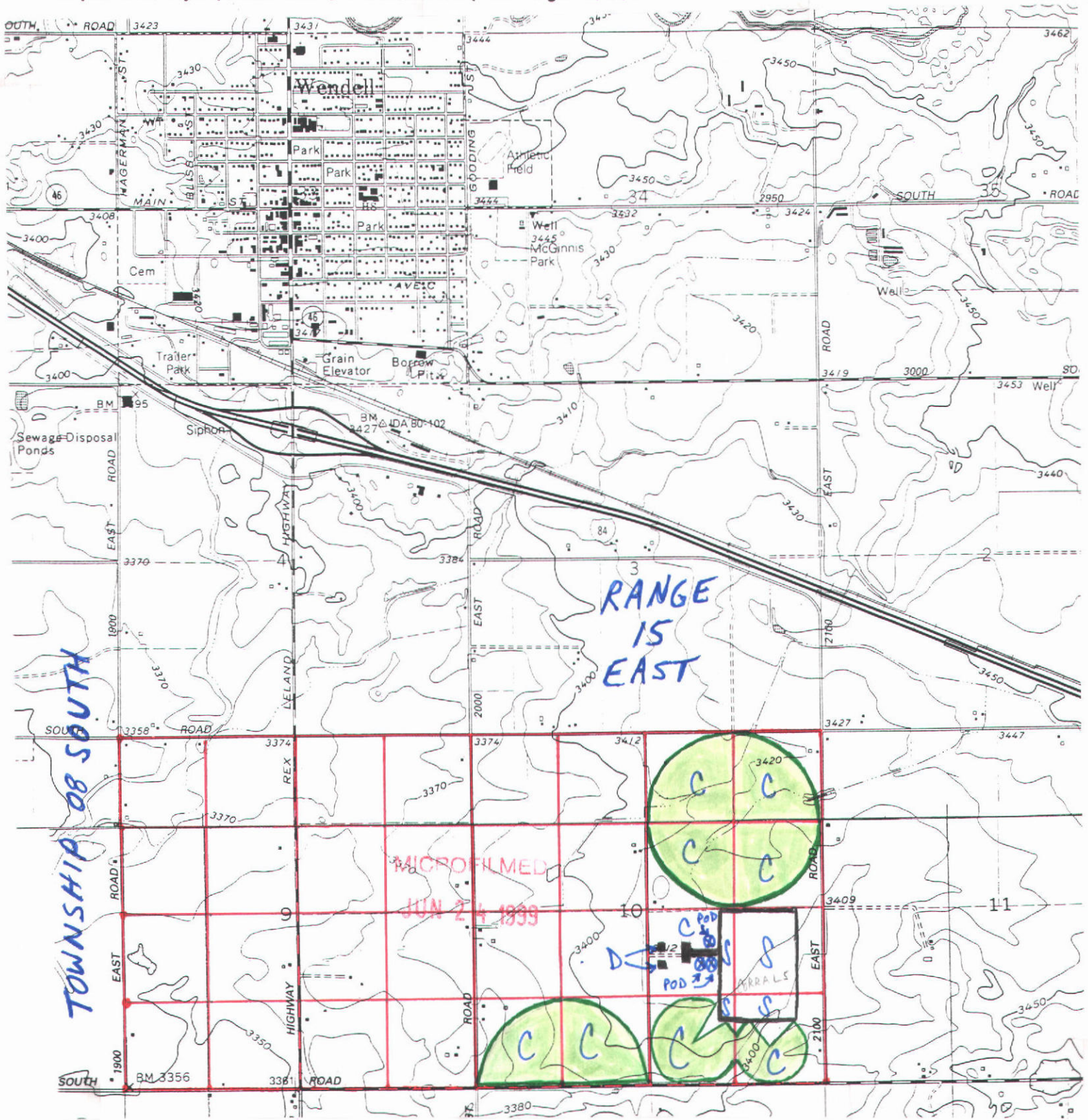


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



WASTE WATER APPLIED

LEASED

OWNED BY ROCHA DAIRY

WELLS

T8S, R1E Sec. 10

SE 1/4

E 1/2, NE 1/4

S 1/2, SW 1/4

MICROFILMED

JUN 24 1999

1507 T-1313

1507 T-1310

1507 T-1309

1507 T-1308

1507 T-1307

1507 T-1306

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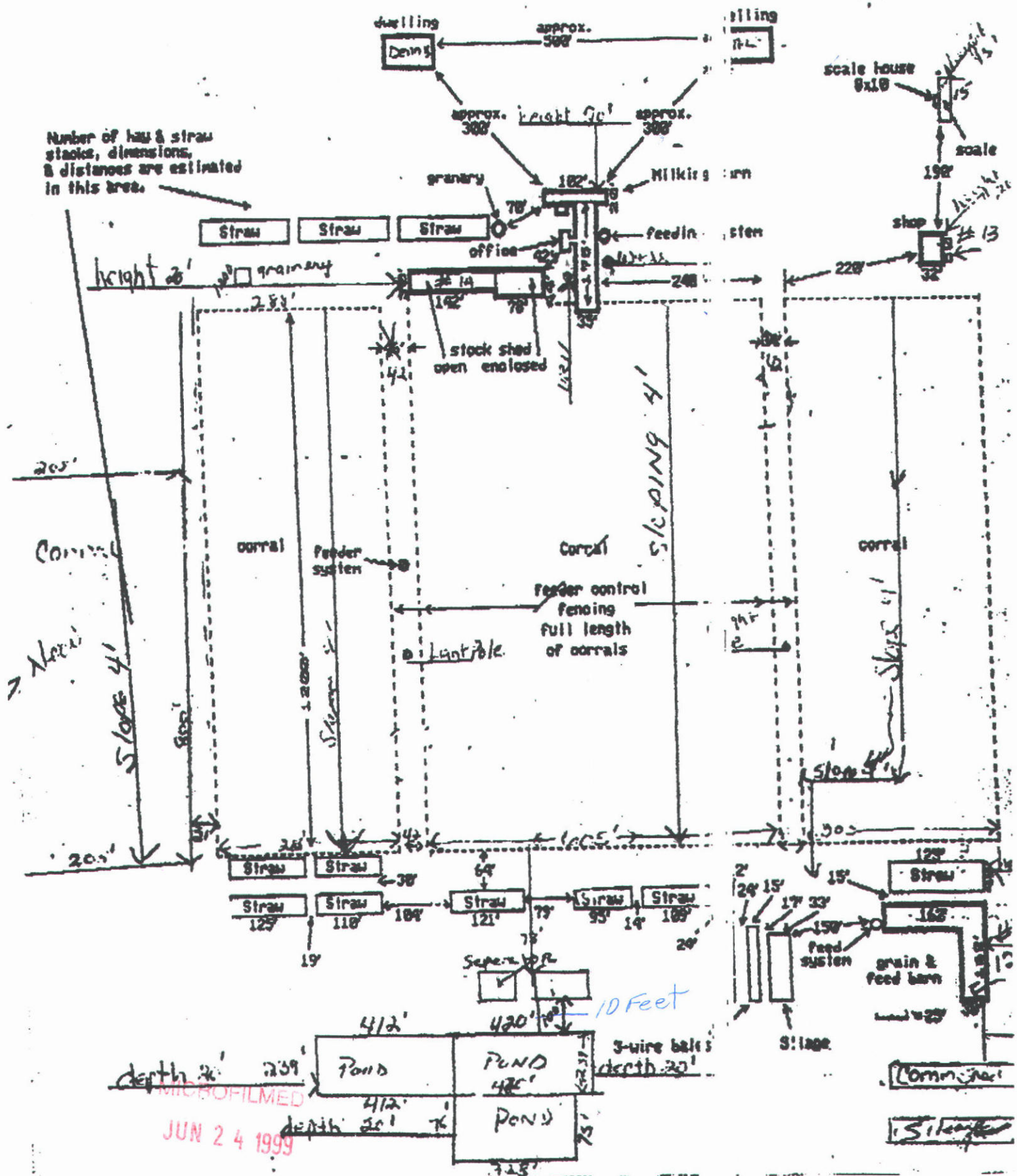
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November 27, 1983 (Updated January 15, 1988)

November 27, 1989 (Updated January 15, 1990)



T# 5320

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5320
WATER RIGHT NO(S). 36-07460AB/36-08379

This is to certify that: **ROCHA DAIRY**
3164 S 2050 E
WENDELL ID 83355

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-07460AB:			
STOCKWATER	01/01 to 12/31	0.16 CFS	26.7 AF
COMMERCIAL	01/01 to 12/31	0.44 CFS	74.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Priority: 03/25/1974			
SUBTOTAL:		0.60 CFS	102.0 AF
Right No. 36-08379 :			
STOCKWATER	01/01 to 12/31	0.34 CFS	51.3 AF
COMMERCIAL	01/01 to 12/31	0.34 CFS	36.9 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Priority: 08/19/1988			
SUBTOTAL:		0.38 CFS	89.4 AF
TOTAL:		* 0.98 CFS	* 191.4 AF
<u>SOURCE</u>			
GROUNDWATER			

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 10, Township 08S, Range 15E
GOODING County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 15E 10	NESE	NWSE	SWSE
	SESE		

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08S 15E 10	NENE	NWNE	SWNE
	SENE	SWSW	SESW
	NWSE	SWSE	SESE

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JUN 24 1989

TRANSFER NO. 5320
WATER RIGHT NO(S). 36-07460AB/36-08379

PLACE OF USE: DOMESTIC

TWN RGE SEC

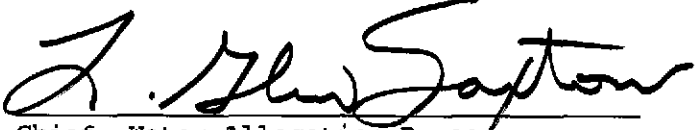
08S 15E 10

NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Three (3) points of diversion are located within NWSE, S10, T08S, R15E.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 5320 shall not exceed 0.98 cfs, nor a total combined annual volume of 191.4 af.
9. The water used for commercial purposes under this approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used in the dairy as authorized by these water rights.
10. Commercial use is for a dairy facility located within NWSE, S10, T08S, R15E.
11. Domestic use is for one (1) home each under Rights 36-07460AB and 36-08379, or a combined total of two (2) homes.

Dated this 14th day of June, 1999.


Chief, Water Allocation Bureau

MICROFILMED

JUN 24 1999

Page 1 of 9

STATE OF IDAHO

Transfer No. 5320

DEPARTMENT OF WATER RESOURCES

RECEIVED

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

JUL 09 1998

PART 1

OCT 26 1998

Department of Water Resources

Department of Water Resources

Name of applicant Southern Region POCHA DAIRYPhone 208-536-6286Post Office address 3164 S. 2050 EWendell, Id.

