

**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: 95-15778**
) **STANDARD FORM 5**

) **STIPULATED ELEMENTS OF A WATER**
) **RIGHT**

) ☐ **AMENDED NOTICE OF CLAIM /**
) **DIRECTOR'S REPORT**

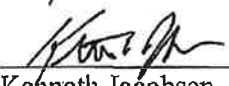
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert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

Jack Forest


Kenneth Jacobsen, Attorney at Law

12/3/20
Date

OBJECTOR:

United States of America
Bureau of Land Management


David Negri, Attorney at Law
U.S. Department of Justice

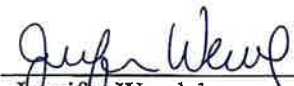
12/16/20
Date

IDWR Concurrence:


Craig Saxton

Manager, Water Rights Adjudication

12/21/2020
Date


Jennifer Wendel

Deputy Attorney General
Attorney for IDWR

12/21/2020

Date

10/23/2020

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

RIGHT NUMBER: 95-15778
NAME AND ADDRESS: JACK FOREST
601 E FRONT AVE STE 1801
COEUR D ALENE ID 83814-5483

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under Right Nos. 95-15778, 95-15780, and 95-15781 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/30/1985

POINT OF DIVERSION: T50N R03W S35 SENW Within KOOTENAI County

The point of diversion does not include federal land.

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

Domestic use is for 1 home.

PLACE OF USE:

<u>DOMESTIC in KOOTENAI County</u>			
T50N	R03W	S35	SWNW
T50N	R03W	S35	NWSW

T50N R03W S35 SENW

The place of use does not include federal land.

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

Place of Use Parcel Nos. 50N03W355750 & 05380000001A; Point of Diversion Parcel No. 50N03W355750.

Parcel No. 05380000001A is also known as Lots 1,2 and 3, Molsteads Beach Lots Subdivision.

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December, 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

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

Jack Forest
Represented by:
Kenneth T. Jacobsen
PO Box 1116
Coeur d'Alene, ID 83816-1116

☐ 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

Jeri Harris