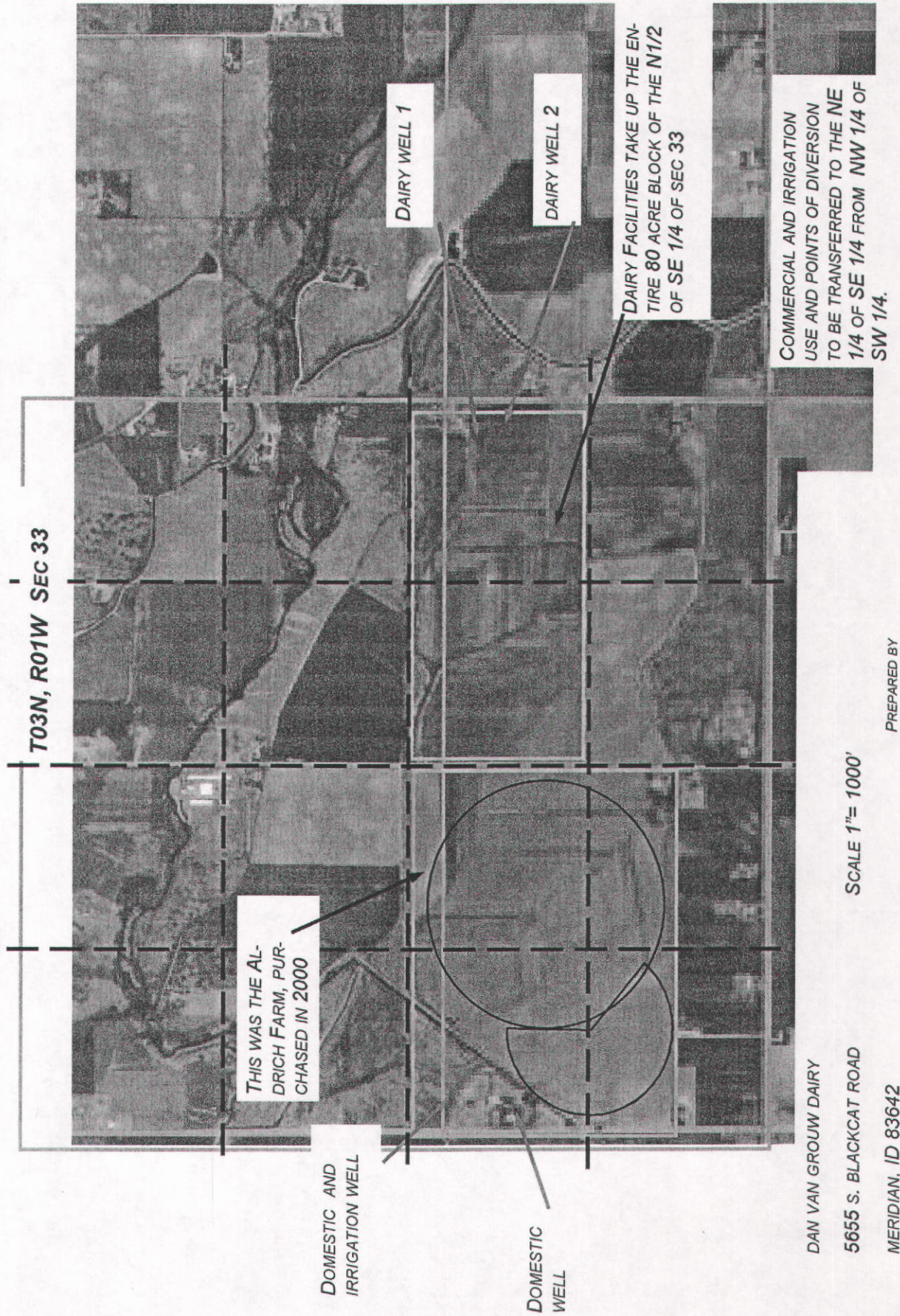
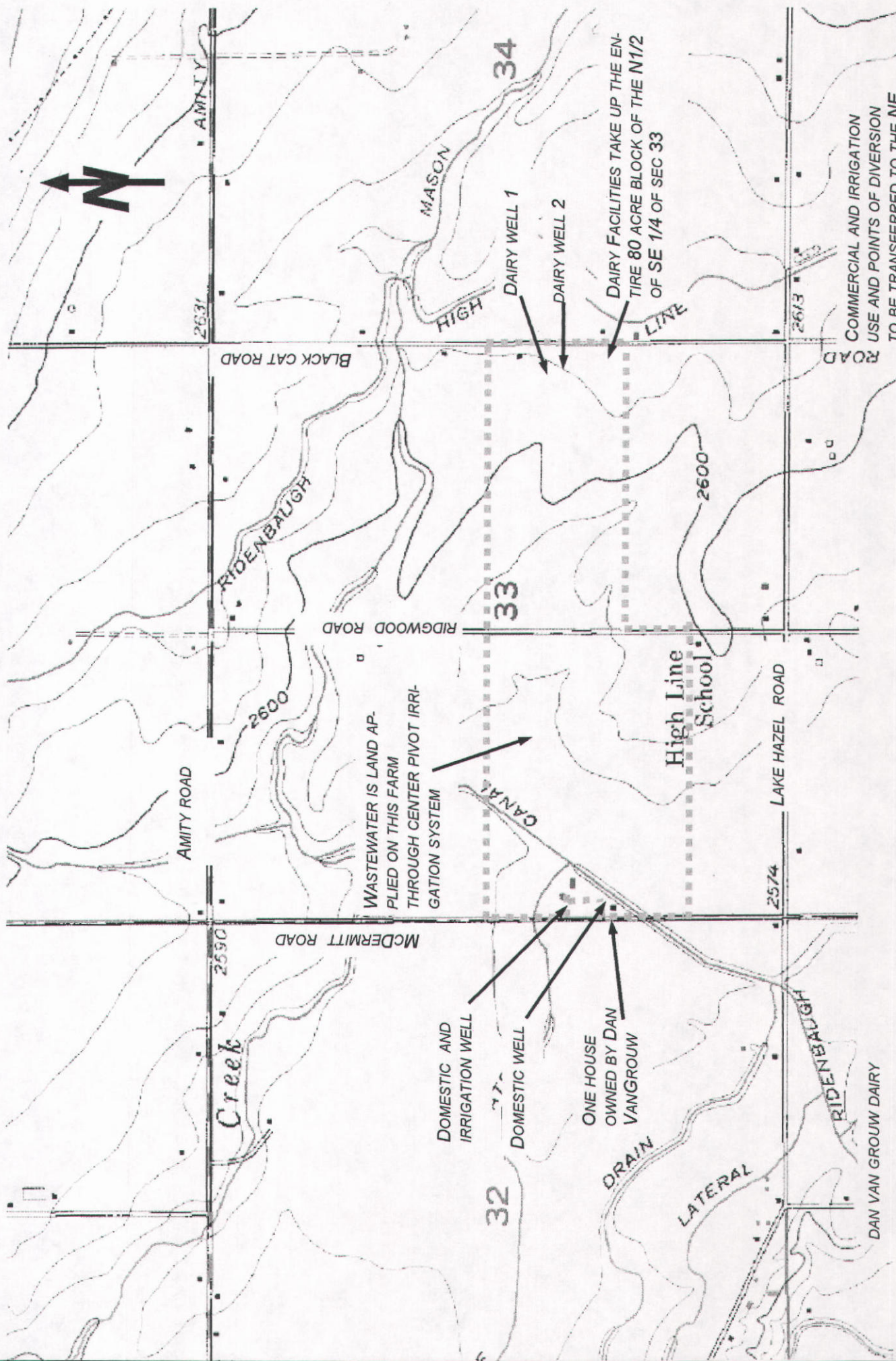






