

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 27-07398

Priority: February 06, 1985

Maximum Diversion Rate: 4.04 CFS
Maximum Diversion Volume: 904.0 AF

It is hereby certified that J BERKELEY LARSEN FARM LLC
702 E 400 N
FIRTH ID 83236 has complied with the terms and conditions of the permit,
issued pursuant to Application for Permit dated February 06, 1985; and has submitted Proof of Beneficial
Use on March 05, 1990; and a water right has been established as follows:

SOURCE

GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	4.04 CFS	904.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L1 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)	Sec. 17	Twp 02S	Rge 37E, B.M.	BINGHAM County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 8	Twp 02S	Rge 37E, B.M.	BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S 37E 8									39.0	38.0	38.0	34.0					149.0
02S 37E 17			14.0		48.0		15.0										77.0
					L 1		L 2										

Total Acres: 226

CONDITIONS OF APPROVAL

1. Use of water 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. 120.
2. 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.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 27-07398

5. The right holder shall make full beneficial use of all surface water rights 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.
6. 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.

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 this 21st day of December, 2011.


for GARY SPACKMAN
Interim Director