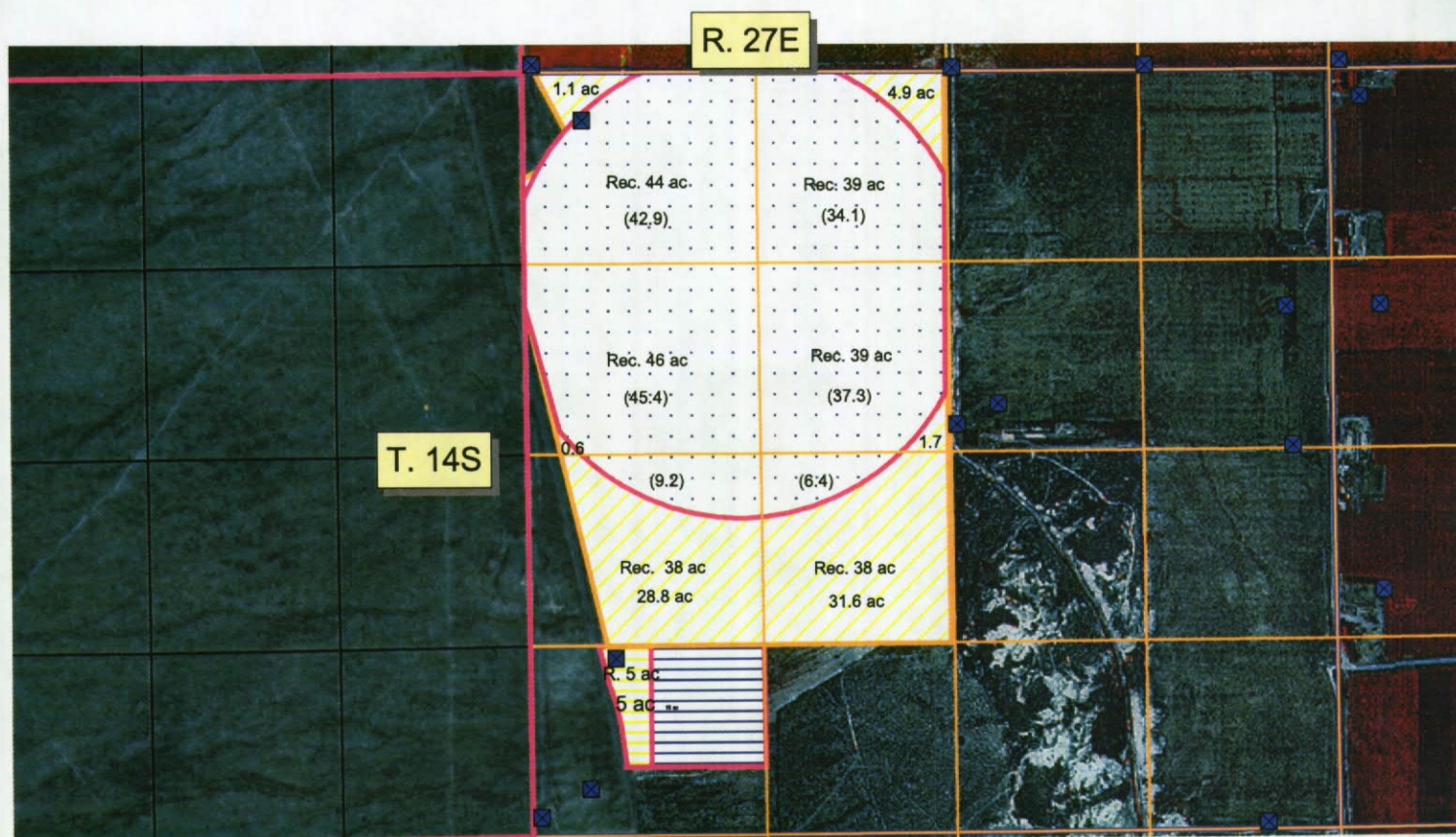


IDAHO DEPARTMENT OF WATER RESOURCES

App for Transfer - Peter Grush

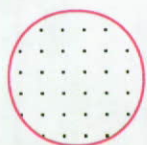


Section Lines



Quarter/Quarter Lines

General Location: About 8 miles SSE of Malta



Land retained for pivot irrigation after transfer



Land to be dried up for dairy

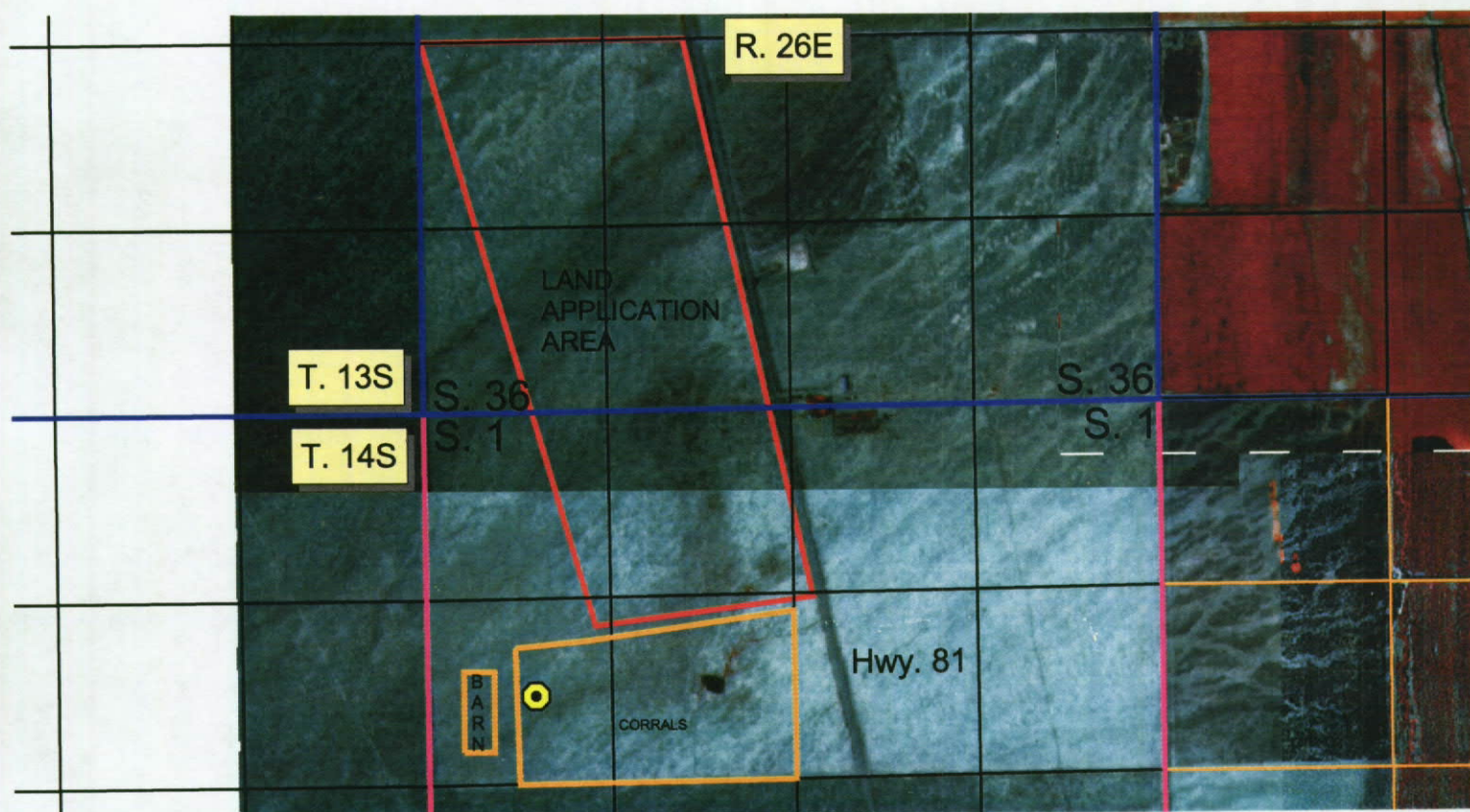
MICROFILMED
OCT 17 2002

Prepared By J E Stanton 7-5-02

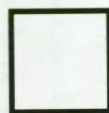
1986/87 NAPP Data

IDAHO DEPARTMENT OF WATER RESOURCES

App for Transfer - Peter Grush

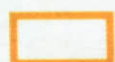


Section Lines



Quarter/Quarter Lines

General Location: 5 miles south of Hwy 77/81 interchange at Malta
on west side of Hwy 81



Existing Dairy Site



Existing Well With 2 Pumps

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Prepared By J E Stanton 5-15-02

1986/87 NAPP Data



Flowmeter Data

(ALL DISTRICTS)

GRUSH, PETER & SYLVIA

P BAR S DAIRY

GPS Site ID Tag

A0011442

Legal Description

14S 26E 01 SWNW

fsubFlowAF

Year	Totalizer Start	Totalizer End	Volume Units	Acre-Feet	Adjusted Acre-Feet	Max Flowrate (CFS)	Adjusted Max Flowrate	Qualifier
2001	0	469676	GAL	144.14	142.7			MR PM
Calib. Factor		0.99	Calib. Date	6/26/2001	Vol Mult:	100	Meter installed sometime in June, 2001	
Preferred: ☐		Validated: ☐	Changed	1/10/2002	CHODGES	Comments:		

New Data

Re-Adjust

Site Visit

POD

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OCT 17 2002

Idaho Department of Water Resources Receipt

Receipt ID S024521

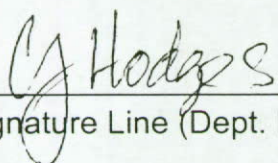
Payment Amount \$275.00 Date Received 1/9/2002 4:23:03 PM Region Southern Stat
Payment Type Check Check Number 254

Payer GRUSH, PETER J.

Comment 1 app for transfer & 2001 Water Measurement Report,
reporter #DWR00015

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$250.00	TRANSFERS	0229	21	64106	1155
\$25.00	GROUND WATER MEASURING	0229	21	58105	1155


Signature Line (Dept. Representative)

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OCT 17 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69647

This is to certify that: PETER J GRUSH and SYLVIA T GRUSH
2025 S HWY 81
MALTA ID 83342
(208) 645-2361

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

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
43-2580B	WR/Decreed	07/13/1964	0.2 cfs	40 af			GROUND WATER
43-2580C	WR/Decreed	07/13/1964	4.88 cfs	854 af		244.0	GROUND WATER
43-13206	AJC/License	07/13/1964	0.1 cfs	20 af	5.0	5.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-2580B	NO	NO	YES	NO	NO	YES
43-2580C	YES	YES	YES	NO	YES	YES
43-13206	NO	YES	YES	NO	YES	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-2580B	43-2580B	0.20 cfs	40.0 af	N/A			N/A	N/A	N/A	N/A
43-2580C	43-13209	1.37 cfs	206.1 af	N/A		43-13208	3.51 cfs	613.6 af	N/A	175.3
43-13206	43-13206	0.10 cfs	15.0 af	N/A			N/A	N/A	N/A	N/A
TOTALS		1.67 cfs	261.1 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of September, 2002

L. Glen Saxton
Chief, Water Allocation Bureau

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OCT 17 2002

WATER RIGHT NO. 43-2580B
As Modified by Transfer No. 69647

In accordance with the approval of Transfer No. 69647, Water Right No. 43-2580B is now described as follows.

Right Holder: PETER J GRUSH and SYLVIA T GRUSH
 2025 S HWY 81
 MALTA ID 83342

Priority Date: 07/13/1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.20 CFS	40.0 AF
STOCKWATER	01/01	to 12/31	0.20 CFS	40.0 AF
			0.20 CFS	40.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 1 Twp 14S Rge 26E CASSIA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 26E 36									X	X	X	X					
14S 26E 1		X	X		X	X	X	X									
		L2			L3	L4											

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	
14S 26E 1							X	X									

CONDITIONS OF APPROVAL

1. Rights 43-13206, 43-13209 and 43-2580B when combined shall not exceed a total diversion rate of 1.67 cfs, a total annual maximum diversion volume of 261.1 af at the dairy.
2. 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.
3. Commercial use is for a dairy located within the S1/2NW, S01, T14S, R26E.

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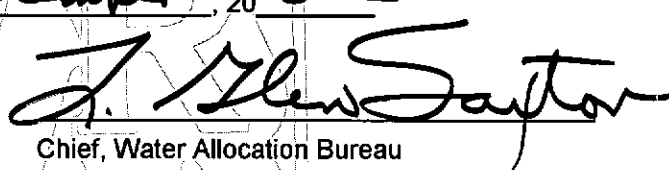
WATER RIGHT NO. 43-2580B
As Modified by Transfer No. 69647

CONDITIONS OF APPROVAL

4. 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.
5. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
6. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 20th day of September, 2002


Chief, Water Allocation Bureau

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OCT 17 2002

WATER RIGHT NO. 43-13206
As Modified by Transfer No. 69647

In accordance with the approval of Transfer No. 69647, Water Right No. 43-13206 is now described as follows.

Right Holder: F STANLEY LLOYD and JEANETTE LLOYD
 HC 61 BOX 1510
 ELBA ID 83326

Priority Date: 07/13/1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to	12/31	0.10 CFS	15.0 AF
STOCKWATER	01/01 to	12/31	0.10 CFS	15.0 AF
			0.10 CFS	15.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 1 Twp 14S Rge 26E CASSIA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 26E 36									X	X	X	X					
14S 26E 1		X	X		X	X	X	X									
		L2			L3	L4											

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	
14S 26E 1							X	X									

CONDITIONS OF APPROVAL

1. Rights 43-13206, 43-13209 and 43-2580B when combined shall not exceed a total diversion rate of 1.67 cfs, a total annual maximum diversion volume of 261.1 af at the dairy.
2. 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.
3. Commercial use is for a dairy located within the S1/2NW, S01, T14S, R26E.

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OCT 17 2002

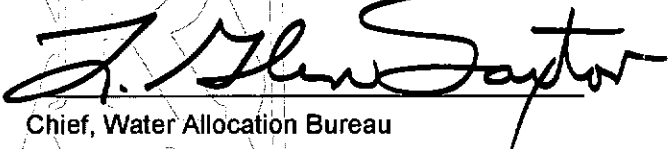
WATER RIGHT NO. 43-13206
As Modified by Transfer No. 69647

CONDITIONS OF APPROVAL

4. 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.
5. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
6. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 20th day of September, 2002


Chief, Water Allocation Bureau

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OCT 17 2002

WATER RIGHT NO. 43-13209
As Modified by Transfer No. 69647

In accordance with the approval of Transfer No. 69647, Water Right No. 43-13209 is now described as follows.

Right Holder: F STANLEY LLOYD and JEANETTE LLOYD
 HC 61 BOX 1510
 ELBA ID 83326

Priority Date: 07/13/1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	1.37 CFS	206.1 AF
STOCKWATER	01/01	to 12/31	1.37 CFS	206.1 AF
			1.37 CFS	206.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 1 Twp 14S Rge 26E CASSIA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 26E 36									X	X	X	X					
14S 26E 1		X	X		X	X	X	X									
		L2			L3	L4											

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	
14S 26E 1							X	X									

CONDITIONS OF APPROVAL

1. Rights 43-13206, 43-13209 and 43-2580B when combined shall not exceed a total diversion rate of 1.67 cfs, a total annual maximum diversion volume of 261.1 af at the dairy.
2. 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.
3. Commercial use is for a dairy located within the S1/2NW, S01, T14S, R26E.

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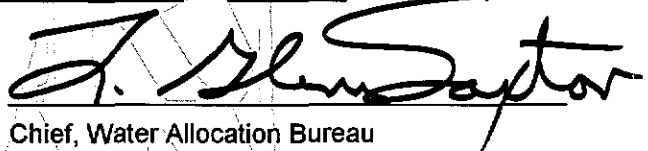
WATER RIGHT NO. 43-13209
As Modified by Transfer No. 69647

CONDITIONS OF APPROVAL

4. 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.
5. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
6. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 20th day of September, 2002


Chief, Water Allocation Bureau

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OCT 17 2002

WATER RIGHT NO. 43-13208
As Modified by Transfer No. 69647

In accordance with the approval of Transfer No. 69647, Water Right No. 43-13208 is now described as follows.

