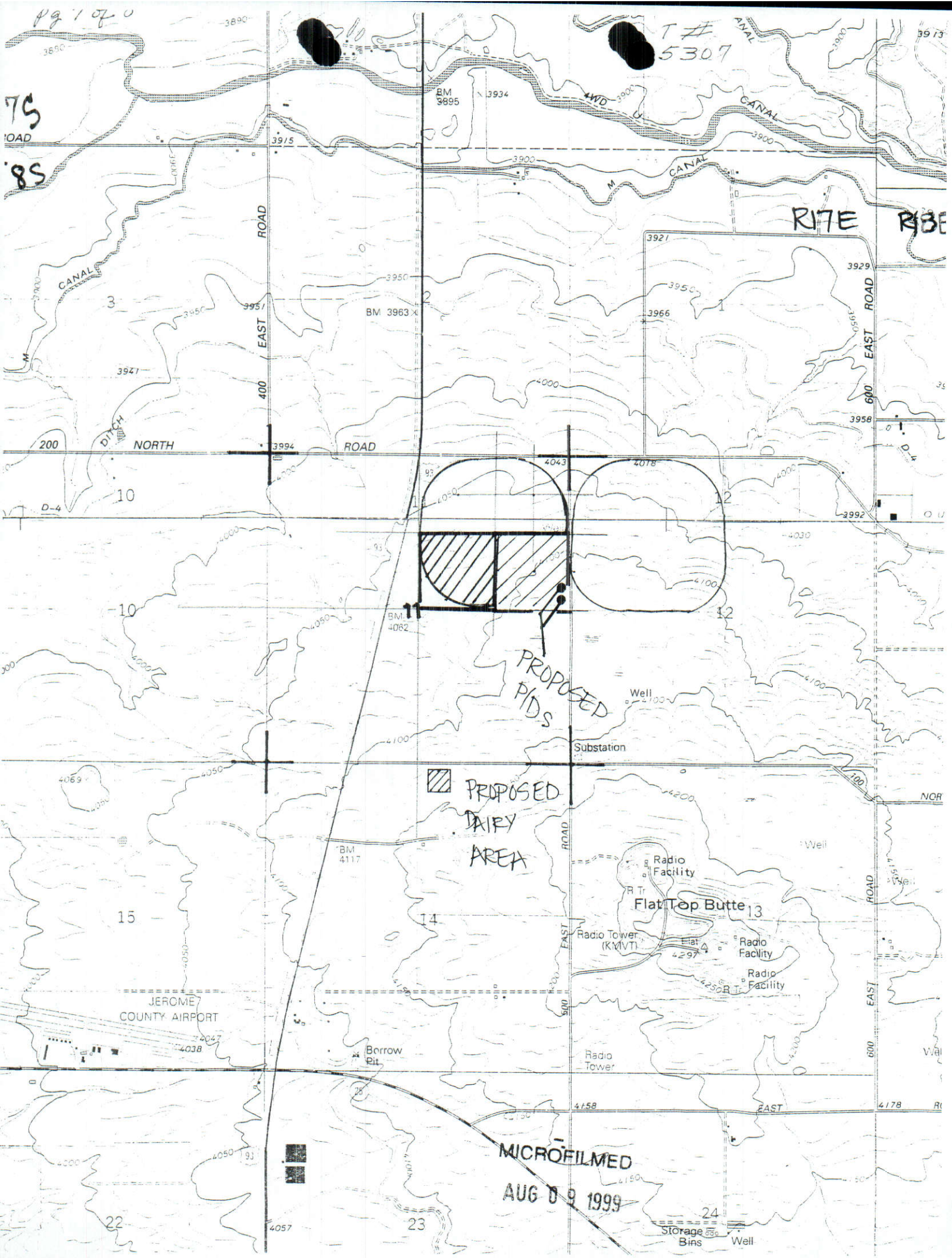




75
85

T#
5307

RITE RIBE

PROPOSED
PIDS

PROPOSED
DAIRY
AREA

MICROFILMED
AUG 09 1999

JEROME
COUNTY AIRPORT

Flat Top Butte

Radio Tower
(KMTV)

Radio Facility

Radio Facility

Radio Facility

Radio Tower

Borrow
Pit

Storage
Bins

Well

5801

T628

82c.

1530

2272-12

MICROFILMED
AUG 09 1999

$$\frac{2 \times 2}{75} \text{ NHCL}$$

222c.

123

41
75 NHEL

30 75 NH

250

65

BEFORE TRANSFER

T # 5307

R47E

T08S

T628

meas
981

3 3
50 NHEL

1 NHEL
1 NHEL

11 12

2 3
75 NHEL

4 1
75 NHEL

1 1/2
136 NHEL

T530

2272-1-2

1 0 NHEL
76 NHEL

3 2
75 NHEL

P/D
EXISTING

PROPOSED P/D

122 ac.

DAIRY BARN
SE NE

LAGOONS
SW NE



PROPOSED DAIRY AREA

MICROFILMED
AUG 09 1999

AFTER TRANSFER

Hwy 93

NORTH

curved

34 HIGH



@ the pivot ctr. photo looking East-SE



P/D photo looking S'ly



P/D photo looking N'ly

to west pivot in NE 1/4 Sec 11
irrigation line

To east pivot in
NW 1/4 Sec 12

RECEIVED

JAN - 9 2002

2002 JAN - 9 PM 2: 40

FILED CM
TWIN FALLS, IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	For Decreed Water Right ~~36-02612~~
	)	(Split administratively into water rights 36-02612A &
	)	36-02612B)
Case No. 39576	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and INCORPORATING
	)	INTO PARTIAL DECREE AN EXPRESS STATEMENT
	)	REGARDING GENERAL PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for water right 36-02612 ("decreed water right") on December 4, 1997. The period of use element therein was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, the Idaho Department of Water Resources (IDWR) filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included irrigation period of use recommendations for water right 36-02612. On June 23, 2000, IDWR a *Notice of Completed Administrative Proceeding* notifying this Court that pursuant to administrative proceedings conducted before IDWR, the decreed water right was split into multiple water rights designated as 36-02612A and 36-02612B ("split water rights").¹ There are no outstanding objections to IDWR's recommendations. The Court finds that IDWR's recommendations for irrigation period of use for the split water rights are based on the irrigation period of use for the decreed water right.

¹ Some or all of these split water rights may have again been split or affected by administrative proceedings following the issuance of the *Supplemental Director's Report*. However, this *Order* only amends the *Partial Decree* that was issued for the decreed water right and addresses only those split rights of which the Court received notice. Administrative changes to the split rights, if any, that occurred following the filing of the *Notice of Completed Administrative Proceeding* are not affected by this *Order* and are therefore not referenced.

THEREFORE, IT IS ORDERED that period of use element for the irrigation portion of the above-captioned decreed water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned decreed water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

IT IS FURTHER ORDERED that this order is being entered *nunc pro tunc* effective as of the date the *Partial Decree* was issued and shall not supercede any subsequent administrative changes to the water right that may have occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: January 8, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT IN PARTIAL DECREE ... NUNC PRO TUNC was mailed on January 08, 2002, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MARTIN FARMS CO.
919 19TH AVE. E
JEROME, ID 83338
Phone: 208-324-5951

Lettie Messick

Important Information About Your Water Right

January 8, 2002

Martin Farms Co.
919 19th Ave. E.
Jerome, ID 83338

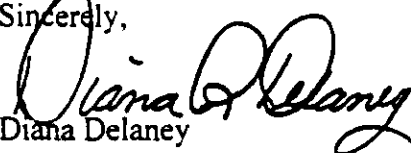
Dear Water Right Claimant(s):

This letter accompanies a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree, and Incorporating into Partial Decree Express Statement Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") issued for water right number 36-02612. Following the issuance of the *Partial Decree* for water right 36-02612, the water right was split into multiple water rights pursuant to administrative proceedings conducted before the Idaho Department of Water Resources (IDWR). According to the records of IDWR, you are the current owner of water right 36-02612A,¹ which represents a water right resulting from the split of water right 00-02612. If you are not the current owner, please contact IDWR immediately at:

1301 North Orchard, Boise, ID 83706, 800-451-4129.

The purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for water right 36-02612. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). The *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order*, in combination with the *Partial Decree* that was issued for water right 36-02612, sets forth all of the elements from which your water right is derived. (Again, your water right was split from water right 36-02612.) The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of this water right. The original of the *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued on the same date that the *Partial Decree* was originally issued and therefore does not supercede any administrative changes occurring after that date.

