

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 83-11962

Priority: April 1, 2005

Minimum Stream Flow: 10,396 CFS

It is hereby certified that IDAHO WATER RESOURCE BOARD
PO BOX 83720
BOISE ID 83720-0098 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 1, 2005; and has
submitted Proof of Beneficial Use on July 9, 2008. A minimum stream flow for:

SOURCE

NORTH FORK CLEARWATER RIVER Tributary: CLEARWATER RIVER

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>MINIMUM STREAM FLOW</u>
MINIMUM STREAM FLOW	01/01 to 01/31	1,349 CFS
MINIMUM STREAM FLOW	02/01 to 02/28	1,838 CFS
MINIMUM STREAM FLOW	03/01 to 03/31	2,885 CFS
MINIMUM STREAM FLOW	04/01 to 04/30	5,863 CFS
MINIMUM STREAM FLOW	05/01 to 05/31	10,396 CFS
MINIMUM STREAM FLOW	06/01 to 06/30	8,470 CFS
MINIMUM STREAM FLOW	07/01 to 07/31	2,331 CFS
MINIMUM STREAM FLOW	08/01 to 08/31	1,128 CFS
MINIMUM STREAM FLOW	09/01 to 09/30	873 CFS
MINIMUM STREAM FLOW	10/01 to 10/31	828 CFS
MINIMUM STREAM FLOW	11/01 to 11/30	1,239 CFS
MINIMUM STREAM FLOW	12/01 to 12/31	1,237 CFS

LOCATION OF POINT(S) OF DIVERSION:

NORTH FORK CLEARWATER RIVER SW¼SW¼ Sec. 18, Twp 39N, Rge 10E, B.M.
CLEARWATER County (Beginning of Reach)

NORTH FORK CLEARWATER RIVER L7 (SE¼NE¼) Sec. 6, Twp 40N, Rge 07E, B.M.
CLEARWATER County (Ending of Reach)

CONDITIONS OF APPROVAL

1. 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.
2. Use of water under this right shall be non-consumptive.
3. Upon future finding and order of the Director that gaging stations are required to administer the approved minimum stream flows, the right holder shall permanently install and maintain gaging stations as specified by the Department.

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4. 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.
5. This minimum stream flow provides for fish habitat.
6. The reach of minimum stream flow approved is described as follows: Beginning at the confluence with Kelly Creek in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, T39N, R10E, B.M., Clearwater County, and extending downstream 44.6 river miles to the confluence with Beaver Creek in Lot 7 (SE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 6, T40N, R07E, B.M., Clearwater County.
7. This right is subordinate to future domestic, commercial, municipal, and industrial uses.
8. This right is subordinate to future non-DCMI development of a total flow rate equal to: (i) 74.88 cfs, or (ii) the flow rate exceeding a base flow equivalent to the unimpaired monthly eighty percent (80%) exceedence flow, whichever is less.

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 August, 2008.



DAVID R. TUTHILL, JR.
Director