

State of Idaho
Department of Water Resources

AMENDED Permit to Appropriate Water AMENDED

NO. 13-07783

Priority: February 03, 2011

Maximum Diversion Rate: 0.20 CFS

Maximum Diversion Volume: 12.1 AF

This is to certify, that WHISKEY CREEK RANCH LLC
427 RICE HOPE DR
MT PLEASANT SC 29464

has applied for a permit to appropriate water from:

Source: WHISKEY CREEK

Tributary: BEAR 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>
DIVERSION TO STORAGE	10/01 to 04/19	0.20 CFS	
AESTHETIC STORAGE	10/01 to 04/19		12.1 AF
WILDLIFE STORAGE	10/01 to 04/19		12.1 AF

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK SW¼SE¼ Sec. 7 Twp 11S Rge 41E, B.M. CARIBOU County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	41E	18							X						
									L 2						

PLACE OF USE: WILDLIFE STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	41E	18							X						
									L 2						

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2017**.
2. Subject to all prior water rights.
3. The two (2) ponds established by the storage of water under this right shall not exceed a total capacity of 11.4 acre-feet or a total surface area of 4.4 acres.
4. This right authorizes the diversion of an annual total of 7.0 acre-feet to be used for the initial filling of pond 2 and for the evaporation losses of pond 1 and pond 2. Pond 1 is an irrigation regulation pond.
5. Rights 13-697A and 13-698 mitigate for the depletion of water caused by the diversion and use of water under Right 13-7783. To prevent injury to other water rights, the right holder shall cease diverting water under the mitigation portion of Rights 13-697A and 13-698, which shall remain un-diverted.

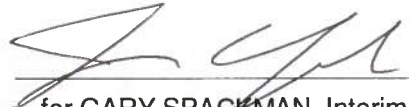
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6. If Rights 13-697A and 13-698, or a portion thereof, are sold, transferred, leased, used on any place of use, or are not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under Right 13-7783 shall be reduced accordingly.
7. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
8. 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. 13-S.
9. This right does not grant any right-of-way or easement across the land of another.
10. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.
11. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 23rd day of December, 2011.


for GARY SPACKMAN, Interim Director