

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA
Case No. 49576

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)
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)
Water Right(s): 95-9241

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

XX Address change

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 10/4/2018



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10-4, 2018, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Coeur D'Alene-Spokane River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Gary & Anne Spence
8465 SW Hemlock St Apt A
Portland OR 97223-5832

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

10/04/2018

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 95-9241

NAME AND ADDRESS: GARY A SPENCE
~~2020 S MELLECK RD~~ 8465 SW Hemlock St Apt A
~~POST FALLS ID 83854~~ Portland OR 97223-5832

ANNE A SPENCE
~~2020 S MELLECK RD~~ 8465 SW Hemlock St Apt A
~~POST FALLS ID 83854~~ Portland OR 97223-5832

SOURCE: UNNAMED STREAM TRIBUTARY: SPOKANE RIVER

QUANTITY: 0.060 CFS
43.40 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 08/26/2004

The rights for the use of water for hydropower purposes confirmed in this right 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 right.

POINT OF
DIVERSION:

T50N R05W S15 NWSW Lot 2 Within KOOTENAI County

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.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
		1.20 AFY
DOMESTIC STORAGE	01/01 12/31	0.10 AFY
POWER	01/01 12/31	0.060 CFS
		43.40 AFY
POWER STORAGE	01/01 12/31	0.10 AFY

Domestic use is for 1 home.

PLACE OF USE:

POWER in KOOTENAI County
T50N R05W S15 Lot 2 NWSW
DOMESTIC in KOOTENAI County
T50N R05W S15 Lot 2 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

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.

Parcel No. 50N05W155900