

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant: **Dan Van Grouw**

Phone: (208) 887-9259

RECEIVED

Post Office address: 5655 S BlackCat Rd, Meridian, ID 83642

DEC 31 2003

A. PURPOSE OF TRANSFER

WATER RESOURCES
WESTERN REGION

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

2. Describe the reason for the proposed changes: **Applicant has purchased water rights from land no longer irrigated on his brother Ed VanGrouw's dairy farm in Kuna and wishes to transfer them to stockwater and commercial use at his dairy in Meridian. Also, an error in addition on 63-12109 and an erroneous limitation on 63-31749 (note 6) need to be corrected.**

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use		
<u>63-31749</u>	<u>03/01/1954</u>	<u>.02 / 3.1</u>	<u>Stockwater</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
<u>63-12109</u>	<u>03/15/1994</u>	<u>.23 / 13.7</u>	<u>Stockwater</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
		<u>.01 / 7.2</u>	<u>Commercial</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
<u>TBD (7695)</u>	<u>11/30/1972</u>	<u>.14 / 22.8</u>	<u>Stockwater</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
		<u>.12 / 20.1</u>	<u>Commercial</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
<u>TBD (10307)</u>	<u>07/26/1985</u>	<u>.14 / 13.3</u>	<u>Stockwater</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>
		<u>.12 / 11.8</u>	<u>Commercial</u>	<u>01/01</u>	<u>to</u>	<u>12/31</u>

PSU_{3/2}⁶ 0.77

2. Total amount of water being transferred 78 cubic feet per second and/or 92 acre-feet per annum.

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

[illegible]

5. Lands irrigated or place of use

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

PART 1

6. General Information:

- a. Description of diversion system: The existing wells have adequate capacity to provide for dairy use.
- b. _____
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes ___ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Fewer acres are currently irrigated as a result of land being retired from irrigation to make room for buildings, manure composting areas, or corrals, and also as a result of drying up pivot corners.
- d. Remarks:
- See attachments:
- A. Proof of ownership and lienholder permission.
 - B. Dairy Worksheet
 - C. Crop History and Consumptive Use Calculations.
 - D. Flow and Volume Calculations

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

Current Water Right No. 63-31749

Priority Date: 03/01/1954

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

Source: GROUND WATER**Tributary to:**

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

Source and Point(s) of Diversion:

GROUND WATER NESE 03N 01W 33 ADA

GROUND WATER NESE 03N 01W 33 ADA

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	33														X	X		

Conditions/Remarks:

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-18444.
5. The right holder shall accomplish the change authorized by Transfer 70742 within one (1) year of the date of this approval.
6. The total instantaneous diversion of water from all points of diversion under Rights 63-31749 and 63-12109 shall not exceed .23 cfs, nor total combined annual volume of 42 af.

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

Current Water Right No. 63-31749

Documentation of Ownership of the Current Place of Use

YES

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

NO

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

SEE PART 1 – 6c

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

NO

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED 63-31749
 (If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

NO Change

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

Current Water Right No. 63-12109

Priority Date: 03/15/1994

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

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

Source and Point(s) of Diversion:

GROUND WATER NESE 03N 01W 33 ADA

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	33													X				

Conditions/Remarks:

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

Documentation of Ownership of the Current Place of Use

YES

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

NO

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

SEE PART 1 – 6c

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

NO

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 _____ If yes, describe _____

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

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

2. Point(s) of Diversion:

NO Change.

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

Current Water Right No. 63-7695

Priority Date: 11/30/1972

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER**Tributary to:**

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

Source and Point(s) of Diversion:

GROUND WATER NENWNE 01N 01E 16 ADA

PLACE OF USE: IRRIGATION

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

Total Acres: 275

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. USE OF THIS RIGHT WITH RIGHT NO. 63-10307 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1282.5 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 63-10307 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON.
4. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-7695

Documentation of Ownership of the Current Place of Use

YES

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

YES

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

SEE PART 1 - 6c

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

NO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non use? No If yes, describe:

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED (63-7695)*(If the entire right is to be changed by the applicant, omit part B and C.)*

1.

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
63-7695:																			
01N	01E	16						11.30	5.8										17.10

C. Description of unchanged portion of right

1.

Amount (cfs/ac-ft) ^{DSUG 3/2/04}						
3.93/ 1460.1 1160.6	for	Irrigation	purposes from	03/15	to	11/15
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
63-7695:																			
01N	01E	16	39	39	39	39	39	18.7	5.2	39									257.9

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-10307

Priority Date: 07/26/1985

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER**Tributary to:**

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

Source and Point(s) of Diversion:

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

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 01E 16	39.0	39.0	39.0	39.0	39.0	32.0	19.0	39.0									285.0

Total Acres: 285

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. USE OF THIS RIGHT WITH RIGHT NO. 63-7695 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1282.5 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 63-7695 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON.

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

Transfer No. _____
Receipt No. _____

Current Water Right No. 63-10307

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

Documentation of Ownership of the Current Place of Use

YES

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

YES

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

SEE PART 1 – 6c

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

NO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non use? No If yes, describe:

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED (63-10307)*(If the entire right is to be changed by the applicant, omit part B and C.)*

1.

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp	Rge.	County	Local Name for diversion
	SE	SW	NW	16	T01N	R01E	Ada	2 wells this legal
	SW	SW	NW	16	T01N	R01E	Ada	
	NE	NW	NE	16	T01N	R01E	Ada	

3. Lands irrigated or place of use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01N	01E	16						13.3	13.8										27.1

Description of unchanged portion of right (63-10307)

1.

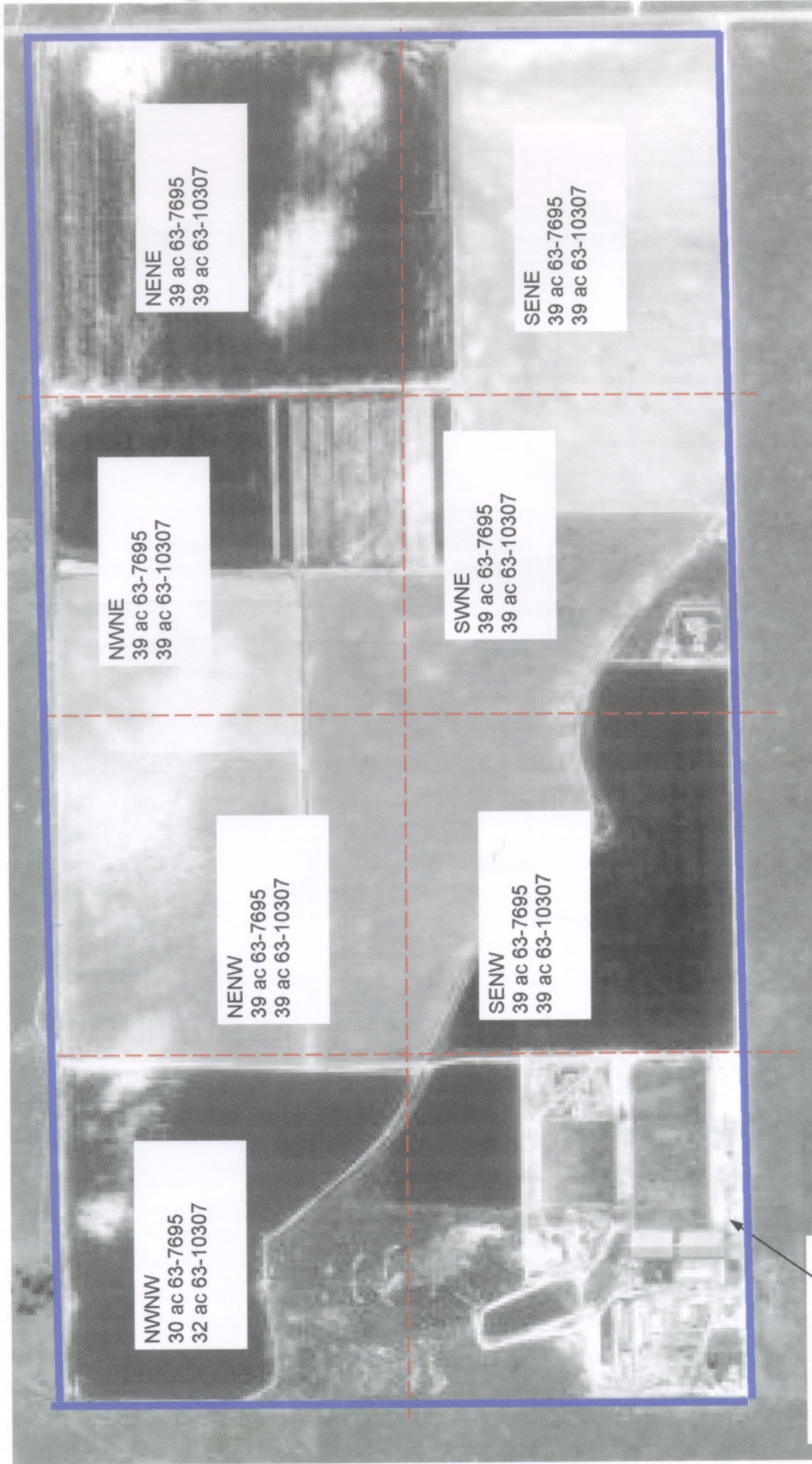
Amount (cfs/ac-ft)						
1.10 / 533.1	for	Irrigation	purposes from	03/15	to	11/15
.03 / 2.0	for	Stockwater	purposes from	01/01	to	12/31
	for		purposes from		to	
	for		purposes from		to	

3. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp	Rge.	County	Local Name for diversion
	SE	SW	NW	16	T01N	R01E	Ada	2 wells this legal
	SW	SW	NW	16	T01N	R01E	Ada	
	NE	NW	NE	16	T01N	R01E	Ada	

4. Lands irrigated or place of use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NF 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
63-7695:																			
01N	01E	16	39	39	39	39	39	18.7	5.2	39									257.9
									</										



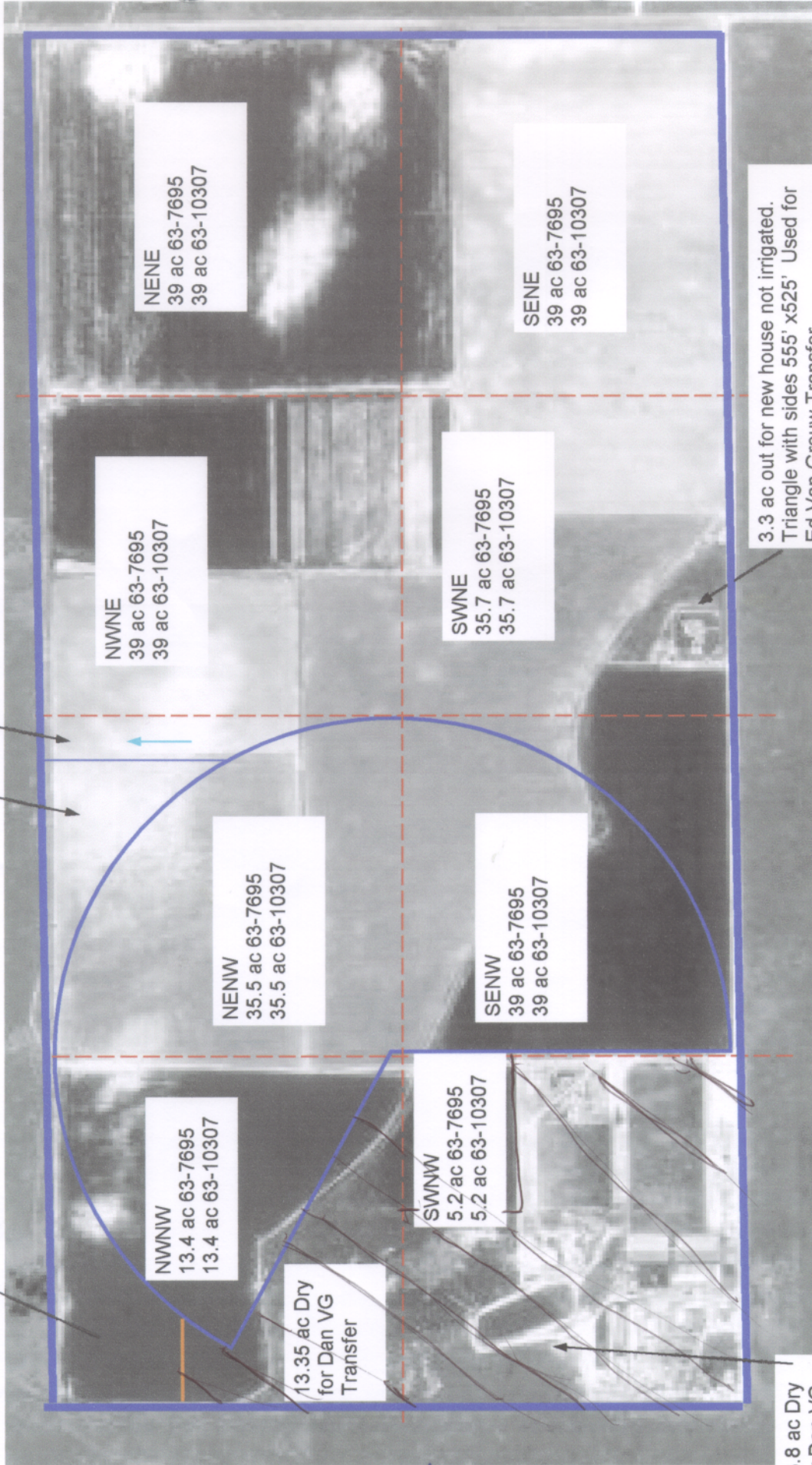
SWNW
11 ac 63-7695
19 ac 63-10307

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

5.25 ac out for Ed
Van Grouw Transfer

3.5 ac out for Ed Van Grouw Transfer

Still irrigated

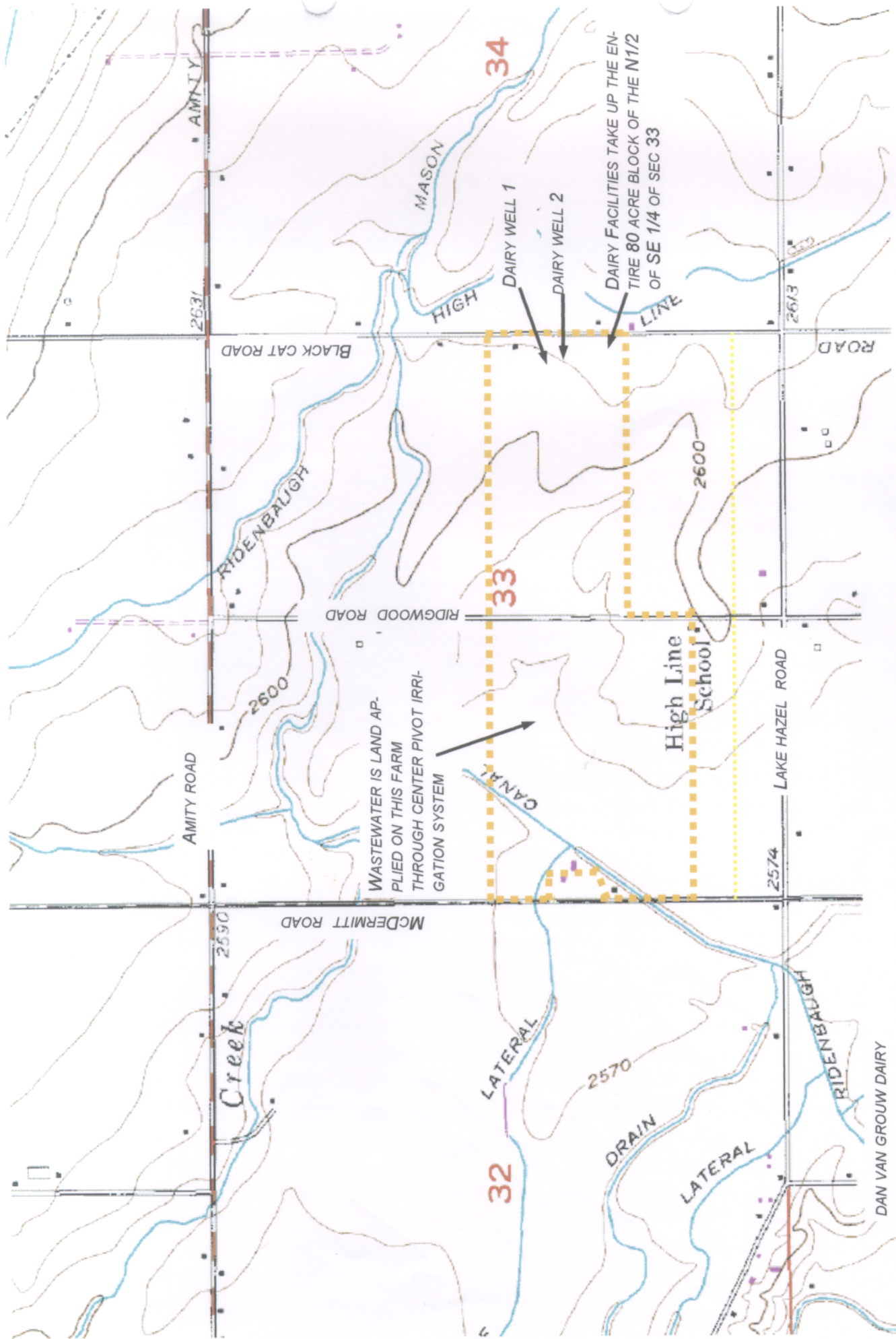


3.3 ac out for new house not irrigated.
Triangle with sides 555' x525' Used for
Ed Van Grouw Transfer

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

13.8 ac Dry
for Dan VG
