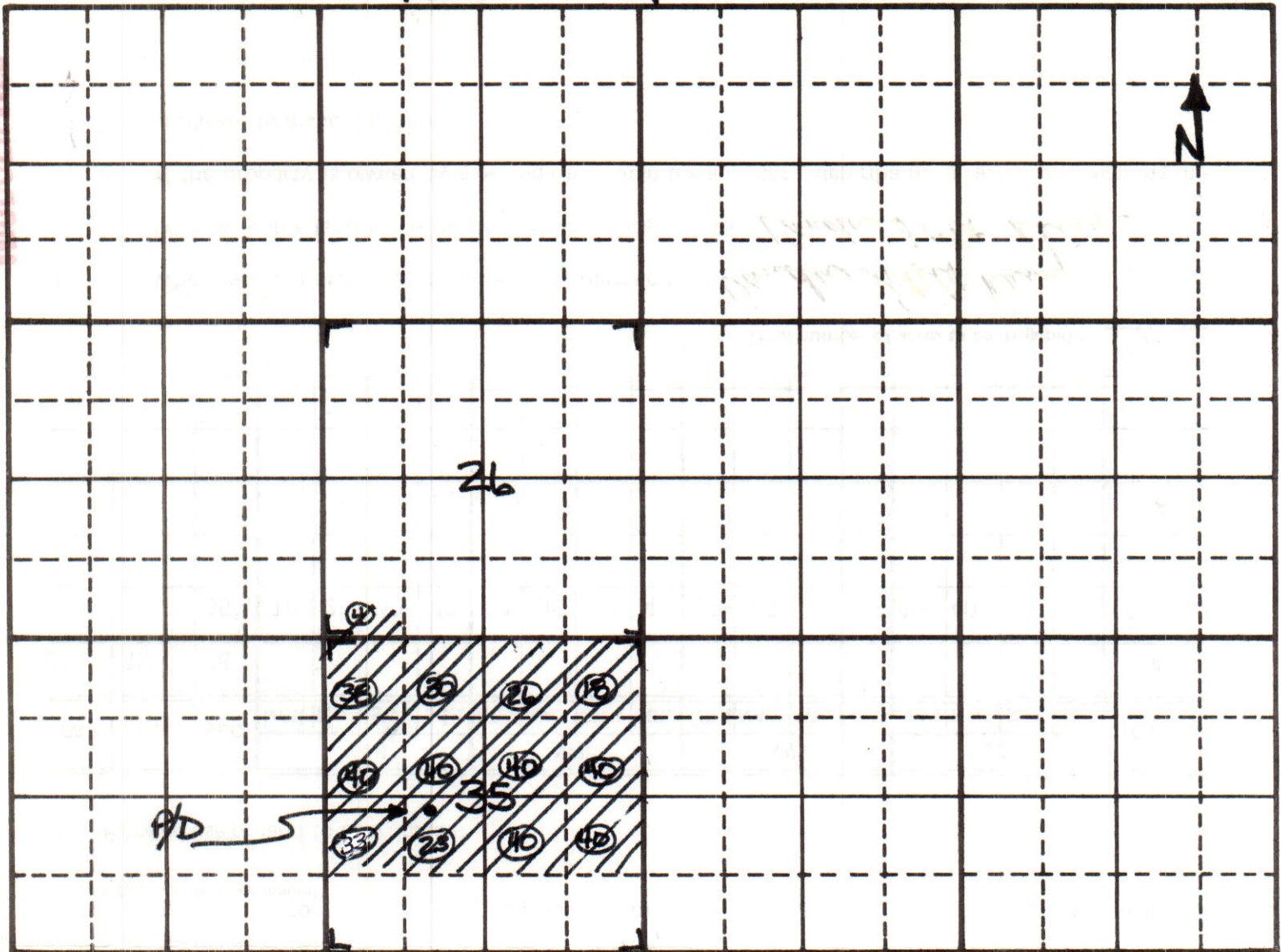


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches

T2N R1W



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Kuna Idaho, this 29th day of Dec, 1981.
X Henry Vanderhoff
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 Received by rg Date 1-11-82 #21667
Publication prepared by _____ Date _____ Published in _____
Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

