

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

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

APR 28 2016

In Re CSRBA)
)
Case No. 49576)
)

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

Water Right 92-07027

By

Clerk

Deputy Clerk

NAME AND ADDRESS: PAUL EBERT
88680 HWY 3 N
SAINT MARIES, ID 83861

SOURCE: ST JOE RIVER TRIBUTARY: COEUR D ALENE LAKE

QUANTITY: 0.04 CFS
1.50 AFY

Right Nos. 92-7027 and 92-7063 are limited to a total combined
annual diversion volume of 2.1 AF.
The quantity of water under Right Nos. 92-7027 and 92-7063 shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 08/22/1969

POINT OF DIVERSION: T46N R02W S08 LOT 1 (NESW) Within Benewah County

This water right does not grant a right of way or easement upon
the submerged lands owned in trust for the benefit of the
Coeur d'Alene Tribe. Access to this point of diversion is
conditioned upon the water user securing continued authorization
from the Coeur d'Alene Tribe. The Coeur d'Alene Tribe is solely
responsible for enforcement of any restrictions involving access
to the point of diversion.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Domestic	05-01 TO 10-15	0.04 CFS
		1.50 AFY

Domestic use is for 1 home.

PLACE OF USE: Domestic Within Benewah County
T46N R02W S08 LOT 1 (NESW)

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

The remainder of this right was not claimed in the Coeur d Alene-
Spokane River Basin Adjudication.

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).

RECOMMENDATION

APR 28 2016

Bridgette Schen
SPECIAL MASTER

RECEIVED

APR 29 2016

DEPARTMENT OF
WATER RESOURCES

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 AdjudicationCSRBA A

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APR 29 2016

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
APR 28 2016	
By _____	Clerk
_____	Deputy Clerk

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA)
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_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 92-07027

On April 28, 2016, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to CSRBA Administrative Order 1 (A01), Section 18a.

Pursuant to CSRBA Administrative Order 1 (A01), Section 18a, 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 April 28, 2016.


JANET CONNELL
Deputy Clerk

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APR 29 2016

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 28 2016	
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)

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CERTIFICATE OF MAILING

Water Right(s): 92-07027

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 April 28, 2016, with sufficient first-class postage prepaid to the following:

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

STATE OF IDAHO

Represented by:

CHIEF NATURAL RESOURCES DIV
OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

COEUR D'ALENE TRIBE

Represented by:

HOWARD A. FUNKE
424 SHERMAN AVE STE 308
PO BOX 969
COEUR D ALENE, ID 83816-0969
Phone: 208-667-5486

CERTIFICATE OF MAILING

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PAUL EBERT
88680 HWY 3 N
SAINT MARIES, ID 83861
Phone: 208-582-0385


JANET CONNELL
Deputy Clerk