

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 86-07318

Priority: July 30, 1992

Minimum Stream Flow: 5,750 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 July 30, 1992; and has
submitted Proof of Beneficial Use on January 25, 2006. A minimum stream flow for:

SOURCE

CLEARWATER RIVER

Tributary: SNAKE RIVER

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>MINIMUM STREAM FLOW</u>
MINIMUM STREAM FLOW	11/01 to 07/31	5,750 CFS
MINIMUM STREAM FLOW	08/01 to 10/31	4,350 CFS

LOCATION OF MINIMUM STREAM FLOW:

CLEARWATER RIVER L8 (SE¼SE¼) Sec. 33, Twp 37N, Rge 01E, B.M. CLEARWATER County
(Beginning of Reach)

CLEARWATER RIVER L13 (NW¼SW¼) Sec. 7, Twp 36N, Rge 03W, B.M. NEZ PERCE County
(Ending of Reach)

CONDITIONS OF APPROVAL

1. Approval of this minimum stream flow shall not prevent approval of applications for consumptive uses from ground water if the wells are located and constructed to prevent an immediate impact on the river, as determined by the Director.
2. The approved minimum stream flow shall be subordinate to future domestic, stockwater, municipal, commercial, and industrial development from the Clearwater River and its tributaries, including ground water, for use within the Clearwater River Basin where the domestic and stockwater uses are within the limitations of Section 42-111, Idaho Code.
3. 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.
4. 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.

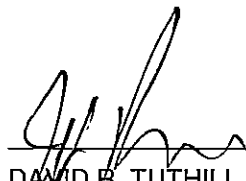
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5. Use of water under this right shall be non-consumptive.
6. Upon further finding and order of the director that gaging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director.
7. The reach of this minimum stream flow begins at the confluence with the North Fork Clearwater River in Lot 8 (SE $\frac{1}{4}$ SE $\frac{1}{4}$) Section 33, T37N, R1E and extends downstream approximately 27 miles to the confluence with the Potlatch River in Lot 13 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 7, T36N, R3W, B.M.
8. The purpose of this minimum stream flow is for the protection of fish and wildlife habitat, aquatic life, and recreational uses.

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 6th day of January, 2009.


For DAVID R. TUTHILL, JR.
Director