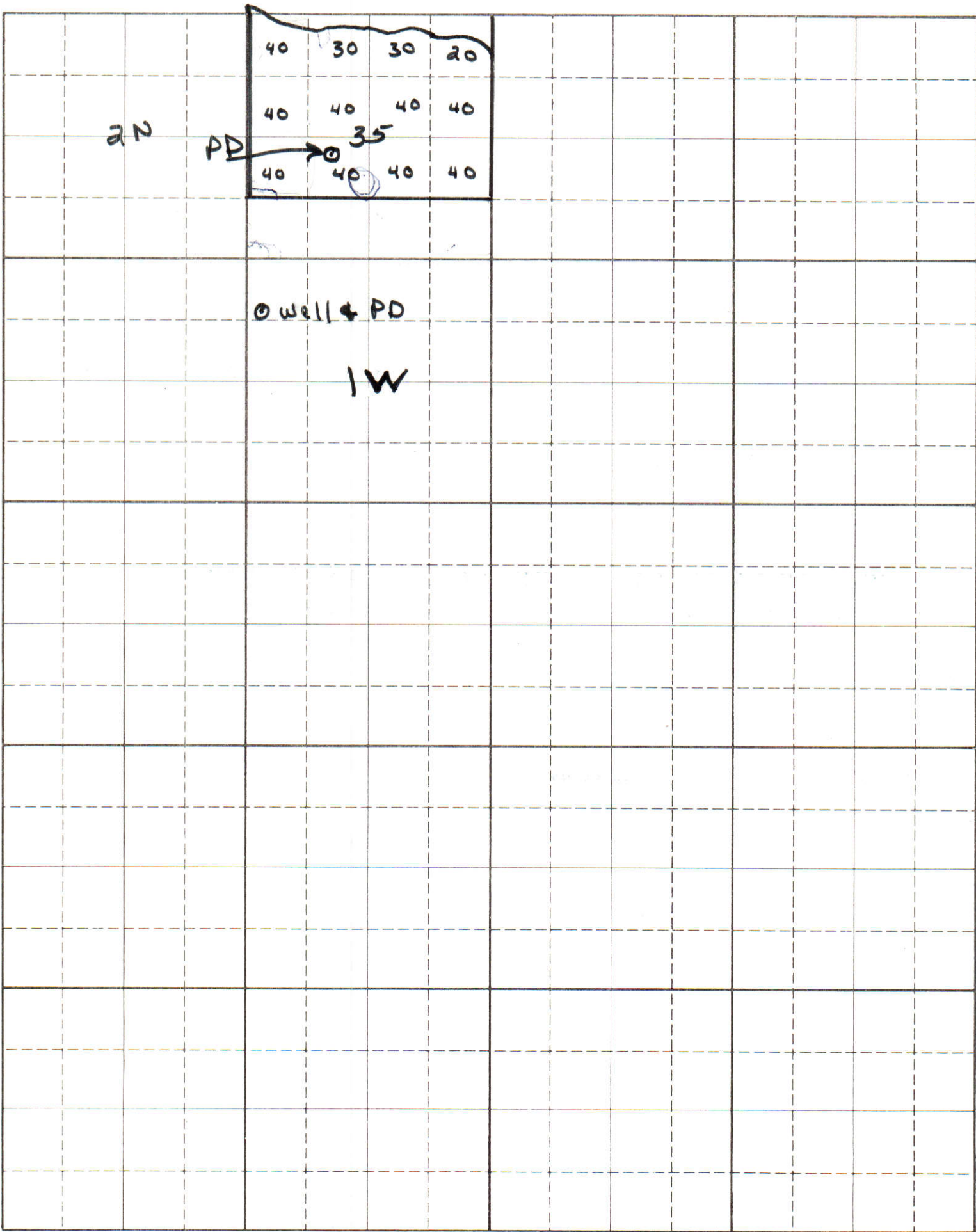
I, A. KENNETH DUNN, of the Department of Water Resources hereby
APPROVE the above Application for Amendment of Permit No. 63-8087.

Witness my hand this 29 day of January, 19 82.

A. Kenneth Dunn
Director

Dr

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



Scale: 2 inches equal 1 mile

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

Nielsen Farms Inc
(Applicant)
By Brent Nielsen Sec.

PROOF OF PUBLICATION

State of Idaho, }
County of Ada } ss.

I, Suzanne Allen, being first duly sworn, depose and say, that I am over twenty-one years of age, and Chief Clerk of VALLEY NEWS-TIMES, a weekly newspaper of general circulation, published at Meridian, County of Ada, State of Idaho, and that the annexed notice was published in said paper once each week for two consecutive weeks, the first publication being on the 27th day of February, 1975, and the last publication being on the 6th day of March, 1975.

That said notice was published in the newspaper proper and not in a supplement. That said newspaper had been continuously and uninterruptedly published in said county for a period of 78 consecutive weeks prior to the first publication of this notice, and is a newspaper within the meaning of the Idaho statutes.

Suzanne Allen
Chief Clerk

Subscribed and sworn to before me this 6th day of March, 1975

A. F. Marks
Notary Public in and for Idaho

Residence or Postoffice Address Meridian, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that NIELSEN FARMS INC. Rt. 1, Kuna, ID has on Feb. 19, 1975 submitted Application No. 63-8087 for a permit to appropriate 3.0 cubic feet per second of water from groundwater by means of well with pump within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T.2N, R.1W, B.M. Ada County to be used from April 1 to Oct. 31 for Irrigation of 440 acres within the NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35, T.2N, R.1W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before March 17, 1975.

R. KEITH HIGGINSON
Director

Published in the Valley News-Times, Meridian, ID on Feb. 27, 1975 and March 6, 1975.

ok, yg - 3-7-75

MICROFILMED

C-23

D275
2151

D307

D308

well

out

15 acres for new dairy

NOT TO SCALE

34 35
3 2

35 36
2 1

(STATE NAT)

