

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 94-07395

Priority: November 20, 2009

Maximum Diversion Rate: 2.27 CFS
Maximum Diversion Volume: 620.0 AF

It is hereby certified that FRANK B FRUTCHEY
14246 S TAMARACK RIDGE RD
CATALDO ID 83810 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 07, 2004; and has
submitted Proof of Beneficial Use on November 20, 2009. An examination indicates that the works have
a diversion capacity of 2.23 cfs of water from:

SOURCE

COEUR D ALENE RIVER

Tributary: COEUR D ALENE LAKE

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	03/15 to 10/31	2.23 CFS	618.0 AF
STOCKWATER	01/01 to 12/31	0.04 CFS	2.0 AF

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE RIVER L8 (SE¼NE¼) Sec. 1, Twp 48N, Rge 01W, B.M. KOOTENAI County
COEUR D ALENE RIVER L3 (NE¼NW¼) Sec. 1, Twp 48N, Rge 01W, B.M. KOOTENAI County
COEUR D ALENE RIVER L2 (NW¼NE¼) Sec. 1, Twp 48N, Rge 01W, B.M. KOOTENAI County
COEUR D ALENE RIVER L6 (SW¼NW¼) Sec. 6, Twp 48N, Rge 01E, B.M. KOOTENAI 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	
48N 01E 6					5.0	25.0	36.5	5.0									71.5
					L 4	L 5	L 6	L 7									
48N 01W 1	36.5	30.0		30.0	25.0												121.5
	L 1	L 2		L 8	L 3												
49N 01W 36											3.0	10.0					13.0
											L 1						

Total Acres: 206

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PLACE OF USE: STOCKWATER

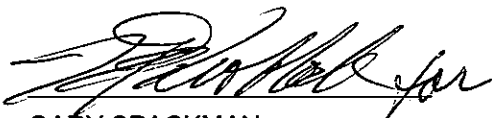
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N 01E 6					X	X	X	X									
					L4	L5	L6	L7									
48N 01W 1	X	X		X	X												
	L1	L2		L8	L3												
49N 01W 36										X	X						
										L1							

CONDITIONS OF APPROVAL

1. Stockwater use is for 50 range cows with calves.
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 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. During any part of the irrigation season that slack water resulting from the operation of the hydroelectric dam at Post Falls does not extend upstream past the authorized points of diversion, the right holder shall be responsible for monitoring the daily flow of the Coeur d Alene River at Cataldo using real-time data published on the Internet by the U. S. Geological Survey and shall cease diverting water when flows in the Coeur d Alene River are below established minimum instream flow amounts.

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 12th day of January, 2011.


GARY SPACKMAN
Interim Director

KENNETH KNOBLOCH