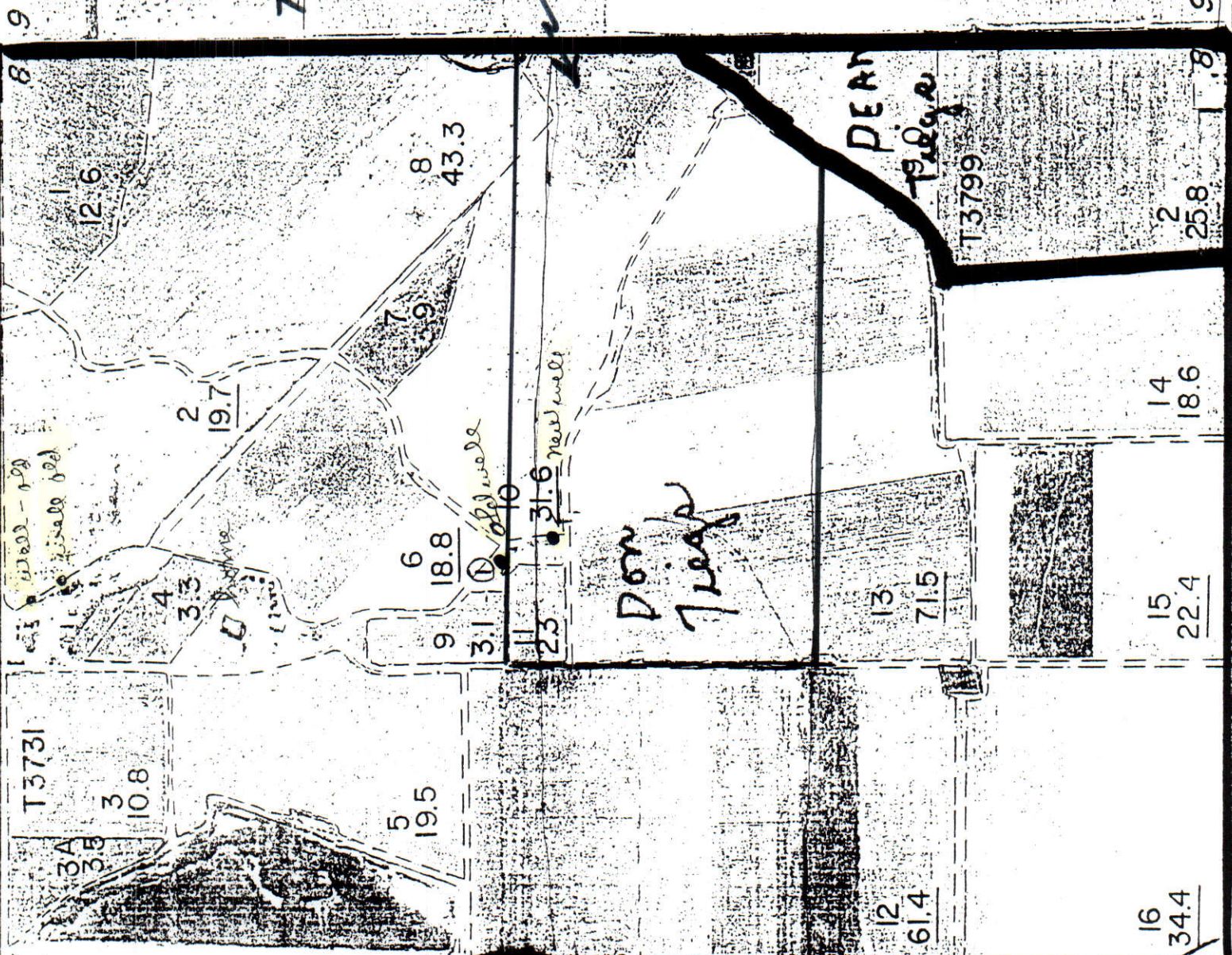


T/A

Location of Dairy

TIN R22W



MICROFILMED

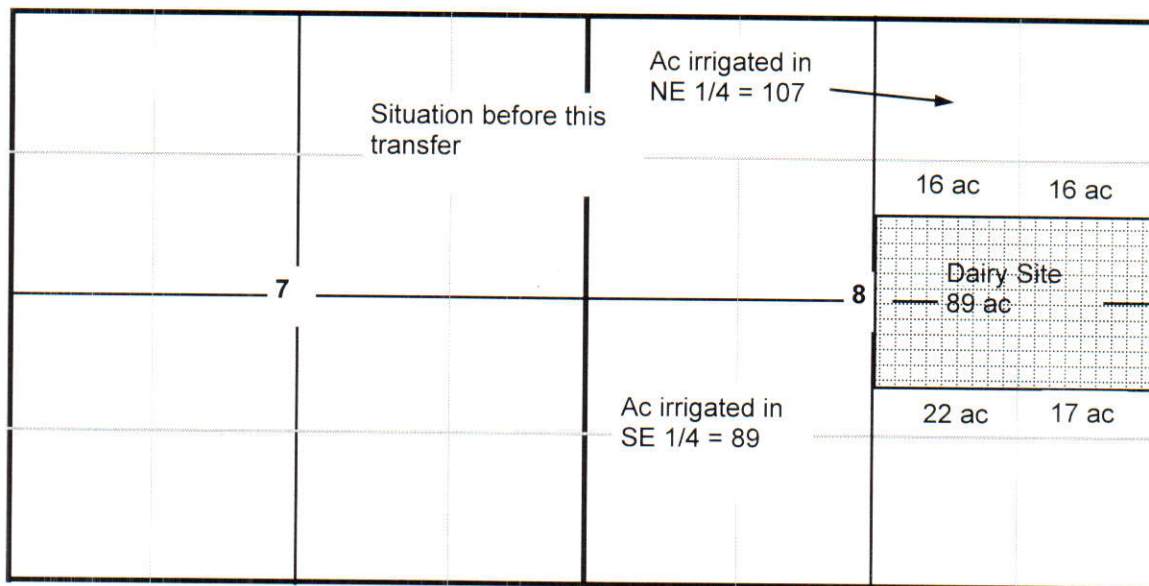
SEP 0 1981

11

11

11

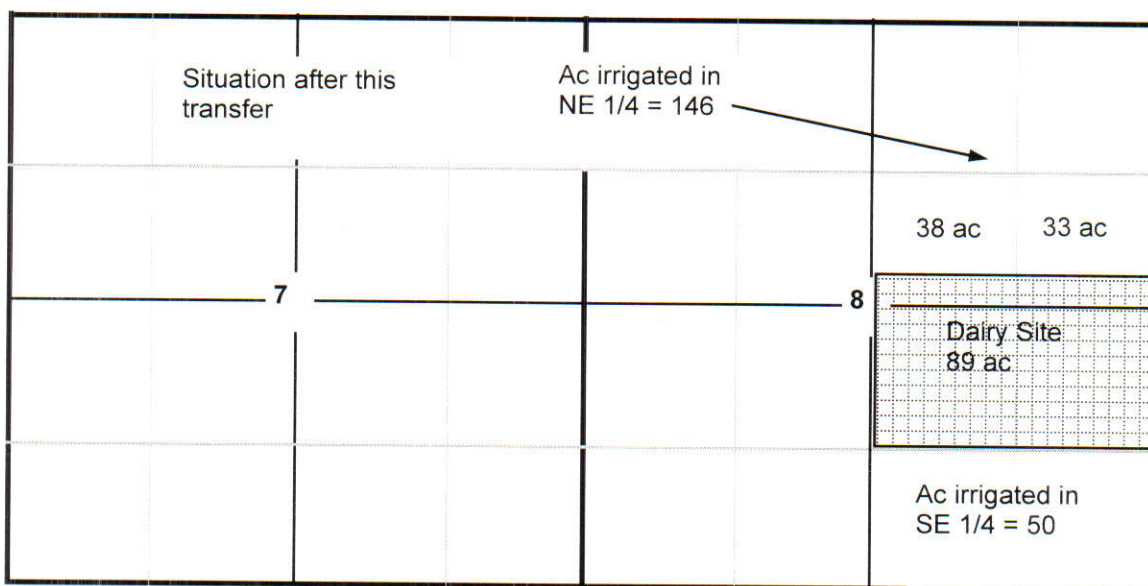
home



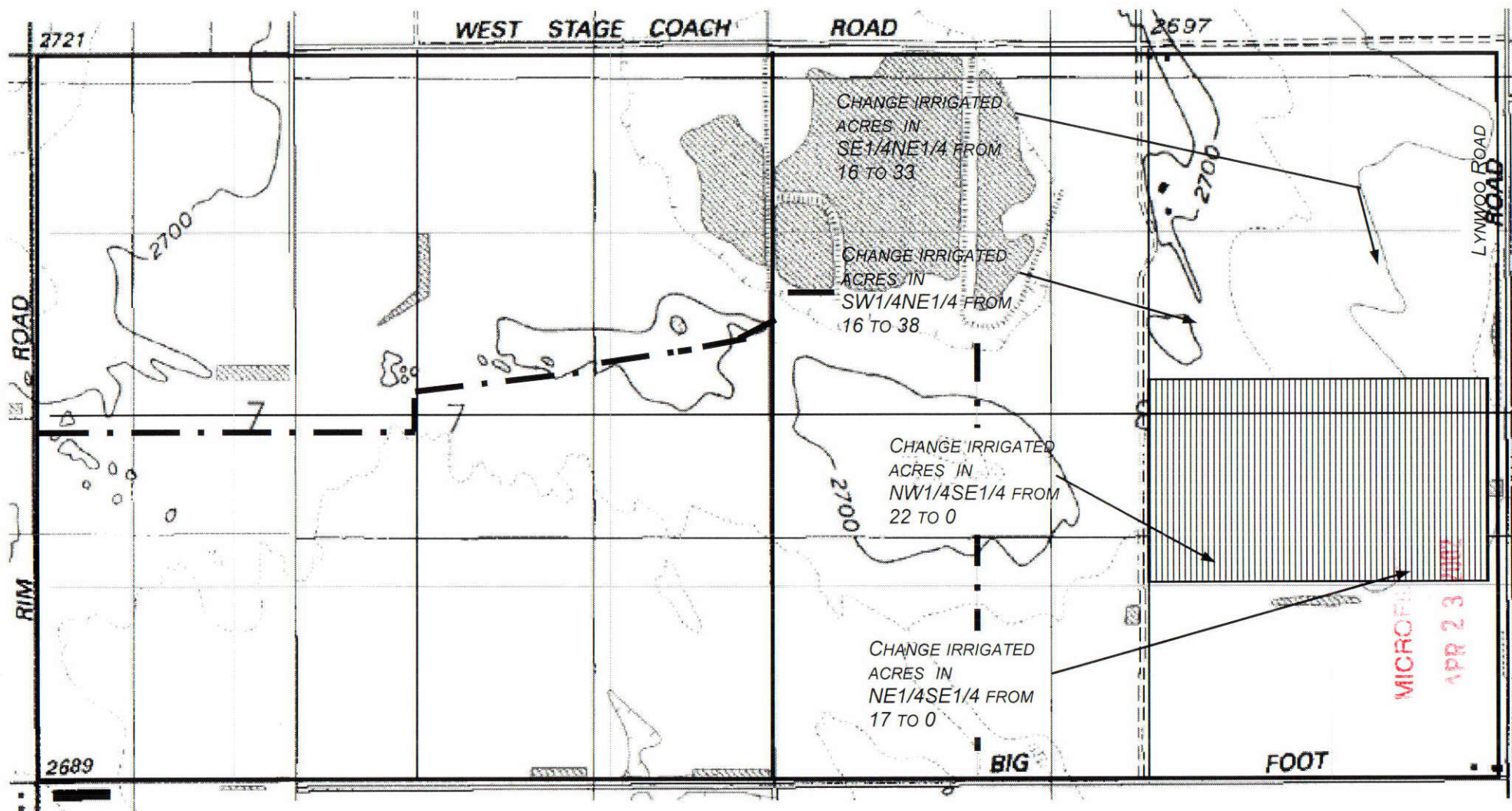
This transfer moves the place of use for 39 acres of groundwater irrigation right from the NW1/4SE1/4 and NE1/4SE1/4 to the SW1/4NE and SE1/4NE1/4.

Water rights requiring a change in PPU include :

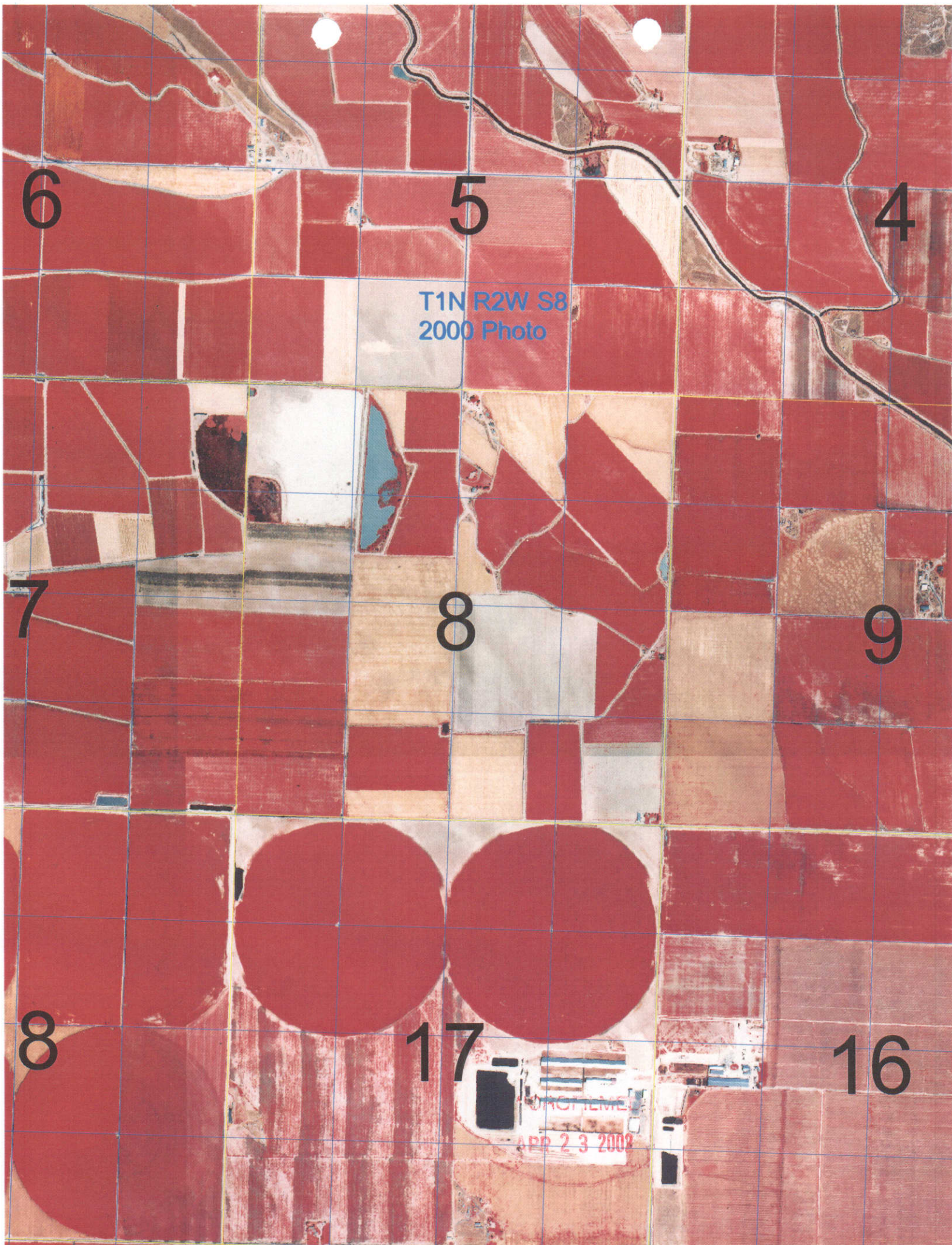
63-02825
63-03135
63-03260
63-03331



Adrian Kroes	Site map	
T 01N, R 02 W, section 8	MICROFILMED	Scale 3" = 1 mile
	APR 23 2002	Prepared by: Darwin Vander Stelt



SITE PLAN		
KROES DAIRY	SCALE: 1" = 1050'	
		PREPARED BY
		DARWIN VANDER STELT



T1N R2W S8
2000 Photo

ORIGINAL

APR 23 2002

Before

02-02195	2.50 cfs	IRR	315.0 Acres	{ 102 Acres sole supply - 80 Separate 213 " supplemental - 235 QA Same	
Acces by rate					
63-02825	.90 cfs	IRR/DOM	67.3 287.0 Acres	462.4	+1.2(DOM) = 463.6 afa
63-03135	1.75 "	"	131.0 280.0 "	899.0	" (" " ")
63-03260	1.35 "	"	101.0 333.0 "	693.5	" (" " ")
63-03331	0.45 "	"	33.7 323.0 "	231.2	" (" " ")
4.45 cfs IRR/DOM			333.0 Acres	1498.5 afa	C.U. Vol. 902.4 afa
.01336 cfs/acre				1499.7 afa (w/DOM)	

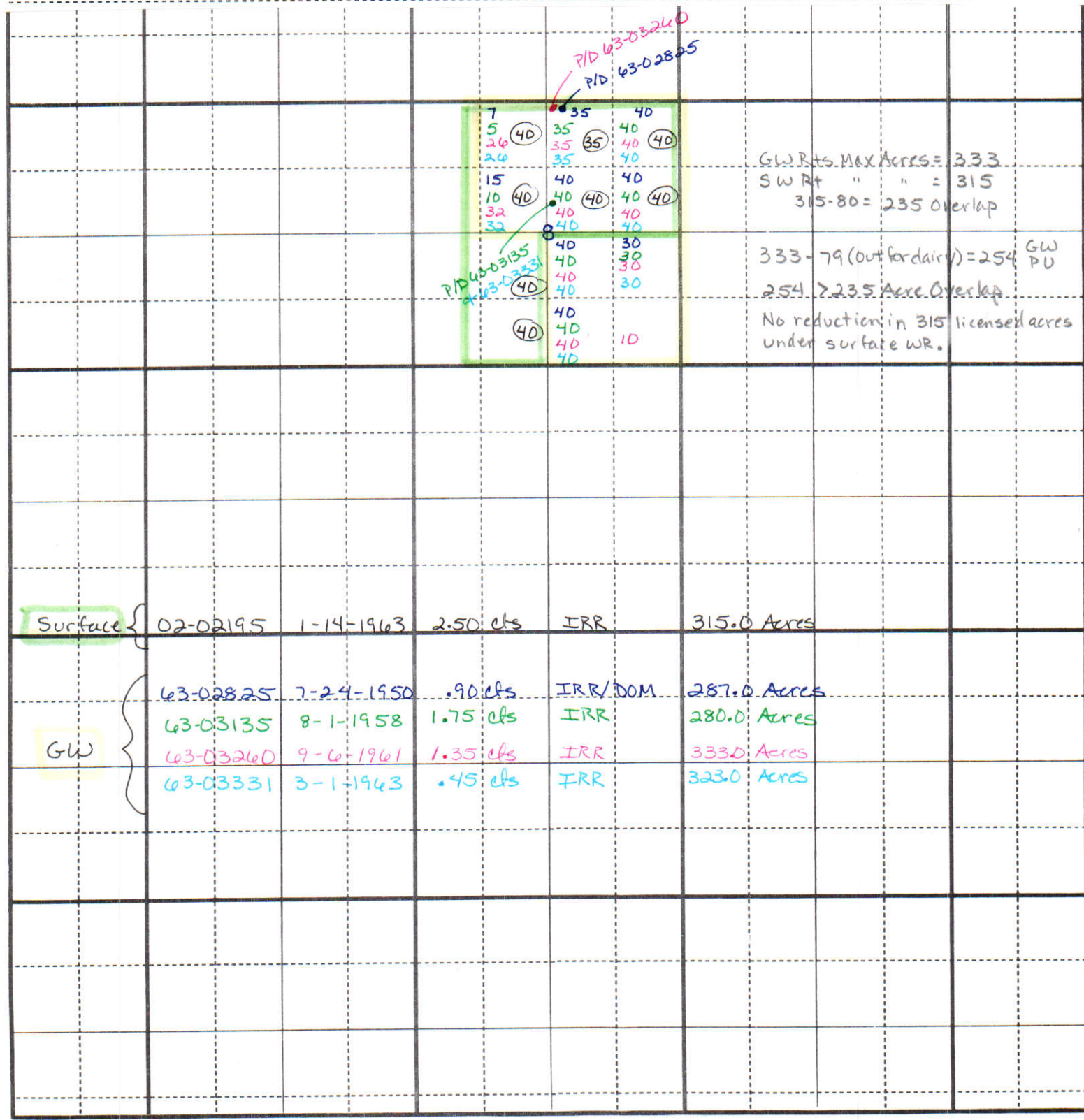
After

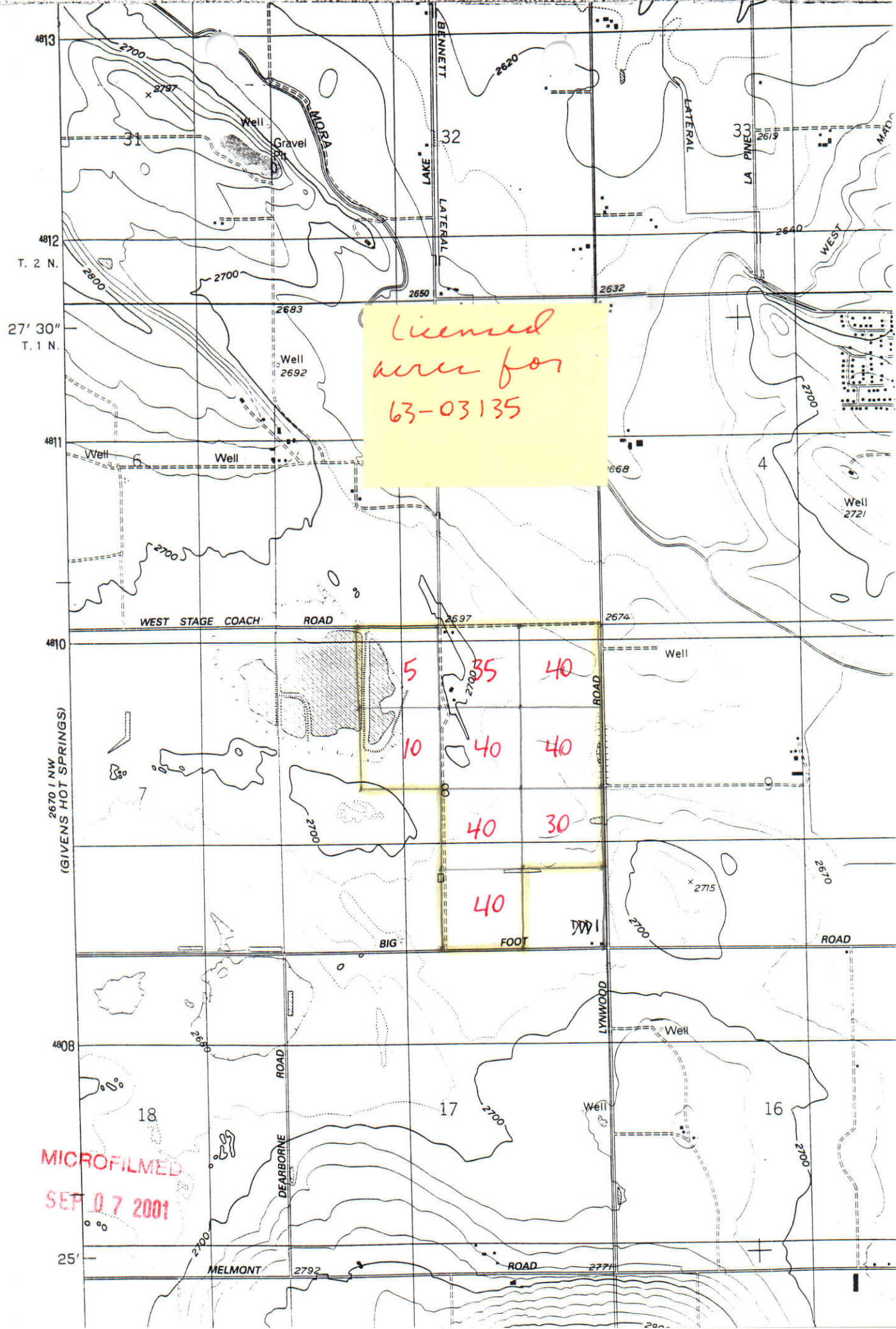
63-02825	0.90 cfs	IRR/DOM	254.0 Acres	463.6 afa	
63-03135	0.78 "	IRR	63.0 "	283.5 "	
	0.97 "	STOCK/COMM	(79.0 " Out)	214.1 "	
63-03260	1.35 "	IRR	254.0 Acres	693.5 "	
63-03331	0.45 "	IRR	254.0 Acres	231.2	
4.45 cfs IRR/STOCK COMM/DOM			254.0 Acres	1143.0 afa IRR	688.3
.01751 cfs/acre				214.1 " STOCK & COMM	214.1
				1.2 DOM	902.4
				1358.3 afa	

Reduced acres & div. vol. C.U. Volume same. ✓

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
T01N R02W S 8																		
0202194A	SNAKE RIVE											40	40					80
A0202194A	SNAKE RIVE								25			39	39					103
0202195	SNAKE RIVE	40	35	40	40	40				40		40		40				315
A0202195	SNAKE RIVE	40	35	16	16	26				32		40		40		17	22	334
6302825	GROUNDWATE	40	35	40	40	7				15						30	40	287
A6302825	GROUNDWATE	40	35	40	40	7				15						30	40	287
T6302825	GROUNDWATE	40	35	16	16	26				32						17	22	254
A6303135B	GROUNDWATE							20	5									25
6303135	GROUNDWATE	40	35	40	40	5				10						30	40	280
A6303135	GROUNDWATE	40	35	40	40	5				10						30	40	280
T6303135	GROUNDWATE	40	35	16	16	26				32						17	22	254
6303260	GROUNDWATE	40	35	40	40	26				32						30	40	333
A6303260	GROUNDWATE	40	35	40	40	26				32						30	40	333
T6303260	GROUNDWATE	40	35	16	16	26				32						17	22	254
A6303275B	GROUNDWATE							20	5									25
6303331	GROUNDWATE	40	35	40	40	26				32						30	40	323
A6303331	GROUNDWATE					26				32		38		37		30	40	323
T6303331	GROUNDWATE	40	35	16	16	26				32						17	22	254
6308381	GROUNDWATE															4		31
A6308381	GROUNDWATE															4		31
A6331087	GROUNDWATE						20	5										25
--86 MAP--	C27Q-Y 6	37	37	40	38	33	40	35	35	41	35	38	41	37	40	36	37	600





