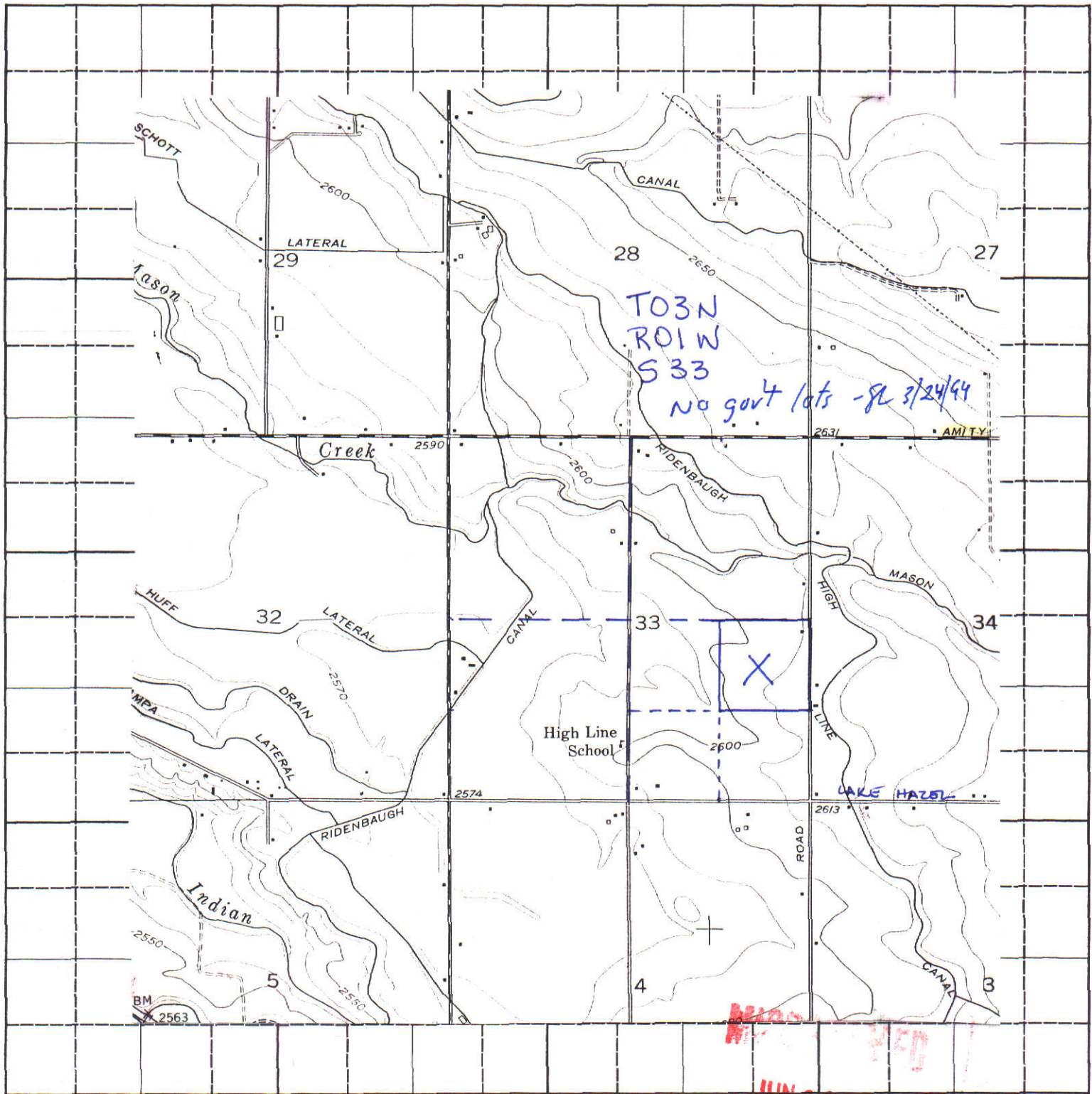


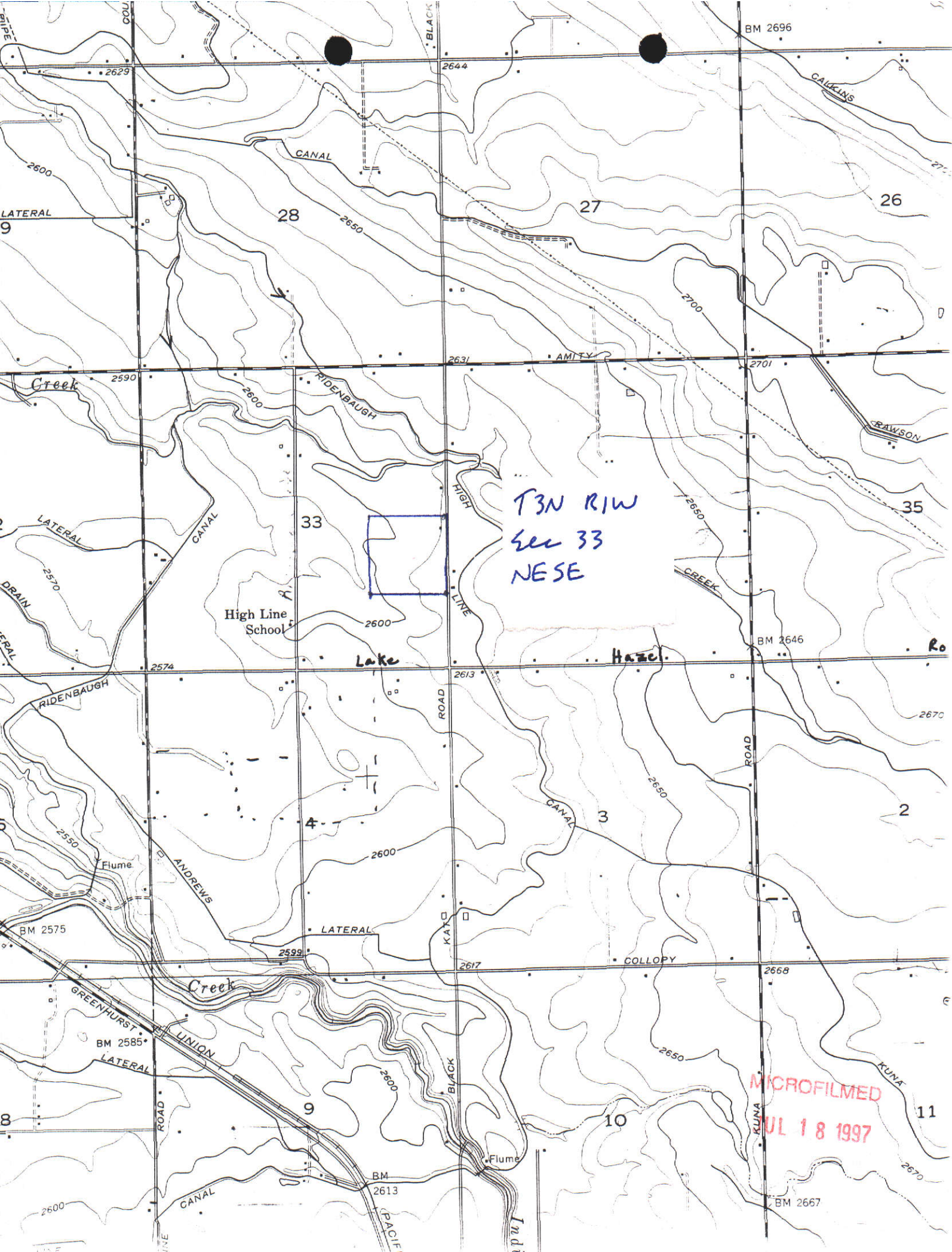
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

David Van Grouw
(Applicant)



(Back-up system)

2 wells, each
with 10 HP
submersible pump
(only 1 well used at
a time)



