

**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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Water Right(s): See Attached List

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☒ 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: 5-29-2019



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 30, 2019, 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	☐	overnight mail
Coeur D'Alene-Spokane River Basin Adjudication	☒	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

Off ice of the Attorney General	☐	overnight mail
P.O. Box 83720	☒	regular mail
Boise, ID 83720-0010	☐	hand-delivered
	☐	facsimile

United States Dept of Justice	☐	overnight mail
Environment & Natural Resource Div	☒	regular mail
550 West Fort Street MSC 033	☐	hand-delivered
Boise ID 83724	☐	facsimile

3. Copies to all parties to the subcase:

City of Coeur D'Alene	☐	overnight mail
Water Dept	☒	regular mail
710 E Mullan Ave	☐	hand-delivered
Coeur D Alene ID 83814	☐	facsimile

Mc Hugh Bromley	☐	overnight mail
380 S 4 th St Ste 103	☒	regular mail
Boise ID 83702	☐	hand-delivered
	☐	facsimile



Signature of person mailing this document

95-2111
95-2133
95-2164
95-2198
95-4322
95-4597
95-7142
95-7181
95-7216
95-8262
95-8565
95-8647
95-8672
95-8716
95-8938
95-9007

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

RIGHT NUMBER: 95-8938

NAME AND ADDRESS: CITY OF COEUR D ALENE
WATER DEPT
710 E MULLAN AVE ~~3820 RAMSEY RD~~
COEUR D ALENE ID 83814 ~~COEUR D ALENE ID 83815~~

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 4.570 CFS

The total instantaneous diversion of water from all points of diversion under Rights 95-2111, 95-2133, 95-2198, 95-7142, 95-7181, 95-8565, 95-8647, 95-8672, 95-8938 and 95-9007 shall not exceed 48.37 cfs.

PRIORITY DATE: 02/08/1996

POINT OF DIVERSION: T50N R04W S1 SWSW Within KOOTENAI County
T50N R04W S4 NENE Lot 1 Within KOOTENAI County
T50N R04W S12 SWNW Lot 6 Within KOOTENAI County
T50N R04W S12 NWSW Lot 5 Within KOOTENAI County
T50N R04W S12 SWSW Lot 4 Within KOOTENAI County
T51N R04W S26 SWNE Within KOOTENAI County
T51N R04W S28 NENE Within KOOTENAI County
T51N R04W S35 NWNW Within KOOTENAI County
T51N R04W S35 NESE Lot 6 Within KOOTENAI County
T51N R04W S36 SESW Within KOOTENAI County
This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	4.570 CFS

PLACE OF USE:

Place of use is within the service area of the City of Coeur d Alene municipal water supply system as provided for under Idaho Law.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by Transfer No. 70903 by April 6, 2005.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Failure of the right holder to comply with the conditions of Transfer No. 70903 is cause for the Director to rescind approval of the transfer.

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

Prior to diversion of water under Transfer No. 70903, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.