Licensed
area for
63-03135

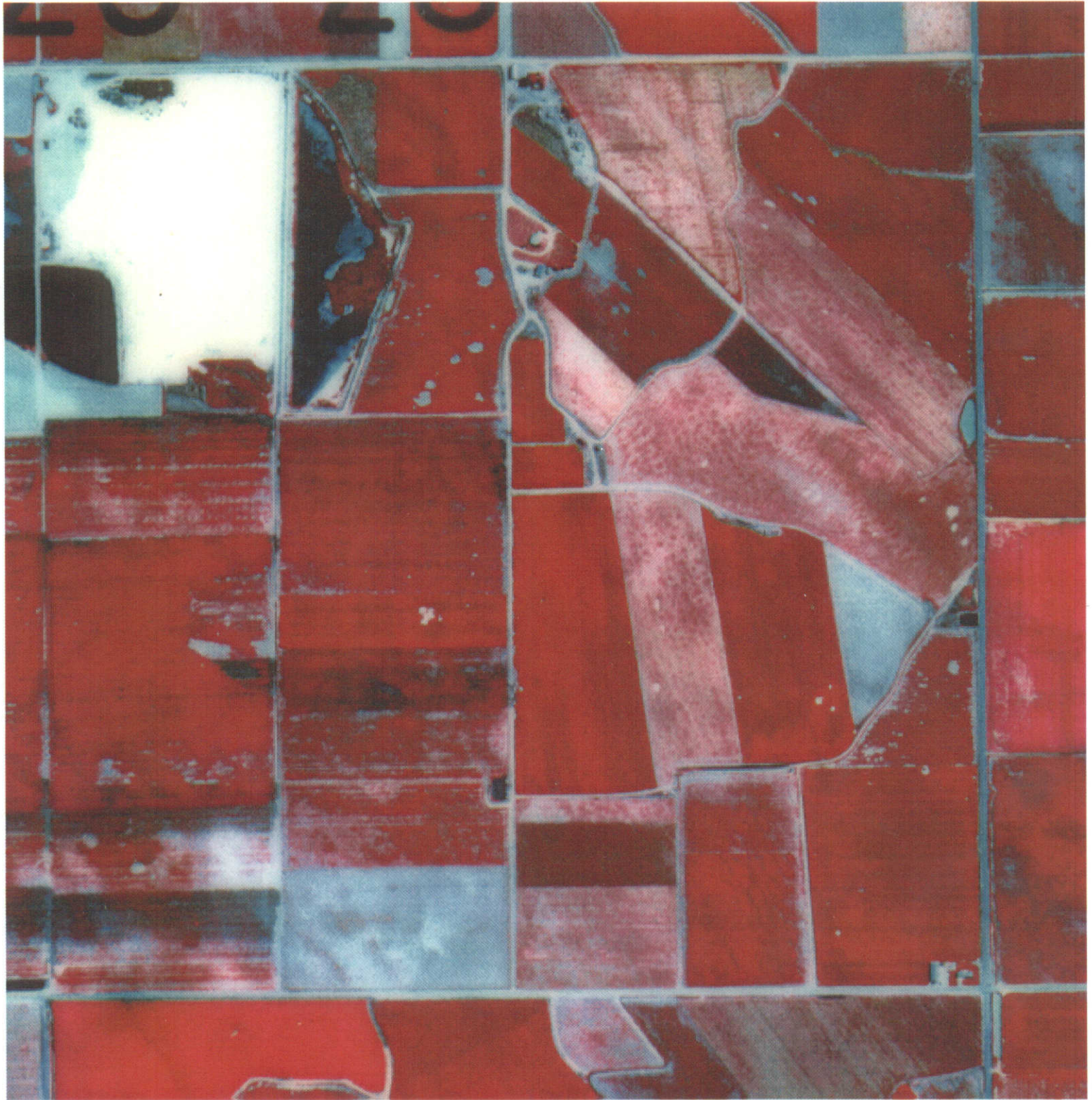
MICROFILMED
SEP 07 2001

1994



MICROFILMED
SEP 07 2001

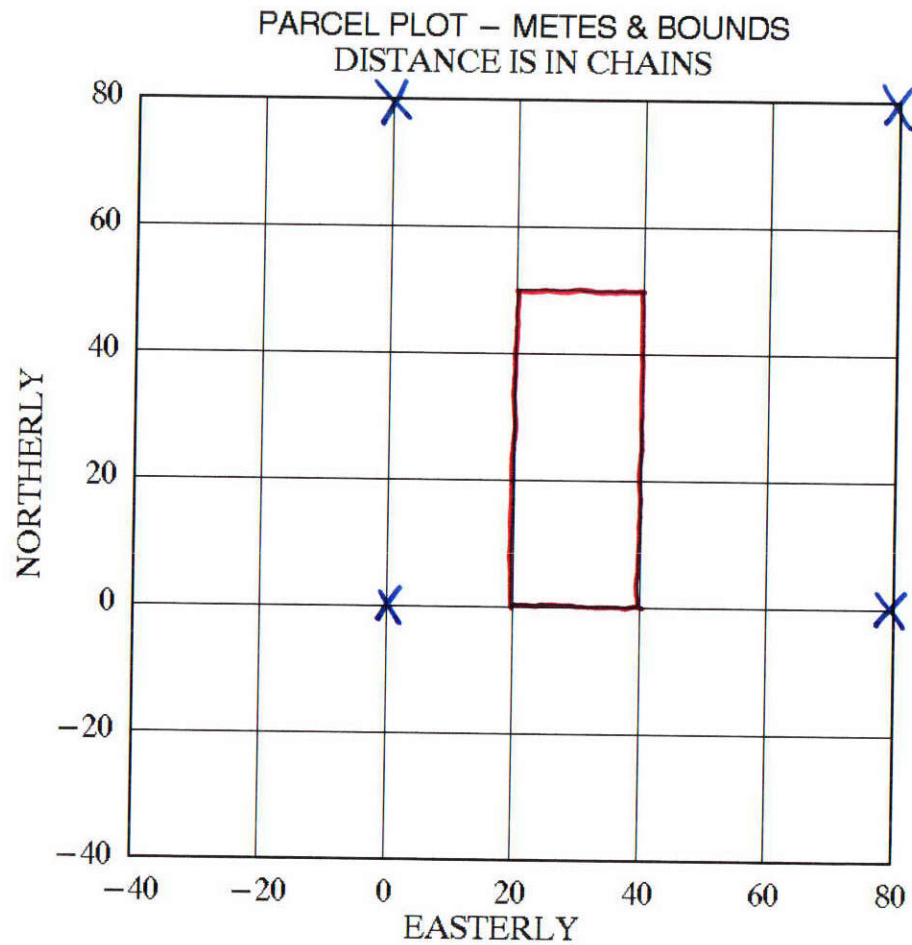
1987



MICROFILMED

SEP 07 2001

"Tract 1"



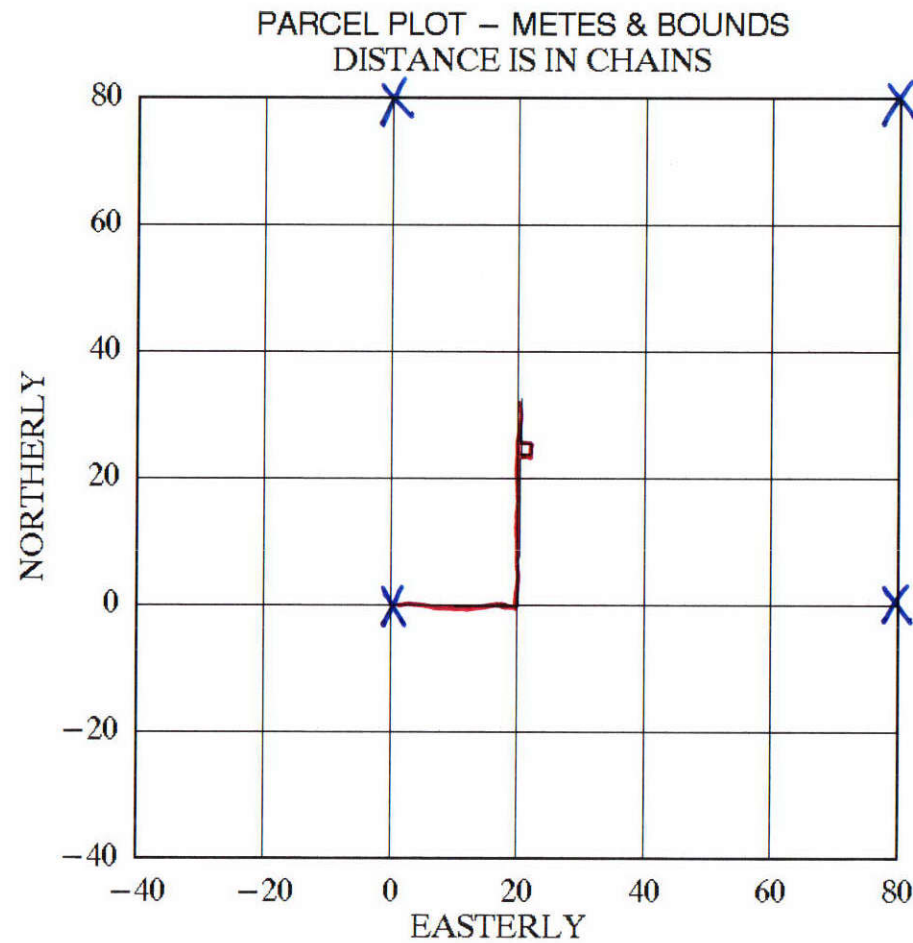
Sections:

7	8
18	17

X = Section corners

MICROFILMED
SEP 07 2001

"Tract 1
Exception"



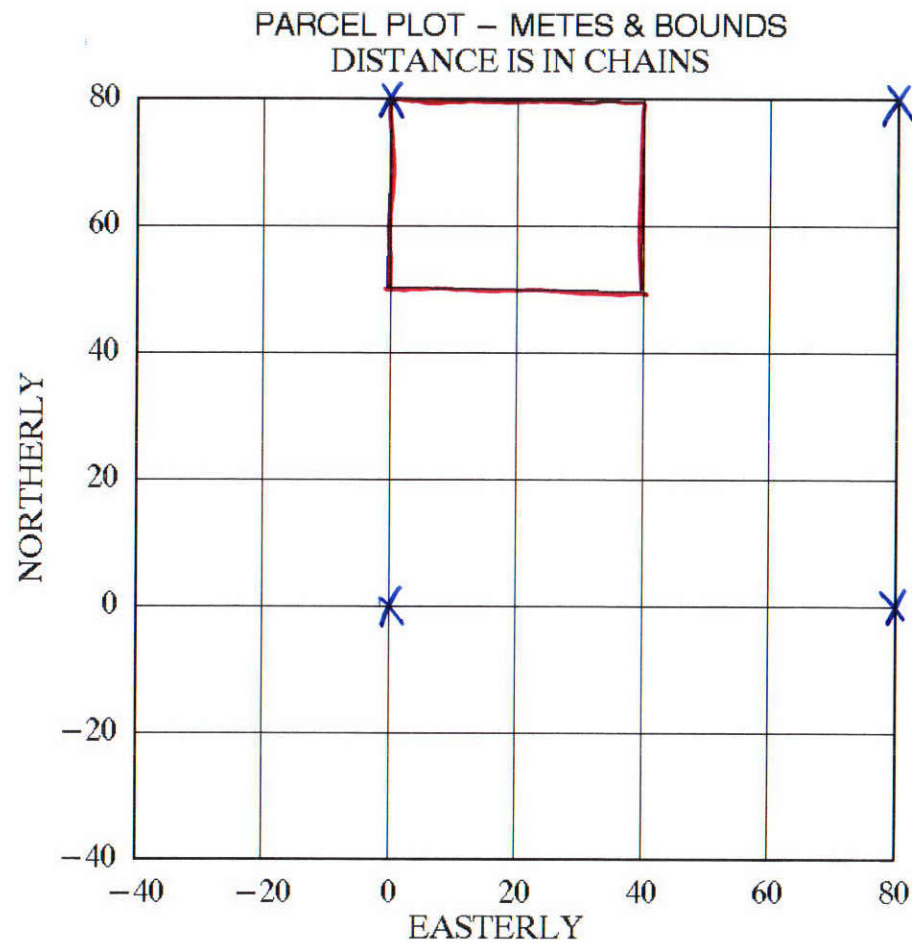
Sections:

7	8
18	17

X = Section Corners

MICROFILMED
SEP 07 2001

"Tract 2"



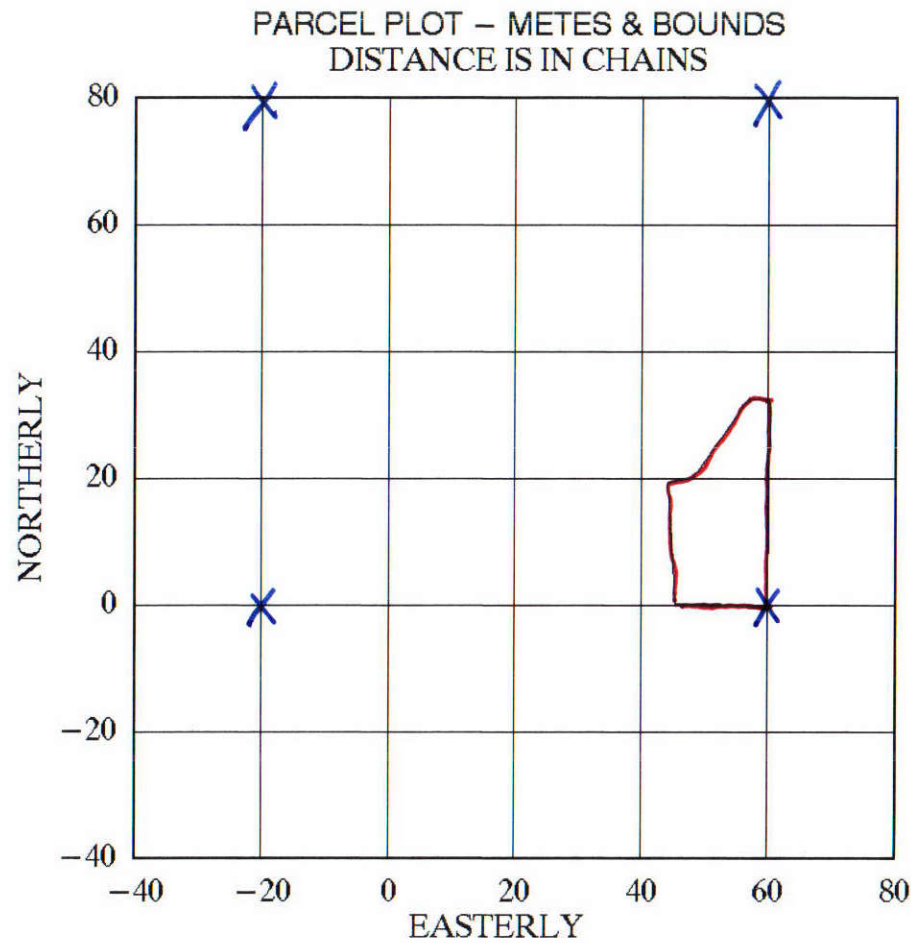
Sections:

7	8
18	17

MICROFILMED
SEP 07 2001

X = Sections Corners

"Exception" on pg 1 of deed



Sections:

7	8	9
18	17	16

MICROFILMED
SEP 07 2001

X = Section Corners

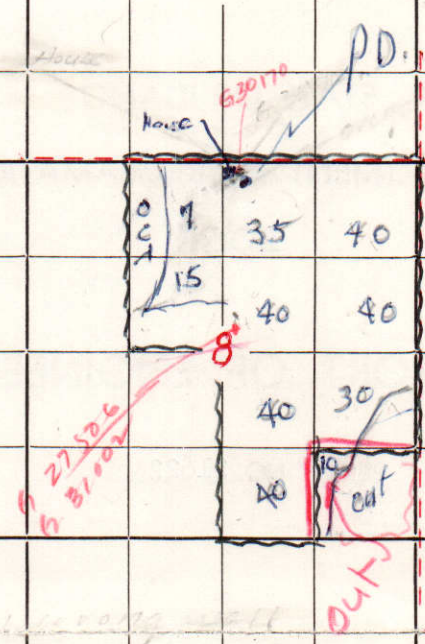
5 Per 7 Min 54 Sec.

$$\frac{420}{54} \div \frac{474}{500} = 1.06 \times 1.07 = 1.13 \text{ cfs. or } 56 \frac{1}{2} \text{ inches}$$

R-2W.

STATE HWY. NO. 45
TO WAIPIA

T.
I.
N.



82
95
70
50
40
297
287

G-27506 bk 7181 - 1.75 cfs - SW NE 8 - same land 280 Ac.

28730
30170 - NW NE 8

Subdivisions

9
10
287

see Permit # G-27506
G-30170 - same land

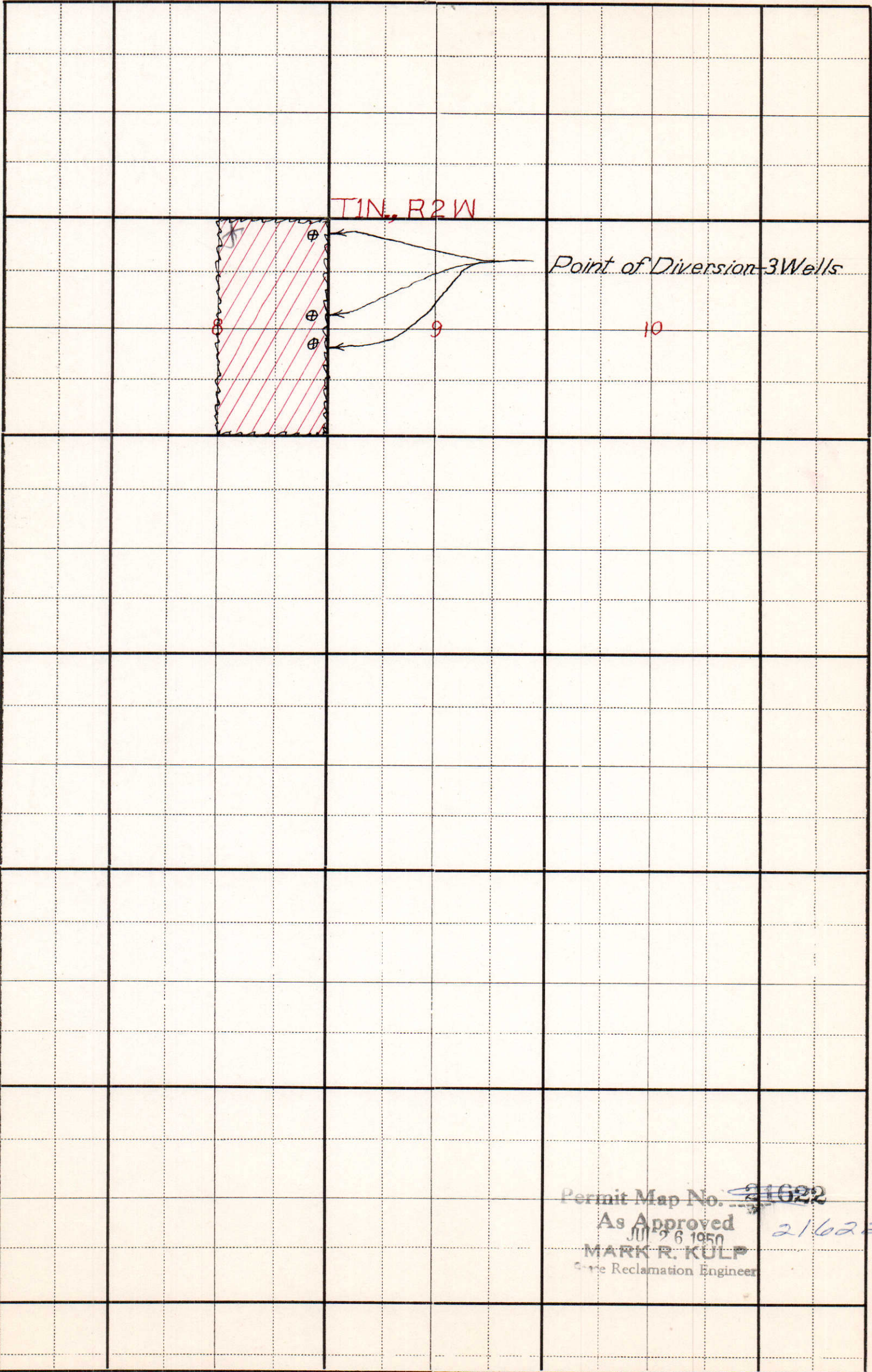
AREA 297 acres

Same land list
license probly issued on this
Permit.

fit 5 cfs or 56 1/2 inches
90 CFS OR 45 inches

NAME OF APPLICANT Don. E. Tiegs and Hellen L. Tiegs,

Form No. 0



State of Idaho
License and Certificate of Water Right

Water License No. 21622

Amount .90 c.f.s.

Water District No. _____

Priority July 26, 1950

THIS IS TO CERTIFY that DONALD E. TIEGS & HELEN L. TIEGS
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 24, 1950; that Permit No. 21622
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.0 second feet, was issued thereunder on June 30, 1955, showing that said works
were completed on the 29th day of June, 1955; and that on the 26th
day of July, 1961,

DONALD E. TIEGS & HELEN L. TIEGS

of Nampa, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of domestic use and
irrigation, under Use Permit No. 21622 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7325, on the 10 day of July, 1962;

The right hereby confirmed dates from July 24, 1950;

The Point of Diversion is located

in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, Tp. 1 N, R. 2 W, B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .90 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N	2 W	8	NE NE $\frac{1}{4}$	40	40
			NW NE $\frac{1}{4}$	40	35
			SW NE $\frac{1}{4}$	40	40
			SE NE $\frac{1}{4}$	40	40
			NE NW $\frac{1}{4}$	40	7
			SE NW $\frac{1}{4}$	40	15
			NE SE $\frac{1}{4}$	40	30
			NW SE $\frac{1}{4}$	40	40
			SW SE $\frac{1}{4}$	40	40
			Total number of acres to be irrigated:		287

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

____ day of June, 1962.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

63 2825

Permit No. 21622

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that DONALD E. & HELEN L. TIEGS of Nampa, County of Canyon, and State of Idaho, the holders of Permit No. 21622, issued upon Application No. 29335 bearing date of priority of July 24, 1950, authorizing the diversion of 6.4 second feet of the waters of subterranean flow from wells County of Canyon, State of Idaho, for irrigation and domestic purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of Completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use four (4) second feet of the waters of one well; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 1 North, Range 2 West, B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: East Half Section 8, Township 1 North, Range 2 West, B.M.

Witness my hand this 30th day of June, A. D. 1955.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made June 29, 1955.

Certificate of Completion of Works issued June 30, 1955.

Application for Amendment
LAND LIST
Permit No. 21622

Comes now Donald E. and Helen L. Tiegs, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho: That they are the owners and holders of Permit to Appropriate the Public Waters of the State of Idaho, No. 21622, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 8, Twp. 1 N., R. 2 W.B.M. Making a total No. of acres (340) to be irrigated.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho this 11th day of May, 1961
/s/ Donald E. Tiegs

Date of receipt at office of Department of Reclamation: May 11, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 21622. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ GEO. N. CARTER
State Reclamation Engineer

Recorded: June 12, 1961

LICENSE ISSUED FOR 20 SEC. FT.
page 7325

APPLICATION FOR PERMIT 63-2825

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29335
 PERMIT No. 21622
 DISTRICT No.

1. Name of Applicant: **DONALD E. TIEGS & HELEN L. TIEGS**
 Postoffice address: **Route 4, Nampa** County: **Canyon** State: **Idaho**
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:

 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: **6.40** cubic feet per second.
3. Source of water supply: **Subterranean flow from wells** which is a tributary of
4. Location of point of diversion: feet distant from the
Well No. 1- NE $\frac{1}{4}$ NE $\frac{1}{4}$; Well No. 2- SE $\frac{1}{4}$ NE $\frac{1}{4}$; Well No. 3- NE $\frac{1}{4}$ SE $\frac{1}{4}$
 corner of Section , T. , R. , B. M., and is in the
 of Section **8** , T. **1 N.** , R. **2 W.** , B.M., County of **Canyon**
5. Water is to be used for **Irrigation and domestic purposes.**
6. If for mining, milling, power or manufacturing purposes, give:
 (a) Point of use of water: feet distant from corner of Section
 T. , R. , B.M., in the of Section , T. , R. , B.M.
 (b) Amount of power generated: H.P., under feet head.
 (c) Water is to be returned to at a point feet
 distant from the corner of Section , T. , R. , B.M., in the
 of Section , T. , R. , B.M.
7. Estimated cost of works: **\$ 25,000.00**
8. Kind of works: **Wells, pumps and ditches.**
9. Height of dam feet; length of dam at top feet; length of dam at bottom
 feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
 dimensions of flume:
 Diameter of pipe inches; length of conduit miles.
 Average grade per mile feet.
12. The time required for the completion of such work is **Five (5)** years.
13. The time required for the complete application of the water to the proposed use is **Six (6)** additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

DONALD E. TIEGS & HELEN L. TIEGS

Applicant.

By

Herbert A. Tiegs

Agent.

Date of first receipt at Department of Reclamation: 11:00 A. M. July 24, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is **21622**

Recorded in Book 77 Page 21622 Approved July 26, 1950

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **September 26, 1950** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **January 26, 1953**

The whole of said work to be completed on or before **July 26, 1955**

Beneficial use of water appropriated in accordance herewith, to be made on or before **July 26, 1961**

WITNESS My hand this 26th day of July, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS

..., Governor of the State of Idaho,

and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 26th

day of July, 19 50.

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

By J. D. "CY" PRICE

Governor.

Secretary of State.

REMARKS: Applicant reserves the right to drill as many of these wells as may be necessary to produce the required amount of water under this filing.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 N.	2 W.	8	40	40	40	40								40	40	40	40	320	
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 21622																			
Comes now Herbert A. Tiegs and represents to the State Reclamation Engineer of the State of Idaho: That he is agent for the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 21622. That one point of diversion is described in said permit as being located in the NE$\frac{1}{4}$ NE$\frac{1}{4}$ Section 8, Twp. North, Range 2 West, B.M. That he now requests that this point of diversion be changed to a point located in the NW$\frac{1}{4}$ NE$\frac{1}{4}$ Section 8, Twp. 1 North, Range 2 West, B.M. That his reasons for desiring to make such change are as follows: It was found to be a more suitable location for the well. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk. Signed at Boise, Idaho, this 29th day of June, 1955. HERBERT A. TIEGS State of receipt at Department of Reclamation June 29, 1955																			
APPROVAL OF STATE RECLAMATION ENGINEER I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 21622. This approval constitutes a new permit and is issued as an amendment to the original Permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected hereby. MARK R. KULP State Reclamation Engineer																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5651
WATER RIGHT NO(S) . 63-02825/63-03135/63-03260/63-03331

This is to certify that: DONALD E TIEGS
10020 BIG FOOT RD
MELBA ID 83641

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-02825 :			
Priority: 07/24/1950			
IRRIGATION	03/01 to 11/15	0.90 CFS	462.4 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF
		0.90 CFS	463.6 AF
Right No. 63-03135 :			
Priority: 08/01/1958			
IRRIGATION	03/01 to 11/15	0.78 CFS	283.5 AF
STOCKWATER	01/01 to 12/31	* 0.97 CFS	214.1 AF *
COMMERCIAL	01/01 to 12/31	* 0.97 CFS	214.1 AF *
		1.75 CFS	497.6 AF
Right No. 63-03260 :			
Priority: 09/06/1961			
IRRIGATION	03/01 to 11/15	1.35 CFS	693.5 AF
Right No. 63-03331 :			
Priority: 03/01/1963			
IRRIGATION	03/01 to 11/15	0.45 CFS	231.2 AF

TOTAL: ** 4.45 CFS 1358.3 AF **

MICROFILMED

SOURCE

GROUNDWATER

SEP 07 2001

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 8, Township 01N, Range 02W
SWNE , Sec. 8, Township 01N, Range 02W
CANYON County

TRANSFER NO. 5651
WATER RIGHT NO(S). 63-02825/63-03135/63-03260/63-03331

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	02W	8	NENE 40	NWNE 35	SWNE 16	
			SENE 16	NENW 26	SENE 32	
			NESE 17	NWSE 22	SWSE 40	
			SESE 10			254
Total number of acres irrigated:						254 ***

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
01N	02W	8	SWNE	SENE	NESE
			NWSE		

PLACE OF USE: COMMERCIAL, same as IRRIGATION use**PLACE OF USE: DOMESTIC**

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
01N	02W	8	NWNE

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

MICROFILMED
SEP 07 2001

TRANSFER NO. 5651
WATER RIGHT NO(S). 63-02825/63-03135/63-03260/63-03331

CONDITIONS OF APPROVAL AND REMARKS

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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. 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.
- ** 11. The total instantaneous diversion of water from all points of diversion under Transfer 5651 shall not exceed 4.45 cfs, nor a total combined annual volume of 1358.3 af.
- *** 12. Right 63-03135 is limited to the irrigation of 63.0 acres in the place of use described above in a single irrigation season.
- *** 13. Rights 63-02825, 63-03135, 63-03260 and 63-03331 when combined shall not exceed a total diversion rate of 3.48 cfs, a total annual maximum diversion volume of 1143.0 af at the field headgate for the irrigation of 254.0 total acres.
- * 14. Right 63-03135 shall not exceed a total diversion rate of 0.97 cfs, a total annual maximum diversion volume of 214.1 af for stockwater and commercial uses at the dairy.
15. Commercial use is for a dairy located within the S1/2NE and N1/2 SE, S8, T1N, R2W.
16. 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 this water right.
17. Two points of diversion are located within both the NWNE and SWNE, S8, T1N, R2W.
18. Domestic use is for 1 home.

