | 5   | 2343178304       |           |                                   |
| East Well                             | Franklin Elet | 3   |                  |           |                                   |
| North Well                            |               | 7.5 |                  | STA-RITE  |                                   |

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

#### D. FLOW MEASUREMENTS

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1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. **Measurements:** Flow meters are connected to all three wells. The wells alternate during normal operation. The measurement that I attained was too small for the system capacity, so I am using the pump curves for my recommendation.

[illegible]

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APR 23 2007

## F. FLOW CALCULATIONS

Measured Method:

East Well → 30gpm  
West Well → 50gpm  
North Well → 70gpm  
150gpm

☒ Additional Computation Sheets Attached

$$\frac{150 \text{ gpm}}{448.83} = 0.33 \text{ cfs}$$

## 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:

$$\text{Stock} \rightarrow 43385 (365) = \frac{15835525}{325850} = 48.6 \text{ afa}$$

$$\text{Comm} \rightarrow 16200 + 8904 = 25104 (365) = \frac{9162960}{325850} = 28.1 \text{ afa}$$

$$\boxed{76.7 \text{ afa}}$$

## H. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Stockwater     | 1-1           | 12-31 | 0.13                         | 48.6                     |
| Commercial     | 1-1           | 12-31 | 0.13                         | 28.1                     |
| Domestic       | 1-1           | 12-31 | 0.04                         | 0.6                      |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | 0.30                         | 77.3                     |

### 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 Amanda Johnson Date 9-19-00

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

MICROFILMED <sup>SEAL</sup>

APR 11 2002

**E. NARRATIVE/REMARKS/COMMENTS**

**FILE:** 36-08547

**FROM:** Amanda Folsom

**DATE:** September 19, 2000

I meet with Richard Van Dyk and Doug Suter, Richard's water management employee, on July 3, 2000, and again on August 1, 2000. I somehow got the two dairies that Richard owns confused and examined the already licensed dairy the first time. The correct dairy for this permit is located in the SWSW ¼ of Sec 5, Twn 08S, R16E.

There are three wells on this dairy, all of them located in the NWSWSW ¼ of Sec 5. The wells are very close to each other and all tied together in the same system. The West Well and East Well are closest to the house, the North well is on the south side of the milking barn. Richard informed me that the West and East well are used alternately in the system. Two of the wells are used at all times for the normal operation of the dairy. All three wells have meters connected to the piping system, which are dug up out of the ground at this time. Doug Suter will be filling them in before winter according to the needs of the Department. He will be placing boxes around the meters to keep them accessible for measurement, but not to freezing. Doug has also spoken with Gregg Moody from this office about the specs for those boxes.

The measurement that I attained from the meters was far too low to be the full capacity. Allen Merritt suggested that I use the pump curves, which I received from Eaton's Drilling and Pump Service. My recommendation is as follows:

|            |         |         |
|------------|---------|---------|
| Stockwater | 0.13cfs | 48.6afa |
| Commercial | 0.13cfs | 28.1afa |
| Domestic   | 0.04cfs | 0.6afa  |
| Total      | 0.30cfs | 77.3afa |

RECORDED  
SEP 23 2002

# COMPOSITE

*Signature*  
**2000**

Signature 2000® composite pumps combine performance with economy to provide a value priced alternative for less-demanding submersible applications.

**Composite intake and discharge** – Tough, fiberglass-reinforced for thread durability and high tensile strength.

**Passive internal check valve** – Conventional, pressure-dependent design.

**Patented anti-wear system** – The unique SignaSeal™ Series internal components found in all Signature 2000 pumps.



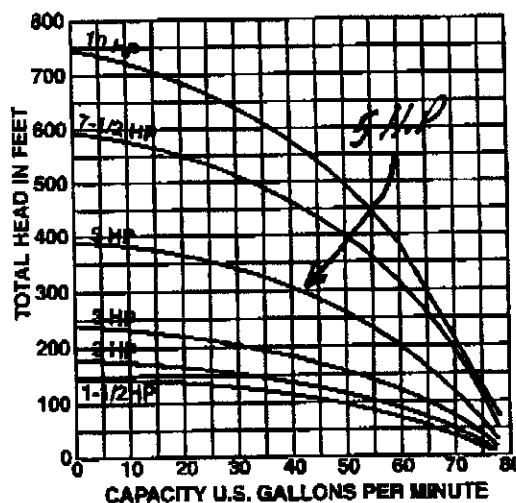
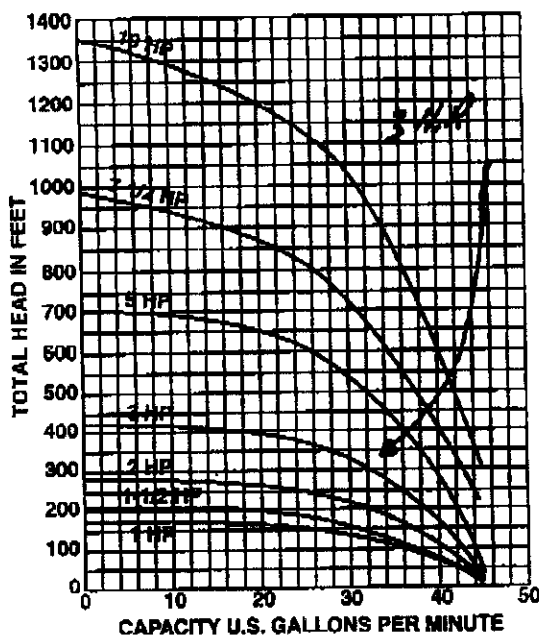
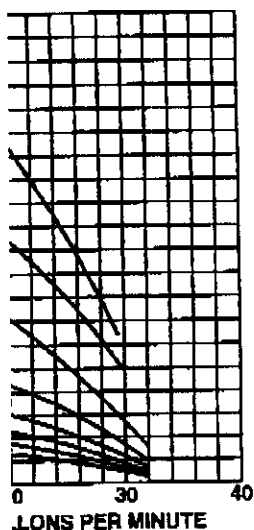
Model 30P4H02H 3 H.P. Pump  
" 50P4H02H 5 H.P. Pump  
S.W.L. APPROX 175' hd  
500 P.S.I. 115' hd  
friction loss 15' approx.

*Van Dyk Dairy*  
*500 W. of Jerome*

PM

40 GPM

40 GPM



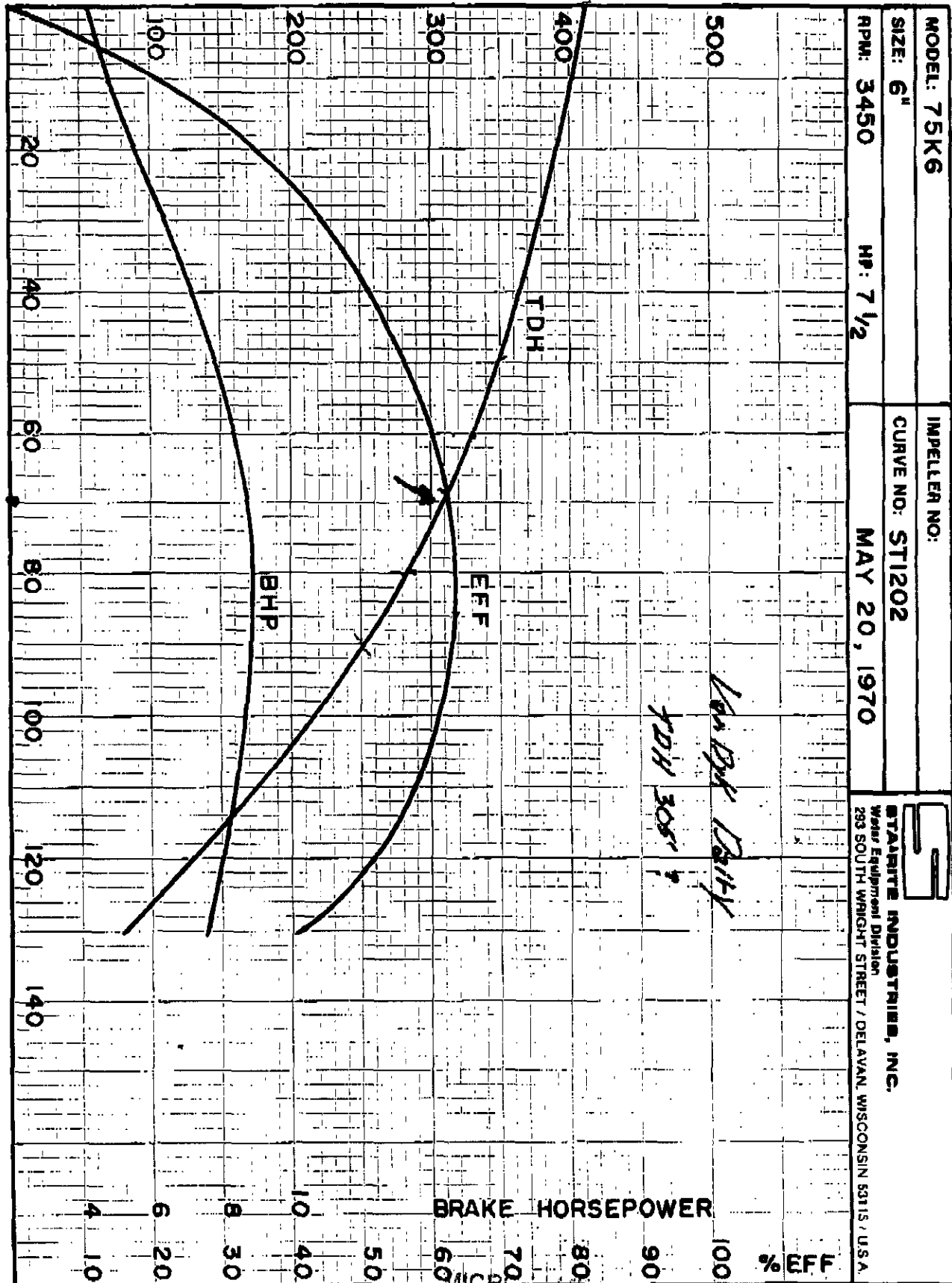
MICROFILMED

Signature 2000® Stainless Steel only

n

2WS

## TOTAL HEAD / FL : T



CAPACITY U.S. G.P.M.

36-08547

Worksheet 1. Calculating Daily Herd Requirements for Fresh Water**Drinking Water Estimates (see Table 1 & 2)**

|              | Number     | Estimated Use (gallons per day) |              |
|--------------|------------|---------------------------------|--------------|
|              |            | Individual                      | Total        |
|              |            | per day                         |              |
| Milking Cows | <u>850</u> | <u>38.7</u>                     | <u>32895</u> |
| Dry Cows     | <u>300</u> | <u>17.3</u>                     | <u>5190</u>  |
| Heifers      |            |                                 |              |
| 16-24 mo     | —          | —                               | —            |
| 13-15 mo     | —          | —                               | —            |
| 9-12 mo      | —          | —                               | —            |
| 5-8 mo       | —          | —                               | —            |
| 3-4 mo       | —          | —                               | —            |
| 0-2 mo       | —          | —                               | —            |
|              | } 500      | } 10.6                          | } 5300       |

Total herd drinking water used

A. 43385**Wash Pen Estimate (see Table 3)**

1 - Sprinkler discharge per nozzle

2 - Number of nozzles

3 - Minutes per day used

Total wash pen water used

(Line 1 x line 2 x line 3)

$$\begin{array}{r} 3921 \\ 90 \\ \hline 60 \end{array}$$
B. 16200**Milk house and Parlor Estimate (see Table 4)**

|                                        | Water per operation | Gallons per day |
|----------------------------------------|---------------------|-----------------|
| Bulk tank                              | <u>78 + 126</u>     | <u>204</u>      |
| Pipeline                               | <u>140</u>          | <u>140</u>      |
| Backflush                              | <u>5(850)(2)</u>    | <u>850</u>      |
| Cleanup                                | <u>900</u>          | <u>900</u>      |
| (Parlor, milk house and holding pen)   |                     |                 |
| Cow prep                               | <u>5(2)</u>         | <u>10</u>       |
| Plate cooler                           | <u>8(850)</u>       | <u>6800</u>     |
| (ignore if water recycled)             |                     |                 |
| Total milk house and parlor water used |                     | c. <u>8904</u>  |

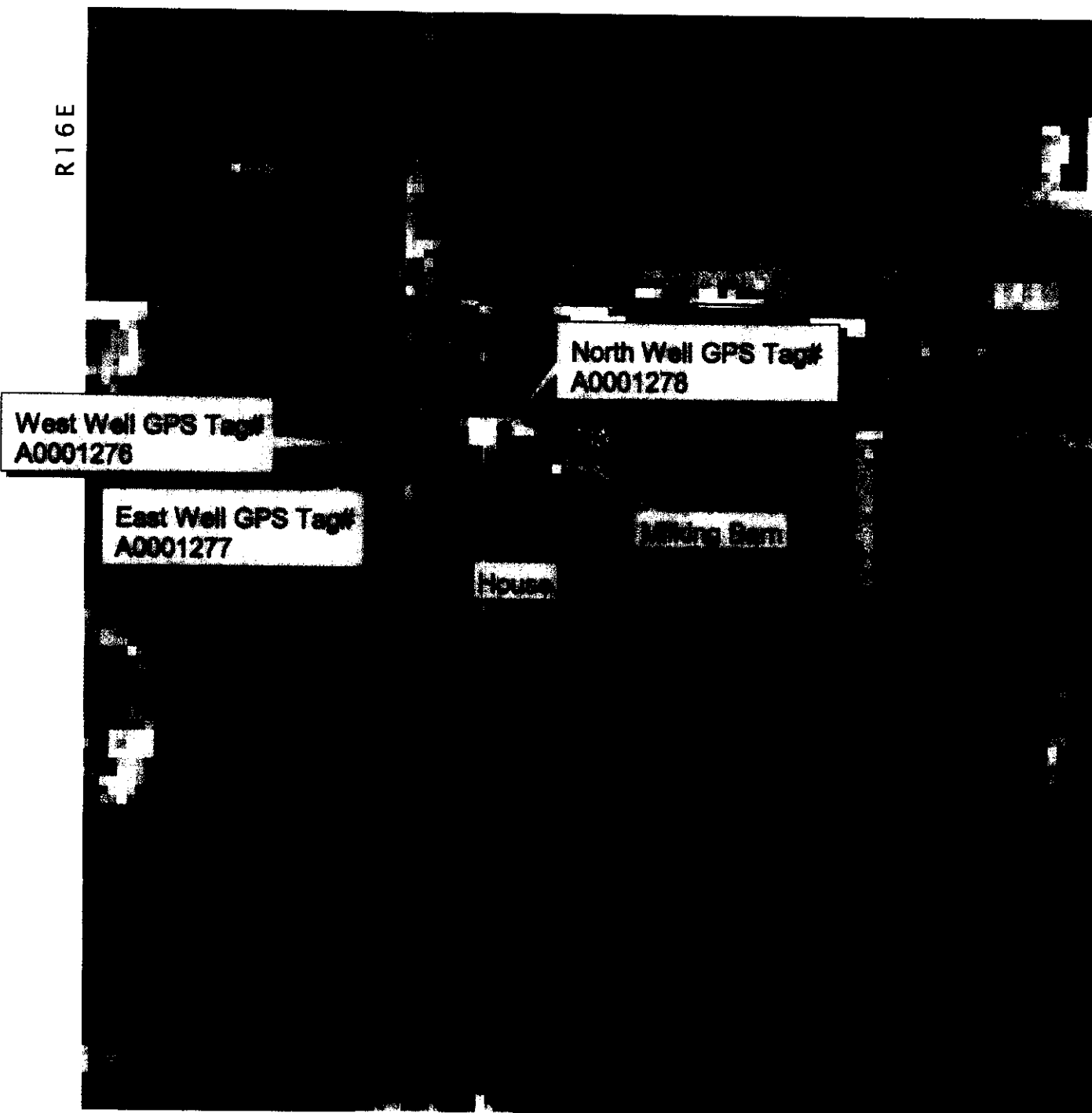
**TOTAL FRESH WATER ESTIMATE (A + B + C)**68489MICROFILMED  
1992 10 20

# Idaho Department of Water Resource Recommendation for 36-08547

## Van Dyk Dairy

T08S

R16E



③ Points of Diversion

□ Quarter-quarter Lines

□ Section Lines

MICROC...  
APR 13 2000



Point of Diversion

T08S R16E S05

Data entry on August 1, 2000

Point of Diversion Presentation

1987/1988 NAPP Photography

Data Entry By: Amanda Folsom

Corral

Shop

Milking  
Barn

Corral

North well  
GPS Tag # A0001270

East well  
GPS Tag # A0001271

House

West well  
GPS Tag # A0001276

Scale

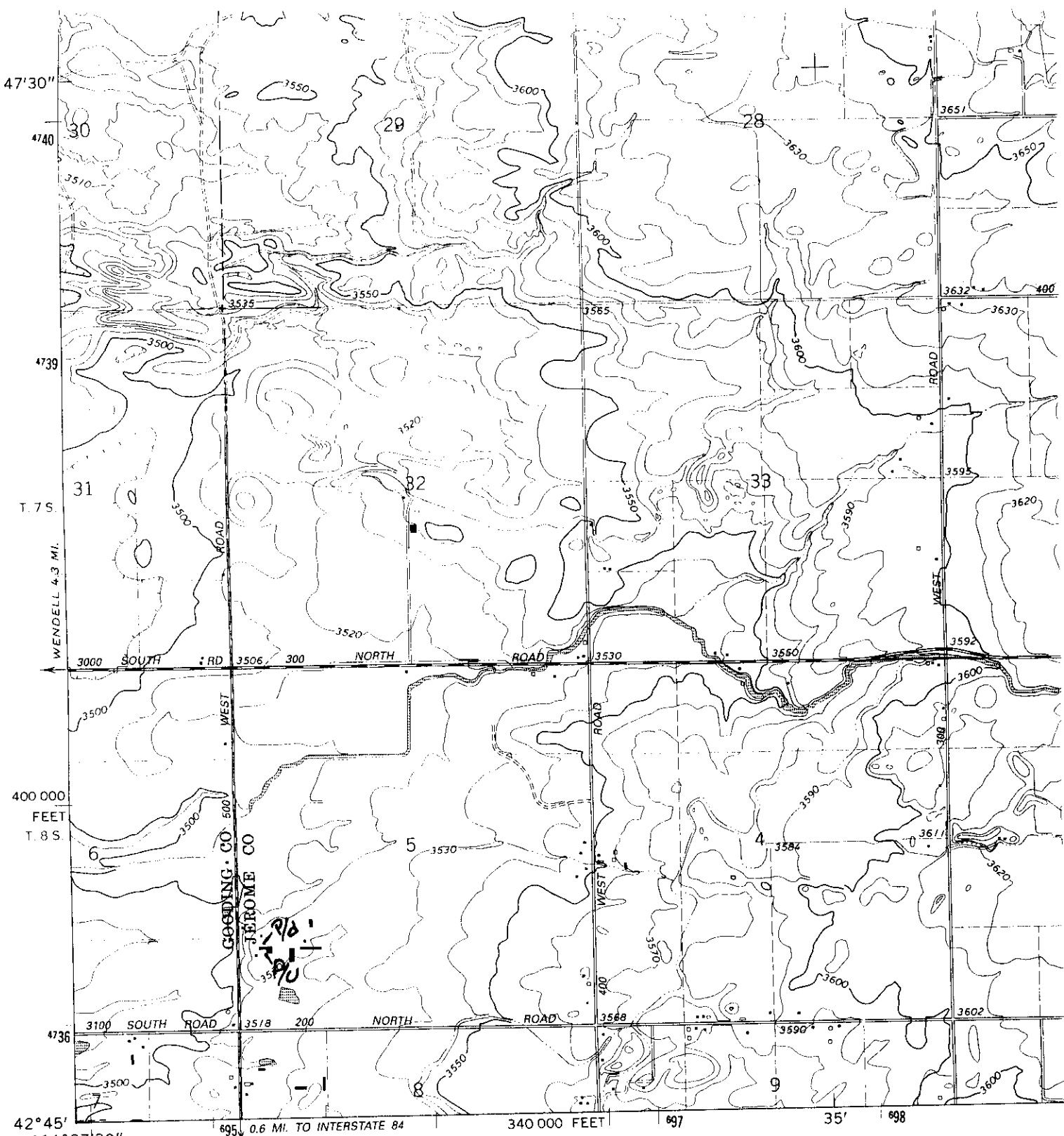
Corral

MICRO. LAB

2000 2 3 2000

← N →

36-08547



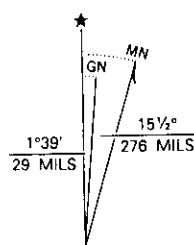
Produced by the United States Geological Survey

Control by USGS and NOS/NOAA

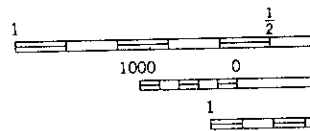
Compiled from aerial photographs taken 1969. Information shown in purple has been updated from aerial photographs taken 1987 and field checked. Map edited 1992. Conflicts may exist between some updated features and previously mapped contours

