

RECEIVED
SEP 13 2019
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP 11 2019
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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 49576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NO(s): EXHIBIT 1
_____	)	

I. FINDINGS OF FACT

Claims were filed for these water rights 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 recommendations for the elements of these water rights.

Objections were filed by the Idaho Department of Lands on April 26, 2019. The *Objections* were resolved on August 16, 2019 with the filing of *Standard Forms 5*. All parties to the subcase and IDWR are signatories to the *Standard Forms 5*.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that these water rights be **decreed** with the elements set forth in the attached *Special Master's Recommendation for Partial Decrees*.

DATED: September 11, 2019.



BRIGETTE BILYEU
Special Master
Coeur d'Alene-Spokane River Basin Adjudication

EXHIBIT 1

Subcase Nos:

95-00168
95-00506
95-02144
95-02199
95-02205
95-07138
95-07185
95-07231
95-07271
95-07713
95-07763
95-07827
95-08522
95-08639
95-08936
95-09113
95-09199
95-09216
95-09217

SEP 13 2019

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

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

SEP 11 2019

In Re CSRBA

Case No. 49576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54 (b) FOR

Water Right 95-00506

By

Clerk

Deputy Clerk

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: HAYDEN LAKE TRIBUTARY: SINKS

QUANTITY: 0.60 CFS
44.50 AFY

Right Nos. 95-506 and 95-2199 are limited to a total combined diversion rate of 0.60 cfs and to a total combined annual diversion volume of 54.2 AF.

PRIORITY DATE: 06/01/1957

POINT OF DIVERSION: T51N R03W S10 LOT 3 (SENW) Within Kootenai County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.60 CFS
			44.50 AFY

PLACE OF USE:

Place of use is within North Kootenai Water District's municipal service area as provided for under Idaho law. State endowment land within the municipal service area shall not be considered part of the place of use for this water right absent an express agreement between the Idaho Department of Lands and the municipal provider recorded with the Idaho Department of Water Resources.

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).

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.

RECOMMENDATION

SEP 11 2019

Alfredo Silva
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River 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

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
SEP 11 2019	
By _____	Clerk
_____	Deputy Clerk

In Re CSRBA)
Case No. 49576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 95-02144

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: GROUND WATER

QUANTITY: 0.65 CFS
30.00 AFY

PRIORITY DATE: 10/22/1962

POINT OF DIVERSION: T52N R04W S06 SENE Within Kootenai County
S17 SESE
SESE

Point of diversion described as being in T52N R04W S6 SENE, is located in Tract 37 as depicted in the 2005 resurvey.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.65 CFS 30.00 AFY

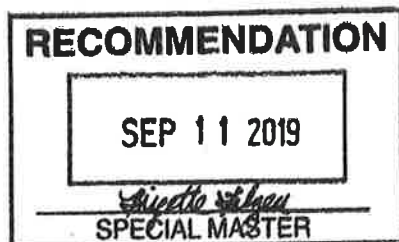
PLACE OF USE: Place of use is within North Kootenai Water District's municipal service area as provided for under Idaho law. State endowment land within the municipal service area shall not be considered part of the place of use for this water right absent an express agreement between the Idaho Department of Lands and the municipal provider recorded with the Idaho Department of Water Resources.

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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
Coeur d'Alene-Spokane River Adjudication

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DEPARTMENT OF
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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

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho SEP 11 2019 By _____ Clerk Deputy Clerk
--

In Re CSRBA)
Case No. 49576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 95-02199

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: HAYDEN LAKE TRIBUTARY: SINKS

QUANTITY: 0.34 CFS
9.70 AFY

Right Nos. 95-506 and 95-2199 are limited to a total combined
diversion rate of 0.60 cfs and to a total combined annual
diversion volume of 54.2 AF.

PRIORITY DATE: 02/02/1967

POINT OF DIVERSION: T51N R03W S10 LOT 3 (SENW) Within Kootenai County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.34 CFS 9.70 AFY

PLACE OF USE:

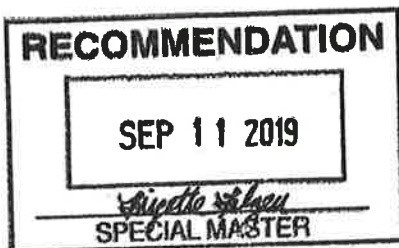
Place of use is within North Kootenai Water District's municipal
service area as provided for under Idaho law.
State endowment land within the municipal service area shall not
be considered part of the place of use for this water right
absent an express agreement between the Idaho Department of Lands
and the municipal provider recorded with the Idaho Department of
Water Resources.

