

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APP 3
RSION 9 2019

Department of Water 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.

AMENDED

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)** The Timbers Home Owners Association, Inc. Phone 801-668-5869

2. MAILING ADDRESS 4153 Big Springs Loop City Island Park

State ID Zip 83429 Email promac@comcast.net

- ☐ 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) 21-13263

- ☒ 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 .41/.54 cubic feet per second and/or 120.1 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 idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling 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:

The diversion system will consist of two wells each with flow a meter and controls located in a well house with lockable doors.

- b. Who owns the property at the point(s) of diversion? The Timbers Condominium Homeowners Association, Inc.
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 lease form.

☐ If yes, the individual owner or designated lessor must complete, sign and attach an assignment.
(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 of section information. You may create a map at www.idwr.idaho.gov/WaterRights/WaterRightTransfers/FileaTransferApplication/Step2C.

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.

Signature of applicant or authorized agent <u>Kelly Pearce</u>	Kelly Pearce, President	4-29-19
	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 § 42-221.0, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.0.8, 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/WaterRightTransfers/Step4 and in the application.

FOR DEPARTMENT USE ONLY

Transfer includes 5000 pages of attachments. Received by 4/24/19 Date 4/24/19
Fee paid 450.00 Date 4/30/19 Received by sc Receipt # 2044904
Preliminary review by _____ Date _____ Receipt # 2044925
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)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 24 2019
VERSION
Document of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

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2. **MAILING ADDRESS** 4153 Big Springs Loop City Island Park

State ID Zip 83429 Email promac@comcast.net

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- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
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- ☒ 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) 21-7346 & 21-13263

- ☒ 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 .41/.54 cubic feet per second and/or 120.1 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.

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[illegible]

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☐ ☒ 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 _____ form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an _____
(Disregard if these items are on file and ownership has not changed.)

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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.

Signature of applicant or authorized agent

[Signature] ly Pearce

Print name and title if applicable

4-16-19

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 _____ is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the _____

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Fee paid 50 Date 4/23/19

Received by _____ Date _____

Received by SC Receipt # E044906

Preliminary review by _____ Date _____

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
Proof Report**

4/24/2019

Water Right 21-13263

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TIMBERS CONDOMINIUMS OWNERS ASSN INC 4153 N BIG SPRINGS LOOP RD ISLAND PARK, ID 83429-5052

Priority Date: 5/20/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	0.410 CFS	120.1 AF
FIRE PROTECTION	01/01	12/31	0.540 CFS	
	<u>Total Diversion</u>		0.540 CFS	120.1 AF

Source and Point(s) of Diversion

GROUND WATER	NESE	Sec. 24, Twp 14N, Rge 43E, FREMONT County
GROUND WATER	NWSE	Sec. 24, Twp 14N, Rge 43E, FREMONT County