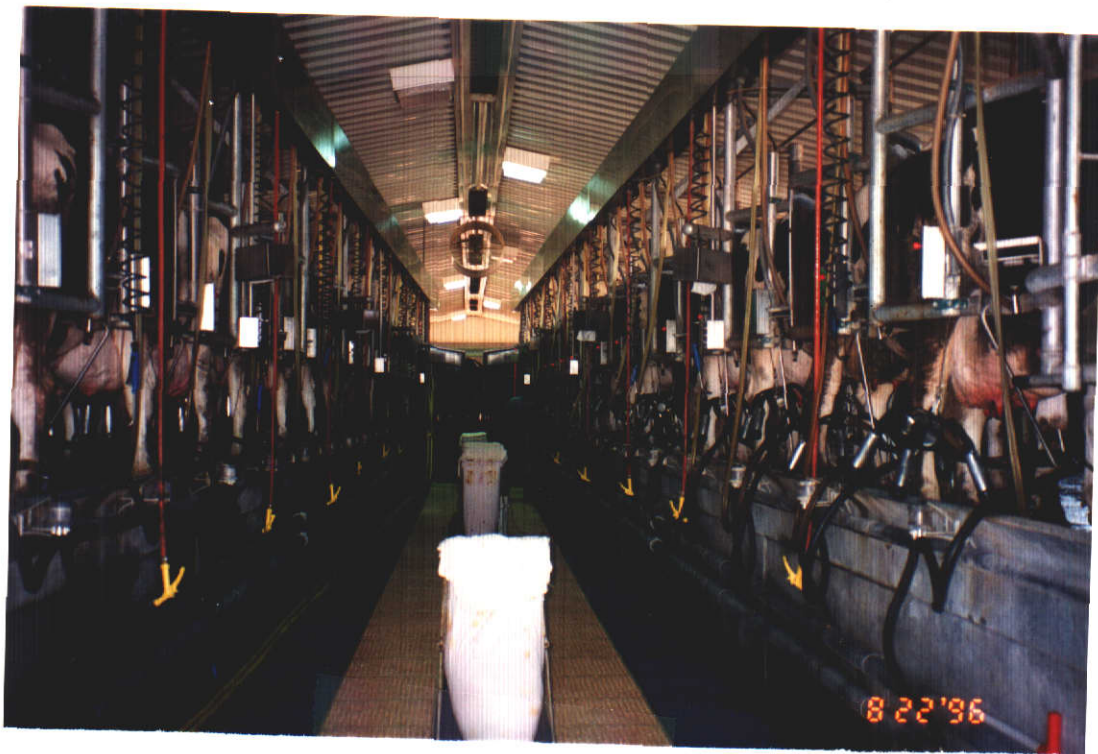
100' x 300' x 5'
Anaerobic pond
3.4 af

300' x 250' x 10' -
aerobic pond
17.2 af

MICROFILMS

JUL 18 1997





Dairy operation
/

MICROFILMED

JUL 18 1997



33

Form 2337
4/92STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

BOISE

1. WELL OWNER

Name Ed VanGrouw Sr.Address 32036 Live Oak Redlands, CA 93373Drilling Permit No. 63-93-W-0335-000

Water Right Permit No. _____

7. WATER LEVEL

Static water level 52 feet below land surface.Flowing? ☐ Yes ☒ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ PlugTemperature _____ °F. Quality _____
Describe eruption or temperature zones below.

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures
such as liners, screen, material, plug depths, etc. in lithologic
log, section 9.)

3. PROPOSED USE

- ☒ Domestic ☐ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

- ☒ Rotary ☒ Air ☐ Auger ☐ Reverse rotary
☐ Cable ☐ Mud ☐ Other _____
(backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Inches Diameter From To

252 inches 8 5/8 inches + 18" ~~to~~ 80 feet

152 inches 5 9/16 inches 78 feet 85 feet

130 inches 5 9/16 inches 110 feet 113 feet

Was driving shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☒ Yes ☐ No K-PACKERPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Size of perforation? _____ inches by _____ inches

Number From To

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

Well screen installed? ☒ Yes ☐ NoManufacturer JOHNSON Type STAINLESS STEELTop Packer or Headpipe 78'Bottom of Tailpipe 113'Diameter 5 16 Slot size .020 Set from 85 feet to 110 feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

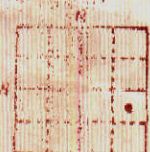
Placed from _____ feet to _____ feet

Surface seal depth 42 Material used in seal: ☐ Cement grout☐ Bentonite ☐ Pudding clay ☐ _____Sealing procedure used: ☐ Slurry pit☐ Temp. surface casing ☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded☐ Solvent Weld ☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County AdaAddress of Well Site 5655 S. Black Cat Rd. Meridian
(give at least name of road)NE 1/4 SE 1/4 Sec. 33 T. 33 N ☒ or S ☐R. 1 E ☐ or W ☒

8. WELL TEST DATA

☒ Pump ☐ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.

Pumping Level

Hours Pumped

150

54'

6

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
10	0	3	Top Soil		
"	3	7	Hard Pan		
"	7	42	Gray Lava		
10-8	42	50	Red Cinders		
8	50	98	Large Gravels	X	
"	98	110	Coarse Tan Sand	X	
"	110	113	Tan Clay		

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JUL 18 1997

10.

Work started May 3, 1993 finished May 5, 1993

11. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.

Hiddleston & Son,

Firm Name INC. Firm No. #35Address Rt 3, Box 610-D
McN Home, ID 83647 Date 5-13-93Signed by Drilling Supervisor Rog

and

(Operator) John A. Smith
(If different than the Drilling Supervisor)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12109

Priority: March 15, 1994

Maximum Diversion Rate: 0.23 CFS
Maximum Diversion Volume: 38.9 AF

This is to certify, that DAN VAN GROUW

5655 S BLACKCAT RD

MERIDIAN ID 83642

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 15, 1994; and has submitted Proof of Beneficial Use on May 24, 1996. An examination indicates that the works have a diversion capacity of 0.660 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.23 CFS	13.7 AF
COMMERCIAL	01/01 to 12/31	0.01 CFS	7.2 AF
	Totals	0.23 CFS	38.9 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 33, Township 03N, Range 01W
ADA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

03N 01W 33

NESE

PLACE OF USE:

COMMERCIAL, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Two points of diversion are located within NESE, S33, T3N, R1W. This right authorizes the diversion of water from only one well at any time.
6. Commercial use is for a dairy.

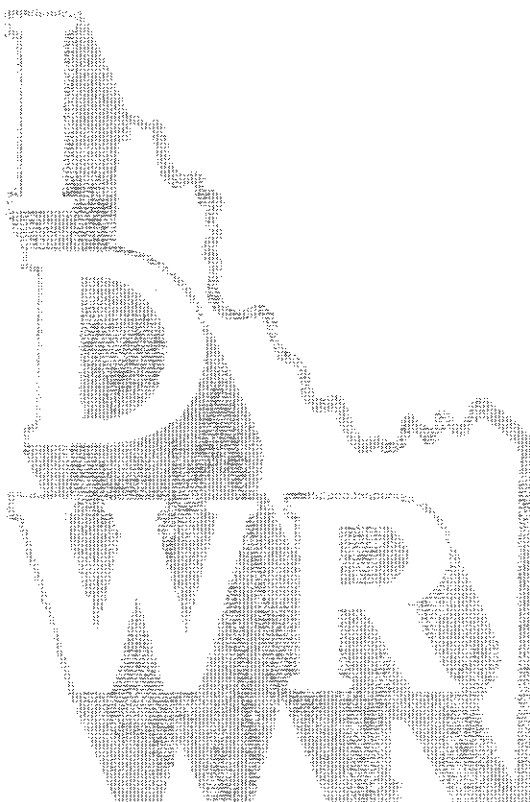
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12109

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 25TH
day of JUNE, 1977.


Acting for KARL J. DREHER, Director



State of Idaho
Department of Water Resources

RECEIVED

JUN 19 1997

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-12109

Date of Priority: March 15, 1994

Maximum Diversion Rate: 0.23 CFS
Maximum Diversion Volume: 38.9 AF

Comes now DAN VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-12109, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.23 CFS	13.7 AF
COMMERCIAL	01/01 to 12/31	0.01 CFS	7.2 AF
	Totals	0.23 CFS	38.9 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE, Sec. 33, Township 03N, Range 01W
ADA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

03N 01W 33 NESE

PLACE OF USE:

COMMERCIAL, same as STOCKWATER use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Dan Van Grouw, Meridian Id, this 16th day of June, 1997.

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JUN 18 1997

Daniel Van Grouw
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-12109

FOR DEPARTMENT USE ONLY

Preliminary check by SW/L Fee = 50⁰⁰ Received by KS # C039291 Date 6/19/97

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 63-12109 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Two points of diversion are located within NESE, S33, T3N, R1W. This right authorizes the diversion of water from only one well at any time.
6. Commercial use is for a dairy.

