

Maximum Diversion Rate: 200.00 CFS

This is to certify that

ELMORE COUNTY BOARD OF COMMISSIONERS ELMORE COUNTY COURTHOUSE
150 S 4TH E STE 3 MOUNTAIN HOME ID 83647

has applied for a permit to appropriate water from:

Source : SOUTH FORK BOISE RIVER

Tributary: BOISE RIVER

and a permit is APPROVED for development of water as follows:

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
GROUND WATER RECHARGE STORAGE	01/01 to 12/31		10,000.0 AF
IRRIGATION	03/15 to 11/15	100.00 CFS	
IRRIGATION STORAGE	01/01 to 12/31		5,000.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		5,000.0 AF
GROUND WATER RECHARGE	01/01 to 12/31	100.00 CFS	
GROUND WATER RECHARGE FROM STORAGE	01/01 to 12/31		10,000.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	200.00 CFS	

Location of Point(s) of Diversion

SOUTH FORK BOISE RIVER L1 (NW¼ NW¼), Sec. 7, Twp 01S, Rge 09E, B.M. ELMORE County

Place of Use: IRRIGATION

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 63-34348

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2024**.
2. Subject to all prior water rights.
3. 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.
4. This right when combined with all other rights shall provide no more than 5.0 afa per acre for irrigation storage and irrigation from storage for the place of use.
5. Rights 61-263, 61-264, 61-266, 61-363, 61-10417, 61-10419, 61-10421, 63-19893, 63-2188, 63-2214, 63-20139 and 63-34348 when combined shall not exceed the irrigation of 7,420.2 acres within the boundaries of the Mountain Home Irrigation District.
6. In any given year, water diverted for irrigation from storage and irrigation shall not exceed 50 percent of the total volume of water diverted for all uses described by the right.
7. The storage of water under this right occurs in the storage facilities for the Mountain Home Irrigation District: Little Camas Reservoir, Long Tom Reservoir, and Mountain Home Reservoir.
8. In any given year, this right may only be used for irrigation from storage and irrigation on the same lands irrigated within the Mountain Home Irrigation District service area with Rights 61-263, 61-264, 61-266, 61-363, 61-10417, 61-10419, 61-10421, 63-19893, 63-2188, 63-2214, 63-20139 and 63-34348.
9. Water shall only be used for irrigation from storage and irrigation to supplement existing rights 61-263, 61-264, 61-266, 61-363, 61-10417, 61-10419, 61-10421, 63-19893, 63-2188, 63-2214, 63-20139 and 63-34348.
10. Diversion 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, the source of water and point of diversion for this right is within Water District No. 63.
11. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
12. Prior to diversion of water under this right, the right holder shall develop a plan acceptable to the watermaster(s) and the Department that includes the installation of measuring devices as necessary to understand and monitor water use under this right. The Department may require modification of the plan, now and in the future, as required.
13. The watermasters of Water Districts 63, 63C, and 61A shall coordinate administration of this right to ensure beneficial use occurs in a manner consistent with the limitations and conditions of the right.
14. This right is subordinated to the capture and retention of water in existing on-stream storage reservoirs operated for storage and flood control purposes during and following flood control operations until the date of allocation.
15. The right holder must mitigate for diversions out of Anderson Ranch Reservoir that occur when water is not being released for flood control purposes as authorized by this right.
16. If measured or calculated Boise River flows immediately downstream of the New York Canal diversion are less than 240 cfs during the period beginning June 16 and ending February 29, water shall not be diverted pursuant to this right. If measured or calculated Boise River flows immediately downstream of the New York Canal diversion are less than 1,100 cfs during the period beginning March 1 and ending May 31, water shall not be diverted pursuant to this water right. If the benchmark stream maintenance flows of 240 cfs (from June 16 to February 29) and 1,100 cfs (From March 1 to May 31) subsequently change, then the diversion of South Fork Boise River flows under this right will be limited to provide for the new benchmark flows.
17. If measured or calculated South Fork Boise River flows downstream from Anderson Ranch Dam are less than 800 cfs, water shall not be diverted pursuant to this right.
18. The right holder shall exercise this right only when authorized by the District 63 watermaster when the

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Boise River is on flood release below Anderson Ranch dam/outlet and when the Boise River is on flood release below Lucky Peak dam. Flood releases shall be determined based upon the Memorandum of Agreement between the Department of Army and the Department of Interior for Flood Control Operations of Boise River Reservoirs, dated November 20, 1953, contracts with Reclamation contract holders in the Boise River Reservoirs, the Water Control Manual for Boise River Reservoirs, dated April 1985, and any modifications adopted pursuant to the procedures required in these documents and federal laws. The right holder shall not seek, directly or indirectly, any change to the flood control operations of the 1985 Water Control Manual for Boise River reservoirs. This water right may not be used to divert water released from storage to augment lower Snake River flows during the migration of Snake River salmon as authorized under Idaho law.

