

**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: 95-11870
	)	
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. Attached pages should include a copy of the Director's Recommendation, noting where stipulated changes have been made.

CLAIMANT:

Robert Oswald

CLAIMANT:

Cynthia Oswald

 9-10-19
Robert Oswald, Pro Se Date

 9-10-19
Cynthia Oswald, Pro Se Date

OBJECTOR:

Stimson Lumber Company

 9-10-19
Barry Dexter Date
Director of Inland Resources
Stimson Lumber Company

IDWR Concurrence:


Carter Fritschle
Manager, Water Rights Adjudication

9-11-19
Date


Garrick L. Baxter FOR
Deputy Attorney General
Attorney for IDWR

9/11/19
Date

09/09/2019

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

RIGHT NUMBER: 95-11870

NAME AND ADDRESS: ROBERT E OSWALD
PO BOX 817
HAYDEN ID 83835

CYNTHIA M OSWALD
PO BOX 817
HAYDEN ID 83835

*CMO
BND*

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 06/01/1964

POINT OF

DIVERSION: T53N R02W S22-~~NNW~~ Lot 1 S16 SESE Within KOOTENAI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

*st
nc*

PLACE OF USE: DOMESTIC in KOOTENAI County

T53N R02W S16 SESE

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel Nos. ~~53N02W224000 for Point of Diversion.~~
53N02W167000 ~~for Place of Use.~~

CERTIFICATE OF SERVICE

I hereby certify that on this 12th 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

Robert Oswald
Cynthia Oswald
PO Box 817
Hayden, ID 83835

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

Stimson Lumber Company
520 SW Yamhill Suite 700
Portland, OR 97204

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

Signature of person delivering this document

Nori Harris