



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 2, 2012

Pete DeGroot Jr
5520 W Delaware Ave
Visalia, CA 93291

Re: Withdrawal of Transfer Application No. 73954

Dear Mr. DeGroot:

Thank you for returning the withdrawal of the transfer application so quickly. The transfer will be removed from our records and no further action will be taken.

Sincerely,

Sharla Curtis
Sr. Water Resource Agent

Cc: John &/or Anne Wind

RECEIVED

JUL 02 2012

WATER RESOURCES
WESTERN REGION

**WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)**

I/We, Pete DeGroot Jr. and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

_____ and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 73954 of Water Right

No(s). 63-3198A/B, 63-7425 B/C, 63-7427A, 63-8365A.

Signed this 29 day of JUNE, 20 12.

[Signature]
(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

SUPPORT DATA
IN FILE # 63-3198A

Agcom

Memo

To: Dan Nelson, Idaho Dept of Water Resources
Fax No. 208-334-2348

To: Pete DeGroot

From: Darwin Vander Stelt

Date: 11/19/2007

Re: Water Transfer no. 73954 for John Wind

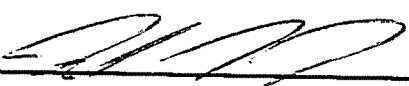
Hi Pete!

The dept is finally getting around to processing the water transfer application I prepared in 2005, but they need an assignment to John Wind. Please sign the form as soon as possible and fax using this cover page to 208-334-2348. Thank You!

Darwin

Assignment of Personal Property Interest

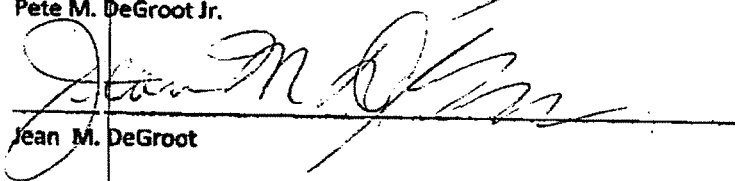
The undersigned do hereby assign to John and Ann Wind of Nampa, Idaho, all interest in Application for Transfer no. 73954. Application for Transfer no. 73954 was submitted by Pete M. and Jean M. DeGroot to the Idaho Department of Water Resources on July 1, 2005. The farm for which the application for Transfer was submitted was subsequently sold to John and Ann Wind, and the parties intended to transfer all personal property rights in said Application at the time of sale.



Pete M. DeGroot Jr.

Date

11-20-07



Jean M. DeGroot

Date

11-20-07

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

Name of applicant: Pete De Groot Jr. **Phone:** (208) 922-9036

JUL 01 2005

Post Office address: 8800 Swan Falls Road, Kuna ID 83634

WATER RESOURCES
WESTERN REGION

A. PURPOSE OF TRANSFER

1. ☒ X Change point of diversion ☒ X Add diversion point(s) ☒ X Change place of use
☒ X Change nature of use ☒ X Change period of use ☐ Other
2. Describe the reason for the proposed changes: Applicant wishes to add a wash pen and bring the water rights into conformity with the construction which has been done on the dairy. Applicant also wishes to join all the points of diversion into a single system and all the lands irrigated into a common place of use.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use		
<u>63-03198A</u>	<u>05/17/1960</u>	<u>1.48 / 333</u>	<u>Irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
		<u>.52 / 80.6</u>	<u>Commercial</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
<u>63-03198B</u>	<u>05/17/1960</u>	<u>.55 / 102</u>	<u>Stockwater</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
		<u>.21 / 108</u>	<u>Commercial</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
<u>63-7425B</u>	<u>04/01/1972</u>	<u>2.78/ 695.3</u>	<u>Irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
<u>63- 7425C</u>	<u>04/01/1972</u>	<u>.69 / 173.3</u>	<u>Irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
<u>63-7427A</u>	<u>04/01/1972</u>	<u>1.04 /260.6</u>	<u>Irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
		<u>.4 / 70.7</u>	<u>Stockwater</u>	<u>01/10</u>	<u>To</u>	<u>12/31</u>
<u>63-83665A</u>	<u>03/20/1991</u>	<u>1.33 / 346.5</u>	<u>Irrigation</u>	<u>03/15</u>	<u>to</u>	<u>11/15</u>
	<u>03/20/1991</u>	<u>.05 / 9.3</u>	<u>Commercial</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>

2. Total amount of water being transferred 9.02 cubic feet per second and/or 2179.3 acre-feet per annum.

3. Source of water **groundwater** tributary to
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp	Rge.	County	Local Name for diversion
4	SE	SE	NE	24	T01N	R01W	Ada	Dairy Well
1		NE	NE	24	T01N	R01W	Ada	Dairy Well
		SW	NW	24	T01N	R01W	Ada	Irrigation well
3		NE	SE		T01N	R01W	Ada	Irrigation well
4		SE	SE		T01N	R01W	Ada	Irrigation well

5. Lands irrigated or place of use

[illegible]

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? Yes X 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:
Land now irrigated will be covered with corrals, feed storage and building sites for new dairy buildings.
- d. Remarks:

See attachments:

A. Proof of ownership.

B. Daily Fresh Water Requirement For Dairy Facility Worksheet

C. Flow, Volume, and Allocation Calculations

D. Crop history and calculation of consumptive use

E. Memorandum addressing the four issues raised in the Idaho code 42-222

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Witness my hand this _____ day of _____, 19 _____.

APPLICATION FOR TRANSFER OF WATER RIGHT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

PART 2*(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____

dated _____ in _____ county of _____

b. License No. **63-3198A**

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice (Attachment A)
 ☐ Warranty Deed
 ☐ Other

3. Source of water _____

4. Date or priority _____

5. Water is used for the following purpose:

Amount (cfs/ac-ft)						
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum

7. Point(s) of Diversion:

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

8. 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	

9. Describe any other water right used for the same purpose as described above:

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

06/16/2005

WATER RIGHT NO. 63-3198A

Owner Type	Name and Address
Current Owner	EDWARD RAY MONTIERTH 1601 POEN RD KUNA, ID 83634 (208)463-8163
Original Owner	WILLIAM EUGENE POEN JR 503 11TH AVE N NAMPA, ID 83651

Priority Date: 05/17/1960

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	2 CFS	450 AFA
Total Diversion			2 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENW	Sec. 11	Township 03N	Range 02E	ADA County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
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Total Acres: 100

Conditions of Approval:

1.	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.
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.	T09	Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5.		The total instantaneous diversion of water from all points of diversion under Right 63-03198A shall not exceed 2.00 cfs, nor total combined annual volume of 450.0 af. After specific notification by the department, the right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above. Irrigation use under Right 63-03198B and the remaining portion of Right 63-03198 in excess of this transfer approval in the amount of 0.24 cfs and 0.2 afa shall be forfeited by five (5) years of non-use.

Dates:

Licensed Date: 08/28/1979

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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 (63-3198A)

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

1.

Amount (cfs/ac-ft)						
.52 / 117	for	Irrigation purposes	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	11	3N	2E	Ada	Probably an error

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	
1N	1W	24			13	13													26

C. Description of unchanged portion of right

1.

Amount (cfs/ac-ft)						
1.48 / 333	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
4	SE	SE	NE	24	T01N	R01W	Ada	Dairy Well
1		NE	NE	24	T01N	R01W	Ada	Dairy Well
		SW	NW	24	T01N	R01W	Ada	Irrigation well
3		NE	SE		T01N	R01W	Ada	Irrigation well
4		SE	SE		T01N	R01W	Ada	Irrigation well

3. Lands irrigated or place of use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	1W	24	36	38															

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____

dated _____ in _____ county of _____

b. License No. **63-3198B**

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ X Tax Notice (Attachment A)

☐ Warranty Deed

☐ Other

3. Source of water _____

4. Date or priority _____

6. Water is used for the following purpose:

Amount (cfs/ac-ft)						
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

6. Total amount of water under right _____

cubic feet per second and/or

acre-feet per annum

8. Point(s) of Diversion:

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

9. 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	

9. Describe any other water right used for the same purpose as described above:

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

06/16/2005

WATER RIGHT NO. 63-3198B

Owner Type	Name and Address
Current Owner	EDWARD RAY MONTIERTH 1601 POEN RD KUNA, ID 83634 (208)463-8163
Original Owner	WILLIAM EUGENE POEN JR 503 11TH AVE N NAMPA, ID 83651

Priority Date: 05/17/1960

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.21 CFS	47.7 AFA
STOCKWATER	1/01	12/31	0.55 CFS	102 AFA
COMMERCIAL	1/01	12/31	0.55 CFS	75.1 AFA
Total Diversion			0.76 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SENE Lt 2	Sec. 24	Township 01N	Range 01W	ADA County
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IRRIGATION Use:
Acre Limit: 10.6

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	01W	24		SWNE	24	2	SENE	26						

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Place of Use Legal Description: COMMERCIAL same as IRRIGATION

Total Acres: 50

Conditions of Approval:

1.		Right 63-03198B is limited to the irrigation of 10.6 acres in the place of use described above in a single irrigation season. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above. Irrigation use under Right 63-03198B and the remaining portion of Right 63-03198 in excess of this transfer approval in the amount of 0.24 cfs and 0.2 afa may be forfeited by five (5) years of non-use.
2.	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.
3.	T09	Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5.	01M	After specific notification by the department, the right holder shall install a suitable measuring device 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.

Dates:

Licensed Date: 08/28/1979

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

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 (63-3198B)

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

1.

Amount (cfs/ac-ft)						
.21/ 47.7	for	Irrigation purposes	purposes from	03/15	to	11/15
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

3. Point(s) of Diversion:

[illegible]

4. Lands irrigated or place of use:

D. Description of unchanged portion of right

1.

