

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07676

Priority: August 20, 1990

Maximum Diversion Rate: 2.00 CFS

It is hereby certified that SHANE SUTTON And/Or SUSAN SUTTON And/Or
RICK SUTTON And/Or BRANDI SUTTON
733 W 8200 S
REXBURG ID 83440
And/Or
GARTH SUTTON And/Or JOLENE SUTTON
1295 E 10000 S
REXBURG ID 83440 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 20, 1990; and have
submitted Proof of Beneficial Use on October 21, 1993. An examination indicates that the works have a
diversion capacity of 6.66 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

DIVERSION RATE

2.00 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, Twp 04N, 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	
04N 40E 9													17.0	40.0	30.0	37.0	124.0
04N 40E 10		2.0	2.0		11.0		20.0	38.0	40.0	37.0	24.0	40.0		32.0	26.0		272.0
04N 40E 15					14.0	7.0											21.0

Total Acres: 417

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 102 acres within the place of use described above in a single irrigation season.
2. Right 22-7711 is also diverted through the point of diversion described above.
3. Rights 22-7676 and 22-7711 when combined shall not exceed a total diversion rate of 6.66 cfs, and the irrigation of 379 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1460.0 af at the field headgate for the lands above.

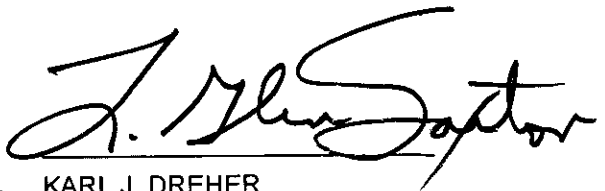
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5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this 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 sold, transferred, leased or used on any other place of use, this right to divert groundwater 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.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
9. 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. 01.

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 29th day of April, 2004.

for 
KARL J. DREHER
Director