

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

In Re SRBA
Case No. 39576

)
)
)
)
)

**Water Rights: 63-3198A, 63-3198B,
63-7425B, 63-7425C, 63-7427A
NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

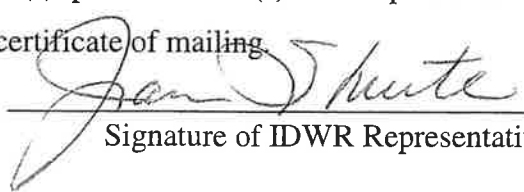
IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 6-18-12



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 18, 2012, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

Director of IDWR	☒ hand-delivered
PO Box 83720	
Boise ID 83720	

3. Copies to all parties to the subcase:

John Wind	☐ overnight mail
Ann Wind	☒ regular mail
12306 Whitechapel Way	☐ hand-delivered
Nampa ID 83686	☐ facsimile

Pete De Groot Jr	☐ overnight mail
Jean De Groot	☒ regular mail
8800 Swan Falls Rd	☐ hand-delivered
Kuna ID 83634	☐ facsimile

Edward Ray Montierth	☒ regular mail
825 Heartland Dr	
Nampa ID 83686	


Signature of person mailing this document

Idaho Department of Water Resources Receipt

Receipt ID: W040184

Payment Amount \$150.00 Date Received 5/16/2012 9:27 AM Region WESTERN

Payment Type Check Check Number 3006

Payer WIND, JOHN / ANN

Comments OWNERSHIP CHANGE FOR JOHN & ANN WIND
63-03198A, 63-03198B, 63-7425B, 63-7425C, 63-7427A, 63-8365A

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$150.00	OWNERSHIP CHANGES/SECURITY INTERESTS	62140	0229	21		1155

R. Sommer

Signature Line (Department Representative)

Shurte, Jan

From: Curtis, Sharla
Sent: Tuesday, May 22, 2012 9:25 AM
To: Shurte, Jan
Subject: RE: Question

Hi Jan,

I think we can proceed with the transfer approval and get it wrapped up here pretty soon. So let's go that route and I will let you know when it is approved so that you can proceed with whatever leftovers you have to do. Sound ok to you?

Thanks for your help on this one.

Sharla

From: Shurte, Jan
Sent: Friday, May 18, 2012 1:22 PM
To: Curtis, Sharla
Cc: Harris, Lori; Lester, Steve
Subject: RE: Question

Hi Sharla,

Ok, back to this one. Sorry this was delayed, your email got lost in my inbox and was resurrected because we just received another ownership change from the De Groots to the Winds. This one has an original signature on it. So, it looks to me like we can do this a couple of ways.

- 1- Let the transfer be processed, which means likely approved, and then file an NCAP to change the recommendation to match the transfer. In the past we have done many NCAPS based on transfers including ones that change the ownership with the transfer. The only transfer that should be held by the regions are the ones where an objection has been filed and litigation is on going. These have not been objected to. The only reason the NAP was filed is because a transfer was pending. This was and is our normal procedure when a transfer is filed on a recommendation that has been submitted to the SRBA Court but has not yet been partially decreed. That's why the NAP was filed years ago.
- 2- We can NCAP the recommendation to change the ownership and the rights proceed forward as recommended and eventually the Court will issue partial decrees. The transfer is approved and the water rights changed.

I guess the decision on which way to do this depends on when the transfer is going to be done. If it can be processed right now because we have the original signature on the change of ownership, then we should go ahead and complete the transfer and we will NCAP the recommendations based on the approved transfer. Then the rights can be partially decreed reflecting the transfer.

Or, if the transfer is going to take more than a couple of months we should just do an NCAP for the Change of ownership and the partial decrees will reflect the water rights prior to the transfer. Then when the transfer is approved it will change the water rights.

One thing I do not know is what the transfer is proposing or how that would affect which way we go. Let me know whether you want us to send you the ownership change so you can proceed with the transfer or we do the NCAP for the change of ownership now rather than with an NCAP when the transfer is approved.

Thanks Sharla,
Jan

From: Curtis, Sharla
Sent: Wednesday, February 22, 2012 2:48 PM
To: Shurte, Jan
Subject: RE: Question

Hey Jan,

Finally getting back to this project. I scanned the ownership change stuff and the last correspondence relating to these files. The transfer file contains a document assigning the transfer from the DeGroot's to John and Ann Wind. The document is a copy, however, and Dan Nelson had placed a stickie note on it saying "Need Original Signatures. Ownership Info to change into Wind's name." So I think he was waiting for the ownership to be handled in the SRBA and we were also waiting for the rights to be finalized in the SRBA so we could proceed with the transfer.

