

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: 94-2093
) STANDARD FORM 5

) STIPULATED ELEMENTS OF A WATER
) RIGHT

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

RECEIVED

JUL 11 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.

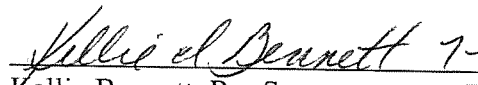
CLAIMANT:

David Bennett

CLAIMANT:

Kellie Bennett

 7-11-2017
David Bennett, Pro Se Date

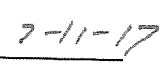
 7-11-2017
Kellie Bennett, Pro Se Date

OBJECTOR:

United States of America
Bureau of Land Management

 7/11/17
David L. Negri, Attorney Date

IDWR Concurrence:

				
Carter Fritschle	Date	~~for~~ Andrea L. Courtney		Date
Manager, Water Rights Adjudication		Deputy Attorney General Attorney for IDWR		

07/11/2017

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

RIGHT NUMBER: 94-2093

NAME AND ADDRESS: DAVID BENNETT
18020 NW SEABECK HOLLY RD
SEABECK WA 98380

KELLIE BENNETT
18020 NW SEABECK HOLLY RD
SEABECK WA 98380

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.010 CFS

Right numbers 94-2093 and 94-8973 are limited to a total combined diversion rate of 0.02 cfs.

PRIORITY DATE: 11/10/1914

POINT OF
DIVERSION: T48N R04E ~~S13~~ NESW Lot 38 S14 NWSE Within SHOSHONE County

Point of diversion is located in Mineral Survey 3234.

ct me

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.010 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in SHOSHONE County

T48N R04E S14 NESE

Place of use is located in Mineral Survey 2342 and Mineral Survey 2886.

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Parcel No. RP48N04E147580.

Right No. 94-8973 is a split of this right.

Property is also known as 11 Caron Court.

DRB
add
ON

CERTIFICATE OF SERVICE

I hereby certify that on this 11TH day of JULY, 2017, 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

United States of America
Represented by:
US Department of Justice
Environment & Nat'l Resources
550 West Fort Street, MSC 033
Boise, ID 83724

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

David Bennett
Kellie Bennett
18020 NW Seabeck Holly Road
Seabeck, WA 98380

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

Signature of person delivering this document

Scobey-Denney