

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84365**

This is to certify that: MELANIE J GONSALES
RODNEY R GONSALES
PO BOX 131
FAIRFIELD, ID 83327-0131

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-7295B	WR/DECREED	11/7/1973	1.050 cfs	240.0 af	N/A	92.0	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>
37-7295B	YES	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>
37-7295B	37-23246	0.040 cfs	7.8 af	N/A	3.0	37-7295B	1.010 cfs	232.2 af	N/A	89.0
COMBINED TOTALS		0.040 cfs	7.8 af	N/A	3.0		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 27th day of November, 2020.


Southern Region Manager

SUPPORT DATA
IN FILE # 37-7295B

Transfer No. 84365

WATER RIGHT NO. 37-7295B

As Modified by Transfer No. 84365

In accordance with the approval of Transfer No. 84365, Water Right No. 37-7295B is now described as follows:

Right Holder: SV RANCH LLC
GREG VIK
PO BOX 1607
BELLEVUE, WA 98009-1607

Priority Date: 11/7/1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	1.010 cfs	232.2 af
			1.010 cfs	232.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESESE Sec 30 Twp 01S Rge 14E CAMAS County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	14E	31	37.2	35.8	5.0	11.0													89.0

POU Total Acres: 89.0

CONDITIONS OF APPROVAL

- Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-23246**As Modified by Transfer No. 84365**

In accordance with the approval of Transfer No. 84365, Water Right No. 37-23246 is now described as follows:

Right Holder: RODNEY R GONSALES
MELANIE J GONSALES
PO BOX 131
FAIRFIELD, ID 83327-0131

Priority Date: 11/7/1973

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.040 cfs

0.040 cfs

Diversion Volume

7.8 af

7.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSW

Sec 27 Twp 01S Rge 13E CAMAS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	13E	27											3.0						3.0

POU Total Acres: 3.0

CONDITIONS OF APPROVAL

1. Use of water under this right may 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. 37B.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 84365

WATER RIGHT NO. 37-23246

As Modified by Transfer No. 84365

CONDITIONS OF APPROVAL

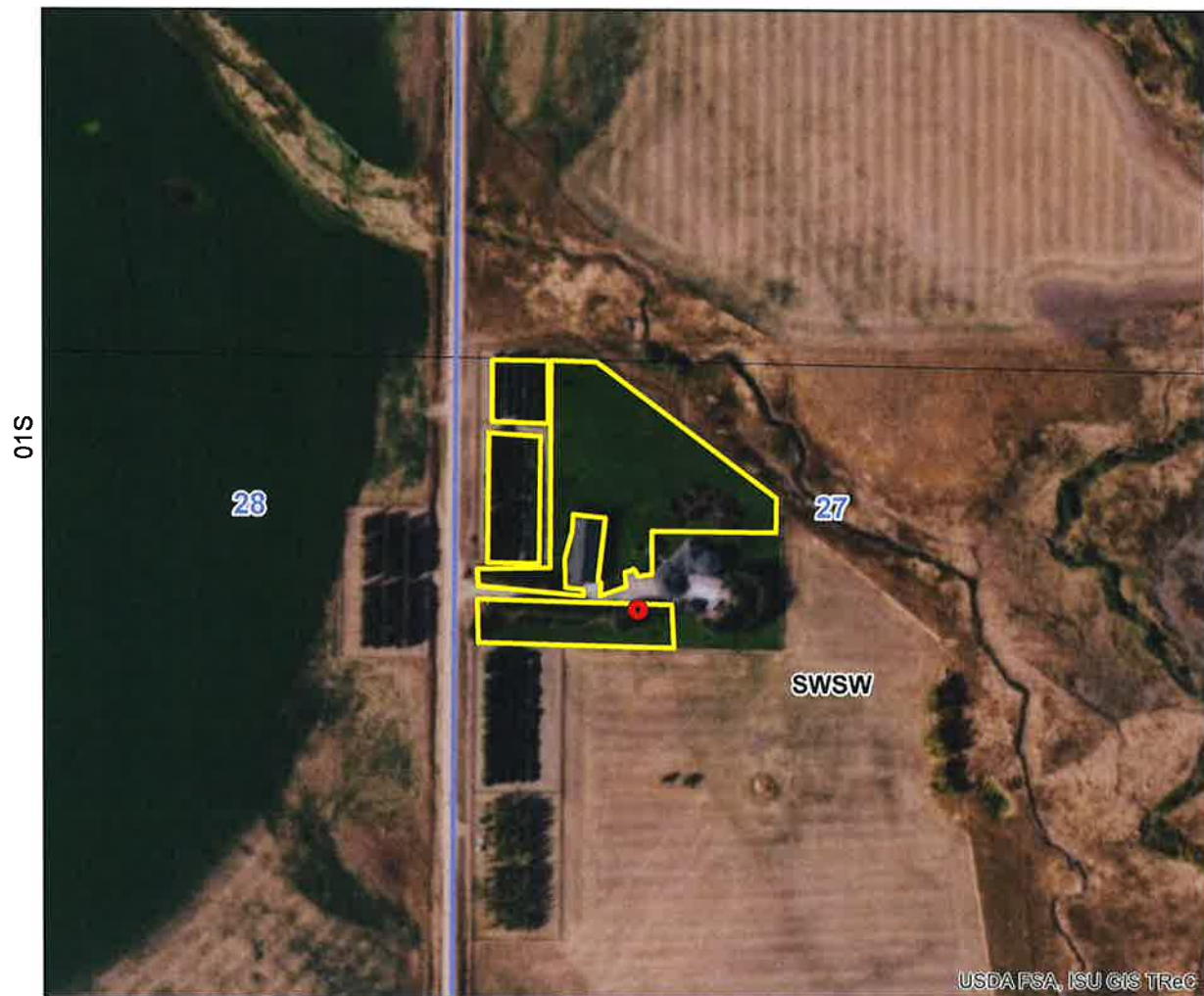
6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



