

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09241

Priority: August 26, 2004

Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume: 44.7 AF

It is hereby certified that GARY A SPENCE And ANNE A SPENCE
2020 S MELLECK RD
POST FALLS ID 83854 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 26, 2004; and has
submitted Proof of Beneficial Use on January 18, 2007. An examination indicates that the works have a
diversion capacity of 0.1 cfs of water from:

SOURCE

UNNAMED STREAM

Tributary: SPOKANE 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>
POWER	01/01 to 12/31	0.06 CFS	43.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
POWER STORAGE	01/01 to 12/31		0.1 AF
DOMESTIC STORAGE	01/01 to 12/31		0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM L2 (NW1/4SW1/4) Sec. 15, Twp 50N, Rge 05W, B.M. KOOTENAI County

PLACE OF USE: POWER, POWER STORAGE, DOMESTIC AND DOMESTIC STORAGE

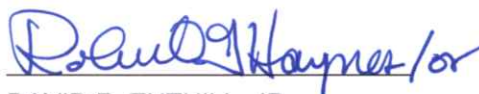
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	05W	15											X						
													L 2						

CONDITIONS OF APPROVAL

- Domestic use is for 1 home.
- A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
- The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
- The Director retains jurisdiction of this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
- This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
- This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
- The water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this license.
- The right holder shall install a measuring device that can be used to determine the instantaneous rate of flow of water through the system, or the right holder shall provide to the department a flow rate measurement or computation made by a certified water right examiner in accordance with actual system design and operation.

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 10th day of Oct, 2007.


DAVID R. TUTHILL, JR.
Director