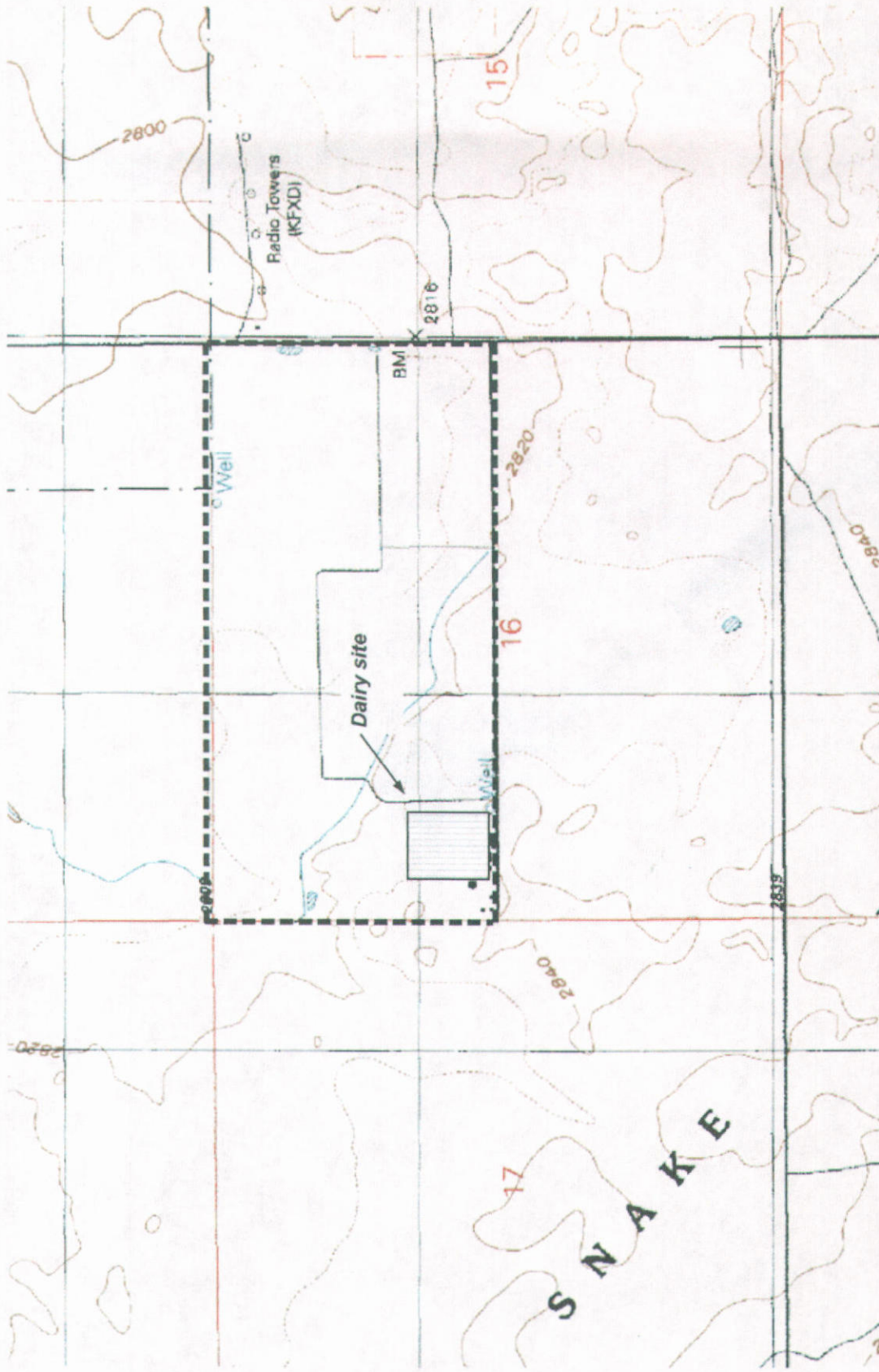
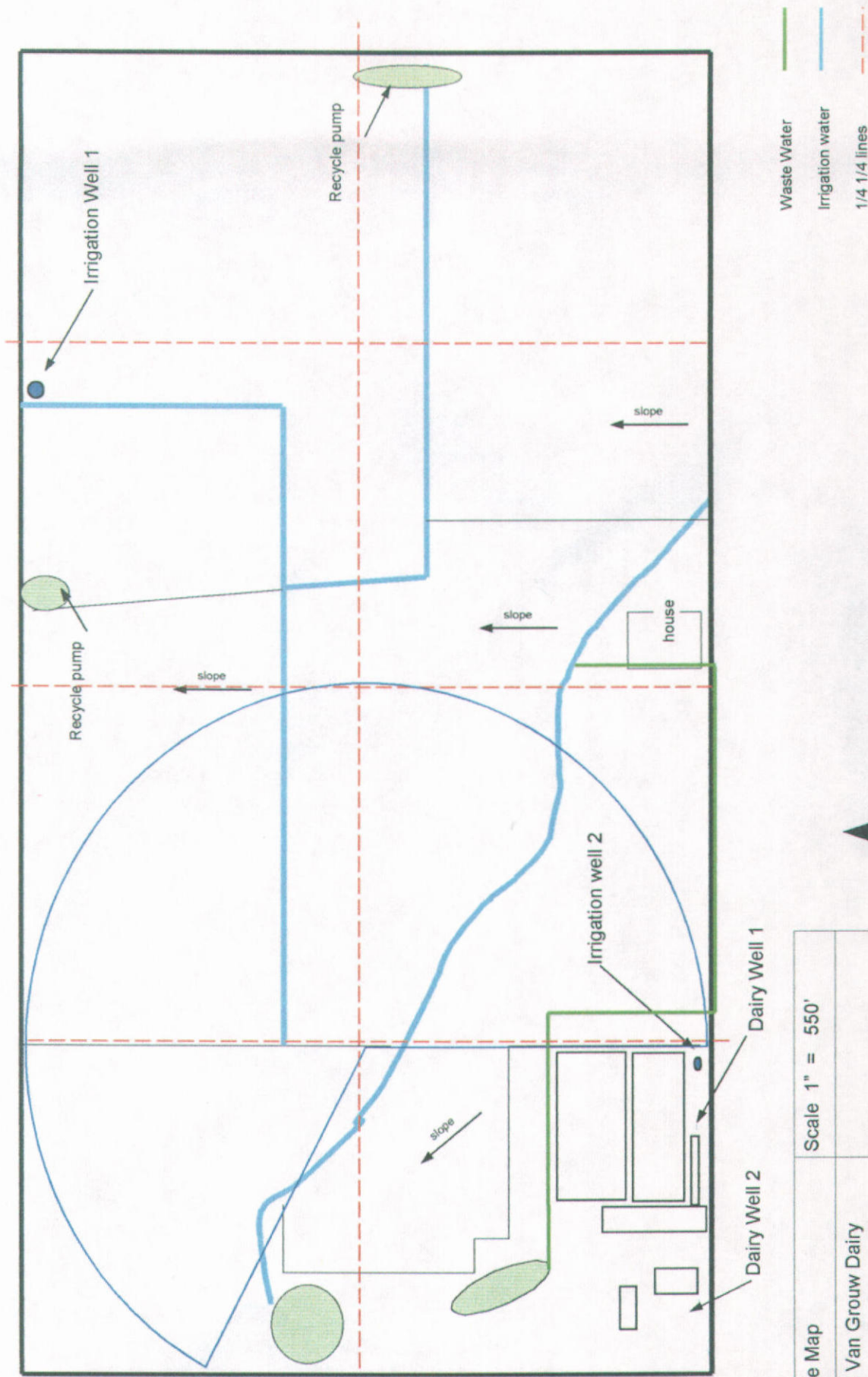
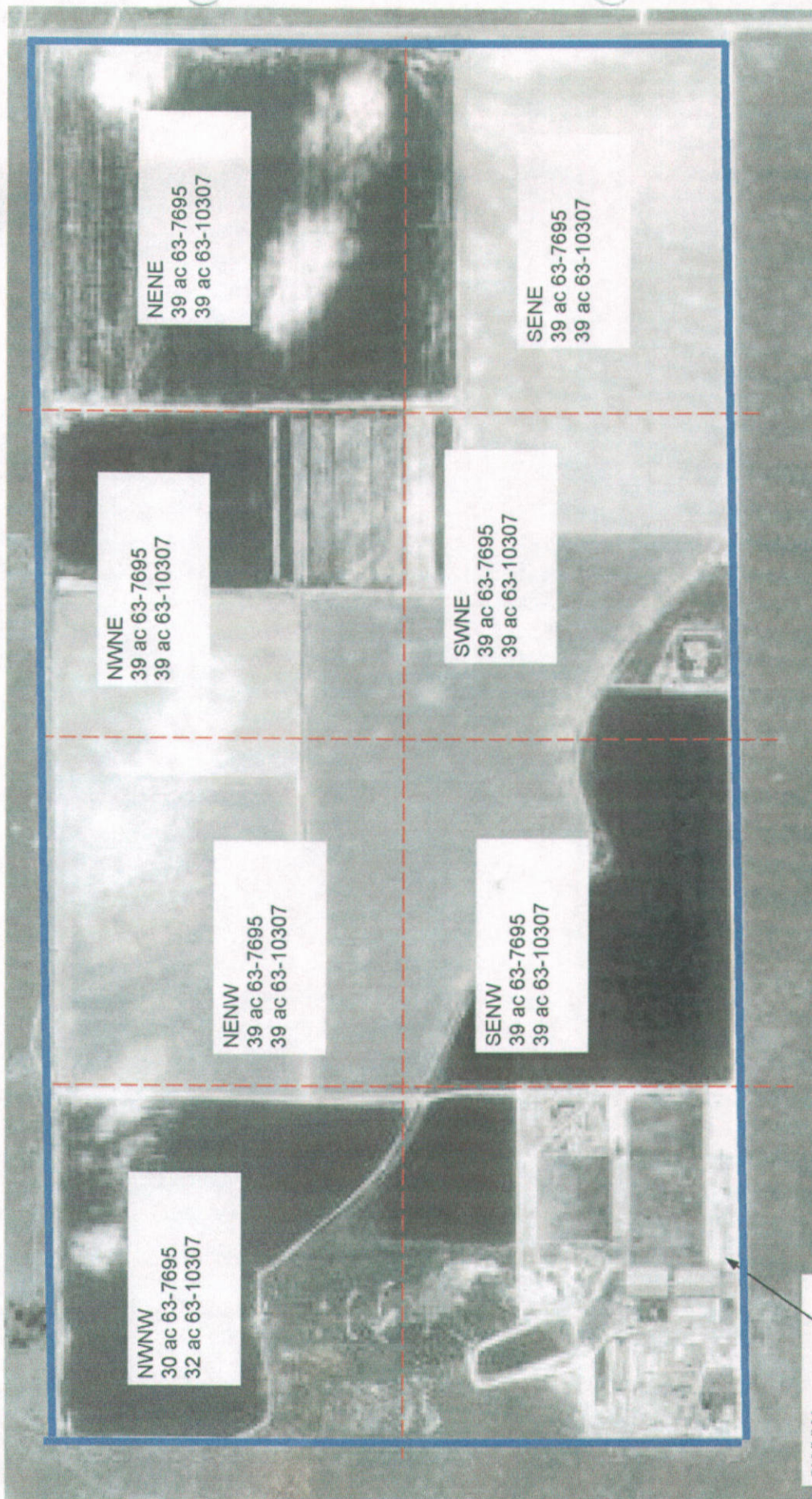




Vicinity Map	Scale 1" = 550'
Ed Van Grouw Dairy	
T 1 N R 1 E N 1/2 S.16	Prepared by
Kuna, Idaho	Darwin Vander Stelt



Site Map	Scale 1" = 550'
Ed Van Grouw Dairy	
T 1 N R 1 E N 1/2 S.16	Prepared by
Kuna, Idaho	Darwin Vander Stelt



Area irrigated as per recorded rights	Scale 1" = 560'
Ed Van Grouw Dairy	Aerial photo 1998
T 1 N R 1 E N 1/2 S.16	Prepared by
Kuna, Idaho	Darwin Vander Stelt

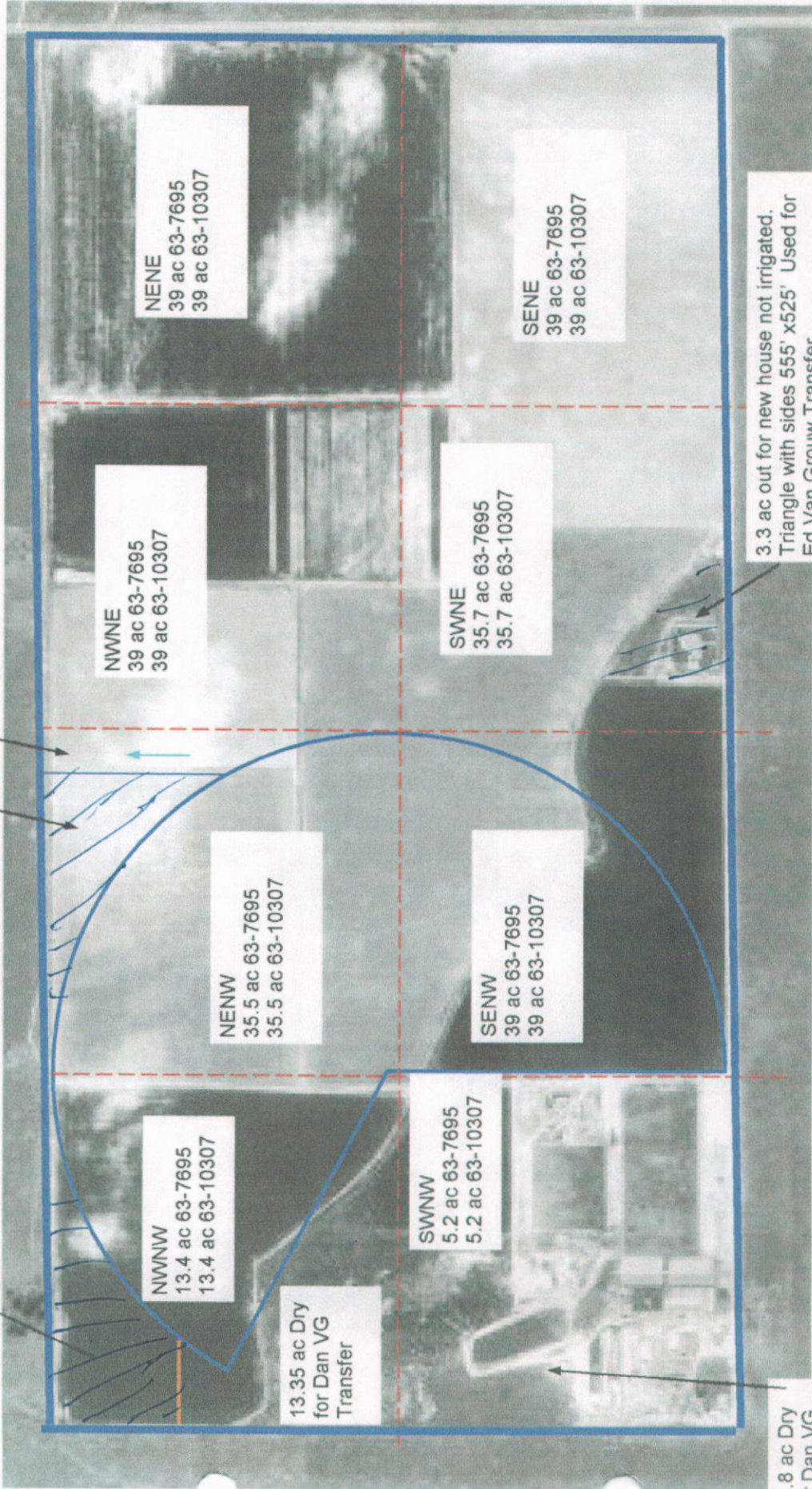
ELV

agree to the following
Application changes.
2-4-04 Date

5.25 ac out for Ed Van Grouw Transfer

3.5 ac out for Ed Van Grouw Transfer

Still irrigated



Area irrigated after transfers	Scale 1" = 560'
Ed Van Grouw Dairy	Aerial photo 1998
T 1 N R 1 E N 1/2 S.16	Prepared by
Kuna, Idaho	Darwin Vander Steit

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 63-31864
Date Received: 9/8/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ED VAN GROUW Phone: (208)362-4134
19855 S CLOVERDALE RD
KUNA ID USA 83634

2. Date of Priority: 11/30/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
01N	01E	16	SW	NW	ADA	
01N	01E	16	NW	NE	ADA	
01N	01E	16	SW	NW	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	0.19	30.4
COMMERCIAL	01/01	12/31	0.19	30.4

7. Total Quantity Appropriated is:
0.19 C.F.S. and/or 30.4 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
01N	01E	16	NW	NW		COMMERCIAL	
			SW	NW		COMMERCIAL	
			SE	NW		COMMERCIAL	
			NE	NE		COMMERCIAL	
			NW	NE		COMMERCIAL	
			SW	NE		COMMERCIAL	
			SE	NE		COMMERCIAL	
			NE	NW		COMMERCIAL	
			NW	NW		STOCKWATER	
			SW	NW		STOCKWATER	
			SE	NW		STOCKWATER	

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? No

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 the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

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 63-31864 and 63-31867 shall not exceed 0.27 cfs, nor a total combined annual volume of 32.4 af.

The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality

requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.

Commercial use is for a dairy.

Right 63-31867 is also diverted through the points of diversion described above. Rights 63-18720 and 63-18722 are also diverted through the two points of diversion located in the SWNW, S16.

15. Basis of Claim: License

Page 2 of 5

WATER RIGHT NO. 63-31864
As Modified by Transfer No. 71130

In accordance with the approval of Transfer No. 71130, Water Right No. 63-31864 is now described as follows.

Right Holder: ED VAN GROUW
 19855 S CLOVERDALE RD
 KUNA ID 83634

Priority Date: November 30, 1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to 12/31		0.19 CFS	30.4 AF
STOCKWATER	01/01 to 12/31		0.19 CFS	30.4 AF
			0.19 CFS	30.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNE	Sec. 16 Twp 01N Rge 01E ADA County
GROUND WATER	SWNW	Sec. 16 Twp 01N Rge 01E ADA County
GROUND WATER	SWNW	Sec. 16 Twp 01N Rge 01E ADA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 01E 16	X	X	X	X	X	X	X	X									

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	
01N 01E 16						X	X	X									

CONDITIONS OF APPROVAL

- EXP 1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- EXP 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- REMOVE 3. 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.
- EXP 4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
- EXP 5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

WATER RIGHT NO. 63-31864

As Modified by Transfer No. 71130

CONDITIONS OF APPROVAL

6. 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.
7. The total instantaneous diversion of water from all points of diversion under Rights 63-31864 and 63-31867 shall not exceed 0.27 cfs, nor a total combined annual volume of 32.4 af.
8. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
9. Commercial use is for a dairy.
10. Right 63-31867 is also diverted through the points of diversion described above. Rights 63-18720 and 63-18722 are also diverted through the two points of diversion located in the SWNW, S16.

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 20th day of September, 2004


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71130

This is to certify that: ED VAN GROUW
19855 S CLOVERDALE RD
KUNA ID 83634
(208)362-4134

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
63-31864	AJC/License	11/30/1972	0.19 cfs	54.5 af	N/A	12.1	GROUND WATER
63-31867	AJC/License	07/26/1985	0.08 cfs	27 af	N/A	51.1	GROUND WATER

Purpose of Transfer (Changes Proposed)

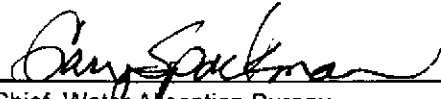
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-31864	NO	NO	NO	YES	YES	YES
63-31867	NO	NO	NO	NO	YES	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-31864	63-31864	0.19 cfs	30.4 af	N/A	N/A		N/A	N/A	N/A	N/A
63-31867	63-31867	0.08 cfs	2.0 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.27 cfs	32.4 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of September, 2004



Chief, Water Allocation Bureau

63-31864

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 63-31864
Date Received: 9/8/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

EDWARD G VAN GROUW JR Phone: (208)362-4134
19855 S CLOVERDALE RD
KUNA ID USA 83634

2. Date of Priority: 11/30/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	01E	16	NE NW NE	ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.19	54.5

7. Total Quantity Appropriated is:
0.19 C.F.S. and/or 54.5 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
----------	-------	---------	----------------	-----	-------

01N	01E	16	NE	NW	IRRIGATION	3.5
			NW	NW	IRRIGATION	5.3
			SW	NW	IRRIGATION	3.3
					Section Acres	12.1
					Total Acres	12.1

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:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-7695.

15. Basis of Claim: License

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant: **Ed Van Grouw**

Phone: (208) 362-4134

Post Office address: 19855 S Cloverdale Rd, Kuna, ID 83634

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes: Applicant has expanded his dairy farm and dried up irrigated land and wishes to change the nature of use and period of use 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	Nature	Period of Use
-----------------	----------	--------	--------	---------------

63-7695	<u>11/30/1972</u>	22.5			to	
<u>TBD</u>		.14 / 22.4	<u>Stockwater</u>	<u>01/01</u>	to	<u>12/31</u>
<u>TBD</u>		.05 / 7.9	<u>Commercial</u>	<u>01/01</u>	to	<u>12/31</u>
63-10307	<u>07/26/1985</u>				to	
<u>TBD</u>		.07 / 2	<u>Stockwater</u>	<u>01/01</u>	to	<u>12/31</u>
<u>TBD</u>		.01 /	<u>Commercial</u>	<u>01/01</u>	to	<u>12/31</u>

2. Total amount of water being transferred .27 cubic feet per second and/or 32.4 acre-feet per annum. ~~32.3~~

3. Source of water groundwater tributary to

4. Point(s) of Diversion-

[illegible]

5. Lands irrigated or place of use

[illegible]

EV6 agree to the following application changes.
2-4-04 Date.

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:
Fewer acres are currently irrigated as a result of land being retired from irrigation to make room for buildings, manure composting areas, or corrals, and also as a result of drying up pivot corners.
- d. Remarks:
- See attachments:
- A. Proof of ownership and lienholder permission.
 - B. Dairy Worksheet
 - C. Crop History and Consumptive Use Calculations.
 - D. Flow, Volume, and Allocation 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 _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 63-7695

Priority Date: 11/30/1972

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	4.19 CFS	1,237.5 AFA	
Total Diversion		4.19 CFS	1,237.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENWNE 01N 01E 16 ADA

PLACE OF USE: IRRIGATION

Twp	Rgs	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	16	39.0	39.0	39.0	39.0	39.0	30.0	11.0	39.0									275.0

Total Acres: 275

Conditions/Remarks:

1. 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. USE OF THIS RIGHT WITH RIGHT NO. 63-10307 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1282.5 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 63-10307 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON.
4. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-7695

Documentation of Ownership of the Current Place of Use

YES

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

SEE PART 1 - 6c

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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 (63-7695)

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

1. amount 0.19/54.5 for IRRIGATION purposes from 3/15/ to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	16	01N	01E	ADA	IRRIGATION WELL 1

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
01N	01E	16			3.3		3.5	5.3											12.1

Total acres 12.1

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 4.00/1183 for IRRIGATION purposes from 3/15/ to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	16	01N	01E	ADA	IRRIGATION WELL 1

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
01N	01E	16	39	39	35.7	39	35.5	24.7	11	39									262.9

Total acres 262.9

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 63-10307

Priority Date: 07/26/1985

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.36 CFS	613.5 AFA	
STOCKWATER	01/01 12/31	0.03 CFS	2.0 AFA	
Total Diversion		1.39 CFS	615.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESWNW	01N 01E	16	ADA
GROUND WATER	SESWNW	01N 01E	16	ADA
GROUND WATER	SWSWNW	01N 01E	16	ADA
GROUND WATER	NENWNE	01N 01E	16	ADA

PLACE OF USE: 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	
01N 01E 16	39.0	39.0	39.0	39.0	39.0	32.0	19.0	39.0									285.0

Total Acres: 285

Conditions/Remarks:

1. 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. USE OF THIS RIGHT WITH RIGHT NO. 63-7695 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1282.5 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 63-7695 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. _____
Receipt No. _____

Current Water Right No. 63-10307

4. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
5. Stockwater use is for 150 range cattle.

Documentation of Ownership of the Current Place of Use

YES

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

SEE PART 1 – 6c

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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 (63-10307)

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

1. amount 0.05/25.0 for IRRIGATION purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount 0.03/2.0 for STOCKWATER purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	NW	16	01N	01E	ADA	
	SE	SW	NW	16	01N	01E	ADA	
	SW	SW	NW	16	01N	01E	ADA	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
01N	01E	16			3.3		3.5	5.3											12.1

Total acres 12.1

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.31/588 for IRRIGATION purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

