

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: 94-2173
STANDARD FORM 5

RECEIVED
JUL 11 2017

STIPULATED ELEMENTS OF A WATER RIGHT
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:

Shoshone Golf & Tennis Club, Inc.

OBJECTOR:

United States of America
Bureau of Land Management

Terry DeVoe 10-21-16
Terry DeVoe, Vice President Date
Shoshone Golf & Tennis Club, Inc.

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

IDWR Concurrence:

Carter Fritschle 10-24-16
Carter Fritschle Date
Manager, Water Rights Adjudication

Andrea L. Courtney 10/24/16
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

10/21/2016

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

RIGHT NUMBER: 94-2173

NAME AND ADDRESS: SHOSHONE GOLF & TENNIS CLUB INC
PO BOX 629
OSBURN ID 83849

SOURCE: UNNAMED STREAM TRIBUTARY: BIG CREEK
Point of injection into and point of redirection from Big Creek.

QUANTITY: 0.500 CFS
125.00 AFY
Right Nos. 94-2133, 94-2173 and 94-9387 are limited to a total combined diversion rate of 1.0 cfs and to a total combined annual diversion volume of 125.0 AF.

PRIORITY DATE: 10/31/1936

POINT OF DIVERSION: T48N R03E S10 SENE Rediversion Within SHOSHONE County
T48N R03E S10 SESW Within SHOSHONE County
T48N R03E S10 SWSE Injection Within SHOSHONE County
Diversion of water under this right is limited to those times when water is available for diversion under the priority of this right at the original point of diversion from Unnamed Stream tributary to Big Creek in the T48N, R03E, S10, SESW.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	04/01 10/31	125.00 AFY
IRRIGATION FROM STORAGE	04/01 10/31	120.00 AFY
DIVERSION TO STORAGE	04/01 10/31	0.500 CFS

PLACE OF USE:

IRRIGATION STORAGE in SHOSHONE County
T48N R03E S10 NENW

IRRIGATION FROM STORAGE in SHOSHONE County
T48N R03E S10 NWNE 5.80 T48N R03E S10 SWNE 0.20
T48N R03E S10 NENW 16.90 T48N R03E S10 Lot 5 SWNW 2.80
T48N R03E S10 SENW 13.90 T48N R03E S10 NESW 0.40
40 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 94-2133, 94-2173 and 94-9387 are limited to the irrigation of a combined total of 40.0 acres in a single irrigation season.

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 - License

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

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

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

Parcel No. for place of use RP48N03E102800, RP48N03E103805, RP48N03E101400 and Parcel No. for point of diversion RP48N03E100300 and within the county road right of way.

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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

Shoshone Golf & Tennis Club, Inc.
PO Box 629
Osburn, ID 83849

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

Signature of person delivering this document

Scooley-Denney