

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 27-07429

Priority: April 08, 1987

Maximum Diversion Rate: 2.83 CFS  
Maximum Diversion Volume: 588.0 AF

It is hereby certified that ELEANOR BITHELL Or  
NEIL F BITHELL  
392 E 400 N  
BLACKFOOT ID 83221 has complied with the terms and conditions of the  
permit, issued pursuant to Application for Permit dated March 11, 1987; and has submitted Proof of  
Beneficial Use on March 29, 1991; and a water right has been established as follows:

**SOURCE**

GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**PERIOD OF USE**

04/01 to 10/31

**DIVERSION RATE**

2.83 CFS

**ANNUAL  
DIVERSION VOLUME**

588.0 AF

**LOCATION OF POINT(S) OF DIVERSION:**GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 10 Twp 02S Rge 36E, B.M. BINGHAM 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   |        |       |
| 02S | 36E | 10  |    |    |    |    |    |    |    |    |    |    |    |    |    | 39.0 | 40.0 | 37.0 | 31.0   | 147.0 |

Total Acres: 147

**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. 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.
3. 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.
4. 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.

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5. 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 this 29<sup>th</sup> day of November, 2011.



For GARY SPACKMAN  
Interim Director

