



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

January 5, 2009

Special Master Brigitte Bilyeu
Snake River Basin Adjudication
253 3rd Ave. North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Subcase No. 22-170 (Jeppesen Brothers Ranch)

Dear Special Master Bilyeu:

A hearing is currently set for January 30, 2009, to determine whether a new Director's Report should be issued for the above-referenced uncontested water right. At issue is the period of use for this water right as originally recommended by the Idaho Department of Water Resources. To assist the Court and the parties at the hearing, I am enclosing a draft Amended Director's Report. To more clearly conform with the decree and for ease of administration, this water right is more accurately described by identifying two periods of use, as suggested in the draft Amended Director's Report, rather than a remark contained within the "Other Provisions" element of the original recommendation.

If you should have any questions or comments, please do not hesitate to contact me at 287-4810.

Sincerely,

Andrea L. Courtney
Deputy Attorney General, IDWR

cc: Jeppesen Brothers Ranch
Ernie Carlsen

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-170

NAME AND ADDRESS: JEPPESEN BROTHERS RANCH
1075 N 9TH EAST
REXBURG ID 83440

SOURCE: MOODY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 5.520 CFS

PRIORITY DATE: 05/01/1893

POINT OF
DIVERSION:

T06N R40E S13 SWNWNE Within MADISON County

T06N R40E S13 SESENE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 06/20	5.520 CFS
	06/21 10/31	2.760 CFS

PLACE OF USE: IRRIGATION in MADISON County

T06N R40E S13	NENE	38.00	T06N R40E S13	NWNE	37.00
T06N R40E S13	SWNE	37.00	T06N R40E S13	SENE	26.00

138 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed