

Form 222
1-87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant SVI Holdings, LLC Phone (208) 523-0620
Post Office address c/o Holden, Kidwell, Hahn & Crapo, P.L.L.C., P.O. Box 50130, Idaho Falls, Idaho 83405

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 To fill pond on property for fire suppression and aesthetic uses.

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

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	<u>23-11389 (portion)</u>	<u>8/15/1893</u>	<u>.09 cfs</u>	<u>Diversion to storage</u>	<u>04/15</u> to <u>10/31</u>
			<u>4.2 AF</u>	<u>Aesthetic Storage</u>	<u>1/1</u> to <u>12/31</u>
				<u>Fire Suppression</u>	

2. Total amount of water being transferred .09 cubic feet per second and/or 4.2 acre-feet per annum.
3. Source of water Palisades Creek Tributary to South Fork of the Snake River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	26	1N	44E	BONNEVILLE	

5. Lands irrigated or place of use: (Permissible place of use for all water rights)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	44E	22									J								n/a

RECEIVED

MAY 09 2008

Department of Water Resources
Eastern RegionTotal Acres n/a

RECEIVED

APR 17 2008

Department of Water Resources
Eastern Region

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6. General Information:

- a. Description of diversion system Headgate and ditch.
- 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 X . 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:
3.8 acres of land that will be covered by roads in the subdivision will no longer be irrigated.
- d. Remarks:
This transfer proposes to change the nature of use for .09 cfs of an irrigation water right to be used for a lined fire suppression and aesthetic pond with a surface area of approximately .38 acres and volume capacity of approximately 3.8 acre-feet. As shown on the map, 3.82 acres of the place of use of 23-11389 is appurtenant to where roads will be located in the Deer Track Ranch subdivision. It is these acres which will have their nature of use changed to allow for the pond. The original water right from which Water Right No. 22-11389 was split (23-11306) allowed for 1.2 cfs for the irrigation of 51.4 acres, which means there is a cfs/acre amount of .023. $.023 \text{ cfs/acre} \times 3.8 \text{ acres} = .09 \text{ cfs}$. The attached map also shows the location of the pond. The storage volume of 4.2 acre feet was calculated by taking the actual volume of the pond (3.8 acre-feet) and adding the evaporation loss from the pond (.37 acre-feet). The evaporative loss was calculated by taking the precipitation deficit values for open shallow water systems from the ETIdaho website. At 297 mm per acre, this equals .97 feet per acre, and at .38 acres, the evaporation equals .37 acre-feet. The pond will be located in Lot 5 of Block 2 of the Deer Track Ranch Subdivision. A copy of the plat is attached. Also, a copy of the spreadsheet calculating the amount of the parent right 23-11306 to be split to the lot owners, and further, which shows how much of the original water right is appurtenant to the roads, is attached. One of the lot owners has already filed a notice of change of ownership (23-11390) for their 8-acre lot.

ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 2008.

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Close

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/09/2008

WATER RIGHT NO. 23-11389

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SVI HOLDINGS LLC 542 S EAGLE DR MAPLETON, UT 84664
Original Owner	KRISTIN L THOMPSON
Original Owner	TOMMY N THOMPSON PO BOX 184 IRWIN, ID 83428 (307)733-7932

Priority Date: 08/15/1893

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PALISADES CREEK	SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.9 CFS	
Total Diversion			0.9 CFS	

Location of Point(s) of Diversion:

PALISADES CREEK	SWSWSE	Sec. 26	Township 01N	Range 44E	BONNEVILLE County
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IRRIGATION Use:

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Acre Limit: 38.6

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Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	44E	22		SWNW	10.2									
				NESW	2.7		NWSW	25.7						

Total Acres: 38.6

Conditions of Approval:

1.		USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LANDS.
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.
3.	E08	USE OF THIS RIGHT IS COMBINED WITH WATER FROM PALISADES IRRIGATION CO.
4.	G19	None of the place of use in this water right includes federal public land.

Dates:

Licensed Date:

Decreed Date: 01/31/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

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9. Describe any other water rights used for the same purpose as described above Water from Palisades Irrigation Company.

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 _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C)

1. amount .09 cfs for Irrigation purposes from 04/15 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	26	1N	44E	BONNEVILLE	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	44E	22							1.27		.16	2.39							3.82

Total Acres 3.82

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount .81 for Irrigation purposes from 04/15 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	26	1N	44E	BONNVILLE	

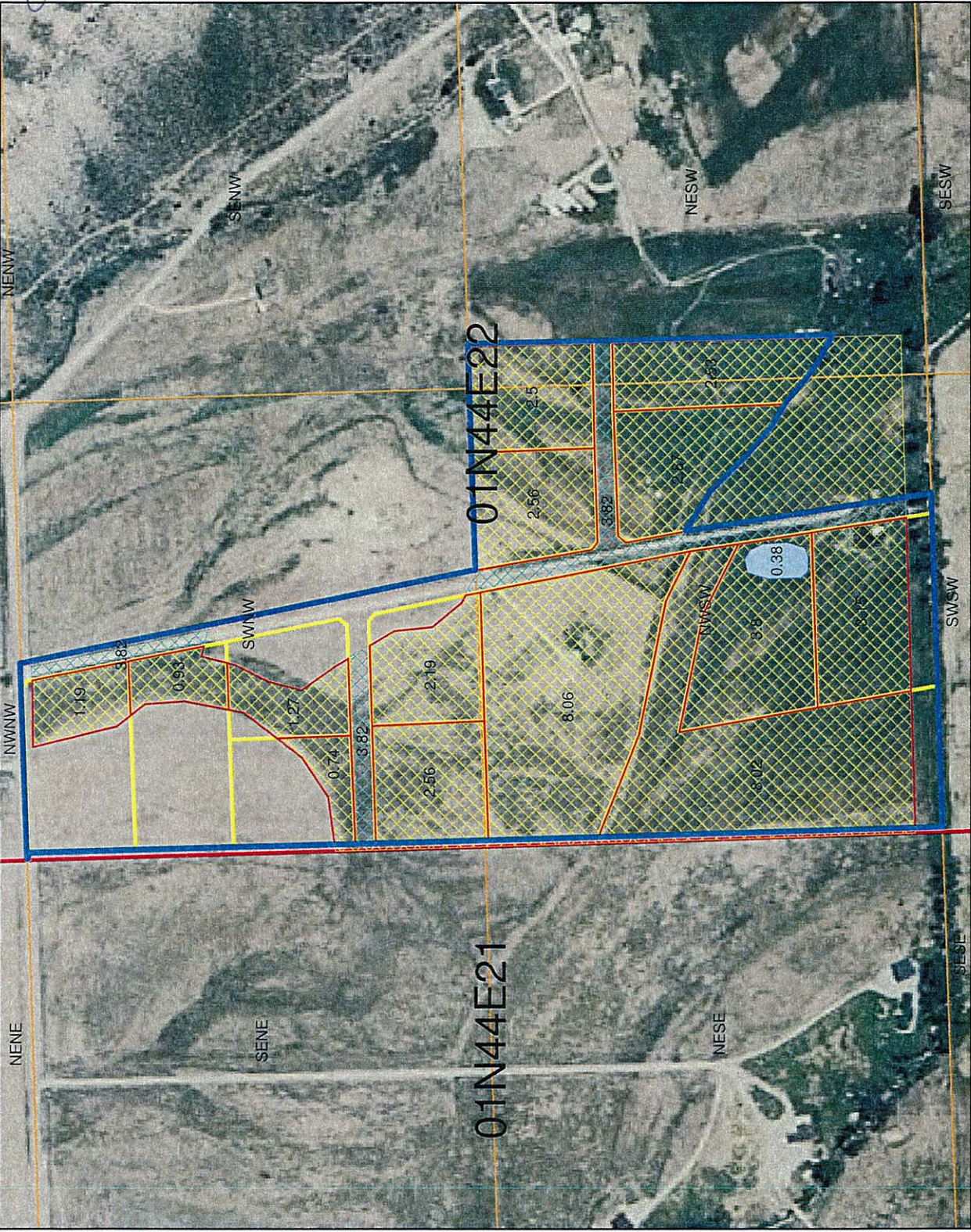
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	44E	22							8.93		2.54	23.3							34.77

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DEER TRACK RANCH TRANSFER



Legend

- Pond
- 23-11306_POU
- WR_Transferred
- Section_Lines
- PLS-QQ
- Property_Line

Prepared by:
Robert L. Harris
2006 NAIP Aerial Photo
April 9, 2008

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Content-Encoding: binary

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B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Diversion to Storage	.09 cfs	24 hours per day until full	04/15 to 10/31
	Aesthetic Storage	4.2 AF	24 hours per day until full	04/15 to 10/31
	Fire Suppression			

2. Quantity and quality of return flows and location of discharge:

There will be no discharge from the pond.

