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Attorneys for City of Rathdrum

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 81271)

IN THE NAME OF: CITY OF RATHDRUM)

PETITION FOR RECONSIDERATION
AND NOTICE OF WITHDRAWAL OF
PORTION OF TRANSFER
APPLICATION

The City of Rathdrum ("Rathdrum"), by and through its attorneys of record, HAWLEY TROXELL ENNIS & HAWLEY LLP, pursuant to Idaho Code § 67-5243, hereby respectfully petitions for reconsideration of Transfer Approval 81271 with regard to Water Right Nos. 95-7047 and 95-7881, as particularly described below, and hereby withdraws the portion of

Transfer Application No. 81271 associated with Water Right Nos. 95-10175, 95-11426, 95-16371, 95-16378, 95-16386, 95-16466, and 95-4403.

Petition for Reconsideration

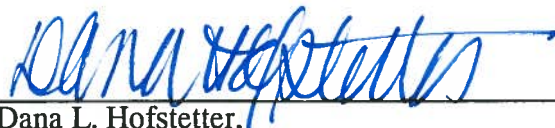
With respect to Water Right Nos. 95-7047 and 95-7881, Rathdrum requests reconsideration of the following matters in Transfer Approval No. 81271:

1. The following condition no. 1 be revised as follows to ensure consistency with Idaho statutes: "Place of use is within the service area of the City of Rathdrum ~~municipal water supply system~~ as provided for under Idaho law."
2. The following condition no. 2 be revised as follows to ensure consistency with Idaho statutes: "A map depicting the place of use boundary ~~for this water right at the time of this approval~~ is attached to this document for illustrative purposes."

DATED THIS 8th day of December, 2016.

HAWLEY TROXELL ENNIS & HAWLEY LLP

By



Dana L. Hofstetter,
Attorneys for City of Rathdrum

CERTIFICATE OF SERVICE

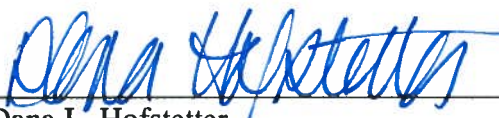
I HEREBY CERTIFY that on this 8th day of December, 2016, I caused to be served a true copy of the foregoing PETITION FOR RECONSIDERATION AND NOTICE OF WITHDRAWAL OF PORTION OF TRANSFER APPLICATION by the pre-paid method indicated below, and addressed to each of the following:

Morgan Case (*original*)
Northern Regional Manager
Idaho Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

- ☒ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ E-mail
- ☒ Telecopy

City of Rathdrum
8047 W. Main Street
Rathdrum, ID 83858-9287

- ☒ U.S. Mail
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ E-mail
- ☐ Telecopy



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FACSIMILE COVERSHEET

DATE: 12/7/2016

PAGES (Following Cover Page): 3

TO: Clerk

FIRM: State of Idaho Dept. of Water Resources

FAX NUMBER: 208-762-2819

FROM: Tina Shull

EMAIL: tshull@hawleytroxell.com

SENDER'S FAX:

Re:

COMMENTS:

Transmitted herewith for FAX FILING in the above-referenced case is a PETITION FOR RECONSIDERATION AND NOTICE OF WITHDRAWAL OF PORTION OF TRANSFER APPLICATION. The fax confirmation will serve as our conformed copy. Thank you in advance for your assistance. If you have any questions, please let me know.

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