Amount (cfs/ac-ft)						
.55 / 102	for	stockwater	purposes from	01/01	to	12/31
.55 / 75.1	for	commercial	purposes from	01/01	to	12/31
	for		purposes from		to	
	for		purposes from		to	

3. Point(s) of Diversion:

Lot		¼	¼	¼	Sec.	Twp	Rge.	County	Local Name for diversion
4	SE	SE	NE	24	T01N	R01W	Ada	Dairy Well	
1		NE	NE	24	T01N	R01W	Ada	Dairy Well	
		SW	NW	24	T01N	R01W	Ada	Irrigation well	
3		NE	SE		T01N	R01W	Ada	Irrigation well	
4		SE	SE		T01N	R01W	Ada	Irrigation well	

4. Lands irrigated or place of use:

[illegible]

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____
dated _____ in _____ county of _____

b. License No. **63-8365A**

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice (Attachment A) ☐ Warranty Deed ☐ Other

3. Source of water

4. Date or priority

7. Water is used for the following purpose:

Amount (cfs/ac-ft)						
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

6. Total amount of water under right cubic feet per second and/or acre-feet per annum

9. Point(s) of Diversion:

[illegible]

10. Lands irrigated or place of use:

[illegible]

9. Describe any other water right used for the same purpose as described above:

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

06/16/2005

WATER RIGHT NO. 63-8365A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	THE ESTATE OF GOLDA D MONTIERTH 825 HEARTLAND DRIVE NAMPA, ID 83686 (208)463-8163
Original Owner	ALBERT R LARKIN , ID 83634
Original Owner	JOY N LARKIN 4035 GLENDALE ST BOISE, ID 83703 (208)336-0078

Priority Date: 03/20/1991

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	1.38 CFS	360 AFA
Total Diversion			1.38 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENE Lt 1	Sec. 24	Township 01N	Range 01W	ADA County
GROUND WATER	SWNW	Sec. 24	Township 01N	Range 01W	ADA County
GROUND WATER	SESE Lt 4	Sec. 24	Township 01N	Range 01W	ADA County

Licensed Diversion Capacity: 9.02

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01N	01W	24		SWNE	2	2	SENE	1						
				SWSE	39	4	SESE	38						

Total Acres: 80

Conditions of Approval:

1.		This right uses the same wells as the rights listed below and when combined with those rights shall not exceed a diversion rate of 9.02 cfs. The combined rights are: 63-03198, 63-07427A, 63-07425A, 63-07425B, and 63-07425C.
2.	R32	This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Dates:

Licensed Date: 09/22/1997

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

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 (63-8365A)

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

1.

Amount (cfs/ac-ft)						
.05 / 13.5	for	Irrigation purposes	purposes from	03/15	to	11/15
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

4. Point(s) of Diversion:

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

5. 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	
1N	1W	24			13	13													26

E. Description of unchanged portion of right

1.

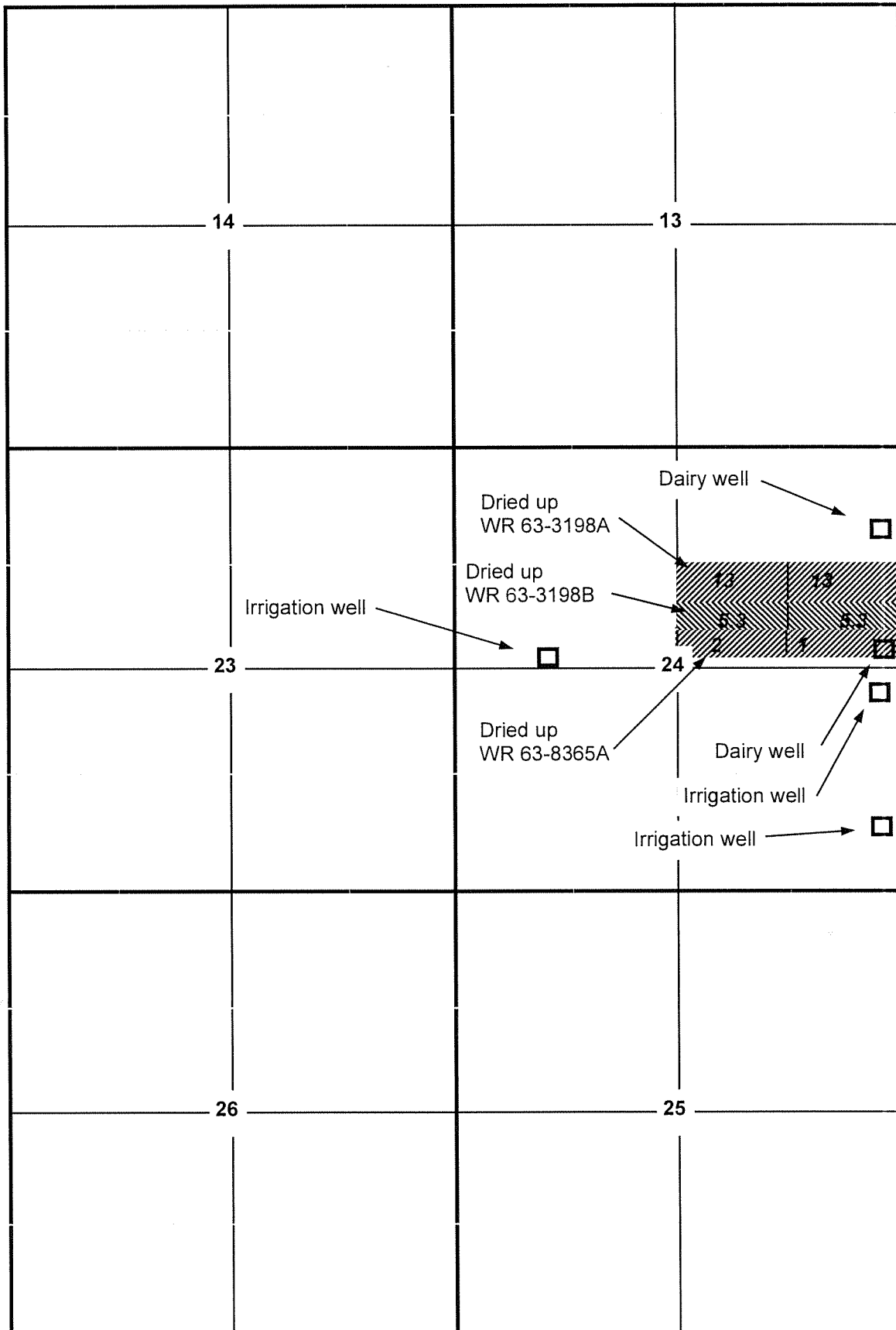
Amount (cfs/ac-ft)						
1.33 / 346.5	for	Irrigation	purposes from	03/15	to	11/15
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local Name for diversion
1		NE	NE	24	T01N	R01W	Ada	Irrigation well
		SW	NW	24	T01N	R01W	Ada	Irrigation well
4		SE	SE		T01N	R01W	Ada	Irrigation well

5. 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	
1N	1W	24															39	38	



Pete De Groot Jr.	Site map	
T 01N, R 01 W, sec 24		Scale 3" = 1 mile
		Prepared by: Darwin Vander Stelt



FRISIAN VALLEY DAIRY		04/28/2005
CURRENT WATER RIGHTS	SCALE 1"=717'	
WR IN EACH 1/4 1/4		PRODUCED BY
		DARWIN VANDER STELT

KEY	WR NUMBER
1	63-3198A
2	63-3198B
3	63-7425B
4	63-7425C
5	63-7427A
6	63-8365A

S2224100600

S2224212430

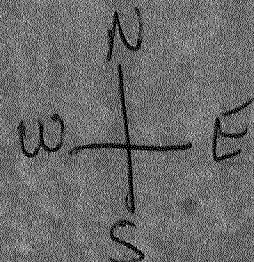
S2224101300

INSPECTION WELL SITE

S2224314800

S2224417200

S2224438415



Don
HIEDA

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		
Commercial	.78 / 122.8	365	01/01	to	01/01

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

Used process and runoff to be contained in the lagoon on the NE ¼ sec 24 T01N R01W

Estimated volume of return flow is 66.3 acre feet (See Attachment E) to be land applied during the growing season.

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

See Attachment E.

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.

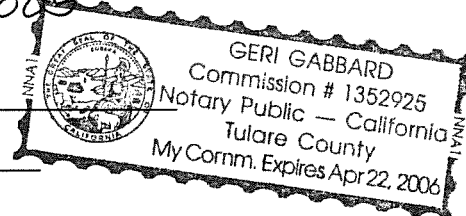
(Signature of Applicant)

Subscribed and sworn to before me this 28 day of JUNE, 16 2005

Gerri Gabbard

(Notary Public)

My commission expires APRIL 22, 2006



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by SK Date 7-1-05 Protest filed by _____

Prelim. check by _____ Fee 290⁰⁰

Receipted by SK Date 7-1-05 W033133

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 _____

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 05/03/07 09:44 AM
DEPUTY Patti Thompson
RECORDED - REQUEST OF
Ahrens & DeAngeli

AMOUNT 9.00 3



Recording Requested By And
When Recorded Mail To:

Edward D. Ahrens
Ahrens & DeAngeli, p.l.l.c.
P.O. Box 6561
Boise, Idaho 83707-6561

BARGAIN AND SALE DEED

John Wind and Ann J. Wind, husband and wife, Grantors, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, and convey to the Wind Dairy, LLC, an Idaho limited liability company, Grantee, whose current address is 12306 Whitechapel Way, Nampa, Idaho 83686, the following described real property located in Ada County, Idaho, more particularly described as follow, to wit:

Parcel I:

The Northwest Quarter of Section 24, Township 1 North, Range 1 West of Boise Meridian in Ada County, Idaho.
Except any portion lying within the right of way of Swan Falls Road.

Parcel II:

The East Half which includes Government Lots 1-4 and a portion of the Southwest Quarter of Section 24, Township 1 North, Range 1 West, of the Boise Meridian, more particularly described as follows:

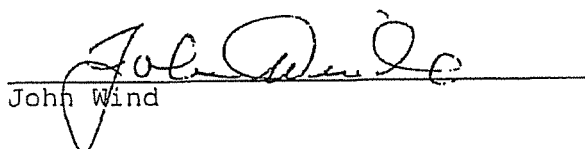
BEGINNING at the Northeast corner of Section 24, Township 1 North, Range 1 West of the Boise Meridian and running thence

South 00° 02' 31" West 2627.18 feet along the East line of said section to the East Quarter corner; thence
South 00° 21' 28" West 2659.60 feet along said East line to the Southeast corner of said section; thence
South 89° 49' 38" West 2664.79 feet along the South line of said section to the South Quarter corner; thence.
North 00° 16' 11" East 1312.03 feet; thence
South 89° 53' 39" West 1305.89 feet; thence
North 00° 08' 29" East 1337.67 feet; thence
North 89° 42' 15" East 1308.72 feet to the Center Quarter corner of said section; thence
North 00° 15' 55" East 2632.12 feet to the North Quarter corner of said section; thence
North 89° 48' 51" East 2658.84 feet along the North line of said section the POINT OF BEGINNING.

