

**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**

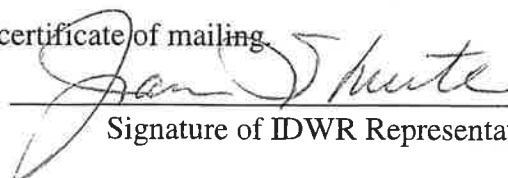
IDWR has completed the following administrative proceeding:

- ☐ 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

11/21/2005

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

RIGHT NUMBER: 63-7427A

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: 1.440 CFS
331.300 AFY

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

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation
of the lands above.

PRIORITY DATE: 04/01/1972

POINT OF DIVERSION:

T01N R01W S24 NENE Lot 1 Within ADA County
T01N R01W S24 SENE Lot 4 Within ADA County
T01N R01W S24 SWNW Within ADA County
T01N R01W S24 NESE Lot 3 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>
COMMERCIAL	01/01 12/31	0.400 CFS 70.70 AFY
IRRIGATION	03/15 11/15	1.040 CFS 260.60 AFY
STOCKWATER	01/01 12/31	0.400 CFS 70.70 AFY

Use of water under this approval shall comply with applicable water
quality standards of the Department of Environmental Quality.

Commercial use is for a dairy facility located within the SENE and NESE,
S24, T01N, R01W.

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 Lot 3 NESE 29.0 T01N R01W S24 NWSE 28.9

STOCKWATER Within ADA County

T01N R01W S24 SENE T01N R01W S24 NESE

COMMERCIAL Within ADA County

Water Right 63-7427A

1

11/21/2005

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

T01N R01W S24	NENE	T01N R01W S24	NWNE
T01N R01W S24	SWNE	T01N R01W S24	NENW
T01N R01W S24	NWNW	T01N R01W S24	SWNW
T01N R01W S24	SENE	T01N R01W S24	NESW
T01N R01W S24	NESE	T01N R01W S24	NWSE
T01N R01W S24	SWSE	T01N R01W S24	SESE

57.9 ACRES TOTAL

The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.

This right is appurtenant to land designated as DLE No. I-3377.

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

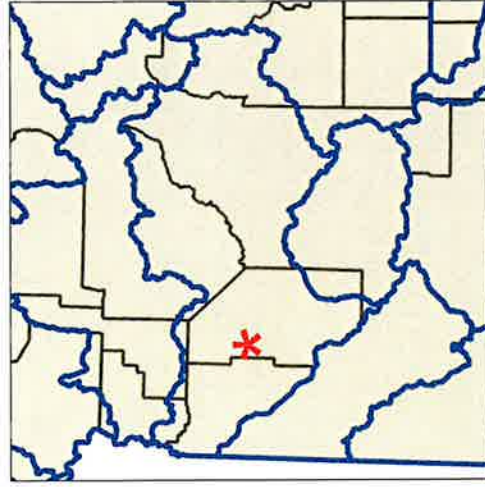
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Idaho Department of Water Resources



Adjudication Claim Number: **63-7427 A**



Legend

● Points of Diversion

-  Ada taxlots
-  GCDB01N01W GCDB
-  GCDB01N01E GCDB
-  63-7427a.shp



Prepared by A. Warntjes
On Tuesday, June 7, 2005
1987/88 Aerial Photography

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 _____
0.69
cubic feet per second
- 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.

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AUG 06 1999

Warranty Deed

For Value Received JACK G. TULS and TILLIE W. TULS, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto PETE M. DE GROOT, JR. and JEAN M. DE GROOT, husband and wife

whose current address is 2901 Autumn Way, Meridian, Idaho 38390

the grantors, the following described premises, in Ada

County Idaho, to wit:

The East Half which includes Government Lots 1-4 and a portion of the Southwest Quarter of Section 24, Township 1 North, Range 1 West, of the Boise Meridian, more particularly described as follows:

BEGINNING at the Northeast corner of Section 24, Township 1 North, Range 1 West, of the Boise Meridian and running thence South 00 degrees 02' 31" West 2627.18 feet along the East line of said section to the East Quarter corner; thence South 00 degrees 21' 28" West 2659.60 feet along said East line to the Southeast corner of said section; thence South 89 degrees 49' 38" West 2664.79 feet along the South line of said section to the South Quarter corner; thence North 00 degrees 16' 11" East 1312.03 feet; thence South 89 degrees 53' 39" West 1305.89 feet; thence North 00 degrees 08' 29" East 1337.67 feet; thence North 89 degrees 42' 15" East 1308.72 feet to the Center Quarter corner of said section, thence North 00 degrees 15' 55" East 2632.12 feet to the North Quarter corner of said section; thence North 89 degrees 48' 51" East 2658.84 feet along the North line of said section to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, do for their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owner in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: December 27, 1997

Jack G. Tuls
Jack G. Tuls

Tillie W. Tuls
Tillie W. Tuls

98005764

California
STATE OF IDAHO, COUNTY OF San Bernardino
On this 29th day of December, 1997
before me, a notary public in and for said State, personally appeared
Jack G. Tuls and Tillie W. Tuls

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Susan Ortiz
Notary Public
Residing at 12628 Central Ave., Chino, CA 91710, 91146
Comm. Expires March 20, 1998

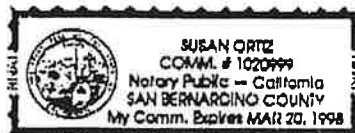
19100-RECORDER

J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'98 JAN 23 PM 4 19

REC-600 SUP-Ortiz
RECORDED AT THE REQUEST OF



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AUG 06 1999

IN 1W SEC 24

24

80.5

NHE/6

3
20.8

11731

94.5

11731

NHE/6

4
38.5

11731

2
NHE/6

NHE/6

11724

NHE/6

73.9

24

19
NHE/6

T2061

1
NHE/6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5569
WATER RIGHT NO. 63-07427A

This is to certify that: **PETE M DE GROOT**
JEAN M DE GROOT
8800 SWAN FALLS RD
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 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.04 CFS	260.6 AF
STOCKWATER	01/01 to 12/31	0.40 CFS	70.7 AF
COMMERCIAL	01/01 to 12/31	0.40 CFS	70.7 AF
Totals		* 1.44 CFS	331.3 AF *

SOURCE
GROUNDWATER

Priority: 04/01/1972

LOCATION OF POINT(S) OF DIVERSION: Lot 1 (NENE), Sec. 24, Township 01N, Range 01W
Lot 4 (SENE), Sec. 24, Township 01N, Range 01W
SOWN, Sec. 24, Township 01N, Range 01W
Lot 3 (NESE), 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 Lot 3 (NESE)	29.0	NWSE	28.9	57.9
Total number of acres irrigated:				57.9

PLACE OF USE: STOCKWATER

<u>TWN RGE SEC</u>		
01N 01W 24	SENE	NESE

PLACE OF USE: COMMERCIAL

<u>TWN RGE SEC</u>			
01N 01W 24	NENE	NWNE	SWNE
	NENW	NWNW	SWNW
	SENW	NESW	NESE
	NWSE	SWSE	SESE

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AUG 23 2000

TRANSFER NO. 5569
WATER RIGHT NO. 63-07427A

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 9. The total instantaneous diversion of water from all points of diversion under Transfer 5569 shall not exceed 1.44 cfs, nor a total combined annual volume of 331.3 af.
10. Stockwater and commercial uses when combined shall not exceed a total diversion rate of 0.40 cfs and a total annual maximum diversion volume of 70.7 af.
11. Commercial use is for a dairy facility located within the SENE and NESE, S24, T01N, R01W.
12. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
13. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.

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TRANSFER NO. 5569
WATER RIGHT NO. 63-07427A

CONDITIONS OF APPROVAL AND REMARKS

14. This right is appurtenant to land designated as DLE No. I-3377.
15. Right 63-08365A when combined with Rights 63-03198A, 63-03198B, 63-07425A, 63-07425B, 63-07425C and 63-07427A shall not exceed a total diversion rate of 9.02 cfs.

Dated this 28th day of July, 2000.


Chief, Water Allocation Bureau

MICROFILMED

AUG 23 2000

Page 1 of 10STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5569

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

JUN 28 2000

PART 1

Department of Water Resources

Name of applicant

Pete & Jean DeGrootPhone (208) 922-9036

Post Office address

8800 SWAN FALLS RD Kuna, Id 83634

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes New Dairy Barn And new Heifer
CORRALS. Is new, however not water, not shared with existing
dairy.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-07427A</u>	<u>04-01-1972</u>	<u>40 cfs/46.6 ac-ft</u>	<u>Stock Water</u>	<u>01-01</u> to <u>12-31</u>
		<u>40 cfs/34.1 ac-ft</u>	<u>Commercial</u>	<u>01-01</u> to <u>12-31</u>
		<u>1.04/260.6</u>	<u>Irrigation</u>	<u>03/15</u> to <u>11/15</u>
				to

2. Total amount of water being transferred 1.44 cfs cubic feet per second and/or 331.3 acre-feet per annum.

3. Source of water Groundwater tributary to

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>		<u>NE</u>	<u>SE</u>	<u>24</u>	<u>01N</u>	<u>01W</u>	<u>Ada</u>	} <u>2 New Wells - Dairy</u>
<u>4</u>		<u>SE</u>	<u>NE</u>	<u>24</u>	<u>01N</u>	<u>01W</u>	"	
<u>1</u>		<u>NE</u>	<u>NE</u>	<u>24</u>	"	"	"	} <u>3 Irrigation Wells</u>
<u>4</u>		<u>SE</u>	<u>SE</u>	<u>24</u>	"	"	"	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>01N</u>	<u>01W</u>	<u>24</u>				<u>3/4</u>									<u>3/4</u>				—
<u>Land Application</u>			<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>				<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<u>7 Pinedale Water</u>															<u>29</u>	<u>28.9</u>			<u>57.9</u>
MICROFILMED																			
3/15 23 2003																			

T5569

Total acres 57.9

PART 1

6. General Information:

a. Description of diversion system 2 Wells, pumps & water piped to Dairy & Heifer facility.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

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

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AUG 23 2000

PART 2

TRANS NO.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-07427A

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.44 CFS	360.0 AF

SOURCE

GROUNDWATER

Priority: 04/01/1972

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</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01W	24	Lot 3 (NESE) 40	NWSE 40		80
Total number of acres irrigated:						80

CONDITIONS/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, 63-08365A, 63-07425A, 63-07425B, and 63-07425C.
3. This right is appurtenant to land designated as DLE No. I-3377.

