

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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SUBCASE: 95-4187
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

City of Post Falls



8/5/20

Chris Bromley, Attorney at Law

Date

IDWR Concurrence:

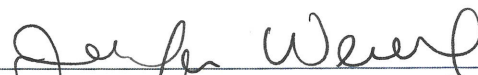


8/10/2020

Craig Saxton

Date

Manager, Adjudication Section



8/5/2020

Jennifer Wendel

Date

Deputy Attorney General

Attorney for IDWR

07/31/2020

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

RIGHT NUMBER: 95-4187

NAME AND ADDRESS: CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854-7538

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
1.20 AFY

Right Nos. 95-4187, 95-7538, 95-17307 are limited to a total combined annual diversion volume of 19.00 AF.

~~Right Nos. 95-4187 and 95-7538 are limited to a total combined diversion rate of 0.04 cfs and to a total combined annual diversion volume of 1.2 AF for domestic use~~

PRIORITY DATE: 06/01/1910

POINT OF DIVERSION: T50N R05W S3 SESW Lot 9 Within KOOTENAI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

Domestic use is for park restrooms, drinking fountains, and office.
Domestic use is for a city park.

PLACE OF USE:

DOMESTIC in KOOTENAI County
T50N R05W S03 Lot 9 SESW

Right Nos. 95-4187, 95-7538, and 95-17307 are limited to the irrigation of a combined total of 5.8 acres in a single irrigation season.

The irrigation occurring under this domestic use shall not exceed 1/2 acre.

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 - Beneficial Use

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

~~Right Nos. 95-4187, 95-7538 and 95-17307 are diverted through the point of diversion described above.~~

Point of Diversion Parcel No. P00000037125; Place of Use Parcel Nos. P00000037125 & P00000036995

Parcel No. P00000037125

Right includes accomplished change in point of diversion pursuant to Idaho Code § 42-1425.

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of August, 2020, 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 Post Falls
Represented by:
Chris Bromley
380 S 4th Street Ste 103
Boise, ID 83702

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

United States of America
Represented by:
US Department of Justice
Environment & Nat'l Resources
550 West Fort Street, MSC 033
Boise, ID 83724

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

State of Idaho
Represented by:
Chief Natural Resources Div
Office of the Attorney General
PO Box 83720
Boise, ID 83720-0010

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

Signature of Person delivering this document

John Harris