

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No.

84365

RECEIVED

SEP 08 2020

**MINIMUM REQUIREMENTS CHECKLIST**  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at [idwr.idaho.gov](http://idwr.idaho.gov).

Name of Applicant(s) Melanie Gonsales and Rodney Gonsales

**Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.**

**Yes N/A** \* Means the item is always required and must be included with the application.

- ☒ \* Completed Application for Transfer of Water Right form, Part 1.
- ☐ \* Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ \* Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ \* Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ \* Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

**Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.**

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. \*\*
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).\*\*  
\*\* Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at [idwr.idaho.gov/water-rights/transfers/resources.html](http://idwr.idaho.gov/water-rights/transfers/resources.html).
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ \* #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☐ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES  
SOUTHERN REGION

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Melanie Gonsales and Rodney Gonsales Phone (208) 720-5548  
Mailing address Box 131 Fairfield, Idaho 83327 Email \_\_\_\_\_

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Greg Sullivan @ Brockway Engineering Phone 208-736-8543  
Mailing address 2016 North Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☒ Send original correspondence to the applicant and copies to the representative.

☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Rodney Ray Gonsales  
Signature of Applicant or Authorized Representative

Rodney Ray Gonsales  
Print Name and Title if applicable

8/26/20  
Date

Melanie Gonsales  
Signature of Applicant or Authorized Representative

Melanie Gonsales  
Print Name and Title if applicable

8/26/20  
Date

### A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2. Is this a transfer for changes pursuant to [Idaho Code § 42-221.O.8?](#)  
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

The transfer proposes to move 3.0 acres of irrigation water from 37-7295B to an existing well currently owned by Melanie Gonsales and Rodney Gonsales. A 13.2 acre portion of 37-7295B is leased into the Idaho Water Supply Bank. The 3.0 acre portion to be transferred is identified as a portion of the 13.2 acres.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1 Continued**

**B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input type="checkbox"/> <input checked="" type="checkbox"/>	37-7295B	0.04/7.8	Irrigation	4/01 to 11/01	Ground Water
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 1.05 cfs and/or 240 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or 7.8 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.  
Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	SW	27	01S	13E	Camas County	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	13E	27											3.0						3.0
Total Acres (for irrigation use)																			3.0

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Continued**

5. 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:

Existing well and delivery system

- b. Who owns the property at the point(s) of diversion? Melanie Gonsales and Rodney Gonsales

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

**If yes,** ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

**If yes,** ☒ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

3.0 acres of irrigation will no longer be able to be irrigated under 37-7295B.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Water right 37-13068 and 37-13069.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

**Yes No**

- |                                     |                          |   |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | currently leased to the Water Supply Bank,  |
| <input type="checkbox"/>            | <input type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/>            | <input type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

**If yes,** describe:

A 13.2 acre portion of 37-7295B is leased into the Water Supply Bank. As soon as the 3.0 acres is split from 37-7295B, it will be requested of the Water Supply Bank to release the 3.0 acres. There are currently no rental contracts requiring that the entire 13.2 acres of 37-7295B remain under lease contract.



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

**Current Water Right No.: 37-7295B**

Current Owner: SV RANCH LLC  
 Priority Date: 11/7/1973  
 Origin: Water Right  
 Status: Water Supply Bank      Active  
 Basis: Decreed

**Source**

**Tributary**

GROUND WATER

<b><u>Beneficial Use</u></b>	<b><u>From To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Annual Volume</u></b>
IRRIGATION	04/01 to 11/01	1.05 CFS	240 AF
	<b><u>Total Diversion</u></b>	1.05 CFS	240 AF

**Location of Point(s) of Diversion**

GROUND WATER      SE1/4SE1/4SE1/4      Sec. 30,    Twp 01S,    Rge 14E B.M.  
 CAMAS County

**Place of Use**

**IRRIGATION Within CAMAS County**

T01S R14E S31	NENE	39.00	T01S R14E S31	NWNE	37.00
T01S R14E S31	SWNE	5.00	T01S R14E S31	SENE	11.00

Total Acres: 92

**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

Decreed Date: 6/24/2008



[illegible]



