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JAN 27 2017

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JAN 26 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

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

) WATER RIGHT NO.: 92-10086
)

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 May 7, 2015. A *Response* was filed by the State of Idaho. A *Joint Motion for Withdrawal of Objection* was filed on January 25, 2017, by the Objector and Respondent. There was no opposition to the withdrawal of the *Objection*. At a hearing on January 25, 2017, the State of Idaho made an oral *Motion to Withdraw Response*. There was no opposition to the withdrawal of the *Response*. *Order Dismissing Objection and Response*. 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 26, 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 26 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 92-10086

NAME AND ADDRESS: ROBIN HODGSON
 655 VERNON LN
 SAINT MARIES, ID 83861

SOURCE: SPRING TRIBUTARY: ALDER CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 12/31/1962

POINT OF DIVERSION: T45N R03W S33 SWNW Within Benewah County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.02 CFS

Domestic use is for 1 home.

PLACE OF USE: Domestic Within Benewah County
 T45N R03W S33 SWNW

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 26 2017

Eric J. Wildman

 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

JAN 26 2017

By _____ Clerk

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

In Re CSRBA)
Case No. 49576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 92-10086

On January 26, 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 26, 2017.



JANET CONNELL
Deputy Clerk