I'm in no big hurry on this, just whenever you have a chance to look at it hopefully you will have some wisdom to share as to how we get these off center and wrap them up.

Thanks so much.

Sharla

From: Shurte, Jan
Sent: Wednesday, February 01, 2012 10:47 AM
To: Curtis, Sharla
Subject: RE: Question

Hi Sharla,

I am adjusting all the time. Starting to get to know everyone and can't complain. I actually do like it – pretty quiet which I'm finding isn't all bad. I miss my office and I miss you guys too. When I came over for Rob and Jean's going away luncheon it was nice to see everyone and I really missed my old office. I am right smack dab in the middle of planning over here. At first that was a little weird, but now that I know everyone I'm just a part of the family. At least I think so. I hope your family is healing as time goes by.

So, what happened to those files? Lori thinks they are in the drawers outside of Kay's old office. When Sonny moved into her office space we moved Lori's old filing cabinet beside the ones for Vicky & Kay already back there. She had some unfinished change of ownership files. If you could look and see if you could find those then I could get involved and see what needs to be done. It could be that the transfer app and attachments explain whatever Lori's problem was with them.

Would you see if you can find them and then give me a call or email me as to what you see? Does that sound ok?

Jan

From: Curtis, Sharla
Sent: Wednesday, February 01, 2012 8:24 AM
To: Shurte, Jan
Subject: Question

Hi Jan,

You might not be the right person for me to contact about this but I thought I'd start with you cuz I wanted to say hi anyway.

We have had a transfer application on file since 2005 for 6 basin 63 rights, of which 5 are part of the SRBA. All five are in the "Admin Proceed Pending" status. When I look in PowerDocs I find NAPs are the last things in the files dated 2007. The NAPs say waiting for documentation for Substitution of Party. Can you tell me what the current status is for these rights so that I can either proceed with the transfer process or hold till the rights are finalized in the SRBA.

The rights are 63-3198A, 63-3198B, 63-7425B, 63-7425C and 63-7427A. Montierth, Wind, DeGroot, VanderStelt – pick a name, any name. These are the names all over the transfer files.

Thanks for your help. How's it going over there at the S.O. We miss you.

Sharla



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 9, 2007

JOHN WIND
ANN WIND
8800 SWAN FALLS RD
KUNA ID 83634

Dear Mr. & Mrs. Wind:

Enclosed is a copy of the Notice of Administrative Proceeding regarding your water right(s) that have been sent to the Snake River Basin Adjudication Court in Twin Falls. This document is required to be filed by the Department in order to notify the Court of any contemplated changes to your water right(s).

The SRBA Court or Water Resources will notify you of any future action on your water right(s).

