

**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

) **SUBCASE: 95-9028**
) **STANDARD FORM 5**

) **STIPULATED ELEMENTS OF A WATER**
) **RIGHT**

) ☐ **AMENDED NOTICE OF CLAIM /**
) **DIRECTOR'S REPORT**

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Coeur d'Alene-Spokane River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation, noting where stipulated changes have been made.

CLAIMANT/OBJECTOR

Coeur d'Alene School District

 9/4/2019
Megan O'Dowd, Attorney at Law Date

IDWR Concurrence:

 9-9-19
Carter Fritschle Date
Manager, Water Rights Adjudication

  9/9/19
Garrick L. Baxter FOR Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of September, 2019 I caused to be served a copy of the Standard Form 5 by the following method to:

1. Original to:

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adj.
PO Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-delivered
☒ Facsimile

2. Copies to:

IDWR Document Depository
322 East Front St.
PO Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-delivered
☐ Facsimile

Coeur d'Alene School District
Represented by:
Marc Lyons
Megan O'Dowd
PO Box 131
Coeur d'Alene, ID 83816

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person delivering this document

Neli Harris

msd

08/27/2019

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

RIGHT NUMBER: 95-9028

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.000 CFS
544.00 AFY

PRIORITY DATE: 08/27/1999

POINT OF
DIVERSION:

T51N R04W S27 SWSE Within KOOTENAI County

T51N R04W S27 SWSE Within KOOTENAI County

Water diverted under this right may be discharged into the subsurface at a
point of injection in T51N, R04W, S27, SWSE.

C7
NC

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
COOLING	01/01 12/31	1.000 CFS 246.00 AFY
HEATING	01/01 12/31	1.000 CFS 298.00 AFY

Heating and Cooling uses for Skyway Elementary School.

PLACE OF USE:

HEATING in KOOTENAI County

T51N R04W S27 SESW T51N R04W S27 SWSE

COOLING in KOOTENAI County

T51N R04W S27 SESW T51N R04W S27 SWSE

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

Return flow discharged to a subsurface system must be authorized by a separate injection well permit. Said permit is currently identified as Permit 95W-003-001 95-W4 has been and is assigned to Skyway Elementary School.

Parcel Nos. C1842001002A & C1842001002B.

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

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.