

**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: 95-4092
	)	(Formerly Disallowed)
Case No. 49576	)	
	)	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.

CLAIMANT/OBJECTOR

Silver Beach 31 41 Assn Inc.

		8/29/19
Theron De Smet, President, Pro Se		Date
Silver Beach 31 41 Assn Inc.		

IDWR Concurrence:

		9-9-19				9/9/19
Carter Fritschle		Date		Garrick L. Baxter	FOR	Date
Manager, Water Rights Adjudication				Deputy Attorney General		
				Attorney for IDWR		

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of September, 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

Silver Beach 31 41 Assn Inc
2641 Silver Beach Loop
Coeur d'Alene, ID 83814

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

Signature of person delivering this document

Neli Harris

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

RIGHT NUMBER: 95-4092

NAME AND ADDRESS: SILVER BEACH 31 41 ASSN INC
~~31 41 SILVER BEACH WATER ASSN~~
2641 S SILVER BEACH LOOP
~~2551 S SILVER BEACH LOOP RD~~
COEUR D ALENE ID 83814

SOURCE: COEUR D ALENE LAKE

TRIBUTARY: SPOKANE RIVER

QUANTITY: 0.030 CFS
5.60 AFY

PRIORITY DATE: 12/31/1965

POINT OF DIVERSION: T50N R03W S29 SWNW Lot 2 Within KOOTENAI County

PURPOSE AND

PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	DOMESTIC	01/01 12/31	0.030 CFS
	Domestic use is for 5 homes.		5.60 AFY

PLACE OF USE:

DOMESTIC in KOOTENAI County
T50N R03W S29 Lot 2 SENW

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

Place of Use Property is also known as Lots 31-41, Silver Beach Park Subdivision.

Place of Use Parcel Nos. 07320000031A, 07320000033A, 07320000035A, 07320000038A, and 07320000040A