Witness my hand this 25TH day of June, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED
JUL 14 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 24 1996

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-12109 Telephone No. 208 887-9259
2. Name(s) of Permit Holder(s): Dan Van Grouw Dairy
3. Mailing Address: 5655 S Blackcat Rd Meridian Id 83642
4. Source of Water: ground water If **GROUNDWATER** (well), Date Drilled: mo. Apr 13 / yr. 93
- a. Well Driller: Hiddleston Drilling Permit Number: 63-93-W-1040
- b. **OPTIONAL:**
Pump Horsepower: 10 Pressure (psi): 50 Dynamic pumping level (ft): 52 ft
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): 350 Holsteins
Irrigation (No. of acres): _____ Other: Dairy Barn
6. Total rate of diversion and/or volume for which proof is submitted: 0.23 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required?

Yes _____ or No X

Has the measurement port been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 100 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Dan Van Grouw Telephone Number: 208 887-9259

Address: 5655 S Blackcat Rd Meridian Id 83642

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Daniel Van Grouw
(include your title, if on behalf of company or organization)

Date: 4/20/96

AUG 09 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12109

Proposed Priority: March 15, 1994

Maximum Diversion Rate:

0.23 CFS

This is to certify, that **DAN VAN GROUW**

5655 S BLACKCAT RD

MERIDIAN ID 83642

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.23 CFS
COMMERCIAL	01/01 to 12/31	0.01 CFS
	Totals	0.23 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 33, Township 03N, Range 01W
ADA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

03N 01W 33

NESE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1996.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. 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.
5. Stockwater use is for 350 dairy cattle.
6. Commercial use is for a dairy.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

25th day of May, 1994

RECEIVED

JUN 3 1994

for *[Signature]*
R. Keith Higginson, Director

RECEIVED
MAY 13 1994

Ident. No. 63-12109

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: DAN VAN GROUW 208-887-9259
Address: 5655 S BLACKCAT RD
MERIDIAN ID 83642
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NESE Sec. 33, Township 03N, Range 01W
ADA County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------|-------|-------|-------|------|----|
| STOCKWATER | 01/01 | 12/31 | 0.230 | | |
| COMMERCIAL | 01/01 | 12/31 | 0.010 | | |
5. Total quantity to be appropriated is:
0.230 CFS (and/or) AF
6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
WELL AND PUMP.
 - Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - Proposed well diameter is inches; proposed depth of well is
feet.
 - Is groundwater with a temperature greater than 85F being sought? NO
 - If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 year(s).
8. Place of Use: STOCKWATER
- TWN RGE SEC
03N 01W 33 NESE
- Place of Use: COMMERCIAL, same as STOCKWATER use

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JUN 30 1994

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

11. Map of proposed point of diversion and place of use attached? []

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

See original
Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 30.00 Receipted by _____ #C029800 Date 3/15/1994

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

JUN 8 6 1994

Comments: Date: 3/29/1994 User-ID: TAYLOR

Subject:
Drilling Permit

Drilling permit #63-93-W-1040-000.

APR 1 1994
10:00 AM
1000

RECEIVED

MAR 16 1994

RECEIVED

MAR 14 1994

Form 202
10/92WATER RESOURCES
WESTERN REGION

Department of Water Resources

Ident. No. 63-12109

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Dan Van Grouw Phone 887-9259
Post office address 5655 S Blackcat Rd Meridian Id 83642
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____
Sec. 33 Township 1W Range 3N B.M. ada County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 01 for commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 23 for Stock water purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 23 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well with pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. ~~Proposed~~ ^{existing} well diameter is 8 inches; proposed depth of well is 150 feet.

d. Is ground water with a temperature of greater than 85°F being sought? no

e. If well is already drilled, when? 5/93; Drilling firm Hiddleston;

Well was drilled for (well owner) Ed Van Grouw JUN 30 1994

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

2 years (minimum 1 year).

* just written in wrong lines,
should = T3N R1W 15E P1/4 S top - PL
3/24/94

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 350 dairy cows
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Commercial use is for a dairy

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	1W	33													S				

Total number of acres to be irrigated _____

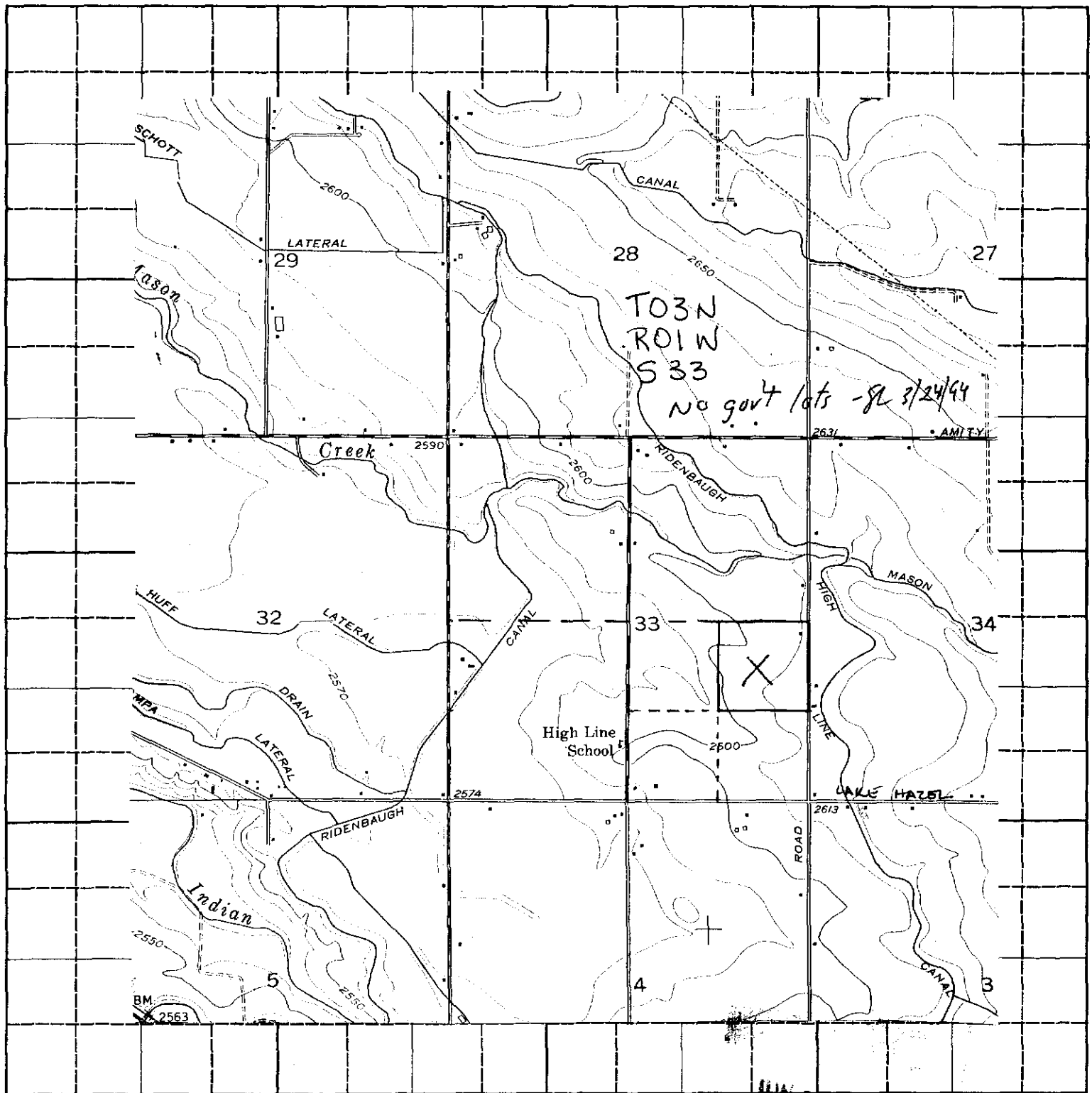
10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Ed Van Grouw
- b. Who owns the land to be irrigated or place of use? Same
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. It is a lease agreement with my dad.
12. Remarks: I would guess that I am using less than 1,000 gallons in the barn.

COMMENTS Drilling Permit 63-93-W-1040-000.

JUN 30 1994

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

David Van Grown
(Applicant)

Received by 3 Date 3/14/94 Time 1:30 pm. Preliminary check by R
Fee \$ 30.00 Received by dw # C029800 Date 3/15/94
Publication prepared by ST Date 3-29-94 Published in Idaho Statesman
Publication approved ST Date 4-27-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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JUN 30 1994



Farm Credit Services

411 Blaine Street
P.O. Box 730
Caldwell, Idaho 83606-0730
800/819-3312
FAX 208/459-4858

RECEIVED

FEB 02 1998

Department of Water Resources

January 30, 1998

Pamela Skaggs
Sr. Water Resource Agent
State of Idaho
Department of Natural Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83642

Dear Pamela,

This letter concerns the Application for Transfer of Water Right form I-222 by Edward G. Van Grouw dated August 30, 1996. As lienholder of the acres identified in the transfer proposal, Northwest Farm Credit Services, ACA agrees to the transfer of water rights.

Sincerely,

Rod A. Endow

State of IDAHO

County of Canyon

On January 30, 1998, before me personally appeared Rod A. Endow, known to me to be an authorized agent of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and an oath stated that he/she was authorized to execute said instrument.

Virginia B. Conger
Notary Public for the State of Idaho
Residing at Nampa ID
My commission expires 12-31-1998

Northwest Farm Credit Services, Agricultural Credit Association

Ed VanGrouw 63-10367 - Original
Dan VanGrouw 63-12109 - Copy for reference



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

June 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAN VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642

RE: WATER RIGHT NO. 63-12109

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

RECEIVED
JUL 16 1987

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of June, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 63-12109

DAN VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642


Kari Lynn Townsend
Secretary



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

June 3, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAN VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642

RE: WATER RIGHT NO. 63-12109

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

ENCLOSURE

JUN 10 1997

MEMORANDUM

TO: File 63-12109

FROM: Sharla

DATE: May 30, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Right 63-12109 are based on the following:

H. RECOMMENDATIONS

Stockwater	1/1 - 12/31	0.23 cfs	13.7 afa
Commercial	1/1 - 12/31	0.01 cfs	7.2 afa
	TOTALS	0.23 cfs	20.9 afa

The permit was for 350 dairy cattle; the license is limited by the same number, therefore, the volume has been calculated for 350 dairy cattle. The commercial use is limited by the rate of diversion permitted.

A transfer needs to be filed on this right after it is licensed to add the irrigation use that utilizes the water leaving the dairy site. The dairy is bigger than what the permit holder has a water right for; he needs to apply for another right to pick up the rest of the stock and volume for all the commercial uses.

Examiner: Lori Graves

Exam Date: August 22, 1996

100 1000

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-12109 DATE 5/30/97 REVIEWER: SHARLA

NAME Change — OK ✓ Address Change NO
 SOURCE Change — OK ✓ Is change/clarification of originally intended source? —
 POINT OF DIV add 2nd pld ~~✓~~ If not, prepare Notice of Intent to Void —
 PLACE OF USE — ~~✓~~ Amendment required NO

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate .23 cfs
 Fee limit 1.0 cfs \$ 100.00
 Measured .66 cfs pump curve x 2 pumps
 Theoretical .72 cfs

~~1.40~~ .40 @ 60' lift and 40 psi
.32 " 100' lift " " " .72 Use

ANNUAL VOLUME/
 NATURE OF USES — ✓

Recommended Total Div Rate .23 cfs permitted

Stock	Volume Calculation	af
<u>13.7</u>	<u>360</u> x <u>.0391</u>	<u>13.7</u>
<u>25.2</u>	<u>25.2</u>	<u>25.2</u>
<u>7.2</u>	<u>7.2</u>	<u>7.2</u>
<u>20.9</u>	<u>20.9</u>	<u>20.9</u>
<u>20.9</u>	<u>20.9</u>	<u>20.9</u>

Flow rate .23 cfs X 365 days X 1.9876 = 166.2 af
 Total volume recommended 38.9 af 20.9
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

2 pld in NESE.
C/dairy

CONDITIONS — Watermaster Control WD# —
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
 Adjustment Memo volume calc.

1st Amend Letter —
 2nd Amend Letter —

P39, P38 transfer needed
to show addl use
of water after
clearing dairy site

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 08 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-12109

1. Owner: DAN VAN GROWN Phone No. 887-9259

Current Address: 5655 S BLACKCAT RD MERIDIAN 83642

2. Accompanied by: DAN EXAM DATE: 8/22/96

Address: SAME Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-02607

2. Other water rights with the same point of diversion: —

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	SE	33	3N	1W	ADA	USGS QUAD MAP

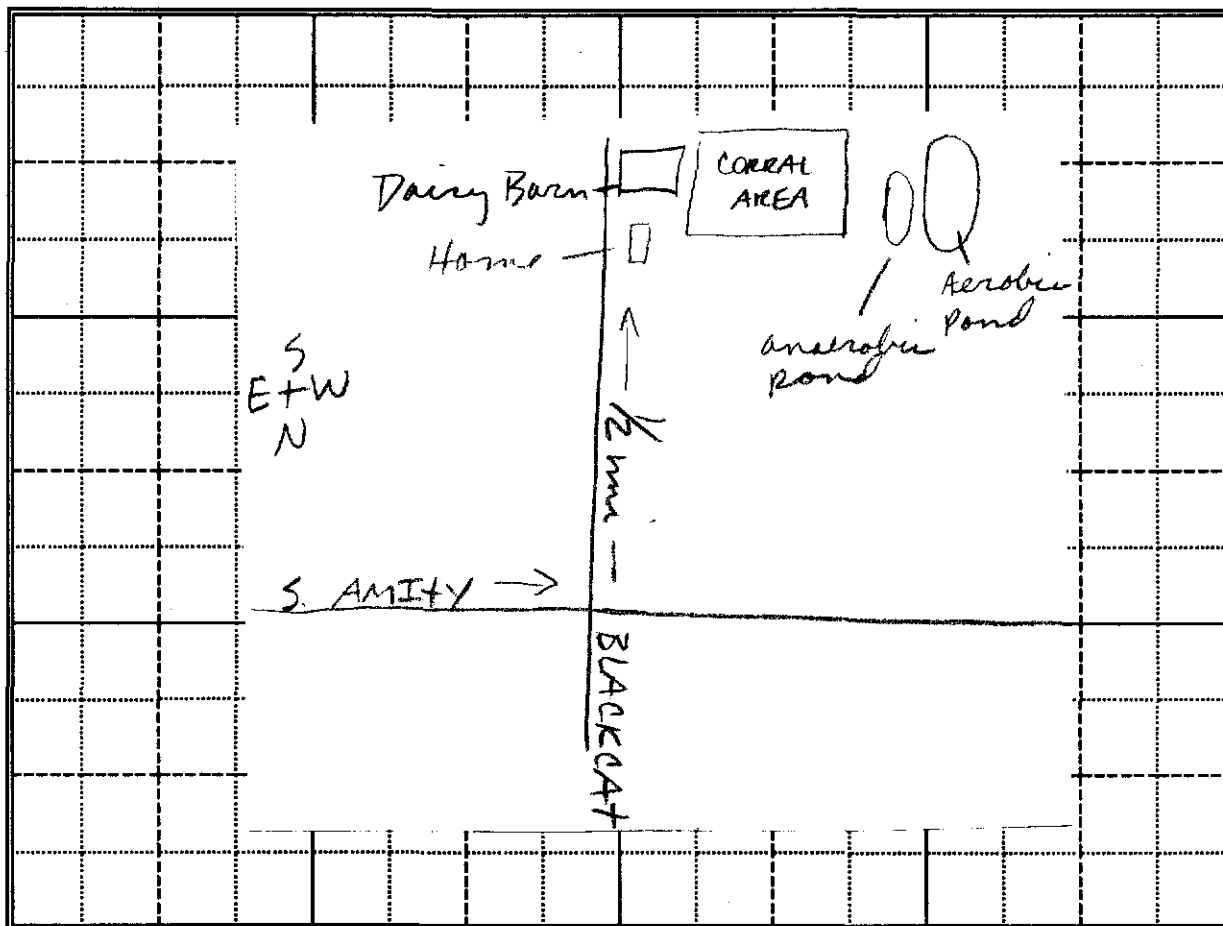
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1W	33																	

RECORDED
1-19-97

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WELLS 1 + 2	FRANKIN	10	6A 180 SERIES	SUBMERSTIBLE	

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Pump curve supplied by Hiddleston Drilling. Both wells are equipped with identical pumps. Hiddleston Drilling did the well + pump work for the dairy.

JUL 18 1997

E. NARRATIVE/REMARKS/COMMENTS

2 wells, each equipped with 10 HP submersible pumps, can supply water to the dairy. Only one well is used at a time, while the other acts as a back-up well. The water is pumped from the well to the plate cooler then into a ~10,000 gal storage tank. A booster pump is then used to deliver the water to the sprinkler pen, pressure hose + barn flush system. The uses that bypass the storage tank are the cattle washers, the home, the barn tap H₂O, and the stock troughs.

The dairy uses a Double 16 Harrington design for 2 milkings/day at 8 hrs / milking. Misters are used in the outside alleys to keep the stock cool in the summer.

The waste water drains into an 2 of anaerobic pond, then into a 17 of aerobic pond. The overflow is then pumped from the aerobic pond onto adjacent pasture + crop acres via 12" mainline + wheel line sprinklers.

The applicant is in the process of filing a transfer to account for the additional uses and flow not covered on this permit. Transfer # _____

Have conditions of permit approval been met? ☒ yes ☐ no

No other water etc are used.

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

See attachment 1

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

see attachment 1

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Stockwater</i>	<i>1/1</i>	<i>12/31</i>	<i>.23</i>	<i>40.7</i>
<i>Commercial</i>	<i>1/1</i>	<i>12/31</i>	<i>.01</i>	<i>32.0</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>.23</i>	<i>72.7</i>

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

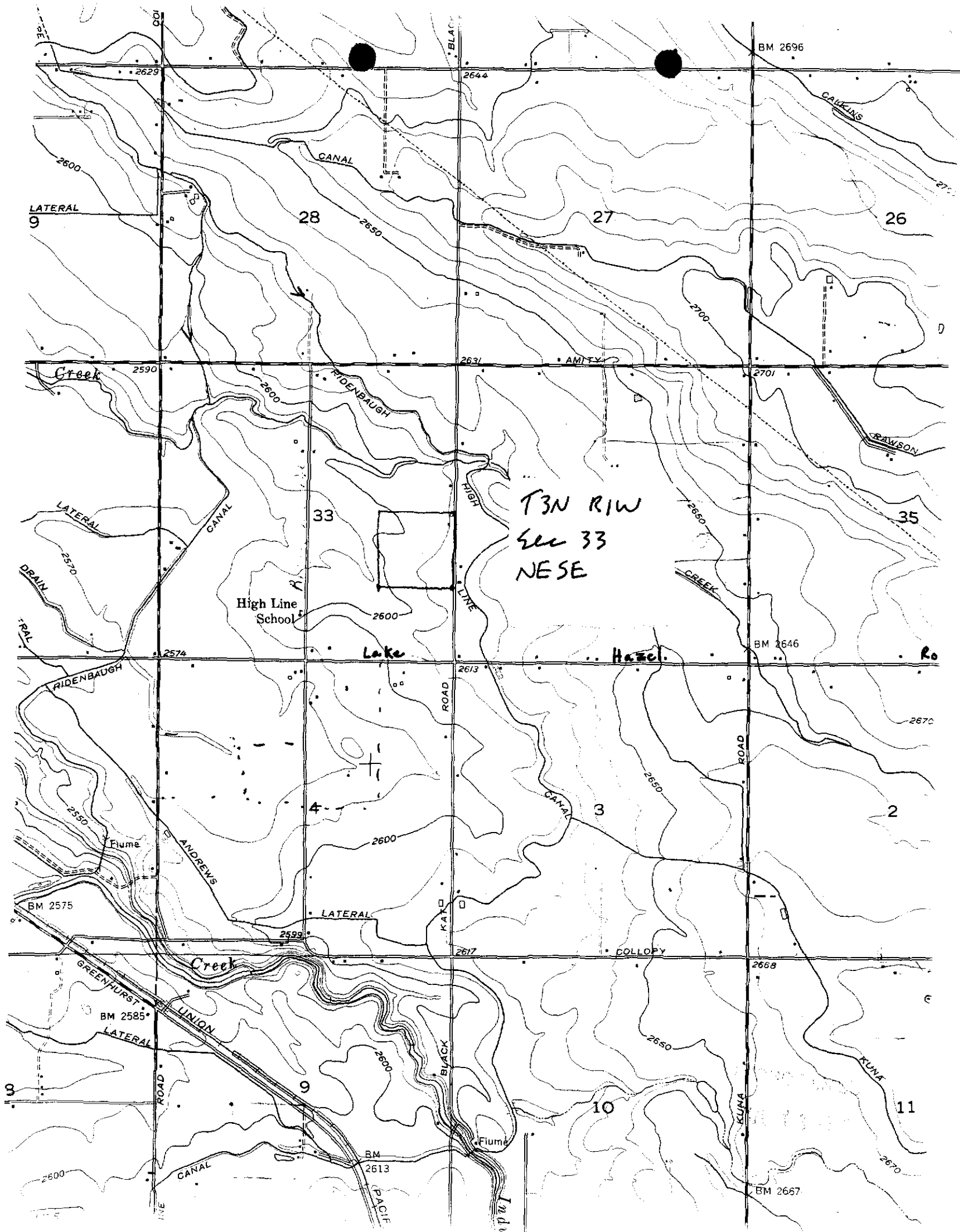
Field Examiner's Name *Loi Brewer* Date *10/21/96*

Reviewer _____ Date _____

SEAL

MICROFILMED

JUL 1 1997



DAIRY WORKSHEET

FOR: Dan Vangroun Dairy
PERMIT NO: 63-12109

STOCKWATER USE

	<u># hd</u>	<u>CFS</u>	<u>AFA</u>
Milking	800	$800 \times .00065 = .52$	$\times .0391 = 31.3$
Dry	150	$150 \times .00022 = .03$	$\times .0134 = 2.0$
Replacers	550	$550 \times .00022 = .12$	$\times .0134 = 7.4$
TOTALS CFS + AFA		.67 CFS	40.7 AFA

COMMERCIAL USE

Wash Pen: (141 nozzles/row 2 S Rows = 70 nozzles)
70 nozzles $\times$ * 5 GPM average/nozzle = 350 GPM)
350 GPM $\times$ 60 min/dy = 21000 GPD

Milk Parlor 8000 Gal milk tank = * 116 gal/wash = 232 GPD
Pipeline for 32 stalls = * 140 gal/wash = 280 GPD
Cleanup = * 500 gal/wash = 1000 GPD
TOTAL GPD 22512 GPD

Aerobic Pond H₂O Evap = 1.7 ac $\times$ 4 AFA = 6.8 AFA
22512 GPD $\times$ 365 d/yr / 325850 = 25.2 AFA
TOTAL AFA 32.0 AFA

* Gallons based on Tables 3 + 4 in Dean Falk's U of I report titled "Fresh Water Considerations for Dairy Farms."

NOV 18 1957

(Per Pump curve)

PUMP CAPACITY: $150 \text{ GPM} \times .00223 = .33 \text{ CFS}$

AFA Required: $\frac{\text{stock}}{40.7} + \frac{\text{Comm}}{32} = 72.8 \text{ AFA}$

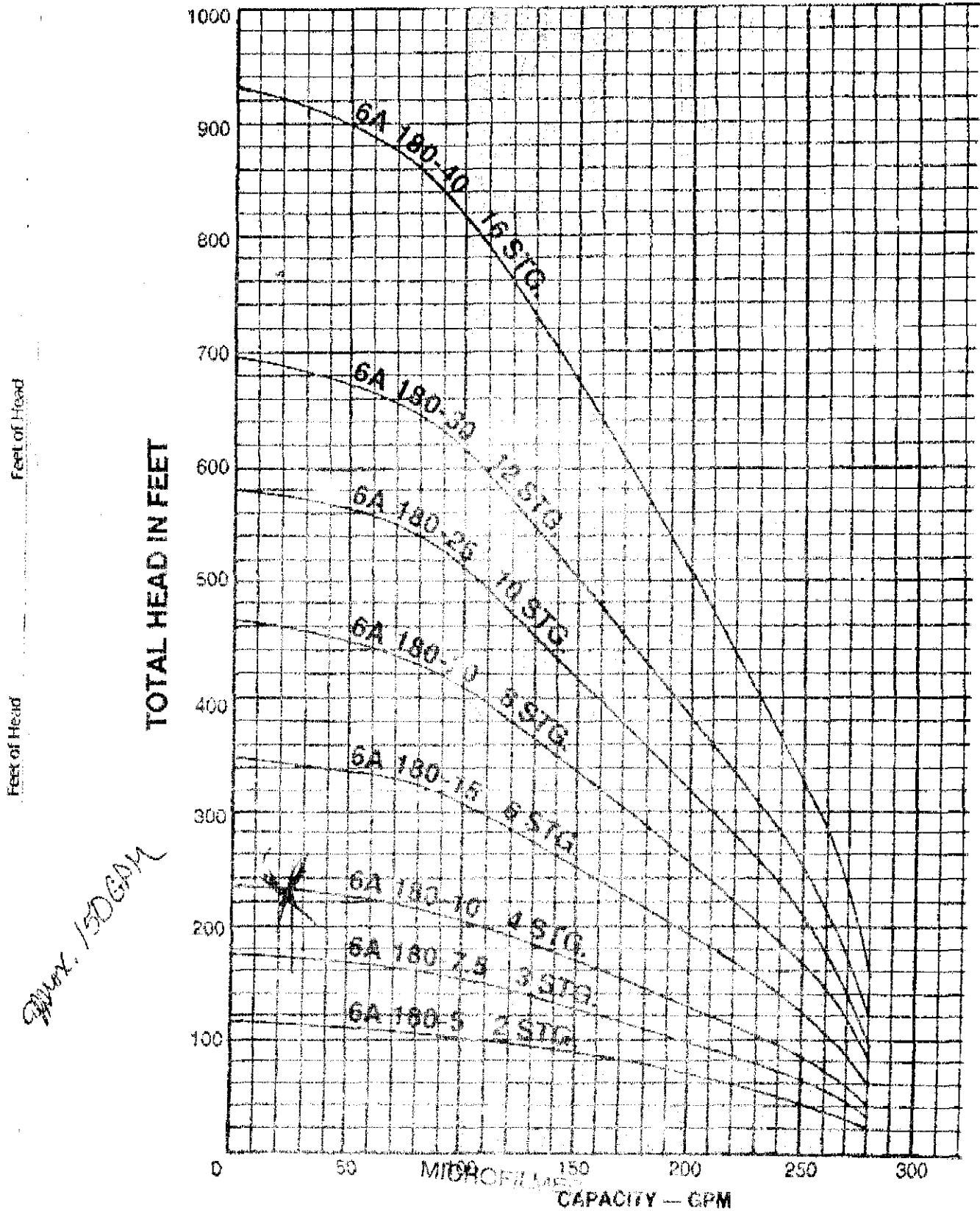
AFA Potential: $.33 \text{ CFS} \times 365 \times 1.9835 = 238.9 \text{ AFA}$

PERMIT LIMITS: $.23 \text{ CFS}$ stockwtr
 $.01 \text{ CFS}$ commercial

Pending transfer needs to cover the difference

MACOM/MS

JUL 19 2007

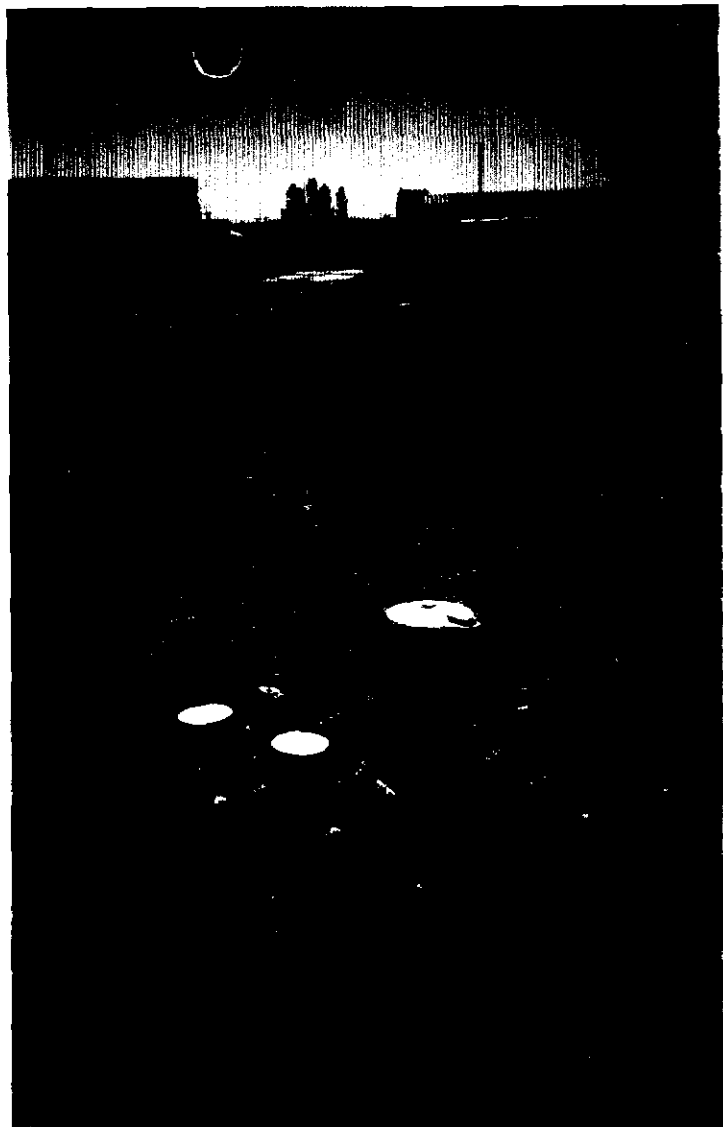
180 GPM**6" Submersible Pumps****6A 180 Series**

Shaded areas indicate most economical range

Equipped with Quality  Franklin

(Back-up system)

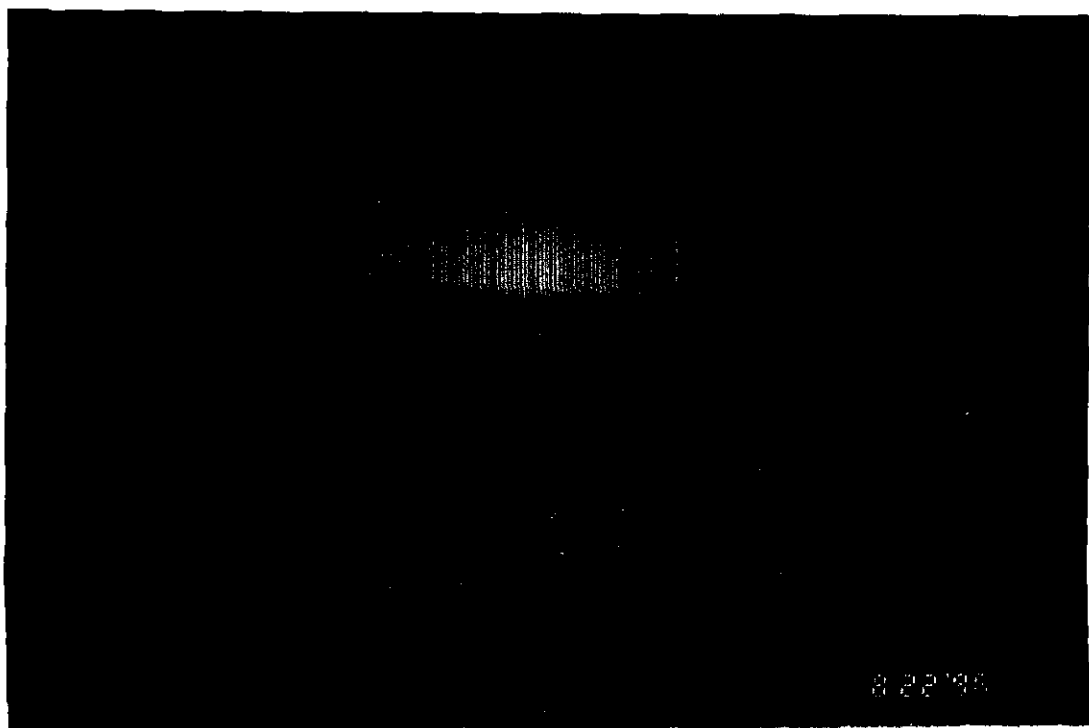
2 wells, each
with 10 HP
submersible pump
(only 1 well used at
a time)



100' x 300' x 5'
Anaerobic pond
3.4 af

300' x 250' x 10' -
aerobic pond
17.2 af

10/10/77



8/22/86



Dairy operation
/

1000000000
100 13 1000



Form 200.7
4/92STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

BOISE

1. WELL OWNER

Name: Ed VanGrouw Sr.
Address: 32036 Live Oak Redlands, CA 93373
Drilling Permit No. 63-93-W-0335-000
Water Right Permit No. _____

7. WATER LEVEL

Static water level 52 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe stratum or temperature zones below.

2. REASON

☒ New ☐ Deepened ☐ Replacement
☐ Repair ☐ Modification
☐ Other (specify modification procedures)

(see section 9.)

8. WELL TEST DATA

☒ Pump ☐ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
150	34'	6

3. PROPOSED USE

☒ Irrigation ☐ Monitor
☐ Stock ☐ Waste Disposal or Injection
☐ Other (specify type) _____

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
10"	0	3	Top Soil		
"	3	7	Hard Pan		
"	7	42	Gray Lava		
10-8"	42	50	Red Cinders		
8"	50	98	Large Gravel	X	
"	98	110	Coarse Tan Sand	X	
"	110	113	Tan Clay		

4. DRILLING

☒ Air ☐ Mud ☐ Auger ☐ Reverse rotary
☐ Other (backhoe, hydraulic, etc.) _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

From	To	Material	Thickness
0	80	Steel	5 5/8" inches
80	85	Steel	5 9/16" inches
85	113	Steel	5 9/16" inches

Was driving drive shoes used? ☒ Yes ☐ NoWas a packer or seal used? ☒ Yes ☐ No K-PACKERPacker used? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Screen perforation? _____ inches by _____ inches

Number _____ From _____ To _____

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

Well screen installed? ☒ Yes ☐ NoManufacturer JOHNSON Type STAINLESS STEELTop of screen or Headpipe 78'Bottom of Tailpipe 113'Diameter 5 16 Slot size .020 Set from 85 feet to 110 feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Packer from _____ feet to _____ feet

Surface seal depth 42 Material used in seal: ☐ Cement grout☒ Bentonite ☐ Pudding clay ☐ _____Sealing procedure used: ☐ Slurry pit☐ Grout surface casing ☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded☐ Solvent Weld ☐ Cemented between strata

Describe access port _____

10.

Work started May 3, 1993 finished May 5, 1993

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County AdaAddress of Well Site 5655 S. Black Cat Rd. Meridian
(give at least name of road)NE 1/4 SE 1/4 Sec. 33 T. 33 N. ☒ or S ☐R. 1 E ☐ or W ☒

11. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.

Hiddleston & Son,

Firm Name INC. Firm No. 455Address Box 610-0 Date 5-13-93Address Mon Home, ID 83617Signed by Drilling Supervisor [Signature]

and

(Operator [Signature])

(if different than the Drilling Supervisor)

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 63-93-W-0335-000 OTHER APPLICABLE NO: 63-12109

2. OWNER: Dan Van Grouw Phone: 887-9259
Address: 5655 S BLACKCAT RD Meridian 83642

3. WELL LOCATION: Twp 3N, Rge. 1W, Sec. 33, NE 1/4 SE 1/4
County Ada (Provide sketch map and photo on reverse.)

4. DRILLER: Hiddleston Lic. No. 35
When Drilled? 5/5/93

5. WELL CONSTRUCTION:

Casing Diameter 8 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 113 ft. Method Drilled Rotary bit
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☐ No
Condition of Piping and Valving good
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:

Depth to Static Water 52 ft. Water Temperature cold °F
Flowing Artesian ☐ Yes ☒ No Pressure: 50 (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____

7. WELL USE:

☒ Domestic	☐ Irrigation	☒ Stock
☐ Test	☐ Municipal	☐ Industrial
☐ Abandoned	☐ Waste Disposal/Injection	☐ Not Used
☐ Other: <u>Dairy</u>		

MICROFILMED
JUL 18 1997

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

2 wells ^{can} service the dairy -
only one used at a time. Other serves
as backup.

ly
Signature of Dept. Representative & Title

8/22/96
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

MICROFILMED
JUL 18 1997

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 63-93-W-1040-000 OTHER APPLICABLE NO: 63-121092. OWNER: Dan Van Groner Phone: 887-9259
Address: 5655 S Blackcat Rd Meridian 836423. WELL LOCATION: Twp 3N, Rge. 1W, Sec. 33, Ne 1/4 Se 1/4
County Ada (Provide sketch map and photo on reverse.)4. DRILLER: Huddleston Lic. No. 35
When Drilled? 10/93

5. WELL CONSTRUCTION:

Casing Diameter 8 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ NoCasing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____Depth of Casing 90 ft. Method Drilled air rotaryCondition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☒ NoCondition of Piping and Valving goodAuger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ NoAre there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:

Depth to Static Water 42 ft. Water Temperature cold °FFlowing Artesian ☐ Yes ☒ No Pressure: 50 (psi)Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____

Water Quality Measurements/Observations (Describe) _____

WELL USE:

☒ Domestic ☐ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: Dairy

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 63-12109 Reviewed by Jay Date 6-13-94

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Stock comm.

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

no Copy in the file? Drilling Permit No. 63-93-W-1040-000

3500 Amount paid for permit

no Correct?

no Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

100.00 Amount Submitted

yes Correct?

MEASURING DEVICE

no Required?

 Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u>/</u>	<u> </u>
Date proof due	<u> </u>		<u> </u>
No. of days late	<u> </u>		<u> </u>
Priority Date	<u> </u>		<u> </u>
New Priority Date	<u> </u>	<u>+</u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Request add. \$165- drill perm. fee.
* Fee received / Proof acceptable
update drilling perm. data Base

DATA ENTRY

New Address X Proof Made 5-24-96

August 5, 1996

DAN VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12109

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

AUG 09 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

June 21, 1996

PHILIP E. BATT
GOVERNOR

Dan VanGrouw
5655 S. Blackcat Rd.
Meridian, ID 83642

KARL J. DREHER
DIRECTOR

RE: Water Right No. 63-12109
Drilling Permit No. 63-93-W-1040-000

Dear Permit Holder:

I have enclosed copies of the Proof of Beneficial Use form submitted in connection with the above referenced water right along with Permit to Appropriate Water No. 63-12109 and Drilling Permit No. 63-93-W-1040-000. The proof form and your permit to appropriate water indicate water is being diverted for stockwater and a dairy barn with a diversion rate of 0.23 cfs, however, the drilling permit issued only authorizes a single family domestic use. Single family domestic use constitutes the diversion of 0.04 cfs or less and/or the use for one home and irrigation of up to 1/2 acre of land.

You were properly charged \$35.00 for the domestic well drilling permit, however, because of the use and amount you have indicated (stockwater and a dairy barn w/a rate of diversion of 0.23 cfs), the drilling permit is no longer considered strictly single family domestic. The fee for a non-domestic drilling permit is \$200.00.

Before the Department can accept the proof of beneficial use as filed, you will need to pay the additional \$165.00 fee to upgrade the drilling permit to a non-domestic. Please submit the additional fee within sixty (60) days of receipt of this letter. **Please address your correspondence to my attention.**

If you have any questions or if I can be of any assistance, contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

C: IDWR - Region

AUG 09 1996

WELL DRILLER: PLEASE COMPLETE FOR VERBALSIDWR Employee Issuing Verbal: DENISEVerbal Issued Date: 10/7/93 Time: 8:05**RECEIVED****DEC 28 1993**

Department of Water Resources

RECEIVED**NOV 23 1993**WATER RESOURCES
WESTERN REGIONState of Idaho
Department of Water Resources**APPLICATION FOR DRILLING PERMIT**1. Applicant (please print): ED VANGROUW SR.2. Mailing Address: 32036 LIVE OAKCity & State REDLANDS, CALIFORNIA Zip Code 92373 Telephone 909-795-4854☒ Well Owner ☐ Well Operator ☐ Contractor or Other, specify _____3. Proposed Well Location: Trp. 3N Reg. 1W Sec. 33 NE 1/4 SE 1/4Gov't Lot No. _____ County ADAStreet Address of Well Site 5655 S. BLACK CAT RD. MERIDIAN

Lot, block and subdivision _____

4. Proposed Use of Well:

☒ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: ☐ Irrigation ☐ Municipal ☐ Industrial
☐ Stock ☐ Test ☐ Other _____
(Over 1,000 Head) (Describe)☐ INJECTION☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

A. ☒ New well REDMAN ☐ Modify (Deepen or Enlarge) ☐ Replace - See Condition 9B. Proposed Casing Diameter 8" Proposed Maximum Depth 300'

C. Anticipated bottom hole temperature:

☒ 85°F or less (Cold Water Well) ☐ 85°F to 212°F (Low Temp. Geo. Well) ☐ 212°F or more (Geothermal Well)6. Construction Start Date: OCT. 7, 19937. Anticipated Well Driller: HIDDLESTON DRILLING AND PUMP CO. #35 Driller's Lic. No. 35

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature Ed VangrouwDate: 10/7/93Title Firm Rep.

(Owner, Firm Representative, Other)

10/9/1996

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is APPROVED

Date

11-23-93

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

DAVID R. TUTHILL JR.