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region

LH:l
Enclosure

cc: Pete & Jean DeGroot

Idaho Department of Water Resources

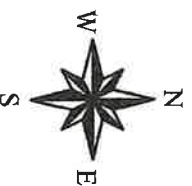
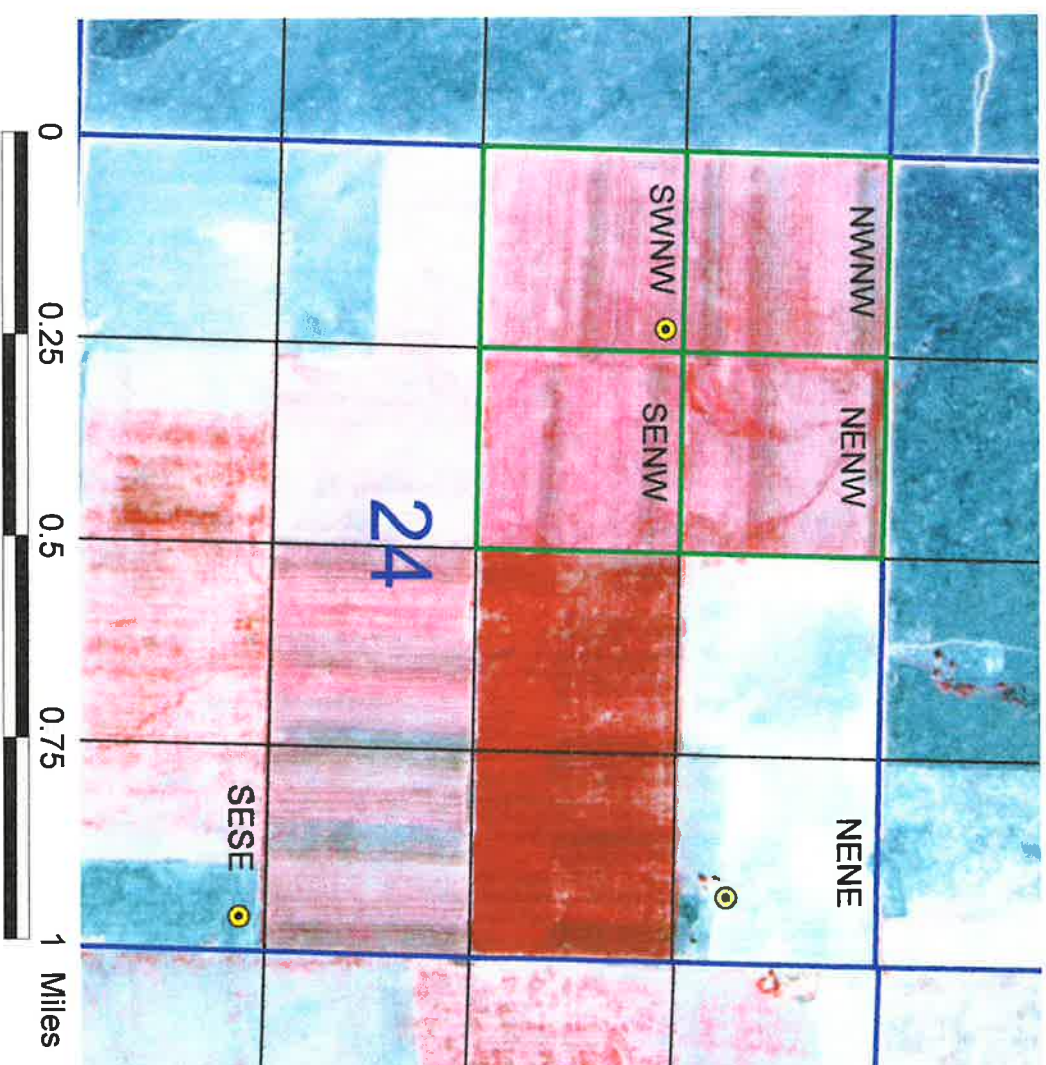
Claim Number: 63-07425B

Legal: T01N, R01W, S24

Reviewed By: *DET* 11/15/05

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

1987 Napp Photo



11/16/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DW

RIGHT NUMBER: 63-7425B

NAME AND ADDRESS: PETE M DE GROOT JR
8800 SWAN FALLS RD
KUNA ID 83634

JEAN M DE GROOT
8800 SWAN FALLS RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.780 CFS
695.300 AFY

The rights listed below are limited to a total combined diversion rate of 9.02 cfs.
Combined Right Nos.: 63-3198A, 63-3198B, 63-7425A, 63-7425B, 63-7425C,
63-7427A and 63-8365A

PRIORITY DATE: 04/01/1972

POINT OF DIVERSION:

T01N R01W S24 NENE Lot 1 Within ADA County
T01N R01W S24 SWNW Within ADA County
T01N R01W S24 SESE Lot 4 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.780 CFS 695.30 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T01N R01W S24	NENW	37.0	T01N R01W S24	NWNW	40.0
T01N R01W S24	SWNW	40.0	T01N R01W S24	SENW	37.5

154.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Draft

10/27/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7425B

NAME AND ADDRESS: JEAN M DE GROOT
8800 SWAN FALLS RD
KUNA ID 83634
PETE M DE GROOT JR
2901 AUTUMN WY
MERIDIAN ID 83642

OK

change to 8800 Swan Falls
Road for change of
ownership form
DWR 11/16/05
Record modified
11/16/05

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.780 CFS
695.300 AFY

The rights listed below are limited to a total combined diversion rate of 9.02 cfs.
Combined Right Nos.: 63-3198A, 63-3198B, 63-07425A, 63-7425B, 63-7425C,
63-7427A and 63-8365A