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AUG 23 2000

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

N/A. There is NO split in ownership DAN 10-7-89
 (If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .39 / 46.6 for Stockwater purposes from 01-01 to 12-31
 (cfs/ac-ft)
 amount .39 / 24.1 for Commercial purposes from 01-01 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	24	01N	01W	Ada	Dairy wells
		SE	NE	24	01N	01W	Ada	Dairy wells

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01N	01W	24				5/8									5/8				—
			C	C	C		C	C	C	C					C	C	C	C	—

Total acres _____

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

1. amount 1.04 / 260.85 for irrigation purposes from 03/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
1		NE	NE	24	01N	01W	ADA	
		SW	NW	24	01N	01W	ADA	
4		SE	SE	24	01N	01W	ADA	

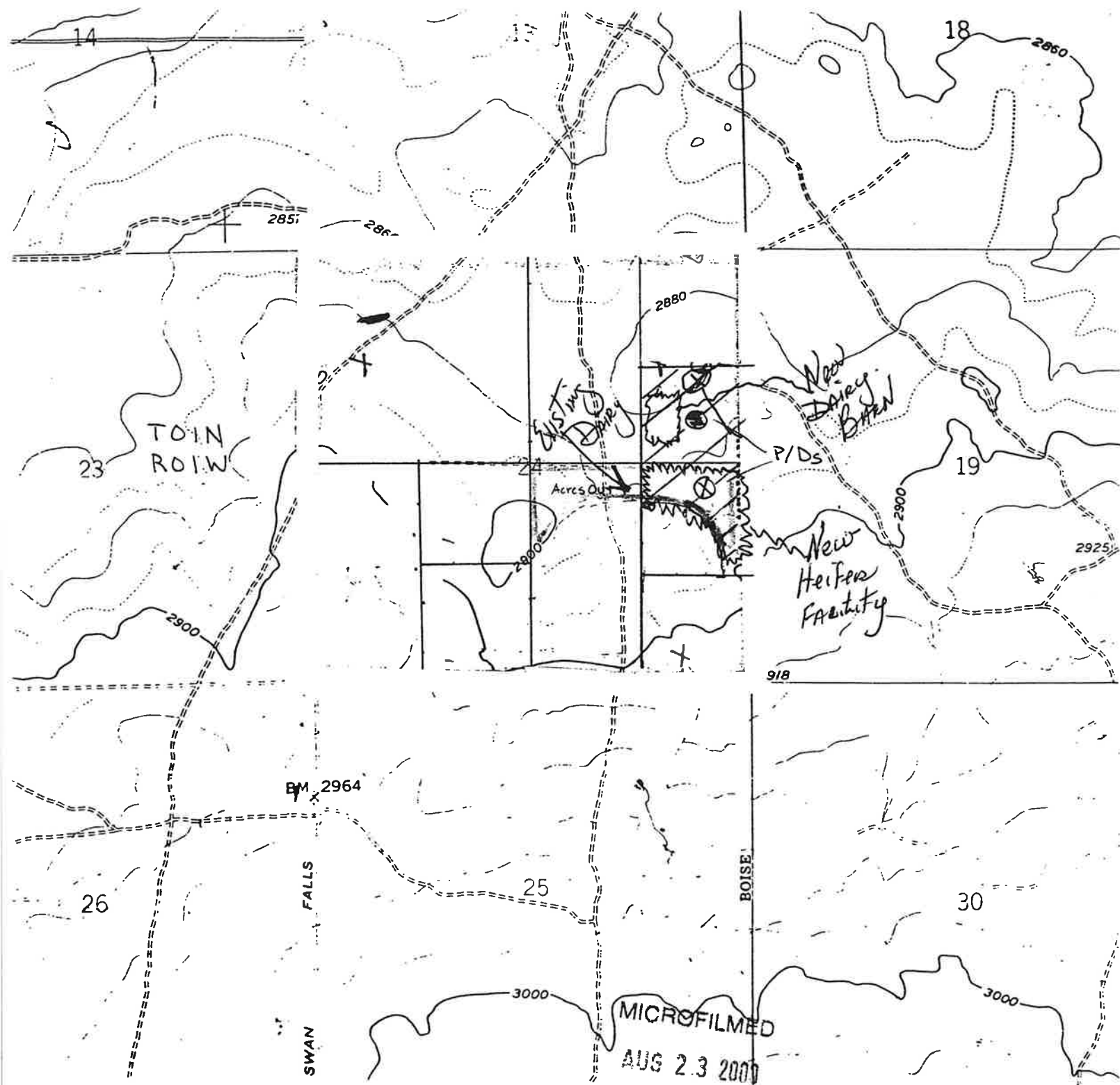
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01N	01W	24													29	289			57.9

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 AUG 23 2000

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

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



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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>STOCKWATER</u>	<u>.36 cfs/46.1 ac-ft</u>	<u>365 days</u>	<u>01-01 to 12-31</u>
	<u>COMMERCIAL</u>	<u>.36 cfs/24.1 ac-ft</u>	<u>365 days</u>	<u>01-01 to 12-31</u>

See Attached Dairy Worksheet

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

Water will be ponded & land applied as needed.

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

None.

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

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

(Signature of Applicant)

Subscribed and sworn to before me this

11th

day of

August, 19 99

Susan Z Oswald
(Notary Public)

My commission expires

4/26/2000**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 5 attachmentsReceived by DAN NELSON Date 8-24-99

Protest filed by _____

Prelim. check by _____ Fee \$100.00Receipted by DAN NELSON Date 8-24-99W 02 5630Published in Id. Statesman

Copies of protest forwarded by _____

Pub. dates 10-21 & 28-99

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

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AUG 23 2000

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 08/03/99

TIME: 12:42:45

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-07427			00/00/0000	/			WR
63-07427A	TULS, JACK	C	04/01/1972	L/	GROUNDWATER	IRR	WR
	TULS, TILLIE	C					
63-07427B			00/00/0000	/Z		IRR	WR
63-07427C	MONY PENSION INSURANCE CORP	C	01/24/1983	L/	GROUNDWATER	IRR	WR
63-07427D	SLEGGERS, JAMES	C	01/24/1983	L/	GROUNDWATER	IRR	WR
						STOCK	
						COMMER	

A63-07427A	MONTIERTH, HERB	C	04/28/1971	P/	GROUNDWATER	IRR	AJ
	MONTIERTH, DARLENE R	C				STOCK	
						DOMEST	
A63-07427B	SPLIT CLAIM	C	01/24/1983	/Z	GROUNDWATER	IRR	AJ
					SPLIT CLAIM		
A63-07427C	MUTUAL LIFE INSURANCE COMPANY	C	01/24/1983	L/	GROUNDWATER	IRR	AJ
A63-07427D	SLEGGERS, LENWOOD	C	01/24/1983	L/	GROUNDWATER	IRR	AJ
	SLEGGERS, JAMES	C				STOCK	
	SLEGGERS, MARIA ADRIANA	C				COMMER	
	SLEGGERS, TESS J	C					

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AUG 23 2000

Attachment A

Fresh Water Considerations for dairy farms

McCoy

Drinking water estimates

Gallons per day

	Number	Per day @ 40d	Per day @ 60d	Per day @ 80d	40d Total	60d Total	80d Total
Milking Cows	600	27	31.9	38.7	16200	19140	23220
Dry Cows	100	9.7	12	16.2	970	1200	1620
hfr 16-24 mo	905	8.7	10.8	14.5	7873.5	9774	13122.5
hfr 13-15 mo	286	8.7	10.8	14.5	2488.2	3088.8	4147
hfr 9-12 mo	405	6.3	7.9	10.6	2551.5	3199.5	4293
hfr 5-8 mo	404	6.3	7.9	10.6	2545.2	3191.6	4282.4
hfr 3-4 mo	0	0	4.6	6.1	0	0	0
hfr 0-2 mo	0	2	2.5	3.3	0	0	0
Total cow use - gallons					32,628	39,594	50,685
Mature Cows	700						
Heifers	2000						

Wash pen estimates

Sprinkler discharge per nozzle

Number of nozzles

Minutes per day used

Total washpen water

5.39 gpm
70 # — my assumption based on 5th grid in wash pen
48 min — based on 4 strings (150 cow strings) 16 minutes per string
18,110 gallons
48 x 6 x 2 = 48

Milkhouse and parlor estimate

	per operation	times per day	gallons per day
Bulk tank	116	1	116
Pipeline	140	2	280
Backflush	0.5	1200	600
Cleanup	900	2	1800
Cow prep	0.5	1200	600
Plate cooler	0	600	0
Total Milkhouse water used			3,396

Assumed recycled if used.

My assumptions based on typical values for a D16 parlor

Total daily fresh water requirements - monthly - annual - daily (second table)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YEAR
Drinking	1,011,480	913,595	1,227,411	1,187,817	1,227,411	1,520,547	1,571,232	1,571,232	1,520,547	1,227,411	1,187,817	1,011,480	15,177,981
Washpen	561,422	507,091	561,422	543,312	561,422	543,312	561,422	561,422	543,312	561,422	543,312	561,422	6,610,296
Process	105,276	95,088	105,276	101,880	105,276	101,880	105,276	105,276	101,880	105,276	101,880	105,276	1,239,540
Total	1,678,179	1,515,774	1,894,109	1,833,009	1,894,109	2,165,739	2,237,930	2,237,930	2,165,739	1,894,109	1,833,009	1,678,179	23,027,817
Drinking	32,628	32,628	39,594	39,594	39,594	50,685	50,685	50,685	50,685	39,594	39,594	32,628	466,644
Washpen	18,110	18,110	18,110	18,110	18,110	18,110	18,110	18,110	18,110	18,110	18,110	18,110	216,110
Process	3,396	3,396	3,396	3,396	3,396	3,396	3,396	3,396	3,396	3,396	3,396	3,396	40,608
Total	54,135	54,135	61,100	61,100	61,100	72,191	72,191	72,191	72,191	61,100	61,100	54,135	707,362

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AUG 23 2000

Attachment B

CROP HISTORY EVALUATION FOR ESTIMATION OF DIVERSION VOLUME AND CONSUMPTIVE USE

EVALUATION FOR TRANSFER NO:

BY:

DATE:

ALLEN & BROCKWAY REPORT SITE:

Year	Crop	Acres	Method	Application Eff. %	IR for Crop (mm/season)	Crop Div Vol (AF/Ann)	Crop CU (AF/Ann)
AVE.	Alf	520	Sprinkler		75 946	2151.881	1613.911
		0				0	0
		0				0	0
		0				0	0
		0				0	0
Total Year 1		520				2151.881	1613.911

SUMMARY FOR FIVE YEAR PERIOD:

AVERAGE NUMBER OF ACRES IRRIGATED:	520
AVERAGE ACRE FEET VOL DIVERTED PER ANNUM:	2151.881
AVERAGE ACRE FEET VOL CONSUMED PER ANNUM:	1613.911
AVERAGE ACRE FEET VOL DIVERTED PER ACRE:	4.138233
AVERAGE ACRE FEET VOL CONSUMED PER ACRE:	3.103675

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AUG 23 2000

ATTACHMENT C

CONSUMPTIVE USE ESTIMATION USING AGRIMET

FROM AGRICULTURE CROP WATER USE SUMMARY 1988-1994
US BUREAU OF RECLAMATION PACIFIC NORTHWEST REGION FEBRUARY 1995

EVALUATION FOR TRANSFER : James Sieger Transfer
BY: Daniel A. Nelson
DATE: 7/27/99
AGRIMET REPORTING SITE Parma, Idaho

1980 IRRIGATION YEAR

Crop	Acres	Method	Application EFF. %	IR for Crop in/season	Crop Div. Vol AF/Ann	Crop CU AF/Ann
ALF	520.00	SPRINKLER	75	38.80	2,241.78	1,681.33
TOTALS	520.00				2,241.78	1,681.33

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AUG 23 2000

SUMMARY OF CONSUMPTIVE USE PER AGRIMET STATION

NUMBER OF ACRES IRRIGATED: 520.00
ACRE FEET VOLUME DIVERTED PER ANNUM 2,241.78
ACRE FEET VOLUME CONSUMED PER ANNUM 1,681.33

AVERAGE ACRE FEET VOL DIVERTED PER ACRE: 4.31
AVERAGE ACRE FEET VOL CONSUMED PER ACRE: 3.23

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: 63-07427A

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	1N	1W	24													40	40			80
GIS																40	40			80
Transfer 5569																29	28.9			57.9
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Total Claimed Acres: 80

Total GIS Acres: 80

Overlapping POU Claim #'s: _____

COMMENTS:

No ownership data available in county data.

