

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 97-07274

Priority: April 26, 1985

Minimum Stream Flow:

26.00 CFS

This is to certify, that STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

STATEHOUSE

BOISE ID 83720

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 26, 1985; and has submitted Proof of Beneficial Use on January 20, 1994. A minimum stream flow for:

INDIAN CREEK

tributary to PRIEST LAKE

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>MINIMUM STREAM FLOW</u>
MINIMUM INSTREAM FLOW	10/01 to 06/30	26.00 CFS
MINIMUM INSTREAM FLOW	07/01 to 07/31	19.00 CFS
MINIMUM INSTREAM FLOW	08/01 to 08/31	12.00 CFS
MINIMUM INSTREAM FLOW	09/01 to 09/30	9.00 CFS

MINIMUM STREAM FLOW REACH:

Beginning of Stream Flow Reach

SWSE/SESE, Sec. 13, Township 61N, Range 04W

End of Stream Flow Reach

Lot 2 (SWNE), Sec. 27, Township 61N, Range 04W
BONNER County

CONDITIONS OF APPROVAL AND REMARKS

1. This right is subject to all prior water rights.
2. The Director retains jurisdiction to review and amend any and all parameters of this right. Any person seeking review and amendment of the right shall file a request with the Board, which request shall describe the amendment sought, the reasons for the proposed amendment, and a statement of the change in circumstances since the right was last reviewed that merit a review of the right. A copy of the petition shall be served upon the Director of the Dept. of Water Resources. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the right. The petition must set forth any significant change in circumstances and evidence of public interest supporting the proposed amendment. The Director will notify the general public and specific persons or known interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the right should be amended in the public interest. The burden of proof at the hearing shall be upon the person or party seeking the amendment.

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3. 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.
4. Upon further finding and order of the director that gauging 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.
5. Use of water under this right shall be non-consumptive.
6. This minimum streamflow begins at the confluence of Indian Creek with the South Fork of Indian Creek in the S1/2SE, S13, and ends at the confluence with Priest Lake in Lot 2 (SWNE), S27 T61N, R4W.
7. This minimum streamflow is for maintenance of aesthetic and recreational values at the surrounding Priest Lake State Park and maintenance of trout fishery habitat.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23rd day of MAY, 1997.

Acting for

KARL J. DREHER, Director