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OCT 16 2019

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - CSRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
OCT 15 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(s): 95-7964

I. FINDINGS OF FACT

A notice of 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.

No objections were filed for this water right. This water right, however, is used in combination with water right 95-14341 which was the subject of an *Objection*. An *Objection* was filed by Lloyd M. Winston on October 3, 2018. An Initial Hearing was held on September 18, 2019. At the hearing, Mr. Winston filed a *Withdrawal of Objection*. There was no opposition to the *Withdrawal of Objection*. The Court **granted** the *Withdrawal of Objection*.

There are no unresolved objections in subcase 95-7964. However, water right 95-7964 was involved in a name change pursuant to a *Notice of Completed Administrative Proceeding*. Water right 95-7964 will be recommended consistent with the *Notice of Completed Administrative Proceeding* filed on September 23, 2019.

II. CONCLUSIONS OF LAW

Therefore, 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: October 15, 2019.


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

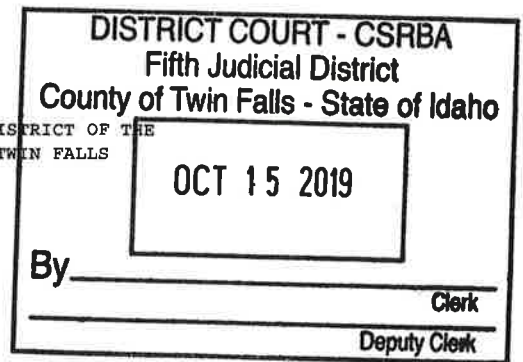
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA

Case No. 49576

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

Water Right 95-07964



NAME AND ADDRESS:

LLOYD M WINSTON
998 E TEMPLIN CT
POST FALLS, ID 83854-7150

SOURCE:

SPOKANE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY:

0.04 CFS
1.20 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE:

08/23/1979

POINT OF DIVERSION:

T50N R05W S02 LOT 5 (SWSW) Within Kootenai County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Domestic

PERIOD OF USE
01-01 TO 12-31

QUANTITY
0.04 CFS
1.20 AFY

Domestic use is for 1 home.

PLACE OF USE:

Domestic

Within Kootenai County

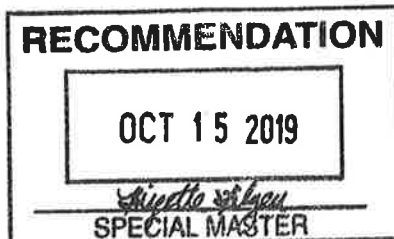
T50N R05W S02 LOT 5 (SWSW)

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

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Fifth Judicial District
County of Twin Falls - State of Idaho

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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

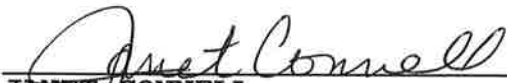
Water Right(s): 95-07964

On October 15, 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 October 15, 2019.


JANET CONNELL
Deputy Clerk

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WATER RESOURCES

DISTRICT COURT - CSRBA Fifth Judicial District County of Twin Falls - State of Idaho
OCT 15 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): 95-07964

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 October 15, 2019, with sufficient first-class postage prepaid to the following:

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

LLOYD M WINSTON
998 E TEMPLIN CT
POST FALLS, ID 83854-7150


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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10/15/19