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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

) SUBCASE: 92-7218
) 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/OBJECTOR:

Potlatch Land & Lumber LLC


Michael Lawrence, Attorney Date

IDWR Concurrence:


Carter Fritschle 4-21-16
Manager, Adjudication Section Date


Meghan Carter 4/21/16
Deputy Attorney General Date
Attorney for IDWR

04/21/2016

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

RIGHT NUMBER: 92-7218
NAME AND ADDRESS: POTLATCH LAND & LUMBER LLC
601 W 1ST AVE STE 1600
SPOKANE WA 99201
SOURCE: WEST FORK ST MARIES RIVER TRIBUTARY: ST MARIES RIVER
QUANTITY: 1.000 CFS
39.00 AFY
PRIORITY DATE: 05/04/1995
POINT OF
DIVERSION: T42N R02E S7 NWNE Within SHOSHONE County
PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
INDUSTRIAL	03/01 11/01	1.000 CFS 39.00 AFY

Industrial use is at the Clarkia Landing log yard.

~~Industrial use is for watering log decks.~~

PLACE OF USE: INDUSTRIAL in SHOSHONE County
T42N R02E S07 NWNE T42N R02E S07 NENW

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. Section 42-1412(6), Idaho Code.

~~Water shall not be diverted under this right when flows in the St. Maries River are below minimum flow amounts as defined by Right 92-7200. The right holder shall be responsible for monitoring the daily flow of the St. Maries River and shall cease diverting water when flows in the St. Maries River are below established minimum flow amounts.~~

Water shall not be diverted under this right when flow in the St. Maries River is below the established minimum flow amount as defined by Water Right No. 92-7200.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Parcel No. RP42N02E071000

~~The diversion and use of water described in 92-7218 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.~~

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of April, 2016, 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

Potlatch Land & Lumber LLC
Represented by:
Michael P Lawrence
601 W Bannock ST
P.O. Box 2720
Boise, ID 83701-2720

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

Signature of person delivering this document

