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DEPT. OF WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP 07 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 RIGHT 94-02173
)

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 United States of America, Department of Interior, Bureau of Land Management, filed an objection to the *Director's Report* for this water right claim. An Initial Hearing was held on July 11, 2017, at which the parties submitted a fully executed *Standard Form 5* stipulating to the elements of this water right. On July 31, 2017, IDWR filed an *Amended Director's Report*. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired. Accordingly, there are no outstanding objections to the *Amended Director's Report* for this water right claim.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 94-02173 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Sept. 7, 2017.



THEODORE R BOOTH

Special Master

Coeur d'Alene-Spokane River Basin Adjudication

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 94-02173

NAME AND ADDRESS: SHOSHONE GOLF & TENNIS
CLUB INC
PO BOX 629
OSBURN, ID 83849

SOURCE: UNNAMED STREAM TRIBUTARY: BIG CREEK

Point of injection into and point of redirection from Big Creek.

QUANTITY: 0.50 CFS
120.00 AFY

Right Nos. 94-2133, 94-2173 and 94-9387 are limited to a total
combined diversion rate of 1.0 cfs and to a total combined
annual diversion volume of 125.0 AF.

PRIORITY DATE: 10/31/1936

POINT OF DIVERSION: T48N R03E S10 SENE (Rediversion) Within Shoshone County
SESW
SWSE (Injection)

Diversion of water under this right is limited to those times
when water is available for diversion under the priority of this
right at the original point of diversion from Unnamed Stream
tributary to Big Creek in the T48N, R03E, S10, SESW.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	04-01 TO 10-31	120.00 AFY
Irrigation from Storage	04-01 TO 10-31	120.00 AFY
Diversion to Storage	04-01 TO 10-31	0.50 CFS

PLACE OF USE: Irrigation Storage Within Shoshone County
T48N R03E S10 NENW

Irrigation from Storage Within Shoshone County
T48N R03E S10 NWNE 5.8 SWNE 0.2
NENW 16.9 LOT 5 (SWNW) 2.8
SENE 13.9 NESW 0.4
40.0 Acres Total

Place of use does not include federal public lands.
Right Nos. 94-2133, 94-2173 and 94-9387 are limited to the
irrigation of a combined total of 40.0 acres in a single
irrigation season.

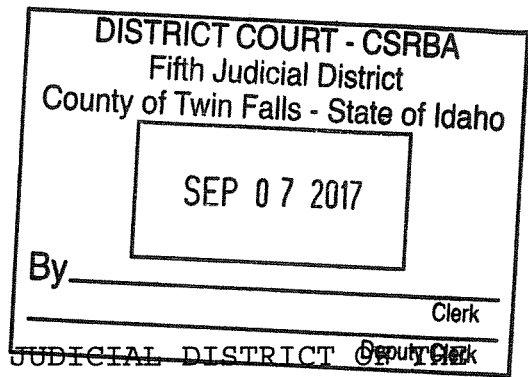
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

SEP - 7 2017

Lee R. Booth
SPECIAL MASTER



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

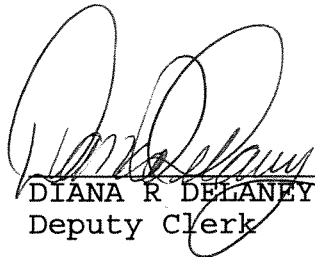
Water Right(s): 94-02173

On September 07, 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 September 07, 2017.


DIANA R. DELANEY
Deputy Clerk

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
SEP 07 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)
_____)

CERTIFICATE OF MAILING

Water Right(s) : 94-02173

CERTIFICATE OF MAILING

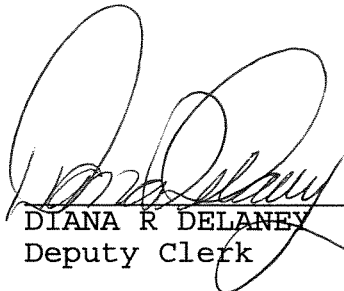
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on September 07, 2017, with sufficient first-class postage prepaid to the following:

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

SHOSHONE GOLF & TENNIS
CLUB INC
PO BOX 629
OSBURN, ID 83849
Phone: 208-753-2701

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

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

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09/06/17