

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 47-2393B
Date Received: 11/10/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HARRY B BOKMA Phone: (208)543-4546
3919 N 1000 E
BUHL ID 83316

FLORA BOKMA Phone: (208)543-4546
3919 N 1000 E
BUHL ID 83316

2. Date of Priority: 06/12/1964

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	14E	7	SE SE	TWIN FALLS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
STOCKWATER	1/01 12/31	0.07	12.6

7. Total Quantity Appropriated is:
0.07 C.F.S. and/or 12.6 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
10S	14E	7	SE	SE	STOCKWATER	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

The total instantaneous diversion of water from all points of diversion under Transfer 5171 shall not exceed 0.07 cfs, nor a total combined annual volume of 12.6 af.

Rights 47-02393B and 47-08195 when combined shall not exceed a total diversion rate of 0.27 cfs and a total annual diversion volume of 41.6 af for use at the dairy.

Use of water under Right 47-02393B is subject to an agreement between the protestant and the right holder to the extent the provisions of the agreement are within the jurisdiction of the department.

The right holder shall maintain a totalizing measuring device of a type approved by the Department as part of the diverting works of each well under Rights 47-02393A and 47-02393B. Monthly use shall be recorded for the dairy use and annual reports of use under both rights shall be reported to the Department subject to reporting fee requirements.

The remainder of Right 47-02393 is identified as 47-02393A and is limited to a diversion rate of 1.53 cfs, an annual diversion volume of 9.3 af, and irrigation of 69.7 acres within the 76.8 acres identified each year.

The acres which are no longer authorized for irrigation under Right 47-02393A are specifically described as follows: 3.2 acres in Lot 1(NENE), Section 6, T10S, R14E.

The right holder shall retain ownership of the shares of Twin Falls Canal Company which have historically been used on the 3.2 acres to be dried up and shall use the shares only on existing irrigated land on the remaining property under Right 47-02393A. Two points of diversion are located within SESE, S07, T10S, R14E.

This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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.

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5171
WATER RIGHT NO. 47-02393B

This is to certify that: **HARRY B BOKMA**
FLORA BOKMA
3919 N 1000 E
BUHL ID 83316

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>
STOCKWATER	01/01 to 12/31	* 0.07 CFS	* 12.6 AF

SOURCE

GROUNDWATER

Priority: 06/12/1964

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 7, Township 10S, Range 14E
TWIN FALLS County

PLACE OF USE: STOCKWATER

TWN RGE SEC

10S 14E 7

SESE

CONDITIONS OF APPROVAL AND REMARKS

1. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
2. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5171
WATER RIGHT NO. 47-02393B

CONDITIONS OF APPROVAL AND REMARKS

5. 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.
- * 6. The total instantaneous diversion of water from all points of diversion under Transfer 5171 shall not exceed 0.07 cfs, nor a total combined annual volume of 12.6 af.
7. Rights 47-02393B and 47-08195 when combined shall not exceed a total diversion rate of 0.27 cfs and a total annual diversion volume of 41.6 af for use at the dairy.
8. Use of water under Right 47-02393B is subject to an agreement between the protestant and the right holder to the extent the provisions of the agreement are within the jurisdiction of the department.
9. The right holder shall maintain a totalizing measuring device of a type approved by the Department as part of the diverting works of each well under Rights 47-02393A and 47-02393B. Monthly use shall be recorded for the dairy use and annual reports of use under both rights shall be reported to the Department subject to reporting fee requirements.
10. The remainder of Right 47-02393 is identified as 47-02393A and is limited to a diversion rate of 1.53 cfs, an annual diversion volume of 9.3 af, and irrigation of 69.7 acres within the 76.8 acres identified each year.
11. The acres which are no longer authorized for irrigation under Right 47-02393A are specifically described as follows: 3.2 acres in Lot 1(NENE), Section 6, T10S, R14E.
12. The right holder shall retain ownership of the shares of Twin Falls Canal Company which have historically been used on the 3.2 acres to be dried up and shall use the shares only on existing irrigated land on the remaining property under Right 47-02393A.
13. Two points of diversion are located within SESE, S07, T10S, R14E.

Dated this 14th day of

April, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 47-02393

FROM: Pam Skaggs/^{CS}State Office

SUBJECT: Transfer 5171

DATE: April 15, 1998

Transfer 5171 changes & adds points of diversion, and changes place, nature, and season of use under a portion of Right 47-02393, splitting the right into Parts A and B.

The applicant is proposing to change irrigation use to stockwater use to provide for expansion of an existing dairy. The Transferred portion of the right will provide an additional 12.6 afa for stockwater use. Right 47-02393 is a supplemental groundwater right and region investigation into the historic us found 72.9 total irrigated acres and an average annual diversion volume of 21.9 af.

