

**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): 95-9483

**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 | |

XX 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: 7-15-2020



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 16, 2020, 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:

Mountain Top Home Owners Assn Inc	☐	overnight mail
2760 W Everwell Bay Ln	☒	regular mail
Coeur D Alene ID 83814	☐	hand-delivered
	☐	facsimile

☐	overnight mail
☐	regular mail
☐	hand-delivered
☐	facsimile



Signature of person mailing this document

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

RIGHT NUMBER: 95-9483

NAME AND ADDRESS: MOUNTAIN TOP HOME OWNERS ASSN INC
2760 W EVERWELL BAY LN
COEUR D ALENE ID 83814

SOURCE: COEUR D ALENE LAKE

TRIBUTARY: SPOKANE RIVER

QUANTITY: 0.120 0.060 CFS
2.40 AFY

Rights 95-9483, 95-14195 and 95-15953 when combined shall not exceed a total diversion rate of 0.06 cfs and a total annual maximum diversion volume of 11.1 af.

PRIORITY DATE: 03/20/2008

POINT OF DIVERSION: T49N R04W S1 SWSW Within KOOTENAI County

This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.120 0.060 CFS

2.40 AFY

IRRIGATION

03/15 11/15

0.040 CFS

~~Domestic use is for 7 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.~~

Domestic use is for 4 homes.

PLACE OF USE:

IRRIGATION in KOOTENAI County

T49N R04W S01 Lot 7 SESW 5.90

DOMESTIC in KOOTENAI County

T49N R04W S01 Lot 7 SESW

5.9 ACRES TOTAL

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

~~This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.~~

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 - Permit License

The following rights are diverted through point(s) of diversion described above: 95-9483, 95-14195 & 95-15953.