

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 97-07380

Priority: October 22, 1997

Minimum Stream Flow: 1,500 CFS

It is hereby certified that STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720

BOISE ID 83720-0098 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 22, 1997; and has submitted Proof of Beneficial Use on August 9, 2002. A minimum stream flow for:

SOURCE

PRIEST RIVER

Tributary: PEND OREILLE RIVER

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>MINIMUM STREAM FLOW</u>
MINIMUM STREAM FLOW	04/01 to 06/30	1,500 CFS
MINIMUM STREAM FLOW	07/01 to 07/31	700 CFS
MINIMUM STREAM FLOW	08/01 to 10/31	300 CFS
MINIMUM STREAM FLOW	11/01 to 03/31	700 CFS

LOCATION OF POINT(S) OF DIVERSION:

PRIEST RIVER L5 (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) Sec. 28, Twp 58N, Rge 04W, B.M. BONNER County
(Beginning of Reach)

PRIEST RIVER L6 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 30, Twp 56N, Rge 04W, B.M. BONNER County
(Ending of Reach)

CONDITIONS OF APPROVAL

1. The Idaho Water Resource Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to this water right. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or notify interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the water right should be amended in the public interest. The burden of proof at the hearing shall be upon the person or parties seeking the amendment to establish that the amendment of this water right would be in the public interest.
2. Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.
3. Use of water under this right shall be non-consumptive.
4. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director.

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5. The reach of this minimum stream flow begins at the confluence with the East River in Lot 5 (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 28, T58N, R04W, B.M. and extends downstream approximately 21.4 miles to the mouth of the Priest River at the confluence with the Pend Oreille River in Lot 6 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 30, T56N, R04W, B.M.
6. The purpose of this minimum stream flow is for the protection of fish and wildlife habitat, aquatic life, and recreational values.

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 21st day of January, 2009.


for DAVID R. TUTHILL, JR.
Director