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DEPARTMENT OF
WATER RESOURCES

**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** )
)
)
)

**A. Subcase** 95-9229
(Insert water right number)

**STANDARD FORM 1**
**OBJECTION**

**Please print or type the following information:**

**B. NAME AND ADDRESS OF PERSON OBJECTING**

**Name:** Coeur d'Alene School District #271
**Address:** 1400 N. Northwood Center Ct.
Coeur d'Alene, Idaho 83814
**Daytime Phone:** 208-664-8241

**Name & Address of Attorney, if any:**
Lyons O'Dowd, PLLC
P.O. Box 131
Coeur d'Alene, ID 83816
208-714-0487 x2

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

**Name:** COEUR D ALENE SCHOOL DISTRICT #271
**Address:** 1400 N NORTHWOOD CENTER CT
COEUR D ALENE ID 83814

**D.** I object to the following elements or general provision as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
   Should be: _____

2. ☐ **Source**
   Should be: _____

3. ☐ **Quantity**
   Should be: _____

4. ☐ **Priority Date**
   Should be: _____

5. ☒ **Point of Diversion**
   Should be: SEE ATTACHED

6. ☐ **Instream Flow Beginning and Ending Point**
   Should be: _____

7. ☐ **Purpose(s) of Use**
   Should be: _____

8. ☐ **Period of Year**
   Should be: _____

9. ☐ **Place of Use**
   Should be: _____

10. ☐ **General Provision** ☐ Individual Water Right ☐ All Water Rights

☐ Should not be recommended.

☐ This general provision was not recommended but should be recommended as described below.

Should be: _____

☐ General provision was recommended but should be modified as described below.

Should be: _____

11. ☐ **I object** because the recommendation contains an accomplished transfer under Idaho Code § 42-1425 resulting in injury to my water right(s) and/or enlargement of the original right.

12. ☐ **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

**E. REASONS SUPPORTING OBJECTION(S):**

The water right at issue is used for a heating and cooling system. Water diverted under this right is ultimately discharged into the subsurface system through a separate injection well permit. The Claimant desires to clarify the nature of the water right with respect to the injection well portion of its system.

(Signature of person filing objection)

(Attorney signing in representative capacity)

**INSTRUCTIONS FOR MAILING**

**You must mail the Objection, to the Clerk of the court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.**

**F. CERTIFICATE OF MAILING**

**I certify that on** April 18 **, 20**19**, I mailed the original and copies of this objection, including all attachments, to the following persons:**

1. **Original to:** Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: N/A
Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

Signature of Objector or attorney
mailing on Objector's behalf

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

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**RIGHT NUMBER:** 95-9229

**NAME AND ADDRESS:** COEUR D ALENE SCHOOL DISTRICT #271
1400 N NORTHWOOD CENTER CT
COEUR D ALENE ID 83814

**SOURCE:** GROUND WATER TRIBUTARY:

**QUANTITY:** 1.500 CFS
816.00 AFY

**PRIORITY DATE:** 05/17/2004

**POINT OF DIVERSION:** T51N R04W S22 NWSW Within KOOTENAI County

T51N R04W S22 NWSW Within KOOTENAI County

~~T51N R04W S22 NWSW Injection Within KOOTENAI County~~

Water diverted under this right may be discharged into the subsurface at a point of injection in T51N, R04W, S22, NWSE.

**PURPOSE AND PERIOD OF USE:**

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|---|---|---|
| COOLING | 01/01 12/31 | 1.500 CFS<br>369.00 AFY |
| HEATING | 01/01 12/31 | 1.500 CFS<br>447.00 AFY |

Heating and Cooling uses for Atlas Elementary School.

**PLACE OF USE:** HEATING in KOOTENAI County

T51N R04W S22 NWSW

COOLING in KOOTENAI County

T51N R04W S22 NWSW

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

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.

This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.

**EXPLANATORY MATERIAL: BASIS OF CLAIM -** License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Parcel No. H49000010010.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Return flow discharged to a subsurface system must be authorized by a separate injection well permit. Said permit is currently identified as Permit 95W-005-001 ~~95-W5 has been~~ and is assigned to Atlas Elementary School.