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add ^{existing} diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☒ Other SPUT RIGHT X36-07460R
2. Describe the reason for the proposed changes Only that we needed more water for our existing DAIRY. With the new flow meters that water resource had us put in, which we realized we needed to get more water.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|--------------------------|-------------------|--------------------------|-------------------|------------------------------|
| <u>36-08379</u> | <u>08/19/1988</u> | <u>0.34 cfs/51.3 AFA</u> | <u>STOCKWATER</u> | <u>01/01</u> to <u>12/31</u> |
| | | <u>0.34 cfs/36.9 AFA</u> | <u>COMMERCIAL</u> | <u>01/01</u> to <u>12/31</u> |
| | | <u>0.04 cfs/1.2 AFA</u> | <u>DOMESTIC</u> | <u>01/01</u> to <u>12/31</u> |
| <u>X36-07460 PART AD</u> | <u>03/25/1974</u> | <u>0.16 cfs/26.7 AFA</u> | <u>STOCKWATER</u> | _____ to _____ |
| | | <u>0.44 cfs/74.1 AFA</u> | <u>COMMERCIAL</u> | _____ to _____ |
| | | <u>0.04 cfs/1.2 AFA</u> | <u>DOMESTIC</u> | _____ to _____ |
2. Total amount of water being transferred 0.98 cubic feet per second and/or 191.4 acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	10	08S	15E	GOODING	THREE EXISTING WELLS

5. Lands irrigated or place of use:

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	
08S	15E	10	C	C	C	C							C	C	S	D	C	C	
																S	S	S	
																C			

MICHOE ME

JUN 24 1999

PART 1

6. General Information:

a. Description of diversion system THREE CONNECTED WELLS (TWO 7 HP PUMPS AND ONE 5 HP PUMP) AND PIPES TO HOMES, BARN, AND WATER TROUGHS IN CORRALS. WASTEWATER LAND APPLIED WITH SPRINKLER SYSTEMS.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

LAND WILL NO LONGER BE IRRIGATED

d. Remarks:

THIS IS AN EXISTING DAIRY, NO INCREASE IN LIVESTOCK.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

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

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JUN 24 1999

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. T36-07460AA

MIKE &/OR KATHY BRANCHFLOWER

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	1.60 CFS

SOURCE

GROUNDWATER

Priority: 03/25/1974

LOCATION OF POINT(S) OF DIVERSION:

SWNWSE , Sec. 21, Township 07S, Range 14E
SWNWNE , Sec. 28, Township 07S, Range 14E
NWSWSE , Sec. 28, Township 07S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	14E	28	SWNE 2.9	SENE 39	NESE 34.1	90.5
			SWSE 14.5			90.5

Total number of acres irrigated:

90.5

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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JUN 24 1999

PART 2 BASED
ON "T-RECORD"

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

T36-07460 AD

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.60 cfs for IRRIGATION purposes from 04/01 to 10/31
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SE	21	07S	14E	GOODING	
	SW	NW	NE	28	07S	14E	GOODING	
	NW	SW	SE	28	07S	14E	GOODING	

3. Lands irrigated or place of use: _____

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	
07S	14E	28			2.7	31.3													34.0

Total acres 34.0

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

T36-07460 AC

1. amount 1.00 cfs for IRRIGATION purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SE	21	07S	14E	GOODING	
	SW	NW	NE	28	07S	14E	GOODING	
	NW	SW	SE	28	07S	14E	GOODING	

3. Lands irrigated or place of use: _____

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	
07S	14E	28			0.2	7.7									34.1		14.5		56.5

Total acres 56.5

PART 2

TRANS NO. 5320

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. X36-07460R

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	10.39 CFS	2338.0 AF

SOURCE

GROUNDWATER

Priority: 03/25/1974

LOCATION OF POINT(S) OF DIVERSION:

SWNWSE , Sec. 21, Township 07S, Range 14E
 SWNWNE , Sec. 28, Township 07S, Range 14E
 NWSWSE , Sec. 28, Township 07S, Range 14E
 GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	14E	20	SESE 33			33
		21	SWSW 33	NESE 33	NWSE 33	
			SWSE 33	SESE 33		165
		28	SWNE 17	SENE 39	NWNW 33	
			SWNW 35	SENE 13	NESW 35	
			NWSW 38	SWSW 26	SESW 26	
			NESE 34.1	NWSE 21.4	SWSE 36	353.5
		29	NENE 33			33

Total number of acres irrigated: 584.5

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

MICROFILMED
 JUN 24 1999

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.60 cfs for IRRIGATION purposes from 04/01 to 10/31
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: SAME AS PART 2 A

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County

102 AFAConsumptive
UseVolume

3. Lands irrigated or place of use:

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	
<u>07S</u>	<u>14E</u>	<u>28</u>			<u>2.7</u>	<u>31.3</u>													<u>34.0</u>

Total acres 34.0**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 9.79 cfs for IRRIGATION purposes from 04/01 to 10/31
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: SAME AS PART 2 A

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	
<u>07S</u>	<u>14E</u>	<u>20</u>				<u>33</u>													<u>33</u>
		<u>21</u>			<u>33</u>										<u>33</u>	<u>33</u>	<u>33</u>	<u>33</u>	<u>165</u>
		<u>28</u>			<u>14.3</u>	<u>7.7</u>		<u>33</u>	<u>35</u>	<u>13</u>	<u>35</u>	<u>38</u>	<u>26</u>	<u>26</u>	<u>34.1</u>	<u>21.4</u>	<u>36</u>		<u>319.5</u>
		<u>29</u>	<u>33</u>																<u>33</u>

* NOTE: PART C AMOUNTS ARE SUBJECT TO OTHER PENDING APPLICATIONS. Total acres 550.5

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 36-08379

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.34 CFS	51.3 AF
COMMERCIAL	01/01 to 12/31	0.34 CFS	36.9 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.38 CFS	89.4 AF

SOURCE

GROUNDWATER

Priority: 08/19/1988

LOCATION OF POINT(S) OF DIVERSION:NWSE , Sec. 10, Township 08S, Range 15E
GOODING County**PLACE OF USE: STOCKWATER****TWN RGE SEC**

08S 15E 10 NWSE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use**PLACE OF USE: DOMESTIC, same as STOCKWATER use****CONDITIONS/REMARKS:**

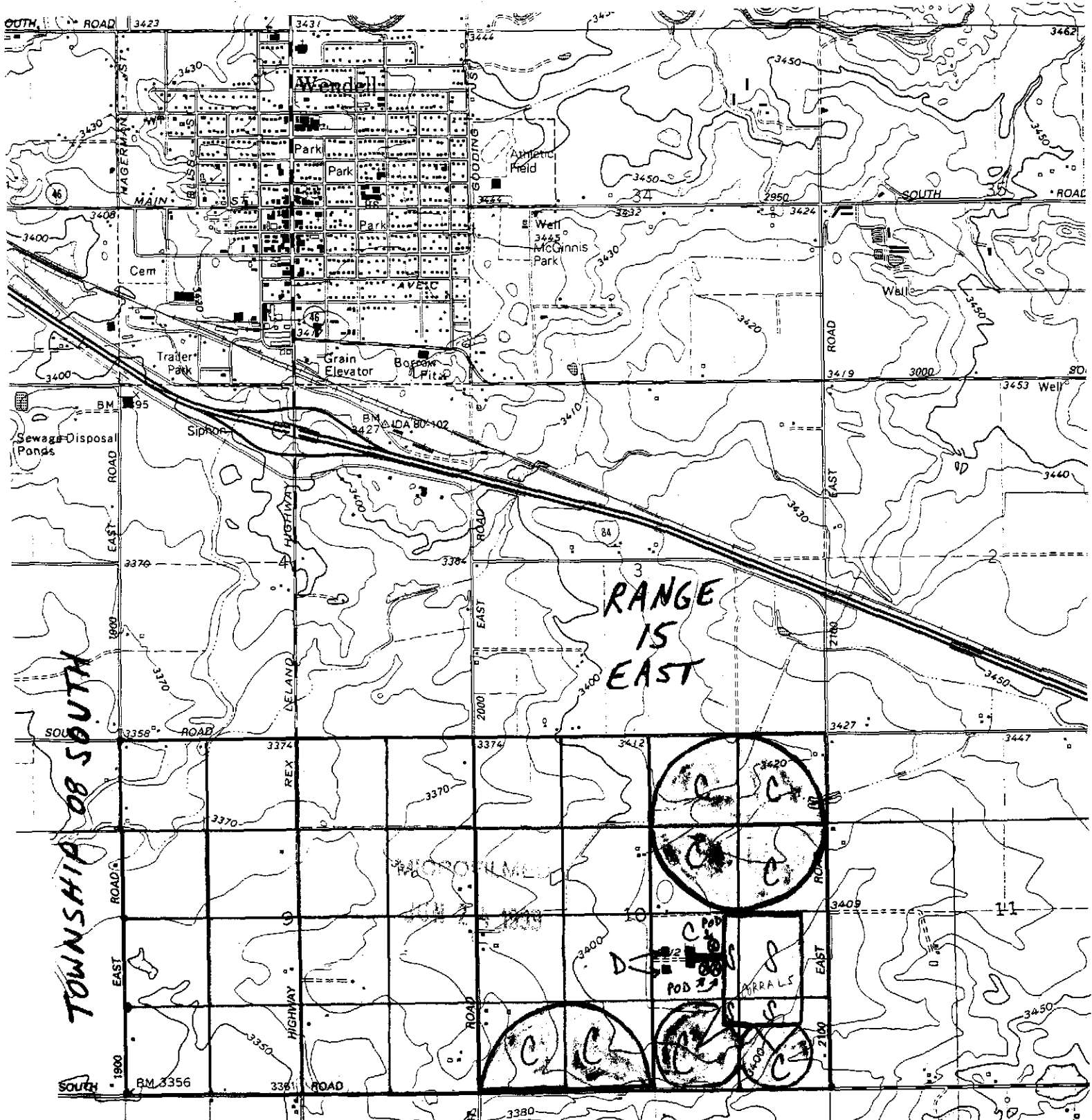
1. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
2. Three points of diversion are located within NWSE, S10, T08S, R15E.
3. Commercial use is for a dairy operation.
4. Stockwater use is for 900 range cattle and 1000 dairy cattle.
5. Domestic use is for 1 home.

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JUN 24 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>STOCKWATER</u>	<u>0.16 cfs</u>	<u>AS NEEDED</u>	<u>01/01</u> to <u>12/31</u>
	<u>COMMERCIAL</u>	<u>0.44 cfs</u>	<u>AS NEEDED</u>	<u>01/01</u> to <u>12/31</u>
	<u>DOMESTIC</u>	<u>0.04 cfs</u>	<u>AS NEEDED</u>	<u>01/01</u> to <u>12/31</u>

2. Quantity and quality of return flows and location of discharge:

WASTE WATER WILL BE LAND APPLIED AS NEEDED

3. Describe effects on other water uses resulting from the proposed change:

SHOULD BE NO EFFECTS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Eledio Al Rorke

(Signature of Applicant)

Subscribed and sworn to before me this

8th

day of

July19 98[Signature]

(Notary Public)

Jerome ID

My commission expires

3/9/01**FOR DEPARTMENT USE ONLY**Transfer contains 9 pages and 5 attachmentsReceived by MB

Date

7/9/98

Protest filed by

None

Prelim. check by

CS

Fee

100⁰⁰ ch #7737

Receipted by

P. SKINNER

Date

07/09/98 SD21314

Published in

Gooding Co. Leader

Copies of protest forwarded by

Pub. dates

10/01 & 10/08/98

Hearing held by

Date

Watermaster recommendation requested on

N/A

Recommended for

☒

approval

☐

denial

rec'd.

