

**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: 91-7339**
)
)

) **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.

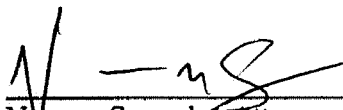
The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation,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

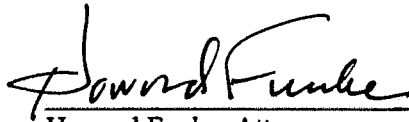
CLAIMANT:

Marshall Law

OBJECTOR:

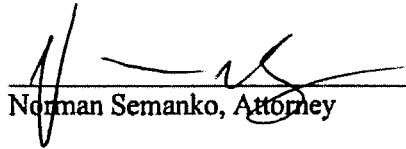
Coeur d'Alene Tribe

 1-19-17
Norman Semanko, Attorney Date

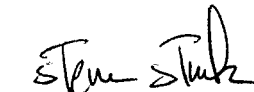
 1/6/17
Howard Funke, Attorney Date

SF 5 – Water Right No. 91-7339
Amended 7/24/2013

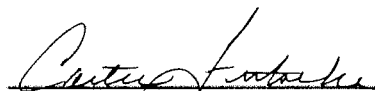
RESPONDENT:
North Idaho Water Rights Alliance


Norman Semanko, Attorney
Date 1-19-17

RESPONDENT:
State of Idaho


Steven Strack
Deputy Attorney General
Date 1-20-2017

IDWR Concurrence:


Carter Fritschle
Manager, Adjudication Section
Date 1-23-17


Andrea Courtney
Deputy Attorney General
Attorney for IDWR
Date 1/26/17

11/16/2016

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

RIGHT NUMBER: 91-7339
NAME AND ADDRESS: MARSHALL LAW
5662 N ST GERMAINE CT
COEUR D ALENE ID 83815
SOURCE: ST JOE RIVER TRIBUTARY: COEUR D ALENE LAKE
QUANTITY: 0.030 CFS
PRIORITY DATE: 03/15/1955
POINT OF
DIVERSION: T46N R02W S8 NWSW Within BENEWAH County
This right does not grant any right-of-way or easement across the land of another.

ATL

NWS
HF
NWS
SWS
CF

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.030 CFS

PLACE OF USE: IRRIGATION in BENEWAH County
T46N R02W S08 Lot 2 NWSW 1.00
1 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Parcel No. RP46N02W085555A

CERTIFICATE OF SERVICE

7

I hereby certify that on this 31st day of January, 2014 I caused to be served a copy of the Standard Form 5 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

North Idaho Water Rights Alliance
Represented by:
Norman M. Semanko
101 S. Capitol Blvd. 10th Fl.
P.O. Box 829
Boise, ID 83701-0829

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

Coeur d'Alene Tribe
Represented by:
Howard A. Funke
424 Sherman Ave., Ste. 308
P.O. 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
P.O. Box 83720
Boise, ID 83720-0010

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

Marshall Law

Represented by:

Norman M. Semanko

101 S. Capitol Blvd. 10th Fl.

P.O. Box 829

Boise, ID 83701-0829

☐ Overnight Mail

☒ Regular Mail

☐ Hand-delivered

☐ Facsimile

Signature of person delivering this
document

Norm Semanko

SF 5 – Water Right No. 91-7339
Amended 7/24/2013