

**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: 92-10483**
) **STANDARD FORM 5**

) **STIPULATED ELEMENTS OF A WATER**
) **RIGHT**

) ☐ **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:

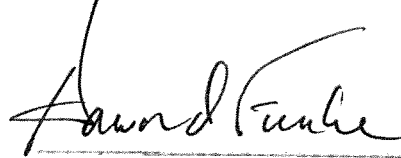
Dorothy Shields
William Shields


Norman Semanko, Attorney

8-24-17
Date

OBJECTOR:

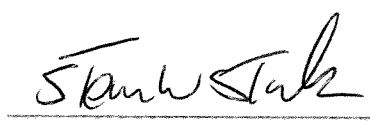
Coeur d'Alene Tribe


Howard Funke, Attorney

8/24/17
Date

RESPONDENT:

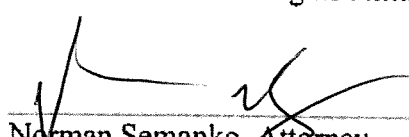
State of Idaho


Steven Strack
Deputy Attorney General

8-24-17
Date

RESPONDENT:

North Idaho Water Rights Alliance


Norman Semanko, Attorney

8-24-17
Date

IDWR Concurrence:

 8-28-17
Carter Fritschle Date
Manager, Adjudication Section

 8/28/17
Andrea Courtney Date
Deputy Attorney General
Attorney for IDWR

07/25/2017

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

RIGHT NUMBER: 92-10483

NAME AND ADDRESS: DOROTHY J SHIELDS
4889 ALDER CREEK RD
SAINT MARIES ID 83861

WILLIAM A SHIELDS
4889 ALDER CREEK RD
SAINT MARIES ID 83861

SOURCE: UNNAMED STREAM

TRIBUTARY: ALDER CREEK

QUANTITY: 0.020 CFS
0.80 AFY

The quantity of water under Right Nos. 92-10482 and 92-10483 shall not exceed 13,000 gallons per day.

Right Nos. 92-10482 and 92-10483 are limited to a total combined annual diversion volume of 0.8 AF.

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

ATN
NWS
HF
SWS
CJ

PRIORITY DATE: 07/18/1912 12/31/1963

POINT OF
DIVERSION: T45N R03W S27 SWSE Begin of Stream Flow Within BENEWAH County
T45N R03W S27 SWSE End of Stream Flow Within BENEWAH County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 0.80 AFY

Stockwater use is for the in-stream watering of livestock.

PLACE OF USE: STOCKWATER in BENEWAH County
T45N R03W S27 SWSE

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 - Beneficial Use

Parcel Nos. RP000300250010A and RP000300240010A

Stockwater use is for 50 head cattle.

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

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of August, 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 Ave Ste 308
PO Box 969
Coeur d'Alene, ID 83816-0969

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

Dorothy J Shields
William A Shields
Represented by:
Norman M Semanko
Parsons Behle & Latimer
800 West Main Street, Suite 1300
Boise, Idaho 83702

☐ 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

North Idaho Water Rights Alliance
Represented by:
Norman M Semanko
Parsons Behle & Latimer
800 West Main Street, Suite 1300
Boise, Idaho 83702

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

Signature of person delivering this
document

Tobi Harris