by

AK

Copy of transfer sent to lien holder

MICROFILMED

JUN 24 1998

WASTE WATER
APPLIED

T8S, RISE Sec 10

LEASED

SE 1/4

+ E 1/2, NE 1/4

+ S 1/2, SW 1/4

OWNED BY

ROCHA

DAIRY

WELLS

MICROFILMED

JUN 24 1999

184
H&L

7
29.1
H&L

2
136
H&L

370
H&L

1507
T-1310

7-1309
51
H&L

20
H&L

132005

T#5320

CORRALS

WAGONS

787

HOUSE
HOUSE
H&L

19
H&L

3.0
H&L

H&L

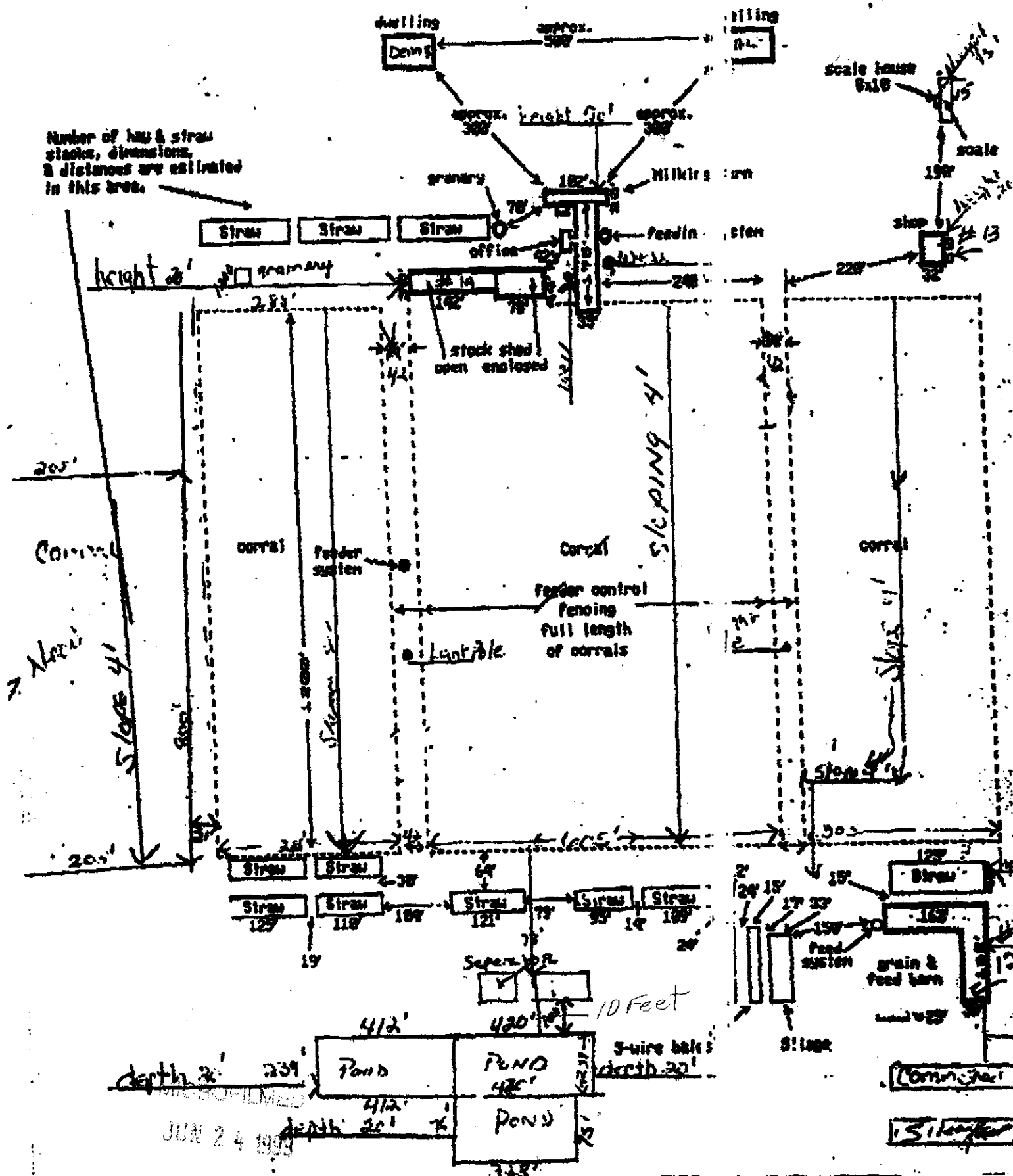
H&L

H&L

KOCH & DAIRY Wendell, Idaho

November 27, 1989 (Updated January 15, 1990)

Number of hay & straw
stacks, dimensions,
& distances are estimated
in this area.





Mutual of New York

David L. Brown
Assistant Director of
Agricultural Investments

MONEY Agricultural Investments
The Mutual Life Insurance
Company of New York
One Mid Rivers Drive
Suite 120
St. Peters, MO 63376
314 278-5555
314 278-6763 Fax
314 278-6767 Fax

RECEIVED

JUL 09 1998

Department of Water Resources
Southern Region

June 25, 1998

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RE: MONEY Loan No. 11849 and 12179 Rocha Dairy

Dear Sirs:

The Mutual Life Insurance Company of New York (MONEY), as lien holder of Al Rocha d.b.a. Roach dairy, have no objections to the attached water transfers between Michael Branchflower and Al Rocha, d.b.a. Rocha Dairy, as described in the attached applications.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

David L. Brown
Assistant Director of Agricultural Investments

DLB

cc: Clear Creek Land and Mortgage
Neal Goplen WAIO

MICROFILM

JUN 24 1999

Document
DLB

T# 5320

June 10, 1998

For sufficient consideration, I, Michael Branchflower, hereby transfer to Al Rocha, Rocha Dairy, 34.0 acres of water right No. 36-07460R. More particularly described as follows:

Township 07 South, Range 14 East, Section 28

Southwest $\frac{1}{4}$ Northeast $\frac{1}{4}$

2.7 acres

Southeast $\frac{1}{4}$ Northeast $\frac{1}{4}$

31.3 acres

Total 34.0 acres



Michael Branchflower

MICROFILMED

JUN 24 1999

T# 5320

PATTY BAUSCHER
GOODING COUNTY ASSESSOR
624 MAIN ST.
GOODING, ID 83330

IMPORTANT NOTICE-PLEASE READ

FORWARD & ADDRESS CORRECTION

PARCEL NO.

TAX CODE

6-00

CATEGORY DESCRIPTION

LOTS/ACRES

MARKET VALUE

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	133.221 AC	87,792
5 DRY GRAZING	13.400 AC	281
10 RURAL HOMESITE	2.000 AC	17,854
19 WASTE	3.739 AC	
31 RURAL RES BLDG		206,528
31 RURAL RES BLDG		197,637
32 RURAL IMP ON AG		391,852
LESS HOMEOWNER EXEMPTION	152.360	100,000
		801,944*

1998

TAXPAYER'S
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement.

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE
JUNE 19, 1998

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS
E 83355

PROPERTY ADDRESS 3164 S 2050
PREVIOUS NUMBER RP 08S15E107201 A Mail To:

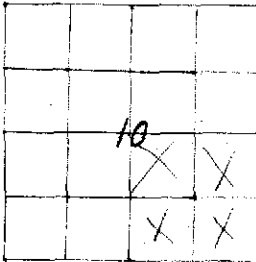
T 8S R 15E SEC 10

ROCHA DAIRY

NE4 SE4, SW4 SE4,

SE4 SE4 LESS TAX #'S 1-A & 6; 3164 SOUTH, 2050 EAST
NW4 SE4 LESS TAX 3 WENDELL ID 83355

12 SW



PATTY BAUSCHER
GOODING COUNTY ASSESSOR
624 MAIN ST.
GOODING, ID 83330

IMPORTANT NOTICE-PLEASE READ

FORWARD & ADDRESS CORRECTION

PARCEL NO.

TAX CODE

6-00

CATEGORY DESCRIPTION

LOTS/ACRES

MARKET VALUE

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	2.480 AC	1,634
32 RURAL IMP ON AG		141,293
32 RURAL IMP ON AG		60,746
	2.480	203,673*

1998

TAXPAYER'S
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement.

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE
JUNE 19, 1998

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS
E 83355

PROPERTY ADDRESS 3164 S 2050
PREVIOUS NUMBER RP 08S15E108061 A Mail To:

T 8S R 15E SEC 10

ROCHA DAIRY

TAX 3 IN NW4 SE4

0 SW

3164 SOUTH, 2050 EAST
WENDELL ID 83355

MICROFILMED
JUN 24 1999

T# 5220



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

June 16, 1999—

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROCHA DAIRY
3164 S 2050 E
WENDELL ID 83355

RE: Water Rights 36-07460AB/36-08379 (Transfer 5320)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 5320). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

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 the department if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosures

MICROFILMED

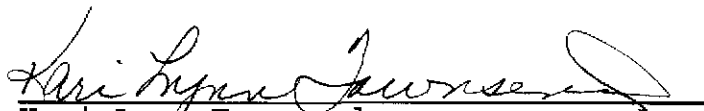
JUN 24 1999

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of June, 1999 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHTS 36-07460AB/36-08379 (Transfer 5320)

**ROCHA DAIRY
3164 S 2050 E
WENDELL ID 83355**


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 24 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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JUN 24 1999

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JUN 24 1999

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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
JUN 24 1999

MEMORANDUM

TO: Files 36-07460Y & 36-08379

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5320

DATE: June 14, 1999

Transfer 5320 changes the points of diversion, place, nature and season of use under a portion of Right 36-07460Y, splitting the right into Parts AA & AB, and combining the use with Right 36-08379 to provide for an existing dairy.

The applicant has purchased a portion of irrigation Right 36-07460Y to provide the additional water historically used at the dairy. The place of use under Right 36-08379 is changed to more accurately reflect the current uses.

Season of use was adjusted to year round use for the dairy uses and volume was limited to the consumptive use volume associated with the 34.0 acres removed from irrigation use. No expansion occurs through this transfer; the net result is a reduction of diversion volume.

Recommended conditions include multiple points of diversion/measuring devices, measuring & annual reporting, water quality, county zoning, land application limits and standard transfer conditions.

Change in Nature of Use Evaluation

	<u>Rate</u>	<u>Use</u>	<u>Acres</u>	<u>Div. Vol./C.U. Vol.</u>
36-07460Y	1.53 cfs	IRR	86.3 acres	(345.2 af/258.9 af)
36-07460AA	0.93 "	IRR	52.3 "	(209.2 af/156.9 af)
36-07460AB	0.60 " Dairy Uses (34.0 ")			102.0 af/102.0 af
	1.53 cfs IRR & Dairy		52.3 acres	311.2 af/258.9 af

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JUN 24 1999

TRANSFER REVIEW SHEET

(07-98)

Transfer # 5320

Date Reviewed 06-11-99

Right(s) X 36-07460Y
36-08379 (Post SRBA rt.)

☒ WRQ/Split Summary ☒ SRBA Status ☒ Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
 F:Change Period of Use (G) Other H:Change P/D & Add P/D
 I:Change P/D & P/U +P/Ds, Change P/U, J:Add P/D & Change P/U
 nature + season. Combine w/36-08379

Proof of Ownership Rocha tax notice covers Dairy P/U.
WR Sales Agreement from Branchflower 6-10-98
MONY letter of 6-25-98 agreeing to transfer - as lienholder

Transfer ☒ All of Right ☒ Portion of Right

Resulting Split(s)
36-07460AA) .93cts 52.3 acres IRR (209.2 af)
AB) .60cts (39.0 ") Dairy Uses 102.0 af/102.0 af

Check Transfer Against Recorded Right Season/Vol. C/4.0

(1) ☒ Priority (2) ☐ Use (3) ☐ Season (4) ☒ Rate (5) ☐ Volume
 (6) ☒ Source (7) ☐ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map
North Snake GLW Dist/West ESPAWN Dist.
 (11) NA Water District (12) Yes Pertinent Conditions (13) No Expansion
 Reduced Div. Vol.

(2) Change IRR to Dairy uses.
 (3) Allow year round use for dairy uses
 (5) 34 Acres IRR to Dairy use - limited to C.U. Vol = $3 \times 34 = 102 \text{ af}$
 (7) Change P/D under 36-07460AB
 (8) Change P/U under each rt. to reflect uses as currently exist.

