



10S, 16E

MICROFILMED

JUN 29 1995

47-08363

NOTICE OF
APPLICATION FOR
WATER PERMIT

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

47-08363

MIKE AND/OR SUSAN
VIERSTRA

2588 E 3500 N

TWIN FALLS ID 83301

Source: groundwater
Diversion Pt:
SE1/4SE1/4, S35, T10S,
R16E; Twin Falls County.

Use: 01/01-12/31

Stockwater (0.92 cfs)

Commercial (0.92 cfs)

Domestic (0.04 cfs)

Total Diversion: 0.96 cfs

Date Filed: 02/02/95

In: SE1/4SE1/4, S35,
T10S, R16E.

The application proposes
to divert groundwater
from the "Eastern Snake
Plain Area" presently
under a moratorium order
dated April 30th, 1993.
The order allows the
director to consider on a
case-by-case basis
applications if it can be
shown the development
will have no effect on
prior surface and
groundwater rights
because of its location,
insignificant consumption,
or mitigation by the
applicant to offset injury
to other rights. The
permit, if approved, will
be subject to all prior
water rights and to
mitigation needed to
protect prior rights from
material injury. Any
protest must be filed with
the Director, Dept. of
Water Resources,
Southern Region, 222
Shoshone Street East,
Twin Falls, ID 83301
together with a protest fee
of \$25.00 on or before
March 20, 1995. The
protestant must also send
a copy of the protest to
the applicant.

R. Keith Higginson,
Director

Published in Times News on
3/2 & 3/9/95.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } SS.

RECEIVED

No 26887

MAR 24 1995

I, Linda Capps McQuire, being first duly sworn upon oath, depose
and say that I am Prime Clerk of the Department of Water Resources
of the Southern Region of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in any
supplement thereof, for Two consecutive Weeks,
commencing with the issue dated March 8, 19 95,
and ending with the issue dated March 9, 19 95.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except
Monday, both of which newspapers prior to consolidation had been published under said names in said city and county
continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since
such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said
newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be
published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each
issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 22 day of March in the year of 1995, before me,
a Notary Public, personally appeared Linda Capps McQuire,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

James R. Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

JUN 29 1995

OK
MB
3/24/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 24 1998

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 47-08363 Telephone No. 208
2. Name(s) of Permit Holder(s): Mike G. Vester
3. Mailing Address: 2588 E 3500 N, TWIN FALLS, ID 83301
4. Source of Water: Ground If GROUNDWATER (well), Date Drilled: mo. 2 / yr. 94
 - a. Well Driller: Arnold Elsing Drilling Permit Number: - -
 - b. OPTIONAL:
Pump Horsepower: 10 & 5 Pressure (psi): 50 Dynamic pumping level (ft): 260
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): Stockwater (No. and type of stock): 1100 Head Dairy
Irrigation (No. of acres): Other:
6. Total rate of diversion and/or volume for which proof is submitted: cfs OR 70 acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes <u>X</u> or No <u> </u>
	Has the measuring device been installed?	Yes <u>X</u> or No <u> </u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> </u> or No <u>X</u>
	Has the measurement port been installed?	Yes <u> </u> or No <u>X</u>
8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Mike Vester Telephone Number: 208 736 208
Address: 2588 E 3500 N T.F. ID 83301
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Mike G. Vester Date: 3-2-98
(include your title, if on behalf of company or organization)

MAR 15 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 47-08363

Proposed Priority: February 2, 1995 Maximum Diversion Rate: 0.96 CFS

This is to certify, that **MIKE VIERSTRA**
SUSAN VIERSTRA
2588 E 3500 N
TWIN FALLS ID 83301

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.92 CFS
COMMERCIAL	01/01 to 12/31	0.92 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.96 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 35, Township 10S, Range 16E
TWIN FALLS County

PLACE OF USE: STOCKWATER
TWN RGE SEC
10S 16E 35 SESE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

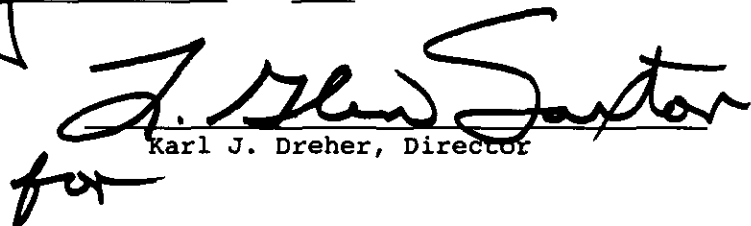
PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. See Preliminary Order for conditions and limitations for use of water under this approval.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

30th day of May, 1995.


Karl J. Dreher, Director
for

MICROFILMED

JUN 29 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 47-08363 IN THE NAME)
OF MIKE AND/OR SUSAN VIERSTRA)

PRELIMINARY ORDER

This matter having come before the Idaho Department of Water Resources (department), the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On February 2, 1995, Mike and/or Susan Vierstra (applicant) filed amended application for Permit No. 47-08363 (application) with the department proposing the diversion of 0.96 cubic feet per second of ground water to be diverted within the SE1/4SE1/4 Section 35, T10S, R16E, B.M. for domestic use, stockwater use and commercial use in connection with a proposed dairy.

2. The department advertised the application as required by law. The application was not protested.

3. The proposed place of use for the dairy is irrigated land which for which the Twin Falls Canal Company provides surface water.

4. The new dairy operation proposes a maximum of 1,200 lactating cows, 300 non-milking cows and 400 replacement heifers. The operation will require a total of about 100 acre feet of water per year of which 56 acre feet per year is for stockwater use and 44 acre feet is for commercial use associated with operation of the proposed dairy. The dairy and stockyards will cover about 11.5 acres of previously irrigated land. The water used for the dairy will be less than was used to irrigate the 11.5 acres.

5. On April 30, 1993, the Director of the department issued an Amended Moratorium Order (moratorium order) against the approval of new applications for permit which would consumptively use water in the Eastern Snake River Plain area (moratorium area). The location of the proposed point of diversion is within the moratorium area.

6. Provision 9.b) of the moratorium order provides as follows:

The moratorium does not prevent the Director from reviewing for approval on a case-by-case basis an application which

RECORDED
JUN 29 1995

otherwise would not be approved under terms of this moratorium if, the Director determines that the development and use of the water pursuant to an application will have no effect on prior surface and ground water rights because of its location, insignificant consumption of water or mitigation provided by the applicant to offset injury to other rights.

CONCLUSIONS OF LAW

1. Section 42-203A, Idaho Code, provides in part as follows:

In all applications whether protested or not protested where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the director that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor...

2. The application will not reduce the quantity of water under existing water rights if properly conditioned.

3. The water supply available itself is sufficient for the purposes intended.

4. The application is made in good faith and not for delay or speculative purposes.

5. The applicant has sufficient financial resources with which to complete the project.

6. The application does not conflict with the local public interest.

7. The application is not contrary to the conservation of water resources within Idaho.

8. The right holder should be required to maintain ownership of the shares of water appurtenant to the 11.5 acres which will be used as the dairy site for mitigation purposes as may be determined in the future by the department.

9. The department should approve the application as an exception to the Eastern Snake River Plain moratorium and should

JUN 29 1995

issue a permit with certain conditions and limitations.

ORDER

IT IS THEREFORE, hereby ORDERED that Application for Permit No. 47-08363 is **APPROVED** subject to the following conditions and limitations:

1. The proposed dairy operation under this approval shall comply with applicable zoning and use ordinances of Twin Falls County.

2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

3. The right holder shall not use water under this approval for a dairy operation larger than 1,200 milking cows, 300 dry cows and 400 head of replacement calves and heifers.

4. Prior to the diversion and use of water under this approval, the right holder shall install and maintain a measuring device on each point of diversion associated with the dairy and shall annually report the amount of water diverted to the department. The right holder shall obtain prior approval of the department relative to the type of measuring device.

