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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

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

By _____ Clerk
Deputy Clerk

In Re CSRBA

Case No. 49576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 94-08919, 94-
) 08920 and 94-08922

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 27, 2016, the United States of America, acting through the USDA Forest Service, filed objections to the *Director's Report* for these water right claims.¹ On July 12, 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 94-08919, 94-08920 and 94-08922 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

¹ Water Right claim 94-08918, (which was decreed disallowed on February 21, 2017) was designated as an uncontested overlapping water right.

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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
Case No. 49576) I.R.C.P. 54(b) FOR
)
) Water Right 94-08919

NAME AND ADDRESS: SNOWSTORM ENTERPRISES LLC
1332 OREGON DR
CONCORD, CA 94521

SOURCE: SPRING TRIBUTARY: DAISY GULCH CREEK
DAISY GULCH CREEK TRIBUTARY: SOUTH FORK COEUR D ALENE RIVER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1949

POINT OF DIVERSION: T48N R06E S30 NWSE Within Shoshone County
NWSE

The points of diversion are located in Mineral Survey No. 2104.
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 01-01 TO 12-31 0.04 CFS

Domestic use is for 1 home.

PLACE OF USE: Domestic Within Shoshone County
T48N R06E S31 NENW

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.
The points of diversion and place of use do not include any
federal land.

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
Court of Appeals for the State of Idaho

RECOMMENDATION

JUL 26 2017

SPECIAL MASTER

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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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 49576)
)
) Water Right 94-08920

NAME AND ADDRESS: SNOWSTORM ENTERPRISES LLC
1332 OREGON DR
CONCORD, CA 94521

SOURCE: SPRING TRIBUTARY: DAISY GULCH CREEK
DAISY GULCH CREEK TRIBUTARY: SOUTH FORK COEUR D ALENE RIVER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1942

POINT OF DIVERSION: T48N R06E S30 NWSE Within Shoshone County
NWSE

The points of diversion are located in Mineral Survey No. 2104.
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	01-01 TO 12-31	0.04 CFS

Domestic use is for 1 home.

PLACE OF USE: Domestic T48N R06E S31 NENW Within Shoshone County

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.
The points of diversion and place of use do not include any
federal land.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

RECOMMENDATION

JUL 26 2017

SPECIAL MASTER

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

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DEPARTMENT OF
WATER RESOURCES

In Re CSRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 49576)
)
) Water Right 94-08922

NAME AND ADDRESS: SNOWSTORM ENTERPRISES LLC
1332 OREGON DR
CONCORD, CA 94521

SOURCE: SPRING TRIBUTARY: DAISY GULCH CREEK
DAISY GULCH CREEK TRIBUTARY: SOUTH FORK COEUR D ALENE RIVER

QUANTITY: 0.08 CFS

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

PRIORITY DATE: 06/01/1918

POINT OF DIVERSION: T48N R06E S30 NWSE Within Shoshone County
NWSE

The points of diversion are located in Mineral Survey No. 2104.
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 01-01 TO 12-31 0.08 CFS

Domestic use is for one home, one barn and one shop.

PLACE OF USE: Domestic Within Shoshone County
T48N R06E S31 SENW

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.
The points of diversion and place of use do not include any
federal land.

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
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RULE 54(b) CERTIFICATE

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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 Judicial District

RECOMMENDATION

JUL 26 2017

Lee B. Booth
SPECIAL MASTER

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DEPARTMENT OF
WATER RESOURCES

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

JUL 26 2017

By _____

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

Clerk
Deputy Clerk

In Re CSRBA
Case No. 49576

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

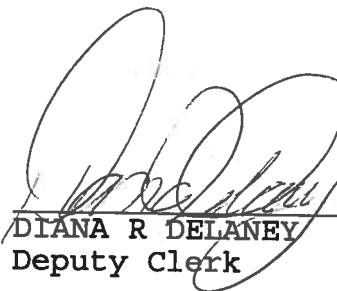
Water Right(s): 94-08919
94-08920 94-08922

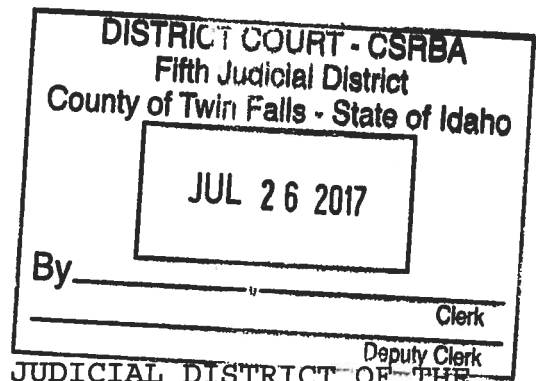
On July 26, 2017, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to CSRBA Administrative Order 1 (A01), Section 18a.

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 26, 2017.


DIANA R DELANEY
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): 94-08919
94-08920 94-08922

CERTIFICATE OF MAILING

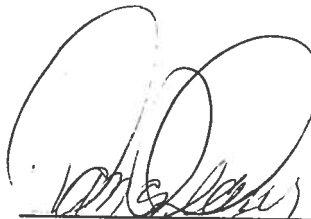
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 26, 2017, with sufficient first-class postage prepaid to the following:

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

SNOWSTORM ENTERPRISES LLC
1332 OREGON DR
CONCORD, CA 94521
Phone: 415-733-6508

CERTIFICATE OF MAILING



DIANA R DELANEY
Deputy Clerk

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07/26/17