

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70250

This is to certify that: JACOB F BOSMA And/Or
 BLISS ACRES LLC
 C/O JACOB BOSMA
 318 SPRING COVE RD
 BLISS ID 83314
 208-352-4322

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-8487B	WR/License	01/25/1989	0.18 cfs	76.8 af	N/A	N/A	GROUND WATER
37-12787A	WR/Decreed	04/01/1948	0.08 cfs	28.2 af	N/A	N/A	GROUND WATER
37-8487C	WR/License	01/25/1989	0.48 cfs	64.0 af	N/A	62.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

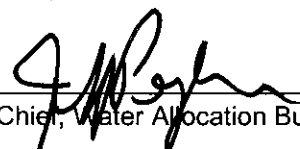
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-8487B	NO	YES	YES	NO	NO	NO
37-12787A	NO	NO	NO	YES	NO	NO
37-8487C	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-8487B	37-8487B	0.18 cfs	76.8 af	N/A	N/A		N/A	N/A	N/A	N/A
37-12787A	37-12787A	0.08 cfs	28.2 af	N/A	N/A		N/A	N/A	N/A	N/A
37-8487C	37-8487C	0.48 cfs	64.0 af	62.0	97.9		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.74 cfs	169.0 af	62.0	97.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14 day of May, 20 03

For  Chief, Water Allocation Bureau

WATER RIGHT NO. 37-8487B
As Modified by Transfer No. 70250

In accordance with the approval of Transfer No. 70250, Water Right No. 37-8487B is now described as follows.

Right Holder: JACOB F BOSMA And
 BLISS ACRES LLC
 C/O JACOB BOSMA
 318 SPRING COVE RD
 BLISS ID 83314

Priority Date: January 25, 1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.13 CFS	55.0 AF
COMMERCIAL	01/01	12/31	0.05 CFS	21.8 AF
			0.18 CFS	76.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENW Sec. 27 Twp 05S Rge 12E GOODING County

GROUND WATER SENENW Sec. 27 Twp 05S Rge 12E GOODING County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	12E	27		X	X		X		X	X									

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	12E	27		X	X		X		X	X									

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. Prior to the diversion and use of water under Transfer approval 70250, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

WATER RIGHT NO. 37-8487B
As Modified by Transfer No. 70250

CONDITIONS OF APPROVAL

3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
7. The commercial use authorized by this approval includes water for 8 homes, 7 lawns, a potato cellar, and a dairy barn.
8. The total instantaneous diversion of water from all points of diversion under Rights 37-8487B, 37-8487C and 37-12787A shall not exceed 0.74 cfs, nor total combined annual volume of 169.0 af.
9. This right is subject to the previous approval of Transfer No. 68319 and to the following condition contained in an agreement dated 10-12-95 between Jacob F. Bosma and Lorna Bard whereby the domestic well, which is the subject of an 04-30-87 agreement with the Travelers Insurance Company, will not be used for dairy purposes except for a reasonable time in the event of an emergency caused by the failure of the primary water system. However, in no event can diversions under Right No. 37-08487B leave Lorna Bard or her successors without water.

This right is subject to the previous approval of Transfer No. 68319 and to the following condition contained in an agreement dated 10-20-95 between Jacob F. Bosma (Applicant) and Daniel Butler representing Spring Cove Ranch, Inc. and Archie Walker (Protestants): "...The Applicant shall continuously comply with the practices specified in the Plan and Agreement entered into by the Protestants and Applicant, and in the event a party to that Agreement shall hereafter in a contested case establish that it is more probable than not that the Applicant has materially failed to comply with the Agreement, this transfer and approval shall be revoked."

10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14 day of May, 20 03

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-8487C
As Modified by Transfer No. 70250

In accordance with the approval of Transfer No. 70250, Water Right No. 37-8487C is now described as follows.

Right Holder: JACOB BOSMA
 1748 E 400 S
 JEROME ID 83338

Priority Date: January 25, 1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.48 CFS	64.0 AF
			0.48 CFS	64.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENW Sec. 27 Twp 05S Rge 12E GOODING County

GROUND WATER SENENW Sec. 27 Twp 05S Rge 12E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	12E	22											.8	4.6			.6		6.0
05S	12E	27	.7	13.0			30.0	32.0	15.0	1.2									91.9

Total Acres: 97.9

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. Prior to the diversion and use of water under Transfer approval 70250, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

WATER RIGHT NO. 37-8487C
As Modified by Transfer No. 70250

CONDITIONS OF APPROVAL

4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
7. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. the use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. This right is limited to the irrigation of 62 acres within the place of use described above in a single irrigation season.
10. The total instantaneous diversion of water from all points of diversion under Rights 37-8487B, 37-8487C and 37-12787A shall not exceed 0.74 cfs, nor total combined annual volume of 169.0 af.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14 day of May, 20 03

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-12787A
As Modified by Transfer No. 70250

In accordance with the approval of Transfer No. 70250, Water Right No. 37-12787A is now described as follows.

Right Holder: BLISS ACRES LLC
 C/O JACOB BOSMA
 318 SPRING COVE RD
 BLISS ID 83314

Priority Date: April 01, 1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to 12/31		0.08 CFS	27.0 AF
DOMESTIC	01/01 to 12/31		0.04 CFS	1.2 AF
			0.08 CFS	28.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENW Sec. 27 Twp 05S Rge 12E GOODING County

GROUND WATER SENENW Sec. 27 Twp 05S Rge 12E GOODING County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	12E	27		X	X		X												

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	12E	27					X												

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. Prior to the diversion and use of water under Transfer approval 70250, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

WATER RIGHT NO. 37-12787A
As Modified by Transfer No. 70250

CONDITIONS OF APPROVAL

3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. Domestic use is for 1 home and up to 1/2 acre of lawn, garden, landscape, or other types of irrigation.
5. The total instantaneous diversion of water from all points of diversion under Rights 37-8487B, 37-8487C and 37-12787A shall not exceed 0.74 cfs, nor total combined annual volume of 169.0 af.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14 day of May, 20 03

For  Chief, Water Allocation Bureau