Recommended conditions include no new wells, retain surface shares, multiple points of diversion/measuring devices, protest agreement, annual reporting, remaining irrigation portion limits and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5171

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

APR 13 1998

Department of Water Resources

Name of applicant Harry B. &/or Flora Bokma Phone 543-4546
Post Office address 3919 N 1000 E, Buhl, ID 83216
A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☒ Add diversion point(s)
☒ Change place of use
☒ Change nature of use
☒ Change period of use
☒ Other Split right
- Describe the reason for the proposed changes Convert portion of irrigation right to commercial & stockwater uses to allow expansion of an existing dairy

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

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|------------------|--------------------------------------|-------------------|----------------------------|
| <u>47-02393R</u> | <u>6-12-1964</u> | <u>Stockwater</u>
<u>0.07 cfs</u> | <u>Stockwater</u> | <u>1-1</u> to <u>12-31</u> |
| | | | | |
| | | | | |
| | | | | |
- Total amount of water being transferred 0.07 cubic feet per second and/or 14.0 acre-feet per annum.
- Source of water Groundwater tributary to
- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	7	10S	14E	Twin Falls	Two wells

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	
10S	14E	7																	

Needs
Summary Sheet
PARTS A+B

Total acres

PART 1

6. General Information:

a. Description of diversion system Two existing wells, larger pumps may be installed.

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:

Land will no longer be irrigated.

d. Remarks:

License 47-08195 covers 570^{H.B} milking cattle & 8 dry stock. This transfer will provide water for 430⁴²⁹ more dairy cows & ~~92~~^{no} more dry adults. Land & water rights are being purchased from Ken Bong contingent on approval of water transfer.

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 _____

WILLIAM L. MED
APR 16 1978

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 47-02373 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☒ Other Purchase Agreement

3. Source of water Groundwater tributary to _____

4. Date or priority 6-12-1964

5. Water is used for the following purpose:

amount 1.60 cfs for Irrig. purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	6	10S	14E	Twin Falls	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	14E	6	40			40													80
			(41)																

9. Describe any other water rights used for the same purpose as described above 80 shares Twin Falls Canal Co.

Total acres 80

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 47-02393

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.60 CFS

SOURCE

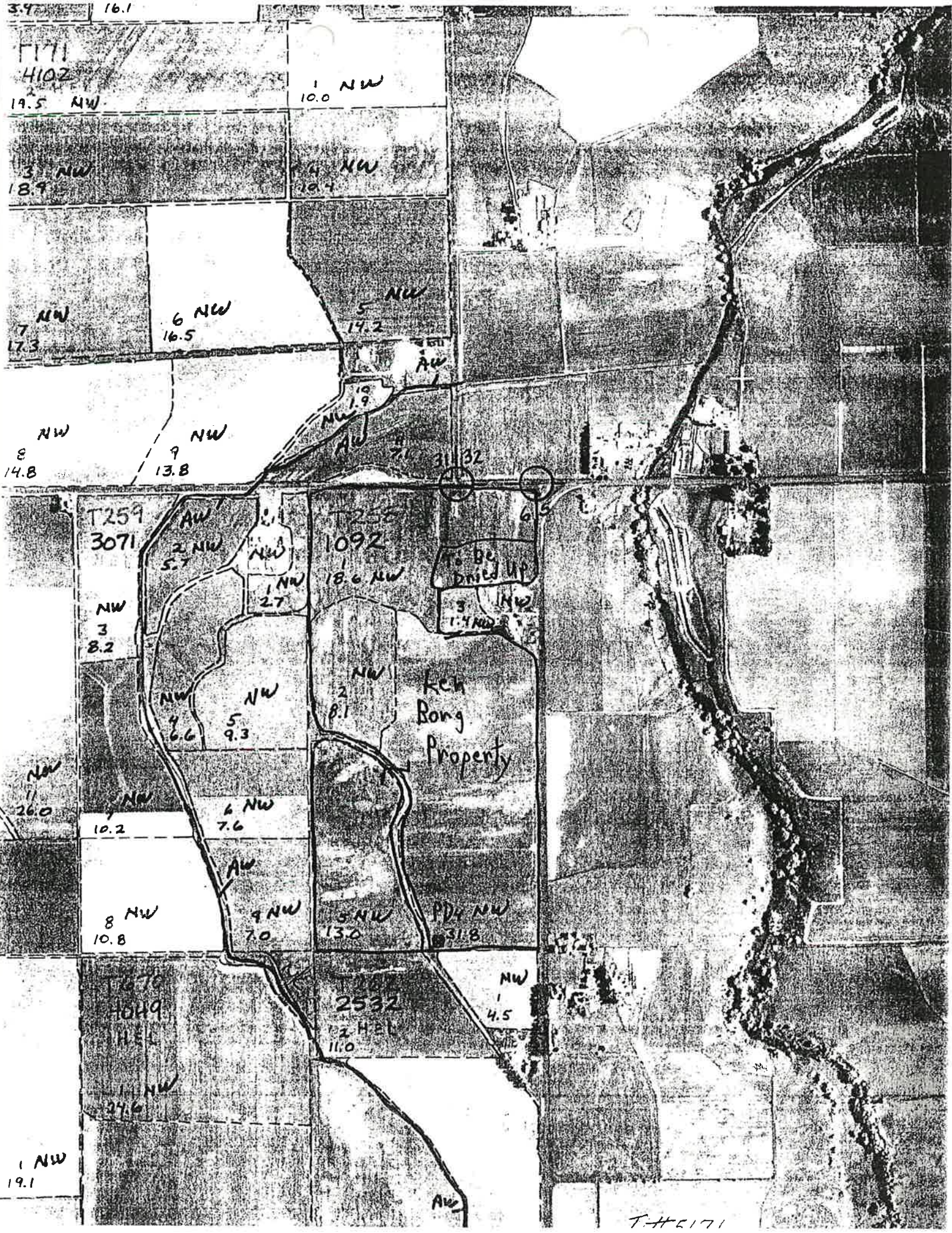
GROUNDWATER

Priority: 06/12/1964

LOCATION OF POINT(S) OF DIVERSION:SENE , Sec. 6, Township 10S, Range 14E
TWIN FALLS CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	14E	6	Lot 1(NENE)	40	SENE 40	80
Total number of acres irrigated:						80

CONDITIONS/REMARKS:MICROFILMED
APR 15 1986



3.9 16.1
T171
H102
19.5 NW

1 NW
10.0

3 NW
18.9

4 NW
10.4

7 NW
17.3

6 NW
16.5

5 NW
14.2

8 NW
14.8

9 NW
13.8

10 NW
11.9

11 NW
11.1

12 NW
10.3

13 NW
9.5

14 NW
8.7

15 NW
7.9

16 NW
7.1

T259
3071

1 NW
10.1

2 NW
5.7

3 NW
2.7

4 NW
1.9

5 NW
1.1

6 NW
0.3

7 NW
0.5

8 NW
0.7

9 NW
0.9

1 NW
8.2

2 NW
6.6

3 NW
5.3

4 NW
4.1

5 NW
2.9

6 NW
1.7

7 NW
0.9

8 NW
0.1

9 NW
0.3

10 NW
0.5

1 NW
26.0

2 NW
10.2

3 NW
7.6

4 NW
5.0

5 NW
2.4

6 NW
0.8

7 NW
0.2

8 NW
0.4

9 NW
0.6

10 NW
0.8

8 NW
10.8

9 NW
7.0

10 NW
3.2

11 NW
1.4

12 NW
0.6

13 NW
0.0

14 NW
0.2

15 NW
0.4

16 NW
0.6

17 NW
0.8

T270
1049
H.E.L.

1 NW
27.6

2 NW
11.0

3 NW
7.4

4 NW
3.8

5 NW
0.2

6 NW
0.4

7 NW
0.6

8 NW
0.8

9 NW
1.0

1 NW
19.1

2532
11.0 H.E.L.

1 NW
4.5

T.H. 171

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.

The map is drawn on a grid. A rectangular area is outlined in the upper right quadrant, containing the handwritten text "Lic. P/U PD" and a small circle with "PD" next to it. Below this rectangle, a wavy vertical line extends downwards, labeled "R. 14E". To the left of this wavy line, the text "T. 10S" is written. Below the wavy line, there is a small rectangle containing the text "Dtiny PDS" and a small circle with "PDS" next to it. At the bottom of the grid, there is a stamp that reads "NOT RECORDED" and "APR 16 1936".

SCALE: 2 inches equal 1 mile. Draw plan in ink.

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>0.07/14.0</u>	<u>as needed</u>	<u>1-1</u> to <u>12-31</u>
		<u>12.6</u>	<u>WIB</u>	to

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:

Unknown - should be minimal

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]

(Signature of Applicant)

Subscribed and sworn to before me this 6th day of October, 19 97.[Signature]

(Notary Public)

My commission expires 10-25-2000**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 4 attachmentsReceived by J.F. Stanton Date 10-6-97

Protest filed by _____

Prelim. check by JS Fee \$100, SD20617Receipted by JS Date 10-6-97Published in Times News

Copies of protest forwarded by _____

Pub. dates 12/4 & 12/11/97

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED**OCT 10 1997****Department of Water Resources
Southern Region**100-012
400 16 172