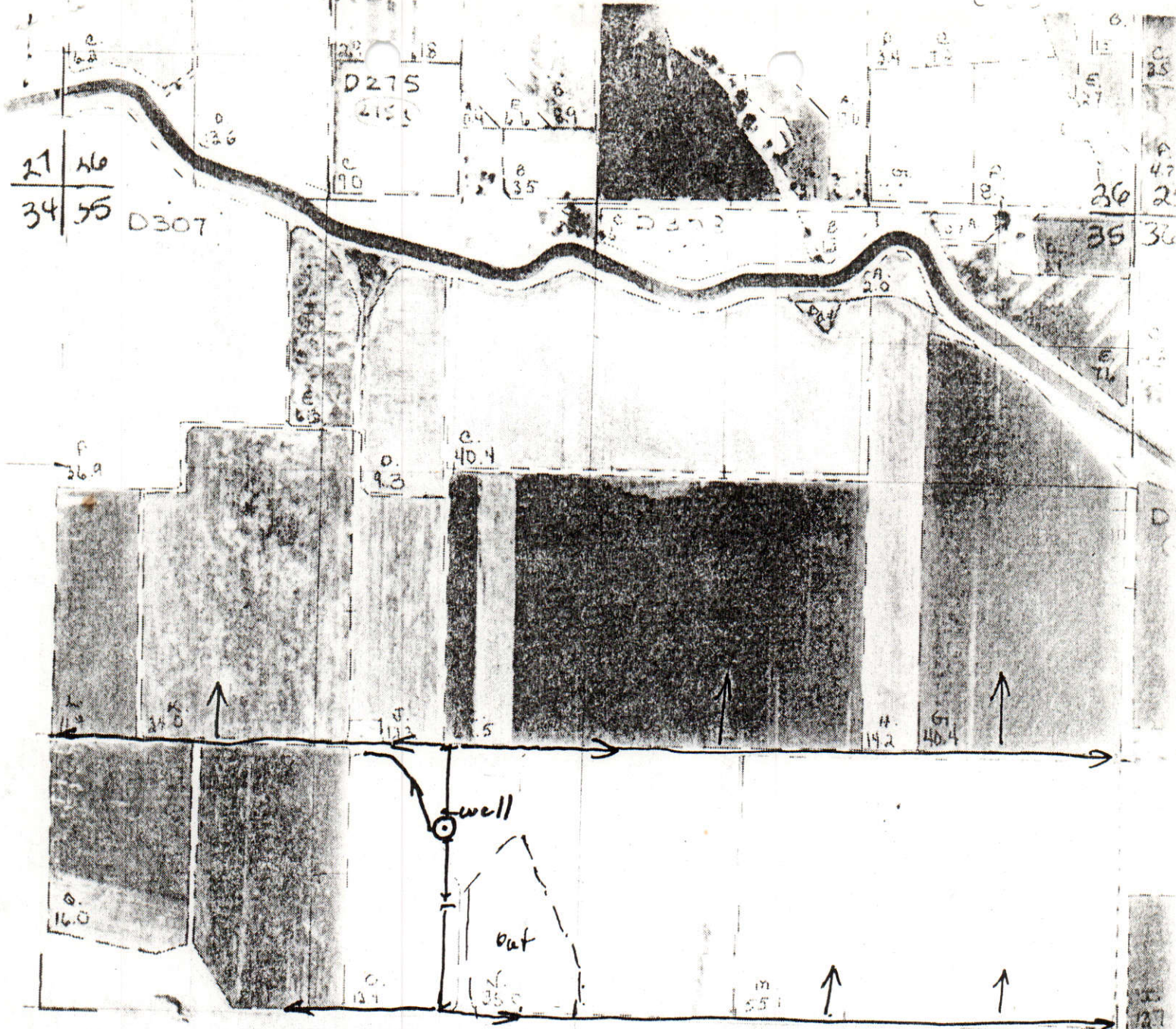
34	35
3	2

35	36	€
2	1	

IAN FALLS)

NOT TO SCALE





15 acres for new dairy

34	35
3	2

35	36
2	1

(SCALE IN)

NOT TO SCALE

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5460
WATER RIGHT NO(S). 63-03093/63-03170/63-08087
63-18592/63-18594

This is to certify that: **VANDER STELT DAIRY**
2777 SWAN FALLS RD
KUNA ID 83642

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. 63-03093 :			
Priority: 08/21/1956			
IRRIGATION	03/01 to 11/15	1.73 CFS	508.5 AF
Right No. 63-03170 :			
Priority: 09/17/1959			
IRRIGATION	03/01 to 11/15	3.57 CFS	1503.0 AF
STOCKWATER	01/01 to 12/31	0.49 CFS	51.6 AF
COMMERCIAL	01/01 to 12/31	0.49 CFS	50.6 AF
		<u>4.06 CFS</u>	<u>1605.2 AF</u>
Right No. 63-08087 :			
Priority: 02/19/1975			
IRRIGATION	03/01 to 11/15	2.82 CFS	1451.7 AF
STOCKWATER	01/01 to 12/31	0.18 CFS	19.1 AF
COMMERCIAL	01/01 to 12/31	0.18 CFS	18.7 AF
		<u>3.00 CFS</u>	<u>1489.5 AF</u>
Right No. 63-18592 :			
Priority: 08/30/1978			
STOCKWATER	01/01 to 12/31	0.23 CFS	14.6 AF
Right No. 63-18594 :			
Priority: 04/01/1985			
STOCKWATER	01/01 to 12/31	0.23 CFS	2.8 AF
TOTAL:		<u>9.25 CFS *</u>	<u>3620.6 AF *</u>

SOURCE

GROUNDWATER

MICROFILMED

JUN 22 2000

TRANSFER NO. 5460
 WATER RIGHT NO(S). 63-03093/63-03170/63-08087
 63-18592/63-18594

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 35, Township 02N, Range 01W
 NESW , Sec. 35, Township 02N, Range 01W
 NESE , Sec. 35, Township 02N, Range 01W
 NWSE , Sec. 35, Township 02N, Range 01W
 SWSE , Sec. 35, Township 02N, Range 01W
 ADA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 01W 26	SWSW 4			4
35	NENE 19	NWNE 26	SWNE 40	
	SENE 40	NENW 30	NWNW 39	
	SWNW 40	SENE 40	NESW 13	
	NWSW 30	NESE 38	NWSE 12	
	SESE 11			378
		Total number of acres irrigated:		382 **

PLACE OF USE: STOCKWATER

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>
02N 01W 26	SWSW	NWNE	SWNE
35	NENE	NENW	NWNW
	SENE	SENE	NESW
	SWNW	SWSW	SESW
	NWSW	NWSE	SWSE
	NESE		
	SESE		

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

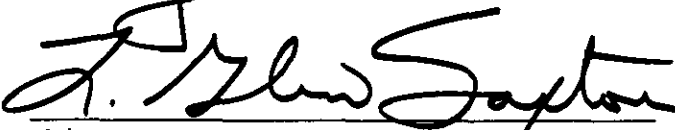
JUN 22 2000

TRANSFER NO. 5460
WATER RIGHT NO(S). 63-03093/63-03170/63-08087
63-18592/63-18594

CONDITIONS OF APPROVAL AND REMARKS

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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. 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.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 5460 shall not exceed 9.25 cfs, nor total combined annual volume of 3620.6 af for irrigation of 382.0 total acres.
- ** 9. Right 63-03093 is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.
- ** 10. Right 63-03170 is limited to the irrigation of 334 acres within the place of use described above in a single irrigation season.
11. Commercial use for the dairy is located in the NESW, NWSW, and NWSE, S35, T2N, R1W.
12. The quantity of water decreed for stockwater use under Right 63-18592 is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
13. The quantity of water decreed for stockwater use under Right 63-18594 is not a determination of historical beneficial use and shall not exceed 2,500 gallons per day.

Dated this 15th day of May, 2000.


