

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13976

Priority: September 27, 2000

Maximum Diversion Rate: 0.09 CFS
Maximum Diversion Volume: 9.0 AF

It is hereby certified that BILLY D KLAS Or
JOAN KLAS
9581 PACKER JOHN RD
CASCADE ID 83611 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 27, 2000; and has
submitted Proof of Beneficial Use on July 19, 2004. An examination indicates that the works have a
diversion capacity of 0.11 cfs of water from:

SOURCE

NORTH FORK PAYETTE RIVER **Tributary:** PAYETTE 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>
IRRIGATION	04/01 to 10/31	0.09 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NORTH FORK PAYETTE RIVER L8 (SE¼ SE¼ SE¼) Sec. 15, Twp 11N, Rge 03E, B.M.
VALLEY County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11N 03E 14											1.3						1.3
											L 3						
11N 03E 15																1.7	1.7
																L 8	

Total Acres: 3

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.
4. Water shall not be diverted under this right when flows in the North Fork Payette River are below established minimum stream flow amounts.

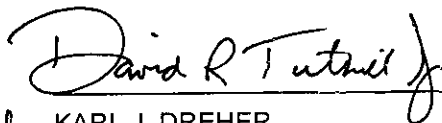
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5. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. The diversion works shall be limited to a pump installation that does not create an obstruction in the river.

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 9th day of August, 2005.


for **KARL J. DREHER**
Director