0 375 750 Feet

SV RANCH LLC  
37-7295B  
IRRIGATION TRANSFER FROM LOCATION  
2019 NAIP AERIAL PHOTO

### Legend

- 37-7295B POD
- Transfer Irrigation







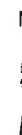
0 125 250 Feet

**ROD GONSALES PROPERTY  
IRRIGATION TRANSFER TO LOCATION  
2019 NAIP AERIAL PHOTO**

**Legend**

- Transfer Irrigation
- Domestic Irrigation

BROCKWAY ENGINEERING, PLLC.  
GWS - AUG. 25, 2020



**TRANSFER 84365**

## APPLICATION FOR TRANSFER OF WATER RIGHT ATTACHMENT WSB: TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an [Application to Lease a Water Right to the Water Supply Bank](#) form, or they can request early termination of their lease contracts by completing a [Request to Release a Water Right from the Water Supply Bank](#) form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at [www.idwr.idaho.gov](http://www.idwr.idaho.gov) or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
37-7295B	12/31/2022	0.15	34.4	13.2	Attached? <input checked="" type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>

Is the ownership of the water right(s) leased to the Bank being changed? ☐ 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](#).

**Additional Information:**

A 3.0 acre portion of 37-7295B will be transferred, the ownership will change and a request to release the 3.0 acres from the water supply bank will be submitted to IDWR.

**Agency Use Only:** Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.



## QUITCLAIM DEED

For value received, SV Ranch LLC, as grantor hereby quitclaims unto Melanie Gonsales and Rodney Gonsales the grantee whose current mailing address is Box 131 Fairfield, Idaho 83327 and physical address is 274 South 600 West Corral, Idaho 83322, all of the grantor's right, title, and interest in and to the following described water rights situated in Camas County, Idaho.

**All of water right 37-7295B priority date 11/7/1973, 0.04 cfs, 7.8 acre feet annually and 3.0 acres of irrigation water.**

**See the attached IDWR water right report and aerial map for details of the place of use of irrigation water to be transferred in Township 01 South Range 14 East Section 31 NENE and NWNE in Camas County, Idaho.**

Grantor has caused this quitclaim deed to be executed this 27<sup>th</sup> day of August, 2020.

By: [Signature]  
<GRANTOR>  
VP SV Ranch LLC  
<TITLE>

By: \_\_\_\_\_  
<GRANTOR>  
\_\_\_\_\_  
<TITLE>

State of WA )  
County of KING ) S.S.

On this 27<sup>th</sup> day of AUGUST, in the year of 2020, before me, a Notary Public, personally appeared CHRIS POWAK, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

