

Form 1-222
12-92STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

1. Name of Applicant Richardson Family Properties, LLC Phone 208-354-8570Mailing Address P.O. Box 469, Victor, ID 83455c/o Rocky Mountain Environmental Associates, Inc.482 Constitution, Ste 303(208) 524-2353Idaho Falls, ID 83402Fax (208) 524-1795

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 the reason for the proposed changes: Two ponds have been excavated on the property.
This transfer proposes to change the nature of use for a portion of the existing water right
for pond fill and maintenance during the irrigation season.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount Nature of Use Period of Use

22-13586	06/01/1904	0.34 cfs	Diversion to Storage	4/15 to 10/31
		15.3 af	Storage for Fire Protection	1/01 to 12/31
		15.3 af	Storage for Recreation	1/01 to 12/31
		15.3 af	Storage for Irrigation	4/15 to 10/31
		15.3 af	Irrigation from Storage	4/15 to 10/31
		0.26 cfs	Irrigation	4/15 to 10/31
		0.02 cfs	Stockwater	4/15 to 10/31

2. Total amount of water being transferred 0.34 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Paradise Springs tributary to Teton River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for Diversion
	NE	NE	NW	30	4N	45E	TETON	

74079

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	45E	19												24					24
														F,S					

PART 1

a. Description of diversion system: A pump diverts water from Paradise Springs into a pipeline, which delivers water to the ponds. Another pump will redivert water for irrigation from the south pond.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☐ Yes ☒ No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: 7.0 acres of the original place of use will be dried up

d. Remarks: The water will be pumped from the spring to the ponds, from where it may be rediverted for irrigation. Water may also be diverted directly for irrigation. To mitigate for the pond fill (11.5 ac-ft) and for the evaporative losses throughout the year (3 ac-ft), 7.0 acres of irrigated land will be dried up (See attached map for breakdown of dried acres). Based on a historical consumptive use of 2.19 ac-ft/ac, 7.0 acres would provide 15.3 ac-ft, which is sufficient to fill and maintain the ponds. See attached Pond Calculations and Summary sheet.

This is to certify that I have examined Application for Transfer of Water Right No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20_____

for the Director



74679

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

WATER RIGHT NO. 22-13586

Owner Type Name and Address

Current Owner ANDREW J RICHARDSON

Current Owner NANCY DIANE RICHARDSON

PO BOX 469

VICTOR, ID 83455

(208)354-8370

Priority Date: 06/01/1904

Basis: Decreed

Status: Active

Source Tributary

PARADISE SPRINGS TETON RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION 04/15 10/31 0.34 CFS

STOCKWATER 04/15 10/31 0.02 CFS

Total Diversion 0.34 CFS

Location of Point(s) of Diversion:

PARADISE SPRINGS NENENW Sec. 30 Township 04N Range 45E TETON County

Place of Use Legal Description: IRRIGATION TETON County

Township Range Section Lot Tract Acres Lot Tract Acres Lot Tract Acres Lot Tract Acres

04N 45E 19 SESW 31

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 31

Conditions of Approval:

N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

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.