SCALE 1"= 1200'

5655 S. BLACKCAT ROAD

MERIDIAN, ID 83642

T03N R01W N1/2 OF S1/2 SEC 33

PREPARED BY

DARWIN VANDER STELT

COMMERCIAL AND IRRIGATION
USE AND POINTS OF DIVERSION
TO BE TRANSFERRED TO THE NE
1/4 OF SE 1/4 FROM NW 1/4 OF
SW 1/4.

DAIRY FACILITIES TAKE UP THE EN-
TIRE 80 ACRE BLOCK OF THE N1/2
OF SE 1/4 OF SEC 33

SECTION 33

MICROFILMED
SEP 1 1982

S33

NWSE

NESE



S33

NWSE

NESE



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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-31749
Date Received: 9/5/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DANIEL S VAN GROUW Phone: (208)887-9259
5655 S BLACKCAT RD
MERIDIAN ID USA 83642

KIMBERLY S VAN GROUW Phone:
5655 S BLACKCAT RD
MERIDIAN ID USA 83642

2. Date of Priority: 03/01/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
03N	01W	33	NE	SE		ADA	
03N	01W	33	NE	SE		ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	3.1

7. Total Quantity Appropriated is:
0.02 C.F.S. and/or 3.1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	01W	33	NE	SE	STOCKWATER	
			NW	SE	STOCKWATER	

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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.

The total instantaneous diversion of water from all points of diversion under Rights 63-12109, 63-31749, 63-31865 and 63-31868 shall not exceed 0.77 cfs, nor a total combined annual volume of 92.0 af.

Rights 63-12109, 63-31865 and 63-31868 are also diverted through the points of diversion described above.

15. Basis of Claim: Beneficial Use

WATER RIGHT NO. 63-31749
As Modified by Transfer No. 70742

In accordance with the approval of Transfer No. 70742, Water Right No. 63-31749 is now described as follows.

Right Holder: KIMBERLY S VAN GROUW And
 DANIEL S VAN GROUW
 5655 S BLACKCAT RD
 MERIDIAN ID 83642

Priority Date: March 01, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to 12/31		0.02 CFS	3.1 AF
			0.02 CFS	3.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESE	Sec. 33 Twp 03N Rge 01W ADA County
GROUND WATER	NESE	Sec. 33 Twp 03N Rge 01W ADA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 01W 33													X	X			

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 63-31749 and 63-12109 shall not exceed .23 cfs, nor total combined annual volume of 42 af.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of October, 2003


 Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70742

This is to certify that: DANIEL S VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642
(208)887-9259

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-18444	AJC/Beneficial Use	03/01/1954	0.20 cfs	N/A	N/A	1.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-18444	YES	YES	YES	NO	NO	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-18444	63-31749	0.02 cfs	3.1 af	N/A	N/A	63-31748	0.20 cfs	N/A	N/A	N/A
COMBINED										
TOTALS		0.02 cfs	3.1 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of October, 20 03



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70742

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant: Dan Van Grouw

Phone: (208) 887-9259

Post Office address: 5655 S Blackcat Rd, Meridian, ID 83642

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes: Applicant has purchased a neighboring dairy farm and wishes to change the place of use and points of diversion of portions of the water rights acquired with the farm.

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

1. Right Number	Priority	Amount (cfs/ac-ft	Nature of Use	Period of Use		
<u>63-18444</u>	<u>03/01/1954</u>	<u>.02 cfs/3.05</u>	<u>Stockwater</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>

2. Total amount of water being transferred .02 cubic feet per second and/or 3.05 acre-feet per annum.

3. Source of water groundwater tributary to

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

PART 1

6. General Information:

- a. Description of diversion system: The existing wells have adequate capacity to provide for dairy use.
- b.
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes ___ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The pasture is dried up. The old dairy buildings on the purchased farm were demolished, and no cattle are housed on the purchased farm.
- d. Remarks: The farms are two separate legal parcels under common ownership, with no connection between the water systems.