Dated this 4th day of August, 2000.


Chief, Water Allocation Bureau

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SEP 07 2001

Should questions arise during the processing of this application please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5651

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Donald E. Tiegs Phone 466-5007

Post Office address 10020 Big Foot Road, Melba, ID 83641

RECEIVED

A. PURPOSE OF TRANSFER

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

Department of Water Resources

2. Describe the reason for the proposed changes A portion of the irrigated land will be retired. The water right will be converted for use in the dairy. Water will be used for both commercial and stockwatering purposes.

MAY 24 2000

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE ATTACHMENT 1

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- | | | | | |
|----------|--------|----|------------|---------------|
| 63-03135 | 8/1/58 | 78 | Irrigation | 3/15 to 11/15 |
| 63-03135 | 8/1/58 | 63 | Stockwater | 1/1 to 12/31 |
| 63-03135 | 8/1/58 | 34 | Commercial | 1/1 to 12/31 |
2. Total amount of water being transferred 1.75 cubic feet per second and/or 902.5 acre-feet per annum.
3. Source of water Groundwater & Snake River tributary to Columbia River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	8	1N	2W	Canyon	Well
		SW	NE	8	1N	2W	Canyon	Well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	2W	8	40	35	16	16	26			32					17	22	40	10	254
1N	2W	8			X	X									X	X			
1N	2W	8	C	C	C	C	C			C					C	C	C	C	

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SEP 10 2000

Total acres 254

T5651

ATTACHMENT 1

RIGHT NO.	PRIORITY	AMOUNT	NATURE OF USE	PERIOD OF USE
~~02-02195~~	~~1/14/63~~	~~2.5~~	~~Irrigation~~	~~3/15 to 11/15~~
63-03331	3/1/63	.45	Irrigation	3/15 to 11/15
63-03260	9/6/61	1.35	Irrigation	3/15 to 11/15
63-02825	7/24/50	.90	Irrigation	3/15 to 11/15
63-02825	7/24/50	.02	Domestic	1/1 to 12/31

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SEP 9 7 2001

ATTACHMENT 1

PART I**6. General Information:**

- a. Description of diversion system Attachment 2

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XXX 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:
The nature of use of water for 59⁷²⁻¹² acres will be changed. Those lands will be converted to dairy barns and facilities and will no longer be irrigated.

- d. Remarks:
Attachments 3 and 4

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 _____

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SEP 07 2001

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 63-03135 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A

4. Date or priority 8/1/58

5. Water is used for the following purpose:

amount 1.75 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.75 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	8	1N	2W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	2W	8	40	35	40	40	5			10					30	40	40		280

Total acres 280

9. Describe any other water rights used for the same purpose as described above MICROFILMED 63-02825, 63-03260,

63-03331

SEP 8 7 2001

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

(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:

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	

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Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-03331 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 3/1/63

5. Water is used for the following purpose:

amount 0.45 for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.45 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	8	1N	2W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	2W	8	40	35	40	40	26			32					30	40	40		323

Total acres 323

9. Describe any other water rights used for the same purpose as described above 63-03260,

63-02825, 63-03135

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SEP 07 2001

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

(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:

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	

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SEP 07 2001

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 63-03260 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A

4. Date or priority 9/6/61

5. Water is used for the following purpose:

amount 1.35 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.35 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	8	1N	2W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	2W	8	40	35	40	40	26			32					30	40	40	10	333

Total acres 333

9. Describe any other water rights used for the same purpose as described above 63-03135, 63-02825,

63-03331

SEP 07 2001

PART 2

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*(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:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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SEP 07 2001

Total acres _____

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

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 63-02825 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A**4. Date or priority** 7/24/50**5. Water is used for the following purpose:**

amount 0.9 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount 0.02 for Domestic purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.9 cubic feet per second and/or _____ acre-feet per annum.**7. Point(s) of Diversion:**

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	8	1N	2W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	2W	8	40	35	40	40	7			15					30	40	40		287

Total acres 287**9. Describe any other water rights used for the same purpose as described above** 63-03135, 63-03260,63-03331

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SEP 07 2001

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

(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:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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SEP 3 2001

Total acres _____

T/A

Location of Dairy

FINANCE

DEATH

T3799

Don
Treat

T3731

MICROFILM

659 0 12/22/94

十一

10
10
10

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Commercial</u>	<u>.45/97</u>	<u>365</u>	<u>1/1</u> to <u>12/31</u>
	<u>Stockwater</u>	<u>.45/138</u>	<u>365</u>	<u>1/1</u> to <u>12/31</u>

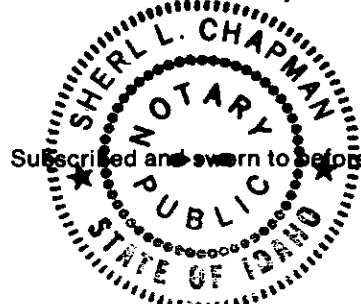
2. Quantity and quality of return flows and location of discharge:

Waste water will be discharged to lagoons for land application. No return flows
will go off property.

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

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.



Richard Reinke for Donald Trege
 (Signature of Applicant)

Subscribed and sworn to before me this 10 day of December, 1999.

Sherell L. Chapman
 (Notary Public)

My commission expires 6-14-2000

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 7 attachments

Received by ST Date 12-10-99 Protest filed by _____

Prelim. check by ST Fee _____

Received by ST Date 12-10-99 W025978

Published in Press Tribune Copies of protest forwarded by _____

Pub. dates 2-17 + 24-2000 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED

SEP 07 2001

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

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

Attached

ATTACHMENT 2

The new diversion system for the DeGroot Dairy will use a submersible turbine pump to provide water from the ground water aquifer in this area to the dairy. Water will be transported through buried mainlines to the distribution system within the dairy and milking barn. Water will be stored within the system for pressurization, heating and distribution to the wash lines, wash pens and other commercial equipment necessary for operation of the dairy. Additional pipelines will distribute water to automatic watering devices to provide stockwater for milking and non-milking cows alike. The entire system will be automated so as to minimize waste and operate efficiently.

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SEP 07 2001

Worksheet 1. Calculating Daily Herd Requirements for Fresh Water

Drinking Water Estimates (see Table 1 & 2)

	Number	Estimated Use (gallons per day)	
		Individual per day	Total
Milking Cows	<u>2750</u>	<u>35</u>	<u>96250</u>
Dry Cows	<u>2250</u>	<u>12</u>	<u>27000</u>
Heifers			
16-24 mo	<u> </u>	<u> </u>	<u> </u>
13-15 mo	<u> </u>	<u> </u>	<u> </u>
9-12 mo	<u> </u>	<u> </u>	<u> </u>
5-8 mo	<u> </u>	<u> </u>	<u> </u>
3-4 mo	<u> </u>	<u> </u>	<u> </u>
0-2 mo	<u> </u>	<u> </u>	<u> </u>

Total herd drinking water used

A. 123850

Wash Pen Estimate (see Table 3)

1 - Sprinkler discharge per nozzle

2 - Number of nozzles

3 - Minutes per day used

Total wash pen water used

(Line 1 x line 2 x line 3)

2 gpm
200
300

B. 12000

Milk house and Parlor Estimate (see Table 4)

	Water per operation	Gallons per day
Bulk tank	<u>135</u>	<u>400</u>
Pipeline	<u>150</u>	<u>450</u>
Backflush	<u>recycled water</u>	<u> </u>
Cleanup	<u>8000</u>	<u>24000</u>
(Parlor, milk house and holding pen)		
Cow prep	<u>recycled</u>	<u> </u>
Plate cooler	<u>10000</u>	<u>30000</u>
(ignore if water recycled)		
Total milk house and parlor water used		<u>C. 54850</u>

TOTAL FRESH WATER ESTIMATE (A + B + C)

190100

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SEP 07 2001

ATTACHMENT 3

An effort was made to insure that sufficient land was taken out of production to equal the consumptive use for stockwater and commercial purposes for the new dairy. Calculations indicated that approximately ²¹³~~235~~ acre feet of water would be consumed for commercial and stockwatering purposes mandating retirement of about ^{79~~80~~}~~59~~ acres of land. This determination was based on the historical cropping pattern of the operating farm. Approximately 50% of the land to be retired has been in grain and 50% in alfalfa over the historical period of use. Consumptive use data were obtained from the Agrimet station near Nampa, Idaho and mean values were used for consumptive use. The mean value takes into account the mowing and baling operations of alfalfa hay production in the consumptive use determination. The values for 1996 and 1997 were used to determine an average consumptive use of 2.71 acre feet per acre. This value indicated that slightly over ^{78~~80~~}~~58~~ acres of land should be retired from production to provide a direct offset. The applicant has agreed to retire ⁷⁹~~59~~ acres of land to insure that there will be no impact to other water users or the aquifer from the change in nature of use.

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SEP 07 2001

DAIRY WORKSHEET

1. Calculate the total amount of water per year for stockwater use where diversion and consumptive volume are equal:

(a) 2750 milkers x 35 g/d/milker x 365 d/yr = 35,131,250 g/yr

(b) 2250 dry x 12 g/d/dry x 365 d/yr = 9,855,000 g/yr

(c) $\frac{35,131,250}{a} + \frac{9,855,000}{b} / 325850 \text{ g/af} = \underline{138} \text{ afa}$

2. Calculate the total amount of water per year for commercial use (washing, processing etc.) where diversion and consumptive volume are equal:

(66,850 g/d x 365 d/yr) / 325850 g/af = 75 afa

3. Lagoons - this information is not needed to analyze the water use but must be documented for other issues that might occur (local ordinances etc.):

total surface area in acres for lagoons = 15 acres

average depth of lagoons = 10 ft

volume = 15 acres x 10 ft. = 150 af

DAIRY SUMMARY TABLE

	CFS RATE	ACRE - FEET - ANNUM DIV VOLUME	CON VOLUME
STOCKWATER	<u>.45</u>	<u>138</u>	<u>138</u>
COMMERCIAL	<u>.45</u>	<u>75</u>	<u>75</u>
TOTAL	<u>.45</u>	<u>213</u>	<u>213</u>

ACRES TO RETIRE:

total div volume / standard div volume per acre = 47 acres required

total con volume / standard con volume per acre = 79 acres required

greater of the two values must be selected = 79 acres retired

NOTE: CFS is usually based on # of retired acres.

MICROFILMED

SEP 07 1981

INSTRUMENT NO. 9845558

STATE OF IDAHO DEED

NUMBER 12558
Certificate No. 22660 "A"-1
(25759)

To All to Whom These Presents Shall Come, Greetings:

Whereas, on the 21st day of JULY, 1950, all that tract or parcel of AGRICULTURAL COLLEGE ENDOWMENT land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to

- DONALD E. TIEGS -

of Nampa, State of IDAHO, for the aggregate price of ONE THOUSAND TWO HUNDRED THREE AND 70/100 DOLLARS

And Whereas, the said sum of ONE THOUSAND TWO HUNDRED THREE AND 70/100 DOLLARS has been fully paid to the proper receiving officer for the State of Idaho, by DONALD E. TIEGS - Route 4, Box 4275, Nampa, Idaho 83651.

as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described:

Now, Know Ye, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of

ONE THOUSAND TWO HUNDRED THREE AND 70/100 DOLLARS

to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said

- DONALD E. TIEGS -

His heirs and assigns, all of the said tract and parcel of land situated in the County of CANYON and State of Idaho, and described as follows, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) Section Eight (8), Township One (1) North, Range Two (2) West, B.M., excepting a parcel containing 39.63 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows: Commencing at the southeast corner of Sec. 8, Twp. 1N., Rg. 2W., B.M., said point being the TRUE POINT OF BEGINNING; thence N89°05'40"W., 960.0 feet along the south boundary of said Section 8 to a point; thence N3°19'20"W., 1266.2 feet to a point; thence N79°11'20"E., 264.8 feet to a point; thence N35°07'30"E., 992.2 feet to a point; thence N89°48'40"E., 219.7 feet to a point on the east boundary of said Section 8; thence S0°28'00"W., 2141.2 feet along the said east boundary of Section 8 to the point of beginning, contains 39.63 acres, more or less. The total acres being deeded are 120.37, more or less.

To have and to hold the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said

- DONALD E. TIEGS -

His heirs and assigns, in fee simple forever, subject to the provisions of Section 58-604, Idaho Code, as amended by Chapter 44, 1961 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States. The State reserves the right to all coal, oil, oil shale, gas phosphate, sodium, asbestos, gold, silver, lead, zinc, copper, antimony and all minerals or deposits of minerals of whatsoever kind or character, including geothermal resources (and associated by products), pursuant to Sec. 47-701, Idaho Code.

In Witness Whereof, I, CECIL D. ANDRUS, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the Board of Land Commissioners to be hereunto affixed, this 6th day of July, 1990 A.D.

Countersigned:

[Signature of Cecil D. Andrus]
Governor of Idaho

Countersigned:

[Signature of Stanley F. Hamilton]
Director, Department of Lands

STATE OF IDAHO,
County of Ada, }

On this 6th day of July, 1990, before

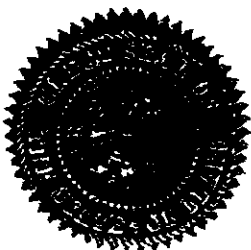
me, a Notary Public in and for said State, personally appeared Cecil D. Andrus known to me to be the Governor of the State of Idaho, and Pate I. Cenarrusa known to me to be the Secretary of the State of Idaho, and Stanley F. Hamilton known to me to be the Director, Department of Lands of the State of Idaho, who executed said instrument and acknowledged to me that such State of Idaho executed the same.

In Witness Whereof, I have hereunto set my hand and seal on this day and year last above written.

MICROFILMED

SEP 3 7 2001

EXHIBIT 11-Donal E. Tiegs
Deed Fee \$3.00



9845558

RECORDED

98 DEC 9 PM 3 04

REC'D KERR
CANYON COUNTY RECORDER
v. [Signature]

203 WARRANTY DEED

INSTRUMENT NO. 302810

524

THIS INDENTURE, Made this 8th day of April
in the year of our Lord one thousand nine hundred and sixty-three, between
OPAL L. TIEGS, a widow, dealing with her sole and separate property,
of the County of Canyon, State of Idaho
the party of the first part, and
DONALD E. TIEGS and HELEN L. TIEGS, husband and wife,
of the County of Canyon, State of Idaho
the parties of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of

- - - - -Ten and no/100- - - - - DOLLARS,

lawful money of the United States of America, and other good and valuable consideration,
to her, in hand paid by the said
parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained
and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
of the second part, and to their heirs and assigns forever, all of the following described real estate,
situated in the County of Canyon, State of Idaho, to-wit:

Tract No. 1:

A portion of Section 8, Twp. 1 N., R. 2 W.B.M., described as follows:
Commencing at the center of said Section 8, thence North 0°32'20"
East 657.6 feet; thence North 89°15'40" West 1323.3 feet; thence South
0°39'45" West 3284.2 feet to a point in the South line of said Section
8; thence South 89°05'40" East 1330.4 feet to the South quarter corner
of said Section 8; thence North 0°32'20" East 2630.5 feet to the point
of commencement. SAVE AND EXCEPT the following:
Commencing at the Southwest corner of Section 8, T 1 N, R 2 W, B.M.,
and running S. 89°05'40" E. 1330.5 feet along the South boundary of
said Section 8 to the Southwest corner of the EW, SW 1/4, said Section
8; thence N. 0°39'45" E. 2062.4 feet along the West boundary of the
said EW, SW 1/4, Section 8 to the TRUE POINT OF BEGINNING; thence con-
tinuing N. 0°39'45" E. 100.0 feet to a point that bears S. 0°39'45"
W. 465.0 feet from the Northwest corner of the said EW, SW 1/4, Section
8; thence S. 89°13'40" E. 120.2 feet on a line 465.0 feet South of
and parallel to the East and West one-quarter line of said Section
8; thence S. 0°39'45" W. 100.0 feet to a point; thence N. 89°13'40"
W. 120.2 feet to the point of beginning.

Tract No. 2:

A portion of Section 8, Twp. 1 N., R. 2 W.B.M., described as follows:
Commencing at the Northwest corner of said Section 8; thence South
89°21'40" East along the North boundary line of said Section 8 a dis-
tance of 2637.9 feet to the North quarter corner of said Section 8;
thence South 0°32'20" West along the North-South center line of said
Section 8 a distance of 1972.9 feet; thence North 89°15'40" West 2646.6
feet, more or less, to a point in the West line of said Section 8;
thence North 0°47'15" East along the West line of said Section 8 a
distance of 1968.5 feet, more or less, to the Northwest corner of said
Section 8, the point of beginning.

Subject to all taxes and assessments for the year 1963 and all
subsequent years.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto
belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents,
issues and profits thereof, and all estate, right, title and interest in and to the said property, as well
in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together
with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever
and the said party of the first part, and their heirs, the said premises in the quiet and peaceable
possession of the said parties of the second part, their heirs and assigns, against the said party
of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully
claiming or to claim the same shall and will WARRANT, and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Opal L. Tiegs [Seal]
[Seal]
[Seal]
[Seal]

STATE OF IDAHO

County of Canyon

On this 30 day of April

In the year 1963, before me

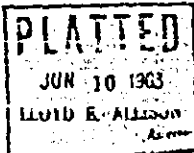
a Notary Public

the undersigned

in and for said State, personally appeared OPAL L. TIEGS, a widow, dealing with her sole and separate property,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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



Lloyd E. Allison
Notary Public for the State of Idaho,
Residing at Nampa, Idaho

534518

No.

WARRANTY DEED

Opal L. Tiegs

at use

Dated 19
STATE OF IDAHO
County of Canyon

I hereby certify that this instrument was filed

for record at request of

Idaho Abstract & Title Co.

at 10 minutes past

o'clock P.M. this 6th day

of June 1963

in my office and duly recorded in Book 284

of 524 at page 524

S.S. FOON, Ex-Officio Recorder.

By *Louise Layne* Deputy.

Filed 6/10/63

Mailed 6/10/63

Handed to 6/10/63

ERNEST L. KELLER a -TO- N B. KELLER,
H and W nd LILLIA

Rec. Jan. 19, 1962. 8:58 AM
Book 74 Rel., Page 666.

SIGNED: CANYON AB D TITLE COMPANY, LIMITED By V.E. Graves, President; pursuant to
resolution of its STRACT AN Directors.
Ack. CCI, Jan. 1 Board of personally appeared V.E. Graves known to be the President of the
corporation etc. 7, 1962 pice form before Edythe M. Hubbard N.P. in and for said State
Residing at Caldwell in off

Deed of trust cell, I. (S) ERNEST L. KELLER and LILLIA B. KELLER; H and W recorded Oct. 22nd
1958 in Volume 22 executed b 191, Instrument No. 462475 Mtg records of CCI, pursuant to the
written request of at page, eficiary, does hereby GRANT and RECONVEY unto the PARTIES ENTITLED
THERETO, without w the benll the estate and interest derived to it by or through said Deed
of Trust, in the larranty, sein described.

ands ther

511884

STATE OF IDAHO

-TO-

DONALD E. TIEGS

STATE DEED (Number 9316 Certif. No. 22 660)
Dated, Dec. 8, 1961
Dec. Jan. 19, 1962. 8:59 AM
Book 75 D. Page 677
Cor. \$1,600.00

IN WITNESS WHERE rt E. Smylie, the Governor of the State of Idaho have hereunto signed
my name and cause OF, I, Robert Seal of the State of Idaho and the Seal of the Board of Land
Commissioners to the Grant affixed this 8 day of December, 1961, A.D.
Signed: Robert E. be here Governor of Idaho and President of State Board of Land Commissioners
Countersigned: Ar Smylie, Coliams, Secretaty of State (Great S) Countersigned: John G. Walters
State Land Commisold WillRAL)

Ack. Ada Co. I. Desioner (S 1961 personally appeared Robert E. Smylie known to be the Governor
of the State of Icember 8, Arnold Williams, known to be the Secretary of the State of Idaho, and
John G. Walters, kn daho, and the Land Commissioner of the State of Idaho, who executed said
instrument and aown to beed that such State of Idaho, executed the same before M.C. Hamblin
N.P. in and for acknowlede, residing at Boise, I. (S)

TO ALL TO WHOM said STATEMENTS SHALL COME, GREETINGS:

Whereas, on the HESE PRES July, 1950, all that part or parcel of AGRICULTURAL COLLEGE land of
the State of Idah 21 day of after mentioned and particularly described, was sold in the manner
provided by law to, hereina TIEGS of Nampa, S of I, for the aggregate price of \$1,600.00.
And Whereas, the o DONALD of \$1,600.00 has been fully paid to the proper receiving officer
for the State of said sum DONALD E. TIEGS, Route #4, Nampa, I. has been fully paid to the
proper receiving Idaho, by or the State of Idaho, by DONALD E. TIEGS, Route #4, Nampa, Idaho as
shown by the reco officer he o fice of the State Board of Land Commissioners, the said sum
being the whole rds in th the purchase price for the said tract or parcel of land hereinafter
described: amount of

Now, Know Ye, Tha d State of Idaho in pursual, ce of law in such case made and provided,
and in consideratt the said premises aforesaid, and of the aforesaid sum of \$1,600.00 to the
said State of Idahon of thoth by these presents grant, bargain, sell, convey and confirm, in fee
unto the said DONHO paid, ACS his heirs and assigns, all of the said tract and parcel of land
situated in the CALD E. TIE S of I, and described as follows, to-wit:
NE 1/4 of Section 8 of C and 2 W 1/4.

The area being c, Twp. 1 N by this deed is 160.0 Acres, m or 1.
To have and to bo conveyed his premises and parcel of land above particularly desc. with the
appurtenances thed the sa the said DONALD E. TIEGS, his heirs and assigns, in fee simple forever
subject to the preon, unt of Section 28-604, Idaho Code, as amended by Chapter 44, 1951
Session Laws; who provisions: over all lands belonging to the State a r of w for ditches con-
structed by authoch grants the United States; and to the provisions of Section 47-701 Idaho
Code, reserving grity of the all Mineral rights in lands sold subsequent to the 8th day of
May, 1923 o the Sta

511885

R. E. VAN DEUSEN an
and M. MARIE

J. VAN DEUSEN,

W.D.

Dated, Dec. 18, 1961

JAN 27 2000 12:03 PM

PIONEER TITLE

SHERL L CHAPMAN

2083442744

NO. 952

P. 2/2

P. 02

DELEGATION OF AUTHORITY

TO: RICHARD L. REINEKE
339 HM Road
Molokai, Id. 83641

CHEYNE WESTON
16316 Orchard Ave.
Caldwell, Id. 83605

RECEIVED
MAR 30 2000
WATER RESOURCES
WESTERN REGION

RE: Donald Ties and Dean Ties Property.

I hereby authorize and delegate authority to you to apply on my behalf for the necessary permits for the proposed dairy facility.

Dated Sep. 9, 1999.

DEGROOT DAIRY L.L.C.

BY


ED DEGROOT

Don Ties
Dean Ties



PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
(208)388-2323 1103 2ND STREET S, NAMPA

CUSTOMER IDENTIFICATION

CUSTOMER NAME DON TIEGS&SONS	SERVICE LOCATION 1257 HP 100 <i>well</i>
ACCOUNT NUMBER 1332-017011-1	TYPE OF SERVICE IRRIGATION SECONDARY

ACCOUNT INFORMATION AS OF **JUNE 14, 1999**

BALANCE FORWARD ►

METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE		D A Y S	*	METER READING		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWAT HOURS	
		FROM	TO			PREVIOUS	PRESENT				
50588025G	24	511	610	30	0	21964	23502	40	87	61520	196659

ACCOUNT BALANCE 196659

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
2482.22CR TOTAL PAYMENTS THANK-YOU

Big Pump

DUE TO A BILLING PRORATION, THE DETAILED ITEMIZATION WILL NOT BE PRINTED ON THE BOTTOM OF YOUR BILL THIS MONTH. IF YOU NEED THIS INFORMATION, PLEASE CALL YOUR LOCAL IDAHO POWER OFFICE

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
1966.59

PLEASE ADD \$1,\$5 OR \$10 TO AID THE PROJECT SHARE PROGRAM



0- REGULAR READING
CR- CREDIT

1- CUSTOMER READING
AV- AVERAGE

2 OR 3- ESTIMATED READING
MN- MINIMUM

FOR ADDITIONAL INFORMATION SEE REVERSE SIDE OR VISIT OUR WEB SITE www.idahopower.com

MICROFILMED

SEP 07 2001

RECEIVED

MAR 30 2000

WATER RESOURCES
WESTERN REGION

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02195
Date Received: 2/ 9/1990
Receipt No: M005829
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DONALD E TIEGS 208-466-5007
Address: 4910 DRYLAKE RD
NAMPA ID 83686

AND/OR

Name: HELEN TIEGS 208-466-5007
Address: 4910 DRYLAKE RD
NAMPA ID 83686

2. Date of Priority: JAN 14, 1963

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	03W	36	SW	SW	NE	7	CANYON

5. Description of diverting works:
PUMPS, PENSTOCK, CEMENT DITCH & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.500		

7. Total Quantity Appropriated is:
2.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1417.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A02-02195

Page 1

Date: 03/20/00

MICROFILMED

SEP 07 2001

7

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	8	NE	NE		IRR	40.0
			NW	NE		IRR	35.0
			SW	NE		IRR	16.0
			SE	NE		IRR	16.0
			NE	NW		IRR	26.0
			SE	NW		IRR	32.0
			NE	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	17.0
			NW	SE		IRR	22.0
			SW	SE		IRR	40.0
			SE	SE		IRR	10.0

Section Acres 334.0

Total Acres 334.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A63-03331,03260,03235,02825.

14. Remarks:
AMENDED CLAIM TO REFLECT P/U AFTER PROPOSED DAIRY BUILT. P/U
SIMILAR TO THAT PROPOSED IN A TRANSFER INVOLVING OVERLAPPING
GROUND WATER RIGHTS. RIGHT IS LIMITED TO 2.5 CFS AND 315 ACRES
IRRIGATION WITHIN THE 334 ACRE PPU CLAIMED.
SEE ATTACHED TRANSFER MEMO DATED 1/28/00.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and
understand the form entitled "How you will receive notice in the Snake River
Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay
a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

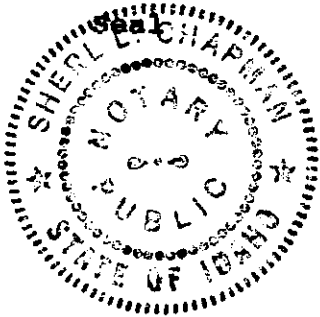
Signature of Claimant(s): Don Tregg by Date: 3/21/2000
Richard L Greeneke Date: _____

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 21 day
of March 20 00

Sherlock Chapman
Notary Public

Residing at Meridian Idaho
My Commission Expires 6-14-2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 29, 2002

ADRIAN KROES
4910 DRY LAKE RD
NAMPA ID 83653

Re: Application for Transfer No. 69605

Dear Applicant:

This office acknowledges the withdrawal of the above-referenced application for transfer no. 69605.

The application will now be removed from the Department's records.

If you have any questions concerning this matter, please contact this office.

Sincerely,

Gary Spackman

GS:st

CC: Della Johnson

MICROFILMED
APR 23 2002

Database Updated 4-9-2002 GRS

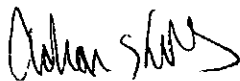
Memo Withdrawing Water Transfer Application Dated 10/09/2001

To: Gary Spackman, IDWR (fax no. 208-334-2348)

From: Adrian Kroes

Please withdraw from consideration the application to change the place of use of irrigation water which we filed on October 9, 2001. Our plans have changed and the proposed change may not be precisely correct as a result. Thank You.

Adrian Kroes



MICROFILMED

APR 23 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69605APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant: Adrian Kroes

Phone: (909) 947-0465

Post Office address: 4910 Dry Lake Rd Nampa, ID

RECEIVED

APR - 2 2002

RECEIVED

OCT 09 2001

WATER RESOURCES
WESTERN REGION

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes: Applicant wishes to change the place of use for irrigation water from the SE 1/4 of section 8, T01N R02W, to the NE 1/4 of section 8, T01N R02W.

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

63-02825	07/24/1950	.90 / 462.4	Irrigation	03/01	to	11/15
		.02 / 1.2	domestic	01/01	to	12/31
63-03135	08/01/1958	.78 / 283.5	Irrigation	03/01	to	11/15
		.97 / 214.1	Stockwater	01/01	to	12/31
		.97 / 214.1	Commercial	01/01	to	12/31
63-03260	09/06/1961	1.35 / 693.5	irrigation	03/01	to	11/15
63-03331	03/01/63	.45 / 231.2	irrigation	3/01	to	11/15

2. Total amount of water being transferred 4.45 cubic feet per second and/or 1358.3 acre-feet per annum.

3. Source of water groundwater tributary to

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local Name for diversion
		NW	NE	8	T01N	R02W	Canyon	
		SW	NE	8	T01N	R02W	Canyon	

5. Lands irrigated or place of use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
63-02825:																			
01N	02W	8	40	35	38	33	26			32							40	10	254
01N	02W	8		X															
63-03135:																			
01N	02W	8	40	35	38	33	26			32							40	10	
01N	02W	8			S	S									S	S			
01N	02W	8	C	C	C	C	C			C	C			C	C	C	C	C	254
63-03260:																			
01N	02W	8	40	35	38	33	26			32							40	10	254
63-03331:																			
01N	02W	8	40	35	38	33	26			32							40	10	254
																			254

MICROFILMED

Total acres

254

Prepared by: Darwin Vander Stelt

* Fees Paid Based on acres Changed

DVS
69605

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69605

PART 1

6. General Information:

- a. Description of diversion system: No change.
- b.
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ___ No X 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:

This transfer moves the previously described building site approximately 700 ft south. Land previously irrigated in the SE ¼ of sec * will be covered by corrals etc, while land previously covered by corrals in the NE ¼ will now be irrigated.

d. Remarks:

See attachments: A. Copy of Purchase and sale agreement.

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 _____

MICROFILMED
APR 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2825

WATER RIGHT NUMBER: 63-2825

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HELEN L TIEGS 4910 DRYLAKE RD NAMPA, ID 83686
Original Owner	DONALD E TIEGS 10020 BIG FOOT RD MELBA, ID 83641
Current Owner	TOM DE GROOT 560 BIRCH BAY LYDEN RD LYNDEN, WA 98264
Current Owner	JACKIE DE GROOT 560 BIRCH BAY LYDEN RD LYNDEN, WA 98264

Priority Date: 07/24/1950

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.900 CFS	462.40 AF
DOMESTIC	01/01 to 12/31	0.020 CFS	1.20 AF
<u>Total Diversion:</u>		0.900 CFS	463.60 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 8, Twp 01N, Rge 02W, B.M.
CANYON County		
GROUND WATER	NW1/4NE1/4	Sec. 8, Twp 01N, Rge 02W, B.M.
CANYON 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	
01N 02W 8	40.0	35.0	16.0	18.0	28.0			32.0					17.0	22.0	40.0	10.0	254.0

Total Acres: 254

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IDAHO DEPARTMENT OF WATER RESOURCES

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Total
01N 02W 8	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		X															

Total Acres: 0

Conditions of Approval:Remarks:

1. Claim amended per Transfer 5651 approved 8/4/00.
For transfer conditions of approval and remarks, see copy of transfer in adjudication file.
Ownership changed by DB 7/19/2001

Comments:Data and Other Information:

Claim Received Date: 2/9/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 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

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APR 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-3135

WATER RIGHT NUMBER: 63-3135

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD E TIEGS 10020 BIG FOOT RD MELBA, ID 83641
Original Owner	DONALD E TIEGS RT 4 NAMPA, ID 83651
Original Owner	HELEN L TIEGS RT 4 NAMPA, ID 83651

Priority Date: 08/01/1958

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/15	0.780 CFS	283.50 AF
STOCKWATER	1/01 to 12/31	0.970 CFS	214.10 AF
COMMERCIAL	1/01 to 12/31	0.970 CFS	214.10 AF
	<u>Total Diversion:</u>	1.750 CFS	497.60 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 8, Twp 01N, Rge 02W, B.M.
CANYON County		
GROUND WATER	NW1/4NE1/4	Sec. 8, Twp 01N, Rge 02W, B.M.
CANYON 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		
01N	02W	8	40.0	35.0	16.0	16.0	26.0				32.0					17.0	22.0	40.0	10.0	254.0

Total Acres: 254

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SEP 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01N	02W	8	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
					X	X									X	X			

Total Acres: 0

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01N	02W	8	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X	X	X	X	X			X					X	X	X	X	

Total Acres: 0

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 01Q 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. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 sfa per acre at the field headgate for irrigation of the lands above.
4. 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. 106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

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APR 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES

1. General The total instantaneous diversion of water from all points of diversion under Transfer 5851 shall not exceed 4.45 cfs, nor a total combined annual volume of 1358.3 af.^^ Right 63-03135 is limited to the irrigation of 63.0 acres in the place of use described above in a single irrigation season.^^ Rights 63-02825, 63-03135, 63-03280 and 63-03331 when combined shall not exceed a total diversion rate of 3.48 cfs, a total annual maximum diversion volume of 1143.0 af at the field headgate for the irrigation of 254.0 total acres.^^ Right 63-03135 shall not exceed a total diversion rate of 0.97 cfs, a total annual maximum diversion volume of 214.1 af for stockwater and commercial uses at the dairy.^^ Commercial use is for a dairy located within the S1/2NE and N1/2 SE, S8, T1N, R2W.^^ 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 this water right.^^ Two points of diversion are located within both the NWNE and SWNE, S8, T1N, R2W.^^ Domestic use is for 1 home.^^

Comments:

1. STAYLOR 2/1/2000 TRANSFER NO. 5851

Comment: This transfer was filed to change point of diversion, add diversion points, change place of use, change nature of use and change period of use.

Dates and Other Information:

Licensed Date: 8/28/1979
 Decreed Date:
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

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APR 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3260

WATER RIGHT NUMBER: 63-3260

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HELEN L TIEGS 4910 DRYLAKE RD NAMP, ID 83686
Original Owner	DONALD E TIEGS 10020 BIG FOOT RD MELBA, ID 83641
Current Owner	TOM DE GROOT 569 BIRCH BAY LYDEN RD LYNDEN, WA 98264
Current Owner	JACKIE DE GROOT 569 BIRCH BAY LYDEN RD LYNDEN, WA 98264

Priority Date: 09/06/1961

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.350 CFS	693.50 AF
	<u>Total Diversion:</u>	1.350 CFS	693.50 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 8, Twp 01N, Rge 02W, B.M.
CANYON County		
GROUND WATER	SW1/4NE1/4	Sec. 8, Twp 01N, Rge 02W, B.M.
CANYON 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		
01N	02W	8	40.0	35.0	16.0	16.0	28.0				32.0					17.0	22.0	40.0	10.0	254.0

Total Acres: 254

Conditions of Approval:Remarks:

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JUL 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES

1. Claim amended per Transfer 5651 approved 8/4/00.
For transfer conditions of approval and remarks, see copy of transfer in adjudication file.
Ownership changed by DB 7/19/2001

Comments:

Dates and Other Information:

Claim Received Date: 2/9/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
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

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APR 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-3331

WATER RIGHT NUMBER: 63-3331

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD E TIEGS 10020 BIG FOOT RD MELBA, ID 83641
Original Owner	DONALD E TIEGS RT 4 NAMPA, ID 83651
Original Owner	HELEN L TIEGS RT 4 NAMPA, ID 83651

Priority Date: 03/01/1983

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/15	0.450 CFS	231.20 AF
	<u>Total Diversion:</u>	0.450 CFS	231.20 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 8, Twp 01N, Rge 02W, B.M.
CANYON County		
GROUND WATER	NW1/4NE1/4	Sec. 8, Twp 01N, Rge 02W, B.M.
CANYON 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		
01N	02W	8	40.0	35.0	16.0	16.0	26.0				32.0					17.0	22.0	40.0	10.0	254.0

Total Acres: 254

Conditions of Approval:

- 048 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 01Q 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.
- R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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APR 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES

4. 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. 106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

1. General The total instantaneous diversion of water from all points of diversion under Transfer 5651 shall not exceed 4.45 cfs, nor a total combined annual volume of 1358.3 af.^^ Right 63-03135 is limited to the irrigation of 63.0 acres in the place of use described above in a single irrigation season.^^ Rights 63-02825, 63-03135, 63-03260 and 63-06331 when combined shall not exceed a total diversion rate of 3.48 cfs, a total annual maximum diversion volume of 1143.0 af at the field headgate for the irrigation of 254.0 total acres.^^ Right 63-03135 shall not exceed a total diversion rate of 0.97 cfs, a total annual maximum diversion volume of 214.1 af for stockwater and commercial uses at the dairy.^^ Commercial use is for a dairy located within the S1/2NE and N1/2 SE, S8, T1N, R2W.^^ 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 this water right.^^ Two points of diversion are located within both the NWNE and SWNE, S8, T1N, R2W.^^ Domestic use is for 1 home.^^

Comments:

1. STAYLOR 2/1/2000 TRANSFER NO. 5651
Comment: This transfer was filed to change point of diversion, add diversion points, change place of use, change nature of use and change period of use.

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JUL 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Dates and Other Information:

Licensed Date: 8/28/1979
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MICHO...

2007 E 2 0002

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

1.

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

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	

C. Description of unchanged portion of right

1.

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

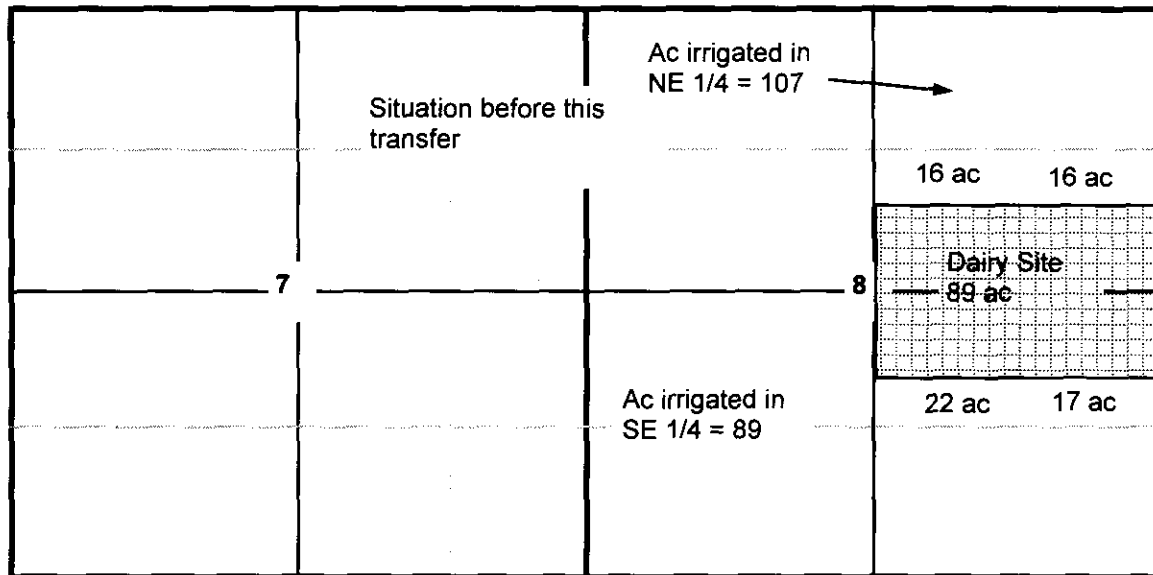
2. Point(s) of Diversion:

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

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	

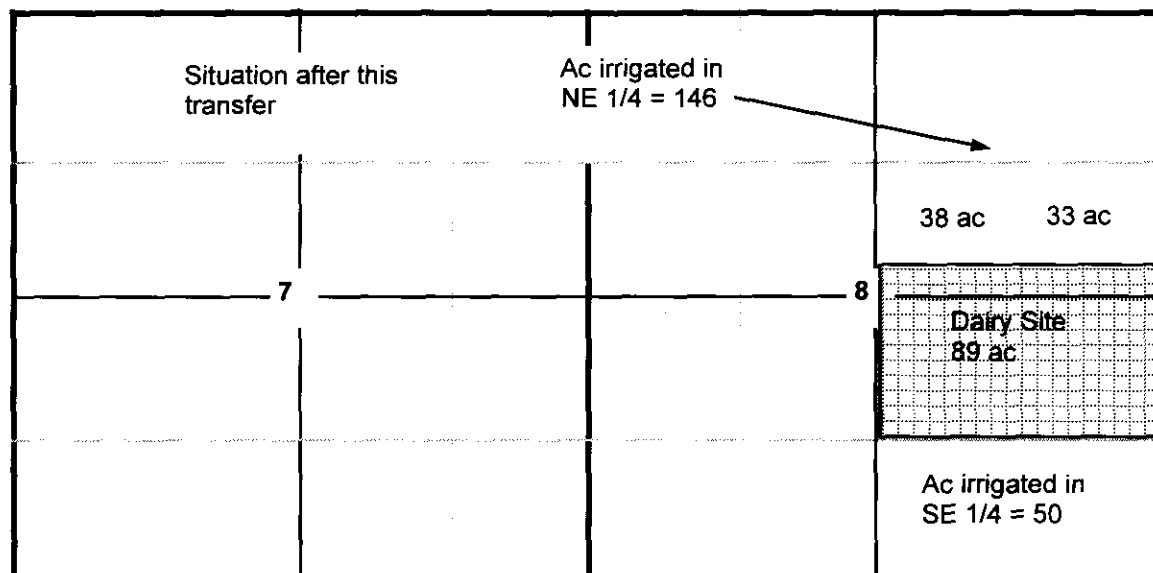
MICROFILMED



This transfer moves the place of use for 39 acres of groundwater irrigation right from the NW1/4SE1/4 and NE1/4SE1/4 to the SW1/4NE and SE1/4NE1/4.

Water rights requiring a change in PPU include :

63-02825
63-03135
63-03260
63-03331



Adrian Kroes	Site map	
T 01N, R 02 W, section 8	MICROFILMED	Scale 3" = 1 mile
	1992 3 2002	Prepared by: Darwin Vander Stelt

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use		

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

NA

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

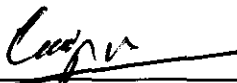
NA

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 29th day of SEPT., 2001


(Notary Public)

My commission expires 03.26.07

KHURSHED M. TENGRA
NOTARY PUBLIC
STATE OF IDAHO

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by JF Date 10/9/01 Protest filed by _____Prelim. check by g Fee \$250 W028387Received by Janis Fontaine Date 10-9-01Published in Press-Tribune Copies of protest forwarded by _____Pub. Dates 1-3+10-02 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED

100-2-2-2222



COMMERCIAL/INVESTMENT REAL ESTATE PURCHASE AND SALE AGREEMENT



THIS IS A LEGALLY BINDING CONTRACT. BEFORE SIGNING, READ THE ENTIRE DOCUMENT, INCLUDING THE GENERAL PRINTED PROVISIONS AND ATTACHMENTS. IF YOU HAVE ANY QUESTIONS BEFORE SIGNING, CONSULT YOUR ATTORNEY AND/OR ACCOUNTANT.

ID# 2001719DATE 7/19/2001**1. REAL ESTATE OFFICES:**Listing Agency NASelling Agency Agcom Real Estate

Listing Agent Name _____

Selling Agent Name Darwin Vander Stelt

Phone # (Office) _____ (Home) _____

Phone # (Office) (208) 485-8496 (Home) _____**2. REPRESENTATION CONFIRMATION:**

In this transaction, the Brokerage(s) involved had the following relationship(s) with the BUYER ("agent" or "nonagent" or "limited dual agent").

Listing Broker acted as a(n) Agent For the Buyer.

Selling Broker acted as a(n) NA For the Buyer.

In this transaction, the Brokerage(s) involved had the following relationship(s) with the SELLER ("agent" or "nonagent" or "limited dual agent").

Listing Broker acted as a(n) NA For the Seller.

Selling Broker acted as a(n) nonagent For the Seller.

Each party signing this document confirms that he or she has received, read and understood the Agency Disclosure brochure and has elected the relationship confirmed above. In addition, each party confirms that the broker's agency office policy was made available for inspection and review. EACH PARTY UNDERSTANDS THAT HE OR SHE IS A "CUSTOMER" AND IS NOT REPRESENTED BY A BROKER UNLESS THERE IS A SIGNED WRITTEN AGREEMENT FOR AGENCY REPRESENTATION. Each party signing this document understands that the above confirmation DOES NOT create an agency relationship between the Broker(s) and the BUYER(S)/SELLER(S) and they are a CUSTOMER and NOT REPRESENTED by a Broker UNLESS there is a SEPARATE signed written agreement as required by Idaho statute to create that relationship.

3. BUYER:Adrian R. Kroes and Rashelle L. Kroes (h & w) or nominee

called "BUYER") agrees to purchase and the undersigned SELLER agrees to sell the following described real estate hereinafter referred to as "Property."

4. PROPERTY ADDRESS AND LEGAL DESCRIPTION:The Property commonly known as 4910 Dry Lake Road

County of Canyon, Idaho legally described as: See Exhibit "B" City of Nampa

5. PRICE/TERMS: Total Purchase Price is One million five hundred thousand no/ot Dollars (\$ 1,500,000.00).

a) \$ 1,000,000.00 cash down payment, including Earnest Money deposit.

b) \$ _____ Balance of the purchase price to be paid as follows: NA

6. EARNEST MONEY:

a) Buyer hereby deposits as Earnest Money and a receipt is hereby acknowledged of _____

Dollars (\$ 5,000.00). Evidenced by: ☐ Cash ☒ Check ☐ Cashier's Check ☐ Note or NA

b) Earnest Money to be deposited in trust account upon acceptance by all parties and shall be held by Agcom Real Estate for the benefit of the parties hereto. The responsible Broker shall be Darwin Vander Stelt

7. INCLUDED ITEMS:

All attached floor coverings, attached television antennas, satellite dish(es) and receiving equipment, attached plumbing, bathroom and lighting fixtures, window screens, screen doors, storm windows, storm doors, window coverings, exterior trees, plants or shrubbery, water heating apparatus and fixtures, attached fireplace equipment, awnings, ventilating, cooling and heating systems, built-in and "drop-in" ranges (but excepting all other ranges), fuel tanks and irrigation fixtures and equipment, and any and all, if any, water and water rights, and any and all, if any, ditches and ditch rights that are appurtenant thereto that are now on or used in connection with the premises shall be included in the sale unless otherwise provided herein.

Other items specifically included in this sale: Addendum #1
Items specifically excluded in this sale: See Addendum #1

Buyer and Seller acknowledge receipt of copy of this page, which constitutes Page 1 of 3 Pages.
BUYER's Initials AK Date 7/19/01 SELLER's Initials JS Date 7-24-01

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C-RE 21 revised August 1999

Page 1 of 3

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- 73 **PROPERTY ADDRESS:** 4910 Dry Lake Road IDA 2001719
- 74
- 75 **8. ADDITIONAL TERMS, CONDITIONS AND/OR CONTINGENCIES:** The closing of this transaction is contingent upon written satisfaction
- 76 or waiver of the following conditions:
- 77 see Addendum #1
- 78
- 79
- 80
- 81
- 82
- 83
- 84 Buyer will have until see Addendum #1 to satisfy or waive all conditions and/or contingencies.
- 85 **9. TITLE COMPANY/CLOSING AGENCY:** a) The parties agree that Pioneer Title Company shall provide any required
- 86 Title Policy and preliminary report of commitment. b) The Closing Agency for this transaction shall be Pioneer Title. Each party agrees to
- 87 pay one-half of the Closing Agency's fee.
- 88 **10. TITLE INSURANCE:** ☐ BUYER ☒ SELLER to pay for a standard Owner's or Purchaser's Title Policy premium in this transaction. Purchaser's
- 89 Extended Coverage Title Policy requested ☐ Yes ☒ No. Additional premium to be paid by BUYER SELLER. Title Company to provide all parties
- 90 to this Agreement with a preliminary Title Report on or before 08/01/2001. Buyer shall have until 08/07/01 to object in writing to the
- 91 condition of the title as set forth in the report. In the event Buyer makes written objection to the title, Seller shall have a reasonable time, not to exceed
- 92 7 business day(s), to cure any defects of title or provide alternative Title Insurance coverage. Buyer may elect, as its sole remedy, to either terminate
- 93 this Agreement or cure the defects at Buyer's expense, or proceed to closing, taking title subject to such defects. If Buyer does not so object, Buyer shall
- 94 be deemed to have accepted the condition of the title.
- 95 In the event Buyer elects to terminate the Agreement due to unsatisfactory title conditions, Buyer shall be entitled to the return of all refundable deposits
- 96 made by him but that such return of deposits shall not constitute a waiver of other remedies available to Buyer.
- 97 The first Title Insurance policy shall be delivered to Buyer by the Title Company as soon as possible after closing.
- 98 **11. ESCROW/COLLECTION:** If a long-term escrow/collection is involved, then the escrow/collection holder shall be NA
- 99 Each party agrees to pay one-half of escrow/collection fees.
- 100 **12. CLOSING DATE:** On or before the closing date, Buyer and Seller shall deposit with the Closing Agency all funds and instruments necessary to
- 101 complete the sale. The closing date shall be no later than 10-31-2001. "Closing Date" means the date on which all documents
- 102 are either recorded or accepted by an escrow/collection agency and the sale proceeds are available to Seller.
- 103 **13. POSSESSION/PRORATION:** Buyer shall be entitled to possession on the day of closing or NA. Taxes and
- 104 water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserve on loans, encumbrances or obligations
- 105 assumed and utilities shall be prorated as of the day of closing or NA. Any tenant deposits held by Seller shall be
- 106 credited to Buyer at closing.
- 107 **14. DEFAULT:** If Buyer defaults in the performance of this Agreement, Seller has the option: (1) accepting the Earnest Money as liquidated damages
- 108 or (2) pursuing any other lawful right or remedy to which Seller may be entitled. If Seller elects to proceed under (1), Seller shall make demand upon the
- 109 holder of the Earnest Money, upon which demand said holder shall pay from the Earnest Money the costs incurred by Seller's Broker on behalf of Seller
- 110 and Buyer related to the transaction, including, without limitation, the costs of title insurance, escrow fees, credit report fees, inspection fees and attorney's
- 111 fees; and said holder shall pay any balance of the Earnest Money, one-half to Seller and one-half to Seller's Broker, provided that the amount to be paid
- 112 to Seller's Broker shall not exceed the Broker's agreed to commission. Seller and Buyer specifically acknowledge and agree that if Seller elects to accept
- 113 the Earnest Money as liquidated damages, such shall be Seller's sole and exclusive remedy, and such shall not be considered a penalty or forfeiture. If
- 114 Seller elects to proceed under (2), the holder of the Earnest Money shall be entitled to pay the costs incurred by Seller's Broker on behalf of Seller and Buyer
- 115 related to the transaction, including, without limitation, the costs of Brokerage fee, title insurance, escrow fees, credit report fees, inspection fees and
- 116 attorney's fees, with any balance of the Earnest Money to be held pending resolution of the matter. If Seller defaults, having approved said sale and fails
- 117 to consummate the same as herein agreed, Buyer's Earnest Money deposit shall be returned to him/her and Seller shall pay for the costs of title insurance,
- 118 escrow fees, credit report fees, inspection fees, Brokerage fees and attorney's fees, if any. This shall not be considered as a waiver by Buyer of any other
- 119 lawful right or remedy to which Buyer may be entitled.
- 120 **15. ATTORNEY'S FEES:** If either party initiates or defends any arbitration or legal action or proceedings, which are in any way connected with this
- 121 Agreement, the prevailing party shall be entitled to recover from the non-prevailing party reasonable costs and attorney's fees, including such costs and
- 122 fees on appeal.
- 123 **16. EARNEST MONEY DISPUTE / INTERPLEADER:** Notwithstanding any termination of this contract, Buyer and Seller agree that in the event:
- 124 of any controversy regarding the Earnest Money and things of value held by Broker or closing agency, unless mutual written instructions are received by
- 125 the holder of the Earnest Money and things of value, Broker or closing agency shall not be required to take any action but may await any proceeding, or
- 126 at Broker's or closing agency's option and sole discretion, may interplead all parties and deposit any moneys or things of value into a court of competent
- 127 jurisdiction and shall recover court costs and reasonable attorney's fees.
- 128 **17. TITLE CONVEYANCE:** Title of Seller is to be conveyed by warranty deed or NA deed, and is to be marketable and
- 129 insurable except for rights reserved in federal patents, building and zoning regulations, building and zoning regulations and ordinances of any governmental unit
- 130 rights of way and easements established or of record and any other liens, encumbrances or defects approved by Buyer.
- 131 **18. RISK OF LOSS:** Should the Property be materially damaged by fire or other cause prior to closing, unless Buyer has taken possession prior to closing
- 132 by Agreement, this Agreement shall be voidable at the option of Buyer.
- 133

Buyer and Seller acknowledge receipt of copy of this page, which constitutes Page 2 of 3 Pages.

134 BUYER's initials (HK) Date 7/18/01 SELLER's initials (TG) Date 7-24-01

135

136

137

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142 C-RE 21 revised August 1999

143 Page 2 of 3

144 **PROPERTY ADDRESS:** 4818 Dry Lake Road **ID#** 2801719

145

146 **19. CONDITION OF PROPERTY AT CLOSING:** Buyer agrees to purchase the Property in as-is condition, where is, with all faults. Buyer will

147 assume all obligations with respect to the Property. Seller shall maintain the Property until the closing in its present condition, ordinary wear and tear

148 excepted, and less by casualty. The heating, ventilating, air conditioning, plumbing, elevators, loading doors and electrical systems shall be in present

149 operating order and condition at the time of closing, unless otherwise agreed to in writing.

150 **20. INSPECTION:** Buyer hereby acknowledges further that Buyer has not received or relied upon any statements or representations by the Broker or

151 Broker's representatives or by Seller which are not herein expressed. Buyer has entered into this Agreement relying upon information and knowledge

152 obtained from Buyer's own investigation or personal inspection of the Property.

153 **21. ADDITIONAL PROVISIONS:** Additional provisions of this Real Estate Purchase and Sale Agreement, if any, are attached hereto by an Addendum

154 consisting of 2 page(s).

155 **22. NOTARY PUBLIC:** It is recommended signatures be notarized with a notary statement attached hereto.

