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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

RESUMPTION OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the water right holder(s) has/have resumed the use of water for the water right identified below. This form **must** be returned to the department or the water right will revert to the state of Idaho.

Water Right Number(s) 36-2404-C

Name of Water Right Holder(s) Frank Veenstra, Jeff Lund Val Dwy

Mailing Address 1444 E 2950 S Wendell, ID 83355

Telephone Number 208-536-5590

Source of Water
(Groundwater/Surface) groundwater

Extent of Use: Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 6.6 (number of acres irrigated)

Other/Remarks _____

Total rate and/or volume of use .08 cfs 264 acre feet

Show the date water use will be or was resumed under this water right 3-15-02

Person to contact to accompany the Department representative if a field examination is conducted:

Name JEFF LUND Telephone No. 536-5590

Address 1444 E 2950 S Wendell, ID 83355

The above information is my true statement of the extent to which diversion and use of the above described water right has been resumed.

Date 7-2-02 Signature Jeff Lund

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JUL 10 2002

JUL 15 2003

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JUN 19 2002

Department of Water Resources

2002 JUN 18 PM 4: 26

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

ORDER OF PARTIAL DECREE

For Water Right 36-2404C

On November 2, 1992, the Idaho Department of Water Resources (IDWR) filed its *Director's Report, Part 1, For Reporting Area 3 (Basin 36)*, which included a recommendation for the above water right. No objections to this recommendation were filed and the time period for filing objections has now expired.

On August 2, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), 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 a recommendation for the irrigation season of use for this water right. No objections to this Supplemental Report were filed and the time period for filing objections has now expired.

Therefore, IT IS ORDERED that water right 36-2404C is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED June 18, 2002.



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

MICROFILMED

JUL 15 2003

SCANNED
JUN 19 2002

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-02404C

2002 JUN 18 PM 4: 26
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: V & L DAIRY
C/O FRANK VEENSTRA & JEFF LUND
1446 E 2950 S
WENDELL, ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS
26.40 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 36-2188, 36-15591 AND 36-15211
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.44 CFS AND TO
A TOTAL COMBINED ANNUAL DIVERSION OF 446.4 AF.

PRIORITY DATE: 04/03/1961

POINT OF DIVERSION: T07S R14E S34 NENENW Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.08 CFS 26.40 AFY

PLACE OF USE:	Irrigation	Within Gooding County
	T07S R14E S34	NENW 5.0 NWNW 8.9 SWNW 5.7 SEnw 17.0
	36.6 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 6.6 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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2002 JUN 18 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-02404C

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-02404C was mailed
on June 18, 2002, with sufficient first-class postage prepaid
to the following:

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

V & L DAIRY
C/O FRANK VEENSTRA & JEFF LUND
1446 E 2950 S
WENDELL, ID 83355

ROBBIN GLATZ
Chief Deputy Clerk

MICROFILMED

JUL 15 2003

CERTIFICATE OF MAILING

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06/18/02



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 9, 2002

FRANK VEENSTRA
JEFF LUND
V & L DAIRY
1444 E 2950 S
WENDELL ID 83355

RE: Water Right No. 36-02404C

Dear Permit Holder(s):

RESUMPTION OF WATER ACKNOWLEDGEMENT

The department acknowledges receipt of the statement of resumed beneficial use of water submitted in connection with the above referenced water rights.

Section 42-222.2, Idaho Code, authorizes the Department to grant only one five (5) year extension of time to avoid forfeiture, it is essential that you use the water as authorized by the water right without a five year period of non-use.

I have updated the department's water right database to reflect the change of address shown on the Resumption of Beneficial Use form you filed. Any future correspondence the department sends to you will go to the above mailing address. Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

If you have any questions regarding this matter, please contact me directly at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

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Encl.
c: IDWR - Region

MICROFILMED

JUL 10 2002

JUL 15 2002

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/
- Complete items 3, 4a
- Print your name and a
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

FRANK VEENSTRA
JEFF LUND
V & L DIARY
1446 E 2950 S
WENDELL ID 83355

4a. Article Number
70001670001391298785

4b. Service Type

☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

5. Received By: (Print Name)
Julie Lund

6. Signature: (Addressee or Agent)
X [Signature]

7. Date of Delivery
JUL 7-02

8. Addressee's Address (Only if requested and fee is paid)
1446 E 2950 So.

Thank you for using Return Receipt Service.

Domestic Return Receipt

PS Form 3811, December 1994



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

UNITED STATES POST SERVICE

• Print your name, address, and ZIP Code in this box •

IDAHO DEPT OF WATER
RESOURCES
ATTN DEBORAH GIBSON
1301 N ORCHARD ST
BOISE ID 83706

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JUL 10 2002

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JUL 15 2003

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 1, 2002

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

FRANK VEENSTRA
JEFF LUND
V & L DAIRY
1446 E 2950 S
WENDELL ID 83355

Re: Water Right No. 36-2404C

Dear Applicants:

NOTICE TO RESUME WATER USE

On September 23, 1998, the department approved your Application for Extension of Time to Avoid Forfeiture of a Water Right as submitted to the department for .08 cfs for commercial purposes under the water right 36-2404C. One condition of approval was that diversion and use of water must resume on or before **September 1, 2002**. Failure to resume use of the water and to notify the department of the resumed use would be cause for the water to revert back to the state and again be subject to appropriation. Even though transfer 69008 incorporated water right 36-2404C you must notify the department that you have resumed use of this water right. If you have not completed the changes authorized by the transfer approved January 8, 2002, please contact me before the deadline.

Therefore, I am enclosing a form to notify the department of the resumption of use of the water right. Please complete the form and return it to my attention at the

feel free to contact me at (208) 327-7953.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

MICROFILMED

MICROFILMED JUL 10 2002

JUL 15 2002

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$
Certified Fee	MICROFILMED 7/1/02
Return Receipt Fee (Endorsement Required)	JUL 10 2002
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent to: *Frank Veenstra & Jeff Lund*
Street, Apt. No. or PO Box No. *1446 E 2950 S*
City, State, ZIP+4 *Wendell, Id. 83355*
PS Form 3800, May 2000 See Reverse for Instructions