Sincerely,


Diana Delaney
Case Administrator

¹ If water right 36-02612 is not listed as one of the split rights in the caption of the accompanying *Order*, it is because one of the captioned split rights was again split. This resulted in more split water rights including your water right. However, for purposes of the *Order*, these subsequently split rights need not be addressed, as they are not affected by the *Order*. If you have questions regarding your water right please contact IDWR.

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 08/06/99

TIME: 14:02:42

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
36-02612	MARSHALL, CHARLES P.	C	05/06/1965	L/	GROUNDWATER	IRR	WR
X36-02612			00/00/0000	/Z		IRR	WR
X36-02612A	MARTIN FARMS CO	C	05/06/1965	D/	GROUNDWATER	IRR	WR
X36-02612B	MARTIN FARMS CO	C	05/06/1965	D/	GROUNDWATER	STOCK COMMER	WR

36-02612	MARTIN FARMS CO	C	05/06/1965	D/	GROUNDWATER	P DECR	AJ
A36-02612	MARTIN FARMS CO	C	05/06/1965	L/	GROUNDWATER	IRR	AJ
R36-02612	MARTIN FARMS CO	C	05/06/1965	D/	GROUNDWATER	P DECR	AJ

MICROFILMED
AUG 09 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5307
WATER RIGHT NO(S) . 36-02612B/36-07906B

This is to certify that: **MARTIN FARMS CO**
201 EAST AVE A
JEROME ID 83338

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. 36-02612B :			
STOCKWATER	01/01 to 12/31	0.90 CFS	202.3 AF
COMMERCIAL	01/01 to 12/31	0.90 CFS	5.8 AF
Priority: 05/06/1965			
SUBTOTAL:		0.90 CFS	208.1 AF
Right No. 36-07906B :			
STOCKWATER	01/01 to 12/31	0.11 CFS	24.7 AF
COMMERCIAL	01/01 to 12/31	0.11 CFS	0.7 AF
Priority: 03/26/1980			
SUBTOTAL:		0.11 CFS	25.4 AF
TOTAL:		* 1.01 CFS	* 233.5 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 11, Township 08S, Range 17E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 17E 11

SWNE

SENE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

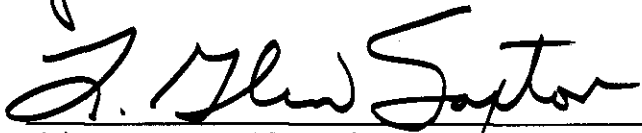
MICROFILMED
AUG 09 1999

TRANSFER NO. 5307
WATER RIGHT NO(S). 36-02612B/36-07906B

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. 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.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5307 shall not exceed 1.01 cfs, nor a total combined annual volume of 233.5 af.
8. The water used for commercial purposes under this approval is applied to and irrigates land adjacent to the place of use described above 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.
9. Two points of diversion are located within SENE, S11, T08S, R17E.

Dated this 6th day of August, 1999.


Chief, Water Allocation Bureau

MICROFILMED

AUG 09 1999

Transfer No. 5307
RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

SEP 15 1998

PART 1

DEPARTMENT OF WATER RESOURCES

Name of applicant MARTIN FARMS CO. Phone 423-6432
Post Office address 201 EAST AVE. A, Jerome, ID. 83338

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes DRY UP IRRIGATED ACRES (78 ACRES
TO CONSTRUCT DAIRY FOR COMMERCIAL USE

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
36-02612B	05/06/1965	0.90 cfs	STOCK/COMMERCIAL	1/1 to 12/31
36-07966B	03/26/1980	0.11 " "	" " "	1/1 to 12/31
				to
				to

2. Total amount of water being transferred 1.01 cubic feet per second and/or 233.5 acre-feet per annum.

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

MICROFILMED

2006 09 1990

Total acres _____

PART 1

6. General Information:

- a. Description of diversion system TWO NEW WELLS W/ 15HP PUMPS TO A MAINLINE SYSTEM TO SERVICE WATERING TROUGHS, MILKING PARLOR, AND A BARN.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ 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:
THE 78 ACRES NOW IRRIGATED WILL BE WHERE THE DAIRY WILL BE BUILT. COMMERCIAL & STOCK FOR APPROXIMATELY 6480 COWS.
- d. Remarks:

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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AUG 09 1999

PART 2

TRANS NO. 5307

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-02612

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	3.64 CFS

SOURCE

GROUNDWATER

Priority: 05/06/1965

LOCATION OF POINT(S) OF DIVERSION:SENESE , Sec. 11, Township 08S, Range 17E
JEROME CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	17E	11	NENE 40	NWNE 40	SWNE 40	160
			SENE 40			
		12	NENW 40	NWNW 40	SWNW 37	154
			SENW 37			
Total number of acres irrigated:						314

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-07906 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.1 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1256 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 36-07906 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 314 ACRES IN A SINGLE IRRIGATION SEASON.
3. RIGHT NO. 36-07906 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

MICROFILMED

AUG 09 1999

PART 2

TRANS NO. 5307

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-07906

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	0.46 CFS

SOURCE

GROUNDWATER

Priority: 03/26/1980

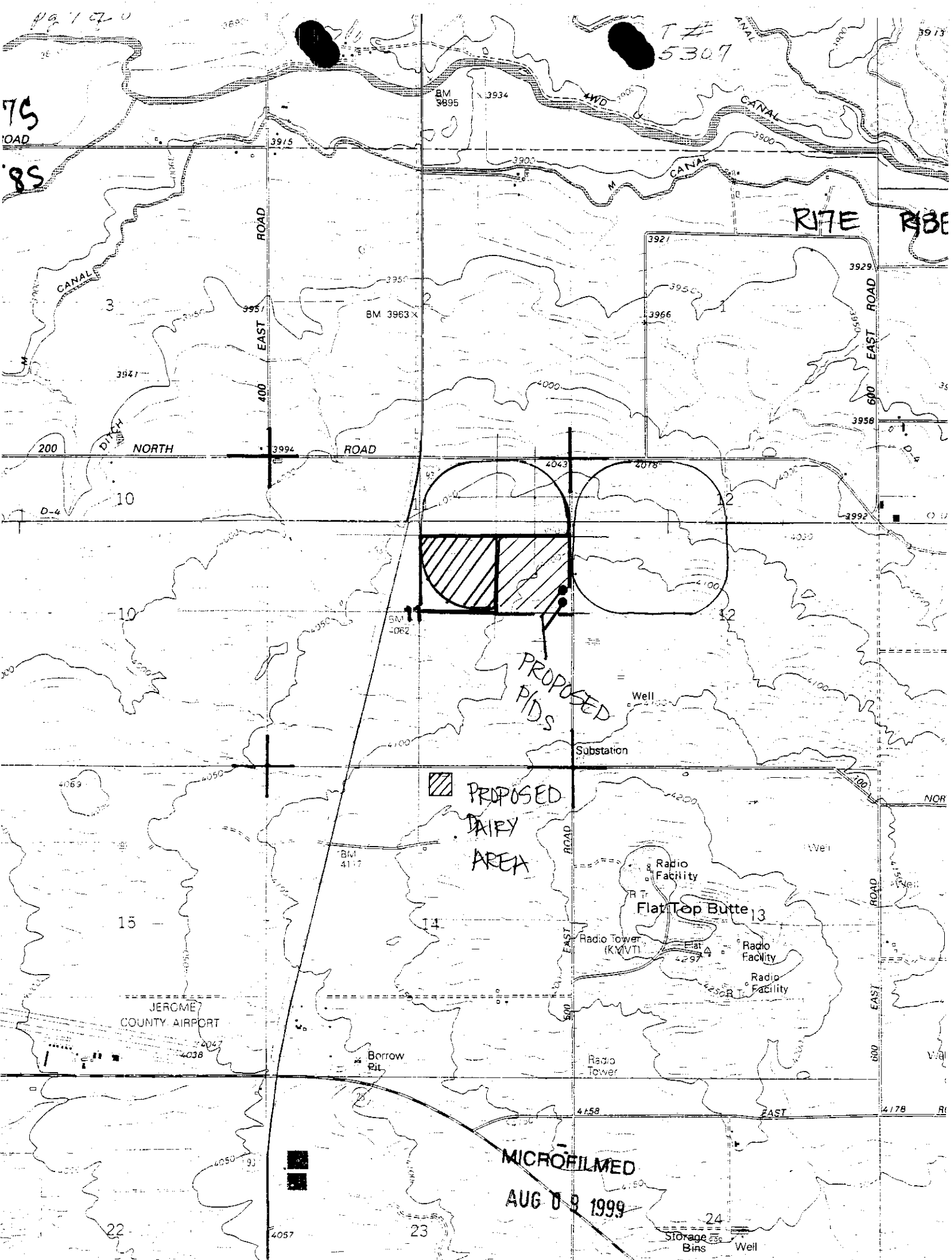
LOCATION OF POINT(S) OF DIVERSION:SENESE , Sec. 11, Township 08S, Range 17E
JEROME CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	17E	11	NENE 40	NWNE 40	SWNE 40	160
			SENE 40			
		12	NENW 40	NWNW 40	SWNW 37	154
			SENW 37			314
Total number of acres irrigated:						314

