

2070 N SE
MAYFIELD SE



EDWARD G. VAN GROUW	TOPO MAP	
T 02S, R 04E, PARTS OF SEC 13, 14, 24, 25, 36		SCALE 1" = 2413'
		PREPARED BY: DARWIN VANDER STELT

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 13 2003

Department of Water Resources

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor Edward G Van Grouw Sr. Phone 288-2298

Post office address 5089 S Debonair Lane, Meridian ID 83642

1 DESCRIPTION OF WATER RIGHT:

Right evidenced by:

a Decree No _____ Decreed to _____
(Name)

in case of _____ vs _____

dated _____ in _____ county of _____
(Name of court)

b. License No(s) 61-7253B, 61-7420 issued by the Idaho Department of Water Resources

c. Permit No. _____ issued by the Idaho Department of Water Resources

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease, show "all" on line a. below and skip the remainder of part 2)

a. Amount of water under right 2.47 cubic feet per second &/or
521.4 acre-feet per annum

b. Point of diversion: NE ¼ of SW ¼ of Section 14 Township 2S Range
4E, B.M. in Elmore County.

Additional points SE ¼ of SW ¼ of Sect. 14 in T2S R4E B.M. in Elmore County

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c. Place of Use:

[illegible]

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank

Total number of acres 94.5 or 130.35

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation

b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture (This information is not required if a partial decree has been issued on the right within the last 5 years)

c If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

The right is from a ground water source

d Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe

The owner will continue to operate one pivot on a ppu of 600 acres.

e If the water right is a permit, describe the work accomplished toward developing the right.

NA

f If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

Not Applicable

4. REMARKS:

Mr Van Grouw is currently irrigating only one pivot, or about 126 acres with these two water rights. The new dairy construction has been postponed indefinitely, and he wishes not to lose the water right. He will put all the stock water and the unused irrigation water in the water bank. The well used for the one pivot is equipped with a variable speed pump and a meter, and only one pivot is installed. The practice is to move the one pivot to a new quarter of the ppu listed in the water rights.

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

_____ For lease for a period from 06/5/03 to 10/31/03
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

_____ \$11/acre foot or amount to be negotiated _____

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

- 1 Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank
- 2 While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
- 3 A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

_____ *Edward H. Van Grouw* _____
Date Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

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Analysis of water Rights and flows and volumes to be placed in the water bank:

		Irrigation ac	Irrigation flow	Irrigation vol	Stock flow	Stock/Comm Vol	flow/ac
Rights.	61-7253B	80.5	1.53	322	0 79	143.4	0.0190
	61-7420	140	2.27	560			0.0162
		220.5	3 8	882			

Total system flow cfs 4.58 (from note 3 on 61-7253B)

Total allowable volume afa 1025.4

Currently used cfs: 2.11 (one pivot irrigating 126 acres at 950 gpm)

Currently used volume af/a 504 (126 x's 4 afa)

Desire to place in the water bank:

2.47 cfs (4.58 - 2.11)
 521.4 afa (1025.4 - 504)
 94.5 acres if use 220 5 - 126
 130.35 acres if use 521.4 /4

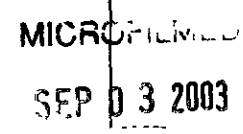
Mr Van Grouw is currently irrigating only one pivot, or about 126 acres with these two water rights. The new dairy construction has been postponed indefinitely, and he wishes not to lose the water right. He will put all the stock water and the unused irrigation water in the water bank. The well used for the one pivot is equipped with a variable speed pump and a meter, and only one pivot is installed. The practice is to move the one pivot to a new quarter of the ppu listed in the water rights.

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3579 N SE
MAYFIELD CBT

91 15° 52' 30"



EDWARD G. VAN GROUW	TOPO MAP	
T 02S, R 04E, PARTS OF SEC 13, 14, 24, 25, 36		SCALE 1" = 2413'
		PREPARED BY: DARWIN VANDER STELT

WARRANTY DEED

CUNNINGHAM FAMILY LIMITED PARTNERSHIP, an Idaho Limited Partnership, Grantor, hereby conveys, grants and warrants to EDWARD G. VanGROUW and JEANETTE VanGROUW, husband and wife, Grantees, whose address is 5089 S. Debonair Ln., Meridian, ID 83642, for the sum of TEN DOLLARS and other good and valuable consideration, the following described real property, to-wit:

Township 2 South, Range 4 East, Boise Meridian, Elmore County, Idaho

Section 14: S1/2

SUBJECT TO taxes and assessments for the year 2000 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantor covenants to the Grantees that it is the owner in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that it will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 14 day of May, 2000.

