

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: 95-17032
) 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

State of Idaho, Department of Lands

CLAIMANT/OBJECTOR

State of Idaho

Attorney General's Office

 2/12/20

Michele Anderson Date
Technical Services Bureau Chief
Idaho Department of Lands

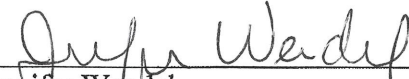
 2/13/20

Shantel Chapple Knowlton Date
Deputy Attorney General
Attorney General's Office

IDWR Concurrence:

 2-14-2020

Craig Saxton Date
Manager, Water Rights Adjudication

 2/14/2020

Jennifer Wendel Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of February, 2020 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

Idaho Department of Lands
Represented by:
Office of the Attorney General
State of Idaho
700 W. Jefferson, Room 210
PO Box 83720
Boise, ID 83720-0010

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 83720
Boise, Idaho 83720-0010

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

U.S. Department of Justice
Environment and Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724

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

Signature of person delivering this document

Tori Harris

02/05/2020

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

RIGHT NUMBER: 95-17032

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 83720-0050

MA *SK*
CLG *W*

SOURCE: UNNAMED STREAM

TRIBUTARY: NELSON CANYON CREEK

QUANTITY: 0.200 CFS

The quantity of water under this right for industrial use shall not exceed 0.20 acre-feet per day from a single watercourse.

PRIORITY DATE: 01/11/1945 02/25/1945

POINT OF DIVERSION: T52N R05W S27 SWSW Lot 4 Within KOOTENAI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

FIRE PROTECTION

01/01 12/31

0.200 CFS

INDUSTRIAL

01/01 12/31

0.200 CFS

Industrial use is for forest practices and forest dust abatement as provided for by Idaho Code § 42-201.

PLACE OF USE:

INDUSTRIAL in KOOTENAI County

T52N R05W S16	NENE
T52N R05W S16	SWNE
T52N R05W S16	NENW
T52N R05W S16	SWNW
T52N R05W S16	NESW
T52N R05W S16	SWSW
T52N R05W S16	NESE
T52N R05W S16	SWSE
T52N R05W S17	NESE
T52N R05W S22	NESW
T52N R05W S22 Lot 3	SESW
T52N R05W S27	NENE
T52N R05W S27	SWNE
T52N R05W S27	NENW
T52N R05W S27 Lot 2	SWNW
T52N R05W S27	NESW
T52N R05W S27 Lot 4	SWSW

T52N R05W S16	NWNE
T52N R05W S16	SENE
T52N R05W S16	NWNW
T52N R05W S16	SENW
T52N R05W S16	NWSW
T52N R05W S16	SESW
T52N R05W S16	NWSE
T52N R05W S17	SENE
T52N R05W S17	SESE
T52N R05W S22 Lot 4	SWSW
T52N R05W S22 Lot 2	SESW
T52N R05W S27	NWNE
T52N R05W S27	SENE
T52N R05W S27 Lot 1	NWNW
T52N R05W S27	SENW
T52N R05W S27 Lot 3	NWSW
T52N R05W S27 Lot 5	SESW

FIRE PROTECTION in KOOTENAI County

T52N R05W S16	NENE
T52N R05W S16	SWNE
T52N R05W S16	NENW
T52N R05W S16	SWNW
T52N R05W S16	NESW
T52N R05W S16	SWSW
T52N R05W S16	NESE
T52N R05W S16	SWSE

T52N R05W S16	NWNE
T52N R05W S16	SENE
T52N R05W S16	NWNW
T52N R05W S16	SENW
T52N R05W S16	NWSW
T52N R05W S16	SESW
T52N R05W S16	NWSE
T52N R05W S17	SENE

T52N	R05W	S17	NESE
T52N	R05W	S22	NESW
T52N	R05W	S22 Lot 3	SESW
T52N	R05W	S27	NENE
T52N	R05W	S27	SWNE
T52N	R05W	S27	NENW
T52N	R05W	S27 Lot 2	SWNW
T52N	R05W	S27	NESW
T52N	R05W	S27 Lot 4	SWSW

T52N	R05W	S17	SESE
T52N	R05W	S22 Lot 4	SWSW
T52N	R05W	S22 Lot 2	SWSE
T52N	R05W	S27	NWNE
T52N	R05W	S27	SENE
T52N	R05W	S27 Lot 1	NWNW
T52N	R05W	S27	SENW
T52N	R05W	S27 Lot 3	NWSW
T52N	R05W	S27 Lot 5	SESW

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. Idaho Code § 42-1412(6).

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No(s): 52N05W177270, 52N05W169999, 52N05W226520, 52N05W271500, 52N05W273700 and 52N05W276370