Right Holder: F STANLEY LLOYD and JEANETTE LLOYD
 HC 61 BOX 1510
 ELBA ID 83326

Priority Date: 07/13/1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	3.51 CFS	613.6 AF
			3.51 CFS	613.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 4 SWSWSW Sec. 18Twp 14S Rge 27E CASSIA 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	
14S 27E 18					34.1	42.9	45.4	37.3	6.4	9.2							175.3
					L1	L2				L3							

Total Acres: 175.3

CONDITIONS OF APPROVAL

- 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 20th day of September, 2002

J. Glen Saylor
 Chief, Water Allocation Bureau

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Page 1

Department of Water Resources

Transfer No. 69647
Receipt No. S024521

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information PETER J GRUSH
2025 S HWY 81
MALTA ID 83342
(208)645-2361
AND/OR

SYLVIA T GRUSH
2025 S HWY 81
MALTA ID 83342
(208)645-2361

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Department of Water Resources
Southern Region

Will this transfer result in an ownership change? _____ Yes ☒ No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acres	Total	Source
43-13206	AJC/License	0.10 cfs	20.0 af	5.0	5.0	GROUND WATER
43-2580C	AJC/License	4.88 cfs	854.0 af	244.0	244.0	GROUND WATER
43-2580B	AJC/License	0.20 cfs	40.0 af			GROUND WATER

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-13206	NO	YES	YES	NO	YES	YES
43-2580C	YES	NO	YES	YES	YES	YES
43-2580B	NO	NO	YES	NO	NO	YES

Describe the reason for the proposed changes

Original stock well failed, so a larger replacement well was drilled. Pumping rate from new well of 160 gpm exceeds allowed rate, so an additional water right is being transferred to system to cover this. Also, actual diversion volume exceeds what is needed according to dairy program; this version of the application provides additional volume needed to cover actual usage. Dairy herd is also being expanded by adding 200 dairy cows and 200 heifers.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

Water will be ponded and land applied thru sprinklers as required by nutrient management plan approved by Dept of Agriculture.

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OCT 17 2002

Page 2

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

Land will be dried up and not irrigated on the Lloyd property.

5. Total Amounts Transferred

	Rate	Acres	Total	Volume
43-13206	0.10 cfs			15.0 af
43-13209	1.37 cfs			206.1 af
43-2580B	0.20 cfs			40.0 af
TOTAL	1.67 cfs			261.1 af

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Department of Water Resources
Southern Region

Transfer No. 69647
Receipt No. S024521

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.

Peter J. Gust

(Signature of Applicant)

D. W. W. W.

(Title or Office)

Subscribed and sworn to before me this

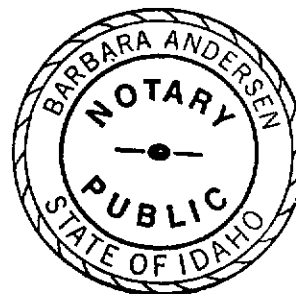
29th day of May, 20 02

Barbara Andersen

(Notary Public)

My commission expires

7-23-05



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OCT 17 2002

Transfer No. 69647
Receipt No. S024521

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

Current Water Right No. 43-13206

Priority Date: 07/13/1964
Origin: Adjudication Claim
Basis: License
Status: Active

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Southern Region

Source: GROUND WATER

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15 11/15	0.10 CFS	20.0 AFA	
Total Diversion		0.10 CFS	20.0 AFA	

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	14S	27E	18	NWSWSW	4	CASSIA

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	
14S	27E	18											5.0						5.0
													L 4						

Total Acres: 5

Conditions/Remarks:

1. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-2580D.
2. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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OCT 17 2002

Page 5

Documentation of Ownership of the Current Place of Use

Land will be dried up and not irrigated on the Lloyd pr

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

YES

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

Land will not be irrigated.

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

YES Land was in CRP for 10 years 1989-98.

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Transfer No. 69647
 Receipt No.S024521

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

Current Water Right No. 43-2580C

Priority Date: 07/13/1964
 Origin: Adjudication Claim
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	4.88 CFS	854.0 AFA	
Total Diversion		4.88 CFS	854.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	14S	27E	18	SWSWSW	4	CASSIA

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
14S	27E	18					39.0	44.0	46.0	39.0	38.0	38.0							244.0
								L 1	L 2			L 3							

Total Acres: 244

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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OCT 17 2002

Page 7

Documentation of Ownership of the Current Place of Use

Land will be dried up and not irrigated on the Lloyd pr

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

YES

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

Land will not be irrigated.

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

YES Land was in CRP for 10 years 1989-98.

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OCT 17 2002

Transfer No. 69647
 Receipt No. S024521

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

Current Water Right No. 43-2580B

Priority Date: 07/13/1964
 Origin: Adjudication Claim
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01 12/31	0.20 CFS	40.0 AFA	
Total Diversion		0.20 CFS	40.0 AFA	

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 Department of Water Resources
 Southern Region

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	14S	26E	1	SWNW		CASSIA

PLACE OF USE: STOCKWATER

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
14S	26E	1																	

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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Page 9

Documentation of Ownership of the Current Place of Use

Tax Notice

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

YES

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

Transfer just adds two wells to the system, and expands the place of use to an additional qq section.

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

NO

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Transfer No. 69647
 Receipt No. S024521

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 43-13206

Priority Date: 07/13/1964
 Origin: Adjudication Claim
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.10 CFS	15.0 AFA	
STOCKWATER	01/01 12/31	0.10 CFS	15.0 AFA	
Total Diversion		0.10 CFS	15.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	14S	26E	1	NESWNW		CASSIA

Describe the proposed diversion system

Point of Diversion # 1 Existing well, 15 hp & 30 hp motors and pumps, mainlines to barn & corrals

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	
13S	26E	36									X	X	X	X					
14S	26E	1		X	X		X	X	X	X									
				L2			L3	L4											

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	
14S	26E	1							X	X									

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JUN 05 2002
 Department of Water Resources
 Southern Region

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

Proposed Water Right No. 43-13209

Priority Date: 07/13/1964

Origin: Adjudication Claim

Basis: License

Status:

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	1.37 CFS	206.1 AFA	
STOCKWATER	01/01 12/31	1.37 CFS	206.1 AFA	
Total Diversion		1.37 CFS	206.1 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	14S	26E	1	NESWNW		CASSIA

Describe the proposed diversion system

Point of Diversion # 1 One existing well with 2 motors, pumps, mainlines to dairy barn & stock troughs

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	
13S	26E	36																	
14S	26E	1		X	X		X	X	X	X									
				L 2			L 3	L 4											

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	
14S	26E	1																	
									X	X									

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Transfer No. 69647
 Receipt No. S024521

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 43-2580B

Priority Date: 07/13/1964
 Origin: Adjudication Claim
 Basis: License
 Status:

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JUN 05 2002

Department of Water Resources
 Southern Region

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.20 CFS	40.0 AFA	
STOCKWATER	01/01 12/31	0.20 CFS	40.0 AFA	
Total Diversion		0.20 CFS	40.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	14S	26E	1	NESWNW		CASSIA

Describe the proposed diversion system

Point of Diversion # 1 Existing well, 2 motors, pumps, mainlines to dairy barn & stock troughs

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	
13S	26E	36									X	X	X	X					
14S	26E	1		X	X		X	X	X	X									
				L2			L3	L4											

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	
14S	26E	1							X	X									

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Transfer No. 69647
Receipt No. S024521

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3B**

PORITION OF RIGHT No. 43-2580C BEING TRANSFERRED

Priority Date: 07/13/1964
Origin: Adjudication Claim
Basis: License
Status:

RECEIVED
JUN 05 2002
Department of Water Resources
Southern Region

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.37 CFS	274.8 AFA	
Total Diversion			1.37 CFS	274.8 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	14S	27E	18	SWSWSW	4	CASSIA

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	
14S	27E	18					4.9	1.1	.6	1.7	31.6	28.8						68.7	
								L 1	L 2										

Total Acres: 68.7

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Comment Report

Application ID 69647

1. jstanton 7/1/2002 9:10:33 AM Special Administration Area Notes

Comment: Special Administration Areas : Raft River CGWA

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 7/1/2002 10:33:19 AM Additional Information Notes

Comment: Reviewed by Adjudication Staff: Request

3. jstanton 7/1/2002 T69647 Initial Review

Comment: App proposes to dry up land that has been in CRP. A large pivot has been installed on the farm now, so transfer removes all licensed ground outside the pivot (except for some land in SW/SW Sec. 18 not covered by the pivot).

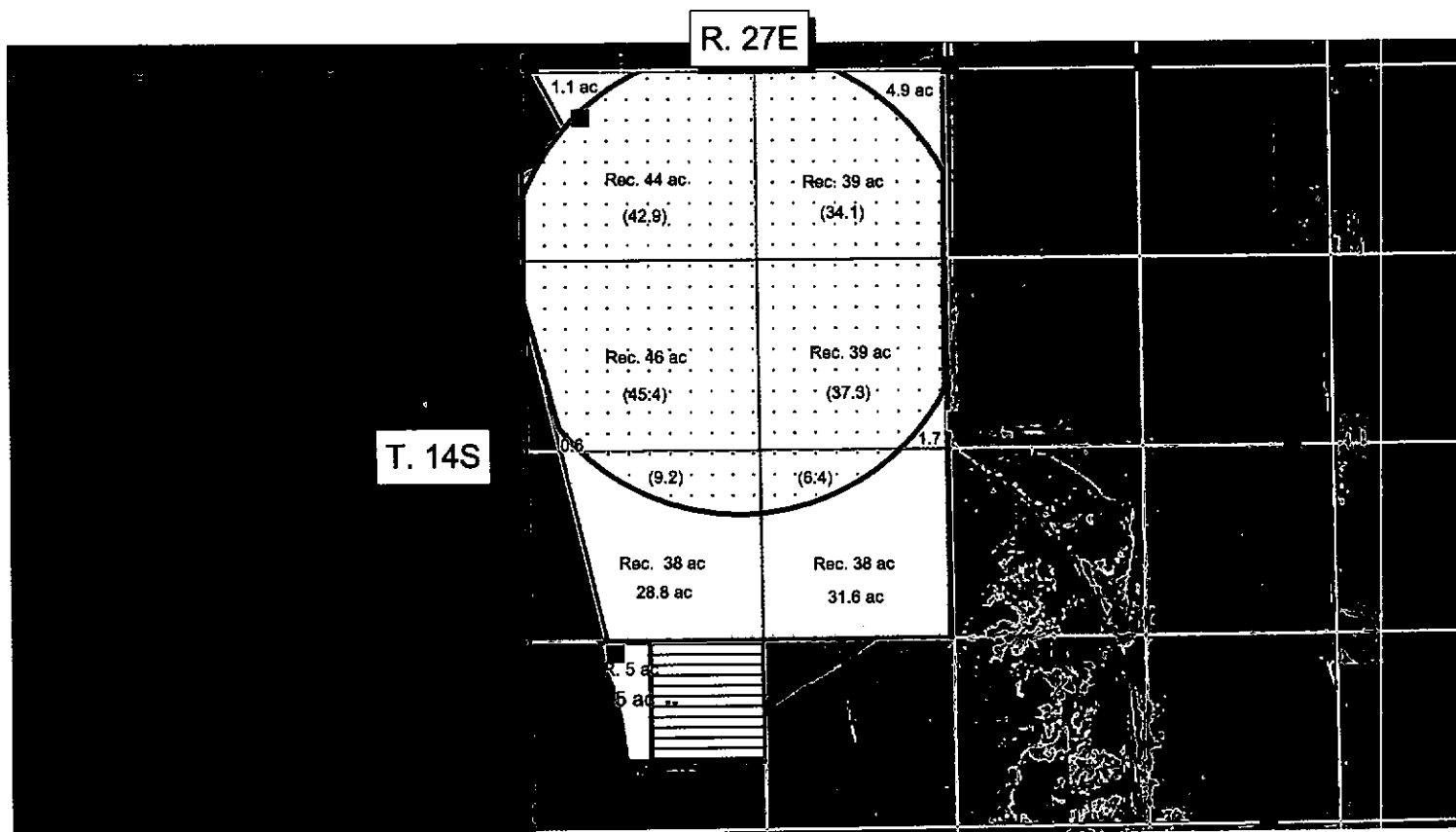
Land is licensed at 1"/acre, so the licensed rate must be transferred to the dairy even though this amount will not actually be diverted there. The transfer is based on the actual volume of water used at the dairy based on continuous pumping of the well, which has been confirmed by Cindy Yenter. I do not know why the dairy uses so much water, but there does not appear to be a deliberate attempt to pump excess water that could be used for irrigation during the summer. This transfer will bring this dairy into compliance with state law; recommend approval. Although the applicant does not own the land being dried up, he has written permission from the owner to make the transfer.

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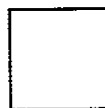
OCT 17 2002

IDAHO DEPARTMENT OF WATER RESOURCES

App for Transfer - Peter Grush

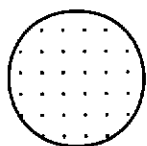


Section Lines

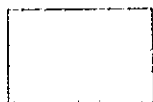


Quarter/Quarter Lines

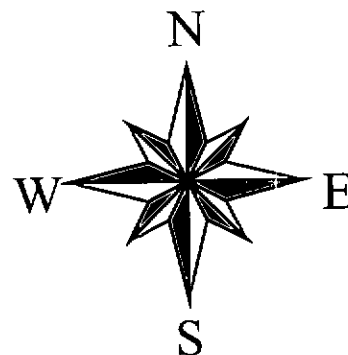
General Location: About 8 miles SSE of Malta



Land retained for pivot irrigation after transfer



Land to be dried up for dairy

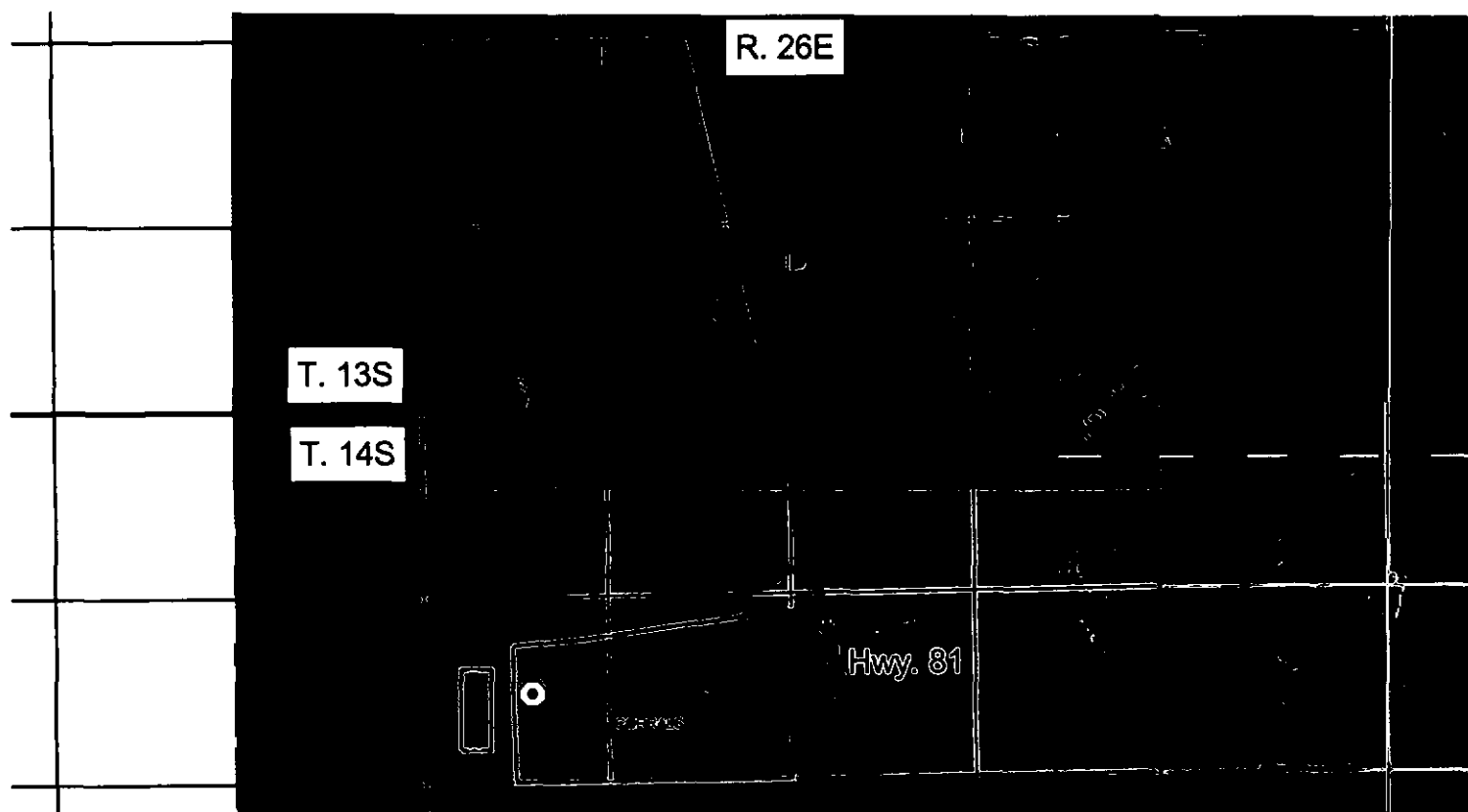
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Prepared By J E Stanton 7-5-02

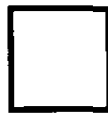
1986/87 NAPP Data

IDAHO DEPARTMENT OF WATER RESOURCES

App for Transfer - Peter Grush



Section Lines



Quarter/Quarter Lines

General Location: 5 miles south of Hwy 77/81 interchange at Malta
on west side of Hwy 81



Existing Dairy Site



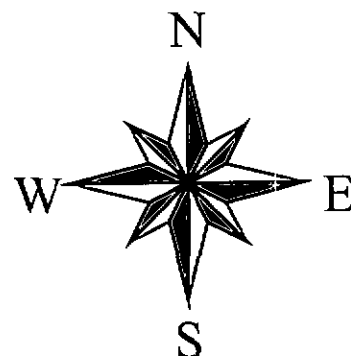
Existing Well With 2 Pumps

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OCT 17 2002

Prepared By J E Stanton 5-15-02

1986/87 NAPP Data



LEASE WITH EXCLUSIVE OPTION TO PURCHASE

This lease agreement was made and entered into on the 15th day of December, 1999, between STAN LLOYD and JEANETTE LLOYD, as Trustees of the Stan and Jeanette Lloyd Living Trust, of Malta, Idaho, herein referred to as "Lessor", and PETER J. GRUSH and SYLVIA GRUSH, husband and wife, herein after referred to as "Lessee".

