

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: 95-7063
) STANDARD FORM 5

) STIPULATED ELEMENTS OF A WATER
) RIGHT

) ☐ AMENDED NOTICE OF CLAIM /
) DIRECTOR'S REPORT

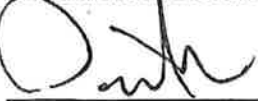
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert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



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

Date

8/7/19

OBJECTOR:

State of Idaho
Attorney General's Office



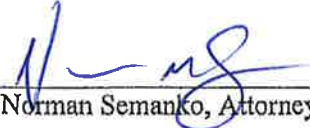
Shantel Chapple Knowlton
Deputy Attorney General
Attorney General's Office

Date

8/16/19

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

08/05/2019

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

RIGHT NUMBER: 95-7063

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: 0.800 CFS
290.00 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. 95-7063 and 95-17427 are limited to a total combined diversion rate of 0.80 cfs.

PRIORITY DATE: 06/22/1969

POINT OF DIVERSION: T50N R04W S3 NNNW Lot 4 Within KOOTENAI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4 /1 10/1	0.800 CFS 290.00 AFY

PLACE OF USE:

IRRIGATION in KOOTENAI County

T50N R04W S03 Lot 3	NENW 40.00	T50N R04W S03 Lot 4	NNNW 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 20.00		

208 ACRES TOTAL

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 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

Parcel Nos. 51N04W346200, 51N04W348800, & 50N04W032600.

SK
DN
NMS
JB
CF

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
☒ 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
☒ 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

State of Idaho
Represented by:
Chief Natural Resources Div
Office of the Attorney General
PO Box 83720
Boise, ID 83720-0010

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

Norman Semanko
Parsons Behle & Latimer
800 Main Street Ste 1300
Boise, ID 83702

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

Signature of person delivering this document

Tobi Platter