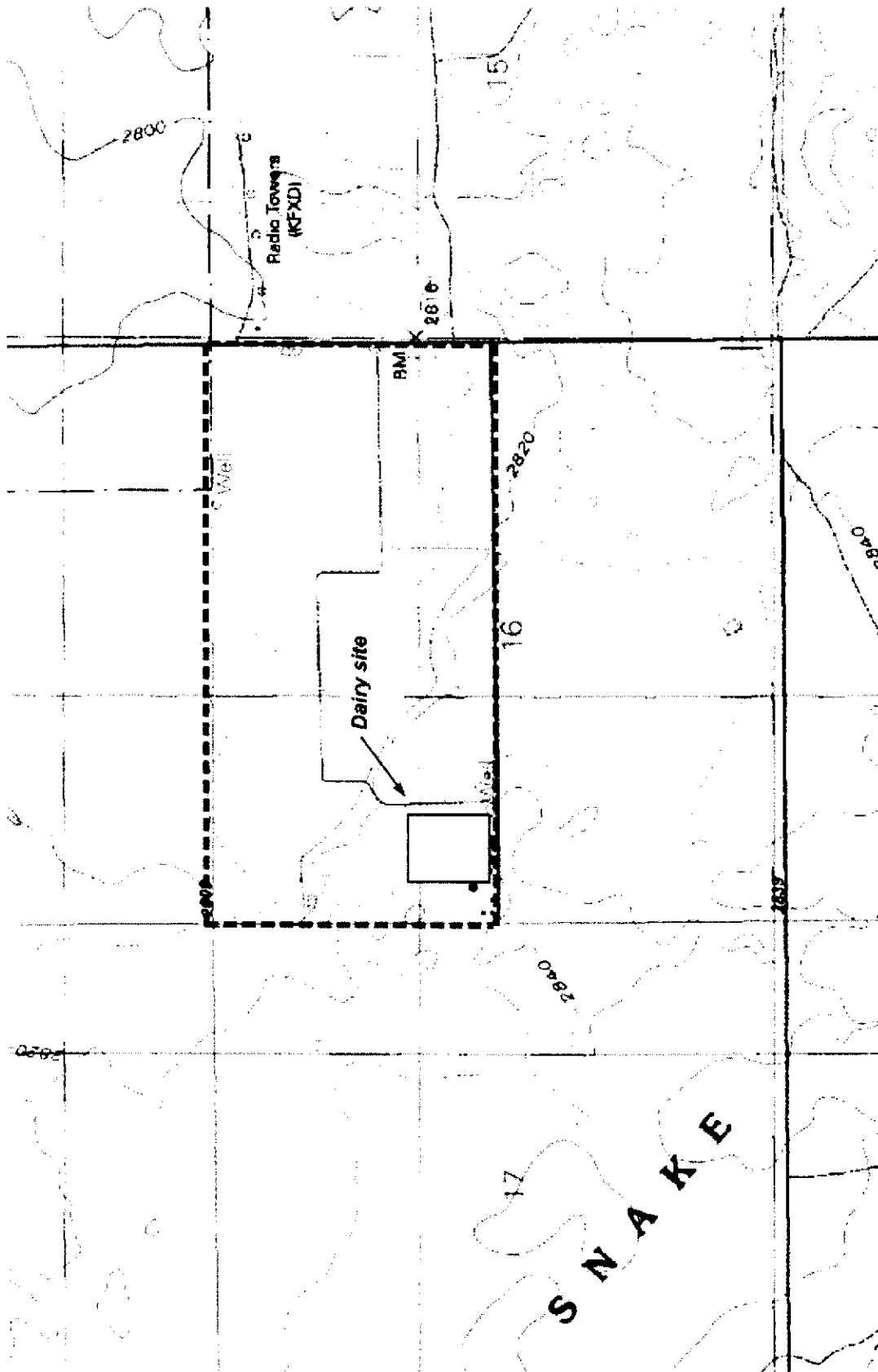
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	16	1N	1E	ADA	IRRIGATION WELL 1
		SW	NW	16	01N	01E	ADA	

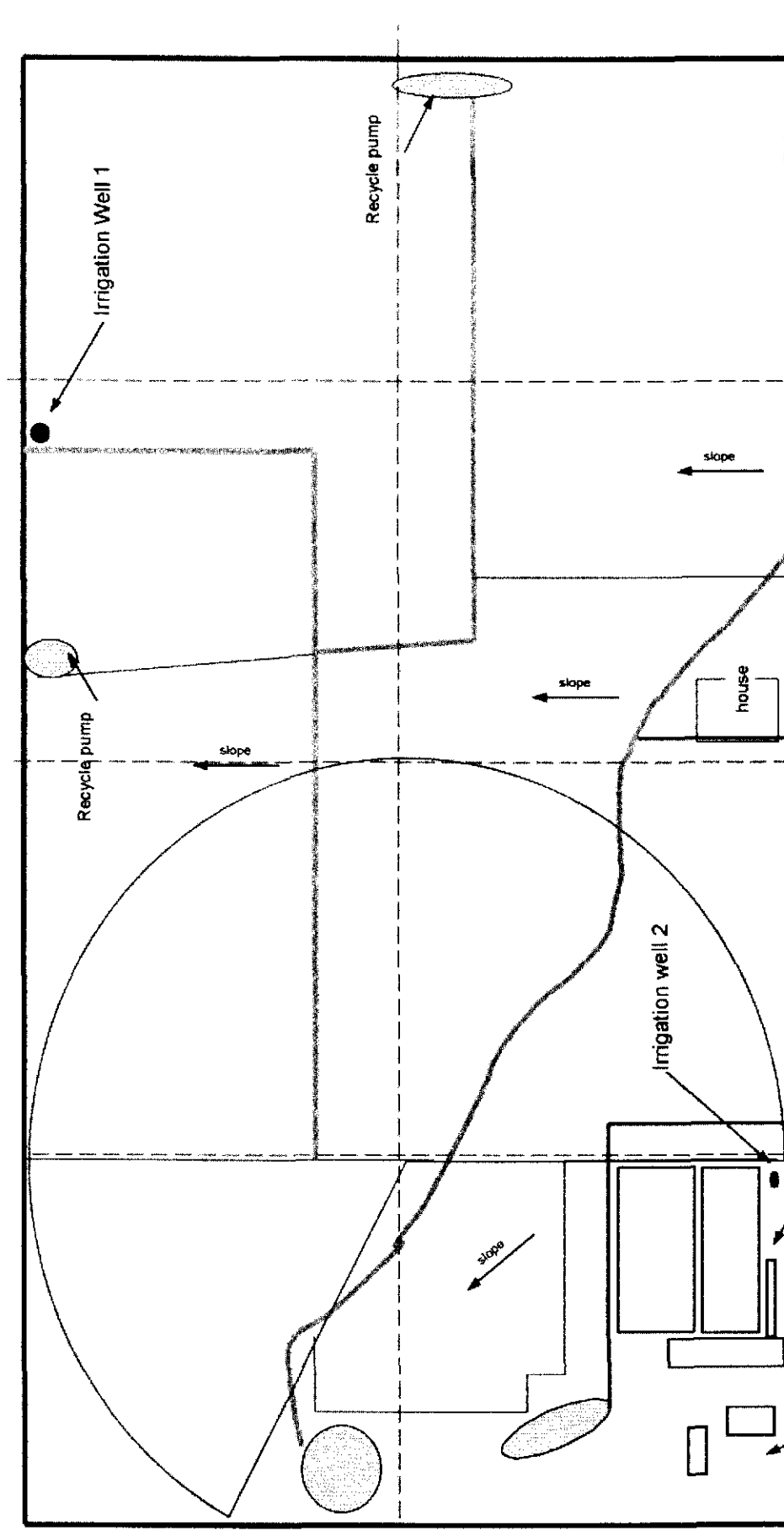
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
01N	01E	16	39	39	35.7	39	35.5	26.7	19	39									

