



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 14, 2021

Marina Gillespie
PO Box 118
Irwin, ID 83428

RE: Revised Split of Water Right 23-11389

Dear Ms. Gillespie:

On July 17, 2014, you filed a Notice of Change in Water Right Ownership seeking to update the ownership records for a portion of water right 23-11389 from Palisades Creek. The Department split water right 23-11389. Your portion of the right was assigned water right number 23-11455. The Department calculated that your portion of the right was 0.10 cfs and 4.5 irrigated acres.

In March 2021, the Department received two more notices proposing to update the ownership of other portions of water right 23-11389. During my review of those proposed ownership changes, I discovered that the calculations for your ownership change were not correct. Based on previous water right approvals and deeds provided with your ownership change, your portion of water right 23-11389 should have been 0.12 cfs and 5.2 irrigated acres. This letter is meant to notify you that your water right (23-11455) has been revised to account for the additional diversion rate and acres. A report showing the revised amounts is enclosed. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J Cefalo', is written over a light blue horizontal line.

James Cefalo
208-525-7161

Encl: Reports for water rights 23-11389 and 23-11455

Cc: SVI Holdings LLC
542 S Eagle Drive
Mapleton, UT 84664

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/14/2021

Water Right 23-11389

Owner Type **Name and Address**
Current Owner SVI HOLDINGS LLC
542 S EAGLE DR
MAPLETON, UT 84664

Priority Date: 8/15/1893

Basis: Decreed

Status: Active

Source **Tributary**
PALISADES CREEK SOUTH FORK SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/15	10/31	0.690 CFS	
FIRE PROTECTION STORAGE	01/01	12/31		4.2 AF
AESTHETIC STORAGE	01/01	12/31		4.2 AF
DIVERSION TO STORAGE	04/15	10/31	0.090 CFS	
Total Diversion			0.780 CFS	

Source and Point(s) of Diversion
PALISADES CREEK SWSWSE Sec. 26, Twp 01N, Rge 44E, BONNEVILLE County

Place of Use

FIRE PROTECTION STORAGE within BONNEVILLE 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	
01N	44E	22										X							

AESTHETIC STORAGE within BONNEVILLE 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	
01N	44E	22										X							

IRRIGATION within BONNEVILLE 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	
01N	44E	22							9.0		1.5	19.1							29.6

POU Total Acres: 29.6

Conditions of Approval:

1. X60 Place of use for irrigation is located within Lots 1-4, Blk. 1; Lot 1-2, 4-6, Blk. 2; Lots 1-2, Blk. 3; Deer Track Ranch Subdivision. Place of use for Aesthetic and Fire Protection Storage are located within Lot 5, Blk. 2; Deer Track Ranch Subdivision.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/14/2021

3. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. The pond established by the storage of water under this right shall not exceed a total capacity of 3.8 acre feet or a total surface area of 0.4 acres.
5. This right authorizes the diversion of an annual total of 4.2 af to be used for the initial filling of the pond and for the replacement of losses caused by evaporation from the pond.
6. The right holder shall install and maintain an impermeable liner in pond to eliminate seepage losses.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. 077 Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. Use of this right is combined with water from Palisades Irrigation Co.
11. F01 Water is delivered through Palisades Canal.
12. U42 Place of use does not include federal public lands.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

7/14/2021

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARINA GILLESPIE PO BOX 118 IRWIN, ID 83428

Status: Active

Tributary
SOUTH FORK SNAKE RIVER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
04/15	10/31	0.120 CFS
<u>Total Diversion</u>		0.120 CFS

Sec. 26, Twp 01N, Rge 44E, BONNEVILLE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	44E	22									1.0	4.2							5.2

POU Total Acres: 5.2

<u>Conditions of Approval:</u>		
1.	X60	Place of use for irrigation is located within Lots 1-2, Blk. 4; Deer Track Ranch Subdivision.
2.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
3.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4.	004	This right does not grant any right-of-way or easement across the land of another.
5.		Use of this right is combined with water from Palisades Irrigation Co.
6.	U42	Place of use does not include federal public lands.
7.	F01	Water is delivered through Palisades Canal.
8.	T07	The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.