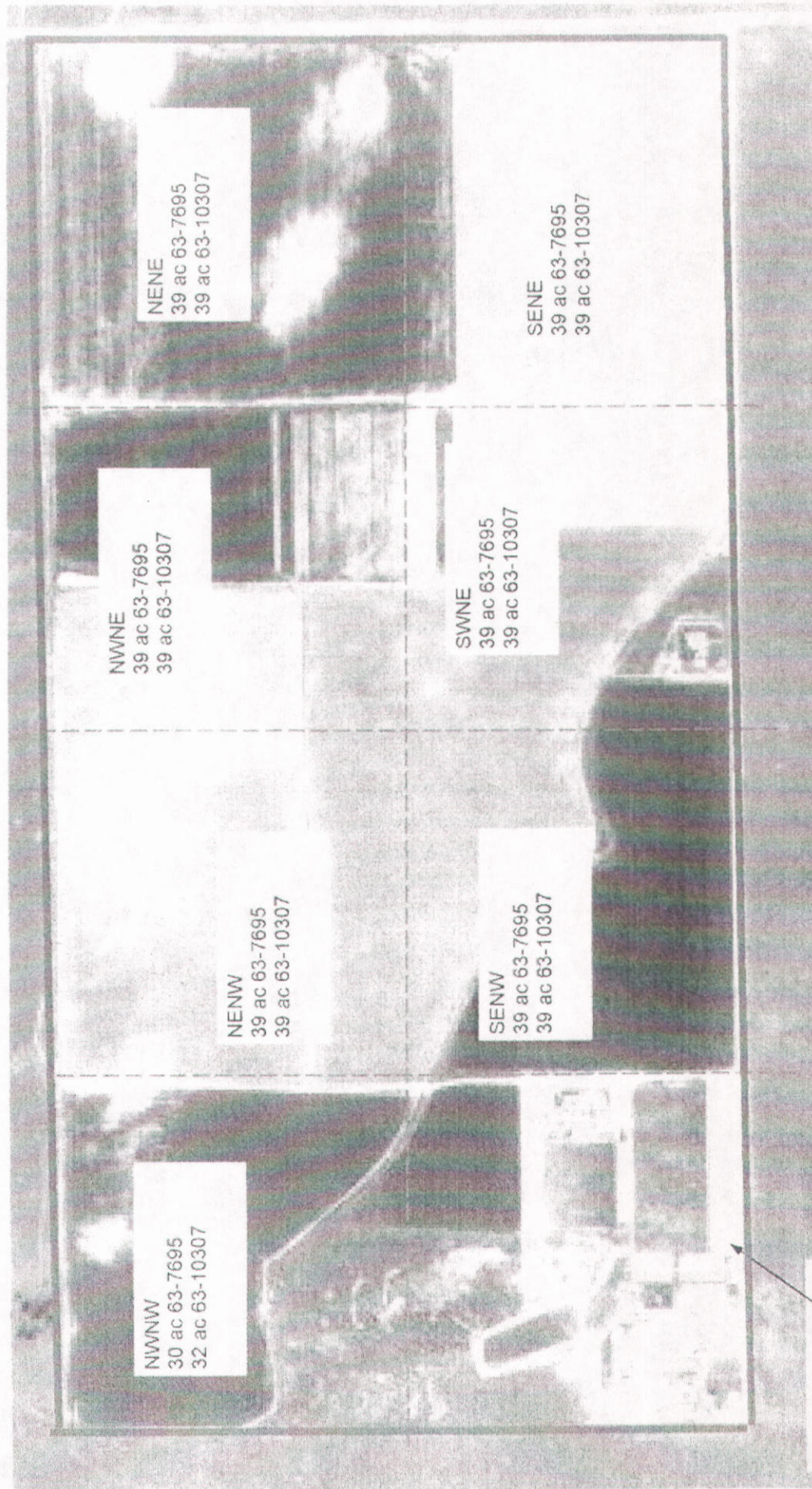


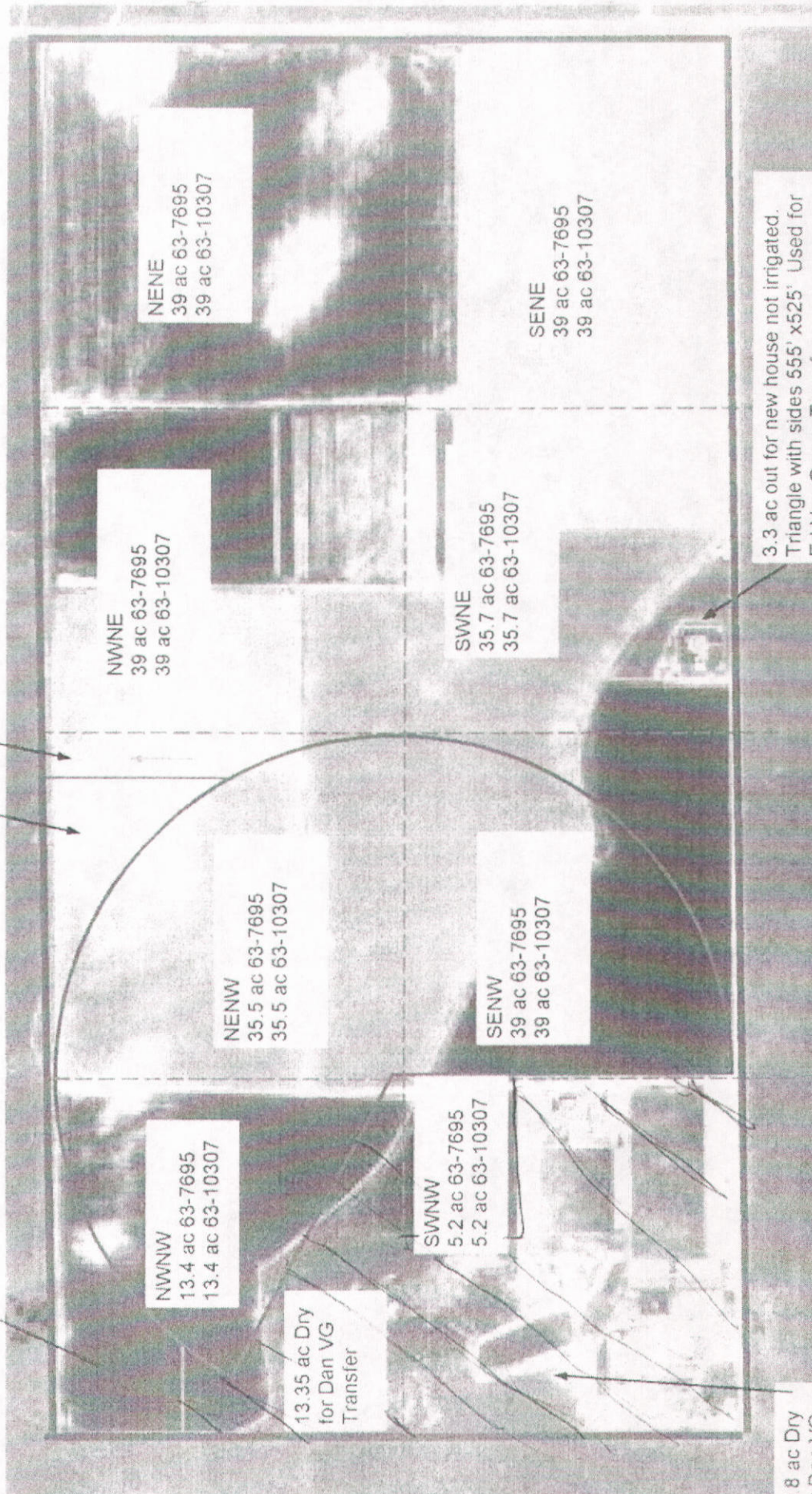


Area irrigated as per recorded rights	Scale 1" = 560'
Ed Van Grouw Dairy	Aerial photo 1998
T 1 N R 1 E N 1/2 S.16	Prepared by
Kuna, Idaho	Darwin Vander Stelt

