

**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: 95-7082
	)	STANDARD FORM 5
Case No. 49576	)	
	)	STIPULATED ELEMENTS OF A WATER
	)	RIGHT
	)	
	)	☒ AMENDED NOTICE OF CLAIM /
	)	DIRECTOR'S REPORT

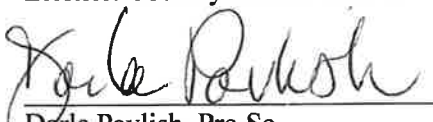
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert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

CLAIMANT/OBJECTOR:

Brickert Country Estates Homeowners Association

 2/24/21

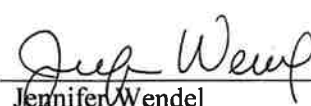
Date

Darla Pavlish, Pro Se
Secretary/Treasurer
Brickert County Estates Homeowners Association

IDWR Concurrence:

 3/2/2021

Date
Craig L. Saxton
Manager, Water Rights Adjudication

 3/2/2021

Date
Jennifer Wendel
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of March, 2021 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

Brickert Country Estates Homeowners Assn
c/o Darla Pavlish, Secretary/Treasurer
6607 E. Octavia Court
Post Falls, ID 83854

☐ 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 form

John Harris

RECEIVED

MAR 02 2021

DEPARTMENT OF
WATER RESOURCES

01/26/2021

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

RIGHT NUMBER: 95-7082

NAME AND ADDRESS: BRICKERT COUNTRY ESTATES HOMEOWNERS ASSN
6607 OCTAVIA COURT
POST FALLS ID 83854

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: ~~2.880~~ 3.04 CFS
~~504.0~~ 532.0 AFY

PRIORITY DATE: 11/04/1969

POINT OF DIVERSION: T51N R04W S32 SENE Within KOOTENAI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/15	~~2.880~~ 3.04 CFS ~~504.00~~ <u>532.0</u> AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION in KOOTENAI County

T51N R04W S32	NENE	~~36.0~~ <u>38.00</u>
T51N R04W S32	NWNE	~~30.0~~ <u>34.00</u>
T51N R04W S32	SWNE	~~38.0~~ <u>39.00</u>
T51N R04W S32	SENE	~~18.0~~ <u>19.00</u>
T51N R04W S32	NENW	~~2.0~~ <u>2.00</u>
T51N R04W S32	SENW	~~20.0~~ <u>20.00</u>

~~144.0~~ 152.0 ACRES TOTAL

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

Property is also known as Brickert Country Estates.

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

Parcel No. 009650040010 for Point of Diversion.

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

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