This right is a split from former right 22-12714A, parent right 22-405

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe

PART 3

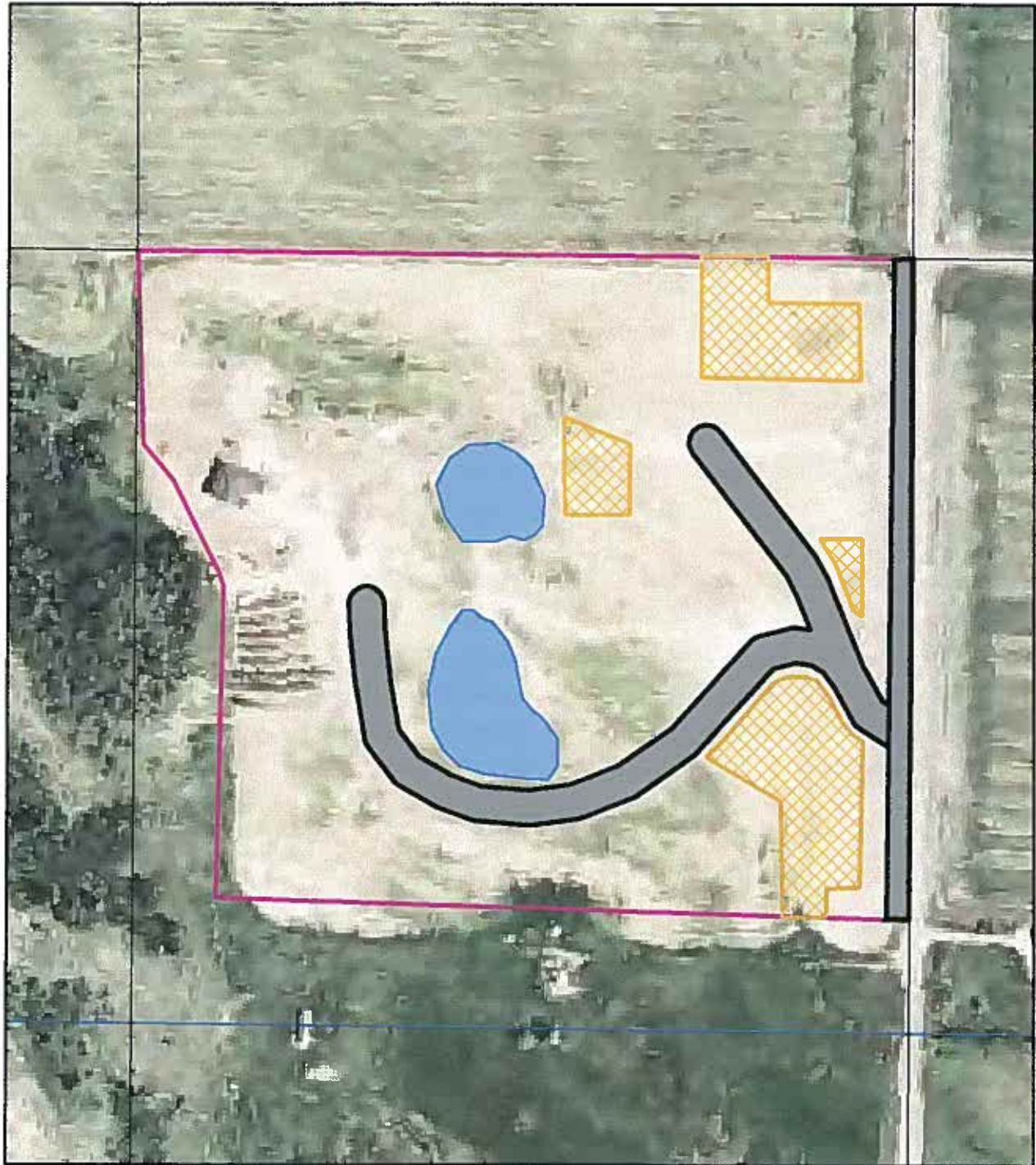
B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount (cfs/af-ac)	Hours/days/year	Period of use
	<u>Diversion to Storage</u>	<u>0.34</u> cfs	<u>24 h/200 d/yr</u>	<u>4/15 to 10/31</u>
	<u>Storage for Fire Protection</u>	<u>15.3</u> ac-ft	<u>24 h/365 d/yr</u>	<u>1/01 to 12/31</u>
	<u>Storage for Recreation</u>	<u>15.3</u> ac-ft	<u>24 h/365 d/yr</u>	<u>1/01 to 12/31</u>
	<u>Storage for Irrigation</u>	<u>15.3</u> ac-ft	<u>24 h/200 d/yr</u>	<u>4/15 to 10/31</u>
	<u>Irrigation from Storage</u>	<u>15.3</u> ac-ft	<u>24 h/200 d/yr</u>	<u>4/15 to 10/31</u>

2. Quantity and quality of return flows and location of discharge: No water will return to the spring. All water diverted will be beneficially used.

3. Describe effects on other water uses resulting from the proposed change: Since no additional water will be diverted above the original water right, there will be no affects on other water uses.

Richardson Family Properties, LLC Paradise Springs Development



0 150 300 600 Feet

Orange Hatched -- Acres within Open Spaces to be dried up (2.85 ac)
Grey -- Roads with easements that will be dried up (2.45 ac)
Blue Ovals -- Ponds (1.7 ac)
2006 NAIP PHOTOGRAPHY





I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Richardson Family Properties LLC

[Signature]

(Signature of Applicant)

Member

(Office or Position of Authority)

Andy Richardson

(Printed Name)

Subscribed and sworn to before me this 19th day of MARCH, 2008



[Signature]

Notary Public

My Commission expires: _____

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim check by _____ Fee 250-

Receipted by _____ Date EC 33892 3/27/08

Published in Teton Valley Copies of protest forwarded by _____

Pub. Dates Aug 28 / Sept 4, 08 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ By _____

Copy of transfer sent to lien holder _____



I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Nancy Richardson Sec
 (Signature of Applicant) (Office or Position of Authority)
Nancy Richardson
 (Printed Name)

Subscribed and sworn to before me this 26 day of August, 2008



Kristine Headrick
 Notary Public TETON COUNTY, ID
 My Commission expires: 2/6/2014

RECEIVED
 AUG 29 2008

Department of Water Resources
 Eastern Region

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments
 Received by _____ Date _____ Protest filed by _____
 Prelim check by _____ Fee _____
 Receipted by _____ Date _____
 Published in _____ Copies of protest forwarded by _____
 Pub. Dates _____ Hearing held by _____ Date _____
 Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
 _____ rec'd _____ By _____
 Copy of transfer sent to lien holder _____



74679

Summary of Richardson Family Properties, LLC Transfer Requirements						
Paradise Springs Development						
Original Surface Water Right to be Transferred 22-13586		Diversion Rate (cfs)	Place of Use (acres)		cfs per acre	AF per acre*
		0.34	31		0.011	2.19
Amount of Water Needed For Evaporation		Pond Surface Area (acres)	Acres Equivalent to Evaporative Loss Ac=Total Pond Loss / AF per ac		cfs required	Total Pond Loss (AF)**
		1.7	1.4		0.02	3.00
Amount of Water Needed for Pond Fill	Pond Depth (ft)	Pond Area (acres)	Pond Volume (AF)	Acres Equivalent to Pond Fill Ac= Pond Volume / AF per ac		AF required
	10	1.10	8.70	4.0		11.50
	5	0.60	2.80	1.3		
Total Water Needed for Transfer						
				0.08		
				15.3		
				7.0		

*Values calculated using the mean irrigation requirement of alfalfa hay-less frequent cuttings taken from Allen, Richard G. and Clarence W. Robison, 2006 (Revised 2007). Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho, Research Technical Completion Report, Kimberly Research and Extension Center, University of Idaho, Moscow, ID.

**Value calculated using precipitation and evaporation values from the Driggs, Idaho Station 102676.



Pond Consumptive Use Calculations
Climate Station: Driggs, Idaho 102676
Richardson Family Properties LLC / Paradise Springs Development

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Annual FWW Evaporation (inches)*	35	35	35	35	35	35	35	35	35	35	35	35	35
Monthly Distribution (%)*	1	2	4	7	12	15	19	16	11	6	4	3	100
Monthly FWS Evaporation (in/mo)	0.35	0.7	1.4	2.45	4.2	5.25	6.65	5.6	3.85	2.1	1.4	1.05	35
Avg. Total Precipitation (in/mo)**	1.34	1.11	1.1	1.25	1.83	1.83	1.04	1.17	1.25	1.22	1.07	1.38	15.58
Pond Loss (Evap. - Precip., in)	0	0	0.3	1.2	2.37	3.42	5.61	4.43	2.6	0.88	0.33	0	21.14
Pond Surface Area (acres)	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
Total Pond Loss (ac-in)	0.0	0.0	0.5	2.0	4.0	5.8	9.5	7.5	4.4	1.5	0.6	0.0	35.9
Total Pond Loss (ac-ft)	0.0	0.0	0.0	0.2	0.3	0.5	0.8	0.6	0.4	0.1	0.0	0.0	3.0

Note: for months where precipitation exceeds evaporation, the resultant pond loss is set to zero

Irrigation Consumption		Crop
Mean Irrig. Requirement (in/seas.)***	26.3	Alfalfa-less frequent cuttings
Mean Irrig. Requirement (ft/seas.)***	2.19	
Acres to dry up for pond use	1.37	

*Molnau, Myron, Kpordze, Kojo C.S., and Craine, Katherine L., 1992. Monthly shallow pond evaporation in Idaho. ASAE paper PNW 92-111.
 **Data obtained from the Western Regional Climate Center, Monthly Climate Summary, Period of Record 9/1/1905 to 5/31/1974. See attached.
 ***Precipitation Deficit values used synonymously with mean irrigation requirement. Values taken from Allen, Richard G. and Clarence W. Robison, 2006 (Revised 2007).
 Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho, Research Technical Completion Report, Kimberly Research and Extension Center, University of Idaho, Used 667 mm from the Driggs Station



No. W 42850 Return to: SECRETARY OF STATE 450 NORTH FOURTH STREET PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than September 30, 2007 Annual Report Form 1. Mailing Address - Correct in this box, if applicable RICHARDSON FAMILY PROPERTIES, LLC PO BOX 469 VICTOR, ID 83455	2. Registered Agent and Office NO PO BOX ANDREW J RICHARDSON 347 W 800 S 460 W 480 S DRIGGS, ID 83422 3. New Registered Agent Signature
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4. Limited Liability Companies: Enter Names and Addresses of Members.

