42-222 POD
03/2011

RECEIVED
MAR 0 3 2011
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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 an entire 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 or to report an ownership change for a portion 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

1. **APPLICANT(S)** Steve Boschma Phone (208) 870-1763

2. **MAILING ADDRESS** 5592 Kuna Rd, City Kuna

State ID Zip 83634 Email

☐ 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.

☐ 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)** 63-9103D, 63-4498, 63-31584, 63-20469

☑ 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 0.35 (diversion rate) cubic feet per second and/or _____ (storage volume) acre-feet per annum.

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.*

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
2N	1W	19			SE	SW	Canyon	GW	
2N	1W	19			SE	SW	Canyon	GW	
2N	1W	19			SE	SW	Canyon	GW	
2n	1W	19			SW	SW	Canyon	GW	

Transfer No. 77093

SUPPORT DATA
IN FILE # 63 – 4498

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WATER RESOURCES

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:

8" dia, 275 ft well drilled 1978, 6-inch dia. stock/dom, unknown depth and date, 6" stock/dom, 115 ft, drilled 1982

New well 10-inch diameter to 300 feet. Measuring can be made along pipeline to dairy.

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 leased to the Water Supply Bank,
☐	☑	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

7. **MAP** – ☑ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and ¼ ¼ of section information. The *Map Tool,* available at *http://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.

Signature of applicant or authorized agent	Print name and title if applicable	Date
Stephen T. Boschma	Stephen T. Boschma	3/3/11
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 8 pages of attachments. * Received by SB Date 3/3/11

Fee paid $250 Date 3/3/11 Receipted by SB Receipt # W039029

Preliminary review completed by SL Date 3/17/11

* Attachments A + B

Page _____ of _____

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

Current Water Right No.: 63-4498

Current Owner:	STEVE BOSCHMA
Priority Date:	6/1/1936
Origin:	Water Right
Status:	Active
Basis:	Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	01/01 to 12/31	0.04 CFS	
DOMESTIC	01/01 to 12/31	0.04 CFS	
	Total Diversion	0.04 CFS	

Location of Point(s) of Diversion

GROUND WATER CANYON County	NW1/4SE1/4SW1/4	Sec. 19,	Twp 02N,	Rge 01W B.M.
GROUND WATER CANYON County	SW1/4SE1/4SW1/4	Sec. 19,	Twp 02N,	Rge 01W B.M.

Place of Use

STOCKWATER Within CANYON County

T02N R01W S19	NESW	T02N R01W S19	SESW

DOMESTIC Within CANYON County

T02N R01W S19	NESW	T02N R01W S19	SESW

Conditions of Approval:

1.	X02	Stockwater use is for 350 dairy cattle and 1000 replacement cattle.
2.	X01	Domestic use is for 2 homes.
3.	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.
4.	F02	2 POINTS OF DIVERSION LOCATED IN T2N, R1W, S19, SESW.
5.	N11	The quantity of water decreed for this water right is not a determination of historical beneficial use.
6.	N13	The quantity of water under this right shall not exceed 13,000 gallons per day.

ATTACHMENT A
(7 pgs)

Decreed Date: 2/6/2009

A2

Page _____ of _____

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

Current Water Right No.: 63-9103d

Current Owner: STEVE BOSCHMA
Priority Date: 3/31/1977
Origin: Water Right
Status: Active
Basis: Decreed

Source		Tributary			
GROUND WATER					
Beneficial Use	**From To**	**Diversion Rate**		**Annual Volume**	
STOCKWATER	1/01 to 12/31	0.1 CFS		26.8 AF	
COMMERCIAL	1/01 to 12/31	0.1 CFS		7.4 AF	
	Total Diversion	0.1 CFS		34.2 AF	

Location of Point(s) of Diversion

GROUND WATER CANYON County	SW1/4SE1/4SW1/4	Sec. 19,	Twp 02N,	Rge 01W B.M.
GROUND WATER CANYON County	NW1/4SE1/4SW1/4	Sec. 19,	Twp 02N,	Rge 01W B.M.

Place of Use

STOCKWATER Within CANYON County

T02N R01W S19	NESW	T02N R01W S19	SESW

COMMERCIAL Within CANYON County

T02N R01W S19	NESW	T02N R01W S19	SESW

A3

Conditions of Approval:

1.		THIS WATER RIGHT IS A PORTION OF TRANSFER 5395 APPROVED 7/1/99.
2.		THE WATER USED FOR COMMERCIAL PURPOSES UNDER THIS APPROVAL IS APPLIED TO AND IRRIGATES LAND LISTED IN THE PLACE OF USE TO SATISFY WATER QUALITY REQUIREMENTS. WATER SHALL NOT IRRIGATE GROWING PLANTS UNLESS THE WATER IS FIRST BENEFICIALLY USED IN THE DAIRY AS AUTHORIZED BY RIGHT 63-9103D.
3.	F02	TWO POINTS OF DIVERSION LOCATED IN T02N, R01W, S19, SESW.
4.		Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
5.	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.
6.		The total instantaneous diversion of water from all points of diversion under Right 63-09103D shall not exceed 0.10 cfs, nor a total combined annual volume of 34.2 af.
7.		The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
8.		The Director retains jurisdiction of this right to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such stream flow augmentation or other action will be required only upon a determination of need and applicability by the Director.

Decreed Date: 4/3/2009

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

Current Water Right No.: 63-20469

Current Owner: DEBORAH L BOSCHMA
STEVE BOSCHMA

Priority Date: 5/6/1901

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	1/01 to 12/31	0.13 CFS	
DOMESTIC	1/01 to 12/31	0.04 CFS	
	Total Diversion	0.17 CFS	

Location of Point(s) of Diversion

GROUND WATER NE1/4SW1/4SW1/4 Sec. 19, Twp 02N, Rge 01W B.M.
CANYON County

Place of Use

STOCKWATER Within CANYON County

T02N R01W S19 SWSW

DOMESTIC Within CANYON County

T02N R01W S19 SWSW

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. 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.
3. STOCKWATER, 140 DAIRY CATTLE PARCEL NO. 1R 29002-000-0
4. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Decreed Date: 3/24/2000

A5

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

Current Water Right No.: 63-31584

Current Owner:	STEVE BOSCHMA LONE PINE FARMS LLC
Priority Date:	6/8/1978
Origin:	Water Right
Status:	Active
Basis:	Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	01/01 to 12/31	0.04 CFS	3.3 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	7.6 AF
	Total Diversion	0.04 CFS	10.9 AF

Location of Point(s) of Diversion

GROUND WATER CANYON County	SW1/4SE1/4SW1/4	Sec. 19,	Twp 02N,	Rge 01W B.M.
GROUND WATER CANYON County	NW1/4SE1/4SW1/4	Sec. 19,	Twp 02N,	Rge 01W B.M.

Place of Use

STOCKWATER Within CANYON County

T02N R01W S19	NESW	T02N R01W S19	SESW

COMMERCIAL Within CANYON County

T02N R01W S19	NESW	T02N R01W S19	SESW

A6

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.	106	Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
3.	T08	Failure of the right holder to comply with the conditions of Transfer No. 70232 is cause for the Director to rescind approval of the transfer.
4.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5.	WD8	The place of commercial use authorized by Transfer No. 70232 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.
6.	T07	The right holder shall accomplish the change authorized by this Transfer No. 70232 within one (1) year of the date of this approval.
7.	082	The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
8.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9.	WB4	The total instantaneous diversion of water from all points of diversion under Rights 63-9103D, 63-4498, and 63-31584 shall not exceed 0.18 cfs, nor total combined annual volume of 58.7 af.
10.	T17	Prior to diversion of water under Transfer No. 31584, 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.

Decreed Date: 4/29/2009

A7

ATTACHMENT B