5. The 11.5 acres which are no longer to be supplied surface water by the Twin Falls Canal Company are located within the SE1/4SE1/4, Section 35, T10S, R16E, B.M.

6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

7. The right holder shall maintain ownership and control of the shares of water appurtenant to the 11.5 acres which shall be used in the vicinity of the dairy site for mitigation purposes as may be determined in the future by the department.

8. In accordance with applicable law, the right holder is responsible to ensure that pumpage under this approval does not directly lower the water level in any domestic well drilled and in use prior to March 29, 1978, requiring modification to the well or pumping system as determined by the Director unless the right holder provides reasonable compensation or mitigation to the prior right holder.

9. In accordance with applicable law, the right holder is responsible to ensure that pumpage under this approval does not reduce the water available under any prior right as determined by the Director, unless the right holder provides compensation or mitigation to the prior right holder.

APPROVED
JUN 29 1995

10. In accordance with applicable law, the right holder is responsible to ensure that pumpage under this approval does not reduce the water available under any prior right so as to cause material injury to the holder of the prior right as determined by the Director, unless the right holder provides compensation or mitigation to the prior right holder.

11. Proof of construction of works and application of water to beneficial use shall be submitted to the department on or before May 1, 1998.

12. Failure of the applicant to comply with the conditions of this approval is cause for the director to rescind this approval.

Signed this 30th day of May, 1995.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
JUN 29 1995

RECEIVED

RECEIVED

MAY 09 1994

MAR 28 1995

Form 202
10/92

De,

Resources

STATE OF IDAHO

Ident. No. 47-08363

Southern Region Office DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Mike and/or Susan Vierstra Phone 736-2078
 Post office address 2588 E 3500 N, Twin Falls, ID 83301
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____
 Sec. 35 Township 10S Range 16E B.M. Twin Falls County; additional
 points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount .04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
 (cfs or acre-foot per annum)
- Amount .9249 for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
 (cfs or acre-foot per annum)
- Amount .9249 for Commercial purposes from 1-1 to 12-31 (both dates inclusive)
 (cfs or acre-foot per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-foot per annum)

5. Total quantity to be appropriated is (a) .96 and/or (b) _____
 (cubic feet per second) (acre feet per annum)

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. 8" well with 5Hp pump
to a pressurized system that serves a domestic use,
stockwater troughs and dairy barn.

- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
 reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
 _____ to _____ inclusive.

- c. Proposed well diameter is 8" inches; proposed depth of well is 330' feet.

- d. Is ground water with a temperature of greater than 85°F being sought? No.

- e. If well is already drilled, when? 1992; Drilling firm Walker Water Systems;
 Well was drilled for (well owner) Applicants

7. Time required for the completion of the works and application of the water to be proposed beneficial use is
3 years (minimum 1 year).

JUN 29 1995

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. *Amended 2-2-95*
- b. Stockwatering; list number and kind of livestock. *750 milking & 200 dry cows, 1200 300 400 head*
- c. Municipal; show name of municipality.
- d. Domestic; show number of households. *one home.*
- e. Other; describe fully. *Commercial use is a dairy replacement heifers*

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	16E	35																D	
																		C/S	

Total number of acres to be irrigated _____

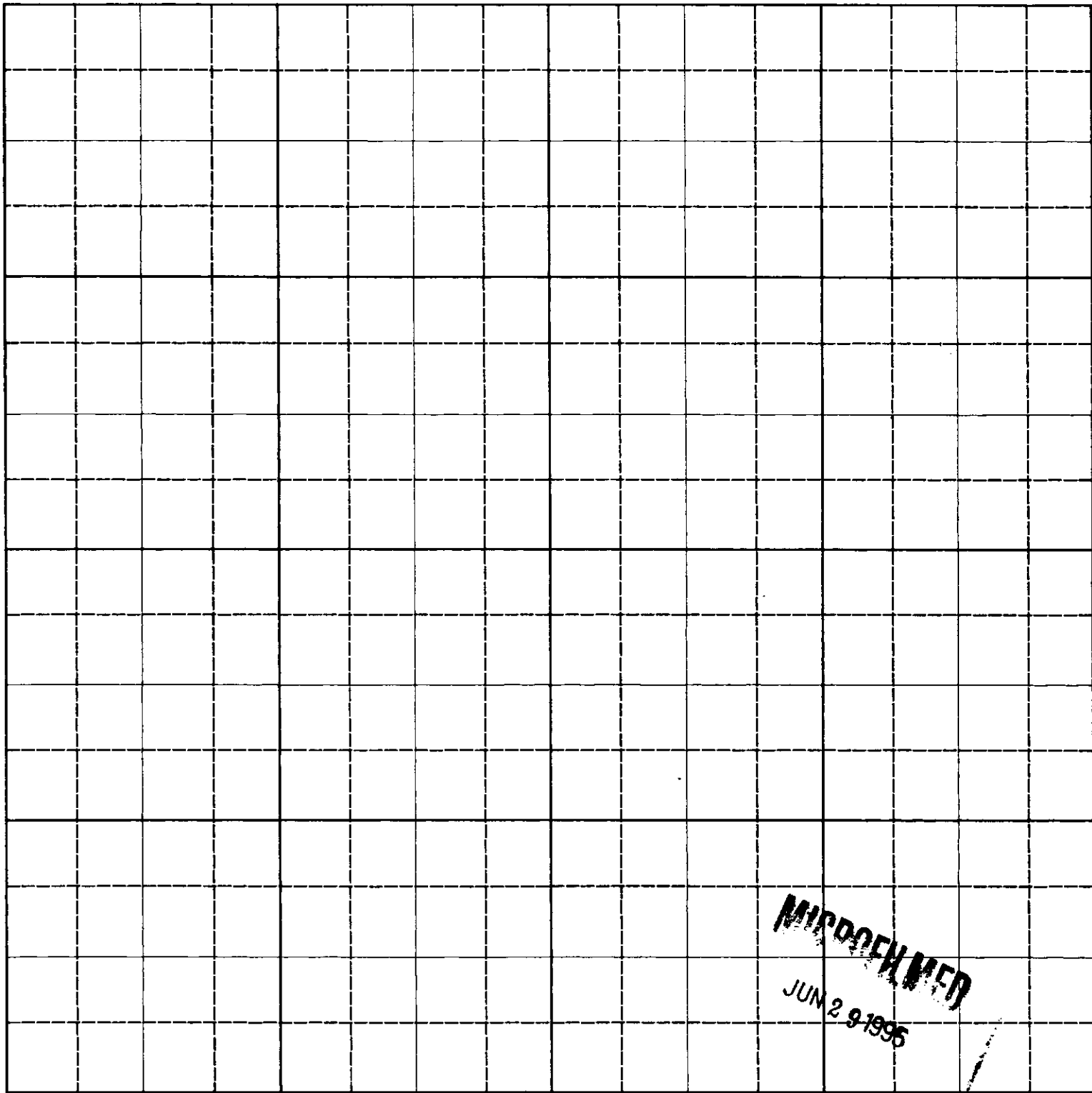
10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? *Applicant*
- b. Who owns the land to be irrigated or place of use? *"*
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: *Well was drilled under Permit 47-92-S-0073-000 for domestic use.*

RECORDED

JUN 29 1995

A large grid of graph paper, consisting of 20 columns and 20 rows of squares. In the bottom right corner, there is a black ink stamp. The stamp is tilted diagonally and contains the text "MIDDOEN MED" in a bold, sans-serif font. Below this text, the date "JUN 2 8 1996" is stamped in a smaller, similar font. The stamp appears to be from a medical or archival record.