See attachments:

- A. Proof of ownership and lienholder permission.
- C. Flow calculations

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right) *see attached proof*

02/24/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-18444

WATER RIGHT NUMBER: 63-18444

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEON E ALDRICH 5868 S MC DERMOTT NAMPA, ID 83687 (208)888-6309
Current Owner	KATHE C ALDRICH 5868 S MC DERMOTT NAMPA, ID 83687 (208)888-6309

Priority Date: 03/01/1954

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
IRRIGATION	3/15 to 11/15	0.030 CFS	
COMMERCIAL	1/01 to 12/31	0.200 CFS	
STOCKWATER	1/01 to 12/31	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 33, Twp 03N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	33										X							

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	33											1.0						1.0

Total Acres: 1
COMMERCIAL

pg 36 of 6

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-18444

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	33										X							

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	33										X							

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 9/5/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non use? No If yes, describe:

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1.

Amount (cfs/ac-ft)						
.03/3.05	for	Irrigation	purposes from	3/15	to	11/15
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

2. Point(s) of Diversion: N/C

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

3. Lands irrigated or place of use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	1W	33										1							1

C. Description of unchanged portion of right

1.

Amount (cfs/ac-ft)						
.20 cfs	for	Stockwater	purposes from	1/1	to	12/31
.20 cfs	for	Commercial	purposes from	1/1	to	12/31
.04 cfs	for	Domestic	purposes from	1/1	to	12/31
	for		purposes from		to	

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local Name for diversion
		NW	SW	33	3N	1W	Ada	Domestic/Stockwater Well

3. Lands irrigated or place of use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	1W	33										X							

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

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

The form consists of a large grid of 10 columns and 10 rows. The grid is divided into four quadrants by a central vertical line and a central horizontal line. In the upper-left quadrant, the handwritten text "see attachments" is written across two rows. In the upper-right quadrant, the handwritten text "A1 + A2" is written across two rows. The rest of the grid is empty.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use		
Stock water	.02 / 3.05	365	11/01	to	12/31
				to	

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

Used process and runoff waters to be contained in the lagoon on the NE 1/4 SE 1/4 sec 33 T03N R01W and land applied as appropriate to approximately 113 ac cropland.

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

None. See Attachment B.

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

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

Daniel M. Hume
(Signature of Applicant)

Subscribed and sworn to before me this 10th day of Oct, 192006

Ron Howerton

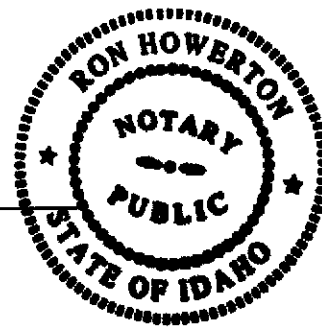
(Notary Public)

Ron Howerton

Residing at Boise, Idaho

My commission expires _____

My Commission Expires December 8, 2006



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by DAN Date 10-10-02 Protest filed by _____

Prelim. check by g Fee \$100.00 4029789

Received by DAN Date 10-10-02

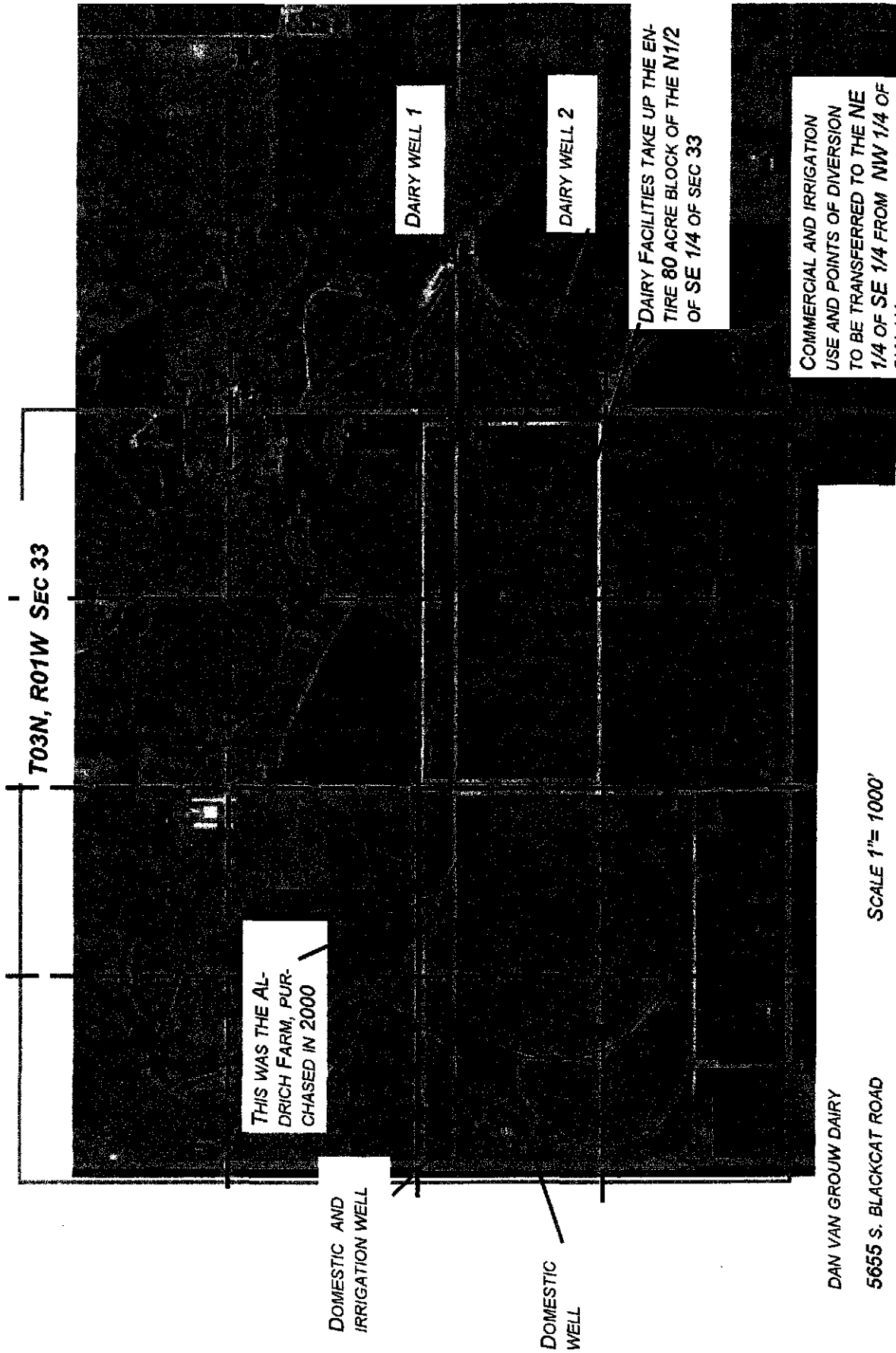
Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

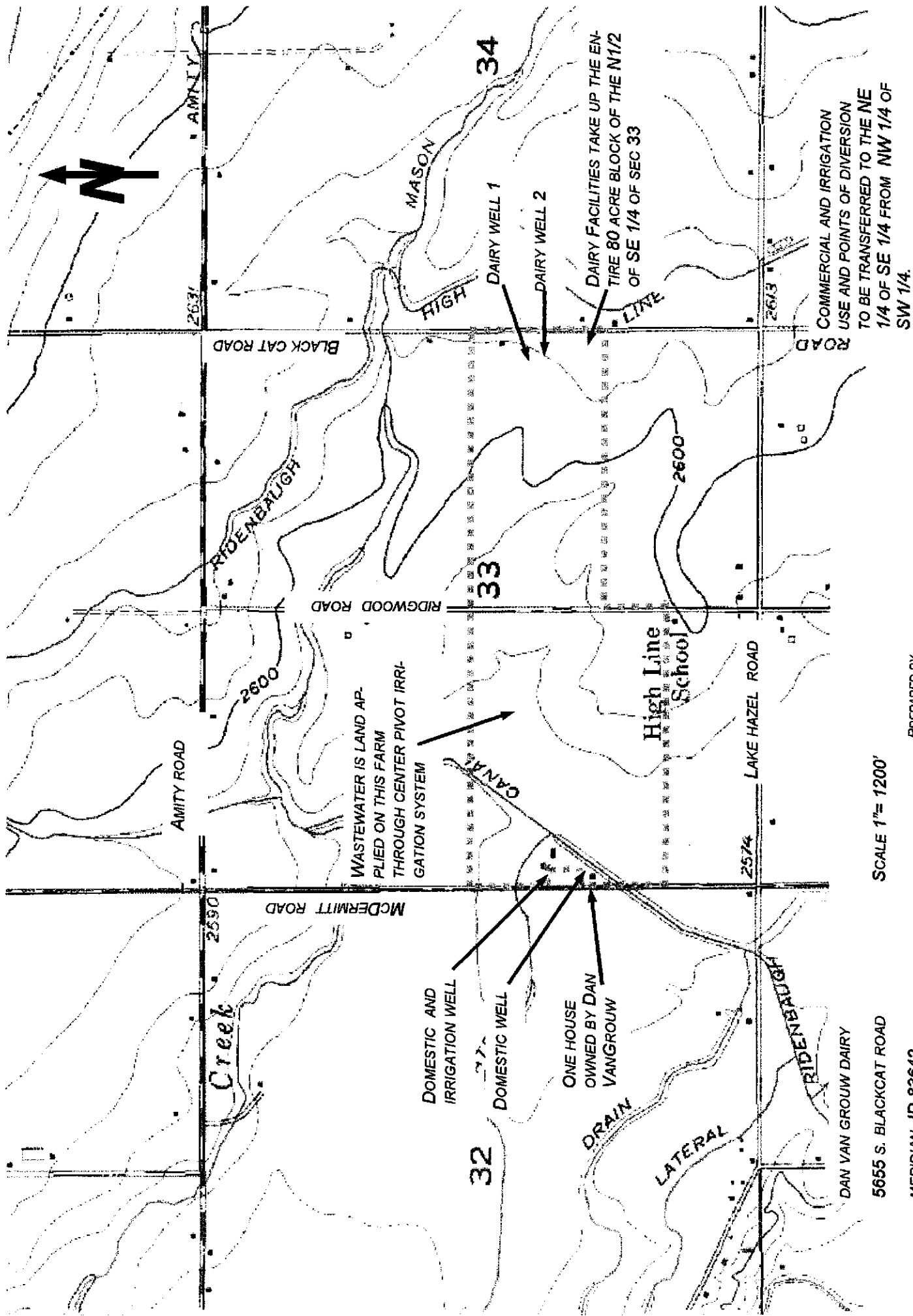
Copy of transfer sent to lien holder _____



PREPARED BY

DARWIN VANDER STELT

T03N R01W N1/2 OF S1/2 SEC 33



SCALE 1"= 1200'

PREPARED BY

DARWIN VANDER STELT

5655 S. BLACKCAT ROAD

MERIDIAN, ID 83642

T03N R01W N1/2 OF S1/2 SEC 33

WARRANTY DEED

For Value Received

EDWARD G. VAN GROUW and JEANETTE VAN GROUW, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

DANIEL S. VAN GROUW AND KIMBERLY S. VAN GROUW, husband and wife

hereinafter referred to as Grantee, whose current address is

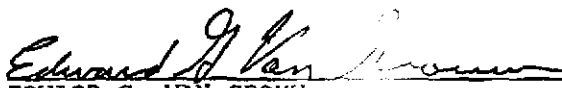
5655 S. BLACKCAT, MERIDIAN, ID 83642

the following described premises, to-wit:

NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 33, RANGE 3 NORTH, TOWNSHIP 1
WEST OF THE BOISE MERIDIAN, RECORDS OF ADA COUNTY, IDAHO.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 28, 2000.


EDWARD G. VAN GROUW


JEANETTE VAN GROUW

PIONEER TITLE

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHORECORDED-REQUEST OF
FEE 3.00 DEPUTY 

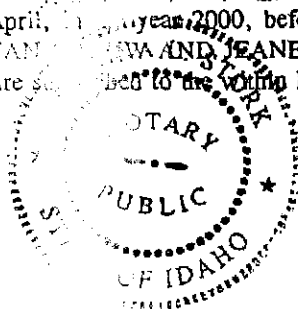
100032823

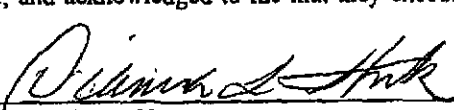
STATE OF IDAHO

2000 MY -1 AM 10:34

COUNTY OF ADA

On This 28 day of April, 2000, before me, a Notary Public in and for said State, personally appeared EDWARD G. VAN GROUW AND JEANETTE VAN GROUW, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.




