

**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

Case No. 49576

) **SUBCASE: 95-7216**

) **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

City of Coeur d'Alene Water Department

OBJECTOR

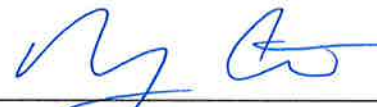
United States of America
Bureau of Land Management

 12/3/19
Candice McHugh, Attorney at Law Date

 12/12/19
David Negri, Attorney at Law Date
U.S. Department of Justice

IDWR Concurrence:

 12/12/2019
Shelley Keen Date
Water Allocation Bureau Chief

 12/12/19
Meghan Carter Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of December, 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

City of Coeur d'Alene
Water Department
Represented by:
Candice McHugh
380 S 4th Street Ste 103
Boise, ID 83702

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

United States of America
Represented by:
U.S. Department of Justice
Environment & Nat'l Resources
550 West Fort Street, MSC 033
Boise, ID 83724

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

Signature of person delivering this document

Tori Harris

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

RIGHT NUMBER: 95-7216

NAME AND ADDRESS: CITY OF COEUR D ALENE
WATER DEPT
710 E MULLAN AVE
COEUR D ALENE ID 83814

SOURCE: COEUR D ALENE LAKE

TRIBUTARY: SPOKANE RIVER

QUANTITY: 0.400 CFS
70.00 AFY

PRIORITY DATE: 10/19/1972

POINT OF DIVERSION: T50N R04W S14 ~~SWSW~~ SESE 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	0.400 CFS 70.00 AFY

PLACE OF USE:

IRRIGATION in KOOTENAI County

~~T50N R04W S14~~	~~SWNE~~	~~0.20~~	~~T50N R04W S14~~	~~SWSW~~	~~3.30~~
T50N R04W S14	NESE	0.60	T50N R04W S14 Lot 43	NESE	~~0.30~~ 0.20
T50N R04W S14 Lot 48	NESE	~~14.40~~ 5.50	50N R04W S14	SESE	~~1.80~~ 5.50
T50N R04W S14 Lot 48	SESE	8.20			

20 ACRES TOTAL

*Sm =
DN*

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

Parcel Nos. C8235000072A and C3735048999D

Right includes accomplished change in place of use pursuant to Idaho Code § 42-1425.

Property is also known as Sherman Park, Lots 48 and 72, Fort Sherman Abandoned Military Reservation and Tract 41 of City Park Tracts.