

**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: 95-15762
	)	STANDARD FORM 5
Case No. 49576	)	
	)	STIPULATED ELEMENTS OF A WATER
	)	RIGHT
	)	
	)	☒ AMENDED NOTICE OF CLAIM /
	)	DIRECTOR'S REPORT

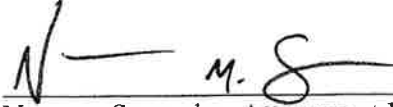
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert 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.

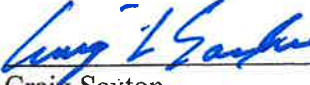
The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation, noting where stipulated changes have been made.

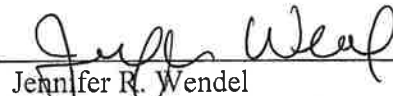
CLAIMANTS/OBJECTORS:

Philip and Leslie Damiano

 10-14-20
Norman Semanko, Attorney at Law Date

IDWR Concurrence:

 10-14-2020
Craig Saxton Date
Manager, Water Rights Adjudication

 10/14/20
Jennifer R. Wendel Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of October, 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

Philip Damiano
Leslie Damiano
Represented by:
Norman Semanko
Parson Behle & Latimer
800 West Main Street Ste 1300
E 14626 Brevier Road
Spokane, WA 99217

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

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

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

State of Idaho
Represented by:
Chief Natural Resources Div
Office of the Attorney General
PO Box 83720
Boise, ID 83720-0010

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

Signature of person delivering this document



05/27/2020

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

RIGHT NUMBER: 95-15762
NAME AND ADDRESS: LESLIE E DAMIANO
8850 E FERNAN LAKE RD
COEUR D ALENE ID 83814

PHILIP L DAMIANO
8850 E FERNAN LAKE RD
COEUR D ALENE ID 83814

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.040 CFS

The quantity of water under Right Nos. 95-15762 and 95-15756 shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1967

POINT OF DIVERSION: T50N R03W S10 SESE Within KOOTENAI County
T50N R03W S10 SESE 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
T50N R03W S10 NWSE T50N R03W S10 SWSE
DOMESTIC in KOOTENAI County
T50N R03W S10 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

Stockwater use is for up to 15 horses.

Parcel No. 50N03W109200

NMS
gw
CLS