<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
Pres	Andy Richardson	P.O. Box 469	Victor	ID	83455
Sec	Nancy Richardson	"	"	"	"

5. Organized Under the Laws of: IDAHO W 42850	6. Signature <u>Nancy Richardson</u> Date <u>7-12-07</u> Name (Typed or Printed) <u>Nancy Richardson</u> Title <u>Sec</u>
--	---

Issued 07/02/2007

Do Not Tape or Staple

200709006344

184697

RECORDING REQUESTED BY
First American Title Company.

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

RECEIVED

JAN 30 2007

TETON CO. ID
CLERK RECORDER

Instrument # 184697

DRIGGS, TETON, IDAHO

2007-01-30

02:26:08 No. of Pages: 2

Recorded for: FIRST AMERICAN TITLE

MARY LOU HANSEN

Ex-Officio Recorder Deputy

not to DEED, WARRANTY

Fee: 6.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 195256-T (lb)

Date: January 24, 2007

For Value Received, Rex Miller and RaNae Miller, husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Richardson Family Properties, LLC, an Idaho Limited Liability Company, hereinafter called the Grantee, whose current address is PO Box 469, Victor, ID 83455, the following described premises, situated in Teton County, Idaho, to-wit:

TOWNSHIP 4 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO.

SECTION 19: SW1/4SE1/4;

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY: Beginning at the South quarter corner of Section 19, Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho; Running thence North 89°40'32" East, 1319.83 feet along the Section Line to the Southeast corner of the SW1/4SE1/4 of said Section to an iron pin point; thence North 0°02'05" East, 420.61 feet along the East line of the SW1/4SE1/4 of said section to a point; thence North 65°57'49" West, 23.04 feet, to a point; thence South 67°12'22" West 323.50 feet, to a point; thence South 84°52'42" West 288.17 feet, to a point; thence South 2°54'39" West, 68.00 feet, to a point; thence South 89°40'32" West, 710.73 feet, to the West line of the SW1/4SE1/4 of said section; thence South 0°06'24" East, 214.48 feet, to THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM the existing county road right-of-way over and across the above described property.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner 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 Grantor will warrant and defend the same from all claims whatsoever.

184697

184679

Date: 01/24/2007

Warranty Deed
- continued

File No: 295256-T (1b)

Rex Miller
Rex Miller

RaNa Miller
RaNa Miller

STATE OF Idaho)
COUNTY OF Twin Falls)

On this 24th day of January, 2007, before me, a Notary Public in and for said State, personally appeared Rex Miller and RaNa Miller, 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.

Layne W. Price
Notary Public for the State of Idaho

Residing at: Twin FallsMy Commission Expires: 12-1-12

LAYNE W. PRICE
NOTARY PUBLIC
STATE OF IDAHO

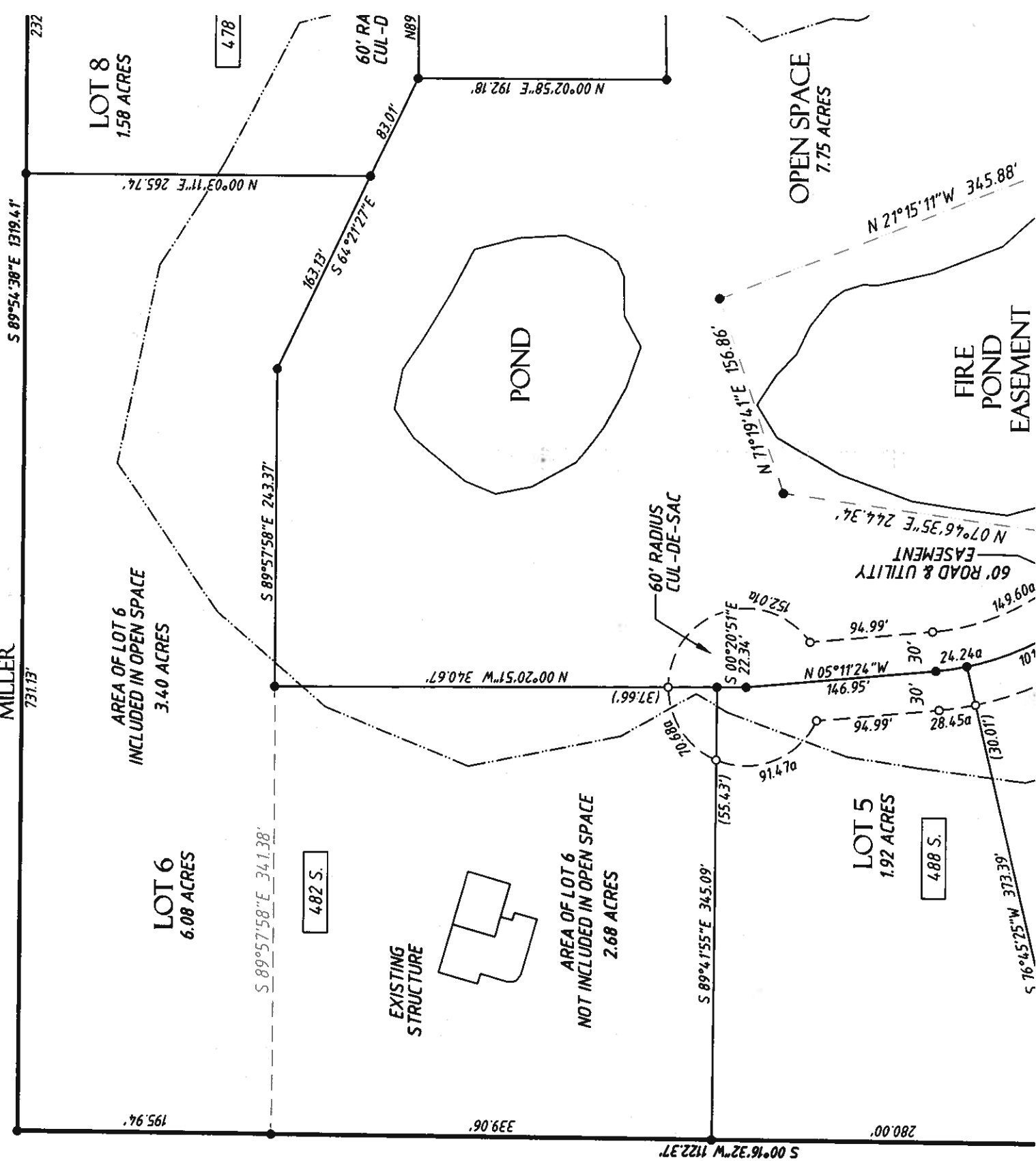
184697

Page 2 of 2

74679

FRED
MILLER

**RONALD
MILLER**



FRED MILLER

GARY ZOHNER

NORTH
203.71'

OPEN SPACE
2.42 ACRES

WEST 265.56'

LOT 9
1.40 ACRES

4.80 S.

4.83 S.

LOT 7
1.00 ACRE

N 88°43'4.7"E 301.74'

PARADISE LOOP

100 ACRE

S 00°39'34"W 280.48'

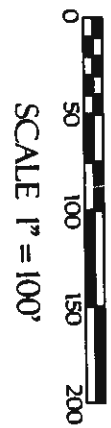
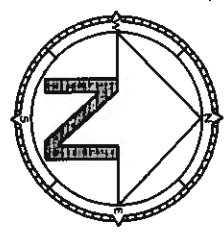
760.11'

S 00°39'34"W 1122.42'

S 00°15'33"W 1122.37'

COUNTY ROAD (450 WEST)

