

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 74-16265

Priority: July 01, 2022

Maximum Diversion Rate: 420 CFS

This is to certify that

STATE OF IDAHO IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720 BOISE ID 83720-0098

has applied for a permit to appropriate water from:

Source : LEMHI RIVER

Tributary: SALMON RIVER

and a permit is APPROVED for development of water as follows:

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>
MINIMUM STREAM FLOW	03/15 to 07/06	420 CFS

Location of Point(s) of Diversion

LEMHI RIVER NW¼ SE¼, Sec. 14, Twp 17N, Rge 24E, B.M. LEMHI County (Ending of Stream Flow)

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2027**.
2. Subject to all prior water rights.
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. This water right shall be measured at the Lemhi River at McFarland Campground gage, located within the NWSE, Section 14, T17N, R24E, Lemhi County. Upon further finding and order of the Director that gaging stations are required to maintain the approved minimum flows under the water right, such measuring devices shall be permanently installed and maintained as specified by the Director.
5. There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.
6. The place of use for this water right is at the quantification point.
7. This water right may be exercised only two (2) years out of every five (5) years. The five (5) year period shall be a rolling period.
8. The exercise of the right shall be limited to a duration of three (3) days, during the March 15 to July 6 period of use. The three (3) day period shall be timed to occur as near as possible to the peak of Lemhi runoff.
9. This right may not call against water rights with points of diversion from streams administered as

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separate streams pursuant to the Partial Decree pursuant to I.R.C.P. 54(b) of the Basin 74 High Flow General Provision approved by the SRBA District Court on January 2, 2006, except as to Lemhi Basin stream flow maintenance water rights appropriated pursuant to section 42-251, Idaho Code.

10. Use of water under this right shall be non-consumptive.
11. This minimum stream flow is to preserve and protect habitat for fish.
12. The minimum stream flow may be satisfied and maintained through conditions on water rights acquired pursuant to Idaho Code § 42-251, and by other available methods consistent with Idaho law.
13. Use of water under this right may 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.170 and sub-district 74.

This water right is established pursuant to Chapter 15, Title 42, Idaho Code.

Signed this 7th day of November, 2022.



NICK MILLER
Hearing Officer