5.25 ac out for Ed Van Grouw Transfer

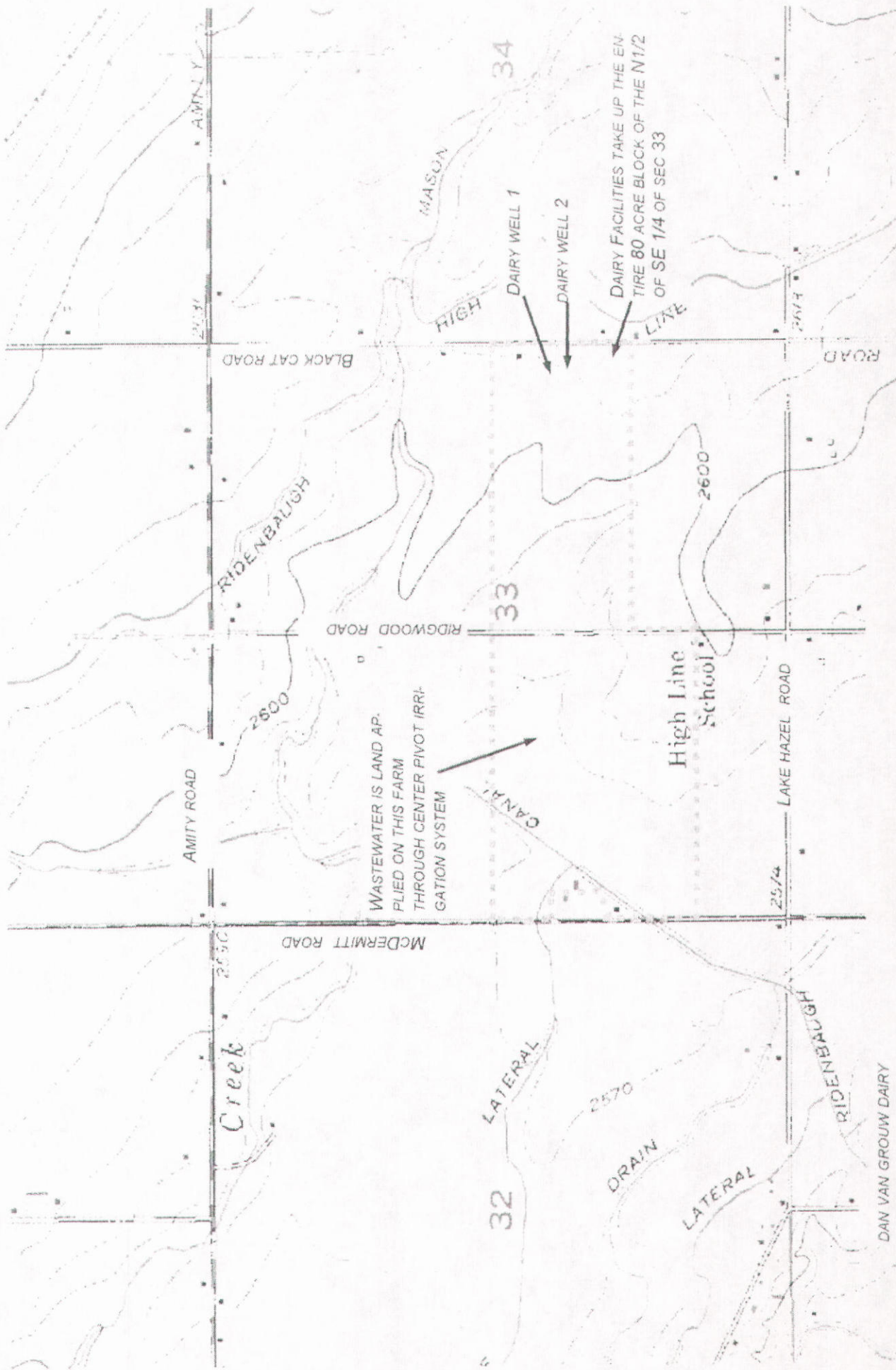
3.5 ac out for Ed Van Grouw Transfer

Still irrigated



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

DSUG
3/2/04



SCALE 1"= 1200'