19. Pursuant to Idaho Code § 42-234(4), to ensure that other water rights are not injured by the operations of the recharge project authorized by this right, the Director has authority to approve, disapprove, or require alterations in the methods employed to achieve ground water recharge.
20. Pursuant to Idaho Code § 42-234(3), the Director may reduce the amount of water that may be diverted for recharge purposes under this right even though there is sufficient water to supply the entire amount authorized for appropriation under this right.
21. This approval does not constitute approval by the Idaho Water Resource Board, which may also be required pursuant to Idaho Code § 42-1737.
22. This right is not an authorization for the described recharge effort to be used as mitigation or credit for any other purpose. The sufficiency of the recharge effort authorized under this right for mitigation or credit for some other purpose may be determined by the Department upon proper submission of a mitigation plan pursuant to the Department's Rules of Conjunctive Management of Surface and Ground Water Resources, a mitigation plan to offset depletion in association with a water right application, a Management Program pursuant to Idaho Code Idaho Code § 42-1416B, or any other proposal to utilize credit for the recharge effort.
23. This right does not grant any right-of-way or easement across the land of another.
24. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
25. Prior to diversion and use of water under this approval, the right holder shall obtain authorization from United States agencies necessary to access the point of diversion or place of use or to convey water across federal land.
26. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
27. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

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This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 13th day of August, 2019.

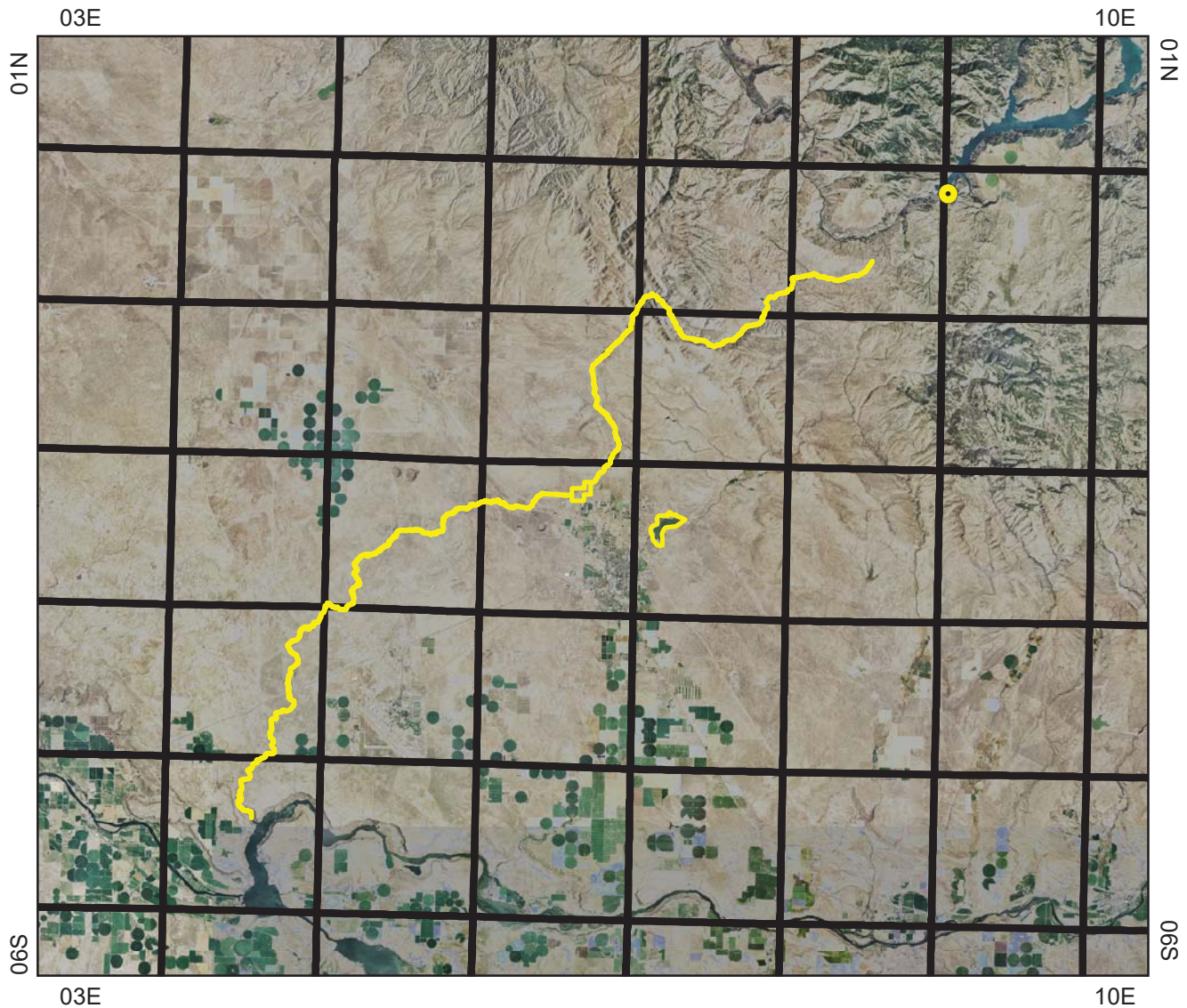





GARY SPACKMAN
Director

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GROUND WATER RECHARGE

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

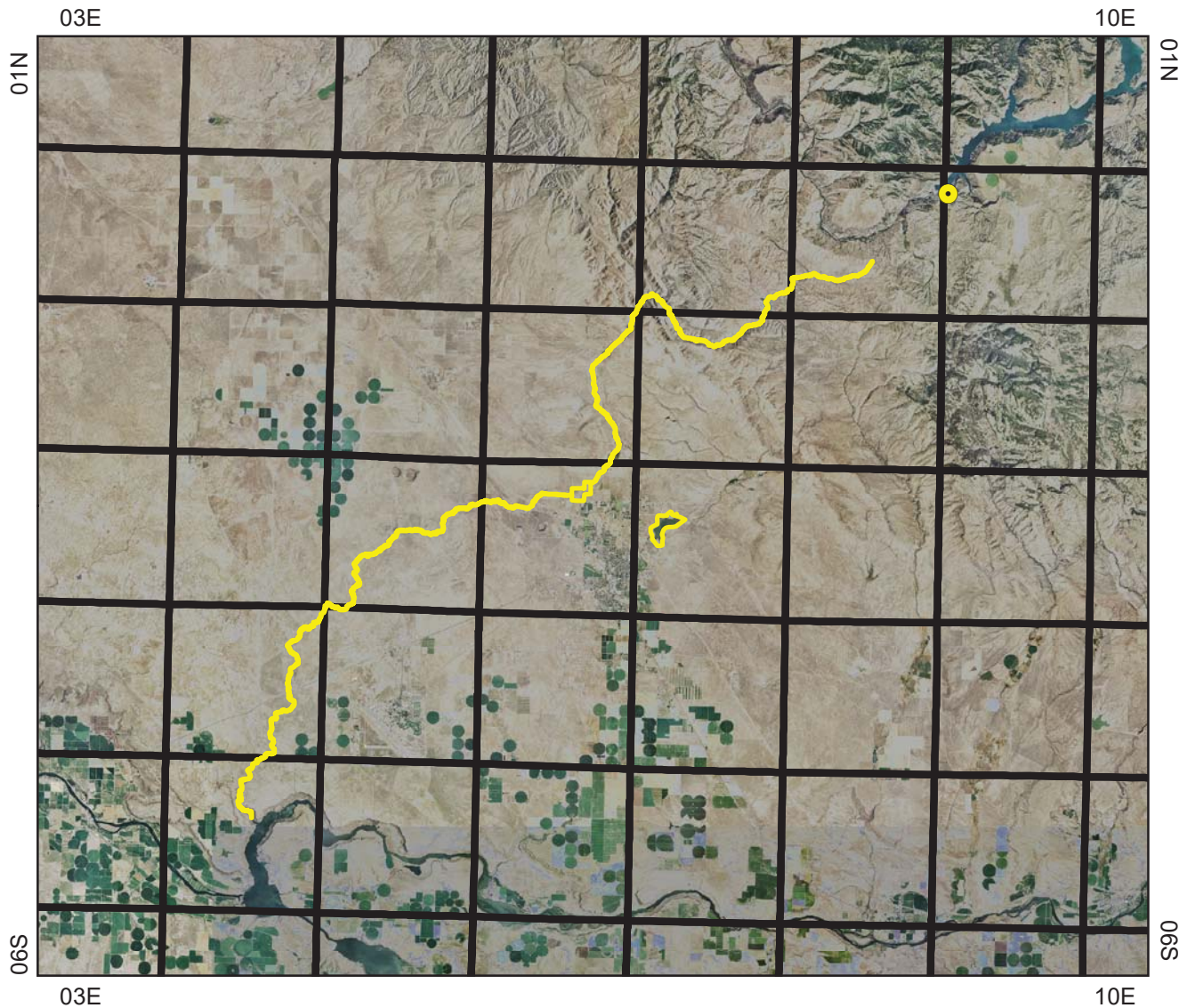





-  Point of Diversion
-  Place Of Use Boundary
-  Townships

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GROUND WATER RECHARGE FROM STORAGE

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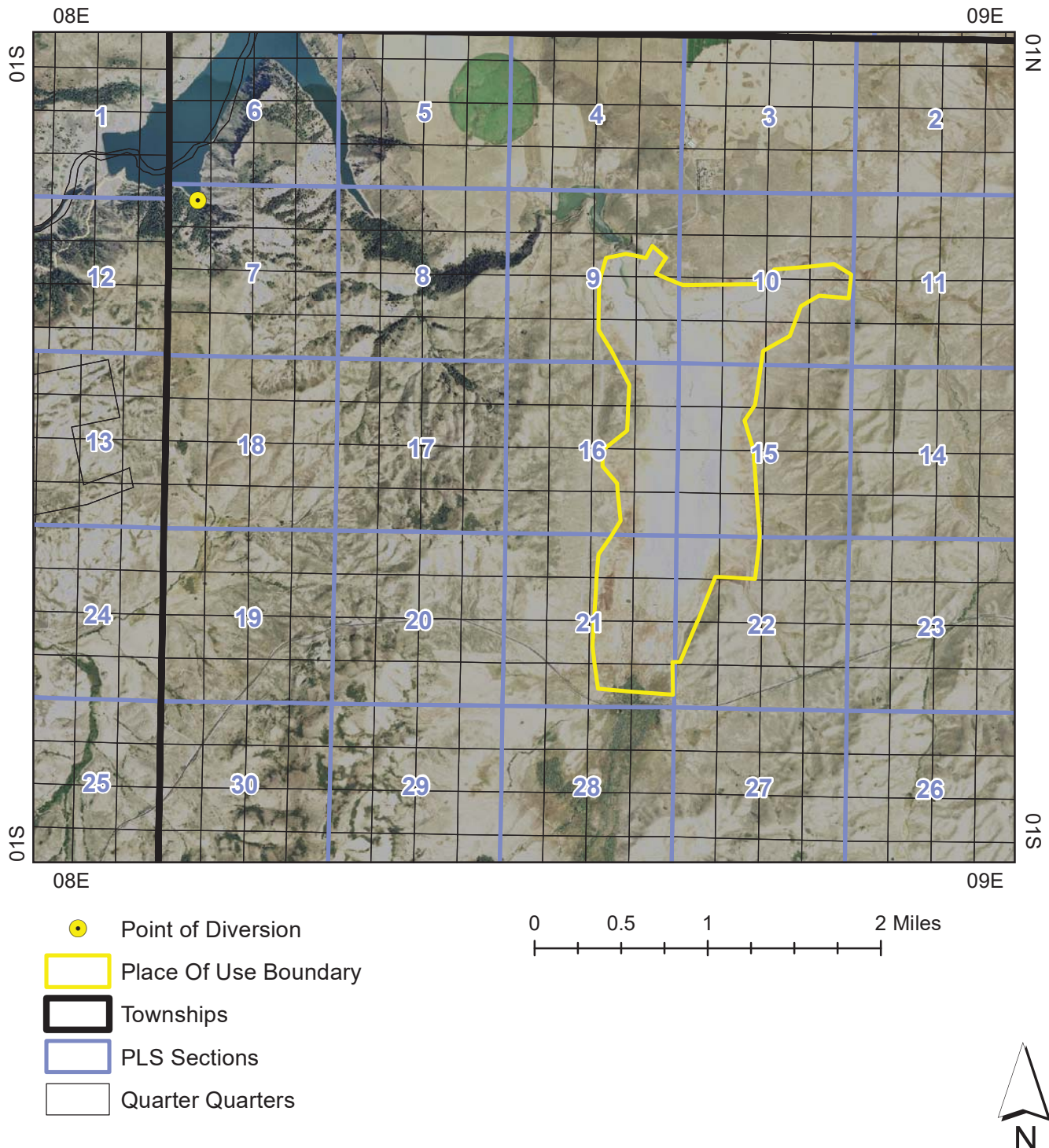


