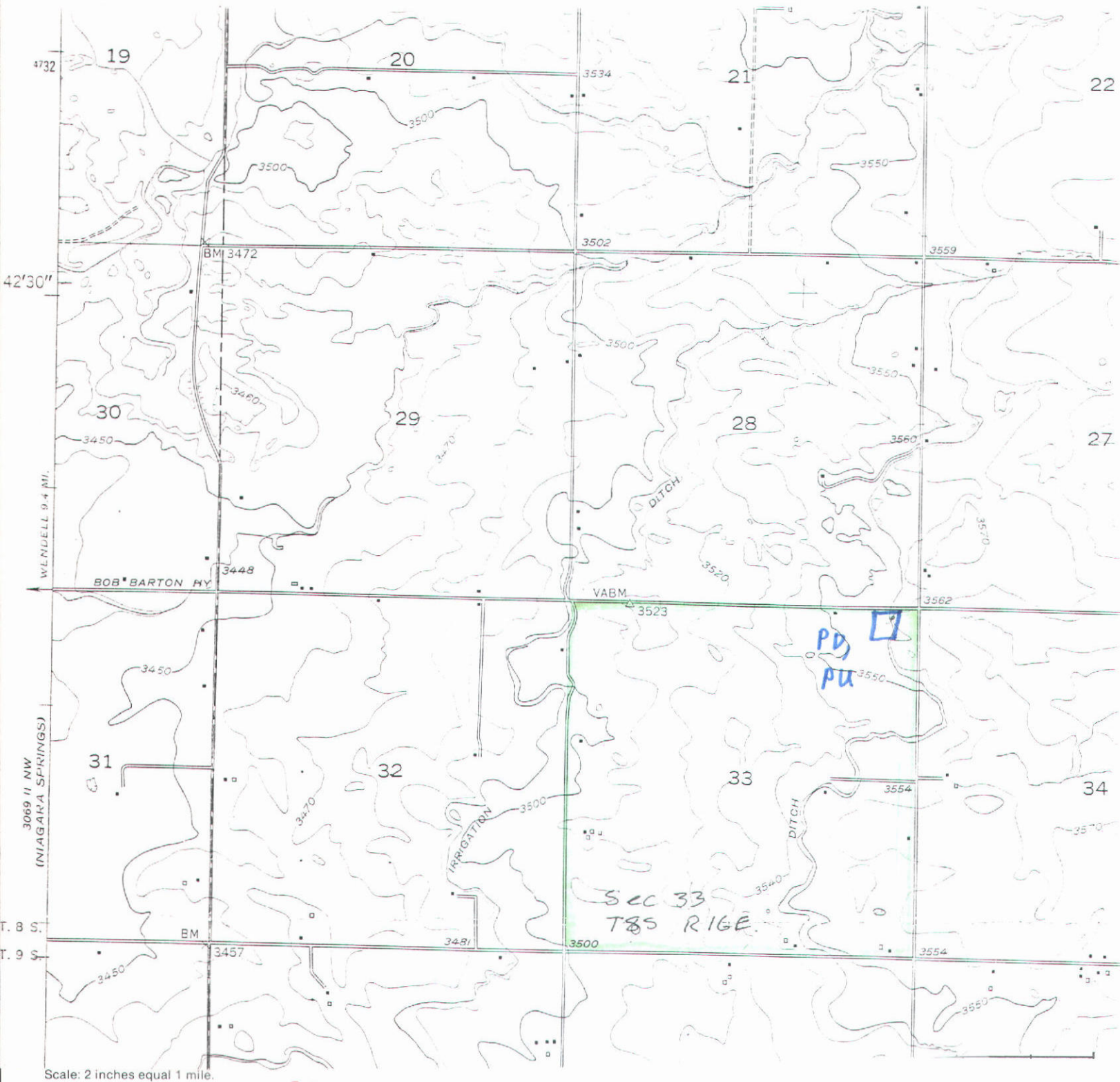


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

AUG 21 1989

Karen M. Lopez
(Applicant)

WMIS Database - [Point of Diversion]

File Edit View Insert Format Records Tools Window Help

Point of Diversion (ALL DISTRICTS)

GPS Site ID Tag: 08S 16E 33 NENE Legal Description: 08S 16E 33 NENE PDD Number: 401165

GPS Site ID Tag: 08S 16E 33 NENE Legal Description: 08S 16E 33 NENE Diversion Name: BACKUP BARN & DOMESTIC Follow-up Date: 8/13/95

Data Summary: Twp: 08S Ring: 16E Sect: 33 QQQ: 1/4 of NE 1/4 of NE Lot: 0

Tag Location: Offset: 0 Bearing: 0 Elevation: 0 GPS File: PDD Number: 401165

Description: WAIVED BASED ON CURVE, PUMP OPERATES ABOUT 50-70 GPM (SK 11/07/95) Source: Ground Water

Latitude: 0 Longitude: 0 Altitude: 0.00 Measurement Option: Waived [5]

IDTMX: IDTMV: District: WMD

Reporter(s): Network: Use Codes: Access Port:

DOWNER: Last Name: VEENHOUWER First Name: DAVID Organization: VEENHOUWER DAIRY Edit: Yes

DRIG DOWNER: Last Name: LOPEZ First Name: JOHNNY H Organization: L-M DAIRY Edit: No

Flowmeter: PCC Timeclock: Alternate: Change Date: 060

Water Levels: Site Visit: System: Crop History: Annual Report:

Record: 14 of 4769

Select GPS Site ID Tag

Print Data Reporters Water Rights Menu

WMIS Database - [Site Visit]

File Edit View Insert Format Records Tools Window Help

(ALL DISTRICTS) VEENHOUWER, DAVID

GPS Site ID Tag: 08S 16E 33 NENE Legal Description: VEENHOUWER DAIRY

Site Visit Date: 08/16/1995 Site Examiner: SKING Reason: Inventory

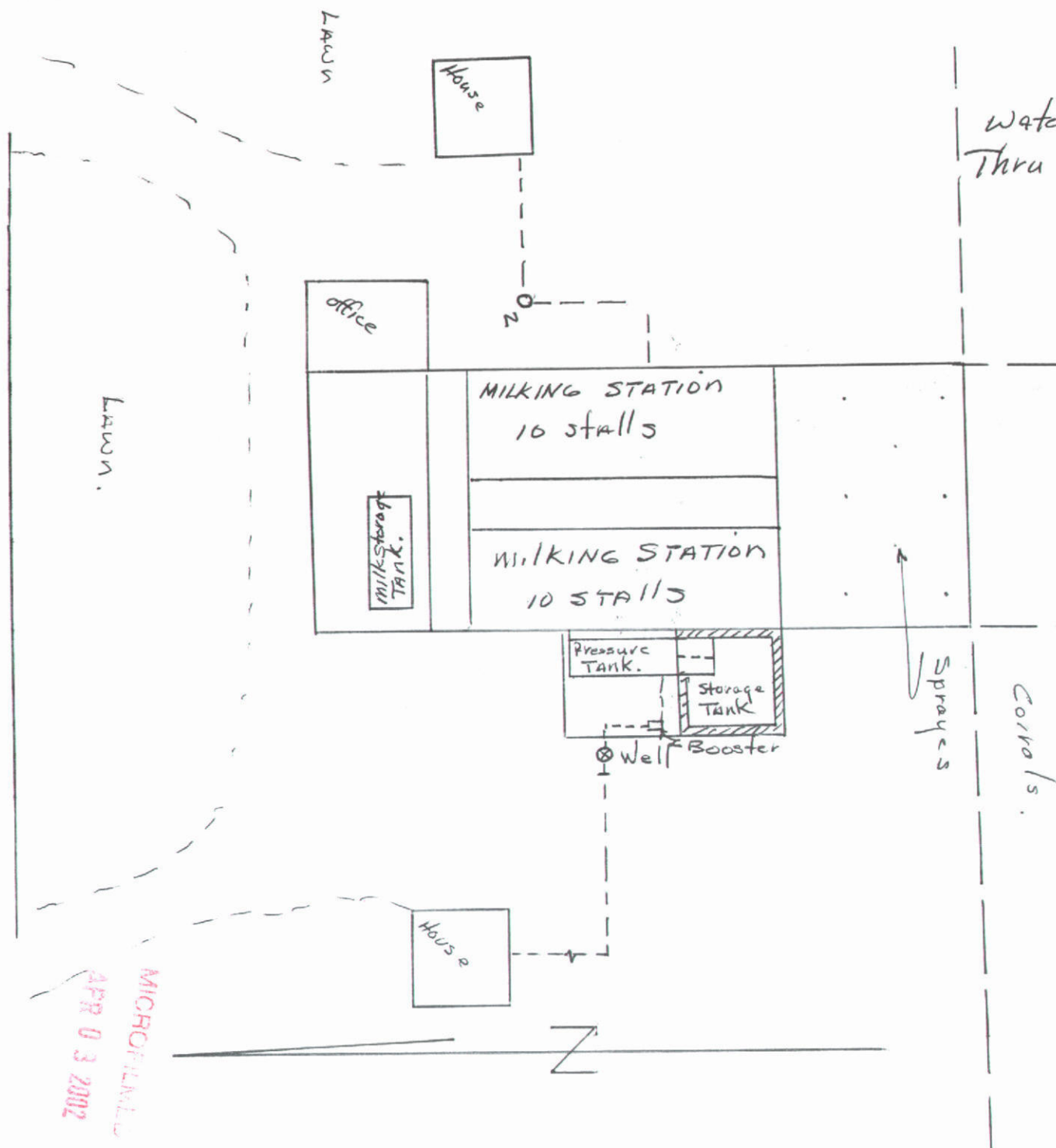
Note: Per site visit on 08/16/95, this small well is used for domestic purposes, and as a backup for the barn. Per curve sent by Smith & Drilling, the pumps capacity is about 80 gpm, and best operates at 50-70 gpm. Sent measurement waiver based on this info (SKING 11/07/95).

Change Date: 060

New Record PDD

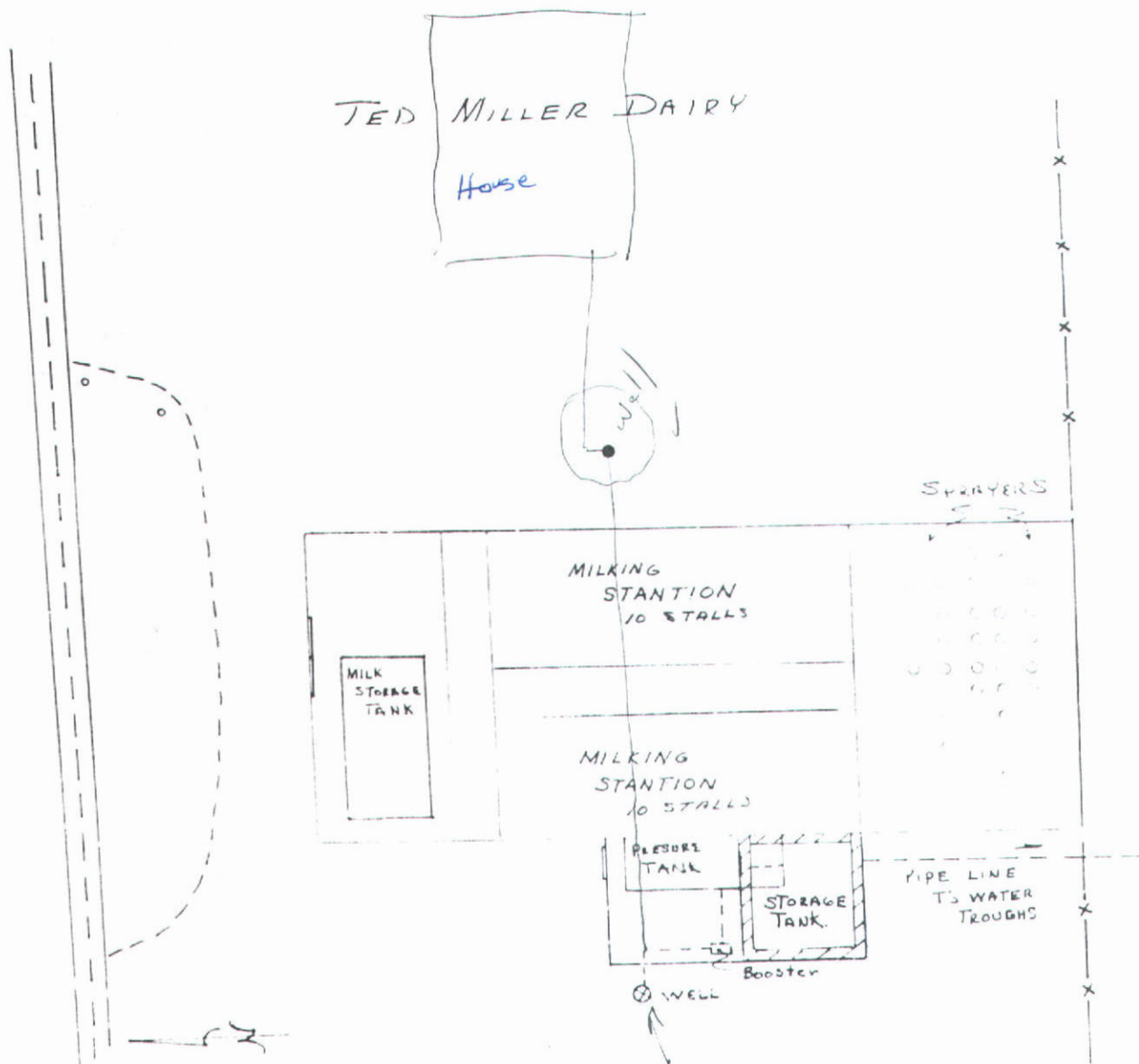
Record: 14 of 4769

Date of Site Visit



MICROFILMED
APR 03 2002

1000 Milkings
700 Dry Heifers



MICROFILMED
APR 03 2002

T. 8 S.
T. 9 S.

3069 11 NW
(NIAGARA SPRINGS)

WENDELL 9.4 MI.

42°30"

42°32'



DBA L. BAR M. DAIRY

36-8422



Milking Stations



Pressure Tank
w/Booster pump.



MICHO FILMED
APR 03 2002

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho, }
County of Jerome } SS.

JUN 19 1989

Department of Water Resources
Southern Region Office

Patty Nance G. Manager, being first duly sworn, deposes and says that she 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 2x consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 7 day of June, 19 89, and the date of the last publication was on the 14 day of June, 19 89.

Patty Nance

Subscribed and sworn to before me this 15 day of June, 19 89
(SEAL)

Norma DeVoe

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 _____ 5¢/Pica
32175 Lines straight at 1287 4¢/Pica
Subsequent lines at 1124 3.5¢/Pica
TOTAL COST 2413

COPY OF NOTICE

(Paste Here)

Water Right
TITLE OF NOTICE
Bar
L & M Dairy 36-08422
PLAINTIFF ATTORNEY

DEFENDANT

JDWZ PLAINTIFF
Twin
BILL TO

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application has been filed to appropriate the public waters of the State of Idaho:

36-08422

DBA L BAR M DAIRY, LOPEZ, JOHNNY H., LOPEZ, KAREN M., 309 BOB BARTON RD., JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt.: NENE Sec 33 T 08S R 16E

Use: STOCKWATER (.400 CFS)

COMMERCIAL (.200 CFS)

Date Filed: 4/20/1989

In: T08S R16E S33 - NENE

The permit 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, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JUNE 26, 1989.

R. Keith Higginson
Director
N17839

Pub: 6-7, 14

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica
7-8 pt. per line tabular 5¢/Pica
7-8 pt. per line successive
insertions 3¢/Pica

No 3353

MICROFILMED

17839

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08422

Priority: April 20, 1989

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 11.6 AF

It is hereby certified that DAVID VEENHOUWER
309 BOB BARTON RD
JEROME ID 83338 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 20, 1989; and has
submitted Proof of Beneficial Use on October 18, 1989. An examination indicates that the works have a
diversion capacity of 0.37 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.20 CFS	11.6 AF
COMMERCIAL	01/01 to 12/31	0.20 CFS	11.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 33, Twp 08S, Rge 16E, B.M., JEROME County
GROUND WATER	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 33, 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 33	X																

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 33	X																

CONDITIONS OF APPROVAL

1. Rights 36-08060 and 36-08224 are also diverted through the point(s) of diversion described above.

MICROFILMED

APR 1989

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08422

2. Rights 36-08060, 36-08224 and 36-08422 when combined shall not exceed a total diversion rate of 0.37 cfs.

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 1st day of MARCH, 2002.

Acting for


KARL J. DREHER
Director

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APR 30 2002

RECEIVED

FEB 25 2002

Page 1

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 36-08422

Date of Priority: April 20, 1989

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 11.6 AF

Comes now DAVID VEENHOUWER
309 BOB BARTON RD
JEROME ID 83338 and represents to the Director of the Idaho Department
of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 36-08422, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.20 CFS	11.6 AF
COMMERCIAL	01/01 to 12/31	0.20 CFS	11.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, Twp 08S, Rge 16E, B.M., JEROME County
GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, Twp 08S, Rge 16E, B.M., JEROME County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 16E 33	X																

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 16E 33	X																

Permit holder asserts that no one will be injured by such change and that such change will be made at
permit holder's own risk. Signed this 20 day of Feb, 2002.


(Signature)

MICROFILMED

APR 5 3 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08422

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = 50. Received by jm # 0060200 Date 2/25/02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 36-08422 with the following:

CONDITIONS OF APPROVAL

1. Rights 36-08060 and 36-08224 are also diverted through the point(s) of diversion described above.
2. Rights 36-08060, 36-08224 and 36-08422 when combined shall not exceed a total diversion rate of 0.37 cfs.

Witness my hand this 1st day of MARCH, 2002.

Acting for


KARL J. DREHER
Director

MICHO
APR 13 2002

11/99

For Office Use Only
 \$25 filing fee 25
 Receipt # 6059934
 Date 2-12-02

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, John H. Lopez, hereby assign to DAVID Veenhouwer
 of, 309 Bob Barton Rd, Jerome, Idaho 83338 324-4590
 (Full Address) (Phone)

All my right, title, and interest in and to Permit No. 36-08422 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 for
 Permit No. 36-08422 to appropriate the public waters of the State of Idaho.
 (Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
 subdivision, point of diversion location, and amount of the water in cubic feet per second.)

All of the permit

Made this 9th day of February, 2002.

John H. Lopez
 Permit Holder(s)

State of Idaho)
) ss
 County of _____)

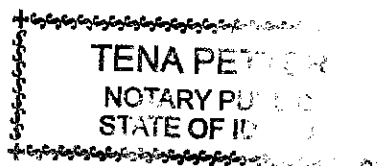
On this 9th day of February, 2002, personally appeared before me the signer(s) of the above
 instrument, who duly acknowledged to me that he (she) (they) executed the same.

Tena Petter
 Notary Public residing at

SEAL

Twain Falls, Idaho

My commission expires: 3/16/04



MICROFILMED

APR 03 2002

Form 217
03/86

RECEIVED

OCT 18 1989

STATE OF IDAHO

Department of Water Resources
Southern Region Office

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received 100.00

Date 10-17-89

Receipt # 501

Receipt by LRP

Reviewed by SD

Sent to region 10-17-89

S.O.

DS-11/24/89

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 36-08432

Name(s) of Permit Holder: DBA L BAR M DAIRY : JOHNNY H. LOPEZ KAREN M. LOPEZ

Post Office Address: 309 BOB BARTON RD.

JEROME, ID 83338

Telephone No. 324-5602

Source of Water: GROUNDWATER

Extent of Use:

Domestic _____ (number of households)

1000 MILK COWS
Stockwater 700 DRY COWS (number and type of stock)
4 HEIFERS

Irrigation _____ (acres)

Other/Remark COMMERCIAL/DAIRY

Total rate and/or volume for which proof is submitted .40 cfs N/A acre-feet

Show the date water was first diverted and beneficially used under this permit: 2/9/82

Measuring Device: Required? Yes X No
Installed? Yes X No

Fee enclosed \$ 100.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes X No
Installed? Yes X No

Person to contact to accompany the Department representative during the field examination:

JOHNNY H. LOPEZ
(Name)

324-5602
(Telephone Number)

309 BOB BARTON RD JEROME, ID 83338
(Address)

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.

DEC 15 1989

10/17/89.
Date

Karen M. Lopez
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08422

Proposed Priority: April 20, 1989

Maximum Diversion Rate:

0.40 CFS

This is to certify, that **JOHNNY H. LOPEZ**
KAREN M. LOPEZ
DEA L BAR M DAIRY
309 BOB BARTON RD.
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	0.40 CFS
COMMERCIAL	01/01 to 12/31	0.20 CFS
	Totals	0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENE Sec. 33, Township 08S, Range 16E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 16E 33 NENE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

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

16th day of August, 1989.