Idaho Department of Water Resources

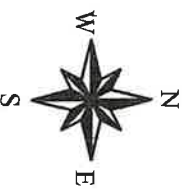
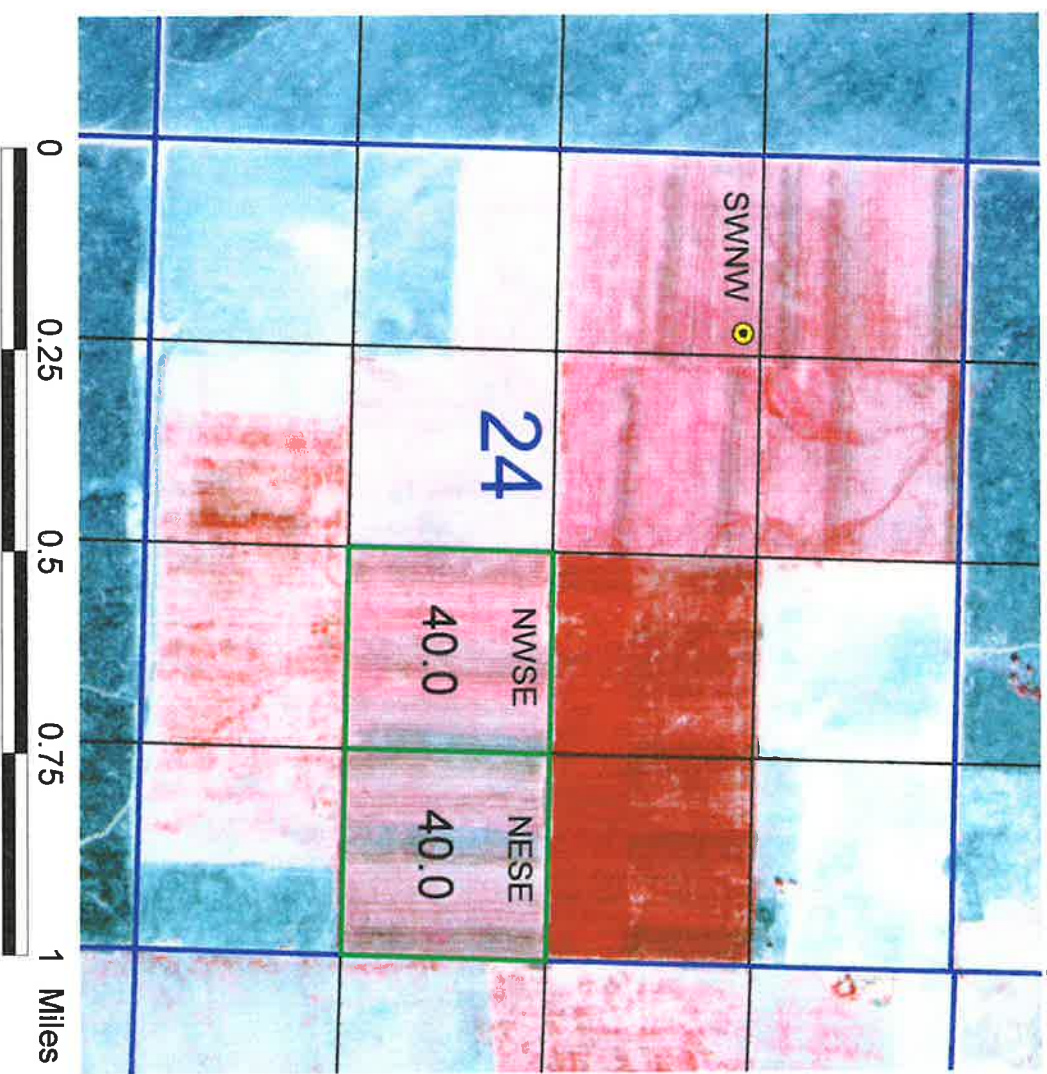
Claim Number:63-07427A

Legal:T01N, R01W, S24

Reviewed By:

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

1987 Napp Photo

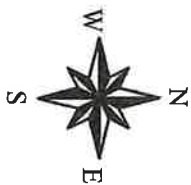
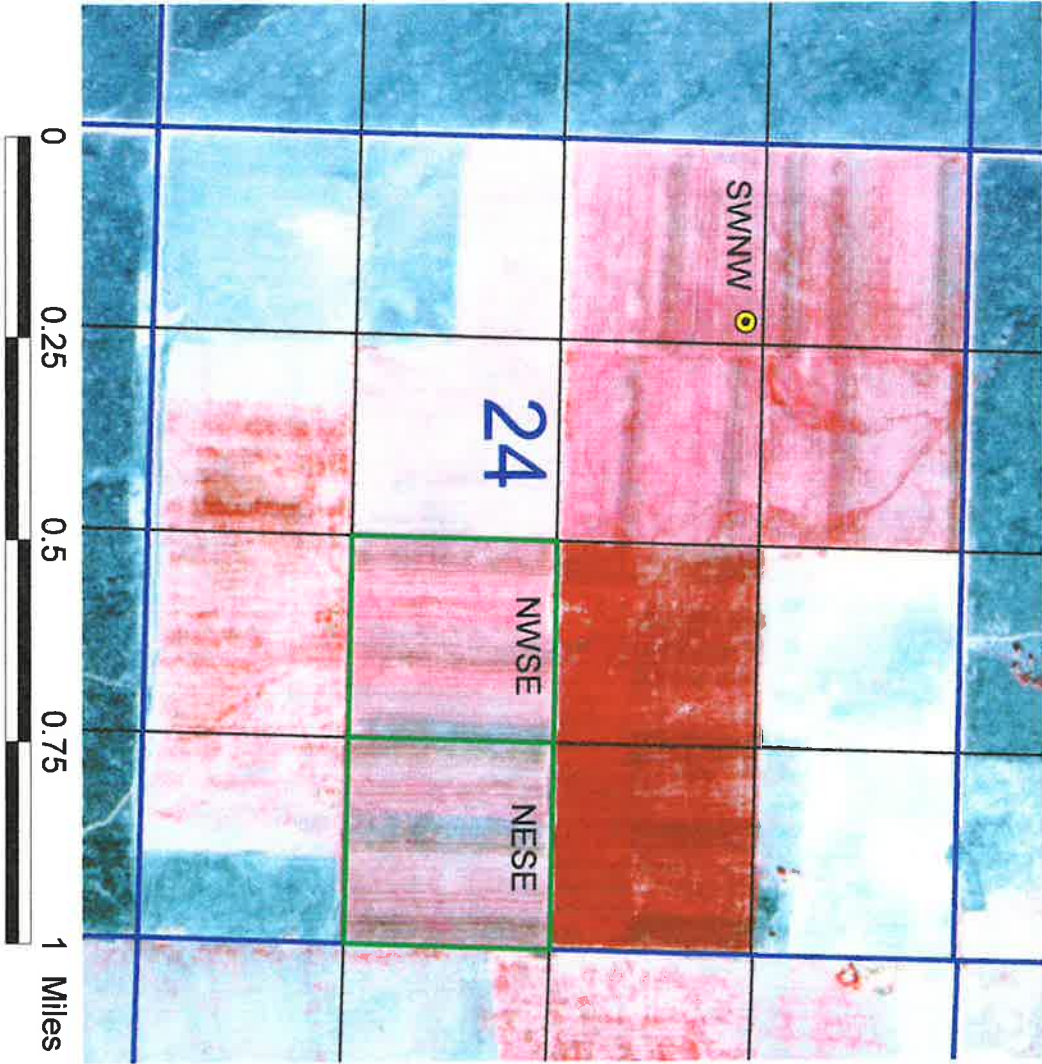


Idaho Department of Water Resources

Claim Number: 63-07427A
Legal: T01N, R01W, S24
Reviewed By:

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

1987 Napp Photo



DIVERSION
VOLUME

280.00 AFA

Stage: PERMIT

ADA County

SUM

- A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

AJ5809NP
No. A63-07427A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 131

Remarks: GEN DLE #1-3377.
P/D AND P/U MAP WILL BE PREPARED FROM LICENSE FIELD EXAM.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 01/14/92 LESTER 03/02/93 FRAZEE 03/17/93 FRAZEE 03/30/95 POST-STD
07/02/96 SSHERMAN 09/12/96 SSHERMAN

**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 63-7427A
Date Received: 1/14/92
Receipt No:
Received By:**

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

1. Name of Claimant(s)

Name: PETE M DE GROOT Phone:

**Address: 8800 SWAN FALLS RD
KUNA ID USA 83634**

Name: JEAN DE GROOT Phone:

**Address: 8800 SWAN FALLS RD
KUNA ID USA 836341756**

2. Date of Priority: 04/01/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01N	01W	24	SW	NW	ADA
01N	01W	24	NE	NE	1 ADA
01N	01W	24	SE	NE	4 ADA
01N	01W	24	NE	SE	3 ADA
01N	01W	24	SE	SE	4 ADA

5. Description of diverting works:

WELLS, PUMPS, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A	
IRRIGATION		03/15	11/15	1.04	
STOCKWATER			01/01	12/31	0.4
70.7					
COMMERCIAL			01/01	12/31	0.4
70.7					
					260.6

7. Total Quantity Appropriated is:
1.44 C.F.S. and/or 331.3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	01W	24	NW SE		IRRIGATION	28.9
			NE SE	3	IRRIGATION	29
			NW NW		COMMERCIAL	
			SW NW		COMMERCIAL	
			SE NW		COMMERCIAL	
			NE NE		COMMERCIAL	
			NE NW		COMMERCIAL	
			NE SW		COMMERCIAL	
			SW SE		COMMERCIAL	
			NW SE		COMMERCIAL	
			NE SE		COMMERCIAL	
			SE SE		COMMERCIAL	
			NW NE		COMMERCIAL	
			SW NE		COMMERCIAL	
			NE SE		STOCKWATER	
			SE NE		STOCKWATER	
					Section Acres	57.9
					Total Acres	57.9

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:

DLE #I-3377

P/D AND P/U MAP WILL BE PREPARED FROM LICENSE FIELD EXAM.

THIS RIGHT WHEN COMBINED WITH 63-8365A, 63-3198A, 63-3198B, 63-7425A, 6307425B & 63-7425C IS LIMITED TO A COMBINED TOTAL DIVERSION RATE OF 9.02 CFS.

CLAIM AMENDED PER TRANSFER 5569 APPROVED 7/28/2000. SEE TRANSFER FOR ADDITIONAL CONDITIONS OF APPROVAL.

COMMERCIAL USE IS A DAIRY LOCATED IN THE SENE & NESE, S24, 01N, 01W.

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)

) SS.

County of _____)

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

Western

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED

AUG 16 2000

TRANSFER NO. 5569
WATER RIGHT NO. 63-07427A

WATER RESOURCES
WESTERN REGION

This is to certify that: PETE M DE GROOT
JEAN M DE GROOT
8800 SWAN FALLS RD
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 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.04 CFS	260.6 AF
STOCKWATER	01/01 to 12/31	0.40 CFS	70.7 AF
COMMERCIAL	01/01 to 12/31	0.40 CFS	70.7 AF
Totals		* 1.44 CFS	331.3 AF *

SOURCE
GROUNDWATER

Priority: 04/01/1972

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 24, Township 01N, Range 01W
Lot 4(SENE), Sec. 24, Township 01N, Range 01W
SWNW, Sec. 24, Township 01N, Range 01W
Lot 3(NESE), 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 Lot 3(NESE)	29.0	NWSE	28.9	57.9
Total number of acres irrigated:				57.9

PLACE OF USE: STOCKWATER

<u>TWN RGE SEC</u>		
01N 01W 24	SENE	NESE

PLACE OF USE: COMMERCIAL

<u>TWN RGE SEC</u>			
01N 01W 24	NENE	NWNE	SWNE
	NENW	NWNW	SWNW
	SENW	NESW	NESE
	NWSE	SWSE	SESE

TRANSFER NO. 5569
WATER RIGHT NO. 63-07427A

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 9. The total instantaneous diversion of water from all points of diversion under Transfer 5569 shall not exceed 1.44 cfs, nor a total combined annual volume of 331.3 af.
10. Stockwater and commercial uses when combined shall not exceed a total diversion rate of 0.40 cfs and a total annual maximum diversion volume of 70.7 af.
11. Commercial use is for a dairy facility located within the SENE and NESE, S24, T01N, R01W.
12. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
13. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.

TRANSFER NO. 5569
WATER RIGHT NO. 63-07427A

CONDITIONS OF APPROVAL AND REMARKS

14. This right is appurtenant to land designated as DLE No. I-3377.
15. Right 63-08365A when combined with Rights 63-03198A, 63-03198B, 63-07425A, 63-07425B, 63-07425C and 63-07427A shall not exceed a total diversion rate of 9.02 cfs.

Dated this 28th day of July, 2000.


Chief, Water Allocation Bureau

Page 1 of 10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5569

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Pete & Jean DeGroot Phone (208) 922-9036
Post Office address 8800 Swan Falls Rd Kuna, Id 83634

A. PURPOSE OF TRANSFER

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

☒ Change nature of use ☒ Change period of use ☐ Other

2. Describe the reason for the proposed changes New Dairy Barn And new Heifer
corrals. Is new, however the water not shared with existing
dairy.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-07427A</u>	<u>04-01-1972</u>	<u>40 cfs/46.6 AFA</u>	<u>Stock Water</u>	<u>01-01 to 12-31</u>
		<u>40 cfs/24.1 AFA</u>	<u>Commercial</u>	<u>01-01 to 12-31</u>
		<u>1.04/260.6</u>	<u>Irrigation</u>	<u>03/15 to 11/15</u>
				to

2. Total amount of water being transferred 1.44 cfs cubic feet per second and/or 331.3 acre-feet per annum.

3. Source of water Groundwater tributary to

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>		<u>NE</u>	<u>SE</u>	<u>24</u>	<u>01N</u>	<u>01W</u>	<u>Ada</u>	<u>2 New Wells - Dairy</u>
<u>4</u>		<u>SE</u>	<u>NE</u>	<u>24</u>	<u>01N</u>	<u>01W</u>	<u>"</u>	
<u>1</u>		<u>NE</u>	<u>NE</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>3 Irrigation Wells</u>
<u>4</u>		<u>SE</u>	<u>SE</u>	<u>24</u>	<u>"</u>	<u>"</u>	<u>"</u>	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>01N</u>	<u>01W</u>	<u>24</u>				<u>3/4</u>									<u>3/4</u>				<u>—</u>
<u>Land Application</u>	<u>of Groundwater</u>	<u>→</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>				<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
															<u>29</u>	<u>28.9</u>			<u>57.9</u>

Total acres 57.9

PART 1

6. General Information:

a. Description of diversion system

2 wells, pumps & water pipe to Henry & Heiter facility.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____

PART 2

TRANS NO.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-07427A

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.44 CFS	360.0 AF

SOURCE

GROUNDWATER

Priority: 04/01/1972

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 24, Township 01N, Range 01W
SOWNW , 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	Lot 3 (NESE) 40	NWSE 40		80
Total number of acres irrigated:				80

CONDITIONS/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, 63-08365A, 63-07425A, 63-07425B, and 63-07425C.
3. This right is appurtenant to land designated as DLE No. I-3377.

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

If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

N/A. There is no split in ownership. DAN 10-7-99
applicant, omit part B and C.)

- | 1. | | 2. | |
|-------------|---------------|-------------|---------------|
| amount | for | amount | for |
| .37 / 46.6 | STOCK WATER | .39 / 34.1 | for |
| (cts/ac-ft) | purposes from | (cts/ac-ft) | purposes from |
| 01-01 | to | 01-01 | to |
| 12-31 | | 12-31 | |

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

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

- | 1. | amount | for | purposes from | to |
|----|-------------|------------|---------------|-------|
| | 1.04/26.55 | RR: garage | 03/15 | 11/15 |
| | (cts/ac-ft) | | | |
| | amount | for | purposes from | to |
| | (cts/ac-ft) | | | |
| | amount | for | purposes from | to |
| | (cts/ac-ft) | | | |
| | amount | for | purposes from | to |
| | (cts/ac-ft) | | | |

2. Point(s) of Diversion:

Lot	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
1		NE	NE	24	01N	01W	ADA
		SW	NW	24	01W	01W	ADA
4		SE	SE	34	01N	01W	ADA

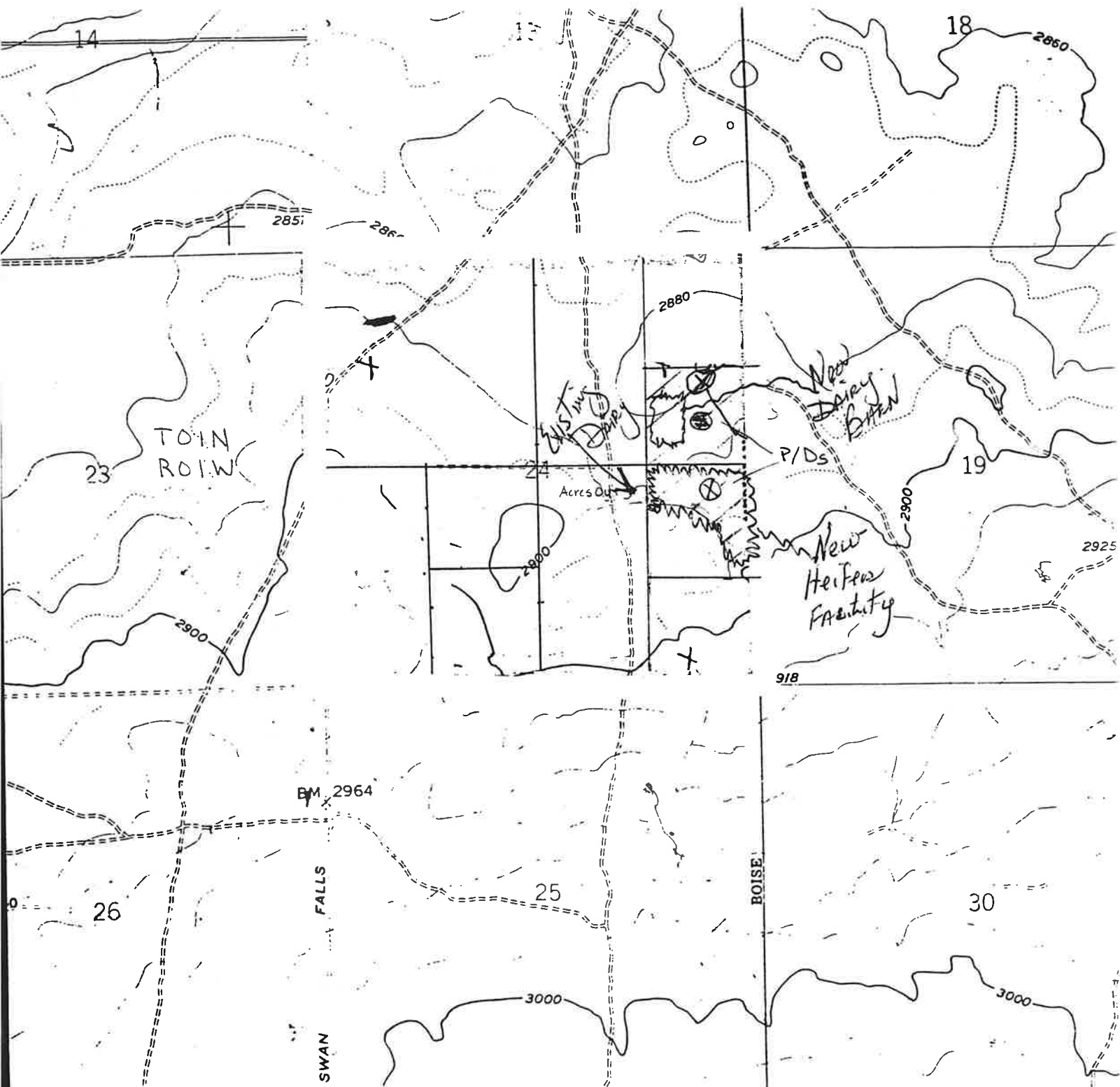
3. Lands irrigated or place of use:

[illegible]

Total acres

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

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



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	STOCKWATER	3.6 cfs/4.11 ac-ft	365 days	01-01 to 12-31
	COMMERCIAL	3.6 cfs/4.11 ac-ft	365 days	01-01 to 12-31

2. Quantity and quality of return flows and location of discharge: water will be provided & bank applied as needed.

3. Describe effects on other water uses resulting from the proposed change: None.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 11th day of August, 1999
 (Signature of Applicant) [Signature]
 (Notary Public) [Signature]
 My commission expires 4/26/2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments
 Received by DAV Nelson Date 8-24-99 Fee \$100.00
 Prelim. check by DAV Nelson Date 8-24-99
 Received by DAV Nelson Date 8-24-99
 Published in 9th Edition Pub. dates 10-21-98-99
 Watermaster recommendation requested on
 Recommended for ☐ approval ☐ denial
 Hearing held by Date
 Copies of protest forwarded by
 Protest filed by
 rec'd. by
 Copy of transfer sent to lien holder

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 08/03/99

TIME: 12:42:45

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-07427			00/00/0000	/			
63-07427A	TULS, JACK	C	04/01/1972	L/	GROUNDWATER	IRR	WR
63-07427B	TULS, TILLIE	C					WR
63-07427C	MONY PENSION INSURANCE CORP	C	00/00/0000	/Z		IRR	WR
63-07427D	SLEGGERS, JAMES	C	01/24/1983	L/	GROUNDWATER	IRR	WR
		C	01/24/1983	L/	GROUNDWATER	IRR	WR
						STOCK	
						COMMER	
A63-07427A	MONTIERH, HERB	C	04/28/1971	P/	GROUNDWATER	IRR	AJ
	MONTIERH, DARLENE R	C					
A63-07427B	SPLIT CLAIM	C	01/24/1983	/Z	GROUNDWATER	IRR	AJ
A63-07427C	MUTUAL LIFE INSURANCE COMPANY	C	01/24/1983	L/	SPLIT CLAIM	IRR	AJ
A63-07427D	SLEGGERS, LENWOOD	C	01/24/1983	L/	GROUNDWATER	IRR	AJ
	SLEGGERS, JAMES	C			GROUNDWATER	IRR	AJ
	SLEGGERS, MARIA ADRIANA	C				STOCK	
	SLEGGERS, TESS J	C				COMMER	

Attachment A

Fresh Water Considerations for dairy farms Gallons per day

McCoy

Drinking water estimates	Number	Per day @ 40d	Per day @ 60d	Per day @ 80d	40d Total	60d Total	80d Total
Milking Cows	600	27	31.9	38.7	16200	19140	23220
Dry Cows	100	9.7	12	16.2	970	1200	1620
hfr 16-24 mo	905	8.7	10.8	14.5	7873.5	9774	13122.5
hfr 13-15 mo	286	8.7	10.8	14.5	2488.2	3088.8	4147
hfr 9-12 mo	405	6.3	7.9	10.6	2551.5	3199.5	4293
hfr 5-8 mo	404	6.3	7.9	10.6	2545.2	3191.6	4282.4
hfr 3-4 mo	0	3.7	4.6	6.1	0	0	0
hfr 0-2 mo	0	2	2.5	3.3	0	0	0
Total cow use - gallons	700				32,628	39,594	50,685
Mature Cows	2000						
Heifers							

Wash pen estimates
Sprinkler discharge per nozzle
Number of nozzles
Minutes per day used
Total washpen water
5.39 gpm
70 #
48 min
18,110 gallons

Milkhouse and parlor estimate

	per operation times per day	gallons per day
Bulk tank	116	116
Pipeline	140	280
Backflush	0.5	600
Cleanup	900	1800
Cow prep	0.5	600
Plate cooler	0	0
Total Milkhouse water used		3,396

Total daily fresh water requirements - monthly - annual - daily (second table)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YEAR
Drinking	1,011,480	913,595	1,227,411	1,187,817	1,227,411	1,520,547	1,571,232	1,571,232	1,520,547	1,227,411	1,187,817	1,011,480	15,177,981
Washpen	561,422	507,091	561,422	543,312	561,422	543,312	561,422	561,422	543,312	561,422	543,312	561,422	6,810,296
Process	105,276	95,088	105,276	101,880	105,276	101,880	105,276	105,276	101,880	105,276	101,880	105,276	1,239,540
Total	1,678,179	1,515,774	1,894,109	1,833,009	1,894,109	2,165,739	2,237,930	2,237,930	2,165,739	1,894,109	1,833,009	1,678,179	23,027,817
Drinking	32,628	32,628	39,594	39,594	39,594	50,685	50,685	50,685	50,685	39,594	39,594	32,628	
Washpen	18,110	18,110	18,110	18,110	18,110	18,110	18,110	18,110	18,110	18,110	18,110	18,110	
Process	3,396	3,396	3,396	3,396	3,396	3,396	3,396	3,396	3,396	3,396	3,396	3,396	
Total	54,135	54,135	61,100	61,100	61,100	72,191	72,191	72,191	72,191	61,100	61,100	54,135	

CROP HISTORY EVALUATION FOR ESTIMATION OF DIVERSION VOLUME AND CONSUMPTIVE USE

EVALUATION FOR TRANSFER NO:

BY:

DATE:

ALLEN & BROCKWAY REPORT SITE:

Year	Crop	Acres	Method	Application Eff. %	IR for Crop (mm/season)	Crop Div Vol (AF/Ann)	Crop CU (AF/Ann)
AVE.	Alf	520	Sprinkler		75 946	2151.881	1613.911
		0				0	0
		0				0	0
		0				0	0
		0				0	0
Total Year 1		520				2151.881	1613.911

SUMMARY FOR FIVE YEAR PERIOD:

AVERAGE NUMBER OF ACRES IRRIGATED:	520
AVERAGE ACRE FEET VOL DIVERTED PER ANNUM:	2151.881
AVERAGE ACRE FEET VOL CONSUMED PER ANNUM:	1613.911
AVERAGE ACRE FEET VOL DIVERTED PER ACRE:	4.138233
AVERAGE ACRE FEET VOL CONSUMED PER ACRE:	3.103675

ATTACHMENT C

CONSUMPTIVE USE ESTIMATION USING AGRIMET FROM AGRICULTURE CROP WATER USE SUMMARY 1988-1994 US BUREAU OF RECLAMATION PACIFIC NORTHWEST REGION FEBRUARY 1995

EVALUATION FOR TRANSFER : James Slegger Transfer
 BY: Daniel A. Nelson
 DATE: 7/27/99
 AGRIMET REPORTING SITE Parma, Idaho

1980 IRRIGATION YEAR						
Crop	Acres	Method	Application EFF. %	IR for Crop in/season	Crop Div. Vol AF/Ann	Crop CU AF/Ann
ALF	520.00	SPRINKLER	75	38.80	2,241.78	1,681.33
TOTALS	520.00				2,241.78	1,681.33

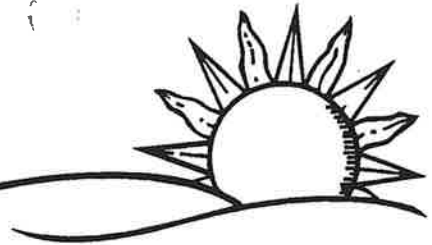
SUMMARY OF CONSUMPTIVE USE PER AGRIMET STATION

NUMBER OF ACRES IRRIGATED: 520.00
 ACRE FEET VOLUME DIVERTED PER ANNUM 2,241.78
 ACRE FEET VOLUME CONSUMED PER ANNUM 1,681.33

AVERAGE ACRE FEET VOL DIVERTED PER ACRE: 4.31
 AVERAGE ACRE FEET VOL CONSUMED PER ACRE: 3.23

McCoy & Watts Realty

August 18, 1999



State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Dear Daniel Nelson:

Pete & Jean DeGroot have owned this property, which consists of 520 acres, since June of 1997. At the time of purchase and since all of the property has been in alfalfa.

The existing dairy and new facility combined, will take out approximately 80 acres of farmable land. The balance of 440 acres will remain in alfalfa production.

Sincerely,

Susan R. McCoy
Representative for Pete & Jean DeGroot

23

CONSULTANT.

DAN

8-24-99



Farms • Dairies • Ranches

Warranty Deed

For Value Received JACK G. TULS and TILLIE W. TULS, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto PETE M. DE GROOT, JR. and JEAN M. DE GROOT, husband and wife

whose current address is 2901 Autumn Way, Meridian, Idaho 38390

the grantors, the following described premises, in Ada County Idaho, to wit:

The East Half which includes Government Lots 1-4 and a portion of the Southwest Quarter of Section 24, Township 1 North, Range 1 West, of the Boise Meridian, more particularly described as follows:

BEGINNING at the Northeast corner of Section 24, Township 1 North, Range 1 West, of the Boise Meridian and running thence South 00 degrees 02' 31" West 2627.18 feet along the East line of said section to the East Quarter corner; thence South 00 degrees 21' 28" West 2659.60 feet along said East line to the Southeast corner of said section; thence South 89 degrees 49' 38" West 2664.79 feet along the South line of said section to the South Quarter corner; thence North 00 degrees 16' 11" East 1312.03 feet; thence South 89 degrees 53' 39" West 1305.89 feet; thence North 00 degrees 08' 29" East 1337.67 feet; thence North 89 degrees 42' 15" East 1308.72 feet to the Center Quarter corner of said section, thence North 00 degrees 15' 55" East 2632.12 feet to the North Quarter corner of said section; thence North 89 degrees 48' 51" East 2658.84 feet along the North line of said section to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, do for their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owner in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: December 27, 1997

Jack G. Tuls
Jack G. Tuls

Tillie W. Tuls
Tillie W. Tuls

98005764

California
STATE OF IDAHO, COUNTY OF San Bernardino
On this 29th day of December, 1997
before me, a notary public in and for said State, personally appeared
Jack G. Tuls and Tillie W. Tuls

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Susan Ortiz
Notary Public
Residing at 12628 Central Ave., Chino, CA 91710
Comm. Expires March 20, 1998

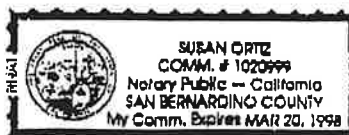
ALLIANCE TITLE

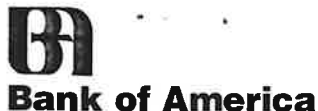
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'98 JAN 23 PM 4:19

RECEIVED AT THE REQUEST OF





RECEIVED

SEP 24 1999

WATER RESOURCES
WESTERN REGION

Chino Valley
Commercial Banking

August 30, 1999

State Of Idaho
Department Of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

To Whom It May Concern:

This letter is in reference to Pete & Jean DeGroot's "Application For Transfer Of Water Rights" dated August 11, 1999 (copy attached). The application pertains to water Right Number #63-07427A.

The Bank has been informed of this pending transaction and has issued this letter as evidence of our "No Objection" to this transfer of water rights as detailed in the application.

Should you have any questions, please feel free to contact me.

Respectfully yours,

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

Roger Brossman
Vice President
(909) 464-2429

ATTACHMENT
E

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CALIFORNIA

County of SAN BERNARDINO

On AUGUST 31ST 1999 before me, BETTE BAILEY, NOTARY PUBLIC

personally appeared ROGER BROSEMAN

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Bette Bailey
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: BANK OF AMERICA, LETTER OF NO OBJECTION

Document Date: AUGUST 30th 1999 Number of Pages: 1

Signer(s) Other Than Named Above: NONE

Capacity(ies) Claimed by Signer(s)

Signer's Name: ROGER BROSEMAN

- ☐ Individual
☒ Corporate Officer
Title(s): VICE PRESIDENT
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing:

BANK OF AMERICA

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing:

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Water Right Number - A63-07427A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
MONTIERTH

HERB

1 - 2409 W KUNA CAVE ROAD
2 -
3 -

State- ID Zip- 83634

City- KUNA

Phone - 208-922-4237

DARLENE R

1 - C/O 2409 W KUNA CAVE ROAD
2 -
3 -

State- ID Zip- 83634

City- KUNA

Phone - 208-922-4237

*** O - ORIGINAL OWNER ***
YORK JR

RICHARD A

1 -
2 -
3 -

State- ID Zip- XXXX

City- XXXXX

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/28/1971 14 WESTERN P - PERMIT+ - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name

01N 01W 24 SW NW (1) ADA

+ - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION 03/15 11/15 1.600
04 - STOCKWATER 01/01 12/31 0.030
43 - DOMESTIC 01/01 12/31 0.030+ - - Total Div. Rate - + - - - Total Div. Volume - + - - - Total Div. Capacity - + - - - Total Consumptive Use - + - - - KW Usage - +
1.660 280.0+ - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County01N 01W 24 NE SE 24 40.0 01 IRRIGATION (1) ADA
01N 01W 24 NW SE 24 40.0 01 IRRIGATION (1) ADA
01N 01W 24 SW SW 24 04 STOCKWATER (1) ADA
01N 01W 24 NE SE 24 04 STOCKWATER (1) ADA
01N 01W 24 NW SE 24 04 STOCKWATER (1) ADA
01N 01W 24 SW SW 24 43 DOMESTIC (1) ADA

Total Acres: 80.0

Prefix Translation: ADJUDICATION CLAIM

Remarks

P/D AND P/U MAP WILL BE PREPARED FROM LICENSE FIELD EXAM.

Conditions of Approval

| | | | | | | |
|---------|--------------------|-------|---------|--------------------|-------|-----------------------------------|
| + - - - | - Decree Plaintiff | - - + | + - - - | - Decree Defendant | - - + | + - Decree Date - +
00/00/0000 |
|---------|--------------------|-------|---------|--------------------|-------|-----------------------------------|

[illegible]

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | | | |
|----------------------|---|------------|-----------------------|---|------------|-------------------------|-----|
| Court Report Filing | - | 00/00/0000 | Field Inspection Made | - | 00/00/0000 | Civil Case Number | - |
| Objection Filed Date | - | 00/00/0000 | Field Inspection Flag | - | | Old Case Number | - |
| Response Filed Date | - | 00/00/0000 | Verified Date | - | 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - | 01/14/1992 | Last Amended Date | - | 00/00/0000 | Temporary Right | - P |
| Proof Due Date | - | 00/00/0000 | Proof Made Date | - | 00/00/0000 | Water District | - |
| Licensed Date | - | 00/00/0000 | Receipt Number | - | W014008 | Federal/State Indicator | - S |
| | | | POU Ownership Flag | - | Y | Presumption Flag | - |
| | | | Name Connector | - | AND/OR | Notice of Error Flag | - |

From: DWR03::SSHerman 12-SEP-1996 10:18:57.04
To: DWR80::JSHURTE
CC: SSHerman
Subj: MONTIERTH PAYMENT

HI JAN! HERB MONTIERTH CAME IN LAST NIGHT AND PAID HIS CLAIMS
OFF. REC'T C036534.

THIS MORNING I UN-REJECTED THE FOLLOWING CLAIMS:

A63-07982, A63-07425, A63-03311, A63-03198, A63-03196B,
A63-03151B, A63-03150, A63-07427A, A61-07390, A61-07360A
AND A61-07207A.

HAVE A GOOD W/E! ...SAL

From: DWR03::SSHERMAN 7-MAR-1996 13:50:49.17
To: DWR80::MSCHULTE
CC: SSHERMAN
Subj: A63-07427C / MONTIERTH O-CHANGE

HOWDY MEL! I COULD SURE USE SOME ASSISTANCE FROM YOU, PLEASE,
FOR A 'DON PROJECT' I'M DOING CONCERNING HERB MONTIERTH....

HERB HAS A 5-YEAR PAYMENT PLAN ACCOUNT WITH US, AND IS PAST DUE.
DOLLIE MONTIERTH CALLED ME THIS MORNING CONCERNING HIS BILL, AND
TOLD ME SHE AND HER HUSBAND, RODNEY KENT MONTIERTH, PURCHASED
SOME PARCELS FROM HERB, WANTED TO PAY WHAT'S DUE ON THEM, AND
ALSO SUBMIT AN OWNERSHIP CHANGE.

SO... DON'S HAVING ME RESEARCH THE RITES ON HERB'S PAYMENT PLAN
TO DETERMINE WHICH ONES HAVE SOLD, AND WHEN. THE 'WHEN' PART IS
CRITICAL, MEL, BECAUSE THE NEW OWNER OWES HIS/HER PORTION OF THE
PAST-DUE BILL IMMEDIATELY UPON PURCHASE.

A63-07427B WAS SPLIT INTO 07427C AND 07427D. A63-07427B HAS HR
MONTIERTH (OUR FRIEND HERB) AS 'C' OWNER AND YOUR NAME (LUCKY
YOU) ON THE AUDIT TRAIL (HENCE THIS REQUEST). THERE ARE NO TRAX
IN REMARKS ABOUT AN OWNERSHIP CHANGE, AND OF COURSE, -0- IN
MICROFICHE SINCE IT'S SO RECENT.

WOULD YOU PLEASE LET ME KNOW THE DATE OF PURCHASE AND THE AMOUNT
OF ACREAGE INVOLVED?

WHEW! ALL THAT FOR SUCH A TINY QUESTION. YOU COULD FAX ME STUFF
VS E-MAIL, IF THAT WOULD BE EASIER.