REX MILLER

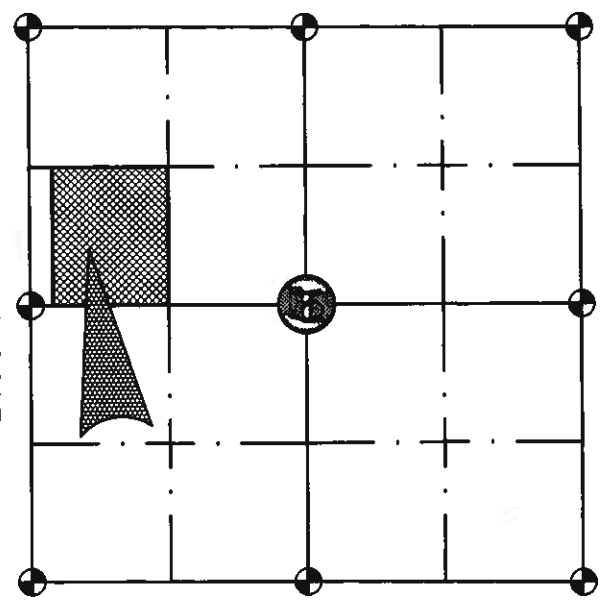


BASIS OF BEARING

WAS ESTABLISHED BY THE PROPRIETARY
WGS84 COORDINATES OF THE SECTION
CORNERS SHOWN ON THIS PLAT, AND
A TRANSVERSE MERCATOR MAP
PROJECTION WITH A CENTRAL
MERIDIAN LOCATED AT THE N 1/4
CORNER OF SECTION 15, TWP. 3N.,
RNG. 45E., B.M., IDAHO
(SCALE FACTOR: 1.00029345)

