

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 32-13348

Priority: March 04, 2016

Maximum Diversion Rate: 10.00 CFS

This is to certify, that **RENO DITCH CO LLC**
1032 GRANDVIEW DRIVE
IVINS UT 84738

has applied for a permit to appropriate water from:

Source: BIRCH CREEK **Tributary:** SINKS

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

BENEFICIAL USEGROUND WATER
RECHARGE**PERIOD OF USE**

01/01 to 12/31

RATE OF DIVERSION

10.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIRCH CREEK SE¼ SW¼ Sec. 34, Twp 09N, Rge 30E, B.M. CLARK County

PLACE OF USE: GROUND WATER RECHARGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
08N	32E	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				X															
09N	32E	36													X				

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2017**.
2. Subject to all prior water rights.
3. Rights 32-7128, 32-7136 and 32-13348 when combined shall not exceed a total diversion rate of 75 cfs.
4. 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. 32D.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to diversion and use of water under this approval, the right holder shall obtain Bureau of Land Management authorization necessary to access the point of diversion or place of use or to convey water across federal land.
7. This right is subject to all applicable provisions of Section 42-234, Idaho Code.

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8. Pursuant to Section 42-234(4), Idaho Code, 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.
9. Pursuant to Section 42-234(3), Idaho Code, 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.
10. This approval does not constitute approval by the Idaho Water Resource Board, which may also be required pursuant to Section 42-1737, Idaho Code.
11. The right holder shall record the daily quantity of water diverted for ground water recharge and shall report the diversion data for the prior calendar year to the Department by February 1 each year. Reporting shall occur in the manner specified by the Department, consistent with Section 42-701, Idaho Code. To facilitate this reporting requirement, the right holder shall install and maintain a totalizing measuring device approved by the Department at each point of diversion and at each point where water is delivered from the conveyance system into a designated recharge site.
12. Consistent with Section 42-234(5), Idaho Code, seepage from canals incidental to or coincident with delivery of irrigation water shall not be considered ground water recharge under this right. Canal seepage will be considered to be ground water recharge only when the canals are not conveying water for irrigation or other beneficial uses.
13. 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 Section 42-1416B, or any other proposal to utilize credit for the recharge effort.
14. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature affixed below this 2nd day of May, 20 16.


JAMES CEFALO
Water Resources Program Manager