CONDITIONS/REMARKS:

1. RIGHT NO. 36-02612 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
2. USE OF THIS RIGHT WITH RIGHT NO. 36-02612 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.1 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1256 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 942 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 314 ACRES IN A SINGLE IRRIGATION SEASON.

MICROFILMED
AUG 09 1999



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>0.90 cfs</u>		<u>1/1</u> to <u>12/31</u>
	<u>COMMERCIAL</u>	<u>0.11 "</u>		<u>1/1</u> to <u>12/31</u>

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

DAIRY WASTE WATER WILL DISCHARGE TO PONDS AND THEN
SPIRINKLE ADJACENT FIELDS

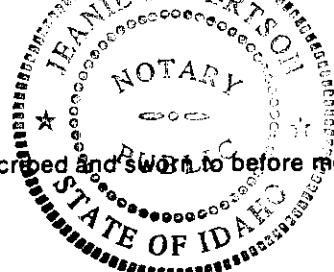
3. Describe effects on other water uses resulting from the proposed change:

THE REMAINING IRRIGATION USE WILL CONTINUE.

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.

Subscribed and sworn to before me this 28th day of May, 19 98.



Prof. J. Heidemann
(Signature of Applicant)

Jeanie Robertson
(Notary Public)

My commission expires 9-23-2000

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments
 Received by GLS Date 28 May 98 Protest filed by None
 Prelim. check by " Fee \$100 & 5021173
 Receipted by " Date 28 May 98
 Published in Northside News Copies of protest forwarded by _____
 Pub. dates 8/13 & 8/20/98 Hearing held by _____ Date _____
 Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial
 _____ rec'd. by AO
 Copy of transfer sent to lien holder _____

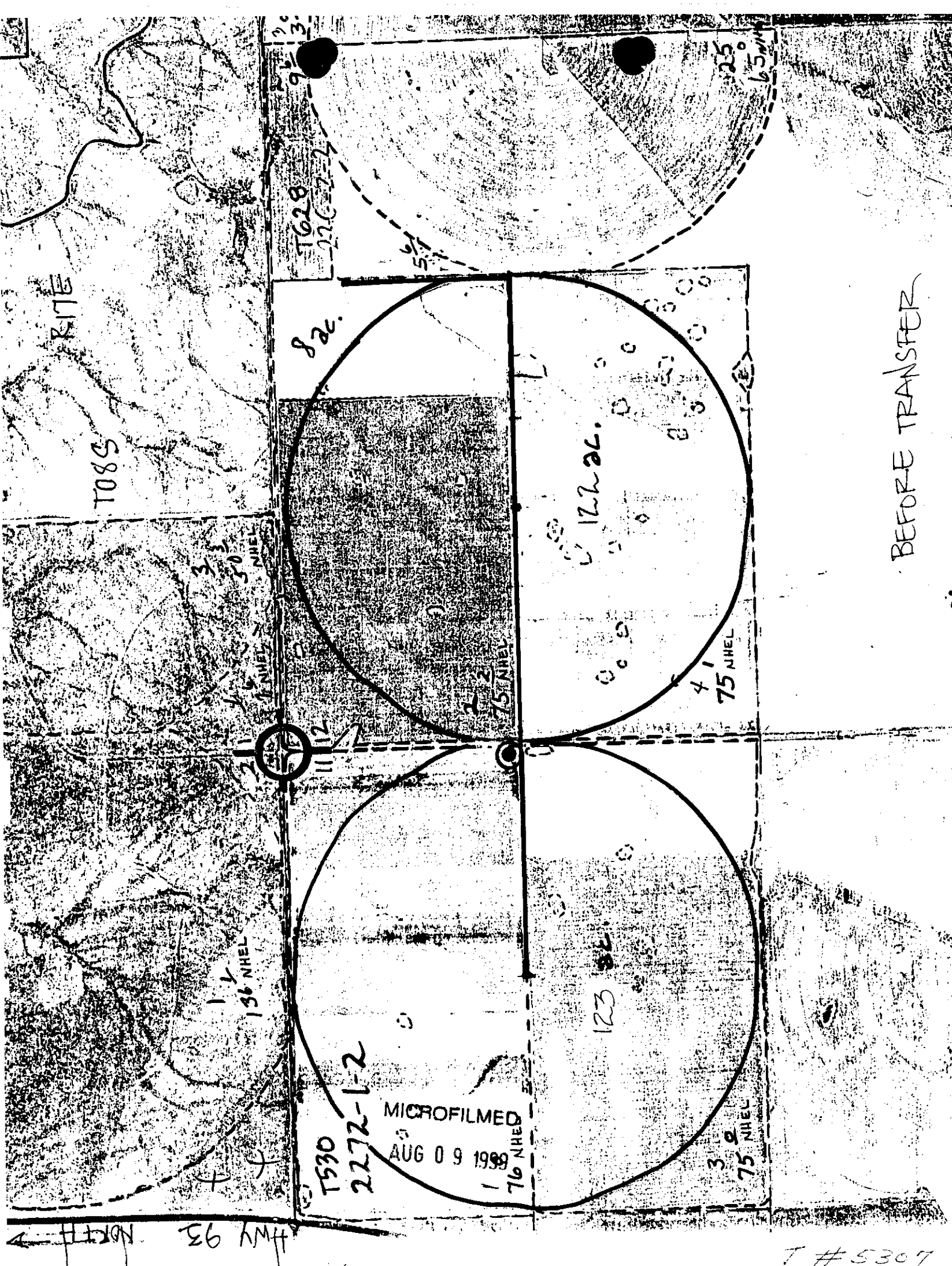
MICROFILMED

AUG 09 1999

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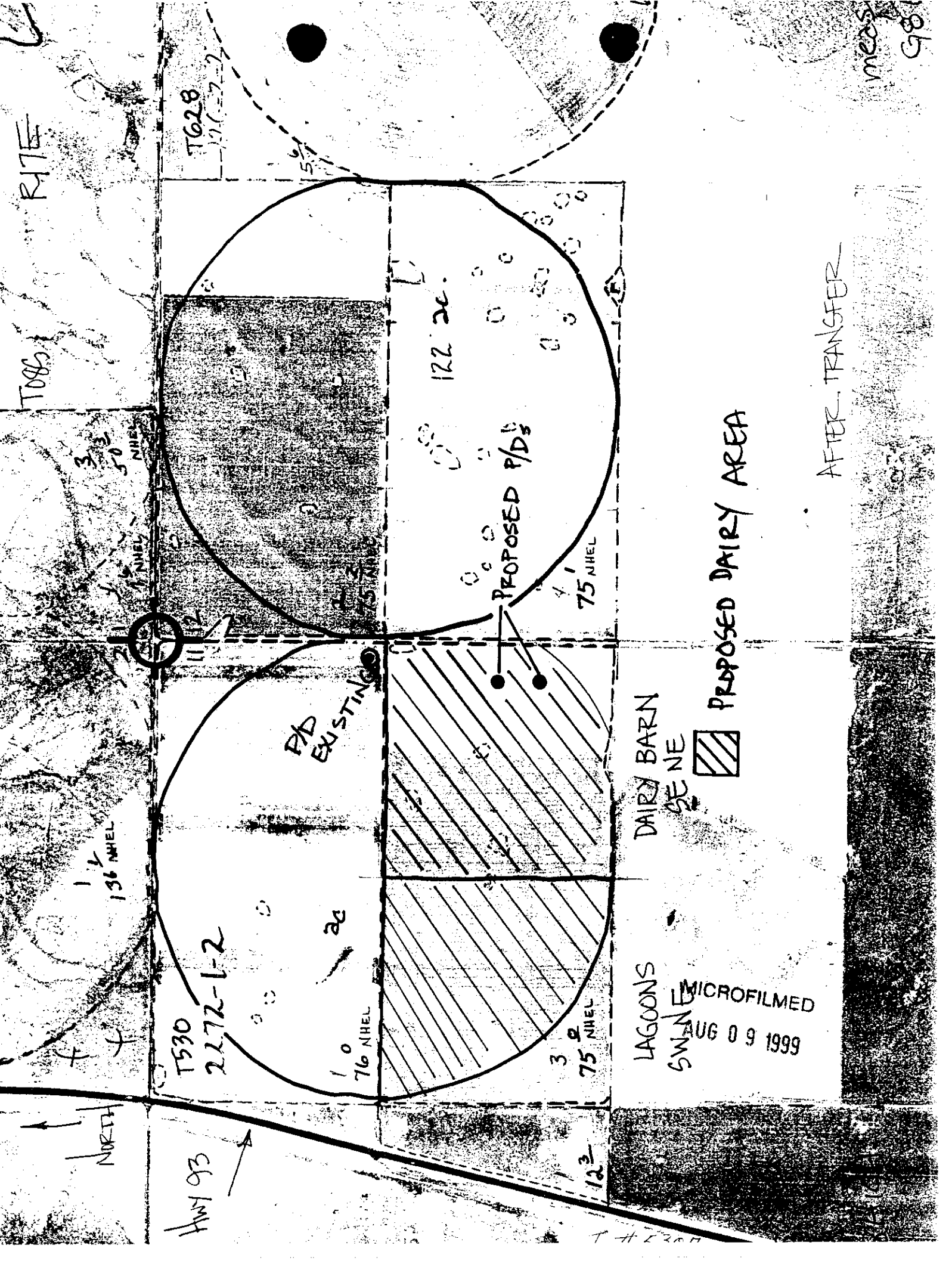
MAY 28 1998

Department of Water Resources
Southern Region



BEFORE TRANSFER

T # 5307



NORTH

HWY 93

T530

2272-1-2

136 NHEL

10 NHEL

PD EXISTING

122 ac.

PROPOSED P/D

75 NHEL

T628

126-7-2

LAGOONS

SWANE

MICROFILMED
AUG 09 1999

DAIRY BARN

SENE



PROPOSED DAIRY AREA

AFTER TRANSFER

meas
98

1032

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-02612

NAME & ADDRESS: MARTIN FARMS CO
919 19TH AVE E
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 3.64 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07906 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.1 CFS AND A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1256 AF.

PRIORITY DATE: 05/06/1965

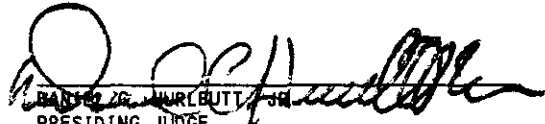
POINT OF DIVERSION: T08S R17E S11 SENENE Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.64 CFS 1256.0 AFY

PLACE OF USE:	IRRIGATION	Within JEROME County			
	T08S R17E S11	NENE 40	NWNE 40	SWNE 40	SENE 40
	S12	NENW 40	NWNW 40	SWNW 37	SENW 37
	314 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 36-07906 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 314 ACRES IN A SINGLE
IRRIGATION SEASON.

CONSUMPTIVE USE:
USE OF THIS RIGHT WITH RIGHT NO. 36-07906 IS LIMITED TO A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 942 AF.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication



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

August 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARTIN FARMS CO
201 EAST AVE A
JEROME ID 83338

RE: TRANSFER OF WATER RIGHTS 36-02612B/36-07906B (Transfer 5307)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 5307). 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,

Jeff Peppersack, Manager
Water Right Permits Sections

JP:klt

Enclosures

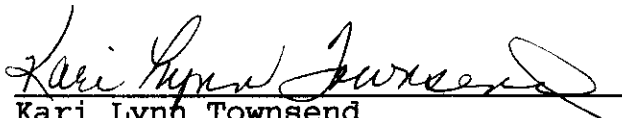
MICROFILMED
AUG 09 1999

CERTIFICATE OF MAILING

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

RE: TRANSFER OF WATER RIGHTS 36-02612B/36-07906B (Transfer 5307)

**MARTIN FARMS CO
201 EAST AVE A
JEROME ID 83338**


Kari Lynn Townsend
Secretary

MICROFILMED
AUG 09 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
AUG 09 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.

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AUG 09 1993

MEMORANDUM

TO: Files 36-02612 & 36-07906

FROM: Pam Skaggs *PS* / State Office

SUBJECT: Transfer 5307

DATE: July 28, 1999

Transfer 5307 adds and changes points of diversion, changes the place, nature and season of use under portions of Rights 36-02612 and 36-07906. The applicant is removing 80 acres from irrigation to provide for stockwater and commercial uses at a dairy to be developed on-site.

Two new wells will be constructed to serve the dairy, and season of use was adjusted to year round for dairy purposes. The place of use includes both quarter-quarters where acres have been removed from irrigation. The dairy and stock use was identified on the application map and in the remarks as being located on the retired acres. No expansion of use occurs through this transfer.

Recommended conditions include drilling permit requirements, measuring & annual reporting, water quality, county zoning, maximum diversion limits, land application and standard transfer conditions.

<u>Change in Nature of Use Evaluation</u>				
	<u>Rate</u>	<u>Use</u>	<u>Acres</u>	<u>Div. Vol./C.U. Vol.</u>
36-02612	3.64 cfs	IRR	314.0 acres	(1256.0 afa/942.0 afa)
36-07906	0.46 "	"	" "	(224.5 " /224.5 ")
	4.10 cfs	IRR	314.0 acres	1256.0 afa/942.0 afa
36-02612A	2.74 cfs	IRR	234.0 acres	(936.0 afa/702.0 afa)
36-07906A	0.35 "	"	" "	(170.8 " /170.8 ")
	3.09 cfs	IRR	234.0 acres	936.0 afa /702.0 afa
36-02612B	0.90 cfs	STOCK/COMM	(80.0 acres)	208.1 afa/208.1 afa
36-07906B	0.11 "	" "	(80.0 ")	25.4 " / 25.4 "
	1.01 cfs	STOCK/COMM	(80.0 acres)	233.5 afa/233.5 afa
Parts A & B	4.10 cfs	IRR & Dairy	234.0 acres	1169.5 afa/935.5 afa

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AUG 09 1999

FROM: Allen Merritt

DATE: September 9, 1998

TO: Transfer File No. 5307
Water Right(s): 36-02612
36-07906

RECEIVED

SEP 15 1998

DEPARTMENT OF WATER RESOURCES

In the Name of: Martin Farms Co.

SUBJECT: Review and Recommendation

This transfer proposes to dry up 78 (actually 80 on license) acres from a farm and use the water to supply the stockwater and commercial needs of a new dairy to be built at the site where the acres are to be dried up. The transfer of the water is within the bounds of the ESPA. The transfer was advertised without protest. Forfeiture does not appear to be an issue. 36-02612 has recently been decreed. 36-07906 not yet decreed.

Georgia Satterlee has reviewed the site. (see memo 5/29/98) There appears to be a discrepancy in the acres dried up on the application but should be resolved as described below. This transfer is based on dairy being totally consumptive so acres dried up figured based on needed volume (234) divided by CU of area (3).

RECOMMENDATION

I recommend that the transfer be approved subject to the following conditions:

- Subject to SRBA.
- The two new wells for the dairy must comply with drilling permit requirements.
- The dairy is authorized for 1.01 cfs and 234.0 afa for stockwater and commercial needs.
- The old well must be reduced in capacity to 3.09 cfs.
- No more than 234 acres are authorized to be irrigated with the remaining irrigation right (3.09 cfs & 936 afa within the NW $\frac{1}{4}$, S12 and N $\frac{1}{2}$ NE $\frac{1}{4}$, S11, T08S, R17E.)
- All wells (new dairy and old irrigation) are subject to measuring and reporting of use through West Measurement District or North Snake Groundwater District.
- Subject to other county, state and federal requirements.

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AUG 09 1999

AFFIDAVIT of PUBLICATION

RECEIVED

AUG 24 1998

State of Idaho } ss.
County of Jerome }

Department of Water Resources
Southern Region

Patty Nance

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

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 13th day of August, 1998, and the date of the last publication was on the 20th day of August, 1998.

Patty Nance

Subscribed and sworn to before me this 20th day of August, 1998.
(SEAL)

Norma De Voe
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

#7678/22772

COST OF PUBLICATION

Number of Picas per Line

Number of Lines in Notice

Number of Insertions

2x
affidavit fee 2.25

Lines tabular at 655.88 7¢/Pica

Lines straight at 39.35 6¢/Pica

Subsequent lines at 655.88 5¢/Pica

TOTAL COST 74.39

COPY OF NOTICE

(Paste Here)

T #5307-Martin Farms
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

LDWR
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT, IN 5307

Notice is hereby given that MARTIN FARMS CO., 201 EAST AVE. E, JEROME ID 83338 has applied to the Department of Water Resources for changes to water rights. The purpose of Transfer No. 5307 is to change portions of the rights from irrigation use to stockwater and commercial use in a new dairy by drying up 78 acres. PRESENTLY, Decreed Water Right No. 36-02612 (3.64 cfs) with a priority date of 05/06/1965 and Licensed Water Right No. 36-07906 (0.46 cfs) with a priority date of 03/26/1980 are diverted from groundwater within NE1/4NE1/4, S11, T08S, R17E; Jerome County for irrigation of 314 acres within parts of Sections 11 & 12, T08S, R17E; Jerome County.

PROPOSED CHANGE

The applicant wishes to divert a combined total of 1.01 cfs from two new wells within SE1/4NE1/4, S11, T08S, R17E; Jerome County for year around stockwater use and commercial use within SE1/4NE1/4, S11, T08S, R17E; Jerome County using the following rights:

Rt. No.	Amt (cfs)	Use
36-02612B	0.90	Stockwater
36-02612B	0.90	Commercial
36-07906B	0.11	Stockwater
36-07906B	0.11	Commercial

The remainder of Right No. 36-02612A (2.74 cfs) and Right No. 36-07906A (0.35 cfs) will continue to irrigate 234 acres within recorded place of use. 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 August 31, 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

PUB: 8/13 - 8/20

N22772

MICROFILMED



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

August 4, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGALS DEPT
MAGIC VALLEY PUBLISHING CO
ATTN North Side News
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

MICROFILMED
AUG 09 1999

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
T# 5307

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The applicant wishes to divert a combined total of 1.01 cfs from two new wells within SE1/4NE1/4, S11, T08S, R17E; Jerome County for year around stockwater use and commercial use within SE1/4NE1/4, S11, T08S, R17E; Jerome County using the following rights:

<u>Water Right No.</u>	<u>Amount (cfs)</u>	<u>Use</u>
36-02612B	0.90	Stockwater
36-02612B	0.90	Commercial
36-07906B	0.11	Stockwater
36-07906B	0.11	Commercial

The remainder of Right No. 36-02612A (2.74 cfs) and Right No. 36-07906A (0.35 cfs) will continue to irrigate 234 acres within recorded place of use.

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 August 31, 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 North Side News on 8/13 & 8/20/98.

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AUG 09 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

August 3, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN KRISTI HEIDEMANN
MARTIN FARMS CO
201 EAST AVE A
JEROME ID 83338

Re: Application for Transfer No. 5307 (36-02612 Part, 36-07906 Part)

Dear Applicant(s):

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

This office has scheduled advertising the application in the North Side News for 8/13 and 8/20/98. 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.

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.

Very truly yours,

Georgia Satterlee
Water Resource Agent

GS:mb

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AUG 09 1999

JUL 24 1998

MINUTES OF SPECIAL MEETING OF THE SHAREHOLDERS
OF
MARTIN FARMS CO.

Department of Water Resources
Southern Region

A special meeting of the shareholders of Martin Farms Co. was held, pursuant to waiver of notice, in Jerome, Idaho, at 201 E. Ave. A, at the hour of 2:00 p.m. on July 21, 1998.

Present were the following shareholders: Joyce F. Martin and Kristi Heidemann (individually and as the Personal Representative of the Kenneth Martin Estate). Also in attendance was Greg Heidemann. The meeting was called to order.

As the first item of business, it was unanimously agreed upon to elect three persons to serve as Directors of the Corporation. The shareholders nominated and elected the following persons: Joyce F. Martin, Greg Heidemann, and Kristi Heidemann. The Board of Directors then followed with the nomination of a new slate of officers. A motion was made by Joyce Martin that the slate of officers be accepted as presented. Greg Heidemann seconded the motion. The motion carried as follows:

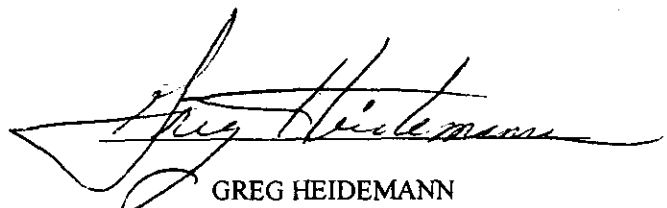
President --- Kristi Heidemann
Vice President --- Joyce F. Martin
Secretary/Treasurer --- Greg Heidemann

Following the election, the Directors conducted a meeting to review old business. The Directors unanimously agreed to discharge Ron Rogers from the position of Corporate Accountant and discharge Eugene Fredericksen from the supposed position of Corporate Attorney. They will be replaced by Dan Dekruyf and John Hohnhorst respectively. It was unanimously agreed that the meeting held on April 11th, 1998, be nullified due to the lack of advance notice to shareholders and further nullify any occurrences in that, or subsequent meetings. The resignations of those involved, and the Compromise Agreement to purchase stock from Lawrence Martin and the Lucille Martin Estate were submitted into the corporate documents.

As a matter of new business, the Directors agreed to hire Greg Heidemann as the farm General Manager and give him permission to conduct the day-to-day business on behalf of the Corporation. Salary request may be later submitted to the Board. A discussion ensued regarding the salary of Rick Crumrine, and it was resolved to increase his wage to approximately \$1700 per month. The Directors further agreed that the checking account at US Bank would be closed and new business would be conducted with Key Bank of Twin Falls. Kristi Heidemann stated that she would give an accounting of the Martin Farms expenses that had been paid by Heidemann Farms during the time period between March 29, 1998 and July 21, 1998. Those expenses could then be reimbursed.

Upon conclusion of these discussions, there being no further business to come before the meeting, it was moved that the meeting be adjourned. Motion was seconded. The motion unanimously carried, and the Special Meeting of the Shareholders of Martin Farms Co. was declared adjourned.

MICROFILMED
AUG 09 1999


GREG HEIDEMANN
SECRETARY

T # 5307

IN THE MATTER OF:

State of Idaho

County of _____

RECEIVED AFFIDAVIT

JUL 24 1998

Department of Water Resources
Southern Region

being first duly sworn,

deposes and says: I/WE are aware of the proposed transfer application in

the name of Martin Farms Co.

The transfer proposed to dry up approximately 78 acres

in the SENE $\frac{1}{4}$ of Section 11, T08S, R17E.

The subject property is for commercial/stockwater for a

dairy (located in the area of acreage to be dried up).

The proposed rate is 1.01 cfs and/or 233.5 afa.

Michael J Meade

KEY BANK OF IDAHO (signature) Twin Falls, Idaho

Subscribed and sworn to before me this 24th day of July 19 98.

AUG 09 1999

William Elmer
(notary public)

Residing at TWIN FALLS, Idaho
My commission expires 3-31-2000

T # 5207

MEMO TO FILE

FROM: Georgia Satterlee
DATE: 29 May 1998
RE: Transfer per 36-02612,-07906

The enclosed transfer application, filed by Kristy Heidemann, daughter of the late Ken Martin. Ken Martin and Kristy Heidemann came into the office March 25, 1998, to discuss a proposed dairy site. Mr. Martin died suddenly March 29, 1998.

The application for transfer seeks to modify (convert irrigation use to stock and commercial use for their dairy) a portion of 36-02612 (decreed) and 36-07906 (licensed). The two rights are combined to irrigate 314 acres with a total diversion rate of 4.1 cfs and a total combined annual diversion volume of 1256 acre feet.

Since the irrigation well is in the measurement program, the point of diversion is monitored and has been located by GPS, site tag A0003517. Today when I visited the site, I was unable to find the tag. However, the wood structure looks as if it has been recently replaced and its possible the tag was on the old frame. Regardless, the Water Distribution Section is anxious to supply any data a person desires.

There appears to be no expansion in the conversion from irrigation use to stockwater and commercial use.

Approval with Conditions:

-The two proposed points of diversion will be located within Section 11, T08S, R17E, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and shall be part of the measurement program, i.e. measuring devices, etc.

-The acres which will be unauthorized for irrigation under 36-02612,-07906 are specifically described as follows:

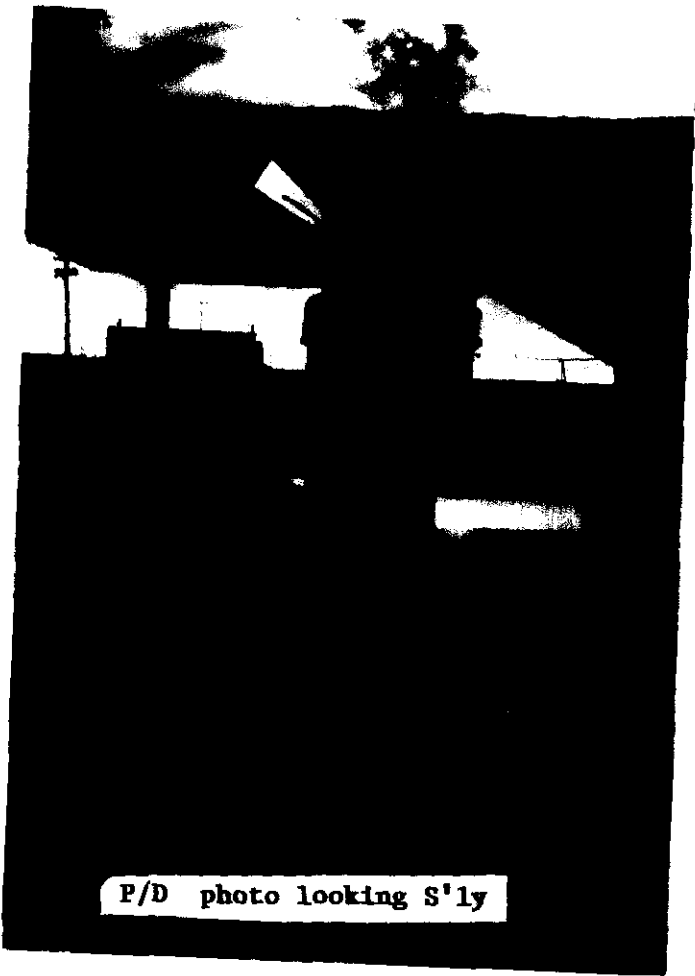
78 acres Section 11, T08S, R17E, S $\frac{1}{2}$ of the NE $\frac{1}{4}$.

-Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing SRBA.

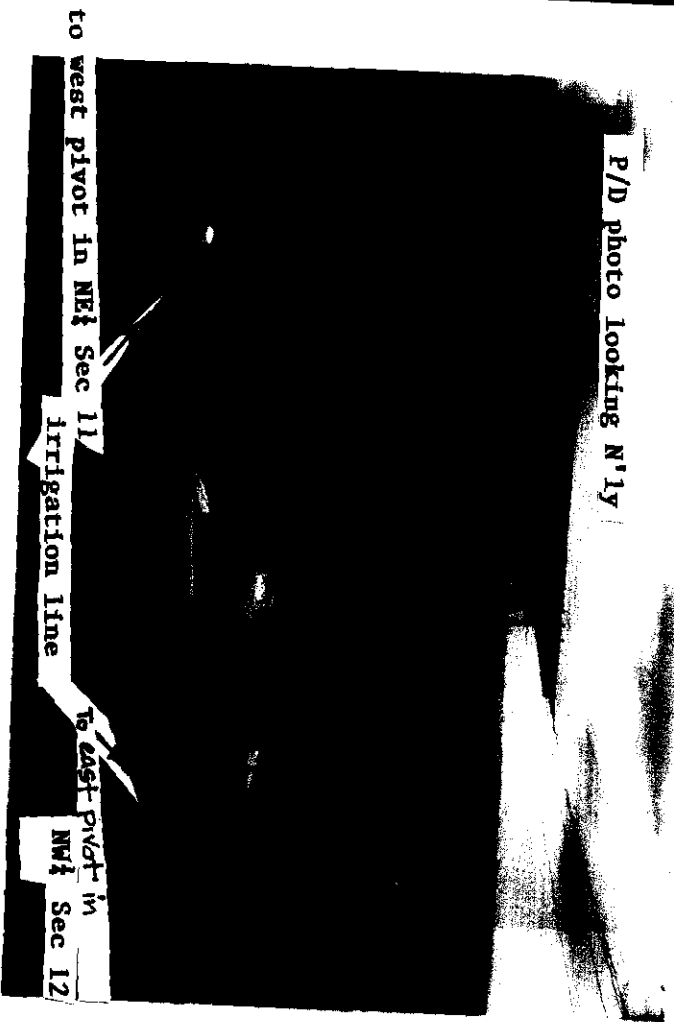
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T # 5307



