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NOV 30 2015

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 25 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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 49576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NOS.: 91-2021, 91-4001,
	)	91-7038, 92-2003, and 92-2004

I. FINDINGS OF FACT

A notice of claim was filed by the City of St. Maries for each of these water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

No objections were filed for these water rights. These water rights, however, are used in combination with water right 91-7094 which is the subject of an *Objection*. However, it appears that the Idaho Department of Water Resources recommends proceeding with these rights. The overlapping water right, 91-7094 does not require a delay of the uncontested St. Maries claims. These water rights will be recommended consistent with the *Director's Report*.

II. CONCLUSIONS OF LAW

Therefore, based on the files and records herein, IT IS RECOMMENDED that these water rights be decreed with the elements set forth in the attached *Special Master's Recommendations for Partial Decrees*.

DATED: November 25, 2015.


BRIGETTE BILYEU
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

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

NOV 25 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)
Case No. 49576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 92-02003

NAME AND ADDRESS: CITY OF ST MARIES
602 COLLEGE AVE
ST MARIES, ID 83861

SOURCE: SPRINGS

QUANTITY: 0.05 CFS

PRIORITY DATE: 01/27/1909

POINT OF DIVERSION: T46N R02W S21 SESE Within Benewah County
S22 SWSW

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.05 CFS

PLACE OF USE: Municipal Within Benewah County
Same as other use

Place of use is within the service area of the City of St Maries
municipal water supply system as provided for under Idaho Law.

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

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.

RECOMMENDATION

NOV 25 2015

Eric J. Wildman
SPECIAL MASTER

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

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

NOV 25 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
 Case No. 49576)
 _____) Water Right 92-02004

NAME AND ADDRESS: CITY OF ST MARIES
 602 COLLEGE AVE
 ST MARIES, ID 83861

SOURCE: THORN CREEK TRIBUTARY: ST MARIES RIVER

QUANTITY: 1.00 CFS

PRIORITY DATE: 07/21/1913

POINT OF DIVERSION: T45N R01W S08 NWNW Within Benewah County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Municipal	PERIOD OF USE 01-01 TO 12-31	QUANTITY 1.00 CFS
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PLACE OF USE: Municipal Within Benewah County
 Same as other use

Place of use is within the service area of the City of St Maries
 municipal water supply system as provided for under Idaho Law.

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RECOMMENDATION

NOV 25 2015

Eric J. Wildman

 SPECIAL MASTER

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

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)
)
Case No. 49576)
)

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

Water Right 91-02021

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 25 2015	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: CITY OF ST MARIES
602 COLLEGE AVE
ST MARIES, ID 83861

SOURCE: ROCHAT CREEK TRIBUTARY: ST JOE RIVER

QUANTITY: 0.71 CFS

PRIORITY DATE: 02/02/1960

POINT OF DIVERSION: T46N R01W S03 SWNE Within Benewah County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.71 CFS

PLACE OF USE: Municipal Within Benewah County
Same as other use

Place of use is within the service area of the City of St.
Maries municipal water supply system as provided for under Idaho
Law.

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

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RECOMMENDATION
NOV 25 2015
<i>Eric J. Wildman</i> SPECIAL MASTER

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

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DEPARTMENT OF
WATER RESOURCES

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

NOV 25 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)
Case No. 49576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 91-04001

NAME AND ADDRESS: CITY OF ST MARIES
602 COLLEGE AVE
ST MARIES, ID 83861

SOURCE: ROCHAT CREEK TRIBUTARY: ST JOE RIVER

QUANTITY: 3.00 CFS

PRIORITY DATE: 11/11/1938

POINT OF DIVERSION: T46N R01W S03 SWNE Within Benewah County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Municipal	PERIOD OF USE 01-01 TO 12-31	QUANTITY 3.00 CFS
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PLACE OF USE: Municipal Within Benewah County
Same as other use

Place of use is within the service area of the City of St.
Maries municipal water supply system as provided for under Idaho
Law.

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RECOMMENDATION

NOV 25 2015

Bridgette Wilson
SPECIAL MASTER

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

NOV 25 2015

By _____ Clerk

Deputy Clerk

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Nov-23-2015

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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho
NOV 25 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 SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

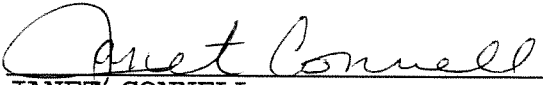
Water Right(s): 91-02021
91-04001 91-07038 92-02003
92-02004

On November 25, 2015, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED November 25, 2015.


JANET CONNELL
Deputy Clerk

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Fifth Judicial District	
County of Twin Falls - State of Idaho	
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 91-02021
91-04001 91-07038 92-02003
92-02004

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on November 25, 2015, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CITY OF ST MARIES

Represented by:
MARIAH R DUNHAM
722 MAIN AVE
ST MARIES, ID 83861
Phone: 208-245-2523

CITY OF ST MARIES

Represented by:
NANCY A WOLFF
722 MAIN AVE
ST MARIES, ID 83861
Phone: 208-245-2523

CERTIFICATE OF MAILING

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JANET CONNELL 11/25/15
Deputy Clerk