MIRDOEN MED
JUN 29 1996

Mike G. Vuorio
(Applicant)

Amended MTS 2-2-95

Received by MTS Date 5-9-94 Time 11:00 Preliminary check by J. E. Stanton
Fee \$ 45 Receipted by MTS # 5016875 Date 5-9-94

Publication prepared by MB Date 2/9/95 Published in Times News

Publication approved MB Date 3/24/95

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

RECORDED

JUN 29 1995

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 4708363 Reviewed by JY Date 5-1-98

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

dairy

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

no Copy in the file? Drilling Permit No. 47-96-S-0011-000

200- Amount paid for permit yes Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100- Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 3-24-98



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 1, 1998

Mike and Susan Vierstra
2588 E 3500 N
Twin Falls ID 83301

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08363

Dear Permit Holder:

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

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. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the department's **SOUTHERN** Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

MAY 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

March 12, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Mike & Susan Vierstra
2588 E 3500 N
Twin Falls, ID 83301

WR File

Dear Mr. & Mrs. Vierstra

The Department of Water Resources recently approved permit number **47-08363** to appropriate water in your name. Conditions of approval of the permit require that you measure and report your measurements to the Department annually.

Enclosed is a summary titled Minimum Acceptable Standards for Measurement and Reporting of Surface and Ground Water Diversions. Please review the information carefully.

The condition of approval of your permit states "Prior to the diversion and use of water under this approval, the right holder shall install and maintain a measuring device on each point of diversion associated with the dairy and shall annually report the amount of water diverted to the department. The right holder shall obtain prior approval of the department relative to the type of measuring device." If you have not already installed measuring device(s), you must install them and begin measuring within 56 days of the date of this letter, unless other arrangements are made with the Department.

Also enclosed with this letter are measurement reporting forms. A report must be submitted for each point of diversion. When you file the report at the end of the year, you must also enclose a processing fee of \$25.00 for each point of diversion. Form WMP4 is used to record and report your measurements. This form should be completed and returned to the Department by January 15, 1997.

Form WMP2 is used to certify installation and accuracy of the measuring device(s). The accuracy of your measuring device(s) must be checked with another flowmeter. Section II of form WMP2 is used to verify your flowmeters accuracy. If you wish, I can perform the accuracy check of your flowmeter once it is installed. Please contact me once it is installed.

If you divert groundwater to supplement surface water rights, and you do not divert ground water during a given year because of adequate surface water supplies, you should file the year end report but indicate you did not divert ground water. During any year you do not divert water, you are not required to pay the \$25.00 reporting fee.

Please call me if you have questions.

Sincerely,

Scott King

MICROFILMED

MAR 12 1996

Enclosures

February 28, 1998

MIKE VIERSTRA
SUSAN VIERSTRA
2588 E 3500 N
TWIN FALLS ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 47-08363

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1998.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

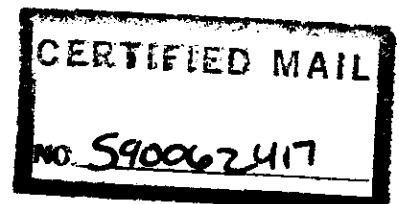
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

MAY 15 1998



FORWARD WHITE COPY TO WATER RESOURCES

Use Typewriter
or
Ball Point Pen

Pg 2062

1. DRILLING PERMIT NO. 47-96-S-0011-000
Other IDWR No. 47-08363

2. OWNER:

2. OWNER:
Name Mike Vierstra
Address 2588 East 3500 North
City Twin Falls State ID Zip 83301

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 10 North ☐ or South ☒
 Rge. 16 East ☒ or West ☐
 Sec. 35 $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Gov't Lot 10 County Twin Falls

Address of Well Site _____
City _____

(Give at least name of road + Distance to Road or Landmark)

Lt. **Blk.** **Sub. Name** _____

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK

☐ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☐ Cable ☐ Other_____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) _____
Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casting	Liner	Welded	Threaded
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____

☐ Screens Screen Type _____

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

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

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

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments:

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

13. DRILLER'S CERTIFICATION

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

Firm Name Elsing Drilling Firm No. 31

FD-38 Form Official *Donald E. Goring* Date 2-28-96

Supervisor or Operator Craig Egan Date 2-28-96

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

MEMORANDUM

To: Gary Spackman
From: L. Glen Saxton *WSD*
RE: CONDITIONS OF APPROVAL - PERMIT 47-08363
Date: February 14, 1996

On May 30, 1995, the department issued Permit No. 47-08363 to Mike Vierstra authorizing the diversion of 0.96 cfs of water to be diverted from a well for use in connection with a dairy. One of the conditions of approval is as follows:

Prior to the diversion and use of water under this approval, the right holder shall install and maintain a measuring device on each point of diversion associated with the dairy and shall annually report the amount of water diverted to the department. The right holder shall obtain prior approval of the department relative to the type of measuring device.

My recent review of this file does not show that the department has sent measuring device information or reporting time frames to Vierstra. Please send the typical information your section has prepared relative to devices and reporting and send a copy of your correspondence to Permit File No. 47-08363.

MICROFILMED
MAY 15 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 15, 1995

MIKE VIERSTRA
SUSAN VIERSTRA
2588 E 3500 N
TWIN FALLS ID 83301

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 47-08363

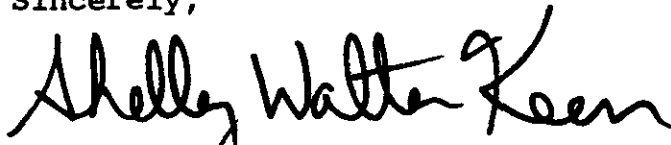
Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED
JUN 29 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MAY 30, 1995

MIKE VIERSTRA
SUSAN VIERSTRA
2588 E 3500 N
TWIN FALLS ID 83301

RE: Application for Permit No. 47-08363

Dear Permit Holder:

The accompanying order is a "preliminary order" issued by the department pursuant to section 67-5243, Idaho Code. The provisions of this order will not become effective until the final permit is issued.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer 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 this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this 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 Director. The Director retains the right to review the preliminary order on his own motion.

RECEIVED
JUN 28 1995

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

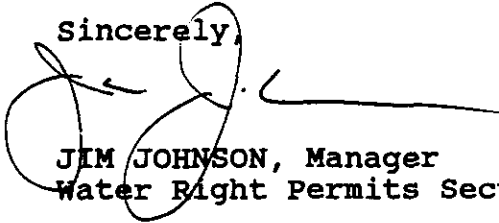
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

RECEIVED
JUN 29 1995

- 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.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECORDED

JUN 29 1995

INDEXED

TO: Glen

From: Norm *NCG*

RE: 47-08363

Date: April 29, 1995

Basin 47 is in the moratorium area that is fixed by law until Dec. 31, 1997 (Section 42-1806, Idaho Code). The moratorium has a provision that allows processing and approval of applications on a case-by-case basis if the use will have no effect on prior surface and ground water rights because of its location, insignificant consumption of water or mitigation provided by the applicant to offset injury to other rights. This application, and others in Basin 47 have been determined to not be in an area of common ground water supply with the Eastern Snake Plain Aquifer (Rule 50.01 of Conjunctive Management Rules). Because of location, the use will not affect the prior rights on the springs discharging from the ESPA nor the prior rights of A & B Irrigation District. The question then is: What rights must the applicant mitigate to allow the application to be processed under the exemption in the moratorium? No one has filed a protest. The Swan Falls agreement subordinates the large hydro filings. Flows are usually much in excess of the minimum flows at Swan Falls and Weiser. Releases for salmon are an issue, but no specific right has been established for the fish flush, and applications are being approved in the Payette, Weiser and other basins not in a moratorium without regard for these issues.

If the use is significant

I suggest that this application and others in Basin 47 be approved with additional conditions along the following lines:

The permitholder is responsible to ensure that use of water under this permit does not lower the water level in any domestic well drilled and in use prior to March 29, 1978, requiring modification to the well or the pumping system or to lower the water level in any well used for purposes other than domestic uses or reduce the water available under any prior right so as to cause material injury to the holder of the prior right unless the permitholder provides compensation or mitigation to the prior right holder, as determined by the director.

