

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-13670

Priority: July 15, 1987

Maximum Diversion Rate: 2.18 CFS

It is hereby certified that BEVAN JEPPESEN
1282 S SECOND E
REXBURG ID 83440 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 15, 1987; and has
submitted Proof of Beneficial Use on June 4, 1993. An examination indicates that the works have a
diversion capacity of 2.18 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	2.18 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, Twp 04N, Rge 41E, B.M.	MADISON County
GROUND WATER (Injection)	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, Twp 04N, Rge 41E, B.M.	MADISON County
GROUND WATER (Rediversion)	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, Twp 04N, Rge 41E, B.M.	MADISON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	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

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.

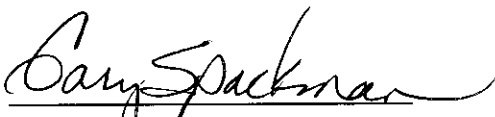
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4. The right holder shall make full beneficial use of all surface water rights, 22-7091, 22-7115, and 22-13454, available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the 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. Claims 22-7091, 22-7115, and 22-13454 have been recommended in the Snake River Basin Adjudication with places of use that partially overlap the place of use for this right. If these claims are decreed as recommended, this right shall not exceed the irrigation of 378 acres when combined.
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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 21st day of January, 2008.


for DAVID R. TUTHILL, JR.
Director