Notary Public of Idaho
Residing at MERIDIAN
Commission expires: 1/23/2002

Warranty Deed

For Value Received CORNELIUS HOUWELING AND ARLENE HOUWELING, HUSBAND AND WIFE

the grantor s do hereby grant, bargain, sell and convey unto DANIEL STEVE VAN GROUW AND KIMBERLY VAN GROUW, HUSBAND AND WIFE

whose current address is

5850 MCDERMOTT ROAD

, MERIDIAN, IDAHO 83642

the grantee s the following described premises, in ADA

County Idaho, to wit:

SEE ATTACHED EXHIBIT A

EXHIBIT A

(CONTINUED)

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

1999 AP -9 PM 3:37

RECORDED-REQUEST OF

FEES 6.00 DEPUTY *M. Papil*

99034809

AMERICAN LAND TITLE CO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S, THEIR heirs and assigns forever. And the Grantors do hereby covenant to and with the said Grantee S, that they the owner S in fee simple of said premises; that they are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee S; and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, includes irrigation and utility assessments, (if any) for the current year, which are not due and payable, and that Grantor S will warrant and defend the same from all lawful claims whatsoever.

Dated: April 9, 1999

C. Houweling
CORNELIUS HOUWELING

A. Houweling
ARLENE HOUWELING

STATE OF IDAHO, COUNTY OF ADA

On this 9 TH day of APRIL, 19 99,

before me, a notary public in and for said State, personally appeared
CORNELIUS HOUWELING

NOTARY PUBLIC
JLS #CHR

B2

(CONTINUED)

SEE ATTACHED EXHIBIT A

EXHIBIT A

THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO.

EXCEPT THEREFROM A PARCEL BEING ONE SQUARE ACRE IN THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER CONVEYED TO TRUSTEES OF SCHOOL DISTRICT NO. 47, ADA COUNTY IDAHO, BY DEED RECORDED IN BOOK 38 OF DEEDS AT PAGE 247, RECORDS OF ADA COUNTY, IDAHO.

ALSO EXCEPT THEREFROM:

BEGINNING AT THE QUARTER CORNER COMMON TO SECTION 32 AND 33, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN; THENCE SOUTH ON THE SECTION LINE BETWEEN SECTION 32 AND 33, AFORESAID 316.6 FEET TO THE REAL POINT OF BEGINNING; THENCE CONTINUING SOUTH ON THE SECTION LINE 550.8 FEET; THENCE SOUTH 87°0' EAST 176.0 FEET; THENCE NORTH 3°0' EAST 198.9 FEET; THENCE NORTH 33°51' WEST 198.2 FEET; THENCE NORTH 0°31' EAST 170.5 FEET; THENCE NORTH 71°10' WEST 81.5 FEET TO THE SECTION LINE AND THE REAL POINT OF BEGINNING.

*Blackcat property
or Mc Dermitt*

Attachment C Flow and Volume Calculations

Amount of water (afa) to be transferred 3.05
 Volume Acres to dry
 Stockwater 3.05 1.0 (volume needed/consumptive use/acre)

Historic consumptive use per acre 3.05

Allen and Brockway Kuna:

	Acres	Method	App. Eff. %**	IR for Crop nm/season	Crop Div Vol AF/Ann	Crop CU AF/Ann
Irrigated Pasture	1	sprinkler	70%	931	4.36	3.05 afa

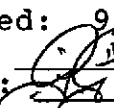
Total Flow for each license stays same:

63-18446	domestic	0.04	} limited to .2 cfs and 13000 gals per day. No element changed. Current use is water for 2 dwellings
	stockwater	0.2	
63-18444	irrigation	0.02	non-exempt commercial portion of the right limited to .02 cfs by statute
	Stockwater	0.2	} The exempt domestic license
	Domestic	0.04	

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-18444
Date Received: 9/05/1989
Receipt No: W005448
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEON E. ALDRICH 208-888-6309
Address: 5868 SOUTH MC DERMOTT
NAMPA, ID 83687

OR
Name: KATHE C. ALDRICH 208-888-6309
Address: 5868 SOUTH MC DERMOTT
NAMPA, ID 83687

2. Date of Priority: MAR 01, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01W	33	NW	SW			ADA

5. Description of diverting works:
WELL, 80' DEEP, 6" CASING, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.200		
COMMERCIAL	01/01	12/31	0.200		

7. Total Quantity Appropriated is:
0.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1/D HOUSEHOLD, 250 DAIRY COWS, 4 HORSES, DAIRY FACILITIES

A63-18444

Page 1

Date: 09/05/89

MICROFILMED
SEP 01 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	01W	33	NW		SW		IRR	1.0
			NW		SW		DOMEST	
			NW		SW		STOCK	
			NW		SW		COMMER	
							Section Acres	1.0
							Total Acres	1.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
IRRIGATION DISTRICT WATER

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Leon E. Aldrich Date: 9-5-89
Kathe C. Aldrich Date: 9-5-89

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of Sept 19 89

Seal

Melvin Gene Gibson
Notary Public
Melvin Gene Gibson, Notary Public
Residing at Boise, Idaho

Residing at My Commission Expires September 2, 1994

My Commission Expires _____



MICROFILMED
SEP 11 1982

05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED

JUN 29 2005

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-31749

DANIEL S VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642
Telephone Number: (208)887-9259

KIMBERLY S VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6/23/05 SIGNATURE: Daniel S. Van Grouw

Please print your name: Daniel S. Van Grouw

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

05/20/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31749

NAME AND ADDRESS: DANIEL S VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642

KIMBERLY S VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
3.100 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-12109 and 63-31749 shall not exceed 0.23 cfs, nor a total combined annual volume of 42.0 af.

PRIORITY DATE: 03/01/1954

POINT OF DIVERSION:

T03N R01W S33 NESE Within ADA County

T03N R01W S33 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 3.10 AFY

PLACE OF USE: STOCKWATER Within ADA County

T03N R01W S33	NESE	T03N R01W S33	NWSE
---------------	------	---------------	------

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

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

EXPLANATORY MATERIAL: Beneficial Use

The right holder shall accomplish the change authorized by Transfer 70742 within one year(s) of the date of the approval.

This right is a split from former right 63-18444.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

S33

NWSE

NESE



S33

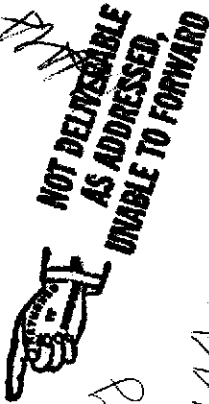
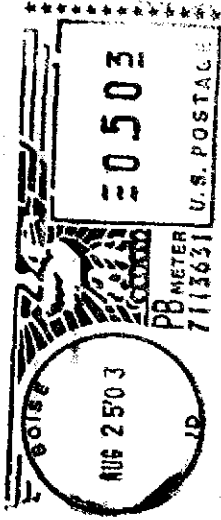
NWSE

NESE

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IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED



Evidence of Priority

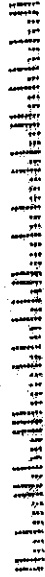
A63-18444

LEON & KATHE ALDRICH
5868 SOUTH MC DERMOTT
NANPA, ID 83687

RECEIVED

AUG 29 2003

WATER RESOURCES
WESTERN REGION



25557+30503-455

8.2.03 2002 Tax lot information shows no such address or
primary owners

* Refer to transfer documents



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

August 25, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LEON & KATHE ALDRICH
5868 SOUTH MC DERMOTT
NAMPA, ID 83687

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-18444

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date. .

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by September 22, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

above.

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-18444

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

63-18444
claim File

MEMORANDUM

TO: Transfer File No. 70742

FROM: Lori Graves

DATE: 6/12/2003

RE: Evaluation of Sufficiency of Information Submitted

Brief: Applicant proposes retiring one acre of irrigation in the NWSW and diverting the water appurtenant to that acre from two existing wells in the NESE for supplemental stockwater use at a dairy located in the N1/2SE S33. The existing dairy is ½ mile North of Lake Hazel Rd, just West of Black Cat Rd.

Contact person for the applicant is Darwin Vanderstelt.

Authority to File: Ownership documentation has been provided for the existing and proposed P/U (see attachment B).

Water Right Validity: Right assumed valid because the partial decree was issued on right 63-18446, which uses the same system for the same uses as listed on right 63-18444, minus the one acre irrigation. Both rights have been listed on the transfer because of the common system and uses. The one acre of irrigation listed on 63-18444 is presumed valid since the right was claimed in 1989 and beneficial use occurred within the five year period prior to that date. Beneficial use was confirmed by a 1987 aerial photo. Ron Howerton, with the SRBA, stated that he would recommend the one acre, based on the 1987 aerial photo, once an affidavit establishing the 1954 priority date was submitted. The affidavit was requested from the applicant 6/12/03. Supporting information was submitted by Darwin Vanderstelt 8/5/2003. Ron stated that the information was sufficient to recommend the 1 acre of irrigation for claim 63-18444.

Injury to Other Water Rights: The subject properties are located in the same section, within one mile of each other. Injury to other water rights is not anticipated since the new use is already occurring. The purpose of the transfer is to obtain additional water to cover the needs of an existing dairy that is operating beyond its licensed water right.

Enlargement of Use: The Allen Brockway Report was used to determine the amount of water historically consumed by the acre of pasture. Only the consumptive use volume from irrigation of that acre will be transferred for stockwater use. The difference between the diversion volume and the consumptive use volume will be forfeited as a result of the transfer because stockwater associated with a dairy is considered fully consumptive. Measuring devices will be required at the proposed site to insure water right compliance.

Local Public Interest: No negative impacts are anticipated due to the small amount proposed for transfer.

Beneficial Use/Conservation of Water Resources: Applicant proposed beneficial use consistent with the Departments water right standards for the area.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of this application.

Additional Information: Applicant originally filed 10/10/02 seeking to transfer the water from rights 63-18444 and 63-18446 from a dairy that has been recently demolished to another existing dairy he purchased nearby. It was obvious that the transfer could not be processed because right 63-18446 was for exempt domestic uses. The transfer application was then amended 1/21/03 to exclude the water from 63-18446 and only include the non-exempt uses listed on right 63-18444. The amended transfer also could not be processed because, based on review of the documentation presented and SRBA records, the historical water use requirements of the demolished dairy did not exceed 13,000 gpd, which equates to 14.6 afa. Please see my correspondence letter dated 4/14/03 for further detail. According to IDWR Administration, only that amount in excess of 13,000 gpd/14.6 afa can be transferred for another use elsewhere. Another amendment was then received from the applicant 5/28/03 proposing to transfer only the non-exempt historical consumptive use of the acre of pasture irrigation listed on claim 63-18444.

The proposed P/U is currently operating under license 63-12109 for .23 cfs and 38.9 afa. During the field investigation for permit 63-12109, the dairy was using .33 cfs and 72.8 afa. The license was issued based on the permit limits. This transfer and another transfer, being processed by Dan Nelson, have been filed by the applicant to seek additional water to cover his existing dairy needs.

Data entry appeared to affect the correct record.

Conditions: Assuming protests are not filed and/or other information does not contradict the above analysis, and assuming it is determined the application should be approved, the following conditions of approval should be applied:

- WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-31749 and 63-12109 shall not exceed .25 cfs, nor total combined annual volume of 42 af.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

T17 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.

Nutrient Management Service

Memo

RECEIVED

AUG 05 2003

WATER RESOURCES
WESTERN REGION

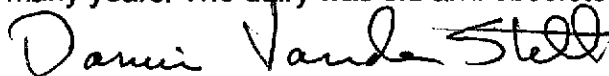
To: Lori Graves
From: Darwin Vander Stelt
CC: [Click [here](#) and type name]
Date: 8/2/2003

Re: Mr. Van Grouw wishes to transfer the irrigation component of WR No. 63-18444 from irrigation to stock water use. The remaining components are part of the domestic right associated with the homes in the NWSW of sec. 33, and are hence not transferable to the dairy in the SE ¼ of sec 33, because the dairy already has a domestic right associated with it.

The irrigation component of 63-18444 lists a flow of .03 cfs, and a place of use of only one acre. Consequently I have used .02 as the flow transferred (limit for 1 acre), and 3.05 afa (historic consumptive use) as the volume.

The transferred stockwater will be added to the water used on the dairy under license 63-12109. Another transfer is in process to further increase the water for dairy use.

You requested proof that the water was actually being used as of 1954 and all I can raise is the fact that a functioning dairy has been there since 1921. Attached is a copy of the property tax records showing that date. I can personally attest that there was a small pasture behind the milking parlor which was irrigated from the same well that supplied the dairy. I saw this in 1996, and it did not appear to have changed in many years. The dairy was old and obsolete, and was demolished around 1999.



Darwin Vander Stelt

Display Characteristic Residential [PT22wf]

Parcel Suffix	Street #	Pre Dir.	Street Name	Street Suffix	Post Dir.	Unit Type	Unit #	City	State	Zip Code	Code Area #	Assessment Roll	Pro
	5850	N	MILDERMOTT	RD				MERIDIAN	MD	21067-0000	03	Primary	Not

Year 2003

Help

Cancel

Parcel # S1233325500

State Category Code	Reappraisal Year	Appraiser Initials	Inspection Date	Occupancy Date	Year Built	Year Remodeled	Dwellings	Construction Class	Design	% Owner Occupied
310	2003	GRA	01/20/2003	06/00/0000	1920	0	SFD	3	Single Level	100

Ground Floor		Upper Floor		Lower Floor	
Square Feet	1,288	Square Feet	0	Sq Ft Unfinished/Finished	0 / 0
Lin/Type	0 / Siding	Lin/Type	0 / None	Lin/Type	0 / None

Attic		Basement		Interior		
Sq Feet Finished	0	Sq Feet Finished	0	Bedrooms	4	Kitchen
Sq Feet Unfinished	0	Sq Feet Unfinished	966	Bathrooms	1.0	Fireplaces
						Air Conditioning
						Central Heating

Actual Sale		Car Storage			General Purpose Building	
Date	04/09/1999	Class	Type	Sq Ft	Square Feet	
Price	620,000	1	3 / Detached	200	Class	None
		2	None / None	0		

Improvements					
Porch Sq Ft	64	Deck Sq Ft	0	Deck Covered	
Pool Sq Ft	0	Patio Sq Ft	0	Patio Covered	
Total Value		Total Land Value		Total Square Feet	
102,600		60,000		2,254	



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Darwin Vander Stelt
16931 Star Rd
Nampa ID 83687

Re: Dan Van Grouw Transfer

Dear Darwin:

We received a transfer from you January 21, 2003 for your client Dan Van Grouw. The transfer proposed moving irrigation and commercial use listed on claim 63-18444 (Aldrich Dairy) to applicant's dairy located across the road. The transfer listed rights 63-18444 and 63-18446, which used a common system. Right 63-18446 was decreed for the exempt-domestic use allowed to Aldrich Dairy and cannot be transferred. This right allowed Aldrich Dairy 13,000 gpd, which equates to 14.6 afa.

The documentation you provided in Attachment B shows that the Aldrich Dairy consisted of 200 milking cows, 50 dry cows and 250 heifers. This information coincides with the information provided on the original adjudication claims filed by Leon Aldrich in 1989. 200 milking cows require 7.82 afa based on 35 gpd/cow. 300 dry cows and heifers require 4.02 afa based on 12 gpd/cow. According to Attachment B, 2.27 afa was needed to fulfill the dairy's commercial uses. $7.82 + 4.02 + 2.27 = 14.11$ afa. This amount is covered on decree 63-18446, which cannot be transferred. According to IDWR administration, only that amount found in excess of 14.6 afa can be transferred for commercial use. Therefore, the amount that is available for transfer from the Aldrich Dairy to applicant's dairy for commercial use is the 3.05 afa CU/acre for the 1 acre of pasture irrigation.

If your client wishes to pursue this proposal for 3.05 afa, please submit a new or revised transfer application within 30 days from the date of this letter. I have enclosed the original and amended transfer application and have kept a copy for my records. If we do not hear from you by May 4, 2003, the department will proceed to void the transfer application.

Thanks Darwin.

Sincerely,

Lori Graves
Sr. Water Resource Agent

Cc: Dan Van Grouw

RECEIVED

JAN 21 2003

WATER RESOURCES
WESTERN REGION

To: Lori Graves

From: Darwin Vander Stelt

RE: Water Transfer for Dan VanGrouw , WR# 63-18446 and 63-18444

Dan VanGrouw has owned and operated a dairy located on the North ½ of the SE ¼ of sec 33, T03N, R01W, Ada county, Idaho, since 1993. In 1999, He purchased another dairy (Aldrich dairy) on 120 acres across Ridgewood Road from his existing dairy. The Aldrich dairy was operated with approximately 350 cows up to the time of its sale to the applicant. The cows were moved off the dairy, and the dairy buildings were demolished, leaving only two homes on the Aldrich dairy site.

Two water rights were purchased with the land: 63-18446 which seems to be the exempt domestic right which is limited to 13000 gals per day, and 63-18444, which appears to incorporate the domestic right, but which is something more in addition. It includes the same flows and uses as the domestic right, but also includes a commercial right and an irrigation right.

Since the applicant already has a domestic right on his dairy in the N ½ of the SE ¼, 43-111(3) does not allow transfer of the domestic right on the Aldrich dairy to the existing dairy. It should not preclude, however, transfer of the non-exempt uses listed in 63-18444.