3 existing wells
 DOM/2 Homes 3 P/Ds NWSE WD8
 Transfer Remarks Comm/Dairy NWSE, SID WB4 Land Application
 Conditions 0167, 081, 082, T07, T08, T17

Database/Processing Notes Standard Non-Standard ☒
Copy approved splits of 36-07460Y to an "X" prefix. Clear Part 4.
Copy 36-08379 to a blank record. Delete original. Deleted Ts.
"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒
 Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

6-14-99

38

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM																
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac																		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac																			
T07S R14E S 28		2.7 31.3 Acres Out for Dairy = 34.0 total acres																																
0100005	SNAKE RIVE :																																	
0100016	SNAKE RIVE :																																	
0100212	SNAKE RIVE :																																	
0100213	SNAKE RIVE :																																	
0100215	SNAKE RIVE :																																	
0100220	SNAKE RIVE :																																	
A3607460A	GROUNDWATE :		7		40		40				40		40		40		37		28	39		40		40		39		39		509				
I3607460AA	GROUNDWATE :				2		39																34				14			89				
I3607460AC	GROUNDWATE :				0		7																34				14			55				
I3607460AD	GROUNDWATE :				0		7																22				8			37				
I3607460E	GROUNDWATE :				17		39			40		40		40		40		38		35		39		40		35		39		39	521			
*3607460C	GROUNDWATE :										33		35		13		35		38		26		26				7		9		222			
A3607460C	GROUNDWATE :				19		40				40		40		40		40		37		28		39		40		40		39		481			
R3607460C	GROUNDWATE :				17		39				33		35		13		35		38		26		26		40		35		39		415			
X3607460T	GROUNDWATE :										33		35		13		35		38		26		26				7		9		222			
X3607460Y	GROUNDWATE :				2		39																	25				18			84			
--86 MAP--	C47Q-AA 70 :	33		37		42		36			41		40		40		39		40		40		43		41		29		25		14		13	553

T08S R15E S 10		No other overlaps Proposed P/U - Dairy + land application												ΔS		S		S		
		C	C	C	C							C	C		S	C	C			
0100005	SNAKE RIVE :					:								:					:	
0100016	SNAKE RIVE :					:								:					:	
0100212	SNAKE RIVE :					:								:					:	
A010021221	LARGE CLAI :	40	40	40	40	:	40	40	40	40	:	40	40	40	40	40	40	40	640	
0100213	SNAKE RIVE :					:								:					:	
0100215	SNAKE RIVE :					:								:					:	
0100220	SNAKE RIVE :					:								:					:	
3604112	WASTE WATE :					:								:					:	
3607972	WASTE WATE :					:								:					:	
--86 MAP--	C47Q-AA 71 :	40	41	40	39	:	39	39	37	39	:	40	37	37	39	6		35	35	
																	1	7		
																	40	625		

WATER RIGHT NO.	NAME	OWNER	PRIORITY	DATE	STG/STS	SOURCE	USE DESC	SYSTEM
36-08379	ROCHA, ELCIDIO	C		08/19/1988	L/	GROUNDWATER	COMMER	WR
	ROCHA, JOSE C	C					STOCK	
							DOMEST	
T36-08379	ROCHA DAIRY	C		08/19/1988	L/	GROUNDWATER	COMMER	WR
							STOCK	
							DOMEST	

IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Rocha Dairy

TRANSFER NO.

5320

1. Right number(s)

X 36-07460 Pt. 36-08379

2. Type of right

☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer

☒ Change P/D ☒ Add P/D ^{EXISTING} ☒ Change P/U
☒ Change N/U ☐ Change Source ☒ Split Right ☒
☒ Other: CHANGE PERIOD OF USE FOR 36-07460 (PART)

4. Check Existing Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments:

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☒ All of right 36-08379
- b. ☒ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant) 36-07460 (PART)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☐ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments:

RECEIVED

OCT 26 1998

Department of Water Resources

NONE APPARENT

T5320

i. XExisting rights from same source, on land water is being transferred to; right number(s): NONE36-10654 IS A SEPARATE, INDEPENDENT SYSTEMj. XSRBA claim(s) - Comments (NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) 36-08379 AFTER COMMENCEMENT OFSRBA, 36-07460(PART) CAME FROM JANSS/BRANCHFLOWER
RIGHTk. X

Comment letters

If yes

X

Yes

No

Water District #

X Lienholder, others, see #2 below for name and address06/25/98
LETTER
IN FILEINITIAL ALLOCATION REVIEW BY A. SKINNER
SRBA SUPERVISOR REVIEW BY JS
PUBLICATION REVIEW BY _____DATE 08/26/98DATE 10/21/98

DATE _____

1. Legal Notice electronically sent to DWR03::VAULT

✓ Yes @ 11:44 (9/25/98)

2. COMMENT LETTERS

Copy of Pg 1 to AJ

✓ Yes 9/17/98

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly?

✓ Yes

No

4. Affidavit of publication received?

✓ Yes

No

5. Protests received? ✓ Yes ✓ No; Acknowledgement sent? ✓ Yes6. Copies made for Region file (see attached supplemental page)? ✓ Yes**RECOMMENDED ACTION**1. ✓ Approve2. ✓ Deny due to _____

_____3. Conditions (special conditions in Water Districts) _____

_____✓ Also see attached memo for recommendation dated: 10/21/984. By JSDate 10/21/98

FROM: Allen Merritt *AM*

DATE: October 21, 1998

TO:

Transfer File No. 5320
Water Right(s): 36-07460 Part
36-08379
In the Name of: ROCHA DAIRY

Transfer File No. 5321
Water Right: 36-07460 Part
In the Name of: GERMAN

SUBJECT: Review and Recommendation

These transfers convert portions of the Branchflower right (36-07460 Part) from irrigation to uses in existing dairies.

The Rocha Dairy is presently partially covered by 37-08379. The transfer is based on drying up 34.0 acres of the Branchflower right to allow expanded use at the dairy. The transfer was filed based on allowing 3.0 af consumptive use for each acre dried up.

The German dairy is not presently covered by a recorded right however historically it has been watered under a domestic exempt use. The transfer application purports to cover the historical use as well as allow expansion of the dairy herd. A new well is proposed to be drilled to allow for the expansion. The transfer is based on drying up 14.2 acres and was based on allowing 3.0 af consumptive use for each acre dried up.

These transfers were advertised without protest.

RECOMMENDATION

I recommend the transfers be approved subject to the following conditions:

TRANSFER 5320

- Use subject to measuring & reporting to West ESPA Measuring District.
- No new wells authorized to be drilled under this approval.
- When 36-08379 and 36-07460 (part) are combined they are limited to 0.98 cfs and 191.4 afa for uses at the dairy for barn use and stockwater use and use for domestic purposes in 1 home. (2 Homes per app + Corey's Memo)
- 3 points of diversion within NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10, Twp.8S, Rge.15E, B.M.
- Place of Use for Commercial dairy within Section 10, Twp.08S, Rge.15E, B.M. as identified in application. (Includes waste disposal site.)

MICROFILMED

JUN 24 1998

-Measuring devices be installed and maintained to the satisfaction of the measuring district.

TRANSFER 5321

-Use subject to measuring & reporting to West ESPA Measuring District.

-One new well authorized to be drilled under this approval which must comply with drilling permit requirements.

-Measuring devices be installed and maintained on both wells.

MICROFILMED

JUN 24 1989

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

RECEIVED

OCT 13 1998

Department of Water Resources
Southern Region

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

2 consecutive issues in said newspaper proper and not in supplement; that the date of the first publication of said advertisement was on the 1st day of October, 1998

and that date of the last publication was on the 8th day of October, 1998

On this 8th day of October in the year of 1998, before me, a Notary Public, personally appeared Patty Dancer, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that she executed the same.

Norma DeVoe

Notary Public for Idaho
Residing at Jerome, ID

My commission expires: 3/6/01

6912/23525
GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

Lines tabular at _____ 7¢/Pica

853.88 Lines straight at 51.23 6¢/Pica

853.88 Subsequent lines at 42.69 5¢/Pica

Affidavit Fee 2.25

TOTAL COST 96.17

5320 - Rocha Dairy
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR
BILL TO

COPY OF NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT, T7 5320

Notice is hereby given that ROCHA DAIRY, 3164 S 2050 E; WENDELL ID 83355 has applied to the Department of Water Resources for changes to the rights listed below. The purpose of Transfer No. 5320 is to make changed to a portion of a purchased right from irrigation to uses within an existing dairy by drying up 34 acres within S1/2NE1/4, S28, T07S, R14E; Gooding County which will be combined with a right presently covering the dairy.

PRESENTLY, Licensed Water Right No. T36-07460AA (1.60 cfs) with a priority date of 03/25/1974 is diverted from groundwater within NW1/4SE1/4, S21; NW1/4NE1/4 & SW1/4SE1/4 both S28; for irrigation of 90.5 acres within parts of S28, all T07S, R14E; Gooding County. PRESENTLY, Licensed Water Right No. 36-08379 (0.38 cfs) with a priority date of 08/19/1988 is diverted from groundwater and used for stockwater (0.34 cfs), commercial (0.34 cfs), domestic (0.04 cfs) within NW1/4SE1/4, all S10, T08S, R15E; Gooding County.

PUB (Idah) PROPOSED CHANGE 7¢/Pica
The applicant wishes to divert a 7-8 F combined total of 0.98 cfs year round 6¢/Pica
7-8 F from three (3) existing wells within NW1/4SE1/4, S10, T08S, R15E for 5¢/Pica
insertions.

No. 6912

MICROFILMED 23525
JUN 24 1998

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT, T# 5320**

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PROPOSED CHANGE

The applicant wishes to divert a combined total of 0.98 cfs year round from three (3) existing wells within NW1/4SE1/4, S10, T08S, R15E for stockwater use within SE1/4; commercial use within NE1/4, S1/2SW1/4, NW1/4SE1/4, S1/2SE1/4; domestic use within NW1/4SE1/4, all S10, T08S, R15E; Gooding County using the following rights:

Rt No*Priority*Amt (cfs)*Use

36-08379*08/19/1988*

0.34*Stockwater

0.34*Commercial

0.04*Domestic

36-07460AD*03/25/1974

0.16*Stockwater

0.44*Commercial

0.04*Domestic

The remainder, T36-07460AC (1.00 cfs) will continue to be diverted within S21 & S28 as listed above for irrigation of 56.5 acres within parts of S28, T07S, R14E; Gooding County. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 19, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Gooding County
Leader on 10/01 & 10/08/98.

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JUN 24 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

September 25, 1998 **PHILIP E. BATT**
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

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JUN 24 1999

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

T# 5320

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PROPOSED CHANGE

The applicant wishes to divert a combined total of 0.98 cfs year round from three (3) existing wells within NW1/4SE1/4, S10, T08S, R15E for stockwater use within SE1/4; commercial use within NE1/4, S1/2SW1/4, NW1/4SE1/4, S1/2SE1/4; domestic use within NW1/4SE1/4, all S10, T08S, R15E; Gooding County using the following rights:

<u>Rt No.</u>	<u>Priority</u>	<u>Amt (cfs)</u>	<u>Use</u>
36-08379	08/19/1988	0.34	Stockwater
		0.34	Commercial
		0.04	Domestic
36-07460AD	03/25/1974	0.16	Stockwater
		0.44	Commercial
		0.04	Domestic

The remainder, T36-07460AC (1.00 cfs) will continue to be diverted within S21 & S28 as listed above for irrigation of 56.5 acres within parts of S28, T07S, R14E; Gooding County.

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Karl J. Dreher, Director

Published in the Gooding County Leader on 10/01 & 10/08/98.

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JUN 24 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

September 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AL ROCHA
ROCHA DAIRY
3164 S 2050 E
WENDELL ID 83355

Re: Application for Transfer No. 5320 (36-08379, T36-07460AD)

Dear Mr. Rocha:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the Gooding County Leader for 10/01 and 10/08/98. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an 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.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

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.