Place Of Use

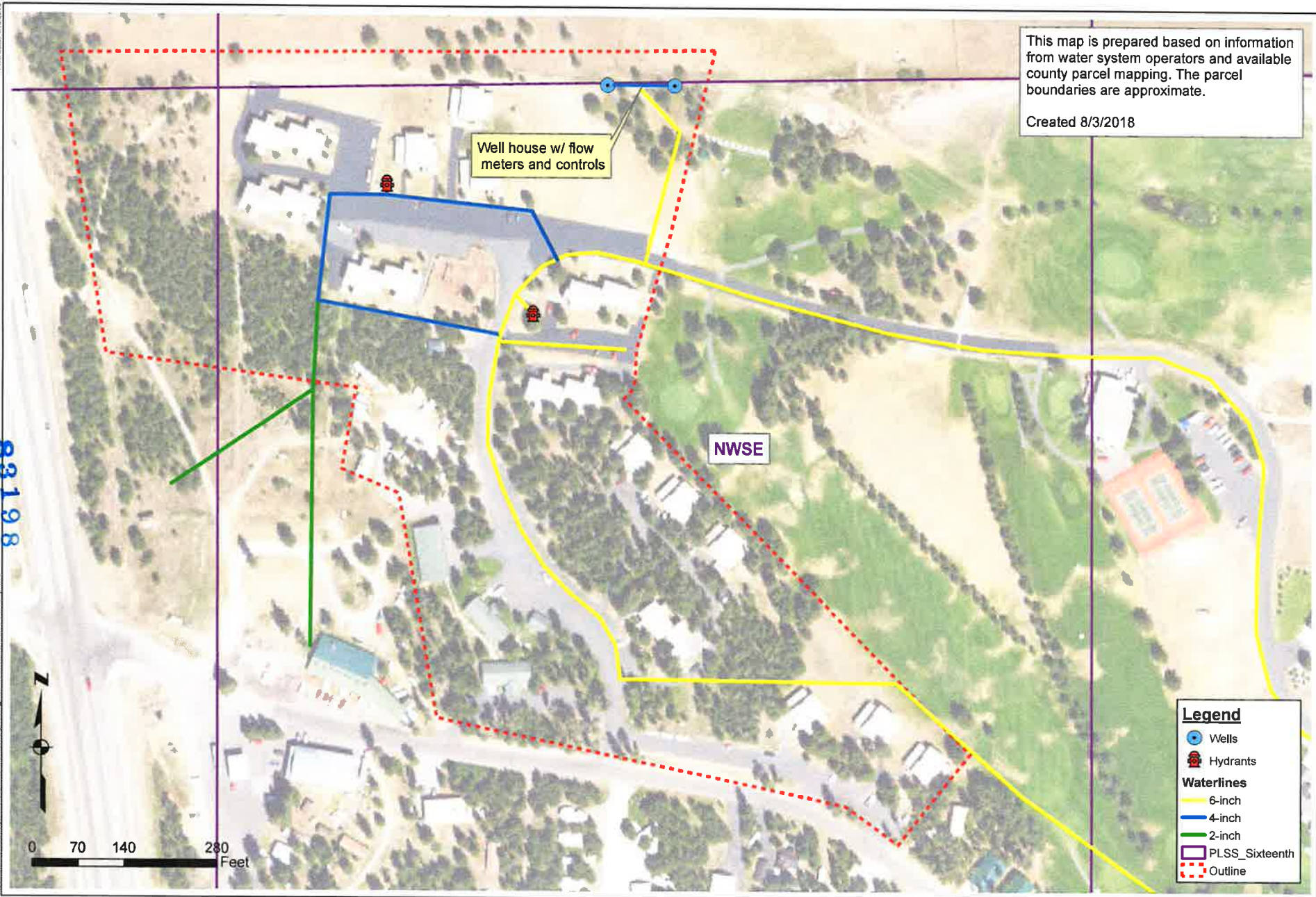
DOMESTIC within FREMONT County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	43E	24														X			

FIRE PROTECTION Same as DOMESTIC

Conditions of Approval:

1. X01 Domestic use is for 200 condos and 2 offices.



Legend

- Wells
- Hydrants
- Waterlines**
 - 6-inch
 - 4-inch
 - 2-inch
- PLSS_Sixteenth
- Outline

 KELLER 5 N. 3rd Avenue Jaredville, ID 83207 208.228.2148	PROJECT NO.	218083
	FILENAME	Timbers HOA Map
TIMBERS HOA		
Water System Map		FIGURE NO. 1

**THE TIMBERS CONDOMINIUMS OWNERS' ASSOCIATION, INC.
BOARD OF DIRECTORS REGULAR MEETING**

Held at Villas at Southgate, St. George, Utah

November 24, 2018 – 10:00 A.M (MST)

MINUTES

I. CALL TO ORDER AND ESTABLISH QUORUM

Following board member training and a discussion concerning personalities and identifying colors, Board President Mike TenEyck called the meeting to order at 11:10 a.m. (MST) on November 24, 2018. A quorum was established with the following in attendance:

Board Members Present:

Mike TenEyck	President
C. Kelly Pearce	Vice President
Gordon Bown	Secretary
Alma Ernst	Treasurer
Earl Cluff	Director
Bruce Lawrence	Advisor to the board (non-voting)

Management Company: Trading Places International, LLC.
Douglas Wilcox Sr. Vice President of Resort Operations
Angie Illum Resort General Manager

II. APPROVAL OF AGENDA

Mike TenEyck reviewed the agenda and explained that he had a president's report to begin with and other changes were needed.

A motion was made by Kelly Pearce and seconded by Alma Ernst to approve the November 24, 2018 agenda as modified with the addition of the president's report, moving the board officer election and adding discussion of loan extension. The motion was approved by a unanimous affirmative vote.

III. PRESIDENTS REPORT

Mike TenEyck explained that he had some thoughts he wanted to discuss with the board. Mike submitted a written report to the board which is attached as Exhibit "A". He informed the board of their successes and certain concerns he had with the clubhouse construction. At the end of his report he resigned his position as president of the board and excused himself from the balance of the meeting.

discount snowmobile service to owners and guests at Timbers. Motion was approved by unanimous affirmative vote.

B. Clubhouse Rules

Angie Illum provided the board with proposed rules to be implemented for the clubhouse.