MANAGER

WESTERN REGIONAL OFFICE

Robert B. White For:
Signature of Authorized Department Representative

Title

Receipt No. W016975 Received by [Signature] Fee 35.00 Date 11-23-93

EXTENSION OF DRILLING PERMIT

Extension approved by _____

Approval Date _____

This extension expires: _____

AUG 09 1996

March 31, 1996

DAN VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642

PROOF DUE NOTICE

RE: PERMIT NO. 63-12109

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

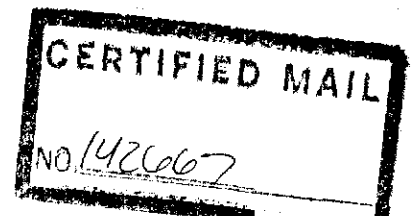
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

AUG 09 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 26, 1994

DAN VAN GROUW
5655 S BLACKCAT RD
MERIDIAN ID 83642

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12109

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures



JUN 30 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

Application #: 63-12109 Name: Van Grouw Date: 5/17/94

AREA OF CONCERN? - No/Yes BRD Mor GWMA Trust/Non-trust

SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <flo-ch> - T17 (new), 01K (existing), No MD

- 0.2 cfs - No MD <flow chart>

Drilling Permit:

Included w/permit - Permit No. 63-93-W-1040-000, P99

Existing well - NA (pre 7/1/87)

No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <flow chart>

LOCATION:

Water District(~~dem~~) - WD No. 005 (req) 01J-P08 <flow chart>

*Surface water - or 01H-P01 <flow chart>; No MD

(doesn't sink)

Groundwater - P05 (new irrigation well)

In stream channel - 030 (stream channel alteration)

Irr Dist/Canal Co. - 023 (Twin Falls area)

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (-85° Groundwater temp)

Swan Falls Flag - B <See condition code chart>

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA

Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA

Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10

444 (N 1000 Spr)

Irrigation - 803(if GW use SW 1st)(+5A do POU comp), NA

Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;

+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09

Mining - 054 (req) & 06A/010/09E-P10

Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

Domestic (surface) - 021(Boise R ↑ L Peak), 27A(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU)

PROTESTED:

Prehearing agreement- 020

OTHER CONDITIONS: -

REMARKS: -

BENEFICIAL USE DUE: - 6-1-1996

COMMENTS: - ① Mor Ex ② Div Desc

Water Right Number - P63-12109

Prefix Translation: PERMIT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

VAN GROUW

DAN

1 - 5655 S BLACKCAT RD

2 -

3 -

City- MERIDIAN

State- ID Zip- 83642

Phone - 208-887-9259

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/15/1994 14 WESTERN P - PERMIT+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
03N 01W 33 NE SE (1) ADA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.230
10 - COMMERCIAL 01/01 12/31 0.010+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.230+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
03N 01W 33 NE SE 04 STOCKWATER (1) ADA

+ - - Diversion Means - WELL AND PUMP.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
Stockwater use is for 350 dairy cattle.
Commercial use is for a dairy.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
26A* - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.

Water right number - P63-12109

Prefix Translation: PERMIT

+ - - - - Conditions of Approval - - - - - +
01K - 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.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
Date: 03/29/1994 User Id: TAYLOR Subject: DIVERSION DESCRIPTION
Drilling permit #63-93-W-1040-000, drilled 5/93 by Hiddleston for Ed Van Grouw. 8" by 150' deep well.
Date: 05/17/1994 User Id: CZIMMERM Subject: MORATORIUM EXEMPTION
This permit is located within the Boise River Drainage Moratorium boundary; however, its use is within the acceptable parameters of the moratorium guidelines.

+ - - Audit Fields - 05/17/94 CZIMMERM

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 06/01/1996	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	- B
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- C029800	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 03/15/1994	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: fr DATE: 3/24/94 APPLICATION: 63-12109

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No ☐ In form to receipt:

Gov't. Lots:

N P/D
P/U

RECEIVED
MAY 13 1994

ADDITIONAL INFORMATION

Department of Water Resources

YES NO

☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
☐ ☒ Overlapping point of diversion:
☐ ☐ Field check required: Field check by: _____
☐ ☐ Field report attached:
☐ ☒ Critical groundwater area:
☐ ☒ Groundwater management area:
☐ ☒ 1992 moratorium *OK to advertise & process*
☐ ☒ Copy to SCA staff (perennial stream, non-pump diversion):
☐ ☒ Send dam safety information:
☐ ☒ Send power requirement letter:
☐ ☒ Send fish farm requirement letter:
☐ ☒ Power residency affidavit:
☐ ☒ Power efficiency form:
☐ ☒ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐ ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

☒ ☐ Additional information on reverse side:

** USES CONSIDERED SEPARATELY APPROVABLE PER 42-111:*

42-111B - a) COMM. 01 cfs c Dairy, assumed < 2500 gpd (< 1000 gpd per Remarks), approvable within moratorium.

42-111A - b) Stock, 350 dairy (350)(35) = 12,250 gpd, approvable within moratorium.

CONCLUDE THAT ENTIRE APPL APPROVABLE SINCE OPTION IS TO SPLIT INTO APPROVABLE FILINGS.

PROCESSING

APPLICATION

YES NO

☒ ☐
☒ ☐
☒ ☐

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

☐ ☒
☐ ☒
☐ ☒
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☐ ☒
☐ ☒
☐ ☒
☐ ☒

Publication dates and paper recorded on application:

Protests received. Final date for protest

4-25-94

Protest dates, resolution of protest recorded on application:

Recommendations attached: *Approved, Dnr*

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

46, 26A (Allow 2 yrs)

See below for additional information

Recommended Date or Priority 3/14/1994

Recommended by: *Dnr*

Date 5/11/1994

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

Overlap - P/L only -

63-02607 irrigation, lower stream.

63-02388 " , Boise River (irrig. district Hrs).

RECEIVED

APR 15 1994

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

\$59.16

Account Number 04762800		Identification NOTICE OF APPLICATION FOR WATER RIGHT	
Ordered By Sue Taylor	P.O. Number	Rate NT	Run Dates April 7, 14, 1994
STATE OF IDAHO DEPARTMENT OF WATER RESOURCES Western Region 2735 Airport Way Boise, Idaho 83705		Estimated Inches.	Real Inches
		# Affidavits 1	Legal Number 7268

LEGAL NOTICE

NOTICE OF APPLICATION
FOR WATER RIGHT

The Following application(s)
have been filed to appropriate the
public waters of the State of Idaho:

63-12104

CONKLIN, STEPHEN
CONKLIN, LINDA G
7920 W APACHE WAY
BOISE, ID 83703

Source: SPRING
Tributary: UNNAMED DRAIN
Diversion Pt: LOT 3 (NENESW) Sec
24 T04N R01E in
ADA County

Use: AESTHETIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 3/3/1994

In: ADA County

T04N R01E S24 Lot 3(NESW)

63-12109

VAN GROUW, DAN
5655 S BLACKCAT RD
MERIDIAN, ID 83642

Source: GROUNDWATER
Diversion Pt: NESE Sec 33 T03N
R01W in ADA
County

Use: STOCKWATER (.230 CFS)

COMMERCIAL (.010 CFS)

Total Diversion: (.230 CFS)

Date Filed: 3/15/1994

In: ADA County

T03N R01W S33 NESE

Permits will be subject to all prior
water rights. Protests may be
submitted based on the criteria of
Sec. 42-203A, Idaho Code. Protests
must be filed with the Director,
Dept. of Water Resources, Western
Region, 2735 Airport Way, Boise,
Idaho 83705 on or before APRIL 25,
1994.

R. KEITH HIGGINSON
Director

Pub. April 7, 14, 1994

7268

LINDA PORTER

, being duly

sworn, deposes and says: That she is the Principal Clerk of The
Idaho Statesman, a daily newspaper printed and published at Boise,
Ada County, State of Idaho, and having a general circulation therein
and which said newspaper has been continuously and uninterruptedly
published in said County during a period of twelve consecutive
months prior to the first publication of the notice, a copy of which is
attached hereto; that said notice was published in The Idaho
Statesman in conformity with Section 60-108, Idaho Code as
amended, for TWO

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of APRIL 7, 19 94

and ending with the issue of APRIL 14, 19 94

Linda Porter

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 14th day of APRIL in the year of
1994

before me, a Notary Public, personally appeared
LINDA PORTER, 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 acknowledged to me that she executed the same.

[Signature]
Notary Public for Idaho

JUN 30 1994 Residing at Boise, Idaho

My commission expires: 11-27-99

63-12109

VAN GROUW, DAN
5655 S BLACKCAT RD
MERIDIAN, ID 83642

Source: GROUNDWATER

Diversion Pt: NESE Sec 33 T 03N R 01W in ADA County.

Use: STOCKWATER	(.230 CFS)
COMMERCIAL	(.010 CFS)
Total Diversion:	(.230 CFS)

Date Filed: 3/15/1994

In: ADA County	
T03N R01W S33	NESE

RECEIVED
MAR 16 1994