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NOV 15 2019

DEPARTMENT OF  
WATER RESOURCES

|                                       |              |
|---------------------------------------|--------------|
| DISTRICT COURT - CSRBA                |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| NOV 14 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.: 95-9514    |

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 Jeffrey and Candida Anthony on November 21, 2018. The *Objection* was resolved with the filing of a *Standard Form 5/Amended Claim* on September 18, 2019. All parties to the subcase and IDWR are signatories to the *Standard Form 5/Amended Claim*. The *Standard Form 5/Amended Claim* was placed on the Docket Sheet. No objections were filed and the time for filing such objections has now expired. There are no unresolved objections remaining in this subcase.

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*.

The Status Conference set on November 20, 2019 is **vacated**.

DATED: November 14, 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**

**NOV 14 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 95-09514

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**DEPARTMENT OF  
 WATER RESOURCES**

NAME AND ADDRESS: CANDIDA F ANTHONY  
 JEFFREY ANTHONY  
 3730 S HIGHWAY 95  
 COEUR D ALENE, ID 83814

SOURCE: COEUR D ALENE LAKE TRIBUTARY: SPOKANE RIVER

QUANTITY: 0.07 CFS  
 4.50 AFY

PRIORITY DATE: 08/11/2008

POINT OF DIVERSION: T50N R04W S22 SWNW Within Kootenai County

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

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE  | QUANTITY |
|-------------------------------|-----------------|----------------|----------|
|                               | Fire Protection | 01-01 TO 12-31 | 0.07 CFS |
|                               | Irrigation      | 03-15 TO 11-15 | 0.05 CFS |
|                               |                 |                | 4.50 AFY |

Water shall not be diverted for fire protection use under this  
 right except to fight or repel an existing fire.

|               |                 |                        |
|---------------|-----------------|------------------------|
| PLACE OF USE: | Irrigation      | Within Kootenai County |
|               | T50N R04W S22   | SWNW 1.5               |
|               | 1.5 Acres Total |                        |
|               | Fire Protection | Within Kootenai County |
|               | T50N R04W S22   | SWNW                   |

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**

**NOV 14 2019**

*Eric J. Wildman*  
**SPECIAL MASTER**

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

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WATER RESOURCES

|                                                                                            |
|--------------------------------------------------------------------------------------------|
| DISTRICT COURT - CSRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| NOV 14 2019                                                                                |
| By _____<br>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

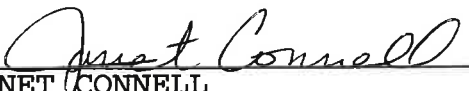
Water Right(s): 95-09514

On November 14, 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 November 14, 2019.

  
JANET CONNELL  
Deputy Clerk

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WATER RESOURCES

|                                                                                            |       |
|--------------------------------------------------------------------------------------------|-------|
| DISTRICT COURT - CSRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |       |
| NOV 14 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): 95-09514

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 November 14, 2019, with sufficient first-class postage prepaid to the following:

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

CANDIDA F ANTHONY  
JEFFREY & CANDIDA ANTHONY  
JEFFREY ANTHONY  
3730 S HIGHWAY 95  
COEUR D ALENE, ID 83814

  
JANET CONNELL  
Deputy Clerk

CERTIFICATE OF MAILING

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11/14/19