A motion was made by Earl Cluff and seconded by Gordon Bown to approve the proposed rules as modified and to notify the owners of these changes. These rules are attached as exhibit B to these minutes. General Manager was given permission to adjust the rules as experience dictates. Motion was approved by unanimous affirmative vote.

VIII. OTHER BUSINESS

A. Clubhouse Furniture Purchase

Angie Illum provided the board with options and photo samples of the furnishings she proposed the association install in the Clubhouse.

The board agreed on her recommendations and directed her to proceed to complete the purchase. This included: 2 custom leather sofas, 2 custom leather lounge chairs, 1 ottoman and 2 televisions. Exercise equipment including recumbent cycle, elliptical trainer, treadmill, bench, dumbbell set, and other items. For the kitchen it included: refrigerator, gas range, microwave, dishwasher. For the game room: foosball table, air hockey table, ping pong table and basketball game. Pool area: lounge chairs, tables and towels.

B. Election of Board Officers

The board had postponed the decision on officer positions following the annual meeting. *A motion was made by Gordon Bown and seconded by Earl Cluff to establish the slate of officers as follows:*

President	Kelly Pearce
Vice President	Alma Ernst
Treasurer	Alma Ernst
Secretary	Gordon Bown

Motion was approved by unanimous vote.

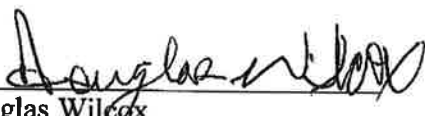
IX. EXECUTIVE SESSION

The board recessed regular session at 4:19 PM and conducted an executive session to discuss construction and loan agreements and employee matters. Regular meeting reconvened at 4:36 PM.

X. ADJOURN MEETING

A motion was made by Gordon Bown and seconded by Alma Ernst to adjourn the board meeting at 4:36 pm (MST). The motion was approved by a unanimous affirmative vote.

Submitted By:
Trading Places International, LLC



Douglas Wilcox
Sr. VP of Resort Operations
Trading Places International, LLC

Approved By:
The Timbers Condominiums Owners'
Association, Inc.



Gordon Bown
Secretary



PROJECT MANAGEMENT CONSULTANTS L.L.C.

April 21, 2019

Mr. James Cefalo, Regional Manager
State of Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

RECEIVED
APR 24 2019
Department of Water Resources
Eastern Region

RE: Timbers Condominium Owners' Association, Inc.

Subject: Application for Transfer of Water Right – Points of Diversion

Dear Mr. Cefalo,

Find attached per this communication an original copy of the above referenced Application for Transfer of Water Right – Points of Diversion for the Timbers Condominium Owners' Association, Inc. I have also enclosed a check for the application fee in the amount of \$50.00.

Keller Associates have been retained to design the system. We are working with Matthew B. Hill, PE on this project. Our clients are anxious to begin the process. They understand the notice period. If there is anything that you need further, please feel free to contact me. I can best be reached on my cell which is 801-668-5869 or my email which is promac@comcast.net.

Your assistance regarding the transfer application is appreciated. We look forward to working with you on this project.

Thank you,

Roy L. Bosley, Managing Member
Project Management Consultants, LLC

Enc. Application For Transfer of Water Right – Points of Diversion

Roy Bosley
801 668-5869
promac@comcast.net

4059 Bona Villa Dr. Ogden, UT 84403

Keith Sorensen
801-309-1932
fksor@comcast.net

83198



RECEIVED

APR 30 2019

Department of Water Resources
Eastern Region

April 29, 2019

Mr. James Cefalo, Regional Manager
State of Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

RE: Timbers Condominium Owners' Association, Inc.

Subject: Revised Application for Transfer of Water Right – Points of Diversion

Dear Mr. Cefalo,

Per this communication find attached copies of the following:

1. Revised Application for Transfer of Water Right – Points of Diversion with the changes to the document discussed in our previous phone conversation.
2. A copy of the relevant pages containing the minutes of the meeting of the Timbers Board of Directors where Mr. Kelly Meyers was elected to the office of President (page # 6). I have also been made aware that the records filed with the Secretary of State have been amended to reflect the same.
3. A check # 003287 in the amount of \$450.00 for the balance of the application fee.

Please let me know if there is anything further, I can do to facilitate the processing of this application. I can best be reached on my cell which is 801-668-5869 or my email which is promac@comcast.net.

We appreciate the help you have provided to date and look forward to working with you relative to this application.

Thank you,

Roy L. Bosley

Roy L. Bosley, Managing Member
Project Management Consultants, LLC

Roy Bosley
801 668-5869
promac@comcast.net

4059 Bona Villa Dr. Ogden, UT 84403

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