Total acres 272.9

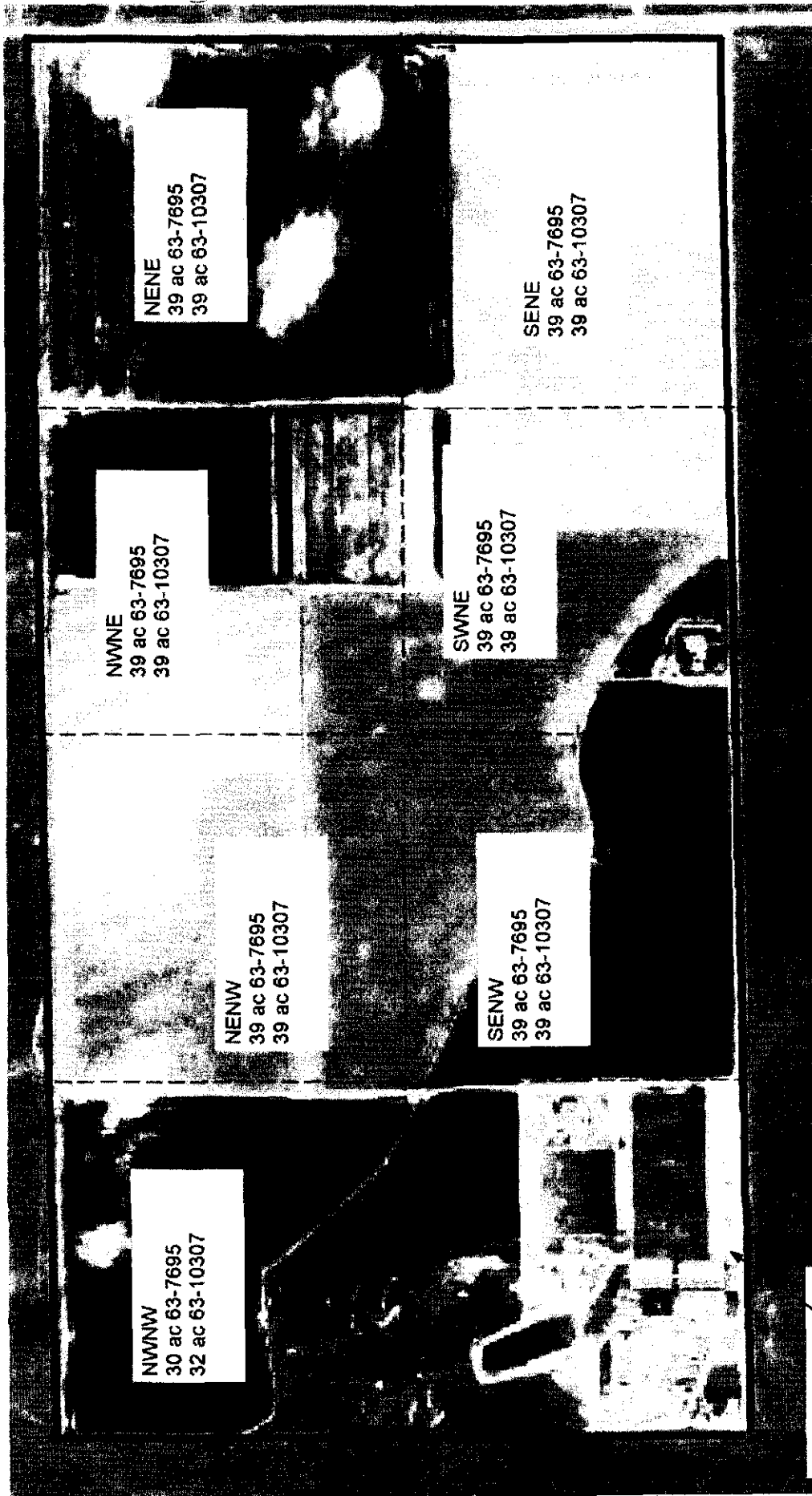


Vicinity Map	Scale 1" = 550'
Ed Van Grouw Dairy	
T 1 N R 1 E N 1/2 S. 16	Prepared by
Kuna, Idaho	Darwin Vander Stelt



Waste Water
 Irrigation water
 1/4 1/4 lines

Site Map	Scale 1" = 550'
Ed Van Grouw Dairy	
T 1 N R 1 E N 1/2 S.16	Prepared by
Kuna, Idaho	Darwin Vander Stelt



SWNW
11 ac 63-7695
19 ac 63-10307

Area irrigated as per recorded rights	Scale 1" = 560'
Ed Van Grouw Dairy	Aerial photo 1998
T 1 N R 1 E N 1/2 S.16	Prepared by
Kuna, Idaho	Darwin Vander Stelt

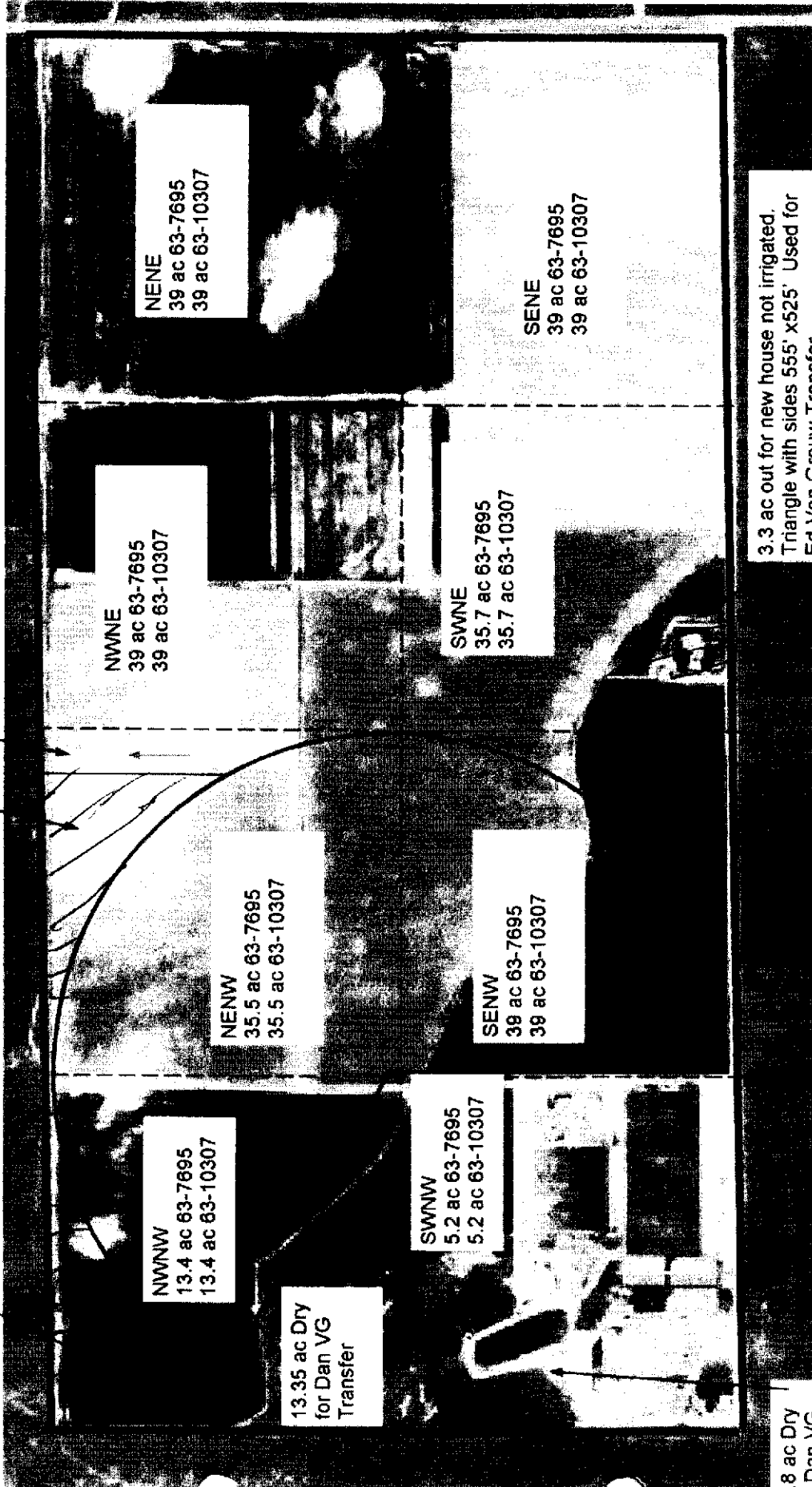
Application of
2-4-04
Date

9/13

5.25 ac out for Ed
Van Grouw Transfer

3.5 ac out for Ed Van Grouw Transfer

Still irrigated



13.8 ac Dry
for Dan VG
Transfer

Area irrigated after transfers	Scale 1" = 560'
Ed Van Grouw Dairy	Aerial photo 1998
T1 N R 1 E N 1/2 S 16	Prepared by
Kuna, Idaho	Darwin Vander Steit

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		
Stockwater*	.18 / 22.4 22.5	365	01/01	to	12/31
Commercial	.06 / 7.9	365	01/01	to	12/31

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

Used process and runoff waters to be contained in the lagoon on the SW 1/4 NW 1/4 sec 16 T01N R01E and land applied as appropriate to approximately 246 ac cropland.

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

None. See Attachment B. There will be a net reduction in Total diversion under this

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.

[Signature]
(Signature of Applicant)

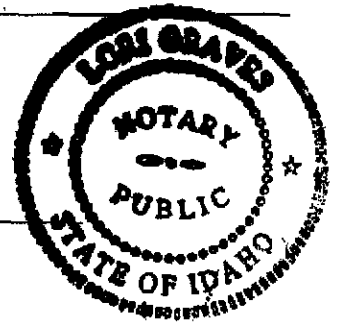
Subscribed and sworn to before me this

4th day of Feb, 2004

[Signature]
(Notary Public)

My commission expires

6/18/04



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by Ly Date 1/13/03 Protest filed by _____

Prelim. check by _____ Fee 450

Received by Ly # W029968 Date 1/13/03

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 _____

EVB

agree to the following
application changes.

2-4-04 Date.

MEMORANDUM

TO: Dan Nelson

FROM: Darwin Vander Stelt, preparer

DATE: 10/23/2003

RE: ~~Ed Van Grouw~~ Dan Van Grouw, Applications for Transfer of Water Right.

Water Right nos. 63-7695, 63-10307, and domestic or exempt rights, 63-18720, 63-18722 (limited to 13000 gal/day).

Ed VanGrouw has expanded his dairy and taken irrigated land out of production to make room for buildings, corrals, and a composting area. An analysis of the acreage taken out of production suggests a total of 39.2 acres removed from irrigation. Since Ed VanGrouw's brother, Dan Van Grouw needed more water for his dairy on Blackcat Road, it was agreed to sell the excess to Dan.

The existing stockwater rights are 63-18720 (which is assumed to be the exempt or domestic right), and a small amount of stockwater right in 63-10307. It is assumed that the stockwater portion of the domestic right is for 35 gpd of water for 300 cows. The calculations which develop the appropriate number of acres to dry up for each transfer are located in Attachments B and C.

There is a difficulty in that the two irrigation layers, 63-7695 and 63-10307, specify a different number of acres irrigated. WR 63-7695 allowed irrigation of 275 acres, and WR 63-10307 allows irrigation of 285 acres. Currently, 245.8 acres are irrigated, a reduction of 29.2 acres for WR 63-7695 and 39.2 for WR 63-10307.

WR # 63-10307 requires that the licensed flow first be directed to irrigating the additional 10 acres covered, with the remainder constituting a second layer over the original 275 acres. That this was the intent is demonstrated by the calculation of volume for irrigation purposes used on WR # 63-10307:

Total flow/ac for irrigation for both licenses for 285 acres = $5.55/285$
= .019473684 cfs

Portion of the total devoted to the additional 10 acres irrigated by WR # 63-10307
= .19473684 cfs.

Portion of WR # 63-10307 available as new layer for the original 275 acres=
 $1.36 - .19473684 = 1.16526$ cfs

$(1.16526 \times 246 \text{ days} \times 24 \text{ hours} \times 60 \text{ min} \times 60 \text{ sec}) / 43560 = 568.6 \text{ af} + 45 \text{ af}$
for the new 10 acres = 613.6 afa

By drying up an area covered by both rights for Ed, and giving Dan all the water on the 10 acres covered only by WR # 63-10307 (along with some covered by both rights), we simplify the calculations somewhat. Calculations for flow and volume are in attachment D.

I am happy to answer any further questions about this application. Thank You!

Darwin

ADA COUNTY CONSOLIDATED PROPERTY TAX BILL

ADA COUNTY TREASURER - TAX COLLECTOR FOR TAXING DISTRICTS OF ADA COUNTY

P.O. BOX 2868, BOISE, ID 83701

PH. (208) 364-2233

REAL PROPERTY TAX BILL**LEGAL DESCRIPTION:**
 NE 4
 SEC 16 IN 1E
 #12116111000
 #9367662
DELINQUENT TAXES**YEAR****PARCEL NUMBER**

S2116111000

TAX YEAR**CODE AREA****BILL NUMBER**

2001

224

395111

PROPERTY ADDRESS: S CLOVERDALE RD**MORTGAGE COMPANY REQUESTING YOUR TAX BILL**
 THIS IS A LISTING OF THE TOTAL AMOUNT YOU PAY EACH TAXING DISTRICT, INCLUDING BONDS, OVERRIDES AND
 CERTIFICATIONS IF APPLICABLE. PHONE INDIVIDUAL TAXING DISTRICTS WITH QUESTIONS REGARDING TAXES.

% LEVY CHANGE	NAME OF TAXING DISTRICT	TAXING DISTRICT PHONE NUMBER	TAXING DISTRICT TOTAL LEVY AMOUNT	TAX AMOUNT BY TAXING DISTRICT
8.50	SCHOOL DISTRICT #3	922-1000	-003542244	451.90
17.62	SCHOOL #3 BOND	922-1000	-003204461	403.81
4.62	ADA COUNTY	364-2333	-002772336	348.76
7.14	KUNA FIRE	922-1144	-001041144	131.08
17.69	KUNA FIRE BOND	922-1144	-000248653	31.28
4.61	ADA COUNTY HIGHWAY	364-6120	-001014584	127.63
6.57	KUNA LIBRARY	922-1025	-000451546	56.81
13.00	KUNA LIBRARY BOND	922-1025	-000140122	23.42
4.62	EMERGENCY MEDICAL	375-7048	-000117687	14.81
1.39	PEST EXTERMINATION	888-2316	-000103793	13.06
17.17	MOSQUITO ABATEMENT	362-1440	-000023174	2.92
TOTAL LEVY:			-032765104	
TOTAL TAXES:				1605.98

 IF YOU HAVE SOLD THIS PROPERTY,
 OR A MORTGAGE COMPANY IS
 RESPONSIBLE FOR PAYING THIS
 TAX, PLEASE FORWARD THIS BILL
 IMMEDIATELY.

 FOR MORE DETAILED
 INFORMATION
 REGARDING TAX LAWS,
 SEE BACK OF TAX BILL.

 TO AVOID LATE CHARGE AND INTEREST,
 FULL OR FIRST HALF TAXES MUST BE
 PAID IN PERSON OR BY U.S. POSTMARKED
 NO LATER THAN:

DEC 20, 2001

 IF ANY PORTION OF THE TAX BECOMES
 DELINQUENT, A 2% LATE CHARGE WILL
 BE APPLIED. INTEREST ON THE
 DELINQUENT BALANCE WILL ACCRUE AT
 1% PER MONTH, DATING FROM JANUARY
 1ST, WHEN PAYING DELINQUENT BALANCES
 PLEASE CALL 364-2233 FOR THE CORRECT
 AMOUNT DUE INCLUDING
 LATE CHARGE AND INTEREST.

 IF YOU HAVE QUESTIONS ABOUT
 YOUR ASSESSED VALUE, CALL
 (208) 364-2400.

CURRENT YEAR ASSESSED VALUE

125800.

AMOUNT OF HOMEOWNERS EXEMPTION

ADA COUNTY PAYMENT (due to savings from expenditure control budgeting)

41.82

ADMINISTRATIVE ADJUSTMENT

1564.16

TOTAL PROPERTY TAX BILLED

PREPAYMENTS RECEIVED PRIOR TO BILL PRINTING

CIRCUIT BREAKER (SENIOR CITIZEN) EXEMPTION

TOTAL TAXES DUE

1564.16

**NEW! PAY YOUR PROPERTY TAX WITH A
 CREDIT CARD - SEE INSTRUCTIONS ON BACK.**

 KEEP THIS PORTION
 FOR YOUR RECORDS

PLEASE DETACH AND RETURN BOTTOM PART WITH PAYMENT

PRIOR YEAR VAL (P)	PRIOR YEAR TAX
120500.	1295.31
CURRENT YEAR VALUE	CURRENT YEAR TAX
125800.	1605.91

ADA COUNTY CONSOLIDATED PROPERTY TAX BILL

ADA COUNTY TREASURER - TAX COLLECTOR FOR TAXING DISTRICTS OF ADA COUNTY

P.O. BOX 2868, BOISE, ID 83701

PH. #(208) 364-2233

REAL PROPERTY TAX BILL
LEGAL DESCRIPTION:

 NW4
 SEC 16 IN 1E
 #12116211000
 #1367662

DELINQUENT TAXES

YEAR

PARCEL NUMBER

52116211000

TAX YEAR

CODE AREA

BILL NUMBER

2001

224

395112

MORTGAGE COMPANY REQUESTING YOUR TAX BILL

PROPERTY ADDRESS: 17855 S CLOVERDALE RD

THIS IS A LISTING OF THE TOTAL AMOUNT YOU PAY EACH TAXING DISTRICT, INCLUDING BONDS, OVERRIDES AND CERTIFICATIONS IF APPLICABLE. PHONE INDIVIDUAL TAXING DISTRICTS WITH QUESTIONS REGARDING TAXES.

% LEVY CHANGE	NAME OF TAXING DISTRICT	TAXING DISTRICT PHONE NUMBER	TAXING DISTRICT TOTAL LEVY AMOUNT	TAX AMOUNT BY TAXING DISTRICT
8.50	SCHOOL DISTRICT #3	922-1000	.003592244	1658.23
17.12	SCHOOL #3 BOND	922-1000	.003209961	1481.72
4.62	ADA COUNTY	364-2333	.002722336	1279.71
7.14	KUNA FIRE	922-1144	.001041949	480.96
17.69	KUNA FIRE BOND	922-1144	.000248653	114.78
4.61	ADA COUNTY HIGHWAY	364-5120	.001014584	468.33
6.57	KUNA LIBRARY	922-1025	.000451596	208.46
13.00	KUNA LIBRARY BOND	922-1025	.000190123	87.76
4.62	EMERGENCY MEDICAL	375-7046	.000117687	54.32
1.34	PEST EXTERMINATION	888-2316	.000103793	47.91
17.17	MOSQUITO ABATEMENT	362-1440	.000023179	10.70
TOTAL LEVY:			.012766104	
TOTAL TAXES:				5892.90

IF YOU HAVE SOLD THIS PROPERTY, OR A MORTGAGE COMPANY IS RESPONSIBLE FOR PAYING THIS TAX, PLEASE FORWARD THIS BILL IMMEDIATELY.