North American Datum of 1927 (NAD 27). Projection and 10 000-foot grid ticks: Idaho Coordinate System, central zone (Transverse Mercator). 1000-meter Universal Transverse Mercator grid ticks, zone 11, shown in blue

The difference between NAD 27 and North American Datum of 1983 (NAD 83) for 7.5 minute intersections is given in USGS Bulletin 1875. The NAD 83 is shown by dashed corner ticks



UTM GRID AND 1992 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET



NA

COMPLIES WITH U.S. F

DENVER, A FOLDER DESCRIBING

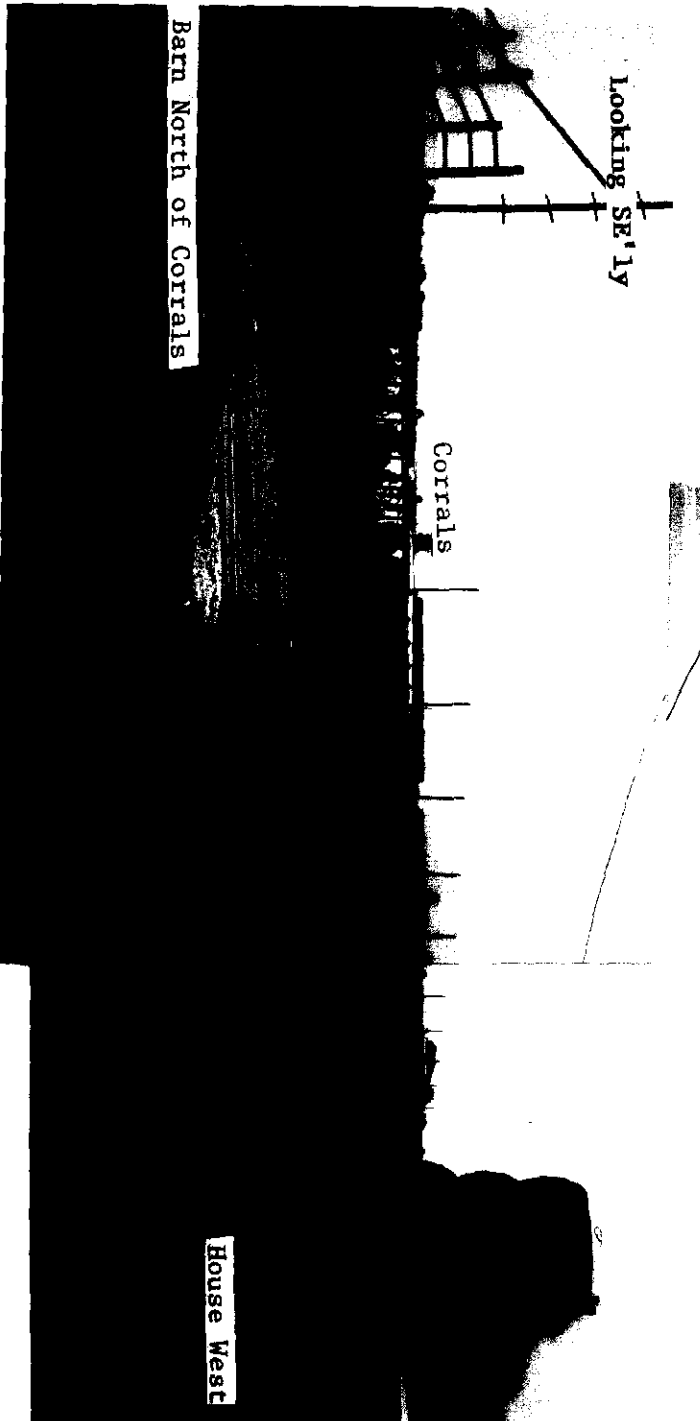
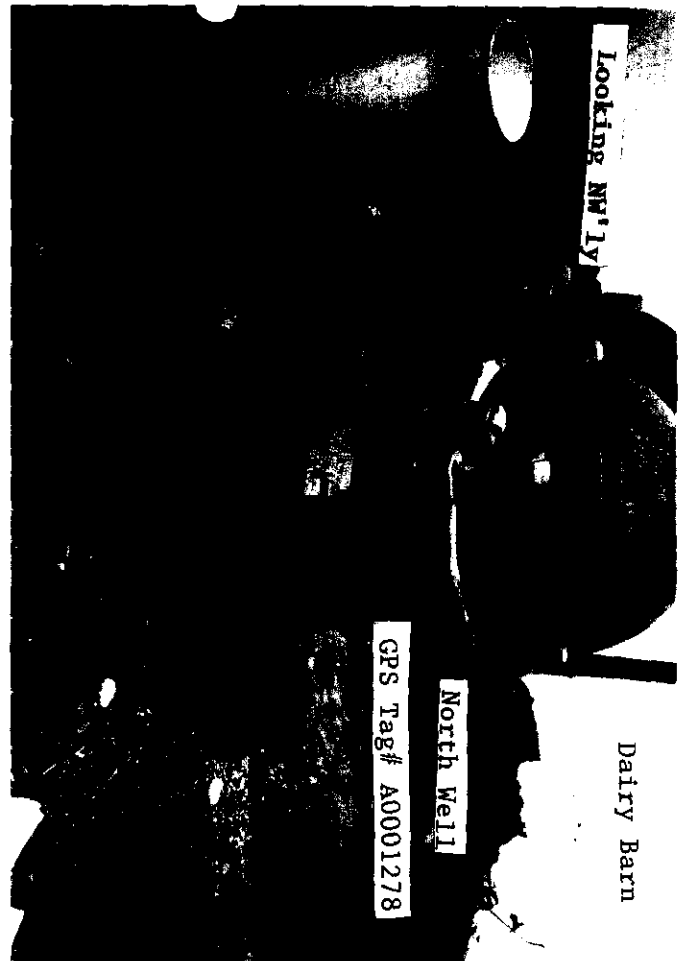


