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Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

78393

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Robert and Diane Boman

Phone (208) 945-0882

Mailing address SAC Kuwait PZ Pouch, PO Box 5095, Bellaire, TX 77402

Email robidahofarmer@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it Attachment #1.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it Attachment #2a.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it Attachment #2b.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it Attachment #3.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative

Phone

Mailing address

Email

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it Attachment #4.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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 your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.2. This transfer proposes to update the places of use for water rights 13-7869 and 13-7871 to reflect current irrigation practices. We would like to create a 110-acre combined place of use for the water rights. An ownership change was just completed for the rights.

78393

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	13-7869	1.80 cfs	Irrigation	4/20 to 9/30	Middle Fork Trout Creek
☒ ☐	13-7871	0.40 cfs	Irrigation	4/20 to 9/30	Middle Fork Trout Creek
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.20 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 0.46 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	41E	20			36.5					6.5	27.7	0.3				39.0			110.0

Total Acres (for irrigation use) 110.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:

Water is delivered to place of use through the Sorensen Ditch and pipeline. Water is regulated at the head of the ditch by the watermaster for WD 13Q.

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

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
The diversion works have been in place for many years. No change in POD.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Security Interest in the rights held by Zions Bank. No water will be moved off of the property.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Water rights in combination authorize the irrigation of 110 acres. No more than 110 acres will be irrigated under the water rights.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

No other irrigation water rights on the property.

- f. 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 leased to the Water Supply Bank,
currently used in a mitigation plan limiting the use of water under the right, or
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 13-7869

WATER RIGHT NUMBER: 13-7869

Owner Type: Name and Address
Security Interest ZIONS FIRST NATIONAL BANK
2460 S 3270 W
WEST VALLEY CITY, UT 84119

Current Owner ROBERT BOMAN
SAC KUWAIT PX POUCH
PO BOX 5095
BELLAIRE, TX 77402
(208)945-0982

Current Owner DIANE BOMAN
SAC KUWAIT PZ POUCH
PO BOX 5095
BELLAIRE, TX 77402
(208)945-0982

Priority Date: 5/1/1884

Basis: Decreed

Status: Active

Tributary:

Source:
MIDDLE FORK TROUT CREEK

TROUT CREEK

<u>Beneficial Use:</u>	<u>From / To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/20 to 09/30	1.800 CFS	
	<u>Total Diversion</u>	1.800 CFS	

Location of Point(s) of Diversion:

MIDDLE FORK TROUT CREEK SWSW Sec. 15, Twp 11S, Rge 41E B.M. CARIBOU County

Place of Use:

IRRIGATION within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	41E	20									X					X			
																			Acre Limit: 90.0

Conditions of Approval:

- Point of Diversion is the John Sorensen Ditch, legal description found in Transfer 1961.
- Place of Use is incomplete. Authorized irrigated acres = 90 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 13-7871

WATER RIGHT NUMBER: 13-7871

Owner Type: Name and Address
Security Interest ZIONS FIRST NATIONAL BANK
2460 S 3270 W
WEST VALLEY CITY, UT 84119

Current Owner ROBERT BOMAN
SAC KUWAIT PX POUCH
PO BOX 5095
BELLAIRE, TX 77402
(208)945-0982

Current Owner DIANE BOMAN
SAC KUWAIT PZ POUCH
PO BOX 5095
BELLAIRE, TX 77402
(208)945-0982

Priority Date: 5/1/1901

Basis: Decreed

Status: Active

Tributary:

Source:

MIDDLE FORK TROUT CREEK

TROUT CREEK

<u>Beneficial Use:</u>	<u>From / To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/20 to 09/30	0.400 CFS	
	<u>Total Diversion</u>	0.400 CFS	

Location of Point(s) of Diversion:

MIDDLE FORK TROUT CREEK SWSW Sec. 15, Twp 11S, Rge 41E B.M. CARIBOU County

Place of Use:

IRRIGATION within CARIBOU County

			NE				NW				SW				SE				Totals
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	41E	20			X					X									
																			Acre Limit: 20.0

Conditions of Approval:

- Point of Diversion is the John Sorensen Ditch, legal description found in Transfer 1961.
- Place of Use is incomplete. Authorized irrigated acres = 20 acres.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

N/A

FOR DEPARTMENT USE ONLY

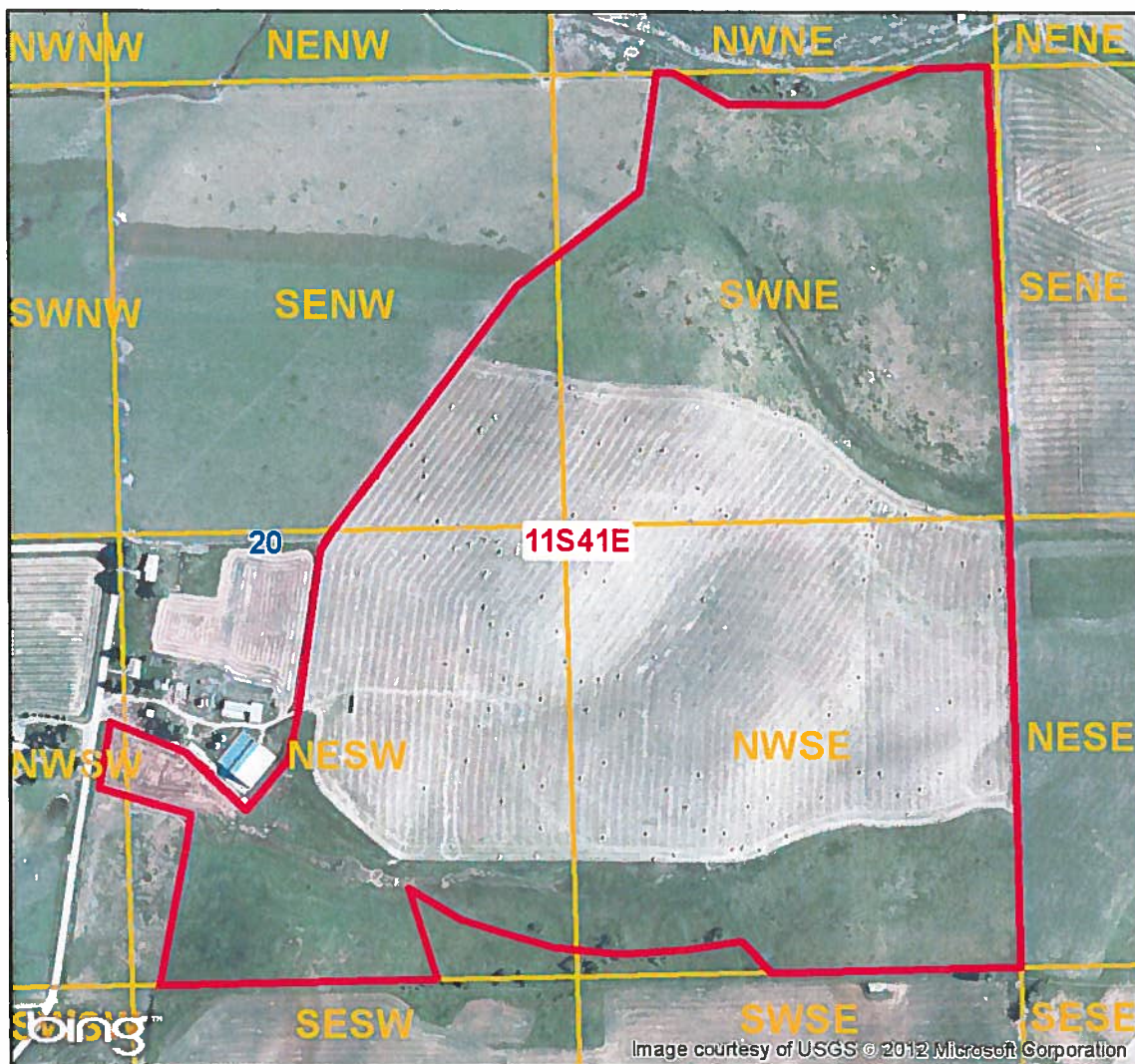
Transfer contains _____ pages and _____ attachments.

Received by Km Date 1-25-2013 Prelim. Check by Km Date _____

Fee Paid \$500.00 Date 1-25-2013 Received by Km Receipt # EB38360

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

Boman Transfer - Proposed POU



Legend

- Proposed POU
- Township/Range
- Sections
- QQ

0 750 1,500
Feet

2010 Aerial Photography

Irrigation Aid Company INC.



472 North State
Preston ID. 83263
852-3300



Grower: Robert Boman

Date: 09/21/2012

Farm: System Design 1 : 9/21/2012

Field Name: Field Layout 4 : 9/21/2012

Field Area: 114.23 acres

System Model: E2065

System Length: 953.00 ft

Total Irr. Area: 75.92 acres

Number of Spans: 6



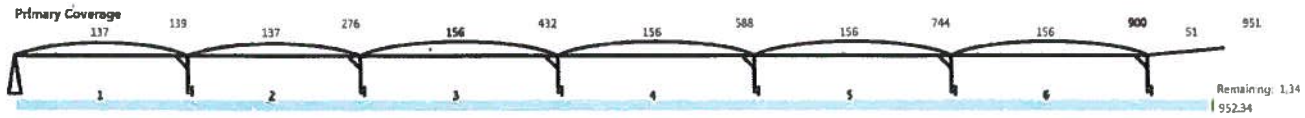
System Length 953.00 Total Spans: 6
Pivot Center Lat/Long: 42 27' 6.77"N / 111 41' 24.27" W

1st/2nd Endgun Throw: 100
Degree of Sweep: 360.00

Total Irrigated Acres: 75.92
SAC/SSAC Acres:

Pivot Acres: 65.50
Wrap Span Acres:

1st/2nd Endgun Areas: 10.41
Drop Span Acres:



Span Information							
Span No.	1	2	3	4	5	6	
Model:	E2065	E2065	E2065	E2065	E2065	E2065	End Boom
Length:	137'	137'	156'	156'	156'	156'	51'
Dist - Twr.	141.00 ft'	278.00 ft'	434.00 ft'	590.00 ft'	746.00 ft'	902.00 ft'	
Pipe Size:	6_5/8	6_5/8	6_5/8	6_5/8	6_5/8	6_5/8	N/A
Outlet Sp:	57"	57"	57"	57"	57"	57"	57"

Primary (1st) Endgun Areas by Location							
SR100 (feet)	Degree from North		Degree from Pivot Start		Latitude / Longitude in Degrees		Area Acres
	Start	Stop	Start	Stop	Start	Stop	
Area 1	115.1	284.3	115.1	284.3	42 27' 2.44"N 111 41' 11.49" W	42 27' 9.26"N 111 41' 37.91" W	6.80 acres
Area 2	336.0	66.0	336.0	66.0	42 27' 16.25"N 111 41' 30.07" W	42 27' 11.08"N 111 41' 11.48" W	3.61 acres

Filing Fee = \$500.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____