

RECEIVED

MAR 14 2018

42-222 POD - 09/14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. APPLICANT(S) Lone Pine Farms Canyon County, LLC Phone 208-869-5728
 2. MAILING ADDRESS 5592 W Kuna Rd City Kuna
 State ID Zip 83634 Email jsboschma@gmail.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 65-4983

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 2.08 cubic feet per second and/or 4.0 acre-feet per annum.
 (diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N			NW	SE	24	8N	4W	Payette	Big Willow Creek	

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Pump, pipeline, ditch

Measuring device & lockable controlling works will be accommodated upon Department request.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. The Map Tool, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Steve Y. Boschma
Signature of applicant or authorized agent

Print name and title if applicable

3/9/18
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes 4 pages of attachments.

Received by CS

Date 3/14/18

Fee paid \$660⁰⁰ Date 3/14/18

Received by CS

Receipt # W046133

Preliminary review by PH

Date 4/25/18

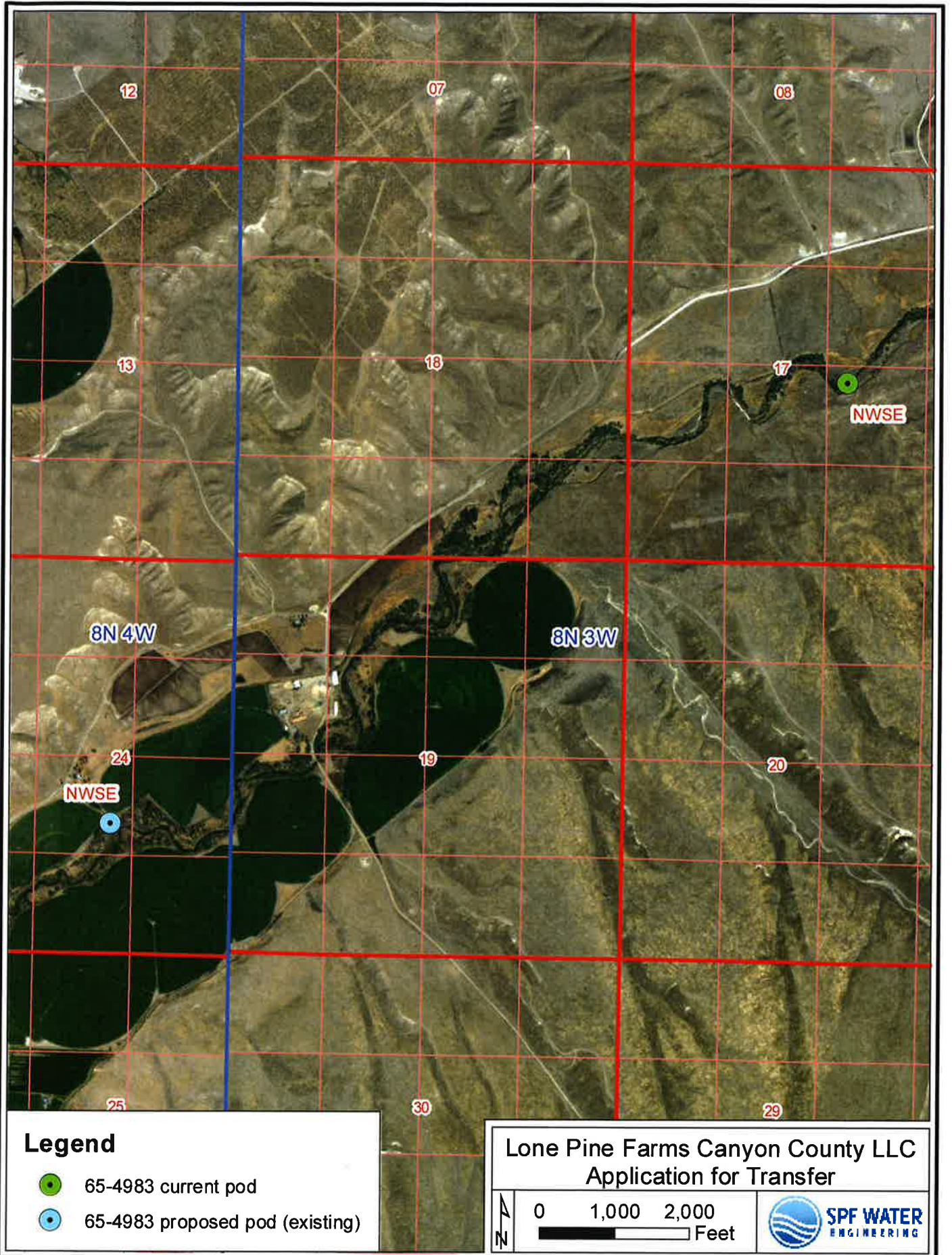
Active in the Water Supply Bank? Yes ☐ No ☒

W-9 received? Yes ☐ No ☒

Name on W-9 N/A

W-9 forwarded to fiscal? Yes ☐ No ☒

(Do NOT scan the W-9 – confidential information is held by fiscal only)



**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 65-4983

Current Owner: LONE PINE FARMS CANYON COUNTY LLC

Priority Date: 5/24/1900

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG WILLOW CREEK

Tributary

PAYETTE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.08 CFS	4 AF
STOCKWATER	1/01 to 12/31	0.05 CFS	4 AF
	<u>Total Diversion</u>	2.08 CFS	4 AF

Location of Point(s) of Diversion

BIG WILLOW CREEK

NW1/4SE1/4

Sec. 17, Twp 08N, Rge 03W B.M.

PAYETTE County

Place of Use

IRRIGATION Within PAYETTE County

T08N R03W S19	SWNE	3.40	T08N R03W S19	NENW	2.10
T08N R03W S19	SWNW	6.00	T08N R03W S19	SENW	14.00
T08N R03W S19	NESW	19.00	T08N R04W S24	SWNE	0.20
T08N R04W S24	SENE	12.00	T08N R04W S24	NESE	21.00
T08N R04W S24	NWSE	6.30			

Total Acres: 84

STOCKWATER Within PAYETTE County

T08N R03W S19	SWNE	T08N R03W S19	NENW
T08N R03W S19	SWNW	T08N R03W S19	SENW
T08N R03W S19	NESW	T08N R04W S24	SWNE
T08N R04W S24	SENE	T08N R04W S24	NESE
T08N R04W S24	NWSE		

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. STOCKWATER, 200 RANGE CATTLE.
3. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
4. THIS RIGHT WHEN COMBINED WITH RIGHT 65-04982 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT THE FIELD HEADGATE.
5. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
6. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Decreed Date: 8/3/2004

No. W 56978	Due no later than Dec 31, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX)
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE			STEPHEN T BOSCHMA 5592 W KUNA RD KUNA ID 83634 3. <u>New</u> Registered Agent Signature:*
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.			
Office Held MANAGER	Name STEPHEN T BOSCHMA	Street or PO Address 5592 W KUNA RD	City KUNA State ID Country Postal Code 83634
5. Organized Under the Laws of: ID W 56978	6. Annual Report must be signed.* Signature: Stephen T. Boschma Name (type or print): Stephen T. Boschma Date: 11/18/2017 Title: Manager		
Processed 11/18/2017	* Electronically provided signatures are accepted as original signatures.		

82253 Attachments pg 4 - Officers



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

C.L. "BUTCH" OTTER
Governor

GARY SPACEMAN
Director

June 15, 2018

LONE PINE FARMS CANYON COUNTY LLC
5592 W KUNA RD
KUNA, ID 83634-1544

Applications for Permit Nos. 65-23754, 67-23755, & 65-23756
Application for Transfer No. 82253

Dear Applicant(s):

The Department of Water Resources has received your water right applications. Please refer to the numbers referenced above in all future correspondence regarding these applications.

A legal notice of each application has been prepared and is scheduled for publication in the INDEPENDENT ENTERPRISE on 6/20/2018 and 6/27/2018. Protests to any of these applications may be submitted for a period ending ten (10) days after the second publication.

If any of these applications are protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If any of these applications are not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the applications.

Sincerely,

Rachel Neely
Administrative Assistant

CC:
SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE, ID 83706

Neely, Rachel

From: Neely, Rachel
Sent: Friday, June 15, 2018 10:16 AM
To: 'Ind-Ent Legals'
Subject: Payette Legal Ads
Attachments: Payette Cover Letter.docx; Payette Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 6/20/2018 & 6/27/2018.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

June 15, 2018

LEGAL NOTICE DEPARTMENT
INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE, ID 83661

RE: Application for Permit No. 65-23754
 Application for Permit No. 65-23755
 Application for Permit No. 65-23756
 Application for Transfer No. 82253

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 7/9/2018. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

65-23754

LONE PINE FARMS CANYON COUNTY LLC
5592 W KUNA RD
KUNA, ID 83634-1544

Points of Diversion L1(NWNW) L4(SWSW) SESW S19 T08N R03W PAYETTE County Source GROUND WATER

Points of Diversion NWNE SWNE SENE NENW L1(NWNW) S30 T08N R03W PAYETTE County Source GROUND WATER

Point of Diversion NENE S25 T08N R04W PAYETTE County Source GROUND WATER

Use: COMMERCIAL 01/01 to 12/31 1.12 CFS

Use: STOCKWATER 01/01 to 12/31 1.12 CFS

Total Diversion: 1.12 CFS

Date Filed: 2/20/2018

Places of Use: COMMERCIAL, STOCKWATER

T08N R03W S19 NESW L4(SWSW) SESW SWSE

T08N R04W S25 NENE

T08N R03W S30 NE(ALL) NENW L1(NWNW)

65-23755

LONE PINE FARMS CANYON COUNTY LLC
C/O STEPHEN BOSCHMA
5592 W KUNA RD
KUNA, ID 83634

Point of Diversion L1(NWNW) S19 T08N R03W PAYETTE County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.4 CFS

Total Diversion: 0.4 CFS

Date Filed: 3/14/2018

Place of Use: IRRIGATION

T08N R03W S19 L1(NWNW) L2(SWNW)

Total Acres: 20

65-23756

LONE PINE FARMS CANYON COUNTY LLC
C/O STEPHEN BOSCHMA
5592 W KUNA RD
KUNA, ID 83634

Point of Diversion NWSE S24 T08N R04W PAYETTE County Source BIG WILLOW CREEK Tributary PAYETTE RIVER

Use: IRRIGATION 03/01 to 11/15 2.08 CFS

Total Diversion: 2.08 CFS

Date Filed: 3/14/2018

Place of Use: IRRIGATION

T08N R03W S19 SWNE NENW L2(SWNW) SENW NESW

T08N R04W S24 SWNE SENE NESE NWSE

Total Acres: 84

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82253**

LONE PINE FARMS CANYON COUNTY LLC , 5592 W KUNA RD, KUNA, ID 83634-1544; has filed Application No. 82253 for changes to the following water rights within PAYETTE County(s): Right No(s). 65-4983. The transfer application proposes to change the point of diversion for water right no. 65-4983. The change would allow the diversion of Big Willow Creek water from an existing pump about 1 mile downstream from the currently authorized point of diversion. The new point of diversion would be located approximately 9.5 miles southeast of Payette Idaho along the Big Willow Creek Road.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 7/9/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/20/2018 and 6/27/2018

Neely, Rachel

From: Neely, Rachel
Sent: Friday, June 15, 2018 11:42 AM
To: 'Ron Shurtleff'
Subject: Application for Permit No. 65-23756 & Application for Transfer No. 82253
Attachments: Watermaster Recommendation Form_F.PDF; Application for Permit 65-23756.pdf; Application for Transfer 82253.pdf

June 15, 2018

RON SHURTLEFF
WATER DISTRICT #65
102 N MAIN
PAYETTE, ID 83661

RE: Application for Permit No. 65-23756 & Application for Transfer No. 82253

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the applications are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by **July 9, 2018**.

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

C.L. "BLITCH" OTTER
Governor

GARY SPACKMAN
Director

June 15, 2018

LOWER PAYETTE DITCH CO
102 N MAIN ST
PAYETTE ID 83661

LAKE RESERVOIR CO
102 N MAIN ST
PAYETTE ID 83661

Re: Applications for Permit Nos. 65-23754, 65-23755, 65-23756 & Application for Transfer No. 82253

Dear Interested Party:

The above referenced applications may be of interest to you. I would like to inform you that the applications have been submitted to the *Independent Enterprise* for advertising. I have enclosed copies of the applications for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the applications, a written protest (per application) along with the \$25.00 protest fee must be received in this office by **July 9, 2018**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the applications, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 15, 2018

AL CATTLE INC
C/O TRAVIS THOMPSON PO BOX 63
TWIN FALLS ID 83303

Re: Application for Permit No. 65-23756 & Application for Transfer No. 82253

Dear Interested Party:

The above referenced applications may be of interest to you. I would like to inform you that the applications have been submitted to the *Independent Enterprise* for advertising. I have enclosed copies of the applications for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the applications, a written protest (per application) along with the \$25.00 protest fee must be received in this office by **July 9, 2018**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the applications, please contact this office at 208-334-2190.

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures



March 12, 2018

RECEIVED

MAR 14 2018

WATER RESOURCES
WESTERN REGION

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: *Applications for Permit (2), Application for Transfer, Notice of Change in Water Right Ownership*

Dear Angie,

Enclosed on behalf of Lone Pine Farms Canyon County LLC, are the following:

✓ *Application for Permit* seeking to divert the standard amount of volume for irrigation 20 acres decreed under water right 65-4487 from ground water. (Filing fee \$250)

✓ *Application for Permit* seeking to divert the standard amount of volume for irrigation of 84 acres decreed under water right 65-4983 from Big Willow Creek. (Filing fee \$330)

✓ The irrigation volume claimed and decreed in the SRBA for water rights 65-4487 and 65-4983 limits irrigation use to the same volume associated with each right's stockwater use. The applications are being filed to correct the errors. The Payette River watermaster confirmed the applications should not be made subject to the June 15th rental pool water condition since the subject places of use are located in a gaining reach of the Payette River, downstream of Letha, Idaho.

✓ *Application for Transfer* requesting the upstream diversion point on Big Willow Creek for water right 65-4983 be changed to a downstream location within the applicant's property boundary. (Filing fee \$660)

✓ *Notice of Change in Water Right Ownership* for a portion of water right 65-4486A appurtenant to lands the applicant has purchased. (Filing fee \$100)

March 12, 2018

Check No. 20450 for \$1,340 is enclosed for the filing fees. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,



Lori Graves
Water Rights Specialist

Cc: Steve and Joel Boschma

Enclosures

SPF file number: 1385.0020