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JUL 27 2017

DEPARTMENT OF
WATER RESOURCES

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

JUL 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
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 94-08797 and 94-
) 08798

I. FINDINGS OF FACT

Notices of claim were filed for the above-captioned water rights 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 and filed its *Director's Report for Basin 94 Water Rights* on February 25, 2016. The *Director's Report* contained a recommendation for the elements of these water rights.

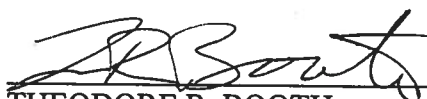
On July 28, 2016, the United States of America, acting through the Department of Interior, Bureau of Land Management, filed objections to the *Director's Report*. On July 11, 2017, the parties filed *Standard Forms 5 – Stipulated Elements of a Water Right* which resolved the objections. The Idaho Department of Water Resources concurred with the stipulations.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 94-8797 and 94-8798 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 26, 2017



THEODORE R. BOOTH
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

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DEPARTMENT OF
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 49576)
)
) Water Right 94-08797

NAME AND ADDRESS: BARBARA CANTERBURY
GORDON CANTERBURY
PO BOX 967
WALLACE, ID 83873

SOURCE: SPRING TRIBUTARY: NINEMILE CREEK

QUANTITY: 0.06 CFS

The quantity of water under Right Nos. 94-8797 and 94-8798 shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION: T48N R04E S23 SWSE Within Shoshone County

Point of diversion is located in Mineral Survey 1961.

PURPOSE AND 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 Shoshone County
	T48N R04E S23	SWSE	
	Domestic		Within Shoshone County
	T48N R04E S23	SWSE	

Place of use is located in Mineral Survey 1961.

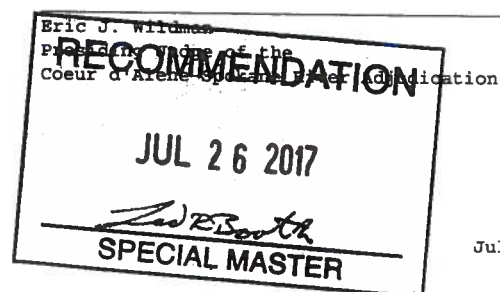
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.



DEPARTMENT OF
WATER RESOURCES

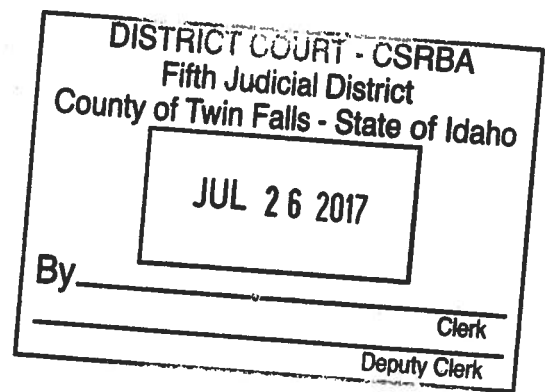
In Re CSRBA

Case No. 49576

NAME AND ADDRESS: BARBARA CANTERBURY
GORDON CANTERBURY
PO BOX 967
WALLACE, ID 83873

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Jul-20-2017

DEPARTMENT OF
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 94-08797
94-08798

CERTIFICATE OF MAILING

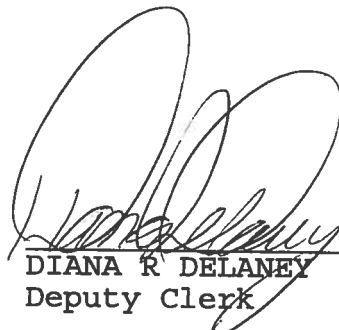
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 26, 2017, with sufficient first-class postage prepaid to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BARBARA CANTERBURY
GORDON CANTERBURY
PO BOX 967
WALLACE, ID 83873
Phone: 208-752-4471

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

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07/26/17