

DEPARTMENT OF
WATER RESOURCES

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

MAY 09 2016

By _____
DISTRICT OF THE _____ Clerk
OF TWIN FALLS _____ Deputy Clerk

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

Case No. 49576

**SPECIAL MASTER’S REPORT AND
RECOMMENDATION; FINDINGS OF
FACT AND CONCLUSIONS OF LAW**

WATER RIGHT NOS.: 91-4113

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

MAY 09 2016

By _____ Clerk
_____ Deputy Clerk

In Re CSRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 49576)
_____) Water Right 91-04113

NAME AND ADDRESS: CATHERINE A PIERCE
DUANE L PIERCE SR
65 GRANDMAS WAY
ST MARIES, ID 83861

SOURCE: ST JOE RIVER TRIBUTARY: COEUR D ALENE LAKE

QUANTITY: 0.062 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/01/1967

POINT OF DIVERSION: T46N R02W S08 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 Cour 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
	Irrigation	06-01 TO 09-30	0.02 CFS
	Stockwater	01-01 TO 12-31	0.002 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

Domestic use is for 1 home.

PLACE OF USE:	Irrigation	Within Benewah County
	T46N R02W S08 LOT 1 (NESW) 3.4 3.4 Acres Total	
	Stockwater	Within Benewah County
	T46N R02W S08 LOT 1 (NESW)	
	Domestic	Within Benewah County
	T46N R02W S08 LOT 1 (NESW)	

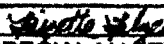
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic use and stockwater use 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. I.C. SECTION 42-1412(6).

RECOMMENDATION

MAY 09 2016


SPECIAL MASTER

CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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

RECEIVED

MAY 10 2016

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAY 09 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)
Case No. 49576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 91-04113

On May 09, 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 May 09, 2016.


JANET CONNELL
Deputy Clerk

RECEIVED

MAY 10 2016

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAY 09 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

Case No. 49576

CERTIFICATE OF MAILING

Water Right(s) : 91-04113

CERTIFICATE OF MAILING

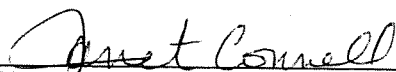
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 09, 2016, with sufficient first-class postage prepaid to the following:

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

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

CATHERINE A PIERCE
DUANE L PIERCE SR
65 GRANDMAS WAY
ST MARIES, ID 83861
Phone: 208-245-3979

CERTIFICATE OF MAILING


JANET CONNELL
Deputy Clerk

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