Chief, Water Allocation Bureau

MICROFILMED
JUN 22 2000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8087 Priority February 19, 1975 Amount 3.0 cfs

THIS IS TO CERTIFY, that Vander Stelt Dairy
of Kuna, Idaho, has complied with the terms and conditions of Permit
No. 63-8087 issued pursuant to Application for Permit dated February 19, 1975,
and has submitted proof to the Department of Water Resources on February 27, 1980,
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 3.01 cfs 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>April 1</u> to <u>October 31</u>	at <u>3.0</u> cfs and	<u>1267.5</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 3.0 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1267.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, Twp.
2N, Rge. 1W in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$	
2N	1W	26													4
		35	18	26	40	40	30	38	40	40	23	25	40	40	408

Total number of acres irrigated 412

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 4.5 afa per acre for the lands above.

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
January, 19 82.

Director

DWR

MICROFILMED

RECEIVED

DEC 11 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
<LICENSING>
APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

To change the point of diversion and/or the place of use.

Comes now Vander Stelt Dairy Phone _____
of (address) Kuna, ID, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 63-8087, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE $\frac{1}{4}$ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M.,
County of _____. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
NO CHANGE
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	1W	26											4						4
		35	18	26	40	40	30	38	40	40	23	33			40	40			408

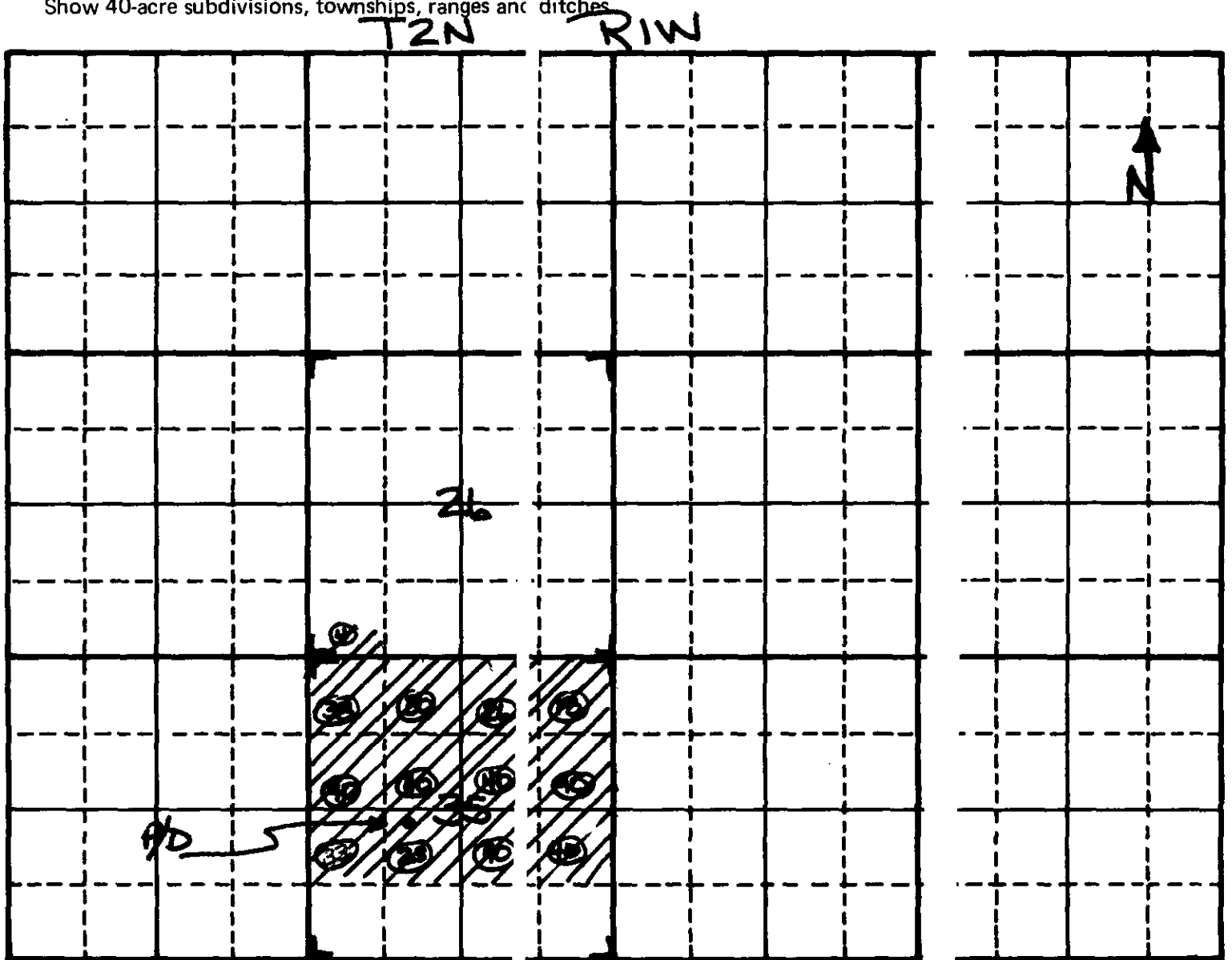
Total number of acres to be irrigated = 412

4. a. Who owns the property at the point of diversion? Vander Stelt Dairy
b. Who owns the land to be irrigated or the place of use? Vander Stelt Dairy
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

MICROFILMED

Complete the following map by showing and and point of diversion as proposed / this amendment.

Show 40-acre subdivisions, townships, ranges and ditches



Scale: 2 inches equal 1 mile.

That no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Kuna Idaho, this 24th day of Dec, 1981.
X Henry C. deSilva (Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 Received by ry Date 1 1-82 #21667
Publication prepared by _____ Date _____ Published in _____
Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby
APPROVE the above Application for amendment of Permit No. 63-8087.

Witness my hand this 29 day of January, 19 82.

A. T. [Signature] Director
[Signature]

DWR

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 63-8087

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

5/5
750

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT VANDER Stelt

ok
no plate received?

I, Wickes Farm Inc., hereby assign to Vander Stelt Dairy Partnership
of Box 1 Kuna Idaho 83634
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 63-8087
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 3 day of July, 1978,
Wickes Farm, Inc.
Kenneth W. Wickes - President
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Ada) ss.