RECITALS

The parties recite and declare:

- A. Lessor is the owner of the premises described on Exhibit "A" attached hereto and made a part hereof, and desires to lease such to Lessee for agricultural proposes.
- B. Lessee desires to lease the premises for agricultural purposes.
- C. The parties desire to enter a lease agreement defining their rights, duties and liabilities relating to the premises.

In consideration of the mutual covenants contained in this lease agreement, the parties agree as follows:

SECTION ONE
SUBJECT AND PURPOSE

Lessor owns the property located in the County of Cassia, State of Idaho, and more particularly described on Exhibit "A" attached hereto and made a part hereof, together with the property on which the well is situated, described on Exhibit "B", attached hereto and made a part hereof.

SECTION TWO
TERM AND RENT

- A. That the Lessor does hereby lease said real property unto the Lessee for the term beginning December 15, 1999, and ending on February 10, 2010, with Lessee receiving possession at the time the \$4,000.00 option payment set forth herein is paid in full.
- B. That the rental to be paid therefor shall be the sum of One Thousand Nine Hundred Fifty and No/100 Dollars (\$1,950.00) per month with said rental being due and payable in full on the 10th day of each and every month during the term of this lease beginning February 10, 2000.
- C. All rents shall be paid through Land Title & Escrow, Inc., Burley, Idaho office with all fees to be equally divided between the parties.

LEASE WITH EXCLUSIVE
OPTION TO PURCHASE - 1

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D. Time is of the essence of this lease and the Option to Purchase granted below.

SECTION THREE ADDITIONAL RENTS

All taxes, charges, costs and expenses that Lessee assumes or agrees to pay under this lease agreement, together with all interest and penalties that may accrue thereon in the event of failure of Lessee to pay those items, and all other damages, costs, expenses, and sums that Lessor may suffer or incur, or that may become due, by reason of any default of Lessee or failure by Lessee to comply with the terms and conditions of this lease agreement shall be deemed to be additional rent, and, in the event of non-payment, Lessor shall have all rights and remedies as provided in this lease agreement for failure to pay rent.

SECTION FOUR ALTERATIONS, ADDITIONS, AND IMPROVEMENTS

Subject to the limitation that no substantial portion of the improvements on the demised premises shall be demolished or removed by Lessee without the prior, express, and written consent of Lessor. Lessee may at any time during the term, subject to the conditions set forth below and at their own expense, make alterations, additions, or improvements in and to the demised premises. In no event shall Lessee be considered the agent of Lessor with respect to the providing of any labor or materials on the premises. Lessee shall pay promptly for any labor or materials provided upon the premises and shall take all steps necessary to prevent the filing of any lien against the premises. All alterations or improvements built, constructed, or placed on the premises by Lessee including the deep well pump, motor and related accessories, irrigation pivot, pipeline, electrical box, and all related parts and equipment, except the Linear irrigation system, shall unless otherwise provided by written agreement between the parties, be the property of Lessor and shall remain on the premises at the expiration or termination of this lease. It is understood that the Linear irrigation system that irrigates property besides the subject property shall at all time remain the property of the Lessee. Notwithstanding the foregoing it is understood and agreed that Lessee shall have the right to remove any and all fences from the premises. In the event Lessor desires to keep the materials from the fence, Lessor shall remove the fence and keep the materials. In the event Lessor has not removed the fence by February 1, 2000, Lessee shall be entitled to remove the fence and keep the materials. In that event Lessor's right to the materials shall be forfeited.

SECTION FIVE REPAIRS

Lessee shall, at all times during the terms of this lease agreement and at its own cost and expense, repair, replace, and maintain in a good, safe, and substantial condition any improvements on the demised premises, and shall use all reasonable precautions to prevent waste, damage, or injury to

LEASE WITH EXCLUSIVE
OPTION TO PURCHASE - 2

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the demised premises.

SECTION SIX TAXES

Lessee shall pay all real property taxes beginning with January 1, 2000.

SECTION SEVEN UTILITIES AND EXPENSES

A. All applications and connections for necessary utility services on the demised premises from and after the day Lessee takes possession, shall be made in the name of Lessee or his sub-lessees only. Lessor hereby authorizes Raft River Rural Electric to transfer the utilities into the name of the Lessee. Lessee and/or his sub-lessees shall be solely liable for utility charges as they become due, including, but not limited to, those for sewer, water, gas, electricity, and telephone services.

B. All expenses associated with and a part of the operation of any business or rental activity shall be the sole responsibility of Lessee from and after the date Lessee takes possession of the property.

SECTION EIGHT WATER RIGHTS

A. The parties anticipate that Lessee will not be irrigating all of the property covered by this lease. Lessee shall have the right to transfer the place of use of 45 inches of such water to other property of Lessee: provided (1) Lessee pays to Lessor the sum of \$500.00 for each acre of water transferred, which payment shall be made prior to the time the water rights are transferred, (2) Lessee pays all costs associated with accomplishing such transfer, (3) at the time of execution of this lease, Lessee shall execute and deliver to Lessor's attorney the paperwork necessary to change the place of use of such water rights back to the leased property, in the event this lease is terminated for any reason and the Option to Purchase is not exercised.

B. Said payment for the water shall be in addition to the monthly rental payment. In the event Lessee's Option to Purchase is exercised, such payment shall be applied upon the purchase price. In the event Lessee does not exercise the Option to Purchase, Lessor shall refund such payment, at such time that a transfer of the water rights back to Lessor's property is completed, reduced by any cost or expense incurred by Lessor in re-transferring the water rights. In no event will Lessor be responsible to account for any interest on the water transfer funds paid to Lessor by Lessee.

C. So long as this lease is in effect, Lessee shall at its cost take all actions necessary to protect and retain all water rights that are appurtenant to the leased property.

LEASE WITH EXCLUSIVE
OPTION TO PURCHASE - 3

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D. Lessee accepts the well and pump in their "as is" condition.

SECTION NINE MARKET LOSS ASSISTANCE

It is understood and agreed that any Market Loss Assistance payments made by the government as a result of limited planting shall be paid to and retained by Lessee.

SECTION TEN IRRIGATION EQUIPMENT

Lessee will be responsible at its cost to install and maintain any irrigation equipment on the property, including the well, pump, panel, pipe, irrigation pivot and all related parts and equipment, during the term of this lease. In the event the lease is terminated for any reason and Lessee does not exercise the Option to Purchase granted below, the well, pump, motor, underground mainline and the pivot system, including all parts and components, except the linear irrigation equipment, shall remain on the lease premises unless Lessor gives written instruction to Lessee to remove the pivot or any other equipment. All irrigation equipment except the linear irrigation equipment shall be left on the leased property in good condition and good working order.

Lessee shall not encumber the pivot with any liens or security interest except an original purchase money lien, and shall not thereafter modify or extend the term of such purchase money lien. Lessee shall pay promptly all sums owed for any obligation secured by any portion of the irrigation system.

If this lease is terminated prior to Lessee exercising the Option to Purchase, Lessor shall have the option to make any remaining payments owed for the irrigation equipment, and to retain possession and ownership of the irrigation equipment. If Lessor elects not to pay the existing debt for the irrigation equipment, then Lessee shall remove all irrigation equipment encumbered by any security interest, except the underground mainline, which shall remain on the leased property in any event.

SECTION ELEVEN ACCESS TO HIGHWAY 81

In the event access off of and onto Highway 81 is ever limited in the future, Lessor and Lessee agree to cooperate to ensure that Lessee and Lessor and their heirs and assigns have access to Highway 81.

SECTION TWELVE EASEMENTS

In the event Lessee exercises the Option to purchase, Lessor shall provide Lessee with a permanent easement for an underground pipeline to transport water from the well to the property. Such

LEASE WITH EXCLUSIVE
OPTION TO PURCHASE - 4

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easement shall be located, in Lessor's reasonable discretion, so that it minimizes interference with the use and value of Lessor's property.

SECTION THIRTEEN UNLAWFUL OR DANGEROUS ACTIVITY

Lessee shall neither use nor occupy the demised premises or any part of the demised premises for any unlawful, disreputable, or ultra hazardous purpose nor operate or conduct their business in a manner constituting a nuisance of any kind. Lessee shall immediately, on discovery of any unlawful, disreputable, or ultra hazardous use, take action to halt such activity. Further, there shall be no dairy lagoons, barns, manure piles, or accumulation of manure, waste, or trash on the leased premises.

On the one-half acre parcel west of the Highway, Lessee shall not construct any buildings other than a shelter for the well and pump, if desired. Lessee shall not store or allow the presence of any vehicles, equipment, machinery, pipe, junk, produce, supplies, rubbish, or odorous or hazardous chemicals or substances on the one-half acre.

SECTION FOURTEEN INDEMNITY

Lessee shall indemnify Lessor against any and all expenses, liabilities and claims of every kind, including reasonable attorney fees, by or on behalf of any person or entity arising out of either (1) a failure by Lessee to perform any of the terms or conditions of this lease agreement, (2) any injury or damage happening on or about the demised premises, (3) failure to comply with the law of any governmental authority, or (4) any mechanic's lien or security interest filed against the demised premises or materials, or alterations of building or improvements on the demised premises.

SECTION FIFTEEN BREACH OR DEFAULT

Each of the following events shall constitute a default or breach of this agreement by Lessee:

- A. If Lessee shall fail to pay Lessor any rent or additional rent when the rent shall become due and shall not make the payment within ten (10) days after notice thereof by the Lessor to Lessee.
- B. If Lessee shall fail to perform or comply with any of the conditions of this lease agreement and if the nonperformance shall continue for a period of thirty (30) days after notice of nonperformance given by Lessor to Lessee.
- C. In the event the Lessee shall fail in any agreement of this lease herein contained, then the Lessor

LEASE WITH EXCLUSIVE
OPTION TO PURCHASE - 5

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may terminate this lease and may re-enter said premises and care for and harvest all crops and market the same, deducting therefrom all amounts due the Lessor for rentals, his work, labor and expenses, and the surplus, if any, to the Lessee and the lease shall be deemed to be forfeited. Provided, however, before such forfeiture and other rights specified herein shall be effective, the Lessor must give Lessee written notice of the nature of the default, and if such default is corrected within the time provided herein, after Lessee is served with said notice, then the lease will remain in effect as through never breached, and if not corrected within said time period, the Lessor shall be entitled to immediate possession of the premises above-described. Service of notice of default may be accomplished by those means allowed by law for the service of process or by sending said notice of default by registered mail to the Lessee at Lessee's address at the time of sending said notice. Service of notice shall be deemed complete at the time the notice is placed in the United States mail, return receipt requested.

SECTION SIXTEEN EXCLUSIVITY

The foregoing rights and remedies are not intended to be exclusive, but are in addition to all rights and remedies Lessor would otherwise have by law.

SECTION SEVENTEEN ASSIGNMENT AND SUBLEASING

Lessee may assign this lease or sublet the property to another party, provided that Lessor has first agreed in writing to such assignment or sublease. Such agreement by Lessor shall not be unreasonably withheld. A consent by Lessor to one assignment or sublease shall not be deemed to be a consent to any subsequent assignment or sublease. Any assignment or sublease without Lessor's prior written consent shall be void and shall, at Lessor's option, terminate this lease without further notice. Any assignment or sublease shall not relieve Lessee from liability for payment of rent or other sums herein provided or from the obligation to keep and be bound by the terms, conditions, and covenants of this lease.

SECTION EIGHTEEN REMOVAL OF OLD EQUIPMENT AND UNUSED ITEMS

Lessor agrees to remove the used equipment and all other unused items from the premises no later than February 1, 2000. In the event said items are not removed and the area cleaned up by said date, Lessee shall have the right to have the items removed and the area cleaned up and Lessor shall be responsible to pay for the expense incurred.

SECTION NINETEEN INSPECTION BY LESSOR

LEASE WITH EXCLUSIVE
OPTION TO PURCHASE - 6

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Lessor shall have the privilege of inspecting the demised premises during the duration of the lease agreement at all reasonable times with twenty-four (24) hours prior notice.

SECTION TWENTY ADDRESSES

The addresses of the respective parties to which notice is to be given in accord with this lease and/or option to purchase are as follows:

Peter and Sylvia Grush
2025 South Highway 81
Malta, Idaho 83342

Stan and Jeanette Lloyd
Trustees of the Stan and Jeannette
Lloyd Living Trust
HC-61, Box 1510
Elba, Idaho 83326

SECTION TWENTY-ONE BINDING EFFECT

All of the terms and conditions of this lease agreement shall inure to the benefit of and be binding upon the respective heirs, executors, and assigns of Lessor and Lessee.

SECTION TWENTY-TWO ATTORNEY FEES

In the event that any action is filed in relation to this lease agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all sums that either party may be called on to pay, a reasonable sum for the successful party's attorney fees.

OPTION TO PURCHASE

The Lessor does hereby give and grant to the Lessee the exclusive option to purchase the said leased premises herein above described, upon the following terms and conditions:

(1) That Lessee shall be granted the exclusive option to purchase said leased premises by tendering the amount of Four Thousand and No/100 Dollars (\$4,000.00) to Lessor on or before December 15, 1999.

(2) Provided that Lessee is not in default of any terms of this lease, including but not limited to payment of all monthly installments through and including January 10, 2010, Lessee may exercise the option by giving written notice to Lessor of such election between the dates of January 15, 2010 and February 10, 2010.

LEASE WITH EXCLUSIVE
OPTION TO PURCHASE - 7

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(3) The purchase price for the property shall be the sum of Eighty Four Thousand Eight Hundred and No/100 Dollars (\$84,800.00) lawful money of the United States, payable in full at the time of closing. Closing shall occur within sixty (60) days after the time Lessee gives Lessor notice of his intent to exercise the option.

(4) It is understood that the property contains 260.5 acres and 249 inches of water. Prior to closing Lessor shall obtain a survey from a licensed surveyor at the expense of the Lessor to survey the property. In the event the survey reveals a discrepancy in the actual number of acres being transferred, the option price shall be adjusted accordingly at the rate of \$800.00 per acre.

(5) Closing will be held at Land Title & Escrow in Burley, Idaho. Lessor shall pay the cost of title insurance, and the cost of a survey. All other closing costs will be paid fifty percent (50%) by Lessor and fifty percent (50%) by Lessee.

(6) Unless otherwise agreed in writing. Lessor shall transfer title to the property by Warranty Deed in the form attached hereto as Exhibit "A".

(7) The sale shall include 249 acres of water, and Lessor shall retain 15 acres of the existing water rights. For those shares Lessor retains, he shall be responsible for changing the point of diversion to the property he is retaining, and drilling a well on his property. Lessor warrants that all adjudication work is in process and the proofs have been as of the date of this lease.

(8) No lease payments made by Lessee shall be applied to the purchase price. In the event this lease is terminated for any reason or in the event Lessee does not exercise this Option to Purchase, Lessor shall retain all lease payments made by Lessee.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the date and year first above written.

DATED this 15th day of December, 1999.