PRIORITY DATE: 04/01/1972

POINT OF DIVERSION:

T01N R01W S24 NENE Lot 1 Within ADA County
T01N R01W S24 SWNW Within ADA County
T01N R01W S24 SESE Lot 4 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3/15 11/15	2.780 CFS 695.30 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T01N R01W S24	NENW	37.0	T01N R01W S24	NWNW	40.0
T01N R01W S24	SWNW	40.0	T01N R01W S24	SENW	37.5

154.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 63-07425C 63-07427A
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) JACK TULS TILLIE TULS
38980 RECORD AVE, SAN JACINTO, CA 92383
4. New Owner/Claimant(s) PETE DE GROOT JEAN DE GROOT
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 8800 SWAN FALLS RD
City, State and ZIP Code KUNA ID 83634
New Telephone Number (208) 922-9036
5. Date you acquired the property 2-1-98
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated _____ Number and type of stock 2520 HOLSTEIN Cows
2520 HOLSTEIN HEIFERS
Diversion rate in CFS 1.44 Number of homes 3 Other uses _____
cubic feet per second 0.69
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) [Signature] Date 5-8-99
Date 5-8-99
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MICROFILMED

AUG 06 1999

Draft

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7425B V1

WATER RIGHT NUMBER: 63-7425B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ADDIE C MUSSELL KUNA, ID 83634
Original Owner	SHERYL D MONTIERTH 2409 W KUNA CAVE RD KUNA, ID 83634 (208)922-4237
Current Owner	JEAN M DE GROOT 8800 SWAN FALLS RD KUNA, ID 83634
Current Owner	PETE M DE GROOT JR 2901 AUTUMN WY MERIDIAN, ID 83642

Priority Date: 04/01/1972

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	3/15 to 11/15	2.780 CFS	695.30 AF
	<u>Total Diversion:</u>	2.780 CFS	695.30 AF

Location of Point(s) of Diversion

GROUND WATER ADA County	L4 (SE1/4SE1/4)	Sec. 24, Twp 01N, Rge 01W, B.M.
GROUND WATER ADA County	L1 (NE1/4NE1/4)	Sec. 24, Twp 01N, Rge 01W, B.M.
GROUND WATER ADA County	SW1/4NW1/4	Sec. 24, Twp 01N, Rge 01W, B.M.

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	01W	24					37.0	40.0	40.0	37.5									154.5

Total Acres: 154.5

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-7425B V1

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. THIS RIGHT USES THE SAME WELLS AS THE RIGHTS LISTED BELOW AND WHEN COMBINED WITH THOSE RIGHTS SHALL NOT EXCEED A DIVERSION RATE OF 9.02 CFS. THE COMBINED RIGHTS ARE: 63-03198, 63-07427A, 63-08365A, 63-07425A AND 63-07425C.
THIS CLAIM IS A RESULT OF SPLITTING AND LICENSING PERMIT 63-07425 ON 9/27/1997. FEE PAID UNDER RECEIPT W014008.

Remarks:Comments:Dates and Other Information:

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

Combined Use Limits: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>
Contacts	6/1/2005 3:12:24 PM	awarntje			Active
Priority Date	6/1/2005 3:14:31 PM	awarntje			Active
Use	6/1/2005 3:15:20 PM	awarntje			Active
POU	6/1/2005 3:20:41 PM	awarntje			Active
Source	6/1/2005 3:21:35 PM	awarntje			Active
POD	6/1/2005 3:25:31 PM	awarntje			Active
Season	6/1/2005 3:26:02 PM	awarntje			Active
Quantity	6/1/2005 3:26:21 PM	awarntje			Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-7425B V1

Summary 06/01/2005 awarntje Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	6/1/2005 3:12:24 PM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
POU	6/1/2005 3:18:38 PM	awarntje	Updated shape for Active POU
POU	6/1/2005 3:20:42 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
Use	6/1/2005 3:15:20 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	6/1/2005 3:24:22 PM	awarntje	Updated shape
POD	6/1/2005 3:25:09 PM	awarntje	Updated shape
Season	6/1/2005 3:26:03 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (Yes) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
General	6/1/2005 3:14:31 PM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7425B V1

Source	6/1/2005 3:21:36 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POD	6/1/2005 3:23:19 PM	awarntje	Updated shape
POD	6/1/2005 3:25:32 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Quantity	6/1/2005 3:26:21 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
Summary	6/1/2005 3:27:52 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: 63-07425 B Date: 12-6-00

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	IN	1W	24					37	40	40	37.5									154.5
GIS								*40	*40	*40	*40									160
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Total Claimed Acres: 154.5

Total GIS Acres: 160

Overlapping POU Claim #'s: _____

COMMENTS:

* can't determine claimed acres within irrigated acres. No county data available.