MICROFILMED

IN 2002

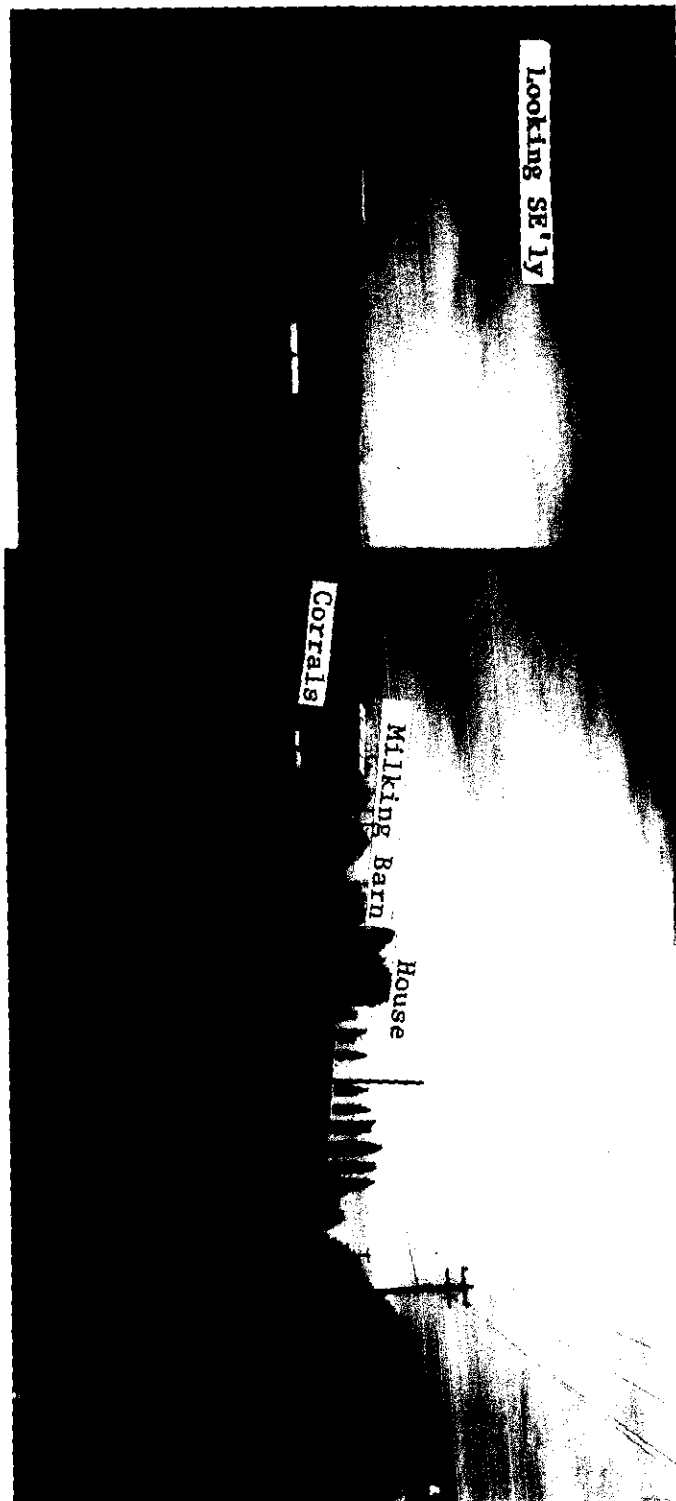
Richard Van Dyk  
FE: Amanda Folsom  
Date: July 3, 2000

36-08547



Richard Van Dyk  
FE: Amanda Folsom  
Date: July 3, 2000

36-08547



MICROFILMED

DATE 2 8 2000

Richard Van Dyk  
FE: Amanda Folsom  
Date: July 3, 2000

36-08547

IDAHO DEPARTMENT OF WATER RESOURCES

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO.

36-08547

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

- (☒) Blank Field Report & Notice of Completed Exam
- (☒) Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments, Proof of Beneficial Use, SRBA Claim (Claim Filed? \_\_\_\_\_ Required? \_\_\_\_\_)
- (☒) 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 July 3, 2000

Time 10:00

Place Dick VanDyk

Contact Person & Phone \_\_\_\_\_

D. Post-Exam Review & Processing

Exam Completed July 3, 2000

Notice of Completion Turned In \_\_\_\_\_

Field Report Completed \_\_\_\_\_

Signature of Examiner & Date \_\_\_\_\_

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

Field Report Reviewed by Region Mgr. AB 11/7/00 (Initial & Date)

Field Report Sent to S.O. \_\_\_\_\_ Region Card File Updated \_\_\_\_\_

October 8, 1993

NORTHWEST FARM CREDIT SERVICES ACA  
RICHARD VAN DYK  
MARIE VAN DYK  
270 N 500 W  
JEROME ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08547

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**

OCT 19 1993

ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE

Permit No. 36-08547

Reviewed by Klg

Date 9/22/93

GENERAL CONSIDERATIONS

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

TYPES OF USE

Stock-1600 domestic-1

SOURCE OF WATER

       Surface water source

✓ Ground water source

? NA Drilling permit required?

