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DEPT. 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

) SUBCASE: 91-7218
)
)

) STANDARD FORM 5
)
)

) STIPULATED ELEMENTS OF A WATER
) RIGHT
)
)

) ☐ AMENDED NOTICE OF CLAIM /
DIRECTOR'S REPORT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Coeur d'Alene-Spokane River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation, noting where stipulated changes have been made.

CLAIMANT:

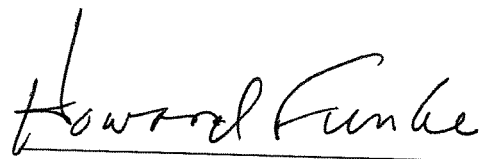
David Holstein

OBJECTOR:

Coeur d'Alene Tribe

 10-6-15

David Holstein, Pro Se Date

 10/6/2015

Howard Funke, Attorney Date

RESPONDENT:

State of Idaho



10/6/2015

Steven Strack
Deputy Attorney General

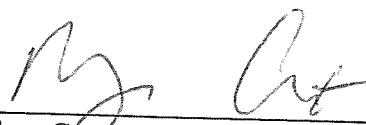
Date

IDWR Concurrence:



Evan Roda
Senior Water Resource Agent

10/6/2015
Date



Meghan Carter
Deputy Attorney General
Attorney for IDWR

10/6/15
Date

02/24/2015

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 91-7218

NAME AND ADDRESS: DAVID A HOLSTEIN
1021 N KENNYS LN
POST FALLS ID 83854

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS 2.1 AF

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/08/1918

POINT OF

DIVERSION: T46N R02W S15 NWSE Within BENEWAH County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

DOMESTIC

Domestic use is for 1 home.

PERIOD OF USE

01/01 12/31

QUANTITY

0.020 CFS 2.1 AF

PLACE OF USE: DOMESTIC in BENEWAH County

T46N R02W S15 NWSE

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

~~The quantity of water decreed for this water right is not a determination of historical beneficial use.~~

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. RP46N02W158000A

AF DH MC SWS

CERTIFICATE OF SERVICE

I hereby certify that on this 6TH day of OCTOBER, 2015, I caused to be served a copy of the Standard Form 5 – Amended Notice of Claim / Director's Report by the following method to:

1. Original to:

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adj.
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☒ Hand-delivered
☐ Facsimile

2. Copies to:

IDWR Document Depository
322 East Front St.
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-delivered
☐ Facsimile

Coeur d'Alene Tribe
Represented by:
Howard A. Funke
424 Sherman Ave Ste 308
PO Box 969
Coeur d'Alene ID 83816-0969

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

State of Idaho
Represented by:
Chief Natural Resources Div
Office of the Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

David Holstein
1021 N Kennys Ln
Post Falls, ID 83854

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Signature of person delivering this document

Stooley-Denney