TOGETHER WITH all improvements, easements, hereditaments, and appurtenances thereto, and all tenements, revisions, remainders, rights-of-way and water rights in anywise appertaining to the property herein described.

SUBJECT TO taxes and assessments for the year 2007 and all subsequent years, and to such rights, easements, liens, encumbrances, covenants, rights-of-way, reservations, restrictions, and zoning regulations as appear of record or based upon the premises, and to any state of facts an accurate survey or inspection of the premises would show.

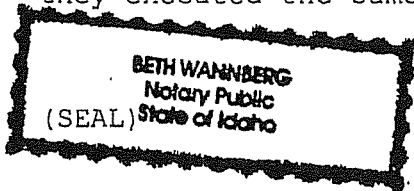
IN WITNESS WHEREOF, the Grantors have executed this instrument on this 12 day of APRIL, 2007.


John Wind

Ann J. Wind
Ann J. Wind

STATE OF IDAHO)
 : ss.
County of Canyon)

On this 12th day of April, in the year 2007, before me, Beth Wannberg, a Notary Public, personally appeared John Wind and Ann J. Wind, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Beth Wannberg
Notary Public for Idaho
Commission expires: 10-4-2012

WARRANTY DEED

Order No.: AT-

FOR VALUE RECEIVED

Pete . . De Groot, Jr. and Jean M. De Groot, husband and wife
(also of record as Pete De Groot and Jean M. De Groot, husband and wife),
also of record as Pete M. De Groot, Jr.

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

John Wind and Ann Wind, husband and wife

whose current address is

the grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

Parcel I:

The Northwest Quarter of Section 24, Township 1 North, Range 1 West of Boise Meridian in Ada County, Idaho.
Except any portion lying within the right of way of Swan Falls Road.

Parcel II:

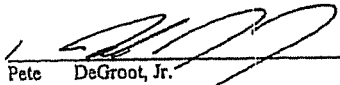
The East Half which includes Government Lots 1-4 and a portion of the Southwest Quarter of Section 24, Township 1 North, Range 1 West, of the Boise Meridian, more particularly described as follows:

BEGINNING at the Northeast corner of Section 24, Township 1 North, Range 1 West of the Boise Meridian and running thence
South 00°02'31" West 2627.18 feet along the East line of said section to the East Quarter corner; thence
South 00°21'28" West 2659.60 feet along said East line to the Southeast corner of said section; thence
South 89°49'38" West 2664.79 feet along the South line of said section to the South Quarter corner; thence
North 00°16'11" East 1312.03 feet; thence
South 89°53'39" West 1305.89 feet; thence
North 00°08'29" East 1337.67 feet; thence
North 89°42'15" East 1308.72 feet to the Center Quarter corner of said section; thence
North 00°15'55" East 2632.12 feet to the North Quarter corner of said section; thence
North 89°48'51" East 2658.84 feet along the North line of said section to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 3-23-06


Pete DeGroot, Jr.


Jean M. DeGroot

State of

County of

On this _____ day of _____, 200____, before me, a Notary Public in and for said state, personally appeared Pete M. De Groot, Jr. and Jean M. De Groot, 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 same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

See Attached Notary Acknowledgment

Notary Public for the State of
Residing at:
Commission Expires:

ESCROW NO.: 33014-SO

TITLE: ORDER NO.: 5000423223AK

ALL PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF TULARE

On MARCH 23, 2006

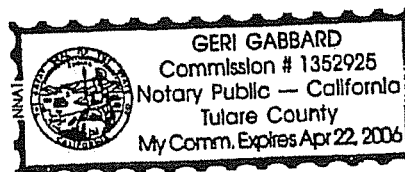
before me, GERI GABBARD

a Notary Public in and for said State, personally appeared

PETE DEGROOT JR AND JEAN M. DEGROOT

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Signature Geri Gabbard

(This area for official notarial seal)

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to another document.

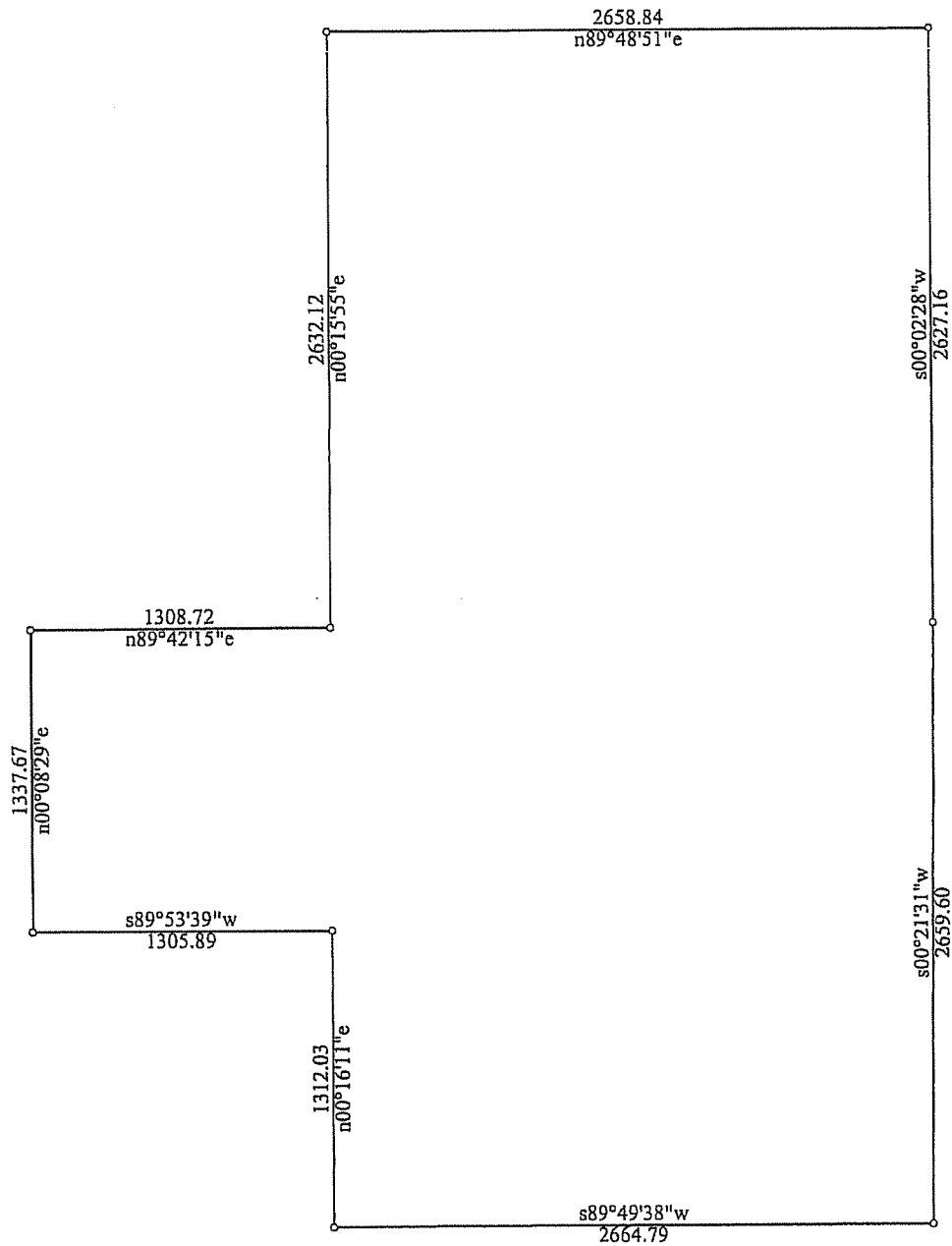
THIS CERTIFICATE **MUST** BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT.