Subject to all senior down gradient minimum stream flows. By acceptance and diversion of water pursuant to this permit, permitholder agrees to either stop diversion of water at any time he is notified that any down gradient minimum stream flow is not being fully satisfied and will not begin diverting water under this permit until notified that water is again available or the permitholder will provide water in an amount equal to the ongoing

diversion under this permit for release directly into the stream upon which the minimum stream flow is not being satisfied.

In the case of 47-08363, also accept the offer to dry up land and retain shares to avoid an expansion in use. Your approach in requiring that the shares be available for a future recharge project also makes sense.

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 47-8363 Name: Vierstra Date: 3/31/95 ^{\$5/17} Ad OK? ✓
Correct Fee? ✓ Receipt #: 5017716 Priority: 5/9/94 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes ESRP Mor GWMA Trust/Non-trust
PROTESTED: - 020(Prehearing agreement) or W19(See Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (POU cmp) - 01M, 803(if GW use SW 1st)

Drilling Permit: 2 pd's

Existing well - NA (pre 7/1/87) ^{both wells drilled by Elsing Drilling & Pump Co. Inc.}
Included w/permit - Permit No. #47-92-S-0013-000 6"x360' Dom. 6/12/92
No WD permit? - #47-93-S-0109-000 8"x371' Dom. 7/30/93
irr. in WD - 046-46B-P23 (post 7/1/87) P99
- P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):

Water District(dom) - 005 (req) WD # <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In-WB~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WB), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R + L Peak); 064(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - ? C <SEE CONDITION CODE CHART>
Trust - ~~051-052-053-P74~~ (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

09E
01A2-09E-035-1705-010 (2) 010/1705-010 (3) 010/1705-010
See order
4-1-1998
dairy worksheet

NOTICE OF
APPLICATION FOR
WATER PERMIT

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

47-08363

MIKE AND/OR SUSAN
VIERSTRA

2588 E 3500 N

TWIN FALLS ID 83301

Source: groundwater
Diversion Pt:

SE1/4SE1/4, S35, T10S,
R16E; Twin Falls County.

Use: 01/01-12/31

Stockwater (0.92 cfs)

Commercial (0.92 cfs)

Domestic (0.04 cfs)

Total Diversion: 0.96 cfs

Date Filed: 02/02/95

In: SE1/4SE1/4, S35,
T10S, R16E.

The application proposes
to divert groundwater
from the "Eastern Snake
Plain Area" presently
under a moratorium order
dated April 30th, 1993.
The order allows the
director to consider on a
case-by-case basis
applications if it can be
shown the development
will have no effect on
prior surface and
groundwater rights
because of its location,
insignificant consumption,
or mitigation by the
applicant to offset injury
to other rights. The
permit, if approved, will
be subject to all prior
water rights and to
mitigation needed to
protect prior rights from
material injury. Any
protest must be filed with
the Director, Dept. of
Water Resources,
Southern Region, 222
Shoshone Street East,
Twin Falls, ID 83301
together with a protest fee
of \$25.00 on or before
March 20, 1995. The
protestant must also send
a copy of the protest to
the applicant.

R. Keith Higginson,
Director

Published in Times News on
3/2 & 3/9/95.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } SS.

RECEIVED

No 26887

MAR 24 1995

I, Mike and Susan Vierstra, being first duly sworn upon oath, depose
and say that I am of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in any
supplement thereof, for two consecutive days,
commencing with the issue dated March 2, 1995,
and ending with the issue dated March 9, 1995.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except
Monday, both of which newspapers prior to consolidation had been published under said names in said city and county
continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since
such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said
newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be
published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each
issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 22 day of March in the year of 1995, before me,
a Notary Public, personally appeared Mike and Susan Vierstra,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Michael R. Feltman
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2002

JUN 29 1995

RECEIVED
MAR 23 1995

Department of Water Resources

FROM: Allen Merritt

DATE: March 27, 1995

TO: File : Application for Permit 47-08363

SUBJECT: Review & Recommendation

The application has been processed without protest. Processing was predicated on a future mitigation plan. (See 2/9/95 memo and advertising language) The 2/25/95 letter from Brockway to Young purports that the impact of the development will be "undetectable"; however, I believe there are certain assumptions made in the analysis that need to be maintained and the only way to do so would be to condition approval of the permit.

The major assumption is that the TFCC shares are continued to be used on the farm and not sold or leased allowing irrigation of new lands. Brockway's analysis of his modified "dairy spreadsheet" is that 6.9 acres is required and actually 11.5 acres are being dried up as a result of the dairy. The shares for these acres is then used on the remaining 50 acres of the original 61.5 acres. Brockway's analysis is based on 1000 milking & 250 dry cattle. On 2/2/95 Vierstra amended the application to 1200 milking and 700 dry cattle. Additionally Brockway's analysis is based on consumptive use and not diversion volume as has been the basis of prior approvals for dairy conversions. The attached "dairy worksheet" ran this day finds that there will be a diversion volume of 101.3 afa for the dairy needs. If this is compared to irrigation in this area based on 4.0 afa at the field headgate (1,100,000 afa /season for 202,689.91 shares = 5.43 afa/share from river therefore 4.0 reasonable at headgate) this would require 25.3 acres as a basis of comparison.

On this day Mike Vierstra came into the office to check on status of application. He indicated that he is presently working on purchasing adjacent land to this dairy site which would increase his holding in the neighborhood to 120 acres. We briefly discussed that I was going to recommend approval of the application and that my recommendation would include a condition that canal shares remain on the property and not be leased or removed which would allow irrigation of additional acres in the TFCC area. He did not seem to oppose this condition.

Recommendation:

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

1. The well must have a totalizing meter installed.
2. The use is limited to 1200 milking and 700 dry cattle for stockwater use and commercial use is for the dairy barn use associated with above numbers of cattle.

RECEIVED
MAR 29 1995

right for stockwater and commercial uses is limited to 101.3 afa for these uses.

3. Domestic use is limited to 1 home for inhouse use only.

4. 25.3 shares of TFCC water shall be provided for any future recharge effort for mitigation in exchange for approval of this application and in no case will canal shares be leased or removed from the subject 61.5 acres unless used on adjacent land owned by the applicant.

5. Applicant must provide water quality testing of local wells as needed to monitor dairy impacts as directed by DEQ.

6. ***** The well drilled and presently used for this dairy was developed under Drilling Permit 47-92-S-0073-000 as domestic. Before this application is granted the difference between domestic & commercial (\$200 - 35) \$165 must be paid and the Drilling permit record amended.

MICROFILMED
JUN 29 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. F. Stanton DATE 5-12, 1994
APPLICATION NO. 47-08363

RECEIVED
MAR 28 1995
Department of Water Resources

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
 - ☒ Address
 - ☒ Source (see USGS quad for names of water sources)
 - ☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.)
 - ☒ County
 - ☒ Quantity (flow &/or volume)
 - ☒ Period of use
 - ☒ Nature of proposed use (include description of use)
 - ☒ Description of diverting works.
 - ☒ Time required for beneficial use of water.
 - ☒ Place of use or acres irrigated.
 - ☒ Map
 - ☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
 - ☒ Fee
 - ☒ Yes ☐ No* In form to receipt
- ++++PROPOSED PRIORITY DATE
5-9 1994

ADDITIONAL INFORMATION

- ☐ Overlapping place of use(Describe source & relationship to present application on the back.
- ☐ Overlapping point of diversion.
- ☒ Yes ☐ No Field check required
Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☒ No Critical Ground water area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send Dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit.
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary(If yes, attach trustwater supplementary analysis sheet.
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.

See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Date Requested _____, 19____

PROCESSING ☒ Yes ☐ No In form for Advertising
☐ Yes ☒ No No Statewide Advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on app.

