

MAR 21 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78488

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 <http://www.idwr.idaho.gov/>.

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

- | Yes | N/A | |
|-------------------------------------|-------------------------------------|--|
| ☒ | ☐ | * Means the item is <u>always required</u> 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 <u>for each water right</u> for which <u>only a portion</u> 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 #1-9.

- | | | |
|-------------------------------------|-------------------------------------|--|
| ☐ | ☒ | #1 If the applicant is a business, partnership, organization, or association, and <u>not</u> 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 transfer 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). |
| ☐ | ☒ | #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 http://www.idwr.idaho.gov/water/rights/ . |
| ☐ | ☒ | #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. |
| ☐ | ☒ | #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.) |
| ☐ | ☒ | #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 Other. Please describe: _____ |

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78488

RECEIVED

MAR 21 2013

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT. OF WATER RESOURCES

Applicant(s) Sunnie Smith and Candice Smith Phone _____

Mailing address Route 1 Box 2070 Corral, Idaho 83322 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 of Brockway Engineering Phone 208-736-8543

Mailing address 2016 North Washington Street, Suite 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.

Sunnie Smith
Signature of Applicant or Authorized Representative

Sunnie Smith
Print Name and Title if applicable

3-13-13
Date

Candice Smith
Signature of Applicant or Authorized Representative

Candice Smith
Print Name and Title if applicable

3/13/13
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. 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.2**. This transfer will correct the POU of the 270.0 acres authorized under this water right. No other changes are proposed with this transfer.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78488

RECEIVED

MAR 21 2013

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT. OF WATER RESOURCES

Name of Applicant(s) Dallas Smith and Edward Smith Phone _____

Mailing address Route 1 Box 2070 Corral, Idaho 83322 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.

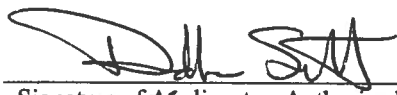
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Name of Representative Greg Sullivan of Brockway Engineering Phone 208-736-8543

Mailing address 2016 North Washington Street, Suite 4 Twin Falls Idaho 83301 Email greg.sullivan@brockwayeng.com

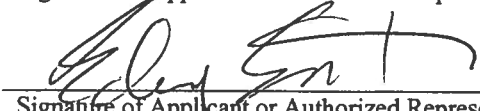
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Signature of Applicant or Authorized Representative

Dallas Smith
Print Name and Title if applicable

3/13/13
Date


Signature of Applicant or Authorized Representative

Edward Smith
Print Name and Title if applicable

3/13/13
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. 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.2**. This transfer will correct the POU of the 270.0 acres authorized under this water right. No other changes are proposed with this transfer.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78488

MAR 21 2013

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Rod Gonsales and Melanie Gonsales Phone _____

Mailing address Route 1 Box 2070 Corral, Idaho 83322 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.

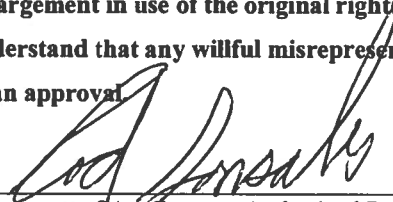
☐ No Representative

Name of Representative Greg Sullivan of Brockway Engineering Phone 208-736-8543

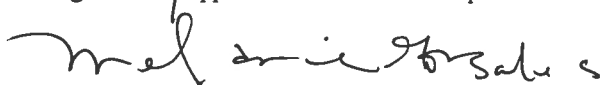
Mailing address 2016 North Washington Street, Suite 4 Twin Falls Idaho 83301 Email greg.sullivan@brockwayeng.com

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- 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.



Signature of Applicant or Authorized Representative



Signature of Applicant or Authorized Representative

Rod Gonsales

Print Name and Title if applicable

3/13/13

Date

Melanie Gonsales

Print Name and Title if applicable

3/12/13

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. 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.2**. This transfer will correct the POU of the 270.0 acres authorized under this water right. No other changes are proposed with this transfer.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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	37-7638	4.87/945	Irrigation	4/15 to 10/31	Ground Water
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

Total authorized under rights 4.87 cfs and/or 945 ac-ft

2. Total amount of water proposed to be transferred or changed 4.87 cubic feet per second and/or 945 acre-feet per annum.