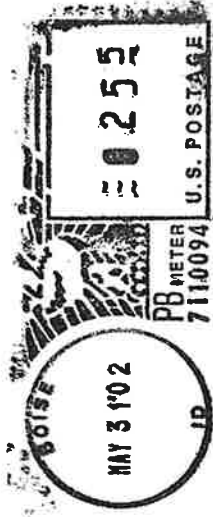
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

63-74256
7427A

Sent Again 6-7-02

PRESORTED
FIRST CLASS



JEAN DE GROOT

PETE M DE GROOT
8800 SWAN FALLS RD
KUNA ID 8363

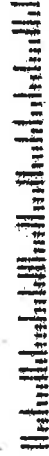
RECEIVED

JUN 06 2002

WATER RESOURCES
WESTERN REGION

DEGRASSO 036342010 1801 17 06/03/02
RETURN TO SENDER
DEGROOT J B WOODSIDE AVE
3733 W CA 95291-5565
VISALIA CA
RETURN TO SENDER

DEPT OF WATER RESOURCES



AJ5809NP
No. A63-07425B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 128

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PETE DE GROOT 2901 AUTUMN WAY MERIDIAN ID 83642	04/01/1972	IRRIGATION	03-15 11-15	2.780 CFS	695.30 AFA
TOTAL DIVERSION:					2.780 CFS	695.30 AFA

C JEAN M DE GROOT

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

ADA County

Point(s) of Diversion: T01N R01W S24 Lot01(NENE) SWNW Lot04(SESE)

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE							
		NENE		NNNW		NWSW		NWSE							
		SWNE		SENE		SESW		SESE							
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
01N	01W	24	:	37	40	40	37	:	:	:	:	:	:	:	154.5
TOTAL ACRES															154.5

POU County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-03198A A63-03198B A63-07425C A63-07427A

Other Water Rights Listing Overlapping Place(s) of Use:
A63-07425

Remarks: GEN THIS RIGHT USES THE SAME WELLS AS THE RIGHTS LISTED BELOW AND
WHEN COMBINED WITH THOSE RIGHTS SHALL NOT EXCEED A DIVERSION RATE
OF 9.02 CFS. THE COMBINED RIGHTS ARE: 63-03198, 63-07427A,
63-08365A, 63-07425A AND 63-07425C.
THIS CLAIM IS A RESULT OF SPLITTING AND LICENSING PERMIT 63-07425
ON 9/27/1997. FEE PAID UNDER RECEIPT W014008.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	12/09/98	MSCHULTE	

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: **A63-07425B**
Date Received: 12/ 9/1998
Receipt No: X777777
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: PETE DE GROOT
Address: 2901 AUTUMN WAY
MERIDIAN ID

83642

Name: JEAN M DE GROOT
Address:

2. Date of Priority: APR 1, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	01W	24		NE	NE	1	ADA
				SW	NW		ADA
				SE	SE	4	ADA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.780		695.30

7. Total Quantity Appropriated is:
2.780 C.F.S. (and/or) 695.30 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	01W	24	NE		NW		IRR	37.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	37.5
Section Acres								154.5
Total Acres								154.5

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT USES THE SAME WELLS AS THE RIGHTS LISTED BELOW AND WHEN COMBINED WITH THOSE RIGHTS SHALL NOT EXCEED A DIVERSION RATE OF 9.02 CFS. THE COMBINED RIGHTS ARE: 63-03198, 63-07427A, 63-08365A, 63-07425A AND 63-07425C.
THIS CLAIM IS A RESULT OF SPLITTING AND LICENSING PERMIT 63-07425 ON 9/27/1997. FEE PAID UNDER RECEIPT W014008.

