

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07675

Priority: June 12, 1990

Maximum Diversion Rate: 6.12 CFS
Maximum Diversion Volume: 2,598.0 AF

It is hereby certified that GARTH SUTTON
1295 E 10000 S
REXBURG ID 83440 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 12, 1990; and has
submitted Proof of Beneficial Use on January 09, 1998. An examination indicates that the works have a
diversion capacity of 6.12 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	6.12 CFS	2,598.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼ NW¼ SE¼ 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 4	22.0				33.0	34.0	39.0	27.0	40.0	40.0	35.0	22.0	2.0				294.0
	L 2				L 3	L 4											
04N 41E 5	28.0			17.0									32.0			14.0	91.0
	L 1																
05N 41E 32	16.0			38.0									25.0	31.0		27.0	137.0
05N 41E 33					12.0	31.0	39.0	33.0	22.0	39.0	39.0	32.0			14.0		261.0

Total Acres: 783

CONDITIONS OF APPROVAL

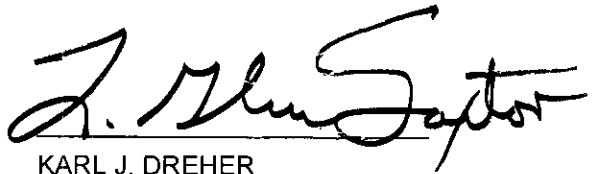
1. This right does not grant any right-of-way or easement across the land of another.
2. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
3. 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.

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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 10th day of December, 2004.


for KARL J. DREHER
Director