"LESSOR"

STAN AND JEANETTE LLOYD LIVING TRUST

By: Stan Lloyd
Stan Lloyd - Trustee

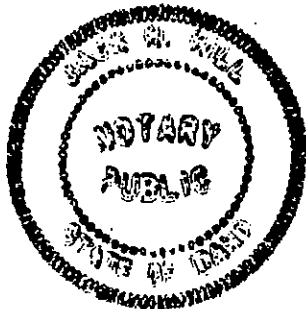
LEASE WITH EXCLUSIVE
OPTION TO PURCHASE - 8

C:\contracts\Grush.Lloyd.Lease.Exclusive.Option Purchase.wpd

MICROFILMED

OCT 17 2002

By: Jeanette Lloyd
Jeanette Lloyd - Trustee



"LESSEE"

Peter J. Grush
Peter J. Grush

Sylvia Grush
Sylvia Grush

STATE OF IDAHO)
SS.
County of Cassia)

On this 15th day of Dec, 1999, before me the undersigned, a Notary Public in and for said State, PETER J. GRUSH and SYLVIA GRUSH, husband and wife, known or identified to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Jackel Hill
NOTARY PUBLIC FOR IDAHO
Residing at: Burley, ID
My Commission Expires: 1/18/2002

STATE OF IDAHO)
SS.
County of Cassia)

On this 15th day of December, 1999, before me the undersigned, a Notary Public in and for said State, personally appeared, Stan Lloyd and Jeanette Lloyd, husband and wife, the Trustees of the Stan and Jeanette Lloyd Living Trusts, known or identified to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that executed the same as Trustees of the Stan and Jeanette Lloyd Living Trust.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal

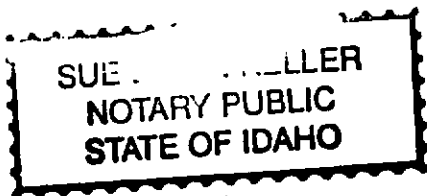
LEASE WITH EXCLUSIVE
OPTION TO PURCHASE - 9

C:\contracts\Grush.Lloyd Lease.Exclusive.Option.Purchase.wpd

MICROFILMED

OCT 17 2002

the day and year first above written.



Sue L. Keller
NOTARY PUBLIC FOR IDAHO
Residing at: Placer, Idaho
My commission expires 4-9-2005

LEASE WITH EXCLUSIVE
OPTION TO PURCHASE - 10

C:\contracts\Grueth, Lloyd Lease, Exclusive Option, Purchase.wpd

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OCT 17 2002

EXHIBIT "A"

The East Half of the Northwest Quarter of the Southwest Quarter, and Lots 1, 2, and 3, EXCEPTING all of that portion West of and including Highway 81, in the West Half of Section 18, Township 14 South, Range 27 East Boise Meridian, Cassia County, Idaho.

MICROFILMED
OCT 17 2002

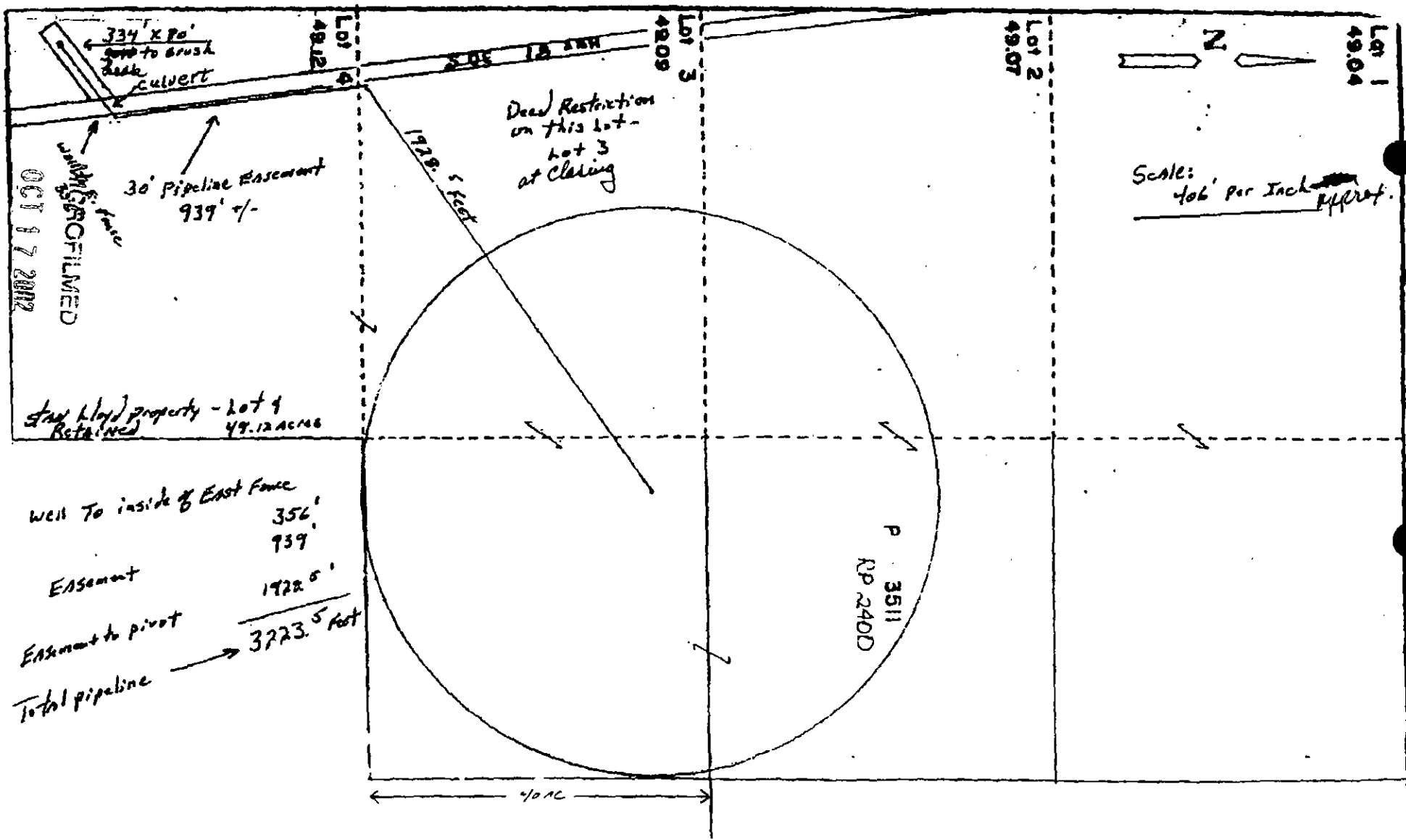
EXHIBIT "B"

A strip of land containing approximately one half acre that is 334 feet long and 80 feet wide, surrounding the well and pipeline, and running in a Northeasterly direction to and abutting Highway 81 in Lot 4 in the West half of Section 28, Township 14 South, Range 27 East of the Boise Meridian, Cassia County Idaho.

Together with an easement thirty (30) feet wide immediately East of and parallel to State Highway 81 running from the existing culvert under State Highway 81 near the well, North to Lot 3 as shown on the attachment attached hereto and made a part of this exhibit.

MICROFILMED

OCT 17 2002



OCT 17 2012

KF 13526E

L

TOT MV

WAC

TOT ACS

CHECK #
CASH

LATE
INT
COST
TOT

T69647

PARCEL NO
RP14S26E0

BILL# 14853 CODE AREA 16-00 L

I

PAINT IS ISSUED
COUNTY TAX COLLECTOR
VERLAND PH: 878-7202
ID 83318
1ST HALF DUE
2,024.19
TAX
LATE
INT
COST
TOT

2ND HALF DUE
TAX 2,024.19
LATE
INT
COST
TOT

FULL DUE
TAX 4,048.38
LATE
INT
COST
TOT

TOT MV
WAC
TOT ACS

GRUSH PETER J
& GRUSH SYLVIA T H/W
2025 SOUTH HWY 81
MALTA ID 83342

TAXING DISTRICT	RATE	
COUNTY	.003197485	1.
SCH DIST 151	.006381862	2.
RAFT RIVER HWY	.001870751	
VALLEY VU CEM	.000370271	
RAFT RIV FIRE	.000569420	
FLOOD DIST 15	.000445349	
AMOUNT DUE	.012835138	4.

T 5403, T 6351A, T 6353
S 1 T 14 R 26 (N1/2)

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

BRING ENTIRE NOTICE WHEN PAYING IN PERSON

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

GRUSH, PETER J

2001
14853



AMOUNT DUE 2,024.19

CASSIA COUNTY
RP14S26E010751A MICROFILMED
16-00

OCT 17 2002

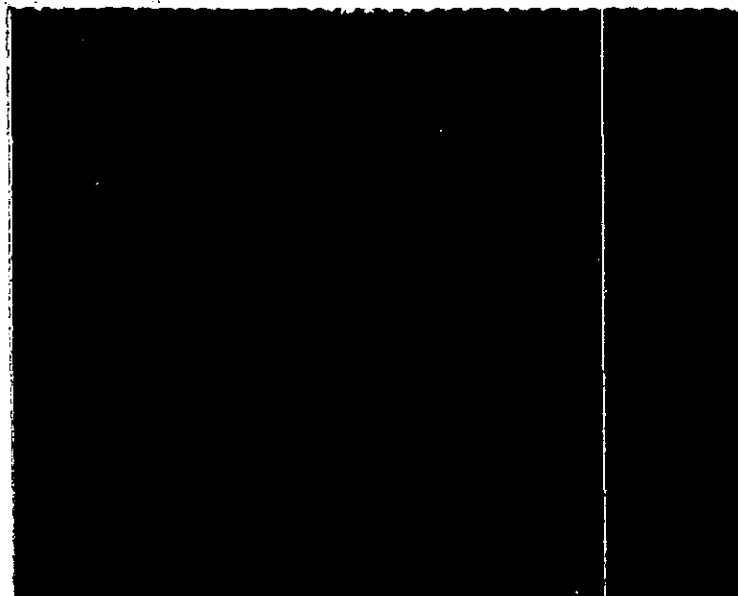
LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2002

DATE PAID

CHECK #



T69647

RP14S26E0

NOT A
CASSIA COUNTY TAX COLLECTOR
ERLAND PH: 878-7202

BILL# 14855

CODE AREA 16-00

L
I

ID 83318

1ST HALF DUE

2ND HALF DUE

FULL DUE

TOT MV

TAX 1,134.48

TAX 1,134.48

TAX 2,268.96

HM-

LATE

LATE

LATE

INT

INT

INT

NET MV

COST

COST

COST

WAC

TOT

TOT

TOT

TOT ACS

GRUSH PETER J
& GRUSH SYLVIA T H/W
2025 SOUTH HWY 81
MALTA ID 83342

TAXING DISTRICT RATE
COUNTY .003197485
SCH DIST 151 .006381862
RAFT RIVER HWY .001870751
VALLEY VU CEM .000370271
RAFT RIV FIRE .000569420
FLOOD DIST 15 .000445349
DISTRICT TOTAL .012835138
SOLID WASTE FEE
AMOUNT DUE

T 6773 (N1/2)
S 1 T 14 R 26
CONTIGUOUS WITH 14S26E010751

2025

SO HWY 81

83342

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
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BRING ENTIRE NOTICE WHEN PAYING IN PERSON

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

GRUSH, PETER J

2001
14855



2ND HALF



AMOUNT DUE 1,134.48

CASSIA COUNTY
RP14S26E010800A
16-00

MICROFILMED

OCT 17 2002

JUNE 20, 2002

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID

CHECK #

LATE
INT
COST
TOT

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-02580B

NAME AND ADDRESS: PETER J GRUSH
SYLVIA T GRUSH
2025 S HWY 81
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.20 CFS
40.00 AFY

PRIORITY DATE: 07/13/1964

POINT OF DIVERSION: T14S R26E S01 SWNW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.20 CFS
			40.00 AFY

PLACE OF USE: Stockwater Within Cassia County
T14S R26E S01 SWNW SENW

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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



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

September 24, 2002

PETER J GRUSH
SYLVIA T GRUSH
2025 S HWY 81
MALTA ID 83342

F STANLEY LLOYD
JEANETTE LLOYD
HC 61 BOX 1510
ELBA ID 83326

RE: Transfer No.: 69647 - Water Rights 43-2580B, 43-2580C, 43-13206,
43-13208, 43-13209 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Camilla S. Skaggs

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt
Enclosure(s)

MICROFILMED
OCT 17 2002

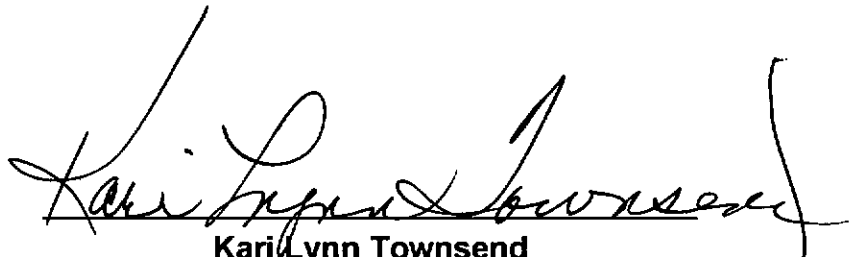
CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69647 - WATER RIGHTS 43-2580B, 43-2580C, 43-13206,
43-13208, 43-13209

PETER J GRUSH
SYLVIA T GRUSH
2025 S HWY 81
MALTA ID 83342

F STANLEY LLOYD
JEANETTE LLOYD
HC 61 BOX 1510
ELBA ID 83326



Kari Lynn Townsend
Secretary

001 1 1 6006

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

OCT 17 2002

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
OCT 17 2002

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Grush, Peter

TRANSFER NO. 69647

1. Right number(s) 43-2580B, etc

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☒ Add P/D ☒ Change P/U
☒ Change N/U ☐ Change Source ☒ Split Right
☒ Other: Change period of use

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: _____

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☒ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: None requested

i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): _____

j. ☒ SRBA claim(s) - Comments (NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

k. ☒ Comment letters ☒ Yes ☐ No
If yes ☒ Water District #
☒ Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY J. Esten
SRBA SUPERVISOR REVIEW BY _____
PUBLICATION REVIEW BY _____

DATE 7-8-02
DATE _____
DATE _____

1. Legal Notice electronically sent to DWRO3::VAULT ☐ Yes

2. COMMENT LETTERS

Copy of Pg 1 to AJ ☒ Yes 7/12/02

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

3. Transfer published correctly? ☒ Yes ☐ No

4. Affidavit of publication received? ☒ Yes ☐ No

5. Protests received? ☐ Yes ☐ No; Acknowledgement sent? ☐ Yes

6. Copies made for Region file (see attached supplemental page)? ☐ Yes

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

Also see attached memo for recommendation dated: _____

4. By AD

Date 9/5/02

Drift 2 pp 1002 SK2555
Approved 9-20-02
Database Updated 9-20-2002
WR-43-2550D - Active

28

RECEIVED

SEP 10 2002

Page 1 of 9

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69647

This is to certify that: PETER J GRUSH and SYLVIA T GRUSH
 2025 S HWY 81
 MALTA ID 83342
 (208) 645-2361

DRAFT
 67 APR 9/5/02

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>
43-2580B	WR/Decreed	07/13/1964	0.2 cfs	40 af			GROUND WATER
43-2580C	WR/Decreed	07/13/1964	4.88 cfs	854 af		244.0	GROUND WATER
43-13206	AJC/License	07/13/1964	0.1 cfs	20 af	5.0	5.0	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>
43-2580B	NO	NO	YES	NO	NO	YES
43-2580C	YES	NO	YES	YES	YES	YES
43-13206	NO	YES	YES	NO	YES	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-2580B	43-2580B	0.20 cfs	40.0 af	N/A			N/A	N/A	N/A	N/A
43-2580C	43-13209	1.37 cfs	206.1 af	N/A		43-13208	3.51 cfs	613.6 af	N/A	175.3
43-13206	43-13206	0.10 cfs	15.0 af	N/A			N/A	N/A	N/A	N/A
TOTALS		1.67 cfs	261.1 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this _____ day of _____, 20____

 Chief, Water Allocation Bureau

✓ 9-20-2002

Partially Decree

Page 1

08/30/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2580B V1

WATER RIGHT NUMBER: 43-2580B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PETER J GRUSH 2025 S HWY 81 MALTA, ID 83342 (208)645-2361
Current Owner	SYLVIA T GRUSH 2025 S HWY 81 MALTA, ID 83342 (208)645-2361

Priority Date: 07/13/1964

Basis: License

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

STOCKWATER

From To
1/01 to 12/31

Diversion Rate
0.200 CFS

Annual Volume
40.00 AF

Total Diversion: 0.200 CFS 40.00 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4NW1/4

Sec. 1, Twp 14S, Rge 26E, B.M.

CASSIA County

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S	26E	1							X	X									

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 43-2580B V1

Comments:

1. KCHRISTE 1/21/2000 COPIED FROM REMARKS

Comment: 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. Approval of Transfer 5078 does not authorize the construction of any new well or deepening or enlargement of any existing well. The remainder of Right 43-02580 is identified as 43-02580A and is limited to a diversion rate of 5.28 cfs, an annual diversion volume of 924.0 af, and irrigation of 264.0 acres each year. Prior to use of water for irrigation purposes under Right 43-02580A the right holder shall install a measuring device to measure the amount of water diverted and shall annually report the diversion to the department. The right holder shall obtain prior approval from the department of the type of measuring device to install. The acres which are no longer authorized for irrigation under Right 43-02580A are specifically described as follows: 10.0 historically irrigated acres located east of State Highway 81 within Lot 4 (SWSW), S18, T14S, R27E.