On this 3 day of July, 1978, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Ronald J. Brill
Notary Public residing at
Murder, Idaho

My commission expires:

April 4 1979

MICROFILMED n

Identification No. _____

Application No. 63-8087

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

47500

1. Name of applicant Nielsen Farms Inc. Phone: 692-4247
post office address Rt. 1, Kuna, ID 83634

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

3. a. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 2 N
Range 1 W B.M. Ada County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 3.0 for Irrigation purpose from April 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. 3.0 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

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

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.

c. Proposed well diameter is 12" inches; proposed depth of well is 400' feet.
(Mo. Day) (Mo. Day)

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 20,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

RECEIVED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2 N	1 W	35	20	30	40	40	30	40	40	40	40	40			40	40			440

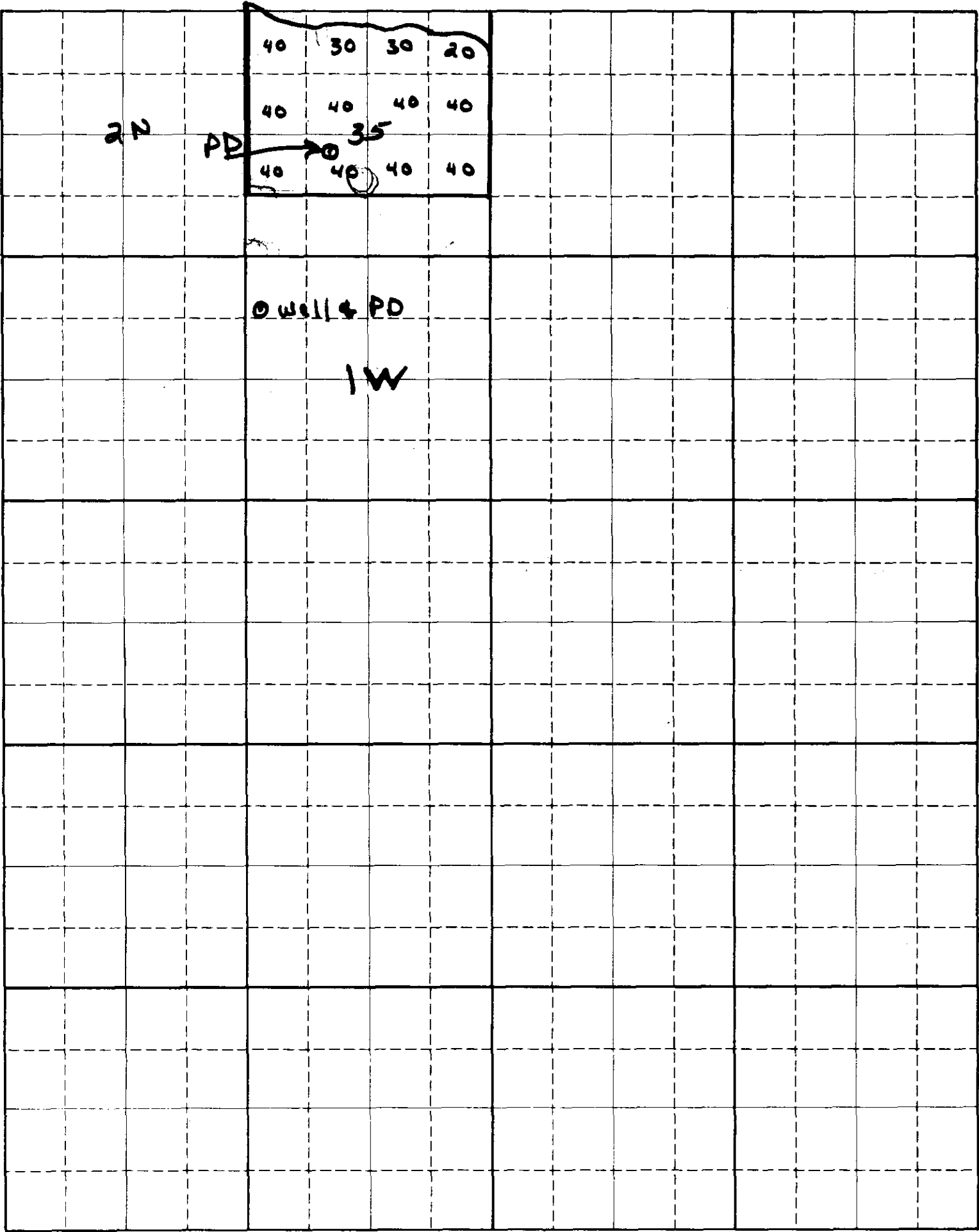
Total number of acres to be irrigated 440

c. Describe any other water rights used for the same purposes as described above.
G-26493 G-28166
103 Acres

9. a. Who owns the property at the point of diversion Nielsen Farms Inc.
b. Who owns the land to be irrigated or place of use Nielsen Farms Inc.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks The well will be drilled by S.O.S. well drilling, Meridian, ID
This well will be used for supplemental water for existing water rights to give a total
of 1" per acre and to include 30 acres of unirrigated land in the NE1/4SW1/4 and NW1/4SE1/4.

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



Scale: 2 inches equal 1 mile

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

Nielson Farms Inc
(Applicant)
By Brent Nielson Sec.

Proposed Priority 2-19-1975

Received by en Date 2-14-75 Time 10:30
Preliminary check by OCB Fee \$ 45.00
Receipted by en Date 2-19-75 # 420
Publication prepared by yg Date 2-20-75
Published in The Valley News - Times
Publication dates Feb 27 & March 6
Publication approved yg Date 3-7-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by 3DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8087, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 80.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 21 day of March 19 75.


Director

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-8087

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) R.W.H. 2-19-75

In form to receipt

(2) NA

Send Copies to:

 Idaho State Health Department
 Idaho Fish and Game Department
 Bureau of Land Management

(3) NA

 Request Special Use Permit from U.S.F.S.
 Request Easement from B.L.M.
 Request Information from Applicant

(4) R.W.H. 2-19-75

In form for advertising

(5)

Platted on Map No.

(6)

Located within Water District No.

