

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: 94-9338
) STANDARD FORM 5

) STIPULATED ELEMENTS OF A WATER
) RIGHT

) ☐ AMENDED NOTICE OF CLAIM /
) DIRECTOR'S REPORT

RECEIVED

JUL 10 2017

DEPT. OF WATER RESOURCES

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.

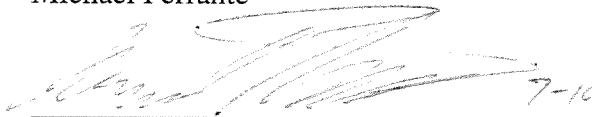
The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation,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

CLAIMANT:

Michael Ferrante

OBJECTOR:

Coeur d'Alene Tribe


Michael Ferrante, Pro Se

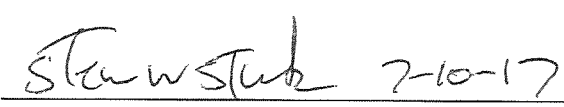
7-10-17
Date


Howard A. Funke, Attorney

7/10/17
Date

RESPONDENT:

State of Idaho


Steven Strack

7-10-17
Date

Deputy Attorney General

IDWR Concurrence:

Carter Fritschle 7-10-17
Carter Fritschle Date
Manager, Water Rights Adjudication

Andrea L. Courtney 7/10/17
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

07/10/2017

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

RIGHT NUMBER: 94-9338
NAME AND ADDRESS: MICHAEL A FERRANTE
4324 S CUSTER ST
SPOKANE WA 99223 1202
SOURCE: BLACK LAKE TRIBUTARY: COEUR D'ALENE RIVER
QUANTITY: 0.040 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1965
POINT OF
DIVERSION: T47N R03W S12 NWNE Lot 5 Within KOOTENAI County
This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC in KOOTENAI County
T47N R03W S12 Lot 5 NWNE

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. 006800010070

Property is also known as Lot 7, Block 1, Black Lake Shores - Unit 1.

Handwritten notes:
K
A
SWS
CA

CERTIFICATE OF SERVICE

I hereby certify that on this 10TH day of JULY, 2017, 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	☐ Overnight Mail
Coeur d'Alene-Spokane River Basin Adj.	☐ Regular Mail
P.O. Box 2707	☒ Hand-delivered
Twin Falls, ID 83303-2707	☐ Facsimile

2. Copies to:

IDWR Document Depository	☐ Overnight Mail
322 East Front St.	☐ Regular Mail
P.O. Box 83720	☒ Hand-delivered
Boise, ID 83720-0098	☐ Facsimile

Coeur d'Alene Tribe	☐ Overnight Mail
Represented by:	☐ Regular Mail
Howard A. Funke	☒ Hand-Delivered
424 Sherman Avenue, Ste 308	☐ Facsimile
Coeur d'Alene, ID 83816-0969	

Michael A Ferrante	☐ Overnight Mail
4324 S Custer Street	☐ Regular Mail
Spokane, WA 99223-1202	☒ Hand-Delivered
	☐ Facsimile

State of Idaho	☐ Overnight Mail
Represented by:	☐ Regular Mail
Chief Natural Resources Div	☒ Hand-Delivered
Office of the Attorney General	☐ Facsimile
State of Idaho	
PO Box 83720	
Boise, ID 83720-0010	

Signature of person delivering this document

Scobey Denney