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OCT 16 2019  
DEPARTMENT OF  
WATER RESOURCES

|                                                                                            |              |
|--------------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT - CSRBA<br>Fifth Judicial District<br>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    | ) | SPECIAL MASTER'S REPORT AND |
|                | ) | RECOMMENDATION; FINDINGS OF |
| Case No. 49576 | ) | FACT AND CONCLUSIONS OF LAW |
|                | ) |                             |
| _____          | ) | WATER RIGHT NO.: 95-8486    |

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 USDA Forest Service on March 25, 2019. The *Objection* was resolved on September 9, 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: October 15, 2019.

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

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

OCT 15 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

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

Water Right 95-08486

By

Clerk

Deputy Clerk

NAME AND ADDRESS: LANI K MC MAHON  
SHAWN T MC MAHON  
PO BOX 338  
HAYDEN, ID 83835

SOURCE: HAYDEN LAKE TRIBUTARY: SINKS

QUANTITY: 0.02 CFS  
0.60 AFY

The quantity of water under Right Nos. 95-113 and 95-8486 shall  
not exceed 13,000 gallons per day.

PRIORITY DATE: 08/12/1985

POINT OF DIVERSION: T51N R03W S21 LOT 5 (SWSE ) Within Kootenai County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE  
Domestic

PERIOD OF USE  
11-01 TO 03-31

QUANTITY  
0.02 CFS  
0.60 AFY

Domestic use is for 1 home.

PLACE OF USE:

Domestic

Within Kootenai County

T51N R03W S21 LOT 5 (SWSE)

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

OCT 15 2019

*Eric J. Wildman*  
SPECIAL MASTER

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

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| Fifth Judicial District               |              |
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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

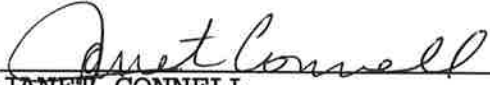
Water Right(s) : 95-08486

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

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| 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): 95-08486

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

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

LANI K MC MAHON  
SHAWN T MC MAHON  
PO BOX 338  
HAYDEN, ID 83835  
Phone: 208-660-6712

CERTIFICATE OF MAILING

  
JANET CONNELL  
Deputy Clerk

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10/15/19