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JAN 23 2015

DEPARTMENT OF
WATER RESOURCES

District Court - SRBA Fifth Judicial District In Re: Administrative Appeals County of Twin Falls - State of Idaho
JAN 22 2015
By _____
_____ Clerk Deputy Clerk

**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)
) **ORDER DENYING UNITED STATES' MOTION**
Case No. 49576) **FOR DELAY IN ISSUANCE OF PARTIAL**
) **DECREES FOR UNCONTESTED CLAIMS IN**
) **BASIN 93**
)
_____)

On March 27, 2014, the Director of the Idaho Department of Water Resources ("Department") filed his *Director's Report for Basin 93 Water Rights* ("Director's Report"). On December 9, 2014, the Department filed a *Notice of Filing of Statement of Unobjected to Portions of the Director's Report for Basin 93 Water Rights*. On December 16, 2014, the Court held a hearing on the entry of partial decrees, as required by Idaho Code § 42-1412(7), for the uncontested claims contained in the *Director's Report*. At the hearing, the United States appeared in opposition to the to the Court's entry of *Partial Decrees* or *Orders Disallowing* for all of the uncontested water right claims. The United States' opposition was made without prior notice to the Court, the claimants of the uncontested water right claims, the Department, or the State of Idaho. Therefore, the Court continued the hearing until January 21, 2015, to allow the United States to file and serve its written opposition.

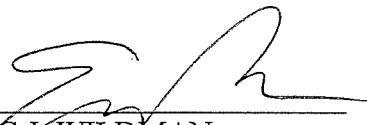
On December 30, 2014, the United States acting on its own behalf and as trustee for the Coeur' d'Alene Tribe ("United States") filed a *Motion for Delay in Issuance of Partial Decrees for Uncontested Water Right Claims in Basin 93*. In the *Motion*, the United States requested that the Court enter an order delaying the issuance of partial decrees for the uncontested rights until the Tribal water right claims in Basin 93 are addressed. Responses in opposition to the *Motion* were subsequently filed by Benewah County, the State of Idaho, Hecla Limited, City of Coeur

d'Alene, members of the North Idaho Water Rights Alliance,¹ Alpine Meadows Water and Sewer District, et al.,² Rosetta Leach, Keith Daman, Olson Living Trust, Meadows at Dry Creek, LLC, and Ted Lacy.

A hearing on the *Motion* was held before the Court on January 21, 2015. The Court, after reviewing the *Motion* and the responses in opposition filed by the parties, and for the reasons set forth on the record, denied the *Motion*.

Therefore, IT IS ORDERED that the United States' *Motion for Delay in Issuance of Partial Decrees for Uncontested Water Right Claims in Basin 93* **is hereby denied.**

DATED: January 21, 2015


ERIC J. WILDMAN
Presiding Judge
Coeur d'Alene-Spokane River Basin Adjudication

¹ The term "members of the North Idaho Water Rights Alliance" refers collectively to 221 parties listed on attached Exhibits A and B to the response in opposition to the United States' *Motion* filed by the members of the North Idaho Water Rights Alliance in this matter on January 16, 2015.

² The term "Alpine Meadows Water and Sewer District, et al." refers collectively to the following parties: (1) Alpine Meadows Water and Sewer District; (2) Coeur d'Alene Lakeshore Property Owners Association; (3) Hagadone Hospitality Co.; (4) Hauser Lake Water Association, Inc.; (5) John Baldwin; (6) North Kootenai Water and Sewer District; and (7) Potlatch Forest Holdings Inc., Potlatch Land & Lumber, LLC, and Potlatch TRS Idaho, LLC.

BASIN 93 UNCONTESTED CLAIMS

Subcase Nos:

93-02001	93-07073	93-07134	93-07206	93-07264	93-07322
93-02002	93-07076	93-07135	93-07207	93-07266	93-07323
93-04009	93-07077	93-07136	93-07208	93-07268	93-07324
93-04012	93-07078	93-07137	93-07209	93-07269	93-07325
93-04014	93-07079	93-07138	93-07210	93-07270	93-07326
93-04015	93-07082	93-07139	93-07214	93-07271	93-07327
93-04016	93-07083	93-07140	93-07215	93-07272	93-07329
93-04018	93-07084	93-07141	93-07216	93-07273	93-07330
93-04019	93-07085	93-07144	93-07217	93-07274	93-07332
93-04022	93-07086	93-07148	93-07218	93-07275	93-07333
93-04024	93-07087	93-07149	93-07219	93-07276	93-07334
93-04027	93-07090	93-07150	93-07220	93-07277	93-07335
93-04028	93-07091	93-07152	93-07221	93-07278	93-07336
93-04029	93-07092	93-07153	93-07222	93-07280	93-07337
93-04032	93-07093	93-07154	93-07223	93-07281	93-07338
93-07002	93-07094	93-07155	93-07224	93-07282	93-07339
93-07003	93-07095	93-07156	93-07225	93-07283	93-07341
93-07007	93-07096	93-07157	93-07226	93-07284	93-07342
93-07009	93-07097	93-07158	93-07228	93-07285	93-07343
93-07010	93-07099	93-07159	93-07229	93-07286	93-07344
93-07012	93-07100	93-07160	93-07230	93-07287	93-07345
93-07014	93-07102	93-07161	93-07231	93-07288	93-07346
93-07019	93-07103	93-07163	93-07232	93-07289	93-07347
93-07022	93-07104	93-07164	93-07233	93-07290	93-07348
93-07024	93-07106	93-07165	93-07234	93-07291	93-07349
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93-07034	93-07109	93-07170	93-07237	93-07294	93-07354
93-07037	93-07110	93-07179	93-07238	93-07295	93-07355
93-07038	93-07111	93-07180	93-07239	93-07296	93-07356
93-07041	93-07112	93-07183	93-07240	93-07298	93-07357
93-07048	93-07113	93-07184	93-07241	93-07299	93-07358
93-07049	93-07115	93-07185	93-07243	93-07300	93-07359
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93-07071	93-07132	93-07204	93-07261	93-07319	93-07375
93-07072	93-07133	93-07205	93-07263	93-07321	93-07376

(Subcase list: 93UNCONALL)

BASIN 93 UNCONTESTED CLAIMS

Subcase Nos:

93-07377	93-07441
93-07378	93-07442
93-07379	93-07443
93-07380	93-07444
93-07381	93-07445
93-07383	93-07446
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93-07437	
93-07438	
93-07439	
93-07440	

(Subcase list: 93UNCONALL)
1/22/15

CERTIFICATE OF MAILING

I hereby certify that true and correct copies of the **ORDER DENYING UNITED STATES' MOTION FOR DELAY IN ISSUANCE OF PARTIAL DECREES FOR UNCONTESTED CLAIMS IN BASIN 93**, were mailed on January 22, 2015, by first-class mail to the following:

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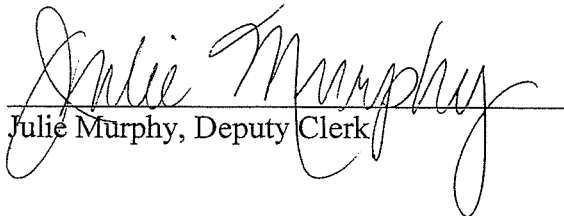
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