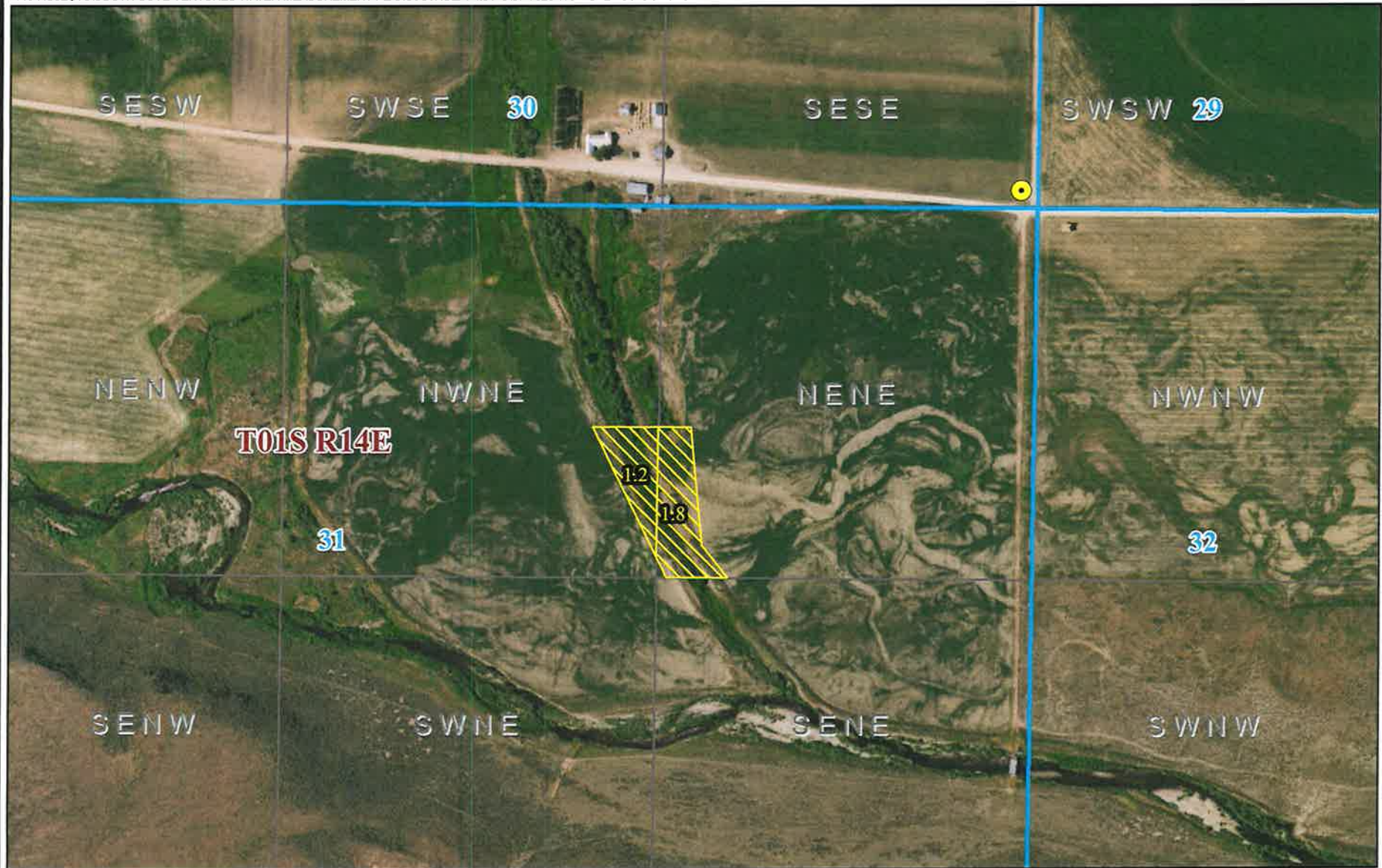
S  
E  
A  
L



[Signature]

Notary Public  
In and for said State and County

NANCY LUKACS 4-29-24  
My Commission Expires on



0 375 750 Feet

SV RANCH LLC  
37-7295B  
IRRIGATION TRANSFER FROM LOCATION  
2019 NAIP AERIAL PHOTO

Legend

- 37-7295B POD
- Transfer Irrigation





# IDAHO Department of Water Resources



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

## WATER RIGHT REPORT

8/26/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 37-7295B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SV RANCH LLC GREG VIK PO BOX 1607 BELLEVUE, WA 98009-1607 4254602542
Attorney	JAMES P SPECK SPECK & AANESTAD PC PO BOX 987 KETCHUM, ID 83340-0998 2087264421
Original Owner	LYNN E STEVENSON PO BOX 100 FAIRFIELD, ID 83327 2087642310

Priority Date: 11/07/1973

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

Source | Tributary  
GROUND WATER |

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.05 CFS	240 AFA
Total Diversion			1.05 CFS	240 AFA

Location of Point(s) of Diversion:

GROUND WATER | SESESE | Sec. 30 | Township 01S | Range 14E | CAMAS County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CAMAS 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>
01S	14E	31		NENE	39		NWNE	37		SWNE	5		SENE	11

Total Acres: 92

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.

Dates:

Licensed Date:

Decreed Date: 06/24/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: TBD

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

Water Supply Bank:

Lessor Name(s): SV RANCH LLC

Lease Status: Active

Lease Amount: .15

Rental Availability: .15

Date Received: 6/26/2013

Lease Begin Date: 6/26/2013

Expiration Date: 12/31/2017

## SV RANCH LLC

### Manager Delegation of Authority

Effective September 23, 2016

SV Ranch LLC (the "Company") is managed by a Manager as provided in the Company's Limited Liability Company Agreement (the "Agreement"). For efficient administration of the Company's affairs, however, the Manager is executing this document to appoint certain officers to assist in the administration of the Company's affairs. The Manager retains the right to manage the affairs of the Company as provided in the Company's Agreement. The Manager shall have the right to revoke this Delegation of Authority at any time, or to overrule any decision of any officer.

#### 1. Officers.

1.529 Number, Election and Term. Officers of the Company shall be a President, a Vice President, a Secretary and a Treasurer, and may include such other officers as the Company may designate from time to time. Officers shall be appointed by the Manager from time to time. Each officer shall hold office until removed as provided below. Any one person may hold more than one office if it is deemed advisable by the manager.

1.530 Appointment of Officers. The Manager appoints the following persons to the offices designated below:

<u>Name</u>	<u>Office</u>
Greg Vik	President
Chris J. Pollak	Vice President
Jeff Anderson	Secretary and Treasurer

1.531 Resignation or Removal: Any officer or agent of the Company may resign from such position by delivering written notice of the resignation to the Company, but such resignation shall be without prejudice to the contract rights, if any, of the Company. Any officer or agent of the Company may be removed by the Manager, but such removal shall be without prejudice to the contract rights, if any, of the person so removed. Election or appointment of an officer or agent shall not of itself create contract rights. Vacancies in any office caused by any reason may be filled by the manager by selecting a suitable and qualified person to act during the unexpired term.



1.532 Salaries. The compensation of all the officers, agents and other employees of this Company shall be fixed by the Manager and may be changed from time to time by the Manager.

1.533 President. The President shall have general charge and control of the day to day affairs of the Company subject to the ultimate control of the Manager of the Company, shall perform all duties as may be delegated from time to time by the Manager of the Company and shall make such reports to the Manager and the Members of the Company as may be required. The President shall be authorized to execute all documents on behalf of the Company.

1.534 Vice Presidents. The Vice President shall perform such duties as shall be assigned by the president or Manager of the Company. In the case of absence, disability or death of the President, the Vice Presidents shall perform and be vested with all the duties and powers of the President, until the President shall have resumed such duties or the President's successor is elected. In the event there is more than one Vice President, the Manager of the Company may designate one of the Vice Presidents as a Senior Vice President, who, in event of the absence, disability or death of the President shall perform such duties as shall be delegated by the Manager of the Company. Each Vice President shall also have authority to execute documents on behalf of the Company and bind the Company.

1.535 Secretary. The Secretary shall keep a record of the proceedings at the meetings of the Members of the Company, shall have custody of all the books, records and papers of the Company, except such as shall be in charge of the Treasurer or some other person authorized to have custody or possession thereof, shall from time to time make such reports to the Manager, the officers and the Members of the Company as may be required, and shall perform such other duties as the Manager of the Company may from time to time delegate. In addition, if no Treasurer is elected, the Secretary shall perform all the duties required of the Office of Treasurer.

1.536 Treasurer. The Treasurer shall keep accounts of all monies of the Company received or disbursed, shall from time to time make such reports to the Manager, the officers and the Members of the Company as may be required, and shall perform such other duties as the Managers of the Company may from time to time delegate. The Treasurer shall have authority to execute banking documents required for the operation of the business of the Company.

2. Liability; Indemnification. None of the Company's officers or agents shall be liable to the Company, the Manager or the Members for any act or omission based upon errors of judgment, negligence, or other fault in connection with the business or affairs of the Company so long as the person against whom the liability is asserted acted in good faith on behalf of the Company and in a manner reasonably believed by such person to be within the scope of his or her authority under this Agreement and in the best interests of the Company, but only if such action or failure to act does not constitute gross negligence or willful misconduct. The Company agrees to indemnify the Company's officers and agents to the fullest extent permitted by law and to save and hold them harmless from and in respect of all (a) fees, costs, and expenses incurred in connection with or resulting from any claim, action, or demand against the company or any of its agents that arise out of or in any way relate to the Company, its properties, business, or affairs and (b) such claims actions and demands and any losses or damages resulting from such claims, actions and demands, including amounts paid in settlement or compromise (if recommended by attorneys for the Company) of any such claim, action or demand; provided, however, that this indemnification shall apply only so long as the person against whom a claim, action or demand is asserted has acted in good faith on behalf of the Company and in a manner reasonably believed by such person to be within the scope of its authority and in the best interests of the Company, but only if such action or failure to act does not constitute gross negligence or willful misconduct. The termination of any action, suit, or proceeding by judgment, order, settlement, or upon a plea of nolo contendere or its equivalent, shall not of itself create a presumption that any person acted with gross negligence or willful misconduct. The rights of any officer or agent under this paragraph are in addition to any rights such person may have under any other agreement with the Company or any affiliate of the Company.