P/D photo looking S'ly

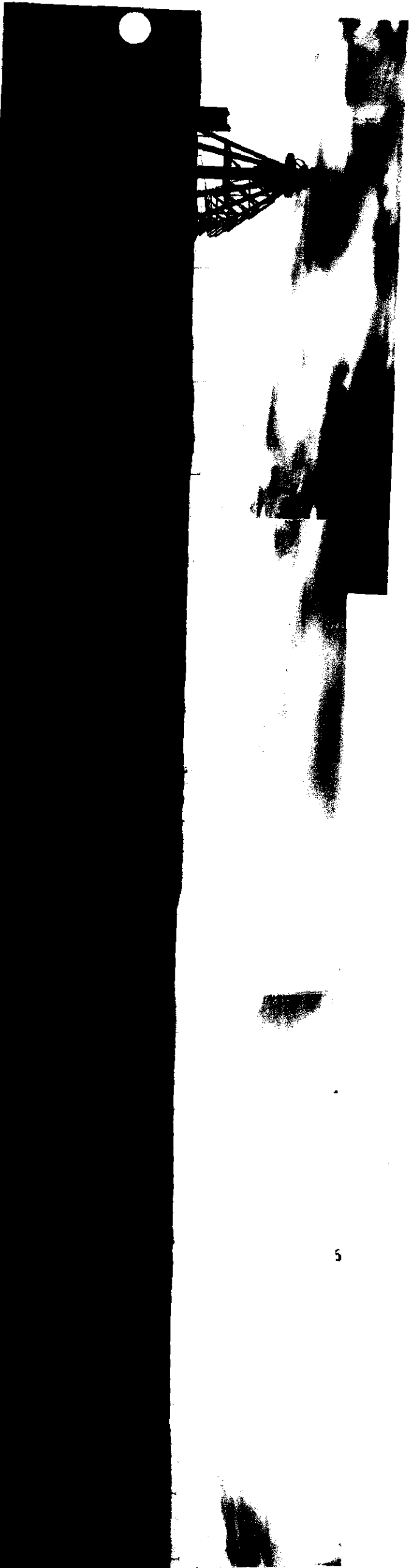


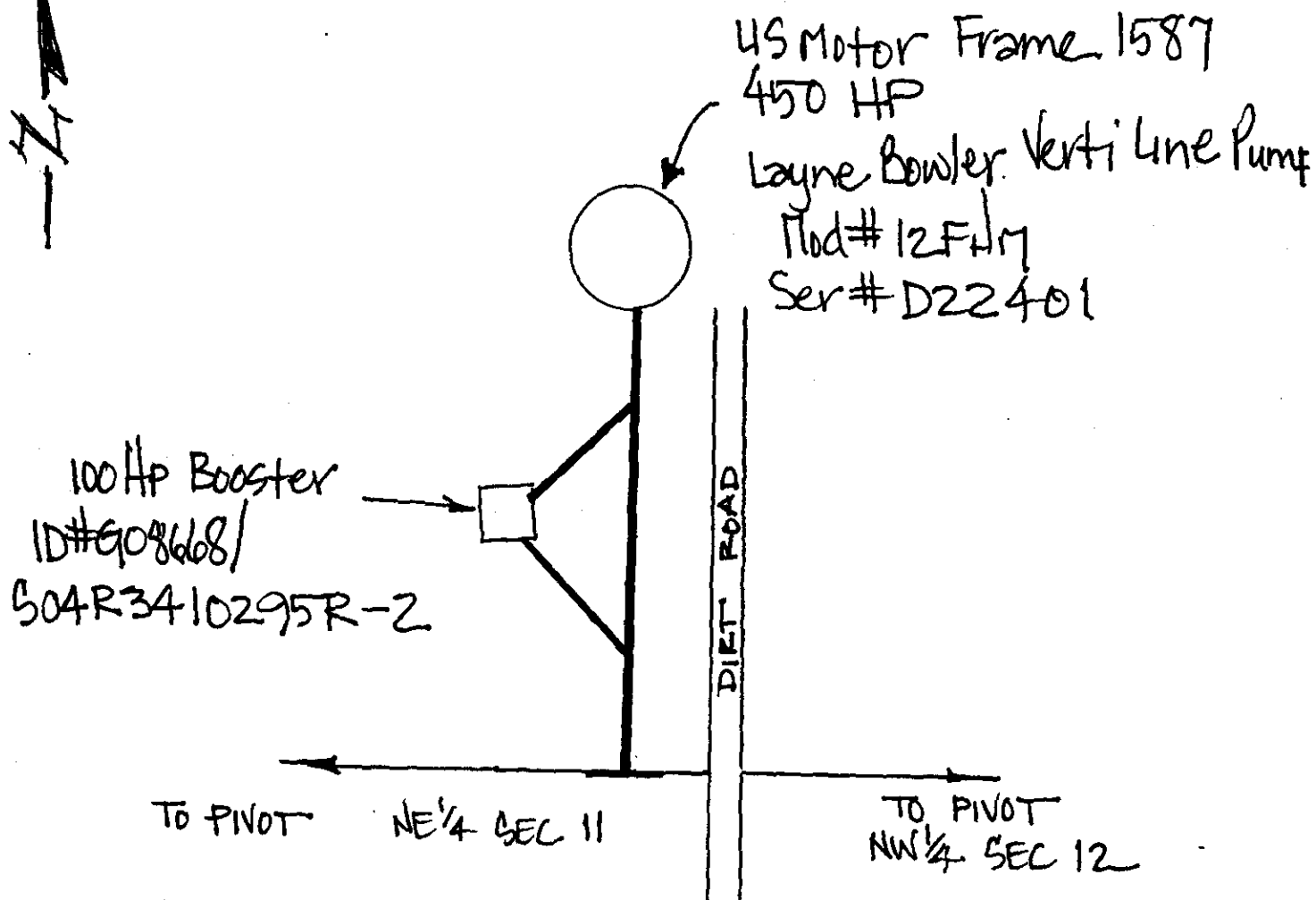
P/D photo looking N'ly

to west pivot in NE 1/4 Sec 11
irrigation line

to east pivot in
NW 1/4 Sec 12

@ the pivot ctr. photo looking East-SE





From: DWR06::"sking@idwr.state.id.us" "Scott King" -MAR-1998 15:58:40.87
To: gsatterl@idwr.state.id.us ('Satterlee, Georgia L')
CC:
Subj: RE: Martin Farms Co

Georgia

Here is tag number, long, lat. Do you need offset and tag location? Roberta is entering that data, but must not have got to this record yet.

Anything else I can help with? We should also have measurement data on this well if you need it.
Scott

POD NMBR	100610
WRNMBR	*36-02612
POD	08S 17E 11 SEENE
SITE TAGNO	A0003517
GPS FILNAM	L072020A
OFFSET	
TAG LOCAT	
LONG	-114.4239917
LAT	42.7493270
ALTITUDE	1231.8705399
IDTM_X	465371.43
IDTM_Y	183298.44

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AUG 09 1999

MARTIN FARMS CO.
36-02612, -07906

T # 5307

FILE NUMBER _____ Martin Farms
REVIEWER _____ May 28, 1998

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE _____ 5400
NUMBER OF NONMILKING CATTLE _____ 1080
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
IF ANAEROBIC, ENTER ZERO _____ 6.5
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) _____ 20
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 _____ 1
_____ 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD _____ 3.51
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 3.51
NONMILKING CATTLE @12 GPD/HD _____ 0.24
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.25
TOTAL (BASED UPON ROUNDED NUMBERS) _____ 3.75

DIVERSION VOLUME (AFA):

STOCKWATER
MILKING CATTLE @35 GPD/HD _____ 211.7
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 212.0
NONMILKING CATTLE @12 GPD/HD _____ 14.5
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 15.0
TOTAL (BASED UPON ROUNDED NUMBERS) _____ 227.0

COMMERCIAL
WASHING OF BULK TANK AND RELATED EQUIPMENT _____ 0.4
PARLOR FLOOR AND MILKHOUSE FLOOR _____ 0.1
CATTLE WASHING BASED UPON METHOD OF WASHING _____ 6.0
TOTAL _____ 6.5

TOTAL DIVERSION VOLUME _____ 233.5

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
MILKING _____ 31.3
NONMILKING _____ 0.0
TOTAL _____ 31.3

COMMERCIAL _____ 6.5

TOTAL CONSUMPTIVE USE _____ 37.8

* 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) _____	15.00	15.00	15.00
LIFT (FT) _____	100	150	200
DISCHARGE PRESSURE (PSI) _____	55	55	55
FRICTION LOSSES (FT) _____	10.0	10.0	10.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) * -----	0.41	0.32	0.28
DIVERSION VOLUME (AFA) ** -----	294.6	233.0	204.5

* 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.

divided by 3.0 cfs

= 78 ac

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AUG 09 1999

J#5307



University of Idaho Cooperative Extension System

Twin Falls County Office

246 3rd Avenue East

Twin Falls, Idaho 83301

Phone: (208) 734-9590

Fax: (208) 733-9645

March 16, 1998

Marv Patten
Dairy Division
Department of Agriculture
P.O. Box 790
Boise, ID 83701

Marv:

I am sending a waste system for your approval. The system is for a new facility being planned by Greg Heidemann and Ken Martin. The facility will be built north east of Jerome. The address is approximately 450E and 100 N. The facility will be a freestall facility with a flush. The plan includes settling solids in a series of ponds which will collect the solids and allowing the liquids to pass to the next lagoon. The final large pond will be a irrigation and flush water source. The waste water will be mixed with irrigation water to be land applied to the adjacent property. In all there is in excess of 1100 acres as a part of the total operation

According to the nutrient calculations on the third page of the plan, the land owned by the operator is capable of handling all of the nutrients with the mix of crops in the example.

