

PRE-HEARING CONFERENCE
Application for Transfer 74119 Targhee Hill

Date: August 6, 2008
 Time: 9:00 A.M.
 Place: IDWR - Idaho Falls
 Presiding Officer: Ernest Carlsen
 Assisted by: Sharla Cox

ROSTER OF ATTENDANCE

NAME	ADDRESS, CITY, ZIP PHONE NUMBER	REPRESENTING
SPENCE THUNELL TARGHEE HILL ESTATES, LLC	1777 SUN PEAK DRIVE PARK CITY, UT 84098 435-645-9005	Targhee Hill Estates
Jody Williams	299 So Main #1800, Salt Lake City, UT 84101 801-521-5800	
Dale Swenson	PO Box 15 St. Anthony, ID 83445 208-624-3381	Fremont-Madison Irrigation District
Mark H. Hicks	391 W 1200 N Felt, Id. 83424 208-456-2850	Teton River Water User
Jeff Raybould	301 N 1500 E St Anthony Id 83445 208-624-3640	Fremont-Madison Irrigation District
Jersey R. Ryby	PO Box 250, Rexburg, ID 83440 356-3633	F/M

PREHEARING CONFERENCE

Identify the parties

Witnesses

Review the application

Statutory Requirements (burden is on the applicant)

Identify the issues

*- post pone setting
discovery & hearings
for 60 days.*

early season
- No change in historic diversion practices.

Have protestant summarize concerns -

Discussion concerning possible resolution

Move forward on setting hearing

Exhibits —

Witnesses

Discovery —
Dates

Hearing —
Dates

1.91 AF - Lawns/Harf

- Does the ~~historic~~ change from historic crops to lawn

- Control structure at each location where water enters the project to be.

- During development period for permit, records must be kept to

- proof must include record of carry over in ~~photo~~ each pond at the ~~end of~~ when diversions cease prior to diversion.

Aug 6th, 2008 - Pre hearing conference

page 1

Transfer 74119 - Targhee Hill.

Wells are designed to meet fire protection.
2 wells for in house only.

The ponds will irrigate open areas and lawns.

Ponds will be lined - How many Af does it hold.
9.97 af / 3.3^{AF} evaporation

Impact on Fremont Madison is 10 Af.
Irrigation starts late May to 1st of June.
Are you going to move season up.

There will be land ~~dryed~~ dried up - What is the acreage of hard scape. 6.3 ~~acres~~ acres.
Total acres 73.7 to be irrigated.

Just has a larger consumptive use verses alfalfa or potatoes.

Could Targhee Hill wait til June 1 to divert.
Would maybe satisfy Fremont Madison.

Transfer 74119

page 2

Jody → Do you want to argue storage or timing of use.

Both rights are taken out of Wyoming diversion

Jerry → The issue is whether or not is June 1 is the diversion use. Would they agree not to divert before June 1.

historically diversions -

Can not stop Wyoming putting water in. Where does the canal return?

How much can you pump out of pond?

100 gallons probably

4 in ~~main~~ main, 1 inch to each lot.

Could they do it on start of irrigation verses June 1.

Could they mitigate DAF to Fremont Madison

How do they come up w/ that? Don't know.

Don't change the historical use - Fremont Madison would be happy.

Transfer 74119.

page 3

May want report on what af is left in ponds. How much af needed to fill in spring.

F.M. wants reporting. Then they can anticipate the coming year. Wants a monitoring system. Wants framework, along w/ the other two property.

Don't continue past historically used. The late season is a storage factor.

Jody will put the wording on the historical condition.

~~Wants~~ - Wants water 2009,

Discovery - reset it by Jerry & Jody.
Hearing -

by Oct 15th

If not decided in 60 days, send calendars for Discovery and hearing.