This Application does not request the transfer of any of the 13000 gal/day limited use. No domestic or stockwater will be transferred, only the irrigation and commercial use. This should satisfy the requirements of 42-111(3). Both the irrigation and commercial use in 63-18444 escape the definition of domestic use in 42-111(1)(a and b). The irrigation use escapes because it is greater than 1/2 acre (42-111(1) a), while the commercial use escapes because the diversion volume exceeds .04 cfs (42-111(1) b).

The applicant wishes to transfer the irrigation use to stockwater use, with the place of diversion, time of use, and place of use also changed. The one acre of pasture is dried up.

The applicant wishes to transfer the place of diversion and place of use of the commercial right incorporated in 63-18444.

The flows will still be limited as per the existing water right, with the total of flows limited to .2 cfs. The applicant does not wish to add to the system capacity of the dairy.

There is a serious problem in validating the precise quantity of water covered by the commercial portion of 63-18444. The Aldrich dairy was owned for 5 years (1994-1999) by another owner (Case Houewling), the Aldrich family is angry at that owner and the dairy business in general, and will not sign any affidavit of any kind relating to that dairy. As a consequence, I have picked the number of 200 cows milking and calculated the commercial use required for that size dairy. There could have been 300 or more cows milking in 1987, but it is impossible to prove 15 years later. The applicant is satisfied with the stipulation of 200 cows milking (dry cows have no effect on commercial use). This is likely to be very close to the real number. We could be off 50% either way and it would make less than an acre foot difference.

It should be noted that this approach results in a significant decrease in the quantity of water pumped because the domestic right was surely fully pumped with the 350 cows milking in 1994, while only 2 houses remain now, and all livestock facilities have been torn down.

Thank You for your favorable consideration.


Darwin

Attachment B

Holstein weight

1

Daily Fresh Water Requirement For Dairy Facility Worksheet (Commercial use only)

For Dan Van Grouw

Drinking Water Estimates (see Table 1 & 2):

		Size		Adjustment	Use/day	Total Gal/Day	Total Gals/Yr.	Acre-feet/Yr (AF/a)
	Number	Use/day						
Milking Cows	200	0			0	0		
Dry Cows	50	0			0	0		
Total Cows	250				0	0		
Heifers:	Age	% of Herd	Number	Use/day	0%	Total		
	16-24 mo.	0.38	0	10	0.0	0.0		
	13-15 mo.	0.12	0	8	0.0	0.0		
	9-12 mo.	0.17	0	6	0.0	0.0		
	5-8 mo	0.17	0	5	0.0	0.0		
	3-4 mo	0.08		4	0.0	0.0		
	0-2 mo	0.08		2.5	0.0	0.0		
Total Heifers			0			0.0		0

Total Herd Drinking Water

0

Milk House and Parlor Estimate (see Table 4)

Item	Gals/Op	x's/day	Gals/day			
Bulk Tank	50	0.5	25			
Pipeline	100	2	200			
Deck flush (measured water)	0	4	0			
Cleanup	500	2	1000			
Cow Prep	2	2	800			
Plate Cooler(ignore if recycled)						
Total Milk House and Parlor Water Used:			2025	739,125	2	2
Total commercial use for WR# 63-18444 (afa):						
Allen and Brockway Kuna:						

	Acres	Method	App. Eff. %**	IR for Crop nm/season	Crop Div Vol AF/Ann	Crop CU AF/Ann
Irrigated Pasture	1	sprinkler	70%	931	4.36	3.05 afa

Total this transfer (afa)

5.32

Dairy Well

- * Add POD
- * Change POH

63-18444 Split

✓ Dom	.04	
Irr	.03	(1 ACRE)
✓ Comm	.2	
Stock	.2	
.2 cfs		

Domestic = 1 household,
1 ACRE

250 dairy, 4 horses

- 31748

Dom	.04
Comm	.2
Stock	.2

- 31749

Stock .02

Irrigation Water

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31748 V1

1993 Amid(dad)

Dad

irrigation
water

property line (sister)

11/13/2003

89 yrs. ago

35
11



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 13, 2003

KIMBERLY & DANIEL VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642

RE: Snake River Basin Adjudication Water Right Nos. A63-31748 & A63-31749

Dear Mrs. and Mr. Van Grouw,

As the current owners of 63-31748 & -31749, please read the enclosed documents and submit evidence of priority by December 18, 2003.

If you have any questions, please contact me at the Western Region office.

Sincerely,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Western Region Office

*Submitted -
refer to 8.3.03
evidence submitted
by Vanderstelt*

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31749 V1

WATER RIGHT NUMBER: 63-31749 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	KATHE C ALDRICH 5868 S MC DERMOTT NAMPA, ID 83687 (208)888-6309
Original Owner	LEON E ALDRICH 5868 S MC DERMOTT NAMPA, ID 83687 (208)888-6309
Current Owner	DANIEL S VAN GROUW 5655 S BLACKCAT RD MERIDIAN, ID 83642 (208)887-9259
Current Owner	KIMBERLY S VAN GROUW 5655 S BLACKCAT RD MERIDIAN, ID 83642
Representative	DARWIN VANDER STELT 16931 STAR RD NAMPA, ID 83687

Priority Date: 03/01/1954

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	3.10 AF
	<u>Total Diversion:</u>	0.020 CFS	3.10 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 33, Twp 03N, Rge 01W, B.M.
ADA County		
GROUND WATER	NE1/4SE1/4	Sec. 33, Twp 03N, Rge 01W, B.M.
ADA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	33														X	X		

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31749 V1

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. T07 The right holder shall accomplish the change authorized by Transfer 70742 within one (1) year of the date of this approval.
3. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-31749 and 63-12109 shall not exceed .23 cfs, nor total combined annual volume of 42 af.

Remarks:

1. Explanatory Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. Explanatory 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.
3. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-18444.

Comments:

1. pskaggs 10/27/2003 3:07:15 PM Transferred Right
Comment: This is now a approved transfer, transfer number = 70742

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: And
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits: