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: 95-2142** **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:
United States of America
United States Forest Service

8/7/19

David Negri, Attorney at Law — Date
U.S. Department of Justice

OBJECTOR:
State of Idaho
Attorney General's Office

8/6/19

Shantel Chapple Knowlton — Date
Deputy Attorney General
Attorney General's Office

RESPONDENTS:
North Idaho Water Rights Alliance
Northwest Property Owners Association
Coeur d'Alene Lakeshore Property Owners
Hagadone Hospitality Co.
Rathdrum Power LLC

8-13-19
Norman Semanko, Attorney at Law Date

IDWR Concurrence:

8-15-19
Carter Fritschle Date
Manager, Water Rights Adjudication

8/15/19
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

SCh
DN
NMS
JS
CJ

RIGHT NUMBER: 95-2142

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.560 CFS
277.00 AFY

The rights listed below are limited to a total combined annual diversion volume of 624 AF for irrigation purposes. Combined Right Nos.: 95-2134, 95-2142, and 95-7063

Right Nos. 95-2142 and 95-17426 are limited to a total combined diversion rate of 0.56 cfs.

PRIORITY DATE: 03/07/1962

POINT OF DIVERSION: T51N R04W S34 SWSW Within KOOTENAI County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PEROID OF USE		QUANTITY
DOMESTIC	01/01	12/31	0.060 CFS 3.60 AFY
IRRIGATION	03/15	11/15	0.560 CFS 273.00 AFY

Domestic use is for 1 home and a commercial nursery site.

PLACE OF USE:

IRRIGATION in KOOTENAI County

T50N	R04W	S03 Lot 3	NENW	40.00	T50N	R04W	S03 Lot 4	NWNW	40.00
T51N	R04W	S34	NESW	13.00	T51N	R04W	S34	NWSW	20.00
T51N	R04W	S34	SWSW	38.00	T51N	R04W	S34	SESW	37.00
T51N	R04W	S34	SWSE	10.00					

DOMESTIC in KOOTENAI County

T50N	R04W	S03 Lot 4	NWNW	T51N	R04W	S34	SWSW

198 ACRES TOTAL

Right Nos. 95-2134 and 95-2142 are limited to the irrigation of a combined total of 198 acres in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 208 acres in a single irrigation season. Combined Right Nos.: 95-2134, 95-2142, and 95-7063.

OTHER PROVISIONS NECESSARY FOR DEFINITON 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

Parcel Nos. 51N04W346200, 51N04W340800, & 50N04W032600

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of August, 2019 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. PO Box 2707 Twin Falls, ID 83303-2707	___ Overnight Mail X Regular Mail ___ Hand-delivered ___ Facsimile

2. Copies to:

IDWR Document Depository 322 East Front St. PO Box 83720 Boise, ID 83720-0098	___Overnight Mail ___Regular Mail X 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 X Regular Mail __Hand-Delivered __Facsimile
State of Idaho Represented by: Chief Natural Resources Div Office of the Attorney General PO Box 83720 Boise, ID 83720-0010	__Overnight Mail X Regular Mail __Hand-Delivered __Facsimile
Norman Semanko Parsons Behle & Latimer 800 Main Street Ste 1300 Boise, ID 83702	__Overnight Mail X Regular Mail __ Hand-Delivered __Facsimile

Signature of person delivering this document

Jodi Harris