(7) FSB 3/12/75

Critical groundwater area: yes no ✓

(8)

Groundwater levels:

 Declining, Stable, Increasing

(comment)

(9)

Other rights on the same place of use

(10) FSB 3/12/75

Comments: Check other rights. one may have been

(11) FSB 3/12/75

Affidavit of Publication received (date) 3-7-75

(12) FSB 3/12/75

Final date for protests 3/12/75
Protests received: yes no ✓

(13) FSB 3/12/75

All requested information received from agencies or applicant: yes ✓ no

(14) FSB 3/12/75

Action recommended:

☒ Approve Deny

 Proposed Priority

 Reason for Reduction

☒ Measuring device required

 See attached sheet for other conditions of approval

 No special conditions for approval

(15) District By Date 3/12/75

MICROFILMED

RECEIVED

MAR 18 1975

Department of Water Resources

PROOF OF PUBLICATION

State of Idaho, }
County of Ada } ss.

I, Suzanne Allen, being first duly sworn, depose and say, that I am over twenty-one years of age, and Chief Clerk of VALLEY NEWS-TIMES, a weekly newspaper of general circulation, published at Meridian, County of Ada, State of Idaho, and that the annexed notice was published in said paper once each week for two consecutive weeks, the first publication being on the 27th day of February, 1975, and the last publication being on the 6th day of March, 1975.

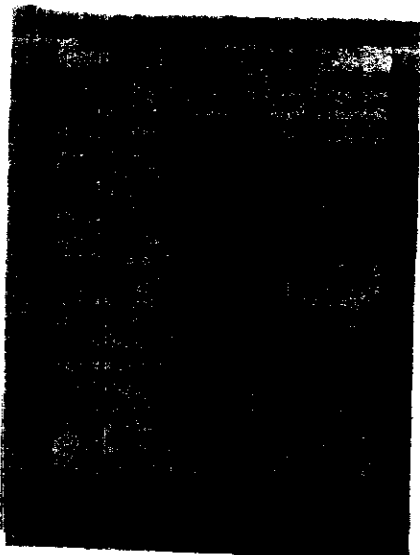
That said notice was published in the newspaper proper and not in a supplement. That said newspaper had been continuously and uninterruptedly published in said county for a period of 78 consecutive weeks prior to the first publication of this notice, and is a newspaper within the meaning of the Idaho statutes.

Suzanne Allen
Chief Clerk

Subscribed and sworn to before me this 6th day
of March, 1975

A. F. Marks
Notary Public in and for Idaho

Residence or Postoffice Address Meridian, Idaho.



OK, 79 - 3-7-75

INDEXED

MEMORANDUM

TO: FILE 63-08087

FROM: PAM SKAGGS

RE: TRANSFER # 5460

DATE: 5-16-99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 63-03093.

MICROFILMED

JUN 22 2000

February 9, 1982

RE: Permit No. 63-8087

Vander Stelt Dairy
Route #1
Kuna, ID 83634

Dear Sirs:

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment. Also enclosed is Departmental Receipt No. 21667 in the amount of \$20.00.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures





State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 6, 1981

RE: Permit No. 63-8087

Vander Stelt Dairy
Route #1
Kuna, ID 83634

Dear Sirs:

A representative of this Department made an examination of the works covered by your Permit No. 63-8087 and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 3.0 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1267.5 acre feet per year.

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, Twp. 2N, Rge. 1W, Ada County

Beneficial use: Irrigation of 484 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26; NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 36; Twp. 2N, Rge. 1W

Priority date established: February 19, 1976

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

Condition: This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

Overlap review attached

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

MED

Point(s) of diversion: NE SW Sec 35 T 2 N R 1 W

Place(s) of Use

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
2N	1W	35	18	26	40	40	30	38	40	40	23	38			40	40			400
2N	1W	26										4							398
																			400
																			400
																			400
																			400
																			400
																			400
																			400
																			400

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☐ None
- ☒ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other

Total 404
402

Examiner's Signature G. L. Sisco

Date 5/6/81

Checked by DBS

Date 5/11/81

Approved by [Signature]

Date 10/14/81

C-23

21	16
34	55

D307

D275
215.1

D308

360

40.4

well
out
35.5

55

15 acres for new dairy

34	35
3	2

35	36	E
2		14.6

STRAVE

NOT TO SCALE

$$\frac{\text{IRRIGATION IN NSW}}{\text{Sec 35}} \\ 1.85 = 1/4$$

$$7.5'' = 1 \text{ mi}$$

$$40 \text{ ac} = 3.46 \text{ agm}$$

$$1 \text{ agm} = x \text{ ac}$$

$$x = \frac{40}{3.46}$$

$$1 \text{ agm} = 11.56 \text{ ac}$$

$$* .55 \text{ agm} = 6.36 \text{ ac}$$

$$40 - 6.4 = 33.6 \approx \underline{\underline{34 \text{ ac}}}$$

Jmi
11/13/91

* determined by counting
1/10 sq grids

Robyn

11/13/81

Return field exam
to region and
ask how they
got 25 ac irrigated
in NW⁴SW⁴ see 35

Jim

OK

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

63-2087

Permit No.

CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

REMARKS

- ☐ Appointment letter mailed:
- ☐ Telephone call made:
(List Telephone No. used)
- ☐ Appointment scheduled for
(Date, time, location)

EXAMINATION

Date 11/19/80 Accompanied by M. Wade, Staff Total Q measured 3.01

If source is surface water, estimate total flow of source

Methods of measurement	Meets Permit requirements?
------------------------	----------------------------

Measurement calculations:

INCASE - WATER CONVEY-5

$$V = 401 \times 4.5 = 1818 \checkmark$$

$$3.0 \times 1.9835 \times 213 = \underline{1267.5} \checkmark$$

Allow 3.00 AS per permit

[illegible][illegible]

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

USE

Irrigation requirement = 4.5 AFA/Acre

Q (cfs)

V (afa)

FROM

TO

3.0

1267.5

3.0

1267.5

Total

Remarks

Overlap review attached

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: N 1/4 SW Sec 35 T 2 N R 1 W

Place(s) of Use

TWP.	RGE.	SEC.	NEX				NWX				SWX				SEX				TOTALS
			NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	
24	1W	35	18		40	40	38	40	40	73					40	40			400
24	1W	35										4							4

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Total 404

Examiner's Signature

Checked by

Approved by

Date

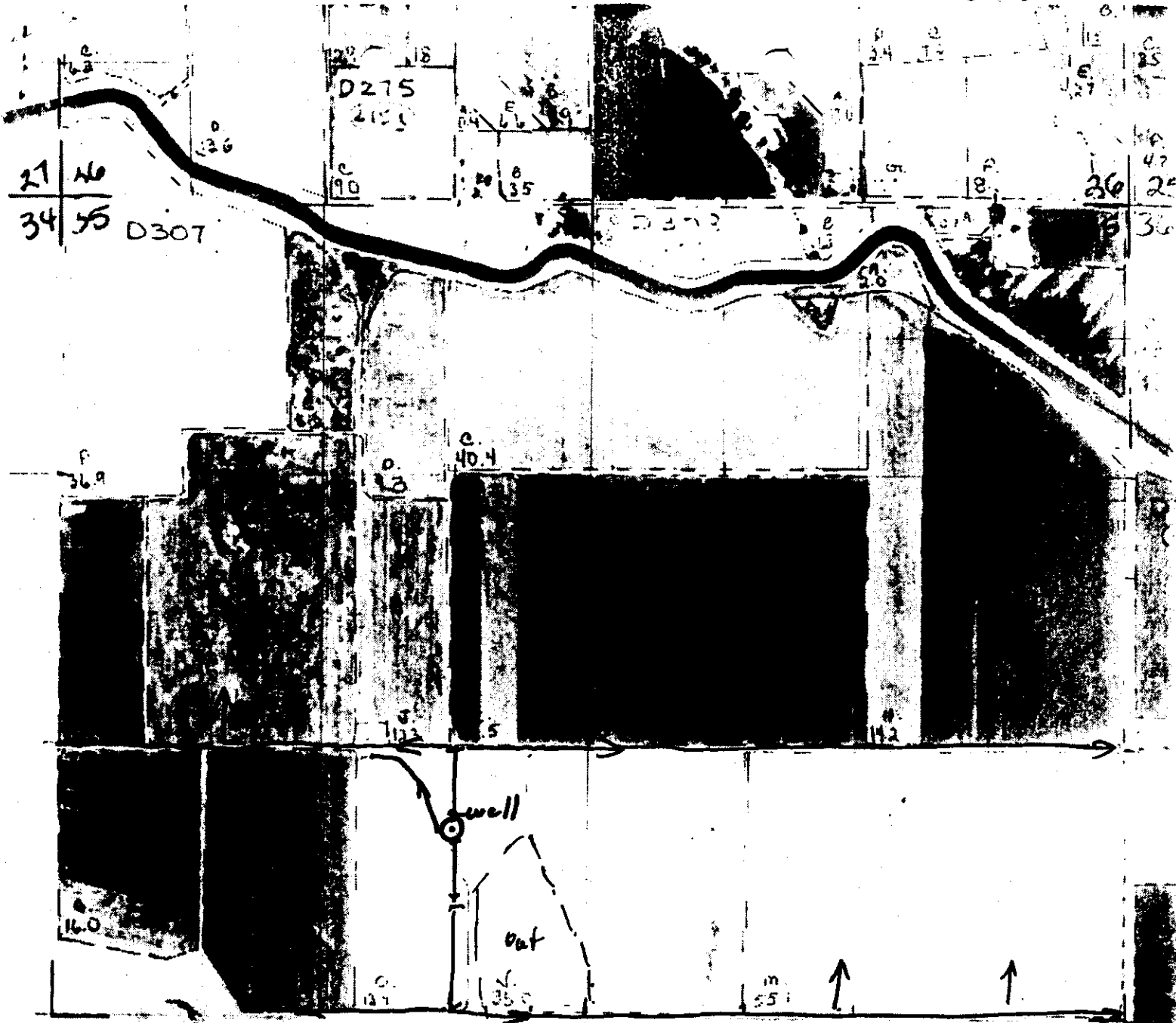
Date

Date

5/16/81

5/11/81

10/14/81



MICROFILMED

NOT TO SCALE

IRRIGATION IN NW SW

$$1.85 = 1/4$$

Sec 35

$$7.5'' = 1 \text{ mi}$$

$$40 \text{ ac} = 3.46 \text{ ag mi}$$

$$1 \text{ ag mi} = 7 \text{ ac}$$

$$x = \frac{40}{3.46}$$

$$1 \text{ ag mi} = 11.56 \text{ ac}$$

$$* .55 \text{ ag mi} = 6.36 \text{ ac}$$

$$40 - 6.4 = 33.6 \approx \underline{\underline{34 \text{ ac}}}$$

Yui

11/13/81

* determined by counting
No of grids

Overlap Review for 63-8087

License 63-3093 gw P/D SE NW Sec 35

$$\frac{1.73 \text{ cfs}}{113 \text{ ac}} = .015 \text{ cfs/ac}$$

P/U see attached copy

License 63-3170 gw

P/D NESE Sec 35

$$\frac{4.06 \text{ cfs}}{290 \text{ ac}} = .014 \text{ cfs/ac}$$

P/U see attached copy

No Overlap with P/D.

There are overlaps with the P/U.

Recommend R15 condition

Rc $\frac{10/14}{81}$

State of Idaho

License and Certificate of Water Right

Water License No. G-28169 Priority September 17, 1959 Amount 4.06 c.f.s.

THIS IS TO CERTIFY that

JOHN RUSSELL COWE

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 17, 1959; that Permit No. G-28169 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 4.06 second feet, was issued thereunder on May 23, 1966, showing that said works were completed on the 20th day of September, 1965; and that on the 20th day of September, 1965

JOHN RUSSELL COWE

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of 2 wells

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-28169 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses, at Page 8472, on the 23rd day of May, 1966.