R. Keith Higginson
for R. Keith Higginson, Director

AUG 21 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Johnny H. &/or Karen M. Lopez
dba L Bar M Dairy Phone 324-5602

Post office address 309 Bob Barton Road, Jerome, ID 83338

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

3. Location of point of diversion is _____ 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____
Sec. 33 Township 8S Range 16E B.M. Jerome County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.40 for Livestock purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.20 for Commercial purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) 0.40 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well & pump

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
one years (minimum 1 year).

RECORDED

AUG 21 1989

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. 1000 dairy cattle, 700 dry stock
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- 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	33	C,S																

C is commercial use, S is livestock use

Total number of acres to be irrigated _____

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

Permit 36-08224 (backup well), Permit 36-08060 (0.20 cfs commercial use)

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

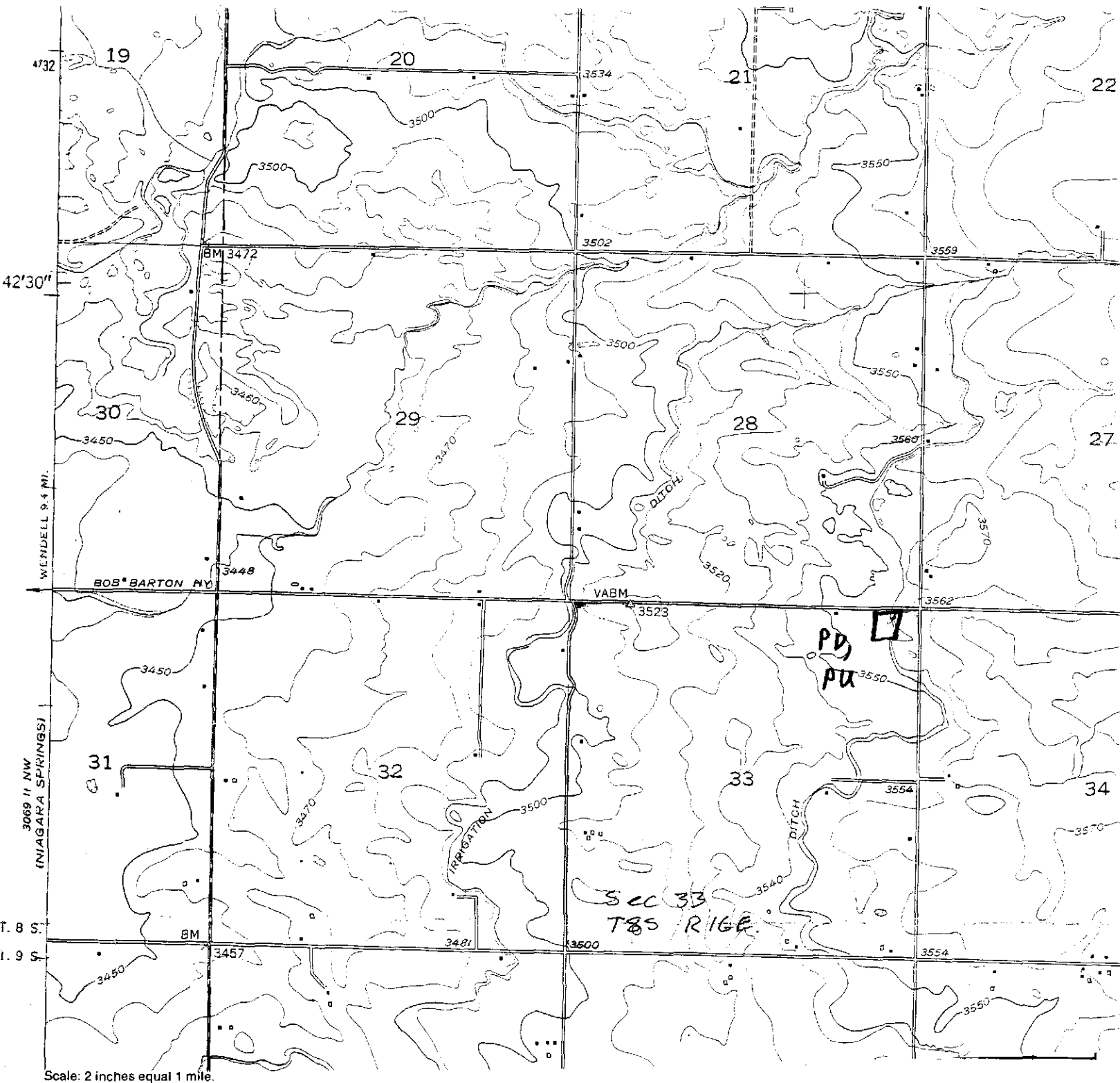
b. Who owns the land to be irrigated or place of use? "

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: This filing is to cover an additional use of 0.20 cfs for commercial use in the dairy barn, and for the full well capacity for livestock. The well was developed about 7 years ago, but has not been filed on for livestock use or for its full capacity for commercial use.

AUG 21 1989

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



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

AUG 21 1989

Karen M. Lopez
(Applicant)

Received by J. P. Johnston Date 4-20-89 Time 10 am Preliminary check by A. J. Jorgensen
Fee \$ 45.00 Receipted by JP # 5006909 Date 4-20-89
Publication prepared by M. Baldwin Date 5/25/89 Published in North Side News
Publication approved M. Baldwin Date 6/20/89

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:

MICROFILMED

AUG 21 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 4, 2002

DAVID VEENHOUWER
309 BOB BARTON RD
JEROME ID 83338

RE: License No. 36-8422 - Issuance of License

Dear Water Right Holder(s):

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

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

Enclosed is a copy of the approved Application for Amendment.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

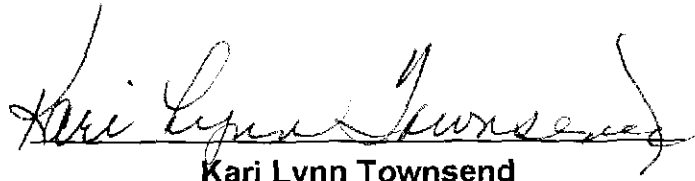
APR 9 2002

CERTIFICATE OF SERVICE

I hereby certify that on March 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. 36-8422

**DAVID VEENHOUWER
309 BOB BARTON RD
JEROME ID 83338**


**Kari Lynn Townsend
Secretary**

MICROFILMED

APR 9 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).

MICROFILMED
APR 12 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.

MICROFILMED
APR 03 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 15, 2002

DAVID VEENHOUWER
309 BOB BARTON RD
JEROME ID 83338

RE: Water Right Permit No. 36-08422

Dear Permit Holder:

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

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

✓ Point(s) of Diversion – Add 2nd well to this right

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

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

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

SEP 11 2002

MEMORANDUM

TO: File 36-08422

FROM: KAY WALKER

RE: WATER RIGHTS FOR "L BAR M DAIRY"

Date: January 29, 2002

.....

36-08060	Commercial	0.20 cfs	18.5 afa
36-08224	Commercial	0.17 cfs	16.4 afa
	Stockwater	0.17 cfs	49.3 afa
	Irrigation	0.06 cfs	8.0 afa
	Domestic	0.04 cfs	1.2 afa
	<u>TOTAL</u>	0.17 cfs	74.9 afa

Right holder has **decreed rights for 93.4 afa** but has reported between 96 and 139 acre feet per year to Water Distribution Section. We are recommending that we allow 105 acre feet under all rights when combined since that is the amount reported in 1995 which is the closest year to when proof was submitted. It has been determined that we should allow the full amount they have been using and recommend the following for license 36-08422.

Totals as decreed:

Commercial	0.37 cfs	34.9 afa
Stockwater	0.17 cfs	49.3 afa

Recommended:

Stockwater	0.20 cfs	11.6 afa
Commercial	0.20 cfs	11.6 afa
TOTAL	0.20 cfs	11.6 afa

$93.4 + 11.6 = 105 \text{ afa}$

All the rights when combined should not exceed 0.37 cfs and/or 105 afa for all uses.

Licenses 36-08060 and 36-08224 show a diversion capacity of 0.53 cfs which was a theoretical measurement from original exam. Water Distribution Section measurements of 1995 found capacity of system as 117 gpm or 0.26 cfs. Since we have previously licensed 0.37 cfs, we should continue to use that amount as the limiter of these rights.

MICROFILMED

JAN 31 2002

LICENSE REVIEW CHECKLIST

Permit No. 36-8422 Date: 2-15-02 Reviewer: Kay Walker

Change/OK

Name/Address ok new

Source ok
Point of Diversion: add
2nd well

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): 36-8000/36-8224
File reviewed _____ Profile reports printed ✓

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

Rate of Diversion:

Permitted rate 0.40 cfs
Fee Limit 1.0 cfs
Measured 0.37 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.2

Water Uses ok

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater 0.2 cfs 11.6 af
Domestic _____ cfs _____ af
Comm 0.2 cfs 11.6 af
_____ cfs _____ af
Total 0.2 cfs 11.6 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

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

Remarks: W36, W35

Additional Conditions

_____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? No - not req'd.

Adjust memo _____

Amend Letters _____

P87, S06

Second Amendment Notice

P44 S06

WMD

POD Data

08S 16E 33 NENE

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
08S 16E 33 NENE	A0003481	MAIN BARN WELL		401140
Latitude 042:41:41.084 Longitude -114:34:49.273 GPS File M081621A			Flowmeter (8)	
Comments NEW GRAINLAND FLOWMETER FIELD CALIBRATED, WAS 8% LOW (SKING)HECK				

Flowmeter Data

Year	Date	Calibration Factor	Max CFS	Adj Max CFS	Acre-Ft	Adj Acre-Ft	Acre-Ft Qualif	Valid	Prefrd
2001	11/9/2001	1.02			94.72	96.61	MR		
Comments IDWR audit done on 1/4/02 showed 832714 X .001 by CRK									
2000	8/16/1995	0.98			103.23	101.17	MR		
Comments IDWR Audit on 12-29-00 was 736525 CRK 1-18-01.									
1999	8/16/1995	0.98			118.43	116.06	MR		
Comments IDWR audit on 1-6-00 read meter @ 634251x.001 (gpm 2-3-00)									
1998	8/16/1995	0.98	0	0	130.45	127.84	MR		
Comments									
1997	8/16/1995	0.98	0	0	135.94	133.22	MR		
Comments METER READING DONE WELL DAN 3-20-98									
1996	8/16/1995	0.98			141.92	139.08	MR		
Comments									
1995	8/16/1995	0.98	0	0	106.98	104.8404	PM		
Comments totalizer not read monthly, only beginning and ending readings starting in march and year									

Flowmeter Calibration

Calibration Date: **11/9/2001** Calibration Factor: **1.02** **401140**

Installed Meter		Standard Meter		Other well(s):
Meter Type:	IMPELLER	Pipe Material:	STEEL	Other meter(s):
Manufacturer:	GRAINLAND	Outside Diameter:	2.9	Comments:
Model:	400B	Wall Thickness:	0.195	Flow meter was adjusted from -9.6% to -2.13%. Coefficient of 1.1 should be used for first ten months of the year.
Serial Number:	17016	Upstream Straight:	4	
Rate Units:	GPM	Downstream Straight:	2	
Rate Multiplier:	1	Meter Type:	SONIC	
Volume Units:	AF	Measured Flow Units:	GPM	
Volume Multiplier:	0.001	Measured Flow:	69.4	
Location:	GOOD	Confidence:	GOOD	
Indicated Flow:	67.91			Changed: 11/9/2001

Calibration Date: **8/16/1995** Calibration Factor: **0.98** **401140**

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
1995				

Installed Meter		Standard Meter		Other well(s):
Meter Type:	IMPELLER	Pipe Material:	STEEL	Other meter(s): Comments:
Manufacturer:	GRAINLAND	Outside Diameter:	2.9	
Model:	400B	Wall Thickness:	0.195	
Serial Number:	17016	Upstream Straight:	4	
Rate Units:	GPM	Downstream Straight:	2	
Rate Multiplier:	1	Meter Type:	SONIC	
Volume Units:	AF	Measured Flow Units:	GPM	
Volume Multiplier:	0.001	Measured Flow:	116	
Location:	GOOD	Confidence:	EXCL	
Indicated Flow:	118			

Changed: 1/21/2000

Site Visits

Site Visit Date	Site Examiner	Reason	Change Date:
11/9/2001	CKNOWLES	Flowmeter Calibration	11/9/2001

Notes: Flow meter was about 9% low before any changes were made. After changes were made flow meter was at 2.13% low. Need to use higher coefficient for first ten months of the year.

Site Visit Date	Site Examiner	Reason
8/16/1995	SKING	Flowmeter Calibration

Notes: Flowmeter calibration -- before adjustment
 (A) Owner's Grainland = 90.7 gpm
 (B) Ultrasonic meter = 98.3 gpm
 Grainland was 8% LOW.

Flowmeter calibration -- after adjustment
 (A) & (B) both flowmeters operating at 117 gpm
 (SKing 08/22/95).

Point of Division		BPS Site ID Tag		Legal Description		Division Name		Follow-up Date		PDD Number		GPS File		PDD Number		Source		Ground Water		WATERED BASED ON CURVE, PUMP OPERATES ABOUT 50-70 BPM ISK		11/07/95	
BPS Site ID Tag		085 166 33 NENE		Legal Description		085 166 33 NENE		Follow-up Date		401165		GPS File		401165		Source		Ground Water		WATERED BASED ON CURVE, PUMP OPERATES ABOUT 50-70 BPM ISK		11/07/95	
Date		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Substratum		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33	
Tag Location		085 - 166 - 33		Top		085 - 166 - 33		085 - 166 - 33		085 - 166 - 33		08											

FILE NUMBER 36-08422
REVIEWER lw
DATE January 28, 2002

DAIRIES: WATER USE WORKSHEET

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE 1000
NUMBER OF DRY CATTLE 700
NUMBER OF REPLACEMENT CATTLE: 0-2 MONTHS 0
3-4 MONTHS
5-8 MONTHS
9-12 MONTHS
13-16 MONTHS
18-24 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 60
NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN) 8.00
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.) 60
ARE THERE SEPARATE PUMPS FOR COMMERCIAL AND STOCKWATER USES? N
IF SO: HOW MANY HOURS PER DAY DOES THE STOCKWATER PUMP RUN?
HOW MANY HOURS PER DAY DOES THE COMMERCIAL PUMP RUN?
IF ONLY ONE PUMP, HOW MANY TOTAL HOURS PER DAY DOES IT RUN? 12.0
IS A PLATE COOLER USED? Y
IS PLATE COOLER WATER LATER RECYCLED FOR OTHER USES? (IF NO PLATE
COOLER, LEAVE BLANK) Y
ARE CORRAL MISTERS USED IN HOLDING PEN? N
IF USING CORRAL MISTERS: NUMBER OF MISTERS (IF UNKNOWN)
ASSUME 1 MISTER FOR EVERY 5 COWS
NOZZLE DISCHARGE (USE 5 GPM IF UNKNOWN)
SPRAY INTERVAL (EX - 2 MIN ON EVERY 5 MIN = 25)
OPERATION TIME OF MISTERS (HRS/DAY)
DAYS PER YEAR MISTERS ARE USED
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 6.16

COMMERCIAL
TOTAL 0.19

TOTAL DIVERSION RATE 0.19

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE 27.8
DRY CATTLE 10.6
REPLACEMENT CATTLE 0.0
TOTAL 38.1

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT 0.4
BACKFLUSH 1.1
PARLOR/MILKHOUSE/HOLDING PEN CLEANUP 2.0
CATTLE WASHING BASED UPON METHOD OF WASHING 24.2
PLATE COOLER 0.0
CORRAL MISTERS 0.0
MISCELLANEOUS USES 0.0
TOTAL 27.8

TOTAL DIVERSION VOLUME 65.9

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

STOCKWATER 38.1
COMMERCIAL 27.8
TOTAL CONSUMPTIVE USE 65.9

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3	PUMP 4	PUMP 5
PUMP HORSEPOWER (HP)	15.00	7.50	0.00	0.00	0.00
PUMP EFFICIENCY (%)	70	70	70	70	70
LIFT (FT)	211	200	0	0	0
DISCHARGE PRESSURE (PSI)	31	31	0	0	0
FRICTION LOSSES (FT)	0.0	0.0	0.0	0.0	0.0
HOURS PER DAY PUMP OPERATES	12.0	0.0	0.0	0.0	0.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) *	0.33	0.17	0.00	0.00	0.00
DIVERSION VOLUME (AFA) **	118.4	0.0	0.0	0.0	0.0

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

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

EVALUATION OF EQUIVALENT IRRIGATED ACREAGE

IRRIGATION RIGHT (BEFORE CHANGE)

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

CALCULATIONS

IRRIGATION DIVERSION RATE PER ACRE	0.020 CFS/AC
REDUCTION OF IRRIGATION BASED ON DIVERSION RATE	9.5 ACRES
REDUCTION OF IRRIGATION BASED ON DIVERSION VOLUME	16.5 ACRES
REDUCTION OF IRRIGATION BASED ON CONSUMPTIVE USE	22.0 ACRES

MICROFILMED

APR 11 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-8060

WATER RIGHT NUMBER: 36-8060

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	L-M DAIRY 309 BOB BARTON RD JEROME, ID 83338 (208)324-5602

Priority Date: 02/09/1982

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>
COMMERCIAL	1/01 to 12/31	0.200 CFS	18.50 AF
	<u>Total Diversion:</u>	0.200 CFS	18.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4NE1/4	Sec. 33, Twp 08S, Rge 16E, B.M.
JEROME County		

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE	Totals
08S	16E	33	X				

Conditions of Approval:Remarks:

1. Explanatory RIGHT NO. 36-08224 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
2. Point of Diversion TWO POINTS OF DIVERSION LOCATED IN NENENE, S 33, T 8S, R 16E.
3. Purpose of Use COMMERCIAL USE IS A DAIRY

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 36-8060

Comments:

1. WORSTELL 11/5/1991 COPIED FROM REMARKS
Comment: TOTAL OF .37 CFS LICENSED FOR DAIRY, 2 WELLS, 1 SYSTEM.
2. WORSTELL 3/11/1992 OVERLAP WITH 36-08224
Comment: THIS RECORD (36-08060) COVERS USE BY 900 COW DAIRY (SEE FIELD EXAM REPORT). RECORD 36-08224 COVERS USES BY 100 ADDITIONAL MILK COWS, DRY STOCK, 1 HOME, & 2 ACRES IRRIGATED. SEE PHONE CONVERSATION MEMO WITH KAREN LOPEZ 3/10/92. RVW.

Dates and Other Information:

Licensed Date:
Decreed Date: 1/15/1998
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:
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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-8224

WATER RIGHT NUMBER: 36-8224

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	L-M DAIRY 309 BOB BARTON RD JEROME, ID 83338 (208)324-5602
Attorney	NORMAN M SEMANKO ROSHOLT ROBERTSON & TUCKER PO BOX 1906 TWIN FALLS, ID 833031906 (208)736-0041

Priority Date: 06/29/1983

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.170 CFS	49.30 AF
IRRIGATION	4/01 to 10/31	0.060 CFS	8.00 AF
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
COMMERCIAL	1/01 to 12/31	0.170 CFS	16.40 AF
<u>Total Diversion:</u>		0.170 CFS	74.90 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4NE1/4	Sec. 33, Twp 08S, Rge 16E, B.M.
JEROME County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	33	X																

IRRIGATION

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	33	2.0																2.0

Total Acres: 2

DOMESTIC

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-8224

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
08S	16E	33	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X																

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
08S	16E	33	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X																

Conditions of Approval:

1. N09 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N14 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory RIGHT NO. 36-08060 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
STOCKWATER, 900 DAIRY COWS & 700 DRY COWS
2. Point of Diversion TWO POINTS OF DIVERSION LOCATED IN NENENE, S 33, T 08S R 16E.
3. Purpose of Use COMMERCIAL USE IS A DAIRY

Comments:

1. WORSTELL 11/5/1991 COPIED FROM REMARKS
Comment: TOTAL OF .37 CFS LICENSED TO DAIRY, 2 WELLS, 1 SYSTEM.
2. WORSTELL 3/11/1992 ADDITIONAL COMMERCIAL USE
Comment: RIGHT 36-08060 IS LICENSED FOR ADDITIONAL COMMERCIAL USE OF WATER BY THIS DAIRY.
3. SSHERMAN 3/19/1998 NOTICE OF APPEARANCE
Comment: NOA REC'D FROM NORMAN SEMANKO APPEARING FOR L-M DAIRY.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 36-8224

Dates and Other Information:

Licensed Date:
Decreed Date: 1/15/1998
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: AND
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

	Found	Licensed	Recommended
36-08060			
use	commercial 900 dairy cows	commercial	commercial
cfs	0.53	0.20	0.20
afa	calculated	18.5	18.5
cu	n/a	n/a	0.0
36-08224			
use	commercial 1000 dairy cows 700 dry cows irrigation domestic	commercial 1000 dairy cows 700 dry cows irrigation domestic	commercial 1000 dairy cows 700 dry cows irrigation domestic
cfs	0.17	0.17 <i>stock</i>	0.17 <i>comm</i>
afa	calculated	~~76.3~~ 49.3	~~74.9~~ 16.4
cu	n/a	n/a	11.8

previous licenses.

stock 0.17 cfs - 1000 dairy, 700 dry - 49.3 AF

comm 0.17 cfs - 16.4

- comm 0.20 cfs 18.5 AF

Recommended by ~~flow chart~~ excel spreadsheet:

stock = 38.1 AF - ϕ 34.9 licensed
 com = 27.8 AF ~~allow 7.3~~

MICROFILMED
 APR 03 2002

DAIRY WATER USE QUESTIONNAIRE

36-8422

NUMBER OF MILKING CATTLE	1100
NUMBER OF DRY CATTLE	200
NUMBER OF REPLACEMENT CATTLE: 0-2 MONTHS	—
3-4 MONTHS	220
5-8 MONTHS	220
9-12 MONTHS	220
13-15 MONTHS	220
16-24 MONTHS	220
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	60
NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN)	60
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.)	60
HOURS PER DAY PUMP OPERATES FOR STOCKWATER USE	6.15
HOURS PER DAY PUMP OPERATES FOR COMMERCIAL USE	6.15
IS RECYCLED WATER USED TO FLUSH MILKHOUSE AND PARLOR FLOORS?	Y
IS RECYCLED WATER USED TO WASH COWS?	Y
IS A PLATE COOLER USED?	Y
IS RECYCLED WATER USED FOR PLATE COOLER? (IF NO PLATE COOLER, LEAVE BLANK)	Y
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	

OK
 * - work sheet of 10/21/96
 says pump is on for 12 hr./day -
 used 6 for each
 each above -

* exam says
 system operates
 5 minutes / 14 times / day
 = 70 minutes $\approx$ 1.1 hrs

1989
 20,853,433 lbs.
 $\div$ 365 days
 57132.69315 lbs/day
 $\div$ 1000 cows
 57.13 lbs/day/cow
 $\times$ 60 lbs/day/cow

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Basin	Sequence	Basin	Priority Date	Rate	Volume	Water Use List
36	8060	Decreed	2/9/1982	0.20	18.50	COMMERCIAL
36	8224	Decreed	6/29/1983	0.17	49.30	STOCKWATER use only
					16.40	COMMERCIAL use only
36	11098	Decreed	5/30/1981	0.04		DOMESTIC
36	8422		4/20/1989	0.40		COMMERCIAL, STOCKWATER

Owner List

L-M DAIRY (Current)
L-M DAIRY (Current)

LOPEZ, JOHNNY (Current); LOPEZ, KAREN (Current)

L BAR M DAIRY (Current); LOPEZ, JOHNNY H (Current); LOPEZ, KAREN M (Current)

18.50 36-8060
16.40 36-8224
34.90 AF Licensed previously for Commercial

49.30 AF Licensed previously for Stockwater 36-8224

Rec. rate for stock = 0.20 cfs → 0.17 under 36-8224
Rec. rate for commercial = 0.20 cfs → 36-8060
0.17 cfs — 36-8224

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POD OL in VIAX 1/25/02

SD-0605-2 Township: 08S Range: 16E Section: 33 Tract: NENE Lot:
S L R STATE O S Max # Records 23
E O D Water Name W T Priority Total
L Tract T V Right No. Last, First N G Date Source Diversion

NENE 36-08060 MILLER, TED C L 02/09/1982 GROUNDWATER 0.20
NENE 36-08224 LOPEZ, JOHNNY C L 06/29/1983 GROUNDWATER 0.17
LOPEZ, KAREN C
CANTONE, JANE O
LOPEZ, KAREN O
LOPEZ, JOHNNY O
MILLER, TED O
MILLER, FELICE O
L M DAIRY, DBA C
NENE 36-08422 LOPEZ, JOHNNY C P 04/20/1989 GROUNDWATER 0.40
LOPEZ, KAREN M C
L BAR M DAIRY, C
NWNENE 36-11098 LOPEZ, KAREN C D 05/30/1981 GROUNDWATER 0.04
LOPEZ, JOHNNY C

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

POU OL in VAX

1/25/02

SD-0604-2 Township: 08S		Range: 16E		Section: 33		Tract: NENE		Lot:	
S	L	STATE	Name	O	S	Max # Records	50		
E	O	Water	Name	W	T	Priority	Use		
L Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---
		01-00005	NORTH SIDE CANAL CO.	C		D	12/23/1915	01	IRR
		01-00016	NORTH SIDE CANAL CO.	C		D	12/23/1915	01	IRR
		01-00212	NORTH SIDE CANAL CO.	C		D	10/07/1905	01	IRR
			TWIN FALLS NORTH SIDE	C					
		01-00213	NORTH SIDE CANAL CO.	C		D	06/16/1908	01	IRR
			TWIN FALLS NORTH SIDE	C					
		01-00215	NORTH SIDE CANAL CO.	C		D	06/02/1909	01	IRR
			TWIN FALLS NORTH SIDE	C					
		01-00220	NORTH SIDE CANAL CO.	C		D	06/29/1910	01	IRR
			TWIN FALLS NORTH SIDE	C					
NENE		36-07255	GUNNING, G. C.	O	36	L	07/13/1972	01	IRR
			LIERMAN, WALT	C					
NENE		36-08060	MILLER, TED	C		L	02/09/1982	10	COMMER
NENE		36-08224	LOPEZ, JOHNNY	C	2	L	06/29/1983	01	IRR
			LOPEZ, KAREN	C				04	STOCK
			CANTONE, JANE	O				10	COMMER

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

SD-0604-2 Township: 08S Range: 16E Section: 33			Tract: NENE Lot:		
S	L	STATE	O	S	Max # Records 50
E	O	Water	W	T	Priority Use
L	Tract T	Right No.	N	AC	G Date Code Desc
NENE	36-08224	LOPEZ, KAREN	O	2	L 06/29/1983 43 DOMEST
		LOPEZ, JOHNNY	O		
		MILLER, TED	O		
		MILLER, FELICE	O		
		L M DAIRY, DBA	C		
NENE	36-08422	LOPEZ, JOHNNY H.	C	P	04/20/1989 04 STOCK
		LOPEZ, KAREN M.	C		10 COMMER
		L BAR M DAIRY, DBA	C		
NENE	36-11098	LOPEZ, KAREN	C	D	05/30/1981 43 DOMEST
		LOPEZ, JOHNNY	C		

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 13, 2002

DAVID VEENHOUWER
309 BOB BARTON RD
JEROME ID 83338

RE: Change of Ownership for Water Right 36-8422

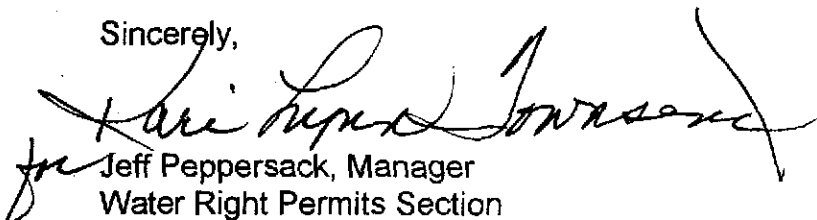
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

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

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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SEP 13 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 30, 2002

L BAR M DAIRY or
VEENHOUWER DAIRY
309 BOB BARTON RD
JEROME ID 83338

RE: Permit No. 36-08422

Dear Permit Holders:

Permit 36-08422 is currently being reviewed for licensing. We have found information in our water measurement district records that this permit may now be in the name of Veenhouwer Dairy. If you would like to have this permit licensed in the name of Veenhouwer Dairy we request that you submit the enclosed "Assignment of Permit" form which, when signed by Johnny or Karen Lopez as the current permit holders of record, will allow us to change the ownership of the permit. There is a \$25.00 filing fee that must be submitted with the assignment form.

Since approval of this 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 this permit, we will request that you amend the permit before licensing to include this information on the license. If the waste water is not land applied, please advise us by telephone, e-mail (kwalker@idwr.state.id.us) or a letter.

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

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

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APR 03 2002

January 22, 1997

Cindy Zimmerman
Water Resource Agent
Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

RECEIVED

JAN 24 1997

Department of Water Resources

RE: Permit No. 36-08422

Dear Ms. Zimmerman,

Enclosed please find copies of information prepared for us by Robert Ohlensehlen, Extension Af Agent. The information he compiled in July, 1994, was for the same number of animals and type of dairy facility that we were operating in 1989 as well as today.

In answer to your questions in the letter we received dated January 13, 1997:

1. Please see enclosed data from Mr. Ohlensehlen.
2. The amount of milk we shipped in 1989: 20,853,433 lbs.
3. Please see the enclosed data from Mr. Ohlensehlen.
4. Please see the enclosed data from Mr. Ohlensehlen.
5. Yes - the cooler plate water was and is collected in a holding tank and reused for barn clean-up.
6. The water used in the barn goes into a lagoon. The material from the lagoon is applied to the fields. For the size of the lagoon please see the enclosed measurements from Bob Ohlensehlen. In a phone conversation with him on January 21, 1997, he stated that the lagoon should be considered aerobic (shallow) due to a 2 foot freeboard and the fact that the water contained is under 5 feet for 90% of the year. Also, the lagoon doesn't crust over at any time.
7. In 1989 we were milking between 900 and 1100 cows throughout the year. 1100 is the maximum number milked and 1000 is the average number milked during the year. The number of cows milked varies from month to month during year, depending on calving and weather conditions. The herd information supplied by Mr. Ohlensehlen lists 1100 milking and 200 dry cows. An additional 500 of the replacement animals listed use stockwater on this permit. The remaining 600 replacement ~~replacement~~ animals use stockwater on another permit.

Thank you for your patience in reviewing this permit. Hopefully this information provided here will answer your questions clearly and adequately.

