

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: 94-9381
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:

Gordon Scott

OBJECTOR:

Coeur d'Alene Tribe

Gordon Scott, Pro Se

Date

Howard A. Funke, Attorney

Date

RESPONDENT:

State of Idaho

Steven Strack

Deputy Attorney General

Date

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: 94-9381

NAME AND ADDRESS: GORDON SCOTT
1072 E MAROON CREEK DR
HAYDEN ID 83835

SOURCE: COEUR D ALENE LAKE

TRIBUTARY: SPOKANE RIVER

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 06/01/1954

POINT OF
DIVERSION: T47N R03W S17 SWNW Lot 2 Within KOOTENAI County

This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in KOOTENAI County

T47N R03W S17 Lot 2 SWNW

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. 47N03W173850

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
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 Avenue, Ste 308
Coeur d'Alene, ID 83816-0969

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

Gordon Scott
1072 E. Maroon Creek Drive
Hayden, ID 83835

☐ 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

Signature of person delivering this document

S Cooley-Denney