PREPARED BY

DARWIN VANDER STELT

DAN VAN GROUW DAIRY

5655 S. BLACKCAT ROAD

MERIDIAN, ID 83642

T03N R01W N1/2 OF S1/2 SEC 33

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 63-31868
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)

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

2. Date of Priority: 07/26/1985

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	0.26	25.1
COMMERCIAL	01/01	12/31	0.26	25.1

7. Total Quantity Appropriated is:
0.26 C.F.S. and/or 25.1 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	SW	COMMERCIAL	
			NW	SW	COMMERCIAL	
			SW	SW	COMMERCIAL	
			SE	SW	COMMERCIAL	
			NE	SE	COMMERCIAL	
			NW	SE	COMMERCIAL	
			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? 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 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.

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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.

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.

Rights 63-12109, 63-31749 and 63-31865 are also diverted through the points of diversion described above.

15. Basis of Claim: License

WATER RIGHT NO. 63-31868
As Modified by Transfer No. 71131

In accordance with the approval of Transfer No. 71131, Water Right No. 63-31868 is now described as follows.

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

Priority Date: July 26, 1985

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	0.26 CFS	25.1 AF
STOCKWATER	01/01	to 12/31	0.26 CFS	25.1 AF
			0.26 CFS	25.1 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: 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	
03N 01W 33									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	
03N 01W 33													X	X			

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.
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.
4. 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.
5. 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.

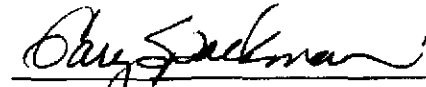
WATER RIGHT NO. 63-31868
As Modified by Transfer No. 71131

CONDITIONS OF APPROVAL

6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. 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.
9. 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.
10. Commercial use is for a dairy.
11. Rights 63-12109, 63-31749 and 63-31865 are also diverted through the points of diversion described above.

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 27th day of September, 20 04



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71131

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>
63-12109	WR/License	03/15/1994	0.23 cfs	38.9 af	N/A	N/A	GROUND WATER
63-31865	AJC/License	11/30/1972	0.26 cfs	77 af	N/A	17.1	GROUND WATER
63-31868	AJC/License	07/26/1985	0.26 cfs	80.4 af	N/A	27.1	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<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>
63-31749	AJC/Beneficial Use	03/01/1954	0.02 cfs	3.1 af	N/A	N/A	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>
63-12109	NO	NO	YES	NO	NO	NO
63-31865	NO	YES	YES	NO	YES	YES
63-31868	NO	YES	YES	NO	YES	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>
63-12109	63-12109	0.23 cfs	20.9 af	N/A	N/A		N/A	N/A	N/A	N/A
63-31865	63-31865	0.26 cfs	42.9 af	N/A	N/A		N/A	N/A	N/A	N/A
63-31868	63-31868	0.26 cfs	25.1 af	N/A	N/A		N/A	N/A	N/A	N/A

COMBINED

TOTALS		0.75 cfs	88.9 af	N/A	N/A		N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 27th day of September, 2004


Chief, Water Allocation Bureau

REPORT DATE

63-12109

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 and Volume 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**

Transfer No. _____
Receipt No. _____

Current Water Right No. 63-31749

Priority Date: 03/01/1954

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.02 CFS	3.1 AFA	
Total Diversion			0.02 CFS	3.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESE 03N 01W 33 ADA

GROUND WATER NESE 03N 01W 33 ADA

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/Remarks:

1. 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. 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. 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.
4. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-18444.
5. The right holder shall accomplish the change authorized by Transfer 70742 within one (1) year of the date of this approval.
6. 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.

Page 2

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-31749

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?

NO

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?
 _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

63-31749

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

No Change

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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (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	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	

Total acres _____

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

Current Water Right No. 63-12109

Priority Date: 03/15/1994

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	1/01	12/31	0.01 CFS	7.2 AFA	
STOCKWATER	1/01	12/31	0.23 CFS	13.7 AFA	
Total Diversion			0.23 CFS	38.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESE 03N 01W 33 ADA

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

Conditions/Remarks:

- Two points of diversion are located within NESE, S33, T3N, R1W. This right authorizes the diversion of water from only one well at any time.
Commercial use is for a dairy.

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?

NO

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?
 _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED 63-12109
 (If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

NO Change.

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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (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	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	

Total acres _____

**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 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	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

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 (63-7695)

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

1.

Amount (cfs/ac-ft)						
.26 / 77.0	for	Irrigation	purposes from	03/15	to	11/15
	for		purposes from		to	
	for		purposes from			
	for		purposes from			

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local Name for diversion
		NW	NE	16	T01N	R01E	Ada	Irrigation Well 1

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	
63-7695:																			
01N	01E	16						11.30	5.8										17.10

C. Description of unchanged portion of right

1.

Amount (cfs/ac-ft) ^{DS49} 3/21/04						
3.93/ 1480.1 1160.5	for	Irrigation	purposes from	03/15	to	11/15
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local Name for diversion
	NE	NW	NE	16	T01N	R01E	Ada	Irrigation Well 1 (Ed)

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	
63-7695:																			
01N	01E	16	39	39	39	39	39	18.7	5.2	39									257.9

Prepared by: Patricia Vander Stelt

_____ agree to the following
application changes.

_____ Date.

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

Transfer No. _____
Receipt No. _____

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</u>	<u>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	SESWNNW	01N	01E	16	ADA
GROUND WATER	SESWNNW	01N	01E	16	ADA
GROUND WATER	SWSWNNW	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

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 (63-10307)

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

1.