156 **23. ENTIRE AGREEMENT:** This Agreement, including any Addendums or exhibits, constitutes the entire Agreement between the parties and no

157 warranties, including any warranty of habitability, Agreements or representations have been made or shall be binding upon either party unless herein set

158 forth.

159 **24. TIME IS OF THE ESSENCE IN THIS AGREEMENT.**

160 **25. ACCEPTANCE:** Buyer's offer is made subject to the acceptance of Seller on or before (Date) 7/25/2001 and (Time) 5PM. If Seller does

161 not accept this Agreement within the time specified, the entire Earnest Money shall be refunded to Buyer on demand.

162 **26. OTHER TERMS:**

163 see Addendum #1

164

165

166

167

168

169 **27. BUYER'S SIGNATURES.**

170 ☒ **BUYER'S SIGNATURES SUBJECT TO ATTACHED BUYER'S ADDENDUM(S):** 1 (Specify number of BUYER addendum(s) attached.)

171

172 **BUYER Signature** [Signature] **BUYER Signature** _____

173

174 **BUYER (Print Name)** Adrian R. Kroes **BUYER (Print Name)** Rashelle L. Kroes

175

176 **Date** 7/18/01 **Time** _____ **Phone #** (208) 847-0485 **Date** _____ **Time** _____ **Phone #** _____

177

178 **Address** 14601 Haven Ave **Address** _____

179 **City** Chino **State** CA **Zip** 91710 **City** _____ **State** _____ **Zip** _____

180 **28. SELLER'S SIGNATURES:**

181 On this date, I/We hereby approve and accept the transaction set forth in the above Agreement and agree to carry out all the terms

182 thereof on the part of the Seller. I/We further acknowledge receipt of a true copy of the Agreement signed by both parties.

183

184 ☒ **SELLER'S SIGNATURES SUBJECT TO ATTACHED COUNTER OFFER** ☐ **SEE ATTACHED COUNTER OFFER**

185 ☐ **SELLER'S SIGNATURES SUBJECT TO ATTACHED SELLER ADDENDUM/AMENDMENT** ☐ **SEE ATTACHED ADDENDUM/AMENDMENT**

186 ☒ **SELLER'S SIGNATURES SUBJECT TO ATTACHED "SELLER'S RIGHT TO CONTINUE TO MARKET PREMISES" ADDENDUM**

187

188 **SELLER Signature** [Signature] **SELLER Signature** [Signature]

189

190 **SELLER (Print Name)** TOM DE GROOT **SELLER (Print Name)** JACKIE DE GROOT

191

192 **Date** 7-24-01 **Time** _____ **Date** 7-24-01 **Time** _____

193

194 **Address** _____ **Address** _____

195 **City** _____ **State** _____ **Zip** _____ **City** _____ **State** _____ **Zip** _____

196 **Hm. Ph.** _____ **Hm. Ph.** _____

197

198 **29. BUYER'S ACKNOWLEDGMENT OF RECEIPT OF FINAL COPY BEARING ALL SIGNATURES:**

199 A true copy of the foregoing Agreement, signed by the SELLER and containing the full and complete description of the premises, is hereby received on:

200 **Date** _____ **Time** _____

201

202 **BUYER:** _____ **BUYER:** _____

203 Adrian R. Kroes Rashelle L. Kroes

204 **Buyer and Seller acknowledge receipt of copy of this page, which constitutes Page 3 of 3 Pages.**

205 **BUYER's initials** AK **SELLER's initials** _____ **Date** _____ **Date** _____

206

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214 **Page 3 of 3**

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Date 7/18/01/2001

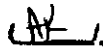
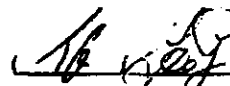
Buyer's Addendum #1 to Purchase and Sale Agreement No. 2001719

Buyer(s): Adrian R. Kroes and Rashelle L. Kroes (h & w) or nominee

Seller(s) Tom DeGroot or nominee

The undersigned parties hereby agree as follows:

- A. Items included in this sale ("Property") shall include all items specified in Paragraph # 7 of Purchase and Sale Agreement #2001719 Dated 07/19/2001, and also, all items specified in the attached list of personal property (Exhibit "A"), together with any and all available mineral rights, and any USDA grain allotments or bases.
1. Seller makes no warranty of any item except that all shall be in operating condition at the time of closing.
 2. Buyer shall have the right to examine all personal property five days prior to closing to ascertain its presence and operating condition.
- B. Seller shall, within thirty days after acceptance of this agreement, assist Buyer in obtaining a water sample from, and any pump or yield tests buyer desires on, any or all of the wells on the property. Buyer agrees to pay any costs of said tests.
- C. Seller shall, within thirty days after acceptance of this agreement, allow Buyer to drill test holes as required to determine the presence of Lava Rock which would make construction infeasible.
1. Buyer agrees to pay all costs of said tests.
 2. Buyer agrees to leave the property in same condition after the tests as before.
- D. This agreement is contingent until 8/31/01 on the following. Buyer shall have the right to cancel this transaction without any penalty or expense of any kind should any of the following contingencies not be satisfied by 8/31/01.
1. Buyer and seller approval of Exhibits "A", "B", and "C".
 2. Buyer's obtaining a Milk marketing agreement with Northwest Dairyman's Association for a 2500 cow dairy.
 3. Approval by the buyer of the results of the water tests specified in item # B.
 4. Approval by the buyer of the results of the rock tests specified in item # C.

 Buyer  Seller x

Buyer's Addendum #1 to Purchase and Sale Agreement No 2001719 Date 7/18/01/2001
Page 1 of 2

ADRIAN R. KROES

2002 2 3 2002

Buyer's Addendum #1 to Purchase and Sale Agreement No. 2001719

DeGroot/Kraes

5. Buyer obtaining real estate loan and operating line of credit commitments from a bank for the construction and operation of a 2500 cow dairy on the subject property.
 6. Buyer review and approval of the specific terms of the water rights associated with the property.
 7. Buyer review and approval of the specific terms of the Canyon County conditional use permit.
 8. Buyer reaching agreement with BMK Inv. on the purchase of a farm in the south 1/2 of section 7, T1N, R2W, Boise Meridian, Canyon County, Idaho.
 9. Approval of this contract by both Buyer's and Seller's Attorneys.
- E. Seller intends to structure this transaction as an IRS Sect. 1031 exchange. Buyer agrees to cooperate in signing necessary exchange documents. Seller agrees that Buyer shall have no expense or liability as a result of said exchange.
- F. The attached "List of Personal Property and Depreciable Real Property Items Included in Sale" (Exhibit "A") , Legal Description (Exhibit "B")" and Snake River Basin Adjudication Disclosure" (Exhibit "C") are incorporated into and made part of this agreement.

Buyer

Date

Buyer

Date

Seller

Date

Seller

Date

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APR 23 2002

Date 7/23/01/2001

Counter-Offer #1 to Purchase and Sale Agreement No. 2001719

Buyer(s): Adrian R. Kroes and Rashelle L. Kroes (h & w) or nominee.

Seller(s) Tom DeGroot or nominee

The undersigned parties hereby agree as follows:

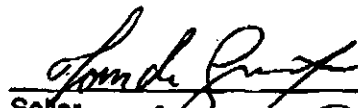
- A. The earnest money in paragraph 6 of the above referenced purchase and sale agreement is increased to \$50,000.
- B. Seller's counter-offer is made subject to the acceptance of the Buyer on or before 7/27/2001 at 6 PM.

Buyer

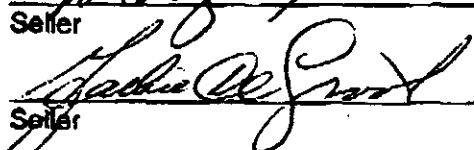
7/26/01
Date

Buyer

Date

x 
Seller

7-24-01
Date

x 
Seller

7-24-01
Date

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SEP 23 2002

Exhibit "A"

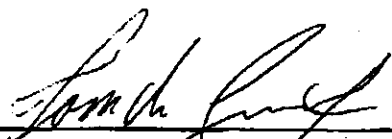
List of Personal Property and Depreciable Real Property Items Included in Sale
Attached to and made part of Purchase and Sale Agreement No2001719 Dated 07/19/2001
PAGE 1 of 1

Buyer(s): Adrian R. Kroes and Rashelle L. Kroes (h & w) or nominee.

Seller(s) Tom DeGroot or nominee

The following personal property is included in Purchase and Sale Agreement #2001719:

ITEM	Qty
Well #1 75 HP pump, discharge head, column, electric panel	1
Well #2 15 HP submersible, discharge head, electric panel	1
Well #3 100 HP discharge head, column, electric panel	1
Misc. valves, risers, and fittings.	
10 HP pump and electric panel	1
7.5 HP pump and panel	1
15 HP pump and electric panel	1
3 hp booster pump and electric panel	1
7.5 HP relief pump, electric panel	1
40 HP sprinkler pump, electric panel	1
2 - 1/4 mile handlines	2
4- hydraulic move wheel lines	4
Gated pipe- Aluminum, 30' long	10
350' of 8" PVC	
40 HP turbine pump, bowls and panels	1


Seller

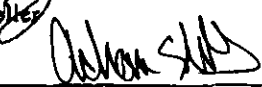
7-31-01

Date


Buyer

7-31-01

Date


Buyer

8-05-01

Date

Buyer

Date

MICROFILMED

APR 23 2002

PN58622

Exhibit "B"

PARCEL A

Tract No. 1:

A portion of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING at the center of said Section 8, thence;

North 0° 32' 20" East 767.6 feet; thence

North 89° 15' 40" West 1323.3 feet; thence

South 0° 39' 45" West 3284.2 feet to a point in the South Line of said Section 8; thence

South 89° 05' 40" East 1330.4 feet to the South Quarter corner of said Section 8; thence

North 0° 32' 20" East 2630.5 feet to the point of commencement.

SAVE AND EXCEPT THE following:

COMMENCING at the Southwest corner of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho and running South 89° 05' 40" East 1330.3 feet along the South boundary of said Section 8 to the Southwest corner of the East Quarter of the Southwest Quarter, said Section 8; thence

North 0° 39' 45" East 2062.4 feet along the West boundary of the said East Quarter of the Southwest Quarter, Section 8 to the TRUE POINT OF BEGINNING; thence

CONTINUING North 0° 39' 45" East 100.0 feet to a point that bears South 0° 39' 45" West 465.0 feet from the Northwest corner of the said East Quarter of the Southwest Quarter, Section 8; thence

South 89° 13' 40" East 120.2 feet on a line 465.0 feet South of and parallel to the East and West one-quarter line of said Section 8; thence

South 0° 39' 45" West 100.0 feet to a point; thence

North 89° 13' 40" West 120.2 feet to the POINT OF BEGINNING.

SAVE AND EXCEPT the following:

A portion of Section 8, Township 1 North, Range 2 West, Boise Meridian, in Canyon County, Idaho, described as follows:

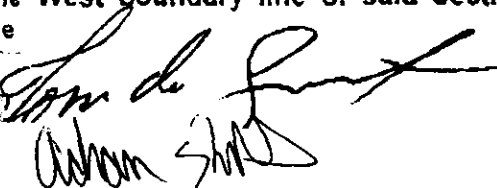
COMMENCING at the Southwest corner of said Section 8 and running thence

South 89° 05' 40" East along the South boundary line of said Section 8 a distance of 1330.3 feet; thence

North 0° 39' 45" East 3284.2 feet; thence

North 89° 15' 40" West 1323.3 feet more or less to a point in the West line of said Section 8, the REAL POINT OF BEGINNING; thence

North 0° 47' 15" East and along the West boundary line of said Section 8, a distance of 1964.4 feet more or less; thence



PARCEL B

Tract No. I:

A parcel of land in the East One-Half of the Southeast Quarter, Section 8, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, more fully described as follows:

Commencing at the Southeast corner of Section 8, Township 1 North, Range 2 West, Boise Meridian; thence

North 89° 05' 40" West 210.0 feet to the TRUE POINT OF BEGINNING; thence

North 89° 05' 40" West 750.0 feet along the South boundary of said Section 8 to a point; thence

North 3° 19' 20" West 1266.2 feet to a point; thence

North 79° 11' 20" East 264.8 feet to a point; thence

North 35° 07' 30" East 992.2 feet to a point; thence

North 89° 48' 40" East 219.7 feet to a point on the East boundary of said Section 8; thence

South 0° 28' 00" West 1931.2 feet along the said East boundary of Section 8 to a point; thence

North 89° 05' 40" West 210 feet to a point; thence

South 0° 28' 00" West 210 feet to the point of beginning.

Tract No. II:

A parcel of land in the East One-Half of the Southeast Quarter, Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more fully described as follows:

Commencing at the Southeast corner of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, the said point being the TRUE POINT OF BEGINNING; run thence

North 89° 05' 40" West 210 feet along the South boundary of said Section 8 to a point; thence

North 0° 28' 00" East 210 feet parallel to the East boundary of said Section 8 to a point; thence

South 89° 05' 40" East 210 feet parallel to the South boundary of said Section 8 to a point on the East boundary of said Section 8; thence

South 0° 28' 00" West 210 feet along the East boundary of said Section 8, to the TRUE POINT OF BEGINNING.

REQUEST PIONEER-NAMPA
TYPE & FEE
\$500

CANYON COUNTY RECORDER
BY [Signature]

10 MAY 31 PM 4 20

RECORDED

200019185

South 89° 21' 40" East and along the Northerly boundary line of said Section 8 a distance of 659.45 feet; thence

South 0° 47' 15" West and parallel to the Westerly boundary line of said Section 8 a distance of 1964.4 feet to the Northerly boundary line of that certain property conveyed in Instrument No. 536311, records of Canyon County, Idaho; thence

North 89° 15' 40" West 659.45 feet more or less to the REAL POINT OF BEGINNING.

Tract No. 2:

A portion of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING at the Northwest corner of said Section 8; thence

South 89° 21' 40" East along the North boundary line of said Section 8 a distance of 2637.9 feet to the North Quarter corner of said Section 8; thence

South 0° 32' 20" West along the North-South center line of said Section 8 a distance of 1972.9 feet; thence

North 89° 15' 40" West 2646.6 feet more or less, to a point in the West line of said Section 8, thence

North 0° 47' 15" East along the West line of said Section 8 a distance of 1968.5 feet, more or less, to the Northwest corner of said Section 8, the point of beginning.

EXCEPTING THEREFROM:

The West Half of the Northwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of the Northwest Quarter of said Section 8.

Tract No. 3:

The Northeast Quarter of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

Tract No. 4:

The Southeast Quarter, Section 8, Township 1 North, Range 2 West, Boise Meridian, excepting a parcel in the East Half of the Southeast Quarter, more particularly described as follows:

COMMENCING at the Southeast corner of Section 8, Township 1 North, Range 2 West, Boise Meridian, said point being the TRUE POINT OF BEGINNING; thence

North 89° 05' 40" West, 960.0 feet along the South boundary of said Section 8 to a point; thence

North 3° 19' 20" West, 1266.2 feet to a point; thence

North 79° 11' 20" East, 264.8 feet to a point; thence

North 35° 07' 30" East, 992.2 feet to a point; thence

North 89° 48' 40" East, 219.7 feet to a point on the East boundary of said Section 8; thence

South 0° 28' 00" West, 2141.2 feet along the said East boundary of Section 8 to the POINT OF BEGINNING.



Exhibit "C"

Snake River Basin Adjudication Disclosure

Attached to and made part of Purchase and Sale Agreement No. 2001719 Dated 07/10/2001

Buyer(s): Adrian R. Kroes and Rashelle L. Kroes (h & w) or nominee.

Seller(s) Tom DeGroot or nominee

The Snake River Basin Adjudication

What it is: "Adjudication" means "to settle judicially." A water right adjudication is a "fair, comprehensive, technically correct and legally sufficient determination (by a court) of existing water rights." The Snake River Basin Adjudication is a judicial process mandated by the Idaho State legislature in 1987 which will result in the judicial determination of all water rights in the state of Idaho, including those of Indian Tribes and the Federal government. This process is currently under way in the Fifth Judicial District Court in Twin Falls, The Hon. Judge Daniel C. Hurlbutt Jr. presiding.

What it does: It is a two phase process. The first phase involved a simple counting of all water rights claimed by water users in the Snake River Basin (Oregon border upstream). This is complete and it has been determined that there are approximately 118000 claims for all uses.

Phase two is the legal phase: Each holder of a water right must prove to the court that he beneficially uses all the water he holds rights to. If the user can't prove that, then he could lose all or part of the water right. This phase will likely go on for many years.

One result of phase 2 which has already taken place is that Judge Hurlbutt has ordered the Idaho Department of Water Resources to develop a plan to conjunctively manage above ground and below ground water resources. Conjunctive means "joined together", and the idea is that the IDWR is ordered to manage the resource as a whole- if senior rights are threatened by junior rights (possibly some distance away), IDWR was instructed to take action to cause the junior rights holders to remedy the situation. A plan for achieving this is being developed and it is unknown at this time what effect this will have on any particular water user. There will be winners and losers.

Disclosures:

1. Every holder of a water right in the state is currently a party to ongoing litigation, the outcome of which is uncertain. As Buyer of the subject property you will become a party to this litigation.
2. Every holder of a water right (not just in the Snake River Basin) in the state is subject to conjunctive management (explained above).
3. Buyer should seek legal counsel to determine the status of the ongoing litigation, and should discuss the situation with the Idaho Department of Water Resources.

Buyer and Seller Agree:

Agcom Real Estate and Darrin Vander Stelt, Broker, has disclosed the ongoing Snake River Basin Adjudication and potential adverse effects upon Buyer

Seller

Date

Seller

Date

Buyer

Date

Buyer

Date

MICROFILMED

APP 23 2002

Idaho Department of Water Resources Receipt

Receipt ID W028387

Payment Amount	\$250.00	Date Received	10/9/2001 12:57:57 PM	Region	Western	Status	
Payment Type	Check	Check Number	145				

Payer ADRIAN KROES

Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$250.00	TRANSFERS	0229	21	62105	1155

Janis Fontana
Signature Line (Dept. Representative)

MICRO

APR 23 2002

T1N
2000

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RECEIVED

APR - 2 2002

Form 222a
December 2001

Department of Water Resources

IDWR WESTERN REGION TRANSFER ANALYSIS

Applicant Adrian Knoce Transfer No. 69605
 Reviewed by lg Date 12/13/01
 Data entered by lm

1. Right number(s) 63-2825, -3135, -3260, -3331

2. Type of right ☐ Decree ☒ License ☐ Stat. Claim ☐ BU Claim

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Period ☐ Split Right
☐ Other: _____

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 for original P/D &/or P/U		

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

- a. ☒ Analysis memo – always include unless justify why not needed
- b. ☒ All of right
- c. ☒ Part of right – Note: Part B should normally be completed only if part of right is owned by applicant
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing proposed P/D &/or P/U
- g. ☒ Correct notarized signature and fee – see Transfer Memo #23 about fees if necessary
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
- j. ☒ Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

k. ☒ Overlapping rights for current & proposed scenarios

Current see file 67071, Transfer no 5651
Proposed work flow no.

l. ☒ SRBA Claim(s) _____

m. ☒ Comment letters _____ No _____ Yes as follows:

_____ Water District # _____ IDFG _____ Other per attached

PUBLICATION REVIEW

1. Comment Letters

Watermaster comments requested on _____, received on _____

Other comment letters received _____ Yes _____ No

2. Affidavit of publication received: _____ Yes

3. Published correctly: _____ Yes _____ No

If No, re-publication required: _____ Yes _____ No

4. Protests received: _____ Yes _____ No _____ If yes, acknowledgement sent

RECOMMENDATIONS

WITHDRAWN 3-20-2002

1. _____ Approve _____ See attached memo

2. _____ Deny due to _____

3. Conditions of Approval _____

4. Recommended by _____ Date _____

FORWARDING FILE TO S.O.

1. Copies made for Region file (see attached supplemental page): Yes _____

2. File forwarded to S.O. by _____ Date _____

SUPPLEMENTAL ANALYSIS SHEET FOR TRANSFER

Transfer No. 69605

Legal Notice: Use Workflow ad ✓

OR Word Filename _____

Email to SO & Western, completed by _____ OR N/A _____

COPY FOR WATER RIGHT AND ADJUDICATION FILES

Yes Legal Notice

Yes Transfer Analysis Sheet (Form 222a)

Yes Transfer Application – assume entire application with attachments to be *copied except as noted below (always copy ownership information)*: identify by letter/number attachments that are not to be copied:

Yes Reviewer's analysis memo: list *date of memo* 12/13/01

____ List other items to be copied:

AVOID COPYING – excess computer reports, excess attachments unless show ownership or other clarifying information, easements & other agreements, oversized documents and so forth.

REGIONAL COPIES TO BE MADE JUST BEFORE FORWARD FILE TO S.O.

DISCARD THIS FORM BEFORE FORWARDING THE FILE.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2825

WATER RIGHT NUMBER: 63-2825

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD E TIEGS 10020 BIG FOOT RD MELBA, ID 83641 (208)466-5007
Original Owner	HELEN L TIEGS NAMPA, ID 83651
Original Owner	DONALD E TIEGS NAMPA, ID 83651

Priority Date: 07/24/1950

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/15	0.900 CFS	462.40 AF
DOMESTIC	1/01 to 12/31	0.020 CFS	1.20 AF
	<u>Total Diversion:</u>	0.900 CFS	463.60 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 8,	Twp 01N,	Rge 02W, B.M.
CANYON County				
GROUND WATER	NW1/4NE1/4	Sec. 8,	Twp 01N,	Rge 02W, B.M.
CANYON County				

Place of UseIRRIGATION Within CANYON County

T01N R02W S08	NENE	40.0	T01N R02W S08	NWNE	35.0
T01N R02W S08	SWNE	16.0	T01N R02W S08	SENE	16.0
T01N R02W S08	NENW	26.0	T01N R02W S08	SENE	32.0
T01N R02W S08	NESE	17.0	T01N R02W S08	NWSE	22.0
T01N R02W S08	SWSE	40.0	T01N R02W S08	SESE	10.0
Total Acres: 254					

DOMESTIC Within CANYON County

T01N R02W S08 NWNE

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2825

1. 01Q 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.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. 106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

1. General The total instantaneous diversion of water from all points of diversion under Transfer 5651 shall not exceed 4.45 cfs, nor a total combined annual volume of 1358.3 af.
 Right 63-03135 is limited to the irrigation of 63.0 acres in the place of use described above in a single irrigation season.
 Rights 63-02825, 63-03135, 63-03260 and 63-03331 when combined shall not exceed a total diversion rate of 3.48 cfs, a total annual maximum diversion volume of 1143.0 af at the field headgate for the irrigation of 254.0 total acres.
 Right 63-03135 shall not exceed a total diversion rate of 0.97 cfs, a total annual maximum diversion volume of 214.1 af for stockwater and commercial uses at the dairy.
 Commercial use is for a dairy located within the S1/2NE and N1/2 SE, S8, T1N, R2W.
 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 this water right.
 Two points of diversion are located within both the NWNE and SWNE, S8, T1N, R2W.
 Domestic use is for 1 home.

Comments:

1. STAYLOR 2/1/2000 TRANSFER NO. 5651
 Comment: This transfer was filed to change point of diversion, add diversion points, change place of use, change nature of use and change period of use.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3260

WATER RIGHT NUMBER: 63-3260

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD E TIEGS 10020 BIG FOOT RD MELBA, ID 83641 (208)466-5007
Original Owner	DONALD E TIEGS RT 4 NAMPA, ID 83651
Original Owner	HELEN L TIEGS RT 4 NAMPA, ID 83651

Priority Date: 09/06/1961

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/15	1.350 CFS	693.50 AF
	<u>Total Diversion:</u>	1.350 CFS	693.50 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 8, Twp 01N, Rge 02W, B.M.
CANYON County		
GROUND WATER	SW1/4NE1/4	Sec. 8, Twp 01N, Rge 02W, B.M.
CANYON County		

Place of UseIRRIGATION Within CANYON County

T01N R02W S08	NENE	40.0	T01N R02W S08	NWNE	35.0
T01N R02W S08	SWNE	16.0	T01N R02W S08	SENE	16.0
T01N R02W S08	NENW	26.0	T01N R02W S08	SENW	32.0
T01N R02W S08	NESE	17.0	T01N R02W S08	NWSE	22.0
T01N R02W S08	SWSE	40.0	T01N R02W S08	SESE	10.0
Total Acres: 254					

Conditions of Approval:

1. 01Q 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.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3260

4. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. 106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

1. General The total instantaneous diversion of water from all points of diversion under Transfer 5651 shall not exceed 4.45 cfs, nor a total combined annual volume of 1358.3 af.
 Right 63-03135 is limited to the irrigation of 63.0 acres in the place of use described above in a single irrigation season.
 Rights 63-02825, 63-03135, 63-03260 and 63-03331 when combined shall not exceed a total diversion rate of 3.48 cfs, a total annual maximum diversion volume of 1143.0 af at the field headgate for the irrigation of 254.0 total acres.
 Right 63-03135 shall not exceed a total diversion rate of 0.97 cfs, a total annual maximum diversion volume of 214.1 af for stockwater and commercial uses at the dairy.
 Commercial use is for a dairy located within the S1/2NE and N1/2 SE, S8, T1N, R2W.
 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 this water right.
 Two points of diversion are located within both the NWNE and SWNE, S8, T1N, R2W.
 Domestic use is for 1 home.

Comments:

1. STAYLOR 2/1/2000 TRANSFER NO. 5651
 Comment: This transfer was filed to change point of diversion, add diversion points, change place of use, change nature of use and change period of use.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3331

WATER RIGHT NUMBER: 63-3331

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD E TIEGS 10020 BIG FOOT RD MELBA, ID 83641 (208)466-5007
Original Owner	DONALD E TIEGS RT 4 NAMPA, ID 83651
Original Owner	HELEN L TIEGS RT 4 NAMPA, ID 83651

Priority Date: 03/01/1963

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/15	0.450 CFS	231.20 AF
	<u>Total Diversion:</u>	0.450 CFS	231.20 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 8,	Twp 01N,	Rge 02W, B.M.
CANYON County				
GROUND WATER	NW1/4NE1/4	Sec. 8,	Twp 01N,	Rge 02W, B.M.
CANYON County				

Place of UseIRRIGATION Within CANYON County

T01N R02W S08	NENE	40.0	T01N R02W S08	NWNE	35.0
T01N R02W S08	SWNE	16.0	T01N R02W S08	SENE	16.0
T01N R02W S08	NENW	26.0	T01N R02W S08	SENE	32.0
T01N R02W S08	NESE	17.0	T01N R02W S08	NWSE	22.0
T01N R02W S08	SWSE	40.0	T01N R02W S08	SESE	10.0

Total Acres: 254

Conditions of Approval:

1. 01Q 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.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3331

4. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. 106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

1. General The total instantaneous diversion of water from all points of diversion under Transfer 5651 shall not exceed 4.45 cfs, nor a total combined annual volume of 1358.3 af.
 Right 63-03135 is limited to the irrigation of 63.0 acres in the place of use described above in a single irrigation season.
 Rights 63-02825, 63-03135, 63-03260 and 63-03331 when combined shall not exceed a total diversion rate of 3.48 cfs, a total annual maximum diversion volume of 1143.0 af at the field headgate for the irrigation of 254.0 total acres.
 Right 63-03135 shall not exceed a total diversion rate of 0.97 cfs, a total annual maximum diversion volume of 214.1 af for stockwater and commercial uses at the dairy.
 Commercial use is for a dairy located within the S1/2NE and N1/2 SE, S8, T1N, R2W.
 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 this water right.
 Two points of diversion are located within both the NWNE and SWNE, S8, T1N, R2W.
 Domestic use is for 1 home.

