

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 08 2024

WATER RESOURCES
WESTERN REGION

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
☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** South Boise Water Co. Phone 208-336-5508

2. **MAILING ADDRESS** P.O Box 6005 City Boise

State ID Zip 83707 Email barryeschen@gmail.com

- ☐ 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)** 63-150

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, Water Right Transfers, Step 1, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.8 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) MC (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 idwr.idaho.gov, Water Rights, Water Right Transfers, Modeling Resources.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
X	12		SE	SE	14	03N	2E	Ada	Boise River	River Quarry Pond
	5	NE	NW	SE	24	03N	2E	Ada	Boise River	Chronic Dam
	6	SW	SW	SW	19	03N	3E	Ada	Boise River	Chatburn Weir

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:

The River Quarry Pond is fed by seepage through a dike along the Boise River. A pump in the pond feeds lines to sprinklers for 6.38 acres. River Quarry Apartments, LLC, is property owner.

- b. Who owns the property at the point(s) of diversion? River Quarry Apartments LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
River Quarry will buy shares in South Boise Water, granting SBW Water Master access.

- 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 $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, *Water Rights*, *Water Right Transfers*, *File a Transfer Application*, *Step 2C*.

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.

<u>Barry Eschen</u>	Barry Eschen, Vice President	03/27/24
Signature of applicant or authorized agent	Print name and title if applicable	Date

_____ Signature of applicant or authorized agent	_____ Print name and title if applicable	_____ Date
---	---	---------------

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are 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 _____ pages of attachments.	Received by <u>CC</u>	Date <u>4-8-24</u>
Fee paid <u>\$500.00</u>	Date <u>4-8-24</u>	Receipted by <u>CC</u>
Preliminary review by <u>mw</u>	Date <u>04/05/24</u>	Receipt # <u>W051878</u>
W-9 received? Yes ☐ No ☐	Name on W-9 _____	Active in the Water Supply Bank? Yes ☐ No ☒
W-9 forwarded to fiscal? Yes ☐ No ☐		

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

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/29/2024
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report
WATER RIGHT NO. 63-10974

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SIDNEY SUEN C/O ROBERT J ENNIS PO BOX 9442 BOISE, ID 83707 2083439966

Priority Date: 09/08/1989
Basis: License
Status: Active

<u>Source</u>	<u>Tributary</u>
POND	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
RECREATION STORAGE	1/01	12/31		113 AFA
AESTHETIC STORAGE	1/01	12/31		113 AFA
Total Diversion				113 AFA

Location of Point(s) of Diversion:

POND|NESE Lt 10|Sec. 14|Township 03N|Range 02E|ADA County
POND|SESE Lt 12|Sec. 14|Township 03N|Range 02E|ADA County

Place(s) of use:
Place of Use Legal Description: RECREATION STORAGE ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03N	02E	14	10	NESE		12	SESE							

Conditions of Approval:

1. Water stored under this right is subject to fluctuations of the groundwater table related to the flow of the Boise River and to diversions under prior groundwater rights. In no way does issuance of this license guarantee the maintenance of any particular groundwater level.

Dates:

Licensed Date: 01/30/1995

Decreed Date:

