

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: 94-2122
STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER
RIGHT

RECEIVED

JUL 11 2017

DEPT. OF WATER RESOURCES

☐ 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:

Hecla, Ltd.

Anna Robinson 7/11/17

Hecla, Ltd., Pro Se

Date

Property + Contract Coordinator

OBJECTOR:

United States of America
USDA Forest Service

David L. Negri 7/11/17

David L. Negri, Attorney

Date

IDWR Concurrence:

Carter Fritschle 7-11-17

Carter Fritschle

Date

Manager, Water Rights Adjudication

Andrea L. Courtney 7/11/17

Andrea L. Courtney

Date

Deputy Attorney General
Attorney for IDWR

07/11/2017

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

RIGHT NUMBER: 94-2122

NAME AND ADDRESS: HECLA LTD
6500 N MINERAL DR STE 200
COEUR D ALENE ID 83815-9408

SOURCE: NORTH FORK SOUTH FORK LITTLE COEUR D ALBANY RIVER
TRIBUTARY: SOUTH FORK COEUR D ALENE RIVER

QUANTITY: 0.600 CFS
The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/03/1923

POINT OF DIVERSION: T48N R06E S32 NWNE Within SHOSHONE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.600 CFS
DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION in SHOSHONE County

T48N R06E S32 Lot 9 SWNW 20.00 T48N R06E S32 Lot 15 SENW 9.00

T48N R06E S32 Lot 13 NWSW 1.00

DOMESTIC in SHOSHONE County

T48N R06E S32 Lot 9 SWNW

30 ACRES TOTAL

This water right does not include any federal land. *AK* *et DN*

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic use 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 - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Parcel Nos. RP48N06E323900, RP48N06E321350 and RP48N06E321300

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 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

Hecla, Ltd.
6500 N. Mineral Drive, Suite 200
Coeur d'Alene, ID 83815-9408

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

Signature of person delivering this document

Scoley-Denney