

RECEIVED

MAR 03 2011

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No.

63-33486

1. Name of applicant(s) Steve Boschma Phone (208) 870-1763
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address: 5592 Kuna Rd City Kuna
 State ID Zip 83634 Email: _____

2. Source of water supply Ground Water which is a tributary of N/A

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
2N	1W	19			SE	SW	CANYON	GW	Small well
2N	1W	19			SE	SW	CANYON	GW	Large Well
2N	1W	19			SW	SW	CANYON	GW	Taylor Well
2N	1W	19			~~SE~~	SW	CANYON	GW	Proposed Well

4. Water will be used for the following purposes:

Amount 0.45 cfs for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 0.45 cfs for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 0.45 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 8-inch well to 275 feet, 6-inch well to 115 ft
6-inch well to unknown depth, 1 proposed well to 300 feet. Submersible pumps connected to pipelines to the dairy.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is 10 inches; proposed depth of well is 300 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? 1978; drilling firm Bill Doty Well Drilling;
 Well was drilled for (well owner) Harold Boschma; Drilling Permit No. unknown

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. 2000 milking cows + 350 dry cows = 2,350 Total cows on Dairy

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. _____

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	1W	19									S/C		S/C	S/C					

Total number of acres to be irrigated: _____

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 63-9103D, 63-4498, 63-31584, 63-20469

10. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Seek additional diversion rate to satisfy peak demand in summer plus additional volume to allow dairy to satisfy authorized number of dairy cows.

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

Stephen T. Boshma
Signature of Applicant

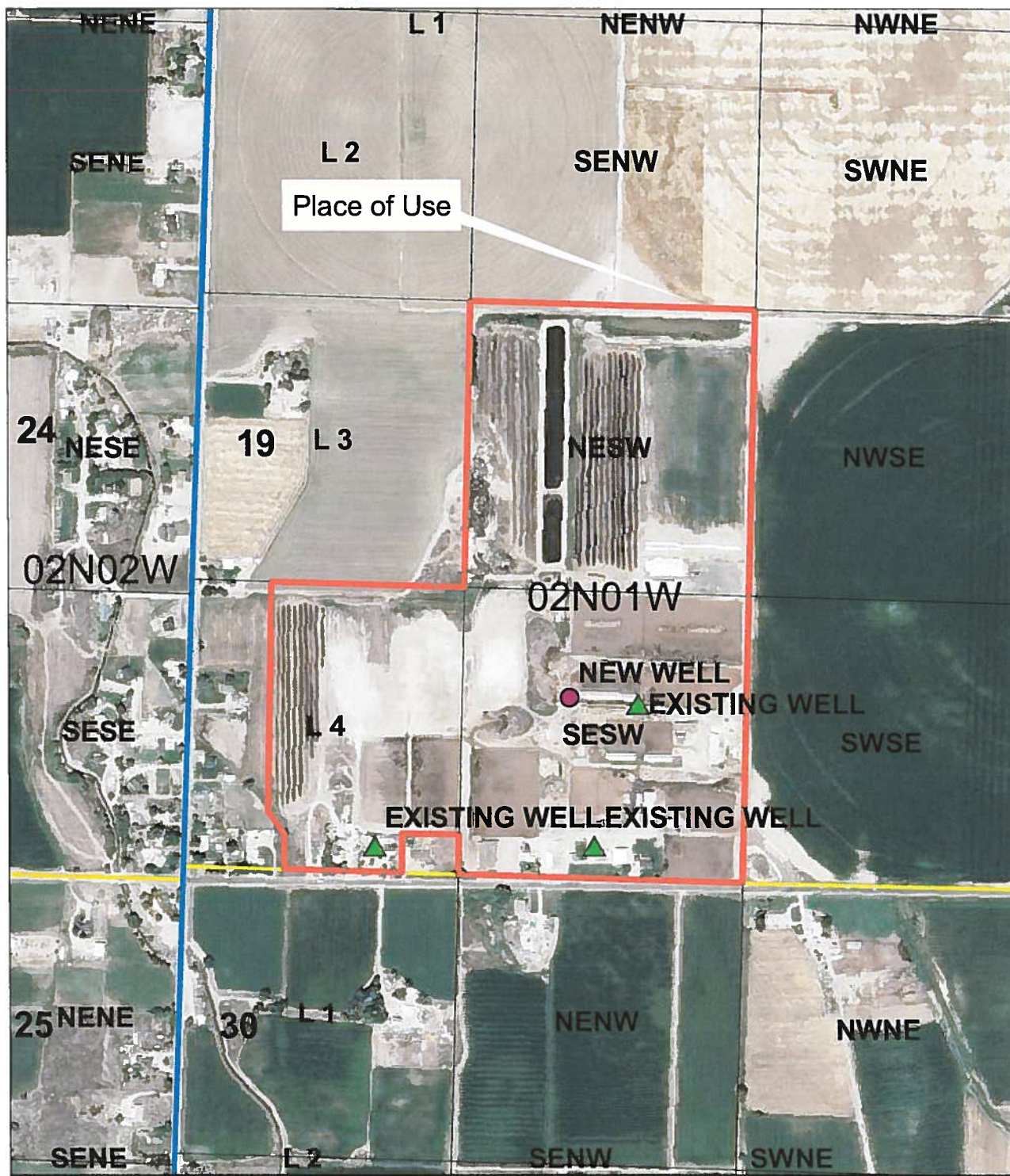
Stephen T. Boshma (OWNER)
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by SB Date 3.3.11 Time 4:49pm Preliminary check by VLM
Fee \$ 250.00 Received by SB Receipt No. W039029 Date 3.3.11



Canyon County, Idaho

Image Source: NAIP 2009

0 250 500
Feet

Legend

- New Well
- ▲ Existing Well
- New Place of Use



Figure 1 Site Map for
Boschma Application for Permit

Prepared for: IDWR
Date: Mar 2, 2011

ERO
ERO Resources Corp.

63-33486

Lester, Steve

From: Lester, Steve
Sent: Thursday, April 12, 2012 2:21 PM
To: 'legals@idahopress.com'
Subject: Legal Ads - Canyon County
Attachments: Canyon County letter.docx; Canyon County combined ads.docx

Hi again Amanda:

Please publish attached ads for Canyon County 4/19 & 4/26/2012. Let me know if you need anything else on those.

For Gem County email earlier today, did your reply mean I did miss that deadline for next week's newspaper?

Thank you again for your help.

Steve Lester
Water Rights Supervisor
IDWR Western Region
208-334-2190

Legal Notice

April 12, 2012

LEGAL NOTICE DEPARTMENT
PRESS-TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Transfer No. 76372 (Water Rights 63-3075, 63-12189, 63-12467)
Application for Permit Nos. 63-33486, 63-33619

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice 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 5/7/2012. Your cooperation is appreciated.

Sincerely,

Steve Lester
Water Rights Supervisor

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-33486

STEVE BOSCHMA

5592 KUNA RD

KUNA, ID 83634

Point of Diversion: 3 points in SESW S19 T02N R01W, 1 point in L4 (SWSW) CANYON County Source GROUND WATER

Use: COMMERCIAL & STOCKWATER 01/01 to 12/31 at 0.45 cfs each

Total Diversion: 0.45 CFS

Date Filed: 3/3/2011

Place of Use: COMMERCIAL & STOCKWATER

T02N R01W S19 NESW L4(SWSW) SESW

Water bearing zone to be appropriated is from 234 to 240 feet.

Commercial use is for a dairy.

63-33619

ZACHARY &/or TRISHA BEUTLER

11809 SHALAKO RD

CALDWELL, ID 83607

Point of Diversion: L7 (SWSW) S6 T05N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.1 CFS, STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.12 CFS

Date Filed: 4/2/2012

Place of Use: IRRIGATION & STOCKWATER

T05N R02W S6 L7 (SWSW)

Total Acres: 3.4

Water bearing zone to be appropriated is from 294 to 304 feet.

PROPOSED CHANGE OF WATER RIGHTS

The City of Notus of PO Box 257, Notus, Idaho 83656, filed Application No. 76372 to transfer three water rights with 1956 to 1998 priority dates from ground water totaling 2.7 cfs. The purpose of the transfer is to change the points of diversion of the three rights to correctly reflect the combined diversion and delivery system. Water will be used at the current place of use which is the City of Notus municipal service area.

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 rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this 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 5/7/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 4/19/2012 and 4/26/2012

Music, Vicky

From: Steve Hannula [shannula@eroresources.com]
Sent: Thursday, March 08, 2012 4:08 PM
To: Music, Vicky
Cc: Dave Shaw; stboschma@gmail.com
Subject: RE: 63-33486 Boschma

Vicky,

I talked with Mr. Boschma. The error is in the description of the proposed well on the application for permit. The proposed well should be listed in the SESW Sec 19 as shown on the map and what was approved in transfer 77093. Mr. Boschma also confirmed that the new well was drilled in 2011 in the SESW Sec 19. The well drilled in 2011 is the "proposed well" listed on the application for permit. He now has a total of 4 authorized wells.

If I need to come into your office to revise that description, please let me know, otherwise, please accept this e-mail as confirmation of your analysis.

Steven Hannula
Hydrogeologist

ERO Resources Corporation
208.373.7983 O | 208.484.9961 C | shannula@eroresources.com | www.eroresources.com

From: Music, Vicky [<mailto:Vicky.Music@idwr.idaho.gov>]
Sent: Thursday, March 08, 2012 3:48 PM
To: Steve Hannula
Subject: RE: 63-33486 Boschma

Hi Steve – if this should go to Dave Shaw now, will you please forward to him?

When this application was filed, there was also a transfer filed. This application describes the proposed well to be located in the SWSW 19, however, the application map shows the proposed well to be in the SESW 19, which is where a well was drilled June 2011.

Will you please clarify for me whether the well drilled is June 2011 was intended to be the proposed well for this application? As you know, the application and the map must comport and maybe an email will prevent ERO from having to coming in and amending the application.

Thanks!
Vicky Music

From: Steve Hannula [<mailto:shannula@eroresources.com>]
Sent: Tuesday, March 06, 2012 4:26 PM
To: Music, Vicky
Cc: stboschma@gmail.com; Dave Shaw
Subject: RE: 63-33486 Boschma

Vicky,



Music, Vicky

From: Steve Hannula [shannula@eroresources.com]
Sent: Tuesday, March 06, 2012 4:26 PM
To: Music, Vicky
Cc: stboschma@gmail.com; Dave Shaw
Subject: RE: 63-33486 Boschma

Vicky,

This is good news! I talked with Mr. Boschma regarding the amount of water sought in the application for permit. The dairy's peak demand in the summer could use the water listed on the application as filed (0.45 cfs). The water in this application will help firm up the supply and help meet those peak demands. The additional POD will also benefit the system. Unless there is a strong reason to reduce the application, please process the application as filed.

Also, please note that Dave Shaw will be taking over this project as I have accepted a new job with a different company. My last day here at the office is Friday (9th). I have enjoyed working with you in the various projects. Never know, I may be working with water rights again with the new job.

Steven Hannula
Hydrogeologist

ERO Resources Corporation
208.373.7983 O | 208.484.9961 C | shannula@eroresources.com | www.eroresources.com

From: Music, Vicky [<mailto:Vicky.Music@idwr.idaho.gov>]
Sent: Tuesday, March 06, 2012 3:09 PM
To: Steve Hannula
Subject: 63-33486 Boschma

Hello Steve –

The Department has reviewed the problematic SE Kuna/S Boise ground water area boundary and has redrawn the area within which applications are not being processed. The Boschma application now is not included in the problem area and can be processed.

Does your client want to pursue the application as filed or does he still wish to amend the application as you indicated a few months ago?

Thank you.

Vicky Music
Sr. Water Resource Agent
IDWR Western Region
2735 Airport Way
Boise, ID 83705
208.334.2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 28, 2011

Steve Boschma
c/o Steve Hannula
ERO Resource Group
3314 Grace St.
Boise, ID 83605

Re: Application for Permit 63-33486

Dear Mr. Hannula,

Regarding the above application, I received your letter request for an extension of time, dated November 22, 2011. Due to the uncertainty of how long it will take for the Department to work its way through the list of applications in the SE Kuna/S Boise area, it is reasonable to extend the deadline for any additional information required of your client.

I will calendar a reminder for myself in six months to check for progress in this area. Consider this letter a suspension of a hard deadline. When it appears processing of this application will resume, a new deadline will be set, if needed.

Please contact me at 208-334-2190 if you have questions.

Sincerely,

Vicky Music
Sr. Water Resource Agent



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NOV 25 2011

WATER RESOURCES
WESTERN REGION

November 22, 2011

Vicky Music
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RE: Boschma Application for Permit 63-33486

Dear Vicky:

In a letter dated August 8, 2011, you requested additional information regarding the subject application. Since that time, Mr. Boschma installed a flow meter at the dairy to help understand the facility's water demand and current usage.

In early November, we exchanged e-mails about an extension of time to December 8, 2011 to allow a protested application hearing in the area to be resolved, which may influence IDWR's policy for new appropriations. During a telephone call on November 22, 2011, we further discussed IDWR's concerns for the cold-water aquifer in the subject area and the outcome of the protests. Due to those concerns and the uncertainty of how the Department will manage the cold-water in the area, you mentioned how IDWR is carefully reviewing the applications for permit and that there are a number of earlier applications that need to be processed prior to a review of Mr. Boschma's.

Mr. Boschma is still interested in appropriating water as described in the subject application, but prefers to wait until his application is up for review before he pursues additional analysis of potential impact and injury to the nearby water users and the cold-water aquifer. Therefore, Mr. Boschma requests that an extension of time be granted to the subject application until such time that it is up for review and processing. At that time he can respond to the Department's requests.

We look forward to your reply and the ability to appropriate additional water as soon as possible.

Sincerely,

A handwritten signature in dark ink, reading 'Steve R. Hannula'. The signature is fluid and cursive, with the first name 'Steve' being more prominent.

Steven R. Hannula
cc: Steve Boschma

Denver
1842 Clarkson St.
Denver, CO 80218
303.830.1188

Boise
3314 Grace St.
Boise, ID 83703
208.373.7983

Durango
1065 Main Avenue
Durango, CO 81301
970.422.2136

Western Slope
P.O. Box 932
161 South 2nd St.
Hotchkiss, CO 81419
970.872.3020

Music, Vicky

From: Music, Vicky
Sent: Friday, November 04, 2011 2:47 PM
To: 'Steve Hannula'
Subject: Boschma application

Steve –

I received your voicemail message re the above application. The answer right now is I don't know. One of the large protested applications is settling from what I hear which may speed things up. I will be out of the office next week and back the 14th. We will consider this email an extension of the 11/8/11 deadline to 12/8/11. Hopefully, IDWR will discuss how the agency will proceed in this area by then and I will have a more definitive answer for you.

Vicky Music
Sr. Water Resource Agent
IDWR Western Region
2735 Airport Way
Boise, ID 83705
208.334.2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

August 8, 2011

Steve Boschma
c/o Steve Hannula
ERO Resource Group
3314 Grace St.
Boise, ID 83605

Re: Application for Permit 63-33486

Dear Mr. Hannula,

The application referenced above that you filed on behalf of Steve Boschma has been assigned to me for review and processing. As you know, in the southeast Kuna/ South Boise area, IDWR is currently tracking 74 ground water permits that total 88.60 cfs plus 22 applications for permits for new ground water rights that total 36.08 cfs, for a potential grand total of 124.68 cfs of ground water diverted. IDWR is uncertain the cold water aquifer (water less than 85 degrees F) can sustain this production if all of the applications are licensed. The area has become very controversial.

A further complication is the interface between the cold and low temperature geothermal ("hot") ground water sources that is not well defined in the locale of this application. Current information suggests a somewhat limited cold water aquifer down to about 400 feet and a significant possibility of encountering hot water below that. Idaho statutes state that low temperature geothermal water, defined as water with temperatures between 85 and 212 degrees Fahrenheit, must be used for its heat value first (not irrigation).

IDWR has on file the well logs for two of the three wells Mr. Boschma is currently using, referred to in the application as the "Taylor well" and the "large well". IDWR has no information about the "small well". There is no water temperature data on the two logs.

In light of all of the applications in this area IDWR must have the following:

[1] temperature of the water in the three well on site;

[2] credible evidence that there is sufficient water for your proposal and the effect this proposed stockwater and commercial diversion will have on the local aquifer and on neighboring wells;

[3] credible evidence that approval of your application will not injure the senior ground water rights producing from the cold water aquifers; and,

[4] credible evidence that your proposal will not adversely affect the low temperature geothermal resource in your area.

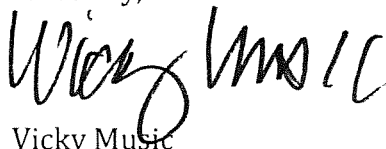
Also, for large dairy operations such as this one, the public interest criteria related to the water resource must be addressed. Other government agencies may require permit approvals relating to public water pursuant to this project. Describe the correspondence and discussions to date with the Idaho Department of Environmental Quality and the Idaho Department of Agriculture concerning their water related permit requirements.

IDWR must receive the requested information by November 8, 2011. If you are not able to submit the additional information by this date, you may submit a written request for an extension of time to submit the information of up to 6 months. If you fail to make a timely response, IDWR will void this application and no refund of the application fee will be issued.

If you provide the information IDWR requests, IDWR will process this application along with the others in southeast Kuna/ South Boise area. Approval of this application will depend on the outcome of the other applications that precede it. Unfortunately, IDWR has no idea how long it will take.

Please contact me at 208-334-2190 if you have questions. Thank you for your attention to this matter.

Sincerely,



Vicky Music
Sr. Water Resource Agent



ERO Resources Corp.
3314 Grace Street
Boise, ID 83703
(208) 373-7983
Fax: 373-7985
www.eroresources.com
eroboise@eroresources.com

March 3, 2011

John Westra
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83605

RECEIVED

MAR 03 2011

RE: Application for Transfer and Application for Permit - Boschma

WATER RESOURCES
WESTERN REGION

Dear Mr. Westra:

Enclosed, please find Steve Boschma's Application for Transfer and Application for Permit, plus a check for \$500 to cover filing fees.

The Application for Transfer is submitted on the new form for Points of Diversion Changes. The Application for Transfer seeks to identify each existing well and a new point of diversion to the applicant's water rights.

The Application for Permit seeks additional diversion rate and annual volume so that the dairy can develop the herd to approved levels.

If you have any questions, please feel free to call.

Regards,

A handwritten signature in cursive script that reads "Steve R. Hannula".

Steven R. Hannula