Respectfully,

Karen M. Lopez

Karen M. Lopez
L Bar M Dairy

Enclosures

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APR 2 2002

DAIRY WASTE SYSTEM DESIGN
PROGRAM WRITTEN BY
ROBERT OHLENSEHLEN
EXTENSION AGRICULTURAL AGENT
TWIN FALLS COUNTY

PLAN PREPARED FOR:

L BAR M
BOB BARTON RD
JEROME, ID

Date Prepared: 07/25/94

PLAN PREPARED BY:

Robert Ohlensehlen
Extension Ag Agent
246 3RD. AVE. EAST
TWIN FALLS, ID 83301

MILKING HERD INFORMATION:

Number of Milking Cows in the Herd..... 1100
Number of Dry Cows in the Herd..... 200
Average Weight of Mature Cows..... 1400

REPLACEMENT ANIMAL INFORMATION:

Number of Calves Weighing from 100 - 300 lbs..... 220
Number of Calves Weighing from 300 - 500 lbs..... 220
Number of Calves Weighing from 500 - 700 lbs..... 220
Number of Calves Weighing from 700 - 900 lbs..... 220
Number of Calves Weighing from 900 -1100 lbs..... 220

TOTAL NUMBER OF ANIMALS ON SITE..... 2400 Head

WASTE PRODUCED BY HERD ON A DAILY BASIS

Waste Produced by Cows on a Daily Basis..... 2493 cu.ft.
Waste Produced by Calves Weighing from 100 - 300 lbs... 90 cu.ft.
Waste Produced by Calves Weighing from 300 - 500 lbs... 151 cu.ft.
Waste Produced by Calves Weighing from 500 - 700 lbs... 211 cu.ft.
Waste Produced by Calves Weighing from 700 - 900 lbs... 271 cu.ft.
Waste Produced by Calves Weighing from 900 -1100 lbs... 332 cu.ft.

TOTAL MANURE PRODUCTION PER DAY..... 3548 cu.ft.

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APR 13 2000

Liquid Storage System Design

PLAN PREPARED FOR:

L BAR M
BOB BARTON RD
JEROME, ID

Date Prepared: 07/25/94

PLAN PREPARED BY:

Robert Ohlensehlen
Extension Ag Agent

GENERAL INFORMATION:

Manure Reduction due to Solid Separation.....	1 %
Times Per Day Cows Are Being Milked.....	2
% of Milking Herd Manure Produced Being Stored as Liquid.....	15 %
Daily Manure From Milking Herd Stored in Lagoon.....	315 cu.ft.
% of Replacement Herd Manure Produced Being Stored as Liquid.....	0 %
Daily Manure From Replacement Herd Stored in Lagoon.....	0 cu.ft.
Total Manure Stored from Herd Stored in Lagoon.....	315 cu.ft.

PARLOR WASTE BEING STORED:

Number of Sprinklers in Holding Pen.....	60
Sprinkler Output in Gallons Per Minute.....	6 gal.
Minutes Per Day Spinklers Are Being Used.....	60 min.
Total Gallons of Water Used In Holding Pen (Daily).....	22600 gal.
Enter Amount of Water Used to Clean Bulk Tank.....	60 gal.
Enter Amount of Water Used to Clean Pipeline.....	250 gal.
Enter Amount of Water Used for Miscellaneous Cleanup.....	30 gal.
Enter Amount of Water Used for Cow Prep.....	550 gal.
Enter Amount of Water Used to Wash the Parlor Floor.....	75 gal.
Enter Amount of Water Used to Wash Milk House Floor.....	20 gal.
Enter Amount of Water From Cooling Systems Added To Lagoon..	0 gal.
 TOTAL WATER USED IN BARN AND HOLDING PEN PER DAY.....	 23584 gal.
TOTAL CU.FT. OF WATER USED IN BARN AND HOLDING PEN PER DAY..	3145 cu.ft.
TOTAL CU.FT. OF WATER PLUS MANURE STORED PER DAY.....	3459 cu.ft.

RUNOFF CONTRIBUTING TO STORAGE:

AREA 1 - 900 ft. x 320 ft.	Slope - 1 %	Runoff - 23776 cu.ft.
AREA 2 - 900 ft. x 320 ft.	Slope - 1 %	Runoff - 23776 cu.ft.
AREA 3 - 800 ft. x 300 ft.	Slope - 1 %	Runoff - 19813 cu.ft.
AREA 4 - 1032 ft. x 224 ft.	Slope - 1 %	Runoff - 19084 cu.ft.
AREA 5 - 0 ft. x 0 ft.	Slope - 0 %	Runoff - 0 cu.ft.

Total Runoff from 25 year 24 hour Storm Event.....	86450 cu.ft.
Winter Precipitation From 1 in 5 Year to Be Contained..	95990 cu.ft.
TOTAL Runoff From Winter Precip. + Storm Event.....	182440 cu.ft.

SUMMARY OF LIQUIDS TO BE STORED:

Total Number of Days of Storage Required.....	180 days
Total Process Water Being Stored in Lagoon.....	566026 cu.ft.
Percent of Runoff Being Stored in Lagoon.....	100 %
Total of Runoff Water To Be Stored In Lagoon.....	182440 cu.ft.
Manure To Be Stored in Lagoon.....	56680 cu.ft.

LAGOON STORAGE REQUIRED (PRIMARY LAGOON).....	805146 cu.ft.
ADDITIONAL RUNOFF STORAGE REQUIRED.....	0 cu.ft.

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PRIMARY LAGOON SIZE REQUIREMENTS:

Number of Cells Used in Lagoon Design.....	1 cell
Length of Lagoon (Each Cell).....	250 ft.
Width of Lagoon (Each Cell).....	589 ft.
Depth of Lagoon (Each Cell).....	8 ft.
Freeboard Used on Lagoon.....	2 ft.
Side Slope Used in Calculations.....	2 to 1

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APR 03 2002



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

January 13, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Johnny H. and/or Karen M. Lopez
d.b.a. L Bar M Dairy
309 Bob Barton Rd
Jerome ID 83338

RE: Permit No. 36-08422

Dear Mr. & Mrs. Lopez,

I am in the process of reviewing the above permit for licensing. As you know, proof of beneficial use was filed on October 18, 1989 and an examination was conducted on June 6, 1990. Unfortunately, the exam is not clear in identifying some vital data on your commercial use of water in the barn. Before I can make a licensing recommendation on this permit I need some additional information.

Calculating your commercial use of water involves many components including cow clean-up, the milk cooler plates and cooling system, barn and parlor clean-up, and wastewater disposal. When answering the following questions, please keep in mind that I am looking at the period in time when you filed proof of beneficial use, October 18, 1989.

1. The exam identifies your use of sprinklers in the holding pen for cow clean-up. Please describe the duration and frequency of the sprinkler use that would have occurred in 1989.
2. Regarding the cooler plate and cooling system, do you know how many gallons per minute and minutes per day the cooler plate, etc., runs? If not, I have a conversion equation that I can use to come up with gallons of water used if you can supply the amount of milk you shipped in 1989.
3. How is the barn cleaned? Please describe your method, daily duration, and frequency.
4. How are the parlor and equipment cleaned? Please describe your method, daily duration and frequency.
5. Do you reuse any water, e.g., recycle collected cooler plate water for barn clean-up?
6. How do you dispose of water used in the barn? If it goes into a lagoon, is the lagoon aerobic (shallow) or anaerobic (deep)? What is the size of the lagoon? Is the material from the lagoon applied to the fields?
7. The original application identifies stockwater use for 1000 dairy cattle and 700 dry stock. The exam identifies stockwater use for 1100 dairy cattle and 700 dry stock. How many cows were you milking in 1989?

Your response to my questions will enable me to make appropriate recommendations for licensing this permit. I will hold further processing of this permit for 30 days pending your response. If you have any questions, you may contact me directly at (208) 327-7944.

Respectfully,


Cindy Zimmerman
Water Resource Agent

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APR 13 2002

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 27 1994

Department of Water Resources

A. GENERAL INFORMATION

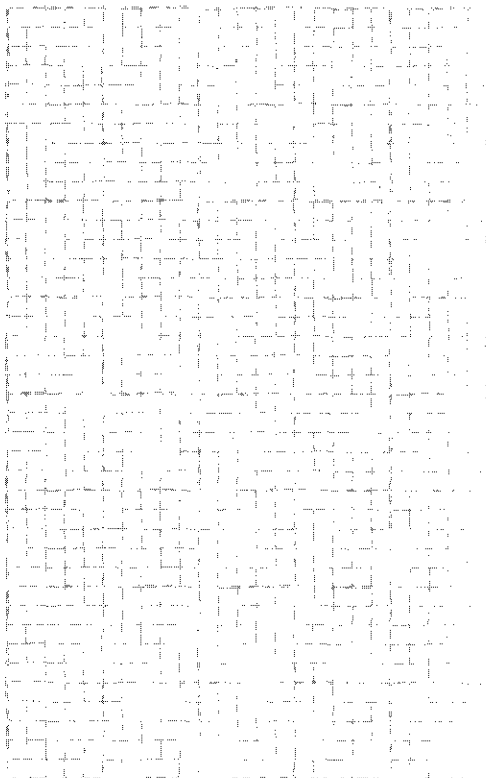
1. Owner: DBA L. BAR M Dairy Permit No. 36-8422
Current Address: 309 Bob Barton Rd, Jerome Ida 83338 Phone No. _____
2. Accompanied by: Karen Lopez EXAM. DATE: 6-6-90
Address: _____ Phone No. 324-5602
Relationship to Permit Holder: Karen Lopez (owner)
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 36-8060 - 36-2422
_____ ☒ Copies Attached
2. Other water rights with same point of diversion: 36-8060 - 36-8422
_____ ☒ Copies Attached ☒ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

not Required.
☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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System Description (continued)

3. Narrative: Description (As operating at time of measurement, indicate pressure, number of sprinklers, etc.)

Sub, well, motor, & pump - storage tank -

Barry

1100' Barry Court

700' Deep Well.