Comments:

1. STAYLOR 2/1/2000 TRANSFER NO. 5651
 Comment: This transfer was filed to change point of diversion, add diversion points, change place of use, change nature of use and change period of use.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3135

WATER RIGHT NUMBER: 63-3135

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD E TIEGS 10020 BIG FOOT RD MELBA, ID 83641 (208)466-5007
Original Owner	DONALD E TIEGS RT 4 NAMPA, ID 83651
Original Owner	HELEN L TIEGS RT 4 NAMPA, ID 83651

Priority Date: 08/01/1958

Basis: License

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/15	0.780 CFS	283.50 AF
STOCKWATER	1/01 to 12/31	0.970 CFS	214.10 AF
COMMERCIAL	1/01 to 12/31	0.970 CFS	214.10 AF
	<u>Total Diversion:</u>	1.750 CFS	497.60 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 8,	Twp 01N,	Rge 02W, B.M.
CANYON County				
GROUND WATER	NW1/4NE1/4	Sec. 8,	Twp 01N,	Rge 02W, B.M.
CANYON County				

Place of UseIRRIGATION Within CANYON County

T01N R02W S08	NENE	40.0	T01N R02W S08	NWNE	35.0
T01N R02W S08	SWNE	16.0	T01N R02W S08	SENE	16.0
T01N R02W S08	NENW	26.0	T01N R02W S08	SENE	32.0
T01N R02W S08	NESE	17.0	T01N R02W S08	NWSE	22.0
T01N R02W S08	SWSE	40.0	T01N R02W S08	SESE	10.0

Total Acres: 254

STOCKWATER Within CANYON County

T01N R02W S08	SWNE	T01N R02W S08	SENE
T01N R02W S08	NESE	T01N R02W S08	NWSE

COMMERCIAL Within CANYON County

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3135

T01N R02W S08	NENE	T01N R02W S08	NWNE
T01N R02W S08	SWNE	T01N R02W S08	SENE
T01N R02W S08	NENW	T01N R02W S08	SENE
T01N R02W S08	NESE	T01N R02W S08	NWSE
T01N R02W S08	SWSE	T01N R02W S08	SESE

Conditions of Approval:

1. 01Q 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.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. 106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

1. General The total instantaneous diversion of water from all points of diversion under Transfer 5651 shall not exceed 4.45 cfs, nor a total combined annual volume of 1358.3 af.
Right 63-03135 is limited to the irrigation of 63.0 acres in the place of use described above in a single irrigation season.
Rights 63-02825, 63-03135, 63-03260 and 63-03331 when combined shall not exceed a total diversion rate of 3.48 cfs, a total annual maximum diversion volume of 1143.0 af at the field headgate for the irrigation of 254.0 total acres.
Right 63-03135 shall not exceed a total diversion rate of 0.97 cfs, a total annual maximum diversion volume of 214.1 af for stockwater and commercial uses at the dairy.
Commercial use is for a dairy located within the S1/2NE and N1/2 SE, S8, T1N, R2W.
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 this water right.
Two points of diversion are located within both the NWNE and SWNE, S8, T1N, R2W.
Domestic use is for 1 home.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3135

Comments:

1. STAYLOR 2/1/2000 TRANSFER NO. 5651

Comment: This transfer was filed to change point of diversion, add diversion points, change place of use, change nature of use and change period of use.

Dates and Other Information:

Licensed Date: 8/28/1979

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

PROTEST INFORMATION SHEET

APPLICANT: **ADRIAN KROES**
 4910 DRY LAKE RD
 NAMPA ID 83653

PH: **208-947-0465**

APPLICATION NO: **63-2825, 3135, 3260, 3331**
TRANSFER NO; **69605**

DATE FILED: **10-09-01** **PROTEST DATE:** **1-22-02**

PROTESTANT(S) NAME & ADDRESS:

DELLA JOHNSON - PH: 466-6885
NETTIE SMOOT
DAN HELM
PO BOX 187
NAMPA ID 83653

Attorney Name & Address: Issues:

Applicant - Attorney - Name & Address:

Dates:

Acknowledgement Letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

MICROFILMED

2002-1-22



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 22, 2002

CANYON COUNTY DISTRICT COURT
1115 ALBANY
CALDWELL ID 83605

Re: Conference Room Reservation

This letter is to confirm the conference room reservation made by the Department of Water Resources for Monday, March 18, 2002, at 1:30 p.m.

If you have any questions please call me at 334-2190, Western Region of the Department of Water Resources.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue'.

Sue Taylor
Senior Secretary

MICROFILMED

APR 23 2002

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)	
FOR TRANSFER NO. 69387)	NOTICE OF PREHEARING
IN THE NAME OF ADRIAN KROES)	CONFERENCE
_____)	

On October 9, 2001, Adrian Kroes filed with the Department of Water Resources (IDWR) application for transfer no. 69605. The application was protested by Della Johnson.

IDWR has scheduled a conference for the protest to be held on **Monday, March 18, 2002, at 1:30 p.m. at the Canyon County Courthouse, 1115 Albany, Caldwell, Idaho 83605.** The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise IDWR within (10) days prior to the conference.

Dated this 20th day of February 2002.



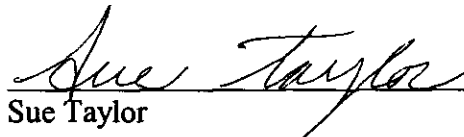
Gary Spackman

MICROFILMED

FEB 23 2002

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of February 2002, I mailed a true and correct copy, postage prepaid, of the Notice of Prehearing Conference to those listed:


Sue Taylor
Senior Secretary

ADRIAN KROES
4910 CRY LAKE RD
NAMPA ID 83653

DELLA JOHNSON
PO BOX 187
NAMPA ID 83653



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 20, 2002

ADRIAN KROES
4910 DRY LAKE RD
NAMPA ID 83653

Re: Application for Transfer No. 69606

Dear Applicant:

Enclosed please find a copy of the protest(s) filed against the above-referenced application for transfer. You should be aware that the following are the criteria we consider when either approving or denying an application for transfer:

1. Will other water rights be injured by the transfer?
2. Will the change constitute an enlargement in the use of the original right?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Enclosed is a Notice of Prehearing Conference scheduled for Monday, March 18, 2002, at 1:30 p.m. at the Canyon County Courthouse, 1115 Albany, Caldwell, Idaho 83605.

The department suggests you contact the protestant(s) directly in an effort to determine what is in dispute in the application and to attempt to resolve the protest prior to the prehearing conference. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

If we may be assistance, please contact us.

Sincerely,


Gary Spackman

GS:st

Encl. Copy of protests
Prehearing Conference Notice

MICROFILMED

APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 20, 2002

DELLA JOHNSON
NETTIE SMOOT
DAN HELM
PO BOX 187
NAMPA ID 83653

Re: Application for Transfer No. 69605 in the Name of Adrian Kroes

Dear Protestant:

This office acknowledges receipt of your protest opposing the above-referenced application for transfer. The following are the criteria we consider when either approving or denying an application for transfer:

1. Will other water rights be injured by the transfer?
2. Will the change constitute an enlargement in the use of the original right?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Enclosed is a Notice of Prehearing Conference scheduled for March 18, 2002, at 1:30 p.m. at the Canyon County Courthouse, 1115 Albany, Caldwell Idaho 83605.

The department suggests you contact the applicant(s) directly in an effort to determine what is in dispute in the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

If we may be of assistance, please contact us.

Sincerely,


Gary Spackman

GS:st
Encl. Notice of Conference
Copy of Application

MICROFILMED

APR 23 2002

JAN 22 2002

**IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST**

RECEIVED

JAN 24 2002

**WATER RESOURCES
WESTERN REGION**

1. Matter being protested: Transfer No.69605 Adrian Kroes
4910 Dry Lake Rd Nampa, ID (909) 947-0465
2. Protestants: Della Johnson, PO Box 187, Nampa, ID 83653
(208) 466 6885, Nettie Smoot, 13402 Locust Ln, Nampa
ID 83686 (208) 466 1163, & Dan Helm, 5600 Diamond Ridge
Way, Nampa, ID 83686 (208) 461 9461
3. Basis of protest: Protestant requires proof of IC 42-222 issues
and states that the transfer is not in the public interest.
4. A withdrawal of this transfer, modification thereof or other
conditions such as improved odor and nutrient management
plans placed upon this transfer in a private agreement could
resolve this protest.

Signed this 22st day of January, 2002.

Della Johnson
Protestant

Nettie Smoot
Protestant

Dan Helm
Protestant

Received by J. Mai Date 1-22-02 Time 2:55 PM

\$25.00 fee Receipted by J. Mai # C059352 Date 1-22-02

MICROFILMED

APR 23 2002

Idaho Department of Water Resources Receipt

Receipt ID C059352

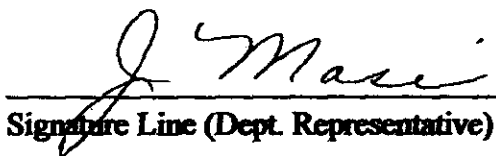
Payment Amount Date Received Region Status
Payment Type

Payer

Comment

Fee Detail

Amount Description Fund FD PCA SO
\$25.00 PROTESTS 0229 21 56103 1155


Signature Line (Dept. Representative)

Cost \$25.00
Received 30.00
Change 5.00

A/R - over front sent \$1 5.00

MICROFILMED

APR 23 2002

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Traci L. Griffin
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

e0100285 04505921
1 Idaho Dept. of Water Resourc
2735 Airport Way
BOISE ID 83705

RECEIVED

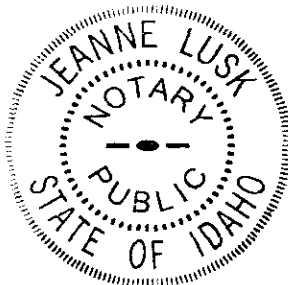
JAN 10 2002

WATER RESOURCES
WESTERN REGION

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.
4. That said notice was published the following:
01/02/2002,01/09/2002

STATE OF IDAHO)
County of Canyon)

On the 9th day of January in the year of 2002
before me, a Notary Public, personally appeared.
Traci L. Griffin,
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
acknowledge to me that he/she executed the same.



Jeanne Lusk
Notary Public for Idaho
Residing at Nampa, ID
My commission expires June 21, 2003

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 69605**

ADRIAN KROES
4910 DRY LAKE RD
NAMPA ID 83651, has
filed Application No. 69605 for
changes to the following water rights
within CANYON County:

Right No. 63-2825

Priority 7/24/1950
Source GROUND WATER
Use IRRIGATION (254 acres)
0.90 CFS 462.4 AFA
DOMESTIC (0 acres)
Total Amount 0.90 CFS
463.6 AFA

Point(s) of Diversion
NWNE S8 T01N R02W
SWNE S8 T01N R02W

Place of Use
S8 T01N R02W
Right No. 63-3260

Priority 9/6/1961
Source GROUND WATER
Use IRRIGATION (254 acres)
1.35 CFS 693.5 AFA
Total Amount 1.35 CFS
693.5 AFA

Point(s) of Diversion
NWNE S8 T01N R02W
SWNE S8 T01N R02W

Place of Use
S8 T01N R02W
Right No. 63-3135

Priority 8/1/1958
Source GROUND WATER
Use STOCKWATER (0 acres)
0.78 CFS 283.5 AFA
IRRIGATION (254 acres)
COMMERCIAL
Total Amount 1.75 CFS
497.6 AFA

Point(s) of Diversion
NWNE S8 T01N R02W
SWNE S8 T01N R02W

Place of Use
S8 T01N R02W
Right No. 63-3331

Priority 3/1/1963
Source GROUND WATER
Use IRRIGATION (254 acres)
0.45 CFS 231.2 AFA
Total Amount 0.45 CFS
231.2 AFA

Point(s) of Diversion
NWNE S8 T01N R02W
SWNE S8 T01N R02W

Place of Use
S8 T01N R02W

Remark: Applicant proposes to
move 39 acres irrigation from the
N1/2 SE to the S1/2 NE and apply
dairy wastewater to the E1/2SW S8
T01N R02W.

Protests may be submitted based
on the criteria of Sec 42-222, Idaho
Code.

Any protest against the proposed
change must be filed with the De-
partment of Water Resources, West-
ern Region, 2735 Airport Wy, Boise
ID 83705 together with a protest fee
of \$25.00 for each application on or
before January 22, 2002. The prot-
estant must also send a copy of the
protest to the applicant.

KARL J DREHER, Director
January 2, 9, 2002 04505921

MEMORANDUM

DATE: 12/13/01

FROM: Lori Graves *lg*

TO: Transfer File No. 69605

Attachments

A. Ownership Documentation

Brief

Applicant proposes to irrigate 39 acres in the S ½ NE instead of the N ½SE. The dairy operation was approved 8/4/2000 per transfer no. 5651. The applicant, who is the new owner since transfer no. 5651 was approved, now wishes to shift the dairy site 700' South from the original site proposed in transfer no. 5651. The applicant has until 8/4/2002 to complete the dairy proposed in transfer no. 5651 based on an approved extension of time.

Review Analysis

The water rights were previously analyzed for recently approved transfer no. 5651. Please see that file for details.

This transfer proposes a change in P/U for irrigation and dairy wastewater land application. As described above, 39 acres are proposed for irrigation in the S ½NE instead of the N ½SE as described on transfer no. 5651. Applicant also proposes to increase his land application of dairy wastewater to the E ½SW. No other changes are proposed.

This transfer is basically adjusting the P/U listed on approved transfer no. 5651, which has until 2002 to be completed. Flow rates, volume and uses approved on transfer no. 5651 will remain the same. Applicant only wants to shift the dairy site 700' South.

The transfer filing fee of \$250 was based on the amount associated with the 39 acres of irrigation being changed or .53 cfs rather than the entire amount of water associated with the rights involved.

Recommendations

Approve transfer as filed.

MICROFILMED
APR 23 2002

December 27, 2001

Legal Notice Department

Press-Tribune

PO Box 9399

Nampa ID 83652

RE: Legal Ads

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find legal notices 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 notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 01/22/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

SEP 23 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69605

ADRIAN KROES
4910 DRY LAKE RD

NAMPA ID 83651, has filed Application No. 69605 for changes to the following water rights within CANYON County:

Right No. 63-2825

Priority 7/24/1950

Source GROUND WATER

Use IRRIGATION (254 acres) 0.90 CFS 462.4 AFA
DOMESTIC (0 acres)

Total Amount 0.90 CFS 463.6 AFA

Point(s) of Diversion NWNE S8 T01N R02W
SWNE S8 T01N R02W

Place of Use S8 T01N R02W

Right No. 63-3260

Priority 9/6/1961

Source GROUND WATER

Use IRRIGATION (254 acres) 1.35 CFS 693.5 AFA

Total Amount 1.35 CFS 693.5 AFA

Point(s) of Diversion NWNE S8 T01N R02W
SWNE S8 T01N R02W

Place of Use S8 T01N R02W

Right No. 63-3135

Priority 8/1/1958

Source GROUND WATER

Use STOCKWATER (0 acres) 0.78 CFS 283.5 AFA
IRRIGATION (254 acres)
COMMERCIAL

Total Amount 1.75 CFS 497.6 AFA

Point(s) of Diversion NWNE S8 T01N R02W
SWNE S8 T01N R02W

Place of Use S8 T01N R02W

Right No. 63-3331

Priority 3/1/1963

Source GROUND WATER

Use IRRIGATION (254 acres) 0.45 CFS 231.2 AFA

Total Amount 0.45 CFS 231.2 AFA

Point(s) of Diversion NWNE S8 T01N R02W
SWNE S8 T01N R02W

Place of Use S8 T01N R02W

Remark: Applicant proposes to move 39 acres irrigation from the N1/2 SE to the S1/2 NE and apply dairy wastewater to the E1/2SW S8 T01N R02W.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before January 22, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on January 2 and 9, 2002.

MICROFILMED

SEP 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 24, 2001

Tom DeGroot
Jackie DeGroot
569 Birch Bay Lynden Rd
Lynden WA 98264

Re: Transfer No. 67071

Dear Mr. And Mrs. DeGroot:

Enclosed as you requested is an Order Granting Extension of Time to Complete Transfer for the above-referenced transfer application. This order grants your request for extension for completion of this transfer to August 4, 2002.

If you have any questions, please contact the department.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: Western Region

MICROFILMED

SEP 07 2001

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF TRANSFER NO. 67071)
)
OF WATER RIGHTS 63-2825, 63-3135,)
)
63-3260 & 63-3331 IN THE NAME OF TOM)
)
& JACKIE DE GROOT)
_____)

**ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER**

On August 4, 2000 the Department approved Application for Transfer 5651 (renumbered to 67071) with a condition that:

The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

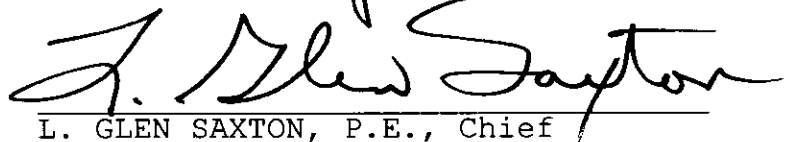
The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer 67071 is granted an extension to **August 4, 2002** in which to accomplish the transfer.

IT IS FURTHER HEREBY ORDERED that this extension does not stay the accumulation of the 5-year period associated with forfeiture of a water right for non-use.

Dated this 24th day of August, 2001.



L. GLEN SAXTON, P.E., Chief
Water Allocation Bureau

MICROFILMED
SEP 07 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TRANSMITTAL COVER SHEET

FAX NUMBER: (208) 327-5400

DATE: Aug 24, 2001

Re: T5651 (Renumbered to 67071)

TO: Darwin VanderStelt FROM: L. Glen Saxton

Agglom Real Estate
465-9497

IDWR

DOCUMENT DESCRIPTION: Order Granting Ext. of Time
to Complete Transfer.

COVER SHEET + 1 PAGES

CONTACT: Debbie Gibson IF YOU DO NOT RECEIVE ALL THE PAGES.
327-7953

THANK YOU!

Done 11:05 AM -

MICROFILMED
SEP 07 2001

RECEIVED

AUG 24 2001

Department of Water Resources

To: Glen Saxton

From: Darwin Vander Stelt
Agcom Real Estate

Here is The letter signed by
DeGroots. Please Fax a
reply or Amended Transfer To

208-465-9497

My Number is 465-9496

Thank you for your help!

Darwin Vander Stelt

MICROFILMED

SEP 07 2001

FROM : DEGROOT DAIRY
10-01-1997 4:45PM

FAX NO. : 360 354 4738

30 2001 06:52PM P1
P. 2

To : L. Glen Saxton

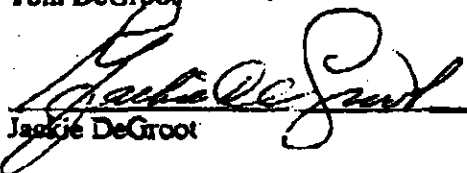
From: Tom and Jackie DeGroot

RE: Extension of completion date on Transfer No 5651 issued 4 August, 2000.

Transfer No. 5651 contains a condition of approval (item no. 7, *Conditions of Approval and Remarks*) which states:

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

We have had a change of plans and have decided not to build a dairy on the farm as previously planned, and are in the process of selling the farm to Adrian Kroes, who proposes to build a dairy of the same size on the property. We hereby request a change in the language of the above mentioned condition of approval to allow at least an additional year for completion of the proposed changes. Thank You!


Tom DeGroot7-30-01
Date
Jackie DeGroot7-30-01
Date

MICROFILMED

SEP 07 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 7, 2000

DONALD E TIEGS
10020 BIG FOOT RD
MELBA ID 83641

RE: TRANSFER OF WATER RIGHTS 63-02825/63-03135/63-03260/63-03331
(Transfer 5651)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer 5651). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Camila S. Skaggs
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

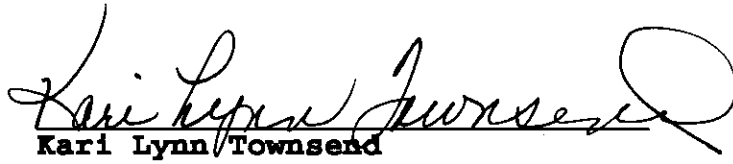
SEP 07 2001

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of **August**, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: TRANSFER OF WATER RIGHTS 63-02825/63-03135/63-03260/63-03331
(Transfer 5651)

DONALD E TIEGS
10020 BIG FOOT RD
MELBA ID 83641


Kari Lynn Townsend
Secretary

MICROFILMED

SEP 07 2001

**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

SEP 07 2001

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.

TRANSFER REVIEW SHEET

(10-99)

Transfer # 5651

Date Reviewed 07-28-2000

Right(s) 63-02825 63-03135 _____
63-03260 _____
63-03331 _____

☒ WRQ/Split Summary ☒ ^{No Activity} SRBA Status ☒ Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use ☒ Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Warranty Needs - Region review - Metes & bounds parcels.

Transfer ☒ All of Right _____ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Recorded Right:

Standard Season 3-1 ²⁵⁴ to 11-15 Standard Volume 4.5 / 3.5

(1) ☒ Priority (2) _____ Use (3) _____ Season/W61 (4) _____ Rate (5) _____ Volume

(6) ☒ Source (7) _____ P/D (8) _____ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NA Water District (12) NO Pertinent Conditions (13) NO Expansion
w/combined limits.

- (1) Change 79 acres IRR to stock/cow for dairy.
- (2) No Licensed seasons - Allow standard IRR season & yr. round for other uses.
- (4) Reducing IRR acres - increased rate per acre to .017 cfs/acre - (X)
- (5) Standard IRR volume. Dairy uses limited to 2.71 af x 79 acres or 214.1 af
- (7) 3 existing & 1 new well for dairy
- (8) Reduce IRR P/U all rts to 254 acres. - Identify DOM & Dairy uses.

Partial Overlap 0202195 Historical C.U. Vol. = 2.71 af/acre x 79 = 214.1 af Dairy
Ponds & land application 79 acres out / P/U reduced to 254 total acres IRR

Transfer Remarks (W35) IRR + Dairy Uses 2 P/Ds each NONE + SWNE.
PP/U 63-03135 = 63 Acres (W34)

Comm/Dairy in SW NE + NW SE, S8 DOM / 1 Home (W38)
Conditions 046, 016, 100, 105, 106, R65, T07, T08, T17
T09

Database/Processing Notes

Standard ☒ Non-Standard _____

T files all

"T" Files Update Complete ☒ Approval Form _____ Transfer Memo _____
Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

Change in Nature of Use Evaluation on Back this page.
+ attached.

08-04-2000
38

Before

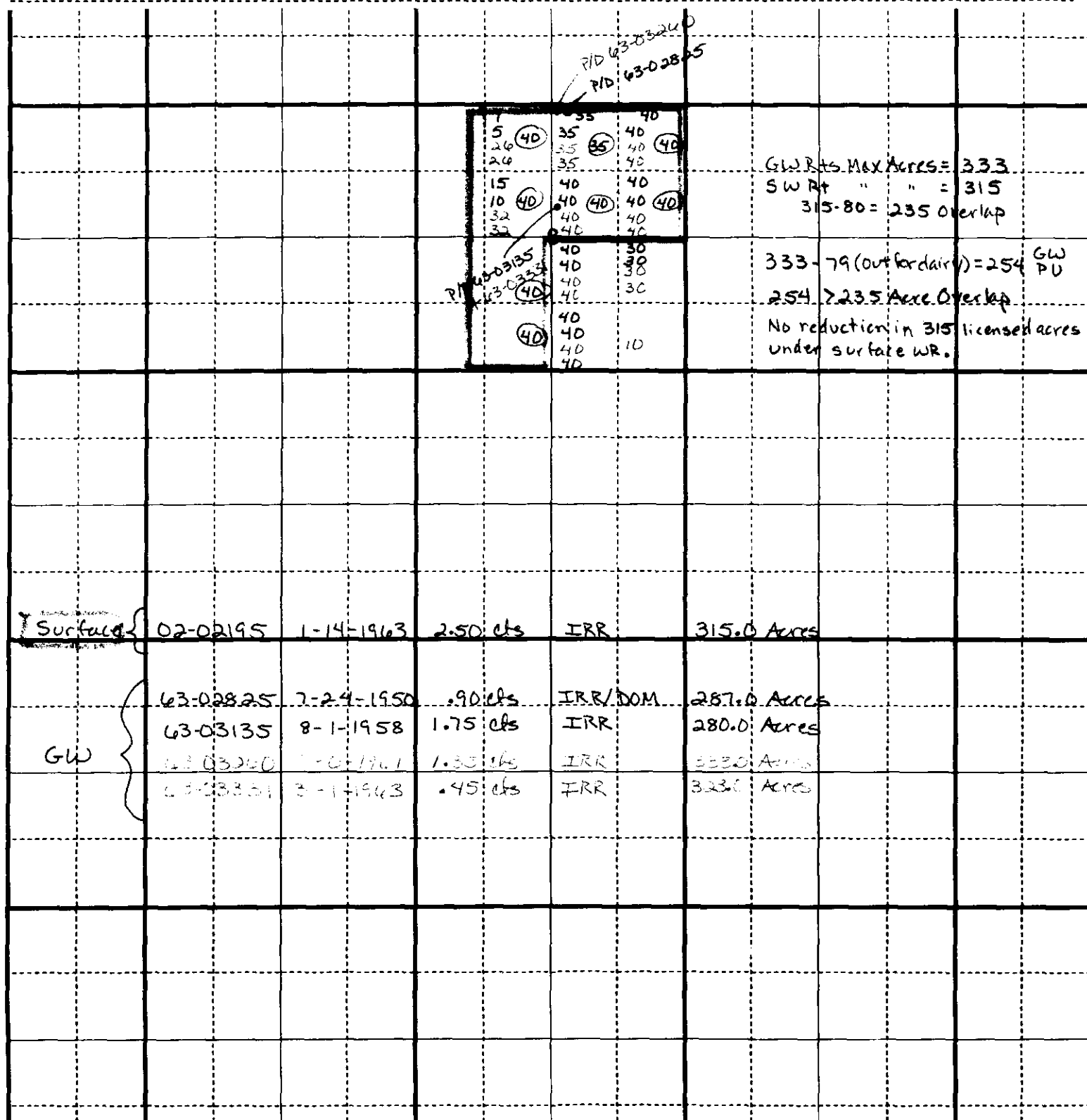
02-02195	2.50 cfs	IRR	315.0 Acres	102 Acres sole supply - 80 Service 213 " supplemented - 235 GQ + 1.2 (DOM) = 463.6 afa
63-02825	.90 cfs	IRR/DOM	31.3 Acres	462.4 afa (VDR < VIR)
63-03135	1.75 "	"	31.3 "	899.0 " (" " ")
63-03240	1.35 "	"	31.3 "	693.5 " (" " ")
63-03331	0.45 "	"	31.3 "	231.2 " (" " ")
4.45 cfs IRR/DOM =			1498.5 afa	e.b. Vol. 502.4 afa
.01336 cfs/acre				

After

63-02825	0.90 cfs	IRR/DOM	~~15.4~~ Acres	463.6 afa
63-03135	0.78 "	IRR	~~15.4~~ "	283.5 "
	0.97 "	STOCK/COMM	(79.0 " Out)	214.1 "
63-03240	1.35 "	IRR	~~15.4~~ Acres	693.5 "
63-03331	0.45 "	IRR	~~15.4~~ Acres	231.2
(4.45 cfs)		IRR/STOCK	(~~15.4~~)	1143.0 afa IRR
		COMM/DOM		214.1 " STOCK & COMM
				1.2 DOM
.01751 cfs/acre				
			(1558.5 afa)	(688.3 214.1 902.4)

Reduced acres & div. vol. C.U. Volume same. ✓

T01N R02W S 8

[illegible]

T5651

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 07/28/00

TIME: 09:23:15

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-02825	TIEGS, DONALD E.	C	07/24/1950	L/	GROUNDWATER	IRR	WR
	TIEGS, HELEN L.	C				DOMEST	
T63-02825			07/24/1950	L/	GROUNDWATER	IRR	WR
						DOMEST	

A63-02825	TIEGS, DONALD E	C	07/24/1950	L/	GROUNDWATER	IRR	AJ
	TIEGS, HELEN L	C				DOMEST	

T5651

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 07/28/00

TIME: 09:28:34

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-03135	TIEGS, DONALD E.	C	08/01/1958	L/	GROUNDWATER	IRR	WR
	TIEGS, HELEN L.	C					
T63-03135			08/01/1958	L/	GROUNDWATER	IRR STOCK COMMER	WR

A63-03135	TIEGS, DONALD E	C	08/01/1958	L/	GROUNDWATER	IRR	AJ
	TIEGS, HELEN L	C					

WR0631NP

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 07/28/00

TIME: 09:28:00

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-03260	TIEGS, DONALD E.	C	09/06/1961	L/	GROUNDWATER	IRR	WR
	TIEGS, HELEN L.	C					
T63-03260			09/06/1961	L/	GROUNDWATER	IRR	WR

A63-03260	TIEGS, DONALD E	C	09/06/1961	L/	GROUNDWATER	IRR	AJ
	TIEGS, HELEN L	C					

T5651

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 07/28/00

TIME: 09:28:15

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-03331	TIEGS, DONALD E.	C	03/01/1963	L/	GROUNDWATER	IRR	WR
	TIEGS, HELEN L.	C					
T63-03331			03/01/1963	L/	GROUNDWATER	IRR	WR

A63-03331	TIEGS, DONALD E	C	03/01/1963	L/	GROUNDWATER	IRR	AJ
	TIEGS, HELEN L	C					

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

RECEIVED

MAY 24 2000

Department of Water Resources

APPLICANT

Tuey

TRANSFER NO.

5651

INITIAL ALLOCATION REVIEW BY

lg

DATE

1/31/00

1. Right number(s) 63-03135, -03331, -03260, -02825

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 Period ☐ Split Right
☐ Other: _____

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

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

- a. ☒ Analysis memo (always - unless justify why not needed)
- b. ☒ All of right
- c. N/A Part of right (**NOTE!** Part B should be filled in only if part of right is owned by the applicant)
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing P/D & P/U after transfer
- g. ☒ Correct notarized signature and \$100 fee
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive use volume. Discuss in memo.
- j. N/A Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

TS651

k. / Overlapping rights: check current & proposed scenarios:

Current 02-02195, A02-02195

Proposed

1. / SRBA claim(s)

m. ☒ Comment letters
If yes

Yes ☒ No ☐
Water District #
Other, see #2 below for name
and address

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ☒ Yes

2. COMMENT LETTERS

Watermaster recommendation requested on _____, Received on _____

Other comments letters: See attached information

3. Transfer published correctly? ✓ Yes No

4. Affidavit of publication received? ✓ Yes No

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

6. Data entry of application completed? ☒ Yes

RECOMMENDED ACTION

1. ☒ Approve See attached memo

2. Deny due to

3. Conditions (special conditions in Water Districts) see Lori Brune's
memo dated 1/28/2000.

4. By Lang Date 5/5/00

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? Yes *Pam*

2. File forwarded to S.O.: by AF date 5-22-00

MEMORANDUM

DATE: 1/28/2000

FROM: Lori Graves ☺

TO: Teigs Transfer File (63-03135, 63-03331, 63-03260, 63-02825)

RE: Ed DeGroot's Proposed Dairy

Breif

Change portion of farm operation to commercial/stockwater use for a dairy supplied with a new well and reflect a combined irrigation system for remaining acres. The three existing wells will continue to be used for irrigation and serve as back-up to the proposed commercial well.

Verification

Adjudication claims were filed in 1990 to reflect the licenses. The property was clearly irrigated in 1987 and 1994 per IDWR nap and scanned photos. Prior to this transfer, the claims would presumably be recommended as licensed.

Overlaps

The dairy site and surrounding acres involve 333 acres currently irrigated with four licensed ground water rights listed above and one Snake River right no. 02-02195. The applicant submitted power records for the well serving water rights 63-03331 and 63-03135, which showed that within the 333 acres, 179 acres could have been solely irrigated with ground water from that well. The dairy only needs 79 acres to meet its volume requirements. $333 \text{ acres} - 79 \text{ acres} = 254 \text{ remaining ppu}$.

The Snake River right was not included in the transfer. This right was licensed for 2.5 cfs and 315 acres. 235 of the 315 acres overlap with the above ground water rights. To support their transfer proposal, applicants amended SRBA claim A02-02195 to mirror the transfer's ppu with the addition of 80 acres in the SW qtr, where ground water does not overlap. The SRBA recommendation should limit the claim to 315 acres irrigation within the amended 334 acre ppu ($254 \text{ ac ppu} + 80 \text{ ac}$). The SRBA file has been noted.

Attachments

- 1: Continuation of B1, page 1 of transfer
- 2B: Dairy Requirements
- 3A: Historical Crop and Agrimet Data
- 3B: Dairy Worksheet
- 4: Ownership Records
- 5: Delegation of Authority
- 6: Power Records
- 7: Amended SRBA Claim A02-02195

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(1 cfs + 1 cfs = 2 cfs scenerio)
UNSTACKING GW LICENSES
63-02825, 63-03135, 63-03260, 63-03331
Transfer No. 5651

Proposal:

Change portion of farm operation to commercial/stockwater use for a dairy and reflect a combined irrigation system for remaining acres.

The system involves four licensed ground water rights and 3 wells that irrigate 333 total acres. The proposed dairy needs 213 afa. Based on historical crop consumption of 2.71 afa, **79 acres at full appropriation must be retired from ground water irrigation.**

Separating Process:

1. Determine total historic acres irrigated with groundwater:
Power records were supplied by applicant for a single well exclusively serving licenses 63-03135 & 63-03331.
Per power records: 805.5 afa/4.5 afa = **179 acres irrigated from well**
2. Determine acres historically developed/license based on system capacity and acres irrigated (system capacity measured @ 2.2 cfs per 63-03331 licensing exam):

$$\begin{array}{rcl} 63-03135: & \frac{2.2 \text{ cfs}}{179 \text{ ac}} & = \frac{1.75 \text{ cfs}}{x} \end{array}$$

$$\frac{1.75 \text{ cfs} \times 179 \text{ ac}}{2.2 \text{ cfs}} = \mathbf{142 \text{ acres}}$$

$$63-03331: 179 \text{ ac} - 142 \text{ ac} = \mathbf{37 \text{ acres}}$$

Based on the above calculations, license 63-03135 can be used individually to account for the 79 acres that need to be retired for the dairy.

3. Redistribute 63-03135 amounts to reflect the dairy's needs based on historical cfs rate/ac ($1.75 \text{ cfs}/142 \text{ acres} = .0123 \text{ historical cfs rate/ac}$):

CFS:

Irrigation: $142 \text{ ac} - 79 \text{ ac} = 63 \text{ ac}$ ($.0123 \text{ cfs}$) = .78 cfs irrigation

Stockwater: 51 ac ($.0123 \text{ cfs}$) = .63 cfs stockwater

Commercial: 28 ac ($.0123 \text{ cfs}$) = .34 cfs commercial

Commercial and stockwater volumes are based on the dairy's consumptive needs as submitted by the applicant per attachment 2B.

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Determine irrigation volume (note: applicant did not submit historic diversion volume resulting in the use of dept. standard):

$$63 \text{ acres} \times 4.5 \text{ afa} = 283.5 \text{ afa}$$

$$.78 \text{ cfs} \times 246 \times 1.9835 = 380.6 \text{ afa}$$

Use lesser 283.5 afa

7. Recommendations:

63-03135

Irrigation .78 cfs/283.5 afa

Stockwtr .63 cfs/138 afa

Commer .34 cfs/75 afa

Limited to 63 acres within 254 acre ppu.

63-03331

Irrigation .45 cfs/166.5 afa (37 ac x 4.5 afa = 166.5 afa)

Limited to 254 acre ppu.

63-02825

Irrigation: .90 cfs/439 afa (.90 x 246 x 1.9835 = 439 afa)

63-03260

Irrigation: 1.35 cfs/659 afa (1.35 x 246 x 1.9835 = 659 afa)

When Combined

$$.78 \text{ cfs} + .45 \text{ cfs} + .90 \text{ cfs} + 1.35 \text{ cfs} = 3.48 \text{ cfs}$$

$$254 \text{ ac} \times 4.5 = 1143 \text{ afa}$$

$$3.48 \text{ cfs} \times 246 \times 1.9835 = 1698$$

Use lesser 1143 afa

When combined, irrigation not to exceed 3.48 cfs, 1143 afa and 254 acres

Note: Applicant reduced the ppu on surface water claim A02-02195 by 79 acres in the SRBA to support the transfer recommendations.

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REVIEWER'S NOTES

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SEP 07 2001

63-03135

63-03331

ANNUAL VOLUME CALCULATIONS

(THEORETICAL VOLUME CALCULATIONS BASED ON POWER RECORDS)

EVALUATION FOR TRANSFER :

Donald Tiegs

BY:

Lori Graves

DATE:

12/23/99

DIVERSION RATE (IN CFS):

2.20 (per measured flow rate on licensing exam)

PCC CALCULATION (KW x 5431 / gpm = PCC)

YEAR	KW	coefficient	gpm	PCC KWH/ACRE FT
1997	86.00	5431	987.36	473.05
1998	86.00	5431	987.36	473.05

VOLUME CALCULATION (Kwh / PCC = Annual Volume)

YEAR	KWH	PCC	ANNUAL VOLUME IN ACRE FEET
1997	381,640.00	473.05	806.77
1998	356,760.00	473.05	754.18

$$807 \div 4.5 = 179 \text{ ac}$$

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SEP 07 2001

Records Organize Go Exit

9:03:33 am

IPNAME TIEGS&SONS*DON
ACTNO 13320170111
SHORTACTNO 1332017011
AREA 120
HOUSENO *

FRC
ST_PFX
STREET 1257 HP 100

ST_SFX
POLE_NO
CITY

MELBA

ST ID
ZIP 83641

ZIP_F
MTRNO 50588025

MTR_MFG G
W_SOR W

MTR_HP 10000

NO_MTR 1

MTR_HP2 0

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120 Input HP.

(guess 125 HP Nameplate)

MICROFILMED

SEP 07 2001

Records Organize Go Exit

9:03:33 am

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MTR_HP4	0
NO_MTR4	0
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KWH_DEC97	0
KWH_JAN98	0
KWH_FEB98	0
KWH_MAR98	0
KWH_APR98	0
KWH_MAY98	53920
KWH_JUN98	51680
KWH_JUL98	45960
KWH_AUG98	65080
KWH_SEP98	60880
KWH_OCT98	59000
KW_NOV97	86
KW_DEC97	0

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MICROFILMED
SEP 07 2001

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KW_APR98	0		
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KW_JUN98	90		
KW_JUL98	89		
KW_AUG98	86		
KW_SEP98	85		
KW_OCT98	86		
TOT_KWH	356760		
TOT_KW	611		

9:03:33 am

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MICROFILMED

SEP 07 2001

Records Organize Go Exit

9:09:39 am

IPNAME TIEGS&SONS*DON
ACTNO 13320170111
SHORTACTNO 1332017011
AREA 120
HOUSENO *

FRC
ST_PFX
STREET 1257 HP 100
ST_SFX
POLE_NO

CITY MELBA
ST ID

ZIP 83641
ZIP_F

MTRNO 50588025
MTR_MFG G

W_SOR W

MTR_HP 10000

NO_MTR 1

MTR_HP2 0

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MICROFILMED
SEP 07 2001

Records Organize Go Exit

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KWH_JAN97	0
KWH_FEB97	0
KWH_MAR97	0
KWH_APR97	33520
KWH_MAY97	43920
KWH_JUN97	61080
KWH_JUL97	60320
KWH_AUG97	62720
KWH_SEP97	61040
KWH_OCT97	59040
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KW_DEC96	0

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SEP 07 2001

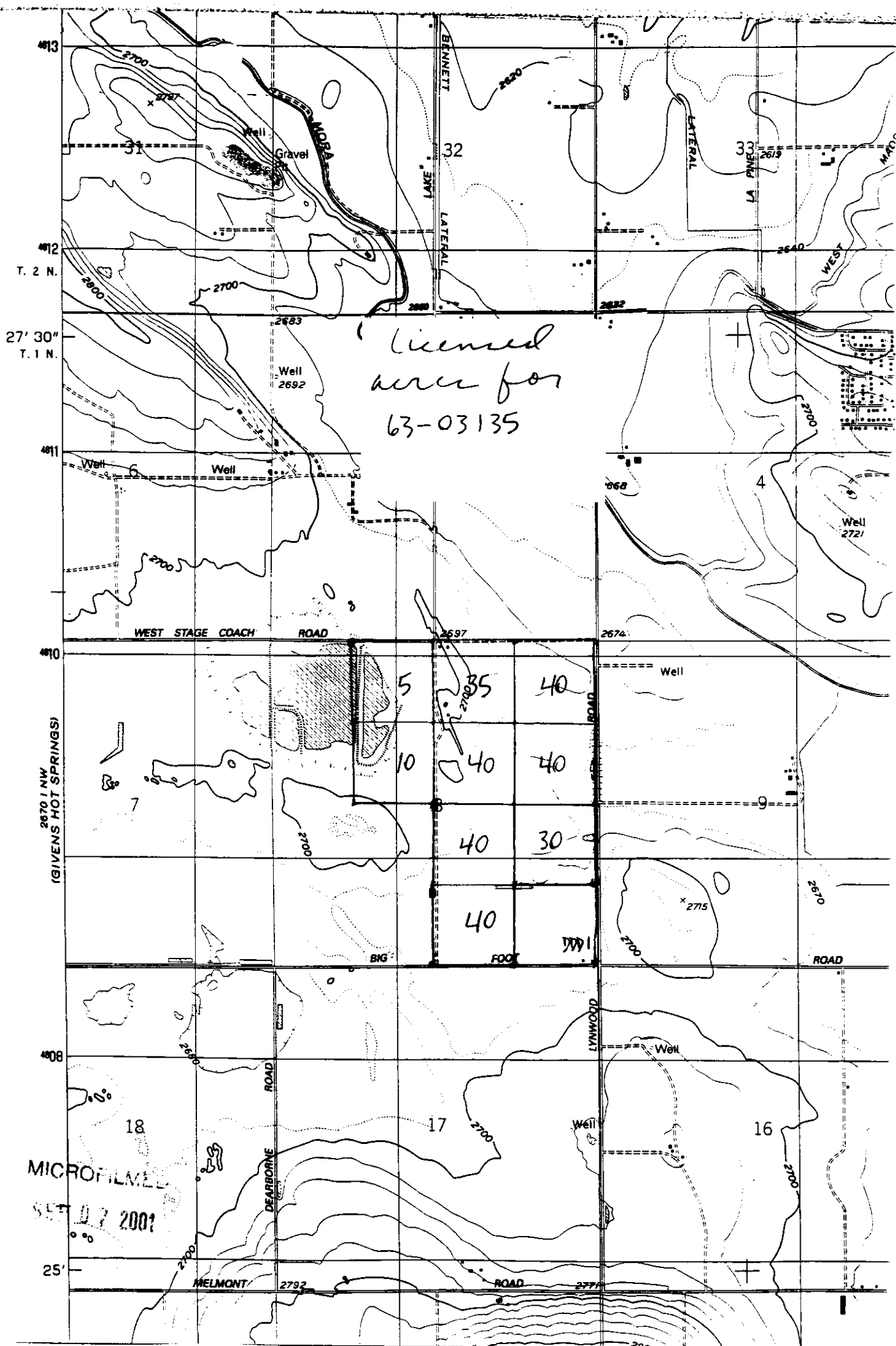
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SEP 07 2001



1994



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SEP 07 2001

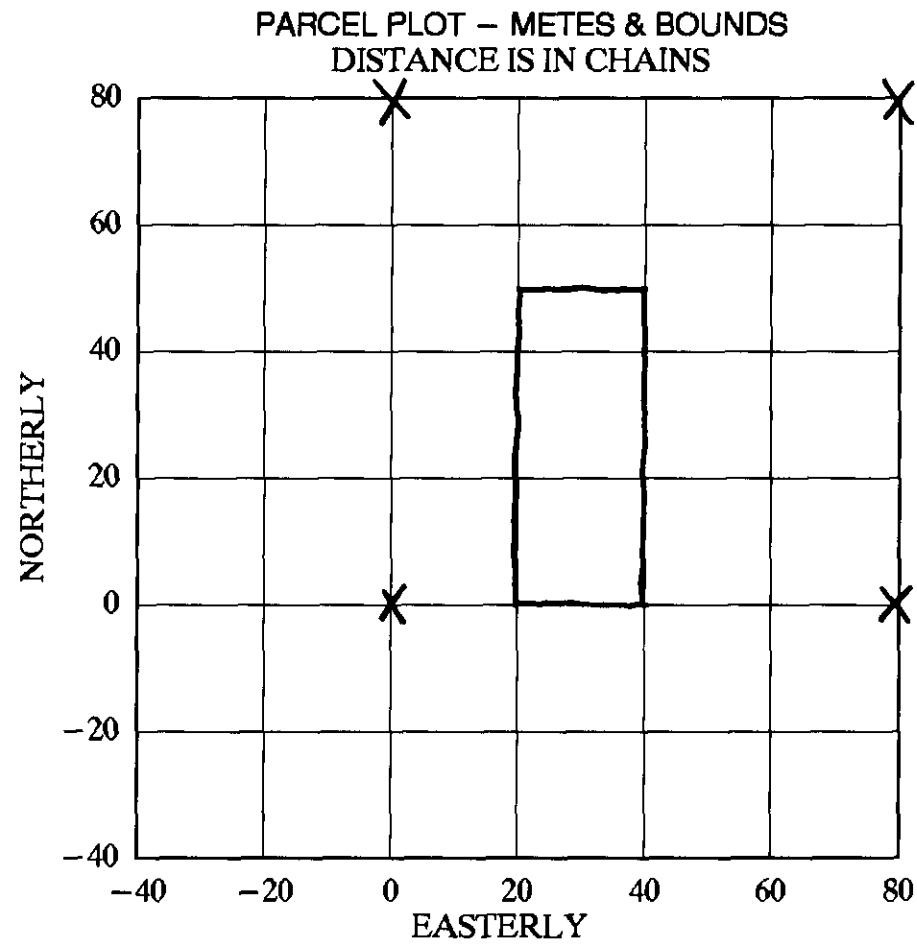
1987

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AP 07 2001

Submitted
Ownership
Review

"Tract 1"



Sections:

7	8
18	17

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SEP 07 2001

X = Section corners

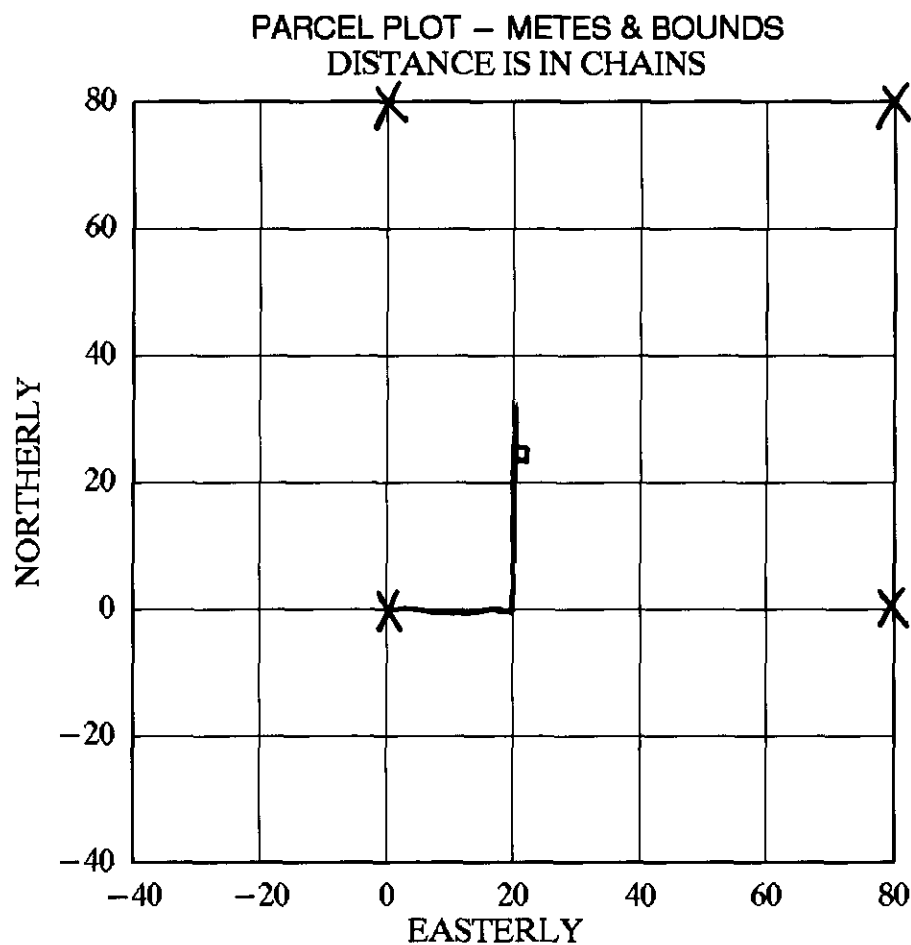
1002 2 8 0 0

MICROFILMED

METES AND BOUNDS TABLE ***PRESS ALT P TO PRINT GRA

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	0.00	0.00					
(SEE SHEET)	20.15	-0.32	89.00	5.00	40.00	SE	1330.30
	20.51	30.93	0.00	39.00	45.00	NE	2062.40
	20.53	32.44	0.00	39.00	45.00	NE	100.00
	20.45	25.40	0.00	39.00	45.00	SW	465.00
-QUAD COEF-	22.27	25.37	89.00	13.00	40.00	SE	120.20
IF NE. X=1,Y=1	22.25	23.86	0.00	39.00	45.00	SW	100.00
IF SE. X=1,Y=-1	20.43	23.88	89.00	13.00	40.00	NW	120.20
IF SW. X=-1,Y=-1	20.43	23.88					

"Tract 1
Exception"



Sections:

7	8
18	17

X = Section Corners

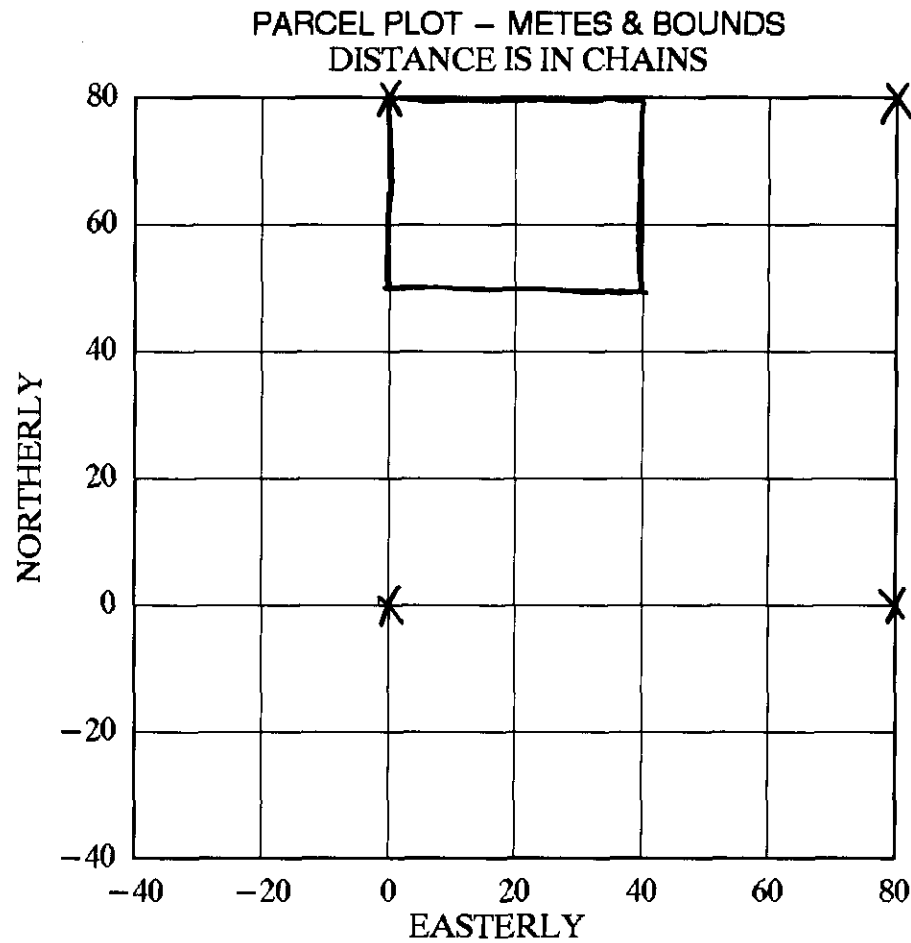
MICROFILMED
SEP 07 2001

100% 2 0 800
MICROFILMED

METES AND BOUNDS TABLE ***PRESS ALT P TO PRINT GRA

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	40.00	40.00					
	40.09	49.96	0.00	32.00	20.00	NE	657.60
	20.05	50.22	89.00	15.00	40.00	NW	1323.30
	19.47	0.46	0.00	39.00	45.00	SW	3284.20
	39.63	0.15	89.00	5.00	40.00	SE	1330.40
-QUAD COEF-	40.00	40.00	0.00	32.00	20.00	NE	2630.50
IF NE. X=1,Y=1	40.00	40.00					
IF SE. X=1,Y=-1	40.00	40.00					

"Tract 2"



Sections:

7	8
18	17

X = Sections Corners

MICROFILMED
SEP 07 2007

1002 2 5 1994

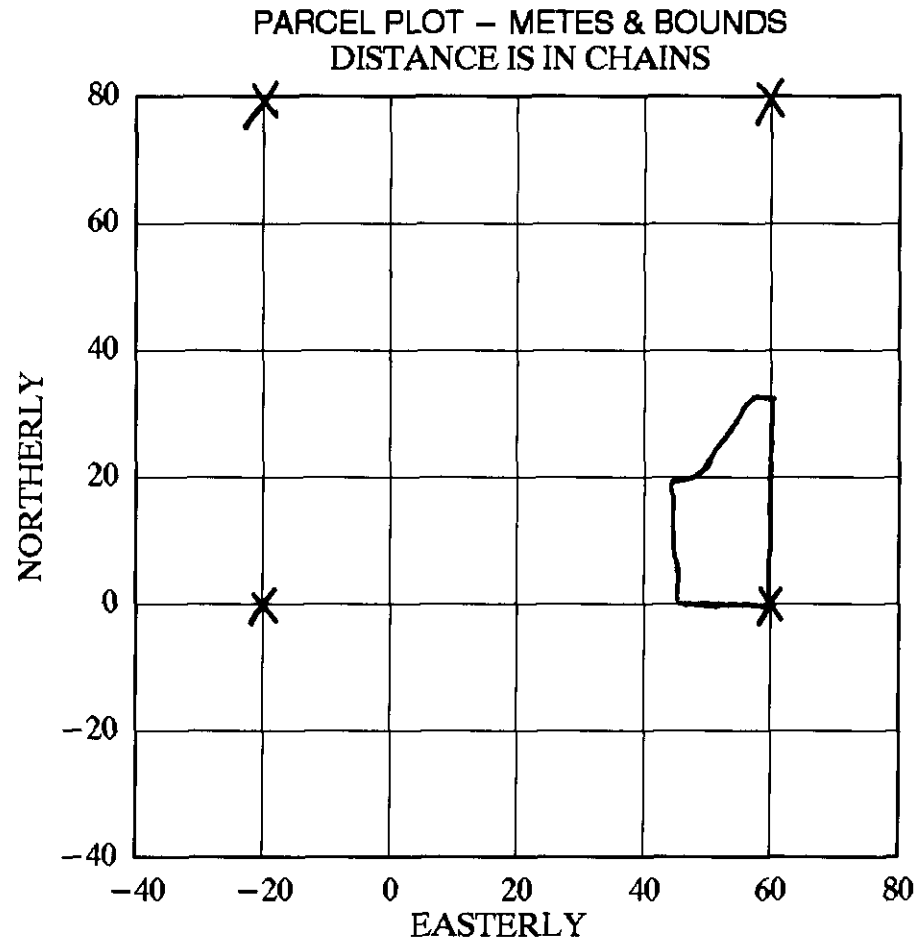
WINTHROP

METES AND BOUNDS TABLE ***PRESS ALT P TO PRINT GRA

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			DEGREES	MINUTES	SECONDS	
BEGIN POINT COR.	0.00	80.00				
(SEE SHEET)	39.97	79.65	89.00	29.00	40.00 SE	2637.90
	39.69	49.76	0.00	32.00	20.00 SW	1972.90
	-0.41	50.27	89.00	15.00	40.00 NW	2646.60
	-0.00	80.10	0.00	47.00	15.00 NE	1968.60
-QUAD COEF-	-0.00	80.10				
IF NE, X=1,Y=1	-0.00	80.10				
IF SE, X=1,Y=-1	-0.00	80.10				
IF SW, X=-1,Y=-1	-0.00	80.10				

"Exception" on pg 1 of deed

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SEP 07 2001



Sections:

7	8	9
18	17	16

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SEP 07 2001

X = Section Corners

SEP 07 2001
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METES AND BOUNDS TABLE ***PRESS ALT P TO PRINT GRA

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	60.00	0.00					
(SEE SHEET)	45.46	0.23	89.00	5.00	40.00	NW	960.00
	44.34	19.38	3.00	19.00	20.00	NW	1266.20
	48.29	20.14	79.00	11.00	20.00	NE	264.80
	56.94	32.43	35.00	7.00	30.00	NE	992.20
-QUAD COEF-	60.26	32.44	89.00	48.00	40.00	NE	219.70
IF NE, X=1,Y=1	60.00	0.00	0.00	28.00	0.00	SW	2141.20
IF SE, X=1,Y=-1	60.00	0.00					
IF SW, X=-1,Y=-1	60.00	0.00					

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

RECEIVED

) SS.

