

**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	)	Subcase No. <u>94-07296</u>
	)	
	)	STANDARD FORM 5
Case No. 49576	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT
	)	
	)	☐ AMENDED NOTICE OF CLAIM /
	)	DIRECTOR'S REPORT

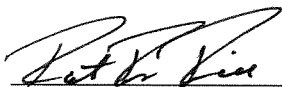
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert 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:

Estate of Robert Albert Rice



Robert R. "Rick" Rice
Personal Representative for Estate

8/29/17
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management



David L. Negri, ISB# 6697
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

9/1/18
Date

IDWR CONCURRENCE:



Carter Fritschle
Adjudication Section Manager

9-5-17
Date

IDWR CONCURRENCE:



Andrea L. Courtney, ISB# 7705
Deputy Attorney General, Attorney for IDWR

9/5/17
Date

08/16/2017

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

RIGHT NUMBER: 94-7296

NAME AND ADDRESS: ESTATE OF ROBERT ALBERT RICE
~~PO BOX 506~~
1574 W STATE ST
~~SILVERTON ID 83867~~
COEUR D ALENE ID 83815

FWP DN

SOURCE: UNNAMED STREAM

TRIBUTARY: EAST FORK PINE CREEK

QUANTITY: 0.040 CFS
1.20 AFY

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

PRIORITY DATE: 03/03/1986

POINT OF
DIVERSION: T48N R02E S29 SWNE 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 1.20 AFY

Domestic use is for 1 home.

AK

PLACE OF USE: DOMESTIC in SHOSHONE County

T48N R02E S29 SENE T48N R02E S29 NESE

This water right does not include any federal land.

CA

EE MW

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 place of use pursuant to Section 42-1425, Idaho Code.

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

Parcel No. RP48N02E290200 for Point of Diversion.

Parcel Nos. RP48N02E291900 and RP48N02E297200 for Place of Use.

CERTIFICATE OF MAILING

I certify that on September 6, 2017, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

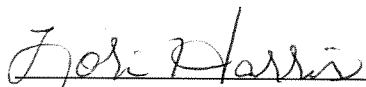
2. Copy to:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, Idaho 83724-0101

Estate of Robert Albert Rice
1574 W. State Street
Coeur d'Alene, Idaho 83815-9780
c/o Robert R. "Rick" Rice, Personal Representative



Signature of person or attorney mailing the form