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
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ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

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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

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
SEP 11 2019	
By _____	Clerk
Deputy Clerk	

In Re CSRBA)
Case No. 49576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 95-02205

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: GROUND WATER

QUANTITY: 0.29 CFS
30.00 AFY

PRIORITY DATE: 02/21/1967

POINT OF DIVERSION: T51N R04W S02 S11 SWSW Within Kootenai County
NWNE
NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.29 CFS 30.00 AFY

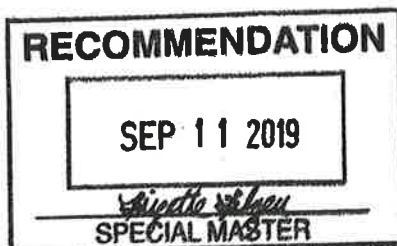
PLACE OF USE:
Place of use is within North Kootenai Water District's municipal service area as provided for under Idaho law. State endowment land within the municipal service area shall not be considered part of the place of use for this water right absent an express agreement between the Idaho Department of Lands and the municipal provider recorded with the Idaho Department of Water Resources.

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).

RULE 54(b) CERTIFICATE

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Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

SEP 13 2019

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

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

SEP 11 2019

In Re CSRBA

Case No. 49576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-07138

By

Clerk

Deputy Clerk

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: GROUND WATER

QUANTITY: 0.14 CFS
60.60 AFY

PRIORITY DATE: 03/25/1971

POINT OF DIVERSION: T51N R04W S02 SWSW Within Kootenai County
S11 NWNE
S14 NWNE
S15 SWSE
S23 NESE
NESE
SWSE
SWSE
S24 NWSW
R05W S23 SESE
S32 NESW
SESW
T52N R03W S07 SENE
S08 SWNW
S18 NWSE
R04W S06 SENE
S17 SESE
SESE
S28 NESE

This right does not grant any right-of-way or easement across
the land of another.
Point of diversion described as being in T52N R04W S6 SENE, is
located in Tract 37 as depicted in the 2005 resurvey.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Municipal	01-01 TO 12-31	0.14 CFS 60.60 AFY

PLACE OF USE:

Place of use is within North Kootenai Water District's municipal
service area as provided for under Idaho law.
State endowment land within the municipal service area shall not
be considered part of the place of use for this water right
absent an express agreement between the Idaho Department of Lands
and the municipal provider recorded with the Idaho Department of
Water Resources.

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

This right authorizes the diversion of ground water within the
Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of
water under this right shall be subject to the provisions of the
RPGWMA management plan approved by the director, including its
conservation goals.

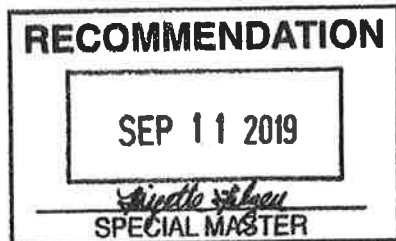
CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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).

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Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

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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

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

SEP 11 2019

In Re CSRBA)
)
Case No. 49576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-07185

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: GROUND WATER

QUANTITY: 1.39 CFS
624.00 AFY

PRIORITY DATE: 04/03/1972

POINT OF DIVERSION: T51N R04W S02 SWSW Within Kootenai County
S11 NWNE
NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.39 CFS 624.00 AFY

PLACE OF USE:

Place of use is within North Kootenai Water District's municipal service area as provided for under Idaho law. State endowment land within the municipal service area shall not be considered part of the place of use for this water right absent an express agreement between the Idaho Department of Lands and the municipal provider recorded with the Idaho Department of Water Resources.

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

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RULE 54(b) CERTIFICATE

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RECOMMENDATION

SEP 11 2019

Angelle Wilson
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

SEP 13 2019

DEPARTMENT OF
WATER RESOURCES

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

SEP 11 2019

Water Right 95-07231

By

Clerk

Deputy Clerk

QUANTITY
0.08 CFS
16.80 AFY

Place of use is within the service area of North Kootenai Water District as provided for under Idaho law. State endowment land within the municipal service area shall not be considered part of the place of use for this water right absent an express agreement between the Idaho Department of Lands and the municipal provider recorded with the Idaho Department of Water Resources.

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).

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RECOMMENDATION

SEP 11 2019

SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

SEP 13 2019

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

DISTRICT COURT - CSRBA

Fifth Judicial District

County of Twin Falls - State of Idaho

SEP 11 2019

By _____

Clerk

Deputy Clerk

In Re CSRBA

Case No. 49576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-07271

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: GROUND WATER

QUANTITY: 0.83 CFS
66.00 AFY

PRIORITY DATE: 04/03/1973

POINT OF DIVERSION: T51N R04W S02 S11 SWSW Within Kootenai County
NWNE
NWNE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.83 CFS
			66.00 AFY

PLACE OF USE:

Place of use is within North Kootenai Water District's municipal service area as provided for under Idaho law. State endowment land within the municipal service area shall not be considered part of the place of use for this water right absent an express agreement between the Idaho Department of Lands and the municipal provider recorded with the Idaho Department of Water Resources.