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.

Time 4:08 P.M.

Date May 1, 2000

GAIL L. BEST, Recorder

By [Signature] Deputy

Fee 46.00

321741

CUNNINGHAM FAMILY LIMITED
PARTNERSHIP

By [Signature]
Gertrude Cunningham
General Partner

WARRANTY DEED - 1

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SEP 03 2003

WARRANTY DEED

FOR VALUE RECEIVED

Paul Allison and Janet B. Allison, husband and wife

GRANTOR(S), does/do hereby GRANT, BARGAIN, SELL and CONVEY unto
Edward G. VanGrouw and Jeanette VanGrouw, husband and wifeGRANTEE(S), whose current address is: 5089 S Debonair Ln Meridian, ID 83642
the following described real property in Elmore County, State of Idaho,
more particularly described as follows, to wit:

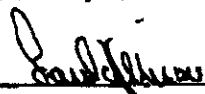
Township 2 South, Range 4 East, Boise Meridian, Elmore County, Idaho

Section 13: SW1/4

TOGETHER with any and all water rights and ditch rights appurtenant
to said property.

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

Dated: May 1, 2000


Paul Allison


Janet B. Allison

STATE OF Idaho, County of Elmore, ss.

On this 1st day of May
in the year of 2000, before me, the undersigned, a Notary
Public in and for said State, personally appeared
Paul Allison, Janet B. Allison

known or identified to me to be the person(s) whose name
are subscribed to the within instrument, and
acknowledged to me that they executed the same



Cheryl A. Reymont

Notary Public
Mountain Home

Commission expires: 12/27/05

321737

ELMORE COUNTY, IDAHO

Request of

GUARANTY TITLE, INC.

Time: 4:04 PM

Date: May 1, 2000

GAIL L. BEET, Recorder

By: 
Fee: \$2.00 Deputy

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WARRANTY DEED

FOR VALUE RECEIVED

Ellomae Holden Demond, a married woman

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
Edward G. VanGrouw and Jeanette VanGrouw, husband and wifeGRANTEE(S), whose current address is: 5089 S Debonair Ln Meridian, Id 83642
the following described real property in Elmore County, State of Idaho,
more particularly described as follows, to wit:

Township 2 South, Range 4 East, Boise Meridian, Elmore County, Idaho.

Section 13, SE1/4

TOGETHER with any and all water rights and ditch rights appurtenant
to said property.

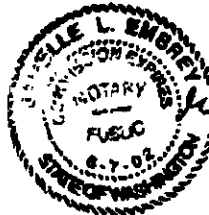
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises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

Dated: April 26, 2000

Ellomae Holden Demond
Ellomae Holden Demond

STATE OF WA County of Spoکان
On this 28th day of April
In the year of 2000, before me, the undersigned, a Notary
Public in and for said State, personally appeared
Ellomae Holden Demond

known or identified to me to be the person whose name
subscribed to the within instrument, and
acknowledged to me that she executed the same.
Signature: Jeanette Embrey
Name: Jeanette Embrey
Residing at SPOKANE, WA
My commission expires: 10/1/01



321735

ELMORE COUNTY, IDAHO
Request of
GUARANTY TITLE, INC.
Time 4:02 PM
Date May 1, 2000
GAIL L. BEST, Recorder
By [Signature] Deputy
Fee \$5.00

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1
SEP 03 2003

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

06/03/2003

WATER RIGHT NO. 61-7253B

Owner Type	Name and Address
Current Owner	JEANETTE VAN GROUW
Current Owner	EDWARD G VAN GROUW SR
	5089 S DEBONAIR LN
	MERIDIAN, ID 83642
	(208)288-2298
Original Owner	SHERRI ZIRKER
Original Owner	RONALD J ZIRKER

Priority Date: 01/23/1976

Basis Decreed

Status Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.53 CFS	322 AFA
STOCKWATER	01/01	12/31	0.79 CFS	143.4 AFA
COMMERCIAL	01/01	12/31	0.79 CFS	143.4 AFA
Total Diversion			2.32 CFS	465.4 AFA

Location of Point(s) of Diversion

GROUND WATER	NESW	Sec. 14	Township 02S	Range 04E	ELMORE County
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<http://www.idwr.state.id.us/apps/ExtSearch/RightReportAJ.asp?BasinNumber=61&Sequenc..> 6/3/2003