Copy in the file? Drilling Permit No.                     

1985 Amount paid for permit                      Correct?

       Well log in the file?

LICENSE EXAMINATION FEE

yes Required?  
100 Amount Submitted  
yes Correct?

MEASURING DEVICE

NA Required?  
       Installed?  
       Waiver requested?

PRIORITY CALCULATION

|                     |                |              |
|---------------------|----------------|--------------|
| Date proof received | <u>10/1/93</u> | <u>274</u>   |
| Date proof due      | <u>9/1/93</u>  | <u>- 244</u> |
| No. of days late    | <u>      </u>  | <u>= 30</u>  |
| Priority Date       | <u>3/26/90</u> | <u>+ 85</u>  |
| New Priority Date   | <u>4/25/90</u> | <u>115</u>   |

DEFICIENCIES OR ACTION ITEMS

Need more info

proof acceptable

DATA ENTRY

New Address                     

Proof Made 10/1/93

needs an order



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

September 22, 1993

Richard and Marie Van Dyk  
270 N 500 W  
Jerome, ID 83338

RE: Permit No. 36-08547

Returned is your Proof of Beneficial Use submitted in connection with the above referenced permit. Before we can complete processing, additional information is required.

A drilling permit is required for all wells drilled, deepened or enlarged after July 1, 1987 (Section 42-235, Idaho Code). You have indicated neither the well driller or the date the well was drilled. If the well was drilled prior to July 1, 1987, simply indicate this on the form and return it to me.

If your well was drilled after July 1, 1987, please submit a copy of the drilling permit. The well log should have been submitted by the driller within 30 days of the completion of the well. If you have a copy of the well log, please submit that as well. If you do not, please contact your driller and ask that he submit a copy.

I have also highlighted some other areas on the form that you failed to complete.

Please return the requested information, and resubmit the returned proof of beneficial use within 30 days of the date of this mailing. Since the permit has already lapsed, it imperative that your return the form within this time frame.

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

Sincerely,

Karen L. Gustafson  
Secretary/Records Manager

Enclosure

OCT 19 1993

September 8, 1993

NORTHWEST FARM CREDIT SERVICES ACA  
RICHARD VAN DYK  
MARIE VAN DYK  
270 N 500 W  
JEROME ID 83338

LAPSE NOTICE

RE: PERMIT NO. 36-08547

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 June 30, 1993. 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

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 9/8/93  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

OCT 19 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

August 2, 1993

Ms Carolyn Hoover  
Operations Assistant  
Farm Credit Services  
PO Box 288  
Twin Falls, ID 83303-0288

Re: Permit Nos. 36-08546 and 36-08547

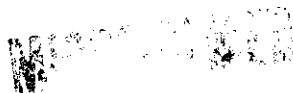
Dear Ms Hoover:

Just a short note to notify you that Department records have been corrected on the above referenced permits. Department records now show Farm Credit Services as co-owner on both permits. Permit no. 36-08546 is also in the name of John and Jana Van Vliet. Permit no. 36-08547 is also in the name of Richard and Marie Van Dyk.

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

Sincerely,

Karen L. Gustafson  
Secretary/Records Manager



OCT 19 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

July 19, 1993

Ms Carolyn Hoover  
Operations Assistant  
Farm Credit Services  
PO Box 288  
Twin Falls, ID 83303-0288

Re: Permit Nos. 36-08546 and 36-08547

Dear Ms Hoover:

Thank you for your prompt response to my letter of July 6, 1993. There seems to be some confusion on behalf of the Department in reference to the assignments on these two permits. However, the assignments are now being processed. When they are complete, you will be notified.

In any case, the Department has mailed proof due notices on both permits. Since it looks as though they may have been mailed to the wrong address, I wanted to forward copies to you. Please be sure the Van Dyk's and the Van Vliet's have received copies and are making arrangements to file either a proof of beneficial use or extension request by September 1, 1993.

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

7 19 1993

June 30, 1993

NORTHWEST FARM CREDIT SERVICES ACA  
RICHARD VAN DYK  
MARIE VAN DYK  
216 N 500 W  
JEROME ID 83338

PROOF DUE NOTICE

RE: PERMIT NO. 36-08547

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 September 1, 1993. (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.

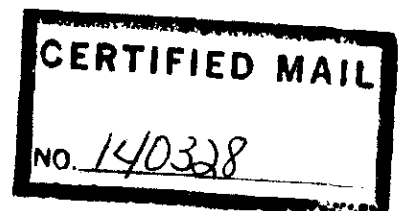
SINCERELY,

Karen L. Gustafson  
Secretary/Records Manager

Enclosures

~~RECEIVED~~

OCT 19 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

July 20, 1992

RICHARD VAN DYK  
MARIE VAN DYK  
216 N 500 W  
JEROME ID 83338

and

NORTHWEST FARM CREDIT SERVICES  
129 EASTLAND DR  
PO BOX 288  
TWIN FALLS ID 83303-0288

Re: Permit No. 36-08547

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER  
Technical Records Specialist