SEND COPIES TO: ☐ Idaho Dept of Health & Welfare ☐ USDI BLM
☐ Idaho Dept of Fish & Game ☐ USFS
☐ Idaho Dept of Lands ☐ Water Dist.
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received.
☒ Yes ☐ No Application published correctly. If not, record action taken. _____

☒ Yes ☐ No Publication dates and paper, recorded on App.
☐ Yes ☒ No Protests received
Final date for Protest _____

N/A ☐ Yes ☐ No Protests, dates, resolution of protest, recorded on app.

☒ Yes ☐ No Recommendations attached

☒ Yes ☐ No Measuring device required

☐ Yes ☒ No Access port required

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist. _____

☐ Yes ☒ No Special conditions of approval or cover letter below. _____

See below for additional information

Date of priority recommended 2/2/95, 19____
By AD Date 3/27, 1995

STATE OFFICE REVIEW _____

See below for additional information

By _____ Date _____, 19____

ADDITIONAL INFORMATION: _____

See Memo dated 3/27/95 for
recommendations

LOCAL PUBLIC INTEREST

Comments recieved from:

☐ City	☐ Idaho Fish & Game	☐ Irrigation Dist.
☐ County	☐ Idaho Health & welfare	☐ Canal Company
☐ Reservations	☐ Div. of Enviromental Quality	☐ Other _____

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____, 19____

FROM: Allen Merritt

DATE: February 9, 1995

TO: File 47-08363

SUBJECT: Process the permit

Mike Vierstra has talked to several people in this office and the state office recently about getting his permit processed. He discussed with Jim Johnson recently about it was unfair that the area south of the Snake River in the Twin Falls - Buhl area is included in the "Eastern Snake River Moratorium Area". He contends that well levels have not dropped in this area and due to the Twin Falls Canal Co. recharging the groundwater in this area that this area should be removed. He also contends that his development of a dairy on land that has TFCC shares which recharges the aquifer should be a consideration.

Jim Johnson discussed this matter with him and they discussed section 9.b on page 5 of the moratorium order which appears to be a way for the director to consider processing the application.

On 2/2/95 Mr. Vierstra came in to the office and he related his conversations with Jim Johnson. I reviewed with him section 9.b and told him to obtain a right for the dairy he would either:

1. Obtain an approved permit and amend it to his dairy use.
2. Obtain a licensed right and transfer it to his dairy use.
3. Petition the director to allow processing of the application as 9.b seems to infer.

On 2/9/95 Norm Young phoned and indicated that Mr. Vierstra had personally approached Keith Higginson about processing the application. Mr. Vierstra has contacted Chuck Brockway to prepare a report or mitigation plan to support processing the application. Norm instructed me to prepare the advertising and procede to publish the application. We agreed to put special language in the advertising giving notice that this processing is in the moratorium area and is being processed in light of possible mitigation. I told Norm we would draft the language and clear it with S.O.

RECEIVED

JUN 29 1995

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 548
TWIN FALLS ID 83303

Forwarding & address correction requested

INVOICE NO.		CLASS		BILLING DATE	
26887		343		03/22/95	
INDEXING TERM					
47-58363		OK		MB 3/24/95	
START DATE			TELEPHONE NO.		
3/02/95			736-3033		
LINE/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT	
76	2		54.72	54.72	
AFFIDAVI			2.00	2.00	
PAY THIS AMOUNT			56.72	56.72	

GROSS AMT DUE AFTER 04/06

RETURN THIS PORTION WITH YOUR REMITTANCE

26887

5672

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

222 SHOSHONE ST E

TWIN FALLS

ID
83301

RECEIVED

JUN 29 1995



CHARLES
BROCKWAY
ENGINEERING

CHARLES E.
BROCKWAY,
PHD., P.E.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208•733•0938

RECEIVED

FEB 28 1995

Department of Water Resources

February 25, 1995

Mr. Norm Young
Idaho Dept. of Water Resources
1301 N. Orchard Street
Boise, Idaho 83706-2237

Subject: Permit Application 47-08363 Mike and Susan Vierstra

Dear Norm:

I have been asked by Mike Vierstra to evaluate the affect of the proposed permit on the aquifer and water resources in the vicinity of the proposed point of diversion and place of use and within the basin. The permit application proposes to use ground water for stockwater, commercial and domestic purposes in connection with a small dairy operation consisting of 1000 milking and 250 dry cows. Apparently, the application for permit has not been processed due to the drought moratorium.

The point of diversion and place of use for this permit is in T10S R16E Section 35 which is approximately 6 miles south of the City of Twin Falls and between the Twin Falls Canal Company Highline and Lowline canals. The producing aquifer in this area consists of the Banbury Basalt which underlys most of the Twin Falls tract(Ralston and Yound, 1971 , Water Resources of the Twin Falls Tract. IDWA Bulletin No. 22).

Recharge to this aquifer and seasonal as well as long term changes in storage are dominated by irrigation diversions and applications from the Twin Falls Canal Company. It is estimated that over 1,000,000 acre feet of water are stored in the top 100 feet of the aquifer and that seasonal changes in storage may be 100,000 acre feet or more. Irrigation diversions from the Snake River through the Twin Falls Canal Company system and from Rock Creek convey over 1,300,000 acre feet of water per year onto the tract(Ralston and Young, 1971). Seasonal changes in ground water levels average about 10 to 15 feet based on USGS observation wells throughout the tract and coincide with the beginning and end of the irrigation season. Ralston and Young also estimated that over 70% of the ground and surface return to the Snake from the south side is from Canal Company recharge

Ground water from the proposed diversion and use area is tributary to lower Rock Creek and the Snake River which lie approximately 9 miles to the north. Ground water flow from the area enters the Snake River between the Kimberly and Buhl U.S. Geological Survey stream gages. The reach gain between these two gages was approximately 1752 cfs for the period 1947-62 as cited by C.A. Thomas, 1969 and reported by Ralston and Young, 1971. Thomas also estimated that approximately one third or 584 cfs or the total reach gain may be attributed to inflow from the southside Twin Falls tract.

MICROFILMED

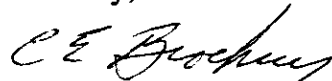
JUN 29 1995

The contemplated uses under the proposed permit include stockwater, commercial use in a dairy barn, and domestic use for one home. The portion of this permit applicable to domestic uses would normally not require a permit if a separate domestic well were drilled. In any case it would be limited to a diversion of 13,000 gallons per day and with irrigation of up to 1/2 acre associated with the residence. Consumptive use for the single residence would then be equal to the consumptive use for domestic in-house purposes plus the consumptive use for irrigation of up to 1/2 acre. My understanding is that the lawn and landscaping of the house is and will continue to be irrigated using Canal Company water. The consumptive portion of the domestic in-house use can be estimated at a maximum of 75 gallons per day or 0.08 acre feet per year. The domestic irrigation of 1/2 acre of turf and shrubs could consumptively use a maximum of 37.8 inches/acre/year or 1.6 af/year. Using the IDWR Dairy Water Use Worksheet, the estimated consumptive use for stockwater and commercial is 21.8 af/acre/year. This is equivalent to the consumptive use from approximately 6.9 acres of growing alfalfa. This dairy has removed 11.5 acres of previously cropped alfalfa land from irrigation for corrals, barn, house, roads and other out-buildings. The Twin Falls Canal Company shares applicable to those 11.5 acres are being applied to the remaining 50 acres of the original 61.5 acres of the farm. The estimated reduction in consumptive use from removal of the 11.5 acres of alfalfa from irrigation is 36.2 acre feet per year which more than offsets the increased domestic, stockwater and commercial consumptive use of the dairy.

The estimated net decrease in consumptive use of $36.2 - 21.8 - 1.6 = 12.8$ acre feet for the dairy operations and residence, if used, shows that there is no impact on the net water supply for the area and downstream. The annual diversion requirement for the dairy, according to the IDWR Dairy Worksheet is 80.9 af/year. Subtracting the estimated dairy consumptive requirement of 21.8 af/year leaves 59.1 af/year as return to the aquifer or surface use. Since the DEQ return flow permit prohibits surface runoff from the dairy, it is assumed that the 59.1 af/year returns to the aquifer as lagoon seepage or deep percolation from application to lands on the farm. The net extraction from the aquifer with the dairy in place is difficult to estimate since deep percolation from the remaining 50 acres cannot be predicted with accuracy. It is clear that the net water use with the dairy in place is lower than the historical use.