FEB 28 2000

County of Canyon)

**WATER RESOURCES
WESTERN REGION**

Carolyn Roberson
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States, and at all times
hereinafter mentioned was over the age of eighteen years, and not a
party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a
daily newspaper published in the City of Nampa and Caldwell, in
the County of Canyon, State of Idaho; that the said newspaper is in
general circulation in the said County of Canyon, and in the
vicinity of Nampa and Caldwell, and has been uninterruptedly
published in said County during a period of seventy-eight
consecutive weeks prior to the first publication of the notice, a
copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper twice in the regular and entire issue of
said paper, and was printed in the newspaper proper, and not in a
supplement.

4. That said notice was published the following dates:

February 17, and 24, 2000

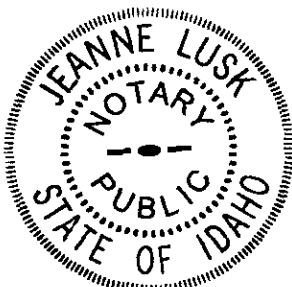
Carolyn Roberson

STATE OF IDAHO)

)

County of Canyon)

On this 24th day of February in the
year of 2000 before me a Notary Public, personally
appeared. Carolyn Roberson, known or identified to me to
be the person whose name subscribed to the within
instrument, and being by me first duly sworn, declared that
the statements therein are true, and acknowledge to me
that she executed the same.



MICROFILMED

SEP 07 2001

Jeanne Lusk
Notary Public for Idaho
Residing at Nampa
MY COMMISSION EXPIRES
JUNE 21ST, 2003

RECEIVED

FEB 28 2000

WATER RESOURCES
WESTERN REGION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 5651

Notice is given that **Donald E. Tiegs** OF 10020 Big Foot Rd, Melba ID 83641, has applied to the Department of Water Resources to change the nature, period and place of use and add a point of diversion pursuant to I.C. § 42-222 for the following ground water licenses in T1N R2W S8, Canyon County:

LICENSE#	PRIORITY	CFS	DIVERSION
63-02825	7/24/1950	.90	NWNE
63-03135	8/01/1958	1.75	SWNE
63-03260	9/06/1961	1.35	NWNE
63-03331	3/01/1963	.45	SWNE

Total amount is 4.45 cfs from 3 wells. The place of use is 333 acres. Domestic use is also listed with unspecified location and cfs amount for license 63-02825.

PROPOSED CHANGE

Retire 79 acres from irrigation and use the water from those acres for a dairy to be built in the N 1/2 SE S17. A proposed well in the NWSE will supply 2750 milking cows and 2250 replacement animals for the dairy. The existing irrigation wells will be used for back-up. Wastewater from the dairy will be land applied to the remaining acres in S 17. New uses will be described as a total of .97 cfs commercial and stockwater to be used year around. Site will be for DeGroot Dairy L.L.C. located 5 miles south of Lake Lowell and 1 mile West of Hwy 45.

Any protest against the approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before March 6, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

February 17, 24, 2000

496



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

February 9, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PRESS-TRIBUNE
PO BOX 9399
Nampa ID 83652

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavits of publication and publication billing to this office before
MARCH 6, 2000.

Sincerely,

Sue Taylor
Senior Secretary

Enc.

MICROFILMED

SEP 9 7 2001

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 5651**

Notice is given that **Donald E. Tiegs** OF 10020 Big Foot Rd, Melba ID 83641, has applied to the Department of Water Resources to change the nature, period and place of use and add a point of diversion pursuant to I.C. § 42-222 for the following ground water licenses in T1N R2W S8, Canyon County:

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63-02825	7/24/1950	.90	NWNE
63-03135	8/01/1958	1.75	SWNE
63-03260	9/06/1961	1.35	NWNE
63-03331	3/01/1963	.45	SWNE

Total amount is 4.45 cfs from 3 wells. The place of use is 333 acres in the N½ and SE quarters. Domestic use is also listed with unspecified location and cfs amount for license 63-02825.

PROPOSED CHANGE

Retire 79 acres from irrigation and use the water from those acres for a dairy to be built in the S½NE and N½ SE S8. A proposed well in the NWSE will supply 2750 milking cows and 2250 replacement animals for the dairy. The existing irrigation wells will be used for back-up. Wastewater from the dairy will be land applied to the remaining acres in S8. New uses will be described as a total of .97 cfs commercial and stockwater to be used year around. Site will be for DeGroot Dairy L.L.C. located 5 miles south of Lake Lowell and 1 mile West of Hwy 45.

Any protest against the approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before March 17, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Press Tribune on February 17 and 24, 2000.

MICROFILMED

SEP 07 2001

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 5651**

Notice is given that **Donald E. Tiegs** OF 10020 Big Foot Rd, Melba ID 83641, has applied to the Department of Water Resources to change the nature, period and place of use and add a point of diversion pursuant to I.C. § 42-222 for the following ground water licenses in T1N R2W S8, Canyon County:

LICENSE #	PRIORITY	CFS	DIVERSION
63-02825	7/24/1950	.90	NWNE
63-03135	8/01/1958	1.75	SWNE
63-03260	9/06/1961	1.35	NWNE
63-03331	3/01/1963	.45	SWNE

Total amount is 4.45 cfs from 3 wells. The place of use is 333 acres. Domestic use is also listed with unspecified location and cfs amount for license 63-02825.

PROPOSED CHANGE

Retire 79 acres from irrigation and use the water from those acres for a dairy to be built in the N½ SE S17. A proposed well in the NWSE will supply 2750 milking cows and 2250 replacement animals for the dairy. The existing irrigation wells will be used for back-up. Wastewater from the dairy will be land applied to the remaining acres in S17. New uses will be described as a total of .97 cfs commercial and stockwater to be used year around. Site will be for DeGroot Dairy L.L.C. located 5 miles south of Lake Lowell and 1 mile West of Hwy 45.

Any protest against the approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before March 6, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Press Tribune on February 17 and 24, 2000.

MICROFILMED

SEP 07 2001

July 11, 1962

RE: Permit No. 21622

Donald E. Tiegs
Rt 4
Nampa, Idaho

Dear Mr. Tiegs:

Enclosed is License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. 31131 in the amount of \$18.00 covering the fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

GPR:mr

Enc. license
receipt

21622

June 4, 1962

Re: Permit No. 21622

Donald E. Tiegs
Rt 4
Nampa, Idaho

Dear Mr. Tiegs:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 21622 shows the well is capable of conveying 45 miner's inches, or .90 c.f.s. of water for the irrigation of 297 acres.

Upon receipt of the statutory fee of \$ 20.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of July 24, 1950 to the use of .00 second feet of surface ~~surface~~ subterranean water with the point of diversion in the NW¹/₄NE¹/₄, Sec. 8 for domestic use and irrigation in the E¹/₂, E¹/₂NW¹/₄, Sec. 8, T. 1 N., R. 2 W., B.M.

Since your permit does not include the SE¹/₄SE¹/₄, Sec. 8 it will be necessary to amend the land list on the permit, if you want the extra land included in the license. Complete the enclosed form, submit it with the above mentioned statutory fee, plus an additional fee of \$1.00 for recording the amendment to this office and the License and Certificate of Water Right will be issued.

If you do not want the extra land included, the statutory fee will total \$18.00 and the land list will be restricted to the lands shown on the permit which are actually irrigated.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. amendment form

21622

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

June 4, 1962

RECEIVED
JUL 10 1962

Department of Reclamation

Re: Permit No. 21622

Donald E. Tiegs
Rt 4
Nampa, Idaho

Dear Mr. Tiegs:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 21622 shows the well is capable of conveying 45 miner's inches, or .90 c.f.s. of water for the irrigation of 297 acres.

Upon receipt of the statutory fee of \$ 20.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of July 24, 1950 to the use of .90 second feet of ~~surface~~ subterranean water with the point of diversion in the NW¹/₄NE¹/₄, Sec. 8 for domestic use and irrigation in the E¹/₂, E¹/₂NW¹/₄, Sec. 8, T. 1 N., R. 2 W., B.M.

DO NOT INCLUDE

Since your permit does not include the SE¹/₄SE¹/₄, Sec. 8 it will be necessary to amend the land list on the permit, if you want the extra land included in the license. Complete the enclosed form, submit it with the above mentioned statutory fee, plus an additional fee of \$1.00 for recording the amendment to this office and the License and Certificate of Water Right will be issued.

If you do not want the extra land included, the statutory fee will total \$18.00 and the land list will be restricted to the lands shown on the permit which are actually irrigated.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By *Edna P. Rule*
(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. amendment form

21622

127

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21622

This proof is for ~~Completion of Works & Beneficial Use~~ In Water District No. _____

1. Name of applicant Donald E. and Helen L. Tiegs
2. Source of water supply: Subterranean flow from wells
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8
T. 1N R. 2W.B.M. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: 125 HP Chasleron Motor #5416 157111 16240/98622; Johnston Pump # (No number) 28" x 18" column, 10" discharge reduced to 6" through 10" fire well; 40 HP HolloSHAFT Motor # 1243144 Layne; Boulder pump 29440 6" discharge into distribution pond. 6" x 290' column 12" x 250' into 16" x 68' casing. then reduced to 6" x 382' H: 170 D.D. 280 Well depth 700'
5. Water is used for: irrigation and domestic
6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 8., Twp. 1 N., Rge. 2 W.B.M.

no out
Amend land list to include SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 - 10 acres.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Donald Tiegs along

Measurement was made with cippolletti weir .26 over 2' cippolletti weir

This pump needs new belts, discharge is about half of when first installed
Pumps quite a bit of sand.

Measured by Spaulding Meter (5 Rev in 7 minutes, 54 seconds)

Point # 630170 is a well 50' NW of this well discharging to North end of pond

This examination was made on the 31 day of May, 1962

(Signed)

Ray Weberger
Examiner

21622

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED

JUN 4 1962

Department of Reclamation

*Reclamation
April 1962*

Donald E. & Helen L. Tiegs
Rt. #4, Nampa, Idaho

Permit No. 21622

Examination for ~~Construction of Work~~ Beneficial Use

County Canyon

Sec. 8 T. 1 N. R. 2 W. B.M.

Quantity: 6.4 c.f.s.

Sources: Wells

P.D.: NN, NE, Sec. 8, T. 1 N. - R. 2 W. B.B.

Use: Irrigation & Domestic

Filed: July 24, 1950

Due: July 26, 1961

Extension: _____

Completion of Works: 6-30-55

Other Rights: none

Driller - Herb Tiegs

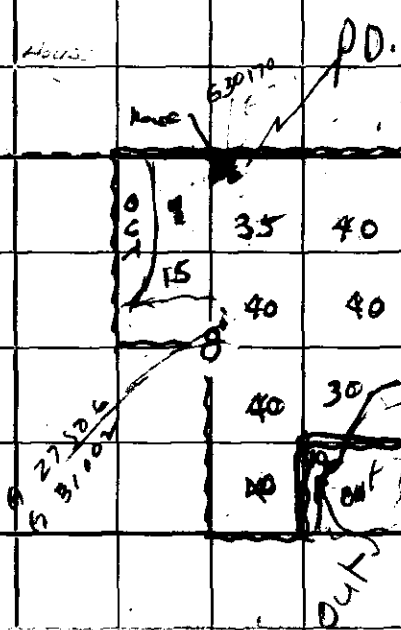
5 Row 7 Min 54 Sec.

$$\frac{470}{54} \times \frac{1.06}{1.07} = 1.13 \text{ cfs. or } 56 \frac{1}{2} \text{ inches}$$

R-2W.

STATE MAP NO. 45
TO NW 1/4

T.
N.



82
9 95
70
50 40
~~297~~
287

G-27506 bk 7181 - 1.75 cfs - SW NE 8 - same land 280 Ac.

28730
30170 - NW NE 8

Subdivisions

9
10
287

see Permit # G-27506
G-30170 (same land)
Same land list
license probably issued on this
Permit.

AREA

297 acres

Q 1.13 cfs or 56 1/2 inches
Q .90 cfs or 45 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21622

REPORT ON PROOF OF Completion of Works & Beneficial Use

Donald E. & Helen L. Tiegs, Rt. #4, Nampa, Idaho

October 18, 1961

RE: Permits No. 21622, G-27506, G-30170

Federal Land Bank
Box 773
Caldwell, Idaho

Attention: Mr. Parris

Dear Mr. Parris:

We acknowledge receipt of your check in the amount of \$8.10,
fees for making photo copies as follows:

G-27506	Permit	\$2.00
G-27506	Engineer's Report	1.50
G-30170	Permit	2.00
21622	Permit	<u>2.60</u>
	Total	\$8.10

Enclosed are departmental receipts No. G-6616 in the amount
of \$5.50, and 30807 in the amount of \$2.60.

Thank you.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EFB:mr

Enc. receipts 2

21622

August 9, 1961

Re: Permit No. 21622 & G-27506

Mr. and Mrs. Donald E. Tiegs
Route #4
Nampa, Idaho

Dear Mr. and Mrs. Tiegs:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Idaho Free Press, all submitted in proof of completion of works and beneficial use on Permit No. G-27506 and 21622.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

21622

S. E. Rule

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. 21622

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Donald E. Tiegs ^{Chas. L. Tiegs} At. 4 Nampa, Idaho
Farming

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 21622 ⁷⁻²⁵⁻³⁴ July 24, 1950 - ~~8-25-34~~

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Subterranean Wells NW 1/4 of the NE 1/4 of Section 8
Trwp. 1N Rge 2W B.M. Canyon County

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well depth 700' Casing 320' 12", 380' 6"
160' to water 2 cubic feet per sec.
measured with an orifice

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic purposes
NE 1/4, E 1/2 NW 1/4, NE 1/4 SE 1/4, W 1/2 SE 1/4, Sec 8 Trwp. 1N
Rge 2W B.M.
Cultivated Land

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. Herbert A. Tiegs (Deceased)

See G-27506 for Publisher's Affidavit.

21622

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. None

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. None

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. None

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. None

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

(Sign)

Donald E. Tieg
Helen L. Tieg

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Hampton, County of Canyon

State of Idaho, on this 26 day of July, A. D. 1961.

Thallus Admerson

My commission expires

2-21-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

AUG 4 1961

Department of Reclamation

Permit No. 21622

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Carl R. Olney 44 yrs 424 4th Ave 50
Nampa Idaho Farm Labor

Ques. 2. Are you acquainted with Donald E. Trepp & Helen J. Trepp, the holder of Permit No. 21622? How long have you known him and where does he reside?

Ans. Known him 5 yrs and he resides at Rt 4 Nampa Idaho

Ques. 3. Have you read or heard read said Permit No. 21622, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Well depth 700 feet Casing 320 feet Pipe 380 feet
branch 160 feet to water Open ditches mixed &
conveyance

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Two cubic feet per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Two cubic feet per second (Use goniometer)

21622

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Used for irrigation (Used on NE 1/4 E 1/2 NW 1/4, NE 1/4 S 2 1/4 NW 1/2 S 2 1/4 Sect 8 Twp 11N Range 3W 8M Camper County.
Cultivated Land

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Not for power

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

Good land for farming which lays very well. One inch per acre needed for profitable cultivation.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans.

None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans.

Visited property numerous times and have worked on this land.

(Signed)

Carl B. Floyd

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Trampa County of Camper, State of Idaho, on this 26 day of July, A. D. 1961.

Hallie Adoverson

Notary Public.

My commission expires

2-21-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
Department of Reclamation

Permit No. 21622

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. James David Finch - 31 - RT4 - Nampa
Pacific Junction Box 748, Nampa, Ida

Ques. 2. Are you acquainted with DONALD E. TIGES, the holder of Permit No. 21622? How long have you known him and where does he reside?

Ans. 15 yrs RT 4 Nampa, Idaho

Ques. 3. Have you read or heard read said Permit No. 21622, and are you familiar with its provisions and conditions?

Ans. YES

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. WELL - NW 1/4 NE 1/4 Sec 25 1N R2W B1
CONVEYED BY OPEN DITCHES + TILE LINES

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 2 Cubic Feet MEASURED BY ORIFICE

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 2 Cubic FT MEASURED BY ORIFICE

21622

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. IRRIGATION & DOMESTIC PURPOSES
NE 1/4 E 1/2 NW 1/4, NE 1/4 SE 1/4, W 1/2 SE 1/4 Sec 8 T5 IN
R2W B.M. - CULTIVATED LAND - RECLAIMED FROM
SAGE BRUSH & TURNED TO PROFITABLE FARMING

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. none

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. SAGE BRUSH CONVERTED TO FARM LAND FOR
WHICH 1" PER ACRE IS NEEDED

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. none

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. VISITED PROPERTY MANY TIMES & HAVE ALSO
WORKED ON THIS LAND

(Signed)

James David Finch

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Paragon,
County of Canyon, State of Idaho, on this 26 day of July,
A. D. 1961.

Willard A. Monson

Notary Public.

My commission expires

2-21-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

June 15, 1961

Re: Permit No. G-27506 and 21622

Donald E. and Helen L. Tiegs

**Donald E. & Helen L. Tiegs,
Rt. 4,
Nampa, Idaho.**

Dear Mr. & Mrs. Tiegs:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-27506. The proofs are to be made at 10:00 o'clock A.M., on the 21622 day of July, 1961, ¹⁹⁵⁹~~XXXXXX~~ before ~~Wallace A. Sorensen, Idaho First National Bank,~~ Notary Public.

As of this date we have mailed the Notice to the Idaho Free Press with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ~~Edna P. Sorensen~~
Chief Clerk

Encl.

EPR:

cc: ~~not~~ Notary

21622

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit Nos. G-27506 and 21622
Donald E. and Helen L. Tiegs

Date: June 15, 1961

Idaho Free Press,
Nampa, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **July 26, 1961** the date set for proof;

the expense of the publication is to be paid by the applicant

Donald E. and Helen L. Tiegs of **Rt. #1, Nampa, Idaho**

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

Encl. NOTE: See G-27506 for Notice of Proof

June 13, 1961

RE: Permit No. G-27506
21622

Mr. Donald E. Tiegs
Rt 4
Nampa, Idaho

Dear Mr. Tiegs:

Enclosed are amendments to the list of lands to be irrigated on the above numbered permits which have been recorded in this office.

Also enclosed is departmental receipt No. G-5923 in the amount of \$1.00, and receipt No. 30562 on the amount of \$1.00 for the fees for recording the amendments.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ar

Enc. amendments 2
receipts 2

21622

JUN 12 1961

LAND LIST

Department of Reclamation

Permit No. G-27506

Comes now Donald E. and Helen L. Tieg, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho:

That ^{are} ~~they~~ the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. G-27506, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NE 1/4, NE 1/4, W 1/4, E 1/4, Sec. 8., Twp. 1 N., Rge. 2 W.B.M.

Making a total No. of acres (340) to be irrigated.

, making a total of 340 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho this 11th day of May, 1961

Donald E. Tieg

Date of receipt at office of Department of Reclamation May 11, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-27506. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Geo. N. Carter
State Reclamation Engineer

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

RE: Permit No. 21622
Donald E. & Helen L. Tiags

Date May 1, 1961

Mr. Donald E. Tiags
Route #2, Kampa, Ida.

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 21622 is due not later than July 26, 1961. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a Notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, ~~for~~ what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Enc. Form 10 - 11

21622

✓
June 30, 1955

RE: Permit No. 21622

Mr. Donald E. Tiegs
Route # 2
Nampa, Idaho

Dear Mr. Tiegs:

We enclose Certificate of Completion of Works on Permit No. 21622 for the diversion of four second feet of water from a well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 1 North, Range 2 West, B. M., for irrigation and domestic use on the E $\frac{1}{2}$ of said Section.

We also return your Application for Amendment to the point of diversion or location of the well in this Permit which has been approved by the State Reclamation Engineer and recorded in this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

21622

Permit No. 21622

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

Herbert A. Tiegs, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 21622, and that his postoffice address is Nampa, Rt. 2, State of Idaho.

Second: That the name of the stream from which said water is to be diverted is one well (subterranean flow)

Third: That the point of diversion of said water is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Twp. 1 N., Range 2 W., B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 26, 1955.

Fifth: That the use for which said water is intended is irrigation and domestic use

Sixth: That on the date above mentioned, the works constructed under said permit were (~~substantially~~) fully completed and consisted of the following:

I. Kind of works: Well, pump, ditches for gravity irrigation
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 4 second feet of water.

Eighth: That water appropriated under said permit is available for 320 acres of land described as follows: East Half Section 8, Twp. 1 North, Range 2 West, B. M.

Ninth: Remarks: That Well is 343 ft. with 16 inch casing- Total depth of well 600 feet. Johnson Turbine pump, 125 H.P. Also 70 feet of 10 inch casing

Herbert A. Tiegs
(Sign Here)

Subscribed and sworn to before me this 29 day of June, 1955

My commission expires 3-25-1957

Neil Edison
Notary Public.

21622

State of Idaho
DEPARTMENT OF RECLAMATION

BOISE
May 11, 1955

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Donald E. & Helen L. Tiegs
Route 2
Nampa, Idaho

Boise, Idaho,

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 21622.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before July 26, 1955. Upon receipt of the blank properly filled out, notice of publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

21622

August 8, 1950

Re: Permits Nos. 21621 and 21622

Mr. Herbert A. Tiegs
Route 2
Nampa, Idaho

Dear Mr. Tiegs:

We enclose Permit No. 21621 in the name of yourself and Opel L. Tiegs; also Permit No. 21622 in the name of Donald E. Tiegs and Hellen L. Tiegs, and direct attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 22541 for the \$14.50 filing fees on these two Permits.

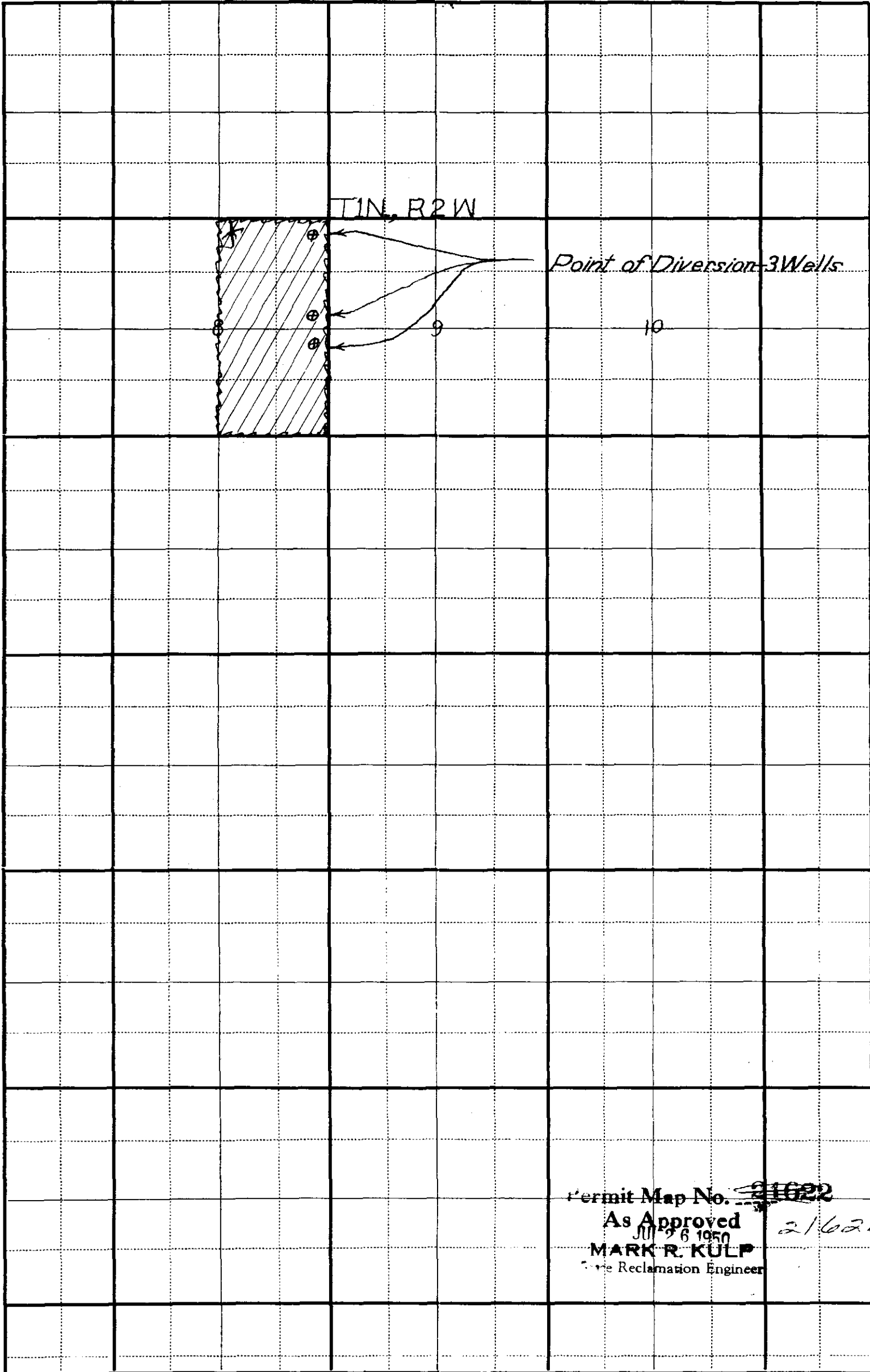
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21622



Permit Map No. 21622
As Approved
JUL 26 1950
MARK R. KULP
Reclamation Engineer