

RECEIVED

MAR 23 2018

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAR 21 2018	
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

) Subcase Nos. 94-2113 and 94-4189
)
) ORDER SETTING ASIDE PARTIAL
) DECREES
)
) ORDER OF REFERENCE
)
)

Partial Decrees were issued for the above-captioned water rights on February 15, 2017. On March 2, 2017, Hecla Limited filed a *Motion to Set Aside and Modify Decree* in both subcases. A hearing on the *Motions* was held before the Court on March 20, 2018. No one appeared in opposition to the *Motions*. For reasons set forth on the record, the Court held that Hecla Limited set forth sufficient grounds to have the *Partial Decrees* set aside pursuant to Idaho Rule of Civil Procedure 60(b)(1). With respect to Hecla Limited's request that the Court issue amended partial decrees, the Court held that these subcases should be referred to the Special Master for further proceedings on that issue.

THEREFORE, BASED ON THE FOREGOING, THE FOLLOWING ARE HEREBY ORDERED:

1. The *Partial Decrees* previously issued for the above-captioned water rights **are hereby set aside.**
2. The above-captioned subcases are hereby referred to Special Master Theodore Booth for further proceedings consistent with this Court's *Order of Reference* dated August 9, 2016, appointing Theodore Booth as Special Master for all contested subcases for state-based claims in Basin 94.

DATED: March 20, 2018

ERIC J. WILDMAN

Presiding Judge

Coeur d'Alene-Spokane River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF REFERENCE was mailed on March 21, 2018, with sufficient first-class postage to the following:

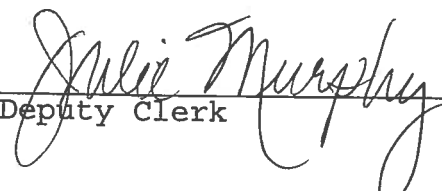
ALBERT P BARKER
1010 W JEFFERSON ST STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

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

ORDER

Page 1 3/21/18

FILE COPY FOR 00211


Deputy Clerk