

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07507

Priority: June 28, 1985

Maximum Diversion Rate: 3.14 CFS
Maximum Diversion Volume: 549.5 AF

It is hereby certified that RICHARD F SMITH
PO BOX 8
REXBURG ID 83440 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 28, 1985; and has
submitted Proof of Beneficial Use on November 19, 1990. An examination indicates that the works have
a diversion capacity of 10.85 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>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	3.14 CFS	549.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 28, Twp 06N, Rge 40E, B.M.	MADISON County
GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 33, Twp 06N, Rge 40E, 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	
06N 40E 32	38.0			40.0									40.0			39.0	157.0

Total Acres: 157.0

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
2. The following rights are diverted through point(s) of diversion described above: 22-2230, 22-7075, and 22-7507.
3. Rights 22-2184, 22-2230, 22-7075, and 22-7507 when combined shall not exceed a total diversion rate of 10.85 cfs.
4. 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.
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 and sealed this 1st day of October, 2008.


For DAVID R. TUTHILL, JR.
Director