

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-13670

WATER RIGHT NUMBER: 22-13670

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BRUCE WEBSTER 37 SUNSET CIRCLE REXBURG, ID 83440
Current Owner	BEVAN JEPPESEN 1282 S SECOND E REXBURG, ID 83440 (208)356-9079
Attorney	RIGBY ANDRUS & MOELLER CHTD PO BOX 250 REXBURG, ID 83440 (208)356-3633

Priority Date: 07/15/1987

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	2.180 CFS	925.30 AF
	<u>Total Diversion:</u>	2.180 CFS	925.30 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 5,	Twp 04N,	Rge 41E, B.M.
MADISON County				
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 5,	Twp 04N,	Rge 41E, B.M.
MADISON County	(Rediversion)			
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 5,	Twp 04N,	Rge 41E, B.M.
MADISON County	(Injection)			

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

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Conditions of Approval:

1. 065 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.
2. WB7 This right shall not exceed an annual maximum diversion volume of 925.3 af at the field headgate for the lands above.
3. 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.
4. 104 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.
5. R63 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.
6. 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.
7. R05 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.
8. F06 The following rights are diverted through the point of rediversion described above: 22-7091, 22-7115, 22-13454, and 22-13670.
9. 048 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.

Remarks:

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Comments:

1. dcarlson 1/30/2007 Field Report Narrative

Comment: split of permit 22-7528 based on field exam.

this split is well/pump to pivots and handlines 200 HP US Electric motor sonic meter reading at 2.18 CFS.

Water from this well is injected into Lyons Creek and rediverted from Lyons Creek.

overlaps with lyons creek SRBA recommendations 22-7091, 22-7115 and 22-13454.

2. dcarlson 2/1/2007 POU

Comment: Updated PLS

3. dcarlson 2/1/2007 POD

Comment: Updated PLS

4. erushing 2/22/2007 Location of field report

Comment: Beneficial use field report for this draft license is located in the parent file, 22-7528.

5. amarshall 1/4/2008 Licensing Review

Comment: Water right permit no. 22-7528 was split based on the field exam resulting in water right nos. 22-13670 and 22-13671.

The source of water right no. 22-13670 is ground water. Water is pumped directly into pivot sprinklers and handlines from the well near the point of diversion. Water is also piped to a pond on Lyons Creek, injected into the pond, and rediverted from the pond to irrigate lands south of Lyons Creek.

SRBA recommended right no. 22-7115 provides for storage of Lyons Creek water for irrigation. SRBA recommended right no. 22-7091 provides for irrigation of 142 acres from Lyons Creek. SRBA recommended right no. 22-13454 is an enlargement of 22-7091 and provides for irrigation of 10 acres from Lyons Creek. 22-7091 and 22-13454 share the same point of diversion as the point of rediversion for 22-13670. The 152 acres covered under 22-7091 and 22-13454 are overlapped entirely by 22-13670.

Dates and Other Information:

Licensed Date: 1/21/2008

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 01

Generic Max Rate Per Acre: 0.02

Generic Max Volume Per Acre: 3.5

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust: N

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		378

Combined Water Rights: 22-7091 , 22-7115 , 22-13670

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Water Supply Bank: