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DEPARTMENT OF
WATER RESOURCES

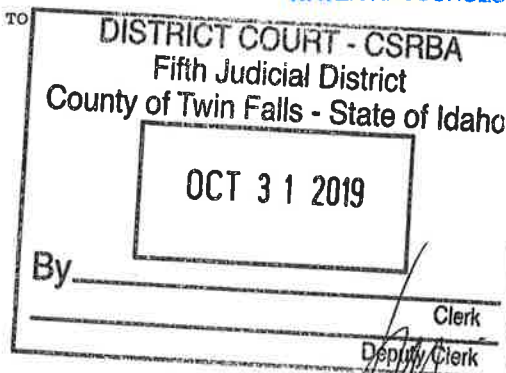
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA

Case No. 49576

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

Water Right 95-09456



NAME AND ADDRESS:

CITY OF ATHOL
PO BOX 249
ATHOL, ID 83801-0249

SOURCE:

GROUND WATER

QUANTITY:

1.50 CFS

Right Nos. 95-9572, 95-9877 and 95-9456 are limited to a total
combined diversion rate of 2.05 cfs.

PRIORITY DATE:

01/26/1995

POINT OF DIVERSION:

T53N R03W S09 SESW Within Kootenai County
 S10 SESW
 S16 NWNE

The issuance of 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
Municipal	01-01 TO 12-31	1.50 CFS

PLACE OF USE:

Place of use is within the service area of the City of Athol
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.

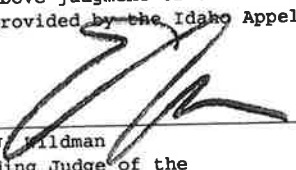
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right authorizes the diversion of ground water within the
Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of
water under this right shall be subject to the provisions of the
management plan approved by the director for the RPGWMA.

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.


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