Title of Document Type WARRANTY DEED

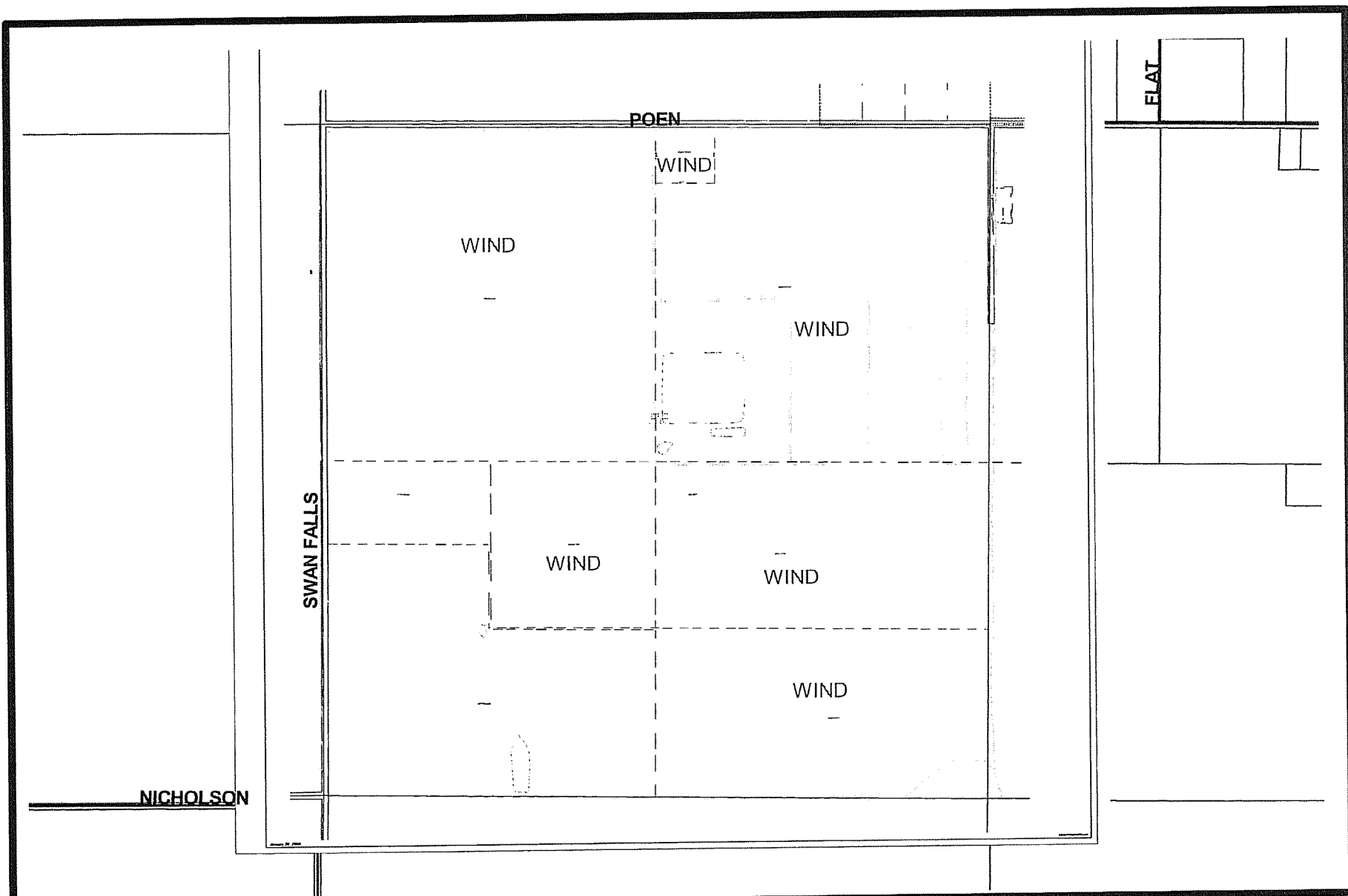
Number of Pages ONE

Date of Document NO DATE

Signer(s) Other Than Named Above _____



Title:		Date: 12-17-2007
Scale: 1 inch = 800 feet	File:	
Tract 1: 363.682 Acres: 15841973 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 18507 Feet		
001=s00.2131w 2659.60	005=n00.0829e 1337.67	009=s00.0228w 2627.16 ?
002=s89.4938w 2664.79	006=n89.4215e 1308.72	
003=n00.1611e 1312.03	007=n00.1555e 2632.12	
004=s89.5339w 1305.89	008=n89.4851e 2658.84	



PioneerTitleCo.
GOING BEYOND

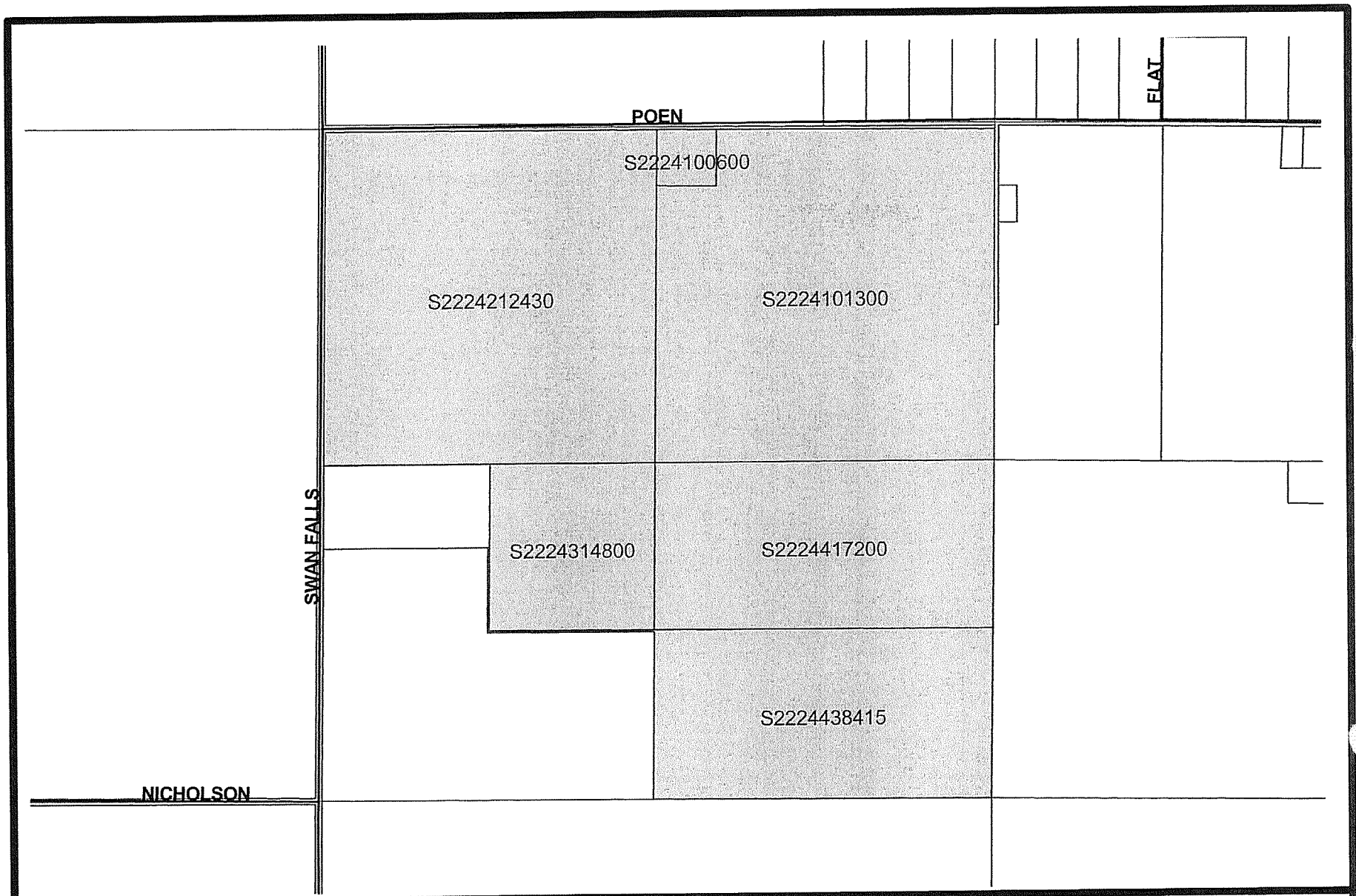


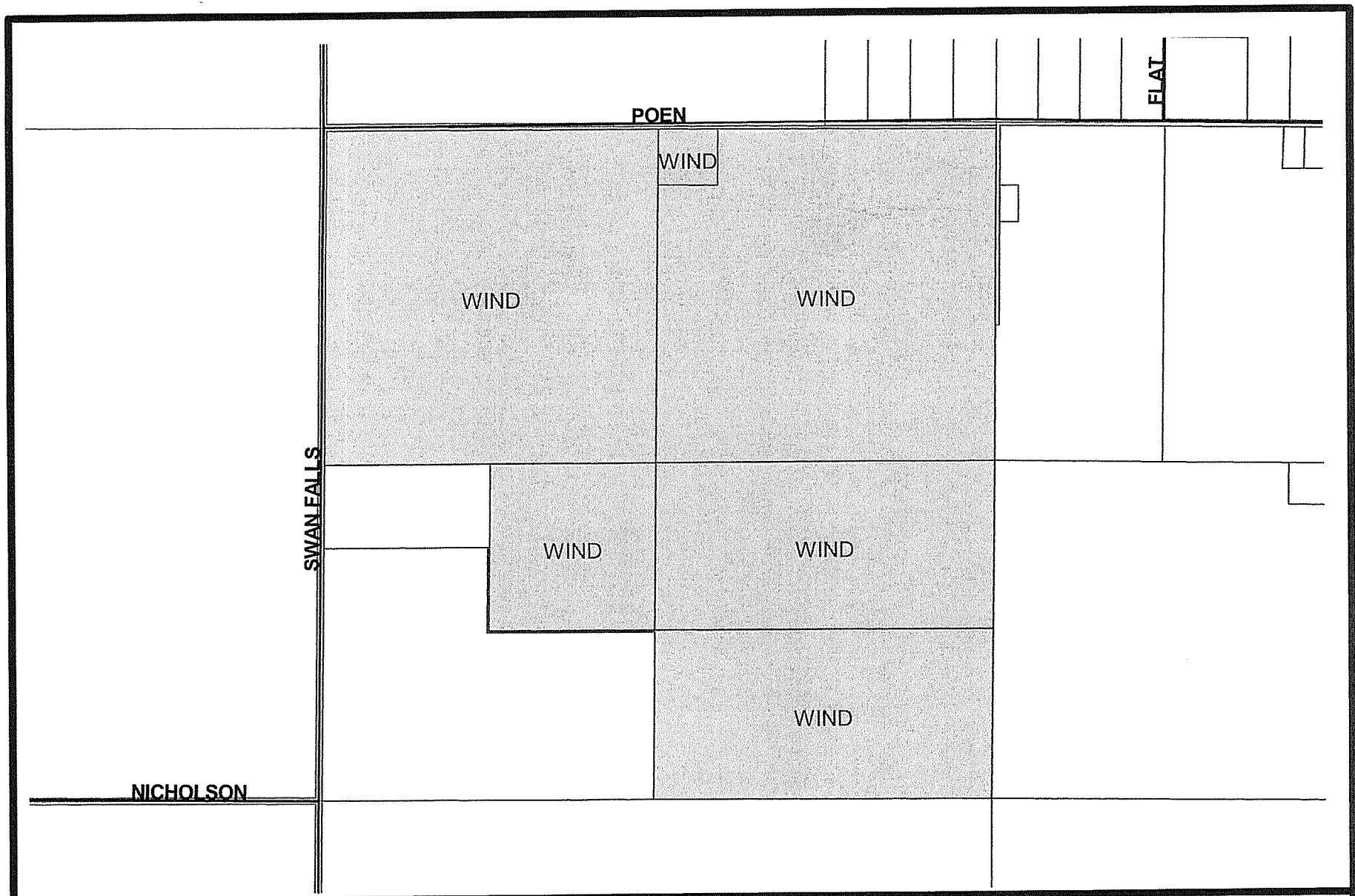
Map Created: December-14-2007

This Map and data displayed is a graphic representation derived from the Ada Counties Geographic Information System (GIS) data. It was designed and intended for staff use only; it is not guaranteed survey accuracy. This map is based on information available and was compiled from numerous sources which may not be accurate. Users are to field verify this information. Ada County and Regional Geographic Services, Inc. Are not liable for errors or omissions resulting from the use of this product for any purpose.