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

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RECOMMENDATION

SEP 11 2019

SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

SEP 13 2019

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

DISTRICT COURT - CSRBA

Fifth Judicial District

County of Twin Falls - State of Idaho

SEP 11 2019

In Re CSRBA

Case No. 49576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-07713

By

Clerk

Deputy Clerk

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
29.00 AFY

PRIORITY DATE: 03/30/1977

POINT OF DIVERSION: T51N R04W S02 SWSW Within Kootenai County
S11 NWNE
S14 NWNE
S15 SWSE
S23 SWSE
NESE
NESE
SWSE
S24 NWSW
R05W S23 SESE
S32 NESW
SESW
T52N R03W S07 SENE
S08 SWNW
S18 NWSE
R04W S06 SENE
S17 SESE
SESE
S28 NESE

This right does not grant any right-of-way or easement across the land of another.
Point of diversion described as being in T52N R04W S6 SENE, is located in Tract 37 as depicted in the 2005 resurvey.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Municipal

PERIOD OF USE
01-01 TO 12-31

QUANTITY
0.04 CFS
29.00 AFY

PLACE OF USE:

Place of use is within North Kootenai Water District's municipal service area as provided for under Idaho law. State endowment land within the municipal service area shall not be considered part of the place of use for this water right absent an express agreement between the Idaho Department of Lands and the municipal provider recorded with the Idaho Department of Water Resources.

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

This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.

CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

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DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSDISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 11 2019

In Re CSRBA)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Case No. 49576)

Water Right 95-07827

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: GROUND WATER

QUANTITY: 0.20 CFS
55.20 AFY

PRIORITY DATE: 03/29/1978

POINT OF DIVERSION:	T51N R04W S02	SWSW	Within Kootenai County
	S11	NWNE	
		NWNE	
	S14	NWNE	
	S15	SWSE	
	S23	NESE	
		NESE	
		SWSE	
		SWSE	
	S24	NWSW	
	R05W S23	SESE	
	S32	NESW	
		SESW	
	T52N R03W S07	SENE	
	S08	SNNW	
	S18	NWSE	
	R04W S06	SENE	
	S17	SESE	
		SESE	
	S28	NESE	

This right does not grant any right-of-way or easement across the land of another.

Point of diversion described as being in T52N R04W S6 SENE, is located in Tract 37 as depicted in the 2005 resurvey.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Municipal	01-01 TO 12-31	0.20 CFS
		55.20 AFY

PLACE OF USE:

Place of use is within North Kootenai Water District's municipal service area as provided for under Idaho law. State endowment land within the municipal service area shall not be considered part of the place of use for this water right absent an express agreement between the Idaho Department of Lands and the municipal provider recorded with the Idaho Department of Water Resources.

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

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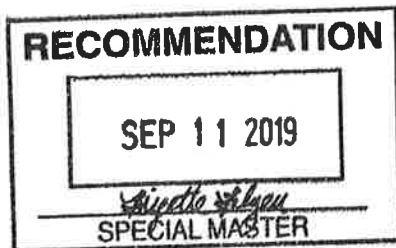
CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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
Coeur d'Alene-Spokane River Adjudication

RECEIVED

SEP 13 2019

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

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

SEP 11 2019

In Re CSRBA

Case No. 49576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-08522

By

Clerk

Deputy Clerk

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: GROUND WATER

QUANTITY: 0.61 CFS
441.60 AFY

PRIORITY DATE: 08/20/1986

POINT OF DIVERSION: T51N R04W S02 SWSW Within Kootenai County
S11 NWNE
S14 NWNE
S15 SWSE
S23 NESE
NESE
SWSE
SWSE
S24 NWSW
R05W S23 SESE
S32 NESW
SESW
T52N R03W S07 SENE
S08 SWNW
S18 NWSE
R04W S06 SENE
S17 SESE
SESE
S28 NESE

This right does not grant any right-of-way or easement across
the land of another.
Point of diversion described as being in T52N R04W S6 SENE, is
located in Tract 37 as depicted in the 2005 resurvey.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Municipal

PERIOD OF USE
01-01 TO 12-31

QUANTITY
0.61 CFS
441.60 AFY

PLACE OF USE:

Place of use is within North Kootenai Water District's municipal
service area as provided for under Idaho law.
State endowment land within the municipal service area shall not
be considered part of the place of use for this water right
absent an express agreement between the Idaho Department of Lands
and the municipal provider recorded with the Idaho Department of
Water Resources.