1.	046	Code.
Prior to diversion of water under this approval, the right holder shall provide a means of		

<http://www.idwr.state.id.us/apps/ExtSearch/RightReportAJ.asp?BasinNumber=61&Sequenc...> 6/3/2003MICROFILMED
JUN 03 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68504

This is to certify that EDWARD G VAN GROUW
5089 S DEBONAIR LANE
MERIDIAN ID 83642
(208)288-2298

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
61-7253B	AJC/License	01/23/1976	2 32 cfs	572 af	143 0	143 0	GROUND WATER
61-7420	AJC/License	09/30/1980	2 27 cfs	560 af	140 0	140 0	GROUND WATER

Purpose of Transfer (Changes Proposed)

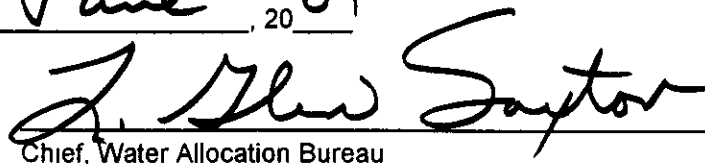
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
61-7253B	NO	NO	YES	YES	YES	YES
61-7420	NO	NO	YES	YES	NO	NO

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>
61-7253B	61-7253B	2.32 cfs	465.4 af	80.5	600.0		N/A	N/A	N/A	N/A
61-7420	61-7420	2.27 cfs	560.0 af	140.0	600.0		N/A	N/A	N/A	N/A
TOTALS		4.58 cfs	1025.4 af	220.5	600.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 5th day of June, 2001


Chief, Water Allocation Bureau

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JUN 9 2001

WATER RIGHT NO. 61-7253B
As Modified by Transfer No. 68504

In accordance with the approval of Transfer No 68504, Water Right No 61-7253B is now described as follows

Right Holder: EDWARD G VAN GROUW And
 JEANETTE VAN GROUW
 5089 S DEBONAIR LANE
 MERIDIAN ID 83642

Priority Date: 01/23/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	1 53 CFS	322.0 AF
COMMERCIAL	01/01 to	12/31	0.79 CFS	143.4 AF
STOCKWATER	01/01 to	12/31	0 79 CFS	143 4 AF
			2 32 CFS	465.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESW Sec. 14 Twp 02S Rge 04E ELMORE County
 GROUND WATER NESW Sec. 14 Twp 02S Rge 04E ELMORE County

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	
02S 04E 13									40 0	40 0	40 0	40 0	40 0	40 0	40 0	40 0	320 0
02S 04E 14									40.0	20.0	20.0	40 0	40 0	40 0	40 0	40 0	280 0
Total Acres: 600																	

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	
02S 04E 13									X	X	X	X	X	X	X	X	
02S 04E 14									X	X	X	X	X	X	X	X	

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 04E 13									X	X							

CONDITIONS OF APPROVAL

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

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JUN 1 & 2001

WATER RIGHT NO. 61-7253B
As Modified by Transfer No. 68504

CONDITIONS OF APPROVAL

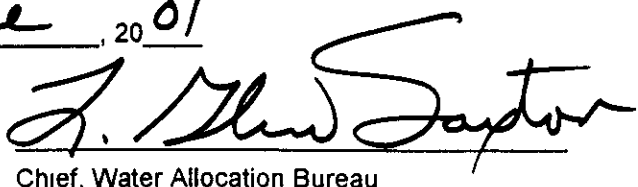
- 3 The total instantaneous diversion of water from all points of diversion under Transfer 68504 shall not exceed 4 58 cfs, nor total combined annual volume of 1025 4 af
- 4 After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- 5 Commercial use is for a dairy located within W1/2 SW, Section 14, T2S, R4E.
- 6 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.
- 7 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
- 8 Right 61-7253B is limited to the irrigation of 80.5 acres within the place of use described above in a single irrigation season
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 07-17-2000.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4 0 afa per acre at the field headgate for irrigation of the lands above.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree

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 5th day of June, 2001

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JUN 14 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 61-7420
As Modified by Transfer No. 68504

In accordance with the approval of Transfer No. 68504, Water Right No. 61-7420 is now described as follows.

Right Holder: JEANETTE VAN GROUW And
 EDWARD G VAN GROUW
 5089 S DEBONAIR LANE
 MERIDIAN ID 83642

Priority Date: 09/30/1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.27 CFS	560.0 AF
			2.27 CFS	560.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 14 Twp 02S	Rge 04E	ELMORE County
GROUND WATER	NESW	Sec. 14 Twp 02S	Rge 04E	ELMORE County

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	
02S	04E	13									40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	320.0
02S	04E	14									40.0	20.0	20.0	40.0	40.0	40.0	40.0	40.0	280.0
Total Acres:			600																

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 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 Transfer 68504 shall not exceed 4.58 cfs, nor total combined annual volume of 1025.4 af
- After specific notification by the department, the right holder shall measure the diversion 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.
- Right 61-7420 is limited to the irrigation of 140.0 acres within the place of use described above in a single irrigation season.
- The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 07-17-2000

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JUN 1 2001

WATER RIGHT NO. 61-7420
As Modified by Transfer No. 68504

CONDITIONS OF APPROVAL

- 7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- 8 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 9 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 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 5th day of June, 2001


Chief, Water Allocation Bureau

MICROFILMED

2001 7 10 1000

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 61-07420

NAME AND ADDRESS: GERALD J CUNNINGHAM
GERTRUDE L CUNNINGHAM
HC 85 BOX 230
GRAND VIEW, ID 83642

SOURCE: GROUNDWATER

QUANTITY: 2.27 CFS
560.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 61-07253B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.58 CFS.

PRIORITY DATE: 09/30/1980

POINT OF DIVERSION: T02S R04E S14 SESW Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.27 CFS 560.00 AFY

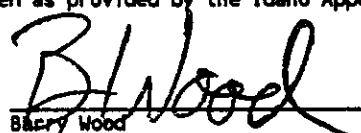
PLACE OF USE:	Irrigation		Within Elmore County
	T02S R04E S13	NWSW 1.2	SWSW 1.1
	S14	SWNE 0.9	SENE 0.8
		NESE 35.0	NWSE 34.0
		SWSE 33.0	SESE 34.0
	140.0 Acres Total		

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 12, 2004

EDWARD G VAN GROUW
5089 S DEBONAIR LN
MERIDIAN ID 83642-6869

RE: WATER SUPPLY BANK LEASE TERM. WATER RIGHT NO(S). 61-7253B AND 61-7420

Dear Lessor(s)

As requested in your letter, received by the Department of Water Resources ("department") on March 10, 2004, the department will retain the water right number(s) referenced above in Water Supply Bank. The right(s) will remain in the bank for an "indefinite" lease term unless the rights are released earlier by the Water Resource Board, or upon request by the lessor. To change the term of the lease or to release the right(s) from the bank, the lessor must submit a request in writing to the department.

If you have questions, please feel free to contact me.

Sincerely,

Cynthia Bridge Clark
Water Allocation Bureau

c John Westra -- IDWR Western Region

MILWAUKEE, WI

MARCH 12, 2004

RECEIVED

MAR 10 2004

Department of Water Resources

Dear Cynthia,

Please extend the lease of
my water rights that are in the
bank. just extend them indefinitely -
as we talked about. Thanks you
very much.

Sincerely Ed B.

Right NCS| 61-7753B + 61-7420

MICROFILM

JUN 02 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 24, 2004

EDWARD G VAN GROUW SR
5089 S DEBONAIR LANE
MERIDIAN ID 83642

**RE: TERMINATION OF LEASE TO THE WATER SUPPLY BANK – WATER
RIGHT NO(S). 61-7253B, & 61-7420**

Dear Sir or Madam:

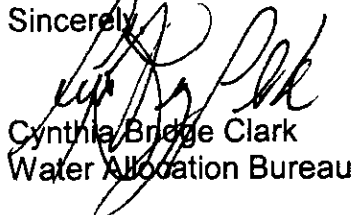
Department records show that the above referenced water right(s) has been leased through December 31, 2003 to the Water Supply Bank ("bank") operated by the Idaho Water Resource Board. This letter is notice that the right will be considered released from the bank unless you advise me, in writing, within fourteen (14) days of the date of this letter that you want to extend the period of the lease.

If you would like the right(s) to remain leased to the bank, please specify the date to which you want the lease extended. You may also request the right(s) remain leased to the bank for an "indefinite" period. In this case, the right(s) will remain in the bank indefinitely unless released earlier by the Board or until the water right owner or lease applicant contacts the department in writing to request the release of the right(s) from the bank.

Please consider that the five (5) year period of nonuse related to forfeiture of a water right shall begin to accrue upon release of the right from the bank or shall continue to accrue if a period of nonuse occurred prior to the lease date of the right to the bank. If a written request is not received within fourteen (14) days, the right(s) will be considered released from the bank as of December 31, 2003.