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PioneerTitleCo.
GOING BEYOND.



Map Created: December-14-2007

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Nutrient Management Service

16931 Star Road
Nampa, ID 83687
208-465-9496

Memo

RECEIVED
JUL 01 2005
WATER RESOURCES
WESTERN REGION

To: Agent, IDWR
From: Darwin Vander Stelt
CC:
Date: 6/23/2005
Re: Water Transfer for Pete DeGroot / Frisian Valley Dairy

Since the construction of the Frisian Valley Dairy, changes have occurred in the projected size and also the configuration of the dairy. The applicant wishes to bring the water rights into conformity with the present use.

Water Rights Affected:

63-3198A
63-3198B
63-8365A

All three of the above rights are primary and provide the first layer of water on the irrigated lands they cover.

Purpose of the Transfer:

Applicant wishes to dry up the land for which there is irrigation licensed in the S $\frac{1}{2}$ of NE $\frac{1}{4}$ of S. 24, T1N, R1W. WR 63-3198A lists 26 acres irrigated, while WR 3198B lists 10.6 acres in the S $\frac{1}{2}$ of NE $\frac{1}{4}$. WR 8365A lists 3 acres in the S $\frac{1}{2}$. None of these lands are irrigated at this time because of the construction of corrals, barns and buildings. The farm has exclusively grown alfalfa the last 5 years and the historical consumptive use / acre is 3.1 afa. Multiplying the 39.6 acres dried up by the 3.1 afa consumptive use yields 127.8 afa, all of which should be transferred to commercial use, as the stockwater requirement is already met.

The applicant has connected all the wells together into one large system. Dairy wells are connected to the system via the mechanism for injecting lagoon water into the center pivot irrigation system.

Should there be questions, please call me at 465-9496. Thank You



Attachment B

Daily Fresh Water Requirement For Dairy Facility Worksheet

For: **Pete DeGroot**

Drinking Water Estimates (see Table 1 & 2):

	Number	Use/day	Use/day	Cow weight Size Adjustment	1450 104%	lbs	Total Gal/Day	Total Gals/Yr.	Acre-feet/Yr (AF/a)
Milking Cows	4250	34.747	147674.75	147674.75			147674.75		
Dry Cows	500	13	6500	6500			6500		
Total Cows	4750		0	154174.75			56,273,784		172.70

Total Herd Drinking Water

Wash Pen Estimate:

GPM discharge/nozzle		4.122							
Number of Nozzles		150							
Minutes run/day:		180							
groups	18								
mins/group	5								
x/day	2								
days per year	365								
Total Wash Pen Water Used:				111294			40,622,310		124.67

Milk House and Parlor Estimate (see Table 4)

Item	Gals/Op	x's/day	Gals/day			
Bulk Tanks 3/day	450	3	1350			
Pipelines (2, twice a day)	600	4	2400			
Deck flush (50 nozzles/15 sec)	187.5	40	7500			
Holding Pen flush(30 sec/flush)	1100	40	44000			
Cleanup	2000	4	8000			
Cow Prep	0.25	2	2125			
Total Milk House and Parlor Water Used:			65375	23,861,875		73.23
Total Gals/Day				219550		
Total Fresh Water Diverted Annually (af/a consumptive use)						370.6

Current stockwater and commercial rights:

	Priority	Flow(cfs)	afa Stock	afa Commercial			
63-3198B	5/17/1960	0.55	102	75.1			
63-7427A	4/1/1972	0.4	70.7				
		0.95 cfs or	172.7	75.1	247.8	afa total	
		427gpm					
Stock water needed							0.00
Commercial water needed							122.80
Total this transfer							122.8
Acres to be taken out of production @			3.10	afa	39.6	Acres	
See Consumptive use Attachment D							
Acres out for Commercial			39.6				

Transferred from:

	Flow	Volume	
63-3198A	0.52	80.6	
63-3198B	0.21	32.9	
63-8365A	0.05	9.3	
	0.78	122.8	afa

Prepared by
Darwin Vander Stelt

Attachment C Flow, Volume, and Allocation Calculations

Amount of water (afa) to be transferred			122.79	(From Dairy worksheet, Attachment A)
	%	Volume	Acres to dry	
Stockwater	0%	0.0	0.0	(volume needed/consumptive use/acre)
Commercial	100%	122.8	39.6	(volume needed/consumptive use/acre)
Historic consumptive use per acre			3.10	(From Attachment C. Crop history etc)
Acres to dry up in Section 24			39.6	(From Dairy worksheet, Attachment A)

To determine acres irrigated and flow under each license:

Total flow from notation on right: 11.36 (flow is divided among 3 rights)

Total Flow for each license:

Priority	Acres	Flow (cfs)	Flow/acre (cfs)	
5/17/1960 63-3198A	100	2	0.02	} earliest priority date license Irrigation portion S&C Portion
5/17/1960 63-3198B	10.6	0.21	0.02	
5/17/1960 63-3198B		0.55		
4/1/1972 63-7425B		2.78		Not affected
4/1/1972 63-7425C		0.69		Not affected
4/1/1972 63-7427A		1.44		Not affected
3/20/1991 63-8365A	80	1.35	0.017	Limited to 1.35 cfs by note
	80	9.02		

(These rights together are limited to 9.02 cfs by note on right 63-07425B)

Allocation of flow under license	63-3198A	
Total licensed flow	2.00	cfs
Acres irrigable	100	
acres irrigable (after transfer)	74.0	100 - 26 acres dried up
flow for irrigation	1.48	(acres irrigable X's licensed flow/acre)
acres out for stockwater	0.0	(from dairy worksheet)
flow for stock water	0.00	(acres out X's licensed flow/acre)
acres out for Commercial	26.0	(from dairy worksheet)
flow for Commercial	0.52	(acres out X's licensed flow/acre)
total flow after transfer	2.00	cfs (total of the three flows)

Allocation of Volume after transfer: 63-3198A

Irrigation	333	ac-ft (4.5 x's 74 ac)
Commercial	80.6	(3.1 ac-ft x 26 acres dry)
Tot. diversion	414	acre-ft/annum

Allocation of flow under license	63-3198B	
Total licensed flow(irrigation portior	0.21	cfs
Acres irrigable	10.6	
acres irrigable (after transfer)	0.0	10.6 - 10.6 acres dried up
flow for irrigation	0.00	(acres irrigable X's licensed flow/acre)
acres out for stockwater	0.0	(from dairy worksheet)
flow for stock water	0.55	(acres out X's licensed flow/acre)
acres out for Commercial	10.6	(from dairy worksheet)
flow for Commercial	0.21	(acres out X's licensed flow/acre)
total flow after transfer	0.76	cfs (total of the three flows)

Allocation of Volume after transfer:**63-3198B**

Irrigation	0	ac-ft (4.5 x's 0 ac)
Stockwater	102	From license
Commercial	108.0	(3.1 ac-ft x 10.6 acres dry + amount already on license)
Tot. diversion	210.0	acre-ft/annum

Allocation of flow under license**63-8365A**

Total licensed flow	1.38	cfs
Limited to	1.35	cfs by note on right (total system capacity 9.02)
Flow/acre	0.017	1.35 cfs/80 acres
acres irrigable (after transfer)	77.0	80 - 3 acres dried up
flow for irrigation*	1.33	(Total right less commercial)
acres out for stockwater	0.0	(from dairy worksheet)
flow for stock water	0.00	(acres out X's licensed flow/acre)
acres out for Commercial	3.0	(from dairy worksheet)
flow for Commercial	0.05	(acres out X's licensed flow/acre)
total flow after transfer	1.38	cfs (total of the three flows)
*add back the .03 limitatio		

Allocation of Volume after transfer:**63-8365A**

Irrigation	346.5	ac-ft (4.5 x's 77 ac)
Commercial	9.3	(3.1 ac-ft x 26 acres dry)
Tot. diversion	356	acre-ft/annum

Attachment D

Crop History Evaluation for estimation of Diversion Volume and Consumptive Use

Allen and Brockway Data

Transfer No. Pete DeGroot Jr. Transfer

Owner leased land for production of alfalfa hay for 5 years.

Date: 06/23/05

Allen and Brockway report site: Kuna

Year	Crop	Acres	Method	App. Eff. %**	IR for Crop mm/season	Crop Div Vol AF/Ann	Crop CU AF/Ann
2000-2004	Alfalfa Hay	371.00	sprinkler	80%	946	1439.33	1151.46
Totals		371				1439	1151.46

Summary

Average Acres Irrigated	371	Acres	Average Diversion Vol/acre	3.88
Total Diversion	1439	AF/ann	Average Consumptive Use/acre	3.10
Total Consumptive Use	1151	AF/ann		

Appendix E, Continued

Analysis of consumptive water use before and after the transfer

The nutrient management plan will require that effluent be applied to growing crops at times when there is available water-holding capacity in the root zone. Effectively, this means that effluent application will replace irrigation water on land remaining in crop production.

Use before construction of Dairy (98,99 data)

Allen & Brockway Site:

Caldwell

Average crops last 2 years:

				Average Water Use			
Crop		Acres	Method	App. Eff. %	IR for Crop MM/season	Crop Div Vol AF/Ann	Crop CU AF/Ann
Alfalfa Hay		371.0	sprinkler	0.8	946.0	1439.3	1151.5
0		0.0	0.0	0.0	0.0	0.0	0.0
0		0.0	0.0	0.0	0.0	0.0	0.0
0		0.0					
Total acres in crop		371.0	Total water use		1439	1151	

Average Acres Irrigated	371	Acres	Average Diversion Vol/acre	3.88
Total Diversion	1439	AF/ann	Average Consumptive Use/acre	3.10
Total Consumptive Use	1151	AF/ann		

Use after construction of Dairy:

Acres currently licensed less **39.6** Acres dried up = **402** acres to be farmed

Using the irrigation efficiencies and consumptive use figures above, actual use now will be

Irrigation:	<u>Consumptive use</u>	<u>Total diversion</u>
Irrigation	1248 (402 ac x's 3.1 afa)	1560 (402 ac x's 3.88 afa)
less lagoon water used to irrigate*	(98) process at 80% eff.	(122.8) (Process water frm attachment A)

Dairy:

Add water transferred by this application	122.8			122.8
Total use (afa)	1272			1560
Current use=	1370			1713

assumes waste water applied is subject to same efficiency factors as irrigation water.