#2 well is used for backup and w/ domestic house. There are 2 domestic houses.

the system operates 5 minutes 14 times / 24 hrs / 365 days / yr.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	Red Jacket	15	6 HPG	—	—
2	Red Jacket	7.5		—	—

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1			N2	N2	33	8S	16E	Jerome	
2			N2	N2	33	8S	16E	Jerome	

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	16E	33	X																
			S																
			C																

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1982

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Common - 30 Hds, (Rainbirds) Nozzle 35-PSI 45 P.S.I. (9.72 gal/min ea.) = .53 c.f.s.
 sto 50 → 1100 milking Cows, 700 Dry Heifers = 1800 Hd x .0391 = 70.38 AF/ANN.
 (1800 Hd) x (.00065) = 1.17 c.f.s.
 per prior exps (11) Watering Troughs 13'x45" deep - Round.
 (9) Square 500 gal/sec 10'x4'x 1/2" deep
 KW

LOW CALCULATIONS

☐ Additional Computation Sheets Attached

Measured Method:

Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ $(.253)(365 \text{ day})(1.9835) = 383.70 \text{ A.F.A.}$
 Commercial use: $(.20)(365 \text{ day})(1.9835) = 145.0 \text{ A.F.A.}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

see livestock Item #2

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
stock water	1/1	12/31	0.40	70.38 AFA.
commercial	1/1	12/31	0.20	145.0
			5	5
Totals:			~~0.50 cfs~~ 0.40 cfs	~~215.38 AFA.~~

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

J. AUTHENTICATION

Field Examiner's Name Gary Funderburg
Signature [Signature]
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

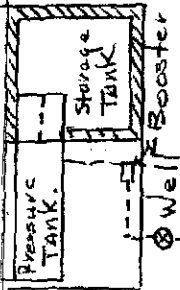
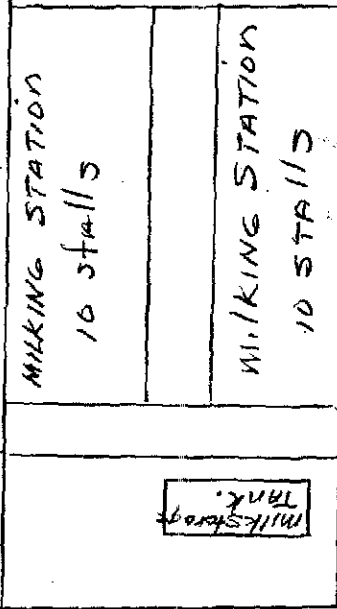
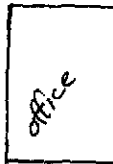
- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED
APR 9 5 2012

36-8422

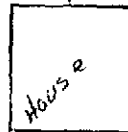
Watering troughs are located thru out the corrals

Lawn



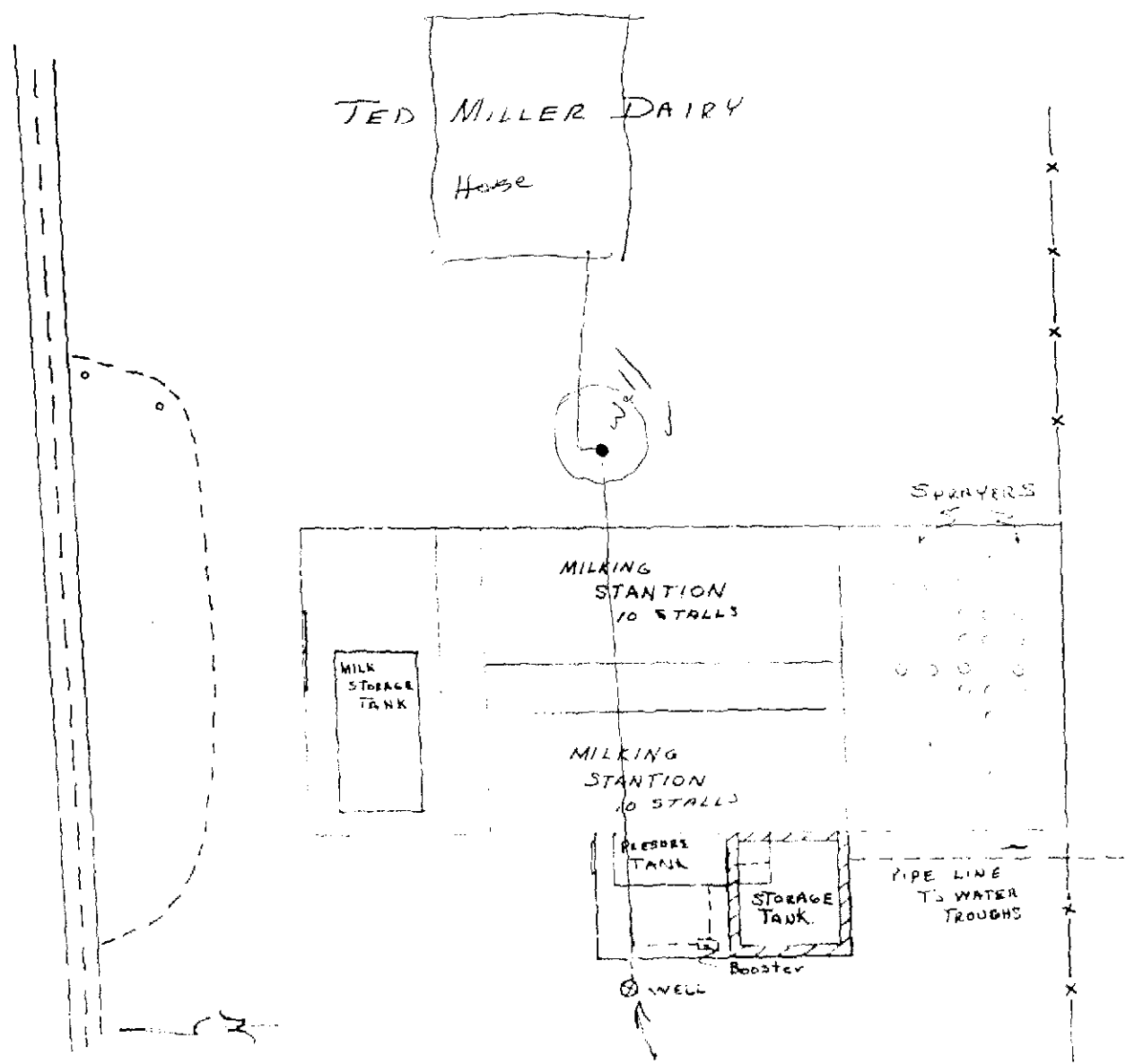
Sprayers

Corrals



Lawn.

1000 Milkings
700 Dry Cows



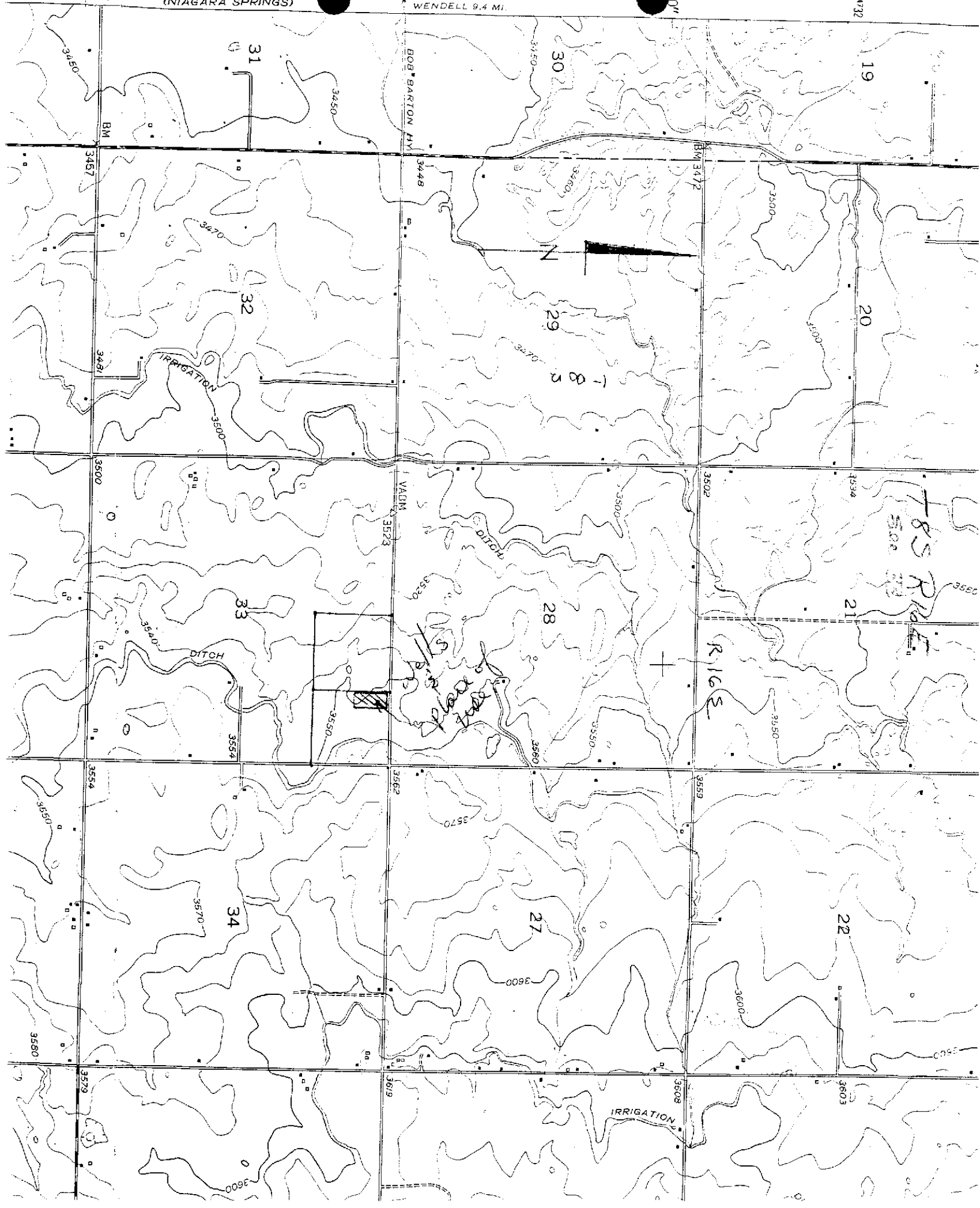
3069 11 NW
(NIAGARA SPRINGS)

WENDELL 9.4 MI.

4230'

4732

T. 8 S.
T. 9 S.



DBA L. BAR M. DAIRY

36-8422



Milking Stations



Pressure Tank
w/Booster pump.

Well

M E M O R A N D U M

DATE: October 21, 1996

TO: Cindy Zimmerman

FROM: Shelley W. Keen

RE: 36-08422

Based on your spreadsheet, it looks like there is some rate and volume that can be licensed on 36-08422. Please check to see what information Water Distribution has on this diversion, then proceed with a licensing recommendation.

