

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78829

This is to certify that: BEVAN JEPPESEN
1282 S SECOND E
REXBURG, ID 83440

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-13670	WR/LICENSE	7/15/1987	2.180 cfs	925.3 af	N/A	378.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-13670	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-13670	22-13670	2.180 cfs	925.3 af	N/A	378.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.180 cfs	925.3 af	N/A	378.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 22nd day of October, 2013.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 78829

IN FILE # 22-13670

WATER RIGHT NO. 22-13670
As Modified by Transfer No. 78829

In accordance with the approval of Transfer No. 78829, Water Right No. 22-13670 is now described as follows:

Right Holder: BEVAN JEPPESEN
 1282 S SECOND E
 REXBURG, ID 83440

Priority Date: 7/15/1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	2.180 cfs	925.3 af
			2.180 cfs	925.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 5	Twp 04N Rge 41E	MADISON County	
GROUND WATER	SWSWNW	Sec 5	Twp 04N Rge 41E	MADISON County	(R)
GROUND WATER	SWSWNW	Sec 5	Twp 04N Rge 41E	MADISON County	(I)
GROUND WATER	L1 (NENE)	Sec 6	Twp 04N Rge 41E	MADISON County	

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	41E	5						39.0	30.0		34.0	40.0	39.0	39.0					221.0
								L 4											
04N	41E	6	39.0			31.0									33.0			32.0	135.0
			L 1																
04N	41E	7	22.0																22.0

POU Total Acres: 378.0

CONDITIONS OF APPROVAL

1. Ground water diverted under this right is injected into Lyons Creek and diverted from Lyons Creek at the point of rediversion to irrigate the place of use. Water shall not be diverted from Lyons Creek unless ground water is simultaneously being injected into Lyons Creek at an equal rate.
2. Injection and rediversion of water from Lyons Creek 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. The following rights are diverted through the point of rediversion described above: 22-7091, 22-7115, 22-13454, and 22-13670.

Transfer No. 78829

WATER RIGHT NO. 22-13670
As Modified by Transfer No. 78829

CONDITIONS OF APPROVAL

4. The right holder shall make full beneficial use of all surface water rights, 22-7091, 22-7115, and 22-13454, available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. This right shall not exceed an annual maximum diversion volume of 925.3 af at the field headgate for the lands above.
8. Rights 22-7091, 22-7115, and 22-13454 when combined shall not exceed the irrigation of 378 acres.
9. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.