State of Idaho
Department of Water Resources
Attachment to Transfer # 84365
37-23246

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

13E



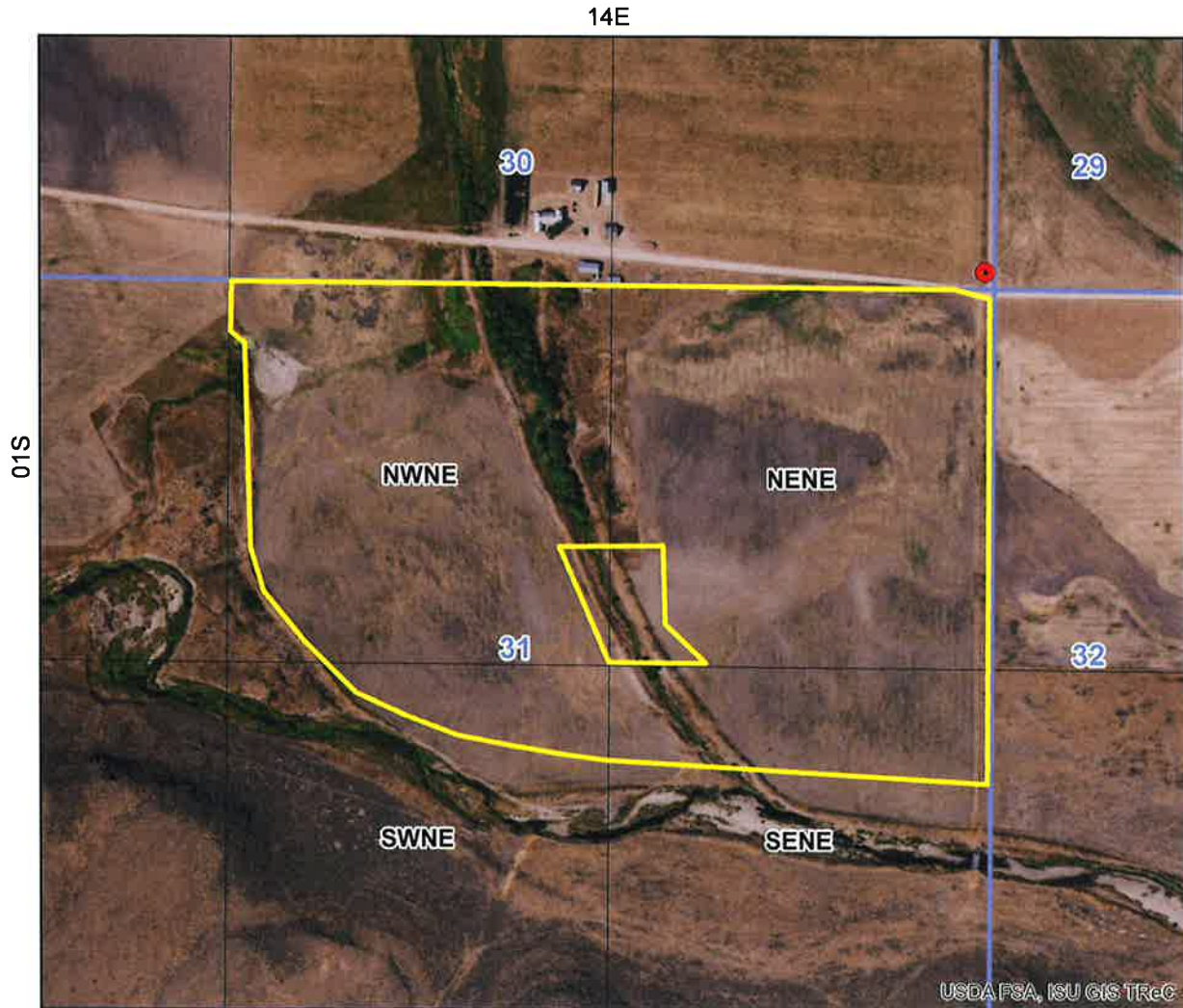
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer # 84365
37-7295B

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 27, 2020

RODNEY R GONSALES
MELANIE J GONSALES
PO BOX 131
FAIRFIELD ID 83327-0131

Re: Transfer No: 84365
Water Right No(s): 37-7295B

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

c:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

JAMES P SPECK
SPECK & AANESTAD PC
PO BOX 987
KETCHUM ID 83340-0998

SV RANCH LLC
GREG VIK
PO BOX 1607
BELLEVUE WA 98009-1607

RUSTY KRAMER
WATER DISTRICT 37B
246B S HWY 46
FAIRFIELD ID 83327-5560

CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84365
Water Right No(s): 37-7295B

RODNEY R GONSALES
MELANIE J GONSALES
PO BOX 131
FAIRFIELD ID 83327-0131

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

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RUSTY KRAMER
WATER DISTRICT 37B
246B S HWY 46
FAIRFIELD ID 83327-5560



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sufficiency Memorandum

Date: November 19, 2020
To: Transfer 84365
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to transfer 0.04 cfs and 3.0 acre portion of a ground water irrigation right and change the point of diversion to an existing well. The proposed place of use and existing point of diversion is located approximately 2.7 miles south and 5.9 miles west of the intersection of Hwy 20 and Solder Rd in Fairfield. The current authorized place of use and point of diversion is located approximately 3.1 miles south and 2.2 miles west of the intersection of Hwy 20 and Solder Rd in Fairfield. The application also proposes to change the ownership of the portion being transferred to the applicant.

The right involved with the application is located within Water District 37B so watermaster comments were solicited. The watermaster did not oppose approval of this application. The application was subject to notice and protest. No protest were received

- **Authority to File:**
The applicant provided a deed allowing for the portion of water right 37-7295B to be transferred.
- **Water Right Validity:**
Water right 37-7295B was decreed in 2008. Review of recent aerial photography indicates that this right appear to have been used in recent years.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. The proposed place of use will be limited to 3.0 acres allowed by the water right. The portion of water right 37-7295B involved in the transfer is currently in the water supply bank. A request to release the 3.0 acres and 0.04 cfs will be made by the applicant.
- **Local Public Interest:**
No negative impacts anticipated. The watermaster did not oppose the approval of this transfer. The application was subject to notice and protest. No protest were received.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

RECEIVED

NOV 19 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RE: Transfer No. 84365

Water Right No(s): 37-7295B

Transfer Applicant's Name:

RODNEY & MELANIE GONSALES
PO BOX 131
FAIRFIELD ID 83327-0131

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 10 day of November, 2020

Water District 37B



Watermaster's Signature

Rusty Kramer

Printed Name

AFIDAVIT OF PUBLICATION

RECEIVED

NOV 09 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO)
) ss.
County of Camas)

I, Edward Reagan, being first duly sworn, deposes and says that he is the designated agent for the publisher of the Courier News, a newspaper published every week in Fairfield, County of Camas, State of Idaho, and Gooding, County of Gooding, State of Idaho, and that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145. The annexed advertisement for which this document is escribed, is identified as Transfer #84365, a copy of which is hereto attached, was published once each week for 2 consecutive issues of said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 7th day of October, 2020, and the date of the last publication was on the 14th day of October, 2020.