FOR MORE DETAILED INFORMATION REGARDING TAX LAWS, SEE BACK OF TAX BILL.

TO AVOID LATE CHARGE AND INTEREST, FULL OR FIRST HALF TAXES MUST BE PAID IN PERSON OR BY U.S. POSTMARKED NO LATER THAN:

DEC 20, 2001

IF ANY PORTION OF THE TAX BECOMES DELINQUENT, A 2% LATE CHARGE WILL BE APPLIED. INTEREST ON THE DELINQUENT BALANCE WILL ACCRUE AT 1% PER MONTH, DATING FROM JANUARY 1ST. WHEN PAYING DELINQUENT BALANCES, PLEASE CALL 364-2233 FOR THE CORRECT AMOUNT DUE INCLUDING LATE CHARGE AND INTEREST.

IF YOU HAVE QUESTIONS ABOUT YOUR ASSESSED VALUE, CALL (208) 364-2400.

CURRENT YEAR ASSESSED VALUE

511600.

AMOUNT OF HOMEOWNERS EXEMPTION

50000.

ADA COUNTY PAYMENT (due to savings from expenditure control budgeting)

153.46

ADMINISTRATIVE ADJUSTMENT

5739.44

TOTAL PROPERTY TAX BILLED

PREPAYMENTS RECEIVED PRIOR TO BILL PRINTING

CIRCUIT BREAKER (SENIOR CITIZEN) EXEMPTION

TOTAL TAXES DUE

5739.44

NEW! PAY YOUR PROPERTY TAX WITH A CREDIT CARD - SEE INSTRUCTIONS ON BACK.



PRIOR YEAR VALUE

PRIOR YEAR TAX

272400.

3143.14

CURRENT YEAR VALUE

CURRENT YEAR TAX

KEEP THIS PORTION

PLEASE RETURN THIS PORTION WITH PAYMENT



NORTHWEST

FARM CREDIT SERVICE

411 Blaine Street

P.O. Box 730

Caldwell, Idaho 83606-0730

(208) 455-5500 / Fax (208) 455-5505

1-800-819-3312

RECEIVED
APR 18 2003
WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
Attention: Lori Graves
2735 Airport Way
Boise, ID 83705-5082

Refer: Ed Van Grouw / Dan Van Grouw Water Transfer

Dear Ms Graves:

We have reviewed Ed Van Grouw's request for partial release of our security interest in .34 cfs of water included in water rights # 63-07695 and 63-10307, included in our mortgages dated August 11, 1993 and November 12, 1998.

Based on our review, we have determined we can release our interest in the above mentioned .34 cfs, and consent to transfer of said rights.

Please let me know if you need further documentation of our release of interest.

Sincerely yours,

FARM CREDIT SERVICES
Caldwell

DWIGHT O. COMFORT
Senior Credit Officer

Attachment B

Holstein weight

1400

Daily Fresh Water Requirement For Dairy Facility Worksheet
For ED Van Grouw

Drinking Water Estimates (see Table 1 & 2):		Size	Adjustment	Use/day	Total	Total	Acre-feet/Yr
	Number	Use/day			Gal/Day	Gals/Yr.	(AF/a)
Milking Cows	749	35		26215	26215		
Dry Cows	180	12		2160	2160		
Total Cows	929			0	28375	10,356,875	31.78
Heife Age	% of Herd	Number ^a	Use/day	Total			
16-24 mo.	0.38	282.416	10	8.0	2259.3		
13-15 mo.	0.12	89.184	8	6.4	570.8		
9-12 mo.	0.17	126.344	6	4.8	606.5		
5-8 mo	0.17	126.344	5	4.0	505.4		
3-4 mo	0.08		4	3.2	0.0		
0-2 mo	0.08		2.5	2.0	0.0		
Total Heifers		624			3941.9	1,438,805	4.42
*Based on 24-month freshening and 80% of 1 yr calving interval							
Total Herd Drinking Water							36.20

Amount covered by 63-10307

2

afa

Amount covered by Domestic 63-18720, 63-18722
(limited to 300 head x's 35 = 10500 gpd)

11.8

10500 gals/day for	365
=	11.76 afa

Amount needed for stockwater

22.44

Wash Pen Estimate: No wash pen used

GPM discharge/nozzle

Number of Nozzles

Minutes run/day:

groups

mins/group

x/day

days per year

Total Wash Pen Water Used:

0

0.00

Milk House and Parlor Estimate (see Table 4)

Item	Gals/Op	x's/day	Gals/day		
Bulk Tank	250	1	250		
Pipeline	250	2	500		
Deck flush			0		
Cleanup	1657.9	2	3315.8		
Cow Prep	2	2	2996		
No water used in cooling					
Total Milk House and Parlor Water Used:			7061.8	2,577,557	7.91

Total commercial use:

7.91

Historic Consumptive Use (from Attachment C)

2.51

Total water needed:

Stockwater

Commercial

afa	% of needed	Acres to dry
22.44	73.937%	8.9
7.91	26.063%	3.2
~~30.34988~~	100%	12.1000
30.4		

Attachment C

Recent Crop history

Ed Van Grouw Farm

Source: Owner Records

Field	Acres	2002 Crop	% Total
1	87.5	Corn/triticale	35.6%
2	39.5	corn	16.1%
3	47.9	corn	19.5%
4	43.3	alfafa seed	17.6%
5	22.4	mint	9.1%
6	5.2	Triticale/sudan	2.1%
	245.8		100%

Crop History Evaluation for estimation of Diversion Volume and Consumptive Use Allen and Brockway Data

Allen and Brockway report site: Kuna

Year	Crop	Acres	Method	App. Eff. %**	IR for Crop mm/ssn***	Crop Div Vol AF/Ann	Crop CU AF/Ann
	Corn/triticale*	87.50	sprinkler	70%	926	379.91	265.94
	corn silage	87.40	Gravity	60%	673	321.63	192.98
	alfafa seed	43.30	Gravity	60%	683	161.71	97.03
	mint (same as spring grain/agmet)	22.40	sprinkler	70%	639	67.09	46.96
	Triticale/sudan*	5.20	sprinkler	70%	799	19.46	13.62
Totals		245.8				950	616.53

Average Acres Irrigated	246	Acres	Average Diversion Vol/acre	3.86
Total Diversion	950	AF/ann	Average Consumptive Use/acre	2.51
Total Consumptive Use	617	AF/ann		

* Double cropped land water use

corn and triticale uses full season for corn silage and AVE IR for a winter grain for November-May.

Month	Days to irrigate	mm/day	mm/mo or ssn***
Mar	15	0.78	11.7
Apr	30	3.78	113.4
May	18	5.36	96.5
Full season silage corn			673.0
November Triticale	15	2.12	31.8
Total IR for double cropped corn and triticale			926.38

Triticale and Sudan uses Winter Grain November -May, and Corn Silage June-Sep.

Month	Days to irrigate	mm/day	mm/mo or ssn***
Mar	15	0.78	11.7
Apr	30	3.78	113.4
May	18	5.36	96.5
Jun	30	3.05	91.5
Jul	31	7.6	235.6
Aug	31	6.3	195.3
Sep	15	3.64	54.6
Total IR for double cropped triticale and sudan			798.58

** Gravity ground has a pump-back system to recycle tail water.

Attachment D

VOLUME CALCULATIONS:

Even though both water rights are listed on the lands being retired for this transfer, 7695 has always been capable of supplying the full volume requirement for the lands irrigated by this water right. Therefore, the volume for all of the lands retired will be listed under water right 7695 only. Water right 10307 only supplies an additional rate of diversion and does not supply any additional volume to the dairy.

Dairy sheet shows ^{30.4}30.23 acre feet of water is needed with 74.2% of this water used for stockwater and 25.8% of this water used for commercial uses.

^{30.4}
7695 30.23 afa of water will be supplied by water right 7695
10307 0.0 afa of water will be supplied by water right 10307

RATES AND VOLUMES FOR EACH WATER RIGHT AND EACH USE:

Volume					22.5	
7695 =	30.3 afa x's	73.9%	=	~~22.4~~	afa stockwater (rounded)	
7695 =	30.3 afa x's	26.1%	=	7.9	afa commercial (rounded)	
				<u>30.3</u>	Total	
				30.4		
Rate						
7695 =	0.19 cfs x's	73.9%	=	0.14	cfs stockwater (rounded)	
7695 =	0.19 cfs x's	26.1%	=	0.05	cfs commercial (rounded)	
				<u>0.19</u>	Total	
Volume						
10307 =	0 afa x's	74.2%	=	0.0	afa stockwater	
10307 =	0 afa x's	25.8%	=	0.0	afa commercial	
				<u>0.00</u>	Total	
Rate						
10307 =	0.05 afa x's	74.2%	=	0.04	cfs stockwater (rounded)	
10307 =	0.05 afa x's	25.8%	=	0.01	cfs commercial (rounded)	
				<u>0.05</u>	Total	

The stockwater portion of 10307 already has 0.03 cfs and 2 afa already allocated to this right. Therefore the stockwater for 10307 will be as follows:

Stockwater volume = 0.0 afa proposed + 2 afa existing = 2.0 afa total.

Stockwater rate = 0.04 cfs proposed + 0.03 cfs existing = 0.07 cfs total

EUG
2-4-04

Attachment D

ED VAN GROUW WATER RIGHT SPLITS

This 285 acre farm is covered by two water rights. The earliest in time water right 63- 7695 covers 275-acres of the 285-acre farm. 63-10307 covers the entire 285 acres of ground irrigated. There are 10 acres that are only covered by 63-10307. When the diversion rates for both water rights are combined they equal 5.55 cfs or approximately 0.019473684 cfs/acre or very close to an inch per acre.

The transfer proposes to dry up 12.9 acres of ground to supply additional water to an existing dairy. The following are the calculations required to determine the diversion rates for each use on each water right.

7695	4.19cfs	1237.5afa	275 acres
10307	1.36 cfs	613.5 afa	285 acres
TOTAL	5.55 cfs	1282.5 afa	285 acres

Average rate/acre= 5.55 cfs / 285 acres= 0.0194737 cfs/acre

NOTE: Full diversion rate and volume allowed on 10-acres from 63-10307 for lands not covered by 63- 07695.
Rate for 10 acres with 10307= 0.019473684 X 10 ac = 0.194736842

Remainder Available for combined rate = 1.36 cfs - 0.194736842 = 1.165263 cfs

COMBINED PER ACRE RATES:

7695	4.19 cfs/	275 acres=	0.0152364 cfs/acre
10307	1.165263 cfs/	275 acres=	0.0042373 cfs/acre
Combined Rate			0.0194737
Acres Retired	12.10 x's	0.0194737	= 0.23563 cfs
Flow rates to use:			
7695	12.10 x's	0.0152364	= 0.18436 cfs
10307	12.10 x's	0.0042373	= 0.05127 cfs
			<u>0.24 rounded</u>
After rounding use:			
		7695	0.19
		10307	0.05
			<u>0.24</u>

Calculations in Part 2

2.B.1 (7695)	volume transferred	12.1 ac x's 4.5 =	54.5	afa
2.B.1 (10307)	volume transferred	(.05 cfsx246x24x60x60)/43560=	24.4	afa
2.C.1 (7695)	volume unchanged	1237.5- 54.5=	1183.1	afa
2.C.1 (10307)	volume unchanged	613.5 - 24.4=	589.1	afa

Subtracting the amounts transferred from the total amounts on the license compensates for the rounding error

Affirmation of the Sale of a Water Right

It is hereby affirmed that Ed Van Grouw, of 19655 S Cloverdale Rd, Kuna, ID 83634, having surplus water rights, has sold the right to divert .52 cfs and a total volume of 68 acft of groundwater for stock water and commercial use to Dan Van Grouw of 5655 S Black Cat Rd, Meridian, ID 83642. Consideration has been paid, and by their signatures the undersigned agree and affirm that said agreement was reached and said transaction has taken place.



Ed Van Grouw, of 19655 S Cloverdale Rd, Kuna, ID 83634

7-30-04

Date



Dan Van Grouw of 5655 S BlackCat Rd, Meridian, ID 83642

7/29/04

Date

05/18/2005

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

RIGHT NUMBER: 63-31864

NAME AND ADDRESS: EDWARD G VAN GROUW JR
19855 S CLOVERDALE RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.190 CFS
30.400 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-31864 and 63-31867 shall not exceed 0.27 cfs, nor a total combined annual volume of 32.4 af.

PRIORITY DATE: 11/30/1972

POINT OF DIVERSION:

T01N R01E S16 NWNE Within ADA County

T01N R01E S16 SWNW Within ADA County

T01N R01E S16 SWNW Within ADA County

Right 63-31867 is also diverted through the points of diversion described above.

Rights 63-18720 and 63-18722 are also diverted through the two points of diversion located in the SWNW, S16.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.190 CFS 30.40 AFY
COMMERCIAL	01/01 12/31	0.190 CFS 30.40 AFY

Commercial use is for a dairy.

PLACE OF USE: STOCKWATER Within ADA County

T01N R01E S16	NWNW	T01N R01E S16	SWNW
---------------	------	---------------	------

T01N R01E S16	SENE
---------------	------

COMMERCIAL Within ADA County

T01N R01E S16	NENE	T01N R01E S16	NWNE
---------------	------	---------------	------

T01N R01E S16	SWNE	T01N R01E S16	SENE
---------------	------	---------------	------

T01N R01E S16	NENW	T01N R01E S16	NWNW
---------------	------	---------------	------

T01N R01E S16	SWNW	T01N R01E S16	SENE
---------------	------	---------------	------

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: License

The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.

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.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-7695.

The right holder shall accomplish the change authorized by this Transfer 71130 within one (1) year of the date of the approval.

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

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

Adjudication Recommendation Report 63-31864 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EDWARD G VAN GROUW JR 19855 S CLOVERDALE RD KUNA, ID 83634 (208)362-4134
Original Owner	WEATHERBY RANCHES INC KUNA, ID 83634

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.190 CFS	30.40 AF
COMMERCIAL	01/01 to 12/31	0.190 CFS	30.40 AF
	Total Diversion:	0.190 CFS	30.40 AF

GROUND WATER ADA County	SW1/4NW1/4	Sec. 16, Twp 01N, Rge 01E, B.M.
GROUND WATER ADA County	SW1/4NW1/4	Sec. 16, Twp 01N, Rge 01E, B.M.
GROUND WATER ADA County	NW1/4NE1/4	Sec. 16, Twp 01N, Rge 01E, B.M.

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01N	01E	16						X	X	X									

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31864 V1

Conditions of Approval:

1. WD8 The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
2. 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.
3. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-7695.
4. X36 Right 63-31867 is also diverted through the points of diversion described above. Rights 63-18720 and 63-18722 are also diverted through the two points of diversion located in the SWNW, S16.
5. T07 The right holder shall accomplish the change authorized by this Transfer 71130 within one (1) year of the date of the approval.
6. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-31864 and 63-31867 shall not exceed 0.27 cfs, nor a total combined annual volume of 32.4 af.
7. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Commercial use is for a dairy.
9. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. 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.
11. 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.

Remarks:

Comments:

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:
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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31864 V1

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.27	32.4	
Combined Water Rights: 63-31864 , 63-31867		

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>
Summary			03/22/2004	lharris	Active
Summary			05/18/2005	lharris	Active
Priority Date	10/3/2005 11:40:25 AM	segbert			Active
POD	10/3/2005 11:40:51 AM	segbert			Active
Source	10/3/2005 11:46:37 AM	segbert			Active
POU	10/3/2005 11:46:53 AM	segbert			Active
Use	10/3/2005 11:48:04 AM	segbert			Active
Quantity	10/3/2005 11:48:23 AM	segbert			Active
Summary			10/03/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/3/2005 11:45:48 AM	segbert	Updated shape
POD	10/3/2005 11:46:08 AM	segbert	Updated shape
POU	10/3/2005 11:47:19 AM	segbert	Updated shape from PLS
POU	10/3/2005 11:47:38 AM	segbert	Updated shape from PLS
Source	10/3/2005 11:46:38 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	10/3/2005 11:46:54 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	10/3/2005 11:48:04 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	10/3/2005 11:46:21 AM	segbert	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31864 V1

General	10/3/2005 11:40:25 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	10/3/2005 11:40:51 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Quantity	10/3/2005 11:48:23 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
Summary	10/3/2005 11:49:10 AM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	3/22/2004 3:08:22 PM	lharris	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31864 V1

Summary 5/18/2005 12:53:09 PM lharris

(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
(Yes) 5. Does this right have any combined use limits with other rights?
(Yes) 6. Is an additional remark and/or condition required?
(Yes) 7. Would you like to view the recommended right?
(No) 8. Is this a split or combined right?
(No) 9. Do you have documents you would like to attach or link to the file?
(Yes) 10. Would you like to set the verification date?

Water Supply Bank:

SPLIT TREES VANGROUW TRANSFERS

