

UNITED STATES OF AMERICA

TODD KIM
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United States Department of Justice
Environment and Natural Resources Division

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Attorneys for the United States of America

**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 Nos. 91-7931, 91-7963, 91-
Case No. 49576)	7995, 91-8007, and 91-8019 (Lead
)	Subcase for Groups 1-5)
)	(See Ex. A for complete list of
)	subcases)
)	
)	STIPULATION AND JOINT
)	MOTION FOR ORDER
)	APPROVING STIPULATION

STIPULATION

The United States of America ("United States"); objectors the State of Idaho ("State");
Hecla Limited; the City of St. Maries; Benewah County, Board of County Commissioners; the

City of Coeur d'Alene; the North West Property Owners Alliance, the individual members of which are listed on Exhibit B-1; the North Idaho Water Rights Alliance, the individual members of which are listed on Exhibit B-2; the Coeur d'Alene Lakeshore Property Owners Association, the individual members of which are listed on Exhibit B-3; Hagadone Hospitality Co.; Rathdrum Power LLC; PotlatchDeltic Forest Holdings, Inc.; PotlatchDeltic Land & Lumber, LLC; and Potlatch TRS Idaho, LLC (the State and these other objectors, referred to as "Objectors;" the United States and Objectors referred to as the "parties"), who constitute all the parties to these subcases, by and through their respective undersigned counsel, hereby stipulate and agree as follows:

1. Stipulation to Entry of Partial Decrees. The parties stipulate to entry of partial decrees confirming the United States' federal reserved water rights and setting forth the quantities and terms of said water rights. In total, the parties are stipulating to the entry of 1,097 partial decrees attached hereto as Exhibit C ("Partial Decrees") that are split from the 259 claims filed in the subcase numbers identified in Exhibit A (hereinafter "Claims"). The Partial Decrees fall into five broad categories described below: (1) Surface Water Rights for Fire Suppression, (2) Ground Water Rights for Fire Suppression, (3) Surface Water Rights for Administrative Purposes, (4) Groundwater Rights for Administrative Purposes, and (5) Future Administrative Sites.

a. Surface Water Rights for Fire Suppression (Partial Decree nos. 91-7931A to 91-7962D, 92-11058A to 92-11066, 92-11078A to 92-11079D, 93-7671A to 93-7671E, 94-9511A to 94-9546E, and 95-17393A to 95-17403F). The Partial Decrees provide that the United States may intermittently divert the amount of water from identified sources necessary to suppress wildfires in National Forests in Idaho and

adjacent National Forests in Montana. The Fire Suppression Surface Water Rights focus on specific Hydrologic Code Unit 12 (“HUC12”) subwatersheds and identify all surface-water sources and points of diversion within that subwatershed on National Forest System Land. Under the parties’ agreement, these Partial Decrees split the United States claims such that each Partial Decree has a single priority date. Therefore, many of the HUC12 subwatersheds have multiple Partial Decrees, setting forth the sources and points of diversions that the United States may divert water from under a specific priority date.

b. Groundwater Rights for Fire Suppression (Partial Decree Nos. 91-7995 to 91-8006, 92-11076, 94-9583 to 94-9595, and 95-17415 to 95-17424). Each Partial Decree identifies an existing well on National Forest System Land. The Partial Decrees provide that the United States may intermittently divert the amount of water necessary to suppress wildfires in National Forests in Idaho and adjacent National Forests in Montana.

c. Surface Water Rights for Administrative Purposes (91-7963A to 91-7994D, 92-11067A to 92-11075A, 92-11080A to 92-11081D, 94-9547A to 94-9582E, 95-17404A to 95-17414F). The Partial Decrees provide that the United States may intermittently divert water from identified sources for certain incidental administrative uses necessary to fulfill the purposes of the Organic Administration Act of 1897. Each Partial Decree includes a maximum diversion rate and annual acre-foot limit. Like the Fire Suppression Surface Water Rights, the Administrative Surface Water rights focus on specific HUC12 subwatersheds, and identify all surface-water sources and points of diversion within that subwatershed on National Forest System Land. Under the parties’ agreement, these Partial Decrees split the United States’ claims such that each Partial Decree has a single priority date. Therefore, many of the HUC12 subwatersheds have

multiple Partial Decrees, setting forth the sources and points of diversions that the United States may divert water from under a specific priority date.

d. Groundwater Rights for Administrative Purposes (91-8007 to 91-8018, 92-11077, 94-9596 to 94-9608, 95-17425 to 95-17434). Each Partial Decree identifies an existing well on National Forest System Land and provides that the United States may intermittently divert water for certain incidental administrative uses necessary to fulfill the purposes of the Organic Administration Act of 1897. The quantity for each Partial Decree includes a specific cfs rate and an annual acre-foot limit.

e. Groundwater Rights for Future Administrative Sites (91-8019 to 91-8020, 94-9609 to 94-9611). Each partial decree identifies a specific point of diversion and place of use for a future well to support a future administrative site.

The parties agree to bear their own costs and fees. The parties request the Coeur d'Alene-Spokane River Basin Adjudication Court ("CSRBA Court") to approve, by granting the Joint Motion for Order Approving Stipulation and entering the attached proposed Order (attached as Exhibit E), the existence and quantification of the federal reserved water rights as agreed to by the parties as set forth in the attached Partial Decrees. The parties further stipulate to entry of a final decree incorporating the Partial Decrees.

2. Stipulation for Disallowal of Remaining Claims. Under the parties' agreement, many of the claims identified in Attachment A were split into several water rights with new water right numbers. Additionally, the parties recognize that the original six subcase numbers that these claims were originally filed under are still open, but none of the current claims before the Court use those subcase numbers. Exhibit D, attached hereto, lists the original six claims and the amended water right claims that were split into new water rights and are no longer in use

under the parties' agreement. The parties request that should the Court enter the Partial Decrees attached as Exhibit C that the Court also disallow the remaining claims set forth in Exhibit D.

3. Notice to the Idaho Department of Water Resources ("IDWR"). If IDWR determines that information regarding the United States' prospective use of water under the Administrative rights decreed pursuant to this stipulation (see sections 1.c and 1.d above) is necessary for IDWR to administer water within the Coeur d'Alene-Spokane River Basin or for IDWR to fulfill its other administrative or enforcement duties, IDWR shall provide notice to the United States setting forth the information reasonably needed and a reasonable form in which the information should be provided. The United States agrees that, upon receiving notice from IDWR, the United States shall provide the information requested within a reasonable time as agreed to between the United States and IDWR. The United States and IDWR agree to act reasonably and in good faith in their duties provided under this provision, including reaching agreement on a timeline for the United States to provide the requested information.

4. Stipulation Does Not Affect Statutory or Regulatory Authority. The parties agree that nothing in this Stipulation or the Partial Decrees shall be construed or interpreted:

- a. to establish any standard to be used for the quantification of federal reserved water rights; or
- b. to limit in any way the rights of the parties or any person to litigate any issue or question not resolved by this Stipulation.

5. Request for Approval of Stipulation and Entry of Partial Decrees. The parties agree to submit this Stipulation and Joint Motion to the Court in full satisfaction of all claims set forth in Exhibits A and D, and all objections and responses thereto.

6. Defense of Stipulation. The parties agree to jointly support and defend the Joint Motion for Order Approving the Stipulation against any and all objections or other challenges that may arise in any phase of the CSRBA, including any appeals. If the Court fails to approve the Stipulation and/or to enter the Partial Decrees exactly as set forth herein, the Stipulation is voidable by any party. Any party electing to void the Stipulation shall notify the other parties and the Court in writing of that election within 30 days of the order of the Court not approving the Stipulation and/or Partial Decrees. Failure to provide such notification shall result in forfeiture of the right to void the Stipulation. If the Stipulation is voided, the parties shall retain all existing claims, objections and responses as though no Stipulation ever existed.

7. Stipulation Not to be Used Against Parties. The parties agree and request the Court grant the Joint Motion for Order Approving Stipulation and enter the attached proposed Order, thereby confirming the following: This Stipulation has been entered into based upon good faith negotiations for the purpose of resolving legal disputes, including pending litigation, by compromise and settlement. Nothing in this Stipulation, offers or negotiations leading up to this Stipulation, the Partial Decrees, affidavits, or other evidence or pleadings submitted for the approval of the Stipulation and/or the Partial Decrees shall be construed as admissions against interest or used as evidence to support or oppose any party's claims or objections in the CSRBA or in any other adjudication involving similar water right claims, or in any other manner by any party in the CSRBA in any future proceedings in the CSRBA, in any appellate proceedings concerning the CSRBA, or in any other proceeding, other than those seeking approval of the Order Approving Stipulation for interpretation, enforcement or administration of this Stipulation or the Partial Decrees, or for a purpose contemplated by Idaho Rule of Evidence 408(b).

8. Stipulation and Partial Decrees Binding. This Stipulation shall bind and inure to the benefit of the respective successors of the parties. Upon entry of the Partial Decrees, the Partial Decrees shall be binding on all persons.

9. Anti-Deficiency Act. No provision in this Stipulation shall be construed or interpreted to commit any federal official to expend funds not appropriated by Congress, or as a commitment or requirement that the United States obligate funds or pay costs in contravention of the Anti-Deficiency Act, 31 U.S.C. §§ 1301, 1341, or any other applicable provision of law . No provision in this Stipulation shall be construed or interpreted to bind or obligate the State of Idaho or any agency or political subdivision, municipality, or other taxing district of the State of Idaho, or instrument thereof beyond the term of any particular appropriation of funds by the State Legislature or by the governing body of any agency, or political subdivision, municipality, or other taxing district of the State of Idaho as may exist from time to time.

10. Mutual Covenants of Authority. The parties represent and acknowledge that each of the undersigned is authorized to execute this Stipulation and Joint Motion on behalf of the party they represent.

11. Non-Severability. The provisions of this Stipulation are not severable. If any provision of this Stipulation is found to be unlawful and of no effect, then the parties shall resume negotiations to revise such unlawful provision.

JOINT MOTION FOR ORDER APPROVING STIPULATION

The parties request the Court: (1) approve the foregoing Stipulation; (2) approve and recommend the entry of the Partial Decrees attached as Exhibit C and the disallowal of the claims listed in Exhibit D; and (3) order that, pursuant to Idaho Rule of Evidence 408, nothing in the Stipulation, offers and negotiations leading up to the Stipulation, the Partial Decrees,

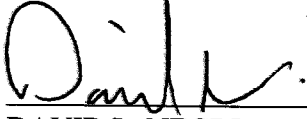
affidavits, or other evidence or pleadings submitted for the approval of the Stipulation shall be construed as admissions against interest or used as evidence to support or oppose any claims or objections in the CSRBA or in any other adjudication involving similar water right claims, or in any other manner by any party in the CSRBA in any future proceedings in the CSRBA, in any appellate proceedings concerning the CSRBA, or in any other proceeding, other than those for interpretation, enforcement or administration of the Stipulation or the Partial Decrees, or for a purpose contemplated by Idaho Rule of Evidence 408. The order sought by this Joint Motion, attached as Exhibit E, is fully in accordance with Idaho Rule of Evidence 408, as well as the policy underlying that rule and the policy of the Court directed at furthering the strong public policy favoring out-of-court settlement of disputes over litigation.

Wherefore, the parties respectfully request that this Court grant this Joint Motion in all respects by entering the attached proposed order. The parties agree that notice and service of any Special Master's Report and Recommendation [and Partial Decree] need not include hard copies of the recommended partial decrees and that a reference to the court's web site, where links to any recommended partial decrees will be included, is sufficient.

The parties have executed this Stipulation and Joint Motion on the date following their respective signatures.

FOR THE UNITED STATES OF AMERICA:

TODD KIM
Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division




DAVID L. NEGRI
United States Department of Justice
Environment and Natural Resources Division
550 W. Fort St., MSC 033
Boise, ID 83724

Dated this 10th day of January, 2022

FOR THE STATE OF IDAHO, including THE IDAHO WATER RESOURCES BOARD:

LAWRENCE G. WASDEN
Attorney General

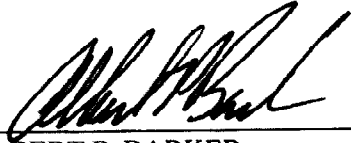
DARRELL G. EARLY
Deputy Attorney General
Chief, Natural Resources Division



SHANE M. BELL
Deputy Attorney General

Dated this 3rd day of January, 2022

FOR HECLA LIMITED:



ALBERT P. BARKER
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, Idaho, 83701-2139

Dated this 7th day of January, 2022

FOR THE CITY OF ST. MARIES AND BENEWAH COUNTY, BOARD OF COUNTY
COMMISSIONERS:

Mariah R. Dunham

Dated this 4 day of January 2022

~~NANCY A. WOLFF~~


MARIAH R. DUNHAM

Dunham & Wolff, P.A..

722 Main Avenue

St. Maries, Idaho 83861

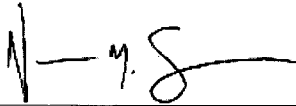
FOR THE CITY OF COEUR D'ALENE:



Dated this 29th day of December 2021.

CANDICE MCHUGH
CHRIS BROMLEY
McHugh Bromley, PLLC
380 S. 4th St., Ste. 104
Boise, Idaho 83702

FOR THE NORTH WEST PROPERTY OWNERS ALLIANCE, the individual members of which are listed in Exhibit B-1; THE NORTH IDAHO WATER RIGHTS ALLIANCE, the individual members of which are listed in Exhibit B-2; THE COEUR D'ALENE LAKESHORE PROTECTION ASSOCIATION, the individual members of which are listed in Exhibit B-3; HAGADONE HOSPITALITY CO.; and RATHDRUM POWER LLC:



NORMAN M. SEMANKO
Parsons Behle & Latimer
800 W Main St., Ste. 1300
Boise, Idaho 83702

Dated this 7th day of January, 2022

FOR POTLATCHDELTAIC FOREST HOLDINGS, INC.; POTLATCHDELTAIC LAND &
LUMBER, LLC; AND POTLATCH TRS IDAHO, LLC:



Dated this 13th day of January, 2022

MICHAEL P. LAWRENCE

Givens Pursley LLP

601 W. Bannock St.


P.O. Box 2720

Boise, ID 83701-1200

CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2022, I served a true and correct copy of the foregoing, with exhibits, upon the following individuals by placing the document in the United States Mail, postage prepaid, addressed as follows, or hand delivered:

ALBERT P BARKER 1010 W JEFFERSON ST STE 102 PO BOX 2139 BOISE, ID 83701-2139	CHIEF NATURAL RESOURCES DIV OFFICE OF THE ATTORNEY GENERAL STATE OF IDAHO PO BOX 83720 BOISE, ID 83720-0010
CHRISTOPHER H MEYER 601 W BANNOCK ST PO BOX 2720 BOISE, ID 83701-2720	JEFFREY C FEREDAY 601 W BANNOCK ST PO BOX 2720 BOISE, ID 83701-2720
JEFFREY W BOWER 601 W BANNOCK ST PO BOX 2720 BOISE, ID 83701-2720	MARIAH R DUNHAM 722 MAIN AVE ST MARIES, ID 83861
MICHAEL P LAWRENCE 601 W BANNOCK ST PO BOX 2720 BOISE, ID 83701-2720	CANDICE MCHUGH MCHUGH BROMLEY, PLLC 380 S 4TH ST STE 104 BOISE, ID 83702
SEMANKO, NORMAN M PARSONS BEHLE & LATIMER 800 WEST MAIN STREET STE 1300 BOISE, ID 83702	DIRECTOR OF IDWR PO BOX 83720 BOISE, ID 83720-0098



David Negri

Exhibit A

*Stipulation and Joint Motion For Order Approving
Stipulation – In Re CSRBA - Case No. 49576*

Claim Numbers (259)

91-07931	91-07981	92-11068	94-09545	94-09595	95-17426
91-07932	91-07982	92-11069	94-09546	94-09596	95-17427
91-07933	91-07983	92-11070	94-09547	94-09597	95-17428
91-07934	91-07984	92-11071	94-09548	94-09598	95-17429
91-07935	91-07985	92-11072	94-09549	94-09599	95-17430
91-07936	91-07986	92-11073	94-09550	94-09600	95-17431
91-07937	91-07987	92-11074	94-09551	94-09601	95-17432
91-07938	91-07988	92-11075	94-09552	94-09602	95-17433
91-07939	91-07989	92-11076	94-09553	94-09603	95-17434
91-07940	91-07990	92-11077	94-09554	94-09604	
91-07941	91-07991	92-11078	94-09555	94-09605	
91-07942	91-07992	92-11079	94-09556	94-09606	
91-07943	91-07993	92-11080	94-09557	94-09607	
91-07944	91-07994	92-11081	94-09558	94-09608	
91-07945	91-07995	93-07671	94-09559	94-09609	
91-07946	91-07996	93-07672	94-09560	94-09610	
91-07947	91-07997	94-09511	94-09561	94-09611	
91-07948	91-07998	94-09512	94-09562	95-17393	
91-07949	91-07999	94-09513	94-09563	95-17394	
91-07950	91-08000	94-09514	94-09564	95-17395	
91-07951	91-08001	94-09515	94-09565	95-17396	
91-07952	91-08002	94-09516	94-09566	95-17397	
91-07953	91-08003	94-09517	94-09567	95-17398	
91-07954	91-08004	94-09518	94-09568	95-17399	
91-07955	91-08005	94-09519	94-09569	95-17400	
91-07956	91-08006	94-09520	94-09570	95-17401	
91-07957	91-08007	94-09521	94-09571	95-17402	
91-07958	91-08008	94-09522	94-09572	95-17403	
91-07959	91-08009	94-09523	94-09573	95-17404	
91-07960	91-08010	94-09524	94-09574	95-17405	
91-07961	91-08011	94-09525	94-09575	95-17406	
91-07962	91-08012	94-09526	94-09576	95-17407	
91-07963	91-08013	94-09527	94-09577	95-17408	
91-07964	91-08014	94-09528	94-09578	95-17409	
91-07965	91-08015	94-09529	94-09579	95-17410	
91-07966	91-08016	94-09530	94-09580	95-17411	
91-07967	91-08017	94-09531	94-09581	95-17412	
91-07968	91-08018	94-09532	94-09582	95-17413	
91-07969	91-08019	94-09533	94-09583	95-17414	
91-07970	91-08020	94-09534	94-09584	95-17415	
91-07971	92-11058	94-09535	94-09585	95-17416	
91-07972	92-11059	94-09536	94-09586	95-17417	
91-07973	92-11060	94-09537	94-09587	95-17418	
91-07974	92-11061	94-09538	94-09588	95-17419	
91-07975	92-11062	94-09539	94-09589	95-17420	
91-07976	92-11063	94-09540	94-09590	95-17421	
91-07977	92-11064	94-09541	94-09591	95-17422	
91-07978	92-11065	94-09542	94-09592	95-17423	
91-07979	92-11066	94-09543	94-09593	95-17424	
91-07980	92-11067	94-09544	94-09594	95-17425	

Exhibit B-1

*Stipulation and Joint Motion For Order Approving
Stipulation – In Re CSRBA - Case No. 49576*

Northwest Property Owners Alliance

Northwest Property Owners Alliance

Steve Addington	John Boothe	David "Brad" & Mary Corkill	Ernest & Myra Ecklund
Linda Alldredge	Gale Briggs	Julie Day	Robert Ellis
R. Earl Andersen	Janet Briggs	Rick & Holly Day	Florence Farber
Audrey Anderson	Carol Felt Browning	Tim Day	Jeremie Figueroa
Carl W Anderson	Terry Burger	Jean Dohrman	Troy Francis
Dianne Anderson	Miguel Cabeza	Larry Donahoe	Herman Fritz
Naomi Anderson	Norman Carroll	Bonnie (Eleanor Y) Donohoe	Frank Frutchey
Perry Anderson	Vicki Carroll	Darby G. Donohoe	Jeff Funk
Dennis Backus	Annika Chatfield-Dietrich	Russel Donohoe	Terry Gilbreth
Robert Nettleton Black Bear Water Assn	Carl Cochrane	Bonnie Doose	Phillip Graves
Arliss Blalack	Kevin Coleman	Susan E. Dredge	Robert & Julie Grunzweig
Carl Blalack	Bill L Conner	Rickey Dunn	Warren Hall
Marilyn Tanner, President Blue Wolf Community Club	Cindy Cooper	Thomas F. Dunnigan	Betty Hancock

Barbara Harpole	Kathryn Kahn	Jaida Levine	Shirley Marsan
William B & Gretchen R Harrison	Ralph Kahn	Phillip Levine	Stephen Matthews
Connie L Hasz	Beverly & Floyd Klein	Kim Liss	Donald & Christine Mc Caw
Fred & Marcy Hasz	Keith KleinKhecht	Steven M Liss	David & Kathy Mc Daniel
William K Hasz	Nancy KleinKhecht	Alan Littlejohn	John & Agnes McFaddin
Dale Herboldt	John R Kraack	Linda Littlejohn	Douglas & Darcy Mc Inturff
Michael D. Higbee	Mark P Kropf	Patricia Lozano	Ron Mendive
Sheila M. Holm1	Mike & Tina Kuhnline	Serena Lucas	Gary Mitchell
Helen Jacquemin	Daren LaBolle	Tom Lucas	Patricia Mitchell
Wendy Jacquemin	Daren & Janet LaBolle	Doug Luchini	Joyce Morden
Gary Johnson	Barney Layton	Bruce & Carol Maddux	Roy Mortensen
Kathy Jordan	Dwayne Layton	Michael R Machler	Derald Moyer
Lance M Jordan	Rosie Layton	Kaye A Mainsey	Paul Murray
Wesley & Linda Jordan	Larry Lehtola	John M Marsan	

