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DEC 03 2020

DEPARTMENT OF
WATER RESOURCES

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-08780

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

DEC - 1 2020

By _____
Clerk
Deputy Clerk

NAME AND ADDRESS:

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE, ID 83720-0098

SOURCE:

SPOKANE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY:

2495.00 CFS

PRIORITY DATE:

06/15/1992

Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use by court decree, or by a permit or license issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority date earlier than the priority date of this right.

POINT OF DIVERSION:

T50N R05W S04 SWNE (Instream Beginning Point) Within Kootenai County
R06W S12 SWNW (Instream Ending Point)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Minimum Stream Flow	11-01 TO 06-30	2495.00 CFS
Minimum Stream Flow	07-01 TO 10-31	951.00 CFS

Use of water under this right shall be non-consumptive. This minimum stream flow is for the protection of fish and wildlife habitat, aquatic life and recreational values.

PLACE OF USE:

The reach of the Spokane River for which the minimum flows are established is as follows: Spokane River, commencing at a point downstream from the Post Falls Dam at which the overflow channels converge with the main channel below the dam in T50N, R05W, S04, SWNE, and extending downstream to the Idaho-Washington state line in T50N, R06W, S12, SWNW, Kootenai County, a reach of approximately five miles.

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

This minimum streamflow shall be subject to future municipal and domestic development from the Spokane River and its tributaries for the use in the basin within and upstream of the minimum streamflow reach. The minimum streamflow will not be subject to water rights established in the future for irrigation uses or other large consumptive purposes even though covered under a municipal or domestic use definition. Minimum flows established for the Spokane River in this reach shall serve to protect water released from Post Falls Dam as it flows through this reach at rates up to the established minimum flow, but shall not directly or indirectly cause any change in operation of Post Falls Dam.

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

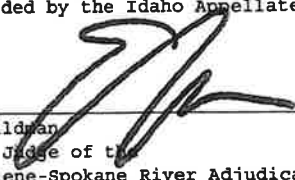
CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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.


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