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DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re PRBA

Case No. 59576

SUBCASE: 87-10393
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 Palouse 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.

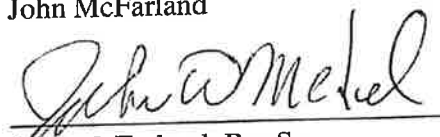
The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation,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

CLAIMANT:

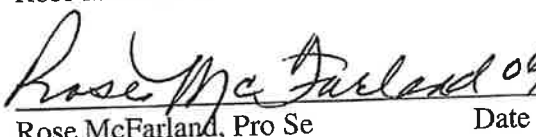
John McFarland

CLAIMANT:

Rose McFarland


John McFarland, Pro Se

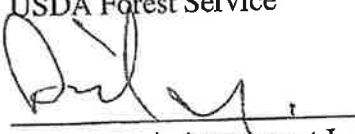
Date


Rose McFarland, Pro Se

Date

OBJECTOR:

United States of America acting through the
USDA Forest Service


David Negri, Attorney at Law

Date

IDWR Concurrence:



Date
6/29/2022
Craig Saxton
Manager, Water Rights Adjudication Section



Date
06/27/22
Lacey Rammell-O'Brien
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 87-10393

NAME AND ADDRESS: JOHN MC FARLAND
1600 S AUBURN ST
KENNEWICK WA 99337

ROSE MC FARLAND
1600 S AUBURN ST
KENNEWICK WA 99337

SOURCE: WHITE PINE GULCH CREEK

TRIBUTARY: NORTH FORK PALOUSE RIVER

QUANTITY: 0.310 CFS

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 02/15/1943

POINT OF DIVERSION: T42N R02W S12 NWSW Within LATAH County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	1 /1 12/31	0.040 CFS
	MINING	1 /1 12/31	0.310 CFS

Domestic use is for 3 cabins in mining camp.

PLACE OF USE:

MINING in LATAH County			
T42N R02W S12	SWNW	T42N R02W S12	NWSW
T42N R02W S12	SWSW		
DOMESTIC in LATAH County			
T42N R02W S12	NWSW	T42N R02W S12	SWSW

The place of use does not include federal land.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The point of diversion and place of use are located in Mineral Survey No. 339.

The quantity of water decreed for this water right for domestic use 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. Idaho Code § 42-1412(6).

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. RP42N02W12S712

The right holder shall comply with any bonding requirements for matters administered by the Department of Water Resources that are applicable to the use of water under this right.

DN
LLS
Joe Mc
RR Mc
(L)

CERTIFICATE OF SERVICE

I hereby certify that on this 28TH day of JUNE, 2022 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
Palouse River Basin Adjudication
253 3rd Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

2. Copies to:

IDWR Document Depository
322 East Front Street
PO Box 83720
Boise, ID 83720-0098

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

James McFarland
Rose McFarland
1600 South Auburn Street
Kennewick, WA 99337

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

United States of America
Represented by:
US Department of Justice
Environment & Natural 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 Division
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

S Cooley