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-07425B

Priority: April 1, 1972

Maximum Diversion Rate:

2.78 CFS

Maximum Diversion Volume:

695.3 AF

This is to certify, that PETE DE GROOT
JEAN M DE GROOT

4541 SEAWAY CIRCLE

FORT COLLINS CO 80525

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 28, 1971; and has submitted Proof of Beneficial Use on May 27, 1977. An examination indicates that the works have a diversion capacity of 9.020 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>
IRRIGATION	03/15 to 11/15	2.78 CFS	695.3 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 24, Township 01N, Range 01W
SWNW, Sec. 24, Township 01N, Range 01W
Lot 4(SESE), Sec. 24, Township 01N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 01W 24	NENW 37	NWNW 40	SWNW 40	
	SENW 37.5			154.5

Total number of acres irrigated: 154.5

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 that 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-07425B

CONDITIONS OF APPROVAL AND REMARKS

6. This right uses the same wells as the rights listed below and when combined with those rights shall not exceed a diversion rate of 9.02 cfs. The combined rights are: 63-03198, 63-07427A, 63-08365A, 63-07425A, and 63-07425C.

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 22ND
day of SEPTEMBER, 1942.


Acting for KARL J. DREHER, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 10 1997 RECEIVED

JUL 02 1997

WATER RESOURCES
WESTERN REGION

ASSIGNMENT OF APPLICATION FOR PERMIT

I, HR MONTIERTH, hereby assign to Pete and Jean M DeGroot
of, 4541 Seaway Circle, Fort Collins CO 80525
(Full Address)

All my right, title, and interest in and to Application for Permit
No. _____ to appropriate the public waters of the State of Idaho.

OF (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. 63-07425A to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

NW 1/4 SEC 24 T6N R21W

Made this 6-3 day of _____, 1997

HR Montieth
Applicant

State of Idaho)

County of Ada) ss

On this 3rd day of June, 1997 personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.



[Signature]
Notary Public

My commission expires: 12/31/98

63022725 MB #25- 7/3/97

Oct 06 97 08:30p

Pete De Groot, Jr.

208-884-4874

P. 1

To Sim JOHNSON

THIS IS TO NOTIFY YOU OF MY CHANGE
OF ADDRESS FOR WATER RIGHT No. 63-074258

OLD ADDRESS

PETE DE GROOT
JEAN DE GROOT
4541 SEAWAY CIRCLE
FT. COLLINS, CO 80525

NEW ADDRESS

PETE DE GROOT
JEAN DE GROOT
2901 AUTUMN WAY
MERIDIAN, ID 83642

DATA BASE updated 10-7-97



Permit A63-07425 N/O Montierth (Permit)

Priority: 4-28-1971

DR: In - 4.80

Stk - .03

Don - .03

POB: 1N, 1W, S24, SWNW
SW SW

POU: 1N, 1W, S24, NENE - 40ac - NWNW - 40ac
SENE - 40" SWNW - 40
NESW - 40 NWSW - 40
NWSW - 225.

(License) A63-07425 A. N/O John A & Wietke Lightenberg
Priority: 4-1-1972.

* DR: In - .36 cfs. DV: 90 AFA.

POB: 1N, 1W, S24, NENE (Lt)

SWNW

SESE (Lt 4)

POU: 1N, 1W, S24, NWSW - 20 ac.

* Limited To 9.02 cfs when combined with 63-0319.
- 07427A, -08365A, 07425B, -07425C

License) A63-07425B N/O Pete & Jean M. De Groot

Priority: 4-1-1972

* DR: 2.78 cfs DV: 695.3

POB: 1N, 1W, S24, NENE, (L+1)

SWNW

SESE (L+4)

POU: 1N, 1W, S24, NENW - 37 ac NWNW - 40 ac

SWNW - 40

SENW - 37.5

* Limited to 9.02 cfs (see A63-07425A above)

A63-07425C N/O Jack & Tilhe Tuls

Priority: 4-1-1972

* DR: .69 cfs DV: 173.3 AF

POB: same as above

POU: 1N, 1W, S24, NESW - 38.5 ac.

* Limited to 9.02 cfs (see above)

Summary -	<u>DR</u>	<u>DV</u>	<u>#Acres</u>
A63-07425A	.36 cfs	90 AF	20
-07425B	2.78	695.3	154.5
-07425C	.69	173.3	38.5
Totals	3.83	958.6	213

Amended Permit 63-07425	3.83 cfs	958.5	213
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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
NO. 63-07425 IN THE NAME) ORDER OF REINSTATEMENT
OF SHERYL D. MONTIERTH)

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 63-07425 for the issuance of a license, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On June 17, 1971 the Department approved Application for Permit No. 63-07425 to appropriate the public waters of the State of Idaho with a proposed priority of April 28, 1971.
2. On April 17, 1986 the Department sent the permit holder a notice that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The fee was due on June 16, 1986.
3. The license examination fee was not paid within one year of the date, and the permit lapsed for failure to pay the license examination fee.
4. The license examination fee was received on May 19, 1987, 337 days late.

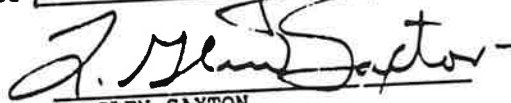
CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the fee was late, pursuant to the provisions of Section 42-217, Idaho Code.
2. The date of priority of Permit No. 63-07425 should be advanced 337 days.

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 63-07425 is advanced to April 1, 1972.

Dated this 3rd day of February, 1995.


L. GLEN SAXTON
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDMENT OF PERMIT
PERMIT NO. 63-07425

This is to certify, that SHERYL D MONTIERTH
RT 1 BOX 156
KUNA ID 83634

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 42-211, Idaho Code. The approved amendment of permit is described as follows:

SOURCE

GROUNDWATER

Priority: April 1, 1972

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	3.83 CFS	958.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 24, Township 01N, Range 01W
SNNW, Sec. 24, Township 01N, Range 01W
Lot 4(SESE), Sec. 24, Township 01N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 01W 24	NENW 37	NWNW 40	SNNW 40	
	SENW 37.5	NESW 38.5	NWSW 20	213

Total number of acres irrigated: 213

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
2. This right uses the same wells as the rights listed below and when combined with those rights shall not exceed a diversion rate of 9.02 cfs. The combined rights are: 63-03198, 63-07427A and 63-08365A.
3. This right is appurtenant to land designated as DLE No. I-3375.

Witness my hand this 22ND day of SEPTEMBER, 1972.

for the 
Chief, Water Allocation Bureau

CALCULATION OF NEW PRIORITY DATE
LATE EXAM FEES

PERMIT NO. 63-07425
 BY: P. Reid Chapman
 DATE: February 2, 1995

	DATE	NUMBER OF DAYS
A. Examination Fee Notice Sent	<u>April 17, 1984</u>	<u>107</u>
B. Date Fee Due (60 days)	<u>June 16, 1986</u>	<u>167</u>
C. Date Fee Received	<u>May 19, 1987</u>	<u>504</u>
D. Number of Days Late (C-B)		<u>337</u>
E. Original Priority Date	<u>April 22, 1971</u>	<u>118</u>
F. New Priority Date (D+E)	<u>April 1, 1976</u>	<u>305 (1 yr) + 7 days</u>

Water Right Number - 63-07425B

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
DE GROOT

PETE

1 - 2901 AUTUMN WAY
2 -
3 -
City- MERIDIAN
Phone - 208-000-0000

State- ID Zip- 83642

DE GROOT

JEAN M

1 -
2 -
3 -
City-
Phone - 208-000-0000

State- Zip-

*** O - ORIGINAL OWNER ***
MUSSELL

ADDIE C

1 -
2 -
3 -
City-
Phone - 208-000-0000

State- ID Zip-

MONTIERTH

SHERYL D

1 - RT 1 BOX 156
2 -
3 -
City- KUNA
Phone - 208-378-8157

State- ID Zip- 83634

+ - - - - Priority Date - - + + - - - - Region - - - + + - - - - Stage - - - + + - - - - Status - - - - +
04/01/1972 14 WESTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - + - - - - Diversion Name Diversion Rate Diversion No. +

TwN	Rng	Sec	Tract	Lot	Rflg	County
01N	01W	24	NE NE 1	1	(1)	ADA
			SW NW	(1)	(1)	ADA
			SE SE 4	(1)	(1)	ADA

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume +

01 - IRRIGATION 03/15 11/15 2.780 695.30

+ - - - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
2.780 695.30 9.020 0.0

+ - - - - TwN Rng Sec Tract Lot Acres Code Description County

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01N	01W	24	NE NW	37.0	01	IRRIGATION	(1)	ADA
01N	01W	24	NW NW	40.0	01	IRRIGATION	(1)	ADA
01N	01W	24	SW NW	40.0	01	IRRIGATION	(1)	ADA

[illegible]