John Neirinckx	Patricia & Kenneth Renner	Kevin & Shannon Simonsen	Terry L Wall
John Neirinckx II	Linda Rider	Eric & Susan Skidmore	Gene L & Wesley L Warren
Darla Noel-Wessel	Robert Rider	Sharon & Fred Smith	Gene Webb
Vicki Hendrick & Sam Owen	Jed Rodgers	Marsha J Stewart	Gary Weeks
Jodi Powell	Susan Rodgers	Joyce D & Charles R Stock	David & Janet Weingart
Robert Powell	Joseph Rush	Neil & Nancy Strom	William White
Cheryl Prueher	Linda & Dwayne Ryssman	Donald Sutton	Robert & Norma White
Ben Radford	Gordon Sanders	Gina Sutton	Randy Wilson
Rasor Family Property Revocable Trust	Paul Segsworth	Hisaya & Dorothy Takashina	Carla Woempner
Jordon Redman	Tim Shannon	Russel & Marilyn Tanner	Verland Woempner
Daniel G Remmick	Don H Sherfey	Steve Thomson	Ron Wood
Glennie & Elizabeth Renner	David Sheridan	Peggy Timken	Ken & Aileen Zaken
Johanna Renner	Margaret Sheridan	Jeff Tyler	
Kevin & Tiffany Renner	Alfred Sichlinger	Les Vawter	

Exhibit B-2

*Stipulation and Joint Motion For Order Approving
Stipulation – In Re CSRBA - Case No. 49576*

North Idaho Water Rights Alliance

North Idaho Water Rights Alliance

Doug & Kristi Payne	Pam Secord for Oceanwoods Oasis Trust	Robin & Leslee Stanley	Thomas G. & Mary M. Carver
Gary & Patricia Mitchell	Mullan School #392	Jack & Eleanor Buell	Edward & Candace Anderson
Norman McCall	Dick & Carole Hardwood	Robert & Dianna Bostrom	Robert & Patty Anderson
Crows Nest Water Association	Nona Bruns	Bernard & Dawn Weber	Ralph & Martha Banderob
Weber Farms	Carol Clark	Ken & Yvonne Devries	Roderick & Beth Halvorson
Rick & Holly Day	Dohrman, Jean	Tom & Eileen DuHamel	Ronald & Sherlene Mendive
John & Shirley Ferris	Roy & Linda Michael	Furth, James & Victoria	William & Gretchen Harrison
Patrice Hartel	Dean & Glenda Gentry	J. Rachael Johnson	William & Nancy McAninch
Terry & Wilma Murray	Martha Green	John & Michelle McMahan	John & Agnes McFaddin
Joel & Cindy Newson	Richard L. Powell	Patrick & Annette Petrie	Paul & Colleen Smith
Jeff & Dede Shipy	Lois Tuel	Robert & Gail Short	Elizabeth Roberts
Sotin, Larry & Susan	Don & Martha Vail	Harry Grubham	Marvin & MaryAnne Wheeler
Leland & Danielle Boldt	Vic & Rita Brodie	Edmond & Janet Ferrel	Lance & J. Michele McDaniel

Exhibit B-3

*Stipulation and Joint Motion For Order Approving
Stipulation – In Re CSRBA - Case No. 49576*

Coeur d'Alene Lakeshore Property Owners

Coeur d'Alene Lakeshore Property Owners

Harmony Property Owners Association c/o Jeff Kreitzberg	Stanley J. Harrison	Molly and James Dolliver	Jill and David Christiansen
Gianotti Trust Dtd 1991 Wayna and Carolyn Gianotti	Thomas M. Patrick Thomas M. Patrick Revocable Trust	Bruce Cyr	JAKAR Ventris LLC James Ventris
Sutherland Family Revocable Trust Peter G. Sutherland	Clyde H. Sheppard	Greg Delavan	Richard J. Clemson

Exhibit C

*Stipulation and Joint Motion For Order Approving
Stipulation – In Re CSRBA - Case No. 49576*

Partial Decrees (1097)

The parties have reviewed and have approved electronic (PDF) copies of each of the 1097 partial decrees at the URL below:
<https://app.box.com/s/xhepqf1ow7yr8ytkoscixhdvk9bp6yrt>

Exhibit D

*Stipulation and Joint Motion For Order Approving
Stipulation – In Re CSRBA - Case No. 49576*

Claim Numbers to be Decreed Disallowed (196)

91-07729	91-07994	92-11079	94-09555
91-07931	92-10890	92-11080	94-09556
91-07933	92-10891	92-11080	94-09557
91-07935	92-11058	92-11080	94-09558
91-07936	92-11058	92-11081	94-09559
91-07937	92-11058	92-11081	94-09560
91-07938	92-11059	92-11081	94-09561
91-07942	92-11059	93-07433	94-09562
91-07943	92-11059	93-07671	94-09563
91-07945	92-11060	93-07672	94-09564
91-07946	92-11060	94-09133	94-09565
91-07947	92-11060	94-09511	94-09566
91-07948	92-11061	94-09512	94-09567
91-07949	92-11061	94-09514	94-09568
91-07950	92-11061	94-09515	94-09569
91-07951	92-11062	94-09516	94-09570
91-07952	92-11062	94-09517	94-09571
91-07953	92-11062	94-09518	94-09573
91-07954	92-11063	94-09519	94-09575
91-07955	92-11063	94-09520	94-09577
91-07956	92-11063	94-09521	94-09578
91-07958	92-11064	94-09522	94-09579
91-07959	92-11064	94-09523	94-09580
91-07960	92-11064	94-09524	94-09581
91-07961	92-11067	94-09525	94-09582
91-07962	92-11067	94-09526	95-16527
91-07963	92-11067	94-09527	95-17393
91-07965	92-11068	94-09528	95-17394
91-07967	92-11068	94-09529	95-17395
91-07968	92-11068	94-09530	95-17396
91-07969	92-11069	94-09531	95-17397
91-07970	92-11069	94-09532	95-17398
91-07974	92-11069	94-09533	95-17399
91-07975	92-11070	94-09534	95-17400
91-07977	92-11070	94-09535	95-17401
91-07978	92-11070	94-09537	95-17403
91-07979	92-11071	94-09539	95-17404
91-07980	92-11071	94-09541	95-17405
91-07981	92-11071	94-09542	95-17406
91-07982	92-11072	94-09543	95-17407
91-07983	92-11072	94-09544	95-17408
91-07984	92-11072	94-09545	95-17409
91-07985	92-11073	94-09546	95-17410
91-07986	92-11073	94-09547	95-17411
91-07987	92-11073	94-09548	95-17412
91-07988	92-11078	94-09550	95-17414
91-07990	92-11078	94-09551	
91-07991	92-11078	94-09552	
91-07992	92-11079	94-09553	
91-07993	92-11079	94-09554	

Exhibit E

*Stipulation and Joint Motion For Order Approving
Stipulation – In Re CSRBA - Case No. 49576*

Proposed Order

The parties have satisfied the requirements of Chapter 14, Title 42, Idaho Code, including Section 42-1411A, the Idaho Rules of Civil Procedure and CSRBA Administrative Order 1. The Stipulation is a fair and equitable settlement of the United States' claims as identified in Exhibits A and D to the Stipulation. The Stipulation does not appear to adversely affect the interests of persons not party to the Stipulation and good cause has been shown for granting the Joint Motion for Order Approving Stipulation.

IT IS HEREBY ORDERED that:

1. All terms of the Stipulation, the proposed Partial Decrees for the United States' federal reserved water rights attached to the Stipulation as Exhibit C, and the proposed disallowal of the claims listed in Exhibit D to the Stipulation are hereby ratified, confirmed and approved.

2. Pursuant to Idaho Rule of Evidence 408, nothing in the Stipulation, the proposed Partial Decrees, any affidavits or other evidence or pleading submitted or relied upon for approval of the Stipulation, or any offers or compromises made in the course of negotiating the Stipulation, shall be construed as admissions against interest or used as evidence to support or oppose any claims or objections in the CSRBA or in any other adjudication involving similar water right claims, or in any other manner by any party in the CSRBA in any future proceedings in the CSRBA, in any appellate proceedings concerning the CSRBA, or in any other proceeding, other than those for interpretation, enforcement or administration of the Stipulation or the Partial Decrees, or for a purpose contemplated by Idaho Rule of Evidence 408. This Order Approving Stipulation is fully in accordance with Idaho Rule of Evidence 408, as well as the policy underlying that rule and the policy of the CSRBA Court directed at furthering the strong public policy favoring out-of-court settlement of disputes over litigation.