Amount (cfs/ac-ft)						
.26 / 80.4	for	Irrigation	purposes from	03/15	to	11/15
	for		purposes from	01/01	to	12/31
	for		purposes from	01/01	to	12/31
	for		purposes from	01/01	to	12/31

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local Name for diversion
	SE	SW	NW	16	T01N	R01E	Ada	2 wells this legal
	SW	SW	NW	16	T01N	R01E	Ada	
	NE	NW	NE	16	T01N	R01E	Ada	

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	
01N	01E	16						13.3	13.8										27.1

Description of unchanged portion of right (63-10307)

1.

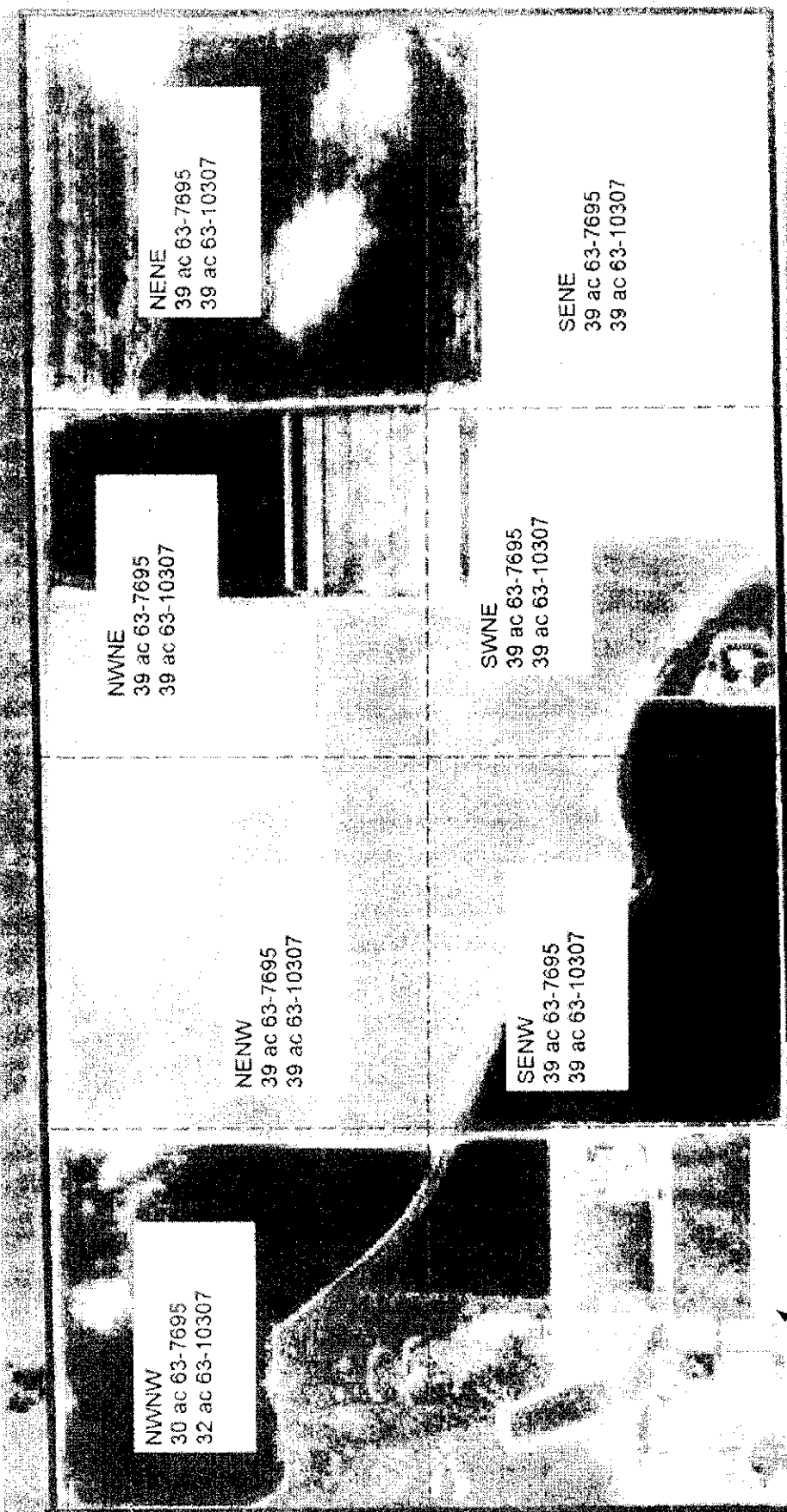
Amount (cfs/ac-ft)						
1.10 / 533.1	for	Irrigation	purposes from	03/15	to	11/15
.03 / 2.0	for	Stockwater	purposes from	01/01	to	12/31
	for		purposes from		to	
	for		purposes from		to	

3. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local Name for diversion
	SE	SW	NW	16	T01N	R01E	Ada	2 wells this legal
	SW	SW	NW	16	T01N	R01E	Ada	
	NE	NW	NE	16	T01N	R01E	Ada	

4. 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	
63-7695:																			
01N	01E	16	39	39	39	39	39	18.7	5.2	39									257.9



