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JUL 07 2017

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUL - 6 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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 49576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
_____	)	FOR WATER RIGHT 94-07973

I. FINDINGS OF FACT

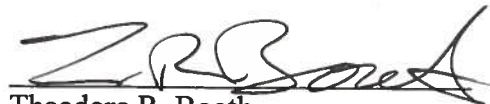
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

On July 28, 2016, the Coeur d'Alene Tribe of the Coeur d'Alene Indian Reservation, through its attorney Howard Funke, filed an objection to the *Director's Report*. On July 5, 2017, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 94-07973 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated July 6, 2017



Theodore R. Booth
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

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WATER RESOURCES

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 94-07973

NAME AND ADDRESS: MARY E KAMBITSCH
ORRIN L KAMBITSCH
PO BOX 658
PLUMMER, ID 83851

SOURCE: COEUR D ALENE LAKE TRIBUTARY: SPOKANE RIVER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1967

POINT OF DIVERSION: T47N R03W S29 NWSE Within Kootenai County

This right does not grant any right-of-way or easement across
the land of another.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Domestic 05-01 TO 09-30 0.04 CFS

Domestic use is for 1 float home.

PLACE OF USE: Domestic Within Kootenai County
T47N R03W S29 LOT 3 (NWSE)

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.

Eric J. Wildman

Presiding Judge of the

Coeur d'Alene-Spokane River Adjudication

RECOMMENDATION

JUL - 6 2017

SPECIAL MASTER

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

JUL - 6 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

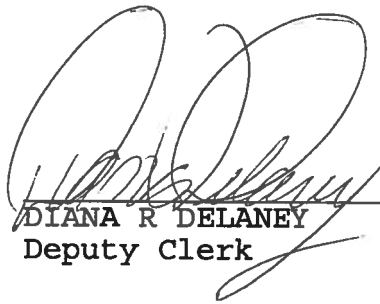
Water Right(s) : 94-07973

On July 06, 2017, Special Master THEODORE R. BOOTH 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 July 06, 2017.


DIANA R DELANEY
Deputy Clerk

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re CSRBA)

Case No. 49576)

CERTIFICATE OF MAILING

Water Right(s): 94-07973

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 July 06, 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

PAGE 1
07/06/17

ALLEN & JUDY LINSKOTT
ANGELO BISSELL
ARCHIE L GLISSON
BARBARA ECKMAN
BENNIE LOWRY
BERNARD WEBER
BEVERLY KATOVICH
BILL & ANGELA GRAY
BILL STANLEY
BOB & PATTY ANDERSON
BRIAN & JANN HIGDEM
BRIAN & MEGAN DAVIS
CARL & MILINDA WITTEN
CARLA WOEMPNER
CAROLYN CLARK
CHERYL HUGHETT
CLAUDIA HOWE
CLAUDIA SHICK
CLIFFORD HINSZ
CONNIE COPPA
CROWS NEST CO-OPERATIVE
DALE DIMICO
DAN E HAY
DAVID & JOAN LINDSAY
DAVID BANDEROB
DAWN WEBER
DEAN JOHNSON
DEAN SCHICK
DENNIS & LEVENE MCPOLAND
DICK & CAROLE HARWOOD
DON ECKMAN
DON YEAROUT
DOUG STANLEY
EDMOND FERRELL
EDWARD HOWE
EILEEN STANLEY
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F & H MINE SUPPLY INC
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FREDRIC MANTHEY
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HAROLD & CAROL FEE
HARRY & PAM GRUBHAM
HARVEY HUGHETT
IVAN LINSKOTT
JACK A & ELEANOR L BUELL
JANE HOLTE

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JEAN DOHRMAN
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JENNIFER OSIER
JERRY & WANDA WEMHOFF
JOAN DORSETT
JOE YEAROUT
JOEL & CINDY NEWSON
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JOHN & JULIE POLLARD
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JOYCE BISSELL
KATHY JO HINSZ
KENNY OSIER
KEVIN & MARY LOU KILWEIN
KIM & PAULA NELSON
LANCE MCDANIEL

Represented by:

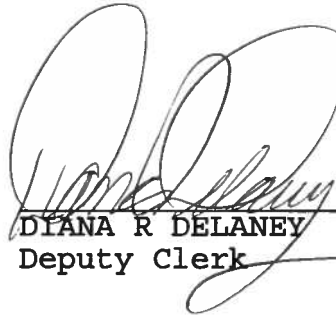
NORMAN M SEMANKO
999 WEST MAIN STREET STE 1300
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

LARRY & LESLIE NACCARATO
LARRY DOMINGO
LESLEE & ROBIN STANLEY
LINDA STANLEY
LORRAINE MANTHEY
MARGO LINSKOTT
MARJEAN JOHNSON
MARK REIMANN
MARTHA GREEN
MARVIN & MARYANNE WHEELER
MARY DICKSON
MARY E KAMBITSCH
MARY LOU BAKER
MARY MCDONALD
MAZETTA REIMANN
MERRILEE BECKER
MICHELE MCDANIEL
NETA WHITE (TITUS)
NICK FERRIS
NONA BRUNS
ORRIN L KAMBITSCH
PAMELA SECORD
PATRICE HARTEL
PATRICIA BURGER
PATRICK & ANNETTE PETRIE
PETE DIRLAM
RANDY HOLTE
RAY & JANIS FINK
REIMANN & SON FARM LLC
RICK L POWELL
ROBERT & GAIL SHORT
ROBERT COPPA
ROBERT LOWRY
RODERICK & BETH HALVORSEN
RODNEY & CAROL LINDBERG
RONALD & DONNA KINYON
RUDY HEICKSEN
SABRINA FERRIS
SALLY TURNER
SCOTT NELSON
STANTON TURNER
STEVE NELSON
TERRY & WILMA MURRAY
TERRY BURGER
THERESE LATSHAW
THOMAS & MARY CARVER
TOM & EILEEN DUHAMEL
VERLAND WOEMPNER
VIC & RITA BRODIE
WEBER FARMS

CERTIFICATE OF MAILING

WILLIAM & DOROTHY SHIELDS
WILLIAM & NANCY MCANINCH
WILLIAM BRANDT
WILLIAM LATSHAW
YVONNE DEVRIES

Represented by:
NORMAN M SEMANKO
999 WEST MAIN STREET STE 1300
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000



DIANA R DELANEY
Deputy Clerk