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GROUND WATER RECHARGE STORAGE

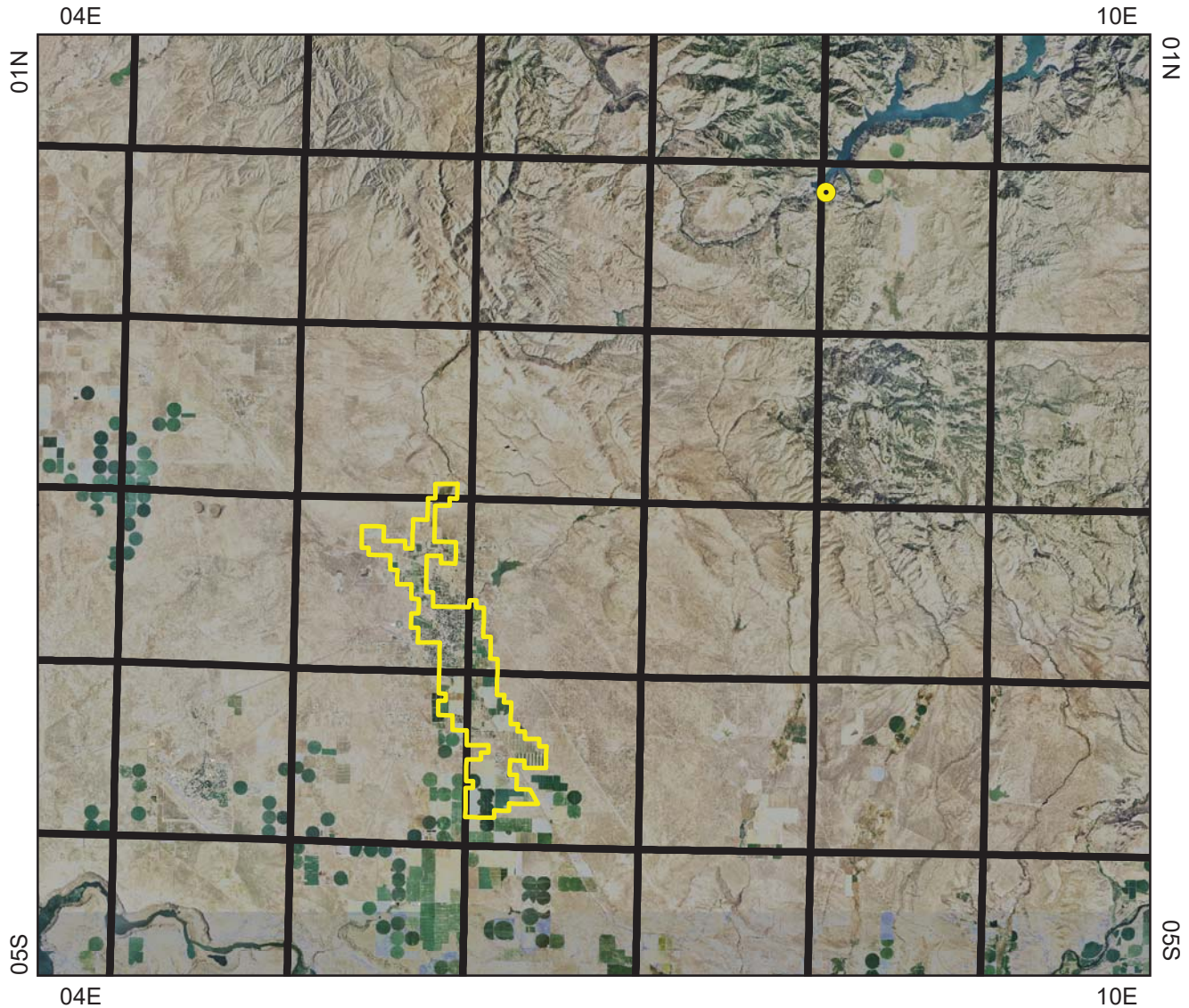
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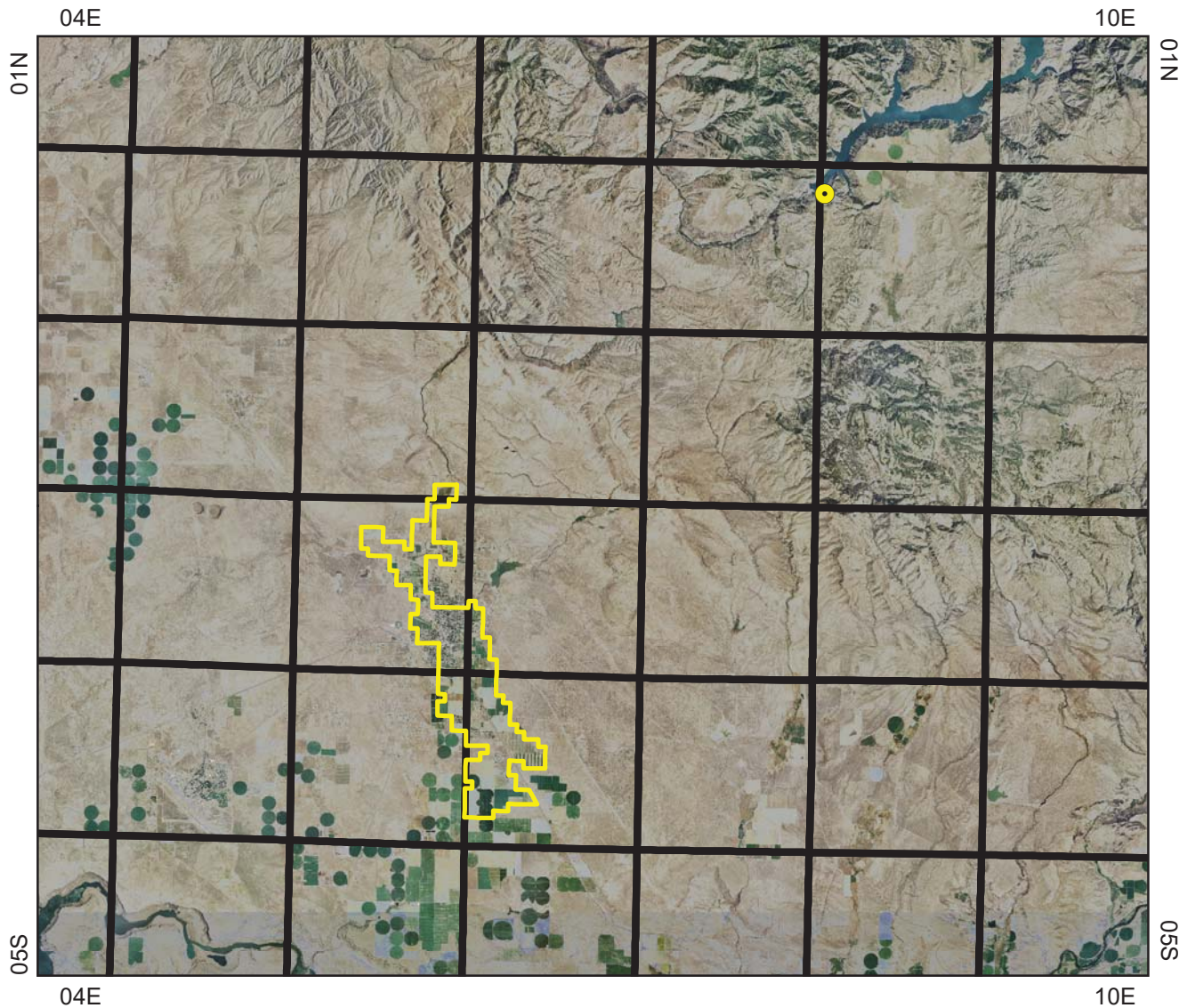


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