NENE
39 ac 63-7695
39 ac 63-10307

SENE
39 ac 63-7695
39 ac 63-10307

NWNE
39 ac 63-7695
39 ac 63-10307

SWNE
39 ac 63-7695
39 ac 63-10307

NENW
39 ac 63-7695
39 ac 63-10307

SENE
39 ac 63-7695
39 ac 63-10307

NWNW
30 ac 63-7695
32 ac 63-10307

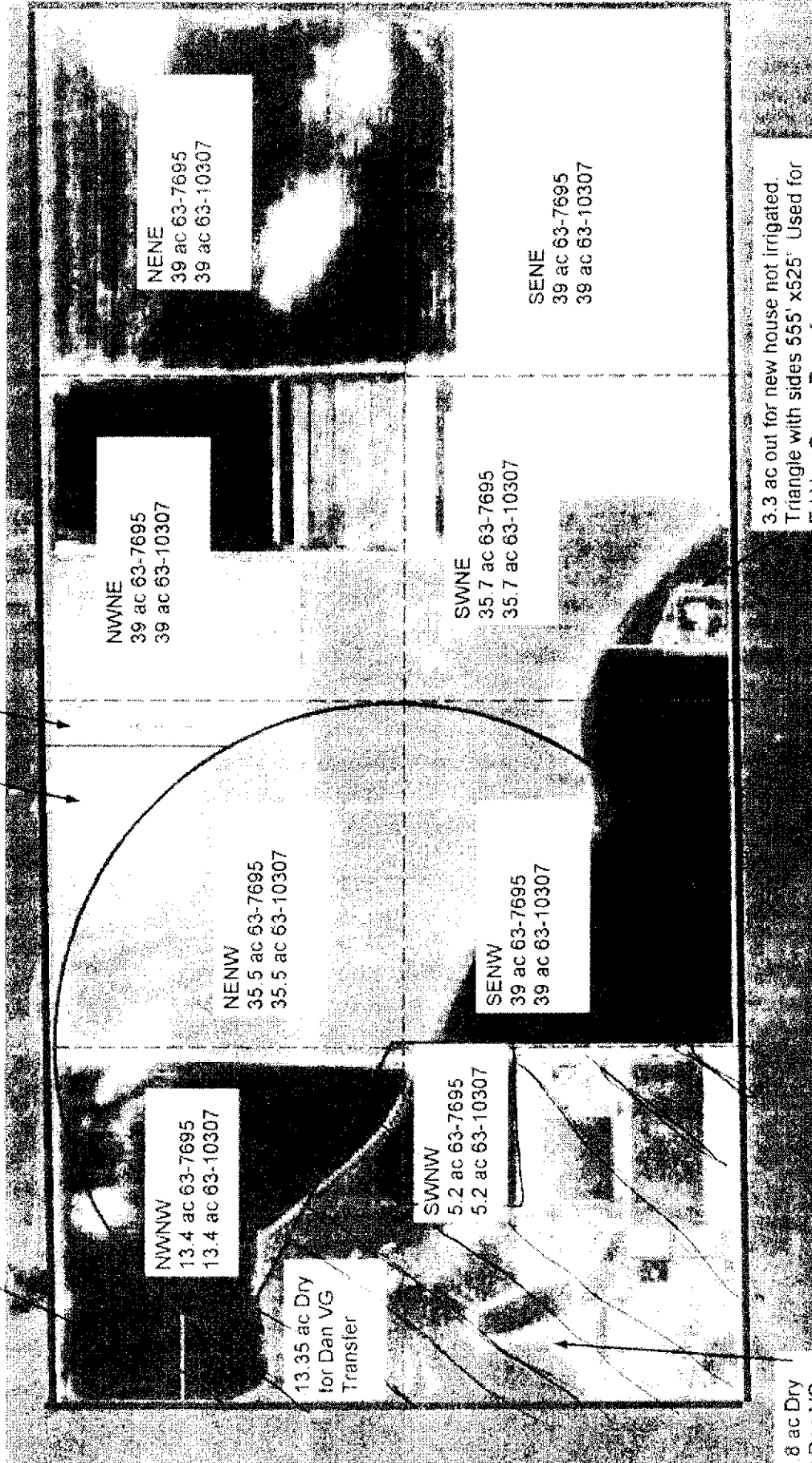
SWNW
11 ac 63-7695
19 ac 63-10307

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

5.25 ac out for Ed
Van Grouw Transfer

3.5 ac out for Ed Van Grouw Transfer

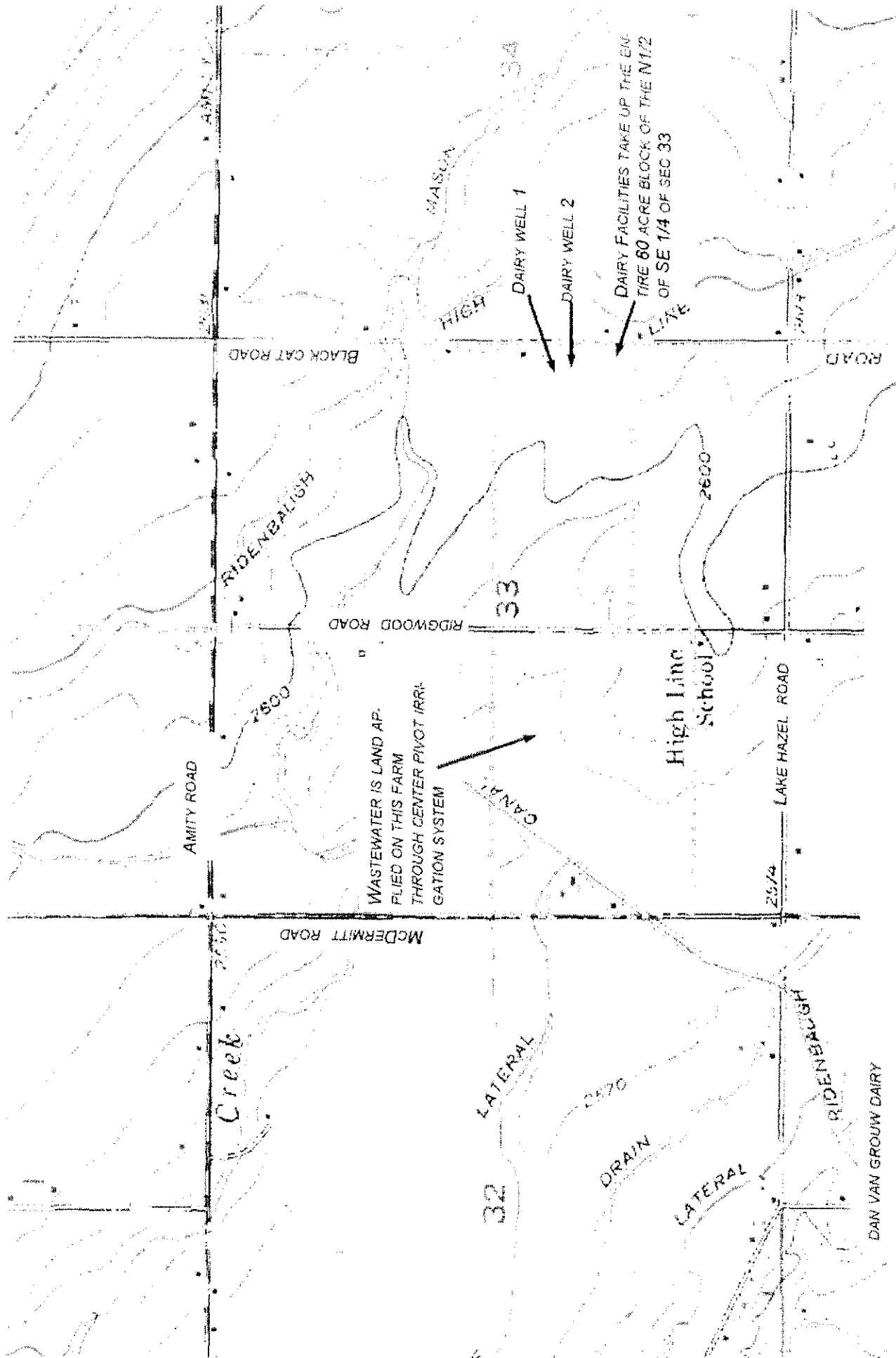
Still irrigated



13.8 ac Dry
for Dan VG
Transfer

DSUG
3/2/84

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 Stelt



SCALE 1"= 1200'

DAN VAN GROUW DAIRY

5655 S. BLACKCAT ROAD

MERIDIAN, ID 83842

T03N R01W N1/2 OF S1/2 SEC 33

PREPARED BY

DARWIN VANDER STELT

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	.28 / 36.3	365	01/01	to	12/31
Commercial	.24 / 31.70	365	01/01	to	12/31

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

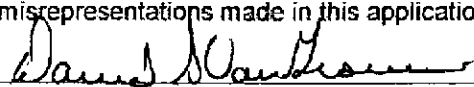
Used process and runoff waters to be contained in the lagoon on the NW 1/4 SE 1/4 sec 33 T03N R01W and land applied as appropriate to approximately 120 ac cropland.

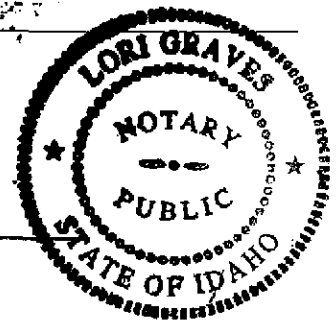
3. Describe effects on other water uses resulting from the proposed change:

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

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 of Applicant)
Subscribed and sworn to before me this 2nd day of Mar, 19 2004

 (Notary Public)
My commission expires 6/18/04

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Received by _____ Date _____

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 _____

_____ agree to the following
application changes.

_____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

See corrected Page

1. New Nature of use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use		
Stockwater	.3795 / 58.65	365	01/01	to	12/31
Commercial	.2503 / 38.65	365	01/01	to	12/31

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

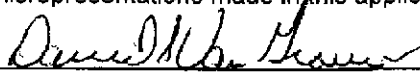
Used process and runoff waters to be contained in the lagoons on the respective properties and land applied as appropriate.

