

DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 17 2020

By _____ Clerk
_____ Deputy Clerk

**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

) **Water Right No.: 95-966**
)
) **NOTICE OF COURT'S INTENT TO**
) **ISSUE AMENDED PARTIAL DECREE,**
) **AND NOTICE OF HEARING THEREON**
)

RECEIVED
MAR 19 2020
DEPARTMENT OF
WATER RESOURCES

A *Partial Decree* was issued for the above-captioned water right on December 9, 2019. On March 16, 2020, the Idaho Department of Water Resources ("Department") filed a *Request for Correction of Error*, requesting that this Court correct an error in the source element of the *Partial Decree*. The asserted error is identified in strikethrough format in the corrected recommendation attached to the Department's *Request*. Therefore, it is the intent of the Court to issue an *Amended Partial Decree* correcting the clerical error in accordance with the corrected recommendation attached to the Department's *Request*. A copy of the proposed *Amended Partial Decree* is attached as Exhibit A.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **June 16, 2020, at 1:30 p.m. (Pacific Time)** at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho. Any party wishing to object or comment on the Court's proposed action shall do so at that time. Attendance at this hearing by the claimant is not required, as the Court will take the proposed action in the absence of any objection to the contrary. Telephone participation will be available by calling 1-720-279-0026 and when prompted entering code 786692 followed by the # sign. **However, no cell phones or speaker phones will be permitted as they interfere with our sound system making the proceeding difficult to accurately record.**

Dated 3-17-2020.



ERIC J. WILDMAN
Presiding Judge
Coeur d'Alene-Spokane River Basin Adjudication

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

AMENDED

In Re CSRBA)
)
Case No. 49576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 95-00966

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

SOURCE: NORTH FORK SPRING BRANCH CREEK TRIBUTARY: SPRING BRANCH CREEK

QUANTITY: 1.00 CFS

PRIORITY DATE: 01/01/1880

POINT OF DIVERSION: T52N R05W S25 SWNE Within Kootenai County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.00 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.

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

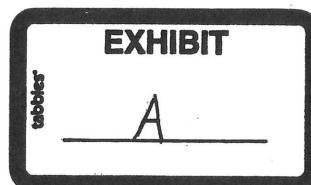
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DRAFT

Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication



CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREE, AND NOTICE OF HEARING THEREON was mailed on March 17, 2020, with sufficient first-class postage to the following:

IDAHO DEPARTMENT OF LANDS

Represented by:

STATE OF IDAHO

700 W JEFFERSON, RM 210

PO BOX 83720

BOISE, ID 83720-0010

Phone: 208-334-2400

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

CITY OF RATHDRUM

8047 W MAIN ST

RATHDRUM, ID 83858-6436

Phone: 208-687-2700