The small net aquifer water use for the dairy compared to the recharge from irrigation diversions, the large ground water return to the Snake River and relatively high transmissibility of the basalt aquifer will render any changes in the aquifer undetectable. There will be no impact on downstream users in the Snake River.

Sincerely,


C. E. Brockway, P.E.

MICROFILMED

JUN 29 1995

cc: M. Vierstra

FIGURE 4

FILE # or NAME _____ VIERSTRA
 REVIEWER _____ ccb
 DATE _____ 25-Feb-95

IDAHO DEPARTMENT OF WATER RESOURCES

[DAIRIDWR.XLS]dairidwr

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE _____ 1000
 NUMBER OF NONMILKING CATTLE _____ 250
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES; _____
 IF ANAEROBIC, ENTER ZERO _____ 4.0
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) _____ 4
 ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF _____
 SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS - _____ 3
 NUMBER OF MILKINGS PER DAY _____ 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS): ****

MILKING CATTLE @35 GPD/HD _____ 0.65
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.65
 NONMILKING CATTLE @12 GPD/HD _____ 0.06
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.07
 TOTAL (BASED UPON ROUNDED NUMBERS) _____ 0.72

DIVERSION VOLUME (AF/YEAR):

STOCKWATER

MILKING CATTLE @35 GPD/HD _____ 39.2
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 40.0
 NONMILKING CATTLE @12 GPD/HD _____ 3.4
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 4.0
 TOTAL (BASED UPON ROUNDED NUMBERS) _____ 44.0

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT _____ 0.4
 PARLOR FLOOR AND MILKHOUSE FLOOR _____ 0.1
 CATTLE WASHING BASED UPON METHOD OF WASHING _____ 36.4
 TOTAL _____ 36.9

TOTAL DIVERSION VOLUME _____

Dev.: M Sterling
 Mod.: ADM & KKC
 Mod.: 8/5/94 DRJ
 Format only modified by C.E. Brockway P. 10/15/94

THEORETICAL FLOW ESTIMATION

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
	EMERGEN	EMERGENCY	
PUMP HORSEPOWER (HP) _____	20.00		
LIFT (FT) _____	100		
DISCHARGE PRESSURE (PSI) _____	50		
FRICTION LOSSES (FT) _____	2.0		

CALCULATIONS

	PUMP 1	PUMP 2	PUMP 3
	EMERGEN	EMERGENCY	
THEORETICAL FLOW RATE (CFS) ** _____	0.57	0.00	0.00
DIVERSION VOLUME (AFA) *** _____	410.1	0.0	0.0

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

** 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.

**** BASED ON 2 HOUR DIVERSION TO MEET VOLUME

CONSUMPTIVE USE VOLUME (AF/YEAR):

STOCKWATER

MILKING _____	5.8
NONMILKING _____	0.0
TOTAL _____	5.8

COMMERCIAL

_____	16.0
TOTAL CONSUMPTIVE USE _____	21.8

EQUIVALENT IRRIGATED ACREAGE-DIVERSION

NORMAL IRRIGATION DIVERSION RATE MINERS INCHES /ACRE	1.00
AREA SEASONAL IRRIGATION DIVERSION VOL. AF/ACRE	4.00
EQUIVALENT IRRIGATED ACREAGE ACRES	20.23
MAXIMUM EQUIVALENT DIV. RATE	20.23 IN. OR CFS
	0.40

EQUIVALENT IRRIGATED ACREAGE-CONSUMPTIVE USE

AREA AVG. ALFALFA CONSUMPTIVE USE INCHES/YEAR	37.80
EQUIVALENT ALFALFA ACREAGE C.U. FOR DAIRY C.U.-ACRES	6.92

FIGURE 4

IDAHO DEPARTMENT OF WATER RESOURCES

[DAIRIDWR.XLS]dairidwr

FILE # or NAME _____ VIERSTRA
 REVIEWER _____ ceb
 DATE _____ 25-Feb-95

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

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

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS): ****

MILKING CATTLE @35 GPD/HD _____ 0.65
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.65
 NONMILKING CATTLE @12 GPD/HD _____ 0.06
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.07
 TOTAL (BASED UPON ROUNDED NUMBERS) _____ 0.72

DIVERSION VOLUME (AF/YEAR):

STOCKWATER

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

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT _____
 PARLOR FLOOR AND MILKHOUSE FLOOR _____
 CATTLE WASHING BASED UPON METHOD OF WASHING _____
 TOTAL _____

TOTAL DIVERSION VOLUME _____

Dev.: M Sterling
 Mod.: ADM & KKC
 Mod.: 8/5/94 DRJ
 Format only modified by C.E. Brockway P.E. 10/1/94

THEORETICAL FLOW ESTIMATION

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
	EMERGEN	EMERGENCY	
PUMP HORSEPOWER (HP) _____	20.00		
LIFT (FT) _____	100		
DISCHARGE PRESSURE (PSI) _____	50		
FRICTION LOSSES (FT) _____	2.0		

CALCULATIONS

	PUMP 1	PUMP 2	PUMP 3
	EMERGEN	EMERGENCY	
THEORETICAL FLOW RATE (CFS) ** _____	0.57	0.00	0.00
DIVERSION VOLUME (AFA) *** _____	410.1	0.0	0.0

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

** 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.

**** BASED ON 2 HOUR DIVERSION TO MEET VOLUME

39.2 CONSUMPTIVE USE VOLUME (AF/YEAR):

40.0 STOCKWATER

MILKING _____	5.8
NONMILKING _____	0.0
TOTAL _____	5.8

0.4 COMMERCIAL _____

0.1 _____	16.0
36.4 TOTAL CONSUMPTIVE USE _____	21.8

36.9 EQUIVALENT IRRIGATED ACREAGE-DIVERSION

80.9 NORMAL IRRIGATION DIVERSION RATE MINERS INCHES /ACRE	1.00
AREA SEASONAL IRRIGATION DIVERSION VOL. AF/ACRE	4.00
EQUIVALENT IRRIGATED ACREAGE ACRES	20.23
MAXIMUM EQUIVALENT DIV. RATE 20.23 IN. OR CFS	0.40

EQUIVALENT IRRIGATED ACREAGE-CONSUMPTIVE USE

AREA AVG. ALFALFA CONSUMPTIVE USE INCHES/YEAR	37.80
EQUIVALENT ALFALFA ACREAGE C.U. FOR DAIRY C.U.-ACRES	6.92

**N O T I C E O F
A P P L I C A T I O N F O R
W A T E R P E R M I T**

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

47-08363

**MIKE AND/OR SUSAN
VIERSTRA**

2588 E 3500 N

TWIN FALLS ID 83301

Source: groundwater

D i v e r s i o n P t :

SE1/4SE1/4, S35, T10S,
R16E; Twin Falls County.

Use: 01/01-12/31

Stockwater (0.92 cfs)

Commercial (0.92 cfs)

Domestic (0.04 cfs)

Total Diversion: 0.96 cfs

Date Filed: 02/02/95

In: SE1/4SE1/4, S35,
T10S, R16E.

The application proposes to divert groundwater from the "Eastern Snake Plain Area" presently under a moratorium order dated April 30th, 1993. The order allows the director to consider on a case-by-case basis applications if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The permit, if approved, will be subject to all prior water rights and to mitigation needed to protect prior rights from material injury. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before March 20, 1995. The protestant must also send a copy of the protest to the applicant.

**R. Keith Higginson,
Director**

Published in Times News on
3/2 & 3/9/95.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor PHIL BATT

February 10, 1995

R. KEITH HIGGINSON
Director

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

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.

