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DEPARTMENT OF  
WATER RESOURCES

|                                                                                            |
|--------------------------------------------------------------------------------------------|
| DISTRICT COURT - CSRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| JAN 03 2017                                                                                |
| By _____<br>Clerk<br>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

) SPECIAL MASTER'S REPORT AND  
) RECOMMENDATION; FINDINGS OF  
) FACT AND CONCLUSIONS OF LAW

) WATER RIGHT NO.: 91-7537  
)

I. FINDINGS OF FACT

A claim was filed for this water right 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 a recommendation for the elements of this water right.

An *Objection* was filed by the Coeur d'Alene Tribe on June 24, 2015. A *Response* was filed by the State of Idaho. A *Joint Motion for Withdrawal of Objections and Responses* was filed on December 21, 2016 by the Objector and Respondent. There was no opposition to the withdrawal of the *Objection* and the *Response*. *Order Dismissing Objections and Responses* (January 3, 2017). There are no unresolved *Objections or Responses* remaining in this subcase. This water right will be recommended consistent with the *Director's Report*.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: January 3, 2017.

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

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

JAN 03 2017

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 91-07537

NAME AND ADDRESS: ERIC GENE HEDLUND  
VICKI L HEDLUND  
PO BOX 602  
ST MARIES, ID 83861

SOURCE: SPRING TRIBUTARY: ROUND LAKE

QUANTITY: 0.04 CFS

The quantity of water under this right shall not exceed 13,000  
gallons per day.

PRIORITY DATE: 12/31/1920

POINT OF DIVERSION: T46N R03W S03 LOT 1 (NENE) Within Benewah County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |
|                               | Domestic       | 01-01 TO 12-31 | 0.04 CFS |

Domestic use is for 1 home.

|               |                            |                       |
|---------------|----------------------------|-----------------------|
| PLACE OF USE: | Stockwater                 | Within Benewah County |
|               | T46N R03W S03 LOT 1 (NENE) |                       |
|               | Domestic                   | Within Benewah County |
|               | T46N R03W S03 LOT 1 (NENE) |                       |

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

The quantity of water decreed for this water right 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).

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

JAN 03 2017

*Eric J. Wildman*  
SPECIAL MASTER

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

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| DISTRICT COURT - CSRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| JAN 03 2017                                                                                |              |
| 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): 91-07537

On January 03, 2017, 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 January 03, 2017.

  
JANET CONNELL  
Deputy Clerk

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DEPARTMENT OF  
WATER RESOURCES

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|---------------------------------------|--------------|
| DISTRICT COURT - CSRBA                |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| JAN 03 2017                           |              |
| 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): 91-07537

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 January 03, 2017, 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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ERIC GENE HEDLUND  
VICKI L HEDLUND  
Represented by:  
NORMAN M SEMANKO  
101 S CAPITOL BLVD 10TH FL  
PO BOX 829  
BOISE, ID 83701-0829  
Phone: 208-345-2000

  
JANET CONNELL  
Deputy Clerk