2. kchrste 1/31/2001 BASIS FOR RECOMMENDATION

Comment: RECOMMENDATION IS BASED UPON T-5078 APPROVED ON 1-13-98.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Perrill, Decker

Page 1

08/30/2002 2.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2580C V1

WATER RIGHT NUMBER: 43-2580C V1

Owner Type Name and Address
Current Owner F STANLEY LLOYD
HC 61 BOX 1510
ELBA, ID 83326
(208)638-5543

Priority Date: 07/13/1964

Basis: License

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To
03/15 to 11/15

Diversion Rate
4.880 CFS

Annual Volume
854.00 AF

Total Diversion: 4.880 CFS

854.00 AF

Location of Point(s) of Diversion

GROUND WATER

L4 SW1/4SW1/4SW1/4

Sec. 18, Twp 14S, Rge 27E, B.M.

CASSIA County

Place of Use

IRRIGATION

connected
to
stock
can

4.9 1.1 0.6 1.7 31.6 28.8

68.7 dry up

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14S	27E	18					39.0	44.0	46.0	39.0	38.0	38.0			244.0
				L1	L2							L3			

Total Acres: 244

34.1 42.9 45.0 37.3 6.4 9.2

175.3

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-2580C V1

Dates and Other Information:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-13206 V1

WATER RIGHT NUMBER: 43-13206 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	F STANLEY LLOYD HC 61 BOX 1510 ELBA, ID 83326 (208)638-5543

Priority Date: 07/13/1964

Basis: License

Status: Active

SourceTributary

GROUND WATER

*Convert to
commercial & stockwater*Beneficial Use

IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
03/15	11/15	0.100 CFS	20.00 AF
<u>Total Diversion:</u>		0.100 CFS	20.00 AF

Location of Point(s) of Diversion

GROUND WATER

L4 NW1/4SW1/4SW1/4

Sec. 18, Twp 14S, Rge 27E, B.M.

CASSIA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
14S	27E	18	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	5.0
													5.0						
													L 4						

Total Acres: 5

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-2580D.

Comments:

1. kchrste 10/17/2001 basis of change

Comment: This right was split from 43-2580D through an ownership change. Lloyd retained 5 inches although he sold the entire property. The new owner identified 5 acres to be dried up that this water would be appurtenant to. A transfer is pending at this time for this 5 inches.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-13206 V1

Dates and Other Information:

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

FILE PROGRESS SUMMARY

APPLICANT: Grush, Peter

WATER RIGHT NO. 43- 2580B, etc.

[illegible]

MEMORANDUM

DATE: August 12, 2002
TO: File, T# 69647
FROM: Mary A. Baldwin, Southern Region
SUBJECT: Lien Letter Request

Pursuant to staffing sheet notation and application question marked "Yes", a request for a letter from the lienholder was sent to the applicant on 7/11/02 and 8/6/02.

In response to the letters, I spoke with Mr. Peter Grush by telephone on this date who informed me that he is in the process of purchasing the subject land from Stan & Jeanette Lloyd and had already furnished a copy of the Lease/Purchase Option document. A search of the file confirmed this statement.

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OCT 17 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 6, 2002

PETER &/OR SYLVIA GRUSH
2025 S HWY 81
MALTA ID 83342

RE: APPLICATION FOR TRANSFER NO. 69647 (43-2580 Part, et al.)

SECOND REQUEST

Dear Applicants:

Legal advertising has been completed on the above referenced application with no protests filed against the application.

As requested in our correspondence dated 7/11/02, a notarized statement from any lien holder on the property is needed before the application can be forwarded to our State Office for final action.

Failure to supply the requested information within 30 days from the date of this letter could result in a regional recommendation that the application be declared void.

If you have any questions or if this office can be of further assistance, please feel free to contact this office.

Sincerely,

Mary A. Baldwin
Administrative Assistant I

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OCT 17 2002

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

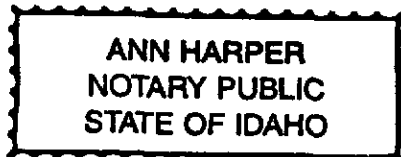
County of Cassia)
) ss
STATE OF IDAHO)

Ruth Anne Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated July 18, 2002 and ending with the issue dated July 25, 2002.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 25th day of July in the year of 2002 before me, a Notary Public, personally appeared Ruth Anne Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Ann Harper
Notary Public for Idaho
Residing at: Burley, Idaho
My commission expires: 9-14-2007

Cost of Publication 51.48
Affidavit Fee 5.00
Total Cost 56.48

OK
MB
8/6/02

RECEIVED

JUL 29 2002

Department of Water Resources
Southern Region

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OCT 17 2002

02-252
**NOTICE OF PROPOSED CHANGE
TO WATER RIGHTS**

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Cassia County:

PETER J. &/or SYLVIA GRUSH, 2025 S HWY 81; MALTA ID 83342 filed Application No. 69647 on 1/9/02 and Amended application on 6/5/02 for diversion of a combined total of 1.67 cfs from ground water. The purpose of the transfer is to dry up 71.4 acres located about 8 miles SSE of Malta, ID to provide water for the expansion of an existing dairy located 5 miles South of Malta, ID. Water will be diverted from existing well.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before August 5, 2002. The protestant must also send a copy of the protest to the applicant.

/s/Karl J. Dreher,
Director

Published in the South Idaho Press on
July 18 and 25, 2002.

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Cassia County:

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Karl J. Dreher, Director

Published in the South Idaho Press on 7/18 & 7/25/02.

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OCT 17 2002

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax: 736-3037

July 11, 2002

ATTN KAY MOORE
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318

Dear Ms. Moore:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely



Mary A. Baldwin
Administrative Assistant

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OCT 17 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

July 11, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PETER J. &/OR SYLVIA T. GRUSH
2025 S HWY 81
MALTA ID 83342

RE: Application for Transfer No. 69647 (43-2580 Pt., Et Al)

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your application. Please refer to the number in all correspondence regarding the above referenced application.

This office has scheduled advertising the application in the **South Idaho Press** on 7/18 & 7/25/02. The advertisement will be published for two weeks, and a period of ten calendar days following the second publication will be allowed for the submittal of protests. (August 5, 2002)

If an application is protested, the applicant will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

Please be advised that a notarized statement from any lien holder on the property is needed before the application can be forwarded to our State Office for final action.

State Office personnel will conduct a complete review prior to final processing of the application(s) and will notify the applicant regarding the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Mary A. Baldwin
Administrative Assistant

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OCT 17 2002



State of Idaho

T69647

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 21, 2002

Peter Grush
2025 S Hwy 81
Malta, ID
83342

RE: Corrected App For Transfer 69647

Dear Peter;

I have finally been able to produce a corrected application for your review. This proposal moves enough water to you dairy to cover your measured usage, and designates the existing well with two pumps as the point of diversion for this facility. A copy of the transfer map of the dairy property is also enclosed. If the application and map are correct, please sign the application before a notary before returning it to me for continued processing. You can keep the map for your records.

I still have not received the withdrawal of your pending irrigation transfer. Once this is received, I can initiate a refund of your excess filing fee.

Regards,

James E. Stanton
Sr. Water Resource Agent

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OCT 17 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

T69647

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 6, 2002

Peter Grush
2025 S Hwy 81
Malta, ID
83342

RE: Apps for Transfer Filed 1-9-02

Dear Peter;

Based on last year's flow-meter readings for your dairy well, you pump about 263 acre feet of water per year at this facility from your cold-water well. Based on your metered volume during the first 3 months of this year, you will use 260 acre feet this year. This amounts to about 18 acre feet a month from October through March, and about 26 acre feet a month from April through September.

My recent reading of your meter showed a diversion rate of 125 gpm (0.28 cfs). Your existing water right for this well allows 40 acre feet per year to be diverted at a rate of 0.20 cfs. According to the pump curve for the 30 hp pump in this well, the maximum diversion rate will be 0.64 cfs (285 gpm). When the 15 hp pump is operating, it will have a diversion rate of 0.38 cfs (170 gpm).

This data shows that 0.44 cfs of pumping rate and 223 acre feet of annual volume are not covered by your existing water right. On a volume basis, about 74 acres of land need to be dried up to cover this shortfall. By installing a pivot sprinkler on the Lloyd property, you have freed up 73.7 acres (including 5 acres in the SW/SW Sec. 18) for transfer to other property. This essentially covers your water needs at the dairy, leaving 15 acres in the SW/SW Sec. 18 that you bought from the Ralph Wallin Family Trust still available for transfer. If you want to move this water to irrigation at the dairy, let me know so that I can make the necessary changes to T. 69129. If you do not want to move this acreage to the dairy, please relinquish Application For Transfer 69129 via the enclosed Relinquishment form. I will then correct Application For Transfer 69647 to show the larger amounts for stockwater and commercial uses at the dairy.

Note that this letter is based on the recorded usage from your well. The pump curves for the 15 hp & 30 hp pumps show that about 330 acre feet would be diverted under continuous use. This would require 110 acres to be dried up on the Lloyd property – much more than the 88.7 acres available outside the new pivot.

Regards,

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OCT 17 2002

James E. Stanton
Sr. Water Resource Agent

Stanton, Jim

From: Hodges, Cindy
Sent: Tuesday, June 26, 2001 2:40 PM
To: Stanton, Jim
Subject: Grush dairy

Hi Jim

I did a meter certification at Peter Grush's dairy in Malta today and then stopped to talk to you about his transfers. Since you weren't here, Allen briefed me on what he knew and gave me a copy of your mail message from last week about the illegal well. Grush has the new well and the existing well under 43-2580B plumbed together to the dairy barn and is using a single 4" flowmeter to measure. Today he was diverting 160 gpm from the large (new) well. Worse, his meter indicates he has already diverted 6 million gallons of water since ??? whenever the meter was installed. I thought that was in April but he indicated it was this month. That means he's soon going to be deficient in volume as well as flow. 2580B only authorizes 40 AFA. You may need to take that into account when filing his next transfer. I found his file in your office and looked at it briefly. I'll leave a copy of the meter certification in your basket.

How does his geothermal well figure into this? I see the BU exam has been done but it's not yet licensed. That will offset the cold water use somewhat; do we know how much?

I'll be back in Boise tomorrow if you want to call me. My personal opinion on cease and desist is that if he gets the transfers filed right away we shouldn't bother. However, he should be told that he will be subject to an Order if he doesn't get things in gear ASAP. Then he would be limited to using the small well. Keep me updated and let me know if I can help. He's on my measurement list because of a condition on the first dairy transfer..

thanks.
cindy

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OCT 17 2002

FILE NUMBER 36-00001
 REVIEWER MSP

DAIRIES: WATER USE WORKSHEET

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE 1000
 NUMBER OF DRY CATTLE 0
 NUMBER OF REPLACEMENT CATTLE: 0-2 MONTHS 0
 3-4 MONTHS 200
 5-8 MONTHS 200
 9-12 MONTHS 200
 13-15 MONTHS 200
 16-24 MONTHS 200
 ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
 SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS 3
 IF SPRINKLERS ARE USED: NUMBER OF SPRINKLERS IN HOLDING PEN 60
 NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN) 5.00
 OPERATION TIME OF SPRINKLERS (MIN/DAY) 60
 NUMBER OF MILKINGS PER DAY 3
 AVG. LBS. OF MILK PRODUCED PER DAY PER ANIMAL (IDAHO AVG IS 70 LBS.) 70
 HOURS PER DAY PUMP OPERATES FOR STOCKWATER USE 24.0
 HOURS PER DAY PUMP OPERATES FOR COMMERCIAL USE 24.0
 IS RECYCLED WATER USED TO FLUSH MILKHOUSE AND PARLOR FLOORS? Y
 IS RECYCLED WATER USED TO WASH COWS? Y
 IS A PLATE COOLER USED? Y
 IS RECYCLED WATER USED FOR PLATE COOLER? (IF NO PLATE COOLER,
 LEAVE BLANK) N
 IF CORRAL MISTERS ARE USED: NUMBER OF MISTERS IN HOLDING PEN 0
 NOZZLE DISCHARGE (GPM) 0.00
 OPERATION TIME OF MISTERS (MIN/DAY) 0
 DAYS PER YEAR MISTERS ARE USED 0

CALCULATIONS

DIVERSION RATE (CFS):

STOCKWATER
 MILKING CATTLE (BASED ON MILK PRODUCTION) 0.05
 DRY CATTLE @ 17.0 GPD/HD 0.00
 REPLACEMENT CATTLE 0.01
 TOTAL 0.06

COMMERCIAL
 TOTAL 0.01

TOTAL DIVERSION RATE 0.07

DIVERSION VOLUME (AFA):

STOCKWATER
 MILKING CATTLE 32.3
 DRY CATTLE 0.0
 REPLACEMENT CATTLE 7.5
 TOTAL 39.8

COMMERCIAL
 WASHING OF BULK TANK AND RELATED EQUIPMENT 0.6
 BACKFLUSH 0.0
 PARLOR/MILKHOUSE/HOLDING PEN CLEANUP 0.0
 CATTLE WASHING BASED UPON METHOD OF WASHING 0.0
 PLATE COOLER 9.0
 CORRAL MISTERS 0.0
 TOTAL 9.6

TOTAL DIVERSION VOLUME 49.4

CONSUMPTIVE USE VOLUME (AFA)(assuming 100% consumptive):

STOCKWATER 39.8
 COMMERCIAL 9.6
 TOTAL CONSUMPTIVE USE 49.4

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3	PUMP 4	PUMP 5
PUMP HORSEPOWER (HP)	25.00		0.00	0.00	0.00
LIFT (FT)	230		0	0	0
DISCHARGE PRESSURE (PSI)	40		0	0	0
FRICTION LOSSES (FT)	3.0		0.0	0.0	0.0
HOURS PER DAY PUMP OPERATES	12.0		0.0	0.0	0.0

CALCULATIONS

	PUMP 1	PUMP 2	PUMP 3	PUMP 4	PUMP 5
THEORETICAL FLOW RATE (CFS) *	0.47	0.00	0.00	0.00	0.00
DIVERSION VOLUME (AFA) **	171.3	0.0	0.0	0.0	0.0

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
 THEORETICAL FLOW RATE ASSUMING PUMP RUNS EVERY DAY OF THE YEAR

EVALUATION OF EQUIVALENT IRRIGATED ACREAGE

IRRIGATION RIGHT (BEFORE CHANGE)

DIVERSION RATE	4.80 CFS
ACRES OF IRRIGATION	240.0 ACRES
DIVERSION VOLUME	4.0 AC-FT/AC
CONSUMPTIVE USE VOLUME	3.0 AC-FT/AC
IRRIGATION IS BEING CONVERTED FOR WHICH PORTION OF THE DAIRY OPERATION - STOCKWATER (S), COMMERCIAL (C), OR BOTH (B)?	
	B

CALCULATIONS

IRRIGATION DIVERSION RATE PER ACRE	0.020 CFS/AC
REDUCTION OF IRRIGATION BASED ON DIVERSION RATE	3.5 ACRES
REDUCTION OF IRRIGATION BASED ON DIVERSION VOLUME	12.4 ACRES
REDUCTION OF IRRIGATION BASED ON CONSUMPTIVE USE	16.5 ACRES

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OCT 17 2002

FILE NUMBER _____ 36-00001
REVIEWER _____ MSP

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE	1000
NUMBER OF DRY CATTLE	0
NUMBER OF REPLACEMENT CATTLE: 0-2 MONTHS	0
3-4 MONTHS	200
5-8 MONTHS	200
9-12 MONTHS	200
13-15 MONTHS	200
16-24 MONTHS	200
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF	
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS	3
IF SPRINKLERS ARE USED: NUMBER OF SPRINKLERS IN HOLDING PEN	60
NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN)	5.00
OPERATION TIME OF SPRINKLERS (MIN/DAY)	60
NUMBER OF MILKINGS PER DAY	3
AVG. LBS. OF MILK PRODUCED PER DAY PER ANIMAL (IDAHO AVG IS 70 LBS.)	70
HOURS PER DAY PUMP OPERATES FOR STOCKWATER USE	24.0
HOURS PER DAY PUMP OPERATES FOR COMMERCIAL USE	24.0
IS RECYCLED WATER USED TO FLUSH MILKHOUSE AND PARLOR FLOORS?	N
IS RECYCLED WATER USED TO WASH COWS?	N
IS A PLATE COOLER USED?	Y
IS RECYCLED WATER USED FOR PLATE COOLER? (IF NO PLATE COOLER, LEAVE BLANK)	N
IF CORRAL MISTERS ARE USED: NUMBER OF MISTERS IN HOLDING PEN	0
NOZZLE DISCHARGE (GPM)	0.00
OPERATION TIME OF MISTERS (MIN/DAY)	0
DAYS PER YEAR MISTERS ARE USED	0

CALCULATIONS

DIVERSION RATE (CFS):

STOCKWATER	
MILKING CATTLE (BASED ON MILK PRODUCTION)	0.05
DRY CATTLE @ 17.0 GPD/HD	0.00
REPLACEMENT CATTLE	0.01
TOTAL	0.06

COMMERCIAL	
TOTAL	0.05

TOTAL DIVERSION RATE _____ 0.11

DIVERSION VOLUME (AFA):

STOCKWATER	
MILKING CATTLE	32.3
DRY CATTLE	0.0
REPLACEMENT CATTLE	7.5
TOTAL	39.8

COMMERCIAL	
WASHING OF BULK TANK AND RELATED EQUIPMENT	0.6
BACKFLUSH	1.0
PARLOR/MILKHOUSE/HOLDING PEN CLEANUP	3.7
CATTLE WASHING BASED UPON METHOD OF WASHING	20.2
PLATE COOLER	9.0
CORRAL MISTERS	0.0
TOTAL	32.7

TOTAL DIVERSION VOLUME 72.5

CONSUMPTIVE USE VOLUME (AFAP)(assuming 100% consumptive):

STOCKWATER	39.8
COMMERCIAL	32.7
TOTAL CONSUMPTIVE USE	72.5

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3	PUMP 4	PUMP 5
PUMP HORSEPOWER (HP)	25.00		0.00	0.00	0.00
LIFT (FT)	230	0	0	0	0
DISCHARGE PRESSURE (PSI)	40		0	0	0
FRICTION LOSSES (FT)	3.0		0.0	0.0	0.0
HOURS PER DAY PUMP OPERATES	12.0		0.0	0.0	0.0

CALCULATIONS

THEORETICAL FLOW RATE (CFS) *	0.47	0.00	0.00	0.00	0.00
DIVERSION VOLUME (AF-A) **	171.3	0.0	0.0	0.0	0.0

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE THEORETICAL FLOW RATE ASSUMING PUMP RUNS EVERY DAY OF THE YEAR.

