

MEMORANDUM

Date: November 17, 2015
To: Water Right File 91-7156
From: Pam Skaggs 
Re: NIA Partial Decree 91-7156

A partial decree (PD) for Right 91-7156 was issued by the Northern Idaho Adjudication (NIA) on 11-13-2015 subject to completion of the appropriation statutory procedure. The PD has two differences from the permit: ownership & limited to claimed domestic use.

The PD is being added to the water right file for reference at licensing. PD owners are also added as Present Owners of the permit supported by NIA Court PD & current tax lot information. Proof due notice will be sent to all owners to complete statutory process towards licensing.

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

In Re CSRB)
)
Case No. 49576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 91-07156

COPY

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NOV 10 2015

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: KENNETH MARTIN
LAURIE MARTIN
90 GRACIE LN
ST MARIES, ID 83861

SOURCE: ST JOE RIVER TRIBUTARY: COEUR D ALENE LAKE

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/05/2005

POINT OF DIVERSION: T46N R02W S14 LOT 10 (SWSW) Within Benewah County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Domestic 01-01 TO 12-31 0.04 CFS

Domestic use is for 1 home.

PLACE OF USE: Domestic Within Benewah County
T46N R02W S14 LOT 10 (SWSW)

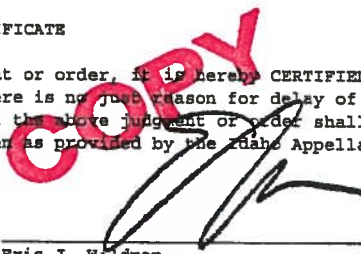
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is conditioned upon completion of the appropriation
in accordance with the statutory procedure for appropriation of
water rights. This right remains subject to all conditions set
forth in the permit upon which this right is based, and will be
subject to all conditions set forth in the license issued by
IDWR upon completion of the statutory appropriation process.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

11/17/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ACE MARTIN 2400 FLAT CREEK RD SAINT MARIES, ID 83861 (208)245-4160

Status: Active

Tributary
COEUR D'ALENE LAKE

ST JOE RIVER L10(SWSW) Sec. 14, Twp 46N, Rge 02W, BENEWAH County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
46N	02W	14											6.0						6.0
													L10						

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
46N	02W	14											X L10						

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IDAHO DEPARTMENT OF WATER RESOURCES
91-7156

11/17/2015

established minimum flow amounts. The right holder shall be responsible for monitoring the daily flow of the St. Joe River using real-time data published on the Internet by the U. S. Geological Survey and shall cease diverting water when flows in the St. Joe River are below established minimum instream flow amounts.

5. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. 069 Failure of the right holder to comply with any condition of approval is cause for the Director to void this permit.

Comments:

1. eretelle 11/17/2005 POD
Updated shape
2. eretelle 11/17/2005 POU
Updated Shape
3. Dblock 6/14/2011 Extension of Time
Extension of time filed and granted based on due diligence. Proof due date extended to July 1, 2016. End of ten year development period. No more extensions allowed for due diligence.

Dates and Other Information

Permit Proof Due Date: 7/1/2016

Permit Approved Date: 7/10/2006

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.0

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A