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SEP 18 2019

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

IDWR/NORTH

In Re CSRBA

Case No. 49576

SUBCASE: 95-966

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:

City of Rathdrum

OBJECTOR

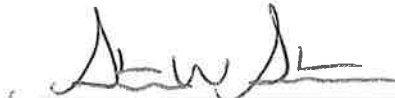
State of Idaho, Department of Lands



Leon Duce
City Administrator

9-18-19

Date



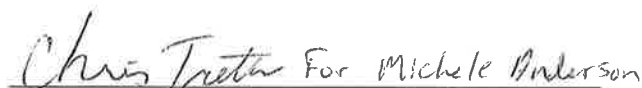
Shantel Chapple Knowlton
Deputy Attorney General

9-18-19

Date

OBJECTOR

State of Idaho, Department of Lands

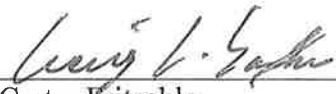


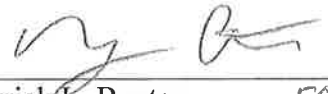
Michele Anderson
Technical Services Bureau Chief
Idaho Department of Lands

Date

9-18-19

IDWR Concurrence:

for  9/19/19
Carter Fritschle Date
Manager, Water Rights Adjudication

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

09/18/2019

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

RIGHT NUMBER: 95-966

NAME AND ADDRESS: CITY OF RATHDRUM
8047 W MAIN ST
RATHDRUM ID 83858-6436

SOURCE: SPRING BRANCH CREEK

TRIBUTARY: RATHDRUM CREEK

QUANTITY: 1.000 CFS

PRIORITY DATE: 01/01/1880

POINT OF
DIVERSION: T52N R05W S25 SWNE Within KOOTENAI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	1.000 CFS

PLACE OF USE:

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

State endowment land within the municipal service area shall not be considered part of the place of use for this water right absent an express agreement between the Idaho Department of Lands and the municipal provider recorded with the Idaho Department of Water Resources.

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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 - Decreed

In This right originated as all or part of Right No. 95-0966 in the Final Decree,

the Matter of the General Determination of the Rights to the Use of the Surface Waters of Twin Lakes, Including Tributaries and Outlets, Case No. 32572 (1st Jud. Dist. Ct. April 20, 1989).

Point of Diversion Parcel No. 52N05W253700

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I hereby certify that on this 18 day of SEPT, 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

City of Rathdrum
8047 W. Main Street
Rathdrum, ID 83858-6436

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

Idaho Department of Lands
Represented by:
State of Idaho
700 W. Jefferson, Room 210
PO Box 83720
Boise, ID 83720-0010

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

Signature of person delivering this document

Stacy Denny