Total reduction in consumptive use	98	afa
Total reduction in annual diversion	153	afa
This transfer also reduces the total diversion of water licensed:		
Currently licensed total diversion (afa)	1987	(4.5 afa x's 441.6 acres)
Total diversion volume if transfer is granted(afa)	1932	(4.5 afa x 402 + dairy use)
Reduction in licensed volume (afa)	55	

*Assumes runoff collection on approximately 80 acres of yards, roof and driveway will ~ = evaporation loss

Notice of Intent (40 CFR 122.28)

Previous NPDES permit #: NA

Facility Owner: Pete DeGroot Jr.
3735 W. Woodside
Visalia, CA 93291
1-559-625-4504

Facility Operator: Mike J. DeGroot
8800 Swan Falls Road
Kuna, ID 83634
208-922-9036

Description of Waste Handling Practices:

Process wastewater is stored in waste storage ponds until it can be land applied to owned cropland through center pivot irrigation systems. Solids are separated out of the process wastewater and composted or land applied to owned or third party cropland. Solid wastes are stacked in the corrals and land applied to owned or third party cropland.

Name of receiving water(s):

The waters which could possibly be impacted by a discharge includes the Mora Canal and Indian Creek which run approximately 4 miles north and east of the property (see attached maps).

Type and number of animals confined:

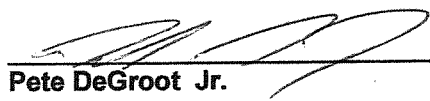
Mature Dairy Cows:	3000
Heifers:	0
Animal units:	4200

Drawings or maps attached:

Site plan- Detail
Drainage Map

Certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."


Pete DeGroot Jr.

Date

Attachment E

Section 42-222 of the Idaho Code requires that the IDWR consider 4 issues in connection with changes in the nature and place of use:

- 1) Will the proposed change injure other water rights?
- 2) Will the proposed transfer constitute an enlargement of the original right?
- 3) Is the proposed transfer in the local public interest as defined in 42-203A(5)(e)?
- 4) Is the proposed use contrary to conservation of water resources within the state of Idaho?

This memorandum, along with attached exhibits, will attempt to provide a response to these concerns.

1.) Injury to other water users.

The proposed change in the nature of use will not injure any other water user because there will be a net decrease in water consumption as a result of this request. Land has been removed from irrigation to compensate for the water used by the dairy. The change in time of use from seasonal to year around will also be beneficial to other water users because it will reduce demand on the aquifer during the heavy irrigation season.

The proposed transfer is not an expansion. Irrigation has been removed from 39.6 acres as a result of the construction of buildings and corrals.

The dairy facility operating on this site is required by the Idaho Department of Agriculture rules to prevent ground water or surface water contamination. All runoff from the dairy site must be contained in lagoons or containment basins. No runoff from farmland is allowed until manure is incorporated into the soil, and manure must be applied at agronomic rates. As a condition of the Grade A permit, the proposed dairy is required to prepare and adhere to a nutrient management plan which will limit the quantities of manure which may be applied. Soil samples will be taken by the department of Agriculture soil sampler and repeated every three years to ensure that nutrient concentrations remain within environmentally sound levels.

2. Enlargement of the original right.

The application is for a change in the nature and place of use, not for a change in the amount of water licensed. Calculations attached to the application and also to this attachment demonstrate that there is in fact a reduction in both total diversion and consumptive use brought about by this transfer. The nutrient management plan will require (by IDA Rules) that the lagoon water be applied to growing crops. Wastewater must be applied with appropriate concern for hydraulic balance and the available water capacity of the soil. The convention of classifying all the process water as consumptive is a fiction because this water will replace irrigation water, gallon for gallon. This request results in a substantial reduction in the right.

3. Local public interest.

The Idaho Code defines the local public interest as "the affairs of the people in the area directly affected by the proposed use."

The Frisian Valley Dairy will have an annual budget of approximately \$12,000,000, of which nearly half is spent locally for feed. Local farmers benefit by having an improved market for hay, corn silage and grain, and this has already produced a local increase in hay prices. An additional 30% of the operating budget is spent locally on equipment, employee wages, repairs, local property taxes, and professional fees. If we use a modest multiplier of 3, the impact for the local area approaches \$30,000,000 annually.

The expansion of cattle numbers is consistent with the registration of capacity made at the Ada County Courthouse in 2002, plus the 30% bonus which is allowed under the Ada County CAFO ordinance.

4.) Consistent with conservation of water

The reduction of consumptive use demonstrated on the attached page is conservation of water. Irrigation water not pumped because it is replaced by effluent is as surely conserved as any other means of conservation.

If any other information is required, the applicant will respond in timely fashion.

Thank You,

Darwin Vander Stelt, preparer.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

June 26, 2012

Pete DeGroot Jr
5520 W. Delaware Ave.
Visalia, CA 93291

Dear Mr. DeGroot:

The Department never received an original Assignment of Personal Property Interest with your signature and therefore, an Application for Transfer which was filed back in 2005 still remains open. The current owners of the property (John & Ann Wind) do not wish to pursue the application. That is why I have enclosed a document that will enable us to clear the transfer application from our records.

Please return the signed document to my attention. Thank you for your attention to this matter.

Sincerely,

SHARLA CURTIS
Sr. Water Resource Agent

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

June 12, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

John &/or Ann Wind
12306 Whitechapel Way
Nampa, ID 83686

RE: Transfer # 73954 (Water Right Nos. 63-3198A & B, 63-7425B & C, 63-7427A, 63-8365A)

Dear Mr. and Mrs. Wind:

The above referenced transfer of water rights application was submitted several years ago by Pete DeGroot, Jr. The water rights that are listed in that application are also referenced above. The transfer requested joining all the points of diversion (wells) together into a single system and all the irrigated lands into a common place of use.

I am writing this letter to inquire of your plans to pursue the transfer application. If you do not intend to tie all six wells together and do not desire to make any changes to the irrigation practices from that which is current, you might want to consider withdrawing the application.

Five of the six water rights are still pending decree in the Snake River Basin Adjudication. I have requested adjudication personnel to proceed with action to finalize these rights with the court. After the rights are decreed, you could file a new transfer application in line with any changes you wish to make to the rights at that point. I have enclosed a form you may use to withdraw the transfer application, if that is what you decide to do. Along with that form, I would ask that you send the original document entitled "Assignment of Personal Property Interest" dated November 20, 2007 from the DeGroot's to you. Mr. VanderStelt faxed us the document (I have enclosed a copy) but we need the original for our files. We can then accept the withdrawal of the transfer from you. We need this original document even if you do not ultimately withdraw the transfer application.

Please submit the original assignment **and** 1) withdrawal form or 2) written statement of intention to pursue the current transfer application within thirty (30) days. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be voided without a timely written reply within the next thirty (30) days.

If you have any questions or wish to discuss this matter, please give me a call.

Sincerely,

Sharla Curtis
Sr. Water Resource Agent

Enclosures

UNSTACKING OF WATER RIGHT COMBINED DIVERSION RATE CONDITION

WATER RIGHT NUMBER	CFS RATE	ANNUAL VOLUME	ACRES	OTHER	COMMENTS
63-3198A	2.00	450	100		
63-3198B	0.76	224.8	50	0.55 CFS – COM 75.1 AFA COM 0.55 CFS – STOCK 102 AFA COMM	The cfs rate is combined, an the afa rate is additive. So total dairy use = 0.55 cfs and 177.1 afa
63-7425A	0.36	90	20		NO LONGER UNDER OWNERSHIP OR THE CONTROL OF THE APPLICANT
63-7425B	2.78	695.3	154.5		
63-7425C	0.69	173.3	38.5		
63-7427A	1.44	331.3	57.9	0.40 CFS FOR BOTH STOCK AND COMM 70.7 AFA FOR BOTH STOCK AND COM	The cfs rate and the afa are a combined rate for both commercial and stockwater on this right.
63-8265A	1.38	360	80		

These rights have a combined diversion rate of 9.02 cfs. One of the rights is no longer owned or under the control of the current owner. Fortunately, the water right removed from the system is one of the senior rights, and as you can see below there is only 0.39 cfs difference, which is less than the 1.38 cfs diversion rate for the most junior right.

TOTAL WATER RIGHT CFS = 9.41
 CONDITION LIMIT CFS = 9.02
 DIFFERENCE = 0.39

Therefore, water right 63-7425A should be brought into the transfer process to allow us to remove the combined condition for that right. The remaining rights should retain the limitation condition, but the new combined amount should be 8.66 cfs as shown below:

$$9.02 \text{ cfs} - 0.36 \text{ cfs} = 8.66 \text{ cfs}$$

CURRENT DAIRY USE

COMM CFS = 0.95 CFS
 COMM AFA = 145.8 AFA
 STOCK CFS = 0.95 CFS
 STOCK AFA = 172.7 AFA
TOTAL DAIRY

0.95 CFS AND 247.8 AFA

When the following rights are combined they shall not exceed a diversion rate greater than 8.66 cfs. – 63-3198A, 63-3198B, 63-7425B, 63-7425C, 63-7427A, and 63-8365A.

**CROP HISTORY EVALUATION FOR ESTIMATION OF DIVERSION VOLUME AND CONSUMPTIVE USE
SINGLE SEASON CALCULATION**

EVALUATION FOR TRANSFER NO: DE GROOT TRANSFER
 BY: DAN NELSON
 DATE: 7/24/2007
 ALLEN & BROCKWAY REPORT SITE: KUNA

Year	Crop	Acres	Method	Application Eff. %	IR for Crop (AVE OR MEAN) (mm/season)		Crop Div Vol (AF/Ann)	Crop CU (AF/Ann)
1992 -1994	ALFALFA	77.5	Sprinkler	75	75	946	320.713	240.5348
1995 - 2007	LANDSCAPING	3	Sprinkler	75	75	931	12.21785	9.163386
							0	0
							0	0
							0	0
Total Year 1		80.5					332.9309	249.6982

SUMMARY:

NUMBER OF ACRES IRRIGATED:	80.5
ACRE FEET VOL DIVERTED PER ANNUM:	332.9309
ACRE FEET VOL CONSUMED PER ANNUM:	249.6982
ACRE FEET VOL DIVERTED PER ACRE:	4.135787
AVERAGE	3.101841

PLEASE NOTE: The dairy has been in place since 1995. The three acres associated with 63-8365 have been used for landscaping along the southern border of the dairy. The remaining acres from the other rights were not used for irrigation of this area, but they were protected from forfeiture by being involved in the SRBA. Taking all this into account the 3.1 afa per acre determined by the consultant seems acceptable. The crop records were attained from the previous transfer file (copies in hard file).

Est. CU and CIR.				Kuna 2 NNE		(Allen & Brockway, 1983) mm/day and mm/season																			
		MO	NYRS	PREC	ETR	ALFH.	ALFS.	BEANS	F.CRN	SILGE	S.CRN	PEAS	POTAT	SHEET	SGRAN	WGRAN	PAST.	ORCHD	VEGES	ONION	HOPS				
AVE ET	3	48	1.00	2.21	.77	1.22									.66	1.26	.88								
AVE IR	3	48	97.92		.27	.70									.23	.78	.39								
STDD ET	3	48	.77	.29	.10	.16									.09	.17	.12								
STDD IR	3	48	97.92		.40	.43									.34	.40	.39								
SKEW ET	3	48	.98	.41	.41	.41									.41	.41	.41								
SKEW IR	3	48	97.92		-.79	-.70									-.79	-.66	-.77								
AVE ET	4	49	1.05	4.61	3.95	3.95		1.49	1.38	1.38	1.50	4.42	3.53	1.98				1.50	1.44						
AVE IR	4	49	97.96		3.28	3.28		.98	.96	.83	1.01	3.78	2.91	1.41				1.07	.90						
STDD ET	4	49	.71	.42	.36	.36		.14	.13	.13	.14	.41	.33	.18				.14	.13						
STDD IR	4	49	97.96		.65	.65		.41	.35	.44	.40	.67	.60	.47				.36	.43						
SKEW ET	4	49	1.00	.27	.27	.27		.27	.27	.27	.27	.27	.27	.27				.27	.27						
SKEW IR	4	49	97.96		-.16	-.16		-.44	-.41	-.49	-.43	-.08	-.18	-.39				-.39	-.48						
AVE ET	5	48	1.18	6.14	5.62	5.49	1.84	1.84	1.84	1.84	4.29	2.26	1.86	4.95	6.14	4.73	3.96	1.87	3.05	4.30					
AVE IR	5	48	97.92		4.81	4.69	1.30	1.24	1.24	1.24	3.64	1.79	1.24	4.29	5.36	4.00	3.26	1.41	2.55	3.59					
STDD ET	5	48	.94	.45	.41	.40	.13	.13	.13	.13	.31	.16	.36	.45	.34	.29	.14	.22	.31						
STDD IR	5	48	97.92		.86	.85	.49	.54	.54	.54	.68	.46	.55	.72	.86	.76	.70	.44	.52	.72					
SKEW ET	5	48	.89	.35	.34	.34	.35	.35	.35	.35	.34	.35	.34	.35	.34	.35	.34	.35	.34	.34					
SKEW IR	5	48	97.92		-.35	-.35	-.56	-.58	-.58	-.58	-.38	-.49	-.58	-.33	-.30	-.38	-.42	-.53	-.41	-.40					
AVE ET	6	49	.90	7.74	6.68	6.39	3.92	3.58	3.58	3.58	5.50	5.87	4.23	7.73	7.73	5.96	6.38	4.05	5.11	7.34					
AVE IR	6	49	97.96		6.00	5.73	3.43	3.05	3.05	3.05	4.94	5.39	3.66	7.10	7.06	5.34	5.74	3.62	4.65	6.66					
STDD ET	6	49	.71	.41	.36	.34	.21	.19	.19	.19	.29	.31	.23	.41	.41	.32	.34	.22	.27	.39					
STDD IR	6	49	97.96		.76	.74	.52	.54	.54	.54	.63	.58	.59	.77	.80	.69	.72	.47	.54	.79					
SKEW ET	6	49	.69	.11	.12	.11	.11	.11	.11	.11	.12	.13	.11	.13	.11	.12	.12	.11	.11	.12					
SKEW IR	6	49	97.96		-.18	-.19	-.25	-.30	-.30	-.30	-.19	-.13	-.11	-.12	-.14	-.20	-.18	-.21	-.16	-.16					
AVE ET	7	49	.30	8.47	6.88	4.63	7.80	7.75	7.75	7.65	2.14	7.05	8.34	6.66	5.35	6.52	7.20	6.52	6.65	8.05					
AVE IR	7	49	71.43		6.74	4.50	7.67	7.60	7.60	7.50	2.05	6.94	8.19	6.54	5.23	6.39	7.06	6.41	6.55	7.90					
STDD ET	7	49	.34	.32	.26	.18	.30	.30	.30	.29	.08	.27	.32	.26	.21	.25	.28	.25	.26	.31					
STDD IR	7	49	71.43		.33	.26	.34	.35	.35	.35	.17	.30	.37	.30	.27	.31	.34	.28	.29	.36					
SKEW ET	7	49	2.33	.49	.51	.50	.49	.51	.51	.51	.47	.48	.49	.48	.50	.50	.50	.51	.51	.49					
SKEW IR	7	49	71.43		-.51	.35	.21	.21	.19	-.152	.50	.31	.23	.14	.01	.12	.45	.45	.25	.25					
AVE ET	8	46	.49	7.12	5.42	2.69	3.45	6.53	6.53	6.19		5.34	6.92	1.34	1.12	5.49	6.06	5.67	5.70	6.75					
AVE IR	8	46	60.87		5.23	2.53	3.31	6.33	6.33	5.99		5.20	6.71	1.22	.98	5.30	5.87	5.52	5.56	6.56					
STDD ET	8	46	.64	.34	.26	.13	.16	.31	.31	.29		.25	.33	.06	.05	.26	.29	.27	.27	.32					
STDD IR	8	46	60.87		.55	.40	.39	.60	.60	.58		.46	.63	.29	.30	.54	.57	.47	.48	.61					
SKEW ET	8	46	2.15	.02	.02	.03	.02	.03	.03	.03		.01	.02	.02	.02	.01	.00	.03	.02	.01					
SKEW IR	8	46	60.87		-1.80	-2.21	-1.96	-1.65	-1.65	-1.68		-1.52	-1.64	-2.43	-2.50	-1.76	-1.70	-1.48	-1.48	-1.63					
AVE ET	9	48	.57	5.44	3.82	1.22	.58	3.91	3.91			2.74	4.59			4.19	4.48	3.72	4.20	4.90					
AVE IR	9	48	81.25		3.53	.98	.38	3.64	3.64			2.55	4.30			3.91	4.20	3.51	3.98	4.60					
STDD ET	9	48	.61	.36	.25	.08	.04	.26	.26			.18	.30			.27	.29	.24	.28	.32					
STDD IR	9	48	81.25		.49	.35	.28	.49	.49			.35	.54			.50	.52	.40	.43	.55					
SKEW ET	9	48	2.19	-.03	-.03	-.03	-.03	-.02	-.02			-.03	-.03			-.03	-.02	-.02	-.03	-.03					
SKEW IR	9	48	81.25		-1.36	-1.89	-1.99	-1.31	-1.31			-1.33	-1.22			-1.26	-1.22	-1.12	-1.03	-1.16					
AVE ET	10	48	.81	3.29	1.41	.24		.88						2.02		2.53	2.03								
AVE IR	10	48	93.75		1.01	-.13		.51						1.61		2.12	1.63								
STDD ET	10	48	.61	.30	.13	.02		.08						.19		.23	.19								
STDD IR	10	48	93.75		.37	.32		.33						.40		.43	.40								
SKEW ET	10	48	.84	-.13	-.12	-.12		-.13						-.12		-.12	-.12								
SKEW IR	10	48	93.75		-.32	-.62		-.44						-.20		-.13	-.19								
AVE ET	SE	43	145.2	1380.	1058.	791.	542.	753.	726.	595.	410.	755.	901.	701.	701.	796.	1036.	983.	670.	803.	1005.				
AVE IR	SE	43	0.0	0.	946.	683.	497.	689.	673.	550.	355.	701.	816.	626.	626.	710.	931.	895.	630.	748.	927.				
STDD ET	SE	43	44.3	48.	36.	29.	17.	24.	23.	20.	15.	24.	29.	24.	24.	30.	35.	31.	21.	25.	31.				
STDD IR	SE	43	0.0	0.	54.	49.	31.	40.	38.	36.	33.	37.	47.	41.	49.	51.	50.	32.	39.	51.					
SKEW ET	SE	43	.64	.76	.82	.97	.89	.62	.58	.81	.91	.73	.65	.99	.99	1.09	.71	.66	.54	.60	.62				
SKEW IR	SE	43			.65	.54	.68	.56	.48	.58	.35	.55	.52	.54	.54	.63	.63	.55	.54	.54	.52				

FIGURE 10-47

1994

ADA, IDAHO

Form Approved - OMB No. 0551-001

ASCS-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1994

FARM NUMBER: 2670

FARM AND TRACT DETAIL LISTING

DATE: 12-06-

Tract Number	Field Num ID	Irr Pro	Crop	Var/Type	Int Use	Land Use	Reported Acreage	Determined Acreage	O/M	Crop Stat	Photo	Photo
1722	2	Ir	ALFAL		Hay	CUPCP	80.9			I		
	3	Ir	ALFAL		Hay	CUPCP	79.9			I		
		Crop CUPCP	Nirr 190.0	Irr	Crop WHEAT	Nirr 120.0						
Photo Number/Legal Description: B-14 15 1N 1W												
Cropland: 310.0 Reported: 310.0 Difference: .0 Reported D.B.S.R.A.:												

