

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07472

Priority: November 30, 1983

Maximum Diversion Rate: 2.80 CFS
Maximum Diversion Volume: 490.0 AF

It is hereby certified that GARTH SUTTON FARMS INC
1295 E 10000 S
REXBURG ID 83440 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated November 30, 1983; and has submitted Proof of
Beneficial Use on December 29, 1989. An examination confirms water is diverted 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>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	2.80 CFS	490.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, Twp 05N, 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	6									12.0					10.0			22.0
05N	41E	32										17.0	16.0	39.0	7.0		39.0		118.0

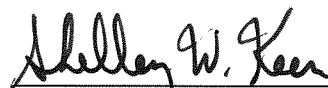
Total Acres: 140

CONDITIONS OF APPROVAL

1. The following rights are diverted through the point of diversion described above: 22-7092, 22-7472, and 22-13289.
2. Rights 22-7092, 22-7472, and 22-13289 when combined shall not exceed a total diversion rate of 6.06 cfs.
3. 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.
4. 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.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.

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 16th day of September, 2011.


for GARY SPACKMAN
Interim Director