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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 09 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

) SPECIAL MASTER'S REPORT AND  
) RECOMMENDATION; FINDINGS OF  
) FACT AND CONCLUSIONS OF LAW

) WATER RIGHT NO.: 95-2134  
)

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 State of Idaho on April 26, 2019. The *Objection* was resolved on August 19, 2019 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: September 11, 2019.

  
\_\_\_\_\_  
BRIGETTE BIL YEU  
Special Master  
Coeur d'Alene-Spokane River Basin Adjudication

**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    | ) | PARTIAL DECREE PURSUANT TO |
|                | ) | I.R.C.P. 54(b) FOR         |
| Case No. 49576 | ) |                            |
| _____          | ) | Water Right 95-02134       |

NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDA FOREST SERVICE  
550 W FORT ST MSC 033  
BOISE, ID 83724

SOURCE: GROUND WATER

QUANTITY: 2.80 CFS  
594.00 AFY

The rights listed below are limited to a total combined annual diversion volume of 624 AF for irrigation purposes. Combined Right Nos.: 95-2134, 95-2142, and 95-7063  
Right Nos. 95-2134 and 95-17425 are limited to a total combined diversion rate of 2.80 cfs.

PRIORITY DATE: 11/12/1960

POINT OF DIVERSION: T51N R04W S34 SWSW Within Kootenai County

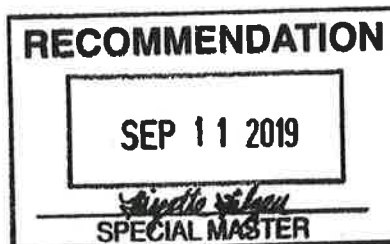
|                            |                |                |            |
|----------------------------|----------------|----------------|------------|
| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY   |
|                            | Irrigation     | 03-15 TO 11-15 | 2.80 CFS   |
|                            |                |                | 594.00 AFY |

|               |                                 |                        |
|---------------|---------------------------------|------------------------|
| PLACE OF USE: | Irrigation                      | Within Kootenai County |
|               | T50N R04W S03 LOT 3 (NENW) 40.0 | LOT 4 (NWNW) 40.0      |
|               | T51N R04W S34 NESW 13.0         | NWSW 20.0              |
|               | SWSW 38.0                       | SESW 37.0              |
|               | SWSE 10.0                       |                        |
|               | 198.0 Acres Total               |                        |

Right Nos. 95-2134 and 95-2142 are limited to the irrigation of a combined total of 198 acres in a single irrigation season.  
The rights listed below are limited to the irrigation of a combined total of 208 acres in a single irrigation season.  
Combined Right Nos.: 95-2134, 95-2142 and 95-7063.

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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| 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): 95-02134

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

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DEPARTMENT OF  
WATER RESOURCES

|                                                                                            |       |
|--------------------------------------------------------------------------------------------|-------|
| DISTRICT COURT - CSRBA<br>Fifth Judicial District<br>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) : 95-02134

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

STATE OF IDAHO

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

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

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JANET CONNELL 09/11/19  
Deputy Clerk