Transfer

DSUG
3/2/64



SCALE 1"= 1200'

PREPARED BY
DARWIN VANDER STELT

5655 S. BLACKCAT ROAD
MERIDIAN, ID 83642
T03N R01W N1/2 OF S1/2 SEC 33

DAN VAN GROUW DAIRY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use		
Stockwater	.28/ 36.3	365	01/01	to	12/31
Commercial	.24 / 31.70	365	01/01	to	12/31

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

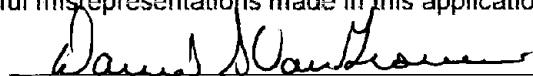
Used process and runoff waters to be contained in the lagoon on the NW ¼ SE 1/4 sec 33 T03N R01W and land applied as appropriate to approximately 120 ac cropland.

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

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

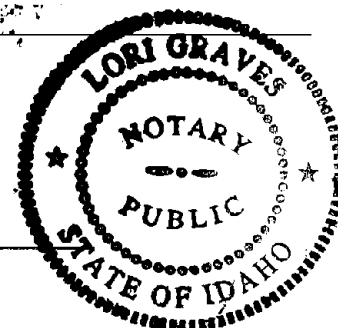
I understand that any willful misrepresentations made in this application may result in voiding its approval.


(Signature of Applicant)

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


(Notary Public)

My commission expires 6/18/04



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Received by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____

_____ agree to the following
application changes.
Date: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

See corrected Page

1. New Nature of use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use		
Stockwater	.3795 / 58.65	365	01/01	to	12/31
Commercial	.2503 / 38.66	365	01/01	to	12/31

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

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

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

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

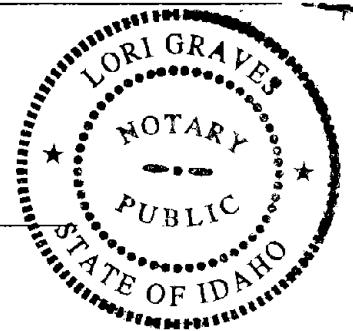
I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

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


(Notary Public)

My commission expires 6/18/04

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

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

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____

MEMORANDUM

TO: Dan Nelson

FROM: Darwin Vander Stelt, preparer

DATE: 10/23/2003

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

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

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

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

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

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

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

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

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

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

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

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

Darwin

ADA COUNTY CONSOLIDATED PROPERTY TAX BILL

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

P.O. BOX 2868, BOISE, ID 83701

PH. #(208) 364-2233

REAL PROPERTY TAX BILL
LEGAL DESCRIPTION:

 NW4
 SEC 16 LN 1E
 #12116211000
 #7367662

DELINQUENT TAXES

YEAR

PARCEL NUMBER

S2116211000

TAX YEAR

CODE AREA

BILL NUMBER

2001

224

395112

PROPERTY ADDRESS: 17855 S CLOVERDALE RD

MORTGAGE COMPANY REQUESTING YOUR TAX BILL

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

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

% LEVY CHANGE	NAME OF TAXING DISTRICT	TAXING DISTRICT PHONE NUMBER	TAXING DISTRICT TOTAL LEVY AMOUNT	TAX AMOUNT BY TAXING DISTRICT
8.50	SCHOOL DISTRICT #3	922-1000	.003592244	1658.25
7.12	SCHOOL #3 BOND	922-1000	.003209961	1481.72
4.62	ADA COUNTY	364-2333	.002772336	1279.71
7.14	KUNA FIRE	922-1144	.001041949	480.96
7.69	KUNA FIRE BOND	922-1144	.000248653	114.78
4.62	ADA COUNTY HIGHWAY	387-6120	.001014584	468.33
6.57	KUNA LIBRARY	922-1023	.000451596	208.46
3.00	KUNA LIBRARY BOND	922-1023	.000170122	87.76
4.62	EMERGENCY MEDICAL	375-7048	.000117687	54.32
1.39	PEST EXTERMINATION	888-2316	.000103793	47.91
7.17	MOSQUITO ABATEMENT	362-1440	.000023179	10.70
	TOTAL LEVY:		.012766104	
	TOTAL TAXES:			5892.90

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

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

DEC 20, 2001

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

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

CURRENT YEAR ASSESSED VALUE

511600.

AMOUNT OF HOMEOWNER'S EXEMPTION

50000.

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

153.46

ADMINISTRATIVE ADJUSTMENT

5739.44

TOTAL PROPERTY TAX BILLED

PREPAYMENTS RECEIVED PRIOR TO BILL PRINTING

CIRCUIT BREAKER (SENIOR CITIZEN) EXEMPTION

TOTAL TAXES DUE

5739.44

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


PRIOR YEAR VALUE

292400.

PRIOR YEAR TAX

3143.1

CURRENT YEAR VALUE

CURRENT YEAR TAX

KEEP THIS PORTION

PLEASE AFFIX AND RETURN BOTTOM PART WITH PAYMENT

ADA COUNTY CONSOLIDATED PROPERTY TAX BILL

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

P.O. BOX 2868, BOISE, ID 83701

PH. //(208) 364-2233

REAL PROPERTY TAX BILL
LEGAL DESCRIPTION:

 NE4
 SEC 16 IN 1E
 #12116111000
 #9367662

DELINQUENT TAXES

YEAR

PARCEL NUMBER

S2116111000

TAX YEAR

CODE AREA

BILL NUMBER

2001

224

39511

PROPERTY ADDRESS: S CLOVERDALE RD

MORTGAGE COMPANY REQUESTING YOUR TAX BILL

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

% LEVY CHANGE	NAME OF TAXING DISTRICT	TAXING DISTRICT PHONE NUMBER	TAXING DISTRICT TOTAL LEVY AMOUNT	TAX AMOUNT BY TAXING DISTRICT
8-50	SCHOOL DISTRICT #3	922-1000	-003542244	451.70
17-62	SCHOOL #3 BOND	922-1000	-003209961	403.81
4-62	ADA COUNTY	364-2333	-002772336	348.76
7-14	KUNA FIRE	922-1144	-001041949	131.08
17-69	KUNA FIRE BOND	922-1144	-000248653	31.28
4-61	ADA COUNTY HIGHWAY	387-6120	-001014584	127.63
6-57	KUNA LIBRARY	922-1025	-000451596	56.81
13-00	KUNA LIBRARY BOND	922-1025	-000190122	23.42
4-62	EMERGENCY MEDICAL	375-7048	-000117687	14.81
1-39	PEST EXTERMINATION	888-2316	-000103793	13.06
17-17	MOSQUITO ABATEMENT	362-1440	-000023179	2.92
TOTAL LEVY:			-012765104	
TOTAL TAXES:				1605.98

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

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

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

DEC 20, 2001

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

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

CURRENT YEAR ASSESSED VALUE

125800.

AMOUNT OF HOMEOWNER'S EXEMPTION

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

41.82

ADMINISTRATIVE ADJUSTMENT

TOTAL PROPERTY TAX BILLED

1564.16

PREPAYMENTS RECEIVED PRIOR TO BILL PRINTING

CIRCUIT BREAKER (SENIOR CITIZEN) EXEMPTION

TOTAL TAXES DUE

1564.16

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



PRIOR YEAR VAL UP

120500.

PRIOR YEAR TAX

1296.00

CURRENT YEAR VALUE

125800.

CURRENT YEAR TAX

1605.98

KEEP THIS PORTION FOR YOUR RECORDS

PLEASE DETACH AND RETURN BOTTOM PART WITH PAYMENT



NORTHWEST

FARM CREDIT SERVICES

411 Blaine Street

P.O. Box 730

Caldwell, Idaho 83606-0730

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

1-800-819-3312

RECEIVED
APR 18 2003
WATER RESOURCES
WESTERN REGION

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

Refer: Ed Van Grouw / Dan Van Grouw Water Transfer

Dear Ms Graves:

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

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

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

Sincerely yours,

FARM CREDIT SERVICES
Caldwell


DWIGHT O. COMFORT
Senior Credit Officer

WARRANTY DEED

For Value Received

EDWARD G. VAN GROUW and JEANETTE VAN GROUW, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

DANIEL S. VAN GROUW AND KIMBERLY S. VAN GROUW, husband and wife

hereinafter referred to as Grantee, whose current address is

5625 S. BLACKCAT, MERIDIAN, ID 83642

the following described premises, to-wit:

NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, RANGE 3 NORTH, TOWNSHIP 1
WEST OF THE BOISE MERIDIAN, RECORDS OF ADA COUNTY, IDAHO.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 28, 2000.

Edward G. Van Grouw
EDWARD G. VAN GROUW

Jeanette Van Grouw
JEANETTE VAN GROUW

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2000 MY -1 AM 10:34

STATE OF IDAHO

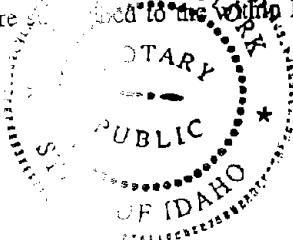
COUNTY OF ADA

PIONEER TITLE

RECORDED - REQUEST OF
FEE 3.00 DEPUTY Morton

100032823

On This 28 day of April, 2000, before me, a Notary Public in and for said State, personally appeared EDWARD G. VAN GROUW and JEANETTE VAN GROUW, known or identified to me to be the person(s) whose name(s) are subscribed to the foregoing Instrument, and acknowledged to me that they executed the same.



Daniel S. Van Grouw
Notary Public of Idaho
Residing at MERIDIAN
Commission expires: 1/23/2002

Attachment B

Holstein weight

1400

Daily Fresh Water Requirement For Dairy Facility WorksheetFor **Dan Van Grouw**

Drinking Water Estimates (see Table 1 & 2):

	Size	Adjustment	Use/day	Total Gal/Day	Total Gals/Yr.	Acre-feet/Yr (AF/a)
	Number	Use/day				
Milking Cows	1190	35	41650	41650		
Dry Cows	150	12	1800	1800		
Total Cows	1340		0	43450	15,859,250	48.67
Heifers:	Age	% of Her Number	Use/day	65%	Total	
	16-24 mo.	0.38	330.98	10	8.5	2151.4
	13-15 mo.	0.12	104.52	8	5.2	543.5
	9-12 mo.	0.17	148.07	6	3.9	577.5
	5-8 mo	0.17	148.07	5	3.3	481.2
	3-4 mo	0.08		4	2.6	0.0
	0-2 mo	0.08		2.5	1.6	0.0
Total Heifers	732			3753.6	1,370,055	4.20

Total Herd Drinking Water**52.87**

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

Amount needed for stockwater**36.1****Wash Pen Estimate:**

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

Total Wash Pen Water Used: 19377 7,072,649 **21.71**

Milk House and Parlor Estimate (see Table 4)

Item	Gals/Op	x's/day	Gals/day			
Bulk Tank	250	1	250			
Pipeline	250	2	500			
Deck flush	2800	4	11200			
Cleanup	1500	2	3000			
Cow Prep	0.25	2	595			
Plate Cooler(ignore if recycled)						
Total Milk House and Parlor Water Used:			15545	5,673,925		17.41

Total commercial use: 39.1

Amount covered by 63-12109 7.2 afa

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

Historic Consumptive Use (from Attachmen

2.51 afa

Acres actually dried in

63-7695	17.1
63-1030	27.1

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

Attachment C

Recent Crop history

Ed Van Grouw Farm

Source: Owner Records

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

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

Allen and Brockway report site: Kuna

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

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

* Double cropped land water use

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

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

Total IR for double cropped corn and triticale

926.38

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

Mar	15	0.78	11.7
Apr	30	3.78	113.4
May	18	5.36	96.5
Jun	30	3.05	91.5
Jul	31	7.6	235.6
Aug	31	6.3	195.3
Sep	15	3.64	54.6

Total IR for double cropped triticale and sudan

798.58

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

Attachment D

DAN VAN GROUW WATER RIGHT SPLITS

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

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

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

$$\text{Average rate/acre} = \frac{5.55 \text{ cfs}}{285 \text{ acres}} = 0.0194737 \text{ cfs/acre}$$

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

$$\text{Remainder Available for combined rate} = 1.36 \text{ cfs} - 0.194736842 = 1.1652632 \text{ cfs}$$

COMBINED PER ACRE RATES:

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

$$\text{Combined Rate} = 0.0194737$$

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

After rounding use:

	7695	0.26
(for portion also covered by 7695)	10307	0.07
		<u>0.33</u>
10307 total flow =	.07 cfs + .19 cfs(from 10 acres) = .26 cfs total.	

Calculations in Part 2

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

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

Attachment D

VOLUME CALCULATIONS:

Even though both water rights are listed on the lands being retired for this transfer, 7695 has always been capable of supplying the full volume requirement for the lands irrigated by this water right. Therefore, the volume for all of the lands retired will be listed under water right 7695 only. Water right 10307 only supplies an additional rate of diversion and does not supply any additional volume to the dairy, except for the 10 acres for which 10307 is the only water right. That 10 acres will supply 25.1 afa of the volume (2.51×10)

Dairy sheet shows 68 acre feet of water is needed with 53.3% of this water used for stockwater and 46.7% of this water used for commercial uses.

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

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

RATES AND VOLUMES FOR EACH WATER RIGHT AND EACH USE:

Volume

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

Rate

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

Volume

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

Rate

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

Affirmation of the Sale of a Water Right

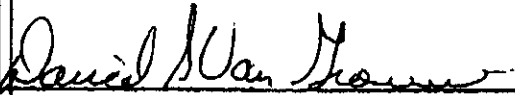
It is hereby affirmed that Ed Van Grouw, of 19855 S Cloverdale Rd, Kuna, ID 83634, having surplus water rights, has sold the right to divert .52 cfs and a total volume of 68 ac/ft of groundwater for stock water and commercial use to Dan Van Grouw of 5655 S Black Cat Rd, Meridian, ID 83642. Consideration has been paid, and by their signatures the undersigned agree and affirm that said agreement was reached and said transaction has taken place.



Ed Van Grouw, of 19855 S Cloverdale Rd, Kuna, ID 83634

7-30-04

Date



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

7/29/04

Date