

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: 95-8486

STANDARD FORM 5

Case No. 49576

STIPULATED ELEMENTS OF A WATER
RIGHT

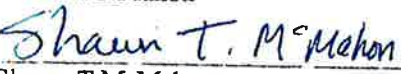
☐ AMENDED NOTICE OF CLAIM /
DIRECTOR'S REPORT

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.

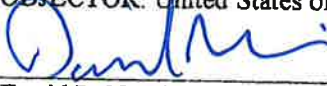
The parties agree that the Coeur d'Alene-Spokane River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended 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.

CLAIMANTS:

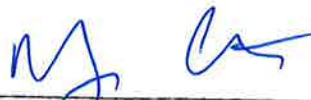

Lani R. McMahon 8/23/19
Date

Shawn T. McMahon 8/23/19
Date

OBJECTOR: United States of America


David L. Negri 9/9/19
Date
United States Department of Justice

IDWR CONCURRENCE:


Carter Fritschle 9-9-19
Date
Adjudication Section Manager


Meghan Carter 9/9/19
Date
Deputy Attorney General
Attorney for IDWR

07/18/2019

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

RIGHT NUMBER: 95-8486

NAME AND ADDRESS: LANI K MC MAHON
PO BOX 338
HAYDEN ID 83835

SHAWN T MC MAHON
PO BOX 338
HAYDEN ID 83835

SOURCE: HAYDEN LAKE

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
0.60 AFY

The quantity of water under Right Nos. 95-113 and 95-8486 shall not exceed 13,000 gallons per day.

PRIORITY DATE: 08/12/1985

POINT OF

DIVERSION: T51N R03W S21 SWSE Lot 5 Within KOOTENAI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

11/01 03/31

0.020 CFS

0.60 AFY

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in KOOTENAI County

T51N R03W S21 Lot 5 SWSE

T51N R03W S21 Lot 4 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. As of November 12, 2008, this water right was within State Water District No. 95A.

Parcel No. 02140008031A

~~Right is to be accomplished upon a point of diversion pursuant to Section 42-1412, Idaho Code.~~

Property is also known as Lot 31, Block B, and Lot 13, Block C, Emerald Subdivision.

Right No. 95-113 is also diverted through the point of diversion described above.

~~Right is to be accomplished upon a point of diversion pursuant to Section 42-1412, Idaho Code.~~

stm 8/23/19
lmm 8/23/19

DN MC

CF

CERTIFICATE OF MAILING

I certify that on September 9, 2019 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, 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. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

United States Dept. of Justice
Environment & Natural Resource Div
550 W Fort St. MSC 033
Boise, ID 83724

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

3. Lani K Mc Mahon
Shawn T Mc Mahon
PO Box 338
Hayden ID 83835



Signature of person or attorney mailing the form