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

This right authorizes the diversion of ground water within the
Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of
water under this right shall be subject to the provisions of the
RPGWMA management plan approved by the director, including its
conservation goals.

CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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
Coeur d'Alene-Spokane River Adjudication

RECEIVED

SEP 13 2019

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

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho SEP 11 2019 By _____ Clerk _____ Deputy Clerk
--

In Re CSRBA)
Case No. 49576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 95-08639

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: GROUND WATER
GROUND WATER

QUANTITY: 1.00 CFS
376.00 AFY

PRIORITY DATE: 01/05/1990

POINT OF DIVERSION: T51N R04W S02 SWSW Within Kootenai County
S11 NWNE
S14 NWNE
S15 SWSE
S23 NESE
NESE
SWSE
SWSE
S24 NWSW
R05W S23 SESE
S32 NESW
SESW
T52N R03W S07 SENE
S08 SWNW
S18 NWSE
R04W S06 NENE
S17 SESE
SESE
S28 NENE
NESE
S33 SENE
T53N R04W S28 NENW

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
	Municipal	01-01 TO 12-31	1.00 CFS 376.00 AFY

PLACE OF USE:
Place of use is within North Kootenai Water District's municipal
service area as provided for under Idaho law.
State endowment land within the municipal service area shall not
be considered part of the place of use for this water right
absent an express agreement between the Idaho Department of Lands
and the municipal provider recorded with the Idaho Department of
Water Resources.

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

This right authorizes the diversion of ground water within the
Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of

CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

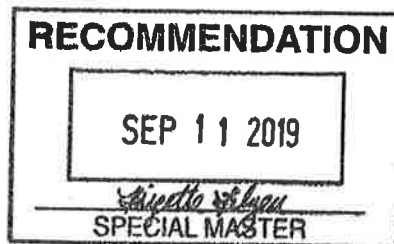
OTHER PROVISIONS (continued)

water under this right shall be subject to the provisions of the management plan approved by the director for the RPGWMA.

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
Coeur d'Alene-Spokane River Adjudication

SEP 13 2019

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

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

SEP 11 2019

By _____ Clerk
Deputy Clerk

In Re CSRBA

Case No. 49576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-08936

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: HAYDEN LAKE TRIBUTARY: SINKS

QUANTITY: 0.10 CFS
72.30 AFY

PRIORITY DATE: 03/03/1996

POINT OF DIVERSION: T51N R03W S10 LOT 3 (SENW) Within Kootenai County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Municipal

PERIOD OF USE
01-01 TO 12-31

QUANTITY
0.10 CFS
72.30 AFY

PLACE OF USE:

Place of use is within North Kootenai Water District's municipal service area as provided for under Idaho law. State endowment land within the municipal service area shall not be considered part of the place of use for this water right absent an express agreement between the Idaho Department of Lands and the municipal provider recorded with the Idaho Department of Water Resources.

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).

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.

RECOMMENDATION

SEP 11 2019

Eric J. Wildman
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

RECEIVED

SEP 13 2019

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

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho SEP 11 2019 By _____ Clerk _____ Deputy Clerk
--

In Re CSRBA)
Case No. 49576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 95-09113

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: COEUR D ALENE LAKE TRIBUTARY: SPOKANE RIVER

QUANTITY: 1.00 CFS
724.00 AFY

PRIORITY DATE: 10/26/2001

POINT OF DIVERSION: T50N R04W S36 LOT 4 (SESE) Within Kootenai County

A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
The approach velocity at the point of diversion shall not exceed 0.5 feet per second.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.00 CFS 724.00 AFY

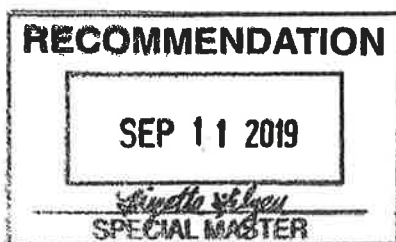
PLACE OF USE: Place of use is within North Kootenai Water District's municipal service area as provided for under Idaho law.
State endowment land within the municipal service area shall not be considered part of the place of use for this water right absent an express agreement between the Idaho Department of Lands and the municipal provider recorded with the Idaho Department of Water Resources.

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).