MICROFILMED

SEP 13 1997

FILE NUMBER 36-08224
REVIEWER C L Zimmerman 10/21/96

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE 1000
NUMBER OF NONMILKING CATTLE 700
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
IF ANAEROBIC, ENTER ZERO 0.0
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) 4
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS - 3
NUMBER OF MILKINGS PER DAY 2
FLOW OF WATER FOR IN-BARN USE (GPM) 236
DURATION OF IN-BARN USE (MINUTES) 70
HOURS PUMP IS ON 12.0

CALCULATIONS

DAILY VOLUME FOR STOCKWATER (GALLONS):

MILKING CATTLE @35 GPD/HD 35000
NONMILKING CATTLE @12 GPD/HD 8400
TOTAL (GALLONS) 43400
FLOW RATE REQUIRED (CFS) 0.80

DAILY VOLUME IN BARN USE (GALLONS):

IN BARN RATE * DURATION (GALLONS) 16520

FLOW RATE REQUIRED (GPM) 60
FLOW RATE REQUIRED (CFS) 0.13
TOTAL FLOW RATE REQUIRED (CFS) 0.94

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE @35 GPD/HD ** 39.2
NONMILKING CATTLE @12 GPD/HD** 9.4
TOTAL VOLUME 48.6

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT 0.4
PARLOR FLOOR AND MILKHOUSE FLOOR 18.5
CATTLE WASHING BASED UPON METHOD OF WASHING 36.4
TOTAL VOLUME 55.3

TOTAL DIVERSION VOLUME 103.9

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
MILKING 5.8
NONMILKING 0.0
TOTAL 5.8

COMMERCIAL 0.0

TOTAL CONSUMPTIVE USE 5.8

THEORETICAL FLOW ESTIMATION WORKSHEET

PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP)	7.5	15	NA
LIFT (FT)	211	NA	NA
DISCHARGE PRESSURE (PSI)	31	NA	NA
FRICTION LOSSES (FT)	0.0	NA	NA
HOURS WATER IS PUMPED DAILY	12	NA	NA

CALCULATIONS

	PUMP 1	PUMP 2	PUMP 3
THEORETICAL FLOW RATE (GPM) *	73	0	0
THEORETICAL FLOW RATE (CFS) *	0.16	0.00	0.00
DAILY VOLUME (GALLONS)	117.7	-	-
DIVERSION VOLUME (AFA) **	59.2	0.0	0.0

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

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

EVALUATION OF REDUCTION REQUIRED IF AN IRRIGATION RIGHT IS USED

IRRIGATION RIGHT (BEFORE CHANGE)

INPUT:
RATE (CFS) 0.80
ACRES 40.00
ACRE FEET PER ACRE 4.00
CONSUMPTIVE USE PER ACRE 3.00

CALCULATIONS:

	CFS/ACRE
RATE PER ACRE	0.02
RATE NEEDED FOR DAIRY OPERATION	0.94
REDUCTION OF IRR. BASED ON RATE/ACR	46.9
REDUCTION BASED ON CONSUMPTIVE US	1.9
REDUCTION BASED ON ANNUAL VOLUME	25.98

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

NUMBER OF ACRES THAT CAN BE IRRIGATED BY CONSUMPTIVE USE

INPUT DATA
IRRIGATION CONSUMPTIVE USE/ACRE 4.0
CALCULATED
ACRES IRRIGATED 1.4

MICROFILMED

APR 1 1997

	Found	Licensed	Recommended
36-08060			
use	commercial 900 dairy cows	commercial	commercial
cfs	0.53	0.20	0.20
afa	calculated	18.5	18.5
cu	n/a	n/a	0.0
36-08224			
use	commercial 1000 dairy cows 700 dry cows irrigation domestic	commercial 1000 dairy cows 700 dry cows irrigation domestic	commercial 1000 dairy cows 700 dry cows irrigation domestic
cfs	0.17	0.17	0.17
afa	calculated	76.3	74.9
cu	n/a	n/a	11.8

MICROFILMED

APR 03 2002

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

USE TYPEWRITER OR
BALL POINT PEN

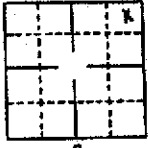
State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Ted Miller Dairy</u> Address _____ Owner's Permit No. _____	7. WATER LEVEL Static water level <u>207</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____																																																																																																																												
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6. LOCATION OF WELL Sketch map location must agree with written location. Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Jerome</u> <u>SW</u> x <u>NE</u> 1/4 Sec. <u>33</u>, T. <u>8S</u>, R. <u>16E</u> E.W.	10. Work started <u>2/22/81</u> finished <u>2/23/81</u> 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>SMITH DRILLING & PUMPING INC.</u> Address <u>Jerome</u> Date <u>2/23/81</u> Signed by (Firm Official) <u>[Signature]</u> and <u>[Signature]</u> (Oper. for)																																																																																																																												

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

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

1. WELL OWNER Name <u>Ted Miller Dairy</u> Address <u>Jerome</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>211 1/2</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____																																																																																																																																																					
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

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

1. WELL OWNER Name: Ted Miller Dairy Address: Jerome Owner's Permit No. _____	7. WATER LEVEL Static water level: 200 feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____																																																																																																	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA NONE ☐ Pump ☐ Bailer ☐ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																																																																																														
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MEMORANDUM

TO: Shelley Keen
FROM: Brenda Chapman
DATE: November 28, 1994
RE: Relinquishment Recommendation - Permit 36-08422

=====

The above permit was issued for commercial (a dairy operation) and stockwater uses. It was issued for 1000 dairy cattle and 700 head of dry stock. It was filed to pick up the balance of the unappropriated well water for the operation.

Two other rights cover the same operation, 36-08060 and 36-08224.

License 36-08060 was for commercial use only; however, it has been recommended in the Director's Report as:

Commercial @ .20 cfs and 33.4 afa [based on # of dairy cattle]
Stockwater @ .20 cfs and 36.0 afa [900 dairy cattle]

In addition to irrigation and domestic uses, License 36-08224 was issued for 1000 dairy and 700 dry cattle; however, it has been recommended as:

Commercial @ .17 and 1.50 afa [based on # of dairy cattle]
Stockwater @ .17 and 20.90 afa [100 dairy & 1200 dry cattle]

According to a copy of a 3/10/92 conversation memo, the permit owner states the dairy's standard stock figures are 1000 dairy and 1200 dry cattle. The recommendations from the enclosed dairy worksheet copies for 36-08060 and 36-08224 provide for the total needs of the dairy. No further appropriation is necessary; therefore, based on this information, it is recommended that we request relinquishment of 36-08422.

MICROFILMED
APR 11 1997

December 1, 1989

DBA L BAR M DAIRY
JOHNNY H. LOPEZ
KAREN M. LOPEZ
309 BOB BARTON RD.
JEROME, ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08422

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

DEC 15 1989

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
August 17, 1989

DBA L BAR M DAIRY
JOHNNY H. LOPEZ
KAREN M. LOPEZ
309 BOB BARTON RD.
JEROME, ID 83338

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P36-08422

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.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

[Handwritten signature]
8/23/89

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho, }
County of Jerome } SS.

JUN 19 1989

Department of Water Resources
Southern Region Office

Patty Vance G. Manager
being first duly sworn,
deposes and says that she 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 continuous-
ly 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 24 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 7 day of June
19 89, and the date of the last publication was on the 14
day of June, 19 89.

Subscribed and sworn to before me this 15
day of June, 19 89
(SEAL)

Norma De Voe

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 21

Lines tabular at _____ 5¢/Pica
32175 Lines straight at 1287 4¢/Pica
Subsequent lines at 1126 3.5¢/Pica
TOTAL COST 2413

COPY OF NOTICE

(Paste Here)

Water Right
TITLE OF NOTICE
L & M Dairy 36-08422
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application has been fil-
ed to appropriate the public waters of the
State of Idaho:

36-08422

DBA L BAR M DAIRY, LOPEZ, JOHNNY
H., LOPEZ, KAREN M., 309 BOB BARTON
RD., JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt.: NENE Sec 33 T 08S R 16E

Use: STOCKWATER (400 CFS)

COMMERCIAL (200 CFS)

Date Filed: 4/20/1989

In: T08S R16E S33 - NENE

The permit 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 in-
terest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 2148
4th Avenue East, Twin Falls, Idaho 83301
on or before JUNE 26, 1989.

R. Keith Higginson
Director
N17839

Pub: 6-7, 14

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica

7-8 pt. per line tabular 5¢/Pica

7-8 pt. per line successive

insertions 3¢/Pica

No 3353

17839

25-May-1989

Johnny &/or Karen Lopez
dba L Bar M Dairy
309 Bob Barton Rd.
Jerome, ID 83338

Re: Application for Permit No. 36-08422

Dear Applicant (s):

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

This office will be advertising the application in the North Side News on 6/7 & 6/14/89. A period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

RECEIVED
MAY 25 1989

MAY 25 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

MAY 25, 1989

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 JUNE 26, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

[Handwritten signature]

MAY 24 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED
JUL 10 1958

AUG 18 1958

36-08422

DBA L BAR M DAIRY
LOPEZ, JOHNNY H.
LOPEZ, KAREN M.
309 BOB BARTON RD.
JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt: NENE Sec 33 T 08S R 16E

Use: STOCKWATER (.400 CFS)
COMMERCIAL (.200 CFS)

Date Filed: 4/20/1989

In: T08S R16E S33 NENE

APR 21 1989
BUREAU OF LAND MANAGEMENT
SALT LAKE CITY, UTAH

80E 31 000

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, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JUNE 26, 1989.

R. Keith Higginson, Director

Published 6/07/1989 & 6/14/1989

RECEIVED
JUN 27 1989

AUG 4 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

March 24, 1989

R. KEITH HIGGINSON
Director

Johnny & Karen Lopez
DBA L-M Dairy
309 Bob Barton Rd.
Jerome, ID 83338

Dear Applicant:

Returned herewith is your application for a water permit and any fees submitted.

Preliminary review of the application indicates that some of the information required to make the application acceptable for receipt by the department needs to be completed or clarified.

The attached checklist shows which items need to be completed.

If you need assistance in completing an application, please feel free to contact this office at (208) 734-3578 or visit us at 2148 4th Ave. East, Twin Falls.

Very Truly yours,

A handwritten signature in cursive script that reads "Loren O. Holmes".

Loren O. Holmes, P. E.
Southern Region Manager