

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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SEP 18 2019

In Re CSRBA

Case No. 49576

SUBCASE: 95-16750
STANDARD FORM 5

IDWR/NORTH

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

Sam Symons

Sam Symons 9-16-19
Sam Symons, Pro Se Date

CLAIMANT/OBJECTOR

Betty Symons

B Symons 9-16-19
Betty Symons, Pro Se Date

IDWR Concurrence:

Wright Fritschle 9/17/19
Carter Fritschle Date
Manager, Water Rights Adjudication

Meghan Carter 9/17/19
Meghan Carter Date
Deputy Attorney General
Attorney for IDWR

09/18/2019

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

RIGHT NUMBER: 95-16750
NAME AND ADDRESS: SAM SYMONS
PO BOX 2942
HAYDEN LAKE ID 83835

BETTY SYMONS
PO BOX 2942
HAYDEN LAKE ID 83835

SOURCE: GROUND WATER
QUANTITY: 0.06 0.04 CFS

TRIBUTARY:

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

PRIORITY DATE: 12/31/1979

POINT OF
DIVERSION: T52N R03W S30 NWSE Within KOOTENAI County

T52N R03W S30 SWSE 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	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS
Domestic use is for 1 home.		

PLACE OF USE: STOCKWATER in KOOTENAI County

T52N R03W S30 SWSE

DOMESTIC in KOOTENAI County

T52N R03W S30 SWSE

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right Nos. 95-16749, 95-16751, and 95-16752 are also diverted through the point of diversion ~~described above~~ in T52N R03W S30 NWSE.

~~Point of Diversion Parcel No. 52N03W308000; Place of Use Parcel No. 52N03W308600~~

~~Stockwater use is for 10 head mixed stock.~~

Right includes accomplished change in point of diversion pursuant to Idaho Code § 42-1425.

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

Sam Symons
Betty Symons
PO Box 2942
Hayden Lake, ID 83835

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

Signature of person delivering this document

Scobey-Denny