On this 5th day of November, in the year of 2020 before me, a Notary Public, personally appeared Edward Reagan, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



Julie Storey
Notary Public for Idaho
Residing in Fairfield
My commission expires: 5.6.2026

✓ OK AM 11-23-2020

Cost of Publication

Pica Count 978
of runs 2

Cost for Advert: First run \$ 78.24
Additional runs \$ 68.46
TOTAL COST \$ 146.70

Legal Ad Rates:

1st or single run - \$ 0.08 per pica
Additional runs - \$ 0.07 per pica
Table & Figures - \$ 0.09 per pica

Mail payments to: **THE COURIER NEWS**
Post Office Box 339
Fairfield, Idaho 83327



Cup of Tee by Tee Hurd

© My friend texted me the other day and asked, "Tee, how is your 60?" He was referring to my John Deere tractor Model 60. My first thought was that my 60 was resting very well in a nice secure environment. Of course, I was thinking of my toy replica John Deere 60. It is still tucked away in my storage unit.

My second thought was my John Deere 60 #1 (I have two of them). With its recent surgeries, it seems to be in good repair but not quite as good as it was before it was totally vandalized last year. The carburetor has been rebuilt and has to be reinstalled to see if it can run on its own without a walker.

On September 26th, my John Deere 60 #2 took ill for a couple of hours. It didn't have a corona but it was pretty helpless.

The Antique Tractor Pullers of the Treasure Valley were going to have perhaps a final hoo-rah for the year... maybe two, weather permitting. All year all of our tractor pulling events had been cancelled due to the corona thing. I was looking forward to getting to pull in Meridian, Idaho. The pulling sled had been sitting around not collecting any dirt.

Since my tractor wheel spacing is wider than my tandem axle trailer, I borrowed a low-boy type trailer to haul my tractor. I told my friends to go ahead and head from Emmett to Merid-

ian and I would be along shortly. I wouldn't need any help loading my tractor.

I first started to back up on to the trailer. I wasn't loading very well. Then I decided to go forward onto the trailer since the slope wasn't steep. Most items loaded on the trailer don't have a tricycle front-end. As I crested the front wheel up on the trailer, the whole front end of my tractor fell though the trailer. I didn't realize the boards weren't sturdy due to years of weathering.

I tried to move forward or backwards with no luck. The tire was wedged in between. I heard what I thought was my radiator leaking. It was the airline on the trailer. I had gone down on the axle between both air cans that hold air to activate the trailers stopping. Both lines on both of the canisters were ripped off. The trailer and my tractor were both rendered useless for a while.

Nobody was around anywhere that I called to get a ride to my pickup for a jack. The neighbor came home with a crane on this truck 3 hours later and we were able to lift my tractor out and off of the trailer axle. I missed my tractor pull. I may have to replace a tire, it was torn pretty bad.

To answer my friend's text, "My 60 is OK and not helping anymore." A big hoo-rah for my first tractor pull (not really!)

This is my "Cup of Tee" in between.

~ LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES ~ LEGAL NOTICES ~

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84365

RODNEY R GONSALES and MELANIE J GONSALES, PO BOX 131, FAIRFIELD, ID 83327-0131 has filed Application No. 84365 for changes to the following water rights within CAMAS County(s): Right No(s). 37-7295B; 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:

Application proposes to transfer 0.04 cfs and a 3.0 acre portion of a ground water irrigation right and change the point of diversion to an existing well. The proposed place of use and proposed point of diversion is located approximately 2.7 miles south and 5.9 miles west of the intersection of Hwy 20 and Soldier Rd in Fairfield. The current authorized place of use and point of diversion is located approximately 3.1 miles south and 2.2 miles west of the intersection of Hwy 20 and Soldier Rd in Fairfield.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before October 26, 2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on October 7th & 14th, 2020

AARP
Idaho

PAID FOR BY AARP

Your Vote. Your Voice. Our Fight.

As our nation battles a pandemic and economic downturn, the health and financial security of voters over 50 are on the line. That's why AARP Idaho is fighting for your voice to be heard.

AARP Idaho wants to make sure that you know all of your voting options and that all Americans—from working parents to family caregivers to seniors in nursing homes—can vote safely whether they choose to vote from home or in-person.

For more information on how you can vote safely and make your voice heard, visit aarp.org/IDvotes

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PROTECT
50+
VOTERS

✓ dm 11-23-2020