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

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

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JUN 24 1999

MEMORANDUM

TO: Rocha Dairy Transfer File

FROM: Corey Skinner *CS*

DATE: August 28, 1998

SUBJECT: Staff Review

The enclosed transfer application, filed in the name of Rocha Dairy, seeks to modify water right 36-08379 and a portion of water right X36-07460R (T36-07460AA) to cover an existing system and existing uses. The existing system and existing uses consist of three interconnected wells that provide water for a dairy operation and two homes all owned by Rocha Dairy. Water right license 36-08379, licensed for 89.4 Afa, is currently used in this system and for these uses. As part of the West Measurement District program, Rocha Dairy has been measuring and reporting their water use(s). These measurements and reports revealed that Rocha Dairy has been diverting about 180 Afa the last couple of years. Therefore, another water right has to be transferred in to make up the volume difference between 89.4 Afa and 180 Afa.

The enclosed transfer application proposes modifying water right 36-08379 by listing (adding) all the forty acre tracts where this water right is currently used. The transfer application also seeks to move a portion of a part of water right 36-07460 to the dairy site to make up the difference in the volume allowed under 36-08379 and what is actually being diverted and used. These changes will result in a change in the place of use of water right 36-08379 and the portion of 36-07460 being transferred. Besides this change in place of use, a change and addition of point(s) of diversion (existing wells), change in nature and period of use, and a splitting of part of X36-07460R (T36-07460AA) will result.

Since his measuring and reporting indicated he was diverting around 180 Afa and his only water right allowed the diversion of 89.4 Afa, Mr. Rocha wanted to make sure he had plenty of water right(s) for his current operation. Due to recent direction from IDWR administration, dairy water use(s) will be considered as 100% consumptive. Therefore, irrigation to dairy use transfers are to be based on consumptive use as the controlling factor. Mr. Rocha was advised of this, so he obtained a 34.0 acre portion of water right 36-07460 from Michael Branchflower. Based on balancing the consumptive use, this 34 acre portion amounts to a volume of 102.0 Afa. Since license 36-08379 allows the diversion of up to 89.4 Afa, this new 102 Afa amount will bring the total allowed diversion at Rocha Dairy to 191.40 Afa, slightly more than what has recently been measured and reported through the West Measurement District.

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Mr. Rocha described his water use(s) at his place, and the transfer application was prepared to record these water uses, including lagoon waste water disposal/application. A breakdown of the uses and their respective locations is as follows:

STOCKWATER

Used in the corrals which are located within the NESE $\frac{1}{4}$, NWSE $\frac{1}{4}$, SWSE $\frac{1}{4}$, and the SESE $\frac{1}{4}$ of Section 10 (T08S, R15E).

COMMERCIAL

Barn use (washing, cooling, etc.) in the NWSE $\frac{1}{4}$ of Section 10 (T08S, R15E).

Land application of dairy waste water (via pivot sprinklers) in the NENE $\frac{1}{4}$, NWNE $\frac{1}{4}$, SWNE $\frac{1}{4}$, SENE $\frac{1}{4}$, SWSW $\frac{1}{4}$, SESW $\frac{1}{4}$, SWSE $\frac{1}{4}$, and SESE $\frac{1}{4}$ of Section 10 (T08S, R15E).

***Note that the West $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 10 (T08S, R15E) is leased by Rocha Dairy. The rest of the ground where waste water is land applied is owned by Rocha Dairy per Mr. Rocha.

***Also note that no commercial use is recorded in the NESE $\frac{1}{4}$ of Section 10 (T08S, R15E) since no barn use or land application occurs in this particular 40 acre tract. This 40 acre tract consists of corrals and waste water lagoons.

DOMESTIC

Use for two homes, including up to $\frac{1}{2}$ acre of irrigation each (one acre total), both located in the NWSE $\frac{1}{4}$ of Section 10 (T08S, R15E).

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I became curious about the differences in the previously licensed volume of 89.4 Afa under right 36-08379 (field exam conducted in 1991 and licensed in 1994) and the actual measured and reported use of around 180 Afa through the West Measurement District. Examination of water right 36-08379 reveals that it was licensed based on a 1,000 milking cow and 900 dry cow dairy. Mr. Rocha said that his dairy herd makeup has been about 1,350 milking cows and 1,680 dry cows (these numbers closely match Gooding County Planning & Zoning animal unit records for Rocha Dairy). While the current dairy herd is larger than the cow numbers that water right license 36-08379 was based on, there has been a relatively small increase in milking cow numbers with the majority of the herd increase consisting of dry cows. Certainly not enough of a change in herd size to justify an increase in diversion volume from 89.4 Afa to around 180 Afa (about 200%).

I asked Mr. Rocha about his dairy operation, and ran the Department's Dairy Water Use Spreadsheet and the University of Idaho's Dairy Water Use Spreadsheet based on the relevant Rocha Dairy Information. The University of Idaho spreadsheet's stockwater requirements is based on cow size (age) and attempts to account for the variability in stockwater demand throughout the year depending on weather. In addition the University of Idaho spreadsheet accounts for different types of barn uses, and allows the user some flexibility in the entry of different values to account for nuances between individual systems and methods of operation.

A scenario was run using the Department's spreadsheet and three scenarios were run using the University of Idaho's spreadsheet. Mr. Rocha said that he typically just cleans his cows with sprinklers in the holding (wash) pen right before they are milked with no further cow prep or cleaning requiring water. The holding pen holds one corral (150 milk cows) at a time. Mr. Rocha said that sprinklers are typically run for about three minutes in the holding pen in order to clean the cows, but when the cows are really dirty (typically when the weather is bad) the sprinklers often run for as long as nine minutes. Three separate scenarios were run using the University of Idaho's spreadsheet. One scenario, "best case", was based on running the holding pen sprinklers three minutes per holding pen rotation (54 total minutes a day). Another scenario, "worst case", was based on running the holding pen sprinklers nine minutes per holding pen rotation (162 total minutes a day). Another scenario, "tweaked", was run using an average yearly time value estimate for the amount of time the holding pen sprinklers were in operation. This average time

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estimate was based on nine months of operating the sprinklers at three minutes per holding pen rotation and three months of operating the sprinklers at nine minutes per holding pen rotation. In addition, the water use requirements were increased for cleaning the bulk tanks and the pipeline in the "tweaked" analysis (to account for the rather large 6,000 gallon bulk tanks and a pipeline that serves quite a few, 48, parlor stalls). These four different analyses revealed yearly water volume requirements that varied considerably. Results of these analyses are indicated in the following table:

	IDWR Spreadsheet	U of I "best case"	U of I "worst case"	U of I "tweaked"
STOCKWATER	78.0 Afa	57.4 Afa	57.4 Afa	57.4 Afa
COMMERCIAL	49.1 Afa	83.2 Afa	196.1 Afa	112.1 Afa
TOTAL	127.1 Afa	140.6 Afa	253.5 Afa	169.5 Afa

It should once again be noted that the measuring and reporting through the West Measurement District for the last couple of years revealed that Rocha Dairy has been diverting about 180 acre-feet per year. The measuring device(s) were previously calibrated by the Department so the 180 Afa amounts should be reasonably accurate. I asked Mr. Rocha to observe and record his meter readings throughout an average day. Mr. Rocha said that during periods of little water demand, the total diversion was about 24 gallons per minute. During periods of high demand, the total diversion was about 141 gallons per day. Mr. Rocha said that the low water demand period was about 4 hours long, and the high demand water period was about 20 hours long. Mr. Rocha said that this scenario was fairly typical and the meter reading(s) were about the same as what he has noticed in the past. Using this information, it appears that Rocha Dairy diverts about 174,960 gallons of water per day. Over the course of a year this would amount to about 196 acre-feet of water.

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I went over the dairy water use spreadsheet analyses with Mr. Rocha and asked him if there were any other major water uses in the barn that he could think of that were not accounted for on the spreadsheet analyses. Mr. Rocha said that he has a 100 gallon water heater that he uses to warm milk for the calves and his vacuum pumps are cooled by water (most pumps are typically cooled by oil). Mr. Rocha said that water is run through two $\frac{1}{4}$ -inch lines for about 20 hours a day to cool these pumps.

In summary, it appears that Rocha Dairy has been diverting about 180 Afa, but their only currently existing water right, 36-08379, only authorizes the diversion of 89.4 Afa. Mr. Rocha obtained a 34 acre portion of Mike Branchflower's portion of water right 36-07460. This 34 acre portion of 36-07460 allows the diversion of 102.0 Afa for dairy use (based on consumptive use as the controlling factor). The enclosed transfer application seeks to properly record the existing right, 36-08379, and the portion of right 36-07460 obtained from Mr. Branchflower for use on Rocha Dairy. If the transfer is approved as proposed, the diversion of up to 78 Afa for stockwater, up to 110 Afa for commercial (barn) uses, and up to 2.4 Afa for domestic uses (two homes with yards) would be allowed between the two water rights. Three wells are currently used at the facility, with two wells serving the dairy, and one well serving the two homes. However, the domestic well is tied into the dairy system and could be used as a backup if one of the dairy wells were to fail, so all three wells were listed as points of diversion. The application should be pretty straight forward, and could probably be approved as proposed unless other information becomes available in the public notice and protest period.

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FILE NUMBER ----- ROCHA DAIRY
REVIEWER ----- CWS

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE ----- 1350
NUMBER OF NONMILKING CATTLE ----- 1680
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
IF ANAEROBIC, ENTER ZERO ----- 4.5
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
NUMBER OF MILKINGS PER DAY ----- 3
----- 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD ----- 0.88
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.91
NONMILKING CATTLE @12 GPD/HD ----- 0.37
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.38
TOTAL (BASED UPON ROUNDED NUMBERS) ----- 1.29

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE @35 GPD/HD ----- 52.9
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 55.0
NONMILKING CATTLE @12 GPD/HD ----- 22.6
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 23.0
TOTAL (BASED UPON ROUNDED NUMBERS) ----- 78.0

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT ----- 0.4
PARLOR FLOOR AND MILKHOUSE FLOOR ----- 0.1
CATTLE WASHING BASED UPON METHOD OF WASHING ----- 48.6
TOTAL ----- 49.1

TOTAL DIVERSION VOLUME ----- 127.1

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
MILKING ----- 8.1
NONMILKING ----- 0.0
TOTAL ----- 8.1

COMMERCIAL ----- 18.0

TOTAL CONSUMPTIVE USE ----- 26.1

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

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

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

CALCULATIONS

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

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T#5320

BEST CASE

06/23/98
BY C. SKINNER

Fresh Water Considerations for dairy farms
Gallons per day

Rocha Dairy

Drinking water estimates

Number	Per day @ 40	Per day @ 60	Per day @ 80	40d Total	60d Total	80d Total
Milking Cows	1350	22	26.1	32	29700	35235
Dry Cows	456	9.7	12	16.2	4423.2	5472
hfr 16-24 mo	125	8.7	10.8	14.5	1087.5	1350
hfr 13-15 mo	124	8.7	10.8	14.5	1078.8	1339.2
hfr 9-12 mo	265	6.3	7.9	10.6	1669.5	2093.5
hfr 5-8 mo	234	6.3	7.9	10.6	1474.2	1848.6
hfr 3-4 mo	231	3.7	4.6	6.1	854.7	1062.6
hfr 0-2 mo	245	2	2.5	3.3	490	612.5
Total cow use -- gallons					40,778	49,013
Mature Cows	1806					61,705
Heifers	1224					

Wash pen estimates

Sprinkler discharge per nozzle	9.33 gpm
Number of nozzles	100 #
Minutes per day used	54 min
Total washpen water	50,382 gallons

Milkhouse and parlor estimate

per operation	times per day	gallons per day
Bulk tank	232	1
Pipeline	140	2
Backflush	0	0
Cleanup	900	2
Cow prep	0	0
Plate cooler	8	2700
Total Milkhouse water used		23,912

Total dairy fresh water requirements -- monthly -- annual -- daily (second table)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YEAR
Drinking	1,264,115	1,141,781	1,519,415	1,470,402	1,519,415	1,851,141	1,912,846	1,912,846	1,851,141	1,519,415	1,470,402	1,264,115	18,697,035
Washpen	1,561,842	1,410,696	1,561,842	1,511,460	1,561,842	1,511,460	1,561,842	1,561,842	1,511,460	1,561,842	1,511,460	1,561,842	18,389,430
Process	741,272	669,536	741,272	717,360	741,272	717,360	741,272	741,272	717,360	741,272	717,360	741,272	8,727,880
Total	3,567,229	3,222,013	3,822,529	3,699,222	3,822,529	4,079,961	4,215,960	4,215,960	4,079,961	3,822,529	3,699,222	3,567,229	45,814,345
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Drinking	40,778	40,778	49,013	49,013	49,013	61,705	61,705	61,705	61,705	49,013	49,013	40,778	
Washpen	50,382	50,382	50,382	50,382	50,382	50,382	50,382	50,382	50,382	50,382	50,382	50,382	
Process	23,912	23,912	23,912	23,912	23,912	23,912	23,912	23,912	23,912	23,912	23,912	23,912	
Total	115,072	115,072	123,307	123,307	123,307	135,999	135,999	135,999	135,999	123,307	123,307	115,072	

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57.4 AFA (STOCK WATER)
56.4 AFA (COMMERCIAL)
26.8 AFA
TOTAL = 140.6 AFA

Worst case

06/23/98

BY P. SKINNER

Fresh Water Considerations for dairy farms Gallons per day

Rocha Dairy

Drinking water estimates

Number	Per day @ 40	Per day @ 60	Per day @ 80	40d Total	60d Total	80d Total
Milking Cows	1350	22	26.1	32	29700	35235
Dry Cows	456	9.7	12	16.2	4423.2	5472
hfr 16-24 mo	125	8.7	10.8	14.5	1087.5	1350
hfr 13-15 mo	124	8.7	10.8	14.5	1078.8	1339.2
hfr 9-12 mo	285	6.3	7.9	10.6	1669.5	2093.5
hfr 5-8 mo	234	6.3	7.9	10.6	1474.2	1848.6
hfr 3-4 mo	231	3.7	4.6	6.1	854.7	1062.6
hfr 0-2 mo	245	2	2.5	3.3	490	612.5
Total cow use -- gallons					40,778	49,013
Mature Cows	1806					61,705
Heifers	1224					

Wash pen estimates

Sprinkler discharge per nozzle	9.33 gpm
Number of nozzles	100 #
Minutes per day used	162 min
Total washpen water	151,146 gallons

Milkhouse and parlor estimate

per operation	times per day	gallons per day
Bulk tank	232	1
Pipeline	140	2
Backflush	0	0
Cleanup	900	2
Cow prep	0	0
Plate cooler	8	2700
Total Milkhouse water used		23,912

Total dairy fresh water requirements -- monthly -- annual -- daily (second table)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YEAR
Drinking	1,264,115	1,141,781	1,519,415	1,470,402	1,519,415	1,851,141	1,912,846	1,912,846	1,851,141	1,519,415	1,470,402	1,264,115	18,697,035
Washpen	4,685,526	4,232,088	4,685,526	4,534,380	4,685,526	4,534,380	4,685,526	4,685,526	4,534,380	4,685,526	4,534,380	4,685,526	55,168,290
Process	741,272	669,536	741,272	717,360	741,272	717,360	741,272	741,272	717,360	741,272	717,360	741,272	8,727,880
Total	6,690,913	6,043,405	6,946,213	6,722,142	6,946,213	7,102,881	7,339,644	7,339,644	7,102,881	6,946,213	6,722,142	6,690,913	82,593,205
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Drinking	40,778	40,778	49,013	49,013	49,013	61,705	61,705	61,705	61,705	49,013	49,013	40,778	
Washpen	151,146	151,146	151,146	151,146	151,146	151,146	151,146	151,146	151,146	151,146	151,146	151,146	
Process	23,912	23,912	23,912	23,912	23,912	23,912	23,912	23,912	23,912	23,912	23,912	23,912	
Total	215,836	215,836	224,071	224,071	224,071	236,763	236,763	236,763	236,763	224,071	224,071	215,836	

57.4 AFA (STOCKWATER)

169.3 AFA (COMMERCIAL)

26.8 AFA

TOTAL = 253.5 AFA

MICROFILMED
JUN 24 1998

"TWEAKED"

06/23/98
BY C. SKINNER

Fresh Water Considerations for dairy farms Gallons per day

Rocha Dairy

Drinking water estimates

Number	Per day @ 40	Per day @ 60	Per day @ 80	40d Total	60d Total	80d Total
Milking Cows	1350	22	26.1	32	29700	35235
Dry Cows	456	9.7	12	16.2	4423.2	5472
hfr 16-24 mo	125	8.7	10.8	14.5	1087.5	1350
hfr 13-15 mo	124	8.7	10.8	14.5	1078.8	1339.2
hfr 9-12 mo	265	6.3	7.9	10.6	1669.5	2093.5
hfr 5-8 mo	234	6.3	7.9	10.6	1474.2	1848.6
hfr 3-4 mo	231	3.7	4.6	6.1	854.7	1062.6
hfr 0-2 mo	245	2	2.5	3.3	490	612.5
Total cow use -- gallons					40,778	49,013
Mature Cows	1806					61,705
Heifers	1224					

Wash pen estimates

Sprinkler discharge per nozzle
Number of nozzles
Minutes per day used
Total washpen water

9.33 gpm
100 #
81 min
75,573 gallons

two holes per nozzle
Averaged
3 mos @ 162 minutes
7 mos @ 54 minutes

Milkhouse and parlor estimate

per operation	times per day	gallons per day
Bulk tank	250	1
Pipeline	400	2
Backflush	0	0
Cleanup	900	2
Cow prep	0	0
Plate cooler	8	2700
Total Milkhouse water used		24,450

Total dairy fresh water requirements -- monthly -- annual -- daily (second table)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YEAR
Drinking	1,264,115	1,141,781	1,519,415	1,470,402	1,519,415	1,851,141	1,912,846	1,912,846	1,851,141	1,519,415	1,470,402	1,264,115	18,697,035
Washpen	2,342,763	2,116,044	2,342,763	2,267,190	2,342,763	2,267,190	2,342,763	2,342,763	2,267,190	2,342,763	2,267,190	2,342,763	27,584,145
Process	757,950	684,600	757,950	733,500	757,950	733,500	757,950	757,950	733,500	757,950	733,500	757,950	8,924,250
Total	4,364,828	3,942,425	4,620,128	4,471,092	4,620,128	4,851,831	5,013,559	5,013,559	4,851,831	4,620,128	4,471,092	4,364,828	55,205,430

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YEAR
Drinking	40,778	40,778	49,013	49,013	49,013	61,705	61,705	61,705	61,705	49,013	49,013	40,778	
Washpen	75,573	75,573	75,573	75,573	75,573	75,573	75,573	75,573	75,573	75,573	75,573	75,573	
Process	24,450	24,450	24,450	24,450	24,450	24,450	24,450	24,450	24,450	24,450	24,450	24,450	
Total	140,801	140,801	149,036	149,036	149,036	161,728	161,728	161,728	161,728	149,036	149,036	140,801	

57.4 AFA (STOCKWATER)

84.7 AFA (COMMERCIAL)

27.8 AFA

TOTAL = 169.5 AFA

MICROFILMED
JUN 24 1999

Approved Transfer #5160

PREPARED 08/26/98
BY C. SKINNER

X36-074608
0.11 cfs and 24 Afa
for Stockwater & Commercial
(Manuel &/or Maria Dinis)

X36-07460R
10.39 cfs for 584.5 acres (2338 Afa)
Janss portion: 8.06 cfs for 453 acres (1812 Afa)
Branchflower portion: 2.33 cfs for 131.5 acres (526 Afa)

Pending Transfer #5098

T36-07460V
Note this right needs
to be renumbered to a
Basin 37 right number
0.25 cfs and 56.3 Afa
for misc. pond uses
(Black Butte Properties)

T36-07460T
8.06 cfs for 453 acres
(1812 Afa)
Janss Farms

T36-07460U
2.08 cfs for 117.4 acres
(469.6 Afa)
Mike &/or Kathy Branchflower

Pending Transfer #5290

PROTESTED

T36-07460W
1.90 cfs for 107.4 acres
(429.6 Afa DV & 322.2 Afa CUV)
Mike &/or Kathy Branchflower

T36-07460Y
0.18 cfs and 40.0 Afa (DV)
for Stockwater & Commercial
Anthony Bull

Pending Transfer #5316

T36-07460AA
1.60 cfs for 90.5 acres
(362.0 Afa DV & 271.5 Afa CUV)
Mike &/or Kathy Branchflower

T36-07460AB NEEDS TO BE
RENUMBERED TO
A BASIN
0.30 cfs and 67.6 Afa (DV) 37 RIGHT
for Stockwater & Commercial
Daryl and Elaine Hilt

Proposed Transfer #5320

T36-07460AC
1.00 cfs for 56.5 acres
(226.0 Afa DV & 169.5 Afa CUV)
Mike &/or Kathy Branchflower

T36-07460AD
0.60 cfs and 102.0 Afa (CUV)
for Stockwater, Commercial,
and Domestic
Rocha Dairy

MICROFILMED
JUN 24 1993

T-#5320

WEST ESPA WATER MEASUREMENT DISTRICT

1997 REPORT OF FLOW METER MEASUREMENTS: NON-IRRIGATION WELLS

Submit report to: West ESPA Water Measurement District
1341 Fillmore St, Ste 200, Twin Falls, Idaho 83301-3380.

Due Date: January 15, 1998.

NOTE: A separate reporting form must be submitted for each well.

Name:	ROCHA, ELCIDIO & JOSE C	—
Water Right Nos:	28-08079	—
Legal Description:	088 1DE 10 NWSE	—
Site Tag No:	A0001271	—
Diversion Name:	#1 EAST WELL	—

SECTION I Appropriator information

Name and Address of Water Right Holder

Please check here for address correction ☐

Current Owner

Name Rocha Elcidio + Jose C

Phone 536-6786

Address 3164 S. 2050 E.

Fax 536-6522

City Wendell

State & Zip Id. 83355

Original Owner (if sold within last year)

Name _____

Phone _____

Address, City, State, Zip _____

Operator (if leased or operated by someone else)

Name _____

Phone _____

Address, City, State, Zip _____

SECTION II Certification

I hereby certify that the reported information is correct to the best of my knowledge and that I recognize that willful submittal of false or inaccurate data is a violation of law subject to the penalty provisions of Sections 42-311, 42-350 and 42-351, Idaho Code.

Date _____ Signature Elcidio Al Rocha JUN 24 1999

T # 5320

SECTION III. Rate of flow and volume pumped from well(s). Record flow meter volume and flow rate at least once per month, indicating date of reading. Take year-end reading on or near December 31. Record both units (gallons, acre-feet, gpm, cfs) and any meter multipliers. Please explain when two or more diversions are measured with one meter, or when two or more flowmeters are used for one diversion (indicate each meter's readings).

Date (enter date of reading)	Total Volume Reading Units: _____ (gal/af) Multiplier: x	Flow rate Units: _____ (gpm/cfs) Multiplier: x	Discharge pressure (psi)
January 1-97	407446		
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December 31-97	685087		

Do the totalizer readings above include the meter multiplier? 277.6416 OAN Yes No

Total Gallons 27764100 OAN or Total Acre-ft 85.2 OAN
(325,850 gallons per acre-foot)

Comments

If the flowmeter was installed, calibrated or replaced during 1997, please note the date.
Depth to water measurements are encouraged, and can be recorded here. When reporting depth measurements, also note the date, if the pump was on or off, or if other nearby pumps were on.

SECTION IV Modifications made in 1997

Please describe in the space below any major modifications made to the pumping plant or piping system which would affect the accuracy of the flow measurements during 1997. Attach drawings, sketches, notes or design information if needed.

For District Use Only

Received _____

Reviewed _____

Data Entry _____

MICROFILMED

Date _____

Date 8-2-98

Date _____

RECEIVED

Form WMP4, rev 4/1/97, wwmd

MAY 26 1998

WEST ESPA WATER MEASUREMENT DISTRICT

Department of Water

1997 REPORT OF FLOW METER MEASUREMENTS: NON-IRRIGATION WELLS

Submit report to: West ESPA Water Measurement District
1341 Fillmore St, Ste 200, Twin Falls, Idaho 83301-3380.

Due Date: January 15, 1998.

NOTE: A separate reporting form must be submitted for each well.

Name:	ROCHA, ELCIDIO & JOSE C	
Water Right Nos:	36-08377	---
Legal Description:	08S 15E 10 NWSE	---
Site Tag No:	40001272	8 1/4
Diversion Name:	#2 WEST WELL	---

SECTION I Appropriator information

Name and Address of Water Right Holder

Please check here for address correction ☐

Current Owner

Name Rocha Elcidio + Jose C
Last, First, MI

Phone 536-6786

Address 3164 S. 2050E.

Fax 536-6522

City Wendell

State & Zip Id. 83355

Original Owner (if sold within last year)

Name _____

Phone _____

Address, City, State, Zip _____

Operator (if leased or operated by someone else)

Name _____

Phone _____

Address, City, State, Zip _____

SECTION II Certification

I hereby certify that the reported information is correct to the best of my knowledge and that I recognize that willful submittal of false or inaccurate data is a violation of law subject to the penalty provisions of Sections 42-311, 42-350 and 42-351, Idaho Code.

Date _____ Signature Elcidio Al Rocha

MICROFILMED
JUN 24 1999

T#5320

SECTION III. Rate of flow and volume pumped from well(s). Record flow meter volume and flow rate at least once per month, indicating date of reading. Take year-end reading on or near December 31. Record both units (gallons, acre-feet, gpm, cfs) and any meter multipliers. Please explain when two or more diversions are measured with one meter, or when two or more flowmeters are used for one diversion (indicate each meter's readings).

Date (enter date of reading)	Total Volume Reading Units: _____ (gal/af) Multiplier: x	Flow rate Units: _____ (gpm/cfs) Multiplier: x	Discharge pressure (psi)
January 1-97	391830		
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December 31-97	700605		

Do the totalizer readings above include the meter multiplier? ____ Yes ____ No

Total Gallons 30877500 or Total Acre-ft 94.8 *DAV*
(325,850 gallons per acre-foot)

Comments

If the flowmeter was installed, calibrated or replaced during 1997, please note the date.
Depth to water measurements are encouraged, and can be recorded here. When reporting depth measurements, also note the date, if the pump was on or off, or if other nearby pumps were on.

SECTION IV Modifications made in 1997

Please describe in the space below any major modifications made to the pumping plant or piping system which would affect the accuracy of the flow measurements during 1997. Attach drawings, sketches, notes or design information if needed.

For District Use Only

Received _____ Date _____
Reviewed _____ Date _____
Data Entry _____ Date _____

MICROFILMED
JUN 24 1999

RECEIVED

JAN 13 1997

STATE OF IDAHO

03/07/1996

Department of Water Resources DEPARTMENT OF WATER RESOURCES

Water Measurement Program **FOR MEASURING DEVICE METHOD**

NON-IRRIGATION WELLS

1996 Reporting Form

ATTENTION: Ground water users -- Year end data must be submitted to Idaho Department of Water Resources 1301 N. Orchard Boise Idaho 83706, on or before **January 15, 1997.**

NOTE: A separate reporting form must be submitted for each well.

Name	ROCHA, ELCIDIO & JOSE C
Water Right No.	36-08379
Legal Description	T 08S 15E 10 NWSE
Site Tag No.	A0001271
Well Name	*1 EAST well

SECTION I Appropriator Information

Name and Address of Water Right Holder

Please check here for address correction ☐

Current Owner

Name Rocha Elcidio Jose C

Phone 536 6786

Address 3164 So 2050 E

Fax _____

City WENDELL

State & Zip _____

Original Owner (if sold within last year)

Name _____

Phone _____

Address _____

Fax _____

City _____

State & Zip _____

Operator (if leased or operated by someone else)

Name _____

Phone _____

Address _____

Fax _____

City _____

State & Zip _____

PHOTOFILMED

JUN 24 1996

T# 5320

SECTION II Well Information

Idaho code measurement statute § 42-701 requires water users to measure water levels in their wells. However, the department recognizes that measuring water levels in some wells is very difficult, especially wells with submersible-type pumps installed. If the water level cannot be measured, please give a brief explanation in the comments section.

Static Water Level: Ft. _____ Date _____ Time of day _____
Depth to water in the well with the pump off and water level stabilized,
measured from approximate ground level to water surface in the well.

Dynamic Water Level: Ft. _____ Date _____ Time of day _____
Depth to water in the well with the pump operating at or near full capacity and
the water level stabilized.

SECTION III. Rate of flow and volume pumped from well(s)

Flowmeter multipliers: Totalizer X100 Flow Rate _____

Flowmeter units of measurement: Totalizer (acre feet, gallons or other) _____
Flow Rate (cfs, gpm, or other) _____

Date (enter date of reading)	Totalizer reading	Flow rate	Discharge pressure (psi)
January 14-96	108045		
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December 31-96	407446		

* Please make year-end reading on or near December 31, 1996

Do the totalizer readings above include the meter multiplier? _____ Yes _____ No

Total Gallons _____
OR

Total Acre-ft 91.9

$$\frac{299,401 \times 100}{325,850} = 91.9$$

(325,850 gallons per acre-foot)

MICROFILMED
JUN 24 1998

RECEIVED

Scott King 327-2920

W. 24 JAN 13 1997

STATE OF IDAHO

03/07/1996

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

Water Measurement Program FOR MEASURING DEVICE METHOD

NON-IRRIGATION WELLS

1996 Reporting Form

ATTENTION: Ground water users -- Year end data must be submitted to Idaho Department of Water Resources 1301 N. Orchard Boise Idaho 83706, on or before January 15, 1997.

NOTE: A separate reporting form must be submitted for each well.

Name:	—	ROCHA, ELCIDIO & JOSE C	Non-irrig	—
Water Right No:	—	36-08379		—
Legal Description:	T	08S 15E 10 NWSE		—
		#1		—
Site Tag No:		A000 1272		
Diversion Name:	#	WEST WELL		

SECTION I Appropriator information

Name and Address of Water Right Holder

Please check here for address correction ☐

Current Owner

Name Rocha ELCIDIO JOSE C
Last, First, MI

Phone 536 6786

Address 3164 So 2050 E

Fax _____

City WENDELL

State & Zip _____

Original Owner (if sold within last year)

Name _____
Last, First, MI

Phone _____

Address _____

Fax _____

City _____

State & Zip _____

Operator (if leased or operated by someone else)

Name _____
Last, First, MI

Phone _____

Address _____

Fax _____

City _____

State & Zip _____

MICROFILMED

JUN 24 1999

T# 5320

SECTION II Well Information

Idaho code measurement statute § 42-701 requires water users to measure water levels in their wells. However, the department recognizes that measuring water levels in some wells is very difficult, especially wells with submersible-type pumps installed. If the water level cannot be measured, please give a brief explanation in the comments section.

Static Water Level: Ft. _____ Date _____ Time of day _____
Depth to water in the well with the **pump off** and water level stabilized,
measured from approximate ground level to water surface in the well.

Dynamic Water Level: Ft. _____ Date _____ Time of day _____
Depth to water in the well with the **pump operating** at or near full capacity and
the water level stabilized.

SECTION III. Rate of flow and volume pumped from well(s)

Flowmeter multipliers: Totalizer _____ Flow Rate _____

Flowmeter units of measurement: Totalizer (acre feet, gallons or other) _____
Flow Rate (cfs, gpm, or other) _____

Date (enter date of reading)	Totalizer reading	Flow rate	Discharge pressure (psi)
January 1-96	100226		
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December 31-96	391830		

* Please make year-end reading on or near December 31, 1996

$$\begin{array}{r} 391830 \\ - 100226 \\ \hline 291604 \times 100 \\ \hline 325850 = 89.5 \end{array}$$

Do the totalizer readings above include the meter multiplier? _____ Yes _____ No

Total Gallons _____
OR

Total Acre-ft _____ (325,850 gallons per acre-foot)

MICROFILMED

JUN 24 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Water Measurement Program FOR MEASURING DEVICE METHOD

JAN 05 1996

Department of Water Resources

1995 Reporting Form

ATTENTION: Ground water users --- Year end data must be submitted to Idaho
Department of Water Resources 1301 N. Orchard Boise Idaho 83706, on or before
January 15, 1996.

NOTE: A separate reporting form must be submitted for each well.

Name: _____	ROCHA, ELCIDIO & JOSE C
Water Right No. _____	36-08379
Legal Description: T _____	08S 15E 10 NWSE

SECTION I Appropriator information

Name and Address of Water Right Holder

Current Owner

Name Rocha ELCIDIO JOSE
Last, First, MI

Address 3164 A South 2050 East

City Wendell

Phone 536 6786

Fax 536 6522

State & Zip 83355

Original Owner (if sold within last year)

Name _____
Last, First, MI

Address _____

City _____

Phone _____

Fax _____

State & Zip _____

Operator (if leased or operated by someone else)

Name _____
Last, First, MI

Address _____

City _____

Phone _____

Fax _____

State & Zip _____

MICROFILMED

JUN 24 1999

T-# 5320

meter #1 EAST

SECTION II Well Information

Depth to water level prior to any pumping, measured from approximate ground level to water surface in well: Ft. 160 Date 6-6-95 Time of day _____

Depth to water in the well with pump operating at or near full capacity and the system stabilized (pump should have been operating at least 6 hours): Ft. _____ Date _____ Time of day _____

Pump discharge pressure at normal operating conditions: 40 PSI (pounds per square inch)

SECTION III. Rate of flow and volume pumped from well(s)

Meter multiplier X 100 (if any)

Units of measurement (Acre feet, gallons or other) _____

Date (enter date of reading)	Totalizer reading	Acre feet since last reading	Cumulative acre feet	Flow rate cfs or gpm	Discharge pressure
Jan. ()					
Feb. ()					
March ()					
April ()					
May ()					
June (1)	0				
July (1)					
August (1)					
Sept. (1)					
Oct. (1)					
Nov. (1)					
Dec. (1)	10022.6				

Does totalizer reading above include meter multiplier? Yes ☒ No

PM

Total Acre-feet

30.76

10022.6×100
3258520

INSTALLED IN
2" PIPE
100 MULT.
GALLONS

Comment:

MICROFILMED

JUN 24 1995

SECTION II Well Information

Depth to water level prior to any pumping, measured from approximate ground level to water surface in well: Ft. 160 Date 6-6-95 Time of day _____

Depth to water in the well with pump operating at or near full capacity and the system stabilized (pump should have been operating at least 6 hours): Ft. _____ Date _____ Time of day _____

Pump discharge pressure at normal operating conditions: 40 PSI(pounds per square inch)

SECTION III. Rate of flow and volume pumped from well(s)

Meter multiplier X _____ (if any)

Units of measurement (Acre feet, gallons or other) _____

Date (enter date of reading)	Totalizer reading	Acre feet since last reading	Cumulative acre feet	Flow rate cfs or gpm	Discharge pressure
Jan. ()					
Feb. ()					
March ()					
April ()					
May ()					
June ()					
July ()					
August ()					
Sept. ()					
Oct. ()					
Nov. ()					
Dec. ()	<u>108045</u>				

