

DEC 19 2023

DEPARTMENT OF
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 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)** Bogus Basin Recreational Assn Inc Phone 208-287-0991

2. MAILING ADDRESS 2600 N Bogus Basin Rd City Boise

State ID Zip 83702 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. 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) 65-4015B

- ☒ 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 0.10 cubic feet per second and/or 8.8 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*.

[illegible]

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:

Small concrete boxes will collect Bogus Creek water and feed a pump to pressure irrigation system. Measurement and lockable control may be accommodated by order of the department.

- 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 1/4 1/4 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.

Brad Wilson
Signature of applicant or authorized agent

BRAD WILSON - GM
Print name and title if applicable

12/19/2023
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 1 pages of attachments. Received by JRS Date 12-19-23

Fee paid 200- Date 12-19-23 Received by JRS Receipt # C117541

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

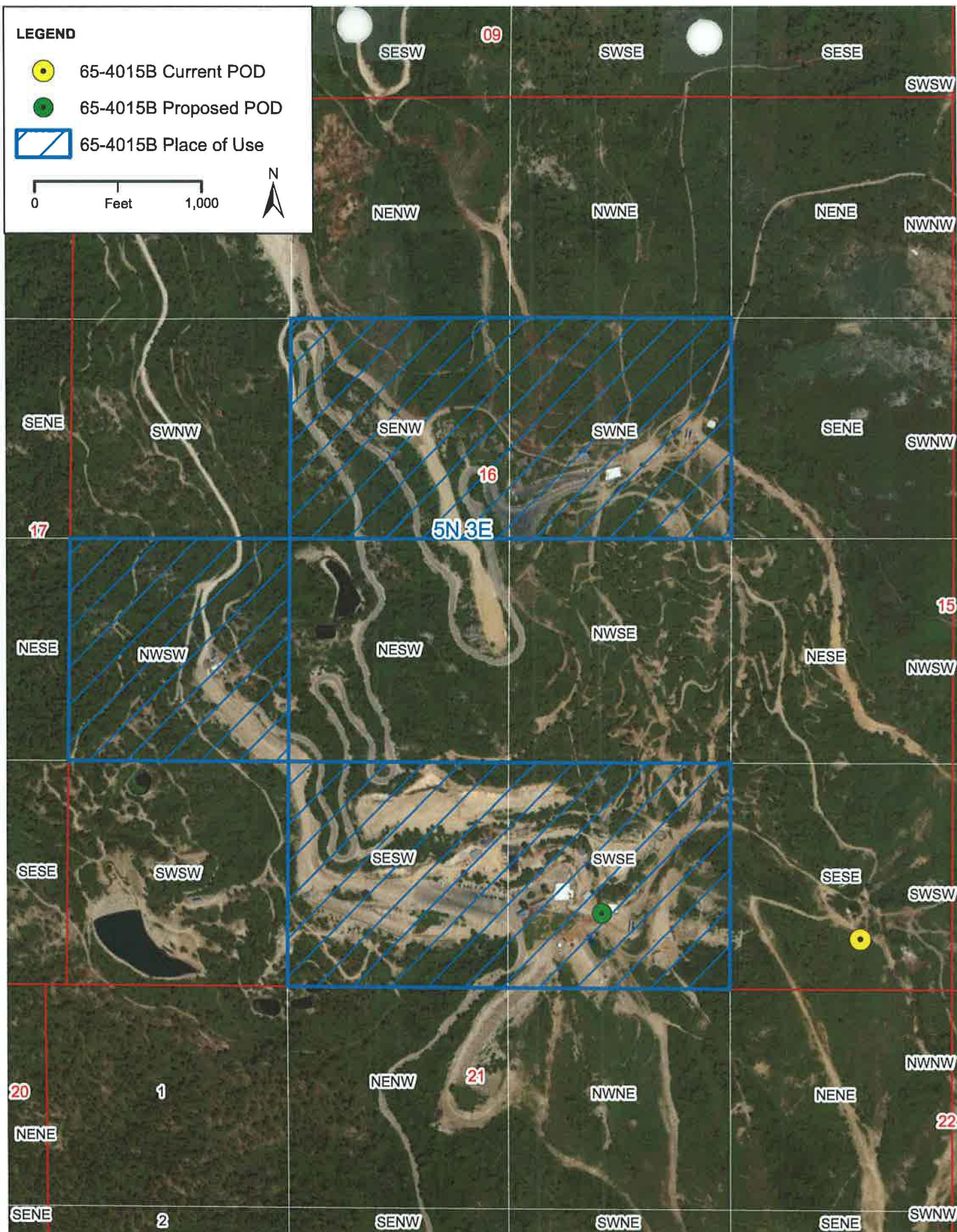
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

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

LEGEND

-  65-4015B Current POD
-  65-4015B Proposed POD
-  65-4015B Place of Use

0 Feet 1,000



DATA SOURCE: NAIP 2021

APPLICATION FOR TRANSFER MAP WATER RIGHT 65-4015B

BOGUS BASIN RECREATIONAL ASSOCIATION, INC.



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 16, 2024

BOGUS BASIN RECREATIONAL ASSN INC
C/O BRAD WILSON
2600 N BOGUS BASIN RD
BOISE ID 83702-0908

RE: Transfer No. 88693
Water Right No(s). 65-4015B

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO WORLD on 1/17/2024 and 1/24/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is 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 the application is 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 approval document.

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

Sincerely,

Lynne Evans
Administrative Assistant I

CC: PATRICK KELLY, HDR INC

Evans, Lynne

From: Evans, Lynne
Sent: Tuesday, January 16, 2024 10:36 AM
To: neil.waterdistrict65@gmail.com
Subject: Applications for Permit Nos. 65-24279, 65-24280, 65-24282; Application for Transfer No. 88693
Attachments: 65-24279 WM.docx; 65-24280 WM.docx; 65-24282 WM.docx; 88693 WM.docx; 65-24279 Permit Application.pdf; 65-24280 Permit Application.pdf; 65-24282 Permit Application.pdf; 88693 Transfer Application.pdf

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find more information about the applications at: <https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>. I have also attached copies of the applications here for your reference. Please review the applications, then complete the enclosed recommendation forms and return them to this office by February 5, 2024.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by February 5, 2024, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RE: Transfer No. 88693
Water Right No(s). 65-4015B

Transfer Applicant's Name: BOGUS BASIN RECREATIONAL ASSN INC
 C/O BRAD WILSON
 2600 BOGUS BASIN RD
 BOISE, ID 83702

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned
 as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____, _____.

Watermaster's Signature

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, January 11, 2024 5:17 PM
To: Idaho World Editor
Subject: Legal Notice: Application for Permit Nos. 65-24279, 65-24282; Transfer No. 88693
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Idaho World on the dates indicated (1/17 & 1/24, 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 2/5/2024. Your cooperation is appreciated.

Thank you,

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

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

65-24279

MERRILL NEMEROFF
5144 S TRIMBLE RD
ATLANTA, GA 30342-2125
Point of Diversion SESW S6 T08N R05E BOISE County
Source PAYETTE RIVER Tributary PAYETTE RIVER
Use: FIRE PROTECTION
01/01 to 12/31; 0.05 CFS
Use: IRRIGATION
03/15 to 10/31; 0.05 CFS
Total Diversion: 0.05 CFS
Date Filed: 12-07-2023
Place Of Use: FIRE PROTECTION, IRRIGATION
T08N R05E S6 L11 (SESW)
Total Acres: 1.5

65-24282

WENDELL LOBAN
CAROL LOBAN
28 BROKEN OAR RD
GARDEN VALLEY, ID 83622-8122
Point of Diversion SWNE S3 T09N R04E BOISE County
Source MIDDLE FORK PAYETTE RIVER Tributary PAYETTE RIVER
Use: IRRIGATION
03/15 to 10/31; 0.08 CFS
Total Diversion: 0.08 CFS
Date Filed: 01-04-2024
Place Of Use: IRRIGATION
T09N R04E S3 L2 (NWNE), SWNE
Total Acres: 2.7

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western Region office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 2/5/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 1/17/2024 and 1/24/2024

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 88693

BOGUS BASIN RECREATIONAL ASSN INC, C/O BRAD WILSON, 2600 N BOGUS BASIN RD, BOISE, ID 83702-0908 has filed Application No. 88693 for changes to the following water rights within BOISE County(s): Right No(s). 65-4015B; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:
to add a point of diversion to the water right. The new point of diversion is located in SWSE, T05N, R03E, Section 16, at the Bogus Basin Recreational area.

For additional information concerning the property location, contact the Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 2/5/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 1/17/2024 and 1/24/2024



RECEIVED
DEC 19 2023
DEPARTMENT OF
WATER RESOURCES

December 19, 2023

Scott Storms
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer of Water Right – POD for 65-4015B

Dear Scott,

On behalf of Bogus Basin, I am pleased to submit an application for transfer for water right 65-4015B. Bogus seeks to add a POD location to deliver Bogus Creek water into their existing system. No changes to beneficial use or place of use are proposed. A transfer fee of \$200 is also included.

Thank you very much for your service in this matter. Please contact me with any questions or additional information requests.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Kelly".

Patrick Kelly
Project Hydrologist