3. The water rights set forth in the proposed Partial Decrees are in full satisfaction of the United States' claims as identified in Exhibits A and D to the Stipulation, and all objections and responses thereto. A Special Master's Report and Recommendation will issue.

IT IS SO ORDERED.

DATED this _____ day of _____, 2022.

Brigette Bilyeu
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

CERTIFICATE OF MAILING

I hereby certify that on this _____ day of _____, 2022, I served a true and correct copy of the foregoing **ORDER APPROVING STIPULATION**, by the methods indicated:

MARIAH R DUNHAM NANCY A WOLFF 722 MAIN AVE ST MARIES, ID 83861	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile:
ALBERT P BARKER 1010 W JEFFERSON ST STE 102 PO BOX 2139 BOISE, ID 83701- 2139	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile:
MICHAEL P LAWRENCE 601 W BANNOCK ST PO BOX 2720 BOISE, ID 83701- 2720	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile:
CANDICE M MCHUGH CHRIS M BROMLEY 380 S 4TH STREET STE 103 BOISE, ID 83702	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile: _____
NORMAN M SEMANKO 800 W MAIN ST., SUITE 1300 BOISE, ID 83702	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile:
US DEPARTMENT OF JUSTICE ENVIRONMENT & NATL' RESOURCES 550 WEST FORT STREET, MSC 033 BOISE, ID 83724	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile:
DIRECTOR OF IDWR PO BOX 83720 BOISE, ID 83720- 0098	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile:
CHIEF NATURAL RESOURCES DIVISION OFFICE OF THE ATTORNEY GENERAL STATE OF IDAHO PO BOX 83720 BOISE, ID 83720-0010	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile: _____

Deputy Clerk

Exhibit A

91-07931	91-07981	92-11068	94-09545	94-09595	95-17426
91-07932	91-07982	92-11069	94-09546	94-09596	95-17427
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91-07934	91-07984	92-11071	94-09548	94-09598	95-17429
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91-07937	91-07987	92-11074	94-09551	94-09601	95-17432
91-07938	91-07988	92-11075	94-09552	94-09602	95-17433
91-07939	91-07989	92-11076	94-09553	94-09603	95-17434
91-07940	91-07990	92-11077	94-09554	94-09604	
91-07941	91-07991	92-11078	94-09555	94-09605	
91-07942	91-07992	92-11079	94-09556	94-09606	
91-07943	91-07993	92-11080	94-09557	94-09607	
91-07944	91-07994	92-11081	94-09558	94-09608	
91-07945	91-07995	93-07671	94-09559	94-09609	
91-07946	91-07996	93-07672	94-09560	94-09610	
91-07947	91-07997	94-09511	94-09561	94-09611	
91-07948	91-07998	94-09512	94-09562	95-17393	
91-07949	91-07999	94-09513	94-09563	95-17394	
91-07950	91-08000	94-09514	94-09564	95-17395	
91-07951	91-08001	94-09515	94-09565	95-17396	
91-07952	91-08002	94-09516	94-09566	95-17397	
91-07953	91-08003	94-09517	94-09567	95-17398	
91-07954	91-08004	94-09518	94-09568	95-17399	
91-07955	91-08005	94-09519	94-09569	95-17400	
91-07956	91-08006	94-09520	94-09570	95-17401	
91-07957	91-08007	94-09521	94-09571	95-17402	
91-07958	91-08008	94-09522	94-09572	95-17403	
91-07959	91-08009	94-09523	94-09573	95-17404	
91-07960	91-08010	94-09524	94-09574	95-17405	
91-07961	91-08011	94-09525	94-09575	95-17406	
91-07962	91-08012	94-09526	94-09576	95-17407	
91-07963	91-08013	94-09527	94-09577	95-17408	
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91-07977	92-11064	94-09541	94-09591	95-17422	
91-07978	92-11065	94-09542	94-09592	95-17423	
91-07979	92-11066	94-09543	94-09593	95-17424	
91-07980	92-11067	94-09544	94-09594	95-17425	