1723	1	Ir	WHEAT	SWS	Grain		79.2			I		
	2A	Ir	WHEAT	SWS	Grain		38.7			I		
	2B	Ir	ALFAL		Hay	CUPCP	38.7			I		
	3A	Ir	CRP		1		38.8			I		
	3B	Ir	ALFAL		Hay	CUPCP	38.4			I		
	4	Ir	CRP		1		75.6			I		
		Crop CRP	Nirr 114.4	Irr	Crop CUPCP	Nirr 77.1				Crop WHEAT	Nirr	
Photo Number/Legal Description: B-14 16 1N 1W												
Cropland: 309.4 Reported: 309.4 Difference: .0 Reported D.B.S.R.A.:												

1724	1	Ir	ALFAL		Hay	CUPCP	73.9			I		
	2	Ir	ALFAL		Hay	CUPCP	80.5			I		
	3	Ir	ALFAL		Hay	CUPCP	81.5			I		
		Crop CUPCP	Nirr 235.9	Irr								
Photo Number/Legal Description: D-14 24 1N 1W												
Cropland: 235.9 Reported: 235.9 Difference: .0 Reported D.B.S.R.A.:												

1726	1	Ir	FALOW			CUPAY	20.2			I		
	2A	Ir	FALOW			CUPAY	39.0			I		
	2B	Ir	ALFAL		Hay	CUPCP	86.4			I		
	2C	Ir	OATS	SPR	Grain		10.8			I		
	3A	Ir	OATS	SPR	Grain		5.2			I		
	3B	Ir	OATS	SPR	Grain		12.0			I		

*Reported
Actual
1994
Program*

*APPROVED
DEC 25 1993*

ASCS-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1992

FARM NUMBER: 2320

FARM AND TRACT DETAIL LISTING

DATE: 09-01-

Operator Name and Address ID

Original:

MONTIERTH ENTERPRISES 3491

Revision: 2409 KUNA CAVE RD
KUNA, ID 83634-1693Cropland: Farmland:

Tract Number	Field Number	Irr Pct	Crop	Var/Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/M	Crop Stat	Plnt Prac	Proc Share
0		Ni	WHEAT	SWS			.0					1.0000
		Ir	BARLY	SFR			.0					1.0000
		Ni	BARLY	SFR			.0					1.0000
		Ir	OATS	SFR			.0					1.0000
		Ni	OATS	SFR			.0					1.0000
		Ir	CORN				.0					1.0000
		Ni	CORN				.0					1.0000
		Crop		Nirr	Irr	Crop	Nirr	Irr		Crop	Nirr	
		WHEAT		.0		OATS	.0	.0		CORN	.0	
		BARLY		.0	.0							

Photo Number/Legal Description: None

Cropland: .0 Reported: .0 Difference: .0 Reported D,B,S,R,A:

Cropland: 309.4 Reported: 309.4 Difference: .0 Reported D,B,S,R,A:

1724	1	Ir	PEPNT			FLEX	73.9			I		1.0000
	2	Ir	WHEAT	SWS	Grain		80.5			I		1.0000
	3	Ir	WHEAT	SWS	Grain		81.5			I		1.0000
		Crop		Nirr	Irr	Crop	Nirr	Irr				
		WHEAT			162.0	FLEX	73.9					

Photo Number/Legal Description: D-14 24 1N 1W

Cropland: 235.9 Reported: 235.9 Difference: .0 Reported D,B,S,R,A:

1726	3	Ir	WHEAT	SWS	Grain		23.7			I		1.0000
	2A	Ir	ALFAL		Hay	CUPCP	80.7			I		1.0000
	2B	Ir	WHEAT	SWS	Grain		48.0			I		1.0000
	1	Ir	WHEAT	SWS	Grain		21.2			I		1.0000
		Crop		Nirr	Irr	Crop	Nirr	Irr				
		WHEAT			92.9	CUPCP	80.7					

Photo Number/Legal Description: D-14 24 1N 1W

Cropland: 173.6 Reported: 173.6 Difference: .0 Reported D,B,S,R,A:

BFE 11-25-92 CFE

PAGE 2

APR 25 1995

ADA, IDAHO

Form Approved - OMB No. 0560-0004

ASCS-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1993

FARM NUMBER: 2457

FARM AND TRACT DETAIL LISTING

DATE: 06-23-93

Tract Number	Field Number	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ H	Crop Stat	PltPr FCIC	Prod Share	Prod ID
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1721

Crop CRP	Nirr	Irr 80.4	Crop CUPCP	Nirr 40.4	Irr	Crop WHEAT	Nirr	Irr 125.7
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Photo Number/Legal Description: B-13 15,16 1N 1W

Cropland: 246.5 Reported: 246.5 Difference: .0 Reported D,B,S,R,A: .0

1722	1A	Ir	ALFAL	Hay	CUPCP	40.0	27.5	I	1.0000	3491
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1B	Ir	SBEET	Proces			116.3	121.7	I	.7500	0792
									.2500	3491

2	Ir	ALFAL	Hay	CUPCP	80.9	80.9	0	I	1.0000	3491
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3	Ir	ALFAL	Hay	CUPCP	79.9	79.9	0	I	1.0000	3491
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Crop CUPCP	Nirr 200.8	Irr	Crop SBEET	Nirr 116.3	Irr			
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Photo Number/Legal Description: B-14 15 1N 1W

Cropland: 317.1 Reported: 317.1 Difference: .0 Reported D,B,S,R,A: .0

1723	1	Ir	SBEET	Proces		79.2	79.2	0	I	1.0000	3491
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2	Ir	ALFAL	Hay	CUPCP	77.4	77.4	0	I	1.0000	3491
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3A	Ir	CRP	1			38.8	38.8	0	I	.3333	9899
									.3333	1230	
									.3334	7007	

3B	Ir	ALFAL	Hay	CUPCP	38.4	38.4	0	I	1.0000	3491
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4	Ir	CRP	1			75.6	75.6	0	I	.3333	9899
									.3333	1230	
									.3334	7007	

Crop CRP	Nirr	Irr 114.4	Crop CUPCP	Nirr 115.8	Irr	Crop SBEET	Nirr 79.2	Irr
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Photo Number/Legal Description: B-14 16 1N 1W

Cropland: 309.4 Reported: 309.4 Difference: .0 Reported D,B,S,R,A: .0

1724	1	Ir	FALOW		CUPAY	73.9	73.9	0	I	1.0000	3491
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2	Ir	ALFAL	Hay	CUPCP	80.5	80.5	0	I	1.0000	3491
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3	Ir	WHEAT	SWS 1-Grain			81.5	81.5	0	I	1.0000	3491
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Crop CUPAY	Nirr 73.9	Irr	Crop CUPCP	Nirr 80.5	Irr	Crop WHEAT	Nirr	Irr 81.5
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Photo Number/Legal Description: D-14 24 1N 1W

Cropland: 235.9 Reported: CUPAY 235.9 Difference: .0 Reported D,B,S,R,A: .0

1726	1	Ir	FALOW		CUPAY	21.2	21.2	0	I	1.0000	3491
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25 1995

14

15

1737

13

18

6

24

1

80.5

2

74.5

M 24 73.9 ac
Field 1

24

19

1 HEL
2 INL

NHEL/W

NHEL/W

T1724

NHEL/W

1737
FIELD 1
80.5 AC

1737
Field 2A: 18
74.5

APR 25 1993

73.9

1724 Field 2
80.5 AC

NHEL/W

3
20.8

NHEL/W 4
38.5

1724 FIELD 3
81.5

1737
FIELD 4
38.5 AC

1737
FIELD 5
38.5 AC

410.8

NHEL/W

2C

1297

1726
Field 3
23.7

NHEL/W

24

24 19



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

October 18, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

DARWIN VANDER STELT
16931 STAR RD
NAMPA ID 83687

***RE: APPLICATION FOR TRANSFER NUMBER 73954 FOR PETE
DE GROOT JR***

Dear Mr. Vander Stelt:

Our office has been holding the above mentioned transfer in order for your client to complete a change of ownership of the dairy and assignment of the application for transfer to the new owners. Our office needs to move forward on this application or remove it from our records it is no longer needed. Please submit the needed information involved with this transfer or withdraw the application.

Please submit the requested information to allow final evaluation of your application to be completed. You may seek additional time to provide the information by making a written request to delay or interrupt processing. Your written response including the requested information, or a request for more time to seek the information, must be received by 11/19/2007. IDWR will issue a preliminary order to reject or deny the application without a timely reply.

If you have any questions or concerns please contact me at the above address.

Respectfully,

Daniel A. Nelson
Senior Agent
Western Region
Idaho Department of Water Resources.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 2, 2005

PETE DE GROOT JR.
C/O DARWIN VANDERSTELT
16931 STAR RD
NAMPA ID 83687

Re: Application for Transfer of Water Right(s)

Dear Applicant:

Your application for transfer to change a water right(s) was recently received. Processing of the application must be delayed as explained below.

Your application describes a water right for which a Snake River Basin Adjudication (SRBA) Claim has been filed. SRBA Claims in the area affected by the transfer application are currently being reviewed. The role of the Idaho Department of Water Resources (IDWR) in the SRBA is to review claims and make recommendations regarding those claims to the SRBA Court. Recommendations are presented to the court in a Director's Report. Potentially affected parties may object to recommendations in a Director's Report. This process introduces uncertainty regarding water rights until the objection period is over.

IDWR's limited staff resources must be used to complete the remaining Director's Reports during the next year. Additionally, experience indicates that processing an application for transfer in an area where a Director's Report is being prepared can result in confusion and complications by mixing judicial (SRBA) and administrative (transfer) actions.

The SRBA objection period for your area is expected to conclude sometime during the latter half of next year. Based on that schedule and the above reasoning, your application for transfer cannot be processed at this time. IDWR will hold your transfer application until that time and will notify you at the appropriate time to allow your application to be processed.

IDWR regrets the inconvenience undoubtedly caused by this necessary delay. Please contact me at 208-334-2190 if you have any questions in this regard.

Sincerely,

Steve Lester
Water Rights Supervisor