

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09314

Priority: January 11, 2007

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 3.0 AF

It is hereby certified that JAMES O GILBERTSON And NELLIE J GILBERTSON
4672 UPPER PACK RIVER RD
SANDPOINT ID 83864 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated January 11, 2007; and has
submitted Proof of Beneficial Use on May 29, 2009. An examination indicates that the works have a
diversion capacity of 0.03 cfs of water from:

SOURCE

PACK RIVER

Tributary: PEND OREILLE RIVER

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	0.03 CFS	3.0 AF

LOCATION OF POINT(S) OF DIVERSION:

PACK RIVER SE1/4SE1/4 Sec. 11, Twp 59N, Rge 02W, B.M. BONNER 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	
59N 02W 11																	1.0
																	1.0

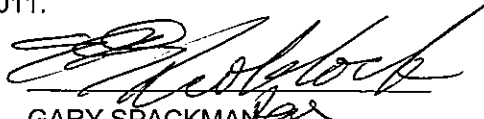
Total Acres: 1

CONDITIONS OF APPROVAL

1. Water shall not be diverted under this right when flows in the Pack River are below established minimum flow amounts defined by Right 96-8717.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
5. This right does not grant any right-of-way or easement across the land of another.

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 13th day of January, 2011.


GARY SPACKMAN
Interim Director

KENNETH KNOBBOCK