EVALUATION OF EQUIVALENT IRRIGATED ACREAGE

IRRIGATION RIGHT (BEFORE CHANGE)

DIVERSION RATE 4.80 CFS
 ACRES OF IRRIGATION 240.0 ACRES
 DIVERSION VOLUME 4.0 AC-FT/AC
 CONSUMPTIVE USE VOLUME 3.0 AC-FT/AC
 (IRRIGATION IS BEING CONVERTED FOR WHICH PORTION OF THE
 DAIRY OPERATION - STOCKWATER (S), COMMERCIAL (C), OR
 BOTH (B)? B)

CALCULATIONS

IRRIGATION DIVERSION RATE PER ACRE	0.020 CFS/AC
REDUCTION OF IRRIGATION BASED ON DIVERSION RATE	5.5 ACRES
REDUCTION OF IRRIGATION BASED ON DIVERSION VOLUME	18.1 ACRES
REDUCTION OF IRRIGATION BASED ON CONSUMPTIVE USE	24.2 ACRES

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OCT 17 2002

Flowmeter Data

(ALL DISTRICTS)

GRUSH, PETER & SYLVIA
PEARLS DARY

GPS Site ID Tag

A0011442

Legal Description

14S 26E 01 SWNW

fsubFlowAF

Year	Totalizer Start	Totalizer End	Volume Units	Acre-Feet	Adjusted Acre-Feet	Max Flowrate (CFS)	Adjusted Max Flowrate	Qualifier
2001	0	469676	GAL	144.14	142.7			MR PM
Calib. Factor: Calib. Date: Vol Mult:								
Preferred: ☐ Validated: ☐ Changed: 1/10/2002 CHODGES Comments: Meter installed sometime in June, 2001								

New Data

Re-Adjust

Site Visit

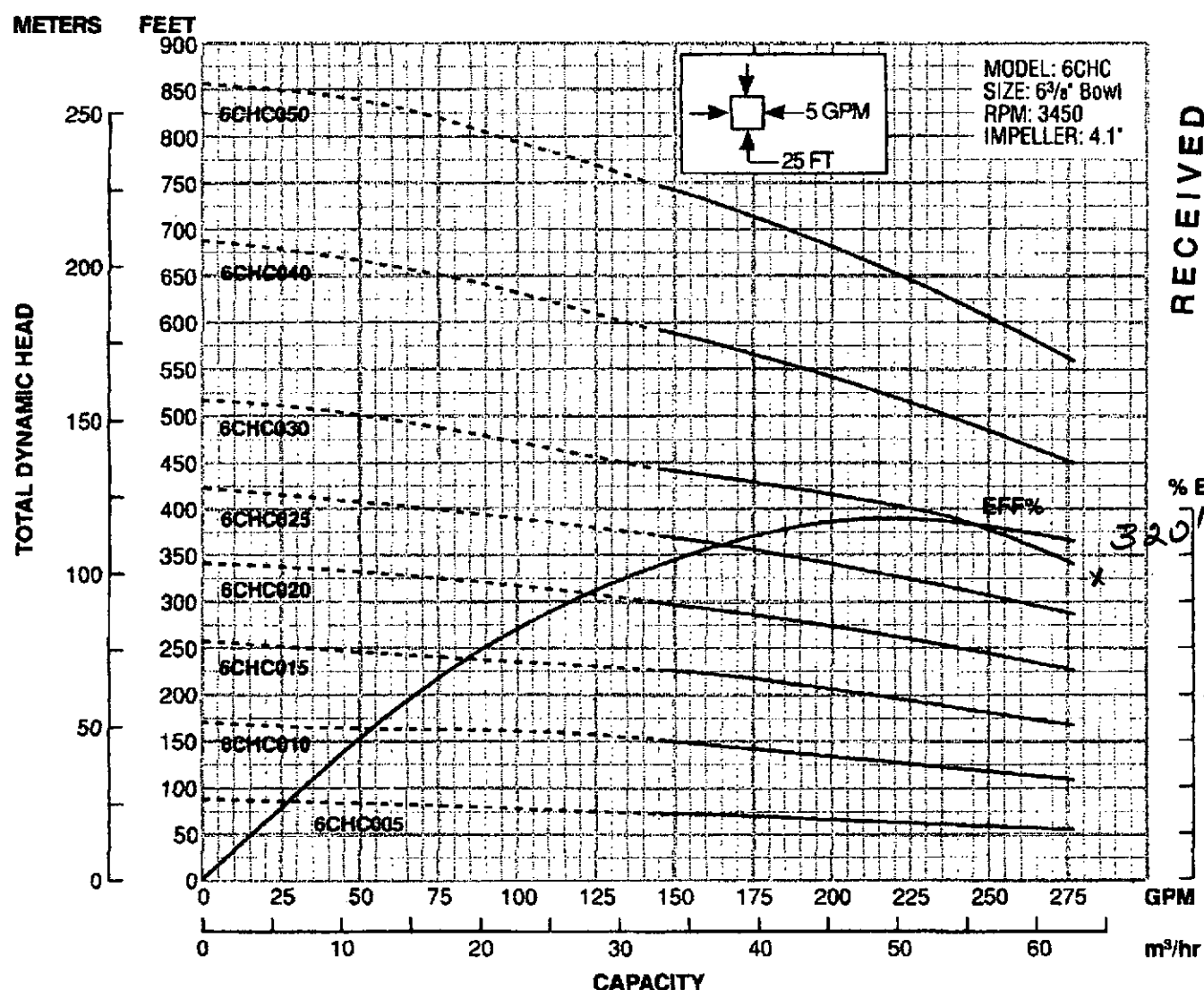
POD

MICROFILMED

OCT 17 2002

30HP to be used in Summer.

Model 6CHC 225 GPM



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 APR 17 2002

Department of Water Resources

DIMENSIONS AND WEIGHTS

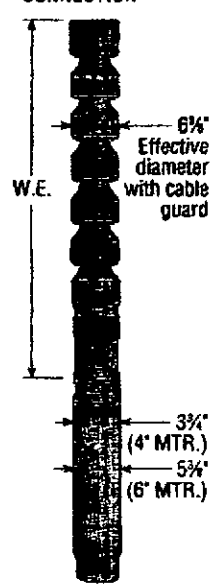
HP	Stages	W.E. Order Number	W.E. Length	W.E. Wt. (lbs.)
5	1	6CHC00544CTS	15 1/2"	54
		6CHC00564CTS	16 1/2"	55
10	2	6CHC01064CTS	22 1/2"	72
15	3	6CHC01564CTS	27 1/2"	89
20	4	6CHC02064CTS	32 1/2"	106
25	5	6CHC02564CTS	37 1/2"	123
30	6	6CHC03064CTS	42 1/2"	140
40	8	6CHC04064CTS	53 1/2"	174
50	10	6CHC05064CTS	63 1/2"	208

(All dimensions in inches and weights in lbs. Do not use for construction purposes.)

PLEASE NOTE:

- Order motors separately.
- For intermediate horsepower pumps consult factory.
- Solid line is recommended operating range. The dotted line (---) signifies an alternate pump selection is available.
- Please specify all options changes in W.E. order number.

4" NPT DISCHARGE CONNECTION



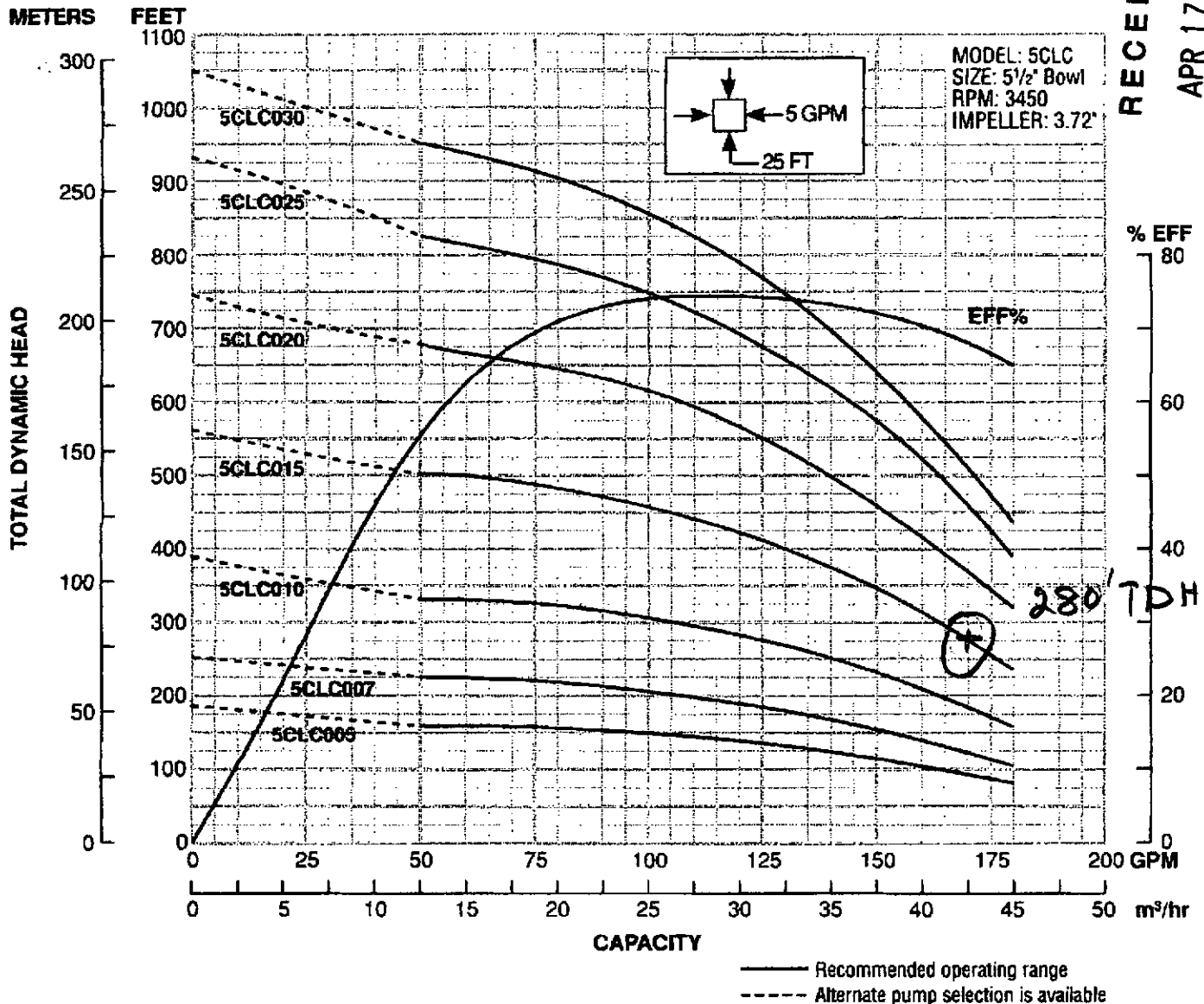
MATERIALS OF CONSTRUCTION

Part Name	Material
Shaft	ASTM A582 TYPE 416
Coupling	ASTM A582 S41600 CD
Suction Adapter	ASTM A48 CL 40
Discharge Bowl	ASTM A48 CL 30B
Rubber Bearings	RUBBER
Optional Bronze Bearings	ASTM B584
Discharge Bowl Bearing	ASTM B584
Taperlocks	ASTM A108 GR 101B
Bowl	ASTM A48 CL 30B
Upthrust Collar	ASTM A276 S41400
Impeller	ASTM B584
Fasteners	SAE J429 GR 8
Cable Guard	ASTM A240 S 30400
Suction Strainer	ASTM A240 S 30400

OCT 17 2002

15 HP ● be used in winter. ●

Model 5CLC 110 GPM

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APR 17 2002
Department of Water Resources
So...

DIMENSIONS AND WEIGHTS

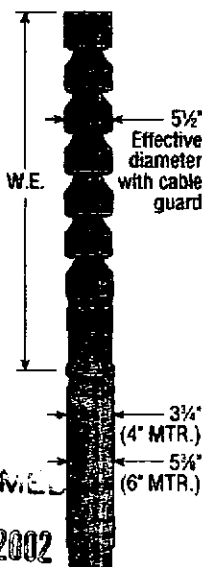
HP	Stages	W.E. Order Number	W.E. Length	W.E. Wt. (lbs.)
5	3	5CLC00544CTB	25 3/4"	73
		5CLC00564CTB	28 3/4"	75
7 1/2	4	5CLC00744CTB	30 3/4"	86
		5CLC00764CTB	32 3/4"	88
10	6	5CLC01064CTB	42 3/4"	114
15	9	5CLC01564CTB	56 3/4"	153
20	12	5CLC02064CTB	71 1/2"	192
25	15	5CLC02564CTB	85 3/4"	231
30	17	5CLC03064CTB	95 1/4"	257

(All dimensions in inches and weights in lbs. Do not use for construction purposes.)

PLEASE NOTE:

- Order motors separately.
- For intermediate horsepower pumps consult factory.
- Solid line is recommended operating range. The dotted line (---) signifies an alternate pump selection is available.
- Please specify all options changes in W.E. order number.

4" NPT DISCHARGE CONNECTION



MATERIALS OF CONSTRUCTION

Part Name	Material
Shaft	ASTM A582 TYPE 416
Coupling	ASTM A582 S41600 CD
Suction Adapter	ASTM A48 CL 40
Discharge Bowl	ASTM A48 CL 30B
Bronze Bearings	ASTM B584
Discharge Bowl Bearing	ASTM B584
Tapelocks	ASTM A108 GR 101B
Bowl	ASTM A48 CL 30B
Upthrust Collar	ASTM A276 S41400
Impeller	ASTM B584
Fasteners	SAE J429 GR 8
Cable Guard	ASTM A240 S 30400
Suction Strainer	ASTM A240 S 30400

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OCT 17 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water Measurement Program

T69647

1998 WATER MEASURING DEVICE CERTIFICATION

District DWR Inventory Date 6-26-01 Inventory Examiner CHodges PCC ok? Yes ~~no~~
Date of test 6-26-01 Person performing test CHodges Exam complete? Yes ~~no~~

Name:	<u>Peter Grueh</u>		
Water Right No:			
Legal Description:	<u>T. 14S R. 26E Sec. 01</u>	<u>1/4</u>	<u>1/4</u>
Site Tag No:	<u>A0011442 S</u>	<u>D0016061</u>	
Diversion Name:	<u>Small well</u>	<u>Large well</u>	

Current Owner

Name _____ Phone _____
Last, First, MI
Address _____ City _____ State _____ Zip _____

Operator (if leased or operated by someone else)

Name _____ Phone _____
Last, First, MI

SECTION I WELL SITE IDENTIFICATION

Global Positioning System Data:

Data Collection Filename MO62614A Small Offset 8

IDWR Site Tag Identification No. A0011442 (small) D0016061 (large)

Site Tag location description: well casing obs. tube

PLS/USGS Locator _____

Diversion Name: _____

For Department/District Use Only

Received by _____ Date _____

Reviewed by _____ Date _____

Data Entry by _____ Date _____

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OCT 17 2002

SECTION II INSTALLED METER INFORMATION

METER AND MOUNTING PIPE INFORMATION			
Motor HP		Volume Units	Acre-Feet ☐ Gallons ☒ Other(specify)
Meter Install Date	6-01	Volume Multiplier	100
Manufacturer	McCrometer	Installation location	Excl. ☒ Good ☐ Fair ☐ Poor
Meter Type	Prop	Pipe material	PVC
Meter Model		Outside Diameter	4.5
Serial Number	01-03342-4	Wall Thickness	.275
Size (nominal)	4" ^{4A}	Inside Diameter	
Measure Flow Rate?	(circle one) Yes ☒ No ☐	Dist. of straight pipe upstream from meter	Installed 24" Test 9"
Measurement Units	(circle one) CFS ☐ GPM ☒ Other(specify)	Dist. of Straight pipe downstream from meter	(6 feet) 12"
Flow rate Multiplier	1	Std Meter Type	Sonic ☒ Evg ☐ Collins ☐ Hall ☐ Anub ☐ Dye/chem ☐ Other ☐
Measure Cumulative Volume?	(circle one) Yes ☒ No ☐	Std. Meter Confidence	Excl. ☐ Good ☒ Fair ☐ Poor ☐ 2% 5% 10% >10% X

Sperling
2.649
FD12

Are multiple flowmeters used to measure diversions from this well? Yes / No

If so, how many? _____ (Attach separate form for each meter checked and/or calibrated)

* If this meter measures diversions from multiple wells, names and locations of other wells: _____

SECTION III CERTIFICATION FOR CALIBRATION OF A WATER MEASUREMENT METER

See back page for instructions.

Measurement No. 1 (M_1) is the measured rate of flow from the permanently installed flow meter.

Measurement No. 2 (M_2) is the measured rate of flow from the measuring device being used to check the flow for the calibration. This method or device must be accurate to within $\pm 5\%$ error. Describe below the method and equipment used to perform this measurement.

$$\text{Percent Difference} = (M_1 - M_2) \div M_2 \times 100 = \pm \% \quad (\text{Acceptable is within } \pm 10\%) \quad (\text{equation 1})$$

$$\text{Calibration Multiplier} = M_2 \div M_1 \quad (\text{equation 2})$$

Is flowmeter installed according to manufacturer's specifications? Yes / No / Unsure

Describe any apparent problems with installation or operation _____

Flowmeter accuracy prior to any adjustments: _____ Totalizer reading _____

Flowmeter accuracy after final adjustment: _____ Totalizer reading _____

Flowmeter calibration multiplier: _____

Water Level Data

Does the well have access to measure water levels? Yes / No

Is this well part of USGS, IDWR, or another network of water level monitoring wells? Yes / No

Static Water Level _____ ft Pumping Water Level _____ ft (at condition _____)

Date _____

Date _____

FLOWMETER ACCURACY CALIBRATION TABLE

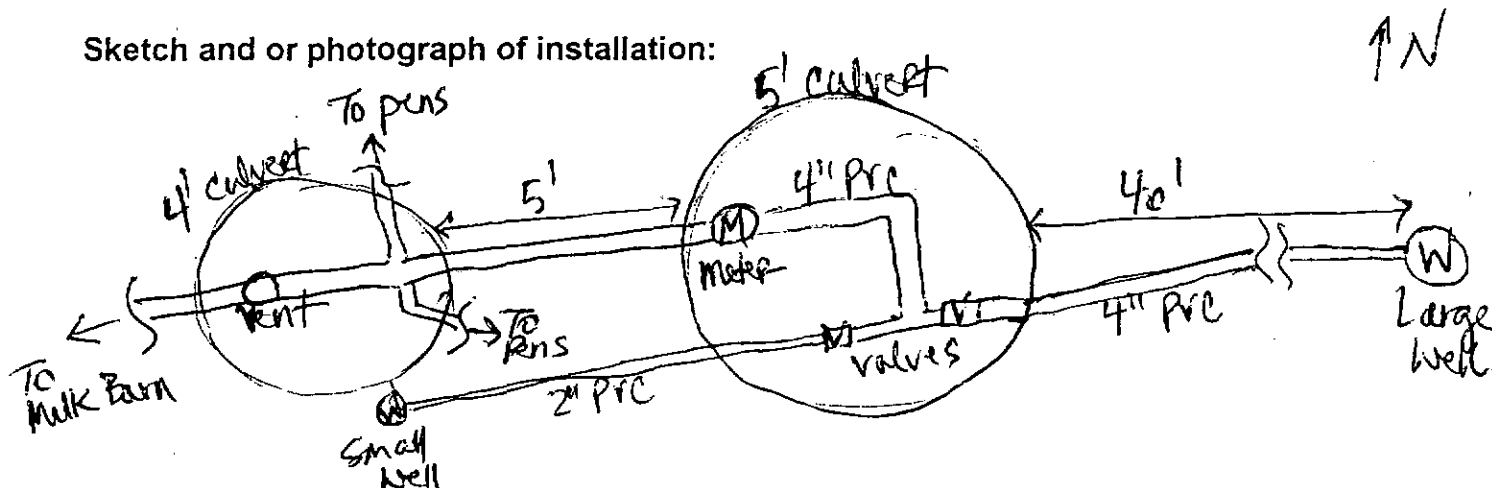
Owners meter (totalizer reading)	Time	Total Gallons	Ave. Flow Rate - GPM (M ₁)	Standard total gallons	Average flow rate (M ₂)	Percent diff. (±)	Comments and adjustments
6752200	10:35	1700	160.4	1581	158.1	1.5%	
6753900	10:46						

Notes, Comments or Calculations: _____

Sound Speed 4832 (100.5%) Signal 4 bars Vel. 4.1

2 wells - 1g well for summer, small for winter. Constant flow,
piped together through single meter. Large well on
at time of test.

Sketch and or photograph of installation: _____



I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature _____

C. J. Hodges
(person performing measurements)

Date 6-26-01

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OCT 17 2002

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WMP2:12/00

JAN - 9 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER MEASUREMENT ANNUAL REPORT

Department of Water Resources
Southern Region

REPORTING YEAR 2000

MEASURING DEVICE METHOD FOR TOTALIZING FLOW METERS

ATTENTION: Year end data must be submitted to Idaho Department of Water Resources, 1301 N. Orchard St. Boise ID 83706, on or before January 15 immediately following the reporting year.

A separate reporting form must be submitted for each diversion.

Name:	<u>Peter Grush</u>	<u>DWR00015</u>
Water Source:		
Water Right No:	<u>43-2580B</u>	
Legal Description:	<u>T 14S R 26E Sec 01</u> <u>1/4</u> <u>1/4</u> <u>1/4</u>	
Site Tag No:	<u>Am11442/D0016061</u>	
Diversion Name:	<u>Small</u> <u>large</u>	

SECTION I Water Right Holder/Operator information

(If there are multiple water right holders on a common ditch or conveyance system, please designate the contact person below)

Current Water Right Owner

Please check for address correction ☐

Name _____
Last, First, MI

Phone _____

Address _____

Fax _____

City _____

Mobile _____

State & Zip _____

e-mail _____

Operator or Contact Person (if different from owner)

Name _____
Last, First, MI

Phone _____

Address _____

Fax _____

City _____

Mobile _____

State & Zip _____

e-mail _____

Original Owner (if sold within last year)

Name _____
Last, First, MI

Phone _____

Address _____

Fax _____

City _____

State & Zip _____

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OCT 17 2002

SECTION II Water Level Information (Optional data if available)

Depth to water. Record the date, if the pump was on or off, or if other nearby pumps were on.

Static Water Level (pump off, water level stable): _____ ft Date _____

Dynamic Water Level (pump on): _____ ft Date _____

SECTION III Rate of flow and volume diverted (REQUIRED DATA)

Meter information:

Make McCrometer Model No. _____ Serial No. 01-03342-4

Does the meter totalizer measure in acre-feet or gallons?
(circle one)

What is the multiplier? 100

Does the meter rate of flow indicator show gpm or cfs?
(circle one)

What is the multiplier? 1

For meters without rate of flow indicators, check here ☐ and see page 4 for meter information and rate measurement methods.

Reading of the meter totalizer, flow rate and discharge pressure should be taken and recorded once each month on or near the same date. Please provide the *actual totalizer reading* and not the total volume since last reading.

Date (date of reading)	Totalizer Reading	Flow Rate circle: cfs or gpm	Discharge Pressure
January ()			
February ()			
March ()			
April ()			
June ~~May~~ (15)	??		
June (26)	67539		
July (31)	151850		
August (31)	215415		
September (31)	278980		
October (31)	342545		
November (31)	406110		
December ()			

Dec 31 469676
Does totalizer and flow readings above include meter multipliers? _____ Yes ☒ No

Total Acre-feet 142.7 OR Total Gallons _____
(there are 325,850 gallons per acre feet)

Calculations or Comments: (If a flowmeter was installed, calibrated, or replaced during this reporting year, please note the date.)

MICROFILMED

OCT 17 2002

SECTION IV

a. For Irrigation Uses: Crop information and method of irrigation for land being served by this diversion. List each type of crop, the number of acres grown, and the number of acres irrigated under each type of irrigation system.

Crop	Acres	Method of irrigation	
		Sprinkler (pressure)	Surface (gravity)
N/A			
Total acres			

Number of acres irrigated cropland NOT irrigated this year: _____

Reason for idled acres _____

b. For Non-Irrigation Uses (commercial, industrial, municipal): describe type of use Dairy
1000 milking 800 replacement

SECTION V Modifications made

Describe in the space below any major modifications made to the diversion works or piping system which would affect system capacity or accuracy of the flow measurements during this reporting year. Attach drawings, sketches, photographs, notes or design information if needed.

SECTION VI Certification

I hereby certify that the above reported information is correct to the best of my knowledge and that I recognize that willful submittal of false or inaccurate data is a violation of law subject to the penalty provisions of Sections 42-311, 42-350 and 42-351, Idaho Code.

Signature Peter J. Grush Title Owner Date 1-9-02

Each reporting form shall be accompanied by a report processing fee in the amount of (twenty-five dollars (\$25)) per diversion made payable to the Idaho Department of Water Resources (Section 42-701(6), Idaho Code). Report fee is not required if no water was diverted during reporting year.

Received by <u>J. E. Thornton</u>	For Department Use Only	Date <u>1-9-02</u>	Time <u>4:28 pm</u>
Fee amount submitted <u>\$25.</u>	Correct? yes _____ no _____	Receipt No. <u>5034521</u>	
Received by <u>J</u>	Date _____		
Reviewed by _____	Date _____		
Data entry by _____	Date _____		

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OCT 17 2002

RECEIVED

WMP2:12/00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER MEASUREMENT ANNUAL REPORT

JAN - 9 2002

Department of Water Resources
Southern RegionREPORTING YEAR 2000MEASURING DEVICE METHOD FOR TOTALIZING FLOW METERS

ATTENTION: Year end data must be submitted to Idaho Department of Water Resources, 1301 N. Orchard St. Boise ID 83706, on or before January 15 immediately following the reporting year.

A separate reporting form must be submitted for each diversion.

Name:	<u>Peter Grush</u>	<u>DWR00015</u>
Water Source:		
Water Right No:	<u>43-2580B</u>	
Legal Description:	<u>T 14S R 26E Sec 01</u> $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$	
Site Tag No:	<u>A0011442/D0016061</u>	
Diversion Name:	<u>Small large</u>	

SECTION I Water Right Holder/Operator information

(If there are multiple water right holders on a common ditch or conveyance system, please designate the contact person below)

Current Water Right OwnerPlease check for address correction ☐

Name _____ Last, First, MI	Phone _____
Address _____	Fax _____
City _____	Mobile _____
State & Zip _____	e-mail _____

Operator or Contact Person (if different from owner)

Name _____ Last, First, MI	Phone _____
Address _____	Fax _____
City _____	Mobile _____
State & Zip _____	e-mail _____

Original Owner (if sold within last year)

Name _____ Last, First, MI	Phone _____
Address _____	Fax _____
City _____	State & Zip _____

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OCT 17 2002

SECTION II Water Level Information (Optional data if available)

Depth to water. Record the date, if the pump was on or off, or if other nearby pumps were on.

Static Water Level (pump off, water level stable): _____ ft Date _____

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SECTION III Rate of flow and volume diverted (REQUIRED DATA)

Meter information:

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Does the meter totalizer measure in acre-feet or gallons?
(circle one)

What is the multiplier? 100

Does the meter rate of flow indicator show gpm or cfs?
(circle one)

What is the multiplier? 1

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Reading of the meter totalizer, flow rate and discharge pressure should be taken and recorded once each month on or near the same date. Please provide the *actual totalizer reading* and not the total volume since last reading.

Date (date of reading)	Totalizer Reading	Flow Rate circle: cfs or gpm	Discharge Pressure
January ()			
February ()			
March ()			
April ()			
June ~~May~~ (15)	??		
June (26)	67539		
July (31)	151850		
August (31)	215415		
September (31)	278980		
October (31)	342545		
November (31)	406110		
December ()			

Dec 31 469676
Does totalizer and flow readings above include meter multipliers? Yes ☒ No

Total Acre-feet 142.7 OR Total Gallons _____
(there are 325,850 gallons per acre feet)

Calculations or Comments: (If a flowmeter was installed, calibrated, or replaced during this reporting year, please note the date.)

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OCT 17 2002

SECTION IV

a. For Irrigation Uses: Crop information and method of irrigation for land being served by this diversion. List each type of crop, the number of acres grown, and the number of acres irrigated under each type of irrigation system.

Crop	Acres	Method of irrigation	
		Sprinkler (pressure)	Surface (gravity)
N/A			
Total acres			

Number of acres irrigated cropland NOT irrigated this year: _____

Reason for idled acres _____

b. For Non-Irrigation Uses (commercial, industrial, municipal): describe type of use Dairy

1000 milking 800 replacement

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Describe in the space below any major modifications made to the diversion works or piping system which would affect system capacity or accuracy of the flow measurements during this reporting year. Attach drawings, sketches, photographs, notes or design information if needed.

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I hereby certify that the above reported information is correct to the best of my knowledge and that I recognize that willful submittal of false or inaccurate data is a violation of law subject to the penalty provisions of Sections 42-311, 42-350 and 42-351, Idaho Code.

Signature Dexter J. Grush Title Owner Date 1-9-02

Each reporting form shall be accompanied by a report processing fee in the amount of (twenty-five dollars (\$25)) per diversion made payable to the Idaho Department of Water Resources (Section 42-701(6), Idaho Code). Report fee is not required if no water was diverted during reporting year.

Received by <u>J. E. Stanton</u>	For Department Use Only	Date <u>1-9-02</u>	Time <u>4:28 pm</u>
Fee amount submitted <u>\$25.</u>	Correct? yes <u>X</u> no _____	Receipt No. <u>5034521</u>	
Received by <u>js</u>	Date <u>1-10-02</u>		
Reviewed by <u>cjh</u>	Date <u>1-10-02</u>		
Data entry by <u>cjh</u>			

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OCT 17 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water Measurement Program

T69647

1998 WATER MEASURING DEVICE CERTIFICATION

District DWR Inventory Date 6-26-01 Inventory Examiner CHodges PCC ok? Yes noDate of test 6-26-01 Person performing test CHodges Exam complete? Yes no

Name:	<u>Peter Grueh</u>
Water Right No.:	
Legal Description:	<u>T 14S R 26E Sec. 01</u> <u>1/4</u> <u>1/4</u> <u>1/4</u>
Site Tag No.:	<u>A0011442 &</u> <u>D0016061</u>
Diversion Name:	<u>Small well</u> <u>Large well</u>

Current Owner

Name _____ Phone _____
Last, First, MI

Address _____ City _____ State _____ Zip _____

Operator (if leased or operated by someone else)

Name _____ Phone _____
Last, First, MI

SECTION I WELL SITE IDENTIFICATION

Global Positioning System Data:

Data Collection Filename MO67614A Small Offset 8IDWR Site Tag Identification No. A0011442 (small) D0016061 (large)Site Tag location description: well casing obs. tube

PLS/USGS Locator _____

Diversion Name: _____

For Department/District Use Only

Received by _____ Date _____

Reviewed by _____ Date _____

Data Entry by _____ Date _____

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OCT 17 2002

SECTION II INSTALLED METER INFORMATION

METER AND MOUNTING PIPE INFORMATION			
Motor HP		Volume Units	Acre-Feet ☒ Gallons Other(specify)
Meter Install Date	6-01	Volume Multiplier	100
Manufacturer	McCrometer	Installation location	Excl ☒ Good ☒ Fair ☐ Poor
Meter Type	Prop	Pipe material	PVC
Meter Model		Outside Diameter	4.5
Serial Number	01-03342-4	Wall Thickness	.275
Size (nominal)	4"	Inside Diameter	
Measure Flow Rate?	(circle one) ☒ Yes ☐ No	Dist. of straight pipe upstream from meter	Installed 24" Test 9"
Measurement Units	(circle one) CFS ☒ GPM Other(specify)	Dist. of Straight pipe downstream from meter	(6 feet) 12"
Flow rate Multiplier	1	Std Meter Type	Sonic ☒ Pyg Collins ☐ Hall Anub Dye/chem ☐ Other
Measure Cumulative Volume?	(circle one) ☒ Yes ☐ No	Std. Meter Confidence	Excl ☐ Good ☒ Fair ☐ Poor 2% 5% 10% >10% X

Spawning Field

Are multiple flowmeters used to measure diversions from this well? Yes / No

If so, how many? _____ (Attach separate form for each meter checked and/or calibrated)

* If this meter measures diversions from multiple wells, names and locations of other wells: _____

SECTION III CERTIFICATION FOR CALIBRATION OF A WATER MEASUREMENT METER

See back page for instructions.

Measurement No. 1 (M_1) is the measured rate of flow from the permanently installed flow meter.

Measurement No. 2 (M_2) is the measured rate of flow from the measuring device being used to check the flow for the calibration. This method or device must be accurate to within $\pm 5\%$ error. Describe below the method and equipment used to perform this measurement.

$$\text{Percent Difference} = (M_1 - M_2) \div M_2 \times 100 = \pm \% \quad (\text{Acceptable is within } \pm 10\%) \quad (\text{equation 1})$$

$$\text{Calibration Multiplier} = M_2 \div M_1 \quad (\text{equation 2})$$

Is flowmeter installed according to manufacturer's specifications? Yes / No / Unsure

Describe any apparent problems with installation or operation _____

Flowmeter accuracy prior to any adjustments: _____ Totalizer reading _____

Flowmeter accuracy after final adjustment: _____ Totalizer reading _____

Flowmeter calibration multiplier: _____

Water Level Data

Does the well have access to measure water levels? Yes / No

Is this well part of USGS, IDWR, or another network of water level monitoring wells? Yes / No

Static Water Level _____ ft Pumping Water Level _____ ft (at condition _____)

Date _____

Date _____

FLOWMETER ACCURACY CALIBRATION TABLE

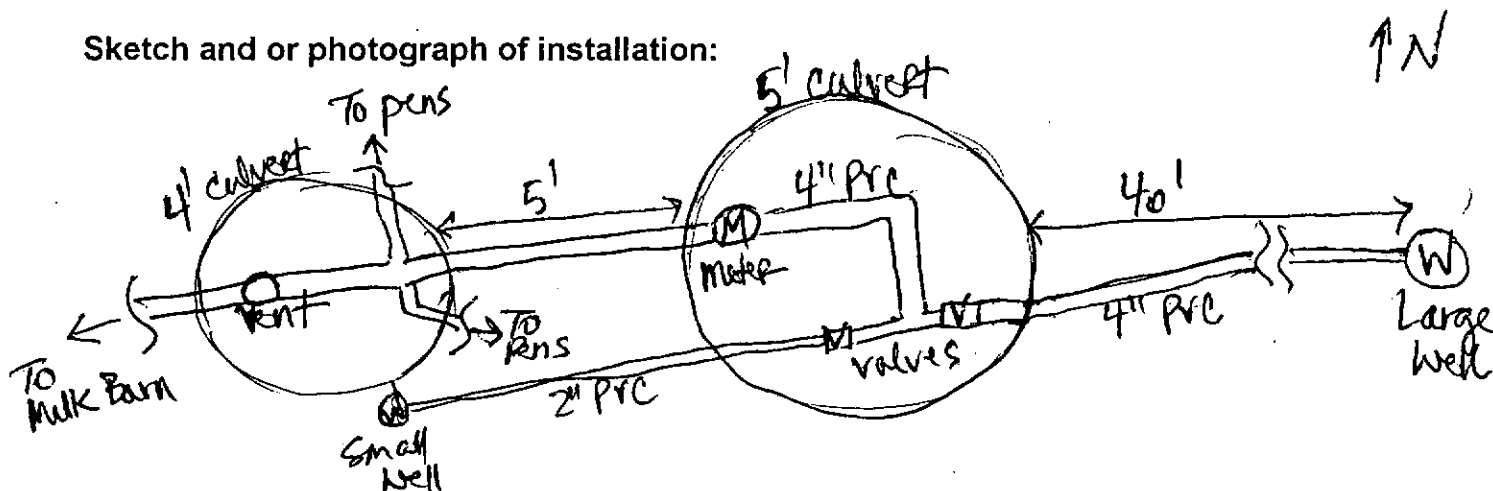
Owners meter (totalizer reading)	Time	Total Gallons	Ave. Flow Rate - GPM (M ₁)	Standard total gallons	Average flow rate (M ₂)	Percent diff. (±)	Comments and adjustments
6752200	2						
6753900	10:35	1700	160.4	1581	158.1	1.5%	
	10.6						

Notes, Comments or Calculations: _____

Sound Speed 4832 (100.5%) Signal 4 bars Vel. 4.1

2 wells - 1g well for summer, small for winter. Constant flow, piped together through single meter. Large well on at time of test.

Sketch and or photograph of installation: _____



I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature C. J. Hodges
(person performing measurements)

Date 6-26-01

MICROFILMED

OCT 17 2002

Peter Grush, A0011442 and D0016061

LOG NAME:GRUSH
START :06-26 08:55
END :06-26 09:05
INTERVAL:00:01:00

6/26/01 8:55
+4.089E+0 ft/s
+1.561E+2 gal/m
+TOTAL 0000000 gal
NORMAL

6/26/01 8:56
+4.139E+0 ft/s
+1.581E+2 gal/m
+TOTAL 0000154 gal
NORMAL

6/26/01 8:57
+4.103E+0 ft/s
+1.567E+2 gal/m
+TOTAL 0000310 gal
NORMAL

6/26/01 8:58
+4.096E+0 ft/s
+1.564E+2 gal/m
+TOTAL 0000465 gal
NORMAL

6/26/01 8:59
+4.091E+0 ft/s
+1.562E+2 gal/m
+TOTAL 0000622 gal
NORMAL

6/26/01 9:00
+4.169E+0 ft/s
+1.592E+2 gal/m
+TOTAL 0000781 gal
NORMAL

6/26/01 9:01
+4.123E+0 ft/s
+1.574E+2 gal/m
+TOTAL 0000939 gal
NORMAL

6/26/01 9:02
+4.325E+0 ft/s
+1.652E+2 gal/m
+TOTAL 0001098 gal
NORMAL

6/26/01 9:03
+4.168E+0 ft/s
+1.592E+2 gal/m
+TOTAL 0001260 gal
NORMAL

6/26/01 9:04
+4.089E+0 ft/s
+1.562E+2 gal/m
+TOTAL 0001419 gal
NORMAL

6/26/01 9:05
+4.131E+0 ft/s
+1.577E+2 gal/m
+TOTAL 0001576 gal
NORMAL

Total Vol
Avg Flow

1576 gal
157.6 gpm
0.35 cfs

MICROFILMED

OCT 17 2002

Idaho Department of Water Resources Receipt

Receipt ID S024521

Payment Amount Date Received Region Stat

Payment Type Check Number

Payer

Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$250.00	TRANSFERS	0229	21	64106	1155
\$25.00	GROUND WATER MEASURING	0229	21	58105	1155


 Signature Line (Dept. Representative)

MICROFILMED

OCT 17 2002

Peter Brush Dairy Well

15 hp at 170 gpm or 10-1 to 3-31

$$= 0.38 \text{ cfs} \times 1.9835 \times 182 \text{ days}$$

$$= 137.2 \text{ AF}$$

30 hp at 285 gpm 4-1 to 9-30

$$= 0.64 \text{ cfs} \times 1.9835 \times 183 \text{ days}$$

$$= 232.3 \text{ AF}$$

$$- 40 \text{ AF} =$$

$$= 369.5 \text{ AFA} \div 3.0 \text{ AFA} = 123.2 \text{ AFA}$$

$$\div 3.0 \text{ AFA/ac} = 109.8 \text{ ac to be drilled up}$$

MICROFILMED

OCT 17 2002

Water Use Analysis - Peter Brush Dairy

1. By Flow Meter (2001 data)

$$142.7 \text{ AF} / 6\frac{1}{2} \text{ months} = 263 \text{ AFA} - 40 \text{ AFA existing} = 223 \text{ AFA needed}$$

$$223 \text{ AFA} \div 3.0 \text{ AFA/ac} = 74 \text{ ac to dry up.}$$

2. By Pump Curves

$$15 \text{ hp pump at } 280' \text{ TDH} = 170 \text{ gpm} = 0.38 \text{ cfs} \quad 10-1 \text{ to } 3-31 \text{ (182 days)} \\ = 137.2 \text{ AF}$$

$$30 \text{ hp pump at } 320' \text{ TDH} = 285 \text{ gpm} = 0.64 \text{ cfs} \quad 4-1 \text{ to } 8-30 \text{ (183 days)} \\ = 232.3 \text{ AF}$$

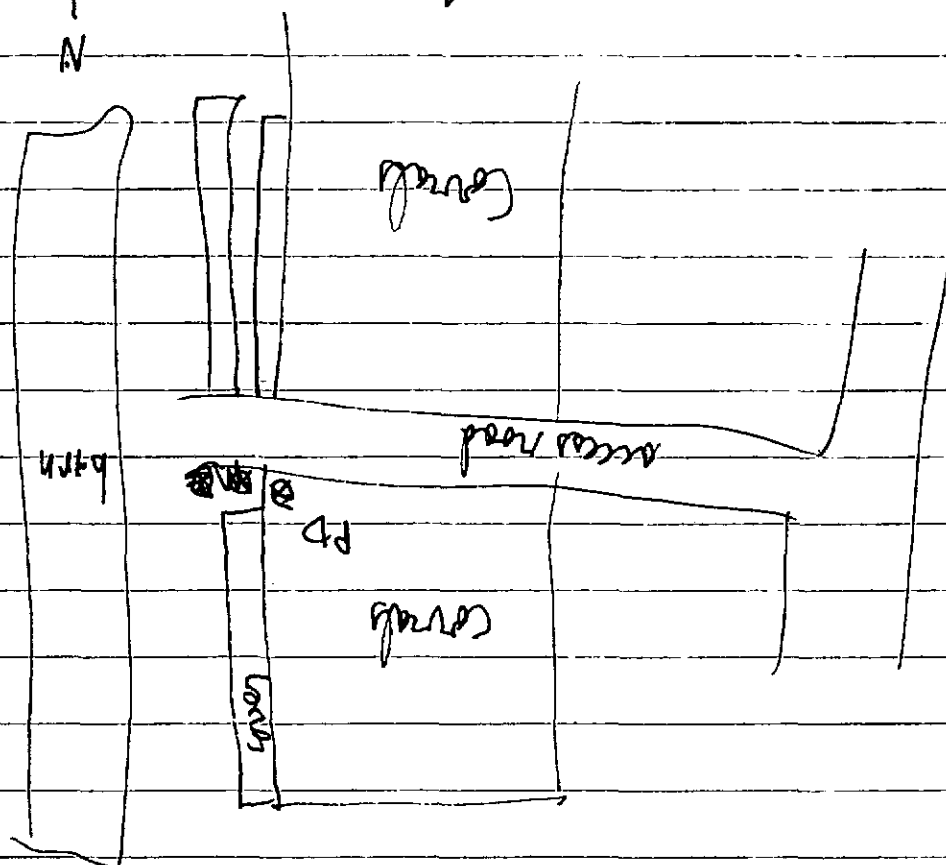
$$\text{Total} = 369.5 \text{ AF} - 40 \text{ AFA existing} = 329.5 \text{ AFA needed}$$

$$329.5 \text{ AFA needed} \div 3.0 \text{ AFA/ac} = 109.8 \text{ ac to dry up}$$

3. By IDWR Dairy Program

$$\text{Need } 72.5 \text{ AFA} - 40 \text{ existing} = 32.5 \text{ AFA needed} \div 3.0 \text{ AFA/ac} = 10.8 \text{ ac to dry up}$$

average flow $\approx$ 125 gpm 63479900 gal = 194.8 AF
 $= 0.28 \text{ cfs}$



194.8 AF

- 142.7 AF

52.7

± 3

$\approx 12.6 \text{ AF/month} = 210.8 \text{ AF/yr}$

52.7 AF in 92 days = 0.29 cfs continuously

0.29 cfs x 246 days = 174.5 AF

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184 AFA

0.18 cfs x 119 days = 42.5 AF

Pole # 1265, well, submersible motor & pump, outlet to surface mainline

St-Rite 7 1/2 hp Model ~~CP~~ 6K? very hard to read

Power Meter # 93 226 919 NXD932269196

M90-A SN 11851605

North Sac appeared to be irrig in 1998.

Transfer No. 69647

Receipt No. 5024521

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information PETER J GRUSH
2025 S HWY 81
MALTA ID 83342
(208)645-2361
AND/OR
SYLVIA T GRUSH
2025 S HWY 81
MALTA ID 83342
(208)645-2361

Will this transfer result in an ownership change? ☒ Yes ☐ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acres	Total	Source
43-2580C	AJC/License	4.88 cfs	854.0 af			GROUND WATER
43-2580B	AJC/License	0.20 cfs	40.0 af			GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-2580C	YES	NO	YES	YES	YES	YES
43-2580B	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

Original stock well failed, so a larger replacement well was drilled. Pumping rate from new well of 160 gpm exceeds allowed rate, so an additional water right is being transferred to system to cover this. A new irrigation well will be drilled on the property under another pending transfer, and this well will also serve as a backup well for the dairy as needed. Dairy herd is also being expanded by adding 200 dairy cows and 200 heifers.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

Water will be ponded and land applied thru sprinklers as required by nutrient management plan approved by Dept of Agriculture.

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

Land will be dried up and not irrigated on the Lloyd property in Sec. 18.

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5. Total Amounts Transferred

	Rate	Acres	Total	Volume
43-13209	0.16 cfs			24.0 af
43-2580B	0.20 cfs			40.0 af
TOTAL				

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.



Peter J. Ingh
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 9th day of January, 2002.

J. E. Stanton
(Notary Public)

My commission expires 10-25-2006

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

Current Water Right No. 43-2580C

Priority Date: 07/13/1964
 Origin: Adjudication Claim
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	4.88 CFS	854.0 AFA	
Total Diversion		4.88 CFS	854.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	14S	27E	18	SWSWSW	4	CASSIA

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	
14S 27E 18					39.0	44.0	46.0	39.0	38.0	38.0							244.0
						L1	L2			L3							

Conditions/Remarks:

- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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Documentation of Ownership of the Current Place of Use

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

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

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

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

Current Water Right No. 43-2580B

Priority Date: 07/13/1964
 Origin: Adjudication Claim
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01 12/31	0.20 CFS	40.0 AFA	
	Total Diversion	0.20 CFS	40.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	14S	26E	1	SWNW		CASSIA

PLACE OF USE: STOCKWATER

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
14S	26E	1							X	X									

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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Documentation of Ownership of the Current Place of Use

Tax Notice

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

YES

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

Transfer just adds two wells to the system, and expands the place of use to an additional qq section.

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

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 43-13209

Priority Date: 07/13/1964

Origin: Adjudication Claim

Basis: License

Status:

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.16 CFS	24.0 AFA	
STOCKWATER	01/01 12/31	0.16 CFS	24.0 AFA	
Total Diversion		0.16 CFS	24.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	14S	26E	1	SWSWNE		CASSIA
GROUND WATER	14S	26E	1	NESWNW		CASSIA

Describe the proposed diversion system

Point of Diversion # 1 Backup well for dairy & primary irrigation well (to be drilled), lines to dairy or into

land-application system for waste water.

Point of Diversion # 2 Two existing wells, motors, pumps, mainlines to dairy barn & stock troughs

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	
13S	26E	36									X	X	X	X					
14S	26E	1					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	
14S	26E	1						X	X	X									

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 43-2580B

Priority Date: 07/13/1964

Origin: Adjudication Claim

Basis: License

Status:

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01 12/31	0.20 CFS	40.0 AFA	
	Total Diversion	0.20 CFS	40.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	14S	26E	1	SWSWNE		CASSIA
GROUND WATER	14S	26E	1	NESWNW		CASSIA

Describe the proposed diversion system

Point of Diversion # 1 Backup well for dairy & primary irrigation well (to be drilled), lines to dairy or into

land-application system for waste water.

Point of Diversion # 2 Two existing wells, motors, pumps, mainlines to dairy barn & stock troughs

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	
14S	26E	1						X	X	X									

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Transfer No. 69647

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3B**

PORTION OF RIGHT No. 43-2580C BEING TRANSFERRED

Priority Date: 07/13/1964

Origin: Adjudication Claim

Basis: License

Status:

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.16 CFS	24.0 AFA	
	Total Diversion	0.16 CFS	24.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	14S	27E	18	SWSWSW	4	CASSIA

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
14S	27E	18									8.0								8.0

Total Acres: 8

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