The right hereby confirmed dates from September 17, 1959.

The Point of Diversion is located SE $\frac{1}{4}$ NW $\frac{1}{4}$, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 2 N, R. 1 W., B.M. Ada County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.06 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N	1 W	35	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	19
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	25
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	28
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	39
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	39
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	28
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	36
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	29
Total number of acres to be irrigated:				290	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 23rd day of May, 1966.

R. Keith Higgins
Deputy State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. G-26493

Amount 1.73 c.f.s.

Water District No. _____

Priority August 21, 1956

THIS IS TO CERTIFY that **POTTER LAND COMPANY**
of **Caldwell, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **August 21, 1956**; that Permit No. **G-26493**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.73 second feet, was issued thereunder on **September 13, 1961**, showing that said works
were completed on the **14th** day of **August, 1961**; and that on the **14th**
day of **August, 1961**,

POTTER LAND COMPANY

of **Caldwell**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of **a well**
, a tributary of subterranean flow, for the purpose of **irrigation**
, under Use Permit No. G-26493 of the **Department of Reclamation**
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page **7161**, on the **13** day of **September, 1961**;
The right hereby confirmed dates from **August 21, 1956**;

The Point of Diversion is located
in the **SE 1/4 NW 1/4, Sec. 35, Tp. 2 N., R. 1 W., B. M. Ada County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed **1.73** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	1 W.	35	SE 1/4 NE 1/4	40	20
			SW 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	23
			SE 1/4 NW 1/4	40	30
			Total number of acres to be irrigated:	113	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
13th day of **September, 1961**.

(SEAL)

RALPH W. THOMAS
Deputy State Reclamation Engineer.

63

63-3093

WATER RIGHT NUMBER 63-8087

OWNER LAST NAME - NIELSEN FARMS INC.

FIRST NAME -

ORIG OWNER - D

OWNER LAST NAME - VANDERSTELT DAIRY *Under Stelt*

FIRST NAME -

ORIG OWNER -

ADDRESS LINE 1 - RT. 1

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - KUNA

STATE - ID ZIP CODE - 83634

SOURCE - GROUNDWATER

PRIHUTARY OF -

STAGE - PERMIT

STATUS -

PRIORITY - 02-19-1975 COUNTY - ADA

TOTAL DIV. RATE - 3.0000 -CFS

TOTAL DIV. VOLUME - *1267.5* .00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NESW 35 02N 01W LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FRDM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE -

3.0000 CFS

USE DIV. VOLUME - *1267.5* .00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 02N RNG 01W SEC 35

TRACT NENE LOT

AC 20 TRACT NENE LOT

AC 30

TRACT SWNE LOT

AC 40 TRACT SENE LOT

AC 40

TRACT NENW LOT

AC 30 TRACT NWNW LOT

AC 40

TRACT SWNW LOT

AC 40 TRACT SENW LOT

AC 40

DATE -

TOTAL ACRES

280

DECREE NAME -

REMARKS - *See Lic.*

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE - 63-3093 & 63-2658.

PROOF DUE - 03-01-1980 PERMIT/DENIED - 03-21-1975 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - COND. OF APPROVAL - 01B 05

DIVERSION MEANS - WELL & PUMP.

IDENT. NO. 63-8087

WATER RIGHT
DATA ENTRY LOG

[illegible]

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-8087

Name(s) of Permit Holder: VANDER STELT DAIRY

Post Office Address: Route 1, Kuna, ID

Tel. No. 922-4634

Source of Water: groundwater

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of animals)
☒ Irrigation 440 (acres)
☐ Other

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

Access Port: Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

2/27/80

Date

Henry Vander Stelt
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

VANDER STELT DAIRY
RT. 1
KUNA, ID 83634

101663

DECEMBER 31, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-8087 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

August 16, 1979

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosures

Northern Region Office
Rt. #5, Box 203 Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Street
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Blvd. North
Twin Falls, Idaho 83301

Western Region Office
92 S. Cole Road
Boise, Idaho 83705

August 3, 1978

Re: Permit No. 63-8087

Vander Stelt Dairy
Route 1
Kuna, ID 83634

Gentlemen:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

March 24, 1955

Re: Permit No. 63-8087

Nielsen Farms, Inc.
Route 1
Kuna, Idaho 83634

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 63-8087 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

J.R. Keith Hoggins
Director

Statehouse Annex 2
Boise, Idaho 83707

(208) 384-2215
Western District Office



Water Rights Administration
Water Resources Planning
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Well
Stream Channel Protection

February 21, 1975

**The Valley News-Times
P.O. Box 365
Meridian, ID
83642**

**RE: Application for Water Permit No. 63-8087, Nielsen Farms Inc.
Claim to a Water Right No. 63-4290, Hattie M. Molen**

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct,
that the amount claimed is legally due, after allowing all just
credits, and that no part of the same has been paid."

(signature of claimant)

*Bill submitted
OK - 3-7-75, jg*

INDEXED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that

~~NIELSEN FARMS INC.~~ ^K Rt. 1, ~~Idaho~~, ID

has on ~~Feb. 19, 1975~~ submitted Application No. ~~63-8087~~

for a permit to appropriate ~~3.0~~ cubic feet per second ~~acre feet~~

per annum of water from ~~XXXXXXXX~~ [↑] ~~groundwater~~

by means of ~~well with pump~~

within the ~~NE 1/4, Sec. 35, T. 2 N, R. 1 W, B.M. Ada County~~

to be used from ~~April 1 to Oct. 31~~

for ~~Irrigation of 440 acres~~

within the ~~NE 1/4, NW 1/4, N 1/2 SW 1/4, N 1/2 SE 1/4, Sec. 35, T. 2 N, R. 1 W, B.M.~~ ^{NE 1/4, NW 1/4, N 1/2 SW 1/4, N 1/2 SE 1/4 Sec 35 T 2 N, R 1 W, B.M}

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before ~~March 17, 1975~~

R. KEITH HIGGINSON

Director

Published in the ~~The Valley News-Times, Meridian, ID~~

on ~~Feb. 27, 1975~~ and ~~March 6, 1975~~