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 these transfers.

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 of Applicant)

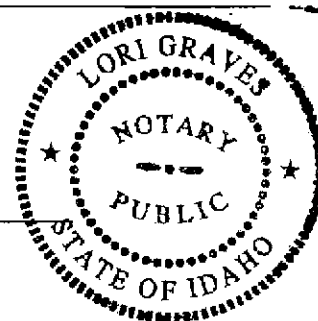
Subscribed and sworn to before me this 21 day of Jan, 2003



(Notary Public)

My commission expires

6/18/04



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by ly Date 1/21/03 Protest filed by _____Prelim. check by _____ Fee 250-Received by ly # W030013 Date 1/28/03

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 _____

MEMORANDUM

TO: Dan Nelson

FROM: Darwin Vander Stelt, preparer

DATE: 10/23/2003

RE: Ed 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

LEGAL DESCRIPTION:

NW4
SEC 16 LN 1E
#12116211000
#7367662

PROPERTY ADDRESS: 17855 S CLOVERDALE RD

REAL PROPERTY TAX BILL

DELINQUENT TAXES

PARCEL NUMBER

S2116211000

YEAR

TAX YEAR

CODE AREA

BILL NUMBER

2001

224

395112

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	.003592244	66.58.25
7.12	SCHOOL #3 BOND	922-1000	.003209961	1481.72
4.62	ADA COUNTY	364-2333	.002772336	1279.71
7.14	KUNA FIRE	922-1144	.001041949	480.96
7.69	KUNA FIRE BOND	922-1144	.000248653	114.78
4.62	ADA COUNTY HIGHWAY	364-6120	.001014584	468.33
6.57	KUNA LIBRARY	922-1023	.000451596	208.46
3.00	KUNA LIBRARY BOND	922-1023	.000190122	87.76
4.62	EMERGENCY MEDICAL	375-7048	.000117687	54.32
1.39	PEST EXTERMINATION	888-2316	.000103793	47.91
7.17	MOSQUITO ABATEMENT	362-1440	.000023179	12.70
	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. POSTMARK 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 BALANCE. 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 HOMEOWNER'S 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

292400.

PRIOR YEAR TAX

3143.1

CURRENT YEAR VALUE

CURRENT YEAR TAX

KEEP THIS PORTION

PLEASE RETURN AND RETURN BALANCE DUE WITH PAYMENT

11/1/03

CROJ 0

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

LEGAL DESCRIPTION:

NE 4
SEC 16 1N 1E
#12116111000
#9367662

PROPERTY ADDRESS: S CLOVERDALE RD

REAL PROPERTY TAX BILL

DELINQUENT TAXES

YEAR

PARCEL NUMBER

S2116111000

TAX YEAR

CODE AREA

BILL NUMBER

2001

224

39511

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.

