

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

NOV 08 2019

By _____ Clerk
_____ Deputy Clerk

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 49576)
_____) Water Right 95-16549

NAME AND ADDRESS: AVISTA CORP
PO BOX 3727
SPOKANE, WA 99220-3727

SOURCE: SPOKANE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.30 CFS
72.30 AFY

This right authorizes the diversion of an annual total of 7.1 acre-feet to be used for the initial filling of the pond, for the replacement of losses caused by seepage and evaporation and for the storage of water for recreation and aesthetic purposes. The pond established by the storage of water under this right shall not exceed a total capacity of 3.6 acre-feet or a total surface area of 0.51 acres.

PRIORITY DATE: 02/12/2013

POINT OF DIVERSION: T50N R05W S03 LOT 5 (SENW) Within Kootenai County
LOT 5 (SENW)

This right does not grant any right-of-way or easement across the land of another.
A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------------------|----------------------|----------------|-----------|
| | Recreation | 01-01 TO 12-31 | 0.09 CFS |
| | | | 65.20 AFY |
| | Recreation Storage | 01-01 TO 12-31 | 7.10 AFY |
| | Aesthetic | 01-01 TO 12-31 | 0.09 CFS |
| | | | 65.20 AFY |
| | Aesthetic Storage | 01-01 TO 12-31 | 7.10 AFY |
| | Diversion to Storage | 01-01 TO 12-31 | 0.30 CFS |

Recreation use is for fishing.

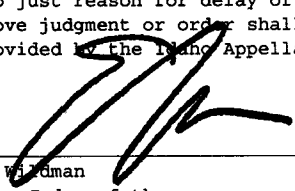
| | | |
|---------------|----------------------------|------------------------|
| PLACE OF USE: | Recreation | Within Kootenai County |
| | Same as Recreation Storage | |
| | Recreation Storage | Within Kootenai County |
| | T50N R05W S03 LOT 5 (SNNW) | LOT 5 (SENW) |
| | Aesthetic | Within Kootenai County |
| | Same as Recreation Storage | |
| | Aesthetic Storage | Within Kootenai County |
| | T50N R05W S03 LOT 5 (SNNW) | LOT 5 (SENW) |

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. 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