If you have questions, feel free to contact me directly at (208) 327-7898.

Sincerely,



Cynthia Bridge Clark
Water Allocation Bureau

c: IDWR - Regional Office

MICHAEL

JUN 02 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 6, 2003

EDWARD G. VAN GROUW SR.
5089 S. DEBONAIR LANE
MERIDIAN ID 83642

RE: APPLICATION TO LEASE PART OF WATER RIGHT NOS. 61-7253B AND 61-7420 TO THE WATER SUPPLY BANK

Dear Mr. Van Grouw:

The department has completed its review of the Applications to Sell or Lease Water Rights to the Water Supply Bank ("bank") that you submitted to this office. Please consider that a portion of irrigation use under both rights, and all of the stockwater and commercial uses under water right no. 61-7253B are accepted into the bank.

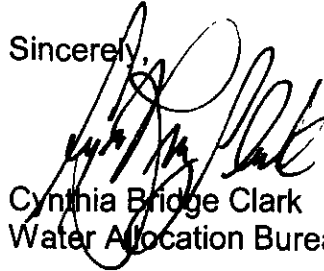
Several items to keep in mind in connection with the lease of a water right to the bank are as follows:

1. There is no rental payment to the owner of the water right if the right or a part thereof is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. The owner must comply with the conditions of the water rights with regard to the portion of the rights withheld from the bank.
4. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
5. While a water right is in the bank, forfeiture provisions are stayed.
6. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.
7. The lessor may be required to provide evidence of availability of the surface water source prior to rental of the right.

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If you have questions, please feel free to contact me.

Sincerely,



Cynthia Bridge Clark
Water Allocation Bureau

c: IDWR – Western Region
61-7253B, 61-7420

Darwin Vander Stelt
16931 Star Rd
Nampa, ID 83687

MICROFILMED

SEP 03 2003

MEMORANDUM

To: Files 61-7253B and 61-7420

From: Cynthia Bridge Clark

Date: August 5, 2003

Re: Leasing a Right to the State Water Supply Bank

Mr. Grouw submitted an application to lease a portion of two rights to the bank. The applicant noted that the rights are being placed in the bank to protect against forfeiture, and that he plans to continue irrigation of a single 126-acre pivot within the authorized 600-acre permissible place of use. The applicant has leased a portion of the irrigation use from both rights, and all of the stockwater and commercial use under water right no. 61-7253B. Commercial use is associated with a Dairy that has yet to be constructed.

The permissible place of use was created under transfer no. 68504. The rights can be rented independently though they are associated with the same place of use, however, the lessor should understand the reduction of acres, rate and volume under each right :

	<u>Lease application</u>	<u>Portion available for Rent:</u> <u>Under WR 61-7253B</u>	<u>Under WR 61-7420</u>
Rate (cfs)	2.47 cfs	0.68 (irr) + 0.79 (stock) = 1.47 cfs	1.0 cfs (irr)
Volume (af)	521.4 af	138 (irr) + 143.4 (stock) = 281.4 af	240 af
Acres	94.5 ac	34.5 ac	60 ac

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SEP 03 2003

Nutrient Management Service

Memo

RECEIVED

JUN 13 2003

Department of Water Resources

RECEIVED

JUN 11 2003

WATER RESOURCES
WESTERN REGION

To: Cynthia Bridges Clark
From: Darwin Vander Stelt
CC: Ed Van Grouw
Date: 6/6/2003
Re: Mr Van Grouw wishes to place water in the water bank

Rights. 61-7253B and 61-7420 (attached)

The applicant transferred water under transfer 68504 from irrigation to dairy use. Because of unforeseen events, the dairy construction was postponed, perhaps indefinitely, and the applicant does not wish to lose the affected water rights. In addition, the applicant is now leasing the land, one quarter each year, to a potato farmer, with only one pivot running in the 600 acre allowable place of use each year.

The included documents are as follows

Application to sell or lease water

Attached analysis of flows and volumes

Attached topo map

Attached proof of ownership

Attached evidence of use.

If more information is needed, please call me at 465-9496 and I will be happy to answer any questions. Thank You!

Darwin Vander Stelt

MICROFILMED

SEP 3 2003

MEMORANDUM

TO: FILE 61-07420
FROM: VAULT
RE: TRANSFER # 5821
DATE: August 31 2000

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 61-07253

MICROFILMED

JUN 14 2001