BLM:cz

**MICROFILMED**  
JUL 24 1992



## Farm Credit Services

129 Eastland Drive  
P.O. Box 288  
Twin Falls, Idaho 83303-0288  
208/733-2577

December 22, 1992

RECEIVED

DEC 23 1992

Department of Water Resources  
Southern Region Office

Department of Water Resources  
222 Shoshone Street East  
Twin Falls ID 83301

RE: Water Permit 36-08546  
John J. Van Vliet

Gentlemen:

This letter will serve as notice to the Department of Water Resources that Northwest Farm Credit Services, ACA, has a security interest in Permit 36-08546 and a real estate mortgage has been filed on property where the well is located. Enclosed are Assignments of Permit from Richard and Marie Van Dyk to John J. and Jana Van Vliet and from John J. Van Vliet and Jana Van Vliet to John J. Van Vliet and Jana Van Vliet, husband and wife, and Northwest Farm Credit Services, ACA.

We request copies of all notices and correspondence mailed to Mr. and Mrs. Van Vliet regarding the above-described permit number be sent to our office address.

Please acknowledge below and return this letter to our office. We appreciate your cooperation in this matter.

Sincerely,

Carolyn Hoover  
Operations Assistant

ACKNOWLEDGED this            day of December, 1992.

DEPARTMENT OF WATER RESOURCES

By

OCT 19 1992



## Farm Credit Services

129 Eastland Drive  
P.O. Box 288  
Twin Falls, Idaho 83303-0288  
208/733-2577

July 1, 1992

Department of Water Resources  
222 Shoshone Street East  
Twin Falls ID 83301

RE: Water Permit 36-08547  
Richard Van Dyk

Gentlemen:

This letter will serve as notice to the Department of Water Resources that Northwest Farm Credit Services, ACA has a security interest in Permit 36-08547 and a real estate mortgage has been filed on property where the well is located. Enclosed is an Assignment of Permit which has been signed by Richard Van Dyk and Marie Van Dyk.

We request copies of all notices and correspondence mailed to Richard Van Dyk regarding the above described permit numbers be sent to our office address.

Please acknowledge below and return this letter to our office. We appreciate your co-operation in this matter.

Sincerely,

*Carolyn Hoover*  
Carolyn Hoover  
Operations Assistant

ACKNOWLEDGED this 2<sup>nd</sup> day of July, 1992.

DEPARTMENT OF WATER RESOURCES

By *R. Foster*

S T A T E   O F   I D A H O

DEPARTMENT OF WATER RESOURCES

-----

Statehouse  
Boise, Idaho 83720  
(208) 327-7900  
August 13, 1990

RICHARD VAN DYK  
MARIE VAN DYK  
216 N. 500 W.  
JEROME, ID 83338

PERMIT APPROVAL NOTICE

RE: PERMIT NO.        36-08547

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.

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

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SEP 05 1990

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

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SEP 05 1990

Van Dyk, Richard Hor Marie <sup>DT</sup>

Form No. 202a  
4/87

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY DES DATE 5/4/90 APPLICATION NUMBER 36-08547

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 5/26/90

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)  
☐ Overlapping point of diversion  
☐ Yes ☒ No Field check required  
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.)  
SWAN FALLS HOLD? No  
☐ 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

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

JUL 17 1990

Department of Water Resources

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 7/2/90  
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application  
☐ Yes ☒ No Recommendations attached  
☐ Yes ☒ No Measuring device required  
☒ Yes ☒ No Access port required Flow Task Force Memo  
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. \_\_\_\_\_  
☒ Yes ☐ No Special conditions of approval or cover letter below. \_\_\_\_\_

26A, 016

See below for additional information

Date of priority recommended 3/26/90

By Loren O'Halloran Date 7/10/90

STATE OFFICE REVIEW

P23

P17

46 26

See below for additional information

By kw Date 8-2-90

ADDITIONAL INFORMATION

App. in Trust Area - DCM I

Allow 3 yes. to complete development

01-Jun-1990

RICHARD &/OR MARIE VAN DYK  
216 NORTH 500 WEST  
JEROME ID 83338

Re: Applications for Permit Nos. 36-08546, 36-08547

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned the above referenced identification numbers. Please refer to these numbers in all further correspondence.

This office will be advertising the applications in the North Side News on 6/20 & 6/27/90. A period of ten days following the second publication will be allowed for the submittal of protests.

If the applications are 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 applications are not protested, they 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 applications 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 Engineer

DJ:MB

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SEP 05 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Southern Region  
222 Shoshone Street East  
Twin Falls, ID 83301  
(208)734-3578

---

MAY 31, 1990

NORTH SIDE NEWS  
P.O. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 9, 1990.

Yours truly,

Mary Baldwin  
Secretary/Office Coordinator

Enclosure

RECEIVED

SEP 13 1990

36-08547

VAN DYK, RICHARD  
VAN DYK, MARIE  
216 NORTH 500 WEST  
JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt: LOT 4 (NWSWSW) Sec 5 T 08S R 16E

|                  |              |
|------------------|--------------|
| Use: STOCKWATER  | ( .780 CFS)  |
| COMMERCIAL       | ( 1.000 CFS) |
| DOMESTIC         | ( .040 CFS)  |
| Total Diversion: | ( 1.000 CFS) |

Date Filed: 3/26/ 1990

In: T08S R16E S05 Lot 4 (SWSW)

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SEP 05 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-03A, 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 JULY 9, 1990.

R. Keith Higginson, Director

Published 6/20/1990 & 6/27/1990

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SEP 60 1990