THANX BUNCHES!
...SAL

Billing Statement

FTI

State of Idaho
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706-2237

Telephone: 1-(800)-451-4129 (Idaho Only)
1-(208)-327-7900 (Outside of Idaho)

RECEIVED
FEB 02 1996
WATER RESOURCES
WESTERN REGION

02/01/96

H R (HERB) MONTIERTH
2409 W KUNA CAVE RD
KUNA ID 83634

30 DAYS PAST DUE

A/R Number: C000037
Due Date: 01/01/96

Please return this portion with your payment

Amount Enclosed \$ _____

A/R Number: C000037

Date: 02/01/96

| | | | |
|------------------------|------------|-------------------------|-------------------|
| Original Fee | \$5,669.00 | Fee Balance | \$1,163.07 |
| Principal Paid to Date | 4,505.93 | Principal Due | 1,163.07 |
| Interest Paid to Date | 1,063.27 | Interest Due | 116.31 |
| | | Amount Past Due | 10.87 |
| | | Total Amount Due | \$1,290.24 |

Water Right Number (s)

A61-07195 A61-07207A A61-07207B A61-07210 A61-07265
A61-07274 A61-07298 A61-07306A A61-07306B A61-07390
A63-03150 R A63-03151B R A63-03196B M A63-03198M A63-03311 M
A63-07425 M A63-07427A M A63-07427B - A63-07753 - A63-07982 R

money money

Kay - These Basin let's
are yours - I guess this
is FTI for now. If he
doesn't pay in 60 days
we reject the claims. He's
crazy not to pay now, huh?



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 1, 1996

CERTIFIED

H R (HERB) MONTIERTH
2409 W KUNA CAVE RD
KUNA ID 83634

RE: Snake River Basin Adjudication (SRBA)
AR #C000037

Dear Claimant:

Your account is now over 30 days past due.

You should be aware that if payment is not received by the 60th day following the due date, your claim(s) may be rejected and returned and all fees will be forfeited.

Additionally, an order may be issued by the Director of the Department or the Court directing you not to divert water pursuant to the claims covered until your payment is received.

If your payment and this letter passed in the mail, we apologize for this letter.

Yours truly,


for Donald V. Shaff
Manager, Adjudication Section

DVS:ss:AR:region

Enclosure:

Billing Statement

cc: Tippet Land & Mortgage Company
MONY Agricultural Investments

CONVERSATION MEMORANDUM

DATE 3/26/99
FILE 63-07753A

NAME OF PARTY Jim Slegers
EMPLOYEE RZ

RE: Ownership change Plus Possible Transfer

Mr. Slegers visited Webster to discuss this right. He is the new owner of the acres. He will file an ownership change soon. Previously he bought land to West & obtained transfer for a diary (T. 4595, 63-074270).

He may need to add an irrig. well on his own property for acres in - 7753A. We discussed transfer process, FRBA compliance, 5 yr. forfeiture, ext. of time to avoid forfeiture, and concept of ground water water bank.

This right is the only water on SE 1/4 S.16 listed in - 7753A per WRE4, AJR4 & confirmation by Mr. Slegers.

cc: A63-07753A } Region file
63-07753A }

Water Right Number - A65-07427A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
MONTIERTH
HERB
1 - 2409 W KUNA CAVE ROAD
2 -
3 -
City- KUNA
Phone - 208-922-4237
State- ID Zip- 83634

MONTIERTH
DARLENE R
1 - C/O 2409 W KUNA CAVE ROAD
2 -
3 -
City- KUNA
Phone - 208-922-4237
State- ID Zip- 83634

*** 0 - ORIGINAL OWNER ***
YORK JR
RICHARD A
1 -
2 -
3 -
City- XXXXXX
Phone - 208-000-0000
State- ID Zip- XXXXX

Priority Date - - +
04/28/1971
14 WESTERN
Region - - - +
Stage - - - +
Status - - - +
X - REJECTED

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

Twn Rng Sec Tract Lot Rflg County Point of Diversion - - - - +
01N 01W 24 SW NW (1) ADA
Diversion Name

| Code | Description | Period From | Water Use
Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|------------------------|----------------|------------------|
| 01 - IRRIGATION | | 03/15 | 11/15 | 1.600 | |
| 04 - STOCKWATER | | 01/01 | 12/31 | 0.030 | |
| 43 - DOMESTIC | | 01/01 | 12/31 | 0.030 | |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.660 280.0

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use
Code | Description | County |
|-----|-----|-----|-------|-----|-------|----------------------|-------------|-----------|
| 01N | 01W | 24 | NE SE | | 40.0 | 01 | IRRIGATION | (1) ADA |
| 01N | 01W | 24 | NW SE | | | 01 | IRRIGATION | (1) ADA |
| 01N | 01W | 24 | SW SW | | 40.0 | 04 | STOCKWATER | (1) ADA |
| 01N | 01W | 24 | NE SE | | | 04 | STOCKWATER | (1) ADA |
| 01N | 01W | 24 | NW SE | | | 04 | STOCKWATER | (1) ADA |
| 01N | 01W | 24 | SW SW | | | 43 | DOMESTIC | (1) ADA |

Total Acres: 80.0

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use -

INSUFFICIENT FEES.

- - Old Water Right Numbers - -
- - No Old Water Right Numbers found.

- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

+ - Decree Date - +
00/00/0000

+ - - - - -
- - - - - Comments--
No Comments Found

Adjudication Rights Dates and Flags Area

| | | | |
|--------------|-----------------|--------------|-----------------------------|
| - 00/00/0000 | Proof Made Date | - 00/00/0000 | Water District |
| 00/00/0000 | Receipt Number | - W014008 | Federal/State Indicator - S |

- Y Presumption Flag
- AND/OR Notice of Error Flag

From: DWR03::SSHerman 3-JUL-1996 13:55:19.65
To: DWR80::JSHURTE
CC: SSHerman
Subj: MONTIERTH UPDATE

HI JAN. TODAY I COMPLETED REJECTING ALL OF H.R. MONTIERTH'S CLAIMS, AT DON'S REQUEST. THESE INCLUDE THE NOTICES OF CLAIM SHOWING TIPPETT LAND & MORTGAGE AS "L" OWNER AND CONNECTICUT GENERAL AS "C" OWNER IN BASIN 61. RATHER THAN TYPE EACH W/R NUMBER HERE, I FAXED YOU THE CALC OF INTEREST AND PRINCIPAL DON DID 4/2/1996, WITH MY NOTES ON IT SHOWING HIM (AND YOU) WHAT CLAIMS HAVE BEEN REJECTED.
...SAL

From: DWR03::SSHHERMAN 3-JUL-1996 08:13:08.74
To: DWR80::JSHURTE
CC: SSHHERMAN
Subj: MONTIERTH

HI JAN. JUST WANTED TO LET YOU KNOW I REJECTED ("X" STATUS")
NOTICES OF CLAIM A63-07427A AND -07753 YESTERDAY. LETTER COPY IS
IN MAIL TO YOU.

TODAY I WILL REJECT ALL CLAIMS OF H.R. MONTIERTH. THIS IS, OF
COURSE, FOR INSUFFICIENT FEES.

HOPE U HAVE A GREAT HOLIDAY W/E-- STAY KOOL!

CALCULATION OF INTEREST AND PRINCIPAL

02-Apr-96

NAME: H. R. (HERE) MONTEREY (MONTEREY FARMS)
AR Acct. No. C000037 ORIG. FEE LATE FEES
5669.00 1177.50

| LAST DUE | 01-Jan-95 | AMT. REC'D | PRIN REC | INT. REC | LATE INT |
|-----------|------------|------------|----------|----------|----------|
| REC'D NO. | DATE REC'D | | | | |
| W014006 | 14-Jan-92 | 1369.30 | 1133.80 | | |
| W014159 | 19-Feb-92 | 942.00 | | | |
| W016011 | 10-Mar-93 | 1571.17 | 1104.53 | 437.37 | 29.27 |
| C029648 | 18-Feb-94 | 1506.74 | 1133.80 | 343.67 | 23.87 |
| C031969 | 12-Jan-95 | 1363.49 | 1133.80 | 229.63 | |
| C035211 | 02-Apr-96 | 11.58 | 10.50 | 1.08 | |
| TOTALS | | 6758.28 | 4516.43 | 1511.21 | 53.14 |

TOTAL INT = 1064.35

| | |
|----------------|-----------|
| REMAIN PRIN | 1152.57 |
| PRIN DUE | 1152.57 |
| BEG INT DATE | 01-Jan-95 |
| END INT DATE | 01-Jan-96 |
| DAYS IN PERIOD | 365 |
| 7190 PRIN | 1152.57 |
| 6890 INT | 115.26 |
| SUB TOTAL | 1267.83 |
| 6830 LATE | 32.30 |
| BAL DUE | 1300.13 |

| MONTHLY | MONTH | CORN GEN | TOTALS |
|-------------|---------|----------|---------|
| CLAIM FEES | 2502.00 | 580.00 | 2587.00 |
| 01/01/95 | 1972.33 | 464.00 | 2069.60 |
| BALANCE | 529.67 | 116.00 | 517.40 |
| DOE 1/01/95 | | | |
| PRIN | 529.67 | 116.00 | 517.40 |
| INT. | 52.97 | 11.60 | 51.74 |
| TOTAL | 582.64 | 127.60 | 569.14 |
| LATE INT. | 28.39 | | 1279.38 |
| PAY FULL | 611.03 | 127.60 | 569.14 |

2-A61-07200A P KAT 210.00 A63-0753R-MEL-370.00 A61-07195 P R 830.00
 R A61-07306A P 1 210.00 A63-07427B SPRT(MEL) A61-07207B P R KAT 370.00
 R A61-07390 P 1 690.00 R A63-07427C(MEL) 1145.30 A61-07210 R - " 530.00
 R A63-03151B 1 50.00 A63-07427D - " 65.00 A61-07255R P KAT 207.00
 R A63-03198B-MEL-199.00 A61-07274R E-KAT 250.00
 R A63-03198 - " 196.00 A61-07298R P-KAT 210.00
 R A63-03111 - " 330.00 A61-07306B P KAT 130.00
 R A63-07425 - " 230.00
 R A63-07427A R - " 130.00
 R A63-07982 - RAV 50.00

TOTALS 2502.00

580.00

2587.00

Can Gen. (T. O. Pett (A. H.))

FAX'd to Jan - Sen & when E-mail!
 All X Status
 except which they pd. 63-07427D
 & Records

| | | | |
|------------------|------|-------------|-------|
| Date 1-3-96 | | Page 1 of 1 | |
| To | From | Phone # | Fax # |
| Jan | Jan | | |
| Post-it Fax Note | | 167 | |

Split Tree

P63-07427 DR: 4.80 cfs

(YORK)

P/D: 1N, 1W, S24, SWSW

P/U: 1N, 1W, S24 SWSW-40 NESE-40

SESW-40 NWSE-40

SWSW-40

SESE-40

Amendment
1-27-1983
(Assigned 8-15-73)
(Assigned 1-23-83)

P63-07427A DR: 1.60

Monteith

P/D: 1N, 1W, S24, SWNW

P/U: S24, NESE-40

NWSE-40

Assigned
(1-23-83)

P63-07427B DR: 3.20

Mony Pension
(Monteith)

P/D: 1N, 1W, S16, NESW & NWSE

P/U: 1N, 1W, S16, NESW-40 NWSW-40

SWSW-40 SESW-40

L63-

07427C

DR: 2.30 cfs

(Mony Pension)

P/D: 1N, 1W, S15, SWNW

S16, SENE, NWSE

P/U: 1N, 1W, S16, NESW-39

L3 NWSW-38

L5 SESW-38

115

L63-

07427D

DR: .76 cfs

Leggs, James

" , Marie

" , Lemwood

" , Tess

P/D: Same as "C"

P/U: 1N, 1W, S16, L4 SWSW-38

OVER.

8-21-95 & 10-27-95

Per Licensing Amend.
Split to C & D

Per T4595

A63-074270 - DR: IRR - .06 of 13.5 of a
(Degeus, James) Stock .70 " 52.4 "

Comm .70 " 105.1 "

P/D: 1N, 1W, S16, L+3, NWSW

L+4, SWSW

NWSE

P/U: 1N, 1W, S16 SWSW - 3 ac

" - St. with

" - Corn.

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: C036145

Date: 7/22/1996
Time:

H. R. MONTIERTH
2409 W KUNA CAVE RD
KUNA ID 83634

COPY

Received
From: MONTIERTH, RODNEY/DOLLIE

| Type of Payment | | Program A cct | | Amount |
|-----------------------|-------|---------------|------|--------|
| ADJUDICATION CLAIM | 41503 | 337 | 1155 | 105.50 |
| ADJUDICATION INTEREST | 41503 | 337 | 2515 | 10.55 |

Account Number: C000037

Total \$ 116.05

CHECK 2635

| Water Right Numbers | | | | |
|---------------------|------------|------------|------------|-----------|
| A61-07195 | A61-07207A | A61-07207B | A61-07210 | A61-07265 |
| A61-07274 | A61-07298 | A61-07306A | A61-07306B | A61-07390 |
| A63-03150 | A63-03151B | A63-03196B | A63-03198 | A63-03311 |
| A63-07425 | A63-07427A | A63-07427B | A63-07753 | A63-07982 |

Region: STATE

Signature: _____

Y900



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

July 25, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RODNEY KENT AND DOLLY MONTIERTH
3208 W KUNA CAVE RD
KUNA ID 83634

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #A63-07427C and #A63-07753

COPY

Dear Claimants:

Thank you for your recent payment. Receipt #C036145 is enclosed for your records. The water rights claims fees referenced above are paid in full.

However, Herb Montierth's Notices of Claim will remain in a rejected status until the balance of \$529.57 (not including interest), is paid in full. Also, the Notices of Claim owned by Connecticut General will also remain in a rejected status until their balance of \$514.40 (again not including interest), is paid in full.

Finally, we cannot change our records without a claimant signature. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. If the address above is correct, please sign your name at the bottom of this letter and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure you receive future notices about SRBA matters.

Please contact me if you have any questions.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:AR#C37

Enclosure:

Receipt #C036145
cc: Mutual of New York
Tippett Land & Mortgage Company
Connecticut General Life Insurance Company
Herb Montierth

RECEIVED

JUL 25 1996

WATER RESOURCES
WESTERN REGION

Claimant Signature



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 1, 1996

RECEIVED

MAR 04 1996

WATER RESOURCES
WESTERN REGION

AR#C000037

H R (HERB) MONTIERTH

2409 W KUNA CAVE RD

KUNA ID 83634

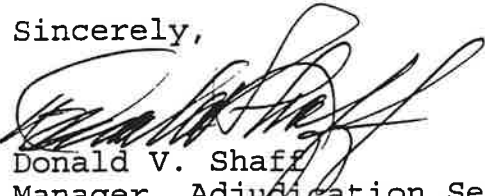
Dear Mr. Montierth:

Payment has not been received as directed in the certified letter you received on February 8, 1996. Rather than returning the claims to you, the record of the claims will go into a rejected status and remain in that category until payment is received from you. The account will continue to accrue interest, and any fees will not be returned whether the claims are investigated or not.

This will be your last notice until such time as the findings of the Director are included in his report to the Court of the water right claims in that area. Without further payment on the claim fee account, the findings of these claims will be that the claims were rejected for insufficient fees.

If your payment and this letter pass in the mail, I apologize for this letter.

Sincerely,


Donald V. Shaff
Manager, Adjudication Section

DVS:ss:AR:region

cc: Tippet Land & Mor
MONY Agricultural

*Key, Ron & Mel - see claim #'s
affected attached. At this
pt. I guess we should create
"R" files & label both the "A"
& "R" 's as an X status for
rejected with the remark In-
sufficient fees. Please put a
copy of this letter in file also, &
put in comments about payment plan.
Plus you might keep checking to see if they
pay. Thanks, J*

1605-3

Idaho Department of Water Resources
Account Receivable Maintenance

Date: 03/05/9
Time: 11:12:51

Account Number: C000037 Date Due: 1 /1 /1996
Name & Address: H. R. MONTIERTH
2409 W KUNA CAVE RD
KUNA ID 83634

Phone Number: () -

Total Acct Fee: 5669.00 Outstanding Principal: 2272.99
Receipt Numbers: W016011 C029648 C031969

(Enter=Continue) (GOLD6=Water Right Numbers) (GOLD8=Cancel)

*To Query for
Acct. #'s
just go into ARQ1
Query by Acct.
C000037.*

605-4

Idaho Department of Water Resources
Accounts Receivable Maintenance - Water Right No

Date: 03/05/96

Time: 11:11:49

| WR No | Total Fee | Balance | Remarks | Status |
|----------------|-----------|---------|---------|--------|
| A6107195 | 890.00 | 356.85 | | 0 |
| A6107207A | 210.00 | 84.20 | | 0 |
| A6107207B | 370.00 | 148.35 | | 0 |
| A6107210 | 530.00 | 212.50 | | 0 |
| A6107265 | 207.00 | 83.00 | | 0 |
| A6107274 | 250.00 | 100.24 | | 0 |
| A6107298 | 210.00 | 84.20 | | 0 |
| A6107306A | 210.00 | 84.20 | | 0 |
| A6107306B | 130.00 | 52.12 | | 0 |
| A6107390 | 690.00 | 276.66 | | 0 |
| A6303150- Ron | 147.00 | 58.94 | | 0 |
| A6303151B- Ron | 50.00 | 20.05 | | 0 |
| A6303196B- MEL | 199.00 | 79.79 | | 0 |
| A6303198- MEL | 196.00 | 78.59 | | 0 |
| A6303311- u | 330.00 | 132.31 | | 0 |

(Enter=Continue)

(GOLD8=Cancel)

| R NO | Total Fee | Balance | Remarks | Status |
|--------------|-----------|---------|---------|--------|
| A6307425 | 290.00 | 116.28 | | O |
| A6307427A | 130.00 | 52.12 | | O |
| A6307427B | 210.00 | 84.20 | | O |
| A6307753 | 370.00 | 148.35 | | O |
| A6307982-Row | 50.00 | 20.04 | | O |

(Enter=Continue)

(GOLD8=Cancel)

[illegible]

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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| | | | | | |
| | | | | | |
| | | | | | |

*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: _____

E. NARRATIVE/REMARKS/COMMENTS

ASCS photo shows 81.5 acres. Recommendations based on Gov. Lt. plat (81 acres)

see file 63-07425 for maps, photos and well/pump info

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

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

$$\text{current rate } .018 \times \text{acres } 80 = 1.44 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 80 \times 4.5 = 360$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.44 \times 246 \times 1.9835 = 702.6$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 360$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use | | Rate of Diversion
Q (cfs) | Annual Volume
V (afa) |
|-------------------|---------------|--------------|------------------------------|--------------------------|
| | From | To | | |
| <u>Irrigation</u> | <u>3/15</u> | <u>11/15</u> | <u>1.44</u> | <u>360</u> |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Totals: | | | <u>1.44 cfs</u> | <u>360 afa</u> |

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 Granger Date 1/26/95

Reviewer _____ Date _____

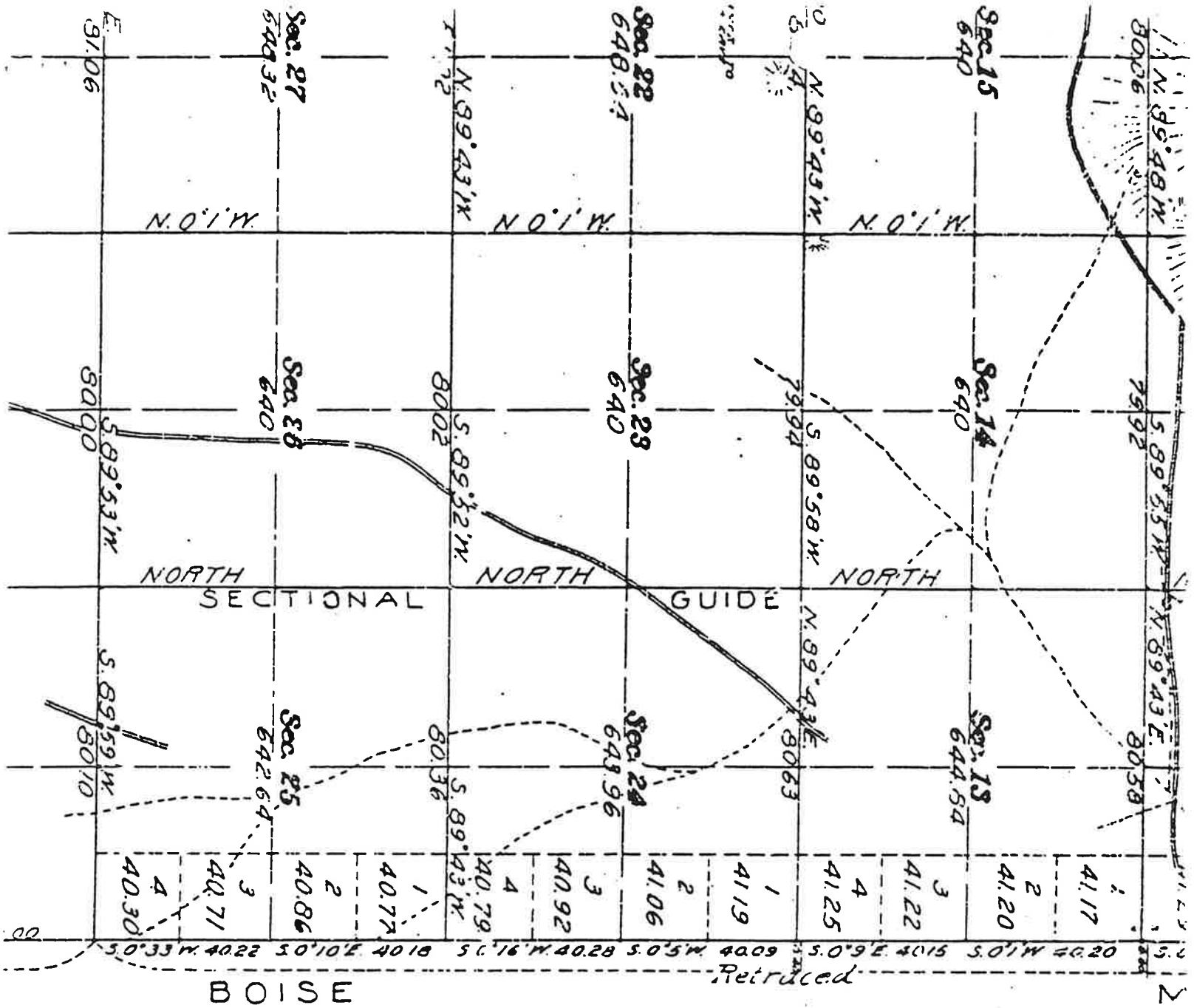
SEAL

[illegible]

63-03193

WELLS

63-07427A



*Accepted by the Hon. Com. of
the latter "C" April 16, 19*

| Areas in Acres. | |
|--------------------|-----------|
| Public Land | 3557.6844 |
| Indian Reservation | |
| Indian Allotments | |

SYSTEM DESCRIPTION
T01N R01W SEC 24

#1 SWNW Well: 16", 200 hp pump, Westinghouse Life-Line T, serial #7710, model TUDP, well log not found.
Per Layne of Idaho: 410' deep, 340' static, 525' total dynamic head (TDH), rated at 1300 gpm (2.9 cfs).

#2 SWSW Well: Per well log: 20", 448' deep, 341' static, 410' drawdown, P/D not in use since 1991 due to grain set-a-side program, pump had been pulled at time of exam. Owner estimated psi for the system between 50 and 70 lbs and that the pump used during the development period was 200 hp.

Theoretical: $\frac{200 \text{ hp} \times .7 \times 8.8}{410' + 60 \text{ psi} \times 2.31} = 2.25 \text{ cfs}$

Proof of use: Layne of Idaho referenced this well and pump on paperwork submitted for well #4 dated 5/2/1978. (copy enclosed)

Owner also supplied statement from brother verifying use of this well and pump in 1973. (affidavit enclosed)

ASCS supplied documentation and photos, showing that the property surrounding this well has been enrolled in the grain set-a-side program since 1992. Because the total acres irrigated have been reduced, the capacity of this well is not as necessary for operation of the system, which helps justify why the pump was pulled and used elsewhere. (copies enclosed)

#3 NENE Well: 150 hp pump, Hollowshaft US Electric, serial #1395531, frame #1445UPH, 75 hp GE booster pump, serial #UJ272S36, well log not found. Licensed in 1969 for 3.0 cfs. System capacity was measured at 3.53 cfs, which was based on an open discharge irrigation system. Sprinklers and the booster pump were not utilized at that time. The system has been changed and the static water level has dropped since 1969. The TDH used in the following theoretical is based on the average TDH for well #1 and well #4 as recorded by Layne of Idaho and Riverside Electric.

Theoretical: $\frac{225 \text{ hp} \times .7 \times 8.8}{530 \text{ TDH}} = 2.61 \text{ cfs}$

Although the current capacity of the well is less than the licensed amount, the licensed 3.0 cfs was used in the total system capacity equation (per Dave Tuthill).

#4 SESE Well: 16", 250 hp, GE, serial #JMJ915113, well log not found.
Per Layne of Idaho and Riverside Electric: 400' deep, 335' static, 540' TDH, rated at 1400 gpm (3.12 cfs).
Layne had done the original pump work, Riverside is currently rewinding the motor and replacing the bowls.

Total system capacity: $2.9 \text{ cfs} + 2.25 \text{ cfs} + 3.0 \text{ cfs} + 3.12 \text{ cfs} = 11.27 \text{ cfs}$
Total acres irrigated per ASCS: 624 of which 150 have previously been licensed.

Current rate: $11.27 \text{ cfs}/624 \text{ acres} = .018 \text{ cfs/acre}$
Old rate: $3.0 \text{ cfs}/150 \text{ acres} = .02 \text{ cfs/acre}$

Since the old rate > than the new rate, the old acres are not included in the license recommendations. The total licensed flow after the recommended flow is granted: $3.0 \text{ cfs} + 8.53 \text{ cfs} = 11.53 \text{ cfs}$. The licensed flow exceeds the system capacity, therefore the maximum combined rate of diversion under this right and right 63-03198 shall not exceed 11.27 cfs.

Well #2 can be connected into the mainline system in the SWSWNW corner via 6" pipe. This well can also be valved to irrigate only the 97 acres, now in the set-a-side grain program, via 6" mainline and wheel line sprinklers. The permit holder has recently sold these 97 irrigable acres (100 total) and well #2, which in the future will operate as a separate system. Well #2 currently supplies water to a trailer home with a small submersible domestic pump. Because this well had been used in combination with the other 3 wells for irrigation during the permit development period, its theoretical capacity has been included in the total system capacity for the current rate equation. Water right permit 63-08365 has been split; the B portion representing the 100 acres that have been sold and well #2 as the only P/D. The other three wells have been recommended on water right permits 63-08365A, 63-07427A, 63-07425, along with their appurtenant acres. A proposed amendment to SRBA claim A63-03198 has also been submitted to list the three wells for the 150 licensed acres.

1994 system: (excludes 174 sold and set-a-side acres)

The sprinkler irrigation system utilizes a 12" mainline and 36 handlines, which operates off wells #1, #3, and #4.

$1/4 \text{ mi handline (1320')} \times 50' \text{ per riser} = 66,000 \text{ sq'}/43,560 \text{ sq' per ac} = 1.5 \text{ ac per line}$. 12 hr sets @ 2 sets per day = 3 acres per line

$450 \text{ acres}/36 \text{ lines} = 12.5 \text{ acres per line}$

$12.5 \text{ acres per line}/3 \text{ acres per day per line} = \sim 4 \text{ days to cover total acreage}$

Reasonable? Yes

Future system: (includes 77 set-a-side acres, excludes 97 sold acres)

$527 \text{ acres}/36 \text{ lines} = 14.6 \text{ acres per line}$

$14.6 \text{ acres per line}/3 \text{ acres per day per line} = \sim 5 \text{ days to cover total acreage}$

Reasonable? Yes

No other water rights are used.

Water Right Number - A63-07427A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
MONTIERTH

HERB

1 - 2409 W KUNA CAVE ROAD

2 -

3 -

City- KUNA

Phone - 208-922-4237

1 - C/O 2409 W KUNA CAVE ROAD

2 -

3 -

City- KUNA

Phone - 208-922-4237

MONTIERTH

DARLENE R

State- ID Zip- 83634

State- ID Zip- 83634

*** O - ORIGINAL OWNER ***
YORK JR

RICHARD A

1 -

2 -

3 -

City- XXXXX

Phone - 208-000-0000

State- ID Zip- XXXX

+ - - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/28/1971 14 WESTERN P - PERMIT+ - - - - Source - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot Rflg County Diversion Name

01N 01W 24 SW NW (1) ADA

+ - - - - Description - - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - - +
Code

01 - IRRIGATION

04 - STOCKWATER

43 - DOMESTIC

03/15 11/15

01/01 12/31

01/01 12/31

1.600

0.030

0.030

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
1.660 280.0+ - - - - Place of Use - - - - - County - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

01N 01W 24 NE SE 24 40.0 01 IRRIGATION (1) ADA

01N 01W 24 NW SE 24 40.0 01 IRRIGATION (1) ADA

01N 01W 24 SW SW 24 04 STOCKWATER (1) ADA

01N 01W 24 NE SE 24 04 STOCKWATER (1) ADA

01N 01W 24 NW SE 24 04 STOCKWATER (1) ADA

01N 01W 24 SW SW 24 43 DOMESTIC (1) ADA

Total Acres: 80.0

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: A63-07427A *fl*

Date Received: ~~12/6/1991~~ 1/13/1992

Receipt No: W014008

Received By: *fl*

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

1. Name: DARLENE R. MONTIERTH 208-922-4237
Address: C/O 2409 W KUNA CAVE ROAD
KUNA ID 83634

AND/OR

Name: HERB MONTIERTH 208-922-4237
Address: 2409 W KUNA CAVE ROAD
KUNA ID 83634

2. Date of Priority: APR 28, 1971

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 | SW | NW | | | ADA |

5. Description of diverting works:
WELLS, PUMPS, PIPELINES

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.600 | | |
| STOCKWATER | 01/01 | 12/31 | 0.030 | | |
| DOMESTIC | 01/01 | 12/31 | 0.030 | | |

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 RANGE; DOMESTIC, 1 HOME

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10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|--------|-------|
| 01N | 01W | 24 | SW | | SW | | STOCK | |
| | | | SW | | SW | | DOMEST | |
| | | | NE | | SE | | IRR | 40.0 |
| | | | NE | | SE | | STOCK | |
| | | | NW | | SE | | IRR | 40.0 |
| | | | NW | | SE | | STOCK | |

Section Acres 80.0

Total Acres 80.0

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:

DLE #I-3377.

P/D AND P/U MAP WILL BE PREPARED FROM LICENSE FIELD EXAM.

15. Basis of Claim: PERMIT

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 X 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): ZPR Montooth Date: 1-13-92

Date:

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State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13 day

of January 19 92

Lori Harris
Notary Public

Seal

Residing at RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994

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AUG 21 1992

SRBA FEES FOR CLAIMS FILED 1/13/92

ML3 Shows notification for Montierth, Conn. Gen., & Many Pension
Late fees required.

* Claims for H.R. (HERB) Montierth should include ROY & OR ROIL Montierth

| NAME | CLAIM | ACRES | FEE | LATE FEE ^{1/} | | TOTAL DUE - DOLLARS |
|------------------------------|------------|-------|----------------------|------------------------|-------|-------------------------|
| | | | | 15% | v. 50 | |
| CONN. GEN. | A61-07195 | 840 | 50+840 | 133.50 | v. 50 | 50+840+133.50 = 1023.50 |
| MONTIERTH * | A61-07207A | 160 | 50+160 | 31.50 | v. 50 | 50+160+50 = 260.00 |
| CONN. GEN. | A61-07207B | 320 | 50+320 | 55.50 | v. 50 | 50+320+55.50 = 425.50 |
| CONN. GEN. | A61-07210 | 480 | 50+480 | 79.50 | v. 50 | 50+480+79.50 = 609.50 |
| CONN. GEN. | A61-07265 | 157 | 50+157 | 31.05 | v. 50 | 50+157+50 = 257.00 |
| CONN. GEN. | A61-07274 | 200 | 50+200 | 37.50 | v. 50 | 50+200+50 = 300.00 |
| CONN. GEN. | A61-07298 | 160 | 50+160 | 31.50 | v. 50 | 50+160+50 = 260.00 |
| MONTIERTH * | A61-07306A | 160 | 50+160 | 31.50 | v. 50 | 50+160+50 = 260.00 |
| CONN. GEN. | A61-07306B | 80 | 50+80 | 19.50 | v. 50 | 50+80+50 = 180.00 |
| MONTIERTH * | A61-07390 | 640 | 50+640 | 103.50 | v. 50 | 50+640+103.50 = 793.50 |
| MONTIERTH * | A63-03150 | 140 | 50+97 ^{3/} | 22.05 | v. 50 | 50+97+50 = 197.00 |
| MONTIERTH * | A63-03151B | 43 | 50+0 ^{3/} | 7.50 | v. 50 | 50+50 = 100.00 |
| MONTIERTH * | A63-03196B | 149 | 50+149 | 29.85 | v. 50 | 50+149+50 = 249.00 |
| MONTIERTH * | A63-03198 | 150 | 50+146 ^{4/} | 29.40 | v. 50 | 50+146+50 = 246.00 |
| MONTIERTH * | A63-03311 | 280 | 50+280 | 49.50 | v. 50 | 50+280+50 = 380.00 |
| MONTIERTH ^{HERB} | A63-07425 | 240 | 50+240 | 47.50 | v. 50 | 50+240+50 = 340.00 |
| MONTIERTH ^{PARLONE} | A63-07429A | 80 | 50+80 | 19.50 | v. 50 | 50+80+50 = 180.00 |
| MANY PENSION | A63-07427B | 160 | 50+160 | 31.50 | v. 50 | 50+160+50 = 260.00 |
| MANY PENSION | A63-07753 | 320 | 50+320 | 55.50 | v. 50 | 50+320+55.50 = 425.50 |
| MONTIERTH * | A63-07982 | 109 | 50+0 ^{5/} | 7.50 | v. 50 | 50+50 = 100.00 |

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6,846.50

TOTAL
DUE

1/ Whichever is greater

2/ 43 acres paid for in claim A63-03151 by Wolske

3/ Same as footnote #2

4/ 4 acres in SENG paid in claim ~~A63-03196~~ A63-03196B

5/ Acres paid for in claims A63-03150 and A63-03151

SL

SRBA FEES FOR CLAIMS FILED 1/13/92

| <u>CLAIM</u> | <u>FEE</u> | <u>LATE FEE</u> | <u>TOTAL</u> |
|--------------|------------|-----------------|--------------|
| A61-07195 | 890 | 133.50 | 1023.50 |
| A61-07207A | 210 | 50.00 | 260.00 |
| A61-07207B | 370 | 55.50 | 425.50 |
| A61-07210 | 530 | 79.50 | 609.50 |
| A61-07265 | 207 | 50.00 | 257.00 |
| A61-07274 | 250 | 50.00 | 300.00 |
| A61-07298 | 210 | 50.00 | 260.00 |
| A61-07306A | 210 | 50.00 | 260.00 |
| A61-07306B | 130 | 50.00 | 180.00 |
| A61-07390 | 690 | 103.50 | 793.50 |
| A63-03150 | 147 | 50.00 | 197.00 |
| A63-03151B | 50 | 50.00 | 100.00 |
| A63-03196B | 199 | 50.00 | 249.00 |
| A63-03198 | 196 | 50.00 | 246.00 |
| A63-03311 | 330 | 50.00 | 380.00 |
| A63-07425 | 290 | 50.00 | 340.00 |
| A63-07427A | 130 | 50.00 | 180.00 |
| A63-07427B | 210 | 50.00 | 260.00 |
| A63-07753 | 370 | 55.50 | 425.50 |
| A63-07982 | 50 | 50.00 | 100.00 |

TOTAL \$ 5669 + \$ 1177.50 = \$ 6846.50

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AUG 21 1992



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,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region

LH:l
Enclosure

cc: Pete & Jean DeGroot