Permit Proof Due Date: 12/1/1990

Permit Proof Made Date: 11/19/1990

Permit Approved Date: 11/21/1989

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 09/08/1989

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 63

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

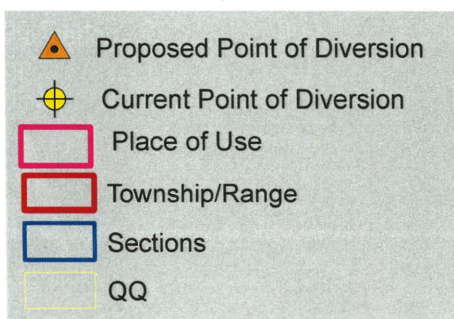
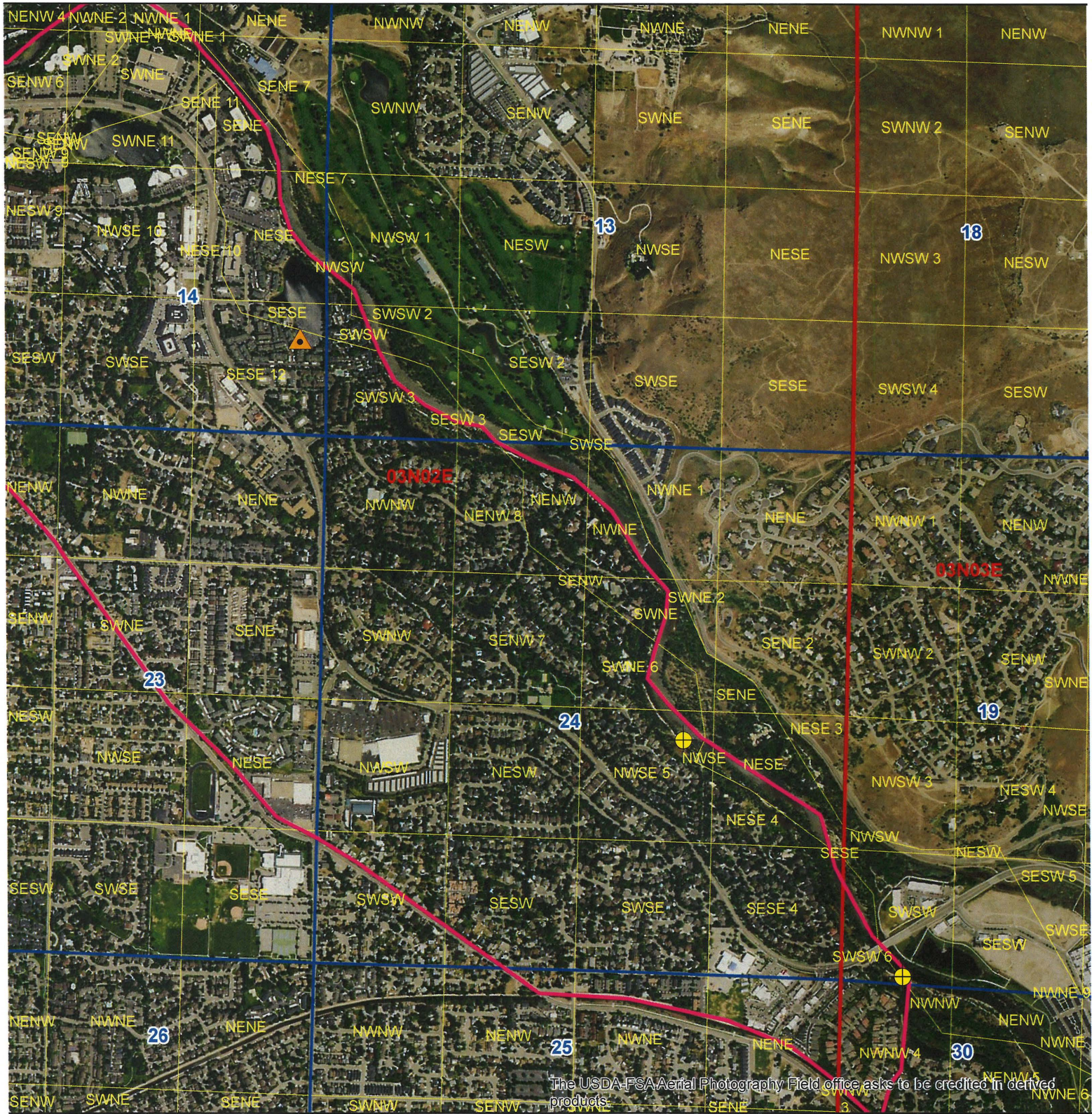
Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

South Boise Water Co.



Comment: Transfer application to add poin of diversion to water right 63-105.

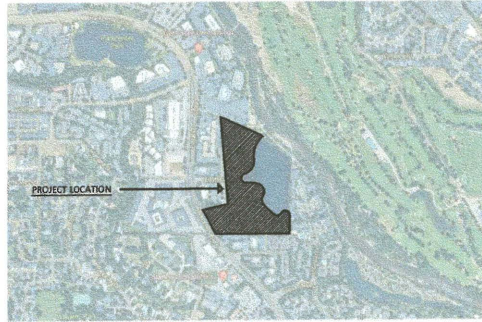
0 1,000 2,000 4,000 Feet



RIVER QUARRY APARTMENTS

BOISE, IDAHO

Ada Co. Range 2E, Twp ^{03N}~~14~~, Sec 14, SE 1/4, SE 1/4



PROJECT LOCATION
NOT TO SCALE

IRRIGATION LEGEND	
SYMBOL	DESCRIPTION
	EXISTING PRESSURIZED IRRIGATION MAINLINE (APPROXIMATE PER CONSTRUCTION DRAWINGS. SEE DETAILED CONSTRUCTION DRAWINGS FOR PIPE SIZING AND EXACT LOCATIONS)
	PUMP LOCATION/POINT OF DIVERSION

POINT OF DIVERSION/PUMP LOCATION



40 20 0 20 40
SCALE: 1" = 40'



South Boise Water Company

April 1, 2024

% Thomas Eschen

115 E. Provident Drive

Boise ID 83706-4017

Re. Grant of Access River Quarry Apartments

Gentlemen,

In connection with the acquisition of 30 shares in South Boise Water Company, River Quarry Apartments LLC grants you access through our property to the Point of Diversion as shown on our application.

Sincerely,

River Quarry Apartments LLC

A handwritten signature in black ink, appearing to read "Ronald C. Nahas", is written over a horizontal line.

Ronald C. Nahas

Manager

88875



0005796256

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005796256

Date Filed: 7/3/2024 8:20:18 AM

Entity Name and Mailing Address:

Entity Name:

SOUTH BOISE WATER COMPANY (THE)

The file number of this entity on the records of the Idaho
Secretary of State is:

0000049512

Address

PO BOX 6005
BOISE, ID 83707-6005

Entity Details:

Entity Status

Active-Good Standing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of
the Idaho Secretary of State was:

C11725

The registered agent on record is:

Registered Agent

MICHAEL HARRISON
Registered Agent

Physical Address

1655 MAIN ST.
BOISE, ID 83702

Mailing Address

Agent or Address Change

☐ Select if you are appointing a new agent.

Corporate Officers and Directors:

Name	Title	Business Address
■ Barry Eschen	Director	115 E. PROVIDENT BOISE, ID 83706
Ken Mallea	President	802 PENNSLYVANIA AVE. BOISE, ID 83706
Gabriel Bishop	Director	416 E 49TH GARDEN CITY, ID 83714
Jonathan Oppenheimer	Director	2001 S. CREEKSIDE LANE BOISE, ID 83706
Haley Falconer	Director	P.O. BOX 500 BOISE, ID 83701
■ Doug Zamzow	Vice President	415 E SCHMEIZER LN BOISE, ID 83706
■ Cynthia Wallesz	Treasurer	1704 S COLORADO AVE. BOISE, ID 83706
+ Tasha Schreiter	Treasurer	525 E. PARK CENTER BLVD BOISE, ID 83706

The annual report must be signed by an authorized signer of the entity.

Job Title: Secretary



Michael Harrison

Sign Here

07/03/2024

Date

BUZZZ-1400 U//UJ/2024 0:20 AM RECEIVED BY UTILITY TO THE TUDOR SECURITY UT STALE

Stream Depletion Analysis Tool

Read Me

Project Title

88875

Definition of Variables

Calculation of Stream Depletion Rate & Volume

User Defined Input Variables

t =	0.25	duration of pumping (days)
K =	2,500.00	hydraulic conductivity (ft/day)
b =	25.00	saturated thickness (ft)
Sy =	0.26	specific yield in decimals (unitless)
a =	125.00	distance (ft)
Q =	1.00	pumping rate (ft ³ /s)

Calculated Input Variables

T =	62,500	transmissivity (ft ² /day)
Sy/T =	0.00000416	component of sdf (unitless) for observation only
Q =	86400	pumping rate (ft ³ /day)
Qt =	21600	pumped volume (ft ³)
	0.50	pumped vol (ac-ft)

Table Values

sdf =	0.0650	stream depletion factor (units of time)
t/sdf =	3.846	(unitless)
q/Q =	0.718	(unitless)
v/Qt =	0.542	(unitless)

Stream Depletion Rate

q =	0.718	stream depletion rate (ft ³ /s)
% Total =	71.8	contribution of total flow rate from stream (%)

Stream Depletion Volume

v =	11,713	vol. strm depletion (ft ³)
	0.2689	vol. strm depletion (ac-ft)
% Total =	54.2	contribution of total volume from stream (%)

Notes and Discussion

River Quarry Apartments draw their irrigation water from a pond next to the Boise River. The pond has License 63-10974 for recreational and aesthetic storage. River Quarry does not have an irrigation right. The Boise River Watermaster saw a need for a right and asked the South Boise Water Company to provide irrigation water through company water left in the river which would pass through the river bank into the pond for River Quarry to pump. This resulted in transfer 88875. The Company proposes to provide the water from Right 63-150. Contact Barry Eschen at 208-336-5508 (no texts) for

Reference:

The Glover & Balmer method utilized in analysis is recreated in part from Jenkins, C.T., 1968. Book 4 Hydrologic Analysis and Interpretation Chapter D1 Computation of Rate and volume of Stream Depletion by Wells. Techniques of Water-Resources Investigations of the United States Geological Survey.



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

March 4, 2025

SOUTH BOISE WATER CO
PO BOX 6005
BOISE ID 83707-6005

RE: Transfer No. 88875
Water Right No. 63-150

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 STATESMAN on 3/5/2025 and 3/12/2025. 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

Evans, Lynne

From: Evans, Lynne
Sent: Tuesday, March 4, 2025 3:42 PM
To: daniel@wd63.org
Subject: Applications: Amendment of Permit No. 63-35061; Permit No. 63-35665; Transfer Nos. 88875, 89462
Attachments: 63-35061 WM.docx; 63-35665 WM.docx; 88875 WM.docx; 89462 WM.docx

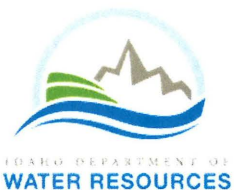
Watermaster:

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 a copy of the application at: <https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>. Please review the application, then complete the attached recommendation form and return it to this office by March 24, 2025.

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 March 24, 2025, 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 (she/her)
Administrative Assistant I
IDWR – Western Region
2735 W Airport Way, Boise ID 83705
lynne.evans@idwr.idaho.gov | (208) 605-4622

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RE: Transfer No. 88875
Water Right No. 63-150

Transfer Applicant's Name: SOUTH BOISE WATER CO
 PO BOX 6005
 BOISE, ID 83707

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, February 27, 2025 2:57 PM
To: BOI Legals
Subject: RE: Legal Notice: Permit No. 63-35505; Amend Permit No. 63-35061; Transfer No. 88875
Attachments: Legal Notice.docx

Please use the corrected legal notice attached instead of the previous one. The publication dates at the bottom of the notice have been corrected—sorry for the error.

Thank you,



Lynne Evans (she/her)
Administrative Assistant I
IDWR – Western Region
2735 W Airport Way, Boise ID 83705
lynne.evans@idwr.idaho.gov | (208) 605-4622

From: Evans, Lynne
Sent: Thursday, February 27, 2025 2:51 PM
To: BOI Legals <legals@idahostatesman.com>
Subject: Legal Notice: Permit No. 63-35505; Amend Permit No. 63-35061; Transfer No. 88875

Please publish the enclosed legal notice in the Idaho Statesman on the dates indicated (3/5 & 3/12, 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 3/24/2025. Your cooperation is appreciated.

Thank you,



Lynne Evans (she/her)
Administrative Assistant I
IDWR – Western Region
2735 W Airport Way, Boise ID 83705
lynne.evans@idwr.idaho.gov | (208) 605-4622

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-35505

DRY CREEK WATER COMPANY LLC

923 S BRIDGEWAY PL

EAGLE, ID 83616-6098

Point of Diversion NENE S36 T05N R01E ADA County

Point of Diversion NENE S36 T05N R01E ADA County

Point of Diversion NENE S36 T05N R01E ADA County

Source GROUND WATER Tributary BOISE RIVER

Point of Diversion NENE S36 T05N R01E ADA County

Point of Diversion SENW S36 T05N R01E ADA County

Source GROUND WATER

Use: MUNICIPAL

01/01 to 12/31; 1.5 CFS

Total Diversion: 1.5 CFS

Date Filed: 11-24-2023

Place Of Use: MUNICIPAL

T04N R01E S1 L4 (NWNW)

T04N R01E S2 L1 (NENE), L2 (NWNE), L3 (NENW)

T05N R01E S25 SWNE, SENE, NESW, NWSW, SWSW, SESW, NESE, NWSE, SWSE, SESE

T05N R01E S35 NENE, NWNE, SWNE, SENE, NESW, SESW, NESE, NWSE, SWSE, SESE

T05N R01E S36 NENE, NWNE, SWNE, SENE, NENW, NWNW, SWNW, SENW, NESW, NESE, NWSE, SWSE, SESE

T05N R02E S30 L4 (SWSW)

Water bearing zones to be appropriated are from 100 to 300 ft. and from 200 to 500 ft.

Mitigation is proposed for consumptive use.

PROPOSED AMENDMENT OF WATER PERMIT

63-35061

HERITAGE RANCH LLC, 1133 W SHEARWATER LN, EAGLE, ID 83616-5586 filed an application to amend Permit No. 63-35061 on 10/30/2024.

This application proposes to add a point of diversion from the Boise River in the SWSE of Sec 16, T05N R05W also known as the Island High Line Ditch approximately $\frac{3}{4}$ of a mile upstream of the intersection of Lee Ln and Wamstad Rd.

PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 88875

SOUTH BOISE WATER CO, PO BOX 6005, BOISE, ID 83707-6005 has filed Application No. 88875 for changes to the following water rights within ADA County: Right No. 63-150. The purpose of the transfer is to change a portion of the above rights as follows: to add a point of diversion from a ground water filled pond found to be hydraulically connected to the Boise River in L12 (SESE) of Sec 14, T03N, R02E.

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 rights and proposed changes, please see <https://idwr.idaho.gov/water-rights/research/>. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the above applications 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 3/24/2025. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 3/5/2025 and 3/12/2025