3. Describe effects on other water uses resulting from the proposed change:

None.

I hereby asset 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 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 voiding its approval.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 15th day of April, 2008.



[Signature]
Notary Public for State of Utah
Residing at: 5261 Little Water PK, Herriman, UT 84096
My Commission Expires 11/23/08

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by se Date 5/9/08 Protest filed by _____

Prelim. check by _____ Fee 100 -

Receipted by se Date 5/9/08 E034023

Published in fast Register. 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 _____

WATER RIGHT NO. 23-11306

Diversion Rate (cfs)	1.2		
Place of Use (POU) Acreage	51.4		
cfs/acre	0.0233		
LOT DESCRIPTION	POU Acreage within Lot	cfs/acre	Split of Diversion Rate (cfs) POU Acreage X cfs/acre
BLOCK 1			
Lot 1	1.19	0.0233	0.03
Lot 2	0.93	0.0233	0.02
Lot 3	1.27	0.0233	0.03
Lot 4	0.74	0.0233	0.02
BLOCK 2			
Lot 1	2.56	0.0233	0.06
Lot 2	2.19	0.0233	0.05
Lot 3	8.06	0.0233	0.19
Lot 4	8.02	0.0233	0.19
Lot 5	3.8	0.0233	0.09
Lot 6	3.15	0.0233	0.07
BLOCK 3			
Lot 1	2.87	0.0233	0.07
Lot 2	2.53	0.0233	0.06
BLOCK 4			
Lot 1	2.56	0.0233	0.06
Lot 2	2.5	0.0233	0.06
ROADS	3.82	0.0233	0.09
TOTAL	46.19		1.08
REMAINING PORTION OF 23-11306	5.21		0.12

ET_{Idaho} --- Evapotranspiration and Consumptive Irrigation

Water Requirements for Idaho

Please send suggestions for improving this site to robison@kimberly.uidaho.edu Copyright 2007, University of Idaho.

Swan Valley 1 W (NWS NOAA--108937)

Statistics based on 30 years between 1974 to 2004

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Open water - shallow systems (ponds, streams)														
Precipitation Deficit (Click here for a graph)														
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Annual
Mean	mm/day												mm	
Monthly ^b	0.93	-0.23	0.10	0.95	0.81	2.67	3.12	2.62	1.49	0.53	-0.76	-0.72	297	297
15-Day Moving Average ^c	0.92	-0.36	0.11	1.04	0.79	2.68	3.12	2.51	1.41	0.63	-0.68	-0.67		
7-Day Moving Average ^d	0.94	-0.30	0.11	0.96	0.77	2.65	3.11	2.59	1.45	0.61	-0.75	-0.68		
3-Day Moving Average ^e	0.93	-0.26	0.10	0.95	0.79	2.67	3.12	2.62	1.48	0.55	-0.76	-0.71		
Standard Deviation	mm/day												mm	
Monthly	0.89	0.47	1.05	0.93	2.07	1.21	1.63	1.15	1.11	1.22	0.68	1.00	151	151
15-Day Moving Average	0.87	0.62	1.01	1.13	1.92	1.57	1.44	1.21	1.41	1.19	0.97	0.86		
7-Day Moving Average	1.27	0.91	1.33	1.65	2.68	2.20	1.97	1.68	1.87	1.64	1.37	1.09		
3-Day Moving Average	1.79	1.32	1.89	2.30	3.67	2.94	2.77	2.34	2.60	2.27	2.09	1.52		
20% Exceedance	mm/day												mm	
Monthly	0.40	0.17	0.54	1.61	1.87	3.90	4.28	3.31	2.26	1.41	-0.24	-0.19	450	450
15-Day Moving Average	0.24	0.44	1.36	2.67	3.47	4.44	4.67	3.83	2.93	2.08	0.59	0.31		
7-Day Moving Average	0.46	0.99	1.73	3.43	4.25	4.92	5.00	4.36	3.54	2.50	0.95	0.37		
3-Day Moving Average	0.59	1.16	2.33	3.79	4.66	5.29	5.29	4.72	3.80	2.66	1.15	0.46		
80% Exceedance	mm/day												mm	
	-									-				