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 #

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	
1S	15E	29		20.2	37.4	6.1	38.8	32.9	24.7	25	39.1	4.9		4.6		36.3			270

Total Acres (for irrigation use) 270

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 wells, mainlines and irrigation systems

- b. Who owns the property at the point(s) of diversion? The Applicants

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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: _____
Transfer will correct the POU to align with current irrigation practices

- e. 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: N/A

- f. 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 leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: _____

Total Acres (for irrigation use)

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

Current Water Right No.: 37-7638

Current Owner: RODNEY R GONSALES
MELANIE J GONSALES
CANDICE R SMITH
SUNNIE C SMITH
DALLAS E SMITH
EDWARD E SMITH

Priority Date: 7/5/1977

Origin: Adjudication Recommendation

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	4.87 CFS	945 AF
	<u>Total Diversion</u>	4.87 CFS	945 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4NW1/4 Sec. 29, Twp 01S, Rge 15E B.M.
CAMAS County

Place of Use

IRRIGATION Within CAMAS County

T01S R15E S29	SWNE	18.00	T01S R15E S29	NENW	40.00
T01S R15E S29	NWNW	40.00	T01S R15E S29	SWNW	36.00
T01S R15E S29	SENE	40.00	T01S R15E S29	NESW	40.00
T01S R15E S29	NWSW	11.00	T01S R15E S29	SESW	5.00
T01S R15E S29	NWSE	40.00			

Total Acres: 270

Conditions of Approval:

1. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and 4 attachments.

Received by DM Date 3-21-2013 Prelim. Check by _____ Date _____

Fee Paid \$580- Date 3-22-2013 Received by ho Receipt # 503133

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

Exhibit A

Water right 37-7638 Analysis

Current Place of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
01S	15E	29			18		40	40	36	40	40	11		5		40		

270
0

Total 270

Proposed Place of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
01S	15E	29		20.2	37.4	6.1	38.8	32.9	24.7	25	39.1	4.9		4.6		36.3		

270
0

Total 270

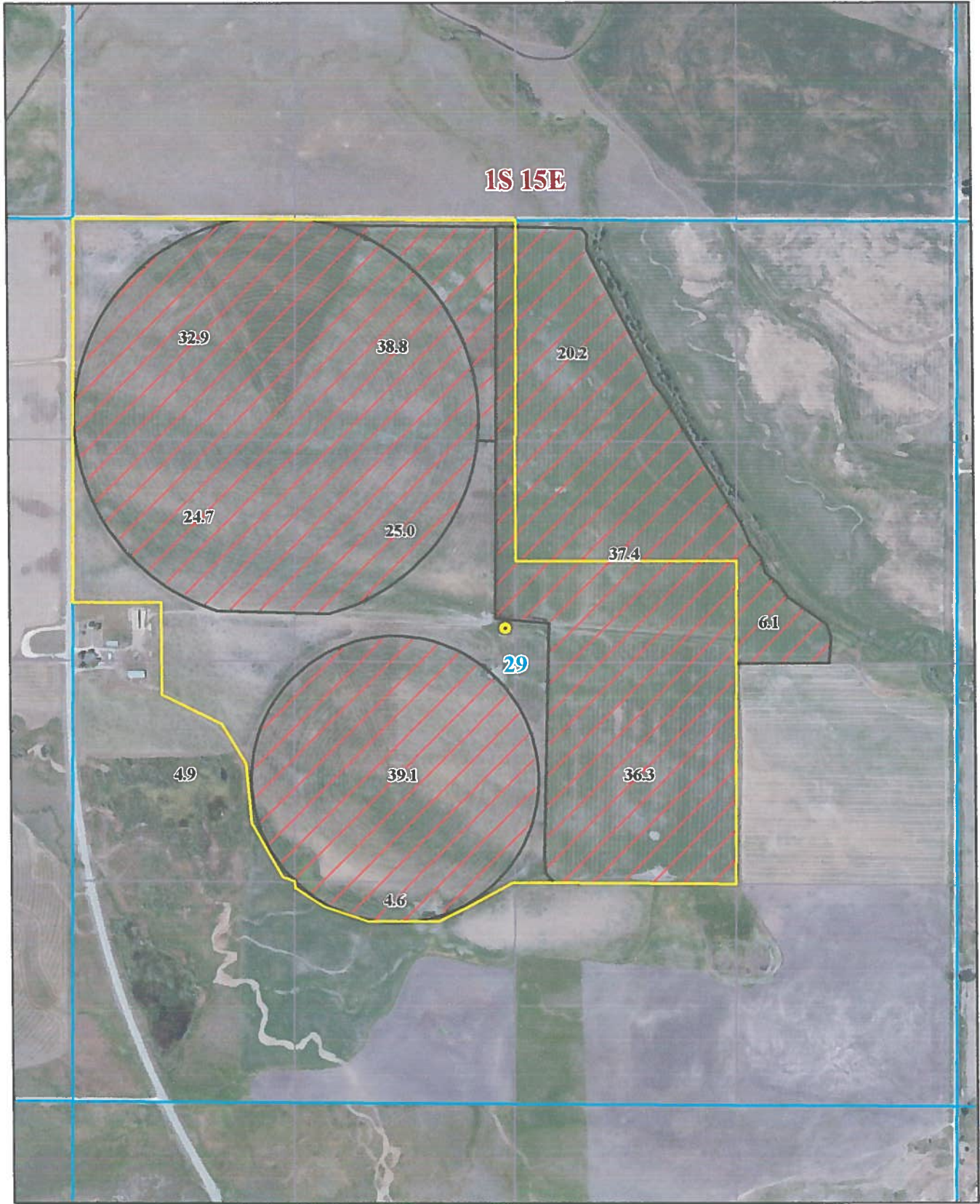
Change

	20.2	19.4	6.1	1.2	7.1	11.3	15	0.9	6.1		0.4		3.7					
--	------	------	-----	-----	-----	------	----	-----	-----	--	-----	--	-----	--	--	--	--	--

91.4

Full Transfer fee for 4.87 CFS or 945 AF \$ 820.00
Percent of Current POU be change by transfer 33.9%
Amount of diversion that will be changing 1.65 CFS
Reduced Transfer Fee \$ 580.00

TRANSFER 78488



0 250 500 1,000 Feet

**GONSALES, ROD
TRANSFER 37-7638, PROPOSED POU
BING AERIAL PHOTOGRAPH**

BROCKWAY ENGINEERING, PLLC.
ALR - MARCH 11, 2013

Legend

- 37-7638_WR_POD
- 37-7638_WR_POU
- Proposed POU 37-7368
- twnshp
- Sections
- ladesc
- Proposed PPU Per qq



TRANSFER 78488

Order No. C050031 / G050052

WARRANTY DEED

For Value Received

SAND SPRINGS RANCH & COMPANY, AN IDAHO GENERAL PARTNERSHIP

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

RODNEY R. AND MELANIE J. GONSALES, Husband and Wife, as to an undivided 84.58% interest, EDWARD E. SMITH AND SUNNIE C SMITH, Husband and Wife, as to an undivided 10.02% interest, DALLAS E. SMITH AND CANDICE R. SMITH, Husband and Wife, as to an undivided 5.4% interest

the grantee(s), whose current address is

P.O. BOX 425, FAIRFIELD, ID 83327

the following described premises, to-wit:

See Attached Exhibit "A"

Recorded at the Request of
Camas County Title
at 4:00 PM
April 18, 2005
in Book 35 Page 134
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By B. D. Waller
Fees \$ 6.00

78370

Together with Idaho Dept. of Water Resources #37-07638

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: April 15, 2005

SAND SPRINGS RANCH & COMPANY, AN IDAHO GENERAL PARTNERSHIP

TOM AMBROSE
TOM AMBROSE, MANAGING PARTNER

LEANNE AMBROSE
LEANNE AMBROSE, MANAGING PARTNER

STATE OF Oregon
: ss
COUNTY OF Clackamas

On this 15th day of April, in the year 2005, before me, the undersigned, a notary public in and for said state, personally appeared TOM AMBROSE, and LEANNE AMBROSE, known or identified to me to be the managing partner(s) of the general partnership that executed the foregoing instrument, and acknowledged to me that such general partnership executed the same.

WITNESS my hand and official seal.

Brandon Scott Parmelee
Notary Public of Oregon
Residing at Lake Oswego
Commission Expires: June 27, 2008



TRANSFER 78488

**EXHIBIT A
C050031**

Township 1 South, Range 15 East, of the Boise Meridian, Camas County, Idaho

Section 29: The N1/2, and SW1/4,

SUBJECT TO rights of way for Highway purposes over the Northerly, Easterly, and Westerly boundaries of subject property

AND

NW1/4SE1/4

AND

Section 30: The E1/2NE1/4,

EXCEPT a parcel of land more particularly described as follows:

COMMENCING at the section corner which is common to Sections 29, 30, 31 and 32;

THENCE North along the East line of Section 30, 2,640 lineal feet to the TRUE POINT OF BEGINNING;

THENCE West along the quarter section line common to the Northeast Quarter, and the Southeast Quarter, a distance of 300 lineal feet;

THENCE North parallel to the East line of Section 30, a distance of 280 lineal feet;

THENCE East a distance of 300 lineal feet on a line parallel to the quarter section line common to the Northeast Quarter and the Southeast Quarter;

THENCE South on the East line of Section 30, a distance of 280 lineal feet to the TRUE POINT OF BEGINNING.

SUBJECT TO rights of way for Highway purposes over the Northerly and Easterly boundaries of subject property.

Order No. G050243

WARRANTY DEED

For Value Received

RODNEY R. AND MELANIE J. GONSALES, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

EDWARD E. SMITH AND SUNNIE C. SMITH, Husband and Wife

the grantee(s), whose current address is

P.O. BOX 425, FAIRFIELD, ID 83327

the following described premises, to-wit:

See Attached Exhibit "A"

78573

Recorded at the Request of
Camas County Title
at 4:05 P. M.
June 21, 2005
in Book 35 Page 279
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Rollie Bennett
See 3

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated:

Rodney R. Gonsales
RODNEY R. GONSALES

Melanie J. Gonsales
MELANIE J. GONSALES

STATE OF IDAHO

COUNTY OF CAMAS

On This 20 day of June, in the year 2005, before me, a Notary Public in and for said State, personally appeared RODNEY R. GONSALES and MELANIE J. GONSALES, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Gwen A. Sherman
Notary Public of Idaho
Residing at Buhl, Idaho
Commission Expires: 3/27/08



TRANSFER 78488

**EXHIBIT A
G050243**

Thirty Eight point Fifty Eight percent (34.58%) Interest in the following described property:

Township 1 South, Range 15 East, of the Boise Meridian, Camas County, Idaho

Section 29: The N1/2, and SW1/4,

SUBJECT TO rights of way for Highway purposes over the Northerly, Easterly, and Westerly boundaries of subject property

AND

NW1/4SE1/4

AND

Section 30: The E1/2NE1/4,

EXCEPT a parcel of land more particularly described as follows:

COMMENCING at the section corner which is common to Sections 29, 30, 31 and 32;

THENCE North along the East line of Section 30, 2,640 lineal feet to the TRUE POINT OF BEGINNING;

THENCE West along the quarter section line common to the Northeast Quarter, and the Southeast Quarter, a distance of 300 lineal feet;

THENCE North parallel to the East line of Section 30, a distance of 280 lineal feet;

THENCE East a distance of 300 lineal feet on a line parallel to the quarter section line common to the Northeast Quarter and the Southeast Quarter;

THENCE South on the East line of Section 30, a distance of 280 lineal feet to the TRUE POINT OF BEGINNING.

SUBJECT TO rights of way for Highway purposes over the Northerly and Easterly boundaries of subject property.

MEMORANDUM

Date: April 5, 2013
To: Transfer 78488 File
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

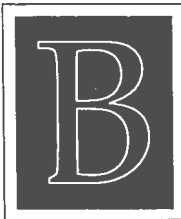
Application for transfer proposes rearranging acres for water right 37-7638, a 4.87 cfs (945.0 af) ground water right, to match current irrigation practices. New acres will be added to the POU in the NWNE1/4 (20.2 acres) and SENE1/4 (6.1 acres) of Sec. 29, Twp 01S, Rge 15E B.M. and acres will be reduced by 26.3 acres in adjacent quarters within the current POU. A warranty deed; quitclaim and operating agreement were provided indicating the parties involved own A Sweet Place LLC which owns the new acres proposed to be added to the POU. Ownership of right was changed to A Sweet Place LLC as part of the transfer process.

POU is within the Twin Lakes Reservoir & Irrigation Co. service area, but the right doesn't indicate any shares that are utilized on this property. Overlap analysis indicates there are no other irrigation rights appurtenant to the properties involved in this transfer.

Since the application only modifies the place of use to include adjacent lands, and since there is no hydrologic change, the transfer was processed, and can be approved without advertising.

- **Authority to File:** Applicants are listed as the current owners of the water right involved in the application for transfer. A warranty deed; quitclaim and operating agreement were provided indicating the applicants own A Sweet Place LLC which owns the new lands added to the POU. Water right ownership is being changed to A Sweet Place LLC.
- **Water Right Validity:** Water right 37-7638 was decreed in the SRBA on 8/5/2008. Recent aerial and satellite imagery indicate the property involved with this transfer appears irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

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



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 21 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

March 21, 2013

Allan Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: 37-7638
Project: 814-07-2012

Dear Mr. Merritt:

The owners of 37-7638 desires to correct the POU of water right 37-7638. The ownership, beneficial use, point of diversion, diversion and volume limits will not be changing.

It is requested that this transfer not be advertised because the point of diversion will not be changing.

It is requested that a lower transfer fee be accepted by IDWR based on the 91.4 acres that will be changing due to the transfer (See Exhibit A).

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S.

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

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

Cc: Rod Gonsales
Enc: Aerial Maps, Warranty Deed, Brockway Engineering Check # 11319 for \$580.00

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506