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.

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

208-291-235

NOTICE OF APPLICATION FOR WATER PERMIT

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

47-08363

MIKE AND/OR SUSAN VIERSTRA
2588 E 3500 N
TWIN FALLS ID 83301

Source: groundwater

Diversion Pt: SE1/4SE1/4, S35, T10S, R16E; Twin Falls County.

Use: 01/01-12/31
Stockwater (0.92 cfs)
Commercial (0.92 cfs)
Domestic (0.04 cfs)

Total Diversion: 0.96 cfs

Date Filed: 02/02/95

In: SE1/4SE1/4, S35, T10S, R16E.

The application proposes to divert groundwater from the "Eastern Snake Plain Area" presently under a moratorium order dated April 30th, 1993. The order allows the director to consider on a case-by-case basis applications if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The permit, if approved, will be subject to all prior water rights and to mitigation needed to protect prior rights from material injury. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before March 20, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in Times News on 3/2 & 3/9/95.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

02-June-1994

R. KEITH HIGGINSON
Director

MIKE &/OR SUSAN VIERSTRA
2588 E 3500 N
TWIN FALLS ID 83301

Re: Application for Permit No. 47-08363

Dear Mr. & Mrs. Vierstra:

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

Please be advised that your application is subject to a moratorium on processing new applications which has been imposed due to drought conditions.

Your application will be held in this office without further processing until the Moratorium is lifted. At this time we are unable to give a date for further review of this application.

Also, please be advised the filing of Application For Permit No. 47-08363 does not authorize diversion in excess of 13,000 gallons per day.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

FILED

JUN 02 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. E. Stanton DATE 5-12, 1994
APPLICATION NO. 47-08363

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.)
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt
- ++++PROPOSED PRIORITY DATE
5-9 1994

ADDITIONAL INFORMATION

- ☐ Overlapping place of use(Describe source application on the back.
☐ Overlapping point of diversion.
☒ Yes ☐ No Field check required
☐ Yes ☐ No Field check by _____
☐ Yes ☐ No Field report attached
☐ Yes ☒ No Critical Ground water ar
☐ Yes ☒ No Groundwater management a
☐ Yes ☒ No Send Dam safety informat
☐ Yes ☒ No Send power requirement l
☐ Yes ☒ No Send fish farm requireme
☐ Yes ☒ No Power residency affidavi
☐ Yes ☒ No Power efficiency form
☒ Yes ☐ No Within trustwater bounda
☐ Yes ☒ No supplementary analysis
☐ Yes ☒ No Diversion greater than 1
☐ Yes ☒ No attach large diversion
- See reverse side for additional information.
- Moratorium hold on # app,
But Loren wants inspection
of possible illegal dairy
site.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Date Requested _____, 19____

RECEIVED

AUG 3 1992

Department of Water Resources
Southern Region Office

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

Drilling Permit No.: 47-92-5-073

Water Right No.: _____

Owner: Mike Veenstra Phone No.: _____

Address: _____

1. Well Location: ____ $\frac{1}{4}$, ____ $\frac{1}{4}$, ____ $\frac{1}{4}$, Lot ____, Twp 10S, Rge 16E,
Sec. 35, Twin Falls County (provide sketch map on reverse)

2. Driller: _____

Is driller licensed? ____ yes ____ no License No.: _____

Date of Completion: _____

3. Casing size: _____ Water tight cap? ____ yes ____ no

Casing $\geq$ 12 inches above ground? ____ yes ____ no

4. Evidence of well seal? ____ yes ____ no

____ visual Auger to a depth of _____

5. Access Port: ____ yes ____ no Static Water Level: _____

Pressure Gauge: ____ yes ____ no Temperature: _____

Pressure: _____

6. Flowing Artesian? ____ yes ____ no

Flowing: ____ around annulus ____ through casing

7. Are there obvious construction problems that may be a source
for contamination or waste of water? ____ yes ____ no

Remarks: Arnold Elsing is supposed to start today (not Walker as shown
on permit). Driller not on site yet. Behind 2nd house west of 2600 E, Road.

(Agent)

J F Stanton

6-18-92

(Inspection Date)

RECEIVED
JUN 29 1992

47-92-5-073

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
47-92-S-0073-000	O O	MIKE VIERSTRA SUSAN VIERSTRA 3531 B N 3000 E TWIN FALLS, ID 83301 (208) 736-2078	10S	16E	35	SE SE		TWIN FALLS

Subdivision Location and Description:
Subdivision Name:
Well Site Address: 2085 E 3500 N
City, State:

Lot(s):
Block(s):

Geographic Location:
Accuracy Code:
Lat: : : N
Long: : : W

Proposed Use of Well: Domestic

Proposed Casing Diameter: 8 In.

Proposed Depth: 250 Ft.

Well Use Comments:

Driller License No: 0031

Firm Name: ELSING DRILLING & PUMP CO INC
Official: ARNOLD ELSING

Permit Status: Permit

Verbal Issue Date:
Date Received: 05/14/1992
Date Approved: 05/14/1992
Proposed Start Date: 06/01/1992
Extension Date:
Extension Expiration:

Receipt No.	Receipt Date	Fee
S014534	05/14/1992	\$ 35.00
	NOT ON FILE	
	NOT ON FILE	
	NOT ON FILE	
	NOT ON FILE	

Specific Conditions:

Permit Remarks: App. for permit no. 47-08363 data entered on 5/18/94 concerning
this drilling permit. M. Baldwin

Conditions of Approval:

----- WELL DRILLER'S LOG REPORT -----

Drilling Permit No: 47-92-S-0073-000

Water Right No: 47-08363
Injection Permit No:

Nature of Work: NEW WELL

Construction Method: ROTARY

Number of Monitor Wells:

Casing Diameter: 6 In.
Depth of Casing: 256 Ft.
Total Depth: 360 Ft.
Screen Installed? No

Static Water Level: 235 Ft.
Temperature: F.
Production Rate: GPM

Actual Start Date: 06/12/1992
Well Finish Date: 06/12/1992
Log Received Date: 06/29/1992
Certification Date:

Field Inspection Date: 06/12/1992 Inspector: JS

Well Log Remarks:

JUN 29 1992
0010

From: DWR60::FUNDER 18-MAY-1994 14:07:19.11
To: BALDWIN
CC:
Subj: VIERSTA DAIRY

MARY, I WILL SEE THAT THIS INSPECTION IS DONE.
GARY

From: DWR60::BALDWIN 18-MAY-1994 13:50:53.75
To: BALDWIN,HOLMES,MERRITT,JONES,STANTON,SCHULTE
CC:
Subj: possible illegal diversion

I just data entered app. for permit No. 47-08363, Mike Vierstra for a dairy that has a note from JS that Loren wants an inspection done. Drilling permit No. 47-92-S-0073-000. SESE, S35, T10S, R16E; Twin Falls County, drilled in 1992 by Walker Water System for domestic use. Thx!

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PERMIT TO DRILL A WELL
NO. 47-92-S-0073-000

1. This is to certify, that

MIKE VIERSTRA
SUSAN VIERSTRA
3531 B N 3000 E
TWIN FALLS ID 83301

O
O
Receipt No. S014534

has applied for a permit on 5/14/1992 to drill a well and a permit is
APPROVED for construction as follows:

2. **Proposed Well Location:** Township 10S, Range 16E, Sec. 35, SESE
TWIN FALLS County

Street Address of Well Site: 2085 E 3500 N

3. **Proposed Use of Well:** Domestic

The use of water for homes, organization camps, livestock and for any other purpose in connection therewith, including irrigation for up to .5 acres of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

4. **Well Construction Information:**

- A. New Well
- B. Proposed Surface Diameter 8 In. Proposed Maximum Depth 250 Ft.
- C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)

5. **Construction Start Date:** 6/ 1/1992

6. **Anticipated Well Driller:**

ELSING DRILLING & PUMP CO INC

NOTE: The actual well driller must be identified prior to drilling.

GENERAL CONDITIONS:

- 1. This well shall not be drilled more than 10% deeper than the proposed total depth or enlarged without prior authorization.
- 2. The well must be constructed or modified in compliance with the applicable statutes; specific conditions of approval shown on the water right permit, transfer, amendment, or injection well permit; and the rules and regulations of the Department for water appropriation, injection wells, and well construction.

(Continued)

RECEIVED
JUN 29 1995

3. This drilling permit is valid for two (2) months from approval date for the start of drilling.
4. This permit does not constitute any other local, county, state or federal approvals which may be required for construction or operation of a well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum distance of 50 feet and 100 feet respectively from a septic tank.
5. The well shall be constructed by a driller licensed in the State of Idaho.
6. Approval of this drilling permit does not authorize trespass on the land of another party.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85 F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

This permit is issued pursuant to the provisions of Section 42-235, Idaho Code,
Witness the signature of the Director, or his authorized agent, this

_____ day of _____, 19____.

R. Keith Higginson, Director

EXTENSION OF DRILLING PERMIT: Approved by _____
Approval Date: _____ This extension expires: _____

RECORDED

JUN 29 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PERMIT TO DRILL A WELL
NO. 47-93-S-0109-000

1. This is to certify, that

MIKE VIERSTRA
SUSAN VIERSTRA
2588 EAST 3500 NORTH
TWIN FALLS ID 83301

O
O

Receipt No. S016011

has applied for a permit on 7/20/1993 to drill a well and a permit is
APPROVED for construction as follows:

2. **Proposed Well Location:** Township 10S, Range 16E, Sec. 35, SESE
TWIN FALLS County

Street Address of Well Site: 2588 E 3500 N
TWIN FALLS

ID

3. **Proposed Use of Well:** Domestic

The use of water for homes, organization camps, livestock and for any other purpose in connection therewith, including irrigation for up to .5 acres of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

4. **Well Construction Information:**

- A. New Well
- B. Proposed Surface Diameter 6 In. Proposed Maximum Depth 400 Ft.
- C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)

5. **Construction Start Date:** 7/23/1993

6. **Anticipated Well Driller:**

ELSING DRILLING & PUMP CO INC

NOTE: The actual well driller must be identified prior to drilling.

GENERAL CONDITIONS:

- 1. This well shall not be drilled more than 10% deeper than the proposed total depth or enlarged without prior authorization.
- 2. The well must be constructed or modified in compliance with the applicable statutes; specific conditions of approval shown on the water right permit, transfer, amendment, or injection well permit; and the rules and regulations of the Department for water appropriation, injection wells, and well construction.

(Continued)

RECEIVED
JUN 29 1995

3. This drilling permit is valid for two (2) months from approval date for the start of drilling.
4. This permit does not constitute any other local, county, state or federal approvals which may be required for construction or operation of a well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum distance of 50 feet and 100 feet respectively from a septic tank.
5. The well shall be constructed by a driller licensed in the State of Idaho.
6. Approval of this drilling permit does not authorize trespass on the land of another party.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85 F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

This permit is issued pursuant to the provisions of Section 42-235, Idaho Code, Witness the signature of the Director, or his authorized agent, this

_____ day of _____, 19____.

R. Keith Higginson, Director

EXTENSION OF DRILLING PERMIT: Approved by _____
Approval Date: _____ This extension expires: _____

RECEIVED
JUN 29 1995

Ident. No. 47-92-S-0073-000
Water Right No. 47-08363

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: MIKE VIERSTRA O 208-736-2078
Address: 3531 B N 3000 E
TWIN FALLS ID 83301

Name: SUSAN VIERSTRA O 208-736-2078
Address: 3531 B N 3000 E
TWIN FALLS ID 83301

2. Proposed Well Location: Township 10S, Range 16E, Sec. 35, SESE
TWIN FALLS County

Street Address of Well Site: 2085 E 3500 N

3. Proposed Use of Well: Domestic

The use of water for homes, organization camps, livestock and for any other purpose in connection therewith, including irrigation for up to .5 acres of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

4. Well Construction Information:

- A. New Well
 - B. Proposed Surface Diameter 8 In. Proposed Maximum Depth 250 Ft.
 - C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
- (NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 6/ 1/1992

6. Anticipated Well Driller: ELSING DRILLING & PUMP CO INC

NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature _____ Date _____

Title _____
(Owner, Firm Representative, Other)

Fee \$ 35.00 Received by _____ No. S014534 Date 5/14/1992
(Continued)

REC
29 1995

Ident. No.

47-92-S-0073-000

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is **APPROVED**

Date: **5/14/1992**

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

CONDITIONS OF APPROVAL:

Signature of Authorized Dept. Representative

Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

JUN 29 1995

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
47-93-S-0109-000	O	MIKE VIERSTRA 2588 EAST 3500 NORTH TWIN FALLS, ID 83301 (208) 736-2078	10S	16E	35	SE SE		TWIN FALLS
	O	SUSAN VIERSTRA SAME TWIN FALLS, ID 83301						

Subdivision Location and Description:

Subdivision Name:

Well Site Address: 2588 E 3500 N

City, State: TWIN FALLS, ID

Lot(s):

Block(s):

Geographic Location:

Accuracy Code:

Lat: : : N

Long: : : W

Proposed Use of Well: Domestic

Proposed Casing Diameter: 6 In.

Proposed Depth: 400 Ft.

Well Use Comments:

Driller License No: 0031

Firm Name: ELSING DRILLING & PUMP CO INC

Official: ARNOLD ELSING

Permit Status: Permit

Verbal Issue Date:

Date Received: 07/20/1993

Date Approved: 07/20/1993

Proposed Start Date: 07/23/1993

Extension Date:

Extension Expiration:

Receipt No.

S016011

Receipt Date

07/20/1993

NOT ON FILE

NOT ON FILE

NOT ON FILE

NOT ON FILE

Fee

\$ 210.00

Specific Conditions:

Permit Remarks:

Conditions of Approval:

----- WELL DRILLER'S LOG REPORT -----

Drilling Permit No: 47-93-S-0109-000

Water Right No:

Injection Permit No:

Nature of Work: NEW WELL

Construction Method: AIR ROTARY

Number of Monitor Wells:

Casing Diameter: 8 In.

Static Water Level: 230 Ft.

Actual Start Date: 07/30/1993

Depth of Casing: 19 Ft.

Temperature: F.

Well Finish Date: 07/30/1993

Total Depth: 371 Ft.

Production Rate: GPM

Log Received Date: 08/04/1993

Screen Installed? No

Certification Date: 08/03/1993

Field Inspection Date: 03/11/1994 Inspector: DRT

Well Log Remarks: SURFACE SEAL 19 FT.

JUN 29 1995

Water Right Number - 47-08363

Prefix Translation:

WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

VIERSTRA

MIKE

1 - 2588 E 3500 N

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-736-2078

VIERSTRA

SUSAN

1 - 2588 E 3500 N

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/09/1994 17 SOUTHERN A - APPLICATION+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
10S 16E 35 SE SE (83) TWIN FALLS+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.490
10 - COMMERCIAL 01/01 12/31 0.490
43 - DOMESTIC 01/01 12/31 0.040+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.530+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
10S 16E 35 SE SE 04 STOCKWATER (83) TWIN FALLS

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +

Domestic use is for 1 home.

Commercial use is for dairy barn.

Stockwater use is for 750 milking & 200 dry dairy cows.

Application being held pending withdrawal of drought moratorium.

Well was drilled under Drilling Permit 47-92-S-0073-000 for
domestic use by Walker Water System.

JUN 2 9 1995

Water right number - 47-08363

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 05/18/94 BALDWIN

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - S016875	Water District -
Licensed Date - 00/00/0000	Appl Received - 05/09/1994	Transfer/Amended -
Decree Date - 00/00/0000	Presumption Flag -	

JUN 29 1995