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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.: 95-8924

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 Rathdrum Power LLC on September 26, 2018. 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

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)
 _____)
 PARTIAL DECREE PURSUANT TO
 I.R.C.P. 54(b) FOR
 Water Right 95-08924

NAME AND ADDRESS: RATHDRUM POWER LLC
 PO BOX 995
 RATHDRUM, ID 83858

SOURCE: GROUND WATER

QUANTITY: 4.49 CFS
 1475.70 AFY

PRIORITY DATE: 08/10/1995

POINT OF DIVERSION: T51N R05W S11 NENE Within Kootenai County
 NWNE

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
Irrigation	03-15 TO 11-15	0.01 CFS
		0.10 AFY
Industrial	01-01 TO 12-31	4.46 CFS
		1475.00 AFY
Domestic	01-01 TO 12-31	0.04 CFS
		0.60 AFY

Industrial use is for power plant cooling and operation.
 Domestic use is for various areas within the plant.

PLACE OF USE:	Irrigation		Within Kootenai County
	T51N R05W S11	NENE 0.1	
	0.1 Acres Total		
Industrial			Within Kootenai County
	T51N R05W S11	NENE	NWNE
		SWNE	SENE
Domestic			Within Kootenai County
	T51N R05W S11	NENE	NWNE
		SWNE	SENE

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).

RECOMMENDATION

OCT 15 2019

Angelle Wilson
SPECIAL MASTER

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Fifth Judicial District	
County of Twin Falls - State of Idaho	
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By _____	Clerk
_____	Deputy Clerk

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In Re CSRBA)
Case No. 49576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s) : 95-08924

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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In Re CSRBA)
Case No. 49576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 95-08924

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

RATHDRUM POWER LLC
Represented by:
NORMAN M SEMANKO
PARSONS BEHLE & LATIMER
800 WEST MAIN STREET STE 1300
BOISE, ID 83702
Phone: 208-562-4900


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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10/15/19