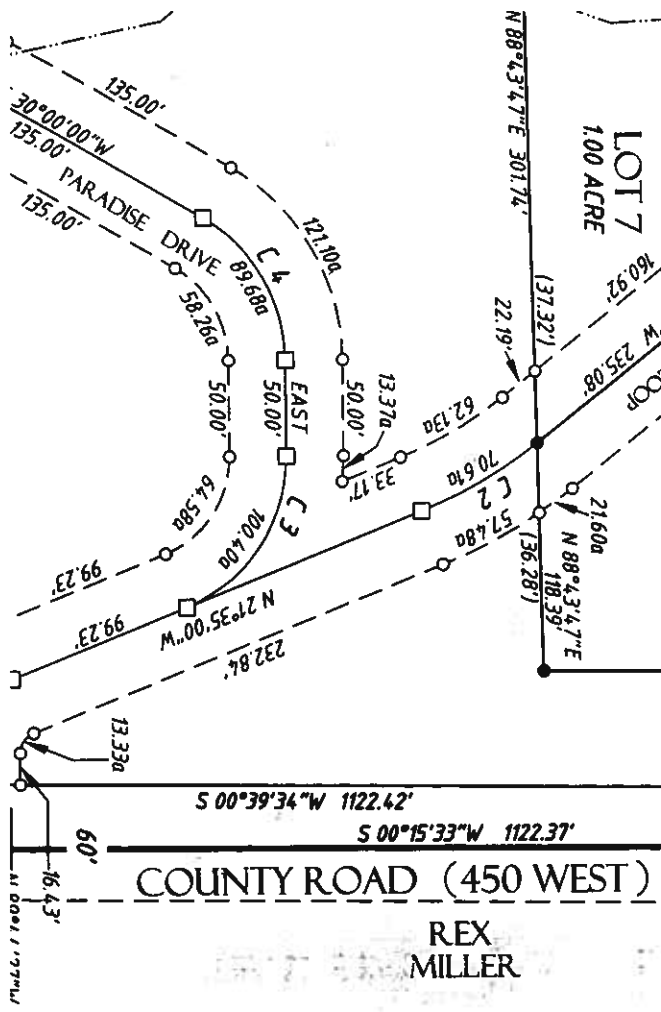
VICINITY MAP

SECTION 19, TWP. 4N., RNG. 45E.,
B.M., TETON COUNTY, IDAHO

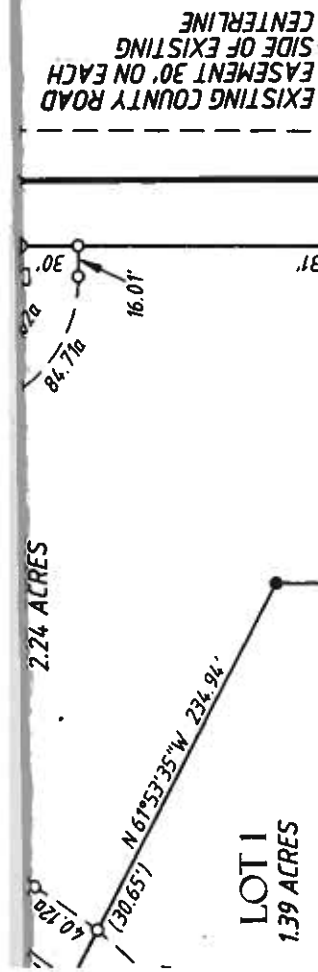


LEGEND

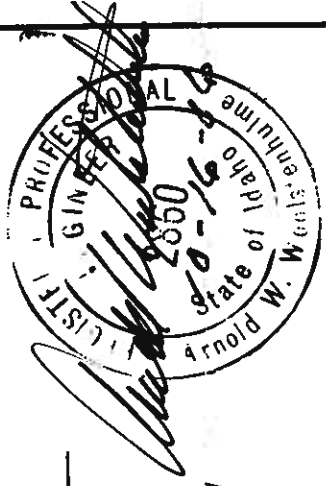
●	FOUND SECTION CORNER AS NOTED
■	SET SECTION 1/16 CORNER - 5/8" IRON PIN WITH CAP INSCRIBED: AW ENG 2860
□	PC / PT - SET 1/2" X 24" IRON PIN WITH CAP INSCRIBED: AW ENG 2860
○	SET 5/8" ROAD OFFSET PIN WITH CAP INSCRIBED: AW ENG 2860
●	INScribed: AW ENG 2860 (OFFSET AT 30° PERPENDICULAR UNLESS OTHERWISE NOTED)
◆	PROPERTY CORNER - SET 5/8" IRON PIN WITH CAP INSCRIBED: AW ENG 2860
●	SUBDIVISION POINT OF BEGINNING - SET 2" ALUMINUM PIPE
(30.xx')	OFFSET DISTANCE WHEN NOT 30.00'
---	SECTIONAL BREAKDOWN LINE
---	PROPERTY BOUNDARY
---	LOT BOUNDARY
---	EASEMENT TYPE AND WIDTH AS NOTED
---	LOT ADDRESS



TWO SEWER DRAINAGE FIELDS WITHIN THIS AREA



SURVEYOR'S CERTIFICATE
I, ARNOLD W. WOOLSTENHULME, BEING A REGISTERED LAND SURVEYOR / ENGINEER IN THE STATE OF IDAHO, No. 2860, DO HEREBY CERTIFY THAT I DID CAUSE THE SURVEY OF THE TRACT OF LAND AS HEREIN PLATTED AND DESCRIBED.



RECORDER'S CERTIFICATE

STATE OF IDAHO)
COUNTY OF TETON)

I DO HEREBY CERTIFY THAT THIS PLAT WAS FILED THIS ____ DAY OF ____, 200__, AT _____.
AT THE REQUEST OF _____
INSTRUMENT NUMBER _____

COUNTY RECORDER
181764

MASTER PLAN / FINAL PLAT
**PARADISE SPRINGS
PLANNED UNIT DEVELOPMENT**

SECTION 19, TWP. 4N., RNG. 45E.,
B.M., TETON COUNTY, IDAHO

**RICHARDSON FAMILY
PROPERTIES, LLC.**

347 WEST 200 SOUTH
DRIGGS, IDAHO 83422
(208) 354-8570



255 South Main P.O. Box 139
Victor, Idaho 83455
(208) 787-2952 aweng@tetontel.com

SHEET 1 OF 2

PROJECT NUMBER: 2006-034

PLANNED UNIT DEVELOPMENT NOTES

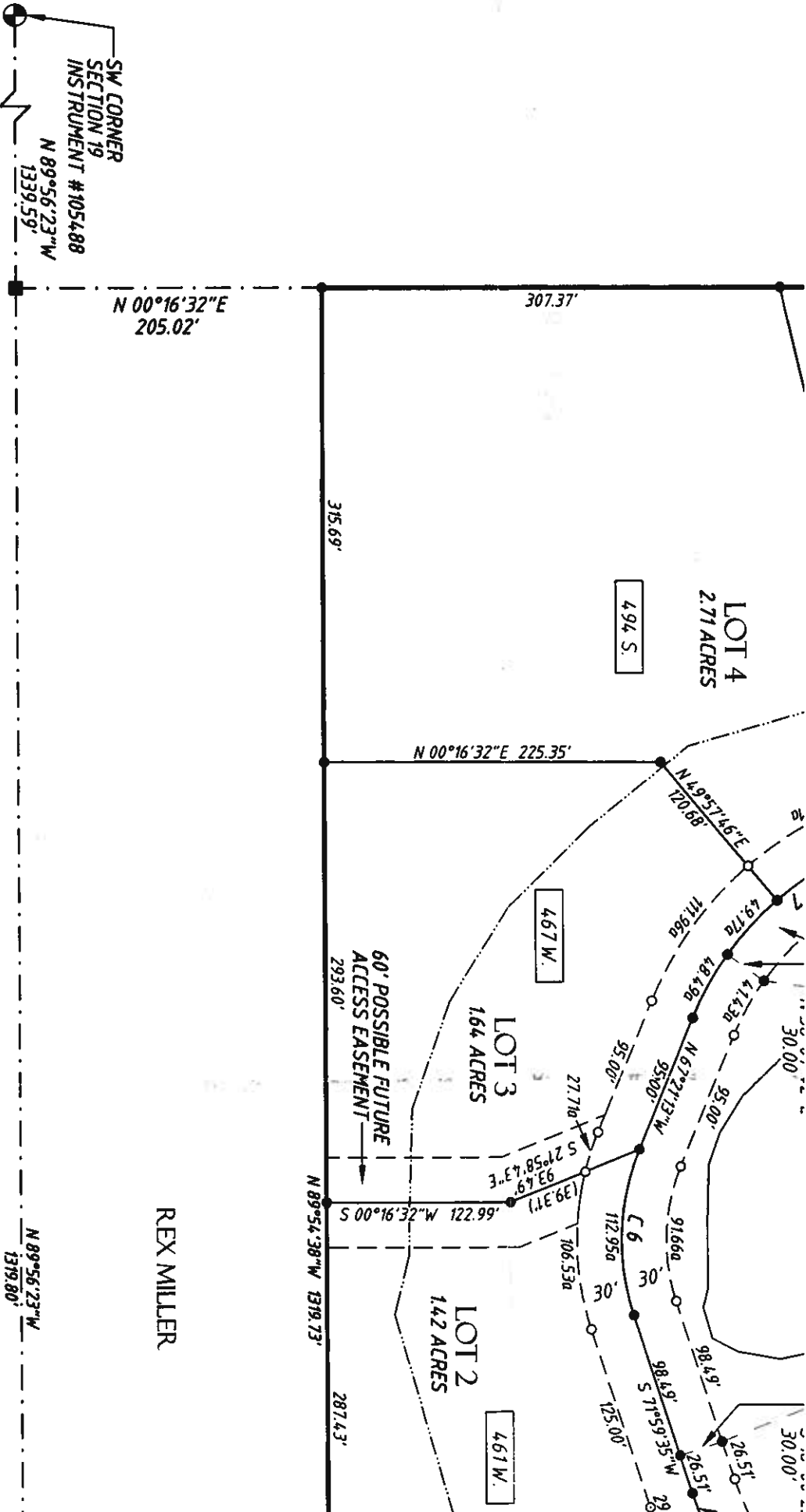
1. - WATER IS INDIVIDUAL WELL.
2. - SEWER IS INDIVIDUAL SEPTIC.
3. - ZONING DISTRICT IS (A-20).
4. - THERE ARE NO FLOOD PLAINS WITHIN THIS PROJECT.
5. - 9 LOTS RANGING FROM 1.00 ACRE - 6.08 ACRES IN SIZE.
6. - COUNTY STANDARD SETBACKS:
FRONT - 30'
SIDE - 30'
REAR - 40'

Instrument # 181764
DRIGGS, TETON, IDAHO
Recorded for : A W ENGINEERING
2006-10-25 03:39:02 No. of Pages: 2
NOLAN G. BOYLE
EX-Officio Recorder Deputy
Index to: PLAT

REVISED BY: BJM 10/12/06

final plat road fix.dwg

N BY: BJM 06/09/06



CURVE DATA TABLE					
CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD
C1	68°09'27"	41.21	49.02	27.88	46.18
C2	16°10'55"	250.00	70.61	35.54	70.37
C3	68°25'00"	84.08	100.40	57.16	94.54
TOTAL	60°00'00"	85.64	89.68	49.44	85.64
CHORD BEARING					
C1	N55°39'44"W				
C2	N29°40'28"W				
C3	S55°47'30"E				
TOTAL	S60°00'00"W				

DENSITY TABLE
TOTAL COUNTY ROAD
SUBDIVISION ROADS (NOT WITHIN LOTS / OPEN SPACE)
TOTAL OPEN SPACE (NOT WITHIN LOTS)
TOTAL OPEN SPACE (WITHIN LOTS)
TOTAL LOT AREA