Does totalizer reading above include meter multiplier? Yes ☒ No

Total Acre-feet 33.15

$\frac{108045 \times 100}{325850} = 33.15$

Comment:

MICROFILMED
JUL 24 1995

WR0749NP
No. T36-07460Y

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/09/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KATHY BRANCHFLOWER	03/25/1974	IRRIGATION	04/01 10/31	1.530 CFS	
C	MICHAEL G BRANCHFLOWER					
	PQ BOX 392					
	WENDELL ID 83355-0392					
	(208) 536-2564					
				TOTAL DIVERSION:	1.530 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R14E S21 S28 SNNWSE SNNWNE NWSWSE GOODING County GOODING County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE			
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	14E	28	:				02		39	:								25				18			86.3
																							TOTAL ACRES	86.3	

Pou County: LINCOLN

Conditions of Approval:

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Dates: App. Received: 05/01/1997 Priority Date: 03/25/1974
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/26/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS
ACREAGE DISTRIBUTION ON LICENSE APPEARS TO BE INCORRECT, AS WE
HAVE NOT CHANGED THE IRRIGATION SYSTEM SINCE WE BOUGHT THE FARM
IN 1979.
LAND IN SESW SEC. 21 & NENW SEC. 28 WAS DRIED UP IN 1982 SO SENE
& NESE SEC. 29 COULD BE IRRIGATED. APPLICATION FOR PERMIT WAS
MADE IN 1985 TO COVER THESE LANDS.
WATER RIGHT SPLIT: TRANSFER #3684
JANSS-- 13.16 CFS, A36-07460A
BRANCHFLOWER--1.04 CFS, A36-07460B

Date: 12/23/1991 User-ID: CLELLAND Subject: TRANSFER 3767 INFO
THE RECOMMENDATIONS LISTED HERE ARE THE SAME AS IN R36-07460A.
HOWEVER, TRANSFER 3767 HAS BEEN ALLOWED SINCE THE PERIOD OF
FIVE YEAR NON-USE OF PORTIONS OF THIS RIGHT RANGED FROM 1987 TO

Comments: Date: 12/23/1991 User-ID: CLELLAND Subject: TRANSFER 3767 INFO
1991 AND THE TRANSFER WAS FILED IN 1990. IT APPEARS THAT IS THE
LAST PENDING TRANSFER AGAINST THE FORFEITED/ABANDONED PORTION OF
THIS RIGHT. ANY FURTHER TRANSFERS ON THE NON-IRRIGATED PORTION OF
THIS RIGHT SHOULD NOT BE ALLOWED.

Date: 03/18/1994 User-ID: SKAGGS Subject: TRANSFER 4051
Transfer No. 4051 was filed to change the point of diversion and
the place of use under a portion of Right No. 36-07460C,
splitting the right into parts H and J. The transfer was
processed using the SRBA Claim as recommended to the court and
will be stored under an X prefix on the water right database
pending conclusion of the adjudication.

Date: 01/31/1996 User-ID: MBALDWIN Subject: TRANSFER 4761
T# 4761 filed on 12/22/95 proposes to add diversion point(s),
change place of use, change nature of use, change period of use,
under a portion of Right 36-07460H, splitting the right into
Parts K & L. Based on adjusted rates per SRBA stipulation
agreement. SEE X36-07460K & X36-07460L.

Date: 02/08/1996 User-ID: MBALDWIN Subject: TRANSFER 4765
T# 4765 filed on 1/29/96 proposes to to add diversion point(s),
change place of use, change nature of use, change period of use,
under a portion of Right X36-07460K, splitting the right into
parts M & N. SEE X36-07460M & X36-07460N.

Date: 10/01/1997 User-ID: PSKAGGS Subject: TRANSFER 5114
Transfer No. 5114 changes the point of diversion, place, season &
nature of use under a portion of Right No. X36-07460M, splitting
the right into Parts P & Q. SEE RIGHTS X36-07460P & X36-07460Q.

Date: 12/16/1997 User-ID: PSKAGGS Subject: TRANSFER 5160
Transfer 5160 adds a point of diversion, changes the nature,
season & place of use under all of Right 36-10656 & a portion of
Right X36-07460P, splitting the right into parts R & S.
SEE RIGHTS X36-07460R, X36-07460S & X36-10656.

Date: 10/16/1998 User-ID: PSKAGGS Subject: TRANSFER 5098
Transfer 5098 changes & adds points of diversion, changes the
place, nature & season of use of a portion of Right 34-07460R
identified as Part V. The remaining unchanged portion of Part R
was split into Parts T & U by ownership as identified by SRBA
stipulation agreement.

Date: 06/08/1999 User-ID: PSKAGGS Subject: TRANSFER 5321
Transfer 5321 changes the points of diversion, place, nature &
season of use under a portion of Right X36-07460U, splitting the
right into Parts W & X.

Date: 06/09/1999 User-ID: PSKAGGS Subject: TRANSFER 5316

WR0749NP
No. T36-07460Y

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/09/99
PAGE: 3

Comments: Date: 06/09/1999 User-ID: PSKAGGS Subject: TRANSFER 5316
Transfer 5316 adds/changes the points of diversion, changes the
place nature & season of use under a portion of Right 36-07460W, < Y
and adds a second point of diversion under Right 37-08055. Z

Audit: 06/09/99 PSKAGGS

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
_____ 1/4	_____ 1/4	_____ 1/4	
Lat: _____		Long: _____	

1. WELL TAG NO. **D 0008250**
 DRILLING PERMIT NO. **36-99-S-0087-000**
 Other IDWR No. **36-07460X**

2. OWNER:
 Name **Don German Dairy**
 Address **162 W. 400 N.**
 City **Jerome** State **ID** Zip **83338**

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

	Twp. 7	North ☐	or	South ☒
	Rge. 16	East ☒	or	West ☐
	Sec. 26	1/4 SE 1/4 SW 1/4		
	Gov't Lot _____	County Jerome		
Lat: _____		Long: _____		
Address of Well Site 162 W. 400 N.				
City Jerome				

(Give at least name of road + distance to road or landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other **Dairy**

5. TYPE OF WORK: check all that apply (Replacement, etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES:

Seal/Filter Pack		AMOUNT		METHOD
Material	From To	Sacks or Pounds		
bentonite	0 19	300 lbs		dry pour

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From To	Gauge	Material	Casing	Liner	Welded	Threaded
8	+1 19	.25	steel	☒	☐	☐	☐
				☐	☐	☐	☐
				☐	☐	☐	☐

Length of Headpipe **1'** Length of Tailpipe _____

9. PERFORATIONS/SCREENS:

☐ Perforations Method _____
☐ Screens Screen Type _____

From To	Slot Size	Number	Diameter	Material	Casing	Liner
					☐	☐
					☐	☐
					☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

312 ft. below ground Artesian pressure _____ lb.
 Depth flow encountered _____ ft. Describe access port or control devices: **well cap**

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
no returns			

Water Temp. **<85** Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encounter: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water
10	0	5	Top soil	
10	5	6	Broken lava	
10/8	6	24	Black lava	
8	24	26	Broken	
8	26	28	Med hard	
8	28	29	Crevice	
8	29	64	Hard black lava	
8	64	65	Broken	
8	65	147	Black lava	
8	147	152	Med hard black lava	
8	152	171	Black lava	
8	171	172	Broken black lava	
8	172	176	Med hard red & black lava	
8	176	207	Black lava	
8	207	211	Med hard & breaks	
8	211	213	Soft broken & brown clay	
8	213	214	Med hard black lava	
8	214	217	Brown clay	
8	217	231	Black lava	
8	231	234	Med hard & breaks	
8	234	236	Broken & cinders	
8	236	253	Black lava	
8	253	255	Black cinders	
8	255	301	Black lava	
8	301	302	Broken	
8	302	314	Black lava	
8	314	319	Soft & broken cinders	X
8	319	321	Hard	
8	321	323	Soft broken	X
8	323	326	Med hard	
8	326	327	Cinders	X
8	327	335	Med hard breaks & cinders	X
8	335	385	Hard lava & breaks	

AUG 12 1999

Department of Water Resources

Completed Depth **344'** (Measurable)
 Date: Started **6/30/99** Completed **7/20/99**

13. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name **Eaton Drilling & Pump Service, Inc.** Firm No. **26**
 Firm Official **Long Hills** Date **7/26/99**
 and **Don German**
 Driller or Operator **Don German** Date **7/26/99**
 (Sign once if Firm Official & Operator)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

June 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DON GERMAN
162A W 400 N
JEROME ID 83338

RE: Water Right 36-07460X (Transfer 5321)

Dear Mr. German:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5321). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

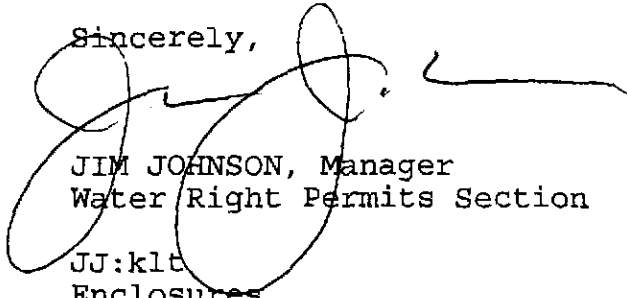
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klb
Enclosures

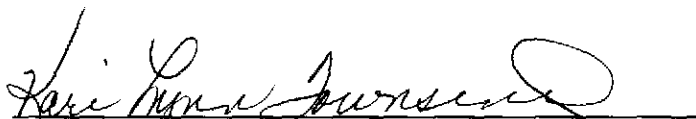
MICROFILMED
JUN 24 1999

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of June, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT 36-07460X (Transfer 5321)

**DON GERMAN
162A W 400 N
JEROME ID 83338**


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 24 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED
JUN 24 1999

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

RECEIVED
FEB 17 1983
Department of Water Resources
District Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7460 Priority March 25, 1974 Amount 14.2 cfs

THIS IS TO CERTIFY, that Janss Investment Corp.
of Thousand Oaks, California, has complied with the terms and conditions of Permit
No. 36-7460 issued pursuant to Application for Permit dated March 25, 1974
and has submitted proof to the Department of Water Resources on February 2, 1979
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 14.2 of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>14.2</u> cfs and	<u>3600.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 14.2 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3600.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21; NW $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28; Twp. 7S, Rge. 14E in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	14E	20																	33
		21											40	40	33	33	40	33	219
		28	33	40	38	39	40	40	40	40	40	38	35	39	40	35	39	39	615
		29	33																33

Total number of acres irrigated 900

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of January, 19 83


Director

36-7460

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 08/08/95

PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

36-07460

Split into 36-07460A & B.

36-07460A

Split into 36-07460C & D by Trans. #3767.

36-07460B

BRANCHFLOWER , MIKE

1.04

36-07460C

JANSS INVESTMENT CORP.

12.72

36-07460D

BRANCHFLOWER , MIKE

0.44

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
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WATER RIGHT
NUMBER

NAME

CFS

T36-07460G2 BRANCHFLOWER , MIKE

0.19

pending xfer

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
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WATER RIGHT
NUMBER

NAME

CFS

X36-07460E	BRANCHFLOWER , MIKE	0.13
X36-07460F	BRANCHFLOWER , MIKE	0.12
X36-07460G	BRANCHFLOWER , MIKE	0.19
X36-07460H	JANSS FARMS	9.06
X36-07460J	BRANCHFLOWER , MIKE	1.38

water right database (not adj.) reflection
of transfers approved since Director's report
was prepared.

Post-It® Fax Note	7671	Date 8/8	# of pages 4
To Mary		From [Signature]	
Co/Dept.		Cc.	
Phone #		Phone #	
Fax #		Fax #	