

|                                       |              |
|---------------------------------------|--------------|
| DISTRICT COURT - CSRBA                |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| AUG 31 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(S): 92-10482**

**I. FINDINGS OF FACT**

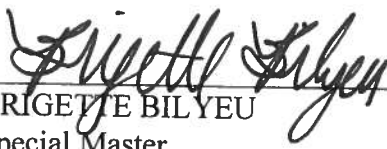
A claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

An *Objection* was filed by the Coeur d'Alene Tribe on May 7, 2015. *Responses* were filed by the State of Idaho and North Idaho Water Rights Alliance Members. The *Objection* was resolved on August 30, 2017 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

**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: August 31, 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**

**AUG 31 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 )  
 \_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
 I.R.C.P. 54(b) FOR  
 Water Right 92-10482

NAME AND ADDRESS: CYNTHIA SUGGS  
 RONALD SUGGS  
 238 GLEN ST  
 SUMMERVILLE, SC 29483

DOROTHY J SHIELDS  
 WILLIAM A SHIELDS  
 4889 ALDER CREEK RD  
 SAINT MARIES, ID 83861

SOURCE: ALDER CREEK TRIBUTARY: ST MARIES RIVER  
 UNNAMED STREAM TRIBUTARY: ALDER CREEK

QUANTITY: 0.02 CFS  
 0.80 AFY

The quantity of water under Right Nos. 92-10482 and 92-10483  
 shall not exceed 13,000 gallons per day.  
 Right Nos. 92-10482 and 92-10483 are limited to a total combined  
 annual diversion volume of 0.8 AF.

PRIORITY DATE: 12/31/1963

POINT OF DIVERSION: T45N R03W S34 NENW (Instream Beginning Point) Within Benewah County  
 NWNE (Instream Ending Point)  
 NWNE (Instream Beginning Point)  
 NWNE (Instream Ending Point)

**PURPOSE AND**

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
|                | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |
|                |                |                | 0.80 AFY |

Stockwater use is for the in-stream watering of livestock.

PLACE OF USE: Stockwater Within Benewah County  
 T45N R03W S34 NWNE NENW

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

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).

**RECOMMENDATION**

**AUG 31 2017**

*[Signature]*  
 SPECIAL MASTER

|                                       |       |
|---------------------------------------|-------|
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| County of Twin Falls - State of Idaho |       |
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| By _____                              | Clerk |
| Deputy Clerk                          |       |

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 )  
\_\_\_\_\_ )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

Water Right(s): 92-10482

On August 31, 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 August 31, 2017.

  
JANET CONNELL  
Deputy Clerk

# CERTIFICATE OF MAILING

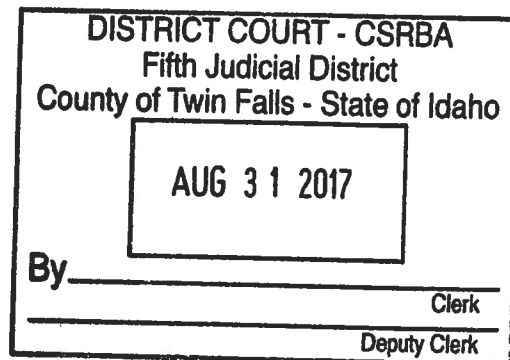
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT AND RECOMMENDATION FOR PARTIAL DECREE AND NOTICE OF ISSUANCE was mailed on August 31, 2017, with sufficient first-class postage to the following:

CHIEF NATURAL RESOURCES DIV  
OFFICE OF THE ATTORNEY GENERAL  
STATE OF IDAHO  
PO BOX 83720  
BOISE, ID 83720-0010  
Phone: 208-334-2400

HOWARD A. FUNKE  
424 SHERMAN AVE STE 308  
PO BOX 969  
COEUR D ALENE, ID 83816-0969  
Phone: 208-667-5486

SEMANKO, NORMAN M  
PARSONS BEHLE & LATIMER  
800 WEST MAIN STREET STE 1300  
BOISE, ID 83702  
Phone: 208-562-4900

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



*Quet Connel*  
Deputy Clerk