Sincerely yours,

Bob Ohlensehler
Extension Educator / Dairy
Twin Falls County

Date: 3/18		# of Pages: 3		QUICK FAX™ OfficeMax	
To: Greg Heidemann		From: Bob Ohlensehler		Co./Dept.	
Co./Dept.		Fax:		Phone:	
Fax:		Phone:		E-Mail:	
Phone:		E-Mail:			
Note:					

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AUG 09 1999

College of Agriculture

To enrich education through diversity the University of Idaho is an equal opportunity/affirmative action employer.

T # 5307

Dairy Waste System Calculations (Continued)

Heidemann / Martin page 3

Solid Separator Information

Percent of Solids Retained by Separator.....	65 %	Separator Cell Width.....	24 ft.
Days Between Cleanout of Cells.....	21 days	Separator Cell Length.....	195 ft.
Number of Cells in the Separator.....	6	Separator Cell Depth.....	6 ft.
Separator Apron Slope.....	7 to 1	Separator Apron Length.....	42 ft.
Separator Freeboard.....	6 in.	Separator Floor Length.....	153 ft.
Separator Volume.....	22,941 cu.ft.		

Solid Storage Information

Percent of Milking Herd Solids Stored.....	0 %	Storage Area	One	Two	
Percent of Replacements Solids Stored....	0 %	Length	0 ft.	0 ft.	
Days of Storage Provided.....	0 days	Width	0 ft.	0 ft.	
Percent Stored in Area One.....	0 %	Depth	0 ft.	0 ft.	
Percent Stored in Area Two.....	0 %				
		Storage Required....			0 cu.ft.
		Storage Provided....			0 cu.ft.

Water Use Information

	Gallons	Cu. Ft.	Acre Ft.
Milking Herd Daily Drinking Water.....	82,000		
Milking Herd Annual Drinking Water.....	29,930,000	4,001,336.9	*****
Replacement Herd Daily Drinking Water.....	0		
Replacement Herd Annual Drinking Water...	0	0.0	*****
Daily Barn Water Usage.....	882		
Annual Barn Water Usage.....	2,408,036	321,830.0	7.39
Total of All Water Used Annually.....	32,338,036	4,323,266.9	99.25

Nutrient Management Information

Annual Excretion of Nitrogen.....	491,582 lbs.	Annual Excretion of Potassium.....	265,720 lbs.
Percent Nitrogen Loss (Volatilization)..	50 %	Annual Excretion of K ₂ O.....	318,864 lbs.
Annual Excretion of Phosphorus.....	91,673 lbs.	Approximate Tons of Solids Excreted....	664 tons
Annual Excretion of P ₂ O ₅	212,576 lbs.	Approximate Tons of Bedding Used.....	2,019 tons
		Annual Nitrogen to be Applied.....	245,791 lbs.

Crop	Yield	Acres	N Used	P ₂ O ₅ Used	K ₂ O Used	Nitrogen Decay Schedule	
						%	lbs.
Corn Silage	35.0 ton	330	90,206	37,884	90,206	Year1	50 122,895
Barley	130.0 bu	330	64,350	23,595	64,350	Year 2	25 61,447
Alfalfa	9.0 ton	330	178,200	35,269	178,200	Year 3	15 36,868
	0.0	0	0	0	0	Year 4	10 24,579
	0.0	0	0	0	0	Year 5	0 0

Total Acres and Pounds of Nutrients..... 990 332,756 96,748 332,756

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AUG 09 1999

Dairy Waste System Calculations (Continued)

Heidemann / Martin page 2

Runoff Information and Volumes**Corral Areas and Runoff**

	Length	Width	Slope	Runoff Vol. (Storm+Winter)
Area 1	1,320	1,320	3	406,560
Area 2	0	0	0	0
Area 3	0	0	0	0
Area 4	0	0	0	0
Area 5	0	0	0	0

25 Year 24 Hour Storm Value in Inches.....	1.8 inches
One In 5 Year Winter Precipitation Value in Inches.....	1.00 inches
Total Area for Which Runoff Calculations Are Being Made.....	1,742,400 sq.ft.
Total Volume of All 25 yr. Storm Runoff.....	261,360 cu.ft.
Total Volume of Winter Precipitation Runoff..	145,200 cu.ft.
Total of All Runoff.....	406,560 cu.ft.
Total Barn Water to be Stored.....	158,760 cu.ft.
Total Manure to be Stored.....	897,660 cu.ft.
All Storage Required.....	1,462,980 cu.ft.

Lagoon Storage Information**Primary Storage**

Percent of Runoff Stored in Primary Lagoon.....	100 %
Days of Storage Provided in Primary Lagoon.....	180 days
Number of Cells in the Primary Lagoon.....	2
Length of the Cells in the Primary Lagoon.....	344 ft.
Width of the Cells in the Primary Lagoon.....	400 ft.
Depth of the Cells in the Primary Lagoon.....	8 ft.
Freeboard Provided for Cells in the Primary Lagoon.....	2 ft.
Side Slope of the Cells in the Primary Lagoon.....	2 to 1
Total Volume of Waste Stored in Primary Lagoon.....	1,462,980 cu.ft.

Secondary Storage

Percent of Runoff Stored in Secondary Lagoon.....	0 %
Days of Storage Provided in Secondary Lagoon.....	180 days
Length of the Cells in the Secondary Lagoon.....	0 ft.
Width of the Cells in the Secondary Lagoon.....	0 ft.
Depth of the Cells in the Secondary Lagoon.....	0 ft.
Freeboard Provided for Cells in the Secondary Lagoon.....	2 ft.
Side Slope of the Cells in the Secondary Lagoon.....	2 to 1
Total Volume of Waste Stored in Secondary Lagoon.....	0 cu.ft.

Conatainment Berm

Percentage of Runoff Stored in Containment Berm.....	0 %
Length of Runoff Containment Berm.....	0 ft.
Width of Runoff Containment Berm.....	0 ft.
Depth of Runoff Containment Berm.....	0 ft.
Volume of Runoff Conatainment Berm.....	0 cu.ft.

Total Storage Provided..... 1,462,980 cu.ft.

Total Storage Required..... 1,462,980 cu.ft.

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AUG 09 1999

Dairy Waste System Calculations
University of Idaho
College of Agriculture
03/16/98

Prepared by:
Robert Ohlensehien

General Dairy Information

Date Plan Prepared

03/16/98

Dairy Owner/Operator... Heldemann / Martin

Address...

Jerome

ID 83338

Dairy Herd Information

					Number of		
					Animals	Animals	Units
Milking Cows.....	2000	Helfers 100 to 300 lbs....	0				
Dry Cows.....	600	300 to 500 lbs....	0		Cows....	2,600	3,640
Average Weight of Cows...	1400	500 to 700 lbs....	0		Helfers..	0	0
		700 to 900 lbs....	0		Total....	2,600	3,640
		900 to 1100 lbs...	0				

Herd Waste Information

	Milking Herd:		Replacements:
Daily Manure Produced.....	4987		0 Cu.Ft.
Daily Bedding per Cow.....	0.21		0.00 Cu.Ft.
% of Manure Stored as Liquid.....	100		0 Percent
Volume of Manure Stored as Liquid...	4987		0 Cu.Ft.

Milk Parlor Water Volumes

Milkings per Day.....	2		
Gallons of Water for:			
Cleaning Parlor Floor.....	150	gallons	Cleaning Equipment..... 50 gallons
Cleaning Milkroom.....	50	gallons	Cleaning Cows (per hd)..... 0.50 gallons
Cleaning Bulk Tank.....	150	gallons	Total Used to Clean Cows..... 2000 gallons
Cleaning Pipeline.....	200	gallons	Total Water Used in Parlor..... 2600 gallons

Holding Pen Water Volumes

Number of Sprinklers in Holding Pen.....	0		
Output of Sprinklers in G.P.M.....	4.98		
Minutes Sprinklers Operated Daily.....	0		
Water Used to Flush Holding Pen.....	4,000	gallons	Total Water in Holding Pen..
			4,000 gallons
			Total Water in the Parlor..
			6,597 gallons

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