

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 88135**

This is to certify that: GEM STATE WATER CO LLC
250 NORTHWEST BLVD STE 203
COEUR D ALENE, ID 83814

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
95-9643	WR/DECREED	4/11/1994	0.750 cfs	192.0 af	N/A	N/A	GROUND WATER
95-9644	WR/DECREED	8/11/1994	0.280 cfs	45.9 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
95-9643	NO	NO	NO	YES	NO	NO
95-9644	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
95-9643	95-9643	0.750 cfs	192.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
95-9644	95-9644	0.280 cfs	45.9 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.030 cfs	237.9 af	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 9th day of August, 2023.

Michelle Richman, Northern Regional Manager

Transfer No. 88135

SCANNED

AUG 14 2023

WATER RIGHT NO. 95-9643
As Modified by Transfer No. 88135

In accordance with the approval of Transfer No. 88135, Water Right No. 95-9643 is now described as follows:

Right Holder: GEM STATE WATER CO LLC
250 NORTHWEST BLVD STE 203
COEUR D ALENE, ID 83814

Priority Date: 4/11/1994

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
FIRE PROTECTION	01/01	to 12/31	0.750 cfs	
MUNICIPAL	01/01	to 12/31	0.750 cfs	192.0 af
			0.750 cfs	192.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County
GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County
GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County

CONDITIONS OF APPROVAL

1. 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.
2. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
3. Place of use is within the area served by the public water supply system of Bitterroot Water Co Inc. The place of use is generally located within Township 53N, Range 03W, Sections 20, 28, 29, 30, 32 and 33.
4. This right does not grant any right-of-way or easement across the land of another.
5. The water system described in this right has been assigned Public Water Supply ID1280260 by the Idaho Department of Environmental Quality.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. Prior to the diversion and use of water under this approval for the proposed well No.3, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality.

Transfer No. 88135

SCANNED

AUG 14 2023

WATER RIGHT NO. 95-9643
As Modified by Transfer No. 88135

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 RPGWMA management plan approved by the director, including its conservation goals.
11. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Idaho Code § 42-701, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.
12. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

WATER RIGHT NO. 95-9644

As Modified by Transfer No. 88135

In accordance with the approval of Transfer No. 88135, Water Right No. 95-9644 is now described as follows:

Right Holder: GEM STATE WATER CO LLC
250 NORTHWEST BLVD STE 203
COEUR D ALENE, ID 83814

Priority Date: 8/11/1994

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	01/01	to 12/31	0.280 cfs	45.9 af
			0.280 cfs	45.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County
GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County
GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County

CONDITIONS OF APPROVAL

1. 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.
2. Place of use is within the area served by the public water supply system of Rickel Water Company. The place of use is generally located within Township 53 North, Range 3 West, Sections 20, 28, 29, 30, 32 and 33.
3. This right does not grant any right-of-way or easement across the land of another.
4. The water system described in this right has been assigned Public Water Supply ID1280260 by the Idaho Department of Environmental Quality.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. Prior to the diversion and use of water under this approval for the proposed well No.3, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 88135

SCANNED

AUG 14 2023

WATER RIGHT NO. 95-9644
As Modified by Transfer No. 88135

CONDITIONS OF APPROVAL

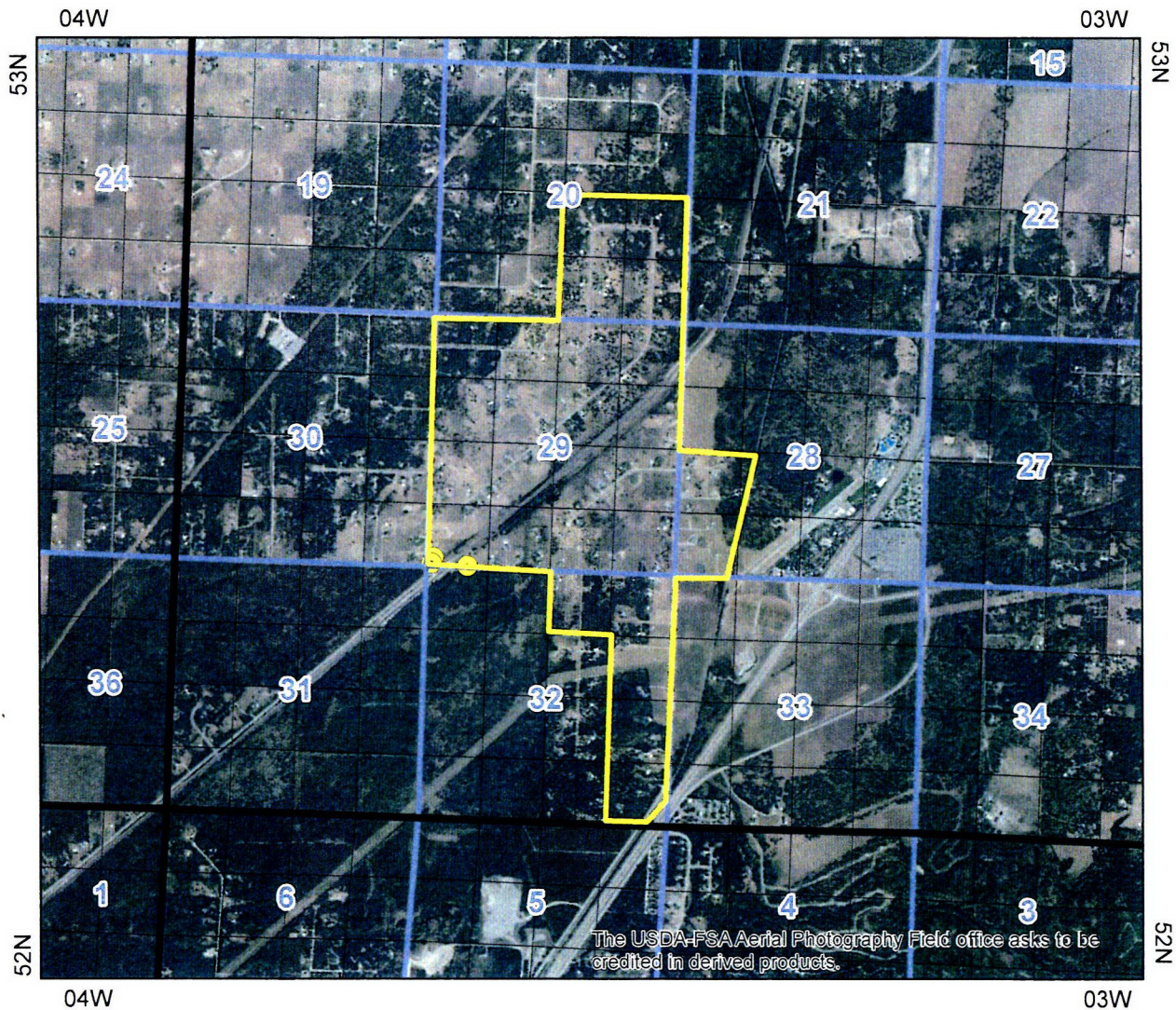
9. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.
10. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Idaho Code § 42-701, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.
11. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

Gem State Water Company, LLC

Attachment to Transfer # 88135

Rights 95-9643 and 95-9644

This map depicts the MUNICIPAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Water Service Area Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion

SCANNED
AUG 14 2023