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

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TO AVOID LATE CHARGE AND INTEREST, FULL OR FIRST HALF TAXES MUST BE PAID IN PERSON OR BY U.S. POSTMARK 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 BALANCE 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

% 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	422-1000	-003542244	451.40
17.12	SCHOOL #3 BOND	422-1000	-003204461	403.81
4.62	ADA COUNTY	364-2333	-002772336	348.76
7.14	KUNA FIRE	422-1144	-001041949	131.08
17.69	KUNA FIRE BOND	422-1144	-000248653	31.28
4.61	ADA COUNTY HIGHWAY	367-6120	-001014584	127.63
6.57	KUNA LIBRARY	422-1025	-000451576	56.81
13.00	KUNA LIBRARY BOND	422-1025	-000190122	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	-000023179	2.42
TOTAL LEVY:			-012765104	1605.98
TOTAL TAXES:				1605.98
ADA COUNTY PAYMENT (due to savings from expenditure control budgeting)				41.82
ADMINISTRATIVE ADJUSTMENT				1564.16
TOTAL PROPERTY TAX BILLED				1564.16
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 VALUE	PRIOR YEAR TAX
120500.	1295.00
CURRENT YEAR VALUE	CURRENT YEAR TAX
125800.	1605.98



NORTHWEST

FARM CREDIT SERVICES

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:

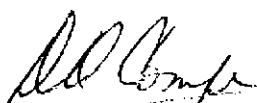
We have reviewed Ed Van Grouw's request for partial release of our security interest in .34 cfs of water included in water rights # 63-07695 and 63-10307, included in our mortgages dated August 11, 1993 and November 12, 1998.

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

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
EDWARD G. VAN GROUW

Jeanette Van Grouw
JEANETTE VAN GROUW

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

PIONEER TITLE

RECORDED-REQUEST OF

3.00
FEE DEPUTY *Markon*

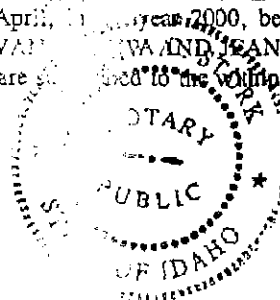
100032823

STATE OF IDAHO

2000 MY -1 AM ID: 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.



William L. Hank
Notary Public of Idaho
Residing at MERIDIAN
Commission expires: 1/23/2002

Attachment B

Holstein weight

1400

Daily Fresh Water Requirement For Dairy Facility Worksheet

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	1190	35	41650	41650		
Dry Cows	150	12	1800	1800		
Total Cows	1340		0	43450	15,859,250	48.67
Heifers:	Age	% of Her Number	Use/day	65%	Total	
	16-24 mo.	0.38	330.98	10	6.5	2151.4
	13-15 mo.	0.12	104.52	8	5.2	543.5
	9-12 mo.	0.17	148.07	6	3.9	577.5
	5-8 mo.	0.17	148.07	5	3.3	481.2
	3-4 mo.	0.08		4	2.6	0.0
	0-2 mo.	0.08		2.5	1.6	0.0
Total Heifers	732			3753.6	1,370,055	4.20

Total Herd Drinking Water

52.87

Amount covered by 63-12109 13.7 afa
 Amount covered by 63-31749 3.1

Amount needed for stockwater

36.1

Wash Pen Estimate:

GPM discharge/nozzle 5.767
 Number of Nozzles 60
 Minutes run/day: 56
 groups 7
 mins/group 4
 x/day 2
 days per year 365

Total Wash Pen Water Used:

19377 7,072,649 21.71

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	2800	4	11200
Cleanup	1500	2	3000
Cow Prep	0.25	2	595
Plate Cooler(ignore if recycled)			
Total Milk House and Parlor Water Used:			15545

5,673,925 17.41

Total commercial use: 39.1

Amount covered by 63-12109 7.2 afa

	afa	% of needed	Acres to dry
Total Stockwater needed	36.1	53.1%	14.4
Total Commercial Water needed	31.9	46.9%	12.7
	68.0	100%	27.1

Historic Consumptive Use (from Attachmen

2.51 afa

Acres actually dried in

63-7695	17.1
63-1030	27.1

Acres Dried	Acres Stockwater	Acres Commercial
17.10	9.1	8.0
27.10	14.4	12.7

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.

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

DAN 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 = 1.1652632 cfs

COMBINED PER ACRE RATES:

7695	4.19 cfs/	275 acres=	0.0152364 cfs/acre
10307	1.165263 cfs/	275 acres=	<u>0.0042373 cfs/acre</u>

Combined Rate **0.0194737**

Combined Acres Retired	17.10 x's	0.0194737	=	0.33300 cfs
Flow rates to use:				
7695	17.10 x's	0.0152364	=	0.26054 cfs
10307	17.10 x's	0.0042373	=	<u>0.07246 cfs</u>
				<u><u>0.33</u></u> rounded

After rounding use:

	7695	0.26
(for portion also covered by 7695)	10307	<u>0.07</u>
		<u><u>0.33</u></u>

10307 total flow = .07 cfs + .19 cfs(from 10 acres) = .26 cfs total.

Calculations in Part 2

2.B.1 (7695)	volume transferred	17.1 ac x's 4.5 =	77.0	afa
2.B.1 (10307)	volume transferred	(((613.5-45)/275)*17.1)+45=	80.4	afa
2.C.1 (7695)	volume unchanged	1237.5- 77=	1160.6	afa
2.C.1 (10307)	volume unchanged	613.5 - 80.4=	533.1	afa

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

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, except for the 10 acres for which 10307 is the only water right. That 10 acres will supply 25.1 afa of the volume (2.51×10)

Dairy sheet shows 66 acre feet of water is needed with 53.3% of this water used for stockwater and 46.7% of this water used for commercial uses.

Volume supplied by 7695 on the 17.1 acres dried up which are covered by both water rights = 2.51×17.1

7695 42.9 afa of water will be supplied by water right 7695
10307 25.1 afa of water will be supplied by water right 10307

RATES AND VOLUMES FOR EACH WATER RIGHT AND EACH USE:

Volume

7695 =	42.9 afa x's	53.3%	=	22.9	afa stockwater (rounded)
7695 =	42.9 afa x's	46.7%	=	20.0	afa commercial (rounded)
				<u>42.9</u>	Total

Rate

7695 =	0.26 cfs x's	53.3%	=	0.14	cfs stockwater (rounded)
7695 =	0.26 cfs x's	46.7%	=	0.12	cfs commercial (rounded)
				<u>0.26</u>	Total

Volume

10307 =	25.1 afa x's	53.3%	=	13.4	afa stockwater
10307 =	25.1 afa x's	46.7%	=	11.7	afa commercial
				<u>25.10</u>	Total

Rate

10307 =	0.26 afa x's	53.3%	=	0.14	cfs stockwater (rounded)
10307 =	0.26 afa x's	46.7%	=	0.12	cfs commercial (rounded)
				<u>0.26</u>	Total

12-30-1995 9:52PM

FROM

P. 2

12-22-1995 1:05AM

PM

P. 2

Affirmation of the Sale of a Water Right

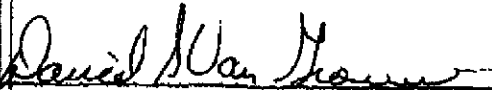
It is hereby affirmed that Ed Van Grouw, of 19655 S Cloverdale Rd, Kuna, ID 83634, having surplus water rights, has sold the right to divert .52 cfs and a total volume of 68 acft of groundwater for stock water and commercial use to Dan Van Grouw of 5655 S Black Cat Rd, Meridian, ID 83642. Consideration 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

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 63-31868
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)

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

2. Date of Priority: 07/26/1985

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	SE	SW	NW	ADA	
01N	01E	16	SE	SW	NW	ADA	
01N	01E	16	SW	SW	NW	ADA	
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	0.26	80.4

7. Total Quantity Appropriated is:
0.26 C.F.S. and/or 80.4 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		IRRIGATION	13.3
			SW	NW		IRRIGATION	13.8
						Section Acres	27.1
						Total Acres	27.1

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 63-10307.

15. Basis of Claim: License

RECEIVED
DEC 12 2005
WATER RESOURCES
WESTERN REGION

11/02/2005

NOTICE OF ERROR
REPLY

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: November 18, 2005

Water right number: 63-31868

DANIEL S VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642

Telephone Number: (208)887-9259

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:

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

DATE: 12/8/05 SIGNATURE: Daniel S. Van Grouw

Please print your name: Daniel S. Van Grouw

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

05/19/2005

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

RIGHT NUMBER: 63-31868

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.260 CFS
25.100 AFY

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.

PRIORITY DATE: 07/26/1985

POINT OF DIVERSION:

T03N R01W S33 NESE Within ADA County

T03N R01W S33 NESE Within ADA County

Rights 63-12109, 63-31749 and 63-31865 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.260 CFS 25.10 AFY
COMMERCIAL	01/01 12/31	0.260 CFS 25.10 AFY

Commercial use is for a dairy.

PLACE OF USE: STOCKWATER Within ADA County

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

COMMERCIAL Within ADA County

T03N R01W S33	NESW	T03N R01W S33	NWSW
T03N R01W S33	SWSW	T03N R01W S33	SESW
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: License

The right holder shall accomplish the change authorized by Transfer 71131 within one (1) year of the date of the approval.

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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-10307.

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

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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.

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.

Adjudication Recommendation Report 63-31868 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EDWARD G VAN GROUW JR 19855 S CLOVERDALE RD KUNA, ID 83634 (208)362-4134
Current Owner	DANIEL S VAN GROUW 5655 S BLACKCAT RD MERIDIAN, ID 83642 (208)887-9259

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	0.260 CFS	25.10 AF
COMMERCIAL	01/01 to 12/31	0.260 CFS	25.10 AF
	Total Diversion:	0.260 CFS	25.10 AF

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		

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>	
03N 01W 33													X	X			

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31868 V1

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by Transfer 71131 within one (1) year of the date of the approval.
2. 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.
3. WB4 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.
4. Commercial use is for a dairy.
5. 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.
6. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. X36 Rights 63-12109, 63-31749 and 63-31865 are also diverted through the points of diversion described above.
8. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-10307.
9. 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.
10. 01Q After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
11. 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.
12. 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.

Remarks:

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31868 V1

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: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			05/19/2005	lharris	Active
Priority Date	9/29/2005 10:08:54 AM	segbert			Active
POD	9/29/2005 10:09:10 AM	segbert			Active
Source	9/29/2005 10:10:25 AM	segbert			Active
POU	9/29/2005 10:10:44 AM	segbert			Active
Use	9/29/2005 12:50:15 PM	segbert			Active
Season	9/29/2005 12:53:29 PM	segbert			Active
Quantity	9/29/2005 12:53:49 PM	segbert			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	3/22/2004 2:45:57 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?
General	9/29/2005 10:08:54 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31868 V1

POU	9/29/2005 10:11:10 AM	segbert	Updated shape from PLS
Quantity	9/29/2005 12:53:49 PM	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?
POU	9/29/2005 10:11:40 AM	segbert	Updated shape from PLS
POD	9/29/2005 12:49:04 PM	segbert	Updated shape
Use	9/29/2005 12:50:15 PM	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	9/29/2005 12:49:23 PM	segbert	Updated shape
Season	9/29/2005 12:53:29 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Source	9/29/2005 10:10:25 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	9/29/2005 10:10:44 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31868 V1

POD	9/29/2005 10:09:11 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?
Summary	5/19/2005 9:07:32 AM	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