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Monthly	1.52	-0.59	-0.26	0.23	-0.88	1.39	2.12	2.04	0.51	0.05	-1.51	-1.28	145	145
15-Day Moving Average	2.58	-1.33	-1.19	-0.76	-2.60	-0.78	0.02	0.57	0.85	1.42	-2.65	-1.93		
7-Day Moving Average	4.11	-2.71	-3.36	-2.94	-4.57	-3.87	3.40	-2.13	3.29	3.58	-4.23	-3.00		
3-Day Moving Average	6.79	-3.85	-6.47	-5.97	-10.96	-8.10	8.24	-6.25	8.65	7.74	-7.29	-5.72		
Ave Highest ET	mm/day												--	
15-Day Moving Average ^f	0.13	0.28	0.95	1.92	2.20	3.84	4.05	3.45	2.33	1.55	0.27	0.11		
7-Day Moving Average ^g	0.33	0.71	1.42	2.78	3.43	4.46	4.67	4.11	3.12	2.13	0.69	0.27		
3-Day Moving Average ^h	0.49	0.99	1.87	3.35	4.28	4.94	5.01	4.46	3.58	2.39	0.93	0.39		
Ave Lowest ET	mm/day												--	
15-Day Moving Average ^f	1.70	-0.72	-0.56	0.06	-0.66	1.41	2.24	1.61	0.45	0.46	-1.56	-1.25		
7-Day Moving Average ^g	2.80	-1.50	-1.84	-1.37	-2.89	-0.45	0.60	0.22	0.96	1.86	-2.72	-2.06		
3-Day Moving Average ^h	4.91	-2.82	-3.96	-4.01	-7.16	-3.58	2.67	-2.71	4.16	4.39	-5.38	-3.88		
Special normal distribution parameters for monthly, seasonal, and annual intervals													--	
Skew	0.17	-0.25	-0.58	0.04	0.04	-0.50	0.15	-0.21	0.60	0.08	-0.05	-0.56	-0.45	-0.45
Kurtosis	0.90	2.37	1.68	3.00	0.67	2.42	0.58	0.86	2.95	0.69	2.92	1.70	2.38	2.38

^a Growing Season: This is usually the time from green up or planting in the spring to a killing frost or harvest in the fall. It is not applicable for entries without a growing season and will be blank.

^b Mean of the average daily value for month

^c Mean of the fourteen 15-day period averages contained in the month

^d Mean of the twenty three 7-day period averages contained in the month

^e Mean of the twenty seven 3-day period averages contained in the month

^f Mean of the highest/lowest 15-day period average in month

^g Mean of the highest/lowest 7-day period average in month

^h Mean of the highest/lowest 3-day period average in month

This work and report were prepared by the University of Idaho Research and Extension Center at Kimberly, Idaho under contract with the Idaho Department of Water Resources. Work was supported by funding from IDWR and the Idaho Agricultural Experiment Station and Idaho Engineering Experiment Station. The authors gratefully acknowledge the long-term evapotranspiration data collection and long-standing advice provided by Dr. James L. Wright, USDA-ARS Kimberly (ret.), the more than two decades of high quality agricultural weather data collection by the U.S. Bureau of Reclamation AgriMet system, and the very long-standing, routine data collection by the hundreds of cooperative weather station volunteers across the state who, for more than one-hundred years, have faithfully observed daily air temperature and precipitation.

The citation for the evapotranspiration data used from this site should be: *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.*

Questions regarding the data should be addressed to Clarence W. Robison or Richard G. Allen, University of Idaho, Kimberly Research and Extension Center, 3793 North 3600 East, Kimberly, ID 83341. Telephone (208)-423-6610

ET_{Idaho} --- Evapotranspiration and Consumptive Irrigation

Water Requirements for Idaho

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Swan Valley 1 W (NWS NOAA--108937)

Statistics based on 30 years between 1974 to 2004

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Alfalfa - less frequent cuttings														
Precipitation Deficit (Click here for a graph)														
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Annual
Mean	mm/day												mm	
Monthly ^b	0.31	0.06	0.22	0.61	1.92	5.10	4.48	4.55	1.79	0.23	-0.66	-0.38	556	541
15-Day Moving Average ^c	0.31	0.01	0.24	0.55	1.86	5.17	4.28	4.52	1.66	0.26	-0.59	-0.35		
7-Day Moving Average ^d	0.32	0.03	0.24	0.55	1.88	5.12	4.36	4.56	1.72	0.27	-0.65	-0.35		
3-Day Moving Average ^e	0.31	0.05	0.22	0.59	1.90	5.12	4.46	4.57	1.78	0.24	-0.66	-0.37		
Standard Deviation	mm/day												mm	
Monthly	0.54	0.24	0.30	0.41	1.97	1.48	1.44	1.34	1.13	0.76	0.53	0.71	103	107
15-Day Moving Average	0.58	0.29	0.37	0.51	1.79	1.89	1.67	1.43	1.45	0.87	0.74	0.65		
7-Day Moving Average	0.84	0.53	0.66	0.93	2.42	2.48	2.31	1.99	1.95	1.35	1.13	0.83		
3-Day Moving Average	1.17	0.90	1.09	1.55	3.31	3.20	3.07	2.63	2.68	2.00	1.78	1.23		
20% Exceedance	mm/day												mm	
Monthly	0.00	0.24	0.37	0.91	2.72	6.60	5.32	5.04	3.10	0.72	-0.14	0.00	657	650
15-Day Moving Average	0.32	0.47	0.83	1.31	3.79	7.38	6.90	6.31	4.02	1.56	0.37	0.31		
7-Day Moving Average	0.54	0.90	1.33	2.16	5.43	8.31	7.81	7.30	5.05	2.72	0.90	0.46		
3-Day Moving Average	0.71	1.27	2.07	3.72	6.30	8.82	8.37	7.59	6.04	3.37	1.29	0.64		
80% Exceedance	mm/day												mm	
Monthly	0.62	-0.07	0.04	0.20	0.77	3.73	3.37	3.60	0.87	0.36	-1.06	-0.61	460	433

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15-Day Moving Average	1.55	-0.48	-0.49	-0.36	-0.87	1.48	1.42	1.74	0.41	1.45	-2.12	-1.26		
7-Day Moving Average	2.46	-1.04	-1.42	-1.35	-3.35	-1.93	0.99	-0.12	2.50	3.21	-3.32	-2.40		
3-Day Moving Average	4.87	-2.27	-3.67	-3.91	-9.74	-6.43	6.29	-4.26	7.42	7.09	-6.64	-4.77		
Ave Highest ET	mm/day												--	
15-Day Moving Average ^f	0.19	0.36	0.69	1.12	3.29	6.48	5.95	5.70	2.83	1.15	0.19	0.15		
7-Day Moving Average ^g	0.40	0.74	1.16	1.79	4.55	7.41	7.22	6.70	4.04	1.91	0.64	0.35		
3-Day Moving Average ^h	0.58	1.06	1.76	3.03	5.68	8.11	7.86	7.17	5.01	2.47	0.99	0.49		
Ave Lowest ET	mm/day												--	
15-Day Moving Average ^f	0.77	-0.23	-0.22	-0.03	0.49	3.66	2.61	3.28	0.56	0.63	-1.34	-0.79		
7-Day Moving Average ^g	1.45	-0.72	-0.98	-0.88	-1.31	1.72	1.11	1.80	0.70	1.86	-2.32	-1.45		
3-Day Moving Average ^h	2.96	-1.65	-2.44	-2.68	-4.99	-1.52	1.50	-0.82	3.73	4.17	-4.58	-3.02		
Special normal distribution parameters for monthly, seasonal, and annual intervals													--	
Skew	0.42	-1.98	-0.31	0.84	0.37	-0.36	0.17	0.00	0.18	0.07	-0.16	-0.50	0.00	-0.06
Kurtosis	1.02	8.47	1.24	4.77	1.18	2.27	0.56	0.74	2.37	0.65	2.53	1.15	2.10	2.14

^a Growing Season: This is usually the time from green up or planting in the spring to a killing frost or harvest in the fall. It is not applicable for entries without a growing season and will be blank.

^b Mean of the average daily value for month

^c Mean of the fourteen 15-day period averages contained in the month

^d Mean of the twenty three 7-day period averages contained in the month

^e Mean of the twenty seven 3-day period averages contained in the month

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^g Mean of the highest/lowest 7-day period average in month

^h Mean of the highest/lowest 3-day period average in month

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