

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
RECEIVED
SEP 18 2019

In Re CSRBA) SUBCASE: 95-12284 IDWR/NORTH
) (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. Attached pages should include a copy of the Director's Recommendation, noting where stipulated changes have been made.

CLAIMANT/OBJECTOR

Alan Carter

Alan W. Carter 9-18-19
Alan Carter, Pro Se Date

IDWR Concurrence:

Carter Fritschle 9/18/2019
Carter Fritschle Date
Manager, Water Rights Adjudication
Evan Roda
Water Rights Supervisor

Garrick L. Baxter 9/18/19
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

09/18/2019

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

RIGHT NUMBER: 95-12284

NAME AND ADDRESS: ALAN W CARTER
3069 W PRESLEY RD
COEUR D ALENE ID 83814

SOURCE: UNNAMED STREAM

TRIBUTARY: KID CREEK

QUANTITY: 0.040 CFS
13.40 AFY

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

PRIORITY DATE: 01/01/1970

POINT OF

DIVERSION: T50N R04W S34 SWNW Within KOOTENAI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.020 CFS
IRRIGATION STORAGE	03/15 11/15	1.50 AFY
IRRIGATION FROM STORAGE	03/15 11/15	1.50 AFY
STOCKWATER	01/01 12/31	0.020 CFS
STOCKWATER STORAGE	01/01 12/31	0.30 AFY
STOCKWATER FROM STORAGE	01/01 12/31	0.30 AFY
WILDLIFE STORAGE	01/01 12/31	11.60 AFY

PLACE OF USE:

IRRIGATION in KOOTENAI County

T50N R04W S34 SWNW 0.50

IRRIGATION STORAGE in KOOTENAI County

T50N R04W S34 SWNW

IRRIGATION FROM STORAGE in KOOTENAI County

T50N R04W S34 SWNW 0.50

STOCKWATER in KOOTENAI County

T50N R04W S34 SWNW

STOCKWATER STORAGE in KOOTENAI County

T50N R04W S34 SWNW

WILDLIFE STORAGE in KOOTENAI County

T50N R04W S34 SWNW

STOCKWATER FROM STORAGE same as IRRIGATION

0.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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. Idaho Code § 42-1412(6).

AWE
MC


EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 2 head mixed stock.

Parcel No(s). 50N04W343200 & 50N04W344100

HWC ml
SS

CERTIFICATE OF SERVICE

I hereby certify that on this 18 day of SEPT, 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

Alan Carter
3069 W Presley Rd
Coeur d'Alene, ID 83814

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

Signature of person delivering this document

Jo Cooley-Denney