

DISTRICT COURT - CSRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

JUL 11 2024

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

Clerk

Deputy Clerk

In Re CSRBA )

Case No. 49576 )

SUBCASE: 95-17232  
STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER  
RIGHT

AMENDED NOTICE OF CLAIM /  
DIRECTOR'S REPORT


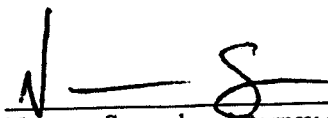
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert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

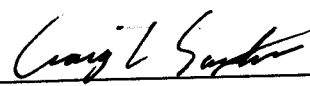

The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. Attached pages should include a copy of the Director's Recommendation,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

**CLAIMANTS/OBJECTORS:**  
Susan Martell and Becky Nelson

**RESPONDENTS:**  
Daniel A. Barkley, Melissa Marie Stocking,  
and Kathryn M. Spackman

 7/2/2024 Date  
Michael Lawrence, Attorney at Law  
 6-10-24 Date  
Norman Semanko, Attorney at Law

**IDWR Concurrence:**

 7-9-24 Date  
Craig Saxton  
Manager, Water Rights Adjudication  
 07/05/24 Date  
Lacey Rammell-O'Brien  
Deputy Attorney General  
Attorney for IDWR

**CERTIFICATE OF SERVICE**

I hereby certify that on this 9 day of July, 2024 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

Daniel Barkley  
Melissa Stocking  
Kathryn Spackman  
Represented by:  
Norman Semanko  
Parson Behle & Latimer  
800 West Main Street Ste 1300  
Boise, ID 83702

Overnight Mail  
 Regular Mail  
 Hand-Delivered  
 Facsimile

Becky Nelson  
Susan Martell  
Represented by:  
Michael Lawrence  
Givens Pursley LLP  
601 W Bannock St  
PO Box 2720  
Boise, ID 83701-2720

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

  
\_\_\_\_\_

03/30/2022

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

RIGHT NUMBER: 95-17232

NAME AND ADDRESS: BECKY D NELSON  
3120 COOLIDGE DR  
BELLINGHAM WA 98225

SUSAN MARTELL  
3208 PLYMOUTH DR  
BELLINGHAM WA 98225

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.040 CFS

PRIORITY DATE: 08/20/1907

POINT OF DIVERSION: T52N R04W S25 NENE Within KOOTENAI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01/01 12/31	0.040 CFS
	Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC in KOOTENAI County  
T52N R04W S25 NWNE

NS  
MPL

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  
Parcel No. 52N04W251300

~~The following rights are diverted through point(s) of diversion described above:  
95-2138, 95-13699, 95-14511, 95-17232.~~

Right No. 95-2138 is also diverted through the point of diversion described above.

(R)  
CLS