

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: 94-4194
) 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.

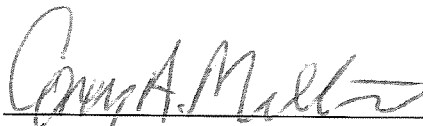
The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation,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

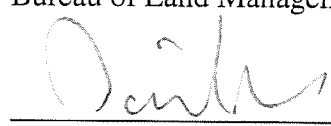
CLAIMANT:

US Silver Corporation

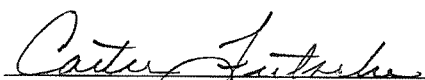
OBJECTOR:

United States of America
Bureau of Land Management

 7/11/17
US Silver Corporation, Pro Se Date

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

GENERAL MANAGER
IDWR Concurrence: 

 7-11-17
Carter Fritschle Date
Manager, Water Rights Adjudication

 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: 94-4194

NAME AND ADDRESS: U S SILVER ~~CORP~~ IDAHO INC
PO BOX 440
WALLACE ID 83873-0440

SOURCE: LAKE CREEK

TRIBUTARY: SOUTH FORK COEUR D ALENE
RIVER

QUANTITY: 5.040 CFS

The quantity of water under this right for domestic use shall not exceed
2,500 gallons per day.

PRIORITY DATE: 01/15/1947

POINT OF

DIVERSION: T48N R04E S29 NESE Within SHOSHONE County

T48N R04E S29 SESE Lot 10 Within SHOSHONE County

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
MINING	01/01 12/31	5.000 CFS

Domestic and mining use is at the Galena Mine.

PLACE OF USE: MINING in SHOSHONE County

T48N R04E S28 SWNW T48N R04E S28 NWSW

T48N R04E S29 SENE T48N R04E S29 NESE

DOMESTIC same as MINING

Place of use does not include federal public lands.

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 - Beneficial Use

Parcel No. RPMC0356

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

US Silver Idaho, Inc.
PO Box 440
Wallace, ID 83873-0440

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

Signature of person delivering this document

Stacy-L. Denney