The Manager of the Company hereby approves this Manager Delegation of Authority.

MANAGER:

INVESTMENTS MANAGER LLC

By: \_\_\_\_\_

Greg Vik, President



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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

October 1, 2020

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

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

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 **CAMAS COURIER on 10/7/2020 and 10/14/2020**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **October 26, 2020**.

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,

Denise Maline  
Administrative Assistant

c: Brockway Engineering PLLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Brad Little  
Governor

Gary Spackman  
Director

October 1, 2020

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

RE: Application for Transfer No. 84365 (Rodney & Melanie Gonsales)

Dear Rusty:

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://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx> . Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

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 untested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)



**Maline, Denise**

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**From:** Maline, Denise  
**Sent:** Thursday, October 01, 2020 10:17 AM  
**To:** Camas Courier  
**Subject:** LEGAL NOTICE  
**Attachments:** Camas Courier cover letter.docx; Camas Courier Ad.docx

Attached please find **(1)** legal notice being submitted for publication on October 7<sup>th</sup> & 14<sup>th</sup>, 2020. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline  
Administrative Assistant I  
Idaho Dept of Water Resources, Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301  
(208) 293-9908  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)

**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 7<sup>th</sup> & 14<sup>th</sup>, 2020



Brad Little  
Governor

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](http://www.idwr.idaho.gov)

Gary Spackman  
Director

October 1, 2020

### LEGAL NOTICE DEPARTMENT

CAMAS COURIER

PO BOX 339

FAIRFIELD, ID 83327

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

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (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 October 26, 2020. Your cooperation is appreciated.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant

Enclosure(s)

## MEMORANDUM

**Date:** September 30, 2020  
**To:** Transfer 84365 File  
**From:** Benny Walker  
**Re:** Transfer Synopsis

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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. 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 and watermaster comments will be solicited. The application will be subject to notice and protest.

## **MEMORANDUM**

**TO:** Transfer 84365 File

**FROM:** Benny Walker

**DATE:** September 30, 2020

**SUBJECT:** Filing Fee

The filing fee of, \$300.00, for this transfer is based on the amount of water proposed to be transferred or changed, 0.04 cfs. The transfer fee schedule for a transfer involving 0.00-0.20 cfs indicates that the filing fee is \$200.00. The transfer also required a fee of \$100.00 for a right requiring to be divided with an ownership change, for a combined total of \$300.00. The applicants' representative submitted a fee of \$300.00 for this transfer. (Receipt S038127).



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

September 2, 2020

Corey Skinner  
Idaho Department of Water Resources  
650 Addison Ave. W., Ste. 500  
Twin Falls, ID 83301

**RECEIVED**

**SEP 08 2020**

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Re: Melanie Gonsales and Rodney Gonsales 37-7295B

Dear Mr. Skinner:

Melanie Gonsales and Rodney Gonsales have recently purchased 3.0 acres from water right 37-7295B. They desire to transfer the 3.0 acres to the property in which they own.

A 13.2 acre portion of 37-7295B is under lease contract from 2018-2022 into the Idaho Water Supply Bank. The 3.0 acres involved in the attached transfer is a portion of the 13.2 acres leased into the Water Supply Bank. The 3.0 acre will be requested to be released from the Water Supply Bank as soon as the transfer is approved by IDWR. There have been no rental agreements for the 13.2 acres of 37-7295B.

The irrigation place of use, the point of diversion and ownership of the 3.0 acres will be changing with this transfer. The transfer fee will be \$300.00

An additional \$25.00 will be included in the check for the change of ownership of water right 37-13068.

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Rod Gonsales

Enc: Transfer Application 37-7295B, Aerial Maps, Quit Claim Deeds, Change of Ownership 37-13068, Brockway Engineering Check # 16033 for \$325.00

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506