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
Coeur d'Alene-Spokane River Adjudication

RECEIVED

SEP 13 2019

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

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

SEP 11 2019

In Re CSRBA)
Case No. 49576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-09199

By

Clerk

Deputy Clerk

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: GROUND WATER

QUANTITY: 8.83 CFS
6393.00 AFY

PRIORITY DATE: 03/03/2003

POINT OF DIVERSION: T51N R04W S02 SWSW Within Kootenai County
S11 NWNE
S14 NWNE
S15 LOT 7 (SWSE)
S23 NESE
NESE
SWSE
SWSE
S24 NWSW
R05W S23 SESE
S32 NESW
SESW
T52N R03W S08 SWNW
S18 NWSE
R04W S06 LOT 1 (NENE)
S17 SESE
SESE
S28 NENE
NESE
S33 SENE
T53N R04W S28 NENW

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
	Municipal	01-01 TO 12-31	8.83 CFS 6393.00 AFY

PLACE OF USE:

Place of use is within North Kootenai Water District's municipal
service area as provided for under Idaho law.
State endowment land within the municipal service area shall not
be considered part of the place of use for this water right
absent an express agreement between the Idaho Department of Lands
and the municipal provider recorded with the Idaho Department of
Water Resources.

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

This right authorizes the diversion of ground water within the
Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of
water under this right shall be subject to the provisions of the
management plan approved by the director for the RPGWMA.

CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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
Coeur d'Alene-Spokane River Adjudication

RECEIVED

SEP 13 2019

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

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

SEP 11 2019

By _____ Clerk
Deputy Clerk

In Re CSRBA

Case No. 49576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-09216

NAME AND ADDRESS: NORTH KOOTENAI WATER DISTRICT
13649 N MEYER RD
RATHDRUM, ID 83858

SOURCE: COEUR D ALENE LAKE TRIBUTARY: SPOKANE RIVER

QUANTITY: 1.00 CFS
724.00 AFY

PRIORITY DATE: 01/21/2004

POINT OF DIVERSION: T50N R04W S36 LOT 4 (SESE) Within Kootenai County

The approach velocity at the point of diversion shall not exceed
0.5 feet per second.
A fish screen of 1/4 inch or smaller mesh shall be installed and
maintained at the point of diversion.

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Municipal

PERIOD OF USE
01-01 TO 12-31

QUANTITY
1.00 CFS
724.00 AFY

PLACE OF USE:

Place of use is within North Kootenai Water District's municipal
service area as provided for under Idaho law.
State endowment land within the municipal service area shall not
be considered part of the place of use for this water right
absent an express agreement between the Idaho Department of Lands
and the municipal provider recorded with the Idaho Department of
Water Resources.

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).

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.

RECOMMENDATION

SEP 11 2019

Rivett Wilson
SPECIAL MASTER

Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication

SEP 13 2019

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

Water Right 95-09217

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Sep-04-2019

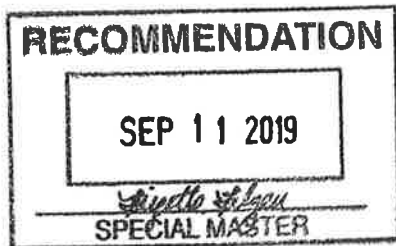
CSRBA -Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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
Coeur d'Alene-Spokane River Adjudication

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SEP 13 2019

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP 11 2019
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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 95-00168
(SEE ATTACHED EXHIBIT A)

On September 11, 2019, 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 September 11, 2019.


JANET CONNELL
Deputy Clerk

Exhibit A

Subcase Nos:

95-00168
95-00506
95-02144
95-02199
95-02205
95-07138
95-07185
95-07231
95-07271
95-07713
95-07763
95-07827
95-08522
95-08639
95-08936
95-09113
95-09199
95-09216
95-09217

RECEIVED
SEP 13 2019
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP 11 2019	
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): 95-00168
(SEE ATTACHED EXHIBIT A)

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 11, 2019, with sufficient first-class postage prepaid to the following:

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

NORTH KOOTENAI WATER DISTRICT

Represented by:
CHRISTOPHER H MEYER
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

NORTH KOOTENAI WATER DISTRICT

Represented by:
MICHAEL C CREAMER
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

CERTIFICATE OF MAILING

PAGE 1
09/11/19

IDAHO DEPARTMENT OF LANDS
Represented by:
STATE OF IDAHO
700 W JEFFERSON, RM 210
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400


JANET CONNELL
Deputy Clerk

Exhibit A

Subcase Nos:

95-00168
95-00506
95-02144
95-02199
95-02205
95-07138
95-07185
95-07231
95-07271
95-07713
95-07763
95-07827
95-08522
95-08639
95-08936
95-09113
95-09199
95-09216
95-09217