

M E M O R A N D U M

Date: January 8, 2008
To: Water Right File 22-13671
From: Aaron Marshall
Re: Licensing Review

Water right nos. 22-7683 and 22-13671 share the same point of diversion and same permissible place of use. The permissible place of use totals 914.9 acres.

Water right no. 22-7683 will be limited to 5.00 cfs and 805 acres as permitted. The annual diversion volume will be limited by the diversion rate during the 214 day irrigation season for a total of 2,122.3 acre-feet.

Water right no. 22-13671 will be limited to 0.82 cfs and 109.9 acres. The annual diversion volume will be limited by the diversion rate during the 214 day irrigation season for a total of 348.1 acre-feet.

These rights are not supplemental to any surface water rights. Consent Agreement and Order for Pending Notice of Violation for Merle and Janice Jeppesen (agreement) dated May 18th, 2007, on page 1, sub-paragraph "5." states:

Jeppesens will close the mainline delivering Moody Creek water to Pivot #2 so that no water is deliverable from Moody Creek to Pivot #2 for the 2007 irrigation season. The mainline shall be closed with a lockable valve or by permanently placing an obstruction in the mainline to prevent water flow past the obstruction, referred to hereafter as "capping".

On page 2 of the agreement, sub-paragraph "5." states:

If filed by the Jeppesens, IDWR will process licensing amendments for ground water permit nos. 22-7683 and 22-13671 that will propose adding lands as a place of use to the permits that were